

January 6, 1982

title). LB 585 offered by Senator Warner. (Read title). LB 586 offered by Senator Wagner. (Read title). LB 587 offered by Senators Kremer, DeCamp, Wagner, Cope and Lamb. (Read title). LB 588 offered by Senator Wagner. (Read title). LB 589 offered by the Banking Committee and signed by its members. (Read title). LB 590 offered by Senators Kilgarin and Beutler. (Read title). LB 591 offered by Senator Landis. (Read title). LB 592 offered by Senator Lamb. (Read title). LB 593 offered by Senators Remmers and Richard Peterson. (Read title). LB 594 offered by Senator Landis. (Read title). LB 595 offered by Senator Fowler. (Read title). LB 596 offered by Senator Nichol. (Read title). LB 597 offered by Senator Nichol. (Read title). LB 598 offered by Senator Nichol. (Read title). LB 599 by Senator Nichol. (Read title). LB 600 by Senator Nichol. (Read title). LB 601 offered by Senator Nichol. (Read title). LB 602 offered by Senator Cullan. (Read title). LB 603 by Senator Cullan. (Read title). LB 604 offered by Senators Cope, Rumery and Fowler. (Read title). LB 605 offered by Senator Koch. (Read title). LB 606 offered by Senator Kremer. (Read title). LB 607 offered by Senator Howard Peterson. (Read title). LB 608 offered by Senator Howard Peterson. (Read title). LB 609 by Senator Marsh. (Read title). LB 610 introduced by Senator Howard Peterson and Senator Heffner. (Read title). LB 611 offered by Senator Kahle. (Read title). LB 612 offered by Senator Pirsch. (Read title). LB 613 offered by Senator Pirsch. (Read title). LB 614 offered by Senator Fowler. (Read title). LB 615 offered by Senator Burrows. (Read title). LB 616 offered by Senator Fenger. (Read title). LB 617 offered by Senator Stoney. (Read title). (See pages 77-88 of the Journal).

Mr. President, I have two new A bills, LB 404A offered by Senator Fowler. (Read title). And LB 604A offered by Senators Cope, Rumery and Fowler. (Read title). (See page 88 of the Journal).

Mr. President, I have a series of items to read into the record. Senator Koch would like to be excused January 7 and 8.

Mr. President, Senator Fowler would like to print amendments to....I am sorry, Senator Pirsch would like to print amendments to LB 465. (See pages 89 through 91 of the Legislative Journal). Senator Fowler to print amendments to LB 458. (See pages 91 through 93 of the Journal). Senator Rumery would like to print amendments to LB 287. (See pages 93 through 94 of the Journal). Senator Newell would like to print amendments to LB 131. (See page 95 of the Journal).

February 4, 1982

LB 240, 609, 623,  
631, 654, 902

once and for all we would do two things this year, keep our state control which you have' d with legislation if you are going to do anything. You are not going to have it otherwise. It is going to be lost, number one, if you don't pass the bill. And, number two, get it simplified in this usury rates to where at least we can kind of understand it from year to year. That is about it. I urge you to reject the amendment and that is it.

SENATOR CLARK: There is no way we can finish this amendment. We have got four more lights on up here. Senator Marsh, would you like to adjourn us until nine o'clock tomorrow morning? After he....

SENATOR MARSH: After he reads in?

SENATOR CLARK: After he reads in.

CLERK: Mr. President, Banking, Commerce and Insurance will hold an Exec Session in Senator DeCamp's office today at noon.

Your committee on Retirement Systems whose Chairman is Senator Fowler reports 609 advanced to General File with committee amendments attached; 902 advanced to General File; and 240 advanced to General File with amendments. Those are signed by Senator Fowler. (See pages 560 and 570 of the Legislative Journal).

Your Enrolling Clerk has presented to the Governor the bills that were read on Final Reading yesterday, Mr. President.

Senator Fowler would like to print amendments to LB 631. (See page 561 of the Journal.)

Senator Lamb would like to print amendments to LB 654 in the Journal. (See page 561 of the Journal).

Mr. President, Senator Wesely asks unanimous consent to add his name to the Wiitala motion previously filed today. (See page 561 of the Journal).

SENATOR CLARK: Senator Marsh.

SENATOR MARSH: Mr. Chairman, I move we recess until 9:00 a.m. on February 5th.

SENATOR CLARK: We have to adjourn.

March 3, 1982

LB 774, 582, 609, 890, 954

CLERK: Mr. President, LB 774 offered by the Education Committee and signed by its members. (Read title.) The bill was read on January 12th of this year, referred to the Education Committee for hearing. The bill was advanced to General File. Mr. President, I have no amendments to the bill.

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Thank you, Mr. Chairman. 774 very briefly does one thing, that is in view of the fact we passed 259, 774 must go because it will only be in effect one year, then it sunsets. Because the effective date for 259 is 1983, so we just merely protect people for this one year. After that 259 becomes the whole bill. 774 will sunset. I ask for the advancement to E & R initial.

SENATOR CLARK: Senator Newell, your light is still on. Is there any further discussion of 774, the advancement of 774? If not, all those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 27 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The bill is declared advanced. We will now go to the priority bills in the Work Sheet order, LB 522. We are going to read one thing in first.

CLERK: Mr. President, your committee on Revenue whose Chairman is Senator Carsten instructs me to report LB 890 advanced to General File; LB 582 advanced to General File with committee amendments attached; and LB 954 as indefinitely postponed. All of those signed by Senator Carsten as Chair. Mr. President, LB 522 was a bill introduced by Senator Vard Johnson.

SENATOR CLARK: I think he wants to hold that bill up for a little while. He has got some amendments coming up that are not here yet. 616 they want to pass over. LB 609 will be the next bill. LB 609, please.

March 3, 1982

LB 609

CLERK: Mr. President, LB 609 offered by Senator Marsh. (Read.) The bill was read on January 6 of this year. It was referred to the Retirement Committee for hearing. The bill was advanced to General File, Mr. President. There are Retirement Committee amendments pending.

SENATOR CLARK: Senator Fowler.

SENATOR FOWLER: Mr. President, I would move for adoption of the amendments. The amendments are essentially corrective with regards to placement of the new language, in order to make it clear as to when it is effective. In the original bill it was drafted and placed in the wrong place. In order to carry out the intent of the bill which is change the factor used in the annuity formula from one and a quarter to one and a half, this amendment needs to be adopted to put it in the right place in the bill. So it is really just kind of rearranging the language with regards to LB 609.

SENATOR CLARK: Any further discussion on the committee amendments? If not all those in favor vote aye, opposed vote nay. Have you all voted on the committee amendments?

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of committee amendments.

SENATOR CLARK: The committee amendments are adopted. Now on the bill, Senator Marsh.

SENATOR MARSH: Thank you, Mr. Chairman. LB 609 would change the contribution formula used to compute the benefits paid through the school employees retirement system. This change would bring the school employees systems into closer compliance with Principle 13 of the General Principles of Sound Retirement Planning developed by the Nebraska Retirement Systems committee. This principle states and I quote, "Contributions should be designed so that a new employee entering at age 35 or under will pay no more than 50% of the cost of the benefits." This year the district pays 45% of the teacher payroll. Under this bill local school districts would pay approximately one-half of the benefits cost. I move for the advancement of LB 609 from General File to E & R initial.

SENATOR CLARK: Is there any discussion on the advancement of LB 609? All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

March 3, 1982

LB 609, 522

SENATOR CLARK: Have you all voted? Once more, have you all voted, please? Record the vote.

CLERK: 25 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The bill is advanced. We will go back to 522.

CLERK: Mr. President, LB 522 (read title). The bill was introduced last year on January 20, 1981, referred to the Public Health Committee for hearing. The bill was advanced to General File, Mr. President. On April 28th of last year the committee amendments were adopted by the Legislature. On that date the bill failed to advance. I now have pending, Mr. President, an amendment from Senator Johnson. I believe copies have been distributed. Senator, as a procedural matter, do you wish to withdraw the amendment we had printed in the Journal, is that correct? Okay.

SENATOR CLARK: Senator Johnson, on the new amendment.

SENATOR VARD JOHNSON: Yes, Mr. Speaker and members of the body, the amendment that you have on your desk right now is relatively straightforward. This legislative bill has been held over from last year, and as a result of its being held over from last year, it is necessary to change a few of the operative dates in the legislation. That is one of the things that the amendment does. What the amendment would do is this, it would make certain that when the State of Nebraska assumes all responsibilities for the administration of public assistance in the state, the first thing the amendment would do is to make certain that it assumes the responsibility for the archaic and ancient program of general assistance which since 1866 has been a county poor relief program. The second thing this amendment would do is it would eliminate from the general assistance statutes all references to counties of legal settlement, those references no longer being necessary once there is a state administered system in place. The third thing this amendment would do is it would effectuate a reduction in county...the county share of the medicaid payment commencing July 1, 1983. The original committee amendments started that reduction July 1, 1982. However, the takeover itself is not to be effected until July 1, 1983 and thus the reduction in the county share of medicaid begins with the takeover on July 1, 1983. The fourth thing that the committee...that this amendment does is it eliminates a provision which says that whenever the State Department of Public Welfare decides that it wishes to actually close out a facility in a county, it first has to get permission from the county

March 5, 1982

LB 126, 259, 428, 609, 626, 774

intact the system of evidence that exists now.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President and members of the Legislature, we've spent so much time that I don't want to take time so I'll just say I respectfully oppose the amendments. I believe we've treated the issue before.

SPEAKER MARVEL: Okay, Senator Chambers, do you want to close on your motion. There are no lights up here. Do you want a roll call vote? Okay, call the roll.

CLERK: (Read roll call vote as found on page 1004 of the Legislative Journal.) 10 ayes, 33 nays, Mr. President.

SPEAKER MARVEL: The motion lost. Okay, we will now proceed with Final Reading. All legislators should be in their seats and the first bill to be read now is LB 126.

CLERK: (Read LB 126 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass. Those in favor vote aye, opposed no. Have you all voted? Clerk, record the vote.

CLERK: (Read record vote as found on page 1005 of the Legislative Journal.) 42 ayes, 2 nays, Mr. President, 3 present and not voting...3 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The next bill is LB 428. Yes.

CLERK: Mr. President, if I may right before that, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 626 and recommend that same be placed on Select File with amendments; LB 259 Select File with amendments; LB 774 Select File and LB 609 Select File, all signed by Senator Kilgarin as Chair. (See pages 1005-1006 of the Legislative Journal.)

I have a reference report referring gubernatorial appointments and I have an announcement from the Speaker regarding the scheduling of priority bills for special order consideration.

Mr. President, with respect to LB 428, first of all, Senator Johnson, I believe you had an amendment that you had printed

March 11, 1982

LB 609, 767, 767A,  
774, 941

LB 774.

SENATOR KILGARIN: I move we advance LB 774.

PRESIDENT: Motion to advance LB 774 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 774 is advanced to E & R for Engrossment. LB 609.

SENATOR KILGARIN: I move we advance LB 609.

PRESIDENT: Motion to advance LB 609 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 609 is advanced to E & R for Engrossment. LB 767.

SENATOR KILGARIN: I move the E & R amendment to LB 767.

PRESIDENT: Motion is to adopt the E & R amendments on LB 767. Any discussion? All those in favor of adopting the E & R amendments to LB 767 signify by saying aye. Opposed nay. The E & R amendments are adopted. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 767.

PRESIDENT: Motion to advance LB 767 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 767 is advanced to E & R for Engrossment. LB 767A.

SENATOR KILGARIN: I move we advance LB 767A.

PRESIDENT: Motion to advance LB 767A to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 767A is advanced to E & R for Engrossment. The next bill....before we do this, the Chair would like to introduce four students from Zion School at Bancroft from Senator Chronister's District with Principal, Gerry Kurka. Are they up here in the...are they in the...they must be up here in the north balcony. Do you want to wave to us if that is where you are up there? Hi, and welcome to your Unicameral. The next bill is LB 941, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 941.

PRESIDENT: Motion to advance LB 941 to E & R for Engrossment. Any discussion? If not all those in favor signify by saying aye. Opposed nay. LB 941 is advanced to E & R for Engrossment. LB 877, Senator Kilgarin.

March 15, 1982

LR 251  
LB 961, 962  
LB 839, 868, 877, 931, 941, 951,  
LB 378, 435, 577, 601, 609, 634,  
LB 651, 697, 716, 774, 784, 792

CLERK: Mr. President, very quickly, Senator Landis would like to print amendments to LB 868.

A new resolution, LR 251, offered by Senator Wesely. (Read.) (See paged 1176, Legislative Journal.) That will be laid over, Mr. President.

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined engrossed LB 378 and find the same correctly engrossed, 609, 634, 435, 577, 601, 651, 697, 774, 716, 784, 792, 839, 877, 931, 941, 951, and 961, and 962 all correctly engrossed. And that is all that I have, Mr. President.

SENATOR CLARK: Senator Stoney.

SENATOR STONEY: Mr. President, I would move that we adjourn until 9:00 a.m., March 16th, 1982.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. We are adjourned until nine o'clock tomorrow morning.

Edited by Arleen McCrory  
Arleen McCrory



April 14, 1982

LB 604, 604A, 609, 609A

CLERK: (Read record vote. See pages 1924 and 1925, Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read LB 604A. Does that have the emergency clause on it?

CLERK: (Read LB 604A on Final Reading.)

SENATOR CLARK: All provisions of law relative to procedure having been complied with, the question is, shall 604A pass with the emergency clause attached? All those in favor vote aye, opposed vote nay. Voting aye.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted? Record the vote.

CLERK: (Read record vote. See pages 1924 and 1925, Legislative Journal.) 46 ayes, 0 nays, 2 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read LB 609.

CLERK: (Read LB 609 on Final Reading.)

SENATOR CLARK: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted? Record the vote.

CLERK: (Read record vote. See pages 1925 and 1926, Legislative Journal.) 47 ayes, 0 nays, Mr. President, 2 excused and not voting.

SENATOR CLARK: The bill is declared passed on Final Reading. LB 609A.

ASSISTANT CLERK: (Commenced reading of LB 609A.)

SENATOR CLARK: Pardon me, Senator Fowler, for what reason to you rise?

SENATOR FOWLER: I guess this is just a procedural question and it is as good a bill to clear it up on as any. The

April 14, 1982

I mean a roll call vote.

SENATOR CLARK: (Interruption) a record vote and a roll call vote.

SENATOR NEWELL: You know, I have changed my mind. I would like to have people vote for this resolution. The more I think about it, Senator Chambers has a good point.

SENATOR CLARK: Well, we are talking about a roll call vote. The Clerk will call the roll if he don't want anyone else in here.

CLERK: (Roll call vote taken. See page 1937, Legislative Journal.)

SENATOR CLARK: We can't hear anything up here at all, gentlemen, please. I just say gentlemen because the ladies are not talking. When you quiet down, then we will go ahead and call the roll. (Gavel) That helped some. Go ahead and call the roll.

CLERK: (Roll call vote continued.) 16 ayes, 12 nays, Mr. President.

SENATOR CLARK: The motion lost.

CLERK: Mr. President, the bills read on Final Reading this morning are now ready for your signature.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 89, 714, 714A, 669, 669A, 609, 609A, 604, 604A, 278, 629, 629A, 480, 568, 909, 854, 854A, 835, 757, 753, 708, 688, and 966.