

January 6, 1982

LB 618 - 645

PRESIDENT: The Legislature will stand at Ease for about five minutes. We have a few more bills to get in and we would like to get them in at this point. So the Legislature will stand at Ease for five minutes.

EASE

PRESIDENT: The Clerk will proceed with the reading of new bills.

CLERK: Mr. President, new bills. LB 618 offered by Senator DeCamp. (Read title). LB 619 offered by Senator DeCamp. (Read title). LB 620 offered by Senator DeCamp. (Read title). LB 621 offered by Senator DeCamp. (Read title). LB 622 offered by Senator DeCamp. (Read title). LB 623 offered by Senator DeCamp. (Read title). LB 624 by Senator DeCamp. (Read title). LB 625 by Senator DeCamp. (Read title). LB 626 offered by Senator DeCamp. (Read title). LB 627 offered by Senators DeCamp and Kilgarin. (Read title). LB 628 offered by Senators DeCamp, Koch and Vickers. (Read title). LB 629 offered by Senator DeCamp. (Read title). LB 630 offered by Senator Newell. (Read title). LB 631 offered by Senators Von Minden, Hefner and Goll. (Read title). LB 632 offered by Senators Wesely, Remmers and Rumery. (Read title). LB 633 offered by Senator Clark. (Read title). LB 634 offered by Senator Newell. (Read title). LB 635 offered by Senator Kahle. (Read title). LB 636 offered by Senator Warner. (Read title). Mr. President, new bills. LB 637 offered by Senator Vickers. (Read title). LB 638 offered by Senator Koch. (Read title). LB 639 offered by Senator Wiitala. (Read title). LB 640 offered by Senator Wiitala. (Read title). LB 641 offered by Senator Wiitala. (Read title). LB 642 offered by Senator Wiitala. (Read title). LB 643 offered by Senator Wiitala. (Read title). LB 644 offered by Senator Vickers. (Read title). Mr. President, LB 645 introduced by Senator Kilgarin. (Read title). (See pages 95 through 100 of the Legislative Journal).

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The Chair recognizes Senator Wesely, Chairman of the Rules Committee, to proceed with item #10. I would respectfully remind the Legislature once again that we need to keep moving in order to remove some of the roadblocks, and if we don't they are going to be there as big as life itself. The Chair recognizes Senator Wesely.

SENATOR WESLEY: I move the adoption of permanent rules for this legislative session.

February 8, 1982

LB 635, 623, 644, 739,
742, 852

you please record your presence? Senator Von Minden, will
you please record your presence? Senator Haberman, will
you please record your presence? Senator Higgins, will
you please record your presence? Now the Clerk will read
some items in.

CLERK: Mr. President, while we are waiting, your committee
on Revenue gives notice of hearing in Room 1520 for
February 16, 17, 22, 23, and 24.

Your committee on Public Works whose Chairman is Senator
Kremer reports 644 to General File; 739 General File;
742 General File; 852 General File with amendments.

SPEAKER MARVEL: Senator Kahle, we are down to Senator
Beutler and he is on his way. Do you want to start the
roll call? If you will check with item #4 on the agenda,
you will find the motion. It has to do with LB 635.
Call the roll.

CLERK: (Roll call vote taken. See pages 583 and 584,
Legislative Journal.) 20 ayes, 24 nays, Mr. President.

SPEAKER MARVEL: The Call has been raised. Motion lost.

SENATOR CLARK PRESIDING

SENATOR CLARK: We are ready for item #5, General File,
LB 623.

CLERK: Mr. President, LB 623 (read title). The bill was
read on January 6th of the year, referred to the Banking
Committee for public hearing. The bill was advanced to
General File, Mr. President, with committee amendments
attached. I believe you will find the committee amendments
in your bill books. It is request #2565. The Legislature
considered the bill, Mr. President, on February 4 of this
year. At that time Senator Kilgarin had an amendment pending
to the committee amendments. Senator Kilgarin's amendment
is on page 559 and 560 of the Legislative Journal.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I yield to Senator DeCamp.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature,
over the weekend, I tried to get together everybody who
in any way remotely is affected by the legislation including,

March 5, 1982

LB 845, 644

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, I just wanted to let Senator Johnson know that since the politicians and people of Omaha have the good sense and the good taste to move the Capitol to Lincoln that the Senators from Lincoln will certainly be supporting whatever they do with that little piece of land that is left.

SPEAKER MARVEL: Senator Johnson, do you wish to close on your amendment?

SENATOR V. JOHNSON: I have no intention to do a closing but I feel as though I should give Senator Beutler a brick for his remarks. This very simply does allow a land transaction to be affected in the city that is very beneficial to the city, the schools, the people of the state, and the Joslyn Art Museum. I would move the advancement of the bill.

SPEAKER MARVEL: Motion is the advancement of the bill as explained by Senator Johnson. All those in favor vote aye, opposed vote no. LB 845. Have you all voted? Record.

CLERK: 35 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is LB 644.

CLERK: LB 644 offered by Senator Vickers. (Read title.) The bill was read on January 6 of this year. It was referred to the Public Works Committee for hearing. The bill was advanced to General File, Mr. President. I have no amendments to the bill.

SPEAKER MARVEL: The Chair recognizes Senator Vickers.

SENATOR VICKERS: Mr. Speaker and members, LB 644 was introduced at the request of the Nebraska Rural Electric Association and very simply what it does is it would allow the Rural Electrics of this state to buy bonds and instruments of indebtedness in a rural electric supply cooperative. Now the problem that has arisen is that there is such a rural electric supply cooperative known as Resco headquartered in Wisconsin that serves as a supply cooperative for the various REAs across the midsection of the United States. The public power districts of this state have been members of that association and buying some products from them for quite some years, but with the economic situation as it is, this supply cooperative has been attempting to sell small notes to their members in order to more adequately finance and fund their

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LB 644

operation. Due to the fact that in most states, in practically every other state except Nebraska, the rural electric are cooperatives themselves and we have, I think, about three of them in this state that are actually cooperatives. There is really no problem in those other states because it is simply...a good analogy I suppose would be to use Farmland Industries as a supply cooperative for the various coops within this state that use Farmland Industries as their supply cooperative. The same analogy could be used for the rural electric but since these rural electric power districts that we have in this state operate under a different set of rules than the cooperatives do, it needs this clarifying language in the statutes to allow them to work with their supply cooperatives. Now as I indicated, it is an issue of trying to get the rural electric power districts in this state to be able to have the same procedure that apply to the coops within this state. I might point out one other thing, this does not allow entities such as OPPD or MPPD to join in this cooperative since they themselves are not rural electric cooperatives. It has to be a rural electric cooperative or a rural electric association to be a member of this supply cooperative. With that explanation, Mr. President, I would move for the advancement of 644.

SPEAKER MARVEL: The motion is the advancement of the bill. Senator Sieck, do you wish to speak?

SENATOR SIECK: Yes, Mr. Speaker. I wish to support the bill. I am familiar with the Resco organization because we have dealt with that organization in Seward County for many years and I feel it gives a chance for the public power district to build up an inventory of supplies so that the supplies will be available and I actually feel this is going to be a consumer bill, actually a savings to the consumers because in the cooperative enterprise here we can buy our supplies a lot more reasonable and I feel it is going to help us in the public power field and the rural constituents in the State of Nebraska. So I urge your support.

SPEAKER MARVEL: The motion is to advance LB 644. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

CLERK: 28 ayes, 0 nays. Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: Motion is carried. The bill is advanced. Now before we proceed, Senator and Mrs. Kahle have several guests, Terry Johnson, Susan Dyer, Steve Kahle, Brian Wolford and Mike Crawford. They are Kearney High School students here to cheer the Kearney girls basketball team and Steve Kahle is a grandson of Senator and Mrs. Kahle and they were underneath the North balcony. Are you still

LB 577, 579, 601, 605, 642, 644, 651, 662,
677, 678, 696, 697, 718, 718, 719, 720,
728, 729, 739, 743, 764, 767, 767A, 775,
776, 778, 784, 792, 796, 807, 824, 825,
828, 839, 845, 869, 877, 890, 892, 931,
941, 951, 952, 961, 962

March 9, 1982

SPEAKER MARVEL PRESIDING

REV. MORRIS VENDEN: Prayer offered.

SPEAKER MARVEL: If I could have your attention for a moment before we proceed. The chairmen had a meeting today and it was agreed that we would attempt to control debate as we have not done too well in the last few months and that we would try, for instance, with 652 to have the debate and the vote on advancement after one hour and that we try to have the pros and the cons of these issues so it doesn't take forever to get the point across. This time we're in a position where we either try to limit debate or many of the other issues will simply go down the drain. So the Chair would appreciate, the chairmen would appreciate your cooperation in trying to give people an opportunity on both sides and not spend all day in the discussion. Record.

CLERK: There is a quorum present, Mr. President. Yes, sir, I do have some items to read in. Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 579 and find the same correctly engrossed; 662 correctly engrossed; 677 correctly engrossed; 718 correctly engrossed; 719 correctly engrossed; 728, 729 correctly engrossed; 764 correctly engrossed and 778 correctly engrossed. (See page 1060 of the Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 720 and recommend that same be placed on Select File with amendments; 767 Select File with amendments; 767A Select File; 807 Select File with amendments; 941 Select File; 877 Select File; 577 Select File; 792 Select File; 605 Select File; 931 Select File with amendments; 796 Select File; 845 Select File; 644 Select File; 739 Select File; 696 Select File; 828 Select File; 642 Select File; 678 Select File; 775 Select File; 776 Select File; 951 Select File; 961 Select File; 952 Select File; 784 Select File; 651 Select File; 716 Select File with amendments; 743 Select File; 601 Select File; 869 Select File with amendments; 697 Select File; 825 Select File; 892 Select File; 962 Select File with amendments; 839 Select File and 890 Select File with amendments. Those are all signed by Senator Kilgarin as Chair, Mr. President. (See pages 1057-1059 of the Legislative Journal.)

Mr. President, I have a motion from Senator Labeledz to place LB 824 on General File pursuant to Rule 3, Section 18(b). That will be laid over pursuant to our rules, Mr. President.

SPEAKER MARVEL: Okay, we go to item #4 and we're talking about LB 924 and I would caution you to do your best to get

March 11, 1982

LB 642, 644, 696,
828, 845

SENATOR KILGARIN: I move we advance LB 845.

PRESIDENT: Motion to advance LB 845 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 845 is advanced to E & R for Engrossment. LB 644, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 644.

PRESIDENT: Motion to advance LB 644 to E & R for Engrossment. Any discussion? Machine vote has been requested on LB 644, so...yes, on LB 644, yes. All right, motion then, all those in favor of advancing LB 644 to E & R for Engrossment vote aye, opposed nay. We will go to the board. Record the vote.

CLERK: 33 ayes, 1 nay, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 644 is advanced to E & R for Engrossment. The next bill, Senator Kilgarin, is LB 696.

SENATOR KILGARIN: I move we advance LB 696.

PRESIDENT: Motion to advance LB 696 to E & R for Engrossment. Machine vote has been requested. All those in favor of advancing LB 696 to E & R for Engrossment will vote aye, opposed nay. Go to the board. Record the vote.

CLERK: 33 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 696 is advanced to E & R for Engrossment. The next bill is LB 828. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 828.

PRESIDENT: Motion is to advance LB 828 to E & R for Engrossment. Machine vote has been requested. All those in favor vote aye, opposed nay. Go to the board. Record the vote.

CLERK: 36 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 828 is advanced to E & R for Engrossment. The next bill is LB 642, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 642.

March 16, 1982

LB 259, 642, 644, 652, 678, 696
767, 767A, 775, 776, 828, 845

that's where they have the programs that count and a number of kids that need help are being taught so I think that is a little bit misleading. So I believe it is only appropriate for us today to indefinitely postpone LR 240, get on with the business because we're going to have plenty of time to debate the budget in the next couple of weeks. Thank you.

SENATOR CLARK: The question before the House is the indefinite postponement of the resolution. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: Mr. President, Senator Koch requests a record vote. (Read record vote as found on page 1206 of the Legislative Journal.) 28 ayes, 10 nays, Mr. President, on the motion to indefinitely postpone the resolution.

SENATOR CLARK: The resolution is indefinitely postponed. Senator Lamb. He has some things to read in first.

CLERK: Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 259 and find the same correctly engrossed; 642, 644, 678, 696, 767, 767A, 775, 776, 828, 845 all correctly engrossed. (See page 1207 of the Legislative Journal.)

Senator Haberman would like to print amendments to LB 259 and Senator Slick and Remmers to LB 652. (See page 1207.)

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: Mr. President, I move that we adjourn until nine o'clock tomorrow morning, March 17, St. Patrick's Day, no celebration because Tommy's not here.

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

Edited by


L. M. Benischek

March 22, 1982

LB 259, 642, 644, 678

we want to go ahead with Final Reading. Motion is withdrawn. We will proceed then with the Final Reading of LB 259.

ASSISTANT CLERK: (Read LB 259 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 259 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1334 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 259 passes. The next bill on Final Reading, Mr. Clerk, is LB 642.

ASSISTANT CLERK: (Read LB 642 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 642 pass? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1335 of the Legislative Journal.) The vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 642 passes. The next bill to be read on Final Reading, Mr. Clerk, is LB 644.

ASSISTANT CLERK: (Read LB 644 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 644 pass? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on pages 1335 and 1336 of the Legislative Journal.) The vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 644 passes. The next bill to be read on Final Reading, Mr. Clerk, is LB 678.

ASSISTANT CLERK: (Read LB 678 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 678 pass?

March 22, 1988

LR 259
LB 259, 631, 642, 644, 678, 845,
696, 767, 767A, 775, 776, 828,

PRESIDENT: Senator Dworak, you wish to withdraw the amendment. Senator Dworak is withdrawing his amendment which was in the Journal and the amendment is withdrawn. So we will now proceed, Mr. Clerk, with the reading of LB 631.

CLERK: (Read LB 631 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied, the question is, shall LB 631 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: (Read the record vote as found on pages 1342 and 1343 of the Legislative Journal.) 38 ayes, 6 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 631 passes with the emergency clause attached. That will conclude Final Reading this morning. Before we take up agenda item #6, the Chair would like to introduce 70 students of the Youth Citizenship Seminar. This is group number two of the Nebraska Farm Bureau representing some 62 counties of our State of Nebraska and they are up here in the south balcony. We welcome you to your Legislature. Welcome. The Clerk will have some matters to read into the record. Proceed to do so.

CLERK: Mr. President, new resolution, LR 259, offered by Senator Haberman. (Read LR 259 as found on page 1343 of the Legislative Journal.) That will be laid over, Mr. President.

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

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 259, 642, 644, 678, 696, 767, 767A, 775, 776, 828, 845 and 631. Ready then, Mr. Clerk, for agenda item #6, motions, LB 731.

LR 270

LB 127, 259, 601, 611, 623, 642, 644,
647, 651-2, 659, 678, 696-7, 700,
716, 724, 757, 767-7A, 774-776,
779, 784, 792, 816, 828, 839, 845,
877, 931, 941, 951, 961-2, 705

March 29, 1982

Mr. President, three communications from the Governor addressed to the Clerk. (Read. Re: LBs 775, 776, 601, 623, 651, 659, 697, 705, 716, 724, 774, 779, 784, 792, 839, 877, 931, 941, 951, 961, 962, 259, 642, 644, 678, 696, 828, 845, 767, 767A. See pages 1415 and 1416, Legislative Journal.)

Mr. President, I have a series of Attorney General's opinions. The first is to Senator Vickers regarding LB 647; one to Senator Wesely regarding LB 700; a third to Senator Hefner regarding LB 611; a fourth to Senator Haberman regarding LB 127; and a fifth to Senator Carsten regarding LB 816. All of those will be inserted in the Legislative Journal.

Mr. President, a new resolution, LR 270 offered by Senator Newell. (Read. See pages 1424 and 1425, Legislative Journal.) That will be laid over pursuant to our rules, Mr. President.

Finally, Mr. President, Senator Wiitala asks unanimous consent to remove his name as cosponsor from an amendment to LB 652, Request 2652.

SENATOR CLARK: Is there any objection? So ordered.

CLERK: That is all that I have, Mr. President.

SENATOR CLARK: All right, is Senator Koch here? I think we will go ahead and pass over Senator Koch's request here until he arrives. We will go to item #5 on General File, the priority bills, the revenue priorities, 757 is the first bill.

CLERK: Mr. President, LB 757 introduced by the Speaker at the request of the Governor. (Read title.) The bill was read on January 11 of this year, referred to the Revenue Committee for public hearing. The bill was advanced to General File, Mr. President.

SENATOR CLARK: Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, in the absence of Senator Marvel I suspect that I should take the bill. The bill is very straightforward. There is no committee amendment. It is in its original form to reduce the minimum of the overlevy or cushion from 3% to 2%. It was a recommendation from the Governor in a bill that he had introduced by Senator Marvel and I would move that it be moved from General File to E & R Initial.

SENATOR CLARK: We have a motion on the desk.