

January 6, 1982

LR 197 - 201  
LB 646 - 655

and put it in the bill books. It is not that difficult an assignment. It could be spread around as the committee chairperson desires. It is optional. It is something that can be worked out very easily on each individual case as the committee chairperson feels is most appropriate. So as far as the chairpeople is concerned, I think they aren't legitimate and I think that the rule change is absolutely well written and could handle the situation that we have had a problem with. So I ask your support for the rule change and I think we will all benefit from it.

SPEAKER MARVEL: The motion is the adoption of amendment six. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Have you all voted? Okay, Clerk, record the vote.

CLERK: 17 ayes, 25 nays, Mr. President, on adoption of the proposed rule change.

SPEAKER MARVEL: The motion lost.

CLERK: Mr. President, if I may, new bills. LB 646 offered by Senator Goodrich. (Read title). LB 647 offered by Senator Hefner. (Read title). LB 648 offered by the committee on Agriculture and Environment. (Read title). LB 649 offered by the Administrative Rules and Regulations Committee. (Read title). LB 650 offered by the Education Committee. (Read title). LB 651 offered by the Education Committee. (Read title). LB 652 offered by the Education Committee. (Read title). LB 653 offered by the Education Committee. (Read title). LB 654 offered by the Education Committee. (Read title). LB 655 offered by Senator Beyer. (Read title). (See pages 102 through 105 of the Legislative Journal.)

Mr. President, I have received from the Reference Committee a reference report on gubernatorial appointments. That will be referred to them. (See pages 105 and 106 of the Legislative Journal.)

Mr. President, I have new resolutions. LR 197 offered by Senator Koch. (Read LR 197 as found on pages 106 and 107 of the Journal.) LR 198 offered by Senator Warner. (Read LR 198 as found on pages 107 and 108 of the Journal.) That will be referred to the Reference Committee, Mr. President, pursuant to our rules. Mr. President, LR 199 offered by Senators Fowler and Labeledz. (Read LR 199 as found on page 108 of the Journal.) Mr. President, LR 201 offered by Senator Wagner and the members. (Read LR 201 as found on pages 109 and 110 of the Journal.) That too, will be laid over, Mr. President. And finally, Mr. President, I have a notice of confirmation hearing by the Banking Committee for later this week.

January 25, 1982

LB 69, 560, 589, 598,  
646, 654, 865

by Senator Kilgarin as Chair.

Mr. President, your committee on Banking, Commerce and Insurance whose chairman is Senator DeCamp to whom is referred LB 589 instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File, 598 to General File, 646 to General File and 654 to General File...I'm sorry, 646, and Education reports LB 654 to General File. Those are signed by their respective chairmen, Mr. President.

Mr. President, Judiciary gives notice of cancellation of hearing for Wednesday, February 3 and I have received two reports, one from the University of Nebraska pursuant to LB 560 passed last session, a report from the Upper Big Blue Natural Resources District regarding payment of attorneys fees and, Mr. President, Senator Marsh would like to print amendments to LB 69 in the Legislative Journal. (See pages 395-397 of the Legislative Journal.)

Mr. President, I have a unanimous consent request from Senator DeCamp asking that the Banking, Commerce and Insurance Committee hold their hearings in Room 1113 tomorrow and Judiciary Committee would hold their public hearings in Room 2230, just switching hearing rooms.

PRESIDENT: Any objection? Hearing none, so ordered. We are ready then for agenda item #4, Motions. The first motion on gubernatorial appointments from the Agriculture Committee. Senator Wagner, will you handle the motion. The Chair recognizes Senator Wagner.

SENATOR WAGNER: Mr. Speaker and members, the Agriculture Committee held their confirmation hearings on Friday, the 15th and the three people we confirmed were Homer Loutzenheiser for the Environmental Control Council, All Wood for the Environmental Control Council and Donald Larson for the Nebraska Gasohol Committee. The committee acted favorable on these nominations. It is our recommendation that the Legislature approve of them.

PRESIDENT: Any discussion as to the motion of the Agriculture Committee? Hearing none, the question is the approval of the gubernatorial appointments for the Agriculture and Environment Committee. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 28 ayes, 0 nays, Mr. President, on approval of the report. (See vote on page 397 of the Legislative Journal.)

PRESIDENT: Motion carries. The report is approved. The next motion concerns LB 865, a motion to withdraw. Is Senator Goodrich here? Would someone make the motion for

February 3, 1982

LB 598, 646

and referred to the Banking, Commerce and Insurance Committee for public hearing. The bill was advanced to General File. Mr. President, I have no amendments at this time.

SENATOR CLARK: Go ahead. Explain the bill.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, better luck to Bill this time. LB 598 simply allows the technical community colleges to participate in the emergency efficiency grant program administered by the State Energy Office. The bill provides for no additional funding. All it does is provide that the technical community colleges may participate with the school districts in applying for matching grants to increase the energy efficiency of their buildings. I move for the advancement of the bill.

SENATOR CLARK: Senator Fowler, did you want to speak on this?

SENATOR FOWLER: Yes. I think this is a good idea. I think Senator Nichol has an excellent bill here, something to involve the community colleges in this program. I think they certainly deserve to be included and I think this is a much better idea than the last one. I certainly support it. Maybe I will make up for opposing the last one, I don't know.

SENATOR CLARK: The question before the House is the advancement of the bill. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: While we are waiting for the vote, I would like to announce that Mr. Gary Goldberg from Kearney, Nebraska, guest of Ron Cope, is under the North balcony. Will you stand and be recognized please? Welcome to the Legislature. Have you all voted? Record the vote.

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

SENATOR CLARK: The bill is advanced. LB 646.

CLERK: Mr. President, LB 646, introduced by Senator Goodrich. (Read title.) The bill was read on January 6 of this year. It was referred to the Banking, Commerce and Insurance Committee. The bill was advanced to General File. Mr. President, at this time I have no amendments pending.

February 3, 1982

LB 646, 692

SENATOR CLARK: Senator Goodrich.

SENATOR GOODRICH: Mr. President and members of the body, this particular bill is the one we do every year and it gives the state chartered savings and loan associations the same rights as federally chartered savings and loan associations. As the most of you know, for example, federal chartered savings and loan associations in Nebraska are regulated by the Federal Home Loan Bank. The state chartered savings and loan associations are regulated by the State Banking Department. Now we know, for example, that you cannot hinge state law on federal change so consequently we have to process this bill every session to keep the state chartered savings and loans on parity with the federally chartered savings and loans and that is really all the bill does. It is the annual bill that we do just to help the state chartered savings and loans. I move the advancement of the bill.

SENATOR CLARK: You heard the motion. Is there any discussion? All those in favor of advancing the bill vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted? No lobbying on the floor please. Once more, have you all voted? It takes 25 votes. Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: The bill is advanced. We are going to pass over 654 for a few minutes here until Senator Koch gets back. We will take up 692.

CLERK: Mr. President, LB 692 introduced by Senator Rumery. (Read title). The bill was read on January 7th of this year. It was referred to the Urban Affairs Committee for public hearing. The bill was advanced to General File. Mr. President, there are Urban Affairs Committee amendments attached to the bill.

SENATOR CLARK: Senator Landis on the committee amendments.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, the committee found a lot of sympathy for the concept that Senator Rumery brought to us. With respect to first class cities, there are two limitations; number one, a limitation of the vote of the people to approve bonds for the acquisition or improvements of parks, parkways, and boulevards,

February 4, 1982

All Senators that are in their seats, please check in. Will you all check in or shall I call out the names? Senator Sieck, Senator Kremer. All right, they are all here. Do you want a roll call vote? The Clerk will call the roll. They are all here.

CLERK: (Roll call vote taken. See page 545, Legislative Journal.) 27 ayes, 20 nays, Mr. President.

SENATOR CLARK: The motion lost. The next motion is to place #758 on General File notwithstanding the action of the committee. Senator Fowler. The Clerk would like to read in and the Call is raised.

CLERK: Mr. President, your committee on Revenue whose Chairman is Senator Carsten instructs me to report LB 819 advanced to General File with the committee amendments attached. That is signed by Senator Carsten as Chair. (See page 546 of the Journal).

Mr. President, Banking, Commerce and Insurance gives notice of cancellation of hearing. Signed by Senator DeCamp.

Mr. President, Senator Wesely would like to withdraw LB 237. That will be laid over.

Senator Vickers would like to print amendments to LB 230 in the Legislative Journal. (See pages 546 and 547 of the Journal). Senator Kahle to print amendments to LB 703 in the Legislative Journal. (See pages 547 and 548 of the Journal). Senator Schmit to print amendments to LB 421 in the Journal. (See page 549 of the Journal).

Mr. President, new A bill, 590A by Senator Kilgarin. (Read title).

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 255A and recommend that same be placed on Select File; 440 Select File with amendments; 314 Select File with amendments; 131 Select File with amendments; 287 Select File with amendments; 649 Select File; 571 Select File; 598 Select File and 646 Select File. Those are all signed by Senator Kilgarin as Chair. (See pages 549 through 552 of the Legislative Journal).

Mr. President, Senator Fowler moves that LB 758 be placed on General File notwithstanding the actions of the Appropriations Committee.

February 5, 1982

LB 287, 646, 649, 716, 717,  
720, 723

SENATOR KILGARIN: I move the E & R amendment to LB 287.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The E & R amendment is adopted. Now what do we do with the bill?

SENATOR KILGARIN: I move we advance LB 287.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. LB 649.

SENATOR KILGARIN: I move we advance LB 649.

SPEAKER MARVEL: All in favor of that motion...649? Okay, all in favor of...the first thing we do, I'm sorry. Senator Kilgarin, 649. Okay, the motion is to advance the bill. All in favor of that motion vote aye, opposed vote no. A machine and record vote have been requested. Have you all voted? The Clerk will record the vote.

CLERK: (Read record vote as found on pages 579-580 of the Legislative Journal.) 41 ayes, 3 nays, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. 571 will be passed over because there are some amendments. We go to 598.

SENATOR KILGARIN: I move we advance LB 598.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. The last bill, LB 646.

SENATOR KILGARIN: I move we advance LB 646.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. The Clerk has a couple items to read in and then, Senator Goodrich, after the Clerk has read in the items will you make the motion that we adjourn until Monday, February 8th, at 9:30 a.m. Okay, Mr. Clerk.

CLERK: Mr. President, Senator Haberman offers an explanation of vote.

Your committee on Judiciary whose chairman is Senator Nichol instructs me to report 720 advanced to General File; 716 advanced to General File with amendments; 717 General File with amendments; 723 indefinitely postponed, all signed by Senator Nichol. (See page 580 of the Legislative Journal.)

February 9, 1982

LB 237, 255, 274, 402, 525,  
589, 598, 646, 649, 802,  
828, 832

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Prayer by the Reverend Donald Nunnally, Pastor of Calvary United Methodist Church of Lincoln.

REVEREND NUNNALLY: Prayer offered.

SENATOR CLARK PRESIDING

SENATOR CLARK: Have you all recorded your presence? Have you all recorded your presence? The Clerk will record.

CLERK: There is a quorum present, Mr. President.

SENATOR CLARK: Are there any messages, reports or announcements?

CLERK: Mr. President, I have an Attorney General's Opinion addressed to Senator DeCamp regarding a proposed rule and regulation by the Political Accountability and Disclosure Commission. That will be inserted in the Journal. (See pages 597-600 of the Journal).

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 255 and find the same correctly engrossed; 274, 402, 525, 589, 598, 646 and 649 all correctly engrossed. That is signed by Senator Kilgarin as Chairman. (See pages 600 and 601 of the Journal).

Mr. President, I have a request from Senator Lamb to print resolutions from Chadron State College in the Legislative Journal for ultimate legislative approval. (See pages 601 and 602 of the Journal).

Mr. President, your committee on Public Health and Welfare whose Chairman is Senator Cullan instructs me to report LB 832 advanced to General File with committee amendments attached; 802 indefinitely postponed; and 828 advanced to General File. All signed by Senator Cullan as Chair. (See page 603 of the Legislative Journal).

SENATOR CLARK: We are ready for #4, motions, LB 237 by Senator Wesely to withdraw a bill. Senator Wesely.

SENATOR WESELY: Mr. President and members of the Legislature, the question before the House is the life and death of LB 237, a bill which has served the state well in its brief life. This bill attempts to deal with a very

February 19, 1982

LB 131, 274, 274A, 287,  
314, 402, 440, 454,  
589, 646, 649, 904

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 131, LB 274, LB 274A, LB 287, LB 314, LB 402, LB 440, LB 454, LB 589. The next order of business is Final Reading on LB 646.

CLERK: (Read LB 646 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 646. Have you all voted? This is voting on Final Reading, LB 646. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 786, Legislative Journal.) 46 ayes, 1 nay, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. Next bill, LB 649.

CLERK: (Read LB 649 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 649 on Final Reading. Record the vote.

CLERK: (Record vote read. See page 787, Legislative Journal.) 45 ayes, 1 nay, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading.

CLERK: Mr. President, Senator Cullan would like to have an executive session of the Public Health and Welfare Committee Monday morning at nine o'clock in Room 1019. That is Public Health and Welfare Monday morning, nine o'clock in Room 1019.

Urban Affairs instructs me to report LB 904 indefinitely postponed. That is signed by Senator Landis as Chairman.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Beyer, would you like to adjourn us until Monday morning at nine-thirty.

SENATOR BEYER: Mr. Speaker, I move that we be adjourned until Monday morning at nine-thirty.



LR 211, 224  
LB 131, 192, 198, 211, 224, 231,  
239, 263, 270, 274, 274A, 287,  
314, 402, 440, 448, 450, 454,  
465, 511, 547, 589, 592, 634,  
646, 649, 669A, 672, 827

February 22, 1982

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The prayer will be delivered by the Reverend Palmer.

REVEREND PALMER: Prayer offered.

SPEAKER MARVEL: Record your presence, please. While we are waiting for a quorum, underneath the South balcony from Scottsbluff, Nebraska, Audrey Towater is the guest of Senator Nichol. She is the one that has that large object there she is working on. I suggest that at your convenience you take a look at it. It is very interesting. Record, Mr. Clerk.

CLERK: There is a quorum present, Mr. President.

SPEAKER MARVEL: The Clerk has got some items to read into the Journal.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 634 and recommend that same be placed on Select File with amendments; 672 Select File with amendments and LB 827 Select File and 669A Select File, all signed by Senator Kilgarin. (See pages 790-791 of the Journal.)

Your Enrolling Clerk respectfully reports that she has presented to the Governor on February 19 at two-fifty, bills passed on Final Reading that day. (Re: LB 131, 274, 274A, 287, 314, 402, 440, 454 and 589.)

Mr. President, I have communications from the Governor. The first is addressed to the Clerk. (Read communication re: LB 239 as found on page 791 of the Legislative Journal.) The second communication is addressed to the Clerk. (Read re: LB 192, 198, 231, 263, 270, 448, 450, 465, 511, 592, 131, 274, 274A, 287, 314, 402, 454 and 589.)

Mr. President, your committee on Urban Affairs whose chairman is Senator Landis reports LB 904 as indefinitely postponed. That is signed by Senator Landis as Chair.

Senator Schmit would like to print amendments to LB 547 in the Legislative Journal. (See page 792 of the Journal.)

Mr. President, LR 211, 224 and LB 646 and 649 are ready for your signatures.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign LR 211, LR 224, engrossed LB 646, LB 649. (See page

February 22, 1982

LB 408, 646, 649, 685,  
LB 590A, 694, 740

SENATOR NICHOL: We're looking for Senator Cullan, Schmit. Senator Chambers, will you check in please.

CLERK: Senator Marsh voting yes.

SENATOR NICHOL: Senator Kilgarin, we're missing Senator Marvel and Senator Schmit. Do you want to continue or do you want to wait until they are here? We are under Call so you should be in your seats, please. Senator Schmit, are you on your way?

CLERK: Senator Marvel voting yes.

SENATOR NICHOL: Record the vote, Mr. Clerk.

CLERK: 25 ayes, 15 nays, Mr. President, on the motion to advance the A bill.

SENATOR NICHOL: The Call is raised and the bill is advanced.

CLERK: Mr. President, while we're waiting I have some items to read in. Your committee on Public Works whose chairman is Senator Kremer instructs me to report LB 408 advance to General File with committee amendments attached. And LB 694 advance to General File with committee amendments attached, both signed by Senator Beutler as Vice Chair. (See pages 796-802 of the Legislative Journal.)

Mr. President, your committee on Revenue whose chairman is Senator Carsten instructs me to report LB 740 advance to General File with committee amendments attached.

Mr. President, your Enrolling Clerk has presented to the Governor LB 646 and 649. (See page 803 of the Journal.)

The Education Committee would like to have an executive session immediately following their public hearing this afternoon. That is the Education Committee after their public hearing.

LB 685 is reported to Select File, Mr. President. (Page 803.)

Mr. President, a new resolution, LR 228 offered by Senators Labeledz and Wiitala. (Read. See page 803-804 of the Legislative Journal.)

SENATOR NICHOL: Members of the Legislature, Senator Shirley Marsh has some very special guests. I've asked her to please introduce you to them and she will do that at this time.

March 1, 1982

LR 232  
IB 522, 646, 649, 768,  
831, 860, 874, 885, 834

RECESS

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Okay, open the Board and record your presence. Record your presence.

CLERK: There is a quorum present, Mr. President.

SPEAKER MARVEL: Do you have some items to read in?

CLERK: Mr. President, a few items. A communication from the Governor addressed to the Clerk. (Read. Re: LB 646 and 649, and 834.)

Your committee on Public Health and Welfare reports 768 advanced to General File with committee amendments attached; and LB 831 General File with committee amendments attached; both signed by Senator Cullan.

Your committee on Public Works whose Chairman is Senator Kremer reports LB 860 advanced to General File with committee amendments attached; 874 and 885 General File with committee amendments attached. All signed by Senator Kremer.

Mr. President, Senator Vard Johnson would like to print amendments to LB 522 in the Legislative Journal.

SPEAKER MARVEL: Visiting the Legislature today from Senator Marsh's District, May Morley; Mrs. Johnson, Mrs. Pedersen, Mrs. Weisser, teachers; and they are in the North balcony. Can you hold up your hands so we can see where you are? Now, Mr. Clerk, do we have a resolution?

CLERK: Mr. President, we do. Mr. President, LR 232 offered by Senator Schmit, Carsten and Hefner. (Read.) Mr. President, Senator Carsten would move to suspend Rule 4, Section 6, so as to permit consideration of LR 232 today.

SPEAKER MARVEL: The Chair recognizes Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, I would ask the Legislature to support us in the move to suspend the rules and adopt this resolution today and that it be in proper form and be carried by Senator Hefner tomorrow to Senator Burbach's funeral and hand delivered to Mrs. Burbach. I would hope that this body would agree to this procedure. Thank you, Mr. President.

SPEAKER MARVEL: The Chair recognizes Senator Hefner.