

January 9, 1981

PRESIDENT: Will there be further discussion on LR 1. Senator Landis, you may close. No close, all right. The question before the House is the adoption of LR 1 found on page 82 of the Journal. All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Record the vote, Mr. Clerk.

CLERK: 30 ayes, 1 nay on adoption of the resolution, Mr. President.

PRESIDENT: The motion carries. The resolution, LR 1, is adopted. Anything further, Mr. Clerk, before we ...?

CLERK: Mr. President, yes, sir, I have a new resolution offered by Senators Goll and DeCamp. (Read LR 2 as found on pages 96-97 of the Legislative Journal.) Mr. President, pursuant to our rules, that resolution will be laid over.

PRESIDENT: We are ready then for the introduction of new bills. I would hope that all of you who have bills ready for introduction will get them up to the Clerk's desk so that we can expedite the reading in and introduction of new bills. Proceed, Mr. Clerk, with the reading of the new bills.

CLERK: Read LB 52-60 by title for the first time as found on pages 97-98.

Mr. President, if I could interrupt for just a moment, Senator Landis would like to have a meeting of the Urban Affairs Committee underneath the North balcony now for purposes of organizing, Urban Affairs Committee under the North balcony right now, Mr. President.

Read LB 61-65 by title for the first time as found on page 99 of the Legislative Journal.

Mr. President, Senator Lamb would like to have the Reference Committee of the Executive Board meet underneath the North balcony right now, that is Executive Board underneath the North balcony.

Read LB 66-67 as found on pages 99-100 of the Legislative Journal.

Mr. President, the Reference Committee would like to meet in the area where Senator Lamb is standing for purposes of referencing bills, Reference Committee over in the area where Senator Lamb is.

Read LB 68 by title for the first time as found on page 100 of the Legislative Journal.

February 4, 1981

LB 39A, 45, 64, 65, 92, 165,  
170, 185, 187, 199, 238, 244.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: (Microphone not on)....will be given by Dean L. Hubbard who is the President of Union College.

PRAYER: Offered by Dean L. Hubbard, Ph.D., President of Union College, Lincoln, Nebraska.

SPEAKER MARVEL: Roll call. Please record your presence. Have you all recorded your presence?

CLERK: Mr. President, Senators Warner and Carsten would like to be excused all day.

SPEAKER MARVEL: Okay, record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: The Clerk will read in some reports first.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 165 and recommend that same be placed on Select File; LB 185, Select File; LB 187, Select File; LB 238, Select File with amendments; LB 244, Select File; LB 92, Select File with amendments; LB 199, Select File with amendments; LB 170, Select File with amendments. (Signed) Senator Kilgarin, Chairman. (See pages 413 and 414 of the Legislative Journal.)

Mr. President, your Committee on Public Works whose Chairman is Senator Kremer to whom was referred LB 64 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 65, General File with amendments. (Signed) Senator Kremer, Chairman. (See pages 414 through 416 of the Legislative Journal.)

Mr. President, new bill, LB 39A, offered by Senator Kahle. (Read title to LB 39A as found on page 416 of the Legislative Journal.)

Mr. President, Senators Vard Johnson and Chambers would like to print amendments to LB 45 in the Legislative Journal. (See page 417 of the Journal.)

Your committee on Banking, Commerce and Insurance gives notice of public hearing in Room 2230 for Tuesday, March 3. (Signed) Senator DeCamp, Chairman. (See page 417 of the Journal.)

February 6, 1981

LB 64, 65

SENATOR REMMERS: I just want to say that there is a need for this, that several constituents in my district had asked that I introduce the same bill, or a similar bill, and when I found out that Senator Nichol had the bill in, I felt that I should support it because in the rural areas when there is a, as Senator Nichol said, there are times when the wrecker is out there alone, no sheriff or state patrol, and it is a very hazardous situation, and I think that they need the right to use the red lights to warn the people of what is going on on the road.

SPEAKER MARVEL: The motion is the adoption of LB 64 as amended, to advance the bill. All those in favor vote aye, opposed no. Record.

CLERK: 28 ayes, 1 nay, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried and the bill is advanced as amended. The next bill, LB 65.

CLERK: Mr. President, LB 65, offered by Senator Nichol. (Read title). The bill was read on January 9. It was referred to the Public Works Committee. It was advanced to General File. There are committee amendments by the Public Works Committee.

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, this bill was brought to us by Senator Nichol. It has to deal with railroad transportation districts. It won't go into the number of the adjustments and suggestions that Senator Nichol made, but will leave that to him. He made a whole number of suggestions which all of which the committee liked with the exception of one that we did change a bit. The suggestion that was changed, the one amendment has to do with the power of eminent domain. Presently under the law railroad transportation districts do have the right to exercise the power of eminent domain but only upon a vote of 5/6, 5/6 of the directors of a district. Under the bill that would have been changed to 2/3 of the directors of the district. The committee struck the language and retained the present provision in the law that requires the more difficult 5/6 approval in order to exercise the power of eminent domain. That is the sum and substance of the committee amendments.

SPEAKER MARVEL: Senator Nichol, do you want to speak to the committee amendments?

SENATOR NICHOL: Yes, Mr. Chairman, I wish to speak just to the one that Senator Beutler talked about. The reason for the bill in the first place is to accommodate counties with more than one city of the first class within its boundaries, and the reason we asked for the change from 5/6 to 2/3 was that you have to have the good will or the consent of the railroad or railroads involved in the first place, and we didn't think that since you would have to have the agreement of the railroad to start with, you wouldn't need quite that much percentage. I realize we are in a sensitive area but in this voting, this bill along with the one previously a year or two ago that provided for the districts in the first place said that the counties would have equal voting rights to the city or cities involved. In other words, if you had two or three cities, they could outvote the county. In this bill as well as the previous ones, the cities cannot outvote the counties in any way. So with the good will of the railroads provided in the first place, we thought that 2/3 would be better to accommodate those who may be absent from committee hearings. I still think it would be better to have 2/3 majority rather than 5/6 and they are both divisible by the number of members. For example, if you had a commission of twelve, we are talking about a majority of eight instead of a majority of ten. If you have a committee of eighteen, we are talking about a majority of ten instead of twelve. Senator Beutler, is it possible to segregate this one out and have a vote on it separately? I think it is the only one, isn't it?

SENATOR BEUTLER: Senator Nichol, it is the only committee amendment so the vote will be on....

SENATOR NICHOL: Yes, okay. So I would urge your not adoption of the committee amendment.

SPEAKER MARVEL: Okay, Senator Beutler. We are on the committee amendments.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I just wanted to make a brief comment not substituting for Senator Kremer on behalf of the Public Works Committee but on my own behalf as a representative from Lincoln. We have a railroad transportation district here and it is a very touchy subject in the sense

February 6, 1981

LB 65

that our problem...to solve our problem it involves eminent domain and involves the taking of homes, not just commercial property but the actual taking of homes in Lincoln, and Senator Wesely and myself on the Public Works Committee among others were very concerned about making it easier to do that. So it wasn't concerned with the approval of the railroad or whether you had railroad approval, it has to do with the taking of residences, at least here in Lincoln, and so I hope that you will retain the present law. Thank you.

SPEAKER MARVEL: Okay, we are voting on the committee amendments to LB 65. All those in favor of the committee amendments vote aye, opposed vote no. Have you all voted? Have you all voted? We are voting on the committee amendments. Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, I think I may as well ask for a Call of the House and a roll call vote.

SPEAKER MARVEL: The first question is, shall the House go under Call? All those in favor of that motion vote aye, opposed vote no. Okay.

CLERK: 12 ayes, 1 nay to go under Call, Mr. President.

SPEAKER MARVEL: The motion is carried. The House is under Call. All legislators please return to your seats, record your presence. Unauthorized personnel please leave the floor. Please record your presence. While we are waiting for legislators to return, I would like to indicate to the...especially to the Chairmen that if you have bills that you can report out today, it would be helpful. You are looking at the end of the business, or approximately the end of the business is before you on the green sheet, and we are going to get bogged down again unless we can get some bills and begin to process them by Monday. So we need your cooperation in getting the bills out as soon as possible so we can proceed with the business. Otherwise, by early Monday we will be out of business, so to speak. Senator Fenger, Senator Cullan, Senator Burrows, Senator Wiitala, Senator Koch, Senator....how many are excused? Senator Kilgarin, Senator Goodrich. Mr. Sergeant at Arms, Senator Goodrich, Senator Kilgarin and Senator Labedz.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Beutler, do you want call ins or do you want a roll call? Thank you. The only one

February 6, 1981

LB 65

we need now is Senator Goodrich, I think. Senator Beutler, do you want to go ahead with this without Senator Goodrich? Mr. Clerk, call the roll.

CLERK: (Read the roll call vote as found on page 458 of the Legislative Journal.) 18 ayes, 15 nays, Mr. President.

SENATOR CLARK: The motion fails. The committee amendments are not adopted. Do you have anything further on the bill?

CLERK: I have nothing further on the bill.

SENATOR CLARK: Senator Nichol, what do you want to do with the bill?

SENATOR NICHOL: Mr. Chairman and members of the Legislature, perhaps if some have reservations or questions about this, I think perhaps Senator Wesely and I can work this out before the bill advances beyond E & R Initial. But regardless of whatever the percentage is on the condemnation, I still think the bill is good. All the bill does is allow counties with more than one city of the first class in it, or primary, to have a railroad transportation safety district, and when the bill was passed originally as I recall there were no counties in which more than one city of the first class or primary was involved in a single county. Now there are more than one county...there is more than one county which has more than one city of the first class in it. So this would simply allow the districts of this nature to be in effect and secondly, it would continue to be of the nature whereby cities could not outvote counties, and counties felt that they should not, and I agree that they should not be outvoted by cities. So this is the substance of LB....I move for its advancement to E & R Initial.

SENATOR CLARK: The Call is raised. Senator Wesely.

SENATOR WESELY: Mr. President and members of the Legislature, I am very concerned about the eminent domain rights which have been changed as a result of the failure of the committee amendments. However, I do see a point of compromise that I will try and work out with Senator Nichol on Select File. For instance, we could find a way to allow a 2/3 eminent domain vote among those in railroad transportation districts that are formed in cooperation between city and counties with several cities involved. We could also keep the

February 6, 1981

LB 24, 65

provision for the 5/6 vote for those that are just one city and I think that would take care of the problem of Lincoln and the problem of Scottsbluff, so I see a point of compromise that we can deal with on Select File.

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Mr. Chairman, I move the previous question, but that is class legislation.

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

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted? Record the vote. Did you record the vote, Pat?

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

SENATOR CLARK: The motion carried. The bill is advanced. We will now take up LB 24. The Clerk will read.

CLERK: Mr. President, LB 24 was offered by Senator Rex Haberman. (Read title). The bill was read on January 8. It was referred to the Public Works Committee. It was advanced to General File, Mr. President. I do have committee amendments pending by the Public Works Committee.

SENATOR CLARK: Before I call on Senator Haberman, I would like to introduce six Webelos Scouts from Gibbon accompanied by Mr. and Mrs. Ron Erpelding. These are from Senator Ron Cope's District. Ron Cope is in District #36. They are in the north balcony. Raise your hands. Senator Haberman. Is there any amendments on this? The committee amendments by Senator Beutler first.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, you just as well listen from the beginning on this one because there are two different philosophies involved on a small bill but the philosophies are big. So it would behoove you to pay attention from the beginning. The bill...there is existent in the Nebraska statutes right now a law that prohibits the diversion

February 10, 1981

LB 14, 18, 20, 24, 41,  
51, 64, 65, 121, 165A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT LUEDTKE: Prayer by Senator Rumery.

SENATOR RUMERY: (Prayer offered.)

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Chambers would like to be excused all day; Senator Burrows until he arrives; Senator Carsten and Dworak all day.

PRESIDENT: Has everyone registered your presence? Has everyone registered your presence? Record the attendance, Mr. Clerk.

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

PRESIDENT: A quorum being present, are there any corrections to the Journal, Mr. Clerk?

CLERK: I have no corrections, Mr. President.

PRESIDENT: The Journal will stand correct as printed. Proceed with any messages, reports or announcements.

CLERK: Your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 41 and recommend that same be placed on Select File; LB 18 Select File; LB 121 Select File; LB 14 Select File; LB 51 Select File with amendments; LB 64 Select File with amendments; LB 65 Select File; and LB 24 Select File. (Signed) Senator Kilgarin, Chairperson.

PRESIDENT: We are ready then for Select File. Senator Nichol, will you handle E & R? We only have E & R amendments on 178 so we will just go right down through the list beginning with LB 20.

SENATOR NICHOL: Okay, are you ready to start. Mr. President, I move that LB 20 be advanced to E & R engrossing.

PRESIDENT: Motion to advance LB 20 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 20 is advanced to E & R for engrossment. LB 165.

SENATOR NICHOL: Mr. President, I move...

PRESIDENT: LB 165A. Just hold up a minute. All right, we will



February 11, 1981

LB 65

SPEAKER MARVEL: All those in favor of that motion say aye. Opposed no. The motion carried. The bill is advanced.

CLERK: Mr. President, LB 65, there are no E & R amendments, but Senator Wesely has an amendment pending. The amendment reads as follows: (Read the Wesely amendment as found on page 495 of the Legislative Journal.) The amendment is offered by Senator Wesely.

SPEAKER MARVEL: Senator Wesely.

SENATOR WESELY: Mr. Speaker and members of the Legislature, this amendment is important to the City of Lincoln because of the fact that we do have a Railroad Transportation Safety District and there is some controversy concerning potential eminent domain exercising of their authority in that area, and presently there is a 5/6 majority vote required in order to exercise that authority. The bill, as Senator Nichol has it, presently would change that to 2/3. I see no problem in allowing Scottsbluff and two RTSDs to have only 2/3 majority in terms of eminent domain rights, but I do want to keep it at 5/6 for the City of Lincoln for a number of reasons. This would merely maintain the present status quo situation in Lincoln and for any other county that would have a one city-county coordinated RTSD so that they would still have a 5/6 majority required to exercise eminent domain rights. It would allow a two city-county plus cooperative RTSD 2/3 majority to exercise eminent domain rights. Essentially, this is a status quo amendment and certainly important to myself and to the City of Lincoln.

SPEAKER MARVEL: Senator Nichol, your light is on.

SENATOR NICHOL: Mr. Chairman and members of the Legislature, I have certainly no objection to Senator Wesely's amendment. Senator Wesely, was that 3/4 or 2/3 you mentioned the other.....Senator Wesely, you said I wanted it 2/3, was that 3/4 rather than 2/3?

SENATOR WESELY: No, 2/3 is what you would have.

SENATOR NICHOL: Okay. All right, I have no objection to the amendment.

CLERK: It is not in the Journal, Senator, if that is your question.

SPEAKER MARVEL: Senator Goodrich.

SENATOR GOODRICH: Would Senator Wesely yield to a couple of questions? Senator Wesely, you are throwing something at us here that you haven't shown anybody yet and I want to know what it is. It is my understanding, and I can't tell a darn thing from what you said, but when I have just been told that in Lincoln and Omaha you are saying it takes a five-sixths majority of something to what, exercise their eminent domain or something?

SENATOR WESELY: Yes, and Senator Goodrich, this isn't new. This was discussed on the bill on General File. Essentially, all this does is reinstate the present language concerning our present RTSDs for those that would be created...(interruption).

SENATOR GOODRICH: Your present what?

SENATOR WESELY: This amendment would just keep as...

SENATOR GOODRICH: Okay.

SENATOR WESELY: ....the status quo the present requirement on eminent domain majority for those RTSDs that now exist. See what this bill does is allow Scottsbluff and Gering to cooperatively join with their county in joining an RTSD. Presently, they can't do that. Presently, only one city and their county can do that, so this expands it and for that expanded two city, one county arrangement they can go down to two-thirds vote and have eminent domain rights. But for all those present RTSDs which all have to be one city, one county, they would still be maintained at a five-sixths vote to have eminent domain rights.

SPEAKER MARVEL: Senator Wesely, do you want to close on your amendment?

SENATOR WESELY: Yes, Mr. Speaker. I don't think it is as confusing as people are making it out to be. Essentially, the present status is it takes five-sixths votes for an RTSD to declare eminent domain authority and as I said, RTSDs now can only be formed with one city and county cooperatively. What we are trying to do in this bill is allow Scottsbluff to form an RTSD with Gering and their county so that there would be three entities. Because of that new arrangement, they need to go down to two-thirds vote in order to function with an eminent domain right because of the different arrangement, so it appears to be fine to do that for Senator Nichol's

February 11, 1981

LR 15  
LB 24, 65, 207

situation but I don't want to change the situation that we have had for current RTSs, so this is an attempt to maintain the status quo for them but still allow Senator Nichol to deal with the problem he has in his area.

SPEAKER MARVEL: The motion is the adoption of the Wesely amendment to LB 65. All those in favor of the motion vote aye, opposed no. Record.

CLERK: 26 ayes, 1 nay, Mr. President, on adoption of the amendment.

SPEAKER MARVEL: The motion is carried. The amendment is adopted. Now are we ready to advance the bill?

CLERK: Yes, sir.

SENATOR NICHOL: Mr. Chairman, I move LB 65 be advanced to E & R for Engrossing.

SPEAKER MARVEL: The motion is the advancement of the bill as amended. All those in favor say aye. Opposed no. The motion is carried. The amendment is adopted. The bill is advanced. LB 24.

CLERK: I have nothing on it, Senator.

SENATOR NICHOL: Mr. Chairman, I move LB 24 be advanced to E & R Engrossment...for Engrossment.

SPEAKER MARVEL: All those in favor of advancing the bill say aye. Opposed no. The motion is carried. The bill is advanced. Are we ready for General File now? Okay, the Clerk has got some items to read in.

CLERK: Mr. President, your Committee on Judiciary gives notice of cancellation of public hearing and rescheduling for February 18. (See page 495 of the Legislative Journal.)

Senator Koch would like to be excused on Thursday, February 12.

Mr. President, new resolution offered by Senators Koch and Marvel. (Read LR 15 as found on pages 495 and 496 of the Legislative Journal.) Mr. President, that will be laid over.

SPEAKER MARVEL: We are ready to go to General File, item #5, and the first bill the Clerk will read is 207.

February 12, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Monsignor Charles J. Keenan of the Blessed Sacrament Parish, Lincoln, Nebraska.

MONSIGNOR KEENAN: Prayer offered.

SPEAKER MARVEL: Roll call. Will you please record your presence. Have you all recorded your presence? Record the vote.

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

SPEAKER MARVEL: Do you have some items to read into the record?

CLERK: Yes, sir, I do. Mr. President, your committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 336 and recommend that same be placed on Select File with amendments; 336A Select File; 33 Select File; 96 Select File; 31 Select File, 214 Select File, 120 Select File and 85 Select File with amendments, (Signed) Senator Kilgarin, Chair. (See pages 512-513 of the Legislative Journal.)

Mr. President, your committee on Banking, Commerce and Insurance whose chairman is Senator DeCamp to whom is referred LB 195 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 272 General File with amendments; 273 General File with amendments and 355 General File with amendments, (Signed) Senator DeCamp, Chair. (See pages 512-514 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 14 and find the same correctly engrossed; 18, 41, 51, 64, 65 and 121 all correctly engrossed.

And finally, Mr. President, I have a lobby registration report covering the week of February 6 through February 11, 1981. (See page 515 of the Journal.)

SPEAKER MARVEL: Okay, we will go to item #4, introduction of new bills.

CLERK: Mr. President, Senator Nichol moves to suspend Rule 5, Section 5 so as to permit the introduction of Request 889 by himself.

SPEAKER MARVEL: Senator Nichol.

February 20, 1981

LB 64, 65

trouble like that any more. Thank you, Senator Dworak, for bringing that matter to our attention and I think we all understand the point that was made. Proceed then with the... the next one is LB 51, and, Mr. Speaker, I believe you want that one passed over. So LB 51 will be passed over. We will go on to LB 64 on Final Reading.

CLERK: Mr. President, LB 64 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 64 pass? All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 601, Legislative Journal.) 42 ayes, 6 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 64 passes. The next bill on Final Reading is LB 65, Mr. Clerk.

CLERK: Mr. President, I have a motion on the desk.

PRESIDENT: Read the motion.

CLERK: Senator Nichol moves to return LB 65 to Select File for specific amendment. (Read Nichol amendment found on page 602, Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. President, they made a mistake in printing. I have to bring it back for correction. I move we bring it back to E & R for reengrossing or whatever you call it, for correction.

PRESIDENT: For the amendment for correction, is there any discussion on the Nichol amendment to bring LB 65 back for the corrective amendment? Senator Nichol, would you respond to that question.

SENATOR NICHOL: They have two words "of", o-f, in there and also "five-sixths" twice instead of once and it doesn't make sense the way it is.

PRESIDENT: Any further discussion? If that concludes your remarks, Senator Nichol, then we will proceed. The question then is the returning to Select File for the purpose of the amendment of LB 65. All those in favor vote aye, opposed nay. Record the vote.

February 20, 1981

LB 65, 121

CLERK: 44 ayes, 0 nays on the motion to return, Mr. President.

PRESIDENT: Motion carried and LB 65 is returned to Select File for the purposes of the specific amendment. Do we have the amendment? We just as well proceed with it right now. We have done this in the past and it is far more expeditious if we do it right now.

SENATOR NICHOL: That is fine with me. I just thought it had to lay over a day.

PRESIDENT: No, it does not have to lay over a day.

SENATOR NICHOL: I move for the...

PRESIDENT: A motion to adopt the amendment, the corrective amendment. Any discussion? All those in favor of adopting the corrective amendment vote aye, opposed nay. Record the vote.

CLERK: 42 ayes, 0 nays, Mr. President, on the adoption of Senator Nichol's amendment.

PRESIDENT: Motion carries and the amendment is adopted. Senator Kilgarin or Senator Nichol can do it.

SENATOR NICHOL: Mr. Chairman, I move for the advancement of LB 65 to Final Reading.

PRESIDENT: The motion by Senator Nichol is to advance LB 65 to E & R for engrossment. All those in favor signify by saying aye, opposed nay. LB 65 is readvanced to E & R for engrossment. Now we are ready for the final bill on Final Reading, LB 121.

CLERK: LB 121 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 121 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 602, Legislative Journal.) 48 ayes, 0 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 121 passes and that will conclude Final Reading today. Do you have some matters to read in? You may proceed.

CLERK: Mr. President, your committee on Education gives notice of hearing for Monday, March 16. (Signed) Senator Koch, Chair.

March 2, 1981

LB 24, 65, 214

CLERK: (Read the record vote as found on page 705 of the Legislative Journal.) 37 ayes, 9 nays, 1 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 214 passes with the emergency clause attached. The next bill on Final Reading is LB 65, Mr. Clerk.

CLERK: (Read LB 65 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 65 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on pages 705 and 706 of the Legislative Journal.) 47 ayes, no nays, 1 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 65 passes with the emergency clause attached. Before we proceed with LB 24, the Chair takes great pleasure in introducing to the body former Speaker and Senator of this Legislature, Elvin Adamson from Nenzel, Nebraska. He is under the south balcony. Elvin, will you stand up and be recognized, and welcome back. We also have...the Clerk would like to have it announced that Senator Rumery's birthday was yesterday and we want to say, Happy Birthday to you and say that there will be some cake served about 10:30, so if you can all hang on long enough why you will have some sustenance about that time. We would also like to take this opportunity to introduce some guests of Senator Cullan, 22 students of Political Science from Chadron State College. I had the pleasure of visiting with some of these people earlier today. They are up here in the north balcony with Mr. Jim Shafer, Professor of Political Science. Would they be recognized and welcome to your Legislature. Do want to stand and be recognized? Stand up, students. Welcome. We will now proceed then with the reading on Final Reading of LB 24, Mr. Clerk.

CLERK: Mr. President, I have a motion on the desk.

PRESIDENT: Read the motion.

CLERK: Mr. President, Senator Warner moves to return LB 24 to Select file for a specific amendment. The amendment reads as follows: (Read the Warner amendment as found on page 706 of the Legislative Journal.)

March 3, 1981

LB 21, 65, 67, 77, 80, 109,  
110, 159, 186, 214, 221,  
236, 260, 274A, 290, 459A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend William Pfeffer from the Panama Presbyterian, also at the Wesleyan University here in Lincoln.

REVEREND PFEFFER: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Hoagland would like to be excused until he arrives.

PRESIDENT: Have you all registered your presence? Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

PRESIDENT: Quorum being present, are there any corrections to the Journal, Mr. Clerk?

CLERK: I have no corrections, Mr. President.

PRESIDENT: All right, the Journal will stand correct as published. Are there any messages, reports or announcements?

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Newell and one to Senator Schmit regarding the Nebraska Corn Resources Act. (See pages 718-721 of the Legislative Journal.)

Mr. President, your committee on Appropriations whose chairman is Senator Warner refers LB 159 as indefinitely postponed, (Signed) Senator Warner.

Mr. President, LB 290 which was referred to Public Works reports the same to General File with amendments, (Signed) Senator Kremer as Chair. (See pages 721-722 of the Journal.)

Mr. President, LB 274A offered by Senator DeCamp. (Title read.) New A bill, LB 459A by Senator Fowler. (Title read.) (See page 722 of the Journal.)

Mr. President, your committee on Public Health and Welfare gives notice of cancellation and resetting of public hearing.

Mr. President, I have legislative bills ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and I do sign LB 110, LB 214, LB 65, LB 21, LB 67, LB 77, LB 80, LB 109, LB 186, LB 221, LB 236 and LB 260. Anything further, Mr. Clerk?



LB 21, 24, 38, 44, 54, 65, 67,  
77, 80, 104, 109, 110, 154,  
186, 214, 221, 236, 260, 264,  
275, 288, 459

March 3, 1981

File with amendments; 264 to General File, (Signed)  
Senator Cullan, Chair.

Mr. President, your committee on Judiciary reports LB 44  
to General File with amendments.

Mr. President, new resolution offered by Senator Fowler,  
LR 27. (Read.) That will be laid over pursuant to our  
rules, Mr. President.

Mr. President, your committee on Enrollment and Review  
respectfully reports we have carefully examined and en-  
grossed LB 24 and find the same correctly engrossed, 38,  
54, 104, 154 and 275 and 288 all correctly engrossed,  
(Signed) Senator Kilgarin, Chair.

Mr. President, your Enrolling Clerk reports that she has  
presented to the Governor for his approval LBs 110, 214,  
65, 21, 67, 77, 80, 109, 186, 221, 236 and 260.

SPEAKER MARVEL: The next bill on Select File is LB 459.

CLERK: Mr. President, there are E & R amendments to LB 459.

SPEAKER MARVEL: Senator Kilgarin, E & R amendments to 459.

SENATOR KILGARIN: Mr. Speaker, I move the E & R amendments  
to LB 459.

SPEAKER MARVEL: All in favor of that motion say aye,  
opposed no. The motion is carried. The E & R amendment  
is adopted.

CLERK: Mr. President, I now have a motion from Senator  
Fowler. (Read Fowler amendment as found on page 733 of  
the Legislative Journal.)

SPEAKER MARVEL: The Chair recognizes Senator Fowler.

SENATOR FOWLER: Mr. President, this bill changes the  
contribution rates with regards to certain aspects of  
retirement. In working with the legislative fiscal staff  
we felt that rather than have the bill take effect on what-  
ever day, ninety days after the session which may be in the  
middle of a pay period, that we would try and pick a date  
for it to take effect so as to ease implementation. So  
this is for October 1. This really is an amendment to  
help with the mechanical aspects of adjusting the payroll  
to reflect the new contribution rates for the retirement  
plan. I would move for its adoption.

SPEAKER MARVEL: All those in favor of the Fowler amendment