

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.

February 16, 1982

LB 69, 604, 604A, 662, 651,
669, 684, 729, 782

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend Chris Brekke, Our Savior Lutheran Church, here in Lincoln.

REVEREND CHRIS BREKKE: (Prayer offered.)

PRESIDENT: Roll call. While we are waiting for all of you to register your presence this morning, the Chair takes pleasure in introducing some guests of Senator Goll from Burt and Washington Counties. They are up here in the South balcony, from the 16th Legislative District. Would you recognize about 30 of these guests of Senator Goll's, up here in the balcony. Welcome to your Legislature. 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?

CLERK: (Read corrections as found on page 681, Legislative Journal.)

PRESIDENT: The Journal will stand corrected. Any messages, reports or announcements, Mr. Clerk.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 662 and recommend that same be placed on Select File; 729 Select File; 669 Select File with amendments; 782 Select File with amendments; 604 Select File; and 604A Select File. All signed by Senator Kilgarin.

Mr. President, your committee on Banking, Commerce and Insurance gives notice of a rehearing for Monday, February 22.

Your committee on Education whose Chairman is Senator Koch instructs me to report LB 651 advanced to General File.

Senator Marsh would like to print amendments to LB 69 in the Legislative Journal.

I have an Attorney General's opinion addressed to Senator Cullan regarding LB 684. (See page 683, Journal.)

Mr. President, I have received reports from the Department of Energy as well as the State Risk Management Program. Those will be on file in my office.

March 5, 1982

LB 651, 784

teacher. There are four sponsors and parents in the north balcony. Will you hold up your hands so we can see where you are? The next item is 784.

CLERK: Mr. President, LB 784 offered by the Administrative Rules and Regulations Committee. (Read title.) The bill was first read on January 12th of this year. It was referred to the Administrative Rules Committee for hearing. The bill was advanced to General File, Mr. President. I have no amendments on the bill.

SPEAKER MARVEL: The Chair recognizes Senator Vard Johnson.

SENATOR V. JOHNSON: Mr. Speaker and members of the body, this is a relatively simple bill. Current law requires the Revisor of Regulations to conduct a hearing on all rules that are in place one year after the rule was first enacted. Thus, what the Revisor has to do is the Revisor has to publish a notice to the world that she will conduct a hearing on the efficacy of a rule that has been in place for one year. During the last two years there have been two hearings held at the request of citizens and the affected industry on the rules. Given the lack of basic public interest in what is really an after the fact implementation of a rule, the committee has concluded that this particular piece of legislation ought to be advanced and this hearing concept should be eliminated from our statutes. All rules, incidentally, are subject to full public hearing process unless the Governor makes an exception which is very rare, subject to a full public hearing process prior to the implementation.

SPEAKER MARVEL: Motion is to advance the bill. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 31 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 651.

CLERK: Mr. President, LB 651 offered by the Education Committee and signed by its members. (Read title.) The bill was read on January 6 of this year. At that time it was referred to the Education Committee for hearing. The bill was advanced to General File, Mr. President. I have no amendments on the bill.

SPEAKER MARVEL: Senator Koch.

March 5, 1982

LB 651, 716

SENATOR KOCH: Thank you, Mr. Speaker. Members of the body, LB 651 was introduced by the Education Committee on behalf of the State Department of Education. What it does it eliminates five sections of the current statutes which are no longer necessary, and they are as follows: On or before February 1, 1974, county superintendents were to have made full reports regarding handicapped children. This has now been repealed. And the 1941 statute required county superintendents to take a census of crippled children and then report this to the Department of Education. This is no longer necessary. And we also had another statute in 1949 that in our schools for the hearing impaired that they would use the oral method of teaching. This is no longer appropriate since there are a number of new methods that are now being used in addition to that method. And another statute which is outdated required school budgets to be developed in a style that is no longer appropriate since we have got the advent of computerization. So that is all this bill does is merely cleans up a few statutes where there was redundant language. I ask for the adoption of LB 651 and advance it to E & R Initial.

SPEAKER MARVEL: The motion is to adopt the bill and advance it to E & R for Review. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 32 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 725.

CLERK: LB 725 offered by the Judiciary Committee and signed by its members. (Read title.) The bill was read on January 8th of this year. It was referred to Judiciary for public hearing. The bill was advanced to General File, Mr. President. I have no amendments on the bill.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. President, would it be agreeable with you if I would talk about LB 716 which is the same thing as LB 725 with one small exception? You will note that it comes a little bit further down the list but these two bills should be talked about at the same time, and with your permission I would ask to talk about 716 and if we agree to this one, then we won't need 725, and I would explain that if that is agreeable with you.

SPEAKER MARVEL: Okay, Mr. Clerk, do you want to read 716?

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 601, 651, 697,
784, 961, 962

SENATOR KILGARIN: I move we advance LB 961.

PRESIDENT: Motion is to advance LB 961 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. Motion carries and LB 961 is advanced to E & R for Engrossment. LB 784. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 784.

PRESIDENT: Motion is to advance LB 784 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 784 is advanced to E & R for Engrossment. LB 651, Senator Kilgarin. Senator Kilgarin, 651, right.

SENATOR KILGARIN: I move we advance LB 651.

PRESIDENT: Motion is to advance LB 651 to E & R for Engrossment. Any discussion? If not, all those in favor signify by saying aye. Opposed nay. LB 651 is advanced to E & R for Engrossment. LB 743 has been taken off of the Speaker's list. LB 601 is then next, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 601.

PRESIDENT: Motion to advance LB 601 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 601 is advanced to E & R for Engrossment. The next bill is....LB 859 has been deleted, and the next bill is LB 697, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 697.

PRESIDENT: Motion is to advance LB 697 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 697 is advanced to E & R for Engrossment. LB 825 has also been deleted. The next bill then is LB 962. Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendment to LB 962.

PRESIDENT: Motion is to adopt the E & R amendments on LB 962. Any discussion? All those in favor of adopting the E & R amendment on LB 962 signify by saying aye. Opposed nay. The E & R amendments are adopted. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 962.

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

March 19, 1982

LB 651, 659, 697

Smith and Jones, they would be easier to pronounce. Welcome to the Legislature. The Clerk will now read 651.

ASSISTANT CLERK: (Read LB 651 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall the bill pass? All those in favor vote aye, opposed vote nay. Have you all voted? Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1289 of the Legislative Journal.) The vote is....

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

ASSISTANT CLERK: The vote is 40 ayes, 0 nays, 6 excused and not voting, Mr. President.

SENATOR CLARK: The Clerk will now read 659 with the emergency clause.

ASSISTANT CLERK: (Read LB 659 on Final Reading.)

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

ASSISTANT CLERK: Senator Clark voting aye.

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

ASSISTANT CLERK: (Read the record vote as found on page 1290 of the Legislative Journal.) The vote is 41 ayes, 0 nays, 6 excused and not voting, 2 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. The rules require us to be in our seats. Every time you get up and walk around I get calls up here trying to tell you to sit in your seats. So please comply with the rules. I would appreciate that. The Clerk will now read 697.

ASSISTANT CLERK: (Read LB 697 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.

ASSISTANT CLERK: Senator Clark voting aye.

LB 520, 577, 591, 604A, 623, 629, 629A,
634, 651, 659, 697, 705, 716, 724, 759,
774, 779, 784, 792, 839, 877, 931, 941,
951, 626, 961, 962

March 19, 1982

626 up to the point where it was the other day before this misunderstanding occurred. I thank you very much.

PRESIDENT: Any further discussion? Senator Rumery, do you have any closing on the advance?

SENATOR RUMERY: Just this, Mr. President, there has been reference made to sinister moves by a lobbyist and I would like to say that Mr. Paul O'Hare worked with us and I can truthfully say that we have not considered that he was doing anything underhanded at all, and I would like to have that for the record. I ask you to move the bill.

PRESIDENT: Did I hear a request for a record vote? I figured I would. Okay, Senator, we will go to the board then. All those in favor of advancing LB 626 to E & R for Engrossment vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 9 nays on the motion to readvance the bill, Mr. President.

PRESIDENT: Motion carries. LB 626 is advanced to E & R for Engrossment. You may read some things in.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 591 and recommend that same be placed on Select File; 520 Select File with amendments; 629 Select File with amendment; 629A Select File, and 759 Select File. (Journal page 1305.)

Mr. President, Senator Warner would like to print amendments to LB 604A in the Journal. (Page 1304 of the Journal.)

Mr. President, the bills that were read on Final Reading this morning 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 577, 601, 623, 634, 651, 659, 697, 705, 716, 724, 779, 774, 784, 792, 839, 877, 931, 941, 951, 961, and 962.

PRESIDENT: Before we go into the next matter, the Chair takes the privilege of introducing 41 Seventh Grade students from Sandy Creek District from Fairfield, Nebraska. They are up here in the south balcony, Mr. David Nienkamp, their instructor. Would they kind of just wave to us. It is so crowded up there, let's see where you are up there. Welcome to your Legislature, to the Unicameral. Ready, Mr. Clerk, on LB 870.

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.