

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.

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LB 21, 67, 77, 80,
LB 104, 124, 143, 167, 234A,
LB 186, 188A, 206, 221, 236

SPEAKER MARVEL: The Chair is going to make a suggestion. We are going to be facing this kind of procedure from now on and the Chair would like to meet with Senator Chambers. The Chair would like to meet in the Speaker's office with Senator Chambers, Senator Beutler, Senator Kremer and Senator Goodrich immediately upon adjournment and see if we can settle this without taking all this extra time. Now what is before the House? Okay, the Clerk has some items to read in. I would like to meet with Senator Chambers, Beutler, Kremer and Goodrich as soon as we adjourn.

CLERK: Mr. President, your committee on Public Works gives notice of hearing in Room 1517. Your Committee on Education gives notice of public hearing in Room 1517.

Mr. President, a second notice from the committee on Education regarding scheduling of public hearings.

Mr. President, new bills. (Read LB 188A; LB 234 A. See page 478 of the Legislative Journal.)

Mr. President, I have an Attorney General's opinion addressed to Senator Maresh regarding LB 518 from the 1977 legislative session.

Senator Burrows would like to have amendments printed in the Legislative Journal. (See page 479 regarding amendments to LB 167.)

I have notice of hearing from the Public Works Committee.

Mr. President, your committee on Ag and Environment whose chairman is Senator Schmit to whom is referred LB 80 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 104 General File with amendments; 236 General File with amendments, (Signed) Senator Schmit. (See page 480 of the Journal.)

Your committee on Government, Military and Veterans Affairs whose chairman is Senator Kahle to whom is referred LB 221 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 21 General File with amendments; 186 General File with amendments, (Signed) Senator Kahle. (See page 481 of the Journal.)

Mr. President, your committee on Miscellaneous Subjects whose chairman is Senator Hefner to whom is referred LB 124 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 206 General File; 67 General File with amendments; 77 General File with amendments.

February 18, 1981

LB 67, 206A

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is LB 67.

CLERK: Mr. President, LB 206A offered by Senator Chambers. (Read title.)

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this is the funding portion which must go with the bill so I ask that you advance it also.

SPEAKER MARVEL: The motion is the advancement of LB 206A. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 25 ayes, 7 nays on the motion to advance the A bill, Mr. President.

SPEAKER MARVEL: Okay, the bill is advanced. The next bill is LB 67.

CLERK: Mr. President, LB 67 offered by Senator Rumery. (Read title.) The bill was read on January 9. It was referred to the Miscellaneous Subjects Committee for public hearing. The bill was advanced to General File. Mr. President, there are committee amendments pending by the Miscellaneous Subjects Committee.

SPEAKER MARVEL: Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, this is rather....I move the adoption of the committee amendment. This is rather a simple amendment. You will find it on the white page in your bill book. The purpose of this amendment is to eliminate the wording which states that a licensed electrician must have knowledge of the bidding, and so I would urge you to support the committee amendment and I move for its adoption.

SPEAKER MARVEL: The motion is the adoption of the committee amendments to LB 67. All those in favor of that motion vote aye, opposed vote no. We are voting on the committee amendments to LB 67. Have you all voted? Record.

CLERK: 29 ayes, 0 nays on adoption of the committee amendments, Mr. President.

SPEAKER MARVEL: The motion is carried. The committee amendments are adopted. Senator Rumery.

SENATOR RUMERY: Mr. President and members of the Legislature, this bill seeks to establish an apprentice registration program for apprentice electricians in municipalities of over 5,000. The registration of apprentice electricians will provide the State Electrical Board with a positive method of determining an individual's eligibility with reference to time requirement when applications for state electrical examinations are submitted. Registered apprentice electricians could easily substantiate previous work experience when seeking employment with electrical contractors. The registration fee will be \$5 renewable annually and a billfold size certificate of registration will be issued to apprentice electricians. The people who are interested in this feel that this is a step in the right direction and I think anyone who understands anything about electricity at all realizes we do need all the protection we can get just for the sake of the public. Thank you.

SPEAKER MARVEL: Senator Dworak, your light is on.

SENATOR DWORAK: Mr. President and colleagues, when this bill first came across the floor several years ago, this was the big fight, this was the big concession, this was the big compromise that the smaller communities, smaller rural type areas should be exempt from this provision. At that point, the introducers of the bill, the sponsors of the bill said, oh, yes, we agree, you don't have the expertise in those areas, etcetera, etcetera, etcetera, and now here it comes very quietly like a spirit drifting over the desert putting this back in which we fought so tenaciously for three years ago. Now, so they are making another encroachment dropping the population barrier from what it initially was and I think it is even though three years later it is a violation of trust and I think anybody representing these type of areas ought to take a look at the qualified people there and see whether they can live with it.

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Well, Mr. President and members of the Legislature, I concur with the arguments presented by Senator Dworak. This has been before us other times and at this point anyway nobody has convinced me or presented arguments which indicate that this bill is necessary and that it, in fact, is needed at this point. And unless there is more arguments presented in that manner, I would oppose the bill.

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LR 67

SPEAKER MARVEL: Senator Goodrich.

SENATOR GOODRICH: Mr. President and members of the body, would Senator Dworak come back to his mike, I need to ask him a couple of questions. Would Senator Dworak yield to a couple of questions, please. Now the reason I am going to ask Senator Dworak a couple of questions is the very fact that he has got it just backwards from what it actually is in the bill, and I would like to remind you, number one that this is not my bill, there is nothing wrong with the bill, but it is not my bill. And since I was challenged in the newspaper over the weekend here in Lincoln, I will really state I am an electrical contractor, I deal in this subject matter, but I am not...I don't have any conflict of interest with this particular bill, so I want to lay it out for you right quick. All right, Senator Dworak, on page 6, you were saying, for example, that you are trying to get to the meaning of Section 9 on page 7, but in order to do that you go back to line 3 on page 6, it says, "nothing in Section 81-571 to 81-5114 shall be construed to", in other words nothing in this section shall be construed to do what these various things are as are listed here. Nothing in this legislation shall be construed to require the registration of apprentice electricians in municipalities which have a population of less than 5,000 inhabitants.

SENATOR DWORAK: Thank you, Senator Goodrich, for pointing that out to me. I have no opposition to the bill.

SENATOR GOODRICH: Thank you.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Haberman.

SENATOR HABERMAN: Mr. President, fellow colleagues, may Senator Rumery respond to a question, please. Senator Rumery, does this mean in Imperial, Nebraska, population of 1700 people, a young man is working for a electrician, does this mean he has to get a license and be registered?

SENATOR RUMERY: No. No. You are not 5,000 population.

SENATOR HABERMAN: No, it says under 5,000.

SENATOR RUMERY: No, it exempts under 5,000.

SENATOR HABERMAN: It says under 5,000. Okay, I have no questions with it then. Thank you, Senator Rumery.

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LB 67, 77

SENATOR CLARK: Is there any further debate? Senator Rumery, do you want to close?

SENATOR RUMERY: I would just urge you to support this bill and pass it on to E & R Initial. We think it is a step in the right direction. We think it is worthy of consideration by the Legislature.

SENATOR CLARK: The question is the advancement of LB 67. All those in favor vote aye. All those opposed vote nay. Have you all voted? Record the vote.

CLERK: 30 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: The motion carries. The bill is advanced. We will now take up LB 77 by Senator Goodrich.

CLERK: Mr. President, LB 77 offered by Senator Goodrich. (Read title.) The bill was read on January 9. It was referred to the Miscellaneous Subjects Committee. The bill was advanced to General File. There are committee amendments pending by the Miscellaneous Subjects Committee.

SENATOR CLARK: Who wants to handle the committee amendments? Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I move for the adoption of the committee amendments. It is a very simple amendment. It just adds the emergency clause. The committee members felt that we should have the emergency clause because some cities have adopted the 1981 National Code and this way if we can get this through well then we could go ahead and our State Code would be the same as the National Code. Therefore, I would urge the adoption of this committee amendment.

SENATOR CLARK: Is there any discussion on the committee amendments? All those in favor of the committee amendments vote aye. All those opposed vote nay.

CLERK: Senator Clark voting aye.

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

CLERK: 25 ayes, 0 nays on adoption of the committee amendments, Mr. President.

SENATOR CLARK: The Chair recognizes Senator Goodrich on the bill.

February 20, 1981

LR 17, 18
LB 9, 20, 21, 27-30, 37, 156,
38, 42, 43, 67, 77, 124,
186, 206, 206A, 244, 345, 354

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Father Dale Harges, Sacred Heart Catholic Church here in Lincoln.

FATHER DALE HARGES: (Prayer offered).

PRESIDENT: Roll call. Record the presence, Mr. Clerk.

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

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

CLERK: Mr. President, the Journal is without error this morning.

PRESIDENT: Ah, that is good news. The Journal stands correct as published. We go on to any messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports it carefully examined and reviewed LB 21 and recommend that same be placed on Select File with amendments; 186 Select File with amendments; 124 Select File; 206 Select File; 206A Select File; 67 Select File; 77 Select File with amendments; 9 Select File with amendments; 38 Select File with amendments; and 345 Select File. Those are signed by Senator Kilgarrin as Chair.

Mr. President, I have an Attorney General's opinion addressed to Senator Haberman regarding delegation of legislative authority; and one addressed to Senator Beyer regarding LB 354.

Mr. President, I have a report from the Department of Administrative Services, State Building Division regarding the Request for Program Statement/Preliminary Plan Approval. It will be on file in my office.

Mr. President, a communication from the Governor. (Read: Re 244. See page 593, Legislative Journal.)

Mr. President, LBs 28, 42, 156, 20, 27, 29, 30, 37, 43, LR 17 and 18 are 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 28, LB 42, LB 156, LB 20, LB 29, LB 30, LB 37, LB 43, LR 18 and LR 17. We are ready then for agenda item #4, Final Reading. The Sergeant at Arms will make sure that all unauthorized personnel

February 23, 1981

LB 124, 67, 206, 206A

CLERK: Mr. President, I have an amendment on the bill from Senator Hefner. To amend LB 124, page 3 on line 18 after the word "licenses" add "or bottle club licenses".

SPEAKER MARVEL: Senator Hefner.

SENATOR HEFNER: Mr. President, I ask unanimous consent to pass over this bill for several days and I will try and clear up the language in parts of (c) and (d) in Section 2. And then we also have another amendment, it is getting late so...

SPEAKER MARVEL: I think...is there any objection to that motion? If not, so ordered and I will be glad to work with you, too.

SENATOR HEFNER: Okay, thank you, Mr. Speaker.

SPEAKER MARVEL: The bill is temporarily passed over. We now go to LB 206.

CLERK: I have nothing on the bill, Senator.

SENATOR KILGARIN: I move LB 206 be advanced to E & R for engrossment.

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

CLERK: Nothing on 206A, Senator.

SENATOR KILGARIN: I move LB 206A be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. LB 67.

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move LB...I move the E & R amendments to LB 67.

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

SENATOR KILGARIN: I move LB 67 be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. LB 77.

LR 23
LB 21, 38, 67, 77, 80,
104, 109, 144, 186, 205,
206, 206A, 221, 236, 260,
204A.

February 25, 1981

SENATOR LABEDZ: Will it be on the agenda tomorrow morning?

SPEAKER MARVEL: It will either be on the agenda tomorrow or the next day.

SENATOR LABEDZ: Thank you.

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

CLERK: Yes, sir, I do. Mr. President, Senator Warner would like to print amendments to LB 144 in the Journal. (See pages 659 and 660 of the Legislative Journal.) New resolution, LR 23 by Senator Maresh and Senator Beutler. (Read LR 23 as found on page 660 of the Legislative Journal.) Mr. President that will be laid over. New bill, LB 204A, offered by Senator Wagner. (Read title to LB 204A for the first time.) Your committee on Public Works gives notice of public hearing. Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 21 and find the same correctly engrossed, 38, 67, 77, 80, 104, 109, 126, 206, 206A, 221, 236, and 260 all correctly engrossed. (Signed) Senator Kilgarin, Chair.

SPEAKER MARVEL: Okay, we revert to General File, LB 205.

CLERK: Mr. President, LB 205 was considered by the body yesterday. There was a motion to adopt the committee amendments which prevailed. There was some discussion and I now have a motion to indefinitely postpone the bill as offered by Senator Chambers.

SPEAKER MARVEL: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, the first thing I have to do is apologize to Senator Pirsch because yesterday I said this bill emerged from committee without a single dissenting vote, but she did vote against it. It is kind of interesting that she being from Omaha and I being from Omaha, she being notoriously law and order, I being notoriously whatever the contrary is, both agree that this bill is not a very good thing. So what I am asking that you do is consider what the purpose and role of an arson investigator is. The bill states it's to study the cause, origin and circumstances of fires. Nothing in this bill enhances that responsibility or that function. We don't want to create quasi law enforcement people when their job is not law enforcement. They have the team concept in Omaha right

March 2, 1981

LB 67, 77, 80

SPEAKER MARVEL: The motion is carried. The amendment is adopted. Now, Senator Kahle, do you want to move the bill back? Advance the bill.

SENATOR KAHLE: Mr. Speaker, I now move once more to move LB 38 to E & R for Engrassment.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no....say aye. Opposed no. The motion....does somebody want a machine vote? The motion is carried. The bill is readvanced. The next item. We go back now to Final Reading and the Clerk will read on Final Reading LB 67.

ASSISTANT CLERK: (Read LB 67 on Final Reading.)

SPEAKER MARVEL: 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 no. Have you all voted? Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 709 of the Legislative Journal.) The vote is 46 ayes, 2 nays, 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The next bill, LB 77 on Final Reading.

ASSISTANT CLERK: (Read LB 77 on Final Reading.)

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

ASSISTANT CLERK: (Read the record vote as found on page 710 of the Legislative Journal.) The vote is 47 ayes, 0 nays, 1 excused and not voting, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with emergency clause attached. Before we go to the next bill, in the north balcony from Senator Landis' District fifty-five 4th Grade students from Belmont School, Lincoln, Nebraska, Kathy Kubik and Online Sidman, teachers. Will you raise your hands so we can see where you are? Good morning. The Clerk will read on Final Reading LB 80.

ASSISTANT CLERK: (Read LB 80 on Final Reading.)

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

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LB 67, 72, 73, 77, 113,
144A, 186, 214, 221, 459A.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Coordinator Palmer.

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senators Burrows, Cullan, Hoagland and Beutler would like to be excused until they arrive, and Senators Higgins, Koch, Maresh and Stoney all day.

PRESIDENT: Have you all recorded 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: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 459A and recommend that same be placed on Select File; 144A Select File; 72 Select File with amendments, and 73 Select File with amendments. (Signed) Senator Kilgarin. (See pages 789 and 790 of the Legislative Journal.)

Mr. President, your Committee on Banking, Commerce and Insurance whose Chairman is Senator DeCamp reports LB 113 to General File with amendments. (See page 790 of the Legislative Journal.)

Mr. President, I have a report from the Public Works Committee regarding the appointments of....certain gubernatorial appointments and confirmation thereof. (See page 791 of the Legislative Journal.)

Mr. President, communications from the Governor addressed to the Clerk. (Read communications regarding LB 77, 67, 186, 214 and 221 as found on pages 791 and 792 of the Legislative Journal.)

Mr. President, I have letters making appointments to the Crime Victims Reparations Board, to the Rural Health Manpower Commission and to the Investment Council. (See pages 792 and 793 of the Legislative Journal.)