

SENATOR DeCAMP: No, an amendment to an amendment is okay. It's an amendment to an amendment to an amendment that isn't okay.

SPEAKER MARVEL: That is what we are speaking to.

SENATOR DeCAMP: Oh, okay, well then I won't do it.

SPEAKER MARVEL: No, I have a suggestion. I think it is getting late and people are getting nervous and tired and I appreciate the willingness you have to stay until we get at least a majority of the process under way and I guess I would suggest that you draw up an amendment...

SENATOR DeCAMP: Okay.

SPEAKER MARVEL: ...and that Senator Lamb draw up an amendment.

SENATOR DeCAMP: Maybe Senator Lamb and Senator Warner and myself can get together and see if we can't reach something that is agreeable.

SPEAKER MARVEL: That is fine. Bring it to the Legislature tomorrow.

SENATOR DeCAMP: Is that okay with you fellers?

SPEAKER MARVEL: Does somebody object?

SENATOR DeCAMP: Koch is pouting.

SPEAKER MARVEL: Okay. The bill will be laid over until tomorrow. The Clerk has one more item on his desk.

CLERK: Mr. President, new bill, LB 677 offered by Senator Pirsch. (Read by title for the first time. See page 131 of the Legislative Journal.) Mr. President, I believe I already read in a reference report received from the Exec Board referring certain legislative bills introduced today.

Mr. President, I think Senator Kahle wants to have a meeting of the Government Committee upon adjournment underneath the North balcony. Exec Board in Room 2102 upon adjournment and a chairmen's meeting I believe tomorrow morning at eight-thirty.

SPEAKER MARVEL: Before we adjourn I would alert the chairmen once again that we will meet at eight-thirty tomorrow morning in Room 2102 to discuss the progress that we've made or not made and see if there are any suggestions and we have some

January 29, 1982

LB 590, 677, 705, 718,
719, 722, 724

Mr. President, your committee on Judiciary whose Chairman is Senator Nichol reports LB 590 to General File; LB 705 to General File; LB 718 to General File; LB 719 to General File; LB 724 to General File; LB 677 General File with amendments; LB 722 General File with amendments. Signed by Senator Nichol as Chair.

February 8, 1982

LB 724, 677

the Supreme Court to take the issue in dispute and make a determination. Mr. Chairman, I move for the advancement of the bill.

SENATOR CLARK: Is there any discussion on the advancement of 724? If not, all those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

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

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

SENATOR CLARK: The bill is advanced. LB 677.

CLERK: LB 677 (read title). The bill was read on January 6 of this year. It was referred to the Judiciary Committee for hearing. The bill was advanced to General File. I do have committee amendments by the Judiciary Committee, Mr. President.

SENATOR CLARK: Senator Nichol on the committee amendments.

SENATOR NICHOL: Mr. Chairman, if I might ask your indulgence a minute and I asked Senator Pirsch if I might do this, on LB 722 I missed a little amendment. I was wondering if we could possibly go back and put that on at this time. If it is not acceptable, I will not do it, but I would ask to do that if I can.

SENATOR CLARK: You had better do it on Select. The bill is already advanced. On 724?

SENATOR NICHOL: Yes, let's just let it go, Mr. Chairman.

SENATOR CLARK: LB 722 hasn't come up yet. Do you take the committee amendments on 677, Senator Pirsch?

SENATOR PIRSCH: Thank you, Senator Clark. Members of the body, the amendment simply clarifies and puts the language correctly in the law which makes it clear....

SENATOR CLARK: (Gavel) Could we have it just a little quiet. We can hardly hear up here.

SENATOR PIRSCH: ...the main intent of the law. Registered or certified mail must now be used in mailing a jury summons and LB 677 allows for first class mail to be used as an alternative. The option of first class mail is not mandated,

February 8, 1982

LB 677, 722

merely an option which will alleviate the burdensome expense of requiring the use of certified or registered mail in all cases. A jury summons returned to the Jury Commissioner for any reason could then be served by use of certified or registered mail. It gives an alternative to the Jury Commissioners, that checking with the largest, Douglas County, to one of the smallest, the Jury Commissioners are very much in favor of it and it is a cost-saving device. Again it is not mandated, and if for any reason a first class letter is returned, then they may go to other procedures to see that that jury summons does indeed reach the person that it is sent to. I passed you out a letter from the District Court of Nebraska signed by Jerry Gitnick, the presiding judge, who said that the members of the bench in this district had no problem with that and in fact supported it. I urge your adoption of the amendment to 677 and then your vote to send it on to Select File. Thank you.

SENATOR CLARK: The question is the adoption of the committee amendments. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 30 ayes, 0 nays on the motion to adopt the committee amendments, Mr. President.

SENATOR CLARK: Committee amendments are adopted. Senator Pirsch on the bill please.

SENATOR PIRSCH: I would now like to move LB 677 to Select File.

SENATOR CLARK: The question is the advancement of 677 to E & R. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

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

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

SENATOR CLARK: The bill is advanced. LB 722.

CLERK: Mr. President, LB 722 (read title). The bill was read on January 8 of this year, referred to the Judiciary Committee for public hearing. The bill was advanced to General File. There are committee amendments pending, Mr. President.

February 10, 1982

LB 264, 309, 347, 403, 418, 542
563-66, 572, 579, 642, 659, 677
703, 705, 718, 719, 722, 724,
764, 774, 778, 779, 797, 852,
879, 606, 32, 229, 490, 492

SPEAKER MARVEL PRESIDING

RABBI BISMAN: Prayer offered.

SPEAKER MARVEL: Item #2, roll call. Please record your presence. Record your presence. Pat, do you want to record.

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

SPEAKER MARVEL: Do you have anything under #3?

CLERK: Mr. President, I have several items. First of all I have a reference report referring LR 218 to the Banking Committee for public hearing.

Mr. President, a communication from the Governor addressed to the Clerk. (Read communication re: 264, 309, 347, 403, 418, 563, 564, 565, 566 and 572 as found on page 613 of the Legislative Journal.)

A second communication. (Read re. LB 542.) And a third, Mr. President, from the Governor addressed to the Clerk. (Read re. 32, 229, 490 and 492. See pages 613-614 of the Legislative Journal.)

Mr. President, your committee on Education whose chairman is Senator Koch reports LB 642 advanced to General File; LB 774 advanced to General File; LB 797 advanced to General File with amendments. Those are signed by Senator Koch.

Your committee on Public Works whose chairman is Senator Kremer offers a corrected statement to LB 852. (See pages 614-615 of the Legislative Journal.)

Mr. President, your committee on Government, Military and Veterans Affairs whose chairman is Senator Kahle reports LB 879 advance to General File with committee amendments attached. That is signed by Senator Kahle. (See page 615 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 606 and recommend that same be placed on Select File; 579 Select File; 703 Select File with amendments; 705 Select File; 718 Select File; 719 Select File; 724 Select File; 677 Select File; 722 Select File with amendments; 659 Select File; 764 Select File with amendments and 778 Select File with amendments and 779 Select File with amendments, all signed by Senator Kilgarin as Chair. (See pages 615-616 of the Legislative Journal.)

March 4, 1982

LB 724, 677

after the case has been filed. And it requires the Supreme Court to establish and expedite a briefing and hearing schedule, and that is it. I would move the amendment.

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, having looked at these, I would agree that Senator Vard Johnson this time is doing a good thing and I would urge for the adoption of his amendments.

SENATOR CLARK: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I also agree with Senator Johnson, and since there has been no opposition expressed, I don't need to prolong this discussion.

SENATOR CLARK: Senator Johnson, do you have to close? The question before the House is the adoption of the Johnson amendment. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted on the Johnson amendment? Have you all voted? For the benefit of the visitors up there, we have two committees out on committee hearings right now and that is why we are short on the floor. We do need 25 votes for the amendment though. I would hope that we don't have to have a Call of the House. That is very disturbing to the Budget Committee. The other committee will be up here in about ten minutes anyway. Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Johnson's amendment.

SENATOR CLARK: The amendment is adopted. Senator Nichol.

SENATOR NICHOL: Mr. Chairman, I move for the advancement of LB 724.

SENATOR CLARK: The question before the House is the advancement of LB 724. All those in favor say aye, opposed. The bill is advanced. LB 677.

CLERK: I have nothing on the bill, Mr. President.

SENATOR CLARK: Senator Kilgarin.

March 4, 1982

LB 677, 722, 659

SENATOR KILGARIN: I move we advance LB 677.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. The bill is advanced. LB 722.

CLERK: Mr. President, there are E & R amendments to LB 722.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 722.

SENATOR CLARK: The motion is the adoption of the E & R amendments. All those in favor say aye, opposed. They are adopted.

CLERK: I have nothing further on the bill, Mr. President.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 722.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. The bill is advanced. LB 659.

CLERK: Mr. President, I have no E & R amendments and I do have an amendment from Senator Barrett to the bill. Senator Barrett's amendment is found on page 904 of the Journal.

SENATOR CLARK: Senator Barrett.

SENATOR BARRETT: Mr. Speaker, yes, the amendments to 659 are found on 904 in the Journal. They have been introduced at the request of the Department of Labor. First, they simply add subdivision numbers to the bill's original language. This part of the amendment was recommended to us by E & R in order to make the bill easier to read. Second, the amendments would give the Commissioner the authority to adopt by regulation the most recent version of the American National Standard Safety Code as of the effective date of the bill in order to inspect elevators. Now presently I understand the most recent version which can be adopted is September 2 of 1973. So it is an attempt to update it. The Commissioner has also indicated that he would like very much to adopt the most recent version of the code as soon as practicable so, therefore, we have also added the emergency clause. I would, therefore, move the adoption of the amendments.

SENATOR CLARK: The motion before the House is the adoption

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 17, 1982

LB 573, 633, 668, 708, 751,
875, 714, 790, 766, 890A,
579, 662, 677

SENATOR CLARK PRESIDING

SENATOR CLARK: The prayer will be given this morning by Monsignor Charles Keenan, Blessed Sacrament Church, from Lincoln.

MONSIGNOR KEENAN: Prayer.

SENATOR CLARK: Roll call.

RECORDER MALFUNCTION - (Inaudible)

The following information was taken from the Legislative Journal dated March 17, 1982.

LB 573 placed on Select File as amended. LB 633 placed on Select File as amended. LB 688 placed on Select File. LB 768 Placed on Select File as amended. LB 751 placed on Select File as amended. LB 875 placed on Select File as amended. LB 714 Placed on Select File as amended. LBs 790, 766, 890 All placed on Select File.

LB 579 was passed with the emergency clause. Vote appears on page 1211 of the Legislative Journal. 39 ayes, 0 nays, 3 present and not voting, 7 excused and not voting.

RECORDER NOW OPERATING

CLERK: Read LB 662.

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.

CLERK: Senator Clark voting yes.

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

CLERK: 43 ayes, 1 nay, 5 excused and not voting. Vote appears on page 1212 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed on Final Reading. The Clerk will read LB 677.

March 17, 1982

LB 677, 718

CLERK: Mr. President, I have a motion on 677.

SENATOR CLARK: Read the motion.

CLERK: Mr. President, Senator Pirsch moves to return LB 677 to Select File for a specific amendment. (Read amendment).

SENATOR CLARK: Senator Pirsch.

SENATOR PIRSCH: Thank you Senator Clark and members of the body. I apologize for not putting this on on Select File, it was called to my attention because it is a money saving bill that it perhaps would behoove us to put it on as soon as possible. This is as you know the mailing requirement that can be changed to First Class instead of Registered only permissive, but in Douglas County they feel that this will save them quite a bit of money and I know that we have talked to some of the smallest counties to the largest who also agree that they could save a few extra dollars this way. I would like your concurrence in putting on the emergency clause. Thank you.

SENATOR CLARK: The question before the House is the return of 677 to Select File for a specific amendment. All those in favor vote aye, opposed vote nay. Record your vote.

CLERK: 33 ayes, 0 nays on a motion to return the bill.

SENATOR CLARK: The bill is returned. Senator Pirsch.

SENATOR PIRSCH: I move for the adoption of the amendment.

SENATOR CLARK: All those in favor of the adoption of the amendment vote aye, opposed vote nay. Record the vote.

CLERK: 33 ayes, 0 nays on the adoption of Senator Pirsch's amendment.

SENATOR CLARK: The amendment is adopted. Senator Pirsch.

SENATOR PIRSCH: Now I would like to advance the bill back to Final Reading.

SENATOR CLARK: All those in favor of advancing the bill say aye, opposed. The bill is readvanced. The Clerk will read LB 718.

CLERK: Read LB 718.

March 17, 1982

LB 127, 383, 421, 672,
626, 629A, 677, 731

CLERK: Mr. President, very quickly, your committee on Enrollment and Review respectfully reports that we have carefully examined and engrossed LB 127 and find the same correctly engrossed; 383 and 421, 626, 672, 677 all correctly engrossed. Those are signed by Senator Kilgarin. (See page 1241 of the Legislative Journal.)

Mr. President, Senators DeCamp and Schmit would move to place LB 731 on General File pursuant to Rule 3, Section 18(b). (See page 1242 of the Legislative Journal.)

SENATOR LAMB: The next bill is LB 629A.

CLERK: (Read LB 629A.)

SENATOR LAMB: Senator DeCamp.

SENATOR DeCAMP: Mr. President, I move advancement of the bill and there is an item in there, I guess, what? \$15,000 is one of the items for Department of Roads. Possibly if we'd have had a little more advertising on some of these bids we'd have had 15 million or 150 million more in the coffers now.

SENATOR LAMB: The motion is to advance the bill. Senator Koch.

SENATOR KOCH: Senator DeCamp, would you redirect that fiscal note?

SENATOR LAMB: Senator DeCamp, would you respond.

SENATOR KOCH: I have been living in (inaudible), it's catching almost. I want to know what's going on here.

SENATOR DeCAMP: Its there for anybody to read, whatever the note is. There is no use of me.....(inaudible.)

SENATOR KOCH: The Department of Roads is the only one affected?

SENATOR DeCAMP: Pardon?

SENATOR KOCH: The Department of Roads is the only one affected in the state?

SENATOR DeCAMP: No, the entire state is affected. That is why I mentioned one item in there if you'd look at.

SENATOR KOCH: I'm talking about state government.

SENATOR DeCAMP: All of state government is affected, Senator Koch, even the schools.

March 23, 1982

LB 672, 677, 720

PRESIDENT: The motion carries. The bill is returned. Senator Wesely, do you wish to adopt your amendment?

SENATOR WESELY: Mr. President, I move the amendment.

PRESIDENT: Motion to adopt the amendment. Any further discussion? Senator Newell, do you wish to now speak to... no, all right. Senator Wesely, then that is your opening and your closing or do you have a closing? Motion is to adopt the Wesely amendment. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 29 ayes, 12 nays, Mr. President, on adoption of the amendment.

PRESIDENT: The motion carries. The amendment is adopted. Senator Wesely, do you want to readvance the bill?

SENATOR WESELY: Move for readvance.

PRESIDENT: The motion is to readvance LB 672 to E & R for engrossment. Any discussion? All those in favor of advancing LB 672 vote aye, opposed nay and we'll go to the board. Who moved that? Senator Vickers, yes, asked for a machine vote. Record the vote.

CLERK: 27 ayes, 16 nays on the motion to readvance the bill, Mr. President.

PRESIDENT: The motion carries and LB 672 is advanced to E & R for engrossment. We're now back on Final Reading, I hope. We're on LB 677, Mr. Clerk.

CLERK: (Read LB 677 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 677 pass with the emergency clause attached. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on pages 1373-1374 of the Legislative Journal.) 43 ayes, 1 nay, 2 excused and not voting, 3 present and not voting, Mr. President.

PRESIDENT: LB 677 passes with the emergency clause attached. The next bill on Final Reading, Mr. Clerk, is LB 720.

CLERK: (Read LB 720 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 720 pass.

March 24, 1982

LR 256, 267
LB 208, 383, 421, 577, 631,
634, 677, 720, 796, 827

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by Senator Rumery.

SENATOR RUMERY: Prayer offered.

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

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

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

CLERK: I have no corrections, Mr. President.

PRESIDENT: The Journal stands as published. Any other messages, reports or announcements?

CLERK: Mr. President, two letters from the Governor. The first addressed to the Clerk. (Read letter regarding LBs 631 and 827.) The second, Mr. President, addressed to the membership. (Read letter regarding LBs 577 and 634.)

Mr. President, new resolution, LR 267 offered by Senator DeCamp. (Read LR 267 as found on pages 1392 through 1395 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, the bills that were read on Final Reading yesterday 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 LBs 796, 720, 677, 421, 383, and 208. Anything further, Mr. Clerk?

CLERK: I have nothing further, Mr. President.

PRESIDENT: We are ready then for agenda item #4, resolutions. There is a 15 minute limit. Commencing with LR 256.

CLERK: Mr. President, LR 256 was offered by Senator Nichol and many of the members. It is found on page 1280 of the Journal. (Read LR 256.)

PRESIDENT: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. President and colleagues, the purpose of LR 256 is to call on the federal government and the

March 30, 1982

LR 256-260
LB 720, 796, 383, 421, 677
619

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Palmer.

CHAPLAIN PALMER: Oh God, we pray as we look at the calendar and realize how much has been done but how much more needs doing. We ask for your contentment in this day that we may not waste what time is ours, desiring more than is likely but learn to use and enjoy that which is ours. We may not know everything but we do know Thee and Your will. We may not be rich but we can be generous. We do not have to have all wisdom to be understanding. We do not have to win every vote in order to be a good Senator. Our influence may not always be great but it can be good. Our speech may not always be eloquent but it can be truthful. We cannot all have good looks but we can have good conscience, and having that we shall have peace of mind and need fear no one. So this day may we be kind to one another, tenderhearted and forgiving as if each person's heart might be breaking, because it probably is. Amen.

PRESIDENT: Roll call. Have you all registered your presence? Has everyone registered his or her presence? Please do so so we can get underway. Record the presence Mr. Clerk.

CLERK: There is a quorum present Mr. President.

PRESIDENT: Quorum being present are there any messages, reports or announcements?

CLERK: Mr. President, yes sir there are. LR 256, 257, 258, 259 and 260 are ready for your signature, Mr. President.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 256, 257, 258, and 259 and 260.

CLERK: Mr. President, Senator DeCamp would like to print amendments to LB 619 in the Legislative Journal. And, a communication from the Governor to the Clerk. (Letter appears on page 1462 of the Legislative Journal regarding LB 720, 796, 383, 421, 677).

PRESIDENT: Before we go on to Final Reading the Chair would like to recognize Senator Lamb, as acting Speaker, I think he has some announcements.