

January 7, 1982

LB 679 - 686

CLERK: 33 ayes, 0 nays, Mr. President, on adoption of amended proposal number 16.

PRESIDENT: The motion carries and amended proposed Rule 16 is adopted. There are a few more rule changes but we will read some matters in, Mr. Clerk. Go ahead.

CLERK: Mr. President, I have some new bills. LB 679 introduced by Senators DeCamp, Kilgarin, Wesely, Labedz, Higgins, Haberman, Barrett, Rumery, Nichol, Stoney, Remmers, Kahle, Howard Peterson, Chronister, Hefner and Lowell Johnson. (Read title as found on page 137 of the Journal). LB 680 offered by Senator Cope. (Read title). LB 681 offered by the Government, Military and Veterans Affairs Committee. (Read title). LB 682 offered by the Government, Military and Veterans Affairs Committee. (Read title). LB 683 offered by Senator Beutler. (Read title). LB 684 offered by Senators VonMinden, Hefner, Pirsch and Stoney. (Read title). LB 685 offered by the Miscellaneous Subjects Committee. (Read title). LB 686 offered by the Miscellaneous Subjects Committee. (Read title). (See pages 137 through 138 of the Legislative Journal).

Mr. President, I have a report from the Committee on Committees. That will be inserted in the Legislative Journal. (See pages 138 and 139 of the Journal). That is all that I have now, Mr. President.

PRESIDENT: We are back on rules. I understand there are some more rules that have been proposed...rules that have been submitted. Do you want to read the next one?

CLERK: Mr. President, the next proposed rules change is offered by Senator DeCamp. Senator DeCamp would move to amend Rule 7, Section 7(c)(1) by striking "three-fifths" and inserting "majority of the elected members." That is offered by Senator DeCamp.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Well, Mr. President, it is a simple rule, just keeps conformity with our other reconsideration motions. At the present time if a bill fails on Final, it requires 30 votes to reconsider it. We have had occasion after occasion in here that I can recall and everybody in here has had a bill or two that is has happened to, I would guess, where because it was a tight issue and you had 25, 27, 29 votes, whatever, 4 or 5 people were excused that day. For one reason or another somebody had to go on a trip or somebody

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LB 127, 127A, 314, 431,
LB 364, 605, 616, 685

Here he is. The Clerk will call the roll. Can we have it quiet, please, so the Clerk can hear the response.

CLERK: (Read the roll call vote as found on page 506 of the Legislative Journal.) 8 ayes, 34 nays on the motion to reconsider, Mr. President.

SENATOR CLARK: The motion carried.....or, pardon me, the motion lost. I am sorry, Senator Chambers, trying to help you out there. LB 364 is indefinitely postponed. We are now ready for item #7, 314. The Clerk would like to read in first.

CLERK: Mr. President, first of all I have, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 127 and recommend that same be placed on Select File; E & R amendments to LB 127A, Select File with E & R amendments attached.

Mr. President, your committee on Miscellaneous Subjects whose chairman is Senator Hefner reports LB 605 be advanced to General File; LB 685 advanced to General File and LB 616 advanced to General File with committee amendments attached.

Mr. President, your committee on Miscellaneous Subjects gives notice of confirmation appointment hearings.

Senator Fenger would like to print amendments to LB 431 in the Journal. (See pages 508-509 of the Legislative Journal.)

Mr. President, Senator Koch would like to announce that the Education Committee will meet in executive session immediately following the public hearing of the committee today in Room 1517.

Mr. President, I have a unanimous consent request from Senator Warner and Senator Kremer to switch hearing rooms for Wednesday, February 3 and Friday, February 5.

SENATOR CLARK: No objections? So ordered. We will now take up 314.

CLERK: Mr. President, LB 314 introduced by Senator Higgins. (Read title.) The bill was read on January 19 last year. It was referred to the Public Health and Welfare Committee. The bill was advanced to General File. There are committee amendments attached, Mr. President.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Cullan.

792 of the Legislative Journal.) Are there any items under #3?

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

SPEAKER MARVEL: The Clerk will read LB 685.

CLERK: Mr. President, LB 685 was introduced by the Miscellaneous Subjects Committee and signed by its members. (Read.) The bill was read on January 7 of this year, referred to the Miscellaneous Subjects Committee for public hearing. The bill was advanced to General File, Mr. President. I have no amendments on the bill.

SPEAKER MARVEL: The Chair recognizes Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I move to advance LB 685. LB 685 corrects language of the legislative redistricting bill that we passed last year. The language defining two of the legislative districts contained errors and we caught these errors during the interim. It is not the intent of this bill to change the redistricting plan adopted by the Nebraska Legislature last year. The two districts that are in error are District #14 and District #34. District #14 is Senator Beyer's district and this just changes the streets. District #34 is Senator Kremer's district and here we left out two townships, Doniphan and South Platte that are located in Hall County. These are the two townships that lie south of the Platte River. I think that these two senators will talk just briefly on these two errors. Let me emphasize that this bill does not alter any maps or any population counts or percentages. These remain the same. The Miscellaneous Subjects Committee held a public hearing on them and there was no opposition to this bill. This bill carries the emergency clause which will make the act effective as soon as the Governor signs it and this is because we would like to have it passed before March 12. Of course this is the last day that candidates can file for a particular legislative office. I am also going to ask the Clerk to expedite this bill so that it can be law by this date. If you have any questions I would be real happy to answer them for you. I move the advancement of LB 685 to E & R initial.

SPEAKER MARVEL: The Chair recognizes Senator Beyer.

SENATOR BEYER: Mr. Speaker and colleagues, on this particular bill as it pertains to the legislative District 14, this was my error when we drafted it in the fact that we took the streets off the military map and when we went down and drove them they did not jive with the regular maps so it was just a matter of street name changing in that particular area. So I also support the advancement of this bill.

SPEAKER MARVEL: The motion is to advance the bill. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

CLERK: 34 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The bill is advanced.

CLERK: Mr. President, Senator Hefner would ask unanimous consent to expedite LB 685.

SPEAKER MARVEL: Hearing no objection, so ordered.

CLERK: While we are waiting, Senator Fowler asks unanimous consent to be excused Wednesday and Thursday of this week.

SPEAKER MARVEL: The next order of business, LB 834.

CLERK: Mr. President, LB 834 was offered by Senators Nichol and Cullan. (Read.) The bill was read on January 14 of this year. It was referred to the Public Health and Welfare Committee for hearing. The bill was advanced to General File, Mr. President. I have no amendments to the bill.

SENATOR NICHOL: Mr. President, members of the Legislature, you all remember the background on this bill. LB 7 which the Legislature passed during the Special Session last November included in Section 3 of the bill the requirement that the Clerks of the District Courts impose a 10% collection fee against the individuals who owed delinquent child support obligations. This was done to meet federal requirements in order to be eligible to receive 75% federal matching monies for the title 4-D child support enforcement program. LB 7 included in it at Section 6 the provision that Section 3 would be repealed effective March 1 of 1982. Federal law continues to require that states continue to impose this collection fee on delinquent child support payments and the failure to maintain this section of LB 7 in Nebraska law could result in the determination that Nebraska is out of compliance with federal regulations and could also result in the imposition of a 5% penalty against Aid for Dependent Children federal program matching monies. What LB 834 does is to repeal Section 6 of LB 7 and leaves the collection fee charge in effect. I move for the advancement of the bill.

SPEAKER MARVEL: The motion is to advance the bill as explained by Senator Nichol. All those in favor of advancing the bill vote aye, opposed vote no. Record the vote.

February 22, 1982

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

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

CLERK: Senator Marsh voting yes.

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

CLERK: Senator Marvel voting yes.

SENATOR NICHOL: Record the vote, Mr. Clerk.

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

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

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

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

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

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

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

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

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

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LB 628, 685, 834

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The opening prayer will be given by the Reverend Emmet Haas, East Lincoln Christian Church.

REVEREND HAAS: Prayer offered.

SPEAKER MARVEL: Record your presence, please. Will you please record your presence? Record.

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

SPEAKER MARVEL: Item #3, messages, reports and announcements.

CLERK: Mr. President, very quickly, Banking, Commerce and Insurance will hold an Executive Session at 2:00 p.m. today in Senator DeCamp's office. That is Banking Committee at 2:00 p.m. in Senator DeCamp's office. And Senator Howard Peterson would like to print amendments to LB 628 in the Legislative Journal, Mr. President. (See pages 809 and 810 of the Journal.)

SPEAKER MARVEL: Okay, item #4, Select File. Senator Kilgarin, are you...these are motions with a....Select File.

CLERK: Senator, I have no E & R to LB 685.

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 685.

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

CLERK: Nothing on 834, Senator.

SENATOR KILGARIN: I move we advance LB 834.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion is carried. Okay, may I have the attention of the Legislature, please. We had a meeting of the Chairmen this morning and I intend to lean as heavily as possible on the Chairmen, depending on what the issue may be, and lean heavily on you. Now if this is not successful, then you just as well pack up and go home and try it ten years from now. We are not solving the problems that face this Legislature and usually when I sit here and preach, we get some result.

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LB 593, 611, 619, 660,
675, 685, 697, 773, 794,
834, 840, 861, 873, 897

first motion. The motion is, shall we go under Call?
All those in favor of that motion vote aye, opposed
vote no. Record.

CLERK: 16 ayes, 10 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators please return to your seats. Unauthorized personnel please leave the floor. Senator Burrows, do you want to record your presence? Senator Cope, will you please record your presence? Senator Kremer, will you please record your presence? Senator Newell, will you please record your presence? Senator Dworak, will you please record your presence? Senator Chambers. Senator Vickers, will you please record your presence? How many have we got? Senator Newell, everybody is here? Shall we proceed with the roll call? Okay.

CLERK: (Read the roll call vote as found on page 814 of the Legislative Journal.) 19 ayes, 28 nays, Mr. President.

SPEAKER MARVEL: The motion lost. The Clerk has got some items to read in.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 685 and find the same correctly engrossed, and LB 834 correctly engrossed.

Your Committee on Public Works reports LB 611 advanced to General File, 660 advanced to General File, 794 advanced to General File, all signed by Senator Kremer. (See pages 811 and 812 of the Legislative Journal.)

Your Committee on Ag and Environment reports LB 593 advanced to General File, 619 General File, 697 General File, 861 General File, 897 General File, 675 General File with amendments, 873 General File with amendments, and 840 indefinitely postponed, all signed by Senator Schmit as Chair. (See page 812 of the Legislative Journal.)

SPEAKER MARVEL: The Chair recognizes Senator Fowler to introduce a new bill.

CLERK: Mr. President, Senator Fowler would move to suspend Rule 5, Section 5(d) so as to permit the introduction of Request #1665.

SENATOR FOWLER: Yes, I think this is a joint of Senator

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LB 685, 801

SENATOR CLARK PRESIDING

SENATOR CLARK: The Legislature will come to order. Prayer this morning by Reverend Andrew Doiel from the Wesleyan Church in Lincoln.

REVEREND DOIEL: Prayer offered.

SENATOR CLARK: Roll call. Will you all record your presence, please? We are going to have to have at least 30 to suspend the rules for the first two bills. Record the attendance.

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

SENATOR CLARK: Messages, reports or announcements.

CLERK: Mr. President, one item, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 801 and recommend that same be placed on Select File with E & R amendments attached. (See page 846 of the Legislative Journal.)

SENATOR CLARK: We are ready for number 4, Final Reading. The first order is a motion to suspend the rules to take up 3....or 685, 834. Senator Marvel.

SPEAKER MARVEL: I so move.

SENATOR CLARK: You have heard the motion. All those in favor of suspending the rules will vote aye, opposed will vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: We are voting to suspend the rules to take up two bills. Have you all voted on suspension of the rules? Record the vote.

CLERK: 32 ayes, 0 nays, Mr. President, on the motion to suspend the rules.

SENATOR CLARK: The rules are suspended. The first bill we will take up will be 685 on Final Reading. All Senators will return to their seats for Final Reading, please. The Clerk will read the bill.

CLERK: (Read LB 685 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall the bill pass with the emergency

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LB 685, 834, 139

clause attached? All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: (Read the record vote as found on page 847 of the Legislative Journal.) 39 ayes, 0 nays, 10 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The next bill is 834. The Clerk will read.

CLERK: Mr. President, I had a motion from Senator Schmit but I understand he wishes to withdraw that motion.

SENATOR CLARK: It is withdrawn. Anything further on the bill?

CLERK: No, sir.

SENATOR CLARK: Go ahead and read.

CLERK: (Read LB 834 on Final Reading.)

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

CLERK: Senator Clark voting yes.

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

CLERK: (Read the record vote as found on page 848 of the Legislative Journal.) 37 ayes, 0 nays, 10 excused and not voting, 2 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The next bill the Clerk will read is LB 126.

CLERK: Mr. President, I have a motion on LB 126 from Senator Chambers who is excused until he arrives.

SENATOR CLARK: We will pass over that bill temporarily. LB 139. The Clerk will read.

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LR 215, 230
LB 304, 139, 139A, 456, 685,
686, 710, 786, 830, 834, 835,
884, 906, 936, 962

(Read record vote found on pages 853 and 854, Legislative Journal.) 28 ayes, 15 nays on the adoption of the resolution, Mr. President.

SPEAKER MARVEL: Motion is carried. The resolution is adopted. The Clerk has a couple of items to read into the record and then we will proceed with LB 304 on the agenda.

CLERK: Mr. President, your Committee on Education whose Chairman is Senator Koch instructs me to report LB 710 advanced to General File with committee amendments attached. That is signed by Senator Koch. (See page 854 of the Legislative Journal.) Your Committee on Ag and Environment reports LB 786 advanced to General File, and 962 advanced to General File, both signed by Senator Schmit as Chair. Senator Schmit would like to print amendments to LB 686 in the Journal; Senator DeCamp to print amendments to LB 936. (See pages 854 through 861.)

Mr. President, I have a report of Registered Lobbyists for the week of February 19 through February 24.

Your Committee on Public Health reports LB 456 advanced to General File with committee amendments attached; 835 to General File with committee amendments attached; 830 indefinitely postponed; 884 indefinitely postponed; 906 indefinitely postponed. (See pages 861 through 866 of the Legislative Journal.)

New resolution, LR 230 by Senator Wesely. (Read LR 230 as found on page 867 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, LB 685, 834, 139 and 139A are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign engrossed LB 685, engrossed LB 834, re-engrossed LB 139, engrossed LB 139A. Now we are going to read the motion on LB 304.

CLERK: Mr. President, I have a motion from Senators Carsten and Warner to return LB 304 to Select File for a specific amendment. The amendment would read as follows: (Read the Carsten-Warner amendment.)

SPEAKER MARVEL: I failed to do one thing and I will do that and then we will come back to this. Senator Nichol asked for a short Exec Session of the Judiciary Committee

March 4, 1982

LB 139, 139A, 304, 353,
431, 458, 685, 801

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend Robert Hansen, First Lutheran Church, Fremont, Nebraska.

REVEREND HANSEN: Prayer offered.

PRESIDENT: Roll call. 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 will stand correct as published. Any messages, reports or announcements?

CLERK: Mr. President, your....received a communication from the Governor addressed to the Clerk. (Read communication regarding LBs 139A, 304, 685, 139, 353 and 431.)

Mr. President, Senator DeCamp would like to print two amendments to LB 458 in the Legislative Journal. (See pages 965 through 975 of the Legislative Journal.)

PRESIDENT: We are ready then, Mr. Clerk, for Select File, Special Order. We are going to start, however, at the advice of the Speaker with LB 801 rather than 717 because there are some people that are still trying to get here through the traffic this morning and the snow. So we will start with 801 and come back to LB 378. That is agreeable to Senator Cullan, I understand, so we will do that according to the Speaker. So we will start with 801, Mr. Clerk.

CLERK: Mr. President, I have E & R amendments to LB 801.

PRESIDENT: Who wants to handle the E & R amendments? Senator Barrett, would you just handle the E & R amendments on 801? We will just move the E & R amendments.

SENATOR BARRETT: Mr. President, I move the E & R amendments.

PRESIDENT: Motion to adopt the E & R amendments on LB 801. Any discussion? Senator DeCamp, did you wish to discuss the E & R amendments? This is on 801.