

January 7, 1982

LB 215, 472A, 694-697

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

CLERK: Mr. President, new bills. LB 694 (Read title). LB 695 (Read title). LB 696 (Read title). LB 697 (Read title).

Mr. President, Senator Fenger would like to print amendments to LB 472A in the Legislative Journal.

Mr. President, Business and Labor Committee chaired by Senator Barrett announces that Senator Wiltala is selected as Vice Chairman of that committee.

Mr. President, your committee on Public Works gives notice of hearing in Room 1517 ofr next Friday.

And finally, Mr. President, the Executive Board will have a reference meeting underneath the North balcony at three-thirty this afternoon, Reference Committee at three-thirty underneath the North balcony.

SPEAKER MARVEL: The next item of business is LB 215.

CLERK: Mr. President, LB 215 offered by Senator Chronister. (Read title). The bill was originally read on January 15, 1981, referred to the Judiciary Committee for public hearing. The bill was advanced to General File. There is a committee amendment pending, Mr. President.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. Speaker, members of the Legislature, this is simply the emergency clause. The district courts in the State of Nebraska currently have the statutory authority to terminate parental rights as part of the divorce proceedings. However, in a recent case the Supreme Court said there was not adequate guidelines for the termination procedure. Because the district court's authority to terminate parental rights is now unclear, the committee felt that the bill should be moved as quickly as possible. For this reason we are asking that the emergency clause be added to the bill.

SPEAKER MARVEL: The motion is the adoption of the committee amendment as explained by Senator Nichol. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record the vote.

February 8, 1982

LB 139, 413, 573, 633,
647, 681, 696, 744,
767, 779, 827

Senator Wagner would like to print amendments to 696.

Your committee on Education whose Chairman is Senator Koch reports LB 827 to be advanced to General File with committee amendments. Signed by Senator Koch.

Your committee on Government reports 647 advanced to General File; 696 General File; 767 General File; 681 General File with amendments; 744 General File with amendments. All signed by Senator Kahle.

Mr. President, Senator Marsh would like to print amendments to LB 139 in the Journal.

Senator Chambers moves that the body reconsider its Final Reading vote on LB 413. That will be laid over.

Your committee on Rules gives notice of hearing.

Your committee on Public Works reports LB 573 advanced to General File with committee amendments; 633 advanced to General File with amendments. Signed by Senator Kremer.

SENATOR CLARK: LB 779.

CLERK: Mr. President, LB 779 (read title). The bill was read on January 12, referred to the Banking Committee. The bill was advanced to General File. There are committee amendments pending, Mr. President.

SENATOR CLARK: Senator DeCamp, committee amendments.

SENATOR DeCAMP: Mr. President, since the committee amendments are nothing more than putting in four words that were left out by the bill drafter when the bill was drafted which coordinate with the rest of the bill, what I thought would be proper then would be to explain the whole bill or attempt to and deal with the whole bill rather than just deal with the amendment separately. LB 779 has several sections and several purposes and once again it was a bill introduced at the request of the Nebraska Bankers Association. It deals with matters in banking. As everybody knows, banks also need on occasions to borrow money to meet day to day reserve and other requirement. Okay, Section 1, in line 5, in other words, Section 1 of the bill eliminates a term called "rediscounts and bills payable". The reason this is eliminated is because it is obsolete and nonapplicable language and we substitute instead the modern language of "direct borrowing". Now this section broadens, so everybody understands, I am broadening the

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LB 739, 696

that heard this bill and I wholeheartedly endorse it. This leaves the top management out. They still have to have that vote but as Senator Goodrich has said, what it does is let them go out and offer an engineer or someone else a fixed salary rather than offering them some kind of a salary and then later the board says, no. So I think it is just a management deal is what it amounts to. They are going to have to pay the salary anyway so I endorse the bill.

SPEAKER MARVEL: Senator Goodrich, do you wish to close? Waive closing. Okay, the motion is to advance the bill, LB 739. All those in favor vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 36 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: Motion is carried. Bill is advanced. The next bill is LB 696.

CLERK: Mr. President, LB 696 is a bill offered by Senator Wagner. (Read title.) The bill was read on January 7th of this year. It was referred to the Government Committee for hearing. The bill was advanced to General File, Mr. President. I do have an amendment from Senators Wagner and Kahle. That is found on page 589 of the Journal.

SPEAKER MARVEL: The Chair recognizes Senator Wagner.

SENATOR WAGNER: Mr. Speaker and members, the purpose of this...Pat, would it be all right just to go through the whole thing because it is just a minor technical amendment. The purpose of LB 696 is a transfer of funds from the Spanish American War Fund to the institutional cash fund for the Nebraska Veterans Home. This is being done at the request of the Spanish American war veterans of which there is one surviving member. It was the intent of the Spanish American war veterans at a convention some years back that these funds be transferred to the Nebraska Veterans Home. A little bit about the history, and I think this makes this bill kind of unique in a way, it was for me anyway to find out that the Spanish American war veterans when they first joined they had to join a National Guard Association and there was a period of time of thirty-one to thirty-seven days before they were entered into federal service, and during this time there was no pay. So later on there was a fund created by the federal government in the amount of \$65,000 and this fund then was later distributed to the veterans. There was a time, there was a part of this where they could not find everybody and so the remaining balance

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LB 696, 828

amounted to \$3,250 and it is this fund here that is still been setting here, the fund of \$3,250 in a CD and it is drawing some interest and there is just one Spanish American war veteran left. This veteran is a Mr. Blackett and he is in the Florence Nursing Home. He is aware that these funds are being transferred. The amendment essentially strikes the language in the original bill because this is an error in the drafting and it puts it into the fund that they requested it for. And, Senator Nichol, for you would like to know that the money they want this to go to and the place is the Scottsbluff home, the veterans out there was wanting a fish pond. So first of all, I would move the adoption of the amendment.

SPEAKER MARVEL: The first motion is the adoption of the Wagner amendment to the bill. Senator Wagner, do you have any closing comments?

SENATOR WAGNER: Just to urge the adoption of the amendment.

SPEAKER MARVEL: Okay, the motion is the adoption of the amendment as explained by Senator Wagner. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of the Wagner-Kahle amendment.

SPEAKER MARVEL: Motion is carried. The amendment is adopted. Motion is to advance the bill. Senator Wagner.

SENATOR WAGNER: I move advancement of the bill.

SPEAKER MARVEL: The motion is that the bill be advanced as per discussion by Senator Wagner. All those in favor of that motion vote aye, opposed vote no. Record the vote.

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

SPEAKER MARVEL: Motion is carried. The bill is advanced. Next bill, LB 828.

CLERK: Mr. President, LB 828 introduced by the Public Health and Welfare Committee. (Read title.) The bill was read on January 14. It was referred to Public Health for hearing. The bill was advanced to General File, Mr. President, and I have no amendments to the bill.

SPEAKER MARVEL: The Chair recognizes Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature,

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

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LB 642, 644, 696,
828, 845

SENATOR KILGARIN: I move we advance LB 845.

PRESIDENT: Motion to advance LB 845 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 845 is advanced to E & R for Engrossment. LB 644, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 644.

PRESIDENT: Motion to advance LB 644 to E & R for Engrossment. Any discussion? Machine vote has been requested on LB 644, so...yes, on LB 644, yes. All right, motion then, all those in favor of advancing LB 644 to E & R for Engrossment vote aye, opposed nay. We will go to the board. Record the vote.

CLERK: 33 ayes, 1 nay, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 644 is advanced to E & R for Engrossment. The next bill, Senator Kilgarin, is LB 696.

SENATOR KILGARIN: I move we advance LB 696.

PRESIDENT: Motion to advance LB 696 to E & R for Engrossment. Machine vote has been requested. All those in favor of advancing LB 696 to E & R for Engrossment will vote aye, opposed nay. Go to the board. Record the vote.

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

PRESIDENT: Motion carries and LB 696 is advanced to E & R for Engrossment. The next bill is LB 828. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 828.

PRESIDENT: Motion is to advance LB 828 to E & R for Engrossment. Machine vote has been requested. All those in favor vote aye, opposed nay. Go to the board. Record the vote.

CLERK: 36 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 828 is advanced to E & R for Engrossment. The next bill is LB 642, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 642.

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LB 259, 642, 644, 652, 678, 696
767, 767A, 775, 776, 828, 845

that's where they have the programs that count and a number of kids that need help are being taught so I think that is a little bit misleading. So I believe it is only appropriate for us today to indefinitely postpone LR 240, get on with the business because we're going to have plenty of time to debate the budget in the next couple of weeks. Thank you.

SENATOR CLARK: The question before the House is the indefinite postponement of the resolution. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: Mr. President, Senator Koch requests a record vote. (Read record vote as found on page 1206 of the Legislative Journal.) 28 ayes, 10 nays, Mr. President, on the motion to indefinitely postpone the resolution.

SENATOR CLARK: The resolution is indefinitely postponed. Senator Lamb. He has some things to read in first.

CLERK: Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 259 and find the same correctly engrossed; 642, 644, 678, 696, 767, 767A, 775, 776, 828, 845 all correctly engrossed. (See page 1207 of the Legislative Journal.)

Senator Haberman would like to print amendments to LB 259 and Senator Slick and Remmers to LB 652. (See page 1207.)

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: Mr. President, I move that we adjourn until nine o'clock tomorrow morning, March 17, St. Patrick's Day, no celebration because Tommy's not here.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. We are adjourned until nine o'clock tomorrow morning.

Edited by

L. M. Benischek
L. M. Benischek

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LB 678, 696, 767, 767A

All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1336 of the Legislative Journal.) The vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 678 passes. The next bill on Final Reading, Mr. Clerk, is LB 696.

ASSISTANT CLERK: (Read LB 696 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 696 pass? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1337 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 696 passes. The next bill on Final Reading, Mr. Clerk, is LB 767.

ASSISTANT CLERK: (Read LB 767 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 767 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on pages 1337 and 1338 of the Legislative Journal.) The vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 767 passes with the emergency clause attached. The next bill on Final Reading, Mr. Clerk, is LB 767A. Proceed.

ASSISTANT CLERK: (Read LB 767A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 767A pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1338 of the Legislative Journal.) The vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 767A passes with the emergency clause attached.

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LR 259
LB 259, 631, 642, 644, 678, 845,
696, 767, 767A, 775, 776, 828,

PRESIDENT: Senator Dworak, you wish to withdraw the amendment. Senator Dworak is withdrawing his amendment which was in the Journal and the amendment is withdrawn. So we will now proceed, Mr. Clerk, with the reading of LB 631.

CLERK: (Read LB 631 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied, the question is, shall LB 631 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: (Read the record vote as found on pages 1342 and 1343 of the Legislative Journal.) 38 ayes, 6 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 631 passes with the emergency clause attached. That will conclude Final Reading this morning. Before we take up agenda item #6, the Chair would like to introduce 70 students of the Youth Citizenship Seminar. This is group number two of the Nebraska Farm Bureau representing some 62 counties of our State of Nebraska and they are up here in the south balcony. We welcome you to your Legislature. Welcome. The Clerk will have some matters to read into the record. Proceed to do so.

CLERK: Mr. President, new resolution, LR 259, offered by Senator Haberman. (Read LR 259 as found on page 1343 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, legislative bills read this morning on Final Reading 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 259, 642, 644, 678, 696, 767, 767A, 775, 776, 828, 845 and 631. Ready then, Mr. Clerk, for agenda item #6, motions, LB 731.

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.