

January 9, 1981

LB 70, 71

CLERK: Two more, Mr. President. Read LB 71 (sic) and 71 by title for the first time as found on pages 101-102 of the Legislative Journal. Mr. President, that is all I have.

PRESIDENT: The Chair recognizes Speaker Marvel.

SPEAKER MARVEL: Are there any other announcements on the Clerk's desk?

CLERK: Nothing, sir.

SPEAKER MARVEL: I think I would only say this in closing and that is that we can't really afford too many more days like this or June first will find us in about the middle of the session instead of the end. I move that we adjourn until Monday (interruption) I'm sorry.

PRESIDENT: Mr. Speaker, we have a few more bills that we can get in here if you want to just hold up.

CLERK: I just received about a half dozen here, Senator.

SPEAKER MARVEL: That is fine.

PRESIDENT: We will read those bills in and while we are doing that the Chair recognizes Senator Koch.

SENATOR KOCH: Mr. President, a question of the Speaker.

PRESIDENT: Mr. Speaker, would you respond to a question from Senator Koch.

SENATOR KOCH: Senator Marvel, I've heard the bill drafting department is overwhelmed with bills. Is that true as far as you know? If it is true I was going to make a suggestion. If possible we ought to take Monday off and let them get it done so when we come back we will have enough bills here so we can start processing things. Do you know, Pat?

SPEAKER MARVEL: Well,.....go ahead.

CLERK: Senator, if I may. It would be better, Senator, rather than Monday if...we will be in a better position to determine what kind of shape they are in later in the week as opposed to earlier in the week. So a Thursday or a Friday or even a week from Monday we would be in a much better position to determine where we are than this coming Monday.

SENATOR KOCH: All right, thank you.

February 6, 1981

LB 1, 2, 43, 46, 57, 60,  
70, 81, 141.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT LUEDTKE: Prayer by Dr. Edward Kolbe, Pastor of First Christian Church here in Lincoln.

DR. EDWARD KOLBE: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Marsh would like to be excused until she arrives. Mr. President, Senators Dworak, Carsten and Newell excused for the day. Senators Burrows, Hoagland, Fowler and Pirsch until they arrive.

PRESIDENT: Have you all registered your presence?

CLERK: Senator Labedz and Senator Vard Johnson would like to be excused until they arrive.

PRESIDENT: Record the presence.

CLERK: Quorum present, Mr. President.

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

CLERK: I have no corrections.

PRESIDENT: The Journal will stand correct as printed.

CLERK: I'm sorry, I do have....(See page 451 of the Legislative Journal for correction.)

PRESIDENT: Any messages, reports or announcements, Mr. Clerk.

CLERK: Yes, Mr. President, there are.

PRESIDENT: Proceed.

CLERK: Mr. President, your Enrolling Clerk respectfully reports that she has on this day at 1:58....on February 5 at 1:58 presented to the Governor for his approval the following bills: 1,2, 60, 71, 57, and 141.

Your Committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 43 and recommend that same be placed on Select File with amendments; 46 Select File with amendments; 81 Select File with amendments. (See pages 453 and 454 of the Journal.)

March 17, 1981

LB 70

And finally, Mr. President, Government Committee reports LB 70 to General File with amendments. Signed Senator Kahle as Chairman.

SPEAKER MARVEL: Senator Fitzgerald, for what purpose do you arise?

SENATOR FITZGERALD: Just to invite everybody over to the hospitality room to have some Irish sausages and beans and all the trimmings as soon as we get out of session. Hope to see you all over there.

SPEAKER MARVEL: Okay. Senator Sieck, do you want to adjourn us until nine o'clock tomorrow morning?

SENATOR SIECK: Mr. Chairman, I move we adjourn until nine o'clock tomorrow morning.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. We are adjourned until nine o'clock tomorrow morning.

Edited by:

Marilyn Zank  
Marilyn Zank

May 1, 1981

LB 543, 70

are any other questions, I would be glad to answer them but that is the principal purpose and I think we have all been familiar with the history of the Home Mortgage Act. I think we know that it has provided some valuable assistance at a time when the construction industry and the financial industry was unable to meet the demand for housing. We know that those interest rates are continuing to be abnormally high. We can expect I think a continued period of time when this will continue to exist. It denies many people the opportunity to own their own home or even to remodel or even to provide or have access to rental housing. It was felt by the Directors of the Home Mortgage Act that this would be a substantial improvement to the act. I concur and I, therefore, offer the bill and hope that it will be advanced.

SPEAKER MARVEL: The motion is the advancement of the bill to E & R for review. Any further discussion? All those in favor of that motion vote aye, opposed vote no. We are voting on LB 543 and its advancement. Record.

ASSISTANT CLERK: 25 ayes, 0 nays on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is LB 70.

ASSISTANT CLERK: Mr. President, LB 70 (read title). It was read for the first time on January 9th. It was referred to the Government, Military and Veterans Affairs Committee. There are committee amendments from that committee.

SPEAKER MARVEL: Senator Kahle.

SENATOR KAHLE: Mr. Speaker and members, as introduced, LB 70 would repeal all provisions in the statutes pertaining to polling place accessibility for physically handicapped. Currently the statutes require that no more than fifty percent of the polling places in the counties can be inaccessible now, and by January 1, 1984, all polling places will have to be accessible. The Secretary of State is authorized to issue waivers of the percentage requirement but no waivers will be allowed after January 1, 1984. Now rather than do away with the current statutes, the committee basically accepted the compromise offered by the various handicapped groups who testified at the hearing. The committee amendments reinstate the current language in the statutes so that by 1984 all polling places will have to be accessible. However, the Secretary of State will be able to continue granting waivers in 1984 and beyond. To

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assist him in granting waivers, the Secretary of State may wish to appoint an advisory committee made up of interested people and experts to serve without remuneration or expenses. The committee amendments are a compromise reorganizing the need to grant handicap access and the problem of finding suitable polling places in sparsely populated areas. I might say that as we progressed with the hearing, of course a great number of people that were handicapped or represent the handicapped became before the committee. We also knew from experience in outstate Nebraska that many of the polling places had been moved, for instance, to a central location causing voters to have to travel many more miles where there were not any handicapped people at all in the community. So this is sort of a compromise. If there are no handicapped, if there is no need for the accessibility that was required, it can be waived. There can be a waiver granted and that is what the committee amendments do. I move adoption of the committee amendments.

SPEAKER MARVEL: Motion is the adoption of the committee amendments to LB 70 as explained by Senator Kahle. All those in favor vote aye, opposed vote no. Have you all voted? Record.

ASSISTANT CLERK: 26 ayes, 1 nay on adoption of the committee amendments.

SPEAKER MARVEL: Motion is carried. The committee amendments are adopted. The motion is to advance LB 70 to E & R for review. All those in favor vote aye, opposed vote no. Record the vote.

ASSISTANT CLERK: 26 ayes, 1 nay, on the motion to advance.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Next bill, LB 285, Senator Clark, 285.

ASSISTANT CLERK: Mr. President, LB 285 (read title). The bill was read for the first time on January 19. It was referred to the Public Works Committee and there are committee amendments.

SENATOR CLARK: I will take the committee amendments, too.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: All the committee amendments do is that they had the bill originally that if it was a hard surfaced road, they could not give it back to the counties until after a three year period and we removed that three year

May 5, 1981

LB 70, 163, 172, 184, 242, 250,  
285, 302, 310, 324, 369, 375, 494,  
497, 527, 557, 558, 559, 560, 561, 562.

aye, opposed vote no. Have you all voted? Senator Burrows.

SENATOR BURROWS: I would like a Call of the House and a roll call vote.

SPEAKER MARVEL: The first motion is, shall the House go under Call? All those in favor of that motion vote aye, opposed vote no. Record.

CLERK: 16 ayes, 1 nay to go under Call, Mr. President.

SPEAKER MARVEL: The Legislature is under Call. Please return to your seats. Record your presence. Senator Burrows, do you want to record....Senator Kahle, Senator Hefner, Senator Goodrich, Senator Wagner, Senator Landis, Senator Newell, Senator Chambers, Senator Pirsch, Senator Labeledz, Senator Higgins. While we are waiting, under the north balcony Mr. Jack Fletcher and his son, Monte, Jack is a former resident of Lincoln County, Nebraska, and now lives in Upland, California, and they are guests and friends of Myron Rumery. And from Senator Remmers' District, 14 students from Tablerock, Nebraska, Mrs. Griffith, teacher. Should be in the north balcony. Are they?

CLERK: Mr. President, while we are waiting, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 163 and find the same correctly engrossed, 557, 558, 559 and 560, 561, 562, all correctly engrossed. (Signed) Senator Kilgarin. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 242 and recommend that same be placed on Select File, 494 Select File with amendments, 369 Select File, 310 Select File with amendments, 497 Select File with amendments, 250 Select File, 302 Select File with amendments, 70 Select File with amendments, 285 Select File with amendments, 324 Select File with amendments. (See pages 1771 through 1773 of the Legislative Journal.) Mr. President, Senator Schmit, Kremer, Chronister and VonMinden move to place LB 375 and 377 on General File pursuant to Rule 3, Section 18(b). Senator Carsten would like to print amendments to LB 172, and Senator Lamb to LB 285. (See pages 1769 through 1771 of the Legislative Journal.)

SPEAKER MARVEL: Senator Labeledz, Senator Higgins, Senator Chambers, Senator Goodrich. Senator Burrows, do you want to start the roll call? We have four that still are unaccounted for.

May 8, 1981

LB 70, 181, 396, 543

SENATOR KILGARIN: I move we adopt the E & R amendments to LB 70.

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

SENATOR KILGARIN: I move we advance LB 70 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The next bill, Senator Kilgarin, is 181.

SENATOR KILGARIN: I move the E & R amendments to LB 181.

SPEAKER MARVEL: 181, what was your motion, I am sorry?

SENATOR KILGARIN: I move we adopt the E & R amendments to LB 181.

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

SENATOR KILGARIN: I move we advance LB 181 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. 181 is advanced. Next bill, 396.

SENATOR KILGARIN: I move the E & R amendments to LB 396.

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

SENATOR KILGARIN: I move we advance LB 396 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. The next bill is 543.

SENATOR KILGARIN: I move the E & R amendments to LB 543.

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

SENATOR KILGARIN: I move we advance LB 543 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. Next bill is 487.

LB 3, 11, 12, 70, 95, 99, 228,  
250, 257, 266, 266A, 296A,  
310, 318, 328A, 369, 381, 384,  
389, 428, 441, 470, 472, 472A,  
497, 501, 506, 541, 543, 556A

May 11, 1981

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Palmer.

REVEREND PALMER: Prayer offered.

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

CLERK: Quorum present, Mr. President, plus one.

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

CLERK: Mr. President, I have no corrections.

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

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Chronister regarding compensation of rural water districts. That will be inserted in the Journal. (See pages 1899-1900 of the Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports that we have carefully examined engrossed LB 3 and find the same correctly engrossed. 11 correctly engrossed, 12 correctly engrossed, 70 correctly engrossed, 95 correctly engrossed, 99 correctly engrossed, 228 correctly engrossed, 250 correctly engrossed, 257 correctly engrossed, 266 correctly engrossed, 266A correctly engrossed, 296A correctly engrossed, 310 correctly engrossed, 328A correctly engrossed, 369 correctly engrossed, 381 correctly engrossed, 384 correctly engrossed, 389 correctly engrossed, 428 correctly engrossed, 441 correctly engrossed, 470 correctly engrossed, 472 correctly engrossed, 472A correctly engrossed, 497 correctly engrossed, 501 correctly engrossed, 506 correctly engrossed, 541 correctly engrossed, 543 correctly engrossed. Those are all signed by Senator Kilgarin as Chair.

Mr. President, a new A bill, LB 556A, offered by the Speaker at the request of the Governor. (Read as found on page 1904 of the Legislative Journal.)

Mr. President, Senator Vard Johnson would like to print amendments in the Journal to LB 428 and Senator DeCamp to LB 318. See pages 1904-1906 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Speaker Marvel for an explanation of order of business today on the agenda. Speaker Marvel.



May 14, 1981

LB 12, 70, 99, 146E

CLERK: (Read the record vote as found on page 2024 of the Legislative Journal.) 9 ayes, 38 nays, Mr. President, on the motion to return the bill.

SPEAKER MARVEL: Motion lost. What's the next item? Okay, read the bill, Mr. Clerk.

CLERK: (Read LB 12 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 12 on Final Reading. Record the vote.

CLERK: (Read the record vote as found on page 2025 of the Legislative Journal.) 44 ayes, 3 nays, 1 present and not voting and 1 excused and not voting, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Next on Final Reading is LB 99. I am sorry, LB 70.

CLERK: Mr. President, LB 70. (Read LB 70 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. LB 70 on Final Reading. Have you all voted? Record the vote.

CLERK: (Read the record vote as found on pages 2025 and 2026 of the Legislative Journal.) 38 ayes....Senator Wiitala changing from yes to no. 39 ayes, 9 nays...10 nays, 2 excused and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The next bill is LB 146E....I'm sorry. Okay, the next bill, LB 99.

CLERK: (Read LB 99 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass on Final Reading? Those in favor vote aye, opposed vote no. Record the vote.

CLERK: (Read the record vote as found on pages 2026 and 2027 of the Legislative Journal.) 44 ayes, 1 nay, 2 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The next bill on Final Reading, LB 146E.

CLERK: Mr. President, I have a motion on the desk.

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LB 3, 11, 11A, 12, 70, 99, 146,  
184, 228, 250, 266, 266A, 296,  
296A, 310, 328, 328A, 361,  
366, 369, 376, 561

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 184 and recommend that same be placed on Select File with amendments; LB 376 placed on Select File with amendments. Those are both signed by Senator Kilgarin as Chair.

Mr. President, LBs. 3, 11, 11A, 12, 70, 99, 146, 228, 250, 266, 266A, 296, 296A, 310, 328, 328A, 361, 366, and 369 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 LB 3, LB 11, LB 11A, LB 12, LB 70, LB 99, LB 146, LB 288, LB 250, LB 266, LB 266A, LB 296, LB 296A, LB 310, LB 328, LB 328A, LB 361, LB 366, LB 369. Okay, if we may have your attention, the first item will be from the Clerk's desk and the second item will be Senator Warner's. So, Mr. Clerk.

CLERK: Mr. President, I have a letter addressed to the membership from Senator Warner who is Chairman of the Appropriations Committee. (Read. See pages 2052 and 2053, Legislative Journal. Re: Line item vetoes of LB 561.)

SPEAKER MARVEL: Senator Warner, you are recognized to comment on the letter just read.

SENATOR WARNER: All right, Mr. President, again under the provision of the rule, the Appropriations Committee is to make such report, and as the report indicates, there was one item which the majority of the committee did support to offer a motion for override which at the time which will be designated by the Senator representing the majority of the committee's position on that issue. The other portion I might just go through briefly with you is the second and third page which is to give you for your information. Page two that is an analysis of the Governor's line item vetoes points out those vetoes that occurred relative to committee recommendations and it shows what the collective floor amendments were, and the last group indicates the vetoes that were relative to the floor amendments and shows the total dollar amount then of \$728 million to \$74,747 that would remain under the Governor's veto as the legislation now stands. If you look at page 3, headed Financial Status Summary, it is similar to what is on the back of the agenda but in a slightly different form. Above the line at the top it shows again the original committee level of recommendation in those bills. The next shows the allocation for A bills that was originally recommended, that subtotal, and then it shows the amount that was

May 18, 1981

LR 185  
LB 70, 99, 134, 146, 250,  
404, 466, 497, 543.

SENATOR SCHMIT: Mr. President, I move the bill be readvanced to Final Reading.

PRESIDENT: Motion to readvance to Final Reading. All those in favor signify by saying aye. Opposed nay. The bill is advanced to Final Reading and we are on Final Reading on LB 543, Mr. Clerk.

CLERK: (Read LB 543 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 543 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 2071 of the Legislative Journal.) 40 ayes, 4 nays, 5 present and not voting, Mr. President.

PRESIDENT: LB 543 passes with the emergency clause attached. The Chair recognizes Speaker Marvel since it's noon, high noon.

SPEAKER MARVEL: Well, I have got some figures here but I will wait until after lunch and I move that we recess until about 1:20.

PRESIDENT: All right. The Clerk has some matters to read in real quickly and then I will call that motion.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports that they have carefully examined and engrossed LB 466 and find the same correctly engrossed. (See page 2072 of the Legislative Journal.)

Communication from the Governor addressed to the Clerk regarding LB 70, 99, 146 and 250. (See page 2072 of the Legislative Journal.)

Mr. President, I have a Reference Report referring a gubernatorial appointment to the Public Health and Welfare Committee for confirmation hearing. (See page 2071 of the Legislative Journal.)

Mr. President, new resolution, LR 185, offered by the Speaker. (Read LR 185 as found on page 2073 of the Legislative Journal.)

Mr. President, Senator DeCamp would like to print amendments to LB 497; Senator DeCamp to 134; and Senator Warner to 404. (See pages 2073 and 2074 of the Journal.) That is all that I have.