

March 18, 1982

LB 358, 611, 714A, 760, 816

Senator Landis and DeCamp would like to print amendments to LB 358. (See page 1263 of the Legislative Journal.)

New A bill, Mr. President, LB 714A offered by Senator DeCamp. (Read. See page 1264 of the Legislative Journal.)

Mr. President, Senator Hefner would like to have a meeting of the Miscellaneous Subjects Committee underneath the North balcony upon adjournment, Miscellaneous Subjects, North balcony upon adjournment.

Senator Kahle would like to print amendments to LB 611; Senator Schmit to print amendments to LB 760, Mr. President. (See page 1264 of the Legislative Journal.)

SENATOR CLARK PRESIDING

SENATOR CLARK: The next bill is LB 816.

CLERK: Mr. President, LB 816 was a bill that was introduced by the Revenue Committee and signed by its members. (Read.) The bill was read on January 13 of this year. It was referred to the Revenue Committee for public hearing, Mr. President. The bill was advanced to General File. There are Revenue Committee amendments pending.

SENATOR CLARK: Senator Carsten, on the amendment.

SENATOR CARSTEN: Mr. President and members of the Legislature, I move for the adoption of the committee amendment. At this point, Mr. President and members, I feel a little washed out and I say that in jest but it has been a long day with water bills and I think we're moving now into an area that we, everyone of us, have a deep concern and that is this distribution of the \$70 million governmental subdivision fund with which we have had so much problems. The committee amendments to the bill and I'm going to take them first and explain them. As amended it revises the distribution of the \$70 million state aid to local government fund. In addition to that \$70 million, \$12.6 million governmental subdivision fund is revised in light of the opinion, #182 of the Attorney General, January 25, 1982. The basic concept of the bill is to place the approximate amount of funds received by the counties, schools, cities and technical colleges into existing state aid funds received by those types of local government...

SENATOR CLARK: (Gavel.) Could we reduce the noise level, please so he can talk.

SENATOR CARSTEN: ...with the following exceptions. 1. Funds

March 22, 1982

LB 488A, 609A, 714A

SENATOR KAHLE: Mr. President and members, Senator Goodrich's explanation is exactly what I was driving at a bit ago. I think we need to look at this thing as we go along. I think the A bill should be moved. I would agree with him that economic conditions have changed since the Government Committee had a hearing on this last year and we came up with the salary scale that is in 488 now, and I am happy to support his move now to move 488A to Select File and then offer some amendments later or work on 488 on Final Reading. I think that is the proper approach and the way it should be done. So I support Senator Goodrich in this move.

PRESIDENT: Senator Goodrich, anything further? The question then is the advance of LB 488A to E & R Initial. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 28 ayes, 1 nay on the motion to advance the A bill, Mr. President.

PRESIDENT: The motion carries and LB 488A is advanced to E & R Initial. The next bill is LB 714A.

CLERK: 714A offered by Senator DeCamp. (Read title.)

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: I move it be advanced.

PRESIDENT: Any further discussion? Opening and closing. All those in favor of advancing LB 714A vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 1 nay, Mr. President, on the motion to advance the A bill.

PRESIDENT: The motion carries and LB 714A is advanced to E & R Initial. The next bill is LB 609A.

CLERK: 609A offered by Senator Marsh. (Read title.) Mr. President, there are amendments pending by Senator Marsh.

PRESIDENT: The Chair recognizes Senator Marsh.

SENATOR MARSH: Thank you, Mr. President, members of the Legislature, the technical amendment changes the total agency figure from \$445,000 to \$73,000. It is an error in the way it was originally printed. I ask for your adoption of the amendment.

PRESIDENT: All right, any discussion on the Marsh amendment

March 23, 1982

LB 404A, 488A, 609A, 714A,
LB 522A, 755, 756, 933, 942

SENATOR LAMB: The motion is to have a Call of the House. Those in support vote aye, those opposed vote no. Record.

CLERK: 17 ayes, 0 nays, to go under Call, Mr. President.

SENATOR LAMB: The House is under Call. All unauthorized personnel please leave the floor. All senators will be in their seats. Please record your presence. Call in votes will be accepted.

CLERK: Senator Fowler voting yes. Senator Vickers voting yes.

SENATOR LAMB: Senator Wiitala, Senator Koch, Senator DeCamp, Senator Schmit, Senator Labedz, Senator Wagner, please record your presence.

CLERK: Senator Labedz voting yes.

SENATOR LAMB: We're looking for Senator Chambers, Senator DeCamp and Senator Koch.

CLERK: Senator Fenger voting no.

SENATOR LAMB: Senator Johnson, we are missing only three people. Are you ready for the roll call?

SENATOR V. JOHNSON: Roll call then, yes, please.

SENATOR LAMB: Will you please call the roll, Mr. Clerk?

CLERK: (Read roll call vote as found on pages 1376-1377 of the Legislative Journal.) 27 ayes, 17 nays, Mr. President, on the motion to advance the bill.

SENATOR LAMB: The bill is advanced. LB 942, Mr. Clerk.

CLERK: Mr. President, if I may right before that, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 404A and recommend that same be placed on Select File with E & R amendments; 488A, 714A, 609A, 755, 756 and 933 with E & R amendments attached. (See pages 1377-1378 of the Legislative Journal.)

Mr. President, LB 942 was last considered by the Legislature yesterday. (Read title.) The bill was first read on January 19. It was referred to the Budget Committee for a hearing. The bill was advanced to General File with committee amendments attached, Mr. President. Yesterday the Legislature adopted portions of the committee amendments. I believe

April 5, 1982

SENATOR CLARK: The motion is to advance LB 488A. All those in favor say aye...all right, a machine vote has been requested...vote aye, those opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: Mr. President, Senator Cullan requests a record vote. (Read record vote as found on page 1633 of the Legislative Journal.) 18 ayes, 24 nays, Mr. President.

SENATOR CLARK: The bill does not advance. We will now take up LB 417A, LB 714A. The Clerk wants to read some things in.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk. (Read re: LB 573, 668, 751, 817, 869 and 875.)

Your committee on Enrollment and Review reports LB 835A advanced to Select File and LB 953A advanced to Select File.

Mr. President, new resolutions, LR 304 offered by Senator Wagner. It commends the Ord Quiz on the occasion of its centennial for its past 100 years of service in the business of Journalism and that will be laid over. LR 305 by Senator Fowler calls for an interim study regarding adequacy and constitutional provisions of the current Dental Practice Act. LR 306 by Senator Fowler calls for a study of LB 567 as passed by the 1975 Legislature relating to parole. LR 307 by Senator Fowler calls for a study concerning the issue of nuclear waste transportation. LR 308 by Senator Fowler calls for a study and the procedure for estimating general fund revenues for the state. LR 309 offered by Senator Fowler. (Read. See pages 1634-1638 of the Legislative Journal.)

Finally, Mr. President, Senator Wagner asks unanimous consent to withdraw LR 262 which is a study resolution. (See page 1638 of the Legislative Journal.)

SENATOR CLARK: No objections, so ordered.

CLERK: Mr. President, I have nothing on LB 714A.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 714A.

April 5, 1982

LB 522A, 609 A, 714A

SENATOR CLARK: You have heard the motion. All those in favor say aye, opposed. The bill is advanced. 609A.

CLERK: E & R amendments, Senator.

SENATOR KILGARIN: I move we adopt the E & R amendment to LB 609A.

SENATOR CLARK: You heard that motion. All those in favor say aye, opposed. The E & R amendments are adopted.

CLERK: Nothing further on the bill, Senator.

SENATOR KILGARIN: (Mike not on.) ...LB 609A.

SENATOR CLARK: The question before the House is the advancement of LB 609A. All those in favor say aye, opposed. The bill is advanced. 522A.

CLERK: Mr. President, I have an amendment pending to the bill offered by Senator Vard Johnson. (See page 1639 of the Legislative Journal.)

SENATOR CLARK: Senator Johnson.

SENATOR V. JOHNSON: Mr. President and members of the body, LB 522 as you probably recall is the welfare takeover bill. It is effective July 1, 1983. It has an A bill attached to it. The A bill calls for a sum of around \$30 million effective July 1, 1983. Accordingly it has no impact on the next fiscal year. Now what my amendment does...oh no. Senator DeCamp suggested my amendment increased it to \$50 million but that is not true. It reduces it by about \$6 million for one simple reason. When the fiscal analyst prepared the fiscal note to LB 522 the fiscal analyst used a standard of medical indigency that is not in place in the State of Nebraska and that standard would call for about \$9 million to be appropriated for medical indigents. We have just advanced LB 602 and LB 602A which is an independent bill regarding medical indigency and there the A bill is a little over \$2 million and so the \$2 million sum that the fiscal analyst has arrived at for 602 and 602A should be the same sum arrived at under 522A for the medical indigents. And so all this amendment does, and I can't recall the precise dollar amount, is it simply reduces the price tag on 522A from the \$30 million down to about \$25 million. I at least think it is only fair that whatever this large bill costs that the true amount be reflected. So this is an amendment to reduce the price tag of 522A and I would ask that it be adopted.

April 6, 1982

LB 933, 609A, 714A, 760,
967

PRESIDENT: All right, let's just do it, otherwise we are going to go on and on and on with this thing. Let's.... roll call vote, Mr. Clerk, proceed. Everybody is here now.

CLERK: (Read the roll call vote as found on pages 1691 and 1692 of the Legislative Journal.) 22 ayes, 21 nays, Mr. President, on the rule suspension.

PRESIDENT: The motion failed. All right, the Clerk will read some matters in.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 609A and find the same correctly engrossed; 714A correctly engrossed; 760 and 967 all correctly engrossed.

PRESIDENT: All right, Senator Lamb, you want to take off until when now....how long do you want to recess till? 1:30, okay. Senator Lamb moves to recess then until 1:30. All those in favor signify by saying aye. Opposed nay. We are in recess until 1:30.

Edited by


Lavera Benischek

April 14, 1982

LB 714, 714A, 764, 89

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. Have you all voted? Record the vote.

ASSISTANT CLERK: (Record vote read. See pages 1928 and 1929, Legislative Journal.) The vote is 44 ayes, 2 nays, 3 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. The Clerk will read LB 714A.

ASSISTANT CLERK: (Read LB 714A on Final Reading.)

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. It takes 30 votes.

CLERK: Senator Clark voting no.

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

CLERK: (Record vote read. See page 1929 and 1930, Legislative Journal.) 41 ayes, 4 nays, 3 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. I understand that LB 764 is to be passed over. Is that all right with you, Senator Lamb? Unanimous consent from Senator Barrett to lay it over.

SENATOR LAMB: This bill is not going to be read at all, is that correct, Senator Barrett?

SENATOR BARRETT: Yes, Senator Lamb, as far as I am concerned, the bill will not be read this year. This is not a devious effort to hold it over for any particular reason. I am surprised it is on Final Reading today. I asked the Speaker's Office that it be held earlier because of a possible flaw in the bill. It would not be in the public interest as far as I am concerned as Chairman of the committee to have the bill read today. I would like to have the interim to take another good look at this issue.

SENATOR CLARK: All right, the bill will be passed over then. LB 89.

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

SENATOR CLARK: Read the motion.

April 14, 1982

I mean a roll call vote.

SENATOR CLARK: (Interruption) a record vote and a roll call vote.

SENATOR NEWELL: You know, I have changed my mind. I would like to have people vote for this resolution. The more I think about it, Senator Chambers has a good point.

SENATOR CLARK: Well, we are talking about a roll call vote. The Clerk will call the roll if he don't want anyone else in here.

CLERK: (Roll call vote taken. See page 1937, Legislative Journal.)

SENATOR CLARK: We can't hear anything up here at all, gentlemen, please. I just say gentlemen because the ladies are not talking. When you quiet down, then we will go ahead and call the roll. (Gavel) That helped some. Go ahead and call the roll.

CLERK: (Roll call vote continued.) 16 ayes, 12 nays, Mr. President.

SENATOR CLARK: The motion lost.

CLERK: Mr. President, the bills read on Final Reading this morning are now ready for your signature.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 89, 714, 714A, 669, 669A, 609, 609A, 604, 604A, 278, 629, 629A, 480, 568, 909, 854, 854A, 835, 757, 753, 708, 688, and 966.