

January 9, 1981

LB 72-80

PRESIDENT: Okay, Mr. Speaker, we will read these bills and then we will recognize you for the motion.

CLERK: Read LB 72-79 by title for the first time as found on pages 102-103 of the Legislative Journal.

Mr. President, a final item of business is that Senator Wesely would like to announce that Senator Sieck has been selected as vice chair of the Rules Committee. I guess I have one more that came up.

Read LB 80 by title for the first time as found on page 104 of the Legislative Journal.

Mr. President, that is all I have.

PRESIDENT: The Chair recognizes Speaker Marvel.

SPEAKER MARVEL: I will once more remind the chairmen that we are going to meet at nine o'clock, Monday. The chairmen's meeting is at nine o'clock in Room 1520 and we adjourn until ten o'clock, Monday. With this motion in mind we will also check with the bill drafter and report to you on Monday as to any problems that come up and Senator Lamb and I will be in contact with the bill drafter's office and we will have a report for you on Monday.

PRESIDENT: You have heard the motion of the Speaker to adjourn until ten o'clock, Monday morning. All those in favor signify by saying aye, opposed nay. We are adjourned until ten o'clock, Monday morning.

Edited by *LaVera M. Benischek*
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February 18, 1981

LB 5, 49, 72, 73, 74, 124,
128, 176, 279, 419, 462, 476.

to whom was referred LB 128 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, LB 462 to General File. (Signed) Senator Fowler as Chair.

Your Committee on Business and Labor whose Chairman is Senator Maresh to whom was referred LB 176 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, 279 General File. (Signed) Senator Maresh, Chair.

Mr. President, your Committee on Constitutional Revision and Recreation whose Chairman is Senator Labedz to whom was referred LB 5 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 476 to General File with amendments; 49 indefinitely postponed and 419 indefinitely postponed; LB 72 General File with amendments; LB 73 indefinitely postponed, and LB 74 advanced to General File with amendments. (See pages 559 and 560 of the Legislative Journal.) (Signed) Senator Labedz, Chair.

SPEAKER MARVEL: The next order of business is LB 124.

CLERK: Mr. President, LB 124 offered by the Miscellaneous Subjects Committee and signed by its members. (Read title.) The bill was first read on January 13. It was referred to the Miscellaneous Subjects Committee. The bill was advanced to General File. There are no amendments, Mr. President.

SPEAKER MARVEL: Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I move to advance LB 124 to E & R Initial. This is a Miscellaneous Subjects Committee bill and this bill consists of four sections. The first section, if you are following along, establishes legislative intent in relation to liquor control. It also establishes that it is the Legislature's intent to control and regulate all liquor transported into the state with the same regulations affecting liquor produced within the state. The second section establishes conditions which must be met before a retail or a bottle club liquor license can be obtained from the Liquor Commission. An applicant must be fit, willing and able to provide the service proposed as described in the application. An applicant must conform to all provisions, requirements, rules and regulations. The premises for the proposed service are or will be required by present or future public convenience and necessity.

March 5, 1981

LB 72, 73

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

CLERK: 26 ayes, 8 nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: The bill is advanced. The Clerk will read LB 73.

CLERK: LB 73 was introduced by the Constitutional Committee and signed by its members. (Title read.) The bill was read on January 9 and referred to the Constitutional Revision and Recreation for public hearing. It was advanced to General File. There are committee amendments pending, Mr. President.

SENATOR CLARK: Senator Labedz, the committee amendments.

SENATOR LABEDZ: Thank you, Mr. Chairman. I believe we are speaking to the amendments of LB 73. Thank you.

SENATOR CLARK: The committee amendments.

SENATOR LABEDZ: Thank you. The committee adopted three amendments to LB 73. The first one is the cost of the newly established nonresident bait vendors permit, was lowered by amendment from \$500 to \$150 annually. This was done because there might be a constitutional problem with a nonresident bait vendors permit costing twenty times more than a resident bait vendors permit. The second amendment was also to say that a nonresident must only have a nonresident bait permit to take a salamander. This amendment was needed because presently a nonresident needed three different permits to harvest salamanders. Under the bill the nonresident only needs the one nonresident bait vendors permit. LB 73 also set January 1, 1982, as the operative date of the bill. An operative date of the bill was mistakenly left out on the original bill. Thank you very much.

SENATOR CLARK: The motion before the House is the adoption of the committee amendments to LB 73. All those in favor vote aye, all opposed vote nay. Have you all voted? Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

SENATOR CLARK: The committee amendments are adopted. Senator Labedz, on the bill itself.

SENATOR LABEDZ: Thank you, Mr. Chairman. LB 73 as

introduced by the committee raises the cost of permits necessary to fish commercially in the State of Nebraska. Most commercial fishing is done on the Missouri River and the fees would be raised as follows: The first five hundred feet of net, the resident from \$25 to \$65, the nonresident from \$60 to \$130. Each additional five hundred feet of net, resident \$5 to \$20, nonresident \$10 to \$40. For additional hoopnets, wing nets, fish traps, or other devices permitted by the Commission the resident will be raised from \$5 to \$2 each and the nonresident from \$10 to \$4 each. LB 73 also creates a nonresident bait vendors permit which as amended would cost \$150. A bait vendors permit allows a person, and we are talking about a nonresident, to harvest and sell minnows, crayfish, salamanders and striped and leopard frogs. A higher price is proposed for the nonresident bait vendors permit because nonresidents are coming into Nebraska and harvesting large amounts of bait, especially salamanders and are taking it out of Nebraska to sell. At present there is no price difference between resident and nonresident bait vendor permits. Both cost \$25. LB 73 would also allow the Games and Parks Commission to regulate the taking of nongame fish by spearing or bow and arrow. Games and Parks, on this regulatory power, is the same degree of power that is overregulating the taking of other classes of animals. This provision is needed because the present statute merely states that the taking of nongame fish by spearing or bow and arrow may be done between sunrise and sunset. Thank you very much and I urge the members of this Legislature to advance LB 73 from General File to E & R initial.

SENATOR CLARK: The question before the House is the advancement of LB 73 to E & R. Is there any discussion? All those in favor vote aye, opposed nay. Record the vote.

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

SENATOR CLARK: LB 73 is advanced. LB 74.

CLERK: Mr. President, LB 74 was introduced by the Constitutional Revision and Recreation Committee and signed by its members. (Title read.) The bill was read on January 9 of this year. It was referred to the Constitutional Committee for public hearing. The bill was advanced to General File. There are committee amendments pending, Mr. President.

SENATOR CLARK: Senator Labedz.

March 9, 1981

LB 67, 72, 73, 77, 113,
144A, 186, 214, 221, 459A.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Coordinator Palmer.

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senators Burrows, Cullan, Hoagland and Beutler would like to be excused until they arrive, and Senators Higgins, Koch, Maresh and Stoney all day.

PRESIDENT: Have you all recorded your presence?
Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

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

CLERK: I have no corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 459A and recommend that same be placed on Select File; 144A Select File; 72 Select File with amendments, and 73 Select File with amendments. (Signed) Senator Kilgarin. (See pages 789 and 790 of the Legislative Journal.)

Mr. President, your Committee on Banking, Commerce and Insurance whose Chairman is Senator DeCamp reports LB 113 to General File with amendments. (See page 790 of the Legislative Journal.)

Mr. President, I have a report from the Public Works Committee regarding the appointments of....certain gubernatorial appointments and confirmation thereof. (See page 791 of the Legislative Journal.)

Mr. President, communications from the Governor addressed to the Clerk. (Read communications regarding LB 77, 67, 186, 214 and 221 as found on pages 791 and 792 of the Legislative Journal.)

Mr. President, I have letters making appointments to the Crime Victims Reparations Board, to the Rural Health Manpower Commission and to the Investment Council. (See pages 792 and 793 of the Legislative Journal.)

March 10, 1981

LB 72, 73

in favor vote aye, opposed nay. Go to the board. Have you all voted? We're voting on LB 72 to E & R for engrossment. We are voting on the board because a vote has been requested, a board vote has been requested. Record the vote.

CLERK: 27 ayes, 7 nays on the motion to advance the bill, Mr. President.

PRESIDENT: The motion carries. LB 72 is advanced to E & R for engrossment. The next bill, Senator Chambers, is LB 73.

CLERK: There are E & R, Senator.

PRESIDENT: E & R amendments.

SENATOR CHAMBERS: Mr. Chairman, I move that the E & R amendments to LB 73 be adopted.

PRESIDENT: Motion to adopt the E & R amendments to LB 73. Any discussion? If not, all those in favor of adopting the E & R amendments to LB 73 signify by saying aye, opposed nay. The motion carries and the E & R amendments are adopted. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I move that LB 73 be advanced to E & R for engrossment and I would ask for a machine vote.

PRESIDENT: All right, the motion is to advance LB 73 to E & R for engrossment. A machine vote has been requested. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 12 nays, Mr. President, on the motion to advance.

PRESIDENT: The motion carries and LB 73 is advanced to E & R for engrossment. That will conclude Select File for today. We are about ready to take up agenda item #7, General File. The first bill on General File this morning is LB 190 and the Clerk will read some matters into the record before we proceed with General File. Proceed, Mr. Clerk.

March 11, 1981

LB 5, 24, 38, 54, 72, 73,
LB 154, 144A, 198, 245A,
LB 273, 275, 288, 417, 459A

SENATOR CLARK: All provisions of law having been complied with, the question is, shall the bill pass? All those in favor vote aye, opposed no. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 856, Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. We will now go to #5, General File, priority bill, Senator Cullan's LB 56.

CLERK: Mr. President, may I read some things in.

SENATOR CLARK: Read some things in if you have to.

CLERK: Mr. President, first of all, your Enrolling Clerk respectfully reports that she has on this day at 10:40 a.m. presented to the Governor for his approval LBs 24, 38, 54, 275, and 288.

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 5 and find the same correctly engrossed; LB 459A correctly engrossed; LB 144A correctly engrossed; LB 72 correctly engrossed. (Signed) Senator Kilgarin, Chair. LB 73 correctly engrossed.

Mr. President, Senator DeCamp would like to print amendments to LB 273 in the Legislative Journal.

Senator Koch offers explanation of vote.

Mr. President, your committee on Public Works whose Chairman is Senator Kremer reports LB 417 to General File with amendments.

I have an announcement of priority bills designation by the Government Committee.

Senator Warner would like to print amendments to LB 198.

Senator Carsten would like to be excused Thursday, March 12 all day.

A new A bill, LB 245A by Senator Schmit. (Title read.)

Your committee on Banking, Commerce and Insurance reports on certain gubernatorial appointments.

March 24, 1981

LB 72, 73, 50, 104

SPEAKER MARVEL: The motion is carried. The bill is amended. Now all those in favor of readvancing the bill vote aye, opposed vote no. Record the vote.

CLERK: 32 ayes, 2 nays on the motion to readvance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is re-advanced. Okay, the Clerk will now read on Final Reading, LB 73.

CLERK: (Read LB 73 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. Record the vote.

CLERK: (Read record vote as found on pages 1096-1097 of the Legislative Journal.) 30 ayes, 9 nays, 9 excused and not voting, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. We now go to LB 104.

CLERK: (Read LB 104 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 no. Record the vote.

CLERK: (Read record vote as found on page 1097 of the Legislative Journal.) 36 ayes, 1 nay, 9 excused and not voting, 3 present and not voting, Mr. President.

SENATOR CLARK PRESIDING

SENATOR CLARK: LB 104 is declared passed. The Clerk will read LB 205.

CLERK: Mr. President, I have a series of motions to return LB 205.

SENATOR CLARK: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, since Senator Newell is out in California bellying up to the owner of Falstaff I am willing to wait on my motion until he crawls back.

SENATOR CLARK: I think we will pass over it anyway. We had three motions to return the bill. We will read LB 50.

March 25, 1981

LR 46
LB 39, 39A, 50, 72, 73,
104, 167, 171, 194, 197,
197A, 252, 425, 475, 500

SPEAKER MARVEL PRESIDING

SENATOR BEYER: (Prayer offered.)

SPEAKER MARVEL: I have a note here that indicates that today is the 35th birthday of Senator Howard Peterson and this occurred on the weekend, March 22, and there will be rolls served in his honor and we wish Senator Peterson the best for the year to come. Have you all recorded your presence? Record.

CLERK: A quorum present, Mr. President.

SPEAKER MARVEL: Do you have items under #3?

CLERK: Mr. President, your committee on Public Works whose Chairman is Senator Kremer reports LB 252 to General File with amendments. (Signed) Senator Kremer.

Your committee on Enrollment and Review respectfully reports that they have examined and reviewed LB 39 and recommend that same be placed on Select File with amendments; 39A Select File; 167 Select File with amendments; 197 Select File with amendments; 197A Select File. All signed by Senator Kilgarin as Chair.

Your committee on Enrollment and Review respectfully reports we have carefully examined LB 72 and find the same correctly reengrossed. (Signed) Senator Kilgarin.

Senator Wagner would like to be excused for the day.

And, Mr. President, LB 73, 194, 50, 171, 194, 425, 475, and 500 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 73, LB 104, LB 50, LB 171, LB 194, LB 425, LB 475, LB 500. Item #4, resolution.

CLERK: LR 46 is offered by (read LR 46.)

SPEAKER MARVEL: Senator Lamb, this is your resolution.

SENATOR LAMB: Mr. Chairman and members of the Legislature, this is a resolution which honors Senator Nichol's mother who recently passed away. The fine lady has been a long time credit to the State of Nebraska. I urge the adoption of this resolution.

March 25, 1981

LR 47
LB 190, 298, 50, 73, 104,
171, 194, 425, 475, 500

amendment to LB 190 as explained by Senator DeCamp.
All those in favor of that motion vote aye, opposed vote
no. Record the vote.

CLERK: 31 ayes, 0 nays on the adoption of Senator DeCamp's
amendment.

SPEAKER MARVEL: The motion is carried, the amendment is
adopted.

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

SPEAKER MARVEL: Senator DeCamp. The motion is to advance the
bill to E & R for Engrossment. All those in favor of the motion
to advance vote aye, opposed vote no. Have you all voted?
Record the vote.

CLERK: 35 ayes, 1 nay on the motion to advance the bill, Mr.
President.

SPEAKER MARVEL: The motion is carried the bill is advanced.
Before we proceed, underneath the North balcony it is my
privilege to introduce Miss Cindy Pace who is a teacher from
Millard and her friend from Ralston who is here under the
auspices of Senator Koch. Cindy, will you stand up so we can
welcome you to the Unicameral?

CLERK: Mr. President, I have a few matters to read in.
Revenue Committee is going to meet in executive session
upon adjournment today in Room 1520.

Your Enrolling Clerk respectfully reports that she has
presented to the Governor LB 73, 104, 50, 171, 194, 425, 475,
500.

I have a Reference Report referring LBs 551 through 555.

A new resolution by (Read LB 47. See pages 1126 and 1127,
Legislative Journal.) That will be laid over, Mr. President.

Mr. President, LB 298 was introduced by Senator Vard Johnson.
(Read title.) The bill was first read on January 19. It was
referred to the Urban Affairs Committee for public hearing.
The bill was advanced to General File. There are committee
amendments pending by the Urban Affairs Committee, Mr. Presi-
dent.

SPEAKER MARVEL: Senator Landis.

SENATOR LANDIS: Mr. Speaker and members of the Legislature,
the committee amendments narrow the impact of the bill and
indicate that, first, the City of Lincoln is exempt and,

March 26, 1981

LB 50, 73, 138, 194,
292, 425, 475, 500.

two o'clock on Friday instead of four or five o'clock. If you have any questions on this, you can check with the Clerk's office, or you can check with our office. Now does anybody have any.....Senator Kahle.

SENATOR KAHLE: Mr. Speaker, really no comment on what you just said but I wonder if we wouldn't be ahead if you scheduled some of the real heavy bills on Friday and Friday afternoon instead of the consent calendar. Maybe people would stay here. In the going on five years now that I have been here, I have never left on a Thursday or a Friday when we were in session, and I resent the fact that many of you do leave for the last day no matter when it is, and I just really feel that you are not being very responsible and perhaps if we would handle some of those real tough bills on Friday, you would stick around. Thank you.

SPEAKER MARVEL: I think that we, Senator Kahle, in answer to your question.....well, we are going to adjourn. Okay, Senator Howard Peterson, would you adjourn us until nine o'clock....I'm sorry, Pat, go ahead.

CLERK: Excuse me. Mr. President, a communication from the Governor to the Clerk. (Read communication regarding LBs 50, 73, 194, 425, 475, 500.)

I have a....your Committee on Business and Labor reports regarding gubernatorial appointment. (See page 1156 of the Legislative Journal.)

Senator Vickers would like to print amendments to 138. (See pages 1156 and 1157 of the Journal.) And Senator Kilgarin asks unanimous consent to add her name to LB 292 as co-introducer.

SPEAKER MARVEL: Senator Peterson, would you adjourn us until nine o'clock tomorrow morning. I am sorry. Senator Kremer.

SENATOR KREMER: Mr. Chairman, I would like to remind the Public Works Committee for a very short meeting below the north balcony immediately upon adjournment.

SPEAKER MARVEL: Today?

SENATOR KREMER: Yes.

SPEAKER MARVEL: Okay.

SENATOR H. PETERSON: Mr. Speaker, I would move we adjourn