

January 8, 1982

LB 431, 568, 628, 730-741

that the Exec Board will hold a meeting underneath the North balcony. In just a few moments Senator Lamb will be here. Go ahead, Mr. Clerk.

CLERK: Mr. President, I have some new bills. LB 730 (Read title). LB 731 (Read title). LB 732 (Read title). LB 733 (Read title). LB 734 (Read title). LB 735 (Read title). LB 736 (Read title). LB 737 (Read title). LB 738 (Read title). LB 739 (Read title). (See pages 182-185, Legislative Journal.)

Finally, Mr. President, Senator DeCamp would like to print amendments to LB 431.

Mr. President, Senator Hoagland and Haberman ask unanimous consent to add their names as cointroducers to LB 568 and Senator Kilgarin to LB 628.

SPEAKER MARVEL: Hearing no objection, so ordered.

CLERK: That is all that I have now, Mr. President.

SPEAKER MARVEL: The Legislature will be at ease until the Exec Board has completed their mission of referencing bills.

SENATOR CLARK PRESIDING

SENATOR CLARK: The Legislature will come back to order.

CLERK: Mr. President, I have a Reference Report referring LBs 693 through 726. That will be inserted in the Journal.

Mr. President, I have two new bills. LB 740 (Read title). And finally, LB 741 (Read title). (See page 187, Legislative Journal.)

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Carsten, would you like to adjourn us until nine-thirty, Monday.

SENATOR CARSTEN: Mr. President, members of the Legislature, I move we adjourn until 9:30 a.m., Monday, January 11.

SPEAKER MARVEL: All those in favor of that motion say aye, opposed no. Motion is carried. We are adjourned.

Edited by

L. M. Benischek
L. M. Benischek

February 8, 1982

LB 635, 623, 644, 739,
742, 852

you please record your presence? Senator Von Minden, will
you please record your presence? Senator Haberman, will
you please record your presence? Senator Higgins, will
you please record your presence? Now the Clerk will read
some items in.

CLERK: Mr. President, while we are waiting, your committee
on Revenue gives notice of hearing in Room 1520 for
February 16, 17, 22, 23, and 24.

Your committee on Public Works whose Chairman is Senator
Kremer reports 644 to General File; 739 General File;
742 General File; 852 General File with amendments.

SPEAKER MARVEL: Senator Kahle, we are down to Senator
Beutler and he is on his way. Do you want to start the
roll call? If you will check with item #4 on the agenda,
you will find the motion. It has to do with LB 635.
Call the roll.

CLERK: (Roll call vote taken. See pages 583 and 584,
Legislative Journal.) 20 ayes, 24 nays, Mr. President.

SPEAKER MARVEL: The Call has been raised. Motion lost.

SENATOR CLARK PRESIDING

SENATOR CLARK: We are ready for item #5, General File,
LB 623.

CLERK: Mr. President, LB 623 (read title). The bill was
read on January 6th of the year, referred to the Banking
Committee for public hearing. The bill was advanced to
General File, Mr. President, with committee amendments
attached. I believe you will find the committee amendments
in your bill books. It is request #2565. The Legislature
considered the bill, Mr. President, on February 4 of this
year. At that time Senator Kilgarin had an amendment pending
to the committee amendments. Senator Kilgarin's amendment
is on page 559 and 560 of the Legislative Journal.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I yield to Senator DeCamp.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature,
over the weekend, I tried to get together everybody who
in any way remotely is affected by the legislation including,

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LB 739

underneath the North balcony. Well, they are someplace in the room and we welcome the guests. The next item, LB 739.

CLERK: LB 739 offered by Senator Goodrich. (Read title.) The bill was read on January 8. It was referred to the Public Works Committee for hearing, Mr. President. The bill was advanced to General File. I have no amendments to the bill.

SPEAKER MARVEL: The Chair recognizes Senator Goodrich.

SENATOR GOODRICH: Mr. President, members of the body, this particular bill is introduced for the purpose of solving a problem in the recruitment of personnel for power districts such as OPPD or NPPD. What it does, what the current statute does is it requires a two-thirds majority of the board before they can offer a salary to a college graduate that they are recruiting, say, as an engineer or a chemist or any other professional type of job and it places the power district in a position when they are out recruiting at the college recruitment program they cannot offer a young man or a young lady a job with a fixed salary such as, say, \$20,000 or something like that. They must give them a range of, say, \$17,500 to \$22,500 or something like that is what we can give you. Well, the young man or the young lady is being recruited by the power district with a range that has to be approved by two-thirds vote of the board later on when someone else is recruiting that same youngster with a fixed salary of specifically \$20,000. The youngster would then say, well, why should I gamble with you when I can get a fixed salary commitment from this other company and he will go to work for them. What this bill does is it keeps the two-thirds majority required for any officer, director, assistant director, or that sort of thing of the power district. Their salaries are controlled by a two-thirds majority vote of the board of directors. However, anyone less than an officer, below the officer status, it would be left up to the management of the district to set that particular salary and then that would later on be approved by a majority vote of the board of directors. It just places the power districts in a position of being able to compete for talent that they need when they are running nuclear plants and that sort of thing and when they are recruiting engineers, chemist, that professional type of level of help. I would move the advancement of the bill.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: Mr. President, members, I was in the committee

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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

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 739, 952

The next bill is LB 739. Is anyone prepared to take the Vickers amendment? Senator Goodrich says he is on his own bill. So we will take up the Vickers amendment, Senator Goodrich, if you will carry that.

SENATOR GOODRICH: When this bill advanced off of General File, Senator Vickers asked if it was going to be okay with me if he would add a one word amendment to the bill and that is this. It says, the legislation, the current law on the books says, the salaries of any general manager or assistant general manager, etc., etc., shall be published. He wanted to add the word "the current salaries" and that doesn't change the meaning at all other than the fact that it clarifies one point and that is that it is the current salary they are getting, not last year's salaries, and I have no objection to that so I said I would handle it for him when it got here. I move the adoption of the amendment.

PRESIDENT: Any further discussion on the Vickers amendment as described and explained by Senator Goodrich. All those in favor then of the Vickers amendment vote aye, opposed vote nay. We are on LB 739. Have you all voted? Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President.

PRESIDENT: The motion carries, the Vickers amendment is adopted. Any further amendments?

CLERK: Nothing further on the bill, Mr. President.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 739.

PRESIDENT: Motion is we advance LB 739 to E & R for Engrossment. Any discussion? All those in favor of advancing LB 739 to E & R for Engrossment signify by saying aye, opposed nay. LB 739 is advanced to E & R for Engrossment. Next bill is LB 952.

CLERK: Mr. President, I have no E & R amendments, but I do have a motion from Senator Beutler to indefinitely postpone the bill which will lay the bill over unless. . .

PRESIDENT: Senator Beutler places a motion to indefinitely postpone, which will lay it over.

CLERK: Unless Senator Newell agrees to . . .

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LB 208, 573, 633, 668, 693,
739, 751, 766, 790, 816,
869, 875, 892, 952

Would they also be recognized and welcome to your Nebraska Legislature to you. Yes, the Clerk will now, before we commence Final Reading, read some matters in.

CLERK: Mr. President, Senator DeCamp would like to print amendments to LB 816; Senator Carsten to 693. (See pages 1368-1369 of the Legislative Journal.)

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 573 and find the same correctly engrossed; 633, 668, 739, 751, 766, 790, 869, 875, 892 and 952 all correctly engrossed.

PRESIDENT: All right, we're ready then if all the members are at your desks, we're still on Final Reading. Mr. Clerk, will you commence on Final Reading, LB 208.

CLERK: (Read LB 208 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 208 pass. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: (Read record vote as found on page 1370 of the Legislative Journal.) 30 ayes, 17 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 208 passes. The next bill on Final Reading, Mr. Clerk, is LB 383.

ASSISTANT CLERK: (Read LB 383 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 383 pass. All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read record vote as found on page 1371 of the Legislative Journal.) The vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 383 passes. Before we go to the next bill, I notice that we have some rolls being passed out. If you want to know what that is for, why we'll have to all recognize Senator Howard Peterson's birthday. It was March 22, Howard, and we say "happy birthday" to you and join in. Happy birthday, Howard. The next bill on Final Reading while you're celebrating Senator Peterson's birthday is LB 421.

ASSISTANT CLERK: (Read LB 421 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure hav-

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LB 633, 668, 739, 751

CLERK: (Read LB 633 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 633 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on pages 1511-1512 of the Legislative Journal.) 40 ayes, 3 nays, 5 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 633 passes. The next bill on Final Reading will be LB 668.

CLERK: (Read LB 668 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 668 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on pages 1512-1513 of the Legislative Journal.) 41 ayes, 4 nays, Mr. President, and 3 excused and not voting.

PRESIDENT: LB 668 passes. The next bill on Final Reading is LB 739.

CLERK: (Read LB 739 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 739 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on page 1513 of the Legislative Journal.) 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 739 passes. The next bill on Final Reading is LB 751.

CLERK: (Read LB 751 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 751 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on page 1514 of the Legislative Journal.) 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 751 passes. The next bill on Final Reading is LB 766.

LB 761, 790, 817, 852, 869
875, 892, 751, 766, 807,
573, 633, 668, 739,

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SENATOR CLARK: The motion carried. Yes, Senator Warner.

SENATOR WARNER: Well, I was wondering if it was too late to change a vote.

SENATOR CLARK: Yes, it is now. He has announced the vote.

SENATOR WARNER: I was just going to vote no for purposes of reconsideration.

SENATOR CLARK: You did vote no, I think.

SENATOR WARNER: I mean yes so I could move.

CLERK: Mr. President, while we are waiting your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 807 and find the same correctly engrossed.

Mr. President, the bills read on Final Reading yesterday 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 LBs 573, 633, 668, 739, 751, 766, 790, 817, 852, 869, 875 and 892. Did I hear somebody raise the Call? The motion is to raise the Call. The Call is raised.

SENATOR NICHOL PRESIDING

SENATOR NICHOL: Mr. Clerk.

CLERK: Mr. President, I have a motion. Senator Wesely would move to reconsider the vote just taken on adoption of Senator Koch's amendment.

SENATOR NICHOL: Senator Wesely.

SENATOR WESELY: Thank you, Mr. President. I would like to yield my time to Senator Warner. He didn't get much of a chance to discuss the situation with that amendment. Although I support the concept, I understand there is an alternative perhaps we ought to take a look at, and so I am asking you to reconsider that vote and I will yield the rest of my time to Senator Warner, please.

SENATOR WARNER: Thank you, Senator Wesely. Mr. President and members of the Legislature, if the body wishes to increase

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LB 875, 892, 893
LB 127, 573, 633, 668, 739, 751,
761, 766, 790, 816, 817, 852, 869

and nail him then and we can go on with the proceedings so that we can proceed with the business. Would that be okay with you?

SENATOR HIGGINS: I don't know whether I want to vote to stay here or not because I don't know if it is going to do any good, because I don't know what might be on special order tomorrow and the next day.

SENATOR NICHOL: Well, I don't know that we are going to resolve that by debating that and I would really strongly suggest that we stick to the procedure that we are in right now. If you don't get a.....

SENATOR HIGGINS: I wish we would have stuck with the procedure we voted on two weeks ago.

SENATOR NICHOL: Let's get in our seats, please, so we can continue with the roll call vote and we will get going here. You have been very patient and I appreciate it but let's try to hang on there a little bit longer. Maybe we can get this bill passed or on its way. Proceed with the roll call, please. Please go to your seats.

CLERK: (Read the roll call vote as found on pages 1592 and 1593 of the Legislative Journal.) 23 ayes, 15 nays, Mr. President, on adoption of the amendment.

SENATOR NICHOL: The amendment is not adopted. Shall we move on to the next one, Pat? Do you want to read something in first?

CLERK: Very quickly, Mr. President. I have an Attorney General's Opinion addressed to Senator DeCamp, one to Senator Sieck and one addressed to Senator Warner. (See pages 1593 through 1597 regarding LBs 816, 127 and 893 in the Legislative Journal.)

Your Enrolling Clerk has presented to the Governor the bills that were read on Final Reading yesterday, Mr. President. (Regarding LBs 633, 790, 573, 668, 739, 751, 766, 817, 852, 869, 875 and 892.)

Mr. President, the next amendment I have is one offered by Senator Burrows.

SENATOR NICHOL: Senator Burrows.

SENATOR BURROWS: Mr. Chairman and members of the Legislature, this amendment simply strikes the language that

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LB 757, 739, 766, 892,
956

PRESIDENT: All right, Mr. Clerk, will you read the motion?

CLERK: (Read the Chambers amendment as found on page 1766 of the Legislative Journal.)

PRESIDENT: Proceed with the roll call vote, Mr. Clerk.

CLERK: (Read the roll call vote as found on pages 1766 and 1767 of the Legislative Journal.) 21 ayes, 19 nays, Mr. President.

PRESIDENT: The motion fails. Anything further on the bill?

CLERK: Nothing further on this bill, Mr. President.

PRESIDENT: Okay, it's right where it is, it's on E & R for Engrossment. Do you have some matters to read in, Mr. Clerk?

CLERK: Yes, sir, I do. Mr. President, Senator Barrett would like to remind the members of the Business and Labor Committee of their meeting at 12:30 on the state labor contracts. That is going to be held in Room 1019. That is Business and Labor in Room 1019 at 12:30.

Mr. President, explanation of vote offered by Senator Hoagland. I have an amendment from Senator Hoagland to LB 956 he would like printed in the Journal. (See page 1768 of the Legislative Journal.)

I have a communication from the Governor. (Read communication regarding LBs 739 and 892 as found in the Journal on page 1767.)

Mr. President, the Governor has delivered Constitutional Amendment, LB 766, without his action.

PRESIDENT: Anything further? Senator Lamb, what do you wish to do? Do you wish to take up anything before noon or do you want to break now and come back? Senator Lamb.

SENATOR LAMB: Mr. President, I move that we recess until 1:30.

PRESIDENT: All right, motion is to recess until 1:30. All those in favor signify by saying aye. Opposed nay. We are in recess until 1:30.

Edited by:


Mary Turner

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