

four days unlimited bill requests would be accepted by the bill drafter and then between the fourth and the eighth day one more request per senator and per committee. This is a little change from before because since we have unlimited bill introductions now we were afraid we might get into the situation where the bill drafter just would not be able to handle the volume of requests. So I call that to your attention and hope that you can get your requests in today and if you have an emergency then you have the prerogative of another request between the fourth legislative day and the eighth legislative day. Thank you.

PRESIDENT: Any questions of Senator Lamb? Or any other comments? Okay, at this time the Chair takes pleasure to introduce some visitors from Senator Marsh's district up here in the north balcony, some 25 seniors from Southeast High School, their instructor Mr. Douglas. They're up in the north balcony. Would you welcome the Southeast seniors up here in the balcony. Welcome to your Legislature. All right we'll... The Clerk will just read some bills in until...it's getting close enough to the time of the Governor's arrival. We will proceed with the reading of some bills, Mr. Clerk.

CLERK: (Read by title for the first time, LBs 746-748 as found on page 190 of the Legislative Journal.)

PRESIDENT: Does anyone else have any bills to introduce before the Governor's arrival? We just as well get in the bills if you have any there. The Clerk would like to read them in.

CLERK: (Read by title for the first time, LBs 749-752 as found on page 191 of the Legislative Journal.)

PRESIDENT: The Chair recognizes Speaker Marvel for purpose of a motion.

SPEAKER MARVEL: The motion that I make is that a committee of five be appointed to escort the Governor to the Chamber to deliver the State of the State and the Budget Message. I so move.

PRESIDENT: The motion is to appoint a committee of five to escort the Governor. All those in favor signify by saying aye, opposed nay. The committee the Chair will appoint will be as follows to escort the Governor: Senator Carsten, Senator Newell, Senator Barrett, Senator Lowell Johnson and Senator Remmers. That committee of five will proceed to escort the Governor into the Chamber for the delivery of his State of the State address and the Legislature will be at ease until the Governor arrives.

February 11, 1982

LR 12  
LB 623, 655, 701, 708, 751

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Prayer by Father Sam Boman, St. David's Episcopal Church, Lincoln, Nebraska.

FATHER BOMAN: Prayer offered.

SPEAKER MARVEL: Roll call. Please record your presence. Record.

CLERK: There is a quorum present, Mr. President.

SPEAKER MARVEL: Number 3.

CLERK: Yes, sir. Mr. President, your committee on Banking gives notice of hearing on LR 12 for Monday, February 22.

Mr. President, I have a report from the Department of Roads pursuant to statutory section. That will be filed in my office.

I have gubernatorial appointment letters from the Governor. Those will be referred to the Reference Committee. (See pages 640 and 641 of the Legislative Journal).

Mr. President, your committee on Government whose Chairman is Senator Kahle to whom was referred LB 701 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with committee amendments attached. That is signed by Senator Kahle). (See pages 641 through 644 of the Journal).

Your committee on Banking whose Chairman is Senator DeCamp to whom was referred LB 708 instructs me to report LB 708 advanced to General File with committee amendments attached, and LB 751 advanced to General File with committee amendments attached. (See pages 645 and 646 of the Journal). Those are signed by Senator DeCamp.

Your committee on Public Works whose Chairman is Senator Kremer to whom was referred LB 655 instructs me to report that bill as advanced to General File with committee amendments attached. That is signed by Senator Kremer. (See page 647 of the Journal).

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 623 and recommend that same be placed on

March 15, 1982

LB 708, 751

PRESIDENT: Okay, so the motion is the adoption of the committee amendments which as you said are the bill. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

PRESIDENT: All right, now we're on the bill itself. Senator DeCamp, do you have anything further? Senator Vickers, do you want to speak to the bill? No. Senator Schmit, anything? Senator Schmit, you don't wish to speak any further on the bill, do you? All right, Senator DeCamp, I guess we're ready for a vote then on the advance of LB 708. All those in favor of advancing LB 708 to E & R initial vote aye, opposed nay. Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: The motion carries. LB 708 is advanced to E & R initial. The next bill is LB 751, Mr. Clerk.

CLERK: Mr. President, LB 751 offered by Senator Goodrich. (Read title.) The bill was read on January 11, referred to Banking, Commerce and Insurance. The bill was advanced to General File, Mr. President. There are committee amendments pending by the Banking Committee.

PRESIDENT: Senator DeCamp, the Chair recognizes you for purposes of discussing the committee amendments to LB 751.

SENATOR DeCAMP: Oh, Mr. President, as I recall this is the loan broker thing which we've had more than a little trouble in this state on, people saying they're going to find somebody money and charging them piles of dollars. We had one scandal after another that the Attorney General has been dealing with. We think we've got legislation put together to correct it. The Wesely amendment on this bill simply says that it would fall under the Consumer Protection Act which we've got an Attorney General's opinion #208 saying unless we put this amendment, unless we specifically say it, it won't fall under that so the amendment makes it specifically fall under the Consumer Protection Act. I urge you to adopt it.

PRESIDENT: Any further discussion? Senator Schmit? Senator Wesely first and then Senator Schmit. Senator Wesely, on the committee amendments.

SENATOR WESELY: Yes. Mr. President, members of the Legislature, the Attorney General's office was contacted. They did

provide an opinion which was dated February 26 where they called for the need to expand the Consumer Protection Act to cover loan brokers. They had been involved and then we did want to continue to involve the Attorney General's office in this serious problem but we found that there was some language in the bill we passed 'ast year that there was some doubt as to whether or not they could still be involved in loan broker regulation. This would clarify the Consumer Protection Act. It would continue to cover loan brokers and the Attorney General could continue to be involved in that issue. It is an important amendment and is supported by the Attorney General's office.

PRESIDENT: Any further discussion on the committee amendments to LB 751? Senator DeCamp, do you wish to close on the committee amendments? The motion is the adoption of the committee amendments on LB 751. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 0 nays on adoption of committee amendments, Mr. President.

PRESIDENT: The motion carries. The committee amendments are adopted. The Chair would like to introduce from Senator Landis' district some 46 fourth graders from Hartley Elementary School with Norma Tumblin, Debbie Cone and Linda Greenwald are teachers. They are up here in the North balcony and we welcome you to your unicameral Legislature, Hartley School. The Chair now recognizes Senator Goodrich to present the bill.

SENATOR GOODRICH: The bill itself, now that we have adopted this amendment and it has just been explained to you, I'll explain the original bill itself which is nothing but a way of picking up the subsidiaries of savings and loans and putting them over in the sections where savings and loans are regulated. Originally when savings and loans were given like their special set of statutes, banks were given theirs, the whole thing was...we spelled out in other words, banks, trust companies, savings and loans, that sort of thing should be regulated over here in this section but we forgot to pick up the subsidiaries of savings and loans. So literally the Banking Department doesn't know whether to regulate them under this particular section of statutes, these subsidiaries I mean, under this section of statutes or over in the savings and loan sections where they belong. So all the bill is intended to do is just transfer them over there where they belong so that they will be regulated like savings and loans. I move we advance the bill.

March 15, 1982

LB 751, 875

PRESIDENT: Any further discussion? All those in favor then of advancing the bill vote aye, opposed nay, the advancement of LB 751 to E & R initial. Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: The motion carries. LB 751 is advanced to E & R initial. LB 458 has been laid over by the Speaker. We will go on to LB 875, Mr. Clerk.

CLERK: Mr. President, LB 875 offered by Senator Remmers. (Read title.) The bill was read on January 18 of this year, referred to Urban Affairs for public hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending.

PRESIDENT: The Chair recognizes Senator Landis for purposes of the committee amendments. Senator Landis.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, LB 875 was brought to the Urban Affairs Committee by Senator Wiley Remmers and it indicates that in second class cities and villages there shall be the power to take private property for public use for the purpose of electrical distribution facilities and this is simply to make the grant of authority clearer as to when condemnation can be used and for what public purposes. The existing language indicates that water works, gas works, power plants, electric or other light works and such plants are covered but they do not make it explicit that electrical distribution facilities are covered and of course I think we would all intend for those definitions to include that situation. The committee agreed with Senator Remmers as to the need for the bill and also searched the statutes to find that first class cities did not have this kind of explicit language in its provisions. So rather than taking second class cities this year and then perhaps be faced with making the same change a year or two down the road for first class cities, the committee adopted the rule that this should apply for first class cities as well. The committee amendments extend the provision for this act to first class cities as well and that is without objection from any known party. The League of Municipalities at the hearing, when asked about the amendment, the proposed amendment, agreed fully with it and it has the acquiescence of all parties to the bill that I know of.

PRESIDENT: Senator Remmers, do you wish to discuss the committee amendments?

SENATOR REMMERS: Mr. Speaker, members of the Legislature,

March 17, 1982

LB 573, 633, 668, 708, 751,  
875, 714, 790, 766, 890A,  
579, 662, 677

SENATOR CLARK PRESIDING

SENATOR CLARK: The prayer will be given this morning by Monsignor Charles Keenan, Blessed Sacrament Church, from Lincoln.

MONSIGNOR KEENAN: Prayer.

SENATOR CLARK: Roll call.

RECORDER MALFUNCTION - (Inaudible)

The following information was taken from the Legislative Journal dated March 17, 1982.

LB 573 placed on Select File as amended. LB 633 placed on Select File as amended. LB 688 placed on Select File. LB 768 Placed on Select File as amended. LB 751 placed on Select File as amended. LB 875 placed on Select File as amended. LB 714 Placed on Select File as amended. LBs 790, 766, 890 All placed on Select File.

LB 579 was passed with the emergency clause. Vote appears on page 1211 of the Legislative Journal. 39 ayes, 0 nays, 3 present and not voting, 7 excused and not voting.

RECORDER NOW OPERATING

CLERK: Read LB 662.

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.

CLERK: Senator Clark voting yes.

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

CLERK: 43 ayes, 1 nay, 5 excused and not voting. Vote appears on page 1212 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed on Final Reading. The Clerk will read LB 677.

March 19, 1982

LB 751, 875, 714

CLERK: Mr. President, there are E & R amendment to 751.

PRESIDENT: Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move we adopt the E & R amendments to 751.

PRESIDENT: Motion is to adopt the E & R amendments to LB 751. Any discussion? If not, all those in favor of adopting the E & R amendments to 751 signify by saying aye. Opposed nay. The E & R amendments to 751 are adopted. Anything further?

CLERK: Nothing further, Mr. President.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 751.

PRESIDENT: Motion is to advance LB 751 to E & R for Engrossment. Any discussion? All those in favor then of advancing LB 751 to Engrossment signify by saying aye, opposed nay. LB 751 is advanced to E & R for Engrossment. Next bill will be LB 875. Senator Kilgarin.

SENATOR KILGARIN: I move we adopt the E & R amendments to LB 875.

PRESIDENT: Motion is to adopt the E & R amendments to LB 875. Any discussion? All those in favor of adopting the E & R amendments to 875 signify by saying aye, opposed nay. The E & R amendments to 875 are adopted. Anything further, Mr. Clerk?

CLERK: Nothing further, Mr. President.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 875.

PRESIDENT: Motion is to advance LB 875 to E & R for Engrossment. Any discussion? All those in favor of advancing LB 875 to E & R for Engrossment signify by saying aye, opposed nay. LB 875 is advanced to E & R for Engrossment. The next bill is LB 714.

SENATOR KILGARIN: I move we adopt the E & R amendments to LB 714.

PRESIDENT: Senator Kilgarin moves we adopt the E & R amendment to 714. Any discussion? All those in favor of adopting

March 23, 1982

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-

March 31, 1982

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,

April 1, 1982

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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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

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.