

January 12, 1982

LR 204

LB 375, 417, 772-774

CLERK: Mr. President, a new resolution, LR 204, offered by Senators Vickers and Barrett. (Read. See page 232, Legislative Journal.) That will be laid over, Mr. President, pursuant to our rules.

Mr. President, Senator Schmit would like to print amendments to LB 375 in the Legislative Journal.

Mr. President, new bills, LB 772 (read title); LB 773 (read title); and finally, Mr. President, LB 774 (read title). (See pages 232 and 233, Legislative Journal.)

PRESIDENT: Ready then for agenda item #7, General File, commencing with LB 75, Mr. Clerk.

CLERK: Mr. President, I have a request from Senator Labeledz to pass over LB 75 and 75A.

PRESIDENT: Any objection, so ordered to be passed over. Then we will be ready for LB 417.

CLERK: Mr. President, LB 417, (read title). The bill was first read on January 20 of last year, referred to the Public Works Committee for public hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending by the Public Works Committee.

PRESIDENT: The Chair recognizes Senator Kremer for the committee amendments.

SENATOR KREMER: Mr. Chairman, members, the committee report is in your book. I will read it verbatim because it is exactly what the committee amendments amount to. Would allow the transportation of any object up to sixteen feet in width if proceeded by a pilot vehicle or a flag person. It treats storage and the stockpiling of grain in the same way as from the field directly to the market. It goes on and limits the movement of combines in excess of fifteen feet to trips of twenty-five miles on our public highways. I move the adoption of the committee amendments.

PRESIDENT: Senator Cullan, do you wish to speak to the committee amendments? Senator Cullan.

SENATOR CULLAN: Yes, Mr. President, Senator Kremer, thank you very much for speaking to the committee amendments. I would like to request of the Chair that two of the committee amendments be...that the issue be divided or perhaps two of the committee amendments can be withdrawn. They are

February 10, 1982

LB 264, 309, 347, 403, 418, 542
563-66, 572, 579, 642, 659, 677
703, 705, 718, 719, 722, 724,
764, 774, 778, 779, 797, 852,
879, 606, 32, 229, 490, 492

SPEAKER MARVEL PRESIDING

RABBI BISMAN: Prayer offered.

SPEAKER MARVEL: Item #2, roll call. Please record your presence. Record your presence. Pat, do you want to record.

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

SPEAKER MARVEL: Do you have anything under #3?

CLERK: Mr. President, I have several items. First of all I have a reference report referring LR 218 to the Banking Committee for public hearing.

Mr. President, a communication from the Governor addressed to the Clerk. (Read communication re: 264, 309, 347, 403, 418, 563, 564, 565, 566 and 572 as found on page 613 of the Legislative Journal.)

A second communication. (Read re. LB 542.) And a third, Mr. President, from the Governor addressed to the Clerk. (Read re. 32, 229, 490 and 492. See pages 613-614 of the Legislative Journal.)

Mr. President, your committee on Education whose chairman is Senator Koch reports LB 642 advanced to General File; LB 774 advanced to General File; LB 797 advanced to General File with amendments. Those are signed by Senator Koch.

Your committee on Public Works whose chairman is Senator Kremer offers a corrected statement to LB 852. (See pages 614-615 of the Legislative Journal.)

Mr. President, your committee on Government, Military and Veterans Affairs whose chairman is Senator Kahle reports LB 879 advance to General File with committee amendments attached. That is signed by Senator Kahle. (See page 615 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 606 and recommend that same be placed on Select File; 579 Select File; 703 Select File with amendments; 705 Select File; 718 Select File; 719 Select File; 724 Select File; 677 Select File; 722 Select File with amendments; 659 Select File; 764 Select File with amendments and 778 Select File with amendments and 779 Select File with amendments, all signed by Senator Kilgarin as Chair. (See pages 615-616 of the Legislative Journal.)

March 3, 1982

LB 774, 582, 609, 890, 954

CLERK: Mr. President, LB 774 offered by the Education Committee and signed by its members. (Read title.) The bill was read on January 12th of this year, referred to the Education Committee for hearing. The bill was advanced to General File. Mr. President, I have no amendments to the bill.

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Thank you, Mr. Chairman. 774 very briefly does one thing, that is in view of the fact we passed 259, 774 must go because it will only be in effect one year, then it sunsets. Because the effective date for 259 is 1983, so we just merely protect people for this one year. After that 259 becomes the whole bill. 774 will sunset. I ask for the advancement to E & R initial.

SENATOR CLARK: Senator Newell, your light is still on. Is there any further discussion of 774, the advancement of 774? If not, all those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

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

SENATOR CLARK: The bill is declared advanced. We will now go to the priority bills in the Work Sheet order, LB 522. We are going to read one thing in first.

CLERK: Mr. President, your committee on Revenue whose Chairman is Senator Carsten instructs me to report LB 890 advanced to General File; LB 582 advanced to General File with committee amendments attached; and LB 954 as indefinitely postponed. All of those signed by Senator Carsten as Chair. Mr. President, LB 522 was a bill introduced by Senator Vard Johnson.

SENATOR CLARK: I think he wants to hold that bill up for a little while. He has got some amendments coming up that are not here yet. 616 they want to pass over. LB 609 will be the next bill. LB 609, please.

March 5, 1982

LB 126, 259, 428, 609, 626, 774

intact the system of evidence that exists now.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President and members of the Legislature, we've spent so much time that I don't want to take time so I'll just say I respectfully oppose the amendments. I believe we've treated the issue before.

SPEAKER MARVEL: Okay, Senator Chambers, do you want to close on your motion. There are no lights up here. Do you want a roll call vote? Okay, call the roll.

CLERK: (Read roll call vote as found on page 1004 of the Legislative Journal.) 10 ayes, 33 nays, Mr. President.

SPEAKER MARVEL: The motion lost. Okay, we will now proceed with Final Reading. All legislators should be in their seats and the first bill to be read now is LB 126.

CLERK: (Read LB 126 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass. Those in favor vote aye, opposed no. Have you all voted? Clerk, record the vote.

CLERK: (Read record vote as found on page 1005 of the Legislative Journal.) 42 ayes, 2 nays, Mr. President, 3 present and not voting...3 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The next bill is LB 428. Yes.

CLERK: Mr. President, if I may right before that, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 626 and recommend that same be placed on Select File with amendments; LB 259 Select File with amendments; LB 774 Select File and LB 609 Select File, all signed by Senator Kilgarin as Chair. (See pages 1005-1006 of the Legislative Journal.)

I have a reference report referring gubernatorial appointments and I have an announcement from the Speaker regarding the scheduling of priority bills for special order consideration.

Mr. President, with respect to LB 428, first of all, Senator Johnson, I believe you had an amendment that you had printed

March 11, 1982

LB 609, 767, 767A,
774, 941

LB 774.

SENATOR KILGARIN: I move we advance LB 774.

PRESIDENT: Motion to advance LB 774 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 774 is advanced to E & R for Engrossment. LB 609.

SENATOR KILGARIN: I move we advance LB 609.

PRESIDENT: Motion to advance LB 609 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 609 is advanced to E & R for Engrossment. LB 767.

SENATOR KILGARIN: I move the E & R amendment to LB 767.

PRESIDENT: Motion is to adopt the E & R amendments on LB 767. Any discussion? All those in favor of adopting the E & R amendments to LB 767 signify by saying aye. Opposed nay. The E & R amendments are adopted. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 767.

PRESIDENT: Motion to advance LB 767 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 767 is advanced to E & R for Engrossment. LB 767A.

SENATOR KILGARIN: I move we advance LB 767A.

PRESIDENT: Motion to advance LB 767A to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 767A is advanced to E & R for Engrossment. The next bill....before we do this, the Chair would like to introduce four students from Zion School at Bancroft from Senator Chronister's District with Principal, Gerry Kurka. Are they up here in the...are they in the...they must be up here in the north balcony. Do you want to wave to us if that is where you are up there? Hi, and welcome to your Unicameral. The next bill is LB 941, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 941.

PRESIDENT: Motion to advance LB 941 to E & R for Engrossment. Any discussion? If not all those in favor signify by saying aye. Opposed nay. LB 941 is advanced to E & R for Engrossment. LB 877, Senator Kilgarin.

March 15, 1982

LR 251
LB 961, 962
LB 839, 868, 877, 931, 941, 951,
LB 378, 435, 577, 601, 609, 634,
LB 651, 697, 716, 774, 784, 792

CLERK: Mr. President, very quickly, Senator Landis would like to print amendments to LB 868.

A new resolution, LR 251, offered by Senator Wesely. (Read.) (See paged 1176, Legislative Journal.) That will be laid over, Mr. President.

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined engrossed LB 378 and find the same correctly engrossed, 609, 634, 435, 577, 601, 651, 697, 774, 716, 784, 792, 839, 877, 931, 941, 951, and 961, and 962 all correctly engrossed. And that is all that I have, Mr. President.

SENATOR CLARK: Senator Stoney.

SENATOR STONEY: Mr. President, I would move that we adjourn until 9:00 a.m., March 16th, 1982.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. We are adjourned until nine o'clock tomorrow morning.

Edited by Arleen McCrory
Arleen McCrory

March 19, 1982

LB 724, 779, 774

SENATOR CLARK: The bill is declared passed on Final Reading. The Clerk will now read 724.

ASSISTANT CLERK: (Read LB 724 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.

ASSISTANT CLERK: Senator Clark voting aye.

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

CLERK: (Read the record vote as found on pages 1293 and 1294 of the Legislative Journal.) 42 ayes, 0 nays, 6 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. The Clerk will now read 779 with the emergency clause.

CLERK: (Read LB 779 on Final Reading.)

SENATOR CLARK: I skipped one bill but we will go back to that in a moment. All provisions of law relative to procedure having been complied with, the question is, shall the bill pass with the emergency clause attached? All those in favor...pardon? 779E. We will go back to 774E in a moment. All provisions of law having been complied with, the question is, shall the bill pass with the emergency clause attached? All those in favor vote aye, opposed vote nay. The mistake was mine, not yours. I would like to announce to you that the Kiwanis Club members from all over the state are here for Legislative Day. They are in both balconies. Would you stand and be recognized, please? Welcome to your Legislature. I would like to explain to you that we are on Final Reading at the present time. The Constitution says that all bills must be read in their entirety. It is not very interesting, but that is what the Constitution says, and then the Senators vote. If you stick around later, you may get more action. The Clerk will record the vote.

CLERK: (Read the record vote as found on pages 1294 and 1295 of the Legislative Journal.) 39 ayes, 3 nays, 6 excused and not voting, Mr. President, 1 present and not voting.

SENATOR CLARK: The bill is declared passed on Final Reading with the emergency clause attached. The Clerk will now read 774E.

March 19, 1982

LB 774, 784, 792

CLERK: (Read LB 774 on Final Reading.)

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

CLERK: Senator Clark voting yes.

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

CLERK: (Read the record vote as found on page 1295 of the Legislative Journal.) 36 ayes, 6 nays, 6 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading with the emergency clause attached. The Clerk will now read 784.

CLERK: (Read LB 784 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.

CLERK: Senator Clark voting yes.

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

CLERK: (Read the record vote as found on page 1296 of the Legislative Journal.) 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. Mr. Sergeant at Arms, could you keep the Senators in their seats, please. The Clerk will now read 792 with the emergency clause.

CLERK: (Read LB 792 on Final Reading.)

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

CLERK: Senator Clark voting yes.

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

CLERK: (Read the record vote as found on page 1297 of

LB 520, 577, 591, 604A, 623, 629, 629A,
634, 651, 659, 697, 705, 716, 724, 759,
774, 779, 784, 792, 839, 877, 931, 941,
951, 626, 961, 962

March 19, 1982

626 up to the point where it was the other day before this misunderstanding occurred. I thank you very much.

PRESIDENT: Any further discussion? Senator Rumery, do you have any closing on the advance?

SENATOR RUMERY: Just this, Mr. President, there has been reference made to sinister moves by a lobbyist and I would like to say that Mr. Paul O'Hare worked with us and I can truthfully say that we have not considered that he was doing anything underhanded at all, and I would like to have that for the record. I ask you to move the bill.

PRESIDENT: Did I hear a request for a record vote? I figured I would. Okay, Senator, we will go to the board then. All those in favor of advancing LB 626 to E & R for Engrossment vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 9 nays on the motion to readvance the bill, Mr. President.

PRESIDENT: Motion carries. LB 626 is advanced to E & R for Engrossment. You may read some things in.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 591 and recommend that same be placed on Select File; 520 Select File with amendments; 629 Select File with amendment; 629A Select File, and 759 Select File. (Journal page 1305.)

Mr. President, Senator Warner would like to print amendments to LB 604A in the Journal. (Page 1304 of the Journal.)

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

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 577, 601, 623, 634, 651, 659, 697, 705, 716, 724, 779, 774, 784, 792, 839, 877, 931, 941, 951, 961, and 962.

PRESIDENT: Before we go into the next matter, the Chair takes the privilege of introducing 41 Seventh Grade students from Sandy Creek District from Fairfield, Nebraska. They are up here in the south balcony, Mr. David Nienkamp, their instructor. Would they kind of just wave to us. It is so crowded up there, let's see where you are up there. Welcome to your Legislature, to the Unicameral. Ready, Mr. Clerk, on LB 870.

LR 270

LB 127, 259, 601, 611, 623, 642, 644,
647, 651-2, 659, 678, 696-7, 700,
716, 724, 757, 767-7A, 774-776,
779, 784, 792, 816, 828, 839, 845,
877, 931, 941, 951, 961-2, 705

March 29, 1982

Mr. President, three communications from the Governor addressed to the Clerk. (Read. Re: LBs 775, 776, 601, 623, 651, 659, 697, 705, 716, 724, 774, 779, 784, 792, 839, 877, 931, 941, 951, 961, 962, 259, 642, 644, 678, 696, 828, 845, 767, 767A. See pages 1415 and 1416, Legislative Journal.)

Mr. President, I have a series of Attorney General's opinions. The first is to Senator Vickers regarding LB 647; one to Senator Wesely regarding LB 700; a third to Senator Hefner regarding LB 611; a fourth to Senator Haberman regarding LB 127; and a fifth to Senator Carsten regarding LB 816. All of those will be inserted in the Legislative Journal.

Mr. President, a new resolution, LR 270 offered by Senator Newell. (Read. See pages 1424 and 1425, Legislative Journal.) That will be laid over pursuant to our rules, Mr. President.

Finally, Mr. President, Senator Wiitala asks unanimous consent to remove his name as cosponsor from an amendment to LB 652, Request 2652.

SENATOR CLARK: Is there any objection? So ordered.

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

SENATOR CLARK: All right, is Senator Koch here? I think we will go ahead and pass over Senator Koch's request here until he arrives. We will go to item #5 on General File, the priority bills, the revenue priorities, 757 is the first bill.

CLERK: Mr. President, LB 757 introduced by the Speaker at the request of the Governor. (Read title.) The bill was read on January 11 of this year, referred to the Revenue Committee for public hearing. The bill was advanced to General File, Mr. President.

SENATOR CLARK: Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, in the absence of Senator Marvel I suspect that I should take the bill. The bill is very straightforward. There is no committee amendment. It is in its original form to reduce the minimum of the overlevy or cushion from 3% to 2%. It was a recommendation from the Governor in a bill that he had introduced by Senator Marvel and I would move that it be moved from General File to E & R Initial.

SENATOR CLARK: We have a motion on the desk.