

January 12, 1982

LB 790-794, 421

And new bills, LB 790 (title read); LB 791 (title read); LB 792 (title read); LB 793 (title read); and LB 794 (title read).

And Senator Dworak would like to print amendments to LB 421 in the Journal, Mr. President.

SENATOR CLARK: The Speaker has an announcement.

SPEAKER MARVEL: Since we will be out of business before we adjourn this afternoon, we are going to make up a special list of bills that had been considered originally and that sheet will be on your desk after you come back and it includes bills, if you will take the Work Sheet, it includes bills that start with #226 and ends with #127, but these will be spelled out in detail as you go to lunch and they will be put on your desk. So you are moving faster than we can keep up with but we bring the list so that you don't get lost in the bills as to where they are. So it will be on your desk this afternoon when we go back into business.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Carsten, would you like to recess us until about one-twenty...one-thirty.

SENATOR CARSTEN: Mr. President, I move we recess until one-thirty.

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

Edited by:


Mary A. Turner

February 17, 1982

LB 866, 882
LB 634, 568, 777, 790

CLERK: (Read record vote as found on page 726 of the Legislative Journal.) 12 ayes, 19 nays, Mr. President, on the motion to indefinitely postpone.

SENATOR LAMB: The motion failed. Will the Clerk please read the next amendment. Please read in the material.

CLERK: Mr. President, Senator Goodrich would like to print amendments to LB 866 in the Legislative Journal. (See pages 726-727 of the Legislative Journal.)

Mr. President, your committee on Judiciary reports LB 568 advance to General File with committee amendments attached, signed by Senator Nichol; your committee on Government reports 790 advance to General File with committee amendments and 882 advance to General File with committee amendments, both signed by Senator Kahle as chairman; your committee on Banking reports LB 777 indefinitely postponed. That is signed by Senator DeCamp. (See pages 727-728 of the Legislative Journal.)

Mr. President, the next amendment I have to LB 634 is offered by Senator Beutler. Senator Beutler would move to amend to delete the words "or substandard" in line 18, page 2 and to delete the words "substandard or" in line 20, page 3.

SENATOR LAMB: Before we continue the debate I would like to introduce some former legislators. Under the South balcony we have Senator Rudolph Kokes, Senator Don Thompson and former Senator Arnold Ruhnke. Also I think I saw Jim Cook from Keyapaha County which happens to be in my legislative district. Would you gentlemen stand and be recognized. Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, if this bill must pass then I hope that at least we can make a few small changes to it that I think will help it make more sense. Right now we would be authorizing the issuance of bonds for blighted or substandard areas. Looking at the definitions in law a blighted area would appear to be a more deteriorated area than a substandard area. What my amendment does is eliminate the word substandard so that all that remains in the bill is the word blighted. So that the effect of the amendment would be to limit the issuance of the bonds to blighted areas and not blighted or substandard areas. The amendment is designed to tighten the criteria to make it a little more difficult to declare a particular area blighted. I don't really pretend that it is going to have an enormous effect. The ingenuity of those that draft statutes is limitless and I

March 15, 1982

LB 714, 790

PRESIDENT: Okay, time is up. Senator Fenger, just as a matter of clearing the decks, would you, the two amendments you had on General File, do you wish to withdraw those and then the rest...

SENATOR FENGER: I'd ask unanimous consent to withdraw both the amendments if you please.

PRESIDENT: Those amendments are withdrawn so we can clear the record of that. The time is up. The question now is the advance of LB 714 to E & R initial. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 34 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: The motion carries. LB 714 is advanced to E & R initial. Next bill is LB 790.

CLERK: Mr. President, LB 790 offered by Senators Duda and Beyer. (Title read.) The bill was read on January 12, referred to the Government Committee. The bill was advanced to General File, Mr. President. There are committee amendments pending by the Government, Military and Veterans Affairs Committee.

PRESIDENT: The Chair recognizes Senator Kahle.

SENATOR KAHLE: Mr. Speaker, there are committee amendments and I would move the committee amendments but I believe in order to understand it I should give you a little bit of an outline of what the bill does and then tell you what the committee amendments are. Current law allows the State Fire Marshal to issue a statewide open burning ban when atmospheric conditions warrant it. When a ban is in effect local fire chiefs can issue permits for fires. Recently this ban has been in effect during most of the year. While under the ban fire chiefs found that they experienced a decrease in the number of false alarms they were responding to. This occurred because the departments learned about planned bonfires and field fires when the property owner applied for a permit. Thus, when a neighbor called in about a suspicious smoke, the department, knowing that it was a planned and controlled fire, did not have to charge out to investigate. LB 790 would make the statewide open burning ban statutory and permanent, irrespective of atmospheric conditions. It would preserve the system of permits granted at the local level. Now the amendment would give the local fire department or his or her designee a way to waive the open burning ban in his or her district when conditions are acceptable

to the chief. Anyone burning in such district when the open burning ban has been waived must notify the fire department of his or her intention to burn. The committee heard this bill and of course Fire Chief Wally Barnett came, Fire Marshal I should say, came before us and as you know there was a burning ban across the State of Nebraska just about all of last year and we also had problems because conditions do vary across the state. For instance, just these last few weeks we've had fires out in western Nebraska when there has been a couple, three or four inches of snow on the ground in eastern Nebraska. So it makes a lot more sense to have that power in the hands of the local fire chief and we think the amendment is necessary. It gives them a right to waive a period of time really to allow people to burn. The only trouble is they would have to notify the fire chief or I shouldn't say trouble, but the only requirement would be that they have to notify the fire department when they want to burn. I move for adoption of the amendment.

PRESIDENT: Seeing no further discussion on the amendments, Senator Kahle, that will constitute your opening and your closing. The question is the adoption of the committee amendments on LB 790. All those in favor vote aye, opposed nay. Record the vote.

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

PRESIDENT: The motion carries. The committee amendments are adopted. We are now ready, Senator Duda, for you to present the bill.

SENATOR DUDA: Mr. President, Senator Kahle explained the bill pretty well. I might say I feel that the title is perhaps misleading when it says it is going to be a statewide burning ban. This is an action the Legislature took in 1980 which allowed the State Fire Marshal to impose a statewide burning ban. What this bill does is it puts the ban permanently in place but it gives all the local fire departments the right to waive this ban. So in essence it is not a change from anything you have had in the past but it just makes it specific so that if you intend to burn you don't have to wonder, is there a burning ban or not. It does establish communications between you and your fire department. It helps them in the respect that if it is too dry in your area they have the prerogative to tell you to wait and in addition to that it will cut down on a lot of false alarms because if you're burning and someone sees it and doesn't know it is a controlled fire, they call the fire department and so it is a matter of communicating be-

tween you and the fire department. So with that I would move the advancement of the bill.

PRESIDENT: The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Senator Duda, I would like to ask you a question, please.

PRESIDENT: Senator Duda, would you respond?

SENATOR DUDA: Yes.

SENATOR SCHMIT: Suppose that I am working in the field and I have an accumulation of rubbish and debris under my cultivator and I dig it out and set it afire. Am I violating the law if we pass this bill?

SENATOR DUDA: Since the language has not been changed and evidently this is a matter of local concern. For instance, in Douglas County, you would be, in your county, no. Because in Douglas County we have an entire open burning ban except for agricultural purposes but in matter of practice, no, this would not change the practice you've ever had in the past but if this was a fire that was of the size that somebody might report it, it would be a matter of you communicating with your fire department and telling them what your intentions were.

SENATOR SCHMIT: Let me just say that in reference to the fact that we're not changing anything, I want to point out that when we gave the fire marshal the authority to impose a statewide burning ban it was never my intention, and I cannot speak for the rest of the Legislature, that that ban be imposed permanently. Now it seems to me that I recall that this last winter when we had a foot of snow over most of the State of Nebraska the fire marshal withdrew his ban on open burning, a very wise action I am sure because they couldn't start a fire on a bet. But I just want to point out to you I think this morning we've got ourselves into hot water a little bit over Senator DeCamp's 708. We are going to get ourselves in the fire if we advance this bill without further discussion. It is very unusual that we take a bill of this magnitude, and I want to say that, it doesn't seem to be that much of a bill but I can guarantee if you want to build a fire under somebody out in the country let the word get out that you have a statewide ban on...read the law, read the statute, read the bill. You just about stopped any kind of burning under any conditions and if I had brought this kind of a bill in to the Ag and Environment Committee in an attempt to comply with provisions of the Clean Air Act - cut down the particles in the air

and so forth there would have been a hue and cry. Now I'm not saying that I'm against the fire marshal having the ability to declare a ban, a statewide ban, on burning but I believe there ought to be some requirements. I don't think we ought to just adamantly and arrogantly say that we will not allow anyone to set a fire. I don't know if a bunch of boy scouts can set a fire or not. I would guess maybe they can't and maybe they have some good idea in some areas because probably some fires have been started. But I think that we need to be very careful about the advancement of this bill and I just can't vote for it. I think that the law has worked well the other way. Let the fire marshal establish the ban and let those of us who need to have a waiver, ask for it, but to have a permanent statewide ban and then for me to have to go to my local fire department and in some areas I won't even know where to find them. In the area of a volunteer fireman we have additional problems because we have volunteer fire departments who cannot possibly respond to every single request. I think it is not going to work well and I think you ought to take a look at it. If you advance the bill you do it without my vote.

PRESIDENT: The Chair recognizes Senator Vickers.

SENATOR VICKERS: Mr. President and members, I hope there were a number of people listening to Senator Schmit just now because I thoroughly agree with him and, Senator Schmit, I hope this doesn't scare a lot of people off when you and I are agreeing on a couple of bills here this morning, but I think there is some real problems with what we are attempting to do and I've got to tell you that I come from an area of the state that I know what prairie fires are like. I've been involved in a few of them and they are no fun. As a matter of fact a few years ago there was a controlled burning by the volunteer fire department in my home town that resulted in a couple of deaths of a couple of elderly citizens in that small town but it was due to the fact that the wind changed and came up very, very strong and there were dry conditions, no question about it, but out in that part of the state that is practically 100% of the time it seems. But to put in the statutes that it will be illegal for me to burn some trash on my place unless I contact the fire chief who happens to be a volunteer fire chief, who happens to also be a farmer who God knows where he may be when I want to contact him, and I can't contact him in advance because I'm going to wait until it's a morning like this morning when it is very foggy or damp or dew is very heavy and the wind happened to be in the right direction. I can't ask him the day before if I can burn the next day because I don't know what the conditions are going to be like the next day. I've got to wait until that point in time and I think we are creating an impossible situation to ask people to go through that

mechanism before they can dispose of trash that may be in their road that they really need to get rid of. Now the comment was made that it is going to stop a lot of false alarms. I burned some hay or some bad straw that we had on our place and it caused a tremendous amount of smoke. I'm sure they could see it for miles but normally out in that part of the world, at least, you don't just see some smoke and immediately assume that there is something burning and turn it into the fire department, and if you do, I would guess that when you call the fire department there it happens to be the tavern where there is normally more people there than anywhere else in town and they respond to the fire phone and they start ringing the siren. They don't check with the fire chief because as I indicated, he is out someplace in the country probably farming before they ring the siren so they ring the siren and the fire people come anyway so I'm not sure how this is going to stop any false alarms if that is the case. I just think we are making some major decisions here that on seemingly an issue that doesn't look like it would have any opposition to it and I want to stress that I think those of us that might be in opposition to this are not in favor of burning the world up. I don't think that is the case at all but it is a case that I don't want to have to be responsible to go out home and tell people that you are breaking the law simply because you're lighting a match and setting your straw-stack afire when it might be pouring down rain at the time as a matter of fact, and the wind might be blowing it toward a field that they have kept bare simply because they didn't go through the formal procedure of contacting somebody. I think we're dealing in a pretty dangerous area and I would suggest that this body take that in consideration when the advancement of this bill comes up.

PRESIDENT: The Chair recognizes Senator Beyer.

SENATOR BEYER: Mr. Speaker, are there other speakers?

PRESIDENT: Yes, there are. There are several yet. There is a couple yet.

SENATOR BEYER: How much time do we have?

PRESIDENT: Three minutes left.

SENATOR BEYER: I think I'm going to go ahead and answer a couple of the questions that both Senator Vickers and Senator Schmit had. When the fire marshal puts a burning ban on the whole state, then that means that it is on for the whole state and you still have to go and get permission to burn if you are going to burn. That local option

was there. We're just putting it in statute that there is a burning ban and leave it to local option which is the local fire chief or his or her designee which means that generally these fire chiefs will notify the person that takes the calls as to who is burning and I don't think that it will run into that much of a magnitude of a problem. You've got to remember that these volunteer firemen are doing all this on their own time and the cost of the equipment and the time that it takes to make these runs, the gas and everything, gets quite expensive to go out there and make a run when they don't know who is burning. So I think that this would be...if these people, senators, don't have the faith in their volunteer firemen that they can handle that job of putting it back to local control, then I think there is something wrong with their particular fire department. I think I've got the faith in all of these volunteer organizations to be able to handle this on a local option basis. I am in support of this bill and hope we advance it.

PRESIDENT: The Chair recognizes Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. President and members of the body, I think what we're talking about is that this statute will just simply trigger local control. The responsibility of the local fire department who knows the conditions, who knows the people, who knows the area and who knows the people that live in that area. They have to deal with the fire...

PRESIDENT: We have about a minute, Senator.

SENATOR PIRSCH: ...okay, and certainly I don't think if you have a number where you can call when you have a fire, I don't know why you can't call that number to inform them that you are going to be burning and it seems to me that that would certainly be an easy thing to do. I guess I am in support of this bill. Please advance it.

PRESIDENT: Senator Kahle, do you have anything...?

SENATOR KAHLE: Mr. President, just one comment. I think what we are doing with this bill makes it easier for you to have the control out there to burn when you want to. If the fire marshal puts on the state ban you can't burn. You have to get the permit and this way all you have to do is pick up the phone and say, I'm going to burn something. Now as Senator Schmit said I just doubt that there is going to be any trouble if you see a little smoke out in a hundred acres of plowed ground but it makes it easier then to burn out there at the local area than it does under the complete control of the fire marshal. I think you're on the wrong side of it. If you want to make it easier and then defeat this

March 15, 1982

LB 790, 766

bill, you're going to make it tougher. Thank you.

PRESIDENT: The Chair recognizes Senator Higgins. Call for the question. Do I see five hands? I do. All those in favor of ceasing debate vote aye, opposed nay. Record the vote.

CLERK: 25 ayes, 3 nays to cease debate, Mr. President.

PRESIDENT: Debate ceases. The motion carries and debate ceases. Senator Duda, we only have about ten seconds so...

SENATOR DUDA: Move the advancement of the bill.

PRESIDENT: All right, the motion is to advance the bill to E & R initial. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 27 ayes, 4 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: The motion carries and LB 790 is advanced to E & R initial. The next bill, Mr. Clerk, is LB 766.

CLERK: Mr. President, LB 766 offered by the Constitutional Revision and Recreation Committee. (Read title.) The bill was read on January 11 of this year. It was referred to the Constitutional Committee for public hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending.

PRESIDENT: We recognize Senator Labedz on the committee amendments. Senator Labedz.

SENATOR LABEDZ: Thank you, Mr. President. I think first what I'd have to do is give the intent of the bill before I go into the amendments.

PRESIDENT: That will be proper because it is your committee bill, too, so why don't you do that to explain them.

SENATOR LABEDZ: Thank you. Okay. The intent of the bill is to propose a constitutional amendment to the voters in the general election of November, 1982, which would change the redemption period from the two years to six months after a tax foreclosure on real estate located in an incorporated city or a village. A two year right of redemption period is now inappropriate especially for the urban property because structures are abandoned and the tax foreclosed property is often object of vandalism, theft and arson and this act is intended to remedy the situation. If passed by the

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 714, 766, 790, 605

CLERK: Nothing further, Mr. President.

PRESIDENT: Senator DeCamp or Senator Kilgarin, do you just want to move the bill along? Senator Kilgarin, why don't you just. . .

SENATOR KILGARIN: I move we advance LB 714.

PRESIDENT: Motion is to advance LB 714 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 714 is advanced to E & R for Engrossing. Next bill is LB 790.

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

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 790.

PRESIDENT: Motion is to advance LB 790 to E & R for Engrossment. Any discussion? All those in favor of advancing LB 790 to E & R for Engrossment signify by saying aye. Opposed nay. LB 790 is advanced to E & R for Engrossment. Next bill is 766.

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

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 766.

PRESIDENT: Motion is to advance LB 766 to E & R for Engrossment. Any discussion? If not, all those in favor of advancing LB 766 to E & R for Engrossment signify by saying aye, opposed nay. LB 766 is advanced to E & R for Engrossment. Next bill is LB 605.

CLERK: Mr. President, I have no E & R amendments. Senator Koch had an amendment to the bill. I understand Senator Goodrich is going to handle it for him.

PRESIDENT: Senator Goodrich, you are handling the Koch amendment?

SENATOR GOODRICH: Yes, Mr. President.

PRESIDENT: All right the Koch amendment, Chair recognizes Senator Goodrich.

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 766, 790, 817, 852

CLERK: (Read LB 766 on Final Reading.)

PRESIDENT: 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 nay. Record the vote.

CLERK: (Read record vote as found on pages 1515-1516 of the Legislative Journal.) 32 ayes, 12 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 766 having received the constitutional majority necessary for constitutional amendment passes. The next bill on Final Reading is LB 790.

ASSISTANT CLERK: (Read LB 790 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 790 pass with the emergency clause attached. All those in favor vote aye, opposed nay. Record the vote, Mr. Clerk.

ASSISTANT CLERK: (Read record vote as found on page 1516 of the Legislative Journal.) The vote is 39 ayes, 7 nays, 3 excused and not voting, Mr. President.

PRESIDENT: LB 790 passes with the emergency clause attached. Before we go on to the next bill the Chair would like to introduce some guests of Senator Labedz, some 8 students, 5 adults from St. Francis of Assissi. They are up here in the North balcony with Leanne Jarvis and Zita Maly, their teachers. Would they just indicate where they are and we welcome you to your Unicameral Legislature. The next bill on Final Reading, Mr. Clerk, is LB 817.

ASSISTANT CLERK: (Read LB 817 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 817 pass. All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read record vote as found on page 1517 of the Legislative Journal.) The vote is 28 ayes, 18 nays, 3 excused and not voting, Mr. President.

PRESIDENT: LB 817 passes. The next bill on Final Reading is LB 852.

CLERK: (Read LB 852 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 852 pass

April 1, 1982

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

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

April 1, 1982

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

April 5, 1982

LR 293, 294, 295
LB 208, 428, 571, 633, 790, 924,
970, 520A, 970A,

CLERK: Mr. President, a few items. The Rules Committee offers a report regarding rule changes previously offered to the Rules Committee. (Page 1605 of the Journal).

I have a gubernatorial confirmation hearing from the Education Committee. (Page 1606 of the Journal).

Senator Vard Johnson would like to print amendments to LB 924. (Page 1606-07 of the Journal).

Attorney General's opinion addressed to Senator Chambers. (Page 1607-08 of the Journal).

A communication from the Governor addressed to the Clerk regarding LB 208, 633, 790, 428, and 571. (See page 1609-10 of the Legislative Journal).

Mr. President, your Committee on E & R respectfully reports we have carefully examined and engrossed LB 970 and find the same correctly engrossed. 970A correctly engrossed.

Mr. President a new resolution LR 293 (read title). LR 294 (read title). LR 295 (read title). All were laid over.

SENATOR LAMB: If I could have your attention for just a few minutes. As you probably know we have a number of priority bills that have not been considered at this point. We have a number of revenue bills and appropriation bills that need further work and so our time is pretty short. In order to consider this whole situation we are scheduling a meeting of the chairmen at noon today in Room 2102, so we can discuss the whole situation and come up with some possible solutions.

SENATOR CLARK PRESIDING

SENATOR CLARK: The first bill we are going to take up under item number four, General File, will be 520A.

CLERK: Mr. President 520A was a bill introduced by Senator Vard Johnson. (Read title). I have an amendment from Senator Johnson to the bill, Mr. President.

SENATOR CLARK: Senator Johnson.

SENATOR JOHNSON: Mr. Speaker, members of the body, LB 520 is a bill that deals with child care and licensing thereof. During the first round debate on LB 520 Senator Cope asked me what I thought this bill would ultimately cost. I indicated