

January 12, 1981

LB 81-91

since the death of one such as this, a certain amount of time must elapse before a commemorative stamp can be issued. It is also my understanding that this time has now passed and I would urge that the Nebraska Legislature immediately proceed with whatever action is necessary for the issuance of a commemorative postal stamp. Thank you.

PRESIDENT: Senator DeCamp, do you wish to speak on your resolution?

SENATOR DeCAMP: Mr. President, I think Senator Goll has said everything that needs to be said and I urge you to support the resolution.

PRESIDENT: Any further discussion on LR 2? Senator Goll, is there any closing then?

SENATOR GOLL: No, there is none, sir.

PRESIDENT: All right, the matter before the House is the adoption of LR 2 found on page 96 of the Journal. All those in favor signify by voting aye, opposed nay. Has everyone voted? Record the vote.

CLERK: 39 ayes, 0 nays on adoption of LR 2, Mr. President.

PRESIDENT: Motion carries and LR 2 is adopted. We are ready for agenda item #6, introduction of new bills and those of you who have not brought the bills up to the Clerk's desk might do so now so again we can process as many today as possible so, Mr. Clerk, you may proceed with the reading of the new bills.

CLERK: Mr. President, new bills: Read LB 81-86 by title for the first time as found on pages 113-114 of the Legislative Journal.

Mr. President, while we are waiting for bills, I have a new resolution, LR 3. Read LR 3 as found on pages 114-115 of the Legislative Journal. Mr. President, it is offered by Senator Beutler and that will be laid over.

Mr. President, Senator Fowler would like to have a meeting of the Retirement Committee upon adjournment underneath the North balcony, Retirement Committee underneath the North balcony, upon adjournment.

Read LB 87-91 by title for the first time as found on pages 115-116 of the Legislative Journal.

February 2, 1981

LB 165, 82, 27

as you well know, we have various classes of cities and we pass laws which affect one class of city, do not affect another class of city. We have various classifications of counties. We pass laws that affect one classification of county, do not affect another. We have the same situation in school districts. We have several classes of school districts and that is...we have many different laws which affect different school districts differently. So we are not charting new ground. We are doing what we have been doing all the time and I think it is justified because there are different situations in different areas and they should be treated differently. Now these classifications are not perfect but they are an attempt by the Legislature to deal with the differences in the various areas of the state. I think they do a fairly good job and I think we should continue to take into consideration the different conditions in these different areas. I might call to your attention the fact that the State School Boards Association supported this bill and the real issue is this: Should the state mandate programs without providing the money to fund them? I say that they should not. I say that this bill should be advanced and I ask you to vote in support of it.

SPEAKER MARVEL: The motion is the advancement of LB 165 to E & R for review. All those in favor of that motion vote aye, opposed vote no. Have you all voted? We are voting on the advancement of the bill. Record.

CLERK: 26 ayes, 13 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Are you ready for the next bill?

CLERK: Yes, sir. May I read some things first?

SPEAKER MARVEL: Yes. The Clerk has some items on the desk and then we will go to 178.

CLERK: Mr. President, a few items, a new resolution, LR 12 by Senator Wesely. (Read LR 12 as found on pages 388-389 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, your committee on Miscellaneous Subjects whose chairman is Senator Hefner to whom is referred LB 27 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 82 to General File, (signed) Senator Hefner.

CLERK: 31 ayes, 2 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill, LB 82.

CLERK: Mr. President, LB 82 is offered by Senator Harold Sieck. (Read title.) The bill was read on January 12. It was referred to the Miscellaneous Subjects Committee, was advanced to General File. I have no amendments pending, Mr. President.

SPEAKER MARVEL: Senator Sieck.

SENATOR SIECK: Mr. Speaker, members of the body, the City of York needs to build a new street...York armory and we need an easement from Adjutant General, that is, has control of the armory. He has agreed to grant this but in order to do this we have to go through the legislative process so what I am doing is asking for an easement for the City of York to build a highway by the armory and I ask for the adoption of this bill.

SPEAKER MARVEL: Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I just rise in support of this bill. The Miscellaneous Subjects Committee heard the bill and we feel the need is great. I believe the mayor of York presented his side to it and what this does, it grants an easement to the City of York so that they can build this street that is badly needed alongside the armory and I would urge your support for this bill.

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Senator Sieck, just a question if I may. I'm sure this is a good bill but I would just be interested in what the deficiencies are in the present law that prohibits the Adjutant General from having the kind of flexibility that is needed in this case and I am sure will be needed from time to time in other cases in other cities. I guess I am interested in why the bill is so narrowly drafted and why it doesn't perhaps deal with the problem of giving a broader authority to the Adjutant General if he does not have that kind of authority to deal with specific situations such as the present one.

SENATOR SIECK: Senator Beutler, I thought of the same thing. I thought it is kind of ridiculous to come here every time we need to do something which I did last year

and this year I have to come back again.

SENATOR BEUTLER: The City of Lincoln has done it also.

SENATOR SIECK: I would like to have a study of this so that we can change this so it wouldn't be necessary every time we go by an armory or some place in the state to get permission from the State Legislature. I think this is kind of foolish.

SENATOR BEUTLER: Thank you.

SPEAKER MARVEL: The motion is the advancement of LB 82 to E & R for review. All those in favor of the motion vote aye, opposed vote no. Record the vote.

CLERK: 31 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Senator Carsten is absent. We will pass over 167 and go to LB 45.

CLERK: Mr. President, LB 45 was offered by the Law Enforcement and Criminal Justice Advisory Committee. (Read title.) The bill was originally read on January 8 of this year. It was referred to the Government, Military and Veterans Affairs Committee. It was advanced to General File. I have no committee amendments although I do have amendments from Senators Johnson and Chambers.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Perhaps Senator Chambers would like to speak to the amendments.

CLERK: Mr. President, Senator Chambers and Senator Vard Johnson have amendments to the bill found on page 417 of the Journal.

SENATOR CHAMBERS: Members of the Legislature, I hope you will turn to that page as I am doing and so that you will understand what this bill pertains to, it is the Law Enforcement Training Center. In its present form, without amendment as introduced the bill would allow money collected from fees attached to court costs to go directly into a fund instead of going into the treasury and then being transferred. Because of various discussions that have occurred relative to court costs and the impropriety of attaching to court costs an attempt to raise revenue for functions that don't relate directly to the administration of the courts, Senator Johnson and I felt that we ought to take this opportunity to put in

February 9, 1981

LB 15, 16, 20, 27, 30, 37,
45, 82, 93, 108, 130,
140, 165, 165A, 178, 185,
187, 238, 244, 260

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The opening prayer will be given by Pastor Loren Mullins of the Warren United Methodist Church of Lincoln.

LOREN MULLINS: Prayer offered.

SPEAKER MARVEL: Roll call. Please record your presence. Will you please record your presence.

CLERK: Mr. President, Senators Vard Johnson, Carsten, Cullan and Dworak would like to be excused.

SPEAKER MARVEL: Okay, record. The machine is acting up and somebody will be here to fix it fairly soon. Meanwhile we will call the roll verbally. The Clerk will call the roll.

CLERK: Called the roll. We do have a quorum, Mr. President.

SPEAKER MARVEL: Okay, the Clerk has some items to read into the Journal.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 20 and recommend that same be placed on Select File; LB 165A Select File; LB 178 Select File with amendments; LB 140 Select File; LB 37 Select File; LB 30 Select File; LB 130 Select File; LB 27 Select File; LB 82 Select File and LB 45 Select File, all signed by Senator Kilgarin, Chairperson.

Mr. President, your committee on Public Health and Welfare whose chairman is Senator Cullan to whom was referred LB 260 instructs me to report the same back to the Legislature with the recommendation if be advanced to General with amendments; LB 93 indefinitely postponed and LB 108 indefinitely postponed.

SPEAKER MARVEL: The Legislature will be at ease for the next ten minutes.

EASE

SPEAKER MARVEL: The Legislature will come to order.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 15 and find the same correctly engrossed, 16 correctly engrossed, 165 correctly engrossed, 185 correctly engrossed, 187 correctly engrossed, 238 correctly engrossed, 244 correctly engrossed,

February 10, 1981

LB 130, 27, 82, 45, 214

Any discussion? All those in favor signify by saying aye, opposed nay. LB 130 is advanced to E & R for engrossment. LB 27. Senator Nichol.

SENATOR NICHOL: Mr. President, I move LB 27 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 27 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 27 is advanced to E & R for engrossment. LB 82. Senator Nichol.

SENATOR NICHOL: Mr. President, I move LB 82 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 82 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 82 is advanced to E & R for engrossment. LB 45, Senator Nichol.

SENATOR NICHOL: Mr. President, I move LB 45 be advanced to E & R for engrossing.

PRESIDENT: Motion to advance LB 45 to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 45 is advanced to E & R for engrossment. That will conclude Select File with LB 178 being laid over. Mr. Clerk, anything else?

CLERK: No, sir. I have nothing further.

PRESIDENT. We will proceed then to General File. As I understand the Speaker, the first bill on General File will also be passed over because Senator Chambers is not here. Senator Carsten has been excused so LB 167 will also be laid over which leaves us with LB 214. Mr. Clerk.

CLERK: Mr. President, LB 214 was offered by Senator Elroy Hefner. (Title read.) The bill was read on January 15. It was referred to the Banking, Commerce and Insurance Committee. It was advanced to General File. There are committee amendments pending by the Banking Committee, Mr. President.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: I move the adoption of the committee amendments.

PRESIDENT: Motion to adopt the committee amendments. Any discussion? Senator Beutler.

February 11, 1981

LB 20, 27, 29, 30, 37, 45,
82, 125, 130, 140, 150, 165A,
167.

RECESS

SPEAKER MARVEL: Come back to order, please. The Clerk has a couple of items to read in and then we will proceed back with the business as we had it prior to this recess.

CLERK: Mr. President your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 165 and find the same correctly engrossed....165A, excuse me; 20 correctly engrossed; 27 correctly engrossed; 29 correctly engrossed; 30 correctly engrossed; 37 correctly engrossed; 45 correctly engrossed; 82 correctly engrossed; 130 correctly; 140 correctly engrossed. (Signed) Senator Kilgarin, Chair.

Mr. President, your committee on Judiciary whose Chairman is Senator Nichol to whom was referred LB 345 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments. (Signed) Senator Nichol. (See page 498 of the Legislative Journal.)

Your committee on Banking instructs me to report 125 back to the Legislature with the recommendation it be advanced to General File with amendments; LB 150 to General File with amendments. (Signed) Senator DeCamp, Chair. (See page 499 of the Legislative Journal.)

Mr. President, your committee on Revenue gives notice of exec session. (See page 499 of the Journal.)

SPEAKER MARVEL: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, I ask unanimous consent to withdraw my motion to bracket.

SPEAKER MARVEL: Any objections? If not, so ordered. Senator Warner.

SENATOR WARNER: Mr. President, I ask unanimous consent to withdraw the kill motion at this point.

SPEAKER MARVEL: Any objections? So ordered. Now is there.....Senator Wesely. The Chair will move that the bill be passed over which will be either tomorrow or the first of the week. Does anybody object? Okay, if not, the bill is passed over. Underneath the south balcony a guest of Senator Marsh from Thailand. His first name is Sam. Do you want to raise your hand so we can wish you Good Morning? Underneath the south balcony.

February 20, 1981

LB 45, 46, 81, 82

are off the floor of the Legislature, all legislators are at their desks, and as soon as everyone is at their desk, we will commence with Final Reading. As soon as we get everyone at their desks, we will commence with Final Reading. We have a quite a bit of it this morning. Okay, Mr. Clerk, you may begin then with the first bill on Final Reading, LB 45.

CLERK: LB 45 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 45 pass? All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 594, Legislative Journal.) 43 ayes, 0 nays, 4 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 45 passes. The next bill on Final Reading is LB 46.

CLERK: Mr. President, LB 46 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 46 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 595, Legislative Journal.) 47 ayes, 0 nays, 1 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 46 passes with the emergency clause attached. The next bill on Final Reading will be LB 81.

CLERK: LB 81 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 81 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 596, Legislative Journal.) 42 ayes, 5 nays, 2 present and not voting, Mr. President.

PRESIDENT: LB 81 passes. The next bill on Final Reading is LB 82.

CLERK: Mr. President, LB 82 (Read on Final Reading).

February 20, 1981

LB 82, 130, 140, 14

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 82 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 597, Legislative Journal.) 47 ayes, 0 nays, 2 present and not voting, Mr. President.

PRESIDENT: LB 82 passes with the emergency clause attached. The next bill on Final Reading is LB 130.

CLERK: LB 130 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 130 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: Record vote read. See pages 597 and 598, Legislative Journal.) 45 ayes, 3 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 130 passes. The next bill on Final Reading is LB 140.

CLERK: Mr. President, LB 140 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 140 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 598, Legislative Journal.) 48 ayes, 0 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 140 passes with the emergency clause attached. The next bill on Final Reading is LB 14.

CLERK: Mr. President, LB 14 (Read on Final Reading).

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 14 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Record vote read. See page 599, Legislative Journal.) 49 ayes, 0 nays, that accounts for everybody, Mr. President.

PRESIDENT: LB 14 passes, and before we go to the next bill, the Chair would like to introduce some guests of Senator Nichol, seated under the South balcony are Walter and Shirley Schlager and Edwin and Lillian Blehm from Scottsbluff. Would

LB 14, 18, 20, 27, 28, 29, 30
37, 41, 42, 43, 45, 46, 81
110, 121, 125, 130, 140,
143, 155, 164, 188, 188A,
207, 207A, 214, 234, 82, 64
234A

February 20, 1981

SENATOR DWORAK: I wish to close, Mr. President. I just reiterate that LB 125 be advanced to E & R initial.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. Okay, record.

CLERK: 33 ayes, 9 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The Clerk has some items on the desk before we adjourn.

CLERK: Mr. President, before we leave Senator Kremer would like to remind the Public Works Committee that they have a hearing at noon today in Room 1517 on Gubernatorial appointments for the public roads classification for motor vehicle licensing board. That is in Room 1517.

Mr. President, I have legislative bills ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and I do sign LB 121, LB 64, LB 41, LB 18, LB 14 and engrossed LB 140, engrossed LB 130 and engrossed LB 82, engrossed LB 81, engrossed LB 46 and engrossed LB 45. Okay, Mr. Clerk.

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Goodrich. It will be inserted in the Journal. (See pages 608-610.)

Your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 110 and find the same correctly engrossed; 188, 188A, 207, 207A, 214, 234 and 234A, all correctly engrossed.

Mr. President, your Enrolling Clerk respectfully reports she has at 10:37 a.m. presented to the Governor for his approval the following bills: 28, 42, 156, 20, 27, 29, 30, 37 and 43.

Mr. President, Senator Chambers moves to reconsider the action in voting to indefinitely postpone LB 143. That will be laid over.

I have explanation of votes from Senator Haberman and Senator Sieck. (See page 611 of the Journal.)

I have a report of registered lobbyists for February 12

February 24, 1981

LB 14, 24, 31, 33, 41,
45, 46, 64, 81, 82,
85, 96, 120, 121,
130, 14, 158, 213

SPEAKER MARVEL PRESIDING

REV. JOSEPH A. MROCZKOWSKI: Prayer offered.

SPEAKER MARVEL: Will you please record your presence?
Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Underneath the North balcony, it is my privilege to present visitors to Nebraska sponsored by Partners of the Americas and the sponsors are Mrs. Ben Schulze and Gilbert Erickson and the visitors are coordinated with Dr. Fortes and his wife Maranna and the technical title is the Coordinator of Congressional Affairs for the Ministry of Education and Cultural Affairs from Brazil. Would you folks please stand so we can welcome you to the Unicameral. Okay, there is some items on the Clerk's desk and we will start with those.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk regarding signing of LBs 14, 18, 41, 45, 46, 64, 81, 82, 121, 130 and 140. (See page 639 of the Legislative Journal.)

Your Enrolling Clerk respectfully reports that she has on February 23 at 2:37 p.m. presented to the Governor the following bills: 31, 33, 85, 96 and 120.

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 24 and find the same correctly engrossed.

Your committee on Appropriations whose chairman is Senator Warner to whom is referred LB 158 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendment, (Signed) Senator Warner, Chair.

Mr. President, I have a report from the State Employment and Training Council. It will be on file in my office.

Mr. President, Senator Cullan asks unanimous consent to add his name to LB 213 as coinstructor.

SPEAKER MARVEL: Do you have any other items?

CLERK: No, sir.

SPEAKER MARVEL: Okay, item #4, resolutions.