

January 14, 1982

LB 138, 231, 233, 622,
664, 722, 825-833

SPEAKER MARVEL PRESIDING

DR. PALMER: Prayer offered.

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

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

SPEAKER MARVEL: Do you have anything under item #3?

CLERK: Yes, sir, Mr. President, your committee on Administrative Rules and Regulations gives notice of hearing for Wednesday, January 20.

Mr. President, your committee on Business and Labor gives notice of hearing for January 20, 27 and February 3 and that is signed by Senator Barrett and Senator Johnson.

Mr. President, I have two Attorney General's opinions, one addressed to Senator Labeledz regarding LB 138 and one addressed to Senator Fowler regarding LB 231. (See pages 280-282 of the Legislative Journal.)

Mr. President, Senator DeCamp would like to print amendments to LB 622 or 233. (See pages 282-283 of the Journal.)

Mr. President, I have received two reports from the Middle Republic NRD and the Lower Platte South NRD regarding payment of attorney fees. (See pages 283-284 of the Legislative Journal.)

I will have on file in my office a report I received from the Director of State Engineer Department of Roads pursuant to LB 722.

Mr. President, new bills: (Read by title for the first time LB 825-833 as found on pages 284-286 of the Legislative Journal.)

SPEAKER MARVEL: We are ready for item #5, Final Reading, and the Chair recognizes Senator Vard Johnson.

CLERK: Mr. President, Senator Johnson would move to suspend Rule 6, Section 7(b) to permit the Final Reading of LB 664 today.

SENATOR V. JOHNSON: Mr. Speaker, members of the body, I want to thank you for your indulgence with this particular measure. As you know this is the bill that would name the gymnasium for the Nebraska School for the Deaf after Mr. Nick Peterson who is an alumnus of the Nebraska School for

February 9, 1982

LB 237, 255, 274, 402, 525,
589, 598, 646, 649, 802,
828, 832

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Prayer by the Reverend Donald Nunnally, Pastor of Calvary United Methodist Church of Lincoln.

REVEREND NUNNALLY: Prayer offered.

SENATOR CLARK PRESIDING

SENATOR CLARK: Have you all recorded your presence? Have you all recorded your presence? The Clerk will record.

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

SENATOR CLARK: Are there any messages, reports or announcements?

CLERK: Mr. President, I have an Attorney General's Opinion addressed to Senator DeCamp regarding a proposed rule and regulation by the Political Accountability and Disclosure Commission. That will be inserted in the Journal. (See pages 597-600 of the Journal).

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 255 and find the same correctly engrossed; 274, 402, 525, 589, 598, 646 and 649 all correctly engrossed. That is signed by Senator Kilgarin as Chairman. (See pages 600 and 601 of the Journal).

Mr. President, I have a request from Senator Lamb to print resolutions from Chadron State College in the Legislative Journal for ultimate legislative approval. (See pages 601 and 602 of the Journal).

Mr. President, your committee on Public Health and Welfare whose Chairman is Senator Cullan instructs me to report LB 832 advanced to General File with committee amendments attached; 802 indefinitely postponed; and 828 advanced to General File. All signed by Senator Cullan as Chair. (See page 603 of the Legislative Journal).

SENATOR CLARK: We are ready for #4, motions, LB 237 by Senator Wesely to withdraw a bill. Senator Wesely.

SENATOR WESELY: Mr. President and members of the Legislature, the question before the House is the life and death of LB 237, a bill which has served the state well in its brief life. This bill attempts to deal with a very

March 5, 1982

LB 696, 828

amounted to \$3,250 and it is this fund here that is still been setting here, the fund of \$3,250 in a CD and it is drawing some interest and there is just one Spanish American war veteran left. This veteran is a Mr. Blackett and he is in the Florence Nursing Home. He is aware that these funds are being transferred. The amendment essentially strikes the language in the original bill because this is an error in the drafting and it puts it into the fund that they requested it for. And, Senator Nichol, for you would like to know that the money they want this to go to and the place is the Scottsbluff home, the veterans out there was wanting a fish pond. So first of all, I would move the adoption of the amendment.

SPEAKER MARVEL: The first motion is the adoption of the Wagner amendment to the bill. Senator Wagner, do you have any closing comments?

SENATOR WAGNER: Just to urge the adoption of the amendment.

SPEAKER MARVEL: Okay, the motion is the adoption of the amendment as explained by Senator Wagner. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of the Wagner-Kahle amendment.

SPEAKER MARVEL: Motion is carried. The amendment is adopted. Motion is to advance the bill. Senator Wagner.

SENATOR WAGNER: I move advancement of the bill.

SPEAKER MARVEL: The motion is that the bill be advanced as per discussion by Senator Wagner. All those in favor of that motion vote aye, opposed vote no. Record the vote.

CLERK: 30 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: Motion is carried. The bill is advanced. Next bill, LB 828.

CLERK: Mr. President, LB 828 introduced by the Public Health and Welfare Committee. (Read title.) The bill was read on January 14. It was referred to Public Health for hearing. The bill was advanced to General File, Mr. President, and I have no amendments to the bill.

SPEAKER MARVEL: The Chair recognizes Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature,

March 5, 1982

LB 828, 642

when you read this bill you might think that the Public Health and Welfare Committee is a little bit coldhearted in sending a bill to the floor of the Legislature that reduces the assets that children can have from \$1500 to \$1000 to be eligible for ADC. The Health and Welfare Committee, I would point out obviously, of course, this bill came out unanimously. The reason that this bill came here is not a change of policy which we originated in the State of Nebraska but one which comes to us from Washington. The Omnibus Reconciliation Act of 1981 requires this change that any individual who may be eligible for AFDC must have only \$1000 in assets, and if we do not pass this bill reducing the assets available to these children, then about 20 children will lose their AFDC payments entirely and so the committee unanimously advanced this bill to the floor of the Legislature. It is a very simple concept, one which is required by federal government in order to continue to participate for these children. So we urge you to adopt...to advance LB 828.

SPEAKER MARVEL: The motion is to advance the bill as explained by Senator Cullan. All those in favor of that motion vote aye, opposed vote no. Record the vote.

CLERK: 28 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Next item, LB 642.

CLERK: LB 642 introduced by Senator Wiitala. (Read title.) The bill was read on January 6, referred to the Education Committee for hearing. The bill was advanced to General File, Mr. President. I have no amendments to the bill.

SPEAKER MARVEL: The Chair recognizes Senator Wiitala.

SENATOR WIITALA: Mr. Speaker, members of the Legislature, I introduced LB 642 to address a small problem of some importance. The bill relates to children of divorced parents where the court has awarded custody to one parent or the other. As you know in a lot of cases of divorce, especially with the no fault divorce provisions, that parents while divorced still get along and there are cases where by mutual consent one parent will allow the child that was awarded to him or her to go to the other spouse and live for awhile. And in some cases, the divorced parents are living in different school districts. On a particular case in my district, when that happened, the school district charged nonresident tuition. Now it didn't wish to but it felt that it was compelled to. Now that nonresident tuition largely comes

LB 577, 579, 601, 605, 642, 644, 651, 662,
677, 678, 696, 697, 718, 718, 719, 720,
728, 729, 739, 743, 764, 767, 767A, 775,
776, 778, 784, 792, 796, 807, 824, 825,
828, 839, 845, 869, 877, 890, 892, 931,
941, 951, 952, 961, 962

March 9, 1982

SPEAKER MARVEL PRESIDING

REV. MORRIS VENDEN: Prayer offered.

SPEAKER MARVEL: If I could have your attention for a moment before we proceed. The chairmen had a meeting today and it was agreed that we would attempt to control debate as we have not done too well in the last few months and that we would try, for instance, with 652 to have the debate and the vote on advancement after one hour and that we try to have the pros and the cons of these issues so it doesn't take forever to get the point across. This time we're in a position where we either try to limit debate or many of the other issues will simply go down the drain. So the Chair would appreciate, the chairmen would appreciate your cooperation in trying to give people an opportunity on both sides and not spend all day in the discussion. Record.

CLERK: There is a quorum present, Mr. President. Yes, sir, I do have some items to read in. Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 579 and find the same correctly engrossed; 662 correctly engrossed; 677 correctly engrossed; 718 correctly engrossed; 719 correctly engrossed; 728, 729 correctly engrossed; 764 correctly engrossed and 778 correctly engrossed. (See page 1060 of the Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 720 and recommend that same be placed on Select File with amendments; 767 Select File with amendments; 767A Select File; 807 Select File with amendments; 941 Select File; 877 Select File; 577 Select File; 792 Select File; 605 Select File; 931 Select File with amendments; 796 Select File; 845 Select File; 644 Select File; 739 Select File; 696 Select File; 828 Select File; 642 Select File; 678 Select File; 775 Select File; 776 Select File; 951 Select File; 961 Select File; 952 Select File; 784 Select File; 651 Select File; 716 Select File with amendments; 743 Select File; 601 Select File; 869 Select File with amendments; 697 Select File; 825 Select File; 892 Select File; 962 Select File with amendments; 839 Select File and 890 Select File with amendments. Those are all signed by Senator Kilgarin as Chair, Mr. President. (See pages 1057-1059 of the Legislative Journal.)

Mr. President, I have a motion from Senator Labeledz to place LB 824 on General File pursuant to Rule 3, Section 18(b). That will be laid over pursuant to our rules, Mr. President.

SPEAKER MARVEL: Okay, we go to item #4 and we're talking about LB 924 and I would caution you to do your best to get

March 11, 1982

LB 642, 644, 696,
828, 845

SENATOR KILGARIN: I move we advance LB 845.

PRESIDENT: Motion to advance LB 845 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 845 is advanced to E & R for Engrossment. LB 644, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 644.

PRESIDENT: Motion to advance LB 644 to E & R for Engrossment. Any discussion? Machine vote has been requested on LB 644, so...yes, on LB 644, yes. All right, motion then, all those in favor of advancing LB 644 to E & R for Engrossment vote aye, opposed nay. We will go to the board. Record the vote.

CLERK: 33 ayes, 1 nay, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 644 is advanced to E & R for Engrossment. The next bill, Senator Kilgarin, is LB 696.

SENATOR KILGARIN: I move we advance LB 696.

PRESIDENT: Motion to advance LB 696 to E & R for Engrossment. Machine vote has been requested. All those in favor of advancing LB 696 to E & R for Engrossment will vote aye, opposed nay. Go to the board. Record the vote.

CLERK: 33 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 696 is advanced to E & R for Engrossment. The next bill is LB 828. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 828.

PRESIDENT: Motion is to advance LB 828 to E & R for Engrossment. Machine vote has been requested. All those in favor vote aye, opposed nay. Go to the board. Record the vote.

CLERK: 36 ayes, 0 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: Motion carries and LB 828 is advanced to E & R for Engrossment. The next bill is LB 642, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 642.

March 16, 1982

LB 259, 642, 644, 652, 678, 696
767, 767A, 775, 776, 828, 845

that's where they have the programs that count and a number of kids that need help are being taught so I think that is a little bit misleading. So I believe it is only appropriate for us today to indefinitely postpone LR 240, get on with the business because we're going to have plenty of time to debate the budget in the next couple of weeks. Thank you.

SENATOR CLARK: The question before the House is the indefinite postponement of the resolution. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: Mr. President, Senator Koch requests a record vote. (Read record vote as found on page 1206 of the Legislative Journal.) 28 ayes, 10 nays, Mr. President, on the motion to indefinitely postpone the resolution.

SENATOR CLARK: The resolution is indefinitely postponed. Senator Lamb. He has some things to read in first.

CLERK: Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 259 and find the same correctly engrossed; 642, 644, 678, 696, 767, 767A, 775, 776, 828, 845 all correctly engrossed. (See page 1207 of the Legislative Journal.)

Senator Haberman would like to print amendments to LB 259 and Senator Slick and Remmers to LB 652. (See page 1207.)

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: Mr. President, I move that we adjourn until nine o'clock tomorrow morning, March 17, St. Patrick's Day, no celebration because Tommy's not here.

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

Edited by


L. M. Benischek

March 22, 1982

LB 775, 776, 828, 845

The next bill, Mr. Clerk, on Final Reading is LB 775.

ASSISTANT CLERK: (Read LB 775 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 775 pass? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1339 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 775 passes. The next bill on Final Reading is LB 776.

ASSISTANT CLERK: (Read LB 776 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 776 pass? All those in favor vote aye, opposed nay. Report on LB 776. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1340 of the Legislative Journal.) The vote is 45 ayes, 0 nays, 4 excused and not voting.

PRESIDENT: LB 776 passes. The next bill on Final Reading, Mr. Clerk is LB 828.

ASSISTANT CLERK: (Read LB 828 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 828 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1340 and 1341 of the Legislative Journal.) The vote is 42 ayes, 2 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 828 passes with the emergency clause attached. The next bill on Final Reading, Mr. Clerk, is LB 845.

ASSISTANT CLERK: (Read LB 845 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 845

March 22, 1988

LR 259
LB 259, 631, 642, 644, 678, 845,
696, 767, 767A, 775, 776, 828,

PRESIDENT: Senator Dworak, you wish to withdraw the amendment. Senator Dworak is withdrawing his amendment which was in the Journal and the amendment is withdrawn. So we will now proceed, Mr. Clerk, with the reading of LB 631.

CLERK: (Read LB 631 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied, the question is, shall LB 631 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: (Read the record vote as found on pages 1342 and 1343 of the Legislative Journal.) 38 ayes, 6 nays, 4 excused and not voting, 1 present and not voting, Mr. President.

PRESIDENT: LB 631 passes with the emergency clause attached. That will conclude Final Reading this morning. Before we take up agenda item #6, the Chair would like to introduce 70 students of the Youth Citizenship Seminar. This is group number two of the Nebraska Farm Bureau representing some 62 counties of our State of Nebraska and they are up here in the south balcony. We welcome you to your Legislature. Welcome. The Clerk will have some matters to read into the record. Proceed to do so.

CLERK: Mr. President, new resolution, LR 259, offered by Senator Haberman. (Read LR 259 as found on page 1343 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, legislative bills read this morning on Final Reading 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 259, 642, 644, 678, 696, 767, 767A, 775, 776, 828, 845 and 631. Ready then, Mr. Clerk, for agenda item #6, motions, LB 731.

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.