

January 14, 1982

LR 205

meantime I think it is highly necessary that we pass this resolution and at least put our Attorney General in a position so he can hire someone and defend our good people of Nebraska that are losing their property.

SPEAKER MARVEL: The motion is the adoption of LR 205. All those in favor of the resolution vote aye, opposed vote no. Have you all voted? Have you all voted? Clerk, record the vote.

CLERK: 36 ayes, 0 nays on adoption of the resolution, Mr. President.

SPEAKER MARVEL: The motion is carried. The resolution is adopted. Do you have any other items in there before we go to General File?

CLERK: Mr. President, new bills. (Read by title for the first time LBs 834-836 as found on pages 287-288 of the Legislative Journal.)

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign engrossed LB 664. Okay, the Clerk will read LB 278.

CLERK: Mr. President, LB 278 was a bill offered by Senators Goodrich, Hefner and Howard Peterson. (Read.) The bill was first read on January 16 of last year. It was referred to the Revenue Committee for public hearing. The bill was advanced to General File. The Legislature considered the bill yesterday, Mr. President. At that time there was a motion to adopt committee amendments. That was approved and a motion to amend offered by Senator Beutler that was also accepted. I now have, Mr. President, a motion to advance the bill.

SPEAKER MARVEL: Senator Goodrich.

SENATOR GOODRICH: Yes, Mr. President and members of the body, this is the bill that you will recall that we left off with yesterday. Just to reiterate to refresh everybody's memory, the bill provides that if a contractor and an owner sign a contract to build a particular building and the contract is going to extend over a two year period, the contractor doesn't buy the material he is buying for that project until possibly a year later. If the sales tax goes up he can apply for a refund from the Department of Revenue for the amount of the increase only. If the rate of tax goes down, he must then refund to the State of Nebraska the difference between what the contract provided for in the form of the rate or the rate that was in effect at the time of the signing of the contract and the lower

February 4, 1982

LR 215
LB 211, 472A, 607, 789, 796,
835, 845

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The motion before the House is the Newell proposal, the withdrawal of LB 211. He has closed. All those in favor of the motion vote aye, opposed vote no. Record.

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

SPEAKER MARVEL: The motion is carried. The bill is withdrawn. The Clerk has some items to read in.

CLERK: Mr. President, your committee on Education whose Chairman is Senator Koch to whom was referred LB 796 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; 845 General File; 472A indefinitely postponed; 607 indefinitely postponed; 789 indefinitely postponed. All signed by Senator Koch as Chairman.

Mr. President, I have a communication from the Appropriations Committee and signed by its Chairman. And I understand that the preliminary budget report of the Appropriations Committee has been distributed. That document will be filed in my office.

Mr. President, new resolution, LR 215, signed by Senators Warner, Lowell Johnson, Cope, Goodrich and Stoney. (Read LR 215 as found on pages 553 and 554 of the Legislative Journal). That will be inserted in the Journal and laid over, Mr. President, pursuant to our rules.

Mr. President, I have an amendment to LR 215 offered by Senators Warner, Dworak, Fowler, Rumery and Marsh. That will be printed in the Journal. (See pages 555 and 556 of the Journal).

Senator Wiitala moves to place LB 835 on General File notwithstanding the action of the committee. That, too, will be laid over.

SPEAKER MARVEL: The next order of business is a report of the Public Works Committee and the Chair recognizes Senator Wesely.

CLERK: Mr. President, the report is found on page 487 of the Journal.

SENATOR WESELY: Mr. Speaker and members of the Legislature, the Public Works Committee would like to recommend

February 25, 1982

LR 215, 230
LB 304, 139, 139A, 456, 685,
686, 710, 786, 830, 834, 835,
884, 906, 936, 962

(Read record vote found on pages 853 and 854, Legislative Journal.) 28 ayes, 15 nays on the adoption of the resolution, Mr. President.

SPEAKER MARVEL: Motion is carried. The resolution is adopted. The Clerk has a couple of items to read into the record and then we will proceed with LB 304 on the agenda.

CLERK: Mr. President, your Committee on Education whose Chairman is Senator Koch instructs me to report LB 710 advanced to General File with committee amendments attached. That is signed by Senator Koch. (See page 854 of the Legislative Journal.) Your Committee on Ag and Environment reports LB 786 advanced to General File, and 962 advanced to General File, both signed by Senator Schmit as Chair. Senator Schmit would like to print amendments to LB 686 in the Journal; Senator DeCamp to print amendments to LB 936. (See pages 854 through 861.)

Mr. President, I have a report of Registered Lobbyists for the week of February 19 through February 24.

Your Committee on Public Health reports LB 456 advanced to General File with committee amendments attached; 835 to General File with committee amendments attached; 830 indefinitely postponed; 884 indefinitely postponed; 906 indefinitely postponed. (See pages 861 through 866 of the Legislative Journal.)

New resolution, LR 230 by Senator Wesely. (Read LR 230 as found on page 867 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, LB 685, 834, 139 and 139A are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign engrossed LB 685, engrossed LB 834, re-engrossed LB 139, engrossed LB 139A. Now we are going to read the motion on LB 304.

CLERK: Mr. President, I have a motion from Senators Carsten and Warner to return LB 304 to Select File for a specific amendment. The amendment would read as follows: (Read the Carsten-Warner amendment.)

SPEAKER MARVEL: I failed to do one thing and I will do that and then we will come back to this. Senator Nichol asked for a short Exec Session of the Judiciary Committee

March 16, 1982

LB 378A, 835

And your committee on Enrollment and Review reports LB 378A advanced to Select File.

Mr. President, LB 835 was a bill that was introduced by Senators Wiitala and Wesely. (Read title). The bill was read on January 14 of this year. It was referred to the Public Health Committee for hearing. The bill was advanced to General File. Mr. President, there are committee amendments pending.

SENATOR CLARK: Senator Cullan on the committee amendments.

SENATOR CULLAN: Mr. President, members of the Legislature, the committee amendments on LB 835 substantially rewrite the bill. In fact, the amendments totally rewrite the bill. They do totally rewrite the bill. The original bill required that hospitals having 100 or more beds would provide a patient with an itemized list of expenses upon discharge. The committee saw no reason to distinguish between hospitals as far as size is concerned and, therefore, the committee amendments did several things. Initially they provide that all hospitals are included in the bill. This would include the University of Nebraska Medical Center as well as the State Department of Public Institutions. The introducers had requested that those two hospitals be exempt from the provisions of the bill but the thinking of the Health and Welfare Committee was that if this statute is good for private institutions, then it ought to apply to institutions which the State of Nebraska owns and operates itself. The committee amendments also revise the list of items which are to be included in the itemized statement. It provided that the itemized statement is mandated only when there is a written request by the patient and that such written request must be made within 28 days of discharge and then the hospital would have 14 days to comply with such written request. This was to ensure that hospitals would have time to prepare the itemized statements. Many hospitals would have to substantially alter their accounting systems and their billing systems if they were to provide these statements on discharge. So the committee changed the time frame substantially and rather than have the expense of requiring an itemized statement in each case, the itemized statements were only required when requested. Those are the committee amendments to LB 835. I would move for their adoption.

SENATOR CLARK: The question is the committee amendments. Senator Wesely, do you want to talk on the amendments? Senator Wiitala, did you want to talk on the amendment? The committee amendments.

SENATOR WIITALA: Thank you, Mr. Speaker. First of all I would like to say a word of thanks to the Public Health and Welfare Committee for working on LB 835 and getting it into its present shape. Basically it was my intent that every patient that was dismissed from a hospital receive an itemized bill and that is one of the reasons that I felt compelled to exempt the Department of Public Institutions because the fiscal impact to the state would be tremendous. Under the committee's amended version, there would be very little impact to any institution largely due to the fact that the itemization would be on the request of a patient. They would have to give a formal request. And so the tremendous amount of bookwork would not be present. Basically LB 835 provides for an itemized billing upon request of the patient and also third party payer, such as insurance carriers. The bill allows for detailed itemization for hospital expenses and, thereby, protects against mistakes like overcharges, double billings, mistaken charges. For the insurance companies, it allows them to ask on a continuous basis that the bills presented for them for purposes of payment of claims would be itemized thereby allowing them up front to recognize any mistakes rather than passing on those bills and then requesting for an itemization if they desired. I hope the body would see fit and adopt these amendments and advancing the bill as amended to Select File. Thank you, Mr. Speaker.

SENATOR CLARK: Senator Burrows, did you want to talk on the committee amendments? All right, the question before the House then is the adoption of the committee amendments. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

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

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

SENATOR CLARK: Committee amendments are adopted. Now on the bill, Senator Wesely.

SENATOR WESELY: Mr. Speaker, members of the Legislature, I do appreciate the support for this legislation that has been indicated by the Hospital Association. With the committee amendments we just adopted I think they are in agreement with the bill. I would just like to add that most hospitals do provide some itemized billing and I think that we are not concerned with those situations but there are some hospitals that do not, and in those situations it is

very valuable to have a patient know what they are paying for. I think in all cases that when we purchase something we want to know what we are purchasing and how much it costs and what we are getting for our dollar. And we had some cases in the hearing that were pretty astounding. We had some examples of somebody who was charged over \$3,000 for pharmacy care in a hospital and the insurance company got this information and said, my god, they were only in there for a few days, we ought to check this out, which they did, and found it was supposed to be like \$3.89 or something and it came out to some sort of figure that was much, much less than what they had anticipated and instead they were charged \$3,000. I had another individual get a hold of me and they did get an itemized bill from one of the hospitals in Lincoln and it said \$129 for a certain item and they couldn't figure out what the item was. Went back and asked, well, what is this? And they said, well, we will check it out, and they checked it out, and they came back and not only did they explain what they were paying for but they also found out by checking it out that they were being charged \$129 for a \$1.29 expense. So it is clear that there have been some instances where itemized billings will catch some mistakes. They aren't frequent. They are rare, but still in those instances, we want to be sure of those problems. At the same time, the educational value in letting patients know what they are paying for in health care, this is very valuable, I think, benefit to the state in trying to deal with health care costs. So for those different reasons, number one, itemized billings could help to identify some mistakes made in billing and, number two, it should educate those who are cared for in our hospitals as to the actual expenses that they are having to pay for. For those reasons I think this bill ought to be passed and advanced very strongly by this Legislature.

SENATOR CLARK: Senator Wiitala, did you want to talk further on it? The question before the House then is the advancement of the bill. Senator Schmit, go ahead.

SENATOR SCHMIT: Mr. President, members of the Legislature, I do not want to delay the advancement of the bill. I have prepared some amendments for 835 and I will print them in the Journal. I have shown them to Senator Wiitala and Senator Wesely. They are somewhat prepared for them and I will have them comment on them on Select File but I am going to print them in the Journal and I would ask you to study them very closely.

SENATOR CLARK: The question before the House is the advancement of the bill. All those in favor vote aye, opposed vote nay.

March 16, 1982

LB 835

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 29 ayes, 0 nays on the motion to advance the bill,
Mr. President.

March 16, 1982

LB 688, 408, 835, 896

SENATOR CLARK: The House is under Call. All senators will return to their seats. All unauthorized personnel will leave the floor. All senators will be in their seats, please. Sergeant at Arms, will you get all senators into their seats, please. Everyone record in. Senator DeCamp, Senator Peterson, Senator Johnson, all record in, please. We're looking for Senator Schmit. Is Senator Kremer excused? Do you want to go some place, Senator Newell? Not yet, we're going to get everyone in their seats first. Senator Hoagland. Senator Wesely, did you want to take call in votes?

SENATOR WESELY: Yes, please.

SENATOR CLARK: Alright, call in votes will be accepted now.

CLERK: Senator Dworak voting yes. Senator Goodrich voting yes. Senator Duda voting yes. Senator Lowell Johnson voting yes. Senator Newell voting yes. Senator Marsh voting yes. Senator VonMinden voting yes. Senator Hoagland voting yes.

SENATOR CLARK: Record the vote.

CLERK: 26 ayes, 9 nays, Mr. President, on motion to advance the bill.

SENATOR CLARK: The bill is advanced. We will now go to 896.

CLERK: Mr. President, right before that if I may, Senator Chambers would like to print amendments to LB 408 in the Journal; Senator Schmit to print amendments to LB 835. (See pages 1193-1196 of the Legislative Journal.)

Mr. President, LB 896 is a bill introduced by Senator Koch. (Read.) The bill was read on January 19, referred to the Education Committee. The bill was advanced to General File, Mr. President. There are Education Committee amendments pending.

SENATOR CLARK: On the committee amendment, Senator Koch.

SENATOR KOCH: Mr. Chairman, I move the adoption of the committee amendments.

SENATOR CLARK: Did you want to explain them?

SENATOR KOCH: I'll explain them when they are adopted.

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Is there any reason why we can't have the committee amendments explained now?

March 19, 1982

LR 249, 250, 256
LB 480, 571, 602, 609A, 688,
787, 799, 835, 854, 854A, 868, 909

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend John Ross,
Pastor of Faith Lutheran Church in Seward, Nebraska.

REVEREND JOHN ROSS: Prayer offered.

PRESIDENT: Roll call. Record the presence, Mr. Clerk.

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

PRESIDENT: Quorum being present, are there any corrections
to the Journal?

CLERK: I have no corrections, Mr. President.

PRESIDENT: The Journal will stand as published. Any
messages, reports or announcements?

CLERK: Mr. President, LR 249 and 250 are ready for your
signature.

PRESIDENT: While the Legislature is in session and capable
of transacting business, I propose to sign and I do sign
LR 249 and LR 250.

CLERK: Mr. President, your committee on Enrollment and
Review respectfully reports they have carefully examined
and reviewed LB 854 and recommend that same be placed on
Select File with E & R amendments; 854A Select File with
E & R amendments; 909; 480; 835; 688; 799; 868; 602 and
787, all placed on Select File, Mr. President. (Pages 1227-1280.)

Mr. President, I have a new resolution, LR 256 offered
by Senator Nichol and many of the members. (Read LR 256
as found on pages 1280 through 1283 of the Journal.)
That will be laid over, Mr. President.

Mr. President, new A bill, LB 609A offered by Senator Marsh.
(Read title for the first time.)

Mr. President, I have a report from the Buildings and
Grounds Commission on proposed lease renewal for the
Department of Correctional Services, and the Nebraska State
Highway Commission files their quarterly report.

PRESIDENT: We are ready then to immediately go to Final
Reading, agenda item #4 commencing with LB 571. Would the
Sergeant at Arms secure the Chamber and make sure that all
members are at their desks, and all other unauthorized

April 1, 1982

LB 835, 709A, 928, 942

CLERK: Senator Wiitala would like to print amendments to LB 835.

A new A bill, 709A offered by Senator Beutler. (Read Title).

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 928 and find the same be placed on Select File with E & R amendments attached.

SENATOR LAMB: Under the north balcony from Mullen, Nebraska we have Margaret Vinton friend of Ron and Carole Cope from my legislative district. Would you stand and be recognized please. Welcome to your Legislature.

We will proceed to item number five, Select File. LB 942.

CLERK: Mr. President, LB 942 was advanced yesterday. I do have a motion on the bill Mr. President from Senator Cullan. Read Cullan motion.

SENATOR CULLAN: Mr. President and members of the Legislature I would ask you to return the bill for this amendment. This is a bill drafting amendment and I apologize to the Legislature for the technical mistake in the bill yesterday. As I indicated on the floor yesterday one of the purposes of the amendment was to make sure the Department of Institutions was optional services which the Department of Institutions provides were funded at the full level with the mandatory services and not with the other optional services. I neglected to include in patient hospital and skilled facility services and included only intermediate care facilities. So I think it is necessary to bring this bill back for this technical amendment at this time and ask you to help assist me in making this technical correction to the amendments which I proposed yesterday.

SENATOR LAMB: Senator Newell your light is on but I assume you did not want to speak. We have no more lights on. The motion is to return the bill to Select File for a specific amendment. Those in support vote aye, those opposed vote no.

CLERK: Senator Lamb voting yes.

SENATOR LAMB: Have you all voted? Record.

CLERK: 26 ayes, 0 nays, Mr. President on the motion to return the bill.

April 6, 1982

LB 909, 835

SENATOR CLARK: Senator Warner.

SENATOR WARNER: Mr. President and members of the Legislature, the amendment I am offering is to include LB 636 which affects the City of Lincoln and if Senator Beutler is here he may want to raise the question of germaneness. Well, in order to avoid a problem I would move to suspend the rule. The amendment I do not believe is controversial. Senator Goll has no problem with it. What it deals with is current law requires that Lincoln must mandatorily annex property once it is subdivided and is within 500 feet of the city limits. The problem rises in the fact that on the east side of Lincoln you get over to the Stevens Creek Watershed which cannot be provided with a central sewer system and the purpose of the motion would permit it to be optional on the part of the city to annex if an area is subdivided and it could be subdivided for an acreage type of development, three acres or less, one acre, and would under existing law obviously have to be annexed and then the city would be required to provide sanitary sewer which the mere lay of the land will not permit. So that is the purpose of the amendment and if no one raises a question I will move its adoption.

SENATOR CLARK: I think that is probably the smartest thing to do beings there is no objection. Is there any discussion on the amendment? If not, those in favor vote aye. Those opposed vote nay. I am not sure we have 30 people here anyway. Have you all voted on the adoption of the amendment?

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 25 ayes, 0 nays on adoption of Senator Warner's amendment.

SENATOR CLARK: The amendment is adopted. Now on the bill.

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

SENATOR CLARK: Senator Goll, do you wish to move the bill?

SENATOR GOLL: Yes, Mr. Speaker, I propose that we advance the bill.

SENATOR CLARK: You have heard the motion. All those in favor say aye. Opposed. The bill is advanced. LB 480. We are going to pass over that one and take up LB 835.

April 6, 1982

LB 835

CLERK: Mr. President, there are E & R amendments. Senator Wesely, did you want to take this bill up, Senator? Or Senator Wiitala.

SENATOR CLARK: This is the Wesely-Wiitala bill. Do you want to take the E & R amendments then?

SENATOR WESELY: Yes. I will move the E & R amendments.

SENATOR CLARK: You heard the motion. All those in favor say aye. Opposed. They are adopted.

CLERK: Mr. President, the first amendment I have to the bill is offered by Senator Schmit. That is on page 1194 of the Journal.

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Would you read the amendment, Mr. President. What page is it on the Journal?

CLERK: It is on page 1194, Senator.

SENATOR SCHMIT: Did he say 1184? Which page, Mr. President?

CLERK: 1194, Senator.

SENATOR CLARK: Senator Wiitala.

SENATOR WIITALA: Mr. President, I would like to rise to a point of order if I may.

SENATOR CLARK: Yes.

SENATOR WIITALA: Mr. Chairman, I would....

SENATOR SCHMIT: Mr. Clerk, I will withdraw that amendment, I am sorry.

SENATOR CLARK: Senator Wiitala, go ahead. Point of order.

SENATOR WIITALA: Mr. Chairman, I didn't have enough time to talk to the cosponsor of this bill but it was my intention this evening to lay LB 835 over.

SENATOR CLARK: You can lay it over if you would like.

SENATOR WIITALA: Okay, listen I will take it up. I will take it up. Proceed, Mr. Chairman.

April 6, 1982

LB 835

SENATOR CLARK: We will take it up. We will lay it over. We will take it up. All right.

CLERK: Mr. President, the next item I have on 835 is an amendment by Senator Wiitala and that is on page 1563 of the Journal.

SENATOR CLARK: Senator Wiitala.

SENATOR WIITALA: Mr. Chairman and colleagues, the amendment that I propose deletes in LB 835 the provision that the Department of Public Institutions shall be required to provide an itemized billing upon request. Just to remind you, LB 835 in its original form asked that hospitals provide a fully itemized billing to all patients and all third party payers, and in the committee it was amended to provide for a fully itemized bill only upon request. The only difficulty we ran into was the fact that by including DPI we had a fiscal impact of close to \$80,000 because they don't have the computerized equipment and they do not have the personnel to carry out that itemization. So I would ask this body if they would to accept this amendment. Thank you, Mr. Chairman.

SENATOR CLARK: This amendment takes DPI out, is that right?

SENATOR WIITALA: Yes, it does.

SENATOR CLARK: All right. Is there any discussion on the Wiitala amendment? If not, all those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: 25 ayes, 1 nay, Mr. President, on adoption of Senator Wiitala's amendment.

SENATOR CLARK: That amendment is adopted. Another amendment?

CLERK: Nothing further on the bill, Mr. President.

SENATOR CLARK: Senator Wiitala, do you want to move the bill?

SENATOR WIITALA: Proceed, Mr. Chairman.

SENATOR CLARK: The question before the House is to advance

April 6, 1982

LB 688, 835

LB 835. All those in favor say aye. Opposed. The bill is advanced. LB 688.

CLERK: Mr. President....

SENATOR CLARK: Do they want to take that up tonight?

CLERK: Senator Fowler or Wesely, do you want to take this up? Okay. Mr. President, I have no E & R amendments. I do have an amendment, however, from....the first amendment - I have is from Senators Beutler, Landis, Fowler and Wesely. It is on page 1246 of the Journal.

SENATOR CLARK: Who wants to take the amendment? Senator Fowler.

SENATOR FOWLER: Mr. President, this is an amendment that... the bill deals with school district election in Lincoln. This is an amendment that puts in language that had been given to Senator Beutler to be introduced in the Education Committee but the amendment was not properly drawn then. When the bill got to General File we only had a 15 minute debate time so we decided not to run the amendment then. Now that we are on Select File we had the amendment correctly drafted. I think we have time. We would like to move for adoption of the amendment.

SENATOR CLARK: Is there any question on the Fowler amendment? Senator Goodrich.

SENATOR GOODRICH: Senator Fowler, would you yield to a question, please?

SENATOR CLARK: Senator Fowler.

SENATOR FOWLER: Yes.

SENATOR GOODRICH: Senator Fowler, you told us a beautiful job of telling us the history of the amendment but you didn't even mention what the amendment does.

SENATOR FOWLER: Okay. Well, the amendment has been discussed in the media and so I thought maybe people were aware of it. The amendment deals with....okay, the bill says that in the City of Lincoln if you wish to switch from a large district election, there will be a petition process to make that possible. What the amendment does, it says that in order to try and resolve this question there will be an election mandated for November of this coming year to address this question as well as the option of the petition

RECESS

April 7, 1982

LB 688, 708, 753, 757,
835, 854, 854A, 933, 568

SENATOR LAMB PRESIDING

SENATOR LAMB: Record your presence. Have you all recorded your presence? Record.

CLERK: Mr. President, we have a quorum. Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 568 and find the same correctly engrossed; 688; 708; 753; 757; 835; 854; 854A and 933, all correctly engrossed.

April 14, 1982

LB 757, 835, 854, 854A

CLERK: (Roll call vote taken. See page 1913, Legislative Journal.) 34 ayes, 12 nays, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read 835.

CLERK: (Read LB 835 on Final Reading.)

SENATOR CLARK: All provisions relative to procedure having been complied with, the question is, shall the bill pass? All those in favor vote aye, opposed vote nay. Have you all voted? Record the vote.

CLERK: (Record vote read. See pages 1913 and 1914, Legislative Journal.) 27 ayes, 18 nays, 3 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 854.

CLERK: (Read LB 854 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: (Record vote read. See pages 1914 and 1915, Legislative Journal.) 36 ayes, 8 nays, 3 excused and not voting, 2 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. The Clerk will now read 854A.

CLERK: (Read LB 854A 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. It takes 30 votes.

CLERK: Senator Clark voting yes.

SENATOR CLARK: While we are waiting for the vote, I would like to announce that we have 40 juniors and seniors from Omaha North High School in the North balcony. Will you stand and be recognized please. We also have 35 seniors

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I mean a roll call vote.

SENATOR CLARK: (Interruption) a record vote and a roll call vote.

SENATOR NEWELL: You know, I have changed my mind. I would like to have people vote for this resolution. The more I think about it, Senator Chambers has a good point.

SENATOR CLARK: Well, we are talking about a roll call vote. The Clerk will call the roll if he don't want anyone else in here.

CLERK: (Roll call vote taken. See page 1937, Legislative Journal.)

SENATOR CLARK: We can't hear anything up here at all, gentlemen, please. I just say gentlemen because the ladies are not talking. When you quiet down, then we will go ahead and call the roll. (Gavel) That helped some. Go ahead and call the roll.

CLERK: (Roll call vote continued.) 16 ayes, 12 nays, Mr. President.

SENATOR CLARK: The motion lost.

CLERK: Mr. President, the bills read on Final Reading this morning 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 LB 89, 714, 714A, 669, 669A, 609, 609A, 604, 604A, 278, 629, 629A, 480, 568, 909, 854, 854A, 835, 757, 753, 708, 688, and 966.

LR 212, 266, 268, 269, 272, 274, 277,
278, 287, 292, 293, 295, 298, 304,
313, 316, 331, 359, 380, 388, 389
LB 278, 378, 378A, 480, 568, 602A,
604, 629, 629A, 669A, 688, 693, 708, 760,
835, 909, 967, 522, 212, 212A, 255, 255A

April 16, 1982

RECESS

PRESIDENT LUEDTKI PRESIDING

PRESIDENT: Has everybody recorded your presence?
Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President. Mr. President, I have a reference report from the Executive Board referring a gubernatorial appointment. (Page 1971 of the Legislative Journal.)

Mr. President, new resolutions. LR 388 offered by Senators Cullan and Newell. (Read LR 388 as found on pages 1973 and 1974 of the Legislative Journal.) Mr. President, 389 offered by Senator Wesely. (Read LR 389 as found on page 1974 of the Legislative Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Koch. That will be inserted in the Journal. (See pages 1974 through 1976 of the Legislative Journal regarding LB 602A.) That is on LB....Bingo, that is right, senator.

Mr. President, I have a message from the Governor addressed to the Legislature. (Read message. Pages 1976-77 of the Journal regarding LB 669A.)

Mr. President, two other communications from the Governor addressed to the Clerk. (Read communications regarding LBs 278, 378, 378A, 480, 568, 604, 629, 629A, 688, 693, 708, 760, 835, 909, 967. Page 1977 of the Journal.) A second letter to the Clerk, Mr. President. (Read letter regarding LBs 609, 609A, 669, 714, 714A, 854, 854A. Page 177 of the Journal.)

Mr. President, I have a gubernatorial appointment of Mr. Robert Borgmann to the Motor Vehicle Industry Licensing Board. (See page 1978 of the Journal.)

Mr. President, the bills that we have read on Final Reading this morning are now ready for your signature as well as the resolutions that were passed Wednesday of this week by the Legislature.

PRESIDENT: While the Legislature is in session and capable of transacting business I propose to sign and I do sign LR 212, LR 266 and LR 268, 269, 272, 274, 277, 278, 287, 292, 293, 295, 298, 304, 313, 316, 331, 359, and 380. And the LBs are engrossed legislative bills 522, 212, 212A, 255, and 255A. Okay, as I understand it we