

January 15, 1982

LR 204, 205
LB 335, 353, 840 - 845

SENATOR MARSH: It will be kept in separate file now rather than having them placed together. It will be the same number as this that you are referring to, the emergency number, so there is not duplication of services.

SENATOR PIRSCH: It will be the same number, and as I understand it, they are reporting these on the child abuse hot line that we now have established.

SENATOR MARSH: That is correct.

SENATOR PIRSCH: Will this remain the same number or will they add another?

SENATOR MARSH: No. We need to have one number that is known throughout the state for those emergency services. We will keep them in separate files. They will be treated separately at that end but the response is through an emergency number, not to try to duplicate services at our state level. To make our state dollars go as far as they possibly can go, we need not to be adding but combining services wherever necessary and there are plans, as I understand it, to incorporate even other things into that emergency number. Thank you.

SENATOR PIRSCH: Thank you. I just wanted to clarify that.

SPEAKER MARVEL: The motion is the advancement of the bill. All those in favor of that motion vote aye, opposed vote no. The advancement of the bill. Have you all voted? Clerk, record the vote.

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

SPEAKER MARVEL: Motion carried. Bill is advanced. Yes, the Clerk has some items on the desk.

CLERK: Mr. President, a new bill, LB 840 (title read); LB 841 (title read); LB 842 (title read); LB 843 (title read); LB 844 (title read); LB 845 (title read).

Mr. President, I have a report of registered lobbyists for January 9 through January 14.

And LR 204 and LR 205 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 LR 204; LR 205. Next order of business, LB 353.

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 The bill is withdrawn.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

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LB 796, 845

rather than the nonresident tuition.

SENATOR HABERMAN: So the parents then will have the same privilege as their children...?

SENATOR KOCH: Yes, sir, if you were from Vietnam and you were a student here and you had children that may be also eligible though, then it means they would be eligible as well.

SENATOR HABERMAN: All right, thank you.

SPEAKER MARVEL: Senator Vard Johnson.

SENATOR VARD JOHNSON: I just have a very quick question, Mr. Speaker, of Senator Koch if he would yield and that is this, Senator Koch, because you did speak of Vietnamese persons, I just want to make certain that the intention behind this legislation is that if someone is paroled into our country, that is the expression which the immigration service uses, as a refugee, they are not eligible under the immigration law to even apply for permanent resident alien status until they have been here one full year but we can have a refugee from Vietnam or Haiti or some other place paroled into the United States and into Nebraska and they will have been here 180 days and it is clear to the world they intend to live in Nebraska permanently and if they can show that, then they should be treated as a resident permanent alien, is that correct?

SENATOR KOCH: That is correct.

SENATOR VARD JOHNSON: Thank you, Senator Koch. I wholeheartedly endorse your bill.

SENATOR KOCH: Thank you.

SPEAKER MARVEL: Senator Koch, do you wish to close?

SENATOR KOCH: I have no closing. I would just request that we advance LB 796 to E & R Initial.

SPEAKER MARVEL: The motion is to advance the bill. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 35 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next item is LB 845.

March 5, 1982

LB 845

CLERK: Mr. President, LB 845 offered by Senator Vard Johnson. (Read title.) The bill was read on January 15, 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: Senator Johnson.

SENATOR VARD JOHNSON: Mr. Speaker, members of the body, this is a bill that is shrouded in a certain amount of state history. Central High School in Omaha is situated on Capitol Square at 20th and Dodge Street. Capitol Square was the site of the original State Capitol of the State of Nebraska. Capitol Square was conveyed by the State of Nebraska to the City of Omaha in 1869. The deed turned out to be somewhat faulty and so it was reconveyed in April, 1989. Now the conveyance of Capitol Square to the city says that the land is to be held by the city in trust for school purposes. Central High School occupies a number of acres of ground on Capitol Square. It has been there since the 1880s. Adjacent to Central High School is the Joslyn Art Museum. Central High School and the Joslyn Art Museum have made arrangements whereby the Joslyn Art Museum will convey to Central High School a parcel of property to be used for an athletic field and Central High School in turn will convey to the Joslyn Art Museum an equal amount of property to be used for a statuary garden. I think they have already got a statue promised of Leo Daly. It is an equal exchange of land. The title examiners who have gone over this conveyance have concluded that we need legislation to make certain that the school district has authority to convey the property that is a little portion of the old Capitol Square which has got that ancient deed restriction in it and that is all this bill does is it allows the Omaha Public School District to effect an equal swap of ground with the Joslyn Art Museum in Omaha to in effect continue to accomplish school and educational purposes and to provide greater benefits to downtown Omaha as well as to all of the citizens of the state through the Joslyn Art Museum and through Central High School.

SPEAKER MARVEL: Senator Hoagland.

SENATOR HOAGLAND: Mr. Speaker and colleagues, I just would like to say a few words in support of LB 845. The people of Central High School, the graduates association of Central High School has worked very long and hard to work out this real estate swap with the Board of the Joslyn Art Museum. The plans have been underway for several years. It is very much needed. This is a technical bill that would facilitate the land swap, the transfer of property. I ask you to support it. Thank you, Mr. Speaker.

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LB 845, 644

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, I just wanted to let Senator Johnson know that since the politicians and people of Omaha have the good sense and the good taste to move the Capitol to Lincoln that the Senators from Lincoln will certainly be supporting whatever they do with that little piece of land that is left.

SPEAKER MARVEL: Senator Johnson, do you wish to close on your amendment?

SENATOR V. JOHNSON: I have no intention to do a closing but I feel as though I should give Senator Beutler a brick for his remarks. This very simply does allow a land transaction to be affected in the city that is very beneficial to the city, the schools, the people of the state, and the Joslyn Art Museum. I would move the advancement of the bill.

SPEAKER MARVEL: Motion is the advancement of the bill as explained by Senator Johnson. All those in favor vote aye, opposed vote no. LB 845. Have you all voted? Record.

CLERK: 35 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill is LB 644.

CLERK: LB 644 offered by Senator Vickers. (Read title.) The bill was read on January 6 of this year. It was referred to the Public Works 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 Vickers.

SENATOR VICKERS: Mr. Speaker and members, LB 644 was introduced at the request of the Nebraska Rural Electric Association and very simply what it does is it would allow the Rural Electrics of this state to buy bonds and instruments of indebtedness in a rural electric supply cooperative. Now the problem that has arisen is that there is such a rural electric supply cooperative known as Resco headquartered in Wisconsin that serves as a supply cooperative for the various REAs across the midsection of the United States. The public power districts of this state have been members of that association and buying some products from them for quite some years, but with the economic situation as it is, this supply cooperative has been attempting to sell small notes to their members in order to more adequately finance and fund their

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LB 678, 522, 480, 845

the amendment is inserted, "except sales of motor vehicle fuel of less than one hundred dollars shall be accompanied by a delivery ticket containing the following information:", so you would have if fuel oil or heating fuel is delivered in the bulk in excess of \$20, you would still have to issue a delivery ticket. Am I clear?

SENATOR HOAGLAND: I think. In other words, it wouldn't change the law with respect to bulk deliveries of heating fuel by taking that language out?

SENATOR HEFNER: I don't believe so according to the information that I have.

SENATOR HOAGLAND: Thank you, Senator Hefner.

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

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

SPEAKER MARVEL: Motion is carried. The bill is advanced. Senator Duda, would you like to recess us? Go ahead. The Clerk has an item and then we will.

CLERK: Mr. President, Senators Cullan would like to add his name to 522 as co-introducer; Senator Sieck to 480; and Senator Hoagland to 845.

SPEAKER MARVEL: Hearing no objections, so ordered.

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

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

SPEAKER MARVEL: Okay, and then we will come back and do some more work from one-thirty to three-thirty. So the motion is to recess. All those in favor of that motion say aye, opposed no. We are recessed to one-thirty.

Edited by

L. M. Benischek
L. M. Benischek

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

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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.

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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

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LB 631, 845

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 pages 1341 and 1342 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 1 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 845 passes with the emergency clause attached. The next bill, LB 631, requires a motion, and the Chair recognizes Senator Hefner for purposes of that motion.

CLERK: Mr. President, Senator Hefner and VonMinden would move to suspend Rule 8, Section 5, so as to permit consideration of LB 631 on Final Reading today.

PRESIDENT: Senator Hefner.

SENATOR HEFNER: Mr. President and members, I move to suspend Rule 8, Section 5 so that we can read on Final Reading LB 631. And I will try to be brief in telling you why we want to suspend this rule. This bill changes the taxing provision for horse racing in Nebraska. This bill will reduce pari-mutuel tax receipts in Nebraska by \$200,000. Our rules say that whenever we have a bill that causes a reduction in tax receipts, the bill shall be considered with the other A bills. But here is our problem. Atokad is trying to gear up for their racing season which starts the latter part of April, in fact, just about 30 days. Contracts are ready to be signed for the use of the tote machine and the starting gate and concession stands, and I could go on and on, and also employees need to be hired. But without this bill, Atokad will not have a racing season. So we need to pass this bill today. And let me summarize this bill and explain it to you just briefly. Last year the Racing Commission changed the racing dates. They provided Omaha and Lincoln race tracks with extra racing days, removing the fall dates from Atokad. This was good for everyone except Atokad. It was good for the State of Nebraska because we took in \$1.4 million more from pari-mutuel tax receipts. This bill exempts the pari-mutuel tax on the first \$5 million to those tracks racing three days or less. So we end up with \$200,000 less in tax receipts. But overall...overall, we gain \$1.2 million in pari-mutuel tax receipts. At the present time the race meet is on in Grand Island. Their receipts are up and if this continues across the state like this, we will not have any deficit at all. We will pick up that extra \$200,000. Like I said before, we need this bill today instead of waiting, and without this bill Atokad will not have a race meet this year. We need 30 votes to suspend the rules to take

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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.