

January 18, 1982

LR 199  
LB 473, 550, 738, 853-873

on the resolution. I will not support the resolution as it is now, and I am sure that the people I represent will understand. Thank you.

PRESIDENT: All right, seeing nothing further, that is the closing on the resolution as amended. All those in favor of adopting LR 199 as amended vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 32 ayes, 3 nays, Mr. President, on adoption of the amended resolution.

PRESIDENT: The motion carries. LR 199 is adopted. Let me first of all introduce some very special friends of Senator Kremer over here under the north balcony, Mr. and Mrs. Dennis Eberspacher. Would they stand up and be recognized, and welcome to the Eberspachers to the Unicameral. All right, Senator Kahle, thank you. The Call is raised. Read some matters in, Mr. Clerk, if you will.

CLERK: Mr. President, your committee on Public Works whose Chairman is Senator Kremer reports LB 473 as indefinitely postponed and LB 550 as indefinitely postponed. Both signed by Senator Kremer as Chair.

Senator DeCamp would like to print amendments to LB 738 in the Journal, Mr. President. (See pages 320 and 321 of the Journal).

Mr. President, I have a report from the Agriculture and Environment Committee reporting on confirmation hearing. (See page 321 of the Journal).

Mr. President, new bills. LB 853 offered by Senator Fowler. (Read title). LB 854 by Senator Fowler. (Read title). LB 855 offered by Senator Fowler. (Read title). LB 856 offered by Senator Fowler. (Read title). LB 857 offered by Senator Fowler. (Read title). LB 858 by Senator Marsh. (Read title). LB 859 by Senator Marsh. (Read title). LB 860 offered by Senator Nichol. (Read title). LB 861 by Senator Nichol. (Read title). LB 862 offered by Senator Beutler. (Read title). LB 863 by Senator Landis. (Read title). LB 864 offered by Senator Hefner and Howard Peterson. (Read title). LB 865 by Senator Goodrich. (Read title). LB 866 by Senator Goodrich. (Read title). LB 867 by Senator Goodrich. (Read title). LB 868 by Senator Fender. (Read title). LB 869 by Senator Stoney. (Read title). LB 870 by Senator Stoney. (Read title). LB 871 by the Government Committee. (Read title). LB 872 by Senator Wiitala. (Read title). LB 873

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LB 429, 599, 601, 610, 702,  
732, 748, 765, 808, 809,  
834, 854, 864, 869, 937, 959

SENATOR NICHOL: Senator Clark, did you wish to close, please?

SENATOR CLARK: Mr. President, I would move that the bill be advanced to E & R. I think that Senator Newell might have an amendment on for Select File. Is that right, Senator Newell? Alright, then I would move the bill be advanced.

SENATOR NICHOL: The question is, shall LB 702 be advanced. All those in favor vote aye, opposed no.

CLERK: Senator Nichol voting yes.

SENATOR NICHOL: Record, Mr. Clerk.

CLERK: 29 ayes, 2 nays, Mr. President, on the motion to advance the bill.

SENATOR NICHOL: The bill is advanced. I would like to announce that Senator Don Wesely has some guests under the North balcony, Brad Pennington, Marty Walters, John Ahrends, all from Robin Mickle Junior High School in Lincoln, Nebraska. Would you please welcome them to our Legislature. Mr. Clerk, do you have something you would like to say?

CLERK: Something I must say, Senator. Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 834 and recommend that same be placed on Select File and that is signed by Senator Kilgarin as Chair. (See page 804 of the Journal.)

Your committee on Business and Labor whose chairman is Senator Barrett reports LB 765 advanced to General File with committee amendments; 599 indefinitely postponed; 610 indefinitely postponed; 732 indefinitely postponed; 864 indefinitely postponed; 937 indefinitely postponed and 959 indefinitely postponed, all signed by Senator Barrett as Chair. (See pages 804-805 of the Legislative Journal.)

Your committee on Government, Military and Veterans Affairs reports LB 601 advanced to General File; 748 General File and 854 General File with committee amendments attached. Those are signed by Senator Kahle as Chair. (See page 805 of the Legislative Journal.)

Your committee on Miscellaneous Subjects reports LB 808 advanced to General File; 809 General File; 869 General File; 429 indefinitely postponed, all signed by Senator Hefner as Chair. (See page 805 of the Legislative Journal.)

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LB 458, 854

SENATOR LAMB: Okay, we will pass over it then. All right.

SENATOR FOWLER: Gosh, thank you.

SENATOR LAMB: What about 854?

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LR 854

CLERK: Mr. President, 854 was a bill introduced by Senator Fowler. (Read title.) The bill was read on January 18th of this year. It was referred to the Government Committee for public hearing. The bill was advanced to General File. Mr. President, there are Government, Military and Veterans Affairs Committee amendments pending.

SENATOR LAMB: Senator Kahle.

SENATOR KAHLE: Mr. President, I move the committee amendments and the committee amendments are a little bit hard to explain unless you know what we are talking about in the bill. This bill deals with a special channel for those who have a hearing defect and what the amendment does, instead of providing just one channel which I am sure Senator Fowler will explain how they get that channel, we would have two channels available for use...for special use especially on ETV. I guess it could be done on other channels, too, but we had a hearing on this bill and as explained to us actually what the second channel could be used for and what was alluded to in the hearing was it could be used for agricultural uses. In other words, it is possible at some future date that a special channel could be hooked to AGNET which provides information for agriculture. And there is some argument, and I am sure Senator Fowler is going to talk about this, that now if you want to use AGNET and have a computer system you need a telephone system. And, of course, there was objection from telephone companies for adding this extra channel but it would provide and the idea in the future, it is nothing definite at this time, would be that it could be used for a number of things but one would be for agricultural purposes. So I move for the adoption of the amendment.

SENATOR LAMB? Senator Fowler, on the committee amendment.

SENATOR FOWLER: Mr. President, I find myself in somewhat of an awkward situation of indicating that I am going to vote against the committee amendment, not because maybe it isn't a bad concept but at this time there are some in the communications industry, the telephone communications industry that thinks that the language in the committee amendment may be overly broad as far as its grant of authority and they feel that in fact a separate bill should be brought in for use of the second channel. They have no objection to the original bill which would take one of these communication channels off this technology, and I will explain this technology at some point, but they do feel that the second authorization for a second channel at a future date may be a little broad and for that reason I am going to vote against the committee amendment believing that the most important thing right now

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is to move and the original goal was the original bill and that additional information channels I guess could be debated at a later date although I think that the communications industry may be overly alarmed about this committee amendment, and in no way do I want to get them upset and we certainly could come back at a later time and discuss the use of a second channel. So as sponsor of the bill, I am opposing the committee amendment although certainly at the hearing I suggested they add it. I guess you know you kind of run things up the flag pole and see what happens, and in this case, it got a little opposition. So I plan to vote against the committee amendment.

SENATOR LAMB: Senator Kahle, do you care to close on the committee amendment?

SENATOR KAHLE: Mr. President, members, this is a difficult thing too because we haven't really heard what we are trying to do with television and there is some terrific possibilities that I am sure as we talk about the bill itself are going to come out. So one of the reasons I am sure that ETV suggested or perhaps alluded that it is possible to incorporate some other information into this system, especially agricultural information, they thought perhaps a few votes would be gained in this body from those of us who are involved in agriculture. But I can certainly understand, right now I have got a son that has gone into computers and to my knowledge at least he is using what we call AGNET which is a service that farmers can use, agricultural people can use. It gives markets and various and assorted thousand of things that you can obtain although right now you have to do that through the telephone system and I can see why telephone companies are somewhat apprehensive about this. But the age of electronics is ahead of us and we know a lot about it now but we haven't begun to scratch the surface in my estimation. Whether we adopt the resolution or not, I think this is an important bill but right now I think we ought to provide for an extra channel. It is not going to be used immediately and I am sure we can take it off as well as we can put it on later. Thank you.

SENATOR LAMB: The motion is to adopt the committee amendments. Those in support vote aye, those opposed vote no.

CLERK: Senator Lamb voting yes.

SENATOR LAMB: Have you all voted? Have you all voted?  
Senator Kahle.

SENATOR KAHLE: Mr. President, it looks like the votes are

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there and I hate to have a Call of the House. We really only need three more votes. That's what I thought, now we only need two more. We only need one more.

SENATOR LAMB: Senator Kahle, do you wish to...?

SENATOR KAHLE: Mr. President, we will have to ask for a Call of the House it looks like and we will take call in votes if we can get the extra one vote.

SENATOR LAMB: A Call of the House has been requested. Call ins will be accepted. Those in support of going under Call vote aye, those opposed nay. Record.

CLERK: 18 ayes, 1 nay to go under Call, Mr. President.

SENATOR LAMB: The House is under Call. All unauthorized persons leave the floor. All Senators please be in their seats. Record your presence. Call ins have been authorized.

CLERK: Senator Wesely voting no. Senator Barrett voting yes.

SENATOR LAMB: Record the vote.

CLERK: 25 ayes, 13 nays, Mr. President, on adoption of committee amendments.

SENATOR LAMB: The committee amendments have been adopted. Senator Fowler to present the bill.

SENATOR FOWLER: Mr. President, to discuss the original bill and the concept, I will try and explain the technology and certainly I am no television engineer, but essentially within the TV are TV pictures made up of five hundred some lines as you look at the screen there but not all those lines carry a picture on it. There is about twenty-one lines, twenty-five lines, I guess it is, that are blank, and if your picture rolls on the screen sometimes you see this little black line that goes around and around and those are twenty-five lines that have no picture in them but that doesn't mean that information cannot be communicated through them. One line of those twenty-five, line twenty-one, has been set aside for information to the hearing impaired and that information can be received by a TV set and converted into a full picture on the TV if there is a converter. And you may notice in your TV listings now and then it says that a program is closed caption, that is, that it has captioning that would go under the screen but it doesn't show up on the screen unless there is one of these converters. There

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is actually on that line twenty-one, not only can they do closed captioning, but they have four different types of information that can be broadcast. What this bill would do is authorize that one of those be utilized for text services, and by text we mean just words on the screen for the hearing impaired.

SENATOR LAMB: About three minutes left on the bill.

SENATOR FOWLER: That is what the bill does. I move for its advancement.

SENATOR LAMB: Senator Kahle is next. There is a very small amount of time left.

SENATOR KAHLE: All I want to say, Mr. President, is that it sounds like a very interesting concept and I hope that we move along with this issue.

SENATOR LAMB: Senator Pirsch, we have one and a half minutes.

SENATOR PRISCH: Yes, Senator Lamb. I have a question for I guess Senator Kahle, as the Chairman of the committee.

SENATOR LAMB: Senator Kahle, will you respond?

SENATOR KAHLE: Certainly.

SENATOR PIRSCH: Senator Kahle, the A bill that accompanies this, does that reflect the committee amendment or was that the original bill, A bill?

SENATOR KAHLE: That reflects the cost as the bill now stands the way I understand it. We added nothing to it. The other channel will not cost anything. The equipment that they need out there at ETV is included in that, the extra equipment.

SENATOR PIRSCH: It will not require any more dollars for another channel?

SENATOR KAHLE: No, that is our intent at least.

SENATOR PIRSCH: Oh, as I understood it, NBC and some of the other broadcasting companies do have this closed caption viewing and I had heard that NBC was going to eliminate it because it costs them so much money to do this. In fact, I think they estimated ten million, something like that. Have you heard anything in that regard?

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SENATOR KAHLE: No, I sure haven't. I know they have the same possibility. The way we understood this it would take some equipment out there and then, of course, the device that you need on your TV costs about \$300. Now there is some companies already building them right in the sets. Sears Roebuck has a set that will have that possibility right in it and, of course, there are so many possibilities that can happen. To my knowledge, to be honest with you, I think that is the total cost as we see the project as the bill states it. If I am wrong, why...

SENATOR PIRSCH: I guess I am a little curious as to why the national networks who have this are...

SENATOR LAMB: One minute on the bill.

SENATOR PIRSCH: ...now eliminating it from their budgets. Thank you, Senator Kahle.

SENATOR LAMB: Senator Fowler, do you wish to close? You have less than a minute.

SENATOR FOWLER: Senator Pirsch's question, the technology we are talking about here is much smaller in scale than the closed captioning. This is just a text service that replaces the picture. It is real hard to explain unless you actually see it but it is not the closed captioning that you are talking about for all the programs. I think the Government Committee was fairly impressed that information, a full day's information on the screen could be provided at a very limited cost. There is a one time equipment cost and then a small operating cost to continue it. I think it is a concept that is very cost effective and will reach a service population in Nebraska that needs to be reached. So I move it be advanced.

SENATOR LAMB: The motion is to advance the bill. All those in support vote aye, those opposed vote nay.

CLERK: Senator Lamb voting yes.

SENATOR LAMB: Have you all voted? Record.

CLERK: 27 ayes, 6 nays, Mr. President, on the motion to advance the bill.

SENATOR LAMB: LB 854 advances. Before we continue, under the South balcony we have Del Harsh and Ken Harsh from Cambridge, friends of Senator Tom Vickers. Would you stand and be recognized. Welcome to the Legislature. LB 854A, Senator Fowler.



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

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LB 756, 760, 854, 933

LR 261

adjustment, although that wouldn't be any in this one. It would only be those kind of changes in the total appropriation. Nothing relative to their take home pay, if I can put it that way.

SENATOR NICHOL: Okay, thank you.

SENATOR CLARK: Any further discussion on 756? If not, all those in favor of advancing the bill vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

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

SENATOR CLARK: The bill is advanced. Now 933. Clerk would like to read in first.

CLERK: Mr. President, your Enrolling Clerk has presented to Governor, bills that were read on Final Reading this morning.

Senator Kahle would like to print amendments to 854 in the Journal.

Miscellaneous Subjects gives notice of gubernatorial appointment confirmation hearing.

Senator Carsten would like to print amendments to 760.

Mr. President a new resolution. Read LR 261. That will be laid over Mr. President.

SENATOR CLARK: Laid over how long?

CLERK: Mr. President, LB 933 was introduced by the Appropriations Committee and signed by its members. Read title of LB 933. The bill was read on January 19. It was referred to the Appropriations Committee. The bill was advanced to General File, Mr. President. There are committee amendments pending.

SENATOR CLARK: Senator Warner on the committee amendments.

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

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Nebraska's electrical grid system. All those will be referred to the board, Mr. President. (See pages 1744 through 1746 of the Legislative Journal.)

Mr. President, with respect to 854, there are E & R amendments first of all.

SENATOR CLARK: Senator Fowler, do you want to take the E & R amendments?

SENATOR FOWLER: Yes, I would move for adoption of the E & R amendments.

SENATOR CLARK: You heard the motion. All those in favor say aye. Opposed. The E & R amendments are adopted.

CLERK: Mr. President, Senator Kahle had an amendment printed on 1350 but I understand he wishes to withdraw that, and in lieu thereof offer another amendment that Senator Fowler is going to handle for him I believe.

SENATOR CLARK: Senator Fowler.

SENATOR FOWLER: Senator Kahle's celebrating his birthday and couldn't be brought back so he asked me to handle this. The amendments deal...the first amendment was an attempt to correct a committee amendment that I submitted to the committee at the committee hearing, and the decision was simply not to try and correct it but the second thing is to strike the committee amendment on 854 and to go back to the bill as originally introduced. And that is what Senator Kahle as Chairman of the Government Committee thought was the best thing to do and it is....also I concur as sponsor of the bill that we ought to just go back to the bill as it was originally introduced and not have anything added to it. So I would move for adoption of that amendment.

SENATOR CLARK: Senator Beutler. Is there any discussion on the Kahle amendment? If not, all those in favor vote aye, opposed vote nay. Ladies and gentlemen, if you would all sit in your seats and vote when we have to vote, I am real sure that we could get something done, but we are not going to do it otherwise. They are all over the floor. It takes 25 votes. Have you all voted? Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to adopt Senator Kahle's amendment.

SENATOR CLARK: Senator Kahle's amendment is adopted. Do you have anything further on the bill?

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LB 854, 854A, 909

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

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

SENATOR FOWLER: Yes, I move it be advanced as amended.

SENATOR CLARK: You heard the motion. All those in favor say aye. Opposed. The bill is advanced. 854A.

CLERK: Senator, there are E & R amendments to 854A.

SENATOR CLARK: Senator Fowler.

SENATOR FOWLER: I would move the E & R amendments to 854A.

SENATOR CLARK: You have heard the motion. All those in favor say aye. Opposed. The E & R amendments are adopted.

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

SENATOR CLARK: Senator Fowler.

SENATOR FOWLER: I move that it be advanced.

SENATOR CLARK: You heard that motion. All those in favor say aye. Opposed. The bill is advanced. LB 909.

CLERK: Mr. President....did you want to take it up, Senator? Okay.

SENATOR GOLL: Yes.

CLERK: There are E & R amendments to 909, Mr. President.

SENATOR CLARK: Do you want to take the E & R amendments, Senator Goll?

SENATOR GOLL: No, Senator Warner will take those.

SENATOR CLARK: All right. Senator Warner, the E & R amendments to 909.

SENATOR WARNER: I move that they be adopted.

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

CLERK: Mr. President, Senator Warner would now move to amend the bill.

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.

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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.