

January 18, 1982

LB 378, 587, 846,
875-880

SENATOR WESELY: Thank you. That concern is still there. We tried to do something about it through CON and there have been accomplishments. Senator Cullan has identified some conflicts that he feels with the figures that you have received and I can't specifically rebut some of his concerns, but I can say this, that there have been millions of dollars saved, they have reduced in specific manners requests for project approval, and it seems to me that it has worked, and if we can find ways to improve it, I have no problem with that but not in the fashion that Senator Cullan is trying to accomplish. This bill needs a hearing. This bill needs to be sent to committee. Twenty-one of you agreed to that but we lost on that motion. By killing the bill today I feel that it will indicate the committee should introduce the bill they agreed to introduce, have a hearing on it, and deal with it as a priority bill during this session. As a priority bill it will be heard, it will be considered, but the public will have a chance to voice their opinion about this issue and I think that is key.

SENATOR CLARK: Your time is up, Senator Wesely.

SENATOR WESELY: So I ask your support for the kill motion.

SENATOR CLARK: All those in favor to indefinitely postpone LB 378 vote aye, opposed vote nay. While we are waiting for the vote, I would like to announce that tomorrow is the last day for introduction of bills by individual Senators. Tomorrow is the tenth day. Record the vote. A record vote has been requested.

CLERK: (Read record vote as found on pages 326 and 327, Legislative Journal.) 9 ayes, 26 nays, Mr. President.

SENATOR CLARK: Motion lost. The Clerk has something to read in.

CLERK: Mr. President, your committee on Appropriations gives notice of hearing for next Monday and Tuesday.

Mr. President, new bills, LB 875 (read title); LB 876 (read title); LB 877 (read title); LB 878 (read title); LB 879 (read title); and LB 880 (read title). (See pages 327 and 328, Legislative Journal.)

Mr. President, Senator Rumery asks unanimous consent to add his name to LB 587 as cointroducer; and Senator Howard Peterson, LB 846.

SENATOR CLARK: No objection. So ordered.

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LB 152, 222, 304, 335, 348,
353, 358, 431, 440, 508,
525, 527, 578, 594, 624,
771, 772, 795, 799, 844,
871, 872, 877, 898, 921, 955

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Have you all recorded your presence? Record the presence, Mr. Clerk.

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

PRESIDENT: A quorum being present, Mr. Clerk, are there any corrections to the Journal?

CLERK: I have no corrections, Mr. President.

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

CLERK: Mr. President, a series of things. Your committee on Banking, Commerce and Insurance whose chairman is Senator DeCamp instructs me to report LB 358 advanced to General File with committee amendments attached. (See pages 881-884 of the Legislative Journal.)

Your committee on Education reports LB 578 advanced to General File with committee amendments attached. That is signed by Senator Koch. (See page 885 of the Legislative Journal.)

Your committee on Government reports 921 advanced to General File; 594 indefinitely postponed; 624 indefinitely postponed; 795 indefinitely postponed; 844 indefinitely postponed; 871 indefinitely postponed; 872 indefinitely postponed. That is all signed by Senator Kahle as Chair, Mr. President.

Your committee on Banking whose chairman is Senator DeCamp reports 799 advanced to General File with committee amendments attached. 877 is advanced to General File from the Public Works Committee. 152 indefinitely postponed; 222 indefinitely postponed; 348 indefinitely postponed; 508 indefinitely postponed; 527 indefinitely postponed; 771 indefinitely postponed; 772 indefinitely postponed; 955 indefinitely postponed, all signed by Senator Kremer as Chair. (See pages 885-886 of the Legislative Journal.)

Mr. President, your Enrolling Clerk reports that she presented to the Governor LB 353, 304 and 431. The Governor has received engrossed LB 440 and signed that bill on February 25, Mr. President. (See page 886 of the Legislative Journal.)

Rules gives notice of a hearing for Tuesday, March 16.

I have a series of Attorney General's opinions, the first addressed to Senator DeCamp regarding LB 898; one to Senator Culllan regarding LB 525; one to Senator Wagner regarding interpretation of Statutory Section 2-1504; one to Senator DeCamp regarding 335. (See pages 887-895 of the Legislative Journal.)

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LB 126, 375, 525, 877, 941

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign engrossed LB 126, engrossed LB 525 and engrossed LB 375. The next bill is 941.

CLERK: Mr. President, LB 941 offered by Senator Clark. (Read title.) The bill was read on January 19 of this year, referred to the Banking 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 Clark.

SENATOR CLARK: Mr. President, members, I can talk as long or as short as you'd like on this bill. What it probably should have been in the first place is a revisor of statutes bill. All this does, LB 87 of the '79 session was clearly amendatory. This section is 45-114 to 45-158 but instead they were placed in part (E) labeled "Collection Procedures." We have contacted the revisor of statutes on this and the revisor says the only thing that is needed is this particular bill for her authority to put in the statutes the way it should be in the first place. I would move for the advancement of 941 to E & R.

SPEAKER MARVEL: The motion is to advance the bill to E & R for engrossment. All those in favor vote aye, opposed no. Have you all voted? Clerk, record the vote.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next item of business, LB 877.

CLERK: Mr. President, LB 877 by Senator Rumery. (Read title.) The bill was first read on January 18 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: Senator Rumery.

SENATOR RUMERY: Mr. President, members of the Legislature, this is a rather simple bill. It simply provides an opportunity for people who have drivers' licenses in Nebraska who are working outside the state or outside of the country, have an opportunity to renew that license without coming back to their home county to do so. The provisions are made that they can...and they can also do this ninety days ahead if they are here and they know they are going to be gone while their license

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LB 877, 577

expires, they will be able to do this. Most of these foreign countries require that you have an up-to-date license from your home state and county before they will issue you a license in their country. I move the bill be advanced.

SPEAKER MARVEL: Okay, Senator Kremer, do you wish to be recognized?

SENATOR KREMER: Yes, thank you, Mr. Chairman, just for the privilege of supporting Senator Rumery and he did not point out but it does retain the present three months extension of the drivers' license within the United States. His bill relates only to those living without the boundaries of this country. So it does leave intact exactly what we have now but it does expand the present provision that if you live outside the country it can be extended for a year at a time. So I do support Senator Rumery on his motion to advance.

SPEAKER MARVEL: The motion is to advance the bill, LB 877. All those in favor of advancing the bill vote aye, opposed vote no. Have you all voted? Clerk, record the vote.

CLERK: 31 ayes, 0 nays, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The Chair recognizes Senator Koch.

CLERK: Mr. President, LB 577 offered by Senator Koch. (Title read.) The bill was read on January 6 of this year. It was referred to the Constitutional Revision and Recreational Committee, was advanced to General File. I do have an amendment to the bill, Mr. President.

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Thank you, Mr. Speaker. Senator Beutler has an amendment and we visited about that and I accept it. It is a clarifying amendment and I think it is appropriate we adopt the amendment before we take any further action.

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I won't take much time. Just let me say that the amendment tends to narrow the scope of the use of the revenue bonds. It is in line with my continual campaign to be very specific about the use of tax exempt financing and I think Senator Koch is in agreement so I don't think there is any point to discussing it in much detail. I am in favor of the bill

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 716, 792, 796,
877, 931

SENATOR KILGARIN: I move we advance LB 877.

PRESIDENT: Motion to advance LB 877 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 877 is advanced to E & R for Engrossment. Now 577 has been stricken from this list so we will go on to LB 792, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 792.

PRESIDENT: Motion to advance LB 792 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 792 is advanced to E & R for Engrossment. LB 716, Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendment to LB 716.

PRESIDENT: Motion to adopt the E & R amendments on LB 716. Is there any discussion? All those in favor of adopting the E & R amendments to LB 716 signify by saying aye. Opposed nay. The E & R amendments are adopted on LB 716. Senator Kilgarin.

SENATOR KILGARIN: I move to advance LB 716.

PRESIDENT: Motion to advance LB 716 to E & R for Engrossment. Any discussion? If not, all those in favor signify by saying aye. Opposed nay. LB 716 is advanced to E & R for Engrossment. The next bill is LB 931, Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendment to LB 931.

PRESIDENT: Motion to adopt the E & R amendment to LB 931. Any discussion? All those in favor signify by saying aye. Opposed nay. The E & R amendments are adopted on LB 931. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 931.

PRESIDENT: Motion to advance LB 931 to E & R for Engrossment. Is there any discussion? All those in favor signify by saying aye. Opposed nay. LB 931 is advanced to E & R for Engrossment. LB 796, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 796.

PRESIDENT: Motion is to advance LB 796 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 796 is advanced to E & R for Engrossment. LB 845, Senator Kilgarin.

March 15, 1982

LR 251
LB 961, 962
LB 839, 868, 877, 931, 941, 951,
LB 378, 435, 577, 601, 609, 634,
LB 651, 697, 716, 774, 784, 792

CLERK: Mr. President, very quickly, Senator Landis would like to print amendments to LB 868.

A new resolution, LR 251, offered by Senator Wesely. (Read.) (See paged 1176, Legislative Journal.) That will be laid over, Mr. President.

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined engrossed LB 378 and find the same correctly engrossed, 609, 634, 435, 577, 601, 651, 697, 774, 716, 784, 792, 839, 877, 931, 941, 951, and 961, and 962 all correctly engrossed. And that is all that I have, Mr. President.

SENATOR CLARK: Senator Stoney.

SENATOR STONEY: Mr. President, I would move that we adjourn until 9:00 a.m., March 16th, 1982.

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

Edited by Arleen McCrory
Arleen McCrory

March 19, 1982

LB 792, 839, 877, 931

the Legislative Journal.) 42 ayes, 0 nays, 6 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading with the emergency clause attached. The Clerk will now read 839.

CLERK: (Read LB 839 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 looks like St. Patrick's Day in reverse, doesn't it, Senator Beyer. Voting aye.

CLERK: Senator Clark voting yes.

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

CLERK: (Read the record vote as found on pages 1297 and 1298 of the Legislative Journal.) 41 ayes, 1 nay, 6 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. I would like to announce that we have 31 Girl Scouts from Senator Cullan, Clark, Rumery, Lamb, Haberman and Barrett's districts from western Nebraska. They are in the north balcony. They have 8 sponsors. Will you stand and be recognized, please. Welcome to the Legislature. The Clerk will now read 877 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 877 on Final Reading.)

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

ASSISTANT CLERK: Senator Clark voting yes.

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

ASSISTANT CLERK: (Read the record vote as found on pages 1298 and 1299 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 5 excused and not voting, 2 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading with the emergency clause attached. The Clerk will now read 931.

LB 520, 577, 591, 604A, 623, 629, 629A,
634, 651, 659, 697, 705, 716, 724, 759,
774, 779, 784, 792, 839, 877, 931, 941,
951, 626, 961, 962

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626 up to the point where it was the other day before this misunderstanding occurred. I thank you very much.

PRESIDENT: Any further discussion? Senator Rumery, do you have any closing on the advance?

SENATOR RUMERY: Just this, Mr. President, there has been reference made to sinister moves by a lobbyist and I would like to say that Mr. Paul O'Hare worked with us and I can truthfully say that we have not considered that he was doing anything underhanded at all, and I would like to have that for the record. I ask you to move the bill.

PRESIDENT: Did I hear a request for a record vote? I figured I would. Okay, Senator, we will go to the board then. All those in favor of advancing LB 626 to E & R for Engrossment vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 9 nays on the motion to readvance the bill, Mr. President.

PRESIDENT: Motion carries. LB 626 is advanced to E & R for Engrossment. You may read some things in.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 591 and recommend that same be placed on Select File; 520 Select File with amendments; 629 Select File with amendment; 629A Select File, and 759 Select File. (Journal page 1305.)

Mr. President, Senator Warner would like to print amendments to LB 604A in the Journal. (Page 1304 of the Journal.)

Mr. President, the bills that were read on Final Reading this morning 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 577, 601, 623, 634, 651, 659, 697, 705, 716, 724, 779, 774, 784, 792, 839, 877, 931, 941, 951, 961, and 962.

PRESIDENT: Before we go into the next matter, the Chair takes the privilege of introducing 41 Seventh Grade students from Sandy Creek District from Fairfield, Nebraska. They are up here in the south balcony, Mr. David Nienkamp, their instructor. Would they kind of just wave to us. It is so crowded up there, let's see where you are up there. Welcome to your Legislature, to the Unicameral. Ready, Mr. Clerk, on LB 870.

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.