

January 19, 1982

LB 881-894

PRESIDENT: All right, we are ready then for agenda item #4, introduction of new bills. Proceed.

CLERK: Mr. President, LB 881 offered by Senators Fenger, Pirsch and Kilgarin. (Read title). LB 882 by Senator Beutler. (Read title). LB 883 by Senator Cullan. (Read title). LB 884 by Senator Cullan. (Read title). LB 885 by Senator Wagner. (Read title). LB 886 by Senator Hefner. (Read title). (See pages 339 and 340 of the Journal).

PRESIDENT: Read some matters in.

CLERK: Mr. President, LB 887 offered by Senator Vickers. (Read title).

PRESIDENT: The Legislature will stand at Ease for a moment. The Chair has been asked to announce that if you members have not received your bill request previously requested, if you have not received it, please call the Revisor's office, Joann, over there at once because you should check on that, if you have not received those bill requests. Thank you. Now proceed, Mr. Clerk.

CLERK: Mr. President, LB 888 by Senator Newell. (Read title). LB 889 by Senator Wesely and Vickers. (Read title). LB 890 signed by Senators Vickers, Koch and Remmers. (Read title). (See pages 340 and 341 of the Journal.)

Mr. President, Senator Carsten would like to be excused at 10:30 today and for all day Wednesday.

LB 891 offered by Senator Haberman. (Read title). LB 892 offered by Senator Haberman. (Read title). Mr. President, LB 893 offered by Senator Schmit. (Read title). LB 894 offered by Senator Schmit. (Read title). (See pages 341 and 342 of the Journal).

February 24, 1982

LB 383, 547, 590, 598, 702,  
736, 863, 892, 895

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Prayer by Reverend Bruce Currier of the Second Baptist Church, Lincoln.

REVEREND CURRIER: Prayer offered.

SPEAKER MARVEL: Roll call. Record your presence, please. Will you please check in so we can proceed with the business at hand? Okay, record.

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

SPEAKER MARVEL: Items in number 3.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 547 and recommend that same be placed on Select File with amendments, 383 Select File with amendments, 590 Select File with amendments, 598 Select File and 702 Select File with amendments, all signed by Senator Kilgarin. (See pages 825-826 of the Legislative Journal.)

Your committee on Education whose Chairman is Senator Koch reports LB 892 advanced to General File, 895 General File with committee amendments attached and LB 736 as indefinitely postponed. All signed by Senator Koch. (See pages 826-827 of the Legislative Journal.)

Your committee on Judiciary offers a report on a gubernatorial confirmation hearing, signed by Senator Nichol. (See pages 827-828 of the Legislative Journal.)

Senator Kremer and the Public Works Committee offers a gubernatorial appointment confirmation report. (See page 828 of the Legislative Journal.)

Your committee on Public Works gives notice of hearing for March 10, Mr. President.

I have a reference report from the Reference Committee referring LB 967 to the Public Works Committee.

I have an Attorney General's Opinion addressed to Senator Cullan regarding 863. (See pages 828-829 of the Legislative Journal.)

Senator Koch would like to be excused Thursday, February 25 and Monday, March 1.

March 5, 1982

LB 786, 892

SPEAKER MARVEL: Okay, the motion is to advance the bill. All those in favor of that motion vote aye, opposed vote no. Senator Beutler. Have you all voted? Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. What is the next bill? The next bill is LB 892.

CLERK: LB 892 offered by Senator Haberman. (Read title.) The bill was read on January 19, referred to the Education Committee. The bill was advanced to General File, Mr. President. I have no amendments on the bill.

SPEAKER MARVEL: The Chair recognizes Senator Haberman.

SENATOR HABERMAN: Mr. President and members of the Legislature, with all the problems that I have been having with a couple of simple little amendments I don't know what is going to happen to a bill like this. But it is a non-controversial bill. It is a clean-up bill. Legislation was passed last year that allowed all the school districts to meet on or before the third Monday of each month. However, there was an old law on the books requiring class redistrict boards to meet on or before the second month. That should have been repealed, but it was overlooked. So the only thing that this bill does is says that Class III schools will meet at the same time as all the rest of the school districts which will be on or before the third Monday of each month. I won't belabor it with the letters of support. There was nobody against it. I have heard no people talk against it. I would ask for the advancement of 892.

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

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. Okay, next item, 786.

CLERK: Mr. President, LB 786 offered by Senator Schmit. (Read title.) The bill was read on January 12th, referred to the Ag and Environment Committee for hearing. The bill was advanced to General File, Mr. President. I have several motions on the bill.

March 8, 1982

LR 244  
LB 458, 520, 568, 605, 892,  
629, 714, 799, 809, 817, 852

allowed to us by law. I move the advancement of 817.

SENATOR CLARK: The question before the House is the advancement of 817 to E & R. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Have you all voted on the advancement of the bill? Have you all voted, one more time. Record the vote.

CLERK: Mr. President, Senator Cullan requesting record vote. (Read the record vote as found on pages 1049 and 1050 of the Legislative Journal.) 26 ayes, 15 nays, Mr. President.

SENATOR CLARK: The bill is advanced. The next bill is 852. The Clerk wants to read some things in.

CLERK: Mr. President, a series of items to read in. New resolution, LR 244 offered by Senator Chambers. (Read LR 244 as found on page 1050 of the Legislative Journal.) That will be laid over, Mr. President. Mr. President, Senator Fenger would like to print amendments to LB 714; Senator Vard Johnson to print amendments to LB 520; Senator Koch to 629; Senator Koch to 892; Senator Koch to 799; Senator Koch to 605; Senator Haberman to 568; Senator Fowler to 458; Senator Stoney to 809. (See pages 1051 through 1055 of the Legislative Journal.)

Mr. President, LB 852 was a bill introduced by the Public Works Committee and signed by its members. (Read title.) The bill was read on January 18th of this year. It was referred to Public Works for hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending. In addition, I have an amendment to the committee amendments that is offered by Senator Kremer that is found on page 717 of the Legislative Journal.

SENATOR CLARK: Senator Kremer on the committee amendments.

SENATOR KREMER: Thank you, Mr. Chairman and members of the Legislature, I think I should first of all very briefly explain the bill and then you will understand the amendments. This is a bill submitted by the Public Works Committee and brought to us by the rural power people that would provide for joint financing simply because financing as in the past is being discouraged. The need for electrical energy in the rural areas continues to increase greatly and

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 825, 892

SENATOR BEUTLER: I don't mind taking it up but if we are going to quit soon, Senator Haberman would like to take up his non-controversial one and I'd be glad to do that.

PRESIDENT: We'll take up Senator Haberman's bill, LB 892 and that will be the last bill, Senator Lamb. All right Senator Haberman's bill 892. Mr. Clerk.

SENATOR HABERMAN: Mr. President, Senator Lamb, thank you for letting me take this up. It is non-controversial, it simply says that Class III schools can have their meetings on or before the third Monday of each month like all the rest of the schools in the state. A mistake was made when they passed this law a few years ago. This is all it does, is let them have their meetings the same time as other schools and I ask for the advancement of this bill.

PRESIDENT: There is an amendment on the bill before we. . that is the Koch amendment which I understand you will take up. Mr. Clerk, will you read the amendment.

CLERK: Mr. President, it is simply to add the emergency clause to the bill.

PRESIDENT: Senator Koch wishes to add the emergency clause to Senator Haberman. . .

SENATOR HABERMAN: I accept the Koch amendment as a friendly amendment and would like to ask you to vote to add the emergency clause as it does exist.

PRESIDENT: All right, Senator Higgins, did you wish to speak to the Koch amendment?

SENATOR HIGGINS: No sir.

PRESIDENT: Okay, anything further? Motion then is the adoption of the Koch amendment to add the emergency clause to 892. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: 29 ayes, 0 nays, Mr. President, on the adoption of the amendment.

PRESIDENT: Motion carries, the Koch amendment is adopted. Senator Haberman.

SENATOR HABERMAN: I move for the advancement of the bill as adopted.

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LR 258

LB 892 , 743, 626, 652,  
522A, 970A

PRESIDENT: Senator Higgins, did you wish to discuss the motion to advance?

SENATOR HIGGINS: Mr. President, I want to ask Senator Haberman a question.

PRESIDENT: Senator Haberman, will you respond?

SENATOR HABERMAN: Yes.

SENATOR HIGGINS: Senator Haberman, who made the mistake?

SENATOR HABERMAN: This is an old, old law that made the mistake. I'd say to get this over with I made it.

SENATOR HIGGINS: All right, do you apologize?

SENATOR HABERMAN: I apologize.

PRESIDENT: Okay, anything further? The motion is the advancement of 892 to E & R Engrossment. All those in favor signify by saying aye, opposed nay. LB 892 is advanced to E & R for Engrossment. Now, anything to read in, Mr. Clerk.

CLERK: Mr. President, Senator Labedz would like to print amendments to LB 743.

New A bill, 522A by Senator Johnson and Cullan. (Read title of bill.)

970 A by Senator Warner. (Read title of bill.)

New Resolution offered by Senators Cullan, Wesely and Rumery. (Read LR 258.)

PRESIDENT: All right, anything further?

CLERK: Mr. President, Senator DeCamp, or V. Johnson would like to print amendments to 626 and Senator DeCamp to 652.

PRESIDENT: Anything further? Senator Lamb, do you wish to adjourn us until Monday?

SENATOR LAMB: Mr. President, I move we adjourn until Monday at 9:30 a.m.

PRESIDENT: Motion to adjourn until Monday, at 9:30 a.m. All those in favor signify by saying aye, opposed nay. We are adjourned until Monday at 9:30 a.m.

Edited by

*L M Benisch*

L. M. Benischek

9266

March 23, 1982

LB 208, 573, 633, 668, 693,  
739, 751, 766, 790, 816,  
869, 875, 892, 952

Would they also be recognized and welcome to your Nebraska Legislature to you. Yes, the Clerk will now, before we commence Final Reading, read some matters in.

CLERK: Mr. President, Senator DeCamp would like to print amendments to LB 816; Senator Carsten to 693. (See pages 1368-1369 of the Legislative Journal.)

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 573 and find the same correctly engrossed; 633, 668, 739, 751, 766, 790, 869, 875, 892 and 952 all correctly engrossed.

PRESIDENT: All right, we're ready then if all the members are at your desks, we're still on Final Reading. Mr. Clerk, will you commence on Final Reading, LB 208.

CLERK: (Read LB 208 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 208 pass. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: (Read record vote as found on page 1370 of the Legislative Journal.) 30 ayes, 17 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 208 passes. The next bill on Final Reading, Mr. Clerk, is LB 383.

ASSISTANT CLERK: (Read LB 383 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 383 pass. All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read record vote as found on page 1371 of the Legislative Journal.) The vote is 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 383 passes. Before we go to the next bill, I notice that we have some rolls being passed out. If you want to know what that is for, why we'll have to all recognize Senator Howard Peterson's birthday. It was March 22, Howard, and we say "happy birthday" to you and join in. Happy birthday, Howard. The next bill on Final Reading while you're celebrating Senator Peterson's birthday is LB 421.

ASSISTANT CLERK: (Read LB 421 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure hav-



March 31, 1982

LB 869, 875, 892, 952

PRESIDENT: The motion fails. Any other motions on LB 869?

CLERK: No, sir. Nothing further on the bill.

PRESIDENT: Proceed then with the Final Reading of LB 869, Mr. Clerk.

CLERK: (Read LB 869 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 869 pass. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on pages 1519-1520 of the Legislative Journal.) 33 ayes, 11 nays, 3 excused and not voting, 2 present and not voting, Mr. President.

PRESIDENT: LB 869 passes. The next bill on Final Reading, Mr. Clerk, is LB 875.

CLERK: (Read LB 875 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 875 pass with the emergency clause attached. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on page 1520 of the Legislative Journal.) 46 ayes, 0 nays, 3 excused and not voting, Mr. President.

PRESIDENT: LB 875 passes with the emergency clause attached. The next bill on Final Reading, Mr. Clerk, is LB 892.

CLERK: (Read LB 892 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 892 pass with the emergency clause attached. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read record vote as found on pages 1520-21 of the Legislative Journal.) 46 ayes, 0 nays, 3 excused and not voting, Mr. President.

PRESIDENT: LB 892 passes with the emergency clause attached. The final bill on Final Reading this morning is LB 952, Mr. Clerk.

CLERK: (Read LB 952 on Final Reading.)

April 1, 1982

LB 761, 790, 817, 852, 869  
875, 892, 751, 766, 807,  
573, 633, 668, 739,

SENATOR CLARK: The motion carried. Yes, Senator Warner.

SENATOR WARNER: Well, I was wondering if it was too late to change a vote.

SENATOR CLARK: Yes, it is now. He has announced the vote.

SENATOR WARNER: I was just going to vote no for purposes of reconsideration.

SENATOR CLARK: You did vote no, I think.

SENATOR WARNER: I mean yes so I could move.

CLERK: Mr. President, while we are waiting your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 807 and find the same correctly engrossed.

Mr. President, the bills read on Final Reading yesterday 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 LBs 573, 633, 668, 739, 751, 766, 790, 817, 852, 869, 875 and 892. Did I hear somebody raise the Call? The motion is to raise the Call. The Call is raised.

SENATOR NICHOL PRESIDING

SENATOR NICHOL: Mr. Clerk.

CLERK: Mr. President, I have a motion. Senator Wesely would move to reconsider the vote just taken on adoption of Senator Koch's amendment.

SENATOR NICHOL: Senator Wesely.

SENATOR WESELY: Thank you, Mr. President. I would like to yield my time to Senator Warner. He didn't get much of a chance to discuss the situation with that amendment. Although I support the concept, I understand there is an alternative perhaps we ought to take a look at, and so I am asking you to reconsider that vote and I will yield the rest of my time to Senator Warner, please.

SENATOR WARNER: Thank you, Senator Wesely. Mr. President and members of the Legislature, if the body wishes to increase

April 1, 1982

LB 875, 892, 893  
LB 127, 573, 633, 668, 739, 751,  
761, 766, 790, 816, 817, 852, 869

and nail him then and we can go on with the proceedings so that we can proceed with the business.. Would that be okay with you?

SENATOR HIGGINS: I don't know whether I want to vote to stay here or not because I don't know if it is going to do any good, because I don't know what might be on special order tomorrow and the next day.

SENATOR NICHOL: Well, I don't know that we are going to resolve that by debating that and I would really strongly suggest that we stick to the procedure that we are in right now. If you don't get a.....

SENATOR HIGGINS: I wish we would have stuck with the procedure we voted on two weeks ago.

SENATOR NICHOL: Let's get in our seats, please, so we can continue with the roll call vote and we will get going here. You have been very patient and I appreciate it but let's try to hang on there a little bit longer. Maybe we can get this bill passed or on its way. Proceed with the roll call, please. Please go to your seats.

CLERK: (Read the roll call vote as found on pages 1592 and 1593 of the Legislative Journal.) 23 ayes, 15 nays, Mr. President, on adoption of the amendment.

SENATOR NICHOL: The amendment is not adopted. Shall we move on to the next one, Pat? Do you want to read something in first?

CLERK: Very quickly, Mr. President. I have an Attorney General's Opinion addressed to Senator DeCamp, one to Senator Sieck and one addressed to Senator Warner. (See pages 1593 through 1597 regarding LBs 816, 127 and 893 in the Legislative Journal.)

Your Enrolling Clerk has presented to the Governor the bills that were read on Final Reading yesterday, Mr. President. (Regarding LBs 633, 790, 573, 668, 739, 751, 766, 817, 852, 869, 875 and 892.)

Mr. President, the next amendment I have is one offered by Senator Burrows.

SENATOR NICHOL: Senator Burrows.

SENATOR BURROWS: Mr. Chairman and members of the Legislature, this amendment simply strikes the language that

April 7, 1982

LB 757, 739, 766, 892,  
956

PRESIDENT: All right, Mr. Clerk, will you read the motion?

CLERK: (Read the Chambers amendment as found on page 1766 of the Legislative Journal.)

PRESIDENT: Proceed with the roll call vote, Mr. Clerk.

CLERK: (Read the roll call vote as found on pages 1766 and 1767 of the Legislative Journal.) 21 ayes, 19 nays, Mr. President.

PRESIDENT: The motion fails. Anything further on the bill?

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

PRESIDENT: Okay, it's right where it is, it's on E & R for Engrossment. Do you have some matters to read in, Mr. Clerk?

CLERK: Yes, sir, I do. Mr. President, Senator Barrett would like to remind the members of the Business and Labor Committee of their meeting at 12:30 on the state labor contracts. That is going to be held in Room 1019. That is Business and Labor in Room 1019 at 12:30.

Mr. President, explanation of vote offered by Senator Hoagland. I have an amendment from Senator Hoagland to LB 956 he would like printed in the Journal. (See page 1768 of the Legislative Journal.)

I have a communication from the Governor. (Read communication regarding LBs 739 and 892 as found in the Journal on page 1767.)

Mr. President, the Governor has delivered Constitutional Amendment, LB 766, without his action.

PRESIDENT: Anything further? Senator Lamb, what do you wish to do? Do you wish to take up anything before noon or do you want to break now and come back? Senator Lamb.

SENATOR LAMB: Mr. President, I move that we recess until 1:30.

PRESIDENT: All right, motion is to recess until 1:30. All those in favor signify by saying aye. Opposed nay. We are in recess until 1:30.

Edited by:

  
Mary Turner

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