

the authority to make those determinations. If Senator Schmit and Senator DeCamp want different mechanisms within their area then let them go to their natural resources districts and make that plea to them. It's the same as I should have the right to do with my NRD but you're taking that right away from me and I think that is wrong. I think that is fundamentally wrong. Why don't we just do away with the NRDs and make all the decisions right here? We'll draw the lines, we'll do the whole works. We'll be the Natural Resources Board for the whole state. That is really what we are doing. Is that what we want to do?

SENATOR CLARK: The question before the House is the adoption of the Vickers amendment to the Kremer amendment on Section two. All those in favor vote aye, opposed vote nay. This also takes a simple majority. A record vote has been requested. Once again, have you all voted? Record the vote.

CLERK: (Read record vote as found on page 353 of the Legislative Journal.) 12 ayes, 21 nays, Mr. President, on adoption of the amendment.

SENATOR CLARK: The motion lost. Senator DeCamp, would you like to adjourn us until nine o'clock tomorrow morning after the Clerk reads in the rest of the bills.

SENATOR DeCAMP: Marvel was saying something about coming back at four-thirty or something. Is that out?

SENATOR CLARK: No, I don't think we need to.

SENATOR DeCAMP: Okay, we're going until nine o'clock tomorrow then.

SENATOR CLARK: No, let's wait until he reads the bills in.

SENATOR DeCAMP: Oh, okay.

SENATOR CLARK: He still has some bills to read in.

CLERK: Mr. President, new bills. (Read by title for the first time, LBs 915-955 as found on pages 354-366 of the Legislative Journal.)

Mr. President, Senator Marsh would like to print amendments to LB 69 in the Legislative Journal. (See page 369 of the Legislative Journal.)

Banking gives notice of cancellation and rescheduling of a hearing. (See page 369.)

February 3, 1982

LB 628, 259, 931

really do need to be discriminated and there really is justification for paying five dollars an hour for Senator Newell's kid to do something and two fifty an hour for my kid Jenny to do the identical thing. You are really affirming that. I would urge you to support the advancement of the bill. We send out of this State Legislature at the present time, this is going to be short, Senator Marvel, ninety-five million right now directly, plus a whole bundle of other money but ninety-five million of state aid. Do you want that to be used discriminatorily? So we do have an involvement and we are giving control at the local level, we are saying, "Hey look, you do whatever you want on programs and everything. Just make sure you treat everybody the same. When you come to athletics make sure you give everybody a comparable opportunity. Jenny DeCamp is as good as Billy Newell."

SPEAKER MARVEL: The motion is to advance the bill. All those in favor of advancing the bill vote aye, that is LB 628, opposed vote no. Have you all voted? Record the vote.

CLERK: 28 ayes, 6 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The Clerk will read some items into the record.

CLERK: Mr. President, your committee on Education whose chairman is Senator Koch instructs me to report LB 259 advance to General File with committee amendments attached. Your committee on Appropriations whose chairman is Senator Warner instructs me to report LB 931 advance to General File. That is signed by Senator Warner as Chair. Your committee on Appropriations gives notice of hearing, Mr. President, for next Wednesday, February 10. I have a report from Public Health and Welfare on gubernatorial confirmation confirmation hearing. Mr. President, Senator Newell would ask unanimous consent to add his name to LB 628 as cosponsor. (See pages 536-537 of the Journal.)

SPEAKER MARVEL: No objections, so ordered.

CLERK: Mr. President, new resolution, LR 214. (Read for the first time as found on page 538 of the Legislative Journal.) That will be laid over pursuant to our rules, Mr. President.

SPEAKER MARVEL: Senator Newell, do you want to take up 630 before we go to 728?

March 5, 1982

LB 605, 931

them to do the job without having a journeyman's license to do the job with would be severe and they have got penalties in for that but it is just this contractor's level up here and this is all this does, prohibits the contractors of loaning their license.

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

SENATOR KOCH: I have no closing. I just move that we advance LB 605 to E & R Initial as presented.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. Record the vote.

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

SPEAKER MARVEL: Motion is carried. The bill is advanced. The next item, 931.

CLERK: Mr. President, LB 931 offered by the Performance Review and Audit Committee and signed by its members. (Read title.) The bill was read on January 19th of this year, referred to the Appropriations Committee for hearing. The bill was advanced to General File, Mr. President. I have no amendments on the bill.

SPEAKER MARVEL: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, I move LB 931 be advanced to E & R Initial. What the bill does is broadens the ability of the state to collect on delinquent accounts from governmental subdivisions where...by withholding of state aid funds with the procedures spelled out in a time frame that has to elapse in order to do it. It is a procedure we already have in one case in the Department of Institutions where this would broaden and keep those bills current. The process is one where if it is an account in excess of \$1,000 over 60 days old the director of the agency that is involved would notify the Department of Administrative Services of that fact which the Department of Administrative Services Director would then notify the governmental subdivision involved that they had 30 days to do that, to pay the bill, or else the law would be used to withhold from their next state aid payment, whatever, from the general fund portion, whatever amount that was necessary to pay the bill and at the end of the 30 days if it was not collected, then the treasurer would be notified who again would check to make sure whether or not the local entity had paid it, and if they had not, would proceed to withhold an amount equal to the amount of the bill from the state aid payment, and it probably

March 5, 1982

LB 931, 796

would seldom be used but as we were looking through a variety of the statutes trying to find ways to enhance the revenue to the general fund, it appeared that this was a process that would be appropriate and might be needed on occasion. I move the bill be advanced.

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: A quick question of Senator Warner if I may. If the political subdivision involved is the recipient of more than from one political...from more than one aid fund, how does the director determine which fund is to be debited or credited whichever is done. Is there some procedure for that that is standard procedure already or am I in need of clarification in that regard.

SENATOR WARNER: Well, it doesn't specify as to which one except that it has to come from the general...it has to be a state aid program that is paid out of the general fund so it would be which ever one that came up subsequent to the time frame. There is not a specific one identified.

SENATOR BEUTLER: It would be your intent that it would be which ever fund is next up for payment?

SENATOR WARNER: Yes.

SENATOR BEUTLER: Thank you.

SPEAKER MARVEL: The motion is to advance LB 931. All those in favor vote aye, opposed vote no.

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 bill is LB 796.

CLERK: Mr. President, LB 796 offered by Senator Koch. (Read title.) The bill was read on January 12, referred to Education for hearing. The bill was advanced to General File. Mr. President, I have no amendments to the bill.

SPEAKER MARVEL: The Chair recognizes Senator Koch.

SENATOR KOCH: Thank you, Mr. Speaker and members of the body, LB 796 was introduced on behalf of our postsecondary education institutions and it very simply deals with some provisions of residency and it is very narrowly classified to mean only resident aliens. Presently our law says they must live here

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

March 11, 1982

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.

March 19, 1982

LB 931, 941

ASSISTANT CLERK: (Read LB 931 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.

ASSISTANT CLERK: Senator Clark voting yes.

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

ASSISTANT CLERK: (Read the record vote as found on page 1299 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. Now take 941 with the emergency clause.

ASSISTANT CLERK: (Read LB 941 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: I would like to announce that there are 40 ladies, members of the WIFE organization of Nebraska. They are in the north balcony. Louella Stevens is their President. Will you stand and be recognized, please. We also have from Senator Wagner's District 16 students, sophomores and juniors, from Wolbach High School. The teacher is Mark Claussen. Would you stand and be recognized, please. Welcome to the Legislature all of you. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1300 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

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

March 19, 1982

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.