

PRESIDENT: Speaker Marvel, shall we recess for just a short while and then I think we only have about one more bill that has come in? About ten minutes? We will stand in recess until about...no, we had better not recess, just at ease. Yes, because we don't want to recess for that short period of time. We will be at ease then for about ten minutes. The Chair recognizes Speaker Marvel.

SPEAKER MARVEL: I would like to make my daily speech and that is that we are stalled now once again. We have got bills that are about ready to come out of the bill drafter's office. We can not do a thing with them until you sign them and put them on the Clerk's desk. So those of you who have legislation that is ready to be processed, will you please give them to the Clerk and if necessary, contact the bill drafter and urge them to get the bills out too. We have got to get the bills out so that they can be referred so that they can then proceed on their normal path and we are helpless unless you can get your bills out and get them signed.

PRESIDENT: All right, we will now stand at ease for ten minutes which will be about twenty minutes till eleven.

EASE

PRESIDENT: The Legislature will come back to order. The Clerk will continue reading new bills. Would those of you who desire to have any bills introduced this morning had best get them in because we are going to adjourn rather soon. So I would urge you to get them to the Clerk's desk at once, otherwise we are going to adjourn.

CLERK: Read LB 92-98 by title for the first time as found on pages 117-118 of the Legislative Journal.

PRESIDENT: One more, if there are any more to bring up to the Clerk's desk, bring them up right now. I have been advised if you would like to have your bill be number 100, get up here quickly. We are offering all kinds of inducements to bring them up at this time. We can't offer any discounts though.

CLERK: Read LB 99 and 100 by title for the first time as found on page 118 of the Legislative Journal.

PRESIDENT: Are there any other bills? We have got a couple more here and then I will call on Speaker Marvel to have a few words.

CLERK: Read LB 101 by title for the first time as found on page 118 of the Legislative Journal.

February 5, 1981

LB 33, 96, 120, 122

Your committee on Judiciary gives notice of public hearing for March 17.

Your committee on Government, Military and Veterans Affairs gives notice of March 5, 6, 12 and 13, signed by respective Chairs.

Mr. President, your committee on Urban Affairs whose chairman is Senator Landis to whom is referred LB 33 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 122 indefinitely postponed, (Signed) Senator Landis.

Your committee whose chairman is Senator Nichol instructs me to report that LB 96 is advanced to General File and LB 120 advanced to General File, (Signed) Senator Nichol. (See page 449 of the Legislative Journal.)

SPEAKER MARVEL: Senator Schmit, do you want to adjourn us until tomorrow morning at nine o'clock?

SENATOR SCHMIT: Mr. Chairman, I move we adjourn until nine o'clock tomorrow morning.

SPEAKER MARVEL: The motion is adjournment until 9:00 a.m. on Friday, February 6, 1981. All those in favor say aye, opposed no. Motion carried, we are adjourned.

Edited by Arleen McCrory.
Arleen McCrory

February 10, 1981

LB 33, 96

advanced to E & R Initial.

PRESIDENT: No further discussion, so the question is the advance of LB 33 to E & R Initial. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 27 ayes, 1 nay, Mr. President.

PRESIDENT: Motion carries and LB 33 is advanced to E & R Initial. We will go on then to LB 96, Mr. Clerk.

CLERK: LB 96 is offered by Senator Bill Barrett. (Read title.) The bill was read on January 12th and referred to the Judiciary Committee. It was advanced to General File. I have no amendments pending, Mr. President.

PRESIDENT: The Chair recognizes Senator Barrett.

SENATOR BARRETT: Mr. Speaker and members, I move that LB 96 be moved to E & R Initial. LB 96 is a curative bill. It is designed to cure certain defects in real estate titles where persons attempt to take title as for example, John Smith or Mary Smith, using the disjunctive "or" as opposed to the conjunctive "and". Common law dictates that real estate conveyances should use the word "and" between the names of the two grantors, and because of the times in which we live I presume, people are so accustomed to taking title to personal property using the word "or" and this sometimes extends over to real estate conveyances which is improper, it renders the title ineffective, renders the instrument ineffective and can create some problems down the line. The bill itself as you will read in your bill book is very short, very much to the point, only five lines. It simply creates the presumption that deeds using the word "or" between the names of the grantees are presumed to have the same effect as deeds which use the word "and" between the names of the grantees. Therefore, the obvious intent of the people to the conveyances will not be disregarded simply because of a technicality in the law. That is it in a nutshell and I would urge your support for LB 96, and if the passing of the cake around to the body, the cake being supplied by Senator Pirsch, is not intimidation enough, I don't know what is. I urge the support.

PRESIDENT: Any further discussion on LB 96? Hearing none, Senator Barrett, I guess that is your opening and your closing because there is no one else who wants to discuss it. So the question is the advance of LB 96 to E & R Initial. All those in favor vote aye, opposed nay. Record the vote.

February 10, 1981

LB 96, 31

CLERK: 39 ayes, 0 nays on the motion to advance the bill, Mr. President.

PRESIDENT: Motion carries. LB 96 is advanced to E & R Initial. We are ready for LB 120, Mr. Clerk.

CLERK: Mr. President, LB 120 was offered by Senator Bill Burrows.

PRESIDENT: We will pass over LB 120 and go to LB 31, Mr. Clerk.

February 12, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Monsignor Charles J. Keenan of the Blessed Sacrament Parish, Lincoln, Nebraska.

MONSIGNOR KEENAN: Prayer offered.

SPEAKER MARVEL: Roll call. Will you please record your presence. Have you all recorded your presence? Record the vote.

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

SPEAKER MARVEL: Do you have some items to read into the record?

CLERK: Yes, sir, I do. Mr. President, your committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 336 and recommend that same be placed on Select File with amendments; 336A Select File; 33 Select File; 96 Select File; 31 Select File, 214 Select File, 120 Select File and 85 Select File with amendments, (Signed) Senator Kilgarin, Chair. (See pages 512-513 of the Legislative Journal.)

Mr. President, your committee on Banking, Commerce and Insurance whose chairman is Senator DeCamp to whom is referred LB 195 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 272 General File with amendments; 273 General File with amendments and 355 General File with amendments, (Signed) Senator DeCamp, Chair. (See pages 512-514 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 14 and find the same correctly engrossed; 18, 41, 51, 64, 65 and 121 all correctly engrossed.

And finally, Mr. President, I have a lobby registration report covering the week of February 6 through February 11, 1981. (See page 515 of the Journal.)

SPEAKER MARVEL: Okay, we will go to item #4, introduction of new bills.

CLERK: Mr. President, Senator Nichol moves to suspend Rule 5, Section 5 so as to permit the introduction of Request 889 by himself.

SPEAKER MARVEL: Senator Nichol.

February 17, 1981

LB 31, 33, 96, 214

PRESIDENT: Motion to advance LB 33 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. Now that is better. LB 33 is advanced to E & R for Engrossment. LB 96.

CLERK: Nothing, Senator.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 96 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 96 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 96 is advanced to E & R for Engrossment. LB 31.

CLERK: Nothing, Senator.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 31 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 31 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 31 is advanced to E & R for Engrossment. LB 214.

SENATOR KILGARIN: There are amendments?

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendment to LB 214.

PRESIDENT: Motion to adopt the E & R amendment on LB 214. Any discussion? All those in favor signify by saying aye. Opposed nay. The E & R amendments are adopted on LB 214.

CLERK: Mr. President, Senator Johnson now moves to indefinitely postpone LB 214. Pursuant to our rules, that will lay the bill over.

PRESIDENT: Okay, that will be held over. That was just put on the desk?

CLERK: Yes, sir.

PRESIDENT: So that is held. LB 120.

February 18, 1981

LR 15
LB 31, 33, 85, 96, 120, 336,
336A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Rex Bevins, St. Paul Methodist Church.

REVEREND REX BEVINS: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Kremer would like to be excused until he arrives; Senator Sieck until he arrives. Mr. President, Senator Labedz and Senator Burrows until they arrive.

PRESIDENT: Senator Lowell Johnson, do you want to press your button showing you are here, please. Senator DeCamp, will you push your button so we can start out. Thank you. 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: All right, the Journal stands correct as published. Are there any other messages, reports or announcements?

CLERK: Mr. President, first of all Senator Maresh would like to have a meeting of the Business and Labor Committee now underneath the north balcony for just a few minutes. Senator Maresh would like to have a Business and Labor meeting underneath the north balcony now for just a few minutes.

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 31 and find the same correctly engrossed; 33, 85, 96, 120, 336, 336A, all correctly engrossed.

Mr. President, LR 15 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and do sign LR 15.

CLERK: Mr. President, I have a report from the Accounting and Budgeting Office regarding session employees.

Mr. President, I have an Attorney General's Opinion

February 23, 1981

LB 31, 33, 85, 96

Will all legislators please return to your seats and we are ready to proceed with LB 31 on Final Reading but we have to have everybody in their seats first. All legislators must be in their seats before we can proceed with Final Reading. Would you please find your seats? The Clerk will read LB 31 on Final Reading.

CLERK: (Read LB 31 on Final Reading.)

SPEAKER MARVEL: All procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Record the vote.

CLERK: (Read record vote. See pages 621 and 622, Legislative Journal.) 46 ayes, 2 nays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. We will now proceed on Final Reading to LB 33.

CLERK: (Read LB 33 on Final Reading.)

SPEAKER MARVEL: All procedures relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 622, Legislative Journal.) 47 ayes, 0 nays, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 85.

CLERK: (Read LB 85 on Final Reading.)

SPEAKER MARVEL: All procedures relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? The Clerk will record.

CLERK: (Record vote read. See page 623, Legislative Journal.) 29 ayes, 19 nays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 96.

CLERK: (Read LB 96 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill

February 23, 1981

LB 96, 120, 179, 190

pass? Those in favor vote aye, those opposed vote no.
Record the vote.

CLERK: (Record vote read. See page 624, Legislative Journal.)
48 ayes, 0 nays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading.
The Clerk will now read LB 120E.

CLERK: (Read LB 120 on Final Reading.)

SPEAKER MARVEL: All provisions relative to procedure having
been complied with, the question is, shall the bill pass with
the emergency clause attached? Those in favor vote aye,
opposed vote no. Have you all voted? Record.

CLERK: (Record vote read. See pages 624 and 625, Legislative
Journal.) 48 ayes, 0 nays, 1 present and not voting, Mr. Pre-
sident.

SPEAKER MARVEL: The bill is declared passed with the emer-
gency clause attached on Final Reading.

CLERK: Mr. President, two matters to read in if I may.
Senator Koch would like to print amendments to LB 190 in
the Legislative Journal.

Mr. President, your committee on Revenue whose Chairman is
Senator Carsten to whom was referred LB 179 instructs me to
report the same back to the Legislature with the recommenda-
tion it be advanced to General File with committee amendments
attached.

February 23, 1981

LB 31, 33, 85, 96,
120, 178

Mr. President, your committee on Ag will have an Executive Session at 8:50 a.m., tomorrow morning underneath the North balcony. Your committee on Ag tomorrow morning at 8:50 a.m.

Mr. President, some bills are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 31, LB 33, LB 85, LB 96, LB 120. It is my privilege to present underneath the North balcony four guests of Senator Cope, Mr. and Mrs. Melvin Thiemann of Pawnee City; Mrs. Rollie Ayres, Wilma Klein and Mrs. Art Schrepel. Will you please stand so that you and we may wish Senator Cope "Happy Birthday". There is a notation here that underneath the South balcony there will be Cope cakes on the table. I am only reading what is written here. Senator Cope, "Happy Birthday" to you. Underneath the North balcony, it is my privilege to present the former Senator Arnold Ruhnke and Mrs. Ruhnke. Where are you folks? We now proceed to item #6, Select File, LB 178. Mr. Clerk.

CLERK: Mr. President, LB 178 was considered by the body on February 17. At that time the E & R amendments were adopted. There was an amendment by Senator Beutler that was adopted. Pursuant or subsequent to that, Senator Beutler made a motion to indefinitely postpone the bill. I understand, Mr. President, he wishes to temporarily withdraw that motion and offer instead amendments that I believe have been distributed or are being distributed right now, the amendments by Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, again LB 178 is the bill that was submitted by the Department of Revenue having to do with collection procedures. It was amended once on General File or Select File, and subsequent to that time the staff of the Revenue Committee got together with the Department of Revenue and also with representatives from commerce and industry and the banking association to take care of an additional series of technical problems and there were a couple of substantive changes but all the changes, as I understand it, had to do with making the provisions applicable to all different types of taxes, that is, making them uniform, making the notice provisions uniform, for example, and also to require the state prior to selling property at a sale to give notice to other lien holders that the property is about to get sold so that other lien holders would have knowledge of the sale and have an opportunity to protect their rights. There is some cleanup language and some inconsistencies cleared up and I think that is about the sum and substance of what is in the committee's. Basically these are Department of Revenue suggestions. Thank you.

February 24, 1981

LB 14, 24, 31, 33, 41,
45, 46, 64, 81, 82,
85, 96, 120, 121,
130, 14, 158, 213

SPEAKER MARVEL PRESIDING

REV. JOSEPH A. MROCZKOWSKI: Prayer offered.

SPEAKER MARVEL: Will you please record your presence?
Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Underneath the North balcony, it is my privilege to present visitors to Nebraska sponsored by Partners of the Americas and the sponsors are Mrs. Ben Schulze and Gilbert Erickson and the visitors are coordinated with Dr. Fortes and his wife Maranna and the technical title is the Coordinator of Congressional Affairs for the Ministry of Education and Cultural Affairs from Brazil. Would you folks please stand so we can welcome you to the Unicameral. Okay, there is some items on the Clerk's desk and we will start with those.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk regarding signing of LBs 14, 18, 41, 45, 46, 64, 81, 82, 121, 130 and 140. (See page 639 of the Legislative Journal.)

Your Enrolling Clerk respectfully reports that she has on February 23 at 2:37 p.m. presented to the Governor the following bills: 31, 33, 85, 96 and 120.

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 24 and find the same correctly engrossed.

Your committee on Appropriations whose chairman is Senator Warner to whom is referred LB 158 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendment, (Signed) Senator Warner, Chair.

Mr. President, I have a report from the State Employment and Training Council. It will be on file in my office.

Mr. President, Senator Cullan asks unanimous consent to add his name to LB 213 as coinstructor.

SPEAKER MARVEL: Do you have any other items?

CLERK: No, sir.

SPEAKER MARVEL: Okay, item #4, resolutions.

March 2, 1981

LB 31, 33, 85, 96,
120, 434, 547.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: (Microphone not on.)

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call. Senator Cope, will you push your button. Thank you. Now we're....record the presence, Mr. Clerk.

CLERK: 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 stands correct as published. Any other messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 434 and recommend that same be placed on Select File. (Signed) Senator Kilgarin, Chair.

Mr. President, communication from the Governor addressed to the Clerk. Engrossed LB 31, 33, 85, 96 and 120 were signed by me on February 27 and delivered to the Secretary of State. Sincerely, Charles Thone, Governor.

Mr. President, I have an Attorney General's Opinion addressed to Senator Vard Johnson. (See pages 701 and 702 of the Legislative Journal.)

PRESIDENT: We are waiting for someone from the Agriculture Committee, Senator Schmit or someone to take care of Agenda Item #3, Motions, motion to introduce a new bill. The Legislature will be at Ease until Senator Schmit gets here to handle the first item on the agenda.

EASE

PRESIDENT: The Chair recognizes Senator Schmit for purpose of introduction of a new bill.

SENATOR SCHMIT: Mr. President and members of the Legislature, I ask the body to consider the introduction of this bill by the Committee on Agriculture and Environment. The bill was introduced last session. It was heard. It was, I believe, four bills down on the worksheet for about