

March 10, 1982

LB 568, 970

We need three more legislators to check in before we can proceed. Okay, record.

CLERK: Mr. President, we have a quorum. Mr. President, I have a new bill, 970 offered by the Speaker at the request of the Governor. (Read title.)

SPEAKER MARVEL: Okay we now are on LB 568.

CLERK: Mr. President, when we left 568 this morning Senator Haberman had pending his amendment to the Judiciary Committee amendments. They are Request 2774. You will find them in your bill books.

SPEAKER MARVEL: We are going to go right down the list on the ones who indicated an interest in 568. Senator Hoagland. Senator Vard Johnson.

SENATOR V. JOHNSON: Mr. Speaker and members of the body, I have a question of Senator Haberman. Senator Haberman, we were dealing with your amendment before lunch and maybe if I read the amendments I would be better off than to be working from the sheet. One thing I would like to know, Senator Haberman, is we talk about building up the penalties as men and women commit second, third, fourth and subsequent offenses. What is the time period involved for the commission of those offenses? For example, if fifteen years ago I was convicted of driving while intoxicated, would that be deemed my first offense so that if I was....ten years. Okay. Now is that ten years.... (interruption).

SENATOR HABERMAN: After ten years the slate is wiped clean.

SENATOR V. JOHNSON: What's that?

SENATOR HABERMAN: After ten years the slate is wiped clean.

SENATOR V. JOHNSON: Okay, after ten years, so that means that....now, is this measure retroactive in the sense that we look at offenses committed over the previous ten years or we start with your amendments from today counting the ten years?

SENATOR HABERMAN: No, it will start when the bill goes into effect.

SENATOR V. JOHNSON: Okay, so if I had a previous criminal record, if I had committed...if I had driven while intoxicated...been convicted of DWI last year and then a year

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LB 686, 720, 959, 970

former State Legislators. The President of the Association is John Savage, and, John, will you stand? John Savage. Now what we have done in the past is to introduce the former legislators along with the present legislators by districts. And so those of you who are former legislators.....The Clerk has several items to read in. We will proceed with that.

CLERK: Mr. President, Senator Vickers would like to print amendments to LB 959 in the Journal.

Mr. President, I have a Reference Report referring LB 970 to the Appropriations Committee. I have notice of hearing by the Appropriations Committee. That is offered by Senator Warner. Senator Hoagland would like to print amendments to LB 720 in the Journal. Mr. President, Senator Newell would like to print amendments to LB 686 in the Journal. (See pages 1108 and 1109 of the Journal.)

SPEAKER MARVEL: The Chair recognizes Senator Robert Clark.

SENATOR CLARK: Mr. Speaker, I move we adjourn until tomorrow morning at nine o'clock. I would like to have a machine vote.

SPEAKER MARVEL: All those in favor of adjourning...(gavel)
All those in favor of adjourning vote aye, opposed vote no.

SENATOR CLARK: Mr. Speaker, it looks like we are going to have to have a Call of the House just to adjourn.

SPEAKER MARVEL: Go ahead.

SENATOR CLARK: All right, record the vote.

SPEAKER MARVEL: Record.

CLERK: 18 ayes, 4 nays, to adjourn, Mr. President.

SPEAKER MARVEL: We are adjourned until nine o'clock tomorrow morning.

Edited by L. M. Benischek
L. M. Benischek

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LB 458, 756, 761, 807, 933, 942
LB 816A, 966, 970, 971,

A bill to hold this thing up. Thank you.

SENATOR CLARK: Senator Beutler. The question has been called for. Do I see five hands? All those that wish to cease debate vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: 27 ayes, 2 nays to cease debate, Mr. President.

SENATOR CLARK: Debate is ceased. Senator Carsten.

SENATOR CARSTEN: My only comment is to renew my motion to advance 816A and to Senator Kahle, as a member of the Revenue Committee, if you've got any suggestions or help to make it better or to make the whole thing better, you know that you are perfectly welcome and we welcome you with open arms to give those suggestions to us. You've been aware of that all session and I renew again to you, that pledge to work with you if you've got the answers. Thank you.

SENATOR CLARK: The question before the House is the advancement of 816A. All those in favor vote aye, opposed vote nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 15 nays on advancement of the A bill, Mr. President.

SENATOR CLARK: The bill is advanced. Senator Nichol. Oh, do you have anything to read in? Go ahead.

CLERK: Very quickly, Mr. President, Miscellaneous Subjects still would like to meet underneath the North balcony.

An announcement from Senator Lamb of moving LB 458 from pass-over to General File.

Your committee on Appropriations whose chairman is Senator Warner reports LB 756 advance to General File with committee amendments attached; 942 General File with committee amendment attached; 933 General File with committee amendments attached; 761 General File with committee amendments attached; 966 General File with committee amendments attached; 971 indefinitely postponed; 970 advance to General File. (See pages 1271-1274 of the Legislative Journal.)

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 807 and find the same correctly engrossed.

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LR 266
LB 970

Mr. President, a new resolution, LR 266. (Read. See pages 1387 and 1388, Legislative Journal.) That will be laid over, Mr. President.

SENATOR KAHLE: Okay, the next bill is 970.

CLERK: Mr. President, LB 970 (read title). The bill was read on March 10th, Mr. President. It was referred to the Appropriations Committee. The bill was advanced to General File. I have no amendments. Senator Warner did had an amendment on page 1178 and I understand you wish to withdraw that, Senator?

SENATOR KAHLE: Senator Warner, do you wish to withdraw that amendment? Okay, it is withdrawn.

CLERK: I have nothing further on the bill, Mr. President.

SENATOR KAHLE: Senator Warner, do you want to explain the bill?

SENATOR WARNER: Okay, Mr. President, members of the Legislature, LB 970 is the bill necessary to recognize the increase in health insurance of that portion that the state pays. The increase in the fees for the health insurance is roughly a 26 or 26.3% increase. As you know there is no change in the legislation as far as the type of coverage that the state pays for. It is the minimum coverage. If the employee wants coverage in addition to that, that is paid totally out of their own funds. The bill does carry an A bill which should also be advanced with \$1,258,000 of General Fund money. Total cost is \$1,800,000 with cash and federal and revolving funds taken into account. I should point out that some of you may recall the Governor came in and felt that this could be absorbed by the various agencies, but because the cost for the insurance needs to be allocated back to each agency proportionate to their number of employees and their cost, we made revisions in the general budget, 761, to make an allowance for that \$1.2 million so it is not additional money. It is in essence the same concept proposed by the Governor but the A bill will ensure that the funds are appropriately assigned to each of the agencies to reflect that agency's cost. So I move that the bill be advanced. It is legislation we need to implement almost every...well, every year that bids are taken on health insurance and when new ones come in, this reflects that increased bid.

SENATOR KAHLE: There are no other lights on. Is that your closing also, Senator Warner?

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LB 970, 970A

SENATOR WARNER: Yes. Someone indicated the credit report showed a lot of people in opposition and that happened to be to the amendment that we had printed in the Journal dealing primarily with the way of keeping local property taxes down by sharing the equity of the state employees salary with all public employees and that is no longer a part of the bill.

SENATOR KAHLE: Okay, I assume that is your closing, Senator Warner. So we are voting on LB 970. Those in favor vote aye, those opposed vote no. Record the vote.

CLERK: 31 ayes, 1 nay, Mr. President, on the motion to advance LB 970.

SENATOR KAHLE: The bill is advanced. Inadvertently 970A was left off of the agenda. Senator Lamb has asked that we go ahead and deal with LB 970A, if there are no objections? And, Senator Warner, seeing no objections, we will proceed with 970A. Do you have any comment?

SENATOR WARNER: Mr. President, I move the A bill be advanced. As I indicated earlier we did go back and adjust the general budget bill appropriations in order to free up this amount of money, that the A bill should be utilized so that the appropriate amount per agency is distributed which the A bill does. So I would move its advancement.

SENATOR KAHLE: Senator Wesely, do you wish to speak on this issue?

SENATOR WESELY: Yes. I apologize but, Mr. President, members of the Legislature, I didn't have a chance to follow the discussion of Senator Warner. I think this is a very important issue and I would like to ask Senator Warner again to please explain what steps we are taking at this time with LB 970 as opposed to what the Governor proposed, and as I understand it, we are picking up some of the costs that the Governor would have had the state employees pay for, is that correct?

SENATOR WARNER: No. There was some misunderstanding originally that the Governor had proposed for the state employees to pick up all of the increased cost in health insurance which is not what he proposed. The state will pick up the cost, the increased cost for health insurance just as we currently are for the minimum...the low option which is what the state currently fully pays. Now if the employee wants broader coverage than the low option, why they would pay that as they always have. I think what

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LB 522A, 605, 714, 753,
754, 760, 761, 942,
966, 967, 970, 970A

SENATOR CLARK PRESIDING

SENATOR CLARK: The Legislature will come to order. The prayer this morning by Father Edmund Placek of the Sacred Heart Catholic Church, Burwell.

FATHER PLACEK: (Prayer offered.)

SENATOR CLARK: The state officers of the Knights of Columbus are here for the occasion of the centennial of the Knights of Columbus. I think they are going to see the Governor and have him declare it that. We also have three visitors from Australia. They are under the South balcony. David McConnell, Helen McConnell, and Marilyn Handley. Would you stand and be recognized please. Senator Lamb has 7 students from Newport, Nebraska grade school, Pam Peterson, the teacher, and they are in the North balcony. Would you stand and be recognized please? Welcome to the Legislature, all of you. Roll call. Could we all check in, please. We have the Benson Republican Women's Club in the North balcony. Would you stand and be recognized please? Welcome to you to the Legislature. The Clerk will record.

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

SENATOR CLARK: Are there any corrections to the Journal?

CLERK: I have no corrections, Mr. President.

SENATOR CLARK: Do you have any messages, reports, or announcements?

CLERK: Yes, sir, I do, a series of things. Mr. President, your committee on Enrollment and Review respectfully reports they have examined and reviewed LB 754 and recommend that same be placed on Select File; 522A Select File; LB 942 Select File with amendments; LB 966 Select File with amendments; LB 970 Select File; LB 970A Select File with amendments; LB 761 Select File with amendments; LB 967 Select File; LB 760 Select File; LB 753 Select File. Those are all signed by Senator Kilgarin as Chair, Mr. President.

Mr. President, your committee on Public Health and Welfare offers a report on gubernatorial confirmation hearing.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 605 and find the same correctly engrossed; and LB 714 correctly engrossed.

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LB 602A, 522A, 953, 970

Senator Cullan, the Clerk tells me we do have a mechanical problem here because we have recorded the votes. Either take call ins or have a roll call vote.

SENATOR CULLAN: Okay, go ahead and take call ins.

PRESIDENT: All right, take callins, Mr. Clerk.

CLERK: (Began reading call in votes.) He says call the roll.

PRESIDENT: All right, it is getting to be rather confusing to do the total number so, Senator Cullan, we will have a roll call vote then. Let's proceed with it. Would everyone please....let's wait until everybody returns to their desk. We will wait until everybody is at their desks because the House is under Call. While we are waiting for everyone to get back to your desks the Chair would like to introduce guests of Senator Rumery, Diane Miller from North Platte, son, Myron, of North Platte and granddaughter, Kristen. Where are these folks from North Platte? Right over here. Welcome to Myron, Kristen and Diane Miller. Okay, Mr. Clerk, let's proceed. The motion is the advance of LB 602A to E & R initial. Proceed with the roll call vote.

CLERK: (Read roll call vote as found on page 1523 of the Legislative Journal.) 26 ayes, 12 nays, Mr. President, on the motion to advance the bill.

PRESIDENT: The motion carries and LB 602A is advanced to E & R initial. We are ready then for the next bill on General File, Special Order, LB 953.

CLERK: Mr. President, right before that if I may, I have three Attorney General's opinions addressed...

PRESIDENT: Yes, you may read into the record.

CLERK: ...the first to Senator Wesely regarding LB 970; the second to Senator Warner regarding LB 970 and the third to Senator Vard Johnson regarding LB 522A. (See pages 1523-1529 of the Legislative Journal.)

PRESIDENT: All right, Senator Beyer, yes, the Call is raised.

CLERK: Mr. President, LB 953 was a bill introduced by the Ag and Environment Committee and signed by its members. (Title read.) The bill was read on January 19, referred to the Ag and Environment Committee for hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending by the Ag and Environment Committee.

that to a dollar but private ingenuity being what it is, apparently there is some company in the country which goes around and buys these tapes from the state and then turns around and sells the same information back to insurance companies that would cost less than what the state charges because it is in part a revenue measure. So what the amendment does, where these requests are made, the statutory authorization for the request require that a person requesting driver information shall furnish to the Department the name and date of birth of the person whose record is being requested, which is in fact, the way the insurance companies would acquire such a driver's record but by putting it in that motion that would prevent one of these companies coming in from out of state and buying a whole tape and then under-selling the state. So I would move adoption of both amendments.

SENATOR NICHOL: We are now voting on the second Warner amendment, both parts. All those in favor vote aye, opposed nay.

CLERK: Senator Nichol voting yes.

SENATOR NICHOL: Please vote. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the Appropriations Committee amendment.

SENATOR NICHOL: The second Warner amendment is adopted. Do you have anything else on the bill?

CLERK: I have nothing further on the bill, Mr. President.

SENATOR NICHOL: Senator Warner, did you wish to close on the bill? No closing, alright. All those in favor of advancing the bill please say aye, opposed nay. The bill is advanced. We will proceed to LB 970, Mr. Clerk.

CLERK: Mr. President, I have nothing on LB 970.

SENATOR NICHOL: Senator Warner, did you wish to speak on LB 970? The question is shall LB 970 be advanced. All those in favor say aye, opposed nay. The bill is advanced. We will move on to LB 970A.

CLERK: Mr. President, there are E & F amendments to LB 970A.

SENATOR NICHOL: Senator Warner. We are voting on the E & R amendments to LB 970A. All those in favor say aye, opposed nay. The amendments are adopted.

CLERK: I have nothing further on the bill, Mr. President.

April 5, 1982

LR 293, 294, 295
LB 208, 428, 571, 633, 790, 924,
970, 520A, 970A,

CLERK: Mr. President, a few items. The Rules Committee offers a report regarding rule changes previously offered to the Rules Committee. (Page 1605 of the Journal).

I have a gubernatorial confirmation hearing from the Education Committee. (Page 1606 of the Journal).

Senator Vard Johnson would like to print amendments to LB 924. (Page 1606-07 of the Journal).

Attorney General's opinion addressed to Senator Chambers. (Page 1607-08 of the Journal).

A communication from the Governor addressed to the Clerk regarding LB 208, 633, 790, 428, and 571. (See page 1609-10 of the Legislative Journal).

Mr. President, your Committee on E & R respectfully reports we have carefully examined and engrossed LB 970 and find the same correctly engrossed. 970A correctly engrossed.

Mr. President a new resolution LR 293 (read title). LR 294 (read title). LR 295 (read title). All were laid over.

SENATOR LAMB: If I could have your attention for just a few minutes. As you probably know we have a number of priority bills that have not been considered at this point. We have a number of revenue bills and appropriation bills that need further work and so our time is pretty short. In order to consider this whole situation we are scheduling a meeting of the chairmen at noon today in Room 2102, so we can discuss the whole situation and come up with some possible solutions.

SENATOR CLARK PRESIDING

SENATOR CLARK: The first bill we are going to take up under item number four, General File, will be 520A.

CLERK: Mr. President 520A was a bill introduced by Senator Vard Johnson. (Read title). I have an amendment from Senator Johnson to the bill, Mr. President.

SENATOR CLARK: Senator Johnson.

SENATOR JOHNSON: Mr. Speaker, members of the body, LB 520 is a bill that deals with child care and licensing thereof. During the first round debate on LB 520 Senator Cope asked me what I thought this bill would ultimately cost. I indicated

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LB 970, 970A, 531

SENATOR CLARK: Have you all voted? I will wait for you, Davy. Record the vote.

ASSISTANT CLERK: (Read record vote found on page 1818 and 1819, Legislative Journal.) The vote is 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read LB 970 with the emergency clause.

ASSISTANT CLERK: (Read LB 970 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: (Record vote read. See pages 1819 and 1820, Legislative Journal.) The vote is 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SENATOR CLARK: LB 970 with the emergency clause is declared passed. The Clerk will now read 970A, the appropriation, with the emergency clause.

ASSISTANT CLERK: (Read LB 970A on Final Reading.) (Recorder turned off during reading.)

SENATOR CLARK: All provisions of law according 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. Have you all voted on the final passage of 970A? Record the vote. I voted yes.

CLERK: (Record vote read. See page 1820, Legislative Journal.) 47 ayes, 0 nays, 1 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: 970A is declared passed with the emergency clause. We will now go to item #5. I am sorry, we still have LB 531, constitutional amendment.

CLERK: (Read LB 531 on Final Reading.)

SENATOR CLARK: All provisions of law relative to procedure

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LB 531, 212-212A, 520, 754
761, 807, 942, 970-970A

having been complied with, the question is, shall the bill pass? It takes 30 votes. All those in favor vote aye, opposed nay.

CLERK: Senator Clark voting no.

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

CLERK: (Record vote read. See page 1822, Legislative Journal.) 36 ayes, 11 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. We will now go to item #5.

CLERK: Mr. President, a few items to read in. The bills that were read on Final Reading this morning are now ready for your signature, Mr. President.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 531, 970A, 970, 942, 807, 754, and 761.

CLERK: Mr. President, I have an explanation of vote offered by Senator Higgins.

And Senator Cullan would like to print amendments to LB 212 and 212A. (See page 1823, Legislative Journal.)

PRESIDENT: Okay, anything else, Mr. Clerk?

CLERK: Nothing further, Mr. President.

PRESIDENT: We are ready then for as Senator Clark said agenda item #5, Select File, and I believe we start with LB 759, is that correct, Mr. Clerk? 520, is it? Okay, we will take up 520.

CLERK: Mr. President, LB 520 was considered yesterday by the Legislature. At that time the E & R amendments were adopted. Senator Howard Peterson then made a motion to indefinitely postpone the bill. That is presently before us, Mr. President.

PRESIDENT: The Chair recognizes Senator Peterson.

SENATOR HOWARD PETERSON: Mr. Chairman, last evening I handed out to this body a number of letters from a number

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LB 761, 754, 807, 970,
970A, 531, 480, 591,
629, 629A

CLERK: Mr. President, your Enrolling Clerk has presented to the Governor the bills that were read on Final Reading this morning (LBs 761, 754, 807, 970, 970A and 531).

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 480 and find the same correctly engrossed, 591 correctly engrossed, 629 and 629A all correctly engrossed.

April 13, 1982

LB 602, 602A, 520, 759,
799, 799A, 868, 605,
755, 756, 807, 970, 970A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by Senator Kremer.

SENATOR KREMER: Prayer offered.

PRESIDENT: Thank you, Senator Kremer. Roll call. While we're waiting for everyone to check in showing their presence, the Chair would like to announce that Senator Lamb has announced that on agenda item #6 there will be a fifteen minute limit on the motions today, fifteen minute limit on agenda #6. And Senator Lamb also wished me to announce that his plan calls for a recess from six to seven o'clock. Senator Sieck, would you do us the honor of allowing us to get started. If you would just push that little button why we can get started. Record the presence, Mr. Clerk.

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

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

CLERK: (Read Journal corrections as found on page 1844 of the Legislative Journal.)

PRESIDENT: The Journal will stand as corrected. Any other messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 868 and find the same correctly engrossed; 799, 799A correctly engrossed; 602, 602A correctly engrossed; and LB 520 and 759 all correctly engrossed. Those are signed by Senator Kilgarin as Chair.

Mr. President, I have a couple of letters from the Governor addressed to the Clerk. (Read messages from the Governor Re: LB 605, 755, 756, 807, 970 and 970A. See page 1847 of the Legislative Journal.)

Mr. President, I have a unanimous consent request from Senator Vickers to add his name to LR 275 as cointroducer.

PRESIDENT: Any objection? If not, so ordered.

CLERK: I have nothing further on the desk at this time, Mr. President.

PRESIDENT: The Sergeant at Arms would then clear the Chamber for Final Reading and see that all members are at their desks,