

January 29, 1981

LB 207, 207A, 406, 523
LR 11

on that list who wants to trade places, wants to yield to another person in this Legislature, another legislator, it is up to that person when he or she is recognized to say "I yield to that person". Otherwise the presiding officer, at least when I am presiding, I am going to call on the names as they appear on the list and that person can do what he or she wants to do at that time but I am not going to attempt to substitute up here for you down there. I am going to call the list and you are going to have to yield and let it be known that you are the one that wants to yield your time. Is that clear? I want to make sure so there is no misunderstanding. Okay, Senator Chambers I guess is it. Senator Koch, Senator Chambers I believe is the only one not in the Chamber. Do you wish to wait for Senator Chambers? Here he is. Do you wish a roll call vote now on the issue?

SENATOR KOCH: I will request a roll call vote, please.

PRESIDENT: Roll call vote then. The question before the House is the advance of LB 207 to E & R Initial. Roll call vote, Mr. Clerk. You may proceed.

CLERK: (Roll call vote taken. See page 359, Legislative Journal.) 23 ayes, 23 nays, Mr. President.

PRESIDENT: LB 207 fails to advance. Mr. Clerk, do you have some matters to read in?

CLERK: Yes, sir, I do. Mr. President, I have four Attorney General's opinions. The first is addressed to Senator Warner, the second addressed to Senator Sieck regarding LE 58, the third to Senator DeCamp regarding LB 284; and a fourth to Senator DeCamp regarding LB 68.

Mr. President, your committee on Appropriations gives notice of rescheduling of public hearing for February 20. Senator Warner gives notice of Appropriations Committee hearing for Monday, February 9 and Friday, February 13.

Mr. President, A bill, LB 207A. (Read title. See page 365, Legislative Journal.)

Mr. President, a new resolution, LR 11. (Read. See pages 365 and 366, Legislative Journal.) Mr. President, that will be laid over pursuant to our rules.

Finally, Mr. President, I have a motion from Senators Chambers, Kilgarin, Landis, Kahle, V. Johnson and Chronister by the Government Committee to re-refer LBs 406 and 523 to Government from Miscellaneous Subjects.

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CLERK: (Read roll call vote as found on pages 377 and 378 of the Legislative Journal.) 21 ayes, 27 nays, Mr. President.

PRESIDENT: The motion fails. Senator Vickers, you want to raise the Call. The Call is raised. Speaker Marvel, did you have a change in the order here?

SPEAKER MARVEL: It is my understanding that Senator Wesely would like to bring up LR 11 and there is a time bind if we don't, and unless there is objection I would suggest we take it up now and then adjourn because we are about out of time.

PRESIDENT: All right, so that you understand, agenda item #6, LR 11, will be taken up at this time, so Mr. Clerk, will you read LR 11.

CLERK: Mr. President, LR 11 is found on page 365 of the Legislative Journal and reads as follows: (Read LR 11).

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. President, I won't take very much time with this. This is an attempt to try and endorse the efforts that Governor Thone has already indicated he wishes to take to apply for this money from the federal government. It is Juvenile Justice Act money. It is about \$444,000 to the State of Nebraska, which would provide assistance to communities in the state, provide a different support for juvenile facilities and detention centers. It is money that I think is a very wise investment for the State of Nebraska. The Governor has indicated that he wants to apply for this money, that the State Crime Commission wishes to apply for the money. They have supported this effort. The only problem is that they don't feel that they can apply without some legislative sign of approval, and that application deadline is today. So if they don't put the application in today, and if they don't feel that they can without some sort of indication of support from the Legislature, and that is what this resolution does, we will essentially see a delay of several...well, quite a bit of time. I don't know exactly when we will be able to apply again. But clearly it is important that this support be shown, that this application be made and that this 440 some thousand dollars be brought into Nebraska to assist local communities with juvenile detention facilities. I certainly would encourage your support for the resolution. Governor Thone, again, has indicated his support for this effort and would encourage

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207, 312, 363.

your vote for the resolution.

PRESIDENT: Is there any discussion on the Wesely resolution which is LR 11? Seeing none, Senator Wesely, I guess that will be your opening and your closing. The question before the House is the adoption of LR 11. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 31 ayes, 0 nays on adoption of the resolution, Mr. President.

PRESIDENT: The motion carries. The resolution LR 11 is adopted. Mr. Clerk, are there any matters to be read in?

CLERK: Yes, sir, there are. Mr. President, I have a Reference Committee report referring LBs 533, 534 and 535. The Committee on Ag and Environment gives notice of hearing in Room 1520 for March 5 and March 6. The Committee on Public Health and Welfare gives notice for a hearing on February 9, 10 and 17. Your Committee on Public Health and Welfare whose Chairman is Senator Cullan to whom was referred LB 39 instructs me to report the same back to the Legislature with the recommendation it be advanced to General file with amendments; LB 69 to General File with amendments. (See pages 378 and 379 of the Legislative Journal.)

Mr. President, your Committee on Revenue whose Chairman is Senator Carsten to whom was referred LB 140 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File.

Mr. President, I have a motion from Senator Chambers to re-refer LB 363 from Education to the Government Committee. Senator Stoney asks unanimous consent to...or he makes a motion to withdraw LB 312. Pursuant to our rules that will be laid over, Mr. President. Senator Stoney also asks unanimous consent to have his name added to LB 37 as co-introducer.

PRESIDENT: No objections, so ordered.

CLERK: Mr. President, Senator Koch would like to print amendments to LB 207 in the Legislative Journal. (See pages 380 and 381 of the Legislative Journal.) Your Committee on Urban Affairs whose Chairman is Senator Landis to whom was referred LB 37 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, and LB 30 General File with amendments. (Signed) Senator Landis (See pages 380 and 381 of the Legislative Journal.)

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LB 15, 16, 130, 312

PRESIDENT LUEDTKE PRESIDING

DR. PALMER: Prayer offered.

PRESIDENT: Roll call. Have you all registered your presence?

CLERK: Mr. President, Senator Burrows would like to be excused until he arrives, Senators Hoagland, Goll and Dworak, until they arrive and Senator Wagner until he arrives.

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

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports that they have carefully examined and reviewed LB 15 and recommend that same be placed on Select File and LB 16 Select File, (signed) Senator Kilgarin, Chairman.

Mr. President, your committee on Administrative Rules and Regulations whose chairman is Senator Vard Johnson to whom we referred LB 130 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, (signed) Senator Johnson.

Mr. President, LR 11 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and I do sign LR 11.

CLERK: Mr. President, your committee on Administrative Rules and Regulations gives notice of public hearing in Room 1113 for Wednesday, February 18 and your committee on Education gives notice of cancellation and rescheduling of hearing on LB 305, signed by respective chairmen. (See page 386 of the Legislative Journal.)

PRESIDENT: We are ready for agenda item #4, Motions, and the first motion is on LB 312 and Senator Stoney. Will you read the motion, Mr. Clerk.

CLERK: (Read Stoney motion regarding LB 312 found on page 380 of the Legislative Journal.)