

May 27, 1981

LB 213, 314, 531

years and we will be turning people loose that we intended to keep under control by this very bill. Senator Hoagland says we will be taking a risk. That is absolutely what you are taking. He says it will be fairly litigated. That is right. It will be fairly litigated and you will be turning people loose while your constituents expect us to be keeping people under control by passing such a bill. I am in favor of such a bill. I am just not in favor of this one. I strongly urge you to adopt the amendments on page 2086.

PRESIDENT: All right, the question is the motion to return LB 213 for this specific amendment. All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Senator Nichol, do you want to do anything about...Record the vote.

CLERK: Mr. President, Senator Cullan requests a record vote. (Read record vote as found on page 2322 of the Legislative Journal.) 9 ayes, 29 nays, Mr. President, on the motion to return the bill.

PRESIDENT: The motion fails. It stays right where it is so we will go on...oh there is another motion? All right, Mr. Clerk, go ahead. Motion on the desk. Read the motion. All right, no further motion so it just stays where it is. We will then go to LB 531. Yes, read some matters in, go right ahead.

CLERK: Mr. President, real quickly, I have a report from the Executive Board regarding interim study resolution referrals. (See page 2323 of the Legislative Journal.)

New resolution, 191, offered by the Business and Labor Committee. (Read. See pages 2323-2324 of the Journal.) That will be laid over, Mr. President.

Mr. President, your committee on Public Health reports LB 314 to General File with amendments and that is signed by Senator Cullan, Chair. See pages 2324-2325 of the Legislative Journal.)

Mr. President, Senator DeCamp would move to return LB 531 to Select File for a specific amendment. The amendment is on page 2219.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, I apologize for taking up your time. I don't know who is to blame, whether it is a legislative aide, a bill drafter, E & R, or John DeCamp, but anyway when we put the amendment

May 28, 1981

LR 190, 191

in the ghetto. You don't have to drive between these earthen mounds that they are going to flank the highway with, which are supposed to protect you. But the vulnerable position is to be in a low place and your enemy has the high ground. I hope Senator Newell drives this road, then maybe he will wind up being a prisoner of conscience. And next May 28th a resolution can be offered like this and one of your former colleagues will be the one who is being commemorated. He has gone into other people's districts to try to hinder and intermeddle. Well, it's probably time that people go into his district and liberate him. I think the resolution by itself in a vacuum would have value. I think it would be worthy of serious consideration. But under the circumstances of this Legislature....

SENATOR CLARK: You have...(microphone not on)...seconds.

SENATOR CHAMBERS: How many, Mr. Chairman?

SENATOR CLARK: Thirty seconds.

SENATOR CHAMBERS: Thank you. Under the present circumstances of this Legislature and this day, I think it would not be appropriate. I am not going to suggest how you ought to vote on it, but I will suggest that if you voted your conscience on the last one, you ought to vote your conscience on this one too, and there ought to be a consistency.

SENATOR CLARK: There is a motion on the desk.

CLERK: Mr. President, Senators Hoagland and Landis would ask unanimous consent to lay over the resolution.

SENATOR CLARK: Is there any dissension? If not, so ordered. It will be laid over. LR 191.

CLERK: Mr. President, LR 191 offered by the Business and Labor Committee. It's found on page 2323. Reads as follows: (Read LR 191.)

SENATOR CLARK: Senator Maresh.

SENATOR MARESH: Mr. President and members of the Legislature, this is a vehicle by which the Legislature approved the labor contracts that were presented to our committee. And we held a hearing on these labor contracts on May 20th. There was no opposition from either side. The only contract that wasn't completed was the one with the Douglas County

May 28, 1981

LR 191

Welfare workers and I don't know if they are going to get it done in time to do anything tomorrow or not, but presently we do not have the contracts, so we have to disapprove the ten that we have on the list. And if there are any questions on the labor contracts, I would try to answer them. This is done according to law, Section 48-837, for the Legislature to approve the labor contracts. This is an annual affair that we have to do each year. The appropriation by the Legislature determines the pay and that, so there is nothing that they can do beyond what the Legislature appropriates.

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, just a question of Senator Maresh. What happens to the one contract that has not been consummated? Is there no resolution or anything gone if that portion would be resolved later, or what?

SENATOR MARESH: That is a good question. I don't think it will cause any problems, but it seems like they didn't make a good effort to complete the contract, and so I guess they are just without a contract.

SENATOR NICHOL: Okay, thank you.

SENATOR CLARK: Is there any further discussion? Senator Newell.

SENATOR NEWELL: Senator Maresh, if for some reason that last contract should be negotiated after we have, you know, in a month from now, basically that agreement.... basically our function is fairly perfunctory in terms of just authorizing or saying okay to the administration, that would probably go into effect and be effective even though it's not been ratified by the Legislature until the next time we have an opportunity to do that.

SENATOR MARESH: I think so. I don't think it will cause any problems. I think it's just automatic. It's just a formality that we go through here in the Legislature.

SENATOR NEWELL: And if there was a problem, the Exec Board probably could deal with that since....now the Exec Board does have the right to function for the Legislature, if it was absolutely necessary. I'm just asking....

SENATOR MARESH: I would say personally they could, but

May 28, 1981

LR 191, 194

we probably need an Attorney General's Opinion on that if they could do that in place of the Legislature because they are the Legislature when we are not in session.

SENATOR NEWELL: Okay. Well, I just wanted some sort of clarification of that and that's all. I don't know if it's all that important.

SENATOR MARESH: Okay. Thank you.

SENATOR CLARK: Is there further discussion? If not, the question before the House is the adoption of LR 191. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: 27 ayes, 3 nays, Mr. President, on adoption of the resolution.

SENATOR CLARK: The resolution is adopted. The Clerk has a resolution on the desk.

CLERK: Mr. President, first of all there is a new resolution, LR 194, offered by Senators Clark and Marvel. (Read LR 194.) Mr. President, in order to consider that resolution today, we will need to suspend Rule 4, Section 6.

SENATOR CLARK: The motion before the House is the suspension of the rules. Is it Section 4....or Rule 4, Section 6?

CLERK: Yes, sir.

SENATOR CLARK: Rule 4, Section 6. All those in favor of suspending the rules vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: We are voting on the suspension of the rules. I think this is very important to all of you. Record the vote.

CLERK: 31 ayes, 0 nays, Mr. President, on the motion to suspend the rules.

SENATOR CLARK: The rules are suspended. Senator Marvel.

LR 146, 180, 188, 189,
191, 194-196

LB 111, 118, 138, 213, 216,
320, 472, 506, 506A, 512,
523, 551, 556, 556A

May 29, 1981

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend John Schmeltzer, Associate Pastor of First Plymouth Congregational Church here in Lincoln.

REVEREND SCHMELTZER: Prayer offered.

PRESIDENT: Roll call. 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: One little one, Mr. President, on page 2378, insert the contents of LR 194.

PRESIDENT: All right, the Journal will stand published as corrected. Any messages, reports or announcements?

CLERK: Mr. President, I have a series of items. Mr. President, I have several communications from the Governor addressed to the Clerk. (Read. Re.: LB 320, 472, 111, 118, 213, 216, 512, 523, 551, 553, 554, 556, 556A, LB 138, LB 506. See pages 2383-2384.)

Mr. President, I have a veto message from the Governor. (Read. Re.: LB 506A. See page 2385 of the Journal.)

Mr. President, I have an Attorney General's opinion addressed to Senator Beutler regarding LB 321; an opinion addressed to Senator Hoagland on LB 213. See pages 2385-2387 of the Journal.)

Mr. President, new resolutions, LR 195 by Senator Koch. (Read. See page 2387-2388.) And Mr. President, LR 196 offered by Senators Wesely, Hoagland, Fowler and Beutler. (Read. See pages 2388-2389.) Mr. President, finally LRs 146, 180, 188, 189, 191 and 194 are all ready for your signature.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 146, LR 180, LR 188, LR 189, LR 191, LR 194. Anything further, Mr. Clerk?

CLERK: I have nothing further, Mr. President.

PRESIDENT: We will proceed then with agenda item #4, Final Reading on this final day of the 87th Legislature, first session. The Sergeant at Arms will secure the Chamber.