

February 2, 1982

LB 131, 287

Schools. It is agreed to by all parties. They are pretty excited about it. Everybody is very happy. Senator Fowler explained the bill. It makes some very positive changes. It's actuarially sound. Everybody is in love with it. I move the advancement.

SPEAKER MARVEL: The motion is the advancement of the bill as explained by Senator Newell. All those in favor of the motion vote aye, opposed vote no. Record.

CLERK: 28 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced.

CLERK: Mr. President, while we are waiting, new resolution, LR 212, offered by Senators DeCamp, Beutler, Koch, Newell, Wiitala, Labedz, Fowler, Chambers, Wesely, Landis, Vard Johnson and Kilgarin. (Read LR 212 as found on pages 510-511 of the Legislative Journal.) That will be laid over, Mr. President, pursuant to our rules.

SPEAKER MARVEL: Before we return to LB 287 I would like to once again give you nine numbers to look at and the first one is 649, 571, 597, 598, 646, 654, 692, 628, 630. After we get through with 287 then we will revert to these particular bills we just enumerated. LB 287.

CLERK: Mr. President, LB 287 offered by Senator Rumery. (Read title.) The bill was read on January 19 of last year, referred to the Retirement Systems Committee for hearing. The bill was advanced to General File, Mr. President. There are committee amendments attached, Mr. President.

SPEAKER MARVEL: Senator Fowler, do you wish to discuss the committee amendments?

SENATOR FOWLER: Yes, I think I have an amendment to the committee amendment up there. Is that correct, Pat?

CLERK: Yes, sir, you do.

SENATOR FOWLER: Okay, yes, I need to move the technical amendment to the committee amendments. Maybe I should explain the bill and the amendments and explain what the technical amendment does. Okay, the bill is Senator Rumery's bill and it originally introduced for public employees abolished mandatory retirement. Currently the retirement age is seventy. A couple systems allow an extension for a year or two, up to seventy-two. That was the original bill.

February 4, 1982

LR 210, 212, 213

before the session is over. So when you can see Senator Newell and I on the same side of an issue, then as Aristotle said, that when you get even enemies to agree on a proposition, you can rest assured that the proposition probably is true and has value. So although Senator Newell is often wrong, he is very right this time.

SPEAKER MARVEL: Senator Haberman, your light is on.

SENATOR HABERMAN: Mr. President and members of the Legislature, that is what makes me nervous about this resolution is having Senator Chambers and Senator Newell on the same side. Thank you, Mr. President.

SPEAKER MARVEL: The motion is the adoption of the resolution. All those in favor vote aye, opposed vote no. We are voting on LR 210. Who requested a record vote? Senator Landis. Okay. Have you all voted?

CLERK: (Read the record vote as found on pages 557 and 558 of the Legislative Journal). 39 ayes, 4 nays, Mr. President.

SPEAKER MARVEL: The motion carried. The resolution is adopted. Before we go to the next item, underneath the north balcony from Senator Rumery's District it is my privilege to introduce Mr. Jess Nielsen who is a constituent of Senator Rumery. Jess, welcome once again to the Unicameral. LR 212.

CLERK: Mr. President, LR 212 is on page 511 of the Journal.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, just ask to refer it to a committee, Public Works I suppose and let them do what they want with the resolution. Have a hearing on it or whatever, rather than take up any time at this point.

SPEAKER MARVEL: Is there an objection to referring this resolution to a committee? Hearing none, so ordered. The item, LR 213.

CLERK: Mr. President, LR 213 offered by Senators Landis and Hoagland, found on page 513-514. (Read LR 213).

SPEAKER MARVEL: Senator Landis.

SENATOR LANDIS: Mr. Speaker and members of the Legislature,

March 15, 1982

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Roll call. Record the vote, Mr. Clerk, or the presence, I mean.

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

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

CLERK: I have no corrections, Mr. President.

PRESIDENT: The Journal will stand as published. Are there any other messages, reports or announcements?

CLERK: Mr. President, I have a report from the Department of Roads. That will be on file in my office.

The Committee on Business and Labor whose chairman is Senator Barrett instructs me to report LB 967 advance to General File with committee amendments attached; LB 968 as indefinitely postponed, both of those signed by Senator Barrett.

A new resolution, LR 248 offered by the Administrative Rules Committee calls for an interim study into the feasibility of employing an independent hearing examiners system for state agencies in Nebraska. (See page 1149 of the Journal.)

Your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 69 and find the same correctly engrossed; 359, 428, 571, 623, 659, 705, 724, 779 all correctly engrossed, those signed by Senator Kilgarin as Chair. (See page 1151 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 652 and recommend that same be placed on Select File with E & R amendments attached; 522 E & R amendments attached; 568 E & R amendments attached. Those are signed by Senator Kilgarin as Chair. (See pages 1150-1151 of the Legislative Journal.)

Your committee on Public Works whose chairman is Senator Kremer reports LB 785 advance to General File and LR 212 advance to General File. Those are signed by Senator Kremer. (See page 1152 of the Legislative Journal.)

I also have a committee on Public Works report on a gubernatorial confirmation hearing.

And, Mr. President, Senator Beutler would like to add his name to LB 577 as cointroducer.

SENATOR CLARK: The report is approved. Ready for number six, resolutions, LR 212.

CLERK: Mr. President, LR 202 (sic) was a resolution introduced by Senators, DeCamp, Kilgarin, Chambers, Wesely, Landis, V. Johnson, Fowler, Labedz, Wiitala, Newell, Koch and Beutler. It is found on page 511 of the Journal. The resolution, Mr. President, was referred to the Public Works Committee for hearing pursuant to a motion made by the Legislature that the resolution was reported back to the full legislature. I have a series of amendments to the resolution, Mr. President.

SENATOR CLARK: The first amendment.

CLERK: Mr. President, . . .

SENATOR CLARK: Are these committee amendments?

CLERK: No, no. Mr. President, the first amendment I have is offered by Senators Hoagland, Kilgarin, Fowler, Koch, Kremer, Wiitala, DeCamp, and Landis.

SENATOR CLARK: All right, who wants to handle that?  
Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, last year this Legislature, after considerable debate, passed a resolution stating that we did not want accelerated deregulation of natural gas. This year this follows exactly the same line only we point out we don't want accelerated deregulation through indirect means such as administrative order or things like that. You all know what your gas prices last year were, you all know how dependent Nebraska is on natural gas and how it has already beaten this economy in this state. We just don't think accelerating it two years faster is going to do anything other than damage. So we would encourage you to support the amendment and it becomes a resolution. The reason we offered the amendment was because of some technical language that wasn't available at the time the committee voted so the committee voted to put the concept out here and we offer the language and we have got it written and that is what you have.

SENATOR CLARK: The question before the Legislature is the adoption of the amendment. All those in favor vote aye, opposed vote no. All right, we have a malfunction here we will start all over.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted on the amendment to the resolution? We have got a lot of resolutions to go through here if we can get a vote on them. I always vote, did you vote? Record the vote please.

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

SENATOR CLARK: The amendment is adopted. Next amendment.

CLERK: Mr. President, I have another amendment, Senator Burrows would move to amend, Mr. President.

SENATOR CLARK: Senator Burrows. Amendment by Senator Burrows.

SENATOR BURROWS: Mr. Chairman, members of the Legislature, this amendment would take out the line that supports the gradual deregulation act of 1978. I feel that it is imperative that we take out that one brief part because that is the act that has caused the natural gas price increases of this winter. I think that when we oppose the rapid decontrol of natural gas it is important that we do not support that that was done in 1978 that is actually causing the homeowner to pick up that new and very heavy gas bill this winter. I urge that the members support this part of the resolution striking this part of the resolution that would strike the support of the 1978 act that has already caused a hardship on so many of the elderly and people that have income problems in the state.

SENATOR CLARK: Senator Wesely and then Senator DeCamp.

SENATOR WESELY: Mr. President and members of the Legislature, although I sympathize with the concerns of Senator Burrows I would have to ask that you vote against this amendment to the resolution. The reason is this. If we would adopt the Burrows amendment and not support the gradual decontrol of natural gas you may take a bigger step and thus have a bigger problem if you would indicate support for then possibly total decontrol of natural gas. Under the present proposal the Natural Gas Policy Act of 1978 what is decontrolled is new natural gas. That is about 40% of our present supply of natural gas. That would be decontrolled, but the 60% of the supply that we use in Nebraska natural gas is old gas. It is gas that is not going to be decontrolled and thus it is kept under the federal regulations. So we would prefer having that situation where we have a gradual decontrol and we still maintain some control on this old gas and the possibility that is now being discussed in Washington that we have a rapid decontrol of all natural gas and we think

that would be a far more damaging step to take than what is proposed under this Natural Gas Policy Act. So we sympathize with Senator Burrows but we think the more reasonable approach at this time would be to keep the language that we now have in the resolution because it would be better in terms of trying to have some controls of natural gas deregulation.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Just to agree completely with Senator Wesely and you know resolutions are just exhortations, but this is kind of an educational one, because as Senator Wesely and a lot of people discovered, sometimes these things aren't just all like they appear. You just heard Senator Wesely support, which I don't think most people would expect the 1978 decontrol act and he is right. There is an important thing in there that 60% of the gas being old gas, in the State of Nebraska and by the way Nebraska is unique, we have more old gas than any other state. So that means we have got more forever supposedly would be controlled at the lower prices. So if they decontrol old gas, which is what they are trying to do quicker who gets hurt the worst? The State of Nebraska. So complicated as it sounds I oppose the Burrows amendment and would hope that we could hold on to the 1978 Act in exactly the way it was passed.

SENATOR CLARK: Senator Burrows, do you wish to close?

SENATOR BURROWS: Yes, I don't see why any need for expression of support is necessary in this resolution of the 1978 Act. I think opposition is in order to a more rapid decontrol, but I think what we are placing ourselves in the position of saying is, do you want your leg cut off an inch at a time or do you want it all chopped off at once and I think that is a poor alternative in a resolution. I don't think we need to place the language in that manner in which we actually place a supportive position for what was a very bad judgment call in 1978 in order to oppose a worse judgment call today. Therefore, I think it is unnecessary, just totally unnecessary language that I am asking to strike. Just oppose a rapid decontrol and drop it there. We are not saying one way or the other on the 1978 Act if we move the language out and we are opposing rapid deregulation. I think it is simple and fair language.

SENATOR CLARK: The question before the House is the adoption of the amendment by Senator Burrows. Anyone supporting it vote aye, opposing it vote no.

April 14, 1982

LR 212

CLERK: Senator Clark voting no.

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

CLERK: 3 ayes, 16 nays, Mr. President.

SENATOR CLARK: The motion lost. We are back on the original amendment, the original bill, do you have another amendment?

CLERK: Nothing further, Mr. President.

SENATOR CLARK: Senator DeCamp, do you want to move it. The question before the House is the adoption of the resolution. All those in favor vote aye, opposed vote nay. Have you all voted on the adoption of the resolution? Well we are bogged down on the first one. Record the vote.

CLERK: 25 ayes, 0 nays, on the adoption of the resolution, Mr. President.

SENATOR CLARK: Resolution is adopted. Next resolution.

LR 212, 266, 268, 269, 272, 274, 277,  
278, 287, 292, 293, 295, 298, 304,  
313, 316, 331, 359, 380, 388, 389  
LB 278, 378, 378A, 480, 568, 602A,  
604, 629, 629A, 669A, 688, 693, 708, 760,  
835, 909, 967, 522, 212, 212A, 255, 255A

April 16, 1982

RECESS

PRESIDENT LUEDTKI PRESIDING

PRESIDENT: Has everybody recorded your presence?  
Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President. Mr. President, I have a reference report from the Executive Board referring a gubernatorial appointment. (Page 1971 of the Legislative Journal.)

Mr. President, new resolutions. LR 388 offered by Senators Cullan and Newell. (Read LR 388 as found on pages 1973 and 1974 of the Legislative Journal.) Mr. President, 389 offered by Senator Wesely. (Read LR 389 as found on page 1974 of the Legislative Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Koch. That will be inserted in the Journal. (See pages 1974 through 1976 of the Legislative Journal regarding LB 602A.) That is on LB....Bingo, that is right, senator.

Mr. President, I have a message from the Governor addressed to the Legislature. (Read message. Pages 1976-77 of the Journal regarding LB 669A.)

Mr. President, two other communications from the Governor addressed to the Clerk. (Read communications regarding LBs 278, 378, 378A, 480, 568, 604, 629, 629A, 688, 693, 708, 760, 835, 909, 967. Page 1977 of the Journal.) A second letter to the Clerk, Mr. President. (Read letter regarding LBs 609, 609A, 669, 714, 714A, 854, 854A. Page 177 of the Journal.)

Mr. President, I have a gubernatorial appointment of Mr. Robert Borgmann to the Motor Vehicle Industry Licensing Board. (See page 1978 of the Journal.)

Mr. President, the bills that we have read on Final Reading this morning are now ready for your signature as well as the resolutions that were passed Wednesday of this week by the Legislature.

PRESIDENT: While the Legislature is in session and capable of transacting business I propose to sign and I do sign LR 212, LR 266 and LR 268, 269, 272, 274, 277, 278, 287, 292, 293, 295, 298, 304, 313, 316, 331, 359, and 380. And the LBs are engrossed legislative bills 522, 212, 212A, 255, and 255A. Okay, as I understand it we