

April 23, 1981

LB 35, 95, 132, 173, 266, 266A,
360, 477, 506, 541, 545
LR 57, 58, 59, 60

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The opening prayer will be given by Pastor Orin Graff, United Presbyterian Church, North Bend, Nebraska.

PASTOR GRAFF: Offered prayer.

SPEAKER MARVEL: Roll call. Would you please record your presence. Record.

CLERK: Quroum present Mr. President.

SPEAKER MARVEL: Do you have any items you want to

CLERK: Mr. President, a communication addressed to the Clerk regarding LB 173. Letter appears on page 1527 of the Legislative Journal.

Mr. President, your committee on Enrollment and Review respectfully reports they they have carefully examined LB 95 and recommend the same be placed on Select File with amendments, 541 Select File, 360 Select File with amendments, 506 Select File with amendments, 266 Select File with amendments, 266A Select File, 545 Select File with amendments, all signed Senator Kilgarin, Chair.

Mr. President, your committee on Enrollment and Review respectfully reports that they have carefully examined engrossed Legislative Bill 35 and find the same correctly engrossed, 249 correctly engrossed, 477 correctly engrossed and LB 132 correctly re-engrossed. (Signed) Senator Kilgarin, Chair.

Mr. President, a new resolution LR 60 by Senators Koch and Wagner. Read LR 60. That will be laid over.

Mr. President, finally LR 57, 58 and 59 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 LR 57, LR 58, and LR 59.

We have some guests visiting us today and before we get started on other business, from Sidney, Australia underneath the north balcony visiting the Legislature today, Mr. Mon Khamis, will you please stand so that we can recognize you.

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LB 3, 243, 331

I have one addressed to Senator Beutler regarding LB 331. I have one addressed to Senator Goodrich regarding LB 3 and, finally, Mr. President, I have an Attorney General's opinion addressed to Senator Labeledz regarding a previously issued Attorney General's opinion. That will be inserted in the Journal. (See pages 1553-1566 of the Legislative Journal.)

Mr. President, Senator Fowler would like to withdraw his motion regarding the reconsideration of the failure to advance motion on LB 243.

SPEAKER MARVEL: Okay, the first item of business is item #4, resolutions, LR 60.

CLERK: Mr. President, LR 60 was offered by Senators Koch and Wagner. It is found on page 1529 of the Journal and would read as follows: (Read.) Mr. President, I have an amendment from Senator Koch to the resolution which would add a new whereas provision. After "public schools" in the last paragraph insert "and commends all public schools for observing Law Day."

SPEAKER MARVEL: Senator Koch, we are going to take up your amendment first.

SENATOR KOCH: I move for the adoption of the amendment, Mr. Speaker.

SPEAKER MARVEL: You have heard the motion. Is there any other discussion? All those in favor of the adoption of the Koch amendment to LR 60 vote aye, opposed vote no. Have you all voted? We are voting on the Koch amendment to LR 60. Record.

CLERK: 26 ayes, 1 nay, Mr. President, on the adoption of the amendment.

SPEAKER MARVEL: The motion is carried. The amendment is adopted. Senator Koch, do you wish to explain the resolution.

SENATOR KOCH: Mr. Speaker, Senator Wagner and I will just take a minute or two to explain the purpose of this resolution. We all have read the newspapers and know that recently...

SPEAKER MARVEL: (Gavel.) The Chair can barely hear what is going on in the room. I assume you have the same problem.

SENATOR KOCH: We all have read the newspapers recently and we know that a member of this body was invited to speak to a group of students in a community on the purpose and value

of law and we all know on this floor as we hassle with the interpretation of law that occasionally we disagree but when we walk away from this floor we have respect for each other's point of view and for a great number of years the public schools have observed May 1 as Law Day in respect to the profession and to the law of this nation. We all know that law provides us with a better hope for the world in an orderly society. And I believe that the public schools should be commended for the fact they do observe Law Day, do invite guests to speak to their students on the values and purposes of law which does indeed instill respect in values for all of us for each other. The public schools, we all know, have been a great monument in American history. Today they are under attack and I think it is days like this that we should commend them for what they do. I am going to seize this opportunity for a moment to remind you what the public schools have done historically for this nation because oftentimes we believe they fail in their mission and that is not correct because in 1776 only 15% of the colonists could read and write and by World War I 35% of all Americans were considered literate. And today, even though we have not reached that magic number of 100%, 82% of all of our citizens are literate, some of them to a greater extent than others but they can. When you compare this nation's record in education it exceeds any other nation of this world, yet we are one of the youngest nations of the world in terms of our people, their ability to read, to write, to express themselves. So the purpose of LR 60 then is not only to commend the Ord Public Schools and the educational profession, the Board of Education and others and the attorneys for what they are going to do next Monday on Law Day, but to commend all public schools in the State of Nebraska and pat them on the back and say, we, as members of the Unicameral, the Legislature of Nebraska, do indeed respect you, your profession and the boys and girls of the State of Nebraska and what we are attempting to do to provide everybody with a sense of dignity, purpose, worth and a job interest skill in the future. That is the purpose of LR 60. Thank you. Senator Wagner will speak.

SPEAKER MARVEL: Senator Wagner.

SENATOR WAGNER: Mr. Speaker and members, I might go back just a little bit to what Law Day is all about and it is really a joint resolution from Congress and a proclamation from the President in relation to creating a special day for the celebration of American people in appreciation for their liberties. This year's Law Day theme is "Law, the Language of Liberty." When we talk about liberty we have got two basic liberties that I would like to reflect upon and this

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LB 384

is the Freedom to Assemble and the Freedom of Speech and Law Day is Law Day and it should be conducted with dignity and I would encourage your support of this resolution. Thank you, Mr. Chairman.

SPEAKER MARVEL: The motion is the adoption of the resolution as explained. All those in favor of adopting the resolution vote aye, opposed no. Record the vote.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of the resolution.

SPEAKER MARVEL: The motion is carried and the resolution is adopted. We now go to item #5 and you will note under item #5 that there is a serious attempt to try to cover all of the information and discussion on Select File this morning. So we are ready for LB 384.

CLERK: Mr. President, LB 384 was last considered by the membership on April 2. At that time there were E & R amendments adopted. I now have an amendment from Senator Warner. Okay, I have several other amendments, Mr. President. The next is by Senator Vickers. Senator Vickers has an amendment to the bill, Mr. President, on page 1262 of the Journal.

SPEAKER MARVEL: Senator Vickers.

SENATOR VICKERS: Mr. Clerk, I would like to amend that amendment to just strike the original section 2 and just stop right there if we could.

CLERK: Senator, you need to withdraw this one then and we will write up another one.

SENATOR VICKERS: Okay, I will just withdraw this for now and you can go into another one.

CLERK: Okay, I have got several ahead of it, yes. Mr. President, the next amendment I have is from Senator Wesely. Senator Wesely's amendment is on page 1281 of the Journal.

SPEAKER MARVEL: The Chair recognizes Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, members of the Legislature, this amendment to LB 384 has been discussed between Senator Schmit and myself and I recall that, I think Loran had agreed to some of the changes here so I think these have been worked out pretty much. The major thing that we are trying to do here is, if you will look on page 1281, the amendment has three different sections.

April 27, 1981

LB 160, 161, 163, 232, 241,
252, 326, 557-562

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend Dwayne Lueck from Trinity Lutheran Church, Martinsburg, Nebraska. This is Senator VonMinden's pastor.

REV. LUECK: Prayer offered.

PRESIDENT: Roll call. Has everybody registered your presence? 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: Mr. President, correction, page 1577, line 7, add Senator Hefner's name after Sieck.

PRESIDENT: Correction so ordered. Any messages, reports or announcements, Mr. Clerk?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 252 and recommend that same be placed on Select File with amendments; LB 326 Select File with amendments; LB 232 Select File with amendments; LB 160 Select File; LB 161 Select File; LB 557 Select File; LB 558 Select File; LB 559 Select File with amendments; LB 560 Select File; LB 561 Select File; LB 163 Select File with amendments; LB 562 Select File, all signed by Senator Kilgarin as Chair.

Mr. President, LR 60 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 60. We are ready then for agenda item #4. The Sergeant at Arms will see that all members are at their desks and clear the aisles for Final Reading. We are ready for Final Reading as soon as everyone takes their places. We are about ready for Final Reading. As soon as everyone is in their place we will commence Final Reading. All right, we will commence. The first bill on Final Reading, Mr. Clerk, is LB 241.

CLERK: (Read LB 241 on Final Reading.)

PRESIDENT: (Interrupts reading.) Pardon me, Mr. Clerk, will you stop please. Senator Koch, for what purpose do you arise?