

January 9, 1989

LB 58, 84, 98, 102, 140, 141, 241-266

CLERK: Mr. President, new bills. (Read titles for the first time to LBs 241-266. See pages 112-18 of the Legislative Journal.)

Mr. President, in addition to those items, the Rules Committee would like to announce that Senator Carson Rogers has been selected as Vice-Chair of the committee.

Mr. President, Revenue Committee will be or are...is conducting a meeting underneath the south balcony.

Mr. President, the Judiciary Committee will conduct an Executive Session upon recess on the south side of the Chamber; Judiciary upon recess. And Transportation will meet in the lounge upon recess...or, Senator...I'm sorry, Senator Lamb, do you want that this afternoon, Senator? I'm sorry, Transportation upon adjournment this afternoon in the Senators' Lounge; Transportation this afternoon.

Mr. President, Government Committee has selected Senator Bernard-Stevens as Vice-Chair.

Mr. President, Senator Conway would like to add his name to LB 140 as co-introducer; Senator Beck to LB 102 and to LB 141; Senators Smith and Hartnett to LB 58; Senator Hartnett to LB 98; Senator Rod Johnson to LB 84.

Mr. President, the last note is a Reference Committee meeting at two-thirty this afternoon in Room 2102; Reference Committee at two-thirty in Room 2102. That's all that I have.

PRESIDENT: Senator Emil Beyer, for what purpose do you rise?

SENATOR BEYER: Mr. Speaker, a point of personal privilege. I hope that the senators have noticed that we have a familiar face back in the Legislature and that's our Page Supervisor, Kitty Kearns. We're glad to have her back and we've missed her and we wish her good health from now on. (Applause.)

PRESIDENT: Thank you. Ladies and gentlemen, would you please listen as your Speaker speaks.

SPEAKER BARRETT: Thank you, Mr. President, and members, just a reminder to committee chairs, committee clerks, if you plan to have a hearing next week, I believe the first day would be the

SENATOR McFARLAND: Mr. Speaker, we can start with the roll call vote, and then Senator Schmit, he is the only that is missing, right?

SPEAKER BARRETT: Correct.

SENATOR McFARLAND: And if he gets here, he can vote. If he doesn't, I don't think one vote will make the difference. As I recall, we shall see. That will be fine.

SPEAKER BARRETT: Thank you. Mr. Clerk, proceed with the roll call vote.

CLERK: (Roll call vote taken. See page 417 of the Legislative Journal.) 22 ayes, 18 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: Motion fails. The call is raised. Motion on the desk.

CLERK: Mr. President, I have a motion. Senator Lamb would move to indefinitely postpone LB 180. That would lay it over unless the introducer agrees to take it up at this time.

SPEAKER BARRETT: Senator McFarland, what are your wishes?

SENATOR McFARLAND: I would just as soon lay it over, Mr. Speaker, thank you. I would be glad to work with people on amending it and addressing their concerns. Thanks.

SPEAKER BARRETT: Thank you, sir. The bill is laid over. Anything for the record, Mr. Clerk?

CLERK: Yes, sir. Mr. President, notice of hearing from the Education Committee, that is signed by Senator Withem as Chair; Government Committee, whose Chair is Senator Baack, reports LB 256 to General File with amendments attached, that is signed by Senator Baack as Chair.

Mr. President, we have two gubernatorial appointments to the Board of Trustees for the Nebraska State Colleges, and a Reference Report referring those appointees. That is all that I have at this time, Mr. President.

January 26, 1989

LB 256
LR 20

five years that the program has been in operation. Now, therefore, be it resolved by the members of the Ninety-first Legislature of Nebraska, First Session, that the Nebraska Legislature sends its congratulations to the band members and to the director, Ms. Georgene Diers, that the Nebraska Legislature recognizes the hard work and dedication that went into achieving this award, that the Nebraska Legislature expresses its pride in the young women and men who are members of the band and wishes them continued success, that a copy of this resolution be mailed to the Scottsbluff Junior High School Band. I move that this be accepted.

SPEAKER BARRETT: Thank you, Senator Weihing. Any discussion on the resolution presented by Senator Weihing? If not, the Chair presumes that you are ready to vote on the adoption of the resolution. Any closing comments, Senator Weihing.

SENATOR WEIHING: No. Just go ahead and vote yes is all.

SPEAKER BARRETT: Thank you, sir. The question before the body is the adoption of LR 20. Those in favor of that motion vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 33 ayes, 0 nays, Mr. President, on the adoption of the resolution.

SPEAKER BARRETT: LR 20 is adopted. To General File, Mr. Clerk, LB 256.

CLERK: Mr. President, LB 256 was a bill introduced by the Government Committee and signed by its members. (Read title.) The bill was introduced on January 9, referred to Government, advanced to General File. I do have committee amendments pending by the Government Committee, Mr. President. (See page 418 of the Legislative Journal.)

SPEAKER BARRETT: The Chair recognizes the Chairman of the Government Committee, Senator Baack.

SENATOR BAACK: Yes, Mr. Speaker and members, this is a continuation of the bills yesterday that were brought to us by the Department of Administrative Services. This is a very simple bill. What it does is it changes the date, the inventory reporting date that the agencies have to report their inventory,

their property on hand. It changes...they are going to...what it does is it puts them more in line with the fiscal year of the state. In the past they have had...their reporting date has been in December, I think, and now we are going to move it until, the bill reads the 31st of July. I will talk about the amendment in just a minute which will change that date. But the main purpose of the bill is to make the inventory coincide with the fiscal year and, therefore, the inventory will be more in line and more representative of the state's assets at the end of the fiscal year. The amendment, the bill reads that they will...the inventory reporting date is the 31st of July. The committee amendment would say that we would move that to the 31st of August, and that was done at the request of the agencies who said the 31st of July might be a little soon for them to get their report in, so we gave them an extra month. Now if there is questions, I will be glad to answer them. If not, I'd just move the advancement of the amendment or the adoption of the amendment.

SPEAKER BARRETT: On the committee amendments, any discussion? If not, those in favor of the adoption of the committee amendments to LB 256 please vote yes, opposed no. Please record.

CLERK: 30 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

SPEAKER BARRETT: The committee amendments are adopted. Mr. Clerk.

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

SPEAKER BARRETT: Senator Baack.

SENATOR BAACK: Yes, I think the bill has been explained. The way the bill is now it will require the agencies to report, their inventory reporting date will be the 31st of August, and with that, I would just urge the advancement of the bill.

SPEAKER BARRETT: Any discussion on the advancement of the bill as amended? If not, those in favor of that motion please vote aye, opposed nay. Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 256.

SPEAKER BARRETT: LB 256 is advanced. LB 175.

CLERK: Mr. President, LB 175 was a bill that was introduced by Senator McFarland. (Read title.) The bill was introduced on January 5 of this year, referred to the Business and Labor Committee. The bill was advanced to General File. I do have committee amendments pending by the Business and Labor Committee. (See page 423 of the Legislative Journal.)

SPEAKER BARRETT: Senator Coordsen, please, on the committee amendments.

SENATOR COORDSEN: Thank you, Mr. Speaker. Will you give me just a second here. My aide turned up sick today and I don't have the folder, isn't that wonderful.

SPEAKER BARRETT: Certainly.

SENATOR COORDSEN: Thank you for the indulgence, Mr. Speaker. The committee amendments simply change the amount of compensation from \$70, which is in the bill, down to \$50. The committee felt that this was in line with what several of the other boards and commissions of like responsibilities were receiving currently in the state. Simply a reduction in the amount from \$70, as provided for in the bill, to \$50, and with that, I would urge the adoption of the amendment.

SPEAKER BARRETT: Thank you. Discussion on the committee amendments to LB 175. If not, those in favor of the adoption of the committee amendments please vote aye, opposed nay. Record, please.

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of committee amendments.

SPEAKER BARRETT: The amendments are adopted. To the bill, Senator McFarland, on LB 175 as amended.

SENATOR MCFARLAND: Thank you, Mr. Speaker, fellow senators. LB 175 is a bill to increase the per diem pay for members of the Nebraska Equal Opportunity Commission. With a great deal of caution, I have to say it was advanced unanimously out of the committee. I know that is not always a recommendation. The members of the Equal Opportunity Commission are currently paid

January 27, 1989

LB 58, 115, 138, 142, 159, 175, 225
256, 261, 283, 284
LR 20

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber on Friday, January 27th. Chaplain of the day, Pastor Jerry McInnis of Trinity United Methodist Church in Lincoln. Reverend McInnis, please.

REVEREND McINNIS: (Prayer offered.)

SPEAKER BARRETT: Thank you, Reverend McInnis. We hope you will be able to come back again. Roll call, please.

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

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: (Read correction as found on page 458 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Any reports, messages, or announcements.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 256 and recommend that same be placed on Select File; LB 175, LB 261, LB 115, LB 283, LB 284, LB 58, and LB 142, all reported to Select File, some having E & R amendments attached. (See pages 458-60 of the Legislative Journal.)

Mr. President, your Committee on Judiciary, whose Chair is Senator Chizek, reports LB 159 to General File, and LB 138 to General File with amendments, both signed by Senator Chizek. (See page 460 of the Legislative Journal.)

Judiciary offers notice of hearing, Mr. President; and LR 20 is now ready for your signature, Mr. President. That is all that I have.

SPEAKER BARRETT: Thank you. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 20. *tem 5, Mr. Clerk.

CLERK: Mr. President, I have a motion from Senator McFarland to rerefer LB 225 from the Urban Affairs Committee to the Education Committee. Senator McFarland filed his motion yesterday. It is found on page 451 of the Journal.

February 1, 1989

LB 175, 256, 261

of Environmental Control pursuant to LB 445, passed last year by the Legislature. Reports on the Miscellaneous and Tort Claims paid this past year by the Office of Risk Management and the State Claims Board; and the last report, Mr. President, is the biennial report of the Nebraska Power Review Board. Those will be on file in my office. That's all that I have, Mr. President.

PRESIDENT: Senator Rod Johnson, would you like to help us on Select File. Senator Lindsay doesn't seem to be here, I can't see him. Would you like to do that for us, please?

SENATOR R. JOHNSON: Sure.

PRESIDENT: All right. We'll move on to Select File, Mr. Clerk.

CLERK: Mr. President, LB 256, Senator, the first bill, I have no amendments pending.

PRESIDENT: Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President, I move LB 256.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 175.

CLERK: LB 175, Senator, I have E & R pending.

PRESIDENT: Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President, I'd move the Legislature adopt the E & R amendments.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted. Senator Rod Johnson.

CLERK: Nothing further, Senator.

SENATOR R. JOHNSON: Mr. President, I'd move the advancement of LB 175.

PRESIDENT: You've heard the motion. All in favor say aye. Oppose nay. It is advanced. LB 261.

CLERK: LB 261, Senator, I have no amendments to the bill.

February 2, 1989

LB 58, 70, 115, 119, 142, 156, 175
256, 261, 283, 284, 286, 298, 502
LR 23

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We're privileged to have a minister from Senator Bernard-Stevens' area and with us as our chaplain of the day, Reverend Patrick Skinner of the Wesleyan Church in North Platte. Would you please rise for the invocation.

REVEREND SKINNER: (Prayer offered.)

PRESIDENT: Thank you, Reverend Skinner. Please come back and see us again. Roll call, please.

CLERK: I have a quorum present, Mr. President.

PRESIDENT: Thank you. Do we have any corrections to be made in the Journal?

CLERK: No corrections this morning, Mr. President.

PRESIDENT: Do you have any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 298 and recommend that same be placed on Select File. That is signed by Senator Lindsay as Chair. Enrollment and Review reports LB 58, LB 70, LB 115, LB 142, LB 156, LB 175, LB 256, LB 261, LB 283, LB 284 all correctly Engrossed. Those also signed by Senator Lindsay as Chair. (See page 553 of the Legislative Journal.)

Mr. President, your Committee on Natural Resources, whose Chair is Senator Schmit, to whom was referred LB 502, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 119 as indefinitely postponed, both those signed by Senator Schmit, and LB 286 as indefinitely postponed, that signed by Senator Schmit as well. (See page 554 of the Legislative Journal.)

Mr. President, new resolution by Senator Beyer and Senator Hefner. (Read brief description of LR 23. See page 555 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, confirmation report from the Education Committee. That is offered by Senator Withem as Chair.

February 9, 1989

LB 57, 58, 70, 94, 97, 115, 116
126, 133, 142, 156, 191, 229, 230
233, 251, 255, 256, 295, 327

CLERK: (Read record vote as found on pages 671-72 of the Legislative Journal.) 33 ayes, 11 nays, 1 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 156 passes. LB 256.

CLERK: (Read LB 256 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 256 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote as found on pages 672-73 of the Legislative Journal.) 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 256 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 57, LB 94, LB 97, LB 126 with the emergency clause attached, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, and LB 256. Mr. Clerk, do you have anything for the record?

CLERK: Mr. President, two items. Government Committee reports LB 191 to General File with committee amendments attached. I have amendments to be printed, by Senator Chambers, to LB 116. That's all that I have, Mr. President. (See page 673 of the Legislative Journal.)

PRESIDENT: Thank you. For those that are interested in the General File list that is coming up, we'll be skipping the third one, LB 744, and over on the back page LB 336. So, with that, we'll go to General File and LB 327.

CLERK: Mr. President, LB 327 was a bill introduced by Senator Wehrbein. (Read title.) The bill was introduced on January 11 of this year, referred to the Government Committee, advanced to General File. I have committee amendments pending by the Government Military and Veterans Affairs Committee, Mr. President.

PRESIDENT: Senator Baack, are you going to handle the committee amendments?

February 9, 1989

LB 37, 48, 57, 58, 70, 77, 94
97, 115, 120, 126, 133, 142, 156
209, 229, 230, 233, 251, 255, 256
295, 311, 350, 521, 597, 598, 692
703, 777, 780

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 209 as amended be advanced.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. May I introduce a guest, please, of Senator Hefner. We have Mr. Art Anderson of Bloomfield, Nebraska. Would you please stand, Mr. Anderson. Thank you. Mr. Clerk, anything for the record?

CLERK: Yes, Mr. President, thank you. Your Committee on Appropriations gives notice of hearing for March 7...I'm sorry, for February 24. That's signed by Senator Warner. A location change for Appropriations hearings on March 1, also offered by Senator Warner.

Mr. President, General Affairs Committee offers LB 703 to General File; LB 777 to General File; LB 780 to General File. Those are signed by Senator Smith as Chair of the Committee.

Agriculture Committee reports LB 37 to General File with amendments; LB 120 to General File with amendments. Those are signed by Senator Johnson as Chair. (See pages 678-79 of the Legislative Journal.)

Mr. President, your Committee on Banking, Commerce and Insurance whose Chair is Senator Landis reports LB 77 to General File with amendments; LB 311, General File with amendments; LB 350, General File with amendments; LB 598, General File with amendments; LB 692, General File with amendments, and LB 597, General File with amendments. Those are signed by Senator Landis as Chair. (See pages 679-82 of the Legislative Journal.)

Your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 11:30 a.m. (Re: LB 57, LB 94, LB 97, LB 126, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, and LB 256.)

Mr. President, Senator Moore would like to print amendments to LB 48. (See page 682 of the Legislative Journal.)

And, Mr. President, Senator Weihing would like to add his name to LB 521 as co-introducer. That's all that I have, Mr. President.

February 15, 1989 LB 57, 58, 70, 74, 94, 97, 115
116, 126, 133, 142, 156, 175A, 177A
208, 229, 230, 233, 251, 255, 256
261A, 263, 267, 273, 281, 284A, 295
338, 378, 391, 398, 416, 443, 458
459, 499, 502

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber. Please rise for the opening prayer. Our Chaplain for the day is Father Daniel Sieker, of Blessed Sacrament in Lincoln. Father Sieker.

FATHER SIEKER: (Prayer offered.)

SPEAKER BARRETT: Thank you, Father Sieker. Please come back again. Roll call.

CLERK: I have a quorum present, Mr. President.

SPEAKER BARRETT: Thank you. Corrections to the Journal.

CLERK: I have no corrections, Mr. President.

SPEAKER BARRETT: Any reports, messages, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 502 and recommend that same be placed on Select File, LB 281 Select File, LB 416 Select File, LB 443 Select File, those signed by Senator Lindsay as Chair. Mr. President, your Committee on Enrollment and Review reports LB 74 as correctly engrossed; LB 116, LB 175A, LB 177A, LB 208, LB 261A, LB 263, LB 267, LB 273, LB 284A, LB 338, LB 378, LB 391, LB 398, LB 458, LB 459, and LB 499, all reported correctly engrossed, all signed by Senator Lindsay. (See pages 746-47 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read. Re: LB 57, LB 94, LB 97, LB 126, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, LB 256. See page 748 of the Legislative Journal.)