

January 13, 1989

LB 30-34, 361, 410-460

CLERK: Mr. President, I do, thank you. I have a reference report referring LBs 374-409, signed by Senator Labedz as Chair of the Reference Committee.

In addition to that, Mr. President, I have received a communication from the Chair of the Reference Committee referring the communication received from the University Board of Regents regarding the University Health Care project. That has been referred to Appropriations Committee for public hearing.

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 30 and recommend that same be placed on Select File; LB 31, LB 32, LB 33 and LB 34, all on Select File, Mr. President, all with E & R amendments attached. (See pages 223-26 of the Legislative Journal.)

Mr. President, new bills. (Read LBs 410-449 by title for the first time as found on pages 226-49 of the Legislative Journal.)

Mr. President, in addition to those items I have notice of hearings from the Agriculture Committee offered by Senator Rod Johnson as Chair; from the Business and Labor Committee offered by Senator Coordsen as Chair; from the General Affairs Committee. That is offered by Senator Smith as Chair. And, Mr. President, a notice of hearing from Senator Warner as Chair of the Appropriations Committee.

SENATOR HANNIBAL: Mr. Clerk.

CLERK: Mr. President, new bills. (Read LBs 450-459 by title for the first time. See pages 236-38 of the Legislative Journal.)

Mr. President, finally, I have an announcement the Urban Affairs Committee has selected Senator Korshoj as Vice-Chair of the committee.

Senator Rod Johnson would like to add his name to LB 361 as co-introducer. (See page 238 of the Legislative Journal.)

(Read LB 460 by title for the first time. See page 238 of the Legislative Journal.)

February 7, 1989

LB 36, 38, 45, 46, 51, 53, 60  
79, 123, 145, 168, 159, 189, 190  
207, 237, 273, 308, 338, 410, 414  
418, 431, 449, 458, 506, 706, 733

LB 36, LB 38, LB 53, LB 79, LB 123, LB 190, LB 51, LB 60,  
LB 189, LB 207, LB 45, LB 168, and LB 169.)

Retirement Systems reports LB 46 to General File; LB 308,  
General File; LB 145, General File with amendments; LB 237,  
General File with amendments; LB 418, General File with  
amendments; LB 506, General File with amendments. Those are all  
signed by Senator Haberman as Chair. (See pages 635-40 of the  
Legislative Journal.)

Health Committee reports LB 449 to General File with amendments;  
LB 733, General File with amendments. Those are signed by  
Senator Wesely as Chair. Business and Labor reports LB 410 to  
General File; LB 414, General File. Those are signed by Senator  
Coordsen as Chair. Banking Committee reports LB 431 to General  
File; LB 706, General File. Those are signed by Senator Landis  
as Chair. (See page 637 of the Legislative Journal.)

Mr. President, Senator Rogers has amendments to be printed to  
LB 273; Senator Labedz to LB 338; Senator Smith to LB 338; and  
Senator Nelson to LB 458. That's all that I have,  
Mr. President. (See pages 637-38 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. The Chair recognizes Senator  
Conway. Would you care to adjourn us, Mr. Conway.

SENATOR CONWAY: Mr. Speaker, members, I move that we adjourn  
until 9:00 a.m., February 8th.

SPEAKER BARRETT: Thank you. You've heard the motion to adjourn  
until tomorrow morning at nine o'clock. Those in favor say aye.  
Opposed no. Carried, we are adjourned.

Proofed by: Arleen McCrory  
Arleen McCrory

March 20, 1989

LB 410, 414

E & R Initial. All in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 410.

SPEAKER BARRETT: The bill is advanced. Thank you. Next bill, Mr. Clerk.

CLERK: Mr. President, LB 414 was a bill introduced by the Business and Labor Committee and signed by its members. (Read title.) The bill was introduced on January 13, referred to Business and Labor, advanced to General File. I have no amendments to the bill.

SPEAKER BARRETT: Chairman Coordsen.

SENATOR COORDSEN: Thank you, Mr. Speaker, and members of the body, this is a bill...another committee bill that was brought to us by the Department of Labor. It attaches a penalty to employers who fail to submit quarterly wage information to the Nebraska Department of Labor. The purpose of gathering this detailed wage data is to provide for the exchange of information with agencies administering other entitlement programs for purposes of income and eligibility verification. The examples of such programs might be AFDC, Medicaid and food stamps. Without a penalty, many employers do not comply, although they are required to comply. They need an incentive...the Department of Labor feels they need an incentive for employers to comply and it is not fair to those employers who comply with the law and do report these figures. The penalty contained within LB 414 is an amount of one-tenth of 1 percent of the total wages paid during the quarter, a minimum of \$25.00 and a maximum of \$200, and this penalty can be waived by the Commissioner of Labor for extenuating circumstances. So, with that, I would move the advancement of LB 414.

SPEAKER BARRETT: Is there discussion? If not, the question is the advancement of LB 414. Those in favor vote aye, opposed nay. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of 414.

SPEAKER BARRETT: The bill is advanced. Messages on the

March 21, 1989

LB 326, 334, 340A, 340, 378A, 408A, 410  
412A, 414, 440, 441, 489, 516, 556  
574A, 714

SPEAKER BARRETT: Is there any discussion? Seeing none, those in favor of the advancement of LB 714 to Enrollment and Review please vote aye, opposed nay. Record, please.

CLERK: 34 ayes, 0 nays, Mr. President, on the advancement of LB 714.

SPEAKER BARRETT: LB 714 is advanced. Anything for the record?

CLERK: Mr. President, Enrollment and Review reports LB 340A to Select File; LB 378A to Select File; LB 408A, Select File; LB 412A, Select File; LB 574A, Select File; LB 410; LB 414, Select File. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Schellpeper, would you care to recess us until one-thirty.

SENATOR SCHELLPEPER: Yes, I will. Mr. Speaker and members, I would move that we recess until one-thirty.

SPEAKER BARRETT: You have heard the motion to recess until one-thirty. Those in favor say aye. Opposed no. Motion carried. We are recessed. (Gavel.)

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you, sir. For the record, Mr. Clerk.

CLERK: Mr. President, a communication from the Governor to the Clerk. (Read communication re signing of LB 326, LB 334, LB 440, LB 489, LB 516, LB 556, and LB 441. See pages 1259-60 of the Legislative Journal.)

Senator Bernard-Stevens has amendments to LB 340 to be printed, Mr. President. (See pages 1260-61 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Before proceeding into the

March 27, 1989

LB 410, 414

SPEAKER BARRETT: You have heard the motion to adjourn until 9:00 a.m. tomorrow morning. Machine vote has been requested. Those in favor of adjourning please vote aye, opposed nay. Have you all voted on the motion to adjourn? Record, please.

CLERK: 8 ayes, 16 nays, Mr. President, on the motion to adjourn.

SPEAKER BARRETT: The motion fails. Mr. Clerk.

CLERK: Mr. President, the next bill is LB 410. The first item, I have no E & R. Senator Hall, I understand you want to withdraw your amendment, Senator.

SPEAKER BARRETT: Withdrawn.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 410 be advanced to E & R Final.

SPEAKER BARRETT: Any discussion? If not, those in favor say aye. Opposed no. Ayes have it. Carried. The bill is advanced. The next bill.

CLERK: Mr. President, LB 414, Senator. I have no amendments to that bill.

SPEAKER BARRETT: No amendments to the bill. Would you care to move to advance the bill, Senator Lindsay?

SENATOR LINDSAY: Mr. President, I move that LB 414 be advanced to E & R Final.

SPEAKER BARRETT: Any discussion? If not, those in favor of advancing the bill say aye. Opposed no. Carried. The bill is advanced. Anything further, Mr. Clerk?

CLERK: I have nothing to read in at this time, Mr. President.

SPEAKER BARRETT: Senator Hall.

April 3, 1989

LB 147, 279, 281, 319, 340, 340A, 410  
414, 587, 588, 733

SENATOR PIRSCH: And under the present law that...you could do nothing really.

SENATOR LANDIS: That is not embezzlement, that's right. Embezzlement is where you steal money from the firm.

SENATOR PIRSCH: Right. Thank you, I appreciate the explanation...

SENATOR LANDIS: Sure, you bet.

SENATOR PIRSCH: ...and I support this bill.

SPEAKER BARRETT: Thank you. Any other discussion? Seeing none, Senator Landis, anything further?

SENATOR LANDIS: Waive closing.

SPEAKER BARRETT: Thank you. Closing is waived and the question is the advancement of LB 319 to E & R. All in favor vote aye, opposed nay. Record, please.

CLERK: 27 ayes, 0 nays on the advancement of 319, Mr. President.

SPEAKER BARRETT: LB 319 is advanced. Any messages on the President's desk?

CLERK: Yes, Mr. President, I do. Senator Hartnett has amendments to be printed to LB 588, Senator Chizek to LB 279, Senator Chambers to LB 281, Senator Landis to LB 279. (See pages 1462-64 of the Legislative Journal.)

Enrollment and Review reports LB 147, LB 340, LB 340A, LB 410, LB 414, LB 587 and LB 733 as correctly engrossed. (See page 1457 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Peterson, would you care to adjourn us until tomorrow?

SENATOR PETERSON: Mr. President and members, I'd be delighted to adjourn us till tomorrow morning at ten o'clock, is that, Senator Barrett, beings we lost an hour?

April 5, 1989

LB 46, 145, 157, 231, 231A, 237, 247  
325, 379, 397, 414, 418, 640, 651  
LR 73

way. I think if we still see a lot of recalls going on in this state, still seeing it being used as a harassment tool, we'll come back in and try and make it even more meaningful with maybe some stricter restrictions onto what the reasons can be for recall, but right now I think we've just got a very general statement of reasons. We've got something here that would be a very meaningful process. With that, I would just urge you to advance the bill. Thank you.

PRESIDENT: Thank you. The question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to advance LB 640.

PRESIDENT: LB 640 advances. LB 651.

CLERK: Mr. President, may I read some items for the record?

PRESIDENT: Yeah, please.

CLERK: Mr. President, new resolution, LR 73, by Senator Abboud. (Read brief description. See pages 1521-22 of the Legislative Journal.) That will be laid over.

I have a request...or bills read on Final Reading this afternoon have been presented to the Governor. (Re: LB 157, LB 46, LB 145, LB 231, LB 231A, LB 237, LB 379 and LB 418. See page 1522 of the Legislative Journal.)

Senator Chambers has amendments to LB 397, Senator Hall to LB 414, Senator Withem to LB 247. (See pages 1522-29 of the Legislative Journal.)

And Senator Schimek would like to add her name to LB 325 as co-introducer. (See page 1529 of the Legislative Journal.) That's all that I have, Mr. President.

Mr. President, the next bill, LB 651 is on General File. It is a bill originally introduced by Senator Hall. (Title read.) The bill was introduced on January 19, referred to the Education Committee for public hearing. The bill was advanced to General File. I have committee amendments pending by the Education Committee, Mr. President.

April 6, 1989

LB 410, 414

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 410 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on pages 1541-42 of the Legislative Journal.) 38 ayes, 0 nays, 11 excused and not voting, Mr. President.

PRESIDENT: LB 410 passes. LB 414, please.

CLERK: Mr. President, I have a motion on the desk. Senator Hall would move to return the bill for specific amendment. Senator Hall's amendment is on page 1522, Mr. President.

PRESIDENT: Senator Hall, please.

SENATOR HALL: Thank you, Mr. President. The amendment, as the Clerk stated, is found on pages 1522 through 1526 of the Journal. And they deal with the issue of unemployment compensation and the increase that is found in a bill that was brought to the Business and Labor Committee by Senator Lindsay. The motion here is one to return LB 414 to Select File, at which time I will move to suspend the rules so that the amendment can be offered, and because I think clearly the issue of germaneness would be raised, and that spectrum would be raised anyway. But the point is one of an increase in benefit amount. An agreement, so to speak, I guess was worked out, and the bill that Senator Lindsay brought before the committee was advanced. But because of time it will not be heard this year. The bill, as we have done in the past, in the last increase that was allowed for spreads the increase out over a two year period. It would allow for an \$8 increase January of 1990, and an additional \$8 in January of 1991. The...I don't think there is much discussion necessary on whether or not the increase is necessary. It has, I think for the first time ever, received editorial support from the state's largest newspaper, the first time that I can remember anyway. And it is an issue that affects the greatest number of employees that find themselves, through no fault of their own, out of work. Nebraska has one of the lowest, if not the lowest unemployment benefit amounts, maximum amounts of any state. And in many senses that is very good because our unemployment fund is very healthy. We have not had the problems that other states have had because of the numbers of people that have found themselves out of work. But



that is not because of the benefit amounts, that is not because of the benefit amount, or at least the maximum amount that is allowed that we try to increase here. What that stems from is the way that we determine who is eligible and who is ineligible. But this bill and this amendment does not affect that. What we have found, at least for the four years I spent on the Business and Labor Committee, and I think other members will testify to that effect, that Nebraska disqualifies more people than any other state in the nation. We have talked about that issue, and I think Senator Coordsen has even talked about looking at that issue during an interim study proposal in the near future, that Nebraska, because of the fact that we can go back over the last number of jobs that an individual has held to determine whether or not they were eligible, has the highest number, far and away, of disqualifications of any other state in the nation. That is one of the reasons and probably the chief reason that our unemployment trust fund has been as solid as it has. The other reason is just because people are very willing to work and they'll take whatever they can find in terms of employment in order to keep money coming in to pay the bills. This a very modest increase. It is a very modest increase to a very modest maximum amount that is currently allowable, and I think that it is important that we do this this year, so that this benefit increase will take place next year, for 1990, and then again another additional \$8 in 1991. We have adopted this option of a two year proposal with regard to the increase. It is something that both business and labor have agreed to this type of a format. I think that it's important that we get this issue across the board this year, otherwise there will be another year's delay, we will have both the unemployment issue and the workers comp issue come up next year. At that point in time both of them will be necessary to increase. Through talking with Senator Coordsen and others, the issue of splitting the two benefits, or doing one one year, unemployment increase one year, a workers comp increase the next, is a route that business favors. I think to pass this increase this year, put it into effect, come back the following year and look at the workmen's comp issue is an appropriate way to go about the process. With that, Mr. President, I would ask the body to first return the bill to Select File for purposes of this amendment. Prior to the amendment, though, I will have the...the motion is currently on the Clerk's desk to suspend the rules. So there is no question with regard to the germaneness issue. Thank you.

PRESIDENT: Thank you. Senator Coordsen, please.

SENATOR COORDSEN: The point, Mr. President, that I wanted to make this morning was to challenge the germaneness of this motion, because of the total difference in context with the bill that we're considering.

PRESIDENT: Your remark is timely at this moment to discuss the germaneness issue. Senator Hall, would you wish to comment on that?

SENATOR HALL: Mr. President, I would move then, I guess, at this point to suspend the rules and deal with the issue one...at the same time, I guess, so, if there is no question with regard to the germaneness argument.

PRESIDENT: Okay. Senator Coordsen, in looking at this, it looks like it's clearly not germane, however, the motion is to suspend the rules, so we'll go ahead with the suspension. And Senator Hall will be knowledgeable that I would rule that it would not be germane. But we can still proceed with the suspension of the rules. Senator Hall.

SENATOR HALL: Thank you, Mr. President, members. Again, I just urge the body to suspend the rules, which will take 30 votes, so that the amendment can be addressed. It is, as the Chair has ruled, not germane to the bill. But it is in the same subject area, it's in the same section. It is not totally ungermane, I guess, to the issue. But in order to address this benefit increase, to have it take effect next year, I think it is only appropriate that we use LB 414 as a vehicle by which to do that. I would urge your support in suspension of the rules. Thank you, Mr. President.

PRESIDENT: Okay. Now we're still on the suspension of the rules. Senator Coordsen, on the suspension of the rules.

SENATOR COORDSEN: Thank you, Mr. President, members of the body. The amendment that Senator Hall is asking for the suspension of rules in order to attach to 414 is basically the proposed committee amendments to 315, which is a bill that was introduced by Senator Lindsay to increase the amount of unemployment in the State of Nebraska. As Chairman of Business and Labor, I did make an effort this year to follow a procedure that happened two years ago that I thought was quite well founded in that when Senator Hall was chairing the committee he

conducted a series of meetings in this area between business and labor factions, and was able to, at that time, arrive at a mutually agreeable number that was brought to the floor by amendment and was passed by the body with relatively little controversy on the floor. That was also my intent this year. However, the parties were unable to agree, so the bill was advanced with the offer of the business community, which is essentially the \$8 per year increase phased in over two years. The bill will come up at some time in natural order. The amendment that is offered, most probably by amendments to the amendment, will result in floor action that will take up quite a lot of our time. The matter is really not connected in any way with 414, which is a bill that provides a penalty for the Department of Labor for employees...employers who fail to report employment information statistics to the Department of Labor as they are prepared to do. So, what I would ask the body is not to suspend the rules at this point. Let the issue, and it is an important matter, of unemployment compensation and the rate, come up through the normal course of events so that we have the full opportunity for floor debate on General File, on Select File, and then, if an agreement isn't reached by that time, we can work off of Final Reading. I think that we are going to constrain the amount of time that is available to discuss this by working on it at this time, and we would...the body and the employees that are covered under this act would be better served if we worked through the system as it is generally used. So I would oppose the suspension of the rules.

PRESIDENT: Thank you. Senator Hefner, you are the next speaker, and you'll be followed by Senator Wesely, Senator Haberman, Senator Ashford, Senator Lindsay, Senator Hall, Senator Morrissey, and Senator Dierks. Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I rise to urge you to vote against the suspension of the rules because we do have a bill now that addresses this problem. I had hoped that Business and Labor could work together and resolve these differences. And the two differences are unemployment compensation and workers compensation. Like Senator Coordsen said, a few years back we were able to work out a compromise, and I think this is the right way to go. But what Senator Hall is trying to do is trying to amend a bill that really doesn't deal with unemployment compensation, it deals with employers being assessed a penalty when they fail to report. So I would say that, even if we do suspend the rules, I would find it hard

to believe that this would even be germane to the bill or would fit into this bill. I think we ought to let the normal progress take place here. We have a system that works fairly well, I believe. I think we need to let the legislative process work this particular way. So I would just say let's not suspend the rules. What his amendment does is provides an \$8 per week increase for two years, which would be a \$16 total increase. I don't think this is that much out of line, but I want to be sure that we have the workmen's comp bill amended into this so that the two will go hand-in-hand. Right now we are very fortunate to have a low unemployment rate. We have, in Nebraska, created a lot of new jobs, and this has helped. The economy is real good at the present time. Also, we want to remember too that unemployment benefits are not taxed, not subject to social security tax or to the federal or state withholding. So, in order to preserve our valuable time that we have left with only 30 days remaining, I would urge you to vote against suspending the rules in this case.

PRESIDENT: Thank you. Senator Wesely, please, followed by Senator Haberman.

SENATOR WESELY: Thank you, Mr. President, members. I'll just take a couple of minutes, then I'm going to give the rest of my time to Senator Lindsay. I think Senator Hefner and Senator Coordsen are trying to make the point about let the legislative process work. I, frankly, think that's deceiving. The legislative process, as it would work under this issue, would not have any chance at all of having the bill come up until next year, and even under that circumstance it's not completely sure that we would have that bill come up, it's not a priority bill, it has no chance of being enacted on this session. This amendment is the only chance we have to deal with the problem. This is the lowest, best offer type of a situation where the business community has come back with minimal effort in response to a \$40 increase, they're saying we'll take an \$8 increase this year and an \$8 increase, next year a \$16 increase. It's a compromise that I think is very reasonable. The business community did say they would go for this. I can't understand why there is opposition at this time, other than I understand there is a desire on the part of some to amend, to add a further disqualifying provision under our statute when we already have the most people anywhere in the country being disqualified from unemployment comp completely. In addition, this wonderful benefit at \$150 a week, you're talking about \$7,500 a year, not

a whole lot of money to live on for anybody I think. This is not excessive, this is not unreasonable. It is silly to think that some of us are going to sit here and listen to this idea of waiting for the process to work when it won't work, there's no chance for it to work. There is no opportunity to address this issue other than this approach. And I think we have to open our minds up and allow us to get into this issue. I think we've been far too restrictive, as I said before, by dealing with issues of importance. We're quick to provide whatever the business community thinks they desire here in this Legislature, but are we willing to recognize the legitimate needs of others in this state that don't have the sort of voice that maybe we can always hear? When we talk about the tax break legislation economic development in this state, we talk about the ship sailing off and how wonderful it is, and what a beautiful view we have, however not everybody is on that ship. There are a lot of people that aren't benefiting from the economic recovery we've experienced. There are people without jobs, there are people losing work, and they demand and I think deserve to have recognition and support. We can't just help the wealthy and the strong, we have to understand the unemployed are out there needing our help as well, so let's try and recognize those legitimate needs. I'd give the rest of my time to Senator Lindsay.

PRESIDENT: Senator Lindsay, you have a two and a half minutes.

SENATOR LINDSAY: Thank you, Mr. President and colleagues. I would echo, I guess, what Senator Wesely has said as far as whether this will...whether through the legislative process this is going to be heard this year, or maybe not even next year. It is a nonprioritized bill that may not make it up for...onto the floor at all next year, depending on what happens next year. It is a bill that was advanced out of committee. The amendments, I believe, are, from what I can tell, are what the offer was of the business community, the initial offer. I think it is necessary that something be done this year. As January 1 of this year Nebraska received the dubious distinction of being number 50 out of 50 states in terms of worker's...excuse me, unemployment compensation. We have now dropped below Alabama, and without an increase we'll continue to drop. As far as, I think Senator Hall has already mentioned, disqualifications, we're not even on the chart. We're, I think, in number of disqualifications the next state has half as many as Nebraska does. I think it's a travesty that Nebraska treats its

unemployed workers the way it has chosen to do so. With having a lot of hoops to jump through before you're even entitled to benefits, and once you get them you have 49 states that will pay you a little bit better. I think we've been...we have been good to the business community over the last couple of years. I think in terms of LB 775 and 270 from a couple of years ago...

PRESIDENT: One minute.

SENATOR LINDSAY: ...we did quite a bit to help out business, and I think that's good to strengthen the economic climate. Had I been here I would have supported those bills. But I don't think we can stop by just helping business without helping those who are getting passed by. Yes, Nebraska has a low unemployment rate, but low unemployment rates and strong economies mean absolutely nothing to somebody who has no job and no income. I think it's just a matter of fundamental fairness that something be done about the unemployment rates, and I urge that Senator Hall's motion be voted in the affirmative. Thank you.

PRESIDENT: Thank you. May I introduce some guests before Senator Ashford speaks. In the north balcony Senator Wehrbein has 24 students from the Lincoln Elementary School in Plattsmouth, Nebraska with their teacher. Would you folks please stand and be recognized. Thank you. We also have, in the north balcony, nine members of the Omaha Golden K Kiwanis Club. They are guests of Senator Hannibal and Senator Goodrich. Would you gentlemen please stand. Thank you for visiting us today. Senator Ashford, followed by Senator Lindsay.

SENATOR ASHFORD: Mr. President and members, I rise to support the motion filed by Senator Hall. I have tried in the Legislature to support bills which provided incentives for businesses to expand. And as long as those bills and measures are reasonable I'll continue to support them, because I believe that they are important to our economy. But I've also tried to support reasonable legislation to enhance the quality of life for those individuals who, for one reason or another, are no longer employed or have been injured on their job. I will continue to support reasonable measures in the future to do that. I think that I do have some questions about Senator Hall's amendment and would like to debate it a little bit and have some dialogue on it. I think that it is an extremely important measure and needs to be discussed. I don't see any reason to delay it. I think it's one of the...one of those

types of measures that I think we could debate in a relatively short period of time, have a pretty good understanding of where we stand one way or another on it and vote it up or down. I don't think it's the kind of debate that is going to take all morning or all afternoon. But I do believe it is the kind of debate that is constructive and is important for this body to engage in, even if we do it every year. So, with that, I'm going to encourage the body...I'm going to vote for Senator Hall's motion. I would encourage the rest of the body, no matter whether or not they support Senator Hall's amendment as it now reads, to suspend the rules and let's have a little discussion about this, because I think at times it's a confusing issue to many, the unemployment benefits. And hopefully we can get something done on it this year. Thank you.

PRESIDENT: Thank you. Senator Lindsay, please, followed by Senator Hall.

SENATOR LINDSAY: Thank you, Mr. President. I don't....

PRESIDENT: Okay. Senator Hall, please, followed by Senator Morrissey.

SENATOR HALL: Thank you, Mr. President and members. The issue here is an amended version of LB ...I can't remember what that number is right now off the top of my head, that Senator Lindsay brought to the Business and Labor Committee. It allows for the \$8 increase in 1990 and '91, the \$8 increases where businesses offer to labor. This is not what labor would like to see, but it is a proposal that needs to be passed this year so it can take effect in January of 1990. It is, I guess, the first offer that labor made with regard to the bill that was introduced. There was little comment on the part of labor. What we have proposed here, what I have offered in this amendment that I'm asking you to suspend the rules so it can be before the body, is that this offer, by business, for an increase in the unemployment rate can take effect January 1, 1990. It is not a run on the treasury, so to speak, by labor. It is clearly what businesses offered, what they said we will provide, we will pay for, we are willing to do. All I'm asking you here today to do is to suspend the rules so that this can be before us, because it will not, in a natural order of business, come up this year, it will not happen. I have not fought the germaneness fight, I've come straightforward and asked for a suspension of the rules. And I would hope that you will support that, because



this is a very, very important issue. We cheerlead here and carry the spear for business on a weekly basis on issues that are important to this state. This is one issue that is extremely important to labor and that we need to pass this year. We need to send the message that we support both sides of that equation with regard to who makes this state run, because you talk to anyone and it's the small business individuals, and that's who many of the organizations that provided this amendment support and represent. It's the small business individual who understands that these increases are important, they don't like to see them too large because it does affect their bottom line, their business. But they do want to see a fair playing ground for the employees that they hire. With that, I would again urge the suspension of the rules so that we can move to adoption of this amendment to LB 414. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Morrissey, please, followed by Senator Dierks.

SENATOR MORRISSEY: Mr. Speaker and members, thank you. I would support Senator Hall's motion to suspend the rules because I really feel this is something that is needed and it's needed, not next year with no guarantee, just a little discussion next year, it's needed this year. I would ask the members, when was the last time that you drew unemployment? When was the last time that you had to live on \$150 a week? We're not talking about people going out and buying new cars, new clothes, new TV sets, we're talking about families that are struggling to get by with the bare necessities. This money that they do collect, they don't drive from our communities to Lincoln and Omaha to spend it, because they can't afford it. It's spent in your communities, it's spent in your district. When you can just barely get by on what you've got you don't drive out of town to do your shopping, you shop at home, because that is your only choice. I have many people on railroad unemployment, which is better by the way than state unemployment, that are driving right now to Oklahoma and Texas to continue work. So any argument you might hear that this is putting the unemployment too high and doesn't encourage people to seek job opportunities and seek employment are real weak. These are family men, family people that are driving hundreds of miles, staying away from their families for weeks and months at a time simply so they can get just a little bit more money, a few more dollars a week. So I think this is very important. I encourage you to suspend the



rules because this system doesn't always work. This bill, this unemployment bill was held up in committee because of another bill, a bill that I consider very onerous and unneeded, it has been proven in the courts now that it isn't needed, it was a bill to further restrict the qualifications of workers drawing unemployment. It has been proven, in the courts, that this bill that was brought to the Legislature, because of a one-time circumstance, something that happened one time and has since been proven to be not needed, because of that bill the unemployment bill was held up in committee. So I submit to you that this system doesn't always work. When we have an issue, such as this, that is very much needed and a token gesture towards the people that really need it, and there are more people that need it all the time because business is moving toward seasonal and cycle work periods and these people need this unemployment to get by. They are not loafers, they are not a bunch of lazy people sitting out there, they are wanting to work, but there are just no jobs available for them right now and they are waiting to go back to work, and they'll go wherever they have to go to find work. This is a bridge to get them over those cycles when they really need that help. Again, I would stress it's not luxuries we're buying, we're talking bread, milk and clothing for the kids. Thank you.

PRESIDENT: Thank you. Senator Abboud, please, followed by Senator Korshoj.

SENATOR ABOUD: Question.

PRESIDENT: Question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: 26 ayes, 1 nay to cease debate, Mr. President.

PRESIDENT: Debate has ceased. Senator Hall, would you like to close on your motion to suspend?

SENATOR HALL: Thank you, Mr. President, very briefly. The issue here is a motion to suspend the rules. It takes 30 votes and I need your help to do that. The issue of the priority bill system has been raised in the past with regard to whether or not we should suspend the rules, and do we want to try to circumvent that process. This, I can guarantee you, will not be the last time that the suspension of the rules, with regard to the

germaneness issue, is brought before the body. We did it just yesterday, because there was an amendment that was fairly noncontroversial. It will come up very likely even possibly again before the day is over. But this motion is so that an \$8 increase can take effect in 1990 for unemployed workers, and again in 1991. This is businesses proposal. This is businesses offer, it's what they are willing to do. All I'm asking is that you allow that to happen, you allow that to happen through a suspension of the rules so we can adopt this amendment to LB 414. I would appreciate your support for this motion to suspend the rules. Thank you, Mr. President.

PRESIDENT: Thank you. The question is the suspension of the rules. All those in favor vote aye, opposed nay. Requires 30 votes.

SENATOR HALL: Mr. President.

PRESIDENT: Senator Hall.

SENATOR HALL: Could I ask for a record vote?

PRESIDENT: Yes, sir.

SENATOR HALL: Thank you.

PRESIDENT: Have you all voted that care to? Have you all voted?

SENATOR HALL: I would just like a record vote, Mr. President.

PRESIDENT: Okay.

SENATOR HALL: The numbers aren't there.

PRESIDENT: Record vote has been requested. Record, Mr. Clerk.

ASSISTANT CLERK: (Read record vote as found on pages 1542-43 of the Legislative Journal.) The vote is 20 ayes, 15 nays, 4 present and not voting, 10 excused and not voting, Mr. President.

PRESIDENT: The motion fails.

ASSISTANT CLERK: There is nothing further on the bill,

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LB 414, 587, 733

Mr. President.

PRESIDENT: Please read the bill, 414.

ASSISTANT CLERK: (Read LB 414 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 414 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote as found on pages 1543-44 of the Legislative Journal.) The vote is 39 ayes, 0 nays, 1 present and not voting, 9 excused and not voting, Mr. President.

PRESIDENT: LB 414 passes. May I introduce a guest, please, under the south balcony of Senator Chizek. She is Ruth Chermok of Omaha, she's also a niece of Senator Robak. Would you please stand and be recognized, Ruth. Thank you, Ruth, for visiting us today. LB 587 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 587 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 587 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote as found on pages 1544-45 of the Legislative Journal.) The vote is 39 ayes, 0 nays, 1 present and not voting, 9 excused and not voting, Mr. President.

PRESIDENT: LB 587 passes with the emergency clause attached. For you gentlemen watching from the balcony, you might be interested that we only have one more Final Reading to do, so hang with us and perhaps things will liven up a little bit after that. This is a necessary procedure that we go through to have all bills completely read so that the Legislature will know what is in them. I'm only kidding on the last sentence, but most of them do know what is in it, so don't worry about that. Mr. Clerk, LB 733 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 733 on Final Reading.)

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LB 410, 414, 587, 733, 810

error on this simple majority, because it involves money, so go ahead and vote, if you like. But I'll check to see if I made a mistake or not. Have you all voted? Record, Mr. Clerk, please.

CLERK: 8 ayes, 12 nays, Mr. President, on adoption of Senator Lindsay's and Senator Morrissey's amendment.

PRESIDENT: The Morrissey amendment to the committee amendment fails. Now we're back on the committee amendment. Senator Coordsen, did you wish to discuss further?

SENATOR COORDSEN: No, only to move the committee amendment.

PRESIDENT: Okay. The question is the adoption of the committee amendments. All those in favor vote aye, opposed nay. We're voting on the adoption of the committee amendments. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of committee amendments.

PRESIDENT: The committee amendments are adopted. May I direct your attention, please, to the northeast corner of the Chamber where we have a previous member of this Legislature, Senator Dick Fellman of Omaha. Please welcome Senator Fellman back to the body. Senator, you left this body, what, about 14 years ago, something like that. Long time ago. Thank you for being with us. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 410, LB 414, LB 587, and LB 733. We're back on the...Mr. Clerk.

CLERK: Mr. President, Senator Coordsen would move to indefinitely postpone the bill.

PRESIDENT: Senator Coordsen, please.

SENATOR COORDSEN: Thank you, Mr. President, members of the body. This is one of the IPP motions that is rare in this body, and that is a good motion. Since we've had the discussion on the bill, these claims that are contained within the bill now have been disallowed. There is no need for the bill beyond the need we've already accomplished of bringing the...several of the issues to the floor and giving the body the opportunity to look at the denied claims. So at this time it is appropriate to indefinitely postpone LB 810 and move on to the allowed claims.

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LB 410, 414, 587, 588, 642, 733, 812

future Governors would choose to do. And it seems to me that it makes a world of sense to have a fully funded state program allocated in a fashion that the state wants to do, rather than use the route that has now developed into the overmatch which the federal government decides the allocation of funds rather than the State of Nebraska deciding how its own funds and only its own funds are to be distributed. So I would urge that the amendment not be adopted. The two programs ought to be set up, even though the distribution would not be different in the funds, but the state had ought to not be burdened with that maintenance of effort if you wish to make a change in the future. We ought to control our own destiny and not have the federal government doing it.

SPEAKER BARRETT: Thank you, sir. Senator Hannibal. (Cavel.)

SENATOR HANNIBAL: Well, Mr. Speaker, I realize the time is getting very close to a recess. May I inquire of the Chair if we were going to continue after recess with the same issue?

SPEAKER BARRETT: That would be my wish.

SENATOR HANNIBAL: Would it be permissible to move we recess until one-thirty.

SPEAKER BARRETT: If the votes are there, it would certainly be in order.

SENATOR HANNIBAL: I would so move.

SPEAKER BARRETT: Anything for the record, Mr. Clerk?

CLERK: Mr. President, Senator Korshoj has amendments to be printed to LB 588. I have a series of appointment letters from the Governor to be printed. Those will be referred to Reference Committee. (See pages 1550-54 of the Legislative Journal.)

Mr. President, your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning. (Re: LB 410, LB 414, LB 587, LB 733.)

And the last item, Mr. President, is a motion by Senator Ashford with respect to LB 642. That will be laid over. That is all that I have, Mr. President.

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LB 46, 84, 145, 157, 231, 231A, 237  
356, 379, 410, 414, 418, 587, 588  
653, 733

CLERK: Mr. President, I have a reference report referring certain gubernatorial appointees to the appropriate committee for a confirmation hearing.

Senator Conway has amendments to LB 356 to be printed. Senator Conway would like to add his name to LB 84 as co-introducer. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. On Senator Withem's motion to adjourn, those in favor...recess, those in favor say aye. Opposed no. Carried, we are recessed until one-thirty.

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you. Back to LB 588. Mr. Clerk, could you bring us up to date as to our position just before recess.

CLERK: Mr. President, I will, if I may read some items for the record initially?

SPEAKER BARRETT: Certainly.

CLERK: Your committee...strike that. A communication to the Clerk from the Governor. (Read communications re: LB 410, LB 414, LB 587, LB 733, LB 157, LB 46, LB 145, LB 231, LB 231A, LB 237, LB 379 and LB 418. See page 1600 of the Legislative Journal.)

Senator Hall has amendments to LB 653 to be printed, Mr. President. (See page 1601 of the Legislative Journal.)

Mr. President, the Legislature left LB 588 this morning and at that time Senator Smith via Senator Chambers had moved to reconsider adoption of Senator Labedz's amendment to the committee amendments. That motion is pending.

SPEAKER BARRETT: Thank you. Back then to the motion to reconsider. Senator Withem, would you care to continue the discussion on the motion to reconsider, Senator Chambers next.