

January 18, 1989

LB 53, 57, 123, 537-597
LR 8-12

Mr. President, new bill. (LBs 537-538. Read for the first time by title. See page 268 of the Legislative Journal.)

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: The Chair is pleased to announce that Senator Jacklyn Smith of Hastings has visiting the Legislature today Dr. Robert Schlock and 20 students from Hastings College, specifically, psychology and law class, in the east balcony, the rear balcony. Dr. Schlock, would you and your students please stand and be recognized by your Legislature. Thank you. We are pleased to have you visiting with us today. Also under the north balcony from David City High School, Senator Schmit announces the following guests, 8 students from David City High School with their teacher. Would you folks please stand and be recognized. Thank you for visiting. We are glad to have you. Mr. Clerk, more bill introductions, please.

CLERK: Mr. President, first of all, your Committee on Urban Affairs, whose Chair is Senator Hartnett, to whom was referred LB 53, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File; LB 57 General File; LB 123 General File, all signed by Senator Hartnett as Chair of the committee.

Mr. President, new bills. (LBs 539-557 read for the first time by title. See pages 269-72 the Legislative Journal.)

SENATOR HEFNER PRESIDING

SENATOR HEFNER: Mr. Clerk, do you have some more bills to introduce?

ASSISTANT CLERK: Yes, I do, Mr. President. (LBs 558-593 read for the first time by title. See pages 273-81 of the Legislative Journal.)

SENATOR HEFNER: Do you want to read the bills into the record?

CLERK: Yes, Mr. President, thank you. (LBs 594-597 read for the first time by title. See page 281 of the Legislative Journal.)

Mr. President, in addition to those items, I have new resolutions. (Read a brief explanation of LRs 8-12. See

state. The amendment simply adds some more technical language to it and also allows someone an exemption, if you turn on to the back on page 4, line 13, inserts the word "any engineer or person working under the direct supervision of an engineer", for that exemption so it broadens it a little bit more. I would simply ask the adoption of the amendment.

PRESIDENT: Senator Lynch, did you wish to speak about the amendment? Senator Baack suggests you might use a better example, Senator Moore. (laughter) The question is the adoption of the Moore amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Moore's amendment.

PRESIDENT: The Moore amendment is adopted. Now, Senator Moore, on the advancement of the bill.

SENATOR MOORE: With that being my first amendment I've got adopted this year, I would like to continue that trend and move the bill.

PRESIDENT: Any further discussion? 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 advancement of LB 263.

PRESIDENT: The bill is advanced. Mr. Clerk, anything for the record?

CLERK: Mr. President, I do. Your Committee on Agriculture whose Chair is Senator Rod Johnson instructs me to report LB 548 to General File and LB 582 to General File, those reports signed by Senator Johnson. (See page 652 of the Legislative Journal.)

Mr. President, new A bill LB 214A by Senator Landis. (Read by title for the first time. See pages 652-53 of the Legislative Journal.)

Mr. President, a series of adds. Senator Conway would like to add his name to LB 238; Senator Ashford to LB 140; Senator Chizek to LB 89. (See page 653 of the Legislative Journal.)

SENATOR L. JOHNSON: LB 548 is advanced. The next bill is LB 582.

CLERK: LB 582, Mr. President, by Senator Rod Johnson and Senator Dierks. (Read title.) The bill was introduced on January 18, referred to the Agriculture Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SENATOR L. JOHNSON: The Chair recognizes Senator Johnson.

SENATOR R. JOHNSON: Mr. President and members, I was asked to introduce LB 582 for the purposes of allowing the Nebraska Beef Checkoff Board to collect and keep 50 cents of the dollar they now collect. Currently, in Nebraska we collect a \$1.00 per head checkoff fee that is spent for promotion and development and education of our beef products. Nebraska has statutory authority to collect 25 cents. We are the only state, out of 43 state councils, that is not authorized to keep up to 50 cents. We can keep up to 25 cents. Of that 25 cents, 16 cents of it goes out of the state, 15 cents goes to the National Beef Council and one cent to the United State Meat Export Federation. Nine cents of that 25 cents that we collect stays in Nebraska and is implemented and utilized by the Nebraska Beef Checkoff Board. That 25 cents that we collect constitutes about, I think about \$1.6 million that is kept in Nebraska, but 90 percent of that money is actually collected here but sent out of the state. The purpose of the bill and the fact the bill will be important to the Nebraska cattlemen and to the Nebraska Checkoff Program is that we can keep an additional 25 cents to use discretionarily by the Nebraska Beef Checkoff Board. Currently, there are two boards that we are members of, the National Cattlemen's Beef Board, which 75 cents right now goes toward the National Beef Board, but the membership of that board is determined by the number of cattle in the state. Texas usually has been the number one state in cattle on feed and so they have the most membership on that board. That figure is changing as cattle on feed numbers change in Nebraska. But the National Livestock and Meat Board, which is composed of the Beef Council, the Pork Council, the Lamb and Veal Councils, that membership is determined by the number of dollars or the amount of dollars that are actually contributed to the board. Nebraska, if they chose to keep the extra 25 cents and send it in that direction toward the National Livestock and Meat board, could have a greater voice and pick up, potentially, up to two

more board members for Nebraska on that board. That would give us more strength, more say on the board and I think would give us more power as far as the direction that the National Livestock and Meat Board would take. I don't believe, and I think it's very clear if you talk with Nebraska Beef Board members, that they want to keep the additional 25 cents to spend solely here in Nebraska. That is not their intent. They simply see this as an opportunity to comply with what all the other states are currently doing that have a promotional board, allows some discretionary use of funds that we don't have right now and I think would give us some more political muscle in some circles, livestock circles, that I think we deserve. And so, as I said, the bill is relatively simple but could have a positive impact on the say and the direction that some of these national boards have, considering Nebraska is quickly becoming the leading cattle feeding state in the nation and I think those numbers are only going to continue to grow and I think, as those numbers grow, it is evident to me, at least, that Nebraska's potential power and say on these boards should be recognized and this is one way we can do that. So I would urge for the advancement of the bill.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Thank you. Discussion? Senator Coordsen.

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body, to reiterate a little bit like what Senator Johnson said, this is a good bill. It will put Nebraska back on even footing with the other beef producing states. The money that will change or be shifted within the collection process back to the Nebraska Beef Board for their allocation is fairly restricted by statute as to how they can use it. So the money will be used basically in the same fashion that it is currently used. The only difference will be that Nebraska will again have control over half of the beef checkoff which is comparable to other states. So I would also encourage the advancement of LB 582.

SPEAKER BARRETT: Any other discussion? If not, the question is the advancement of LB 582. Those in favor vote aye, opposed nay. Shall LB 582 be advanced? Record, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to advance LB 582.

March 30, 1989

LB 240, 582, 582A

SPEAKER BARRETT: LB 582 is advanced. The A bill, please.

CLERK: LB 582A by Senator Johnson. (Read title.)

SPEAKER BARRETT: Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President, I would just ask that the bill be advanced.

SPEAKER BARRETT: Thank you. Discussion? Seeing none, shall the bill be advanced? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 582A.

SPEAKER BARRETT: LB 582A is advanced. LB 240, Mr. Clerk.

CLERK: LB 240, Mr. President, offered by Senator Hall. (Read title.) The bill was introduced on January 9, referred to Urban Affairs, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Thank you, Mr. President. As the Clerk stated, LB 240 is just simply a change in the format for the handicapped placard. It allows for the use of a placard that would hang from the rear view mirror, readily visible for enforcement individuals as well as easily transferred from vehicle to vehicle because it is the individual who has the handicap, not the vehicle. And this is for those folks who currently use a card that is something similar to the size of an eight and a half by fourteen sheet of paper, roughly, and it's difficult for them to put that in their shirt pocket. This would provide for something that would be both visible and readily moveable from vehicle to vehicle. I would urge the...it also allows, the bill also allows that the department would use whatever supply of the current cards up prior to doing this. So I would urge the advancement of the bill.

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

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

April 3, 1989

LB 44, 44A, 47, 66, 75, 78, 87
220, 240, 262, 348, 372, 399, 401
431, 438, 438A, 546, 548, 569, 569A
582, 582A, 592, 606, 608, 628, 637
681, 706, 777, 790

the time Senator Abboud can have to finish his closing.

SPEAKER BARRETT: Thank you. The question is the advancement of the bill to E & R Engrossing. All in favor vote aye...thank you. Roll call vote has been requested in reverse order. So be it. Mr. Clerk.

CLERK: (Roll call vote read. See pages 1431-32 of the Legislative Journal.) 27 ayes, 10 nays, Mr. President, on the advancement 592.

SPEAKER BARRETT: LB 592 advances. Anything for the record, Mr. Clerk?

CLERK: I do, Mr. President, thank you. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 262 and recommend that same be placed on Select File; LB 569, LB 569A, LB 606, LB 628, LB 681, LB 78, LB 438, LB 438A, LB 706, LB 47, LB 75, LB 548, LB 582, LB 582A, LB 240, LB 790, LB 777, LB 44, LB 44A, LB 637, LB 66, LB 546, LB 87, LB 220, LB 372, LB 399, LB 401 and LB 608, some of which have E & R amendments attached, Mr. President. (See pages 1432-44 of the Legislative Journal.)

Mr. President, your Committee on Health whose Chair is Senator Wesely reports LB 348 to General file with committee amendments attached. That's signed by Senator Wesely as Chair. (See page 1444 of the Legislative Journal.)

That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. As announced before recess, we will move back to LB 431 and LB 431A. LB 431, Mr. Clerk.

CLERK: Mr. President, the first item I have on 431 are Enrollment and Review amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 431 be adopted.

SPEAKER BARRETT: The question is the adoption of the E & R amendments to LB 431. Those in favor say aye. Opposed no. Carried. They are adopted.

April 7, 1989

LB 47, 548, 582, 582A, 790

CLERK: Nothing further on the bill, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 47, as amended, be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 548.

CLERK: Senator, on 548 I have no amendments to the bill.

PRESIDENT: Senator Lindsay, on the advancement.

SENATOR LINDSAY: Mr. President, I move that LB 548 be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 582.

CLERK: LB 582, Senator, I have no amendments to the bill.

PRESIDENT: Okay, Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 582 be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 582A.

CLERK: LB 582A, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 582A be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 790.

CLERK: LB 790, Senator, I have E & R amendments, first of all.

PRESIDENT: Senator Lindsay, please.

April 11, 1989

LB 44, 44A, 47, 66, 285, 285A, 361
361A, 372, 401, 429, 506, 546, 548
582, 582A, 608, 637, 739, 777, 790

your light is on.

SENATOR MORRISSEY: Yes, Mr. Speaker, I would move that we adjourn until 9:00 a.m., Wednesday, April 12.

SPEAKER BARRETT: Thank you. Before we take a vote, Mr. Clerk, have you anything for the record?

CLERK: Mr. President, I have amendments to be printed to LB 739 by Senator Wesely and to LB 429. Enrollment and Review reports LB 44, LB 44A, LB 47, LB 66, LB 285, LB 285A, LB 361, LB 361A, LB 372, LB 401, LB 506, LB 546, LB 548, LB 582, LB 582A, LB 608, LB 637, LB 777, and LB 790 as correctly engrossed. (See pages 1648-52 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The question is adjournment until tomorrow morning at nine o'clock. Those in favor say aye, opposed no. Carried. We are adjourned. (Gavel.)

Proofed by:

Sandy Ryan
Sandy Ryan

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LB 336, 546, 548, 582
LR 76

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of LR 76.

PRESIDENT: The resolution is adopted. Anything for the record at this time, Mr. Clerk?

CLERK: Mr. President, Senator McFarland would like to add his name as co-introducer to LR 76 and Senator Withem has amendments to be printed to LB 336. (See page 1739 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Okay, if you will return to your seats, please, we will begin Final Reading. (Gavel.) If you will return to your seats, please, we will begin Final Reading. Mr. Clerk, LB 546.

CLERK: (Read LB 546 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 546 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1740 of the Legislative Journal.) 46 ayes, 0 nays, 3 excused and not voting, Mr. President.

PRESIDENT: LB 546 passes. LB 548.

CLERK: (Read LB 548 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 548 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1740-41 of the Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

PRESIDENT: LB 548 passes. LB 582.

CLERK: (Read LB 582 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 582 pass? All

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LB 582, 582A, 608, 637

those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1741-42 of the Legislative Journal.) 47 ayes, 0 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 582 passes. LB 582A.

CLERK: (Read LB 582A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 582A pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1742 of the Legislative Journal.) 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 582A passes. LB 608.

CLERK: (Read LB 608 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 608 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1743 of the Legislative Journal.) 47 ayes, 0 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 608 passes. LB 637, please.

CLERK: (Read LB 637 on Final Reading.)

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 637 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See page 1744 of the Legislative

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LB 99, 546, 548, 582A, 582, 608, 637
761, 777, 790

Nebraska Public Power and Irrigation District and the Nebraska Public Power District is opening an exhibit in our Rotunda at this point. The exhibit is open to the public. Everyone is invited to attend. And, finally, an announcement of considerable concern, or it should be, to this entire body, the final score in last night's practice game or preseason basketball game, staff-66, senators-47. The good news is that there were no fatalities. The call is raised. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 790, LB 777, LB 637, LB 608, LB 582A, LB 582, LB 548, LB 546, and LB 99. Senator Dierks, for what purpose do you rise?

SENATOR DIERKS: Personal privilege.

SPEAKER BARRETT: State your point.

SENATOR DIERKS: Well, I just wanted to assure the senators that the reason for the good news was that the team physician was absent last night.

SPEAKER BARRETT: The team physician was absent last evening? Thank you, sir. That's for the good of the order. Mr. Clerk, proceed to General File, special order, LB 761.

CLERK: Mr. President, 761 was the bill introduced by the Natural Resources Committee. (Read title.) The bill was discussed yesterday, Mr. President. At that time, the committee amendments were adopted along with a series of amendments to those committee amendments. Mr. President, the first item I have on the bill this morning is an amendment by Senator Dierks. Senator Dierks' amendment is on page 1694 of the Journal.

SPEAKER BARRETT: Senator Dierks, please.

SENATOR DIERKS: Mr. Speaker and members of the body, we discussed this amendment a little bit yesterday so you have an idea of what we're talking about. This amendment requires voter approval by citizens of a county prior to the issuance of a license to site a facility. It seems a little bit strange to me that I have to stand here to justify this requirement, this requirement of local election, for specific reasons which I think are obvious, they're obviously consistent with Nebraska's traditional philosophy of local control, sovereignty of our citizens. More specifically, I believe the state made a pledge

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LB 99, 240, 279, 361, 361A, 546, 548
582, 582A, 608, 637, 761, 777, 790

Record, Mr. Clerk. Senator Chambers.

SENATOR CHAMBERS: I want a call of the house and a roll call vote.

PRESIDENT: Okay, the question is, shall the house go under...okay, we are under call, Senator Chambers, but we will check in. Yes, all right. Please record your presence. Senator Lynch, would you record your presence, please. Senator Hefner, would you push...pardon me. Record your presence, please. Yes, we are, but we're checking in. Please. Senator Wesely, we're looking for and Senator Schmit. Did you ask for a roll call vote, Senator Chambers? All right. Okay, the question is the adoption of the Chambers amendment. Roll call vote has been requested. Mr. Clerk.

CLERK: (Roll call vote read. See page 1749 of the Legislative Journal.) 21 ayes, 24 nays, Mr. President.

PRESIDENT: The amendment fails. Do you have anything else on the bill?

CLERK: Nothing.

PRESIDENT: Do you have anything for the record, Mr. Clerk:

CLERK: I do, Mr. President. Mr. President, your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning. (Re: LB 546, LB 548, LB 582, LB 582A, LB 608, LB 637, LB 777, LB 790 and LB 99.)

I have a motion to be printed by Senator Landis. (See page 1750 of the Legislative Journal. Re. LB 361 and LB 361A.)

PRESIDENT: The call is raised.

CLERK: Transportation Committee gives notice of confirmation hearing.

Amendments to be printed to LB 279 by Senator Chizek, and Senator Hall to LB 240. (See pages 1750-53 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: May I introduce some guests, please. In the north balcony Senator Byars has 80 fourth graders from Anderson Grove

April 20, 1989

LB 47, 66, 99, 135, 206, 247, 247A
324, 372, 381, 392, 395, 401, 482
506, 546, 548, 582, 582A, 608, 611
637, 777, 790
LR 81, 82

advancement of LB 247.

SPEAKER BARRETT: LB 247 is advanced. Anything for the record? The call is raised. Senator Withem, would you like to handle the A bill at this point? (LB 247A)

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

SENATOR WITHEM: Move the advancement of the A bill.

SPEAKER BARRETT: Thank you. Any discussion? If not, those in favor of the advancement of the A bill say aye. Opposed no. Carried. For the record.

CLERK: Mr. President, thank you. Communication from the Governor to the Clerk. (Read communications regarding LB 135, LB 206, LB 324, LB 381, LB 392, LB 482, LB 395, LB 47, LB 66, LB 372, LB 401, LB 506, LB 546, LB 548, LB 582, LB 582A, LB 608, LB 637, LB 777, LB 790, and LB 99 as found on pages 1809-10 of the Legislative Journal.)

Study resolution, Mr. President, by Senator Goodrich and some other members regarding a review of state institutions where there is a permanent residence population. That will be referred to Reference Committee. (LR 81.) LR 82 is a resolution by Senators Pirsch and Lindsay asking the Legislature to applaud the efforts of 120 students in the...for their academic achievement. That will be laid over. (See pages 1810-12 of the Journal.)

Mr. President, Government Committee gives notice of confirmation hearing for May 4. That is offered by Senator Baack as Chair. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Proceeding then to the next bill on Select File, LB 611.

CLERK: Mr. President, the first item on LB 611 are Enrollment and Review amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 611 be adopted.