

January 19, 1989

LB 94, 247, 570, 576, 683-808

as yet, please contact Joanne immediately. If you don't have the bill that you are expecting, please contact the Bill Drafters Office immediately. Mr. Clerk.

CLERK: Mr. President, for the record, I have received a reference report referring LBs 496-599 including resolutions 8-12, all of which are constitutional amendments.

Mr. President, your Committee on Banking, Commerce and Insurance to whom we referred LB 94 instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with amendments attached. (See pages 320-21 of the Legislative Journal.)

Mr. President, I have hearing notices from the Judiciary Committee signed by Senator Chizek as Chair, and a second hearing notice from Judiciary as well as a third hearing notice from Judiciary, all signed by Senator Chizek.

Mr. President, new bills. (Read LBs 683-726 by title for the first time. See pages 321-30 of the Legislative Journal.)

Mr. President, a request to add names, Senator Korshoj to LB 570, Senator Smith to LB 576, Senator Baack to 570 and Senator Barrett to LB 247.

SPEAKER BARRETT: Stand at ease.

EASE

SPEAKER BARRETT: More bills, Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. (Read LBs 727-776 by title for the first time. See pages 331-42 of the Legislative Journal.)

EASE

SPEAKER BARRETT: More bill introductions.

ASSISTANT CLERK: Thank you, Mr. President. (Read LBs 777-808 by title for the first time. See pages 343-50 of the Legislative Journal.)

CLERK: Mr. President, I have reports. Your Committee on

February 23, 1989      LB 114, 129, 183A, 221, 342, 357, 545  
577, 640, 695  
LR 37

General File with amendments, LB 577 General File with amendments, those signed by Senator Landis as Chair. (See pages 848-49 of the Legislative Journal.)

Government, Military and Veterans Affairs reports LB 545 to General File with amendments, LB 640 General File with amendments, those signed by Senator Baack as Chair. Transportation Committee reports LB 129 to General File, LB 695 to General File, those signed by Senator Lamb as Chair. (See pages 853-55 of the Legislative Journal.)

Mr. President, I have a report and a motion by the Appropriations Committee regarding the Nebraska Energy Settlement Fund. That report is filed pursuant to statute.

Mr. President, your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 10:00 a.m. (Re: LB 342, LB 114, LB 221.)

A new A bill, LB 183A by Senator Baack. (Read for the first time by title.) A new resolution, LR 37 by Senator Korshoj. (Read brief explanation.) That will be laid over, Mr. President. (See pages 857-58 of the Legislative Journal.) That is all that I have at this time, Mr. President.

SPEAKER BARRETT: Mr. Clerk, proceed to General File, LB 357.

CLERK: LB 357, Mr. President, introduced by Senators Nelson, Smith, Schellpeper, Coordsen. (Read title.) The bill was introduced on January 11, referred to the Education Committee. The bill was advanced to General File, Mr. President. The Legislature on February 8 considered the bill. At that time committee amendments were adopted. There was an amendment to the bill by Senator Nelson. That was adopted. Mr. President, Senator Withem then bracketed the motion until February 22. I do have amendments pending, Mr. President.

SPEAKER BARRETT: Senator Nelson, I wonder if perhaps we could go to you first for a very short refresher on the bill to bring us up to speed. Would you do that, please?

SENATOR NELSON: Thank you. I would be pleased to do so. As it was noted, LB 357 was bracketed when it was brought to us about a week ago, and we finally, I guess, got to it today. There were two main concerns. Actually, first, I will start and tell

March 30, 1989

LB 482, 695

opposed vote no. Well, we've been at this now for about a minute and a half. Clerk will record.

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

SENATOR LANDIS: Thank you. The motion carries, the bill is advanced. LB 695 is next, although Senator Hannibal is not present. Senator Lamb, apparently, will be carrying the bill for Senator Hannibal. Mr. Clerk.

ASSISTANT CLERK: LB 695 was introduced by Senator Hannibal. (Read title.) The bill was read for the first time on the 19th of January, was referred to the Transportation Committee. They report the bill back to General File, Mr. President.

SENATOR LANDIS: Thank you, Mr. Clerk. Senator Lamb, to open on Senator Hannibal's LB 695.

SENATOR LAMB: Thank you, Mr. President and members. This is a bill that Senator Hannibal asked me to handle today. It did come through the Transportation Committee. It's a very simple bill that states that the...provides that travel trailers and recreational trailers with a gross loaded weight of 3 to 6500 pounds shall be equipped with brakes upon at least two wheels. Currently the statute provides that travel trailers and recreational vehicles having a gross loaded weight of 2,000 pounds or more shall be equipped with brakes upon each wheel. This is designed primarily for boat trailers. I understand that this brings us in line with other states, that this does not provide a safety hazard, that no one opposed the bill. And I would just ask, Mr. President, that the bill be advanced.

SENATOR LANDIS: Thank you, Senator Lamb. There are no lights on. Would you like to close?

SENATOR LAMB: Waive closing.

SENATOR LANDIS: With a waiving of closing, we'll proceed then to the vote on LB 695 to advance. Those in favor vote aye, those opposed vote no. Please return to your chair and vote either for or against the measure so that we may proceed with the rest of consent calendar. Clerk will record.

ASSISTANT CLERK: 25 ayes, 0 nays on the advancement of the

bill, Mr. President.

SENATOR LANDIS: Thank you, Mr. Clerk. The motion carries, the bill is advanced. Before we proceed to LB 392 and Senator Baack, I'd like to announce that Senator Nelson has a number of guests in the north balcony, 46 fourth graders from Stolley Park School in Grand Island and their teacher. Children, if you'd stand up, we'd like to recognize you and welcome you to the Nebraska Legislature. Thank you. With that, Mr. Clerk, 392.

ASSISTANT CLERK: Mr. President, LB 392 was introduced by Senator Baack. (Read title.) The bill was read for the first time on January 12, was referred to the Education Committee. They report the bill to General File, Mr. President.

SENATOR LABEDZ PRESIDING

SENATOR LABEDZ: Senator Baack.

SENATOR BAACK: Yes. Madam Chairman and members, LB 392 is a bill that is introduced to require if we're going to issue...as we issue future teacher certificates and administrator certificates it would require those people to complete at least three semester credits in special education. This does not necessarily require that a...that the college of education would provide for a separate course in special education, this requirement could be met by providing some instruction within the present course work dealing with special education. We find now that approximately 90 percent of all the school age children in Nebraska that are identified as handicapped, in one way or another, are educated in the regular classroom. And with this...as a result of this mainstreaming, we are finding that the regular classroom teachers are responsible for a lot of the education for these handicapped students. So what this bill does is it puts us in line with 33 other states that already require this. Our teachers now that are certificated in Nebraska, if they went to have a reciprocal agreement with a number of other states, would not be able to be certified in those states because they do not meet the requirement for special education certification. What it would do...What it does is it says that, if we're going to teach all these children in a regular classroom, then these teachers ought to have some awareness of the special problems that these handicapped students require and some of the special needs that they have in learning the basics that we have in the classroom. So I think

April 4, 1989

LB 137, 335A, 392, 482, 611, 695, 705

SENATOR HALL: I would move that LB 335A be advanced to E & R for Engrossing.

SPEAKER BARRETT: Shall LB 335A be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 705.

CLERK: Mr. President, may I read some items for the record? I have a proposed rules change offered by Senator Wesely. That will be referred to the Rules Committee.

Enrollment and Review Committee reports LB 482, LB 695, and LB 392 to Select File some having E & R amendments attached. (See pages 1489-90 of the Legislative Journal.)

Mr. President, Senator Bernard-Stevens would like to add his name to LB 137 and to LB 611 as co-introducer.

Mr. President, the next bill is LB 705. The first order of business are adoption of Enrollment and Review...consideration of Enrollment and Review amendments, Mr. President.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 705 be adopted.

SPEAKER BARRETT: You heard the motion to adopt the E & R amendments. Those in favor say aye. Opposed no. Carried. They are adopted.

CLERK: Mr. President, Senator Moore would move to indefinitely postpone the bill. Senator Lindsay would have the option to lay the bill over, Mr. President.

SPEAKER BARRETT: Senator Lindsay, your wishes.

SENATOR LINDSAY: We will take it up.

SPEAKER BARRETT: Take the bill up, thank you. Senator Moore.

SENATOR MOORE: Mr. Speaker and members, as you all remember, LB 705 is the bill that basically has the state giving a gift of about \$200,000 to Joslyn Art Museum down in Omaha, and I'm going to ask Senator Hall a question as I want to say this I have got

April 6, 1989

LB 259, 569, 695, 710, 812

the advancement of LB 812? Seeing none, those in favor of that motion please vote aye, opposed nay. Have you all voted? Record.

CLERK: 30 ayes, 0 nays, Mr. President, on the advancement of LB 812.

SPEAKER BARRETT: LB 812 is advanced. For the record, Mr. Clerk.

CLERK: Mr. President, for the record, Senator Withem has amendments to LB 259 to be printed; Senator Lamb amendments to LB 695; Senator Peterson to LB 569. And, Mr. President, I have a rules report offered by the Rules Committee, signed by Senator Lynch as Chair. That's all that I have, Mr. President. (See pages 1556-61 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. I'd like to take this opportunity to announce that we will move over LB 247 at this point, and also 588, I believe. Senator Chambers, are you within listening distance? I don't believe Senator Chambers is here, his office doesn't answer, and I did have a discussion with him recently about perhaps moving over this one for a day or so. If there is no objection, I'd like to address LB 710 at this point. Mr. Clerk.

CLERK: Mr. President, LB 710 was introduced by Senators Scofield, Lamb and Dierks. (Read.) The bill was introduced on January 19 of this year, referred to the Natural Resources Committee for public hearing. The bill was advanced to General File. Senator, would you like to offer your amendment now, or would you defer until you open on the bill?

SPEAKER BARRETT: Senator Scofield.

SENATOR SCOFIELD: Why don't I...I think if I can offer the amendment, I'll open at the same time, Mr. Clerk.

CLERK: Mr. President, Senator Scofield would move to amend her bill. (Scofield amendment appears on pages 1561-62 of the Legislative Journal.)

SPEAKER BARRETT: Senator Scofield.

SENATOR SCOFIELD: Thank you, Mr. Speaker and members. LB 710

May 19, 1989

LB 75, 695, 706

PRESIDENT: Nothing further on the bill. Senator Hall, did you wish to talk about the advancement of the bill?

SENATOR HALL: No, Mr. President, I would just move the advancement of LB 706 to E & R Engrossment.

PRESIDENT: Senator Hefner, please. Okay, any further discussion? If not, the question is the advancement of the bill. All those in favor say aye. Opposed nay. It is advanced. Move on to LB 75.

CLERK: Mr. President, LB 75, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 75 be advanced to E & R Final.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 695.

CLERK: Mr. President, 695, I have Enrollment and Review amendments, first of all.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to 695.

PRESIDENT: You have heard the motion. All in favor say aye, opposed nay. They are adopted.

CLERK: Mr. President, I now have an amendment to the bill by Senator Lamb. Senator, I understand you want to withdraw. I have a note that he would like to withdraw, Mr. President.

PRESIDENT: Is Senator Lamb here? It is withdrawn.

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

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 695 as amended be advanced to E & R for Engrossment.

May 19, 1989

LB 213, 566, 695

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 213, please.

CLERK: Senator, on 213 I have E & R amendments first of all.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 213.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: I have nothing further on that bill, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 213 as amended be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 566.

CLERK: Mr. President, on 566 I have E & R amendments first of all, Senator.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I would move the adoption of the E & R amendments to LB 566.

PRESIDENT: You heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: Mr. President, I now have an amendment by Senator Lindsay. Senator, I have a note you want to withdraw.

PRESIDENT: Is that correct? It is withdrawn.

CLERK: I have nothing further on that bill, Senator.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 566 as amended be advanced to E & R for Engrossment.



May 19, 1989

LB 84, 213, 525, 695

needs to be made to the bill and it takes two minutes, it would be helpful, I suspect, if those could be handled some time during the course of the day. I'm not suggesting to do it now, but you might have someone just check to see what kind of amendments are pending because I know there is one or two, they are just a technical amendment that needs to be done, there is nothing controversial about them.

SPEAKER BARRETT: Thank you. These are bills presently residing on Select File or...

SENATOR WARNER: Either Select File or there might be some on Final Reading, I don't know.

SPEAKER BARRETT: On Final as well.

SENATOR WARNER: It's just a case that we won't want a flawed appropriation because a technical amendment had not been adopted, that's all I'm talking about.

SPEAKER BARRETT: Thank you. We will take a look, thank you, appreciate that. Mr. Clerk.

CLERK: Mr. President, if I might, one quick interruption, LB 213 and LB 695 were reported correctly engrossed. (See page 2575 of the Legislative Journal.)

Mr. President, the Legislature last considered LB 525 on May 17. At that time, Senator Withem had an amendment pending. The Legislature was considering that. Senator Scofield then moved to bracket the bill, Mr. President. That motion prevailed. Consequently, Senator Withem's amendment that is on page 2497 is now pending. Senator, this amendment would strike 18 million and insert 98 million.

SPEAKER BARRETT: Senator Withem.

SENATOR WITHEM: Yes, we will...let me talk about that just a second. This amendment was filed the other day when LB 84 was still property of the Legislature and was...the number \$98 million was in that bill so under the theory that a little state aid does a little bit of good, I filed this amendment that a lot of state aid would do a lot of good and see where people were coming from on that whole thing, and maybe it makes as much sense that there is \$98 million out in the budget as opposed to

May 23, 1989

LB 588, 651, 651A, 695

of the Legislative Journal.) Vote is 26 ayes, 17 nays, 6 present and not voting, none excused, Mr. President.

PRESIDENT: LB 588 passes. LB 651 with the emergency clause attached.

ASSOSTAMT CLERK: (Read LB 651 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 651 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read as found on pages 2711-12 of the Legislative Journal.) Vote is 49 ayes, 0 nays, Mr. President.

PRESIDENT: LB 651 passes with the emergency clause attached. May I introduce some guests, please, in the north balcony? Senator Morrissey has 45 third and fourth grade students from the Johnson-Brock School at Johnson and their teachers. Would you folks please stand and be recognized by the Legislature, students and teachers both? Thank you for visiting us today. Senator Wehrbein has a couple of guests in the north balcony, Laura Cutter, Laurie and Connie and Melissa of Nebraska City. Would you folks please stand and be welcome. And thank you for visiting us today. LB 651A with the emergency clause attached.

ASSISTANT CLERK: (Read LB 651A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 651A pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read as found on pages 2712-13 of the Legislative Journal.) Vote is 48 ayes, 0 nays, 1 present and not voting.

PRESIDENT: LB 651A passes with the emergency clause attached. LB 695, please.

ASSISTANT CLERK: (Read LB 695 on Final Reading.)

May 23, 1989

LB 525, 566, 588, 651, 651A, 695, 706  
781

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 695 pass? All those in favor vote aye, opposed nay. Have you all voted at least once? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read as found on page 2713 of the Legislative Journal.) Vote is 46 ayes, 1 nay, 2 present and voting, Mr. President.

PRESIDENT: LB 695 passes. LB 706 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 706 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 706 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read as found on page 2714 of the Legislative Journal.) Vote is 46 ayes, 0 nays, 3 present not voting, Mr. President.

PRESIDENT: LB 706 passes with the emergency clause attached. Senator Robak has some visitors in the north balcony. I believe they're just leaving. Have 19 eighth grade students from Holy Name School at Lindsay, Nebraska, and their teacher. Wave to us so that we can recognize you folks. Thank you for visiting us today. LB 781 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 781 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 781 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read as found on page 2715 of the Legislative Journal.) 44 ayes, 3 nays, 2 present not voting, Mr. President.

PRESIDENT: LB 781 passes with the emergency clause attached. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 525, LB 566, LB 588, LB 651, LB 651A, LB 695, LB 706, LB 781. Mr. Clerk.

May 24, 1989 LB 95, 132, 134, 158, 158A, 175, 175A, 182, 182A  
183, 183A, 198, 228A, 228, 261, 261A, 280, 283  
285, 285A, 302, 303, 303A, 305, 309, 309A, 310  
312, 312A, 335, 335A, 340, 340A, 469, 525, 566  
588, 651, 651A, 695, 706, 727, 781, 816, 816A

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us on our closing day as our Chaplain, Reverend Harland Johnson. Would you please rise for the invocation.

REVEREND HARLAND JOHNSON: (Prayer offered.)

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

PRESIDENT: Do we have any corrections this morning?

CLERK: Mr. President, one small correction. (Read correction found on page 2719 of the Legislative Journal.)

PRESIDENT: Okay, do you have any messages, reports, or announcements today?

CLERK: Mr. President, I do. I have a series of communications from the Governor. First of all, Mr. President, the last few bills read on Final Reading yesterday afternoon have been presented to the Governor as of 2:48 p.m., yesterday. (Re: LB 525, LB 566, LB 588, LB 651, LB 651A, LB 695, LB 706, LB 781. See page 2720 of the Legislative Journal.)

Mr. President, a series of communications from the Governor. (Read. Re: LB 228A.) A second communication to the Clerk. (Read. Re: LB 134, LB 158, LB 158A, LB 175, LB 175A, LB 182, LB 182A, LB 198.) A third communication. (Read. Re: LB 95, LB 261, LB 261A, LB 280, LB 283, LB 303, LB 303A, LB 312, LB 312A.) A fourth communication, Mr. President, to Mr. President, and Senators. (Read. Re: LB 183, LB 183A.) A fourth, Mr. President, to the Clerk. (Read. Re: LB 132, LB 285, LB 285A, LB 302, LB 305, LB 309, LB 309A, LB 310, LB 335, LB 335A, LB 340, LB 340A, LB 469, LB 727, LB 816, LB 816A.) The last letter I have received, Mr. President, with respect to signing of bills. (Read. Re: LB 228. See pages 2720-22 of the Legislative Journal.)