

Commission for Postsecondary Education, again, filed pursuant to statute; a report from the Nebraska Games and Parks Commission filed pursuant to statute; the annual report of the Division of Telecommunications; a communication from a series of Natural Resources Districts, Mr. President, with respect to payment of attorneys fees incurred during this past year. (See pages 88-89 of the Legislative Journal.)

Mr. President, I have a series of appointment letters from the Governor, appointments to the Board of Health, to the Rural Health Manpower Commission, the Foster Care Review Board, the Job Training Council, the Oil and Gas Conservation Commission. Those will all be referred to Reference for referral to the appropriate Standing Committee, Mr. President. (See pages 89-97 of the Legislative Journal.)

Finally, I have received a communication with respect to the siting for the low-level radio active waste disposal facility. That communication was received from US Ecology, Mr. President. (See page 88 of the Legislative Journal.) All of those reports will be on file in my office subject to review by members upon their request. That is all that I have, Mr. President.

PRESIDENT: Thank you. (Gavel.) Ladies and gentlemen, we're ready to begin the introduction of bills and some of you I understand would like to hear what the bills are about, so while I don't wish to spoil your fun and visitation with each other, kindly hold it down so that those that wish to listen to the introduction of the bills may do so. We anticipate that this will probably go on until about noon and, of course, free to do whatever you would like to do. Thank you. Mr. Clerk, the introduction of bills.

CLERK: Mr. President, new bills: (Read by title for the first time, LBs 818-878. See pages 97-109 of the Legislative Journal.)

I have amendments to be printed from Senator Rod Johnson to LB 163, LB 39, LB 37. (See pages 110-14 of the Legislative Journal.)

Mr. President, new bills. (Read by title for the first time, LBs 879-922. See pages 114-23 of the Legislative Journal.)

Mr. President, I have new resolutions: (Read brief description

January 4, 1990

LB 818-880

LR 230

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen, welcome to the George W. Norris Legislative Chambers. We have with us this morning as our Chaplain of the day, Pastor Robert Nowak of the Faith Evangelical Lutheran Church in Lincoln, Nebraska. Would you please rise for the invocation.

PASTOR NOWAK: (Prayer offered.)

PRESIDENT: Thank you, Pastor Nowak, we appreciate your being here this morning and announcing the invocation. Please come back and visit us again. Roll call, please.

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

PRESIDENT: Thank you. Do you have any messages, reports or announcements? Mr. Clerk, do you have any messages, reports or announcements?

CLERK: Mr. President, I do. I have a reference report referring LBs 818-880, signed by Senator Labeledz as Chair of the Reference Committee. I have also a reference report regarding certain gubernatorial appointments made since the last special session. That's all that I have, Mr. President. (See pages 135-37 of the Legislative Journal.)

PRESIDENT: We'll move on to number four, the temporary rules.

CLERK: Mr. President, I have a motion. Senator Lynch as Chair of the Rules Committee would move that the rules be adopted for today only, January 4.

PRESIDENT: Thank you. Senator Lynch.

SENATOR LYNCH: Mr. President, members, I couldn't have said it any better. I move the adoption of the (inaudible)...

PRESIDENT: Thank you. Is there any discussion? You've heard the motion. All in favor say aye. Opposed nay. They are adopted. We'll move on to the legislative resolutions, LR 230. Mr. Clerk.

CLERK: Mr. President, LR 230 was introduced by Senator Withem. It is found on page 124 of the Legislative Journal. (Read brief

January 10, 1990

LB 821-824

SPEAKER BARRETT: LB 821 is advanced. LB 822.

CLERK: LB 822, Mr. President, offered by Senator Labeledz. (Read title.) The bill was introduced on January 3, Mr. President, referred directly to General File.

SPEAKER BARRETT: Senator Peterson.

SENATOR R. PETERSON: Mr. Speaker and members, LB 822, this bill would repeal four sections relating to the courts that are obsolete. It also transfers numerous sections. I ask for the movement of the bill.

SPEAKER BARRETT: Is there discussion? If not, those in favor of the motion offered by Senator Peterson vote aye, opposed nay. On the advancement of the bill. Record, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 822.

SPEAKER BARRETT: LB 822 is advanced. LB 823.

CLERK: LB 823, offered by Senator Labeledz as Chair of the Board. (Read title.) The bill was introduced on January 3, referred directly to General File, Mr. President.

SPEAKER BARRETT: Senator Peterson.

SENATOR R. PETERSON: Mr. Speaker and members, LB 823, this bill simply transfers a couple of sections regarding employee benefit plans that would be more appropriate in another chapter of the statute. I ask for the advancement of the bill.

SPEAKER BARRETT: Discussion? Seeing none, those in favor of the advancement of the bill please vote aye, opposed nay. Shall 823 be advanced? Record, please.

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

SPEAKER BARRETT: LB 823 is advanced. LB 824, Mr. Clerk.

ASSISTANT CLERK: LB 824 was introduced by Senator Labeledz. (Read title.)

January 10, 1990

LB 824, 825, 826

SPEAKER BARRETT: Senator Richard Peterson.

SENATOR R. PETERSON: Mr. Speaker and members, LB 824 simply transfers a section to a different chapter where it's more appropriate. I ask for advancement of the bill.

SPEAKER BARRETT: Discussion? If not, those in favor of the advancement of the bill vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: 25 ayes, 0 nays on the advancement of 824, Mr. President.

SPEAKER BARRETT: LB 824 is advanced. LB 825.

ASSISTANT CLERK: LB 825 was introduced by Senator Labeledz. (Read title.)

SPEAKER BARRETT: Senator Richard Peterson.

SENATOR PETERSON: Mr. Speaker, and members, LB 825, this bill simply is a revisor of statutes is required by statute to substitute or add the term "capital stock financial institution" to any section in law dealing with the deposit of funds of any political subdivision. This bill would make one of these needed changes. I ask for the advancement of the bill, Mr. President.

SPEAKER BARRETT: Is there discussion? If not, those in favor of the motion to advance vote aye, opposed nay. Please record.

ASSISTANT CLERK: 26 ayes, 0 nays on the advancement of 825, Mr. President.

SPEAKER BARRETT: LB 825 is advanced. To LB 826.

ASSISTANT CLERK: LB 826 was introduced by Senator Labeledz as Chair of the Exec Board. (Read title.)

SPEAKER BARRETT: Senator Peterson.

SENATOR PETERSON: Mr. Speaker, and members, LB 826, there are two sections that refer to the Director of Game and Parks Commission. The correct reference should be the secretary of the Game and Parks Commission. This bill would make the

January 17, 1990

LB 163, 821, 822, 823, 824, 825, 826
827, 828, 829, 1102-1135, 1158-1161

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated) ...pastor at UN-L, and now is pastoral associate at Trinity Lutheran Church here in Lincoln. Would you please rise for the invocation.

DR. NORDEN: (Prayer offered.)

PRESIDENT: Dr. Norden, thank you for being with us again, we appreciate it. Come back again. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Do you have any messages, reports or announcements this morning?

CLERK: Mr. President, Reference Report referring LBs 1102-1135, as well as three gubernatorial appointments to the appropriate standing committees for hearing. (See pages 348-49 of the Legislative Journal.)

Received a report from the Department of Roads filed pursuant to statute, Mr. President. That's all that I have.

PRESIDENT: Would you like to introduce any new bills, or would you not like to?

CLERK: Mr. President, I'm sorry, I do have some other items. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 821 and recommend that same be placed on Select File; LB 822, LB 823, LB 824, LB 825, LB 826, LB 827, LB 828, and LB 829, all on Select File, some of which have E & R amendments attached, Mr. President. Now, that's all that I have, Mr. President. (See pages 350-51 of the Legislative Journal.)

PRESIDENT: New bills, please.

CLERK: Mr. President, new bills. (Read LBs 1158-1161 by title for the first time. See page 352 of the Legislative Journal.) That's all that I have at this time, Mr. President.

PRESIDENT: We'll move on to General File then, LB 163.

be advanced to E & R for engrossment.

PRESIDENT: You've heard the motion. All in favor say aye.
Opposed nay. It is advanced. LB 823.

CLERK: I have no amendments, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 823 be advanced
to E & R for engrossment.

PRESIDENT: You've heard the motion. All in favor say aye.
Opposed nay. It is advanced. LB 824.

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

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 824 be advanced
to E & R for engrossment.

PRESIDENT: You've heard the motion. All in favor say aye.
Opposed nay. It is advanced. LB 825.

CLERK: I have E & R amendments pending, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the
E & R amendments to LB 825.

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

CLERK: I have nothing further, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 825, as amended,
be advanced to E & R for engrossment.

PRESIDENT: You've heard the motion. All in favor say aye.
Opposed nay. It is advanced. LB 826.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. The opening prayer this morning by the chaplain of the day, Pastor Fred Lessten of the Immanuel Bible Church here in Lincoln. Pastor Lessten.

PASTOR LESSTEN: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Lessten. We hope you're able to come back again another day. Roll call.

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

SPEAKER BARRETT: Any corrections to the Journal?

CLERK: Mr. President, one correction. (Read correction as found on page 482 of the Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Any reports, announcements or messages?

CLERK: Yes, Mr. President. Your Committee on Enrollment and Review respectfully reports they've carefully examined and reviewed LB 821 and find the same correctly engrossed. LB 822, LB 823, LB 824, LB 825, LB 826, LB 827, LB 828, and LB 829, those all reported correctly engrossed. (See page 483 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 240A and LB 662A to Select File.

Mr. President, Senator Morrissey would like to announce that he's selected LB 1151 as his priority bill this session. I have received reports from the Department of Education filed pursuant to statute, as well as a series of audit reports...I'm sorry, actuarial valuation reports for three of the retirement systems. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Mr. Clerk, moving to Item 5, confirmation report.

CLERK: Mr. President, the Natural Resources Committee would report on the appointment of Mr. James Eatmon to the Oil and Gas

Record, please.

CLERK: (Read record vote as found on page 638 of the Legislative Journal.) 41 ayes, 0 nays, 8 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 823 passes. LB 824.

CLERK: (Read LB 824 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall 824 become law? All in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote as found on pages 638-39 of the Legislative Journal.) 41 ayes, 0 nays, 8 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 824 passes. LB 825.

CLERK: (Read LB 825 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass? All in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote as found on page 639 of the Legislative Journal.) 41 ayes, 0 nays, 8 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 825 passes. LB 826.

CLERK: (Read LB 826 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 826 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Read record vote as found on page 640 of the Legislative Journal.) 40 ayes, 0 nays, 1 present and not voting, 8 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 826 passes. LB 827.

CLERK: (Read LB 827 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 872 become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Read record vote as found on page 641 of the Legislative Journal.) 39 ayes, 0 nays, 2 present and not voting, 8 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 827 passes. LB 828.

ASSISTANT CLERK: (Read LB 828 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 828 pass? Those in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: (Read record vote as found on page 642 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 7 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 828 passes. LB 829.

ASSISTANT CLERK: (Read LB 829 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 829 become law? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

ASSISTANT CLERK: (Read record vote as found on pages 642-43 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 829 passes. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 821, LB 822, LB 399, LB 823, LB 824, LB 825, LB 826, LB 827, LB 828, and LB 829. Mr. Clerk, proceed to LB 187.

CLERK: Mr. President, I have a motion on the desk. First motion I have on the bill is by Senator Moore. Senator Moore, Mr. President, would move to return the bill for purposes of

February 2, 1990

LB 187, 399, 465, 708, 821-829, 980
LR 249

SENATOR HANNIBAL: Motion passes. Senator Chambers, please.

SENATOR CHAMBERS: I move adoption of the amendment as discussed.

SENATOR HANNIBAL: Any discussion? Any closing, Senator Chambers? Motion before you is the adoption of the amendment. All those in favor vote aye, opposed nay. Record, Mr. clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on the adoption of the Select File amendment.

SENATOR HANNIBAL: Motion is adopted. Senator Chambers.

SENATOR CHAMBERS: I move that LB 465 be readvanced to E & R for engrossing.

SENATOR HANNIBAL: Any discussion? All those in favor say aye. Opposed same. It's readvanced. Mr. Clerk.

CLERK: Mr. President, may I read some items for the record? Mr. President, your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 10:45 a.m. (Re. LB 821, LB 822, LB 399, LB 823, LB 824, LB 825, LB 326, LB 827, LB 828, and LB 829.)

I have an amendment to be printed by Senator Moore to LB 187. Senator Lamb designates LB 980 as one of the Transportation Committee's priority bills. And, Mr. President, new resolution, LR 249 by Senators Scofield and Dierks. (Read brief summary of resolution.) That will be laid over, Mr. President. That's all that I have, Mr. President. (See pages 646-48 of the Legislative Journal.)

SENATOR HANNIBAL: We'll proceed to General File, LB 708.

CLERK: Mr. President, 708, I believe, was discussed yesterday by the Legislature. (Read title.) The bill was introduced last year, Mr. President, referred to Judiciary, advanced to General File. Yesterday there was an amendment to the bill by Senator Chambers that was adopted. I now have pending, Mr. President, an amendment to the bill by Senator McFarland. (McFarland amendment appears on page 648 of the Legislative Journal.)

February 12, 1990 LB 399, 761, 821-829, 852, 869, 872, 1022
1063, 1066A, 1070, 1076, 1098
LR 252

LB 1076, LB 1098, LB 852, LB 872, LB 1022, LB 1063, and LB 1070. Some of those have Enrollment and Review amendments attached, Mr. President. (See pages 727-38 of the Legislative Journal.)

I have a new A bill, LB 1066A by Senator Wesely. (Read for the first time by title. See page 738 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read. Re: LB 399, LB 821, LB 822, LB 823, LB 824, LB 825, LB 826, LB 827, LB 828, and LB 829.) I have an Attorney General's Opinion to Senator Goodrich regarding LB 869. (See pages 739-40 of the Legislative Journal.)

Mr. President, received a report from the Middle Niobrara NRD regarding payment of attorney fees. That will be on file in my office. It is filed pursuant to statute. And, finally, Mr. President, a report from the Judiciary Committee. That is filed pursuant to Section 18 of LB 761. That report will be on file in the office as well.

SPEAKER BARRETT: Thank you. Members are very much aware of the fact that we do have a number of guests with us this morning. As a result of Vocational Education Week, we have Vocational Education students from various locations across the state who are visiting with us today and shadowing some of us through our activities. They are all in the balconies and I would appreciate it if you people would stand momentarily and take a bow and let your Legislature welcome you officially. Please stand. Thank you very much. We are pleased to have you with us. We hope you have a good day. Also the Chair makes note of the fact that Senator Scofield would like to recognize that the doctor of the day, Christine Johnson of Lincoln on behalf of the Nebraska Academy of Family Physicians. Please welcome Dr. Johnson. We are glad to have you with us, Doctor. Also an announcement of special note. (Gavel.) The Chair has been advised that a former member of this body passed away Saturday evening, Senator Maurice Kremer. The service will be held at 2:00 p.m., Wednesday afternoon in Aurora at the Pleasant View Bible Church; memorial service at two o'clock, Wednesday afternoon in Aurora, Pleasant View Bible Church. Thank you. Mr. Clerk, legislative resolutions, LR 252.

CLERK: Mr. President, LR 252 offered by Senators Conway, Warner, Korshoj, Nelson, and Beyer. It is found on page 710 of the Journal. (Read brief explanation.)