

February 7, 1990

LB 163, 164, 348, 369, 953, 953A, 980
987A, 1059, 1070

SENATOR HANNIBAL: Senator Wesely, please.

SENATOR WESELY: Yes, thank you. We are to the last bill today. We appreciate all your patience. This is also the last of the three pieces of Governor Orr's "year of the family" package, the last two bills are part of it. This is the third piece. Deals with special need children. I'm carrying a bill for Governor Orr, yes. (Laughter.) This bill deals with....she doesn't it know, though. But....This bill deals with special needs children. Currently, if they are placed by public agency, the Department of Social Services special needs children can get additional assistance, private agencies don't get that assistance. This would expand, and this is a federal requirement, so we need to adopt it. And I'd move for the advancement of the bill.

SENATOR HANNIBAL: Any discussion? Seeing none, Senator Wesely, would you care to close? Senator Wesely waives closing. The issue before you is the advancement of LB 1070. All those in favor vote aye, opposed nay.

(No tape overlap. Vote on advancement of LB 1070 was 25 ayes, 0 nays.)

SENATOR HANNIBAL: The bill is advanced. I really appreciate you taking the time to stay around here. Is there anything for the record, Mr. Clerk?

ASSISTANT CLERK: Yes, Mr. President, I do.

SENATOR HANNIBAL: I've been informed that refreshments will be served in the Senators Lounge very quickly.

ASSISTANT CLERK: Mr. President, your Committee on Enrollment and Review reports LB 980 to Select File with amendments; LB 164 to Select File with amendments; LB 348 to Select File; LB 953 to Select File with amendments; LB 953A to Select File. (See pages 715-17 of the Legislative Journal.)

SENATOR HANNIBAL: The call is raised.

ASSISTANT CLERK: Senator Beyer has amendments to LB 369 that he asked to be printed; Senator Haberman to LB 1059. New A bill. (Read LB 987A by title for the first time.) Amendments to LB 163 to be printed from Senator Schimek. A report of

February 20, 1990 LB 978, 987, 987A

SPEAKER BARRETT: LB 987 advances. The A bill, Mr. Clerk.

CLERK: LB 987A by Senator Schmit. (Read title.)

SPEAKER BARRETT: Mr. Chairman.

SENATOR SCHMIT: Mr. President and members, the A bill appropriates \$8,600 from the Resource Recovery Fund and it for the fiscal year '89-90, \$36,000 from the Resource Recovery Fund for '90-91 and the same amount for '91-92. That is supposed to cover the expenditures. There is some revenue that is generated that goes to the General Fund. I move the advancement of the bill.

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

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 987A.

SPEAKER BARRETT: The A bill advances. LB 988.

CLERK: LB 978, Mr. President...

SPEAKER BARRETT: Correction, 978.

CLERK: ...was a bill offered by Senator Pirsch. (Read title.) The bill was introduced on January 4, referred to Judiciary, advanced to General File. I have no amendments to the bill.

SPEAKER BARRETT: The Chair recognizes Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. Speaker and members of the Legislature, LB 978 gives residents, purchasers or lessees of lands or units in a retirement subdivision or community the opportunity to democratically select and designate one or more individuals, not to exceed one-third of the other members of the governing body, to represent the residents, purchasers and lessees and to act as members of the governing body of the corporation. Representatives have the right to be present at all meetings including committee meetings and executive sessions of the governing body. LB 978 also allows those representatives to vote on any of the business to come before the governing

February 22, 1990 LB 313, 579, 688, 830, 831, 834, 888
917, 923, 932, 938, 946, 954, 978
987, 987A, 994, 994A, 1037, 1067, 1077
1080, 1080A, 1094, 1102, 1109, 1165, 1178
1217
LR 259

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning for our invocation, Reverend Dr. Norman E. Leach who is the Executive Director of the Lincoln Interfaith Forum. Would you please rise for the invocation?

REVEREND LEACH: (Prayer offered.)

PRESIDENT: Thank you, Dr. Leach, we appreciate your being here this morning. Please come back. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, Enrollment and Review respectfully reports they have carefully examined and reviewed LB 1080 and recommend that same be placed on Select File, LB 1080A, LB 1094, LB 688, LB 579, LB 994, LB 994A, LB 830, LB 938, LB 834, LB 987, LB 987A, LB 978, LB 888, LB 917, LB 946, LB 954, LB 1077, LB 1037, LB 1067, LB 831, LB 932, LB 1178, LB 1102, LB 1109, LB 1165 and LB 1217, all reported to Select File, some have E & R amendments attached. (See pages 904-08 of the Legislative Journal.)

Mr. President, amendments to be printed, Senator Crosby to LB 923, Senator Coordsen to LB 313. (See page 908 of the Legislative Journal.)

New resolution by Speaker Barrett. (Read brief description of LR 259. See pages 908-09 of the Legislative Journal.) That will be laid over.

A series of appointment letters from the Governor. Those will be referred to the Reference Committee for confirmation hearing.

Finally, Mr. President, a report from the Board of Public Roads Classifications and Standards. That will be on file in my

February 28, 1990 LB 834, 938, 987A, 987

CLERK: LB 938, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Chairman Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 938 be advanced to E & R Final.

SPEAKER BARRETT: Any discussion? Seeing none, the question is, shall LB 938 be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 834, Mr. Clerk.

CLERK: LB 834, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 834 be advanced to E & R Final.

SPEAKER BARRETT: Any discussion? Seeing none, those in favor of the advancement of the bill say aye. Opposed no. The ayes have it, carried. The bill is advanced. Mr. Clerk, LB 987.

CLERK: LB 987, Senator, I have Enrollment and Review amendments pending.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 987.

SPEAKER BARRETT: Discussion Shall the E & R amendments be adopted? Those in favor say aye. Opposed no. Carried. They are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 987 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: The question is the advancement of LB 987. Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 987A, Mr. Clerk.

CLERK: LB 987A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 987A be advanced to E & R for engrossment.

SPEAKER BARRETT: Is there discussion? If not, those in favor of the advancement of the A bill please say aye. Opposed no. The ayes have it. Motion carried. The bill is advanced. LB 978.

CLERK: LB 978, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 978 be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? If not, those in favor of the advancement of LB 978 please say aye. Opposed no. Carried. The bill is advanced. LB 888.

CLERK: LB 888, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 888 be advanced to E & R for engrossment.

SPEAKER BARRETT: Thank you. Is there discussion? Senator Dierks.

SENATOR DIERKS: Yes, Mr. Speaker, I just want to bring something for the record. The intent of this bill is not to restrict the sale except for final use, it is not to restrict the sale between resale, wholesale, or veterinarian. So I just wanted that on the record, that we have no intent to restrict sale between distributor and wholesaler. Thank you.

SPEAKER BARRETT: Thank you, Senator Dierks. Any other discussion? If not, the question is the advancement of LB 888. Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 917.

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LB 163A, 579, 642, 830, 831, 834, 888
917, 932, 938, 946, 954, 978, 987
987A, 989, 994, 994A, 1037, 1067, 1077
1102, 1178, 1222

PRESIDENT: Okay, Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President and members, there was some confusion about whether the A bill or at least Senator Schimek's amendment was necessary. But I think, with the adoption of my earlier amendment this morning, it clarifies a lot of those problems. And, in talking with my legal staff who has talked with the Fiscal Office, they seem to feel there is no need for any amendments to the A bill and the A bill should stay as it's currently written. So I would just move for the bill's advancement.

PRESIDENT: Thank you. Senator Morrissey, please. No. Did you wish a closing, Senator Rod Johnson? The question is the advancement of the A bill. All in favor vote aye...say aye. Opposed nay. It is advanced. Things for the record, Mr. Clerk?

CLERK: Mr. President, Enrollment and Review respectfully reports they have carefully examined and reviewed LB 579 and find the same correctly engrossed; LB 830; LB 831; LB 834; LB 888; LB 917; LB 932 and LB 938, LB 946; LB 954; LB 978, LB 987, LB 987A, LB 994, LB 994A, LB 1037, LB 1067, LB 1077, LB 1102 and LB 1178, those all reported correctly engrossed, Mr. President.

Senator Ashford has amendments to LB 642 to be printed; and Senator Smith to LB 1222. (See pages 1074-78 of the Legislative Journal.)

Government Committee reports LB 989 to General File, Mr. President. That's all that I have.

PRESIDENT: Senator Byars, please.

SENATOR BYARS: I would move we would recess until one thirty this afternoon.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. We are recessed until one-thirty.

RECESS

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LB 954, 978, 987A, 987

from Davenport, Northside Elementary, Brugh School, Fremont, Nebraska, with their teachers. Would you people please stand and be recognized. Welcome. We're happy to have you with us this morning. Mr. Clerk, LB 954.

ASSISTANT CLERK: (Read LB 954 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 954 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See page 1214 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 954 passes. LB 978.

ASSISTANT CLERK: (Read LB 978 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 978 pass? All in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See pages 1214-15 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 978 passes. LB 987E.

ASSISTANT CLERK: (Read LB 987E on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 987, with the emergency clause attached, pass? Those in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: (Record vote read. See pages 1215-16 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 5 excused and not voting.

SPEAKER BARRETT: LB 987E passes. LB 987AE.

ASSISTANT CLERK: (Read LB 987AE on Final Reading.)

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LB 987A, 1037, 1067, 1077

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 987A, with the emergency clause attached, pass? All in favor vote aye, opposed nay. Record.

ASSISTANT CLERK: (Record vote read. See pages 1216-17 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 987AE passes. LB 1037.

ASSISTANT CLERK: (Read LB 1037 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1037 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 1217 of the Legislative Journal.) The vote is 41 ayes, 0 nays, 3 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1037 passes. LB 1067.

ASSISTANT CLERK: (Read LB 1067 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1067 pass? All in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: (Record vote read. See page 1218 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 1 present and not voting, 5 excused, Mr. President.

SPEAKER BARRETT: LB 1067 passes. LB 1077.

ASSISTANT CLERK: (Read LB 1077 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1077 pass? All in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See page 1219 of the

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LB 315, 579, 830, 831, 888, 917, 922
932, 938, 954, 978, 987, 987A, 1037
1059, 1067, 1077, 1102, 1113, 1178, 1199
LR 270

Legislative Journal.) The vote is 42 ayes, 0 nays, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1077 passes. LB 1102.

ASSISTANT CLERK: (Read LB 1102 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1102 pass? Those in favor vote aye, opposed nay. Record, Mr. Clerk.

ASSISTANT CLERK: (Record vote read. See pages 1219-20 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1102 passes. The final bill on Final Reading, LB 1178.

ASSISTANT CLERK: (Read LB 1178 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1178 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote read. See pages 1120-21 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1178 passes. The call is raised. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 938, LB 932, LB 917, LB 888, LB 831, LB 830, LB 579, LB 1199, LB 922, LB 954, LB 978, LB 987, LB 987A, LB 1037, LB 1067, LB 1178, LB 1102, LB 1077. Mr. Clerk, have you matters for the record?

CLERK: I do, Mr. President, thank you. Amendments to be printed to LB 1059 by Senator McFarland; Senator Wesely to LB 1113 and LB 315. (See pages 1221-22 of the Legislative Journal.)

Mr. President, a new resolution, LR 270, offered by Senator Peterson. (Read brief description of LR 270. See pages 1222-23 of the Legislative Journal.) That will be laid over. That's all that I have, Mr. President.

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LB 42A, 81, 220A, 369A, 579, 830, 831
863, 880A, 888, 917, 922, 923A, 932
938, 954, 956, 978, 987, 987A, 1013
1022, 1037, 1050, 1067, 1077, 1090A, 1102
1136, 1178, 1199, 1222

SPEAKER BARRETT: Thank you. You have heard the motion by Senator Wesely to recess until one-thirty. All in favor say aye. Opposed no. Carried. We are recessed. (Gavel.)

RECESS

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Roll call. Record, Mr. Clerk.

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

SPEAKER BARRETT: Thank you. Anything for the record?

CLERK: Mr. President, I do. Bills read on Final Reading, this morning, have been presented to the Governor as of 12:15 p.m. (Re. LB 1022, LB 81, LB 956, LB 1050, LB 863, LB 938, LB 932, LB 917, LB 888, LB 831, LB 830, LB 579, LB 1199, LB 922, LB 954, LB 978, LB 987, LB 987A, LB 1037, LB 1067, LB 1178, LB 1102, and LB 1077.)

Your Committee on Enrollment and Review reports LB 1018, LB 1136, LB 1222, LB 42A, LB 220A, LB 369A, LB 880A, LB 923A, LB 1090A to Select file, some of which have Enrollment and Review amendments attached, Mr. President. (See pages 1233-36 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Perhaps a very brief announcement from the Chair regarding our deliberations tomorrow. It is my hope that we can work through the lunch hour tomorrow, with the thought in mind that we can adjourn a little early tomorrow for the long weekend. It's my intent, at the present time, to work through the noon hour tomorrow, and look toward an early adjournment tomorrow afternoon. Contrary to previous statements made by the Chair, it will not be my intent to schedule appropriations bills tomorrow, budget bills tomorrow. We will be looking at them, probably, Monday or Tuesday of next week. We will continue with the agenda tomorrow with some Final Reading, probably some Select File, and perhaps senator priorities on General File. Any questions? Mr. Clerk, would you bring us up-to-date.

March 12, 1990

LB 81, 579, 830, 831, 863, 888, 905A
917, 922, 932, 938, 954, 956, 978
987, 987A, 1022, 1031, 1037, 1050, 1067
1077, 1102, 1178, 1199
LR 279

communication regarding signing of LB 1022, LB 81, LB 956, LB 1050, LB 863, LB 922, LB 1199, LB 579, LB 830, LB 831, LB 888, LB 917, LB 932, LB 938, LB 954, LB 978, LB 987, LB 987A, LB 1037, LB 1067, LB 1077, LB 1102, and LB 1178. See page 1306 of the Legislative Journal.)

Mr. President, new A bill, LB 905A by Senators Johnson, Dennis Byars and Scofield. (Read by title for the first time. See page 1307 of the Legislative Journal.)

Notice of cancellation of hearing by the Government Committee.

New resolution by Senator Robak. That will be laid over. (LR 279 appears on page 1307 of the Legislative Journal.) That's all that I have, Mr. President.

Mr. President, I now have a series of amendments to both the committee amendments and the bill. The first amendment to the committee amendments that I have is by Senator Smith. Senator Smith's amendment is found on page 1195 of the Journal, Mr. President.

PRESIDENT: Senator Smith, please.

SENATOR SMITH: Thank you, Mr. President, members of the body, you have a very simple amendment before you, AM2659, in the Journal. It's simply asking, and I do want to, I guess, begin by thanking the Appropriations Committee for the recommendation that they have made for a \$212,000 increase to programs, which are being provided under the Community Aging Services Act, commonly known as CASA. This amount though is about a seventh of the amount of money that was originally requested and we can go back in history a little bit, and you have been handed a fact sheet on CASA which is...you will see it appears to be a little thing with a little State of Nebraska and the breakdown of the eight area agencies in the state, which was handed out by the Nebraska Association of Area Agencies on Aging, telling you all about what CASA is, the historic information about CASA, what the problem is, and so on. And you will recall that the Community Aging Services Act was enacted by the Legislature in 1982. It was intended to provide comprehensive aging service programs throughout Nebraska by 1984. At that time, the cost to the state was supposed to be a little over \$2.5 million. Well, we all know that, as many times as I have talked about this, the money was not funded, it was partially funded, and what even