

March 30, 1989

LB 78, 220, 371, 399, 566
LR 67

SENATOR LANDIS: The question is the advancement of LB 566. Those in favor vote aye, those opposed vote no. Upon the completion of this vote, the Clerk will read into the record those items that are necessary and then we'll entertain a motion to adjourn. It would be painful to think that a call of the house would be necessary to dispose of this matter at this late hour. If you're in the Chamber, please return to your chair and vote one way or the other on the advancement of 566. The Clerk will record.

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

SENATOR LANDIS: Motion is advanced and the bill is advanced. Mr. Clerk, read into the record those items you have before us.

ASSISTANT CLERK: Mr. President, I have a new resolution, LR 67 by Senator Wesely. (Read brief description. See page 1416 of the Legislative Journal.)

Amendments to be printed from Senator Rod Johnson to LB 78; Senator Chambers to LB 399; Senator Chambers to LB 220 and Senator Hall to LB 371. (See pages 1416-21 of the Legislative Journal.) And that's all I have, Mr. President.

SENATOR LANDIS: Thank you, Mr. Clerk. The Chair recognizes the distinguished senator from northeast Nebraska, Frank Korshoj.

SENATOR KORSHOJ: Mr. Chairperson, I move that we adjourn until April 3rd at 9:00 a.m.

SENATOR LANDIS: You've heard the motion. Those in favor say aye. A machine vote has been called for. Those in favor vote aye, those opposed vote no. Somebody must have heard about a party. I've got a whole sheaf of bills. Just wait for a second and I'll go down to my office and get them and we can stay in session. The Clerk will record.

ASSISTANT CLERK: 23 ayes, 1 nay on the motion to adjourn, Mr. President.

April 3, 1989

LR 66, 67

President's budget was \$6 million and they need about another \$16 million to complete the Davis Creek part of this project. There is about 20,000 acres that will be irrigated if this project is completed. Presently, there is about 74 percent complete with the remaining about 26 percent that has not been completed, and the majority of the cost of this project has already been expended to build the Calamus Dam and the canal to the Davis Creek, and I would ask the support of the Unicameral on behalf of the Twin Loup Project and this will be sent on to the Appropriations Committee and the Senate and House of Representatives to appropriate funds to finish the Davis Creek Dam. I ask for its advancement.

SPEAKER BARRETT: Any questions? Any discussion? Those in favor please vote aye, opposed nay. Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of LR 66.

SPEAKER BARRETT: LR 66 passes. LR 67, Mr. Clerk.

CLERK: Mr. President, LR 67 was introduced by Senator Wesely. It is found on page 1446 (sic) of the Journal. It asks the Legislature to commend Nebraska's child care providers and teachers for their continued commitment and dedication in the care and education of our young children, and that the Legislature declare the week of April 2nd through the 8th as the Week of the Young Child of Nebraska.

SPEAKER BARRETT: The member from the 26th Legislative District, Senator Wesely.

SENATOR WESELY: Thank you. Mr. Speaker, members, the Week of the Young Child is an event that started last year. We recognized it last year in a resolution. We are going to, hopefully, do it again this year. The event was kicked off today in Lincoln and Omaha with a parade. As a matter of fact, in a little while out on the north steps, if you want to, there will be some children releasing balloons, and up in Omaha, I know they will be similarly trying to dedicate this Week of the Young Child to try and recognize the importance of children in our state and the desire to provide for them good child care, good education, and good opportunities, and so this resolution does commend the providers and the educators of this state for the work with children and recognizes the importance of children to all of us.

SPEAKER BARRETT: Thank you. Discussion. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, having missed the prayer this morning, which is my custom, I think I will add something from the New Testament because it is one of my favorite verses and it ties right in with what Senator Wesely is offering. The verse was attributed to Jesus. Suffer the little children to come unto me and forbid them not, for of such is the kingdom of heaven, which means I and a lot of little children are going to be there, and, at some point in this month, I am going to offer a resolution that relates to the fact that April has been designated the month, it is antichild abuse month or something to that effect, and because it ties in, I am going to offer it, and I hope this will be the forerunner of Senator Wesely's resolution. It will show the children that we do care about them. It will show those people who are working in the interest of and on behalf of children that we do care. We will do what is available for us, and, as Senator Schmit would say, this resolution is one of those things that doesn't cost anything, doesn't do anything, doesn't hurt anybody, doesn't help anybody, but I think it creates a tone, a frame of mind, and because of that, it is a worthwhile venture.

SPEAKER BARRETT: Thank you. Senator Smith.

SENATOR SMITH: Thank you, Mr. Speaker. I can't add too much to what Senator Chambers has said this morning except for the fact that I would like to say that this resolution may not cost anything, do anything, whatever, but I think the tone and the frame of mind is very important, and the time has come, now this is the second year that we have done a resolution which talks...or we celebrated the week of the children. We need to do more than just celebrate the fact that it is the week of children. I think we really need to get serious about taking care of the problems that we see in Nebraska regarding abuse, neglect, and those kinds of things, and now is the time for us to get serious. Thank you.

SPEAKER BARRETT: Thank you. Any other discussion? If not, those in favor of adoption of LR 67 please vote aye, opposed nay. Record, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of LR 67.

April 3, 1989

LB 781
LR 67

SPEAKER BARRETT: LR 67 is adopted. And now, Mr. Clerk, to item 6, LB 781.

CLERK: Mr. President, LB 781, the first order of business I have are adoption of Enrollment and Review amendments.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 781 be adopted.

SPEAKER BARRETT: Discussion? Seeing none, those in favor of the adoption of the E & R amendments to LB 781 say aye. Opposed no. Carried. They are adopted.

CLERK: Mr. President, the next amendment I have is offered by Senator Smith. Senator, this is your amendment number, AM0986. It is referenced on page 1351 of the Journal. I believe you will find it in your bill books, however. AM0986.

SPEAKER BARRETT: Senator Smith, please.

SENATOR SMITH: Thank you, Mr. Speaker. Members of the body, you remember this bill, LB 781, is really, basically, the same bill as we had last year, LB 911, which was determined to be not constitutional, and so now what we are doing is making the effort through this bill to try to assure ourselves this time we make it correct. So we are working on the bill at this point yet and I have a new amendment to the bill. The white copy deletes...this is to the white copy now, which deletes Section 9 of the Standing Committee amendments adopted to General File which related to renewals of licenses. The reason the committee decided to now delete this section from the bill is because of a lower court decision on this issue which is now on appeal to the Nebraska Supreme Court. As you can see from the handout that you have on your desks, the other changes in the white copy are technical or for clarification. If there are any questions, I would try to answer those. Otherwise, I would ask the body to support us in this amendment.

CLERK: Okay, Mr. President, in that case, Senator Smith, I understand you do have an amendment to that amendment, Senator.

SENATOR SMITH: Yes, this is an amendment to the amendment and this is simply a technical error, drafting error. We referenced

April 4, 1989

LB 183, 188, 775, 809
LR 64, 66, 67

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the 58th working day in this the First Session of the Ninety-first Legislature. Our Chaplain of the day, our own Harland Johnson. Mr. Johnson.

HARLAND JOHNSON: (Prayer offered.)

SPEAKER BARRETT: (Gavel.) Thank you, Harland, very much. Roll call.

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

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: No corrections this morning, Mr. President.

SPEAKER BARRETT: Messages, announcements or reports?

CLERK: Mr. President, a series of Attorney General's Opinions, one to Senator Beck regarding LB 775; an amendment to...or an opinion to Senator Lamb and a third opinion to Senator Hall regarding LB 809, Mr. President. Also, LR 64, LR 66, LR 67 as passed by the Legislature yesterday are now ready for your signature, Mr. President. That's all that I have. (See pages 1465-1474 of the Legislative Journal. The opinion to Senator Lamb is in regard to LB 183.)

SPEAKER BARRETT: Thank you. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 64, LR 66 and LR 67. To item 5, Mr. Clerk, special motion.

CLERK: Mr. President, Senators Withem and Schmit would move to suspend Rule 3, Section 17, so as to place LB 188 on General File notwithstanding the action of the Education Committee. The motion was filed on March 29 and is found on page 1383 of the Journal, Mr. President. LB 188 was reported by the Education Committee as indefinitely postponed on March 20 of this year.

SPEAKER BARRETT: Thank you. Senator Schmit.

SENATOR SCHMIT: Mr. President and members, I will only use a portion of my opening time because I want Senator Withem to use a portion of it also. So perhaps if the Speaker would notify me