

November 14, 1989 LB 1, 2
 LR 7, 8

CLERK: Mr. President, your Committee on Enrollment and Review reports LB 1 to Select File with E & R amendments attached. (See page 108 of the Journal.) Two new resolutions, Mr. President. One by Senators Schmit and Labedz, and a resolution by Senator Wesely. Those will be laid over, Mr. President. That's all that I have. (See pages 109-10 of the Journal, re: LR 7, and LR 8.)

SPEAKER BARRETT: Thank you, sir. Additional discussion on the amendment to the amendment. Senator Lamb.

SENATOR LAMB: Mr. President, I'd call for the previous question.

SPEAKER BARRETT: The question has been called. Do I see five hands? I do. The question before the body is, shall debate cease? All in favor vote aye, opposed nay. Please record.

CLERK: 25 ayes, 1 nay to cease debate, Mr. President.

SPEAKER BARRETT: Debate ceases. Senator Withem, the floor is yours for closing.

SENATOR WITHEM: Yes, Mr. Speaker, members of the body. I offered this amendment at the beginning as process to what I thought was to clarify a bill, to remove a portion of the bill that just stood out, to me, like such a sore thumb, such an unfair provision that I thought what I was doing was improving a bill by removing a piece...a portion of that bill that I thought was so bad. In a sense, the debate, not at my design, I've only spoken twice, once to introduce the amendment, and once during the debate, but the bill...the amendment has kind of grown into, I think, an opportunity for people to express their frustrations and their concerns about the entire process we're involved in. It may be a healthy thing, because we have not really been able to do that yet. The amendment is a simple amendment. The amendment preserves the current system, it does not change the system, it preserves the current system for dealing with appeals; it will, I think, somewhat stop the flood gates that...opening the flood gates of individuals coming in and filing suit, because anybody out there that has an attorney on staff is going to perfect their claim by filing an action. It will also treat people fairly, people that do, in fact, under the class action concept that Senator Chambers defined, who will

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Mike not activated immediately.) ...the George W. Norris Legislative Chamber. Would you please rise while Senator Wehrbein offers our invocation.

SENATOR WEHRBEIN: (Prayer offered.)

PRESIDENT: Thank you, Senator Wehrbein, we appreciate it. Roll call, please.

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

PRESIDENT: Thank you. Do you have any corrections to the Journal?

CLERK: No corrections, Mr. President.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 4, LR 5, and LR 6. Do you have anything for the record, Mr. Clerk?

CLERK: Mr. President, Senator Baack would like to make an announcement that the Government Committee will meet in Room 1117 as opposed to 2102 today for their meetings. I have a confirmation report from the Agriculture Committee, signed by Senator Rod Johnson. That's all that I have, Mr. President.

PRESIDENT: We'll move on to LR 7, please.

CLERK: Mr. President, prior to consideration of those resolutions, Senator Hefner would move to suspend Rule 9, Section 2 so as to permit consideration of LR 8 and LR 9 today.

PRESIDENT: Senator Hefner, please.

SENATOR HEFNER: Mr. President and members of the body, I move that we suspend the rules so that we can take up several resolutions, particularly LR 8 that Senator Wesely has introduced and LR 9 that I have introduced. So I would just ask your support to suspend the rules at this time. Thank you.

PRESIDENT: Thank you. Senator Haberman, please.

SENATOR HABERMAN: May I ask a question of Senator Hefner,

please.

PRESIDENT: Yes, sir. Senator Hefner.

SENATOR HABERMAN: You're suspending the rules on just 8 and 9?

SENATOR HEFNER: Yes.

SENATOR HABERMAN: Okay, that's fine. Thank you.

PRESIDENT: Any further discussion? You've heard the motion. All in favor vote aye, opposed nay. It requires 30 votes. Please vote, if you care to, because we do require 30 votes and we'll need most of you to vote on the suspension of the rules on number 8 and 9. We're going to jump over LR 7 for the time being. For those who have just come in, we're voting on the suspension of rules. Record, please.

CLERK: 30 ayes, 0 nays, Mr. President, to suspend the rule to permit consideration of LR 8 and LR 9 this morning.

PRESIDENT: Thank you. May I introduce a guest, please, of Senator Lynch. We have Tom Furey of the Furey Heating and Plumbing in Omaha, who is the Honorary Mayor of Florence, Nebraska. Would you please stand, Tom, and be recognized. Thank you for visiting us today. LR 7, please. We're passing that over. LR 9. LR 8. Somewhere in there.

CLERK: Mr. President, LR 8, by Senator Wesely, asks the Legislature to declare December 1, 1989, as World AIDS Day.

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. President. You'll recall that this came to me from the President. President Nichol had been contacted by the Nebraska AIDS Project and I'm introducing it on their behalf to recognize World AIDS Day. Just for your information, of course, we're all familiar with the problem of AIDS. Senator Coordsen got it mixed up with the Agency for International Development that President Roskins is about to take over. This is AIDS in terms of Acquired Immune Deficiency Syndrome, which is the deadly disease we're all very concerned about. For your information, I find it kind of interesting, to update us on this, in the United States, since May of '81, when we first found AIDS in this country, there are 100,000 cases of

AIDS, and 65,000 deaths in America. In our own state there are 127 cases of AIDS, and 85 deaths. There are also another estimated 2,500 individuals that have HIV infection, which indicates, of course, there is a great concern for their future. We're talking about a very deadly disease when you talk about 65,000 deaths in our country and 85 Nebraskans have lost their lives to this. The attempt, on December 1, is around the world to inform people about the AIDS and about the need to continue to be vigilant and concerned about this deadly disease in the hope that we can prevent other people from dying from it. So, with that, I'd encourage your support for the resolution and appreciate your interest in the issue and whatever help you can provide to better educate Nebraskans of this problem.

PRESIDENT: Thank you. Any further discussion? If not, the question is the adoption of the resolution. All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 20 ayes, 0 nays, Mr. President, on adoption of LR 8.

PRESIDENT: LR 8 passes. LR 9.

CLERK: Mr. President, LR 9 was offered by Senator Hefner. It congratulates the coaches, Schroeder and Fincher, and the Cedar Catholic High School girls volleyball team for winning the Class C-1 state championship.

PRESIDENT: Senator Hefner, please.

SENATOR HEFNER: President Nichol and members of the body, I introduced this resolution to recognize and honor the members of the Cedar Catholic girls volleyball team. They are located at Hartington in northeast Nebraska. I just thought that it would be good for us to recognize their record. So I would urge you, at this time, to support this resolution.

PRESIDENT: Any further discussion? If not, the question is the adoption of the resolution. All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 22 ayes, 0 nays, Mr. President, on adoption of the resolution.

PRESIDENT: The resolution is adopted. We'll move on to confirmation reports, the first one by Senator Smith.

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Mike not activated immediately.) ...George W. Norris Legislative Chamber. We have with us Mr. Johnson, Reverend Johnson this morning for our invocation. Would you please rise.

REVEREND JOHNSON: (Prayer offered.)

PRESIDENT: Harland Johnson, thank you again for your thoughtful prayer. We always appreciate them. Thank you. Roll call, please.

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

PRESIDENT: Do we have any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: (Gavel.) Ladies and gentlemen, I'd like to introduce a special guest in the north balcony, if I may have your attention for a moment. We have a state representative, Tim Kelley of the 6th District, this is from the Missouri House of Representatives. Will you please stand and be welcomed to our Legislature. Thank you for visiting us today, Tim. He's a guest of Senator Roger Wehrbein, incidentally, if I didn't say that. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 8 and LR 9. Anything to read in, Pat?

CLERK: Not at this time, Mr. President.

PRESIDENT: Okay. We'll move on to LR 10.

CLERK: Mr. President, prior to consideration of resolutions this morning, Speaker Barrett would move to suspend Rule 4, Section 6 and Rule 9, Section 2 to permit consideration of LRs 10 and 11 this morning.

PRESIDENT: Senator Barrett, are you going to move to the resolution, suspension, suspension of the rules?

SPEAKER BARRETT: Yes, Mr. President, I would move to suspend Rule 4, Section 6 and Rule 9, Section 2 in order to permit us to discuss legislative resolutions 10 and 11. Thank you.