

January 8, 1990

LB 1014-1016

SENATOR LYNCH: Mr. President, and members, I move that the rules as now in our possession be adopted for today only, Monday, January 8, 1990.

PRESIDENT: Any further discussion? If not, you have heard the motion. All those in favor say aye. Opposed nay. They are adopted. Mr. Clerk, the introduction of new bills. Do you have any new ones?

CLERK: Mr. President, new bills. (Read for the first time by title: LBs 1014-1016. See page 191 of the Legislative Journal.) That is all that I have at this time, Mr. President.

PRESIDENT: We are ready to go on to the permanent rules, Mr. Clerk.

CLERK: Mr. President, I believe the Legislature considered a motion as offered by Senator Lynch, as Chair of the Rules Committee, to adopt permanent rules. I now have pending, Mr. President, committee amendment #11 as offered by the Rules Committee. That is I think, Senator, the motion with respect to cloture. (See pages 191-92 of the Legislative Journal.)

PRESIDENT: Senator Lynch, please.

SENATOR LYNCH: Yeah, Mr. President, and members, this was a recommendation made by Senator Scotty Moore. It was heard by our Rules Committee and recommended to the floor for discussion by a vote of 3 to 2. I'd turn it over now to Senator Moore for explanation.

PRESIDENT: Senator Moore, please.

SENATOR MOORE: Mr. President, and members, it is time for what has become the annual debate on whether or not the Nebraska Legislature will have within its rules a cloture rule, a bill quite simply to limit and place some time limits on the length we are going to allow filibuster here in the Legislature. Now every year, the last three years I've brought this cloture rule up. Prior to myself, it has been introduced and debated a number of times by this body, and according to my research, the only one time it was ever actually passed, and adopted as part of the rules was during a special session in the early eighties for a specific reason, when at that point in time, it was

January 9, 1990

LB 259, 845, 972, 973, 993, 1014-1048, 1057-1059
LR 236

Haberman.

SENATOR HABERMAN: Mr. President, I move to recess until 1:30 p.m.

SPEAKER BARRETT: Mr. Clerk, would you care to read anything in before we vote on the motion to recess.

CLERK: Mr. President, new bills. (Read LB 1057-1059 by title for the first time as found on pages 232-33 of the Legislative Journal.)

A series of requests to add names, Senator Beck to LB 1026, Senator Kristensen to LB 1035, Senator Conway to LB 993, Senator Wahrbein to LB 973, Senator Wehrbein to LB 972, Senator Weihing to LB 845.

(Reference Committee Report referring LBs 1014-1048 and LR 236 appears on pages 233-34 of the Legislative Journal.)

Mr. President, explanation of vote offered by Senator Kristensen. (Re: LB 259.) That's all that I have.

SPEAKER BARRETT: Thank you, Mr. Clerk. A reminder especially to committee chairs. Committee chairmen, please take note. If you are planning hearings, public hearings next Tuesday, notices of that fact should be filed with the Clerk today. File the notice of public hearing today if you are planning to begin hearings next Tuesday. Those in favor of the Haberman motion to recess until one thirty say aye. Opposed no. Carried. We are recessed.

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you. Any messages, reports, anything for the record, Mr. Clerk.

CLERK: One item, Mr. President, I have a hearing notice from the Banking Committee for hearings scheduled on Tuesday,

January 25, 1990

LB 836, 956, 985, 1016, 1017, 1241
LR 246

PRESIDENT NICHOL PRESIDING

PRESIDENT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber. We have with us this morning as our Chaplain of the day, Pastor Stan Schrag of the Grace Community Church in Lincoln. Will you please stand for the morning prayer.

PASTOR STAN SCHRAG: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Pastor Schrag, we appreciate your being here this morning. Come again. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal?

CLERK: Mr. President, I have no corrections this morning.

PRESIDENT: Do you have any messages, reports, or announcements?

CLERK: Mr. President, your Committee on Banking, Commerce and Insurance whose Chair is Senator Landis to whom was referred LB 1016 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, LB 1017 General File, LB 956 General File with amendments, and LB 985 as indefinitely postponed, those all signed by Senator Landis as Chair of the Banking Committee, Mr. President.

I have notice of hearing or cancellation and rescheduling of a bill, signed by Senator Landis as Chair of Banking Committee. (Re: LB 1241. See page 495 of the Legislative Journal.)

Amendments to printed to LB 836 by Senator Landis, and, Mr. President, I have a report from the Department of Roads filed pursuant to statute. That will be on file in my office. (See page 495 of the Legislative Journal.) That is all that I have, Mr. President.

PRESIDENT: Thank you. We will move on to LR 246.

CLERK: Mr. President, 246 is a resolution offered by Senator Kristensen and a number of other members. It is found on page 473 of the Journal. It asks the Legislature to join in commemoration of the bicentennial of the first meeting of the

people. And should they not be in support of the measure I will ask that the bill just lie on Select File, or kill the bill at that time. I guess I was misunderstood. The measure is in place in a couple other states. The letters that you have received show that it has neither helped nor hindered anything, but at this point in time I would at least ask that it be advanced. It is totally a voluntary measure. Thank you.

SENATOR HANNIBAL: Any discussion? Seeing none, Senator Hall, do you care to close? Senator Hall waives closing. The issue before you is the advancement of LB 902. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

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

SENATOR HANNIBAL: It is advanced. LB 974.

ASSISTANT CLERK: LB 974 was introduced by the Business and Labor Committee. (Read title.) The bill was read for the first time January 4th, was referred to the Business and Labor Committee which reports the bill to General File, Mr. President.

SENATOR HANNIBAL: Senator Coordsen, are you going to carry the bill?

SENATOR COORDSEN: Yeah, we're moving right along, aren't we, Mr. Speaker? Members of the body, 974 is a cleanup bill to put Nebraska statutes back into compliance with federal Department of Labor regulations. They have deleted the provision for...that provides for the taking of spousal support out of unemployment. We must, in order to be in compliance, follow along with them. That is 974. I would move its advancement.

SENATOR HANNIBAL: Have no lights on. Do you care to close? Senator Coordsen waives closing. The issue before you is the advancement of LB 974. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

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

SENATOR HANNIBAL: It is advanced. LB 1016.

ASSISTANT CLERK: LB 1016 was introduced by Senators Goodrich

and Johnson. (Read title.) The bill was read for the first time on January 8th, was referred to the Banking Committee which reports the bill to General File.

SENATOR HANNIBAL: Senator Goodrich, please.

SENATOR GOODRICH: Mr. President, members of the body, this is the annual savings...state charter savings and loan bill which says, in essence, we can give them the same rights and privileges and responsibilities as a federally chartered savings and loan. You'll all recall that we do this every year just because of the fact that we cannot let local law, statutes be subject to changes made by the federal law, so therefore we have to go through this procedure each year. This is just the...what we call the wild card bill for savings and loans. And I would move its adoption...that we advance it rather.

SENATOR HANNIBAL: There are no lights. Senator Goodrich, would you care to close?

SENATOR GOODRICH: No.

SENATOR HANNIBAL: Waives closing. The issue before you is the advancement of LB 1016. All those in favor vote aye, opposed nay. Have you all voted? Please record.

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

SENATOR HANNIBAL: It is advanced. LB 1017.

ASSISTANT CLERK: LB 1017 was introduced by Senators Goodrich and Lowell Johnson. (Read title.) The bill was read on January 8th, referred to Banking Committee, reported to General File, Mr. President.

SENATOR HANNIBAL: Senator Goodrich, please.

SENATOR GOODRICH: Mr. President, members of the body, this is the same song, second verse, but this one is for credit unions. We do the same, identical thing for credit unions, state chartered credit unions as we do for state chartered savings and loans, and this is just the credit union bill to do the same thing as give the savings and loan, state chartered savings and loan the same rights and privileges as the federal chartered

February 12, 1990 LB 350, 350A, 542, 551, 567, 567A, 602
663, 692, 742, 851, 856, 857, 858
874, 875, 891, 893, 896, 902, 906
907, 918, 924, 930, 940, 957, 964-966
969, 970, 974, 983, 984, 997, 1013
1016, 1017, 1043, 1044, 1118

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber and a new day in the Second Session of the Ninety-first Legislature. Our Chaplain of the day is Father Mitch Lindeman of St. Matthews Episcopal here in Lincoln. Father Lindeman.

FATHER LINDEMAN: (Prayer offered.)

SPEAKER BARRETT: Thank you, Father Lindeman, pleased to have you with us. Roll call.

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

SPEAKER BARRETT: Thank you. With a quorum present, are there corrections to the Journal?

CLERK: Mr. President, I have no corrections to the Journal.

SPEAKER BARRETT: Are there any reports, messages, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 350 and find the same correctly engrossed, LB 350A, LB 567, LB 567A, LB 663, LB 692, and LB 742, all reported correctly engrossed, those signed by Senator Lindsay as Chairperson of the Enrollment and Review Committee. (See pages 726-27 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 551 to Select File with E & R attached, LB 542, LB 602, LB 858, LB 875, LB 891, LB 1013, LB 983, LB 906, LB 907, LB 984, LB 856, LB 851, LB 957, LB 964, LB 966, LB 997, LB 857, LB 874, LB 893, LB 918, LB 930, LB 970, LB 940, LB 902, LB 974, LB 1016, LB 1017, LB 969, LB 896, LB 965, LB 924, LB 1118, LB 1043, LB 1044,

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 940.

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, please.

SENATOR LINDSAY: Mr. President, I move that LB 940, 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 902. You have amendments on 902. We'll skip over 902 to LB 974.

CLERK: LB 974, Senator, I have E & R amendments pending.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 974.

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 974, 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 1016.

CLERK: LB 1016, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 1016 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye.

February 13, 1990 LB 896, 924, 969, 1016, 1017

Opposed nay. It is advanced. LB 1017.

CLERK: LB 1017, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 1017 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 969.

CLERK: LB 969, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 969 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 896.

CLERK: LB 896, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 896 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 924.

CLERK: LB 924, Senator, I have E & R amendments.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 924.

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, please.

February 15, 1990 LB 688, 855, 896, 918, 924, 930, 940
969, 970, 972, 974, 1016, 1017, 1055
1094, 1115, 1118, 1222

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning, as our Chaplain of the day, Pastor Sid Raymond of the Florence Presbyterian Church in Omaha. Would you please rise for the invocation.

PASTOR RAYMOND: (Prayer offered.)

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

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

PRESIDENT: Mr. Clerk, any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 896 and find the same correctly engrossed, LB 918, LB 924, LB 930, LB 940, LB 969, LB 970, LB 974, LB 1016, LB 1017 and LB 1118 all reported correctly engrossed, those signed by Senator Lindsay as Chair. (See page 799 of the Legislative Journal.)

Mr. President, an Attorney General's Opinion addressed to Senator Elmer regarding LB 1115. (See pages 800-06 of the Legislative Journal.)

Priority bill designations. Senator Lindsay has selected LB 688, Senator Hartnett LB 1222, Senator Haberman LB 1094, and Agriculture Committee, chaired by Senator Johnson, has selected LB 855 and LB 972 and Senator Goodrich has selected LB 1055. (See page 806 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Very good, thank you. We'll go on to the confirmation report.

CLERK: Mr. President, the Health and Human Services Committee, chaired by Senator Wesely, reports on the series of appointments

February 27, 1990 LB 970, 974, 1016, 1017

Legislative Journal.) The vote is 39 ayes, 0 nays, 10 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 970 with the emergency clause attached passes. LB 974.

ASSISTANT CLERK: (Read LB 974 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 974 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Read record vote. See pages 1015-16 of the Legislative Journal.) The vote is 38 ayes, 0 nays, 1 present and not voting, 10 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 974 passes. LB 1016E.

ASSISTANT CLERK: (Read LB 1016 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1016 with the emergency clause attached become law? Those in favor vote aye, opposed nay. Have you all voted? Record please.

ASSISTANT CLERK: (Read record vote. See page 1016 of the Legislative Journal.) 38 ayes, 0 nays, 1 present and not voting, 10 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1016E passes. Before reading the next bill, another announcement. LB 1043 and 1063 as previously announced will not be read, as is the case with 1044. The next bills after 1017 will be rolled over. LB 1017E, Mr. Clerk.

ASSISTANT CLERK: (Read LB 1017 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1017 with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Read record vote. See page 1017 of the Legislative Journal.) The vote is 39 ayes, 0 nays 1 present and not voting, 9 excused, Mr. President.

February 27, 1990

LB 315, 974, 1016, 1017, 1070, 1076, 1098
1118

ran all 50 states, we're in probably the top ten of all of the states. The difference in Nebraska is in how high we go. We're good on the low end, we treat people extremely well by comparison. Whether we would increase by \$8, which are the committee amendments, whether we would increase by \$10 a week in each of the next two years, which is my amendment, or whether we would increase by \$20, as Senator Lindsay would have us do, Nebraska, for those covered wage earners, is still going to pay among the highest benefits for those people that are covered up to the extent of their wages of any state in the Union.

SPEAKER BARRETT: One minute.

SENATOR COORDSEN: We have \$127 million, or thereabouts, in the Unemployment Trust Fund. That belongs to the workers of the State of Nebraska and that is paid out in recessionary times. I think it is incumbent upon us to be sure that we protect those benefits for use when they really need it. If we increase too fast, if we increase too high, we do put, if we have another major recession and we will, those benefits in jeopardy.

SPEAKER BARRETT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 1017, LB 1016, LB 974, LB 1070, LB 1076, LB 1098 and LB 1118. The Chair recognizes Senator Morrissey.

SENATOR MORRISSEY: Thank you, Mr. Speaker and members, I would just like to remind you, first I rise in support of Senator Lindsay's amendment. I would like to remind you exactly what unemployment does and this is taken out of the unemployment, Highlights of State Unemployment Compensation Laws that the department gave us in the Business and Labor Committee and I believe you all got a copy of it. In the overview it says, unemployment compensation has also served the business community by getting money into circulation at the outset of a local or national economic turndown, downturn, thus, helping the slowdown recessionary pressures. And while we're not in a recession right now, this also applies...it also applies to businesses in regular economic times because these people on unemployment do not pad their savings account, they do not buy a new car, they do not drive to Nebraska Furniture Mart to get a new washer-drier, they spend their money on the basics. Again, just think, think back to when you were on unemployment and what it is you do with that money. So the cost to businesses, there is a cost, there is an increased cost, but the businesses, the

February 27, 1990

LB 315, 852, 872, 918, 924, 930, 940
969, 970, 974, 1016, 1017, 1070, 1076
1098, 1118

SPEAKER BARRETT: Debate ceases. Senator Coordsen, would you care to close.

SENATOR COORDSEN: Thank you, Mr. Speaker, very briefly. I think the subject matter of the amendment to the amendment has been covered fairly well. I think it's a good amendment. There would...share with you that I haven't talked to the Department of Labor, nor to the labor interests, nor to the business interests. But, it appeared to me that if we're going to punish, we need also to extend a hand to help, even if it's a small finger, it is better than turning people out. So I would ask for the adoption of the amendment to the amendment.

SPEAKER BARRETT: Thank you. The question is the adoption of the Coordsen amendment to the Hefner amendment to LB 315. Those in favor vote aye, opposed nay. Record.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Coordsen's amendment to Senator Hefner's amendment.

SPEAKER BARRETT: The amendment to the amendment is adopted. Senator Hefner, back to your amendment.

SENATOR HEFNER: Mr. President, I move we adjourn until tomorrow morning at 9:00 a.m.

SPEAKER BARRETT: Anything for the record, Mr. Clerk?

CLERK: Mr. President, bills read on Final Reading have been presented to the Governor as of 3:30 p.m. (Re. LB 852, LB 872, LB 918, LB 924, LB 930, LB 940, LB 969, LB 970, LB 974, LB 1016, LB 1017, LB 1070, LB 1076, LB 1098, LB 1118.)

Mr. President, there will be an Executive Session of the Revenue Committee in your hearing room, Senator? In Room...wherever the Revenue Committee meets, 1520, 1520, Mr. President. And that's upon adjournment. Revenue, upon adjournment in Room 1520, in that room. That's all that I have, Mr. President.

March 2, 1990

LB 618A, 852, 872, 880A, 918, 924, 930
940, 969, 970, 974, 1016-1018, 1070, 1076
1098, 1109, 1118
LR 265

CLERK: Mr. President, a communication from the Governor to the Clerk. (Read communication. Re: LB 852, LB 872, LB 918, LB 924, LB 930, LB 940, LB 969, LB 970, LB 974, LB 1016, LB 1017, LB 1070, LB 1076, LB 1098, and LB 1118. See page 1127 of the Legislative Journal.)

Senator McFarland has amendments to LB 1109 to be printed. (See page 1127 of the Legislative Journal.)

New resolution, LR 265. (Read for the first time. See page 1126 of the Legislative Journal.)

Two new A bills. (Read LB 618A and LB 880A by title for the first time. See page 1127 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. You've heard the motion to recess until one-thirty. All in favor say aye. Opposed no. Ayes have it, motion carried, we're recessed.

RECESS

PRESIDENT NICHOL PRESIDING

PRESIDENT: Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. So I understand it, we were on LB 1018, and discussing an amendment by Senator Chambers. And it says up here that Senator Abboud is the next speaker.

SENATOR ABOUD: Mr. President, I would move the amendment.

PRESIDENT: Thank you. Any further discussion? Senator Chambers, would you like to close? The question is the adoption of the Chambers amendment. All in favor vote aye, opposed nay.

SENATOR ABOUD: Mr. President.

PRESIDENT: Senator Abboud.

SENATOR ABOUD: I'd request a call of the house. We need to