

January 9, 1990

LB 259, 880, 942, 1051-1056

that Senator Withem and Scotty Moore and others have been working long and hard on that. I'm a little apprehensive in some way, but nonetheless, I know they are working at it and that is good. So without any further comments, I would ask you to support the amendment.

SPEAKER BARRETT: Thank you. The question is the adoption of the Schmit amendment to the committee amendments. All in favor vote aye, opposed nay. Record, please.

CLERK: 35 ayes, 0 nays, Mr. President, on the adoption of Senator Schmit's amendment to the committee amendments.

SPEAKER BARRETT: The amendment to the amendment is adopted. For the record, Mr. Clerk, new bills.

CLERK: Mr. President, a few things, yes, sir, thank you. New bills: (Read LBs 1051-1056 by title for the first time. See pages 224-26 of the Legislative Journal.)

Mr. President, finally, I have a hearing notice from the Judiciary Committee for Wednesday, January 17. That is signed by Senator Chizek. (Re: LB 880 and LB 942.)

And the last item, Mr. President, lobby report for November 18 through January 8, 1990. Mr. President, at this time I have nothing further pending to the Education Committee amendments.

SPEAKER BARRETT: Thank you, Mr. Clerk. Senator Withem, would you care to discuss the committee amendments, please?

SENATOR WITHEM: Is this to open the discussion to debate or to close? Are there other lights on?

SPEAKER BARRETT: This is a discussion on the committee amendments. Would you care to...(interruption)

SENATOR WITHEM: I believe I was introduced earlier for my ten minutes to discuss them, so I will just wait and see if other people wish to discuss them and then...

SPEAKER BARRETT: There are no other lights on at the present time. If you'd like to refresh our memories with your earlier discussion, perhaps this will generate some debate.

January 10, 1990

LB 678, 678A, 720, 720A, 742, 1034, 1049-1079

Mr. President, I have a hearing notice from the Government, Military and Veterans Affairs Committee, for the Business and Labor Committee and for the Retirement Systems Committee, all signed by their respective Chairs.

Mr. President, Enrollment and Review reports LB 678 to Select File, E & R amendments; LB 678A, Select File with E & R; LB 720, Select File with E & R and LB 720A, Select File with E & R also, all signed by Senator Lindsay. (See pages 265-66 of the Legislative Journal.)

And I have a reference report, Mr. President, referring LBs 1049-1079. (Also LB 1034. See page 265 of the Legislative Journal.) That is all that I have.

SPEAKER BARRETT: Thank you, Mr. Clerk. Those in favor of the motion to recess until one-thirty please say aye. Opposed no. Ayes have it, motion carried, we are recessed.

RECESS

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Thank you, sir. With a quorum present, we will proceed back to our discussion of LB 742 at which time we were discussing the committee amendments to LB 742. We will return to the speaking order. Correction, we're on a motion to advance the bill. The speaking order beginning with Senator Dierks, if you would care to discuss the motion to advance the bill to E & R, Senator Dierks, followed by Senators Landis, Moore, Smith, Schmit and Bernard-Stevens. Senator Dierks.

SENATOR DIERKS: Thank you, Mr. Speaker and members of the body, I just rise to support Senator Robak's LB 742. I think that... I think these people have a track record that is good and I think we need to honor that. I believe that we do allow people on our roads sometime that maybe shouldn't be there. I don't know how we can stop some of that, but this is some legislation that will allow people to drive again that their track record is proven, they can handle this situation. And they have been kept from this right by the bureaucracy and I think it's time for the bureaucracy to give the right back to them. So I would support 742 and I would urge other people here to do the same thing.

going to talk about the motion directly. I did want to respond to a give and take Senator Chambers and I had earlier, and the question was called and Senator Chambers closed and I didn't get a chance to expound a little bit. There is no doubt, Senator Chambers, that you and I...I guess I'd want to be careful on that. I suspect we may agree that there are certain higher truths out there, whether we understand what they are, whether we are going back to Plato and say, here they are out there, hopefully we will be able to understand the true, what is true on any particular topic. We have a long ways to go, obviously, before we get to that point but the difference between that theory and the political realities are two different things, I think which you know. All of us have a very intriguing time of trying to place what we view to be truth in a principle based on political realities, and there is where things grey. Some of us decide to ignore this particular idea for a greater good on the other side. Sometimes we will say, no, I am not going to, I am going to draw the line here, I don't care about the other part, and I am going to draw the line here and debate it as long and as hard as I can, such as the abortion issue. Others will draw the line elsewhere. Others will never draw the line. The point I am trying to make on the vote that we did yesterday is there are many people out there who had other things, other agendas that needed to be done, and the line was drawn for another day. And if you ask me in the pure truth of the matter whether it was good policy? No. If you ask me whether it was political reality given certain agendas that I and other people have, to that answer it was yes. Are they in conflict? Absolutely. Is the political system in conflict with principles and moral truths? Most of the time. And that is the dilemma many of us have. In fact, that is the dilemma most people have when they enter the political process, is that they are so frustrated by the process itself. I think that is why when we get to abortion issues, whether it be a pro-choice issue, Senator Chambers, or a pro-life issue, I suspect that if the majority of people that were in the body, whether or not they represented the majority of the people in Nebraska or not is immaterial, but if, by chance, a majority of the people of the body were considered to be what others would call pro-choice and they had LB 1054 in LB 854's spot, LB 1054 being the pro-choice bill that was introduced, I suspect those on the pro-life side, and I would argue that all of us are pro-life, but those that have taken up the cause, at least the name of pro-life, would be arguing as bitterly, using whatever methods they could, in order to stop the majority from getting LB 1054 through. I suspect that would

April 4, 1990

LB 431, 854, 976, 1054, 1055, 1062, 1090
1124, 1221
LR 239

unusual thing yesterday. We went ahead and moved nine or so bills without any debate and without any further amendment, controversial bills at that on General File, moved them to Select File, and I think we all knew what was going on that day. But what we did yesterday, in essence, I think as a body was decided that we could do this to the rules because of the situation that we are in in order to get some things done, and I want to try to give the body at least a chance to do the same thing today. I am not trying to do as others, I am not trying to say I don't want an abortion fight today. I am ready for an abortion fight today. I am ready for it now. I am ready for it an hour from now. I am ready for it at four o'clock, and I am ready for it at 11:59 tonight. It doesn't bother me when we are going to have that fight and I want to have that fight. What I am also suggesting, though, is that we have a chance now in the beginning to say as we did yesterday that there are some things we, as a body, can do that will not jeopardize the fight that is to come, but we can do these things today. I am suggesting to you that I am not trying to put off the fight. I am, in fact, trying to give the body an opportunity to at least say when the fight is going to take place. What my amendment would do, what my motion would do, excuse me, would change the agenda in the following way, and it is not a major change so it's easy to follow. If the motion is agreed to, we will simply jump to item six and item seven on the agenda. Those are bills on Final Reading that need to come back for specific amendment. I know Senator Hall has an interest in LB 1090. I know on item seven, if I understand that motion correctly, it is on the low-level nuclear waste, LB 1054, that needs to come back for a specific amendment. After we take care of item six and seven, which will take some time, I am then proposing that we go back to Select File, right at the top of Select File. I am also going to suggest, and actually it is not a suggestion, it is in my motion, I want you to know also what I have done. I have also said that if you look at Select File, we have got LB 431, which, Senator Wesely, regardless of what we do today, that will be the first bill up and there is going to be an attempt and an amendment on that one, I know. LR 239CA, I don't know what is going to happen. Originally I had heard from Senator Withem that there is a motion filed, and I believe it was filed, to have a discussion whether or not the body wants to bracket LR 239CA. If you go down with me on the Select File list, LB 1055, LB 1221, LB 1124 are gone. We passed them yesterday. Which brings us to LB 976 and LB 854. Beneath LB 854 is a bill, LB 1062 which I, myself, in discussion with Senator Lynch, I