

March 6, 1990

LB 226, 678, 799, 1031, 1059, 1063A, 1146  
LR 269

have something for the record, please?

CLERK: Mr. President, I do. Amendments to be printed to LB 1146 by Senator Lynch; Senator Warner to LB 1059; Senator Lindsay to LB 799; Senator Wesely and Senator Lamb to LB 678; and Senator Smith to LB 1031. (See pages 1185-95 of the Legislative Journal.)

A new resolution, Mr. President. (Read brief summary of LR 269. See page 1184 of the Legislative Journal.)

New A bill, 1063A, by Senator Crosby. (Read LB 1063A by title for the first time. See page 1184 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Proceeding then to General File, LB 226.

CLERK: LB 226, Mr. President, was a bill introduced by Senator McFarland. (Read title.) The bill was introduced on January 9, Mr. President, referred to the Education Committee. The bill was advanced to General File. I do have Education Committee amendments pending: (Standing Committee amendments appear on page 950 of the Journal for the Thirty-Eighth Day, First Session, 1989.)

SPEAKER BARRETT: Senator Withem, please, for the committee amendments.

SENATOR WITHEM: Let me get this straight, we are still in session, is that correct? Is that what's going on here. Excuse me, I was tied up with the other bill, and let me do a little quick scattering. Yes, Senator Bernard-Stevens said I should just say they're technical in nature, please go ahead and support them. Okay, here we go, here we go. LB 226 is a bill brought to us by Senator McFarland dealing with a Unicameral Scholars Academy. Its purpose of it is to promote gifted students, give gifted students in our state a greater degree of enriched experience during the summer months. The committee amendments will require that teachers serve on the advisory committee, be certified in teaching the gifted, require the parent on the advisory committee to be the parent of a gifted student, changes the date for reappointment of advisory committee members from July 1 to October 1, deletes the provision that selection of students shall be based on

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LB 551A, 1063, 1063A  
LR 239

there will be an amendment coming up that we will discuss at a later time. But I would ask for your support for this A bill.

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

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 551A.

PRESIDENT: LB 551A is advanced. LB 1063A.

CLERK: Mr. President, 1063A, offered by Senator Crosby. (Read title.)

PRESIDENT: Senator Crosby, please.

SENATOR CROSBY: Mr. President and members, 1063A is the appropriations bill for LB 1063, which I introduced in behalf of the Department of Social Services to give them the mechanism to sell some surplus properties that they no longer are using. The amounts in the appropriation bill, of course, are dependent on what...if and when they sell the property, what the property sells for. So, that's what the bill is for. And I thank you for moving it.

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

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of 1063A.

PRESIDENT: The bill is advanced. We'll move on to LR 239CA.

CLERK: Mr. President, 239 has been discussed by the Legislature. Yesterday, when the Legislature left the resolution, there was pending an amendment offered by Senator McFarland. That amendment, Mr. President, is found on page 1285 of the Journal.

PRESIDENT: Senator Withem, would you like to pick us up? Excuse me, just a moment. Excuse me, Senator McFarland, I should have recognized you first. Please accept my apology.

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LB 551A, 656, 843, 843A, 1031, 1059, 1059A  
1063A, 1141, 1244

that we can do a lot to help these children in their classrooms and stir continued interest in the Legislature and in the legislative process, and perhaps give a lot of people, including civic clubs and others, a deeper understanding of our process, what we go through and how we labor in the vineyards. And so, as I said, we can do it all in-house. There will be an oversight committee. And I have no doubt that the video production will be an enormous hit, and I would urge the body to adopt the amendment. Thank you.

PRESIDENT: Thank you. The question is the amendment to the...the adoption of the amendment to the amendment. All those in favor vote aye, opposed nay. Senator Barrett. Senator Barrett. Thank you. Record, Mr. Clerk, please.

CLERK: 25 ayes, 9 nays, Mr. President, on adoption of Senator Barrett's amendment.

PRESIDENT: The amendment to the amendment is adopted. Something for the record, Mr. Clerk, please?

CLERK: Yes, Mr. President, I do have some items for the record. Senator Nelson has amendments to be printed to LB 656; Senator Schmit to LB 1031; Senator Warner and Withem to LB 1141. Enrollment and Review reports LB 1059, LB 1059A, LB 1244, LB 843, LB 843A, LB 551A, LB 1063A all to Select File. (See pages 1333-39 of the Legislative Journal.)

Mr. President, the next amendment to the committee amendments I have is offered by Senator Withem. (Withem amendment appears on page 1339 of the Legislative Journal.)

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Mr. President, members of the body, this is an amendment somewhat similar to the last one dealing with our legislative process. Increased appropriation to the Legislative Council to the tune of \$20,000. The purpose of this is to fund ongoing telecommunication, actually it says television, maybe it should say telecommunication, if people are interested in changing that, we can do so, if this gets adopted, with another amendment or a Select File amendment...televise legislative hearings. Over the past year we have had two major interactive teleconferences with legislative leadership hearing people testifying on issues of concern to the public, we questioning

March 22, 1990

LB 1063A, 1241, 1244

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 1244.

SPEAKER BARRETT: Any discussion? Shall the E & R amendments to 1244 be adopted? All in favor say aye. Opposed no. Carried. They are adopted.

ASSISTANT CLERK: Mr. President, I have nothing further on the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1244, as amended, be advanced to E & R Final.

SPEAKER BARRETT: Are you sure, Senator?

SENATOR LINDSAY: I am.

SPEAKER BARRETT: Thank you. Any discussion? All those in favor of the advancement of the bill say aye. Opposed no. Carried. The bill is advanced. Mr. Clerk, I would recommend we jump to LB 1063A.

ASSISTANT CLERK: Mr. President, I have no amendments on 1063A.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1063A be advanced to E & R Final.

SPEAKER BARRETT: Is there discussion? Shall LB 1063A be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. Mr. Clerk, I would recommend we move to LB 1241.

ASSISTANT CLERK: Mr. President, on LB 1241, I do have E & R amendments.

SPEAKER BARRETT: The Chair recognizes Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 1241.

March 27, 1990

LB 42A, 923, 931, 1059, 1059A, 1063A, 1221  
1222, 1222A, 1241, 1244A  
LR 11

Mr. President, Enrollment and Review reports LR 11CA to Select File. That's signed by Senator Lindsay as Chair.

Mr. President, your Committee on Enrollment and Review reports LB 42A, LB 931, LB 1059, LB 1059A, LB 1063A, LB 1222, LB 1222A, LB 1241, LB 1244A, all reported correctly engrossed. (See pages 1648-53 of the Legislative Journal.)

Hearing notice from Business and Labor for confirmation hearing, signed by Senator Coordsen as Chair. (See page 1653 of the Legislative Journal.)

Mr. President, Senator Beck would like to add her name to LB 923 as co-introducer. That's all that I have, Mr. President.

SPEAKER BARRETT: Mr. Clerk, proceeding to LB 1221.

CLERK: Mr. President, LB 1221 was a bill introduced by Senator Hannibal. (Read title.) The bill was introduced on January 18, referred to the Urban Affairs Committee for public hearing, advanced to General File.

SPEAKER BARRETT: Senator Hannibal, would you care to open on your bill?

SENATOR HANNIBAL: Thank you, Mr. Speaker, and members of the Legislature, LB 1221 is a bill, as you heard, came through the Urban Affairs Committee and LB 1221 does two things basically. It deals with the Omaha Plumbing Board and most of you have been made familiar with the issue even though it doesn't affect anybody...anybody's district with the exception of the City of Omaha. I hope I have had a chance to talk with all of you and I have heard...and I imagine you have been talked to by those that are not necessarily in favor of the bill. But anyway LB 1221 does two things to the Omaha Plumbing Board and, for those of you who are not familiar, the Omaha Plumbing Board is a five-member board consisting of four members that are considered in the plumbing industry, a journeyman plumber, a master plumber, four members there, and one health officer. LB 1221 expands that to add two new members to it, to the plumbing board and those two members would be a mechanical engineer and an architect. The third...second thing it does with that plumbing board is it removes...the specific requirement that the health officer serve on the board and allows the mayor to appoint a person from the general public as the fifth...or the seventh

April 5, 1990

LB 920, 931, 1063A, 1063

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 920 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1955-56 of the Legislative Journal.) 40 ayes, 4 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 920 passes. LB 931, please.

CLERK: Mr. President, I have a series of amendments to 931 from Senator Baack with notes that he wishes to withdraw.

PRESIDENT: Senator Baack, did you wish to recall those? Okay, they are withdrawn.

CLERK: (Read LB 931 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 931 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: (Record vote read. See page 1957 of the Legislative Journal.) 42 ayes, 0 nays, 3 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 931 passes. LB 1063.

CLERK: (Read LB 1063 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1063 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1957-58 of the Legislative Journal.) 44 ayes, 0 nays, 1 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 1093 passes, I mean, LB 1063, excuse me. Go to 1063...go to LB 1241 with the emergency clause attached. We will move to LB 1063A now. Excuse me. Sorry.

April 5, 1990

LB 854, 1063A, 1241

CLERK: (Read LB 1063A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1063A pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1958-59 of the Legislative Journal.) 41 ayes, 0 nays, 3 present and not voting, 5 excused and not voting, Mr. President.

PRESIDENT: LB 1063A passes. LB 1241 with the emergency clause attached.

CLERK: Mr. President, Senator Pirsch would move to bracket, bracket LB 1241 until April 10, 1990.

PRESIDENT: Senator Pirsch, please.

SENATOR PIRSCH: Thank you, Mr. President and members of the body, you know, I have quite a few amendments up there and they aren't brackets to a date certain, and another date, and another date, and another date. I had a lot of time while LB 854 was being debated to look ahead and while I was listening to the same old haranguing I had a lot of time to think and I had a lot of time to study LB 1241. And, in fact, I discovered that LB 1241 is to quote a certain senator, "a baaad bill". And now that I know how the rules work, Senator Chambers and Senator Bernard-Stevens have filled us in very well on that and it isn't easy, you know. Senator Chambers has a marvelous constitution for delaying and posturing, some others too, for that matter, and I'm going to see if I have the same stomach. In 1241, which originally was introduced by Senator Chambers, would provide for the formation by the Research and Development Authority of a business development corporation organized under the Nebraska Business Development Corporation Act which would provide debt financing and equity financing to eligible businesses starting or expanding in or expanding into a target area within a city of the metropolitan class. The bill would amend the Community Development Assistance Act to provide that purchase of shares in a business development corporation formed under this bill shall be deemed a contribution to a certified program of a community betterment organization for purposes of eligibility for tax credit under that act. That was opposed by Jack Bishop, Jr.,

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LB 315, 369, 369A, 551, 551A, 577, 920  
931, 953, 980, 980A, 994, 994A, 1018  
1043, 1063, 1063A, 1090, 1090A, 1241

year. Senator Chambers and Senator Bernard-Stevens, no doubt, will fight that change in the rules but, hopefully, there will be enough of us here and, as far as I'm concerned, they can filibuster that till the end of the session starting in January, but that's exactly what should be done.

PRESIDENT: One minute.

SENATOR LABEDZ: Thank you, Mr. President.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 980, LB 980A, LB 994, LB 994A, LB 1043, LB 953, LB 369, LB 369A, LB 1018, LB 1090, LB 1090A, LB 315, LB 551, LB 551A, LB 920, LB 931, LB 1063 and LB 1063A. Senator Wesely, please, followed by Senator Langford.

SENATOR WESELY: Thank you, Mr. President and members, I would rise in opposition to the bracket motion and give you a little history on...that hasn't come out yet on this bill and let you know why I do support it. This bill came in after I had introduced a bill on venture capital last year, Venture Capital Company Act. We were looking at this concept of providing incentives for investment in the state across Nebraska at a 25 percent credit level and with a number of other restrictions with the idea that what we're having across the state is a need for capital, a need for venture capital in particular, and a number of studies have indicated that. The Banking Committee worked with me and we did put out LB 577 to accomplish that goal. Senator Chambers then came in with LB 1241 which was a bill that he worked with with the administration and it tied in conceptually with what that other bill was. So, originally, what we did in the Banking Committee was we merged, with Senator Chambers' cooperation, LB 577 and LB 1241 so that the whole State of Nebraska would be benefiting from venture capital initiative. And this compromise that was reached in the Banking Committee was one that I was very excited about and appreciated very much Senator Chambers' cooperation. But what's odd is that after we reached this compromise and the committee advanced the bill as amended, then Deb Thomas from the Governor's office came in after the deadline for picking priority bills and told Senator Chambers that the Governor could not tolerate the additional coverage of the whole state, that she wanted only north Omaha to be the focus of the bill. And, of course, I was not happy with that situation and felt that I had not been dealt



April 9, 1990

LB 220, 220A, 315, 369, 369A, 551, 551A  
571, 56, 720, 720A, 799, 851, 896  
923, 953, 958, 960, 960A, 980, 980A  
994, 994A, 1018, 1063, 1063A, 1064, 1064A  
1080, 1090, 1136, 1146, 1184, 1184A, 1244

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber for the last day of the Second Session of the 91st Legislature. We're especially happy to have with us this morning our own Harland Johnson for our prayer of the morning. Would you please rise?

HARLAND JOHNSON: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Harland, and may I say, on behalf of all the members of the Legislature, we have truly appreciated your prayers during the session. They have been very meaningful because you understand us so well, so thank you again. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal?

CLERK: No corrections this morning, Mr. President.

PRESIDENT: Any messages, reports, or announcements today?

CLERK: Mr. President, a series of messages. First, communications from the Governor. Engrossed...well, before that, Mr. President, bills read on Final Reading as of late last Thursday were presented to the Governor on Thursday evening as of 8:15 p.m. Communications from the Governor, Mr. President, and I might indicate to the members that copies of messages I have received have been distributed and you should have a copy on your desk. Communications to the Clerk: Engrossed LB 1080, LB 1184, LB 1184A, LB 656, LB 1146, LB 799, and LB 1136 were received in my office on April 3 and signed by me on April 6 and delivered to the Secretary of State. Sincerely, Kay Orr, Governor. (See Message from the Governor as found on page 1985 of the Legislative Journal.) A second communication: Engrossed LB 220, LB 220A, LB 315, LB 369, LB 369A, LB 551, LB 551A, LB 571, LB 720, LB 720A, LB 851, LB 896, LB 923, LB 953, LB 958, LB 960, LB 960A, LB 980, LB 980A, LB 994, LB 994A, LB 1018, LB 1063, LB 1063A, LB 1064, LB 1064A, LB 1090, and LB 1244 were received in my office on April 3 and signed by me on April 7, delivered to the Secretary of the State. Sincerely, Kay Orr, Governor. (See Message from the Governor as found on page 1985 of the Legislative Journal.) In addition to those items,