Haberman, would you record your presence, please. Thank you. Senator Bernard-Stevens, Senator Goodrich. Senator Wehrbein, would you record your presence, please. Thanks. Schmit. We're looking for Senator Goodrich and Senator Schmit. I understand Senator Goodrich will be here in a moment. Senator Schmit, would you like to record your presence, please. And Senator Goodrich is here. Ladies and gentlemen, the question is the adoption of the committee amendments. call vote has been requested. Mr. Clerk, please.

(Roll call vote taken. See page 238 of the Legislative 23 ayes, 14 mays, Mr. President, on adoption of Journal.) committee amendments.

PRESIDENT: The committee amendments are not adopted. Do you have anything else on it, Mr. Clerk?

CLERK: Mr. President, yes, I do.

PRESIDENT: The call is raised. Did you wish to read something in, Mr. Clerk, while we're at it?

ASSISTANT CLERK: Yes, Mr. President, new bills. LBs 1061-1077 by title for the first time. See pages 239-43 of the Legislative Journal.)

PRESIDENT: Mr. Clerk, anything further on 141?

CLERK: Mr. President, I do. I now have a motion to the bill by Senator Moore. Senator Moore would move to indefinitely postpone LB 141. Senator Abboud, as introducer, has the option to lay the bill over, Mr. President.

PRESIDENT: Senator Abboud, what do you lay?

SENATOR ABBOUD: Lay the bill over.

PRESIDENT: Lay it over?

SENATOR ABBOUD: Yes.

PRESIDENT: Okay, it will be laid over. We'll move on to LB 742.

CLERK: Mr. President, 742 was a bill that was introduced by

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.)

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 pr ceed back to our discussion of LB 742 at which time we were discussing the committee amendments to LB 742. 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.

guess it is the third Beck amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 12 ayes, 14 nays, Mr. President, on the adoption of the amendment.

PRESIDENT: The third Beck amendment fails. Mr. Clerk, do you have anything for the record?

CLERK: I do, Mr. President. Mr. President, reminder, Reference Committee will meet in Room 2102 upon adjournment; Reference Committee, Room 2102.

Mr. President, new bills. (Read for the first time by title: LB 1148-1157.) Mr. President, a new A bill, LB 240A by Senator Hall. (Read for the first time by title. See pages 340-43 of the Legislative Journal.)

Retirement Systems Committee, whose Chair is Senator Haberman, reports LB 834 to General File. Appropriations Committee offers notice of hearing, as does Urban Affairs, (Re: LB 853, LB 1043, LB 1044, LB 1057, LB 1076, LB 1098) signed by Senators Warner and Hartnett as Chairs, respectively. (See pages 343-44 of the Legislative Journal.)

Mr. President, Committee on Enrollment and Review reports LB 259 to Select File with E & R amendments, LB 259A Select File with E & R, LB 534 Select File with E & R, LB 601 Select File with E & R, LB 730 Select File with E & R, LB 818 Select File, LB 819 Select File, LB 820 Select File. (See pages 345-46 of the Legislative Journal.)

And, finally, Mr. President, I have amendments to be printed by Senator Hefner to LB 163. (See pages 346-47 of the Legislative Journal.) And, Mr. President, a request from Senator Weihing to add his name to LB 397; and Senator Schimek to LB 163. That is all that I have, Mr. President.

PRESIDENT: Senator Wehrbein, would you like to say something this morning about adjourning until nine o'clock tomorrow. Wait a minute, we will turn you on. Now.

SENATOR WEHRBEIN: Yes, Mr. Speaker, I would do that. I move we adjourn until nine o'clock tomorrow morning, January 17.

know where I am in, in that scenario. I guess I am pleading, at some point, at the crowd watching both sides with all good intentions and sincerity, fighting to the end, and I'm asking you, the crowd, when will you finally have mercy at some point and say to the people of Nebraska, we have other things we have to do? Because I know, and so do you, that if you say, isn't this interesting, let's bring them back again, that the gladiators, as the paper this morning, I think, showed to pride, some ego and a lot of personal feelings will come back and perform for you again. And this time it's time for the body to take charge and it's time for you to lead and it's time for us to move. I move we adjourn.

PRESIDENT: Mr. Clerk, do you have something for the record?

CLERK: Mr. President, your Committee on Judiciary gives notice of hearing for February 1. That's signed by Senator Chizek as committee Chair.

New A bill, LB 994A, by Senator Schellpeper. (Read by title for the first time as found on page 508 of the Legislative Journal.)

Senator Baack has amendments to LB 143 to be printed. (See pages 508-12 of the Legislative Journal.)

Mr. President, Senator Hartnett would like to add his name to LB 1140.

Mr. President, Senator Haberman would ask unanimous consent to add the names of all members to LR 247. Mr. President, it was the resolution for Senator Jacobson that was considered this morning.

PRESIDENT: No objection, so ordered.

CLERK: Mr. President, the Appropriations Committee gives notice of hearings.

Government Committee reports LB 890, LB 924, LB 962, LB 1118, to General File.

Urban Affairs reports LB 908, LB 1043, LB 1044, LB 1076 to General File, and LB 1098 to General File.

And Natural Resources reports LB 1041 to General File with

support LB 1044. We had a particular problem with this issue in the City of Ralston. And we found that at that particular time there was nothing in the statute dealing with accrual of a I'd like to thank Senator Pirsch for bringing this bill before the body, because it's a problem and it's not so much a problem in other larger cities because we have a statute dealing with this particular issue of accrual of claims. And it's not a problem with counties, as I understand they have a similar piece of statutory language. One thing that I do feel is important in establishing a legislative history of this particular bill is determining what, in fact, means accrual of the claim. It's my understanding, Senator Hartnett, if you could pop in, if this is your view of this particular statutory language, that accrual of the claim would mean after a completion of the work, or in the case of an accountant that was doing work for the city he would submit a monthly bill, whatever the terms that the city would provide for. Is that an accurate...

SENATOR HARTNETT: Yes, I think that's the way I would see this doing, Senator Abboud.

SENATOR ABBOUD: So it would either be completion of the work by a particular individual for the city, or whatever sort of established billing system the city had established,...

SENATOR HARTNETT: Yes.

SENATOR ABBOUD: ...since it's on a monthly basis.

SENATOR HARTNETT: Yes, that's the way I would see it, Senator Abboud.

SENATOR ABBOUD: Thank you, Senator Hartnett.

SENATOR HANNIBAL: Senator Hartnett, your light is on. Senator Hartnett waives closing. The issue before you is the advancement of LB 1044. All those in favor vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

ASSISTANT CLERK: 26 ayes, 0 mays on the advancement of the bill.

SENATOR HANNIBAL: LB 1044 is advanced. LB 1076.

ASSISTANT CLERK: LB 1076 was introduced by Senator Wesely.

(Read title.) The bill was read for the first time on January 9th, referred to Urban Affairs which reports the bill to General File.

SENATOR HANNIBAL: Senator Wesely, please.

SENATOR WESELY: Thank you. Real briefly, this bill was brought to me by the City of Lincoln. It deals with festivals, like the Haymarket festival where they close off streets and then have the different activities. But right now it's not possible to charge admission to those. This would allow the city to charge admission, the money made from it would go back into the nonprofit organization sponsoring the event. I'd move for the advancement of the bill.

SENATOR HANNIBAL: Any discussion? Any closing, Senator Wesely? No closing. The issue before you is the advancement of LB 1076. All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Please record, Mr. Clerk.

ASSISTANT CLERK: 26 ayes, 0 mays on the advancement of the bill.

SENATOR HANNIBAL: LB 1076 is advanced. LB 1098.

ASSISTANT CLERK: LB 1098 was introduced by Senators Schimek and Crosby. (Read title.) The bill was read for the first time on January 10th, was referred to the Urban Affairs Committee which reports the bill to General File.

SENATOR HANNIBAL: Senator Schimek, please.

SENATOR SCHIMEK: Mr. President and members of the body, this proposal is simply one of those proposals that allows Lincoln, Lancaster County, to do what Omaha, Douglas County already has authorization to do through statute. Omaha, Douglas County has a city/county commission that allows them to take care of public buildings. And Lincoln is needing this now because they want to form a district energy corporation to provide heating and cooling systems for the County-City Building and jail. And, as I say, this is already done in Omaha, Douglas County. It just extends it to Lincoln and Lancaster County. I would ask your advancement.

SENATOR HANNIBAL: There are no other lights on. Senator

February 12, 1990 LB 399, 761, 821-829, 852, 869, 872, 1022 1063, 1066A, 1070, 1076, 1098 LR 252

LB 1076, LB 1098, LB 852, LB 872, LB 1022, LB 1063, and LB 1070. Some of those have Enrollment and Review amendments attached, Mr. President. (See pages 727-38 of the Legislative Journal.)

I have a new A bill, LB 1066A by Senator Wesely. (Read for the first time by title. See page 738 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read. Re: LB 399, LB 821, LB 822, LB 823, LB 824, LB 825, LB 826, LB 827, LB 828, and LB 829.) I have an Attorney General's Opinion to Senator Goodrich regarding LB 869. (See pages 739-40 of the Legislative Journal.)

Mr. President, received a report from the Middle Niobrara NRD regarding payment of attorney fees. That will be on file in my office. It is filed pursuant to statute. And, finally, Mr. President, a report from the Judiciary Committee. That is filed pursuant to Section 18 of LB 761. That report will be on file in the office as well.

SPEAKER BARRETT: Thank you. Members are very much aware of the fact that we do have a number of guests with us this morning. As a result of Vocational Education Week, we have Vocational Education students from various locations across the state who are visiting with us today and shadowing some of us through our They are all i the balconies and I would activities. appreciate it if you people would stand momentarily and take a bow and let your Legislature welcome you officially. Thank you very much. We are pleased to have you with We hope you have a good day. Also the Chair makes note of the fact that Senator Scofield would like to recognize that the doctor of the day, Christine Johnson of Lincoln on behalf of the Nebraska Academy of Family Physicians. Please Dr. Johnson. We are glad to have you with us, Doctor. Also an announcement of special note. (Gavel.) The Chair has been advised that a former member of this body passed away Saturday evening, Senator Maurice Kremer. The service will be held at 2:00 p.m., Wednesday afternoon in Aurora at the Pleasant View Bible Church; memorial service at two o'clock, Wednesday afternoon in Aurora, Pleasant View Bible Church. Mr. Clerk, legislative resolutions, LR 252.

CLERK: Mr. President, LR 252 offered by Senators Conway, Warner, Korshoj, Nelson, and Beyer. It is found on page 710 of the Journal. (Read brief explanation.)

SENATOR LINDSAY: Mr. President, I move that LB 924, 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 1118.

CLERK: I have no amendments to LB 1118, Senator.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 1118 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 1043.

CLERK: LB 1043, Senator, no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 1043 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 1044.

CLERK: LB 1044, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 1044 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 1076.

CLERK: LB 1076, 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 1076.

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 1076 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 1098.

CLERK: LB 1098, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 1098 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 852.

CLERK: LB 852, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 852 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 872.

CLERK: LB 872, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 872 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 1022.

CLERK: LB 1022, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

bill.

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

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 1064A.

PRESIDENT: LB 1064A advances. We'll move back up to LB 902, please. Senator Hall, you're back.

CLERK: Mr. President, LB 902A was a bill introduced by Senator Hall. (Read title.)

SENATOR HALL: Thank you, Mr. President, members, 902A is approximately \$4,500 out of the General Fund in '90-91, \$1,000 in '91-92. This bill piggybacks with 902 which was a bill that dealt with the hearing impaired symbols. We, as you remember, the other day passed over it. It was on consent calendar. I had filed a kill motion on it because I had not yet had time to talk to the folks in the hearing impaired community. I would ask you to advance it so that it is at the same stage of debate with 902. The kill motion is on there. I have no intention of moving the bill should I not be able to come to consensus with the folks in the hearing impaired community. I would urge the advancement.

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

CLERK: 25 ayes, 0 nays, Mr. President on the advancement of 902A.

PRESIDENT: LB 902A is advanced. Anything for the good of the cause, Mr. Clerk?

CLERK: Mr. President, I do. Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 852 and find the same correctly engrossed, LB 872, LB 1022, LB 1043, LB 1044, LB 1063, LB 1070, LB 1076 and LB 1098, all of those reported correctly engrossed. (See page 821 of the Legislative Journal.)

SPEAKER BARRETT: LB 1017E passes. And while the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 852, LB 872, LB 918, LB 924, LB 930, LB 940, LB 962 and LB 970. Mr. Clerk, LB 1070.

ASSISTANT CLERK: (Read LB 1070 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1070 pass? Those in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Read record vote. See page 1018 of the Legislative Journal.) The vote is 39 ayes, 0 nays, 1 present and not voting, 9 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1070 passes. LB 1076 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 1076 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1076 with the emergency clause attached become law? Those in favor vote aye, opposed nay. Please record.

ASSISTANT CLERK: (Read record vote. See page 1019 of the Legislative Journal.) The vote is 40 ayes, 0 nays, 9 excused and not voting, 9 excused and not voting.

SPEAKER BARRETT: LB 1076E passes. LB 1098.

ASSISTANT CLERK: (Read LB 1098 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1098 become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Read record vote. See page 1020 of the Legislative Journal.) The vote is 39 ayes, 0 nays, 1 present and not voting, 9 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1098 passes. Before reading the last bill

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 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 ABBOUD: 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 ABBOUD: Mr. President.

PRESIDENT: Senator Abboud.

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