

January 10, 1990

LB 37, 163A, 828, 829, 1091-1095
LR 237

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

SPEAKER BARRETT: LB 828 is advanced. The final revisor bill of the day, LB 829.

ASSISTANT CLERK: LB 829 was introduced by Senator Labedz. (Read title.)

SPEAKER BARRETT: The Chair recognizes the member from the 21st Legislative District, Senator Peterson.

SENATOR PETERSON: Mr. Speaker, this is the last revisor bill although I have a bill that was introduced, 830, that is right under it. I presume we could take that up, too, Mr. Speaker. Just funning, yeah, mine is a...Mr. Speaker, and members, this bill would repeal a section relating to payments by certain prisoners that is obsolete. The bill also corrects internal references in two sections. I ask for the movement of the bill, Mr. Speaker.

SPEAKER BARRETT: Any discussion? Those in favor of advancement of the bill to E & R please vote aye, opposed nay. Record, please.

ASSISTANT CLERK: 27 ayes, 0 nays on the advancement of the bill, Mr. President.

SPEAKER BARRETT: LB 829 is advanced. Any new bills, Mr. Clerk?

ASSISTANT CLERK: New bills. (Read for the first time by title: LBs 1091-1095, LB 163A. See pages 259-61 of the Legislative Journal.) A new resolution, LR 237CA by Senators Wesely, Chambers, and Chizek. (Read brief explanation. See pages 261-63 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Moving to item seven, General File, 1989 Speaker priority bills, LB 37. Mr. Clerk.

CLERK: Mr. President, LB 37 was a bill originally introduced by Senator Rod Johnson. (Read title.) The bill was introduced on January 5 of last year. Mr. President, at that time, it was referred to the Agriculture Committee for public hearing. The bill was advanced to General File. I do have committee

January 31, 1990

LB 163, 187, 187A, 549, 551, 769, 962A
1059, 1066, 1094, 1101, 1212

SENATOR LABEDZ: A machine vote has been requested. All those in favor vote aye, all those opposed vote nay. Have you all voted? A record vote has been requested. Have you all voted? Record, Mr. Clerk.

CLERK: (Read record vote. See pages 598-99 of the Legislative Journal.) 32 ayes, 10 nays, Madam President, on the adoption of Senator Morrissey's amendment.

SENATOR LABEDZ: Senator Morrissey's amendment has been adopted. Do you have anything to read in, Mr. Clerk?

CLERK: Madam President, I do. Amendments to be printed to LB 163 by Senator Hefner. A new A bill, LB 962A by Senator McFarland. (Read for the first time by title.) Amendments to be printed to LB 163 by Senator Schimek; Senator Lynch to LB 769, LB 187, and LB 187A; Senator Labeledz to LB 1059. (See pages 599-606 of the Legislative Journal.)

Mr. President, Health and Human Services reports LB 551 to General File with amendments; LB 1101 General File with amendments...Health and Human Services General File with amendments, signed by Senator Wesely. General Affairs reports LB 1101 to General File with amendments, signed by Senator Smith. Banking reports LB 1066 to General File, LB 549 General File with amendments, LB 1094 General File with amendments, those signed by Senator Wesely (sic) as Chair. Finally, Madam President, Senator Pirsch would like to add her name to LB 1212 as co-introducer. (See pages 607-11 of the Legislative Journal.) That is all that I have, Madam President.

SENATOR LABEDZ: Thank you, Mr. Clerk. Senator Pirsch, would you like to adjourn us until tomorrow morning.

SENATOR PIRSCH: I would love to. I move that we adjourn until February 1st at nine o'clock in the morning.

SENATOR LABEDZ: Thank you, Senator Pirsch. We are adjourned.

Proofed by:

LaVera Benischek
LaVera Benischek

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

initial? Those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to advance LB 1080.

SPEAKER BARRETT: LB 1080 is advanced. LB 1080A.

CLERK: LB 1080A, Mr. President, is a bill introduced by Senator Schellpeper. (Read title.)

SPEAKER BARRETT: The Chair recognizes Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker and members. I couldn't find the A bill, what the amount was. The amount is \$32,303 that would be to implement this bill. So I would just move that the A bill be advanced. Thank you.

SPEAKER BARRETT: Thank you. Discussion on the A bill? If not, those in favor of the advancement of LB 1080A please vote aye, opposed nay. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of 1080A.

SPEAKER BARRETT: LB 1080A is advanced. Moving to LB 1094, Mr. Clerk.

CLERK: LB 1094, Mr. President, offered by Senator Haberman. (Read title.) The bill was introduced on January 10 of this year, at that time referred to the Banking, Commerce and Insurance for public hearing. The bill was advanced to General File. I have committee amendments pending by the Banking Committee, Mr. President.

SPEAKER BARRETT: Chair recognizes Chairman Landis.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature. LB 1094 comes to us from the small loan industry. And Senator Haberman is the introducer. The bill came out of the Banking Committee five to two, and there is a committee amendment. The purpose of the bill is to permit the small loan companies from writing one insurance transaction when they have multiple insurance policies being purchased. Currently, a small loan company cannot only write credit life to accompany the loan

that it's in fact marketing, but it also has the right to sell different kinds of insurance, term life insurance, auto insurance. And so it's possible to have somebody in your office buying, actually making a loan, buying credit life insurance for that loan, purchasing a second kind of insurance and, rather than having to do one transaction that does it all, you have to have two separate transactions for each of those separate kinds of insurance. The bill was brought in to allow those insurance transactions to be done in one transaction rather than to have two different ones, and the committee amendment, which was brought to us by the Banking Committee...by the Banking Department, says that basically we had left one section out, that, if we wanted to make this connection to accomplish this purpose of allowing these insurance transactions to be written into one exchange, we would need to amend Section 45-139 to provide that any other type of insurance may be written for a borrower or the borrower's immediate family, whether or not in connection with the loan. And that's the operative language, that's the amendment you'll find in your bill book. And I'll move for its adoption.

SPEAKER BARRETT: Thank you. Any discussion on the adoption of the committee amendments? If not, the question is the adoption of the committee amendments. Those in favor vote aye, opposed nay. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

SPEAKER BARRETT: The committee amendments are adopted. To the bill as amended, Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the body, Senator Landis did an excellent job of explaining the bill. I would like to add that the bill does not allow, it does not allow anything to be sold that is not sold now. It does not change anything as far as the insurance or the transactions. The only thing it says is that they may do it in one transaction and one billing instead of two. And, with that, Mr. President, I would close...or I would....Yeah.

SPEAKER BARRETT: Thank you. Discussion? Apparently not, Senator Haberman. Anything further?

SENATOR HABERMAN: Nope.

SPEAKER BARRETT: Thank you. The question is the advancement of 1094. All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 28 ayes, 1 nay, Mr. President, on the motion to advance LB 1094.

SPEAKER BARRETT: LB 1094 is advanced. LB 688, Mr. Clerk.

CLERK: Mr. President, 688 was a bill introduced by Senator Lindsay. (Read title.) The bill was introduced on January 19 of last year, Mr. President. At that time it was referred to Health and Human Services for hearing. The bill was advanced to General File. I do have committee amendments. You want your amendment to the committee amendments? In addition, Mr. President, Senator Wesely would move to amend the committee amendments. (Wesely amendment appears on pages 865-66 of the Legislative Journal.)

SPEAKER BARRETT: Senator Wesely, for the purpose of introducing the amendment.

SENATOR WESELY: Thank you, Mr. Speaker, members. I'll be brief as I can in trying to explain these amendments and urge you to try and follow along, since we didn't have a chance to print them in the Journal they have been distributed on your desk. They are AM2588. LB 688 is a bill brought to the Legislature by Senator Lindsay last year, and dealt with a very important problem that we had in a number of our facilities where individuals have been providing certain assistance to particularly mentally retarded clients that had been going on for some time. But the Department of Health felt there was a violation of scope of practice in nursing and brought action against these individuals. So Senator Lindsay did introduce this legislation to deal with the problem. We appreciate very much that he did that. That led to the introduction and conclusion of an LB 407 review process looking at this very issue. Actually that process has not concluded. It has a couple more stages to go through. But in reviewing the situation and continuing the negotiations, we have advanced the bill, had committee amendments, and in further discussion have this amendment to offer that we believe is the best compromise that we can reach at this time. It does deal with a one year basis, until July 1, 1991, the following changes, and the idea I

February 22, 1990 LB 313, 579, 688, 830, 831, 834, 888
917, 923, 932, 938, 946, 954, 978
987, 987A, 994, 994A, 1037, 1067, 1077
1080, 1080A, 1094, 1102, 1109, 1165, 1178
1217
LR 259

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning for our invocation, Reverend Dr. Norman E. Leach who is the Executive Director of the Lincoln Interfaith Forum. Would you please rise for the invocation?

REVEREND LEACH: (Prayer offered.)

PRESIDENT: Thank you, Dr. Leach, we appreciate your being here this morning. Please come back. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, Enrollment and Review respectfully reports they have carefully examined and reviewed LB 1080 and recommend that same be placed on Select File, LB 1080A, LB 1094, LB 688, LB 579, LB 994, LB 994A, LB 830, LB 938, LB 834, LB 987, LB 987A, LB 978, LB 888, LB 917, LB 946, LB 954, LB 1077, LB 1037, LB 1067, LB 831, LB 932, LB 1178, LB 1102, LB 1109, LB 1165 and LB 1217, all reported to Select File, some have E & R amendments attached. (See pages 904-08 of the Legislative Journal.)

Mr. President, amendments to be printed, Senator Crosby to LB 923, Senator Coordsen to LB 313. (See page 908 of the Legislative Journal.)

New resolution by Speaker Barrett. (Read brief description of LR 259. See pages 908-09 of the Legislative Journal.) That will be laid over.

A series of appointment letters from the Governor. Those will be referred to the Reference Committee for confirmation hearing.

Finally, Mr. President, a report from the Board of Public Roads Classifications and Standards. That will be on file in my

March 5, 1990

LB 260, 594, 923, 953A, 955, 1059, 1080
1094, 1222, 1238

CLERK: I have E & R, Senator, to 594.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 594.

SPEAKER BARRETT: Any discussion? Shall the E & R amendments to 594 be adopted? All in favor say aye. Opposed no. The ayes have it. They are adopted.

CLERK: I have nothing further, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I'd move that LB 594 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Thank you. Is there discussion? Seeing none, those in favor of the advancement of LB 594 as amended, please say aye. Opposed no. The ayes have it, carried. The bill is advanced. Mr. Clerk, have you matters for the record?

CLERK: I do, Mr. President. I have amendments to LB 1238 by Senator Dierks; Senator Landis has amendments to LB 953A; Senator Withem, amendments to LB 1059; Senator Conway, LB 1094; Senator Coordsen to LB 1080; Senator Byars to LB 1222. (See pages 1161-67 of the Legislative Journal.)

Mr. President, Government Committee gives notice of hearing, signed by Senator Baack. The Appropriations Committee reports LB 955 to General File, that is signed by Senator Warner as Chair of the committee. And Senator Abboud would like to add his name to LB 260 as co-introducer, Mr. President. And, Mr. President, a motion to reconsider adoption of the Wesely amendment, AM2825, to LB 923. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Wesely.

SENATOR WESELY: Yes, Mr. Speaker, I would move that we adjourn until tomorrow morning at 9:00 a.m.

SPEAKER BARRETT: You have heard the motion to adjourn until

March 7, 1990

LB 1080A, 1094

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1080A be advanced to E & R for Engrossing.

SPEAKER BARRETT: Thank you. Is there discussion on the advancement of the A bill? If not, those in favor of its advancement please say aye. Opposed no. Ayes have it. Motion carried. The bill is advanced. LB 1094.

CLERK: LB 1094, Mr. President, I have E & R amendments, first of all.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 1094.

SPEAKER BARRETT: Is there discussion on the adoption of the E & R amendments? Senator Schmit, your light is on. Thank you. Shall the E & R amendments be adopted? All in favor say aye. Opposed no. Carried. They are adopted.

CLERK: Mr. President, Senator Conway would move to amend the bill. Senator Conway's amendment is found on page 1164 of the Legislative Journal.

SPEAKER BARRETT: The Chair recognizes Senator Conway.

SENATOR CONWAY: Mr. Speaker and members, I have what I would like to call a basically technical amendment. There was some discussion relative to any of the language in the legislation might possibly be perceived to alter our current insurance licensing requirements and so I am asking that we include into the bill, on page 3, line 14, a simple statement that says nothing in the subsection shall alter or eliminate any insurance licensing requirement, making it very clear that there is no intention whatsoever with any of these changes to alter our current licensing requirements for people selling insurance. So it's, like I say, it's somewhat technical, maybe qualifying amendment to Senator Haberman's LB 1094.

SPEAKER BARRETT: Thank you, sir. For purposes of discussion, Senator Schmit. Thank you. Any discussion? If not, anything further, Senator Conway? Thank you. The question is...excuse me, Senator Schmit.

SENATOR SCHMIT: I would like to ask Senator Haberman a question if he would yield, please.

SPEAKER BARRETT: Senator Haberman, would you respond to a question?

SENATOR SCHMIT: Senator Haberman, I was off the floor when this bill came up earlier. Would you tell me exactly what the bill does, please.

SENATOR HABERMAN: Well, Senator Schmit, the bill refers to two entities, installment loans and installment sales. And, as it is now, you can buy insurance to cover either one of those two sales. However, you have to buy the insurance separate. They have to bill twice and you have to pay twice. The bill allows the consumer finance industry, and, as you know, there are two types, to use one installment sale. That's just simply what it does, Senator Schmit. It doesn't change anything else. They can't sell any more insurance, can't sell any less insurance. It just allows them to make their bookwork and their selling easier.

SENATOR SCHMIT: Thank you, Senator Haberman. The bill also makes it easier, as you know and I know, for the entity that's selling the policy to tie the two together and to continue the insurance policy beyond a time when they might normally carry the policy if, in fact, they decided they didn't need it before the financing on the automobile, for example, ran out. I would suggest that this is one of the sleeper bills on this floor this session that's going to pass. I'm not saying it shouldn't pass but I would just suggest it's going to be a major...one of the major bonanza bills of this session for those...that entity for whom it was introduced. And so, therefore, I'm less than enamored with the bill.

SPEAKER BARRETT: Any other discussion? Senator Haberman, your light is still on. Anything else? Thank you. Senator Conway, anything further? Would you care to close? Thank you. The question is the adoption of the Conway amendment to LB 1094. Those in favor of that motion vote aye, opposed nay. On the

March 7, 1990

LB 960, 1094

adoption of the Conway amendment, have you all voted? Senator Haberman.

SENATOR HABERMAN: Mr. President, due to the circumstances, I would like to ask for a call of the house and I will take call in votes.

SPEAKER BARRETT: Thank you. The question before the house is, shall the house go under call? All in favor vote aye, opposed nay. Record.

CLERK: 13 ayes, 0 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please return to your desks and record your presence. Members outside the Legislative Chamber, please return and check in. The house is under call. Senator Moore, please. Call in votes have been authorized.

CLERK: Senator Baack voting yes. Senator Robak voting yes. Senator Pirsch voting yes. Senator Hartnett voting yes. Senator Labedz...

SPEAKER BARRETT: Record.

CLERK: ...voting yes. 26 ayes, 1 nay, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: The Conway amendment is adopted and the call is raised.

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

SPEAKER BARRETT: Back to the question of its advancement, Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1094, as amended, be advanced to E & R for engrossment.

SPEAKER BARRETT: Thank you, sir. Any discussion? If not, the question is the advancement of LB 1094. Those in favor say aye. Opposed no. The ayes have it. Motion carried. The bill is advanced. LB 960, Mr. Clerk.

CLERK: Mr. President, LB 960, I have E & R amendments, first of

March 12, 1990

LB 571, 656, 688, 880, 923, 960, 960A
1031, 1080, 1080A, 1094, 1184, 1184A

Warner and the Appropriations Committee, because of a variety of circumstances, the right people were not there at any given time, doesn't really mean that it might not have passed out of the appropriations process. You can do what you want. I have not went around and counted noses on this issue. I have an abiding faith in the members of this body to do what's right. It's up to you. I would move the advancement of the amendment.

SPEAKER BARRETT: Thank you. And the question before the body is the adoption of the Coordsen amendment to the committee amendments to LB 1031. Those in favor of that motion vote aye, opposed nay. Senator Coordsen.

SENATOR COORDSEN: Yes, since most of us are here, a quick call of the house and roll call vote.

SPEAKER BARRETT: Thank you. Shall the house go under call? All in favor vote aye, opposed nay. Record, please.

CLERK: 24 ayes, 1 nay, Mr. President, to go under call.

SPEAKER BARRETT: The house is under call. Members, please return to your seats and record your presence. Senator Warner, please check in. Senator Chambers, the house is under call. Senator Schmit, please. Senators Hall, Rod Johnson, Schmit and Chambers, the house is under call. Senator Coordsen, you are ready to proceed with a roll call? The question is the Coordsen amendment, the adoption of the Coordsen amendment. Members, please take your seats for roll call vote. Mr. Clerk, proceed with the roll call.

CLERK: (Roll call vote read. See pages 1308-09 of the Legislative Journal.) 22 ayes, 16 nays, Mr. President, on the adoption of the amendment.

SPEAKER BARRETT: The motion fails and the call is raised. Anything for the record, Mr. Clerk?

CLERK: Yes, Mr. President, I do. Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 571 and find the same correctly engrossed; LB 656, LB 688, LB 880, LB 923, LB 960 and LB 960A, LB 1080, LB 1080A, LB 1094, LB 1184, LB 1184A. (See pages 1309-1312 of the Legislative Journal.)

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LB 571A, 656, 1064, 1094
LR 305-309

particular amendment to the bill.

PRESIDENT: The Abboud amendment is withdrawn. Do you have anything else on it, Mr. Clerk?

CLERK: Nothing further on this bill, Mr. President.

PRESIDENT: May I introduce some guests please in the south balcony, guests of Senator Rod Johnson. We have 55 members of the Central City Junior Police Patrol. Would you folks please stand and be recognized by the Legislature, all of you. Thank you for visiting us today. We'll move on to LB 1094 for Final Reading. Mr. Clerk.

CLERK: (Read LB 1094 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1094 pass? All those in favor vote aye, opposed nay.

(Machine malfunction. Some debate lost. Record vote on the passage of LB 1094 can be found on pages 1417-18 of the Legislative Journal. 40 ayes, 2 nays, 5 present and not voting, 2 excused and not voting. LR 305-309 introduced. See pages 1418-22 of the Legislative Journal. LB 571A read by title for the first time. See page 1422 of the Journal.)

PRESIDENT: (LB 1064.) Senator Peterson.

SENATOR PETERSON: I wanted to substitute that other amendment ten...3027.

PRESIDENT: Pardon me? Senator Peterson is asking for a substitute motion. Is there an objection? Senator Wesely.

SENATOR WESELY: I object.

PRESIDENT: You object. Which amendment is next then, Mr. Clerk?

CLERK: Mr. President, Senator Withem would move to amend the bill. (Withem amendment is on page 1366 of the Legislative Journal.)

PRESIDENT: Senator Withem, please.

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LB 348, 542, 594, 965, 1032, 1064, 1094
1146, 1236

PRESIDENT: Senator Wesely, what do you say?

SENATOR WESELY: Yeah, lay it over.

PRESIDENT: Lay it over? It is laid over. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 348, LB 542, LB 594, LB 965, LB 1032, LB 1236 and LB 1094. Anything for the record at this time, Mr. Clerk? Then we'll move on to LB 1146.

CLERK: Mr. President, on 1146 the Enrollment and Review amendments have been adopted. There was an amendment by Senator Landis to the bill that was adopted and an amendment to the bill by Senator Schmit that was adopted. I have pending, Mr. President, a motion to indefinitely postpone that was offered by Senator Landis. Senator Schmit agreed to lay the bill over at that time.

PRESIDENT: Senator Landis, do you wish to have that withdrawn?

SENATOR LANDIS: (Microphone not activated) having it withdrawn.

PRESIDENT: Thank you. I learned something today. It is withdrawn.

CLERK: Mr. President, the next motion I have to the bill is by Senator Chambers.

PRESIDENT: Is Senator Chambers about? Not behind the glass? Senator Chambers wishes to withdraw that. That's the sign. Thank you. It is withdrawn.

CLERK: Mr. President, Senator Wesely and Senator Schmit would move to amend the bill. Senator, I've got 3043 in front of me. (The Wesely amendment appears on pages 1428-30 of the Legislative Journal.)

PRESIDENT: Senator Wesely, are you going to handle that?

SENATOR WESELY: Yeah.

PRESIDENT: All right. Please.

SENATOR WESELY: Thank you. Mr. President and members, I

March 19, 1990

LB 348, 542, 594, 965, 1032, 1090A, 1094
1236

CLERK: Just one item, Mr. President, and that is bills read on Final Reading this morning have been presented to the Governor, for her review. (Re: LB 348, LB 542, LB 594, LB 965, LB 1032, LB 1236, LB 1094. See page 1435 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Mr. Clerk, I believe we left of with LB 1090A, is that correct?

CLERK: Mr. President, it is and on LB 1090A the first order of business is consideration of an amendment to the bill by Senator Bernard-Stevens. (Bernard Stevens amendment is found on page 1435-36 of the Legislative Journal.)

SPEAKER BARRETT: (Gavel.) The Chair recognizes Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you. Members of the body, if you'll remember, on 1090 there were a few things added on and it increased the A bill slightly from about 5,000 to 390 some thousand, so a group of people obviously got together on the A bill, understanding that the bill may, in fact, be a little heavy on the bill itself and also realizing that there were things in 1090 that were very much needed particularly in regards to human relations and how we certify the teachers that are coming in to Nebraska from other states. So we did not want to jeopardize the bill. So, in essence, this amendment does two things. Number one, it sets the amendment up so that if for some reason the Governor does not like a single, a particular part of it, she would be able to use her line-item powers and line-item things back to or from whatever number she thought reasonable. It would then, thus, there is a possibility that the funding could be taken out in the areas she felt was not acceptable but it would not affect the statute of 1090. The second part of the amendment deals with the section that I had instituted which was LB 1195 and, in essence, what we agreed to do was to maintain the two sides but fund one of them. The funding would be decided by the educational consortium and it would change the A bill from what we had of a hundred some thousand dollars down to \$61,000, and that is simply the extent of the amendment. At this point I would urge the body to adopt the amendment.

SPEAKER BARRETT: Thank you. Any discussion on the amendment? Seeing none, those in favor of the adoption of the

March 21, 1990

LB 220A, 348, 369A, 542, 571A, 594, 866
880A, 958, 965, 1032, 1059, 1094, 1141
1141A, 1146, 1222A, 1236
LR 382, 383

CLERK: 25 ayes, 2 nays to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please record your presence. Senator Schmit is the only one excused, so everyone else should be here. We're looking for Senator Wesely, Senator Lynch, Senator Schellpeper, Senator Pirsch, Senator Landis, Senator Emil Beyer. Senator Wesely and Senator Beyer are here now, so that is it, and there is a roll call vote. Oh, Senator Lynch is not here. I thought I saw him. Okay, we'll wait for Senator Lynch. Senator Lynch is here and the question is the advancement of the bill. Roll call vote in regular order. If you'll hold it down so the Clerk can hear your response. Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1547-48 of the Legislative Journal.) 34 ayes, 12 nays, Mr. President, on the advancement of LB 1059.

PRESIDENT: The bill is advanced. Anything for the record, Mr. Clerk, at this time.

CLERK: I do, Mr. President.

PRESIDENT: The call is raised.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 220A and find the same correctly engrossed, LB 369A correctly engrossed, LB 880A correctly engrossed and LB 1146 correctly engrossed, those signed by Senator Lindsay. Enrollment and Review reports LB 1141 to Select File with E & R amendments, LB 1141A, LB 958, LB 571A, LB 1222A to Select File. (See page 1548 of the Legislative Journal.)

A communication from the Governor to the Clerk. (Read communication. Re: LB 348, LB 542, LB 594, LB 965, LB 1032, LB 1236 and LB 1094. See page 1549 of the Legislative Journal.)

Two study resolutions, Mr. President, will be referred to the Exec Board. (Re: LR 382, LR 383. See pages 1549-50 of the Legislative Journal.)

Senator Lamb has amendments to be printed to LB 866. (See page 1551 of the Legislative Journal.) That's all that I have.