

January 10, 1990

LB 662, 742, 1098
LR 238

E & R. Those in favor please vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 32 ayes, 4 nays on the advancement of 742, Mr. President.

SPEAKER BARRETT: LB 742 is advanced. For the record.

CLERK: Mr. President, new resolution, LR 238 by Senator Chambers. (Read brief description. See page 269 of the Legislative Journal.) That will be laid over.

Mr. President, hearing notice from Health and Human Services and from Education and Revenue, signed by their respective Chairs.

And, Mr. President, new bill. (Read LB 1098 by title for the first time. See page 270 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Moving to the next bill on General File, Mr. Clerk, LB 662.

CLERK: Mr. President, 662 was a bill introduced by Senator Scofield and Chizek, Coordsen, Wesely, Landis, Barrett, Pirsch, Labeledz, Baack, Smith, Moore and Bernard-Stevens. (Title read.) The bill was introduced on January 19 of last year, Mr. President. It was referred to the Health and Human Services Committee for public hearing. The bill was advanced to General File. I do have committee amendments pending by the Health and Human Services Committee.

SPEAKER BARRETT: The Chair recognizes Senator Wesely on the committee amendments.

SENATOR WESELY: Thank you, Mr. Speaker. If I could, I'd like to ask that the committee amendments be divided into two parts. There are two distinct sections and I'd like to take them up individually if you don't mind.

SPEAKER BARRETT: Mr. Clerk.

CLERK: Senator, just so I know, just divide them where they...

SENATOR WESELY: There is two new sections, take the first...

January 16, 1990

LB 163, 240A, 259, 259A, 397, 534, 601
730, 818-820, 834, 853, 1043, 1044, 1057
1076, 1098, 1148-1157

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.

January 25, 1990

LB 143, 769, 890, 908, 924, 962, 994A
1041, 1043, 1044, 1076, 1098, 1118, 1140
LR 247

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

(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 nays 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

Schimek, do you care to close?

SENATOR SCHIMEK: No.

SENATOR HANNIBAL: Senator Schimek waives closing. The issue before you is the advancement of LB 1098. All those in favor vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

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

SENATOR HANNIBAL: LB 1098 is advanced. Moving on to LB 852.

ASSISTANT CLERK: LB 852 was introduced by Senator Rogers. (Read title.) The bill was read for the first time on January 3rd, was referred to the Government Committee which reports the bill to General File.

SENATOR HANNIBAL: Senator...oh, Senator Baack, you're going to handle this?

SENATOR BAACK: Yes, Mr. Chairman and members, I guess I am. I wasn't aware of it, but I just noticed that Senator Rogers wasn't here, so I'll just go ahead and do it. It's a very simple bill. All it does is there has been some confusion in the statute that said that they have to advertise certain things ten days after they are passed, this says ten working days. Puts the word "working" in to clarify the number of days it has to be advertised. That's it. Thank you.

SENATOR HANNIBAL: Any discussion? No lights are on. Senator Baack, you care to close? Senator Baack waives closing. The issue before you is the advancement of LB 852. All those in favor vote aye, opposed nay. Please record, Mr. Clerk.

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

SENATOR HANNIBAL: LB 852 is advanced. Moving on to LB 872.

ASSISTANT CLERK: LB 872 was introduced by Senator Peterson. (Read title.) The bill was read for the first time on January 3rd of this year, referred to the Government Committee which reports the bill to General File.

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 activities. They are all in the balconies and I would appreciate it if you people would stand momentarily and take a bow and let your Legislature welcome you officially. Please stand. Thank you very much. We are pleased to have you with us. 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 welcome 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. Thank you. 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.)

February 13, 1990 LB 852, 872, 1022, 1076, 1098

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.

February 15, 1990 LB 852, 872, 902A, 1022, 1043, 1044, 1063
1064A, 1070, 1076, 1098

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.)

February 27, 1990

LB 852, 872, 918, 924, 930, 940, 962
970, 1017, 1070, 1076, 1098

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

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

bill had it had any politics between Douglas County or the City of Omaha or the Building Commission or the Mayor's Office, and I would not have had it. The bill probably would not have gone through consent calendar if it were in other conditions, it would not have gotten to Final Reading if it were other conditions, without more considerable debate than it had. That is why I moved my name off of it because I wanted to remove myself from a political conflict in any way. That is one reason why I would say the bill is kind of neutral as far as I am concerned. On the other hand, the veto message of the Governor did say that there is no reason for this bill to pass this year. The commission's extension does not run out until 1992 and this bill could come in again next year with absolutely no loss of anything and could have a fair amount of debate as to whether there are ramifications in the bill or not, and have a more full discussion, and so nothing is hurt by not passing this. So what I am trying to do is give you an objective both sides of the issue and that is all I would say on it at this time.

SPEAKER BARRETT: Thank you. Any other discussion? Senator Lynch, anything further?

SENATOR LYNCH: Yeah, Mr. Speaker, and members, I am not sure what politics took place anywhere to be completely frank. Gary and the Governor, maybe both are...misunderstand the 20 years. The 20 years actually runs out in 1991, not 1992, as Gary mentioned, and, in fact, unless we pass the bill this year and override the veto, unless we pass a bill and do that, next year it will be very difficult because we would have to pass a bill with an emergency clause because the date is June 1st. It seems to me we are talking about apples and apples, both the counties are the creatures of the Legislature. Lancaster and Douglas, they can do no more or no less than what the law allows them to do. That is the reason the bills were the same, LB 1098 and LB 1043. Both of the cities are metropolitan, first class cities, they both have city councils. In both cases, the city councils and the county boards have to agree by resolution to do anything. What I think we should all do here is put our...all of us, all of us put ourselves above politics, whatever it might be, and simply allow both of these commissions, representing both kinds of constitutional governments, to function the way they should function. There are no other cities and counties that have built buildings together in the state. It makes good sense for us to treat each the same, and I just got a note from Denny Byars, said, hurry up, I am thirsty, so I will close with