

January 11, 1990

LB 1118-1122

LR 8

Smith. We were switching, Senator Chambers, and I had him punch me and Senator Barrett got excused and that's why there is one on the floor. Thank you.

ASSISTANT CLERK: (Roll call vote read. See pages 291-92 of the Legislative Journal.) The vote is 29 ayes, 6 nays on the advancement of the bill, Madam President.

SENATOR LABEDZ: LR 8 is advanced to E & R Initial. Mr. Clerk, do you have anything to read in?

ASSISTANT CLERK: Yes, I do, Madam President. Senator Warner would announce that there will be a meeting of the Appropriations Committee upon adjournment today in Room 1003. New bills. (Read LB 1118, LB 1119, LB 1120, LB 1121 and LB 1122 by title for the first time. See pages 292-93 of the Legislative Journal.) That's all that I have, Madam President.

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

SENATOR HANNIBAL: Madam Chair, I move we adjourn until nine o'clock tomorrow morning.

SENATOR LABEDZ: The motion is made for adjournment. All those in favor say aye. Opposed nay. Thank you.

Proofed by:



LaVera Benischek

January 17, 1990

LB 163, 821, 822, 823, 824, 825, 826
827, 828, 829, 1102-1135, 1158-1161

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated) ...pastor at UN-L, and now is pastoral associate at Trinity Lutheran Church here in Lincoln. Would you please rise for the invocation.

DR. NORDEN: (Prayer offered.)

PRESIDENT: Dr. Norden, thank you for being with us again, we appreciate it. Come back again. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Do you have any messages, reports or announcements this morning?

CLERK: Mr. President, Reference Report referring LBs 1102-1135, as well as three gubernatorial appointments to the appropriate standing committees for hearing. (See pages 348-49 of the Legislative Journal.)

Received a report from the Department of Roads filed pursuant to statute, Mr. President. That's all that I have.

PRESIDENT: Would you like to introduce any new bills, or would you not like to?

CLERK: Mr. President, I'm sorry, I do have some other items. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 821 and recommend that same be placed on Select File; LB 822, LB 823, LB 824, LB 825, LB 826, LB 827, LB 828, and LB 829, all on Select File, some of which have E & R amendments attached, Mr. President. Now, that's all that I have, Mr. President. (See pages 350-51 of the Legislative Journal.)

PRESIDENT: New bills, please.

CLERK: Mr. President, new bills. (Read LBs 1158-1161 by title for the first time. See page 352 of the Legislative Journal.) That's all that I have at this time, Mr. President.

PRESIDENT: We'll move on to General File then, LB 163.

January 17, 1990

LB 257, 871, 888, 890, 894, 909, 917
924, 932, 946, 954, 978, 990, 992
1018, 1028, 1046, 1047, 1079, 1080, 1085
1104, 1107, 1115, 1118, 1162-1169
LR 240

Services Committee, all signed by their respective chairs. (Re: LB 1104, LB 992, LB 894, LB 1028, LB 932, LB 909, LB 1079, LR236, LB 1115, LB 1107, LB 890, LB 924, LB 990, LB 1118, LB 978, LB 1018, LB 871, LB 1046, LB 1047, LB 917, LB 1085, LB 954, LB 946, LB 888, LB 1080. See pages 358-59 of the Legislative Journal.)

Mr. President, new bills. (Read LBs 1162-1169 by title for the first time. See pages 359-60 of the Legislative Journal.)

Mr. President, a new resolution by Senators Moore and Hall. (LR 240.) It would propose an amendment to Article VII, Section 10 of the State Constitution. That will be referred to Reference Committee, Mr. President. That's all that I have, Mr. President. (See pages 361-62 of the Legislative Journal.)

PRESIDENT: Thank you. We'll move on to Select File, number 2, LB 257. Mr. Clerk.

CLERK: Mr. President, 257 is on Select File. The first order of business are Enrollment and Review amendments, Mr. President.

PRESIDENT: Senator Baack, would you handle that, please.

SENATOR BAACK: Sure, I would move that the E & R amendments be adopted.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: Mr. President, the first amendment I have to the bill is by Senator Pirsch. I have a note that she wants to withdraw, Mr. President.

PRESIDENT: Senator Pirsch, are you present?

CLERK: She's excused, I believe, Mr. President, until she arrives.

PRESIDENT: Okay, she is present somewhere. We'll withdraw them and check to make sure that's correct.

CLERK: The next amendment, Mr. President, is by Senator Withem. Senator, your amendment is on page...well, it was printed last year.

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

existing requirement that such bonds be registered with the state auditor. I understand that this requirement that these bonds be listed with the county clerk has not been followed, it's really...and they don't keep them up-to-date. There seems to be no necessity to file them with the county clerk, and this would just eliminate that requirement. There were no opponents to the bill in committee. It came out with no negative votes. And I would ask that the bill be advanced.

SENATOR HANNIBAL: Any discussion? Seeing none, Senator Lamb, do you care to close?

SENATOR LAMB: No, I don't.

SENATOR HANNIBAL: Senator Lamb waives closing. The issue before you is the advancement of LB 924. All those in favor say aye, opposed nay. Pardon me, please vote aye. Have you all voted? We could use a little help. Have you all voted? Senator Lamb. Record the vote.

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

SENATOR HANNIBAL: It is advanced. LB 1118.

ASSISTANT CLERK: LB 1118 was introduced by Senators Bernard-Stevens, Baack, Hefner and Scofield. (Read title.) The bill was read for the first time on January 11th, referred to Government Committee which reports the bill to General File.

SENATOR HANNIBAL: Senator Bernard-Stevens, please.

SENATOR BERNARD-STEVENS: Thank you, Mr. President. First of all, I want to thank the Fire Marshall's Office for their tremendous help on putting together this particular piece of legislation. In essence what we had in the rural districts was an effort to try to get an environmental issues and try to maintain our environmental control, and also try to reduce, as much as possible, fire hazards. And we were looking at storage tanks. In essence, what we came up with in the rural areas is on some of the policies that we had some of the rural communities out there would be faced with having no services available whatsoever on fuel and consequently that would be a very, very hindrance to the people of that particular area. So we worked with the Fire Marshall, we've worked with other people

such as Senator Baack and some of the other people in the petroleum industry and have come up with a very good bill that will still meet environmental safety standards, still meet the fire hazard standards, but still have a little compassion and humanitarian standards in there as well so that people can have the fuel that they need. And that, in essence, is what the bill will accomplish. Thank you.

SENATOR HANNIBAL: Thank you. There are no other lights on. Senator Bernard-Stevens, do you care to close? He waives closing. The issue before you is LB 1118. All those in favor vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

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

SENATOR HANNIBAL: It is advanced. LB 1043.

ASSISTANT CLERK: LB 1043 was introduced by Senator Hannibal. (Read title.) The bill was read for the first time on January 8th, was referred to Urban Affairs Committee which reports the bill back to General File.

SENATOR HANNIBAL: Senator Hartnett, please.

SENATOR HARTNETT: Mr. President, members of the body, what this does is it permits metropolitan class cities and counties to own a building, public building commission. And what it simply does, there's a, right now on the bill there is a 20 year limit. It simply allows the building commission to continue until the city and county jointly agree that the commission should no longer exist. And it was brought to us by, and the only one that is affected by it is the metropolitan class which is Omaha and Douglas County. So, with that, I'd ask that this be advanced to Select File.

SENATOR HANNIBAL: Thank you. Senator Lamb, please.

SENATOR LAMB: Mr. President, members, is this bill really necessary? I see Dave Newell is one of the promoters of that, and that immediately makes me suspicious. (Laughter.) But I'll withdraw any objections I might...should have.

SENATOR HANNIBAL: Senator Hartnett, there are no other lights

February 12, 1990 LB 350, 350A, 542, 551, 567, 567A, 602
663, 692, 742, 851, 856, 857, 858
874, 875, 891, 893, 896, 902, 906
907, 918, 924, 930, 940, 957, 964-966
969, 970, 974, 983, 984, 997, 1013
1016, 1017, 1043, 1044, 1118

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber and a new day in the Second Session of the Ninety-first Legislature. Our Chaplain of the day is Father Mitch Lindeman of St. Matthews Episcopal here in Lincoln. Father Lindeman.

FATHER LINDEMAN: (Prayer offered.)

SPEAKER BARRETT: Thank you, Father Lindeman, pleased to have you with us. Roll call.

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

SPEAKER BARRETT: Thank you. With a quorum present, are there corrections to the Journal?

CLERK: Mr. President, I have no corrections to the Journal.

SPEAKER BARRETT: Are there any reports, messages, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 350 and find the same correctly engrossed, LB 350A, LB 567, LB 567A, LB 663, LB 692, and LB 742, all reported correctly engrossed, those signed by Senator Lindsay as Chairperson of the Enrollment and Review Committee. (See pages 726-27 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 551 to Select File with E & R attached, LB 542, LB 602, LB 858, LB 875, LB 891, LB 1013, LB 983, LB 906, LB 907, LB 984, LB 856, LB 851, LB 957, LB 964, LB 966, LB 997, LB 857, LB 874, LB 893, LB 918, LB 930, LB 970, LB 940, LB 902, LB 974, LB 1016, LB 1017, LB 969, LB 896, LB 965, LB 924, LB 1118, LB 1043, LB 1044,

February 13, 1990 LB 924, 1043, 1044, 1076, 1118

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.

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

February 27, 1990 LB 315, 1118

on Final Reading, we will proceed to item seven on the agenda following Final Reading, starting with LB 315. Mr. Clerk, will you please read LB 1118.

ASSISTANT CLERK: (Read LB 1118 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1118 pass? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

ASSISTANT CLERK: (Read record vote. See page 1020-21 of the Legislative Journal.) The vote is 40 ayes, 0 nays, 9 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1118 passes. The call is raised, but I would request that members stay close to the floor as we try to proceed through committee priority bills. Anything for the record before we start on 315, Mr. Clerk?

CLERK: Not at this time, Mr. President.

SPEAKER BARRETT: Thank you. Will you bring us up to date on the status of LB 315, please.

CLERK: 315, Mr. President, was a bill introduced by Senators Lindsay, Hall, Schimek, Labedz. (Read title.) The bill was introduced on January 10 of last year. At that time it was referred to Business and Labor. The bill was advanced to General File. I have committee amendments pending by the Business and Labor Committee.

SPEAKER BARRETT: The Chair recognizes the Chairman of the Labor Committee, Senator George Coordsen.

SENATOR COORDSEN: (Mike not on.) ...and now we're addressing the committee amendments. If you recall, several weeks ago we had the worker's compensation bill in which there was a general agreement reached between the labor and business interests. I would suggest to you that that does not exist on 315. I would also suggest to you that the committee amendments that were on the bill when it was advanced from committee last year were the businesses offer at that particular time, but there was no agreement made. I know that there are several amendments filed to the committee amendments. I would suggest to the Chair that

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