

January 5, 1989

LB 81-160  
LR 1-2

being here and thank you for your services. We also have guests of Senator Rod Johnson under the north balcony. We have Omer Troester of Hampton, Nebraska. With him is an exchange student, Alberto Porras of Costa Rica. Would you gentlemen please stand up and be recognized. Thank you for being here. We also have, over under the south balcony, a former member of this Legislature, Senator Tom Fitzgerald, would you please stand up and wave your hand. Thank you. Please welcome Senator Fitzgerald back. Thank you, Tommy. Mr. Clerk, back to the reading.

CLERK: (Read LB 81-98 by title of the first time. See pages 61-67 of the Legislative Journal.)

PRESIDENT: We'll stand at ease for some 15 minutes or half an hour while we get some of the work caught up up here in front. So be at ease, please, for a while. Thank you.

EASE

CLERK: Meeting of the Health Committee, under the north balcony, right now. Health Committee, north balcony right now.

SPEAKER BARRETT PRESIDING

SPEAKER BAPRETT: Additional bill introductions, Mr. Clerk.

ASSISTANT CLERK: (Read LB 99-150 by title for the first time. See pages 67-76 of the Legislative Journal.) That's all I have at this time, Mr. President.

SPEAKER BARRETT: More bill introductions, Mr. Clerk.

CLERK: (Read LB 151-160 by title for the first time. See pages 76-79 of the Legislative Journal.) Mr. President, in addition to those new bills I have new resolutions. (Read LR 1-2 for the first time. See pages 79-81 of the Legislative Journal.)

Mr. President, in addition to those items I have a series of announcements. Mr. President, there will be a meeting of the Executive Board today at three-fifteen for purposes of referencing. Executive Board, three-fifteen for referencing.

Mr. President, Senator Rod Johnson would like to have a meeting

January 9, 1989

LB 112, 202-240  
LR 3

LBs 202-240 for the first time by title. See pages 100-108 of the Legislative Journal.)

Mr. President, I have a notice of hearing by Senator Rod Johnson who is Chair of the Agriculture Committee for Tuesday, January 17.

Mr. President, Senator Hannibal would like to announce that Senator Conway has been selected as Vice-Chair of the Intergovernmental Cooperation Committee.

Mr. President, a new resolution, LR 3. It is offered by Senator Baack and a number of the members. (Read brief explanation. See pages 108-109 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, I have a request from Senator Smith to withdraw LB 112. That will be laid over. I believe that is all that I have, Mr. President.

PRESIDENT: Senator Lynch, are you ready to go back to work now? We will return back to adopting of permanent rules. Senator Lynch.

SENATOR LYNCH: Mr. President and members, I have one more proposed committee amendment, simple little amendment. It has to do with cloture. This change would adopt a cloture rule that would become effective after 12 hours debate at each stage of debate on any appropriation bill, and after 8 hours at each stage of debate on all other bills. To briefly explain it, and then Senator Moore will take it from there, let me give you a scenario. Some of you may be familiar with 428, the motorcycle helmet bill. It was my bill. An amendment, say, was offered under this rule by Senator Moore to the bill. As you know, sometimes amendments can take and need more time for discussion and debate than the bill, itself. After 8 hours of debate on Select File, I would move for cloture, or if that bill happened to be a committee bill, the chairman of the committee would move for cloture. The presiding officer then, under this proposal, would immediately recognize the motion and orders debate to cease on Moore's amendment. The vote on the Moore amendment would be taken without further debate. After that, a vote on the cloture motion without debate, 33 votes would be needed for that motion on cloture would be successful. If the cloture motion were successful, a vote on the advancement of the bill,

PRESIDENT NICHOL PRESIDING

PRESIDENT NICHOL PRESIDING Welcome to the George W. Norris Legislative Chamber. We have with us this morning for our Chaplain of the day, Pastor Charles Borcharding of the Redeemer Lutheran Church of Lincoln, Nebraska. Would you please rise for the invocation.

PASTOR BORCHERDING: (Prayer offered.)

PRESIDENT: Thank you, Reverend Borcharding. Please come back and visit us again. Roll call, please.

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

PRESIDENT: Thank you. Do you have any corrections to the Journal?

CLERK: Mr. President, I do. On page 169, insert the bill title after LB 320. That's all that I have, Mr. President.

PRESIDENT: Do you have any messages, reports or announcements at the moment?

CLERK: Mr. President, I do not have at this time any messages, reports or announcements.

PRESIDENT: All right, shall we go on to number five, the motion by Senator Jacky Smith.

CLERK: Mr. President, Senator Smith would move to withdraw LB 112. Senator Smith offered her motion on January 9. It's found on page 109 of the Journal, Mr. President.

PRESIDENT: Senator Jacky Smith.

SENATOR SMITH: Mr. Chairman and members of the body, I am asking to...respectfully asking you to withdraw LB 112 and the reason that I am asking you to withdraw the bill is because I found that there was another piece of legislation which is nearly identical, and rather than to waste the time of the committee in dealing with two bills separately, what we have decided to do is to ask for the withdrawal of 112 and I will sign on with the other bill.

January 11, 1989

LB 112, 324-329

PRESIDENT: Any further dis...Senator McFarland, did you wish to speak about this? All right. You have heard the motion, the question is to withdraw LB 112. All those in favor vote aye, opposed nay. Please vote if you care to. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the withdrawal of LB 112.

PRESIDENT: LB 112 is withdrawn. Senator McFarland, for what purpose do you rise?

SENATOR MCFARLAND: Mr. President, I rise for a point of personal privilege. A lot...

PRESIDENT: State your point, please.

SENATOR MCFARLAND: A lot of concern has been expressed since I was locked in the bathroom on the first day of the legislative session and that's particular concern since sometimes I work down here in the evenings. If that ever happens again, I may not ever get out. But I want to assure you that I have been given a gift from our Governor today and it's wrapped in a nice bow and it's a can opener, and if ever I have the same experience again, I will be well prepared. So I'm going to keep this in my pocket and carry it everywhere I go for the rest of this session, so the rest of you won't have to worry about it. I thank you very much.

PRESIDENT: Thank you. And with the word "can" meaning so much more than it used to years ago, I am afraid to comment further. We will move on to the introduction of new bills.

CLERK: Mr. President, new bills. (Read by title for the first time LBs 324-329 as found on pages 176-77 of the Legislative Journal.) Mr. President, that's all the new bills that I have at this time.

PRESIDENT: Senator Crosby, would you do a special task at this moment, please?

SENATOR CROSBY: Thank you, Mr. Chairman, and members of the Legislature, it's my privilege to recognize Dr. Fleischli today, of Lincoln, who is serving as doctor of the day. He is a member of my district so I'm especially pleased to see him. He's here