

January 16, 1990

LB 240, 514, 718, 855, 972, 1140-1147
LR 239

CLERK: (Roll call vote taken. See pages 330-31 of the Legislative Journal.) 16 ayes, 18 nays, Mr. President, on the advancement of the bill.

PRESIDENT: LB 514 fails to advance. Anything for the record, Mr. Clerk?

CLERK: Just one item, Mr. President.

PRESIDENT: The call is raised. Did you want to enter some bills, Mr. Clerk?

CLERK: Mr. President, I do. Thank you. Mr. President, new bills. (Read LBs 1140-1147 by title for the first time. See pages 331-33 of the Legislative Journal.)

Mr. President, in addition to those items, I have a new constitutional amendment, LR 239CA, offered by Senators Withem, Warner, Lindsay, Barrett and Weihsing. (Read brief summary of resolution. See pages 333-37 of the Legislative Journal.) That will be referred to Reference.

Finally, Mr. President, I have a notice of hearing from the Agriculture Committee, that's signed by Senator Rod Johnson as Chair of the committee. (Re: LB 855, LB 972, and LB 718.) That's all that I have, Mr. President.

PRESIDENT: Thank you. Senator Baack is not here at the moment, so we'll go to LB 240.

CLERK: Mr. President, LB 240 was a bill introduced by Senator Hall. It is on Select File.

PRESIDENT: Senator Hall, please.

CLERK: Mr. President, I do have an amendment. Senator, you want to take up your amendment, or you want to refresh the body as to the bill?

SENATOR HALL: Whatever you think is appropriate, Mr. Clerk.

PRESIDENT: Senator Hall, please.

SENATOR HALL: Thank you, Mr. President and members. If I could

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LB 161, 1136-1171, 1181-1194

Mr. President, finally, I have a reference report referring LBs 1136-1171. (See pages 373-74 of the Legislative Journal.)

Mr. President, announcement, the Speaker would like to hold a chairmen's meeting tomorrow morning at eight-fifteen in Room 2102. The Speaker is calling a chairmen's meeting tomorrow morning at eight-fifteen in Room 2102. That is all that I have, Mr. President.

PRESIDENT: Do we have some new bills, Mr. Clerk?

CLERK: Mr. President, new bills: (Read LBs 1181-1194 by title for the first time. See pages 374-77 of the Legislative Journal.) That's all that I have at this time, Mr. President.

PRESIDENT: We'll move on to General File, LB 161, Mr. Clerk.

CLERK: Mr. President, LB 161 was a bill that was originally introduced by Senators Rod Johnson, Scofield, Coordsen, Baack, Weihing, Schellpeper and Elmer. (Title read.) The bill was introduced on January 5 of last year, Mr. President. It was referred to the Agriculture Committee for public hearing. The bill was brought to the floor with committee amendments attached. It was considered on April 5, Mr. President. At that time Senator Johnson made a motion to bracket the bill until January 1 of this year. I have pending the committee amendments. They have not been adopted yet, Senator.

PRESIDENT: Senator Rod Johnson, please.

SENATOR R. JOHNSON: Mr. President and members, the committee amendments are relatively straightforward. It is simple but I would like to share them with you and indicate that hopefully they are noncontroversial. There are four parts to the committee amendment. The first requires the Department of Agriculture to use other agencies when enforcement is necessary in the question of water quality. The Department of Agriculture is the lead agency in implementing this bill, but in many cases we have expertise, especially with water quality and other areas including the Department of Environmental Control, through their work; the Department of Health for the Safe Drinking Water Act and the State Resources Office and there is just a variety of different agencies that I think the department could turn to for assistance and I think the important thing is to make sure that

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

Nelson, followed by Senator Wesely and Schellpeper.

SENATOR NELSON: Mr. Speaker, members of the body, first a question of Senator Haberman.

SPEAKER BARRETT: Senator Haberman, would you respond?

SENATOR HABERMAN: Yes, I do.

SPEAKER BARRETT: Do you have available for us what the average retirement benefit is, currently the patrol that are retiring? I have to just strictly go by memory right now.

SENATOR HABERMAN: I cannot tell you that, however, I can inform you of this, Senator Nelson. Based on last year's salaries, the state saves \$760,000 by not having to pay the social security tax for patrol officers. That is...the bill has a \$570,000 fiscal note, so the state is still saving 60 or 70 thousand.

SENATOR NELSON: Okay, you're on my time. I have some very, very great reservations about this bill. Once we open the door up, we have one retirement bill right after the other one. We have a large one coming in in LB 1140. If I recall, and this is strictly from memory, the patrol retirement was somewhere in the neighborhood, and this is memory, 25,000, 26,000, 27,000 a couple of years ago, or the salary was that. So we're asking for 75 percent, even \$2,000 a month. I think there was a 3 percent COLA increase. We were told when we passed the retirement bill for the older retirees, a few years ago, that the ones in 1984 and beyond we didn't need to worry about their retirement, that they were being taken care of. I also have a little problem in changing from 50 to 75 percent for the widows in this particular case. When I take social security, railroad retirement, teachers' pensions and so on and so forth, I think we're opening up the door in this respect considerably, and then again being able to retire at an age below 55 years. This all accumulates and all counts up. I happen to know that many, many of them are in the physical condition and so on, can go out and get another job. I agree, they do not get social security, but a good share of them, I think, their wives are working or have worked, and that way it allows them Medicare also. So, I, for myself, am going to have to get a few more figures before I can support again opening up additional retirement, because we have, down the line then we have the judges, we gave it to the school teachers, we have, I think, LB 1140, and this is...I would like

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LB 164, 663, 742, 1059, 1064, 1140, 1238
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personnel please leave the floor. Senator Lamb, Senator Abboud, Senator Morrissey, please. Senator Moore, the house is under call. Senator Goodrich, please report your presence. Senator Schmit, please check in. Senator Goodrich, please. Senators Chambers and Moore, the house is under call. Senator Moore, would you check in, please. May we proceed, Senator Wesely? A request for a roll call vote in reverse order and the question is the Wesely amendment to LB 742. Mr. Clerk, proceed.

CLERK: (Read roll call vote. See pages 681-82 of the Legislative Journal.) 15 ayes, 17 nays, Mr. President.

SPEAKER BARRETT: Motion fails. Anything for the record? The call is raised.

CLERK: Mr. President, priority bill designation by Senator Wesely for the Health Committee, LB 1064.

Mr. President, new resolution offered by the LR 232 Special Committee. It is signed by Senators Schmit, Baack and Lynch. (Read brief description of LR 251CA. See pages 682-84 of the Legislative Journal.) That will be referred to Reference Committee.

Mr. President, Senator Withem would like to add his name to LB 1140; Senator Dierks to LB 1238, Senator Dierks to LB 1059 and Senator Beck to LB 164. (See page 684 of the Legislative Journal.)

Mr. President, Senator Scofield has amendments to be printed to LB 663. (See pages 684-85 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Landis, your light is on.

SENATOR LANDIS: Let ask what's on the...the board reveals that there is an amendment. Is there an amendment for the body...

SPEAKER BARRETT: No.

SENATOR LANDIS: It's just the bill, right? Let me take just...

CLERK: I have an amendment to the bill.

SPEAKER BARRETT: I'm sorry, we're between amendments.