

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 25, 1989

LB 13, 18, 19-32, 58, 62, 70, 115  
128, 134, 142, 156, 255, 279, 283  
284, 296, 298, 312, 321, 322

SPEAKER BARRETT: Thank you. You have heard the closing on the advancement of 134. Those in favor of the motion to advance the bill please vote aye, opposed nay. Have you all voted on the advancement of LB 134? Record, please.

CLERK: 32 ayes, 0 nays, Mr. President, on the advancement of 134.

SPEAKER BARRETT: LB 134 is advanced to E & R. Anything for the record, Mr. Clerk?

CLERK: Mr. President, I do. Thank you. Your Committee on Transportation, whose Chair is Senator Lamb, to whom was referred LB 115, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 283, General File; LB 284, General File; LB 58, General File with amendments; LB 142, General File with amendments; LB 156, General File with amendments; and LB 128 indefinitely postponed. Those are signed by Senator Lamb. (See pages 439-41 of the Legislative Journal.)

General Affairs Committee, whose Chair is Senator Smith, reports LB 298 to General File, LB 70 to General File with amendments, and LB 62 indefinitely postponed. Those signed by Senator Smith as Chair. (See page 441 of the Legislative Journal.)

Your Committee on Education, whose Chair is Senator Withem, reports LB 312 to General File with amendments. That is signed by Senator Withem. Banking, Commerce and Insurance reports LB 279 to General File; LB 296, General File; LB 321, General File; LB 322, General File; those signed by Senator Landis as Chair. (See page 442 of the Legislative Journal.)

Mr. President, I have hearing notices from the Natural Resources Committee, signed by Senator Schmit; Health and Human Services, signed by Senator Wesely. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 13, LB 18, LB 19, LB 20, LB 21, LB 22, LB 23, LB 24, LB 25, LB 26, LB 27, and LB 28, and LB 29, LB 30, LB 31, and LB 32. The next bill, Mr. Clerk, LB 255.

court already hears instate cases, injury cases in the county where the injury has occurred. Allowing the Workers' Compensation Court to hold hearings in all the counties for all cases will make it easier for the injured workers to get their day in court. I ask for your support of LB 261.

SPEAKER BARRETT: Thank you. Further discussion? Seeing none, Senator Kristensen, you are entitled to a closing statement.

SENATOR KRISTENSEN: I would waive closing, your honor, please.

SPEAKER BARRETT: Thank you. The question then is the advancement of LB 261 to E & R Initial. All in favor vote aye, opposed nay. Record, Mr. Clerk.

ASSISTANT CLERK: 34 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER BARRETT: The bill is advanced. To LB 115.

ASSISTANT CLERK: LB 115 was introduced by Senator Schellpeper. (Read title.) The bill was read for the first time on January 5 and was referred to the Transportation Committee. The Transportation Committee reports the bill back to General File without committee amendments, Mr. President.

SPEAKER BARRETT: Thank you. The Chair recognizes Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker and members, this bill was brought to me by the county clerks. LB 115 would raise the certificate of title fee from \$6 up to \$10 for a duplicate title. At the present time, if you have your old title or if you need a new title or a new duplicate, it costs the same \$6. At the present time, there is many people that do not even look for their old title. They just come in and say that give me a different title. So what this bill would do, it would raise the fee from 6 to 10 dollars, if you need a duplicate title, but it will leave it at \$6 if you have your old title. So it is a very simple bill. It just raises the fee if you don't have your old title.

SPEAKER BARRETT: Thank you. Any discussion? If not, shall LB 115 be advanced to E & R? All in favor vote aye, opposed nay. Record, please.

January 26, 1989

LB 115, 283

ASSISTANT CLERK: 30 ayes, 0 nays on the motion to advance the bill.

SPEAKER BARRETT: LB 115 is advanced. LB 283.

ASSISTANT CLERK: LB 283 was introduced by the Transportation Committee. (Read title.) The bill was read for the first time on January 10. It was referred to the Transportation Committee. They report the bill to General File, Mr. President.

SPEAKER BARRETT: Thank you. The Chairman of the Transportation Committee, Senator Lamb.

SENATOR LAMB: Thank you, Speaker Barrett. LB 283 is the Motor Vehicles Department, commonly called, clean-up bill. It has about four parts that are of some interest. The first part of the bill just eliminates a conflict in our present statute. We have one statute which says that the auxiliary driving lamp should be 15 inches above the ground, and another section says it be 12 inches above the ground. So this bill just makes it 12 inches, and so it eliminates the 15 inch, the ambiguity there. Number two, new definition of a commercial vehicle, a commercial trailer, and the local commercial truck and local trucks are merged into a single definition since LB 224 enacted previously changed the radius of operation of a local commercial vehicle to coincide with that of a local vehicle. So there is no necessity to have two definitions in the statutes that is now both definitions are the same. The third part of the bill has to do with nonresident owners gainfully employed or present in Nebraska. They operate a passenger car. They must title and register such car in the manner of a Nebraska resident, and this kind of language is supplemented with new language which provides that any person who operates in this state a passenger car owned by a nonresident for thirty continuous days or more shall title and register such car as a Nebraska resident. And the fourth part of the bill, current law provides that all payments received by the Department of Motor Vehicles to cover the costs of audits of apportioned registered vehicles shall be paid to the State Treasurer for deposit to the General Fund. The bill would have such funds deposited by the treasurer to the Interstate Registration Operations Cash Fund. This matches reimbursements with expenditures. It is the departments belief that when these activities, these prorated activities were changed from funding by the General Fund to the Interstate

January 27, 1989

LB 58, 115, 138, 142, 159, 175, 225  
256, 261, 283, 284  
LR 20

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber on Friday, January 27th. Chaplain of the day, Pastor Jerry McInnis of Trinity United Methodist Church in Lincoln. Reverend McInnis, please.

REVEREND McINNIS: (Prayer offered.)

SPEAKER BARRETT: Thank you, Reverend McInnis. We hope you will be able to come back again. Roll call, please.

CLERK: There is a quorum present, Mr. President.

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: (Read correction as found on page 458 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Any reports, messages, or announcements.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 256 and recommend that same be placed on Select File; LB 175, LB 261, LB 115, LB 283, LB 284, LB 58, and LB 142, all reported to Select File, some having E & R amendments attached. (See pages 458-60 of the Legislative Journal.)

Mr. President, your Committee on Judiciary, whose Chair is Senator Chizek, reports LB 159 to General File, and LB 138 to General File with amendments, both signed by Senator Chizek. (See page 460 of the Legislative Journal.)

Judiciary offers notice of hearing, Mr. President; and LR 20 is now ready for your signature, Mr. President. That is all that I have.

SPEAKER BARRETT: Thank you. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 20. \*tem 5, Mr. Clerk.

CLERK: Mr. President, I have a motion from Senator McFarland to rerefer LB 225 from the Urban Affairs Committee to the Education Committee. Senator McFarland filed his motion yesterday. It is found on page 451 of the Journal.

February 1, 1989

LB 115, 261, 283

PRESIDENT: Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President, I'd move the advancement of LB 261.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 115.

CLERK: LB 115, Senator, I have no amendments to the bill.

PRESIDENT: Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President, I'd move the advancement of 115.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 283.

CLERK: Mr. President, I do have amendments to 283. The first item are Enrollment and Review amendments, Senator.

PRESIDENT: Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President, I'd move the E & R amendments.

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

CLERK: Mr. President, the first amendment I have to the bill is by Speaker Barrett. The amendment is found on page 524 of the Journal.

PRESIDENT: Senator Barrett, please.

SPEAKER BARRETT: Thank you, Mr. President, and members. My little amendment to LB 283 is an effort to increase the penalty for vandalism of road signs. And the amendment is to...speaks to this general clean-up bill from the Motor Vehicles Department. I've discussed it with Transportation Chairman Lamb and I consider this, and I believe he does too, a very friendly amendment. The amendment comes to me because of a suggestion by several constituents. In my particular area, vandalism of road signs has become a very serious problem, costing some of those counties out there from 15 to 18 hundred dollars per month. And

February 2, 1989

LB 58, 70, 115, 119, 142, 156, 175  
256, 261, 283, 284, 286, 298, 502  
LR 23

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We're privileged to have a minister from Senator Bernard-Stevens' area and with us as our chaplain of the day, Reverend Patrick Skinner of the Wesleyan Church in North Platte. Would you please rise for the invocation.

REVEREND SKINNER: (Prayer offered.)

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

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

PRESIDENT: Thank you. Do we have any corrections to be made in the Journal?

CLERK: No corrections this morning, Mr. President.

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

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 298 and recommend that same be placed on Select File. That is signed by Senator Lindsay as Chair. Enrollment and Review reports LB 58, LB 70, LB 115, LB 142, LB 156, LB 175, LB 256, LB 261, LB 283, LB 284 all correctly Engrossed. Those also signed by Senator Lindsay as Chair. (See page 553 of the Legislative Journal.)

Mr. President, your Committee on Natural Resources, whose Chair is Senator Schmit, to whom was referred LB 502, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 119 as indefinitely postponed, both those signed by Senator Schmit, and LB 286 as indefinitely postponed, that signed by Senator Schmit as well. (See page 554 of the Legislative Journal.)

Mr. President, new resolution by Senator Beyer and Senator Hefner. (Read brief description of LR 23. See page 555 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, confirmation report from the Education Committee. That is offered by Senator Withem as Chair.

February 9, 1989

LB 70, 115, 142, 156

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 70 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 669 of the Legislative Journal.) 41 ayes, 0 nays, 4 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 70 passes. LB 115.

CLERK: (Read LB 115 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 115 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 670 of the Legislative Journal.) 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 115 passes. LB 142.

CLERK: (Read LB 142 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 142 pass? All those in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote as found on page 671 of the Legislative Journal.) 37 ayes, 7 nays, 1 present and not voting, 4 excused and not voting, Mr. President, on the passage of 142.

PRESIDENT: LB 142 passes. LB 156.

CLERK: (Read LB 156 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 156 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.



February 9, 1989

LB 57, 58, 70, 94, 97, 115, 116  
126, 133, 142, 156, 191, 229, 230  
233, 251, 255, 256, 295, 327

CLERK: (Read record vote as found on pages 671-72 of the Legislative Journal.) 33 ayes, 11 nays, 1 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 156 passes. LB 256.

CLERK: (Read LB 256 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 256 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote as found on pages 672-73 of the Legislative Journal.) 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 256 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 57, LB 94, LB 97, LB 126 with the emergency clause attached, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, and LB 256. Mr. Clerk, do you have anything for the record?

CLERK: Mr. President, two items. Government Committee reports LB 191 to General File with committee amendments attached. I have amendments to be printed, by Senator Chambers, to LB 116. That's all that I have, Mr. President. (See page 673 of the Legislative Journal.)

PRESIDENT: Thank you. For those that are interested in the General File list that is coming up, we'll be skipping the third one, LB 744, and over on the back page LB 336. So, with that, we'll go to General File and LB 327.

CLERK: Mr. President, LB 327 was a bill introduced by Senator Wehrbein. (Read title.) The bill was introduced on January 11 of this year, referred to the Government Committee, advanced to General File. I have committee amendments pending by the Government Military and Veterans Affairs Committee, Mr. President.

PRESIDENT: Senator Baack, are you going to handle the committee amendments?

February 9, 1989

LB 37, 48, 57, 58, 70, 77, 94  
97, 115, 120, 126, 133, 142, 156  
209, 229, 230, 233, 251, 255, 256  
295, 311, 350, 521, 597, 598, 692  
703, 777, 780

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 209 as amended be advanced.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. May I introduce a guest, please, of Senator Hefner. We have Mr. Art Anderson of Bloomfield, Nebraska. Would you please stand, Mr. Anderson. Thank you. Mr. Clerk, anything for the record?

CLERK: Yes, Mr. President, thank you. Your Committee on Appropriations gives notice of hearing for March 7...I'm sorry, for February 24. That's signed by Senator Warner. A location change for Appropriations hearings on March 1, also offered by Senator Warner.

Mr. President, General Affairs Committee offers LB 703 to General File; LB 777 to General File; LB 780 to General File. Those are signed by Senator Smith as Chair of the Committee.

Agriculture Committee reports LB 37 to General File with amendments; LB 120 to General File with amendments. Those are signed by Senator Johnson as Chair. (See pages 678-79 of the Legislative Journal.)

Mr. President, your Committee on Banking, Commerce and Insurance whose Chair is Senator Landis reports LB 77 to General File with amendments; LB 311, General File with amendments; LB 350, General File with amendments; LB 598, General File with amendments; LB 692, General File with amendments, and LB 597, General File with amendments. Those are signed by Senator Landis as Chair. (See pages 679-82 of the Legislative Journal.)

Your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 11:30 a.m. (Re: LB 57, LB 94, LB 97, LB 126, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, and LB 256.)

Mr. President, Senator Moore would like to print amendments to LB 48. (See page 682 of the Legislative Journal.)

And, Mr. President, Senator Weihing would like to add his name to LB 521 as co-introducer. That's all that I have, Mr. President.

February 15, 1989      LB 57, 58, 70, 74, 94, 97, 115  
116, 126, 133, 142, 156, 175A, 177A  
208, 229, 230, 233, 251, 255, 256  
261A, 263, 267, 273, 281, 284A, 295  
338, 378, 391, 398, 416, 443, 458  
459, 499, 502

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT:      Welcome to the George W. Norris Legislative Chamber. Please rise for the opening prayer. Our Chaplain for the day is Father Daniel Sieker, of Blessed Sacrament in Lincoln. Father Sieker.

FATHER SIEKER:      (Prayer offered.)

SPEAKER BARRETT:      Thank you, Father Sieker. Please come back again. Roll call.

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

SPEAKER BARRETT:      Thank you. Corrections to the Journal.

CLERK:      I have no corrections, Mr. President.

SPEAKER BARRETT:      Any reports, messages, or announcements?

CLERK:      Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 502 and recommend that same be placed on Select File, LB 281 Select File, LB 416 Select File, LB 443 Select File, those signed by Senator Lindsay as Chair. Mr. President, your Committee on Enrollment and Review reports LB 74 as correctly engrossed; LB 116, LB 175A, LB 177A, LB 208, LB 261A, LB 263, LB 267, LB 273, LB 284A, LB 338, LB 378, LB 391, LB 398, LB 458, LB 459, and LB 499, all reported correctly engrossed, all signed by Senator Lindsay. (See pages 746-47 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read. Re: LB 57, LB 94, LB 97, LB 126, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, LB 256. See page 748 of the Legislative Journal.)