

January 18, 1990

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

January 19, 1990

LB 272A, 1117, 1135, 1172-1242  
LR 242-245

PRESIDENT NICHOL PRESIDING

PRESIDENT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber. We are happy to have with us this morning as our Chaplain of the day, Mr. Gerry Harris, who is the Executive Secretary of the Gideons, and lives in Lincoln. Would you please rise for the invocation.

MR. GERRY HARRIS: (Prayer offered.)

PRESIDENT: Thank you, Mr. Harris. We appreciate your coming and giving us the benediction, not the benediction, the invocation this morning. Roll call, please.

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

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

CLERK: Mr. President, I have a Reference Report referring LBs 1172-1242, and LRs 242-245, signed by Senator Labedz, as Chair of the Reference Committee. Senator Coordsen gives notice of hearing for the Business and Labor Committee for February 5 and January 29. (Re: LB 1135, LB 1117.)

I have a report of registered lobbyists for the week of January 18, and, Mr. President, an Attorney General's Opinion addressed to Senator Landis regarding LB 272A. (See pages 421-24 of the Legislative Journal.) That is all that I have, Mr. President,

PRESIDENT: We will move on, Senator Lamb, are you in position to handle that confirmation report. Okay.

SENATOR LAMB: Mr. President, and members, I would offer to the body the confirmation report for Mr. Myers.

CLERK: Senator, yeah, Lawrence Myers, the Nebraska Power Review Board.

SENATOR LAMB: Yes, Mr. Myers appeared before the Natural Resources Committee about two days ago and he is a reappointment. He was appointed, I believe, late last year and there was no opposition to his reappointment, and the committee voted unanimously to recommend that Mr. Myers be appointed to

February 13, 1990      LB 42, 159, 163, 520, 913, 1107, 1172  
1184, 1201  
LR 240, 254, 255

little slower than what the original bill proposed.

PRESIDENT:      Thank you. Mr. Clerk, do you have something you'd like to read in at this time?

CLERK: I do, Mr. President. Very quickly, two new resolutions. (Read brief descriptions of LR 254 and LR 255. See pages 770-71 of the Legislative Journal.)

Mr. President, Government Committee reports LB 1107 to General File with amendments, LB 1172 General File with amendments, those signed by Senator Baack. Education reports LB 913 indefinitely postponed, LB 1201 indefinitely postponed, LR 240CA indefinitely postponed, those signed by Senator Withem. And Government reports LB 1184 to General File with amendments. Amendments to be printed to LB 520 by Senator Schellpeper, Senator Kristensen to LB 159 and Senator Beck to LB 163. That's all that I have, Mr. President. (See pages 773-77 of the Legislative Journal.)

PRESIDENT:      Thank you. Senator Haberman, you are next followed by Senator Schmit.

SENATOR HABERMAN: Mr. President, members of the body, in my 12 years in the Legislature I have had very, very, very few occasions to agree and be on the same side as Senator Chambers, so this is a new for me. I do agree with Senator Chambers' amendment, cutting the 7 percent to 5 percent as this would still end up a 53 percent increase in 11 years. Although I do not subscribe to some of the other thoughts that Senator Chambers had about judges, I would like to put in the record that I do subscribe to his amendment in cutting the 7 percent to 5 percent as a 53 percent increase in 11 years is a considerable amount of increase and I do support that part of his amendment. Thank you, Mr. President.

PRESIDENT:      Thank you. Senator Schmit, please, followed by Senator Chambers.

SENATOR SCHMIT: Mr. President and members, you know I always wish some time that I could be on an issue that is riding the wave of popularity. It seems to me like I'm either ahead or behind of the power curve all the time. One of my concerns many years ago, and Senator Chambers addressed that concern with me, was the drug problem. You go back and check the record, it was

February 14, 1990      LB 42, 159, 313, 642, 851, 856, 857  
874, 893, 901A, 957, 960, 964-966, 984  
997, 1044, 1064, 1080, 1090, 1161, 1184  
1193, 1232  
LR 11

SPEAKER BARRETT: Thank you. Mr. Clerk, you have a motion?

CLERK: Mr. President, I have a priority motion by Senator Langford, that's to adjourn the body until February 15, 1990. I assume that's nine o'clock, Senator. I do have some items.

SPEAKER BARRETT: Anything for the record, Mr. Clerk?

CLERK: Yes, I do, Mr. President. I have amendments to be printed to LB 42 by Senator Baack. (See pages 793-94 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 1064 to Select File with Enrollment and Review amendments. LB 851, LB 856, LB 857, LB 874, LB 893, LB 957, LB 964, LB 966, LB 984, and LB 997 are all reported correctly engrossed. Those are signed by Senator Lindsay as E & R Chair. Banking Committee reports LB 1161 to General File with amendments, and LB 1193 as indefinitely postponed, those signed by Senator Landis as Chair of the Banking Committee. (See pages 794-96 of the Legislative Journal.)

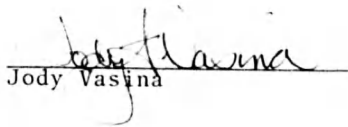
I have a new A bill, Mr. President. (Read LB 901A by title for the first time. See page 796 of the Legislative Journal.)

Mr. President, I have a confirmation report from the Health and Human Services Committee, that is signed by Senator Wesely as Chair. I have a series of priority bill designations. Senator Schellpeper selects LB 1080; Senator Crosby, LB 965; Senator Scofield, LB 1184; Senator Richard Peterson, LR 11CA; and Senator Withem, Education Committee priorities are LB 960 and LB 1090.

Mr. President, Senator Abboud would like to add his name to LB 1044, Senator Crosby and Chambers to LB 642, Senator Elmer and Peterson to LB 159 and AM2372, and Senator Morrissey to LB 1232. I believe that's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The motion before the house is one to adjourn until tomorrow morning at nine o'clock. All in favor say aye. Opposed no. Ayes have it, carried, we are adjourned. (Gavel.)

Proofed by:

  
Jody Vasina

February 16, 1990      LB 163, 164A, 226, 260, 457, 571, 838  
846, 866, 880, 958, 1003, 1019, 1028  
1039, 1062, 1103, 1106, 1113, 1184, 1205  
1215, 1229

Senator Hartnett.      (See pages 846-48 of the Legislative Journal.)

Judiciary reports LB 838 to General File; LB 880, General File; LB 846, indefinitely postponed; LB 1103 and LB 1205, indefinitely postponed.

I have amendments to be printed to LB 866 by Senators Lamb, Haberman, Rogers and Crosby. (See pages 848-50 of the Legislative Journal.)

Mr. President, priority bill designations. Senator Labeledz has selected LB 457. Senator Hartnett for Urban Affairs has selected LB 1106, LB 1229; Senator Conway, LB 260; Senator Bernard-Stevens, LB 1062; Senator Beck, LB 958; Senator Rod Johnson, LB 1019; Senator Haberman, LB 1039, as one of the Retirement Systems priority bills. Senator Hall's Revenue bills are LB 1028 and LB 1215; Senator McFarland, LB 226; Senator Hefner, LB 571; and Senator Chizek's personal priority, LB 880, and Judiciary Committee's, LB 1003 and LB 1113.

Mr. President, Revenue Committee gives notice of hearing. And one new A bill, LB 164A by Senator Ashford. (Read by title for the first time as found on page 850 of the Legislative Journal.)

And, finally, Senator Scofield has amendments to LB 1184 to be printed. (See page 851 of the Legislative Journal.) That's all that I have, Madam President.

Madam President, when we left LB 163, the Enrollment and Review amendments had been adopted. Senator Johnson had an amendment to the bill that had been adopted. Senator Morrissey had amendments. Senator Hefner had his first amendment adopted. The bill was bracketed, Madam President. I now have pending Senator Hefner's amendment. Senator, this amendment is on page 599 of the Journal. I believe...it's AM2141, Senator, the biodegradable. Right. Okay.

SENATOR LABEDZ: Senator Hefner, on the amendment.

SENATOR HEFNER: Mr. President and members of the body, you will find this amendment on page 599. And what this would do, this would add a tax or a fee on disposable diapers...on nondegradable disposable diapers at the rate of 10 cents per dozen. The tax would be collected by the Department of Revenue

SPEAKER BARRETT: LB 1019A is advanced. LB 1184, Mr. Clerk.

CLERK: Mr. President, 1184 was a bill introduced by Senator Scofield and a number of members. (Read title.) The bill was introduced on January 18 of this year, at that time it was referred to the Government Committee for public hearing. The bill was advanced to General File. I do have committee amendments pending by the Government, Military and Veterans Affairs Committee, Mr. President. (Standing Committee amendments are on page 773 of the Legislative Journal.)

SPEAKER BARRETT: Chair recognizes Senator Baack for purposes of opening on the committee amendments.

SENATOR BAACK: Yes, Mr. Speaker and colleagues. The committee amendments to LB 1184 do two things. The first thing that they do is they clarify the relationship between the created authority, under 1184, and the Department of Aeronautics. There was some concern expressed by the people from the Department of Aeronautics that they did not have the kind of funding available to work with this authority and to fund this authority. So it makes it very clear in the committee amendments that they are simply to act as a pass-through agency for the funding for the authority, and it is not to be...not any of their funds are supposed to be used for the authority. I think that Senator Scofield will have an amendment in a few minutes that even further clarifies this relationship between the Department of Aeronautics and the authority, and I will also support that amendment, because it does clarify it even further. The second thing that the committee amendments do, at the suggestion of DAS, it was suggested that the expenses for the people in the authority flow through the DAS account. But since the authority will not be a state agency, they are recommending, instead, that the expenses for the people that serve on the authority will come out of the monies that are allocated directly to the authority, and not flow through DAS. So, those are the two things that the committee amendments do, and I would urge their adoption. Thank you.

SPEAKER BARRETT: Thank you. An amendment on the desk.

CLERK: Mr. President, Senator Scofield would move to amend the committee amendments. The amendment is on page 851, Senator.

SPEAKER BARRETT: Senator Scofield, please.

SENATOR SCOFIELD: Thank you, Mr. President. This is a clarifying amendment that Senator Baack mentioned; again, to restate that the role of the Department of Aeronautics here is simply as a pass-through agency. And to make certain that there is absolutely clear intent of the bill that none of their current funds would go to support the activities of this act, we add the language as follows, "No funds shall be appropriated from the Department of Aeronautics Cash Fund for the purposes of the Nebraska State Airline Authority Act." That's the meat of the...and that includes the audits conducted by certified public accountants. That, again, is to make certain that the current cash funds that come in there are used to continue to maintain and enhance our airport facilities. As Senator Baack pointed out, the role of the Department of Aeronautics here is to continue to do the tasks that they were designated to carry out. We do need an agency for pass-through purposes. I think Anne Beaurivage has a particular expertise that is useful to the activities envisioned in this act, but we have no intention of taking out of her budget any of her current funds to do that. So, I just want to make that very clear with this amendment. Thank you.

SPEAKER BARRETT: Thank you. Discussion on the amendment to the amendment? Senator David Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker. Just a question for Senator Scofield, if she would.

SPEAKER BARRETT: Senator Scofield, would you respond.

SENATOR BERNARD-STEVENS: Sandy, I have, obviously, no problem with the amendment, because that is one of the things that was brought out in the Government Committee hearings. I guess my only concern might be, and through your position on the Appropriations Committee you might be able to relieve at least some of the concerns that I have, and that would be, if, in the future, there would be some, because of the report that would be given, or things changed, there would be some desire, from the Department of Aeronautics, to use some of the funds within it for something, I guess my feeling is your amendment would prohibit that, and I'm wondering if we might want to have something, a little disclaimer, saying unless specifically approved by the Department of Aeronautics.

SENATOR SCOFIELD: I don't envision that happening, Senator Bernard-Stevens. And I think we simply have to be...to take the stance that we're going to use other sources of funding, once we decide what's even feasible to be done here. I don't think that language is necessary, and at the time...should the state pursue this activity and decide that it's feasible and come up with a feasible funding mechanism, then I think it's appropriate to add into the appropriations bill that kind of language. But, for right now, I think it's better to make it clear that we don't have any intentions of going after these cash funds. I think there is plenty of demand for those, and I don't envision the day, right now at least, that that would be an option.

SENATOR BERNARD-STEVENS: Thank you.

SPEAKER BARRETT: Any other discussion on the amendment? Any closing, Senator Scofield. Thank you. The question is the adoption of the Scofield amendment to the committee amendments to LB 1184. All in favor vote aye, opposed nay. Record.

ASSISTANT CLERK: 18 ayes, 0 nays on the amendment to the amendment, Mr. President.

SPEAKER BARRETT: Thank you. The amendment to the amendments are adopted. Back to a discussion of the committee amendments. Anything further? Senator Baack, would you care to close? Senator Baack waives closing, and the question is the adoption of the committee amendments to 1184. Those in favor vote aye, opposed nay. Please record.

ASSISTANT CLERK: 25 ayes, 0 nays on adoption of committee amendments.

SPEAKER BARRETT: The committee amendments are adopted. Back to a discussion of the bill as amended. Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Does Sandy need to open?

SPEAKER BARRETT: I'm sorry. Senator Scofield, you did not open on the bill, my apologies.

SENATOR SCOFIELD: Thank you, Mr. Speaker. I'll be happy to get this bill off the ground. (Laughter.) This bill is essentially a problem that is emerging in all rural states, addresses the



problem of continuing air service. I think many of us in here are aware of the need, not only to continue essential air service, but also I became aware, last summer, of an initiative that was in South Dakota, that you have a handout before you, where South Dakota initiated a study to see if they couldn't expand and enhance their intrastate air service connections. Traveling a good bit in this state and knowing of the difficulties that we have statewide with intrastate air service, I thought that perhaps this model was worth pursuing in Nebraska. As you know, the distances across the state make it very difficult for us to conduct business between Lincoln, Omaha and the rest of the state. It's difficult sometimes even to get into a city the size of Lincoln. We are fortunate to have at least one main line down what's called the river run that's supported by essential air service and, at all costs, we must support that. But there seems to be an increasing concern, across the state, in terms of our opportunities for economic development and tourism, some of the kinds of things that we were talking about earlier on the international trade bill, of needing to get people across this state so that we can, in fact, conduct business and take advantage of our opportunities. There is a definite lack of commercial air service in Nebraska, and that happens to be the case in most rural states right now. To add to that difficulty, it is not at all uncommon to fly outside of this state to get to the eastern part of the state. For instance, if I am to fly to Omaha or Lincoln from Chadron, I either drive to Scottsbluff or Rapid City, South Dakota, or else I fly from Chadron into Denver and come back in. The cost is usually prohibitive to do that. Senator Elmer can add to that with his experiences in McCook, so that's not an unusual case. It would be very good for this state, I think, if we were able to link it together with air service. I think we've missed some opportunities that I know of recently in terms of just the way people conduct business in this day and age they're unwilling to get into a vehicle and drive four, six or eight hours across the state to conduct business, to participate in our tourism offerings and so on. And so I think this would serve the state well to start this planning process. And I want to clarify at this point that really all we're doing is setting in motion a planning process to see what we can do to enhance air service in the State of Nebraska. The feasibility of that needs to be explored. In a couple of days or so, I suspect that we will be debating another resolution about the potential loss of rail service along the northern line. I have more than once heard Senator Lamb say, we may have missed the boat on that ten years

ago or so in this state when we didn't start planning for what appeared to be a fairly obvious outcome. I'm going to try to offset, avoid that same kind of eventual difficulty in the state with air service. And that is the main purpose of this bill, is to get us to plan for better air service in this state before we really face a crisis situation. The lack of air service, I'm convinced, in this state has a negative impact on the economy, has a negative impact on access to tourism. And you have on your desk as well, I believe, a second handout that points out the need for strong cross-state connections, as recommended by the Nebraska Futures Group. This is an idea that seems to have sprung up independently from a number of quarters. When I started thinking about it, discovered that South Dakota was working on it, then discovered that New Futures was also recommending that we need to create the best intrastate air service in the Great Plains. And that was just reported out in their report, you have the Omaha World-Herald article of February 25th recommending that. That's the basic purpose and the basic philosophy behind the bill. Now, let me tell you what the bill does. It puts...it suggests that we try to put together a plan that might eventually lead to a public-private partnership to enhance intrastate air service in the state. We create an air authority, which is made up of seven members appointed by the Governor. And the reason for putting an authority in place right now is I don't want this to just be another study. We have to have an active and involved group of citizens championing this idea to make it go. There is enough interest out there, I'm convinced, from such groups as New Futures and the interest that some of you have exhibited here on the floor that I think we can put together a group that will champion this and keep it going. And it really is going to need somebody to carry it through and make it happen, otherwise we will end up with just another authority. As the amendments indicated earlier, this authority is independent of the Department of Aeronautics. And the Department of Aeronautics really becomes the pass-through agency. We do have some expertise over there that will be useful to us, but they have plenty to do on their own. So we need to go ahead and create this authority and give them the power to initiate this study. They have quite broad powers at this point under this bill, from making reports and recommendations to the Legislature concerning the provision of services and facilities. They can come in with a whole range of recommendations, all the way from planning to financing. We do ask for a report to be generated by December 1 of 1990. Probably the most important outcome of this, in

addition to creating the authority, would be asking that authority to explore the feasibility of this concept, come up with recommendations for a funding mechanism and plans for the development of an intrastate commercial airline. We did, at the hearing, have George Poullos appear on behalf of this bill, who, as you know, manages GP Express and is currently involved with the activities going on in South Dakota. I believe with help of individuals like him, who are involved in the airline industry already, we can do a very good job of planning, but it will require outside consulting expertise, and that's what the cost of the A bill will essentially reflect when we get that. I have deliberately kept that A bill low at this point, because I think we can build on what South Dakota has already learned and tap into our own excellent research capabilities here in Nebraska and make this go. But we need to do a market and needs analysis of existing air service and possible alternatives to that service to link major communities together in this state. That...my goal would be to link as many of the major communities together as possible. New Futures suggested that perhaps it might be wise to have something like a 60 mile driving distance to any airport hub. So, at that point, that's how the particular communities that were identified by New Futures were designed, but that's all up to the study. And I think we need to determine what the boarding rates might be, what the feasibility of it is. South Dakota essentially put together a package of combined federal funds, state funds, boarding fees, tickets if you will, generating the rates and figured out how to put that package together. They're about two years ahead of us in terms of this development. So I think we can profit from their experience and decide, number one, does this make sense for Nebraska? I believe when we start looking at this we'll decide it does, in fact, make sense for Nebraska. But the complexity of providing air service requires some very careful study and some...it's not a thing that you just take off with one day and decide to do. It will ultimately probably demand that we sink some state resources in it. I don't envision that within the next few years, until we have completed this study. But I think it's important that we start this planning process right now. Every year, as we talk to all of our mayors and so forth, it's a battle in Washington to hang onto essential air service. I would hope that that would continue and that we will continue to succeed. We need that to make this work, that's an essential component of it. But the opportunities for expanding this, the opportunity for expanding business and tourism activities in the state, and I would suggest even to address

some of the health care needs that we have, when people need to get from a smaller area to a more populous center, in fact, could be met by better transportation services. So, with that introduction, I would be happy to respond to questions on the bill. Thank you.

SPEAKER BARRETT: Thank you. Before proceeding to a discussion of the bill itself, Senators Smith and Kristensen are jointly announcing a guest, under the north balcony, Mr. Jay Choquette of Campbell, Nebraska. Mr. Choquette, would you please stand and take a bow. Thank you, we're glad to have you. Also, some very special guests under our south balcony, we have Mr. Phil Kreutz and Judy Kreutz, and their son, Jim, who are parents of our Page, Jane Kreutz. Please stand and be recognized. Thank you. Also, a very special guest, a former member of this Legislature. He served in the Seventy-Second Legislature, in 1951 and '52, former Senator Rolland Kreutz, who is 94 years young. Senator Kreutz, please. Thank you, we're pleased to have you back again. For purposes of discussion, Senator David Bernard-Stevens, followed by Senator John Weihing and Senator Dennis Baack.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker. Couple of maybe not quite so serious comments in beginning, then I'll get to a more serious comment. But there are sometimes bills that come before us that, they're little puns that go about. For example, Senator Conway decided that maybe this bill doesn't need any propping up, and Senator Baack thought that we need to talk about the "plane" truth on this particular bill. And Senator Scofield thought that the bill was going to fly, and, of course, some people say this bill is greased, not in this case, it's on autopilot. And I'd just like to say that I'm glad to be a copilot on this particular bill, because I think it's one of the more proactive things that we've done. I'd also like to make a second comment, I'm almost tempted to introduce a resolution and/or an amendment somewhere along the line, not on this bill, but maybe somewhere else, that would require that whenever we have national elections that we have mandated at least three to four members of the body must file, because it's refreshing to see the rejuvenation and the excitement of the campaign. Senator Barrett has brought before us some very, very good bills this year, the small business incubators, and the New Horizons projects for the future has been one of his leads, Senator Johnson before us today on the international trade office, and now we have Senator Scofield on state airline

authority. And maybe if we have three or four people, each year, or every other year, announce, that we can continue to bring some very, very good acts and programs through the Legislature and I would encourage that. On a more serious note, the State of Nebraska and the Legislature, quite often, is reactive. We're always reacting to a crisis. We reacted to the 4-R Act. We reacted to the pipeline. We're still in reaction to school finance. We're reacting to property tax crisis and so on. Very seldom do we take the time or have the time possibly to actually look in the future, see a potential problem propping up, if you wish, and then attacking that particular problem before the crisis hits. If we haven't learned on the railroads, as far as the lines beginning to close, and some of the problems we've had on the bus service in the northern tier part of our state, we need to take a little bit more time to look at that, because those problems have happened, we've seen it, and now we've tried, in the past, to react to that. With the deregulation of the airline industry and the continuation of the problems we have each year of getting emergency air service funds at the federal level, there is a clear possibility that the State of Nebraska could be, as far as outstate Nebraska, could be in some type of difficulty in regards to air service. I think Senator Scofield has brought before us, along with the other co-sponsors, a bill that will be proactive. We're going to look at the problem, we're going to come up with solutions that will fit in Nebraska. There are other models out there. South Dakota has...is a couple of years ahead of us, but we can certainly look and see what they have done. Certainly what they have done is not going to fit Nebraska perfectly. But there are a lot of other models out there. And I'd like to conclude with one point. There was some confusion on the bill that the state was going to get involved and have its own airline in competition with the private industry, and that is not the case. This is a bill where we're going to work hand in hand, as in many cases we try to do, where the private and public sectors work together to find what is in the best interests of the State of Nebraska. Whenever you have the private sector coming in and supporting something such as George Poulos, who came in and gave some excellent testimony to the Government Committee, whenever you have that private sector coming in and working with government to stimulate a plan and action for the future,...

SPEAKER BARRETT: One minute.

SENATOR BERNARD-STEVENS: ...we've got something, I think, that

is good, is workable and can bring dividends in the future. With that I urge the body certainly to support 1184, and hopefully it will be into law then at the end of this year. Thank you.

SPEAKER BARRETT: Senator Weihing.

SENATOR WEIHING: Mr. President and members of the Legislature, I rise to support 1184. I won't be speaking about really the structure but really the need. It's a very critical need, and it becomes more and more critical with each year. Many of us may not realize but 50 years ago it was really much easier to get from, say, Chadron to Lincoln than it is now at many times. And the reason I say that, when I...30 years ago I would get on the train, in Lincoln, and overnight, next morning I would be out at Alliance or Scottsbluff. I could get on the train at Alliance or Scottsbluff in the evening, be here in the morning, no loss of time. We don't have that kind of train service. As many of you know, Senator Scofield has been working very hard just to maintain bus service out in the western area. At one time, buses were very common, they stopped at each town, city, hamlet, it carried us from the western part to the eastern part. Now we do not have that. We are limited to our automobile. And the automobile is not available to everyone, there are many people who cannot drive for one reason or another. Now, having an airline service will be of inestimable benefit. In governmental we talk about it economically. There are many offices, many offices of the government that are in the western parts of the state, and it limits it to traveling by automobile, if we do not have airline, we do not have the buses, we do not have the trains. The area of education, have you ever thought about getting your child 400 miles to the Lincoln campus? Requires a car. We may not always be able to afford that car. We need to have this easy, or I shouldn't put it easy, but the necessary transportation, the necessary transportation so that our university can commute back and forth, our students can commute back and forth. Primary and secondary education is connected with our state government right in this Capitol and right within in the State Office Building, there is constant personal commuting that must be done. And in the area of just social affairs, the beautiful Lied Center, which some of you have seen, and the performances and the lectures, and the many other events that will occur, and how do we get to it? By travel. And if there are not the trains, there are not the buses, then it is the automobile. We may not have the time,

because when you have the automobile, it takes you a day to come here, you are here a day, takes you a day to go back. Where an individual spends maybe one-half day here in Lincoln attending some functions and it's complete, it is three days and at a minimum cost of \$300 to \$400 for someone in the west. Therefore, we must maintain our linkage, we must maintain...

SPEAKER BARRETT: One minute.

SENATOR WEIHING: ...the excellent transportation and rapid transportation between western and eastern. It is vital to the social, the educational, governmental entities of our society throughout the state. I support LB 84 (sic), and I hope that you move it along.

SPEAKER BARRETT: Thank you. Senator Baack, followed by Senator Wehrbein.

SENATOR BAACK: Yes, Mr. Speaker and colleagues. I rise in support of 1184. I know that...I've received a couple of notes saying that I need to declare a conflict of interest on this. But I probably use the essential air service in Nebraska as much as anyone. And I know that with GP Express I'm probably their best customer, because I fly back and forth at least 20 to 25 times a year. So,...and I think it's something that we need to keep in place, because we talk about economic development a lot in here, and how we're going to keep our rural areas going in this state, and I think there is only one way we can do that, and that is we have to provide the proper kind of transportation system to attract industry into these areas. If you do not have the proper transportation systems, companies do not want to look at your area. When companies come into an area, such as Scottsbluff, if they cannot move their executives in and out rather easily, especially through air travel, they are not going to look at Scottsbluff very carefully. I also would like to relate to you a little story that I had. A year ago USA Today sent a reporter out to do a story on essential air service in Nebraska, because there was some debate going on in Congress. They sent a reporter out there, and this reporter rode with me from Scottsbluff to Grand Island. He was not real impressed with the airplane. He was used to flying on the big jets, and in fact he got a little bit ill as we flew down to Grand Island. But we had a good conversation on the way, and that's the thing that I tried to emphasize to him is that, when we talk about essential air service, for serving western Nebraska, we are not



asking for jet airline service or anything of that kind from western Nebraska, it would be nice to have, but that's not what we're asking for. All we want is a way to be able to fly from western Nebraska back to eastern Nebraska, be able to do a meeting and go back the same day. And we can do that now, and that's something that is extremely important for the people from western Nebraska. I think that Senator Scofield has got an excellent idea here. And I think that by setting up the authority, by bringing in possibly a consultant to look at our situation here as to how this state can address the essential air service, I think that we're going to be well on the way to acting on a situation rather than reacting, as Senator Bernard-Stevens said. So many times we're reactive. This time we would be taking positive action. I think that this meets their qualifications very well for a project that is very worthwhile for the State of Nebraska. So I would certainly urge this body to advance 1184 and to support also the A bill, so that we can get going, so that in case we do have problems with federal essential air service money that we are ready, in Nebraska, to put in place our own system so that we can keep alive essential air service. Thank you, Mr. Speaker.

SPEAKER BARRETT: Thank you. Senator Wehrbein, followed by Senators Nelson, Smith and Dierks.

SENATOR WEHRBEIN: Yes, Mr. Speaker and members. Just a few comments, I guess, maybe observations. I wanted to ask Senator Scofield a question toward the end. But I've been thinking about public transportation in Nebraska, even in general. And I was interested in Senator Weihing's comments about the previous characteristics of rail travel in Nebraska. I've thought of that, too, because 100 years ago already you could get on the train just nearly anywhere in Nebraska. In historical perspective, in my own county, they said that 17 out of 18 precincts had rail transportation 100 years ago. As I remember reading the story of J. Sterling Morton, he was able to get on the train in Nebraska City and go anywhere in the United States at that time. One hundred years ago it was one of the keys to the development of this country. So I guess I support this concept of studying very much, of the importance of learning the value of what air service in Nebraska should be, not only now, but probably for the next century in Nebraska. I think we have to look more and more closely at our public transportation service, whether it's rail or, in this case, airlines. And I will be discussing with you more fully, in time, about the



expansion of the Amtrak service in Nebraska as another form of public transportation. But, Senator Scofield, in closing I wanted to ask you a question about, if you know, I see in the South Dakota situation where they approximately have subsidy. I realize it's probably premature, but I wondered if you had any comments about the extent of subsidy that you were expecting, whether there's a potential break out of the cost versus...state versus local versus fares, I noticed. If you had any further comment on that, I don't mean to bind you for the future, realizing that that is a South Dakota suggestion. But I wondered if you had any comments on that.

SPEAKER BARRETT: Senator Scofield.

SENATOR SCOFIELD: I have a...yes, Senator Wehrbein, I have a fairly extensive summary here of where South Dakota is right now. I'd be happy to make that available to you and any member that would want it. And I'll try to give you a quick run down of what South Dakota is looking at right now. Their initial recommendations here, in terms of proposed state and local funding, show start-up and early operation will require state and local financial participation as an investment in this project. Total annual cost of the proposed system is 2.7 million, with approximately 1.5 million estimated in passenger revenues, and they based that on a conservative estimate of a 50 percent load factor on the overall operation. That leaves required funding of 1.2 million. Their airline authority proposed sharing this funding between state and local governments. The proposed funding split was 500,000 in General Funds, 200,000 as one-time funding from the State Aeronautics Fund in South Dakota, and 500,000 in local funds. They propose splitting their local share between nine cities who would be served by this airline. That gives you, I think, some general idea of what they're thinking about. I don't know, their setup is a little different than in Nebraska. We are fortunate enough to already have the essential air service route through the center of the state. And we might be able to do a little bit different kind of funding mix, that's what we'll learn from this study.

SENATOR WEHRBEIN: Thank you. I would sup...Simply, I'll support this bill for the reasons advanced. I think we need to look more carefully at it. Thank you.

SPEAKER BARRETT: Senator Nelson.

SENATOR NELSON: Mr. Speaker, I, too, support the bill. And, as you know, I think Senator Baack said that too often we senators don't look at the future, and that we are reacting to a situation. I will guarantee you in the tri-city area I think we're reacting to a situation right now. When Braniff Airlines went bankrupt and pulled out, it did away with the connections and the cheaper fares and so on that we could en...did enjoy in Braniff in Kansas City. I think that we're very fortunate in Nebraska that we do have Senator Exon, who is a member of the essential air service and should be available to help us to a great extent. And I'm also a partner in the essential air service, on his committee. So, we do have a little bit of help. We simply cannot attract and keep business if we don't have transportation. We can give all the incentives in the world, but the officials and so on have to be able to get from one point to the other. In our deliberations over an airport for Adams, Buffalo and Hall County and so on, we certainly found out there is a lot of competition for extra money or additional money on air service, and yet what the need is, if we don't have some type of good transportation. We also are moving very rapidly to only hub airports. You can find that out on the national level. So we will have to provide, or try to, our own smaller airlines to provide service or to connect with Denver, St. Louis and Kansas City. In my area we have hired a professional to come in and try to give us points and to study and contacts for other airlines. I'm sure that this is probably available, maybe some of that expertise and so on....I was visiting with a gentleman from Omaha, just last evening, or the other evening, and he also was very knowledgeable on the situation and on a committee that had to do with it. So I'm not all sure that a lot of this background information isn't available. But, again, I certainly, at this point, support the bill and I don't think anyone can say that the need isn't there. Thank you.

SPEAKER BARRETT: Senator Smith, please.

SENATOR SMITH: Thank you, Mr. Speaker. Members of the body, I'm pleased to be...and I hope that Senator Bernard-Stevens is here. Darn, I see he's not. I wanted to use a little play on words this morning and say that I'm pleased to be a crew member on that flight to assure essential air service. How do you like that? And I really don't have a lot to say, because I'm not going to stand here and repeat all of the things that everyone

has said. We all recognize that this is going to be a study, to start off with, to develop and assure continuation of essential service, intrastate kinds of service for commercial air connections, not only within the state, but to hub airports. And we know that this can only have a positive impact on the future of the State of Nebraska, of the economy, services that we all need and so on. What I would like to do is just quickly, and for the record, like to ask Senator Scofield, if she would be willing to answer a question. And, Senator Scofield, I'll kind of outline what I would like to have you respond to in that question. One of the things that I see here is that the South Dakota Airline Authority did look at the concern that they might have to ensure that existing air service within their state would not be jeopardized by any kind of proposal or any kind of new service that they were looking at. And they were looking at the federal essential air service program, and in my understanding there was no problem there, after they had looked at that. But I guess that....And I don't anticipate, personally, any negative impact. In fact, I would expect that this could have a very positive impact and benefit on the well-being of the existing airports and air services within the State of Nebraska that already exist. Would you be willing to respond and expand and clarify that concern for the record and also, I think, for the benefit of those existing airlines that we have within Nebraska. I'll give you the remainder of my time in order to do that. Thank you.

SPEAKER BARRETT: Senator Scofield.

SENATOR SCOFIELD: Thank you, Senator Smith. First, let me state that I think the continuation of essential air service is absolutely essential to make this whole plan work. That's an important piece of the entire funding mix. South Dakota, in their report in fact, made a special point of working with their Washington delegation so that their existing essential air service funding would not be jeopardized. They met with Department of Transportation members and congressional staff to solicit support for the possibility of securing funding, not only for their project, but also to reiterate their...that their program was not intended to conflict, in any way, with essential air service. We need to continue those kinds of endeavors here in Nebraska. Senator Weihing mentioned, for instance, some of the people out in his area that have worked hard on this. We have a mayor in Scottsbluff that's been a leader in this area. And I would envision bringing those kinds of people in on this.

He probably has as much expertise on essential air service as anybody in the state right now. Anne Beaurivage, I think, is a useful resource over in the Department of Aeronautics, having been in Washington at one time and working on these kinds of issues. And I agree with you, that we should, in fact, make sure that these all fit together, that's one of the things that has to be accomplished by this study, is making sure those all fit together. The other thing that I think presents an interesting opportunity, Senator Baack and I were approached by a representative of major jet carriers in this nation. As far as I know they've never been in the State of Nebraska before, and he flew in to visit with us about this bill. I think there is some recognition growing out there that rural states are feeling very much bypassed and don't have the access of all kinds of transportation services that we used to have, as evidenced by some of the conversation here this morning on the floor about the loss of rail service, the loss of bus service, and now our concern about jet service. I think we got, basically, a commitment out of that person to continue to go in and champion the continuation and the need for essential air service, as I think he learned some things about the situation in Nebraska by his visit here, and became aware of what our needs are for intrastate connections, and even connections that then get us to the major hub airports, all of which happen to be located outside the boundaries of the State of Nebraska. So this bill has had an impact already as far away as Washington, D.C., I think, in sending a message about what our concerns are in this state about a lack of...

SPEAKER BARRETT: One minute.

SENATOR SCOFIELD: ...of air service. And so it's very important that those pieces all be put together and that in our plan that we ask this authority to bring to the Legislature, those will be things that we will be looking for as a Legislature. Thank you.

SPEAKER BARRETT: Thank you. Senator Dierks, please.

SENATOR DIERKS: Thank you, Mr. Speaker, members of the body. I just wanted to stand in support of this bill. I think Senator Scofield has brought an excellent piece of legislation to us. I believe this type of legislation plugs Nebraska squarely into the future. It's just vital that we keep all these available methods of transportation available. We're having difficulty

with the rails, we're having difficulty with bus service, and, of course, we're having difficulty with keeping the population status quo in rural Nebraska. And these types of issues are the things that will help us keep rural Nebraska vital. So I would certainly support this legislation and urge you to do the same. Thank you.

SPEAKER BARRETT: Thank you. Senator Robak, please, followed by Senator Haberman.

SENATOR ROBAK: Thank you, Mr. Speaker. I just want to say that I also am a co-sponsor of this bill, and I think we need to concentrate on putting together a system within the state that unifies the basic cities within the state. I live in Columbus, and this may not necessarily...it may or may not include Columbus, but I think if they come close to serving the needs of Grand Island to Scottsbluff, or Hastings to Scottsbluff, or Norfolk to Scottsbluff, basically we could have access to those airlines and those airlines to our market. In Columbus we have four international firms, six national firms, and a host of other industries that do business right in Columbus, and I think we're a vital portion of the state's economy, and we want to continue to be. But I think we need to be bridged together with the other communities in the state. Thank you. I support the measure.

SPEAKER BARRETT: Senator Haberman.

SENATOR HABERMAN: Call the question.

SPEAKER BARRETT: Thank you, that won't be necessary. Senator Scofield, would you care to close on the advancement of the bill?

SENATOR SCOFIELD: Only very briefly, Mr. Speaker. I want to thank the members here for their interest in this bill and their support for the bill. I think the level of concern that the Legislature is expressing here today for transportation issues in general, and the planning that we will set in motion with this bill to enhance intrastate air service may be one of the most significant things that we'll do as a Legislature in some time, to position Nebraska to be in a healthy place for the future, whether it be for purposes of international trade, whether it be for purposes of tourism, whether it's just for the convenience of our citizens, or the ability to better serve the

public. In some ways some of us, as we have talked and harkened back to the days of rail service and the pleasures of traveling by rail, I recall being able to take the train. The first year I was in college you could still take the train from Crawford, Nebraska, to Lincoln overnight at a very reasonable cost. My conversations with the people in the rail industry indicate, at least for now and perhaps forever, that isn't an option, that this isn't where the revenue is. The other thing that seems to have changed is the people's willingness to take time to travel except in tourists kinds of activities. And so I think air service is probably the mode of transportation of choice if we're going to be competitive out there and to get people into Nebraska either to conduct business from outside or to visit this state as tourists or whatever. And so this sets in place a planning mechanism that first discovers, can we pull this off? Can Nebraska do this and how would we do it? What kind of investment do we have to make as a state? What kinds of boardings do we have to generate? And I think at the same time moving on this front also we'll continue to take our message out to say we need essential air service and we not only can we not afford to lose that, but we have to add to the services that are already there. So I would thank you for your support on this. I was pleased to hear Senator Nelson and Senator Robak talk about their interests from Grand Island and Columbus and Senator Smith from Hastings. We also had the mayor from the City of Norfolk as well come in and address his concerns about this, so I believe that this is an issue of statewide concern. We've had people call us from Omaha saying they think this would be good for Omaha and so I think it is something that serves the whole state well and it's planning that needs to be gotten underway as quickly as possible. I ask for your support with the bill. Thank you.

SPEAKER BARRETT: Thank you. You've heard the closing and the question is the advancement of 1184 to E & R Initial. All in favor please vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 30 ayes, 0 nays, Mr. President, on the advancement of 1184.

SPEAKER BARRETT: LB 1184 advances. The A bill, Mr. Clerk.

CLERK: LB 1184A, Mr. President, by Senator Scofield. (Read title.)

March 5, 1990

LB 163, 163A, 542, 571, 880, 953, 953A  
1019, 1019A, 1124, 1184, 1184A, 1210  
LR 258

SENATOR LINDSAY: Mr. President, I move that LB 953A be advanced to E & R for engrossment.

SPEAKER BARRETT: Thank you. Any discussion on the advancement of the A bill? Senator Haberman.

SENATOR HABERMAN: Mr. President, and members of the body, I would like to advance the A bill as we may need it towards the tail end of the session. I will repeat to you again, there is no cost to this legislation. It will not come back on LB 953 but we may need an A bill on Final Reading later on in the session, and for those reasons, I ask you to advance the A bill.

SPEAKER BARRETT: Thank you. Any other discussion? If not, those in favor of the advancement of LB 953A please say aye. Opposed no. Carried. The bill is advanced. Any matters for the record, Mr. Clerk?

CLERK: Yes, sir, I do. Thank you. Mr. President, I have amendments to be printed to LB 571 by Senator Hefner. Mr. President, a Reference Report referring LR 258, signed by Senator Labedz as Chair of the Reference Committee. (See pages 1149-52 of the Legislative Journal.)

The Revenue Committee reports LB 1124 to General File with committee amendments attached. That is signed by Senator Hall as Chair of the committee. Appropriations Committee reports LB 1210 to General File. That is signed by Senator Warner as Chair of that committee. Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 163 and find the same correctly engrossed, LB 163A correctly engrossed, those signed by Senator Lindsay. Enrollment and Review reports LB 1019 to Select File, LB 1019A, LB 1184, LB 1184A, and LB 880, all to Select File, some of which have E & R amendments attached. That is all that I have, Mr. President. (See pages 1052-55 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Moving on to LB 542, Mr. Clerk.

CLERK: Mr. President, excuse me, LB 542, I have Enrollment and Review amendments, first of all.

SPEAKER BARRETT: The Chair recognizes Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the

March 7, 1990

LB 1019, 1184A, 1184

SPEAKER BARRETT: The question is the....I'm sorry. It is withdrawn, I failed to hear that. Anything further?

CLERK: Mr. President, I do have a motion to indefinitely postpone LB 1019. Senator Johnson, as primary introducer, has the option to lay the bill over, Mr. President.

SPEAKER BARRETT: Senator Johnson.

SENATOR R. JOHNSON: Mr. President, I'd move to lay it over today.

SPEAKER BARRETT: The bill is laid over. Mr. Clerk, proceeding to LB 1184.

CLERK: Mr. President, LB 1184, I have E & R amendments pending.

SPEAKER BARRETT: Senator Lindsay. Senator Hall.

SENATOR HALL: Mr. President, I'd move the E & R amendments be adopted.

SPEAKER BARRETT: Any discussion? Shall the E & R amendments be adopted to LB 1184? All in favor say aye. Opposed no. Carried, they are adopted.

CLERK: I have nothing further on that bill, Senator.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. President, I move that LB 1184 be advanced to E & R for engrossing.

SPEAKER BARRETT: Thank you. Discussion? The question is, shall LB 1184 be advanced? All those in favor say aye. Opposed no. Carried, the bill is advanced. To the A bill, Mr. Clerk.

CLERK: LB 1184A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. President, I'd move that 1184A be advanced to E & R for engrossing.



March 12, 1990

LB 571, 656, 688, 880, 923, 960, 960A  
1031, 1080, 1080A, 1094, 1184, 1184A

Warner and the Appropriations Committee, because of a variety of circumstances, the right people were not there at any given time, doesn't really mean that it might not have passed out of the appropriations process. You can do what you want. I have not went around and counted noses on this issue. I have an abiding faith in the members of this body to do what's right. It's up to you. I would move the advancement of the amendment.

SPEAKER BARRETT: Thank you. And the question before the body is the adoption of the Coordsen amendment to the committee amendments to LB 1031. Those in favor of that motion vote aye, opposed nay. Senator Coordsen.

SENATOR COORDSEN: Yes, since most of us are here, a quick call of the house and roll call vote.

SPEAKER BARRETT: Thank you. Shall the house go under call? All in favor vote aye, opposed nay. Record, please.

CLERK: 24 ayes, 1 nay, Mr. President, to go under call.

SPEAKER BARRETT: The house is under call. Members, please return to your seats and record your presence. Senator Warner, please check in. Senator Chambers, the house is under call. Senator Schmit, please. Senators Hall, Rod Johnson, Schmit and Chambers, the house is under call. Senator Coordsen, you are ready to proceed with a roll call? The question is the Coordsen amendment, the adoption of the Coordsen amendment. Members, please take your seats for roll call vote. Mr. Clerk, proceed with the roll call.

CLERK: (Roll call vote read. See pages 1308-09 of the Legislative Journal.) 22 ayes, 16 nays, Mr. President, on the adoption of the amendment.

SPEAKER BARRETT: The motion fails and the call is raised. Anything for the record, Mr. Clerk?

CLERK: Yes, Mr. President, I do. Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 571 and find the same correctly engrossed; LB 656, LB 688, LB 880, LB 923, LB 960 and LB 960A, LB 1080, LB 1080A, LB 1094, LB 1184, LB 1184A. (See pages 1309-1312 of the Legislative Journal.)

it's an issue which is based on moral, religious, ethical principles and there is not going to be a resolution, so I will write them what my view is but not try to change their mind and that I have no expectation of doing that. What we're doing here is expressing our opinions and not one vote is going to change, not one mind-set is going to be altered. But I do believe things should be put into the record because there is an educational function that must be served by the Legislature and the record of what we do and say emerges from our debates. So, for that reason, as long as we discuss this issue and whenever we discuss it, I'm going to put into the...

SPEAKER BARRETT: Time.

SENATOR CHAMBERS: ...record those things I think ought to be there.

SPEAKER BARRETT: Mr. Clerk, you have a motion on the desk.

CLERK: Mr. President, I do. I have a priority motion. Senator Korshoj would move to adjourn until Monday morning, April 2nd at 9:00 a.m. May I read some items, Mr. President.

SPEAKER BARRETT: Have you items to read in?

CLERK: Very quickly. Senator Barrett has amendments to be printed to LB 1153. (See pages 1759-61 of the Legislative Journal.)

Senator Haberman would like to add his name to LB 1184, LB 1229, LB 610, LB 431 and LB 1088 as co-introducer. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The motion before the house is one of adjournment. All in favor say aye. Opposed no. A machine vote has been requested. Will members please return to your desks and record your presence. Those members outside the Chamber, please return and check in, please. Senator Moore. Senators Schmit, Labedz, Haberman. Senator Wehrbein, the house is under call. The house is still under call. The question is adjourning until Monday morning at nine o'clock. Those in favor of that motion vote aye, opposed nay. Have you all voted? Have you all voted? Record. Record vote has been requested.

CLERK: (Record vote read. See pages 1761-62 of the Legislative

April 3, 1990

LB 1004, 1004A, 1080, 1080A, 1184

PRESIDENT: LB 1004 passes. LB 1004A.

CLERK: (Read LB 1004A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1004A pass? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1830 of the Legislative Journal.) 33 ayes, 7 nays, 6 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 1004A passes. LB 1080.

CLERK: (Read LB 1080 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1080 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1831 of the Legislative Journal.) 43 ayes, 0 nays, 3 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 1080 passes. LB 1080A.

CLERK: (Read LB 1080A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1080A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1831-32 of the Legislative Journal.) 43 ayes, 0 nays, 4 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 1080A passes. LB 1184 with the emergency clause attached.

CLERK: (Read LB 1184 on Final Reading.)

April 3, 1990

LB 656, 1146, 1184, 1184A

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1184 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1832-33 of the Legislative Journal.) 40 ayes, 6 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 1184 passes with the emergency clause attached. LB 1184A with the emergency clause attached.

CLERK: (Read LB 1184A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1184A pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1833-34 of the Legislative Journal.) 38 ayes, 5 nays, 4 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 1184A passes with the emergency clause attached. LB 656.

ASSISTANT CLERK: (Read LB 656 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 656 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 1834-35 of the Legislative Journal.) The vote is 41 ayes, 0 nays, 5 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 656 passes. LB 1146 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 1146 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1146 pass with the emergency clause attached? All those in favor vote aye, opposed

April 3, 1990

LB 42, 42A, 642, 656, 799, 866, 880  
880A, 953A, 1004, 1004A, 1019, 1019A, 1059  
1059A, 1064, 1064A, 1080, 1080A, 1113, 1113A  
1136, 1146, 1184, 1184A, 1222A  
LR 418

CLERK: (Read LB 1222A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is shall LB 1222A 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 1847 of Legislative Journal.) 44 ayes, 0 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 1222A passes. Do you have something for the record, Mr. Clerk?

CLERK: Mr. President, I do, a new resolution by the Judiciary Committee, (LR 418.) a study resolution. Enrollment and Review reports LB 1064 and LB 1064A as correctly engrossed, both signed by Senator Lindsay as Chair; and LB 1059 and LB 1059A is correctly enrolled. Enrollment and Review reports LB 1113 and LB 1113A to Select File, signed by Senator Lindsay. Amendments to be printed by Senator Hartnett to LB 953A, Senator Hall to LB 866. And, Mr. President, a confirmation report from Transportation Committee signed by Senator Lamb as Chair. That's all that I have, Mr. President. (See pages 1847-52 of the Legislative Journal.)

PRESIDENT: While the Legislature is in session, capable of transacting business, I propose to sign and do sign LB 880, LB 880A, LB 1004, LB 1004A, LB 1080, LB 1080A, LB 1184, LB 1184A, LB 656, LB 1146, LB 42, LB 42A, LB 799, LB 1019, LB 1019A, LB 1059A, LB 1059, LB 1136, LB 1122, correction, LB 1222, and LB 1222A. We're ready to go. Mr. Clerk, do you have something on the desk?

CLERK: Mr. President, motion pending from this morning was one offered by Senator Chambers and that motion was to overrule or change the Speaker's agenda to permit consideration of a suspension motion relating to LB 642.

PRESIDENT: (Gavel). Could we have your attention so we can hear the speaker? Senator Chambers, please.

SENATOR CHAMBERS: Thank you. Mr. Chairman and members of the Legislature, this is a continuation from what I was attempting

April 9, 1990

LB 220, 220A, 315, 369, 369A, 551, 551A  
571, 56, 720, 720A, 799, 851, 896  
923, 953, 958, 960, 960A, 980, 980A  
994, 994A, 1018, 1063, 1063A, 1064, 1064A  
1080, 1090, 1136, 1146, 1184, 1184A, 1244

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber for the last day of the Second Session of the 91st Legislature. We're especially happy to have with us this morning our own Harland Johnson for our prayer of the morning. Would you please rise?

HARLAND JOHNSON: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Harland, and may I say, on behalf of all the members of the Legislature, we have truly appreciated your prayers during the session. They have been very meaningful because you understand us so well, so thank you again. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal?

CLERK: No corrections this morning, Mr. President.

PRESIDENT: Any messages, reports, or announcements today?

CLERK: Mr. President, a series of messages. First, communications from the Governor. Engrossed...well, before that, Mr. President, bills read on Final Reading as of late last Thursday were presented to the Governor on Thursday evening as of 8:15 p.m. Communications from the Governor, Mr. President, and I might indicate to the members that copies of messages I have received have been distributed and you should have a copy on your desk. Communications to the Clerk: Engrossed LB 1080, LB 1184, LB 1184A, LB 656, LB 1146, LB 799, and LB 1136 were received in my office on April 3 and signed by me on April 6 and delivered to the Secretary of State. Sincerely, Kay Orr, Governor. (See Message from the Governor as found on page 1985 of the Legislative Journal.) A second communication: Engrossed LB 220, LB 220A, LB 315, LB 369, LB 369A, LB 551, LB 551A, LB 571, LB 720, LB 720A, LB 851, LB 896, LB 923, LB 953, LB 958, LB 960, LB 960A, LB 980, LB 980A, LB 994, LB 994A, LB 1018, LB 1063, LB 1063A, LB 1064, LB 1064A, LB 1090, and LB 1244 were received in my office on April 3 and signed by me on April 7, delivered to the Secretary of the State. Sincerely, Kay Orr, Governor. (See Message from the Governor as found on page 1985 of the Legislative Journal.) In addition to those items,