

January 18, 1990

LB 259, 981, 982, 983, 984, 1195-1219
LR 242-243

CLERK: Mr. President, I do, thank you. (Read LBs 1195-1219 by title for the first time. See pages 378-83 of the Legislative Journal.)

Mr. President, two new constitutional amendments. (Read LRs 242-243 by title for the first time. See pages 383-88 of the Legislative Journal.)

Mr. President, Government Committee gives notice of hearing for January 25, signed by Senator Baack. Banking Committee, whose Chair is Senator Landis reports LB 983 to General File, LB 984 to General File, LB 981 General File with amendments, LB 982 General File with amendments. (See pages 388-90 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, Mr. Clerk, proceeding to Select File, LB 259.

CLERK: Mr. President, the first order of business on 259 are Enrollment and Review amendments.

SPEAKER BARRETT: E & R amendments. Senator Withem, would you handle the E & R amendments on 259.

SENATOR WITHEM: Yes, beings our E & R Chairman is too busy at the moment, I'll be happy to move that the E & R amendments to 259 be approved.

SPEAKER BARRETT: Thank you, sir. Any objection? Any conversation? Seeing none, those in favor of the adoption of the E & R amendments to 259 please say aye. Opposed no. Ayes have it, carried, they are adopted.

CLERK: Mr. President, the first amendment I have to the bill is by Senator Haberman. (Haberman amendment appears on page 365 of the Legislative Journal.)

SPEAKER BARRETT: Senator Haberman. The Chair recognizes Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the body, my amendment addresses the dates that are on page 3. It says that the act would commence February 1, 1991, pertaining to the filing of a petition. The bill will possibly go into effect in July and that would be about six months to give people an

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 7, 1990

LB 34, 240A, 369, 374, 409, 422, 530
543, 896A, 907, 1108, 1109, 1165, 1217
1228
LR 251, 252

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 907.

PRESIDENT: LB 907 is advanced. LB 984, please.

CLERK: Mr. President, may I read some items for the record? Mr. President, your Committee on Health and Human Services whose Chair is Senator Wesely reports LB 374 as indefinitely postponed, LB 530 as indefinitely postponed, those signed by Senator Wesely. Education Committee reports LB 1109 to General File and LB 1108 to General File with committee amendments attached, those signed by Senator Withem. (See pages 705-06 of the Legislative Journal.)

Banking Committee reports LB 1165 to General File; LB 1217, General File; LB 1228, General File, those signed by Senator Landis. In addition to those items, Mr. President, I have a new A bill, LB 896A by Senator Withem. (Read by title for the first time. See page 707 of the Legislative Journal.)

Mr. President, bills read on Final Reading this morning have been presented to the Governor. (Re: LB 34, LB 409, LB 422, and LB 543.)

Mr. President, amendments to be printed, Senator Hall has amendments to LB 240A, Senator Lamb to LB 369. (See pages 707-09 of the Legislative Journal.)

Mr. President, a new resolution, LR 252 offered by Senators Conway, Korshoj, Warner, Nelson and Beyer, asking the Legislature to acknowledge the service, knowledge and expertise that Phil Kruse has contributed to the State of Nebraska. That will be laid over, Mr. President. (See page 710 of the Legislative Journal.)

Mr. President, I have a referencing report referring LR 251 to the Judiciary Committee for public hearing, as well, Mr. President, as a request for the sale of revenue bonds by Kearney State College. As part of that process, Mr. President, I have a letter from Senator Labedz to the Clerk advising the Legislature as to the reference of that proposed bond sale.

Mr. President, finally, a request from Senators Hall and Chizek as Chairs of the Revenue Committee and Judiciary Committee to

February 20, 1990 LB 1109, 1165, 1217

SPEAKER BARRETT: Thank you. Discussion? Questions? Seeing none, those in favor of the advancement of the bill please vote aye, opposed nay. Please record.

CLERK: 25 ayes, 0 nays on the advancement of 1109, Mr. President.

SPEAKER BARRETT: LB 1109 advances. LB 1165.

CLERK: 1165, Mr. President, offered by Senator Hall. (Read title.) The bill was introduced on January 17, referred to Banking, advanced to General File. I have no amendments to the bill.

SPEAKER BARRETT: Chairman Hall, please.

SENATOR HALL: Thank you, Mr. President, members, the bill, as the Speaker noted, went to Banking Committee, basically allows for Metro Area Transit to have the ability to require that, have the ability if their tax funds are secured by a bond or collateralized by an institution, they would have the ability then, they would be authorized to do that and have the ability to recover on those should the institution fail. All the other subdivisions of government are spelled out in the statute. Since it is an authorizing statute without MAT having that ability, argument has been made there has not been any practical application that should they have their tax money secured by a bond, if that institution would fail, they would have no ability to recover and what we do through 1165 is place them in statute with the other subdivisions of government so they have that right and opportunity should they find themselves in that precarious situation. I would urge the advancement of the bill.

SPEAKER BARRETT: Thank you. Is there discussion? Seeing none, all in favor of the motion to advance the bill to E & R vote aye, opposed nay. Record, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 1165.

SPEAKER BARRETT: LB 1165 is advanced. LB 1217.

CLERK: Mr. President, an announcement, if I may, before that.

SPEAKER BARRETT: Proceed.

CLERK: Senator Hartnett would graciously defer holding the Urban Affairs Committee until adjournment, Mr. President. It was scheduled to meet at three o'clock. They will meet upon adjournment and I understand General Affairs Committee will meet approximately 30 minutes after the Urban Affairs Executive Session. Mr. President, 1217 by Senator Lindsay. (Read title.) The bill was introduced on January 18, referred to Banking, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Thank you, Mr. President, members, this bill is an amendment to last year's Consumer Rental Purchase Agreement Act. It provided for consumer protection for those persons renting furniture from rent-to-own institutions. Unfortunately, at that time there was an error in the language that was a little bit unclear. Obviously, it wasn't me that drafted it. That error is based...it's a little unclear as far as what the damages are that a person is entitled to recover. The intent was to provide that it be the greater of either actual damages or 25 percent of the total payments to acquire ownership, but not less than 100 nor more than 1,000. Because of the placement of the greater of language, that is not clear. What this is intended to do is to make that clear. I would add that it does not change any policy or intention. It merely puts that intention into place. I would urge the adoption of the bill.

SPEAKER BARRETT: Thank you. Discussion. Seeing none, those in favor of the advancement of LB 1217 please vote aye, opposed nay. Record, please.

CLERK: 27 ayes, 0 nays on the advancement of 1217, Mr. President.

SPEAKER BARRETT: LB 1217 is advanced. LB 1228.

CLERK: 1228, Mr. President, offered by Senator Pirsch. (Read title.) The bill was introduced on January 18, referred to Banking, advanced to General File. I have no amendments to the bill, Mr. President.

February 22, 1990 LB 313, 579, 688, 830, 831, 834, 888
917, 923, 932, 938, 946, 954, 978
987, 987A, 994, 994A, 1037, 1067, 1077
1080, 1080A, 1094, 1102, 1109, 1165, 1178
1217
LR 259

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning for our invocation, Reverend Dr. Norman E. Leach who is the Executive Director of the Lincoln Interfaith Forum. Would you please rise for the invocation?

REVEREND LEACH: (Prayer offered.)

PRESIDENT: Thank you, Dr. Leach, we appreciate your being here this morning. Please come back. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, Enrollment and Review respectfully reports they have carefully examined and reviewed LB 1080 and recommend that same be placed on Select File, LB 1080A, LB 1094, LB 688, LB 579, LB 994, LB 994A, LB 830, LB 938, LB 834, LB 987, LB 987A, LB 978, LB 888, LB 917, LB 946, LB 954, LB 1077, LB 1037, LB 1067, LB 831, LB 932, LB 1178, LB 1102, LB 1109, LB 1165 and LB 1217, all reported to Select File, some have E & R amendments attached. (See pages 904-08 of the Legislative Journal.)

Mr. President, amendments to be printed, Senator Crosby to LB 923, Senator Coordsen to LB 313. (See page 908 of the Legislative Journal.)

New resolution by Speaker Barrett. (Read brief description of LR 259. See pages 908-09 of the Legislative Journal.) That will be laid over.

A series of appointment letters from the Governor. Those will be referred to the Reference Committee for confirmation hearing.

Finally, Mr. President, a report from the Board of Public Roads Classifications and Standards. That will be on file in my

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1102 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Discussion? The question is, shall LB 1102 be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 1109.

CLERK: LB 1109, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1109 be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Seeing none, the question is, shall 1109 be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 1165.

CLERK: LB 1165, Senator, does have E & R amendments.

SPEAKER BARRETT: Chairman Lindsay.

SENATOR LINDSAY: Mr. President, I'd move the adoption of the E & R amendments to LB 1165.

SPEAKER BARRETT: Any discussion? If not, shall the E & R amendments be adopted? Those in favor say aye. Opposed no. Carried. They are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 1165 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Discussion? The question is, shall 1165 as amended be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 1217.

CLERK: LB 1217, Senator, has no amendments.

February 28, 1990 LB 853, 1105, 1119, 1217, 1228

SPEAKER BARRETT: The member from Omaha.

SENATOR LINDSAY: I move that LB 1217 be advanced to E & R for engrossment.

SPEAKER BARRETT: Is there any discussion? Seeing none, the question is, shall LB 1217 be advanced? Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 1228.

CLERK: LB 1228, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1228 be advanced to E & R for engrossment.

SPEAKER BARRETT: Is there discussion? If not, the question is, shall LB 1228 be advanced? Those in favor say aye. Opposed no. Carried. the bill is advanced. LB 1105, Mr. Clerk.

CLERK: LB 1105, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1105 be advanced to E & R for engrossment.

SPEAKER BARRETT: Is there discussion? Seeing none, those in favor of the advancement of 1105 please say aye. Opposed no. The ayes have it. Motion carried. The bill is advanced. LB 1119.

CLERK: LB 1119, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1119 be advanced to E & R for engrossment.

SPEAKER BARRETT: Is there discussion? Any question? Seeing none, those in favor of the advancement of the bill please say aye. Opposed no. Carried. The bill is advanced. LB 853.

CLERK: LB 853, Senator, I do have E & R amendments.

March 2, 1990

LB 844, 853, 903, 919, 983, 1086, 1105
1109, 1119, 1165, 1167, 1183, 1211, 1217
1228

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen, welcome to the George W. Norris Legislative Chamber. Would you please rise for the invocation by Senator Lowell Johnson.

SENATOR L. JOHNSON: (Prayer offered.)

PRESIDENT: Thank you, Senator Lowell Johnson, we appreciate it. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: I have no corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 844 and find the same correctly engrossed, LB 853, LB 903, LB 919, LB 983, LB 1086, LB 1105, LB 1109, LB 1119, LB 1165, LB 1167, LB 1183, LB 1216, LB 1217, LB 1228, all of those reported correctly engrossed. That is all that I have, Mr. President. (See page 1121 of the Legislative Journal.)

PRESIDENT: Thank you. We'll move on to the confirmation report of Senator Schmit.

CLERK: Mr. President, Senator Schmit as Chair of the Natural Resources Committee would report on the appointment of Duane Liebsack and Barbara Jo Bierman Batie to the Environmental Control Council. Do you want to take them separately, Senator, or together?

SENATOR SCHMIT: Let's take these two together, Mr. Chairman.

PRESIDENT: Okay, Senator Schmit, please.

SENATOR SCHMIT: Mr. President and members of the body...

PRESIDENT: Senator Schmit, excuse me. (Gavel.) May we have it quiet so we can hear Senator Schmit. These are important, so we need to hear it. Thank you.

March 8, 1990

LB 1167, 1183, 1216, 1217

and not voting, 7 excused, Mr. President.

PRESIDENT: LB 1167 passes. LB 1183 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 1183 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1183 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See page 1262 of the Legislative Journal.) The vote is 41 ayes, 0 nays, 2 present and not voting, 6 excused, Mr. President.

PRESIDENT: LB 1183 passes with the emergency clause attached. LB 1216, please.

ASSISTANT CLERK: (Read LB 1216 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1183 (sic) pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See page 1263 of the Legislative Journal.) The vote is 40 ayes, 0 nays, 3 present and not voting, 6 excused and not voting, Mr. President.

PRESIDENT: LB 1183 (sic) passes with the emergency clause attached. LB 1216, (sic) please. (LB 1217.)

CLERK: (Read LB 1217 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1217 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote. See pages 1263-64 of the Legislative Journal.) 41 ayes, 0 nays, 2 present and not voting, 6 excused and not voting, Mr. President.

March 8, 1990

LB 844, 853, 903, 919, 983, 1044, 1086
1105, 1119, 1165, 1167, 1183, 1216, 1217
1228

PRESIDENT: LB 1217 passes. And the last one on General File today, LB 1228.

CLERK: (Read LB 1228 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1228 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote. See pages 1264-65 of the Legislative Journal.) 42 ayes, 0 nays, 1 present and not voting, 6 excused and not voting, Mr. President.

PRESIDENT: LB 1228 passes. Senator Barrett, the Chair recognizes you.

SPEAKER BARRETT: Thank you, Mr. President.

PRESIDENT: (Gavel.) May we have your attention for Speaker Barrett, please.

SPEAKER BARRETT: Thank you, Mr. President and members, a very brief announcement. The Nebraska Press Association is presenting to the Legislature this morning, eight original paintings which have appeared in the Nebraska newspaper magazine from 1975 till about 1985 or thereabouts. Some of you have seen them in the Rotunda. The Press Association representatives are here now to make the presentation. The originals will be hung in the Capitol for an undetermined length of time. I would ask the body's indulgence, I would suggest we stand at ease for a maximum of five minutes for the presentation of these original paintings. Thank you, Mr. President.

PRESIDENT: All right, if no objection, we'll stand at ease for five minutes, but while the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 1044, LB 844, LB 853, LB 903, LB 919, LB 983, LB 1086, LB 1105, LB 1119, LB 1165, LB 1167, LB 1183 with the emergency clause attached, LB 1216, LB 1217 and LB 1228. (See page 1265 of the Legislative Journal.) Guests of Senator William Barrett, Dr. Jim Horner and UN-L leadership class, I believe there are about 18 of you in the south balcony. Would you folks please stand and be recognized. Thank you for visiting us this morning. We're going to be at ease for about five minutes and

March 8, 1990

LB 369, 551, 571, 642, 844, 853, 903
919, 983, 1019, 1031, 1044, 1086, 1090
1105, 1119, 1165, 1167, 1183, 1216, 1217
1228
LR 275, 276

CLERK: I have nothing further, Mr. President.

PRESIDENT: Okay, Senator Hefner, what do you think?

SENATOR HEFNER: Mr. President, I move for the advancement of LB 571.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB...we are going to skip 1019, I understand. That takes us up to General File. Items for the record, please, Mr. Clerk.

CLERK: Mr. President, I do have a number of items for the record. The first is I have an explanation of vote from Senator Haberman. For bills read on Final Reading this morning, bills read on Final Reading this morning, Mr. President, have been presented to the Governor as of 11:12 a.m. (Re: LB 1044, LB 844, LB 853, LB 903, LB 919, LB 983, LB 1086, LB 1105, LB 1119, LB 1165, LB 1167, LB 1183, LB 1216, LB 1217, LB 1228. See page 1273 of the Legislative Journal.)

New resolutions, LR 275 by Senator Wehrbein. (Read brief explanation.) LR 276 by Speaker Barrett, Senators Withem, Coordsen, Labedz, Warner, Hall. (Read brief explanation.) That will be laid over as well. (See pages 1273-75 of the Legislative Journal.)

I have a report of registered lobbyists for this week, Mr. President, required by statute. Amendments to be printed to LB 1090 by Senator McFarland, LB 1019; LB 551 by Senator Lynch; LB 1031 by Senator Baack and others, and, Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 369 and find the same correctly engrossed. That is signed by Senator Lindsay as Chair of the E & R Committee. That is all that I have, Mr. President. (See pages 1275-83 of the Legislative Journal.)

PRESIDENT: Thank you. We will go on to General File and LB 642, please.

CLERK: Mr. President, 642 was a bill originally introduced by Senator Ashford, along with Senators Weihing, Crosby, and Chambers. (Read title.) The bill was introduced, Mr. President, last year. It was referred to Judiciary,

March 13, 1990

LB 688A, 844, 853, 903, 919, 983, 1031
1044, 1086, 1090, 1105, 1119, 1165, 1167
1183, 1216, 1217, 1228

Withem to LB 1090. (See pages 1345-49 of the Legislative Journal.)

New A bill, LB 688A by Senator Lindsay. (Read by title for the first time. See page 1344 of the Legislative Journal.)

Motion to reconsider with respect to Senator Coordsen's amendment to LB 1031, Mr. President. That is offered by Senator Beyer. (See page 1344 of the Legislative Journal.)

And a communication from the Governor to the Clerk. (Read communication Re: LB 1044, LB 844, LB 853, LB 903, LB 919, LB 983, LB 1086, LB 1105, LB 1119, LB 1165, LB 1167, LB 1183, LB 1216, LB 1217 and LB 1228. See page 1344 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Senator Baack will be adjourning us in a moment, but I've been asked to announce to you again, to remind you that the New Horizons begins at nine o'clock tomorrow morning here, however, your adjournment will be of a different nature. Senator Baack, please.

SENATOR BAACK: Yes, Mr. President, I move we adjourn until tomorrow morning, or tomorrow afternoon, March 14 at one-thirty.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. We are adjourned until one-thirty tomorrow afternoon, but don't forget New Horizons tomorrow morning at nine. Thank you.

Proofed by:


Judy Smith