

January 18, 1990

LB 37, 50, 159, 259A, 409, 422, 465
503, 503A, 543, 662, 742, 953, 1220-1242
LR 8, 244, 245

not, the question is the advancement of the A bill. All those in favor vote aye...say aye. Opposed nay. It is advanced. Mr. Clerk, do you have anything for the good of the cause?

CLERK: Mr. President, I do. Mr. President, your Committee on Retirement Systems, whose Chairperson is Senator Haberman, to whom was referred LB 953, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File. That is signed by Senator Haberman. (See page 397 of the Journal.)

Mr. President, I have a series of hearing notices from Judiciary Committee, Appropriations Committee, Health and Human Services and Revenue, all signed by the respective chairs.

Mr. President, Senator Kristensen has amendments to LB 159 to be printed. Enrollment and Review respectfully reports they have carefully examined and reviewed LB 37 and recommend that same be placed on Select File; LB 742, LB 662, LR 8CA, LB 50, LB 543, LB 422, LB 409, LB 503, LB 503A, and LB 465 all to Select File, some of which have Enrollment and Review amendments attached. (See pages 398-408 of the Legislative Journal.)

Mr. President, new bills. First of all, Mr. President, two constitutional amendments, LR 244, offered by Senator Schmit. And LR 245 offered by Senator Hefner. (Read brief summary of resolutions. See pages 408-11 of the Journal.)

Mr. President, new bills. (Read LBs 1220-1242 by title for the first time. See pages 411-17 of the Legislative Journal.)

Mr. President, reminder, Reference Committee will meet at three-thirty today in Room 2102, Reference Committee at three-thirty in 2102. A final reminder, Mr. President. Chairmen's meeting tomorrow morning at nine...I'm sorry, at eight-fifteen in Room 2102, Chairmen's meeting, eight-fifteen, in 2102. That's called by the Speaker. That is all that I have, Mr. President.

PRESIDENT: I understand that we have 434 new bills introduced this year. This is the last day, of course. So you might be interested in that. Senator Baack, you're close to your microphone, would you like to adjourn us until nine o'clock tomorrow morning, please.

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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

it, motion carried, the bill is advanced. Any items for the record, Mr. Clerk?

CLERK: Mr. President, yes, I do. Mr. President, your Committee on General Affairs whose Chair is Senator Smith to whom was referred LB 1102 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 1236 General File, both signed by Senator Smith as Chair. (See page 703 of the Legislative Journal.)

Mr. President, Senator Beck would like to print amendments to LB 163. (See page 703 of the Legislative Journal.)

New A bills. (Read LB 843A and LB 910A by title for the first time. See page 703 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The Chair is pleased to note that in our south balcony we have a number of guests representing the Nebraska Society of Radiologic Technologists. Would you people please stand and be recognized by your Legislature. Thank you. We're pleased to have you with us. Also, Senators Kristensen and Smith have a guest under the north balcony, Jean Korth from Hastings. Jean, would you please stand and take a bow. Also, visitors from Senator Korshoj's district, John and Joyce Broderson from Herman, Nebraska, under the south balcony. Would you people please stand and be recognized. Thank you. We're pleased to have all of you guests with us this morning. Proceeding to item number eight on the agenda, consent calendar, and on to item nine, General File, consent calendar bills. Again, the following rules, or the rules that have applied to consent calendar in the past are applicable today. If three members of the Legislature object to a bill being considered today, they can advise the Chair in writing. If the debate extends beyond 15 minutes and the introducer is not closing, the bill will be removed from consent calendar. Mr. Clerk, LB 610. Excuse me, for what purpose do you rise, Senator Haberman?

SENATOR HABERMAN: I would like to rise, a question of the Chair and a point of clarification, ask the Chair a question, a point of clarification.

SPEAKER BARRETT: Proceed.

SENATOR HABERMAN: Would you please explain to the body the

February 20, 1990 LB 39, 290, 339, 618, 688, 771, 899
900, 941, 980A, 982, 990, 1009, 1032
1041, 1066, 1073, 1080, 1173, 1195, 1195A
1200, 1219, 1236, 1240
LR 257

SPEAKER BARRETT: Any discussion? If not, shall the committee amendments be adopted? All in favor vote aye, opposed nay. Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of committee amendments.

SPEAKER BARRETT: The committee amendments are adopted. To the bill as amended. Senator Lindsay.

SENATOR LINDSAY: Mr. President, I think the bill, as explained, as I mentioned, the amendment became the bill, and that is what we're dealing with now. I think I've explained that, some of the other senators, I think, have also discussed that. What I'd do is just be available to answer questions.

SPEAKER BARRETT: Any discussion? Any questions? If not, those in favor of the advancement of the bill to E & R initial please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, on the advancement of LB 688.

SPEAKER BARRETT: LB 688 is advanced. Matters for the record, please.

CLERK: Mr. President, the Speaker announces selection of Speaker priority bills that include LB 39, LB 290, LB 339, LB 618, LB 771, LB 899, LB 900, LB 941, LB 982, LB 1009, LB 1032, LB 1041, LB 1066, LB 1073, LB 1173, LB 1195, LB 1200, LB 1219, LB 1236, and LB 1240.

Mr. President, new A bills, (Read LB 980A and LB 1195A by title for the first time. See page 867 of the Legislative Journal.)

A reminder, Mr. President, the Urban Affairs Committee will meet in Exec Session at three o'clock this afternoon. Revenue Committee will hold an Exec Session at one-twenty in the Senate Lounge; Revenue, one-twenty in the Senate Lounge, Mr. President. Senator Haberman has amend...or would like to add his name to LB 1080 and to LB 990 as co-introducer.

Mr. President, new resolution offered by Senator Chambers. (Read brief synopsis of LR 257. See pages 867-68 of the

February 20, 1990 LB 656, 662, 771, 939, 1055, 1079, 1183
1187, 1202, 1221, 1236

PRESIDENT: The bill is advanced. You have an amendment on 915, so we'll not take it up. Something for the record, Mr. Clerk?

CLERK: Mr. President, I have a confirmation report from the Banking, Commerce and Insurance Committee, that's signed by Senator Landis. Revenue Committee reports LB 1202 to General File; LB 939, General File with amendments; LB 1055, General File with amendments; LB 1079, indefinitely postponed. Those signed by Senator Hall. Health and Human Services Committee reports LB 1187 to General File. That is signed by Senator Wesely. I have a series of amendments to LB 1221 by Senator Withem; Senator Smith has amendments to LB 1236; Senator Nelson to LB 656; Mr. President, Senator Wesely to LB 662. And, Mr. President, finally, an announcement from the Speaker. (Re. LB 771.) And that's all that I have, Mr. President. (See pages 874-79 of the Legislative Journal.)

PRESIDENT: Senator Rogers, you haven't said much today. Would you like to adjourn us until tomorrow at nine o'clock.

SENATOR ROGERS: Mr. Speaker, I move we adjourn until tomorrow morning at 9:00 a.m., February 21st.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. We are adjourned. Thank you.

Proofed by:

Debbie Smith
Debbie Smith

prerogative. We shouldn't have to go to the executive branch for permission. So the purpose of the bill is to place the authority for approval of these expense payments, in cases where individuals involved are assisting this Legislature, with the Executive Board instead of the Governor. It's that simple. That's the only change, the expenses still...must still be allowable as they are under current law, and the appropriation must have been made specifically for that purpose. That, essentially, is the bill. I would move for its advancement.

SENATOR LABEDZ: Thank you, Senator Barrett. We're voting on...there are no further lights, Senator Barrett. We're voting on the advancement to E & R initial of LB 1032. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Madam President, on the advancement of LB 1032.

SENATOR LABEDZ: LB 1032 is advanced. Before we go on with further business, I would like to introduce a guest of Senator Byars. Terry Volkman from Beatrice, Nebraska, under the south balcony. Please welcome Terry to the Legislature. Mr. Clerk.

CLERK: Madam President, LB 1236 was a bill introduced by Senator Smith. (Read title.) The bill was introduced on January 18, referred to the General Affairs Committee for public hearing. The bill was advanced to General File. Senator, you want to offer your amendment at this time?

SENATOR SMITH: Yes, please.

SPEAKER BARRETT PRESIDING

CLERK: Senator Smith would move to amend her bill, Mr. President. The amendment is on page 878 of the Journal.

SPEAKER BARRETT: The Chair recognizes Senator Smith.

SENATOR SMITH: Thank you, Mr. Speaker, members of the body. This amendment is basically clarifying and harmonizing, and it does a few things. Number one, it harmonizes Sections 51.211 and 51...I should say "dash" 212. And that way there will be no conflict between the two provisions in the first part of it. And then when you go down to line 18, number 2, it was a

drafting error. I never intended for libraries to charge for assistance from librarians, and so I want that to be stricken from the language. And then on line 20, "primary" is really unnecessary language, and we don't want to complicate it in any way by putting that word in, so we decided to remove that also. So that is really basically what the amendment does to the bill. The bill, as has already been stated, is a bill relating to public libraries, and it deals with allowing them to charge for extra kinds of services which they are now, quite honestly, some of them performing illegally, but not for basic services, and I will talk about that in the bill. This amendment is, to me, tightens it up more yet. So I would ask your support on the amendment, please.

SPEAKER BARRETT: Thank you. For discussion purposes, Senator Nelson.

SENATOR NELSON: To the bill. Thank you.

SPEAKER BARRETT: Thank you. Any discussion on the Smith amendment? Anything further, Senator Smith?

SENATOR SMITH: No.

SPEAKER BARRETT: Thank you. The question is the adoption of the Smith amendment to LB 1236. Those in favor vote aye, opposed nay. Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on the adoption of Senator Smith's amendment.

SPEAKER BARRETT: The amendment is adopted. Senator Smith, please.

SENATOR SMITH: Thank you, Mr. Speaker, members of the body. This is a bill that actually amends Chapter 51, Article II, dealing with public libraries. In the first section of the bill all I'm doing is defining what basic services are that are provided by libraries, and I wanted to make very clear that basic services are something that are going to continue to be free services. As I mentioned a little earlier, right now this is to address a problem which has been created by the fact that probably because of the hard economic times in some of the communities across the state, I think they're becoming resourceful in forcing...maybe that's not the correct word, but

maybe helping their libraries along to help support themselves a little more by asking them to charge for some nonbasic services, and they've been doing this, to this point in time, and it has not been legal because it was not in law that they could do it. And so the bill will just simply put it in law that they are able to charge for some nonbasic services, and those would be the ones that are not defined as basic services in Section 1. Section 2 specifies that basic services must be made available without charge and that goes clear...actually goes clear over...on two on page three and it talks about that the basic services will be available without charge to all residents. And then Section 3 is where the change is made, it allows them then to fix and impose reasonable fees, but not to exceed actual cost for nonbasic services. That's the extent of the bill. If there are questions, I will try to answer them. If there are no questions, I would ask for your support on the bill. Thank you.

SPEAKER BARRETT: Thank you. Senator Nelson, on the advancement of the bill.

SENATOR NELSON: Mr. Speaker, members of the body, Senator Smith very well and very aptly presented the bill and explained it to you. Again, I would hope that you would see very favorable. It's just for services, as she said, they're now using and maybe need to charge for. The small town libraries and a lot of them, financially, are having a lot of problems, and some of the services, that is video tapes or so on, that simply is what they're asking for. And it does not affect the membership or so on that the...that people do pay for. And I just simply support Senator Smith in this bill.

SPEAKER BARRETT: Thank you. Any other discussion. Any closing, Senator Smith.

SENATOR SMITH: Yes, I would. I'm sorry that I neglected to list for you some of the nonbasic services that they are presently charging for. Those are things like photocopying equipment. Right now they may be charging for running copies on a machine for you, which they have at your service in the library. If you're using special equipment, like telephones, facsimile equipment and other telephone communications equipment, media equipment, personal computers, video cassettes and so on, those are the kinds of things that they may have to have a charge or a fee for use of. And that is what we're asking in this bill, for them to have a charge which is actual

cost only for the use of that equipment. With that, I would ask for the support on the bill. Thank you.

SPEAKER BARRETT: Thank you. You've heard the closing. The question is the advancement of LB 1236 to E & R initial. All in favor vote aye, opposed nay. Voting on the advancement of the bill. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 1236.

SPEAKER BARRETT: LB 1236 advances. Before proceeding to 1009, I'd like to announce that, time permitting, I'd like to go directly into LB 1172, Government Committee priority bill, to be followed by LB 1039, a priority bill of the Retirement Committee. Time permitting, 1172 and 1039. Mr. Clerk, LB 1009.

CLERK: Mr. President, 1009, offered by Senator Moore. (Read title.) The bill was introduced on January 4, referred to the Government Committee for public hearing. The bill was advanced to General File. I have committee amendments pending by the Government, Military and Veterans Affairs Committee, Mr. President. (Standing Committee amendments appear on page 463 of the Legislative Journal.)

SPEAKER BARRETT: The Chair recognizes Senator Baack.

SENATOR BAACK: Mr. Speaker and colleagues, the committee amendment is very simple. All it does...the bill, in itself, called for an appropriation of \$70,000, I think. The committee felt that instead of having the appropriation in the bill, that Senator Moore should have an A bill that would accompany 1009, so we simply struck out the appropriation that was in the bill. And that's all that the committee amendment does. Thank you.

SPEAKER BARRETT: Discussion on the committee amendments? Any questions? If not, those in favor of the adoption of the committee amendments, please vote aye, opposed nay. Voting on the adoption of the committee amendments to LB 1009. Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

February 26, 1990 LB 164A, 260, 313A, 708, 736, 980A, 1032
1090, 1100, 1159, 1236
LR 241, 257

and nonsmokers have a right to resent it." I do hope that this resolution will receive all of the votes present on the floor, Senator Goodrich said he will not vote for it, so I'll say, with the exception of the one who has expressed opposition to what the resolution attempts to do.

SPEAKER BARRETT: Thank you. You've heard the closing. And the question is the adoption of LR 257. All in favor of that motion please vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of LR 257.

SPEAKER BARRETT: LR 257 is adopted. The Chair is pleased to note that Senator Wehrbein has 15 guests in our south balcony from Elmwood High School. Fifteen seniors are visiting with us this morning along with their teacher. Would you people please stand and be welcomed by your Legislature. Thank you. We're pleased to have you with us. Proceeding to the record, Mr. Clerk. Have you anything to read in?

CLERK: Mr. President, I do. Thank you. Some amendments to be printed to LB 708 by Senator Chambers. Enrollment and Review reports LB 1090, LB 1032, LB 1236, LB 164A, LB 313A, and LB 980A to Select File some of which have E & R amendments attached. General Affairs Committee, whose Chair is Senator Smith, reports LR 241CA to General File; LB 736, indefinitely postponed; LB 1100, indefinitely postponed; LB 1159, indefinitely postponed, those signed by Senator Smith. That's all that I have, Mr. President. (See pages 979-80 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Item 6, Mr. Clerk, LB 260 on General File.

CLERK: Mr. President, LB 260 was a bill introduced by Senators Conway, Baack and Schmit. (Read title.) The bill was introduced on January 9, last year, Mr. President, at that time referred to the Revenue Committee for public hearing. The bill was advanced to General File. I do have committee amendments pending by the Revenue Committee, Mr. President. (Standing Committee amendments are on page 724 of the Legislative Journal for the First Session, 1989.)

SPEAKER BARRETT: Senator Hefner, would you please handle the

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LB 260, 1032, 1236

CLERK: I have E & R on 1032, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 1032 be adopted.

SPEAKER BARRETT: Any discussion? If not, those in favor of the adoption of the E & R amendments to 1032, please say aye. Opposed no. Carried. They are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1032 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? If not, the question is the advancement of 1032 as amended. All in favor say aye. Opposed no. Carried. The bill is advanced. LB 1236, Mr. Clerk.

CLERK: LB 1236, Senator, I have E & R amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 1236.

SPEAKER BARRETT: Any discussion? Those in favor of the adoption of the E & R amendments to 1236, please say aye. Opposed no. Carried. They are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1236 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Thank you. Discussion? Seeing none, those in favor of the advancement of 1236 as amended, please say aye. Opposed no. Carried. The bill is advanced. Mr. Clerk, to LB 260.

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LB 164, 164A, 259A, 260, 260A, 313, 313A
348, 542, 594, 642, 678, 843A, 855
855A, 953, 953A, 965, 980, 980A, 1032
1136, 1236
LR 239

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 843A.

SPEAKER BARRETT: LB 843A is advanced. Have you matters for the record, Mr. Clerk?

CLERK: I do, Mr. President. Amendments to be printed to LB 1136 by Senator Landis. (See page 1289 of the Legislative Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 164 and find the same correctly engrossed; LB 164A, LB 259A, LB 260, LB 260A, LB 313, LB 313A, LB 348, LB 542, LB 594, LB 678, LB 855, LB 855A, LB 953, LB 953A, LB 965, LB 980, LB 980A, LB 1032 and LB 1236, all of those reported correctly engrossed. (See pages 1289-92 of the Legislative Journal.)

I have an explanation of vote from Senator Barrett, Mr. President. (See page 1292 of the Legislative Journal regarding LB 642.)

That's all that I have.

SPEAKER BARRETT: Thank you. The Chair is pleased to note that Senator Ashford had some fourth graders from Christ the King School in Omaha, District 6, with their teacher. Are you folks still with us in the south balcony? Apparently they have just left. Mr. Clerk, LR 239CA.

CLERK: Mr. President, LR 239CA was a resolution introduced by Senators Withem, Warner, Lindsay, Barrett and Weihing. It proposes an amendment to Article VII, Sections 10 and 13 of the Nebraska Constitution as well as Article XIII, Section 1. The resolution was introduced on January 16 of this year. At that time, Mr. President, it was referred to the Education Committee for public hearing. The resolution was advanced to General File. I do have Education Committee amendments pending.

SPEAKER BARRETT: The Chair recognizes the Chairman of the Education Committee, Senator Withem.

SENATOR WITHEM: Yes, Mr. Speaker, members of the body, this is the time of year when you would rather not have your personal

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LB 656, 965, 1032, 1236

PRESIDENT: LB 965 passes with the emergency clause attached. LB 1032, with the emergency clause attached.

ASSISTANT CLERK: (Read LB 1032 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1032 pass with the emergency clause attached? All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote as found on page 1414 of the Legislative Journal.) The vote is 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 1032 passes with the emergency clause attached. LB 1236, please.

ASSISTANT CLERK: (Read LB 1236 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1236 pass? All those in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: (Read record vote as found on page 1415 of the Legislative Journal.) The vote is 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 1236 passes. It's my understanding we're jumping over LB 571, going to LB 656.

CLERK: Mr. President, with respect to LB 656, the first order of business, Senator Nelson, you had an amendment printed, Senator. I understand you wish to withdraw that amendment, is that correct?

SENATOR NELSON: Correct.

PRESIDENT: It is withdrawn.

CLERK: Mr. President, Senator Nelson would move to return the bill for a specific amendment. (Nelson amendment appears on pages 1415-16 of the Legislative Journal.)

PRESIDENT: Senator Nelson, please.

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LB 348, 542, 594, 965, 1032, 1064, 1094
1146, 1236

PRESIDENT: Senator Wesely, what do you say?

SENATOR WESELY: Yeah, lay it over.

PRESIDENT: Lay it over? It is laid over. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 348, LB 542, LB 594, LB 965, LB 1032, LB 1236 and LB 1094. Anything for the record at this time, Mr. Clerk? Then we'll move on to LB 1146.

CLERK: Mr. President, on 1146 the Enrollment and Review amendments have been adopted. There was an amendment by Senator Landis to the bill that was adopted and an amendment to the bill by Senator Schmit that was adopted. I have pending, Mr. President, a motion to indefinitely postpone that was offered by Senator Landis. Senator Schmit agreed to lay the bill over at that time.

PRESIDENT: Senator Landis, do you wish to have that withdrawn?

SENATOR LANDIS: (Microphone not activated) having it withdrawn.

PRESIDENT: Thank you. I learned something today. It is withdrawn.

CLERK: Mr. President, the next motion I have to the bill is by Senator Chambers.

PRESIDENT: Is Senator Chambers about? Not behind the glass? Senator Chambers wishes to withdraw that. That's the sign. Thank you. It is withdrawn.

CLERK: Mr. President, Senator Wesely and Senator Schmit would move to amend the bill. Senator, I've got 3043 in front of me. (The Wesely amendment appears on pages 1428-30 of the Legislative Journal.)

PRESIDENT: Senator Wesely, are you going to handle that?

SENATOR WESELY: Yeah.

PRESIDENT: All right. Please.

SENATOR WESELY: Thank you. Mr. President and members, I

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LB 348, 542, 594, 965, 1032, 1090A, 1094
1236

CLERK: Just one item, Mr. President, and that is bills read on Final Reading this morning have been presented to the Governor, for her review. (Re: LB 348, LB 542, LB 594, LB 965, LB 1032, LB 1236, LB 1094. See page 1435 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Mr. Clerk, I believe we left of with LB 1090A, is that correct?

CLERK: Mr. President, it is and on LB 1090A the first order of business is consideration of an amendment to the bill by Senator Bernard-Stevens. (Bernard Stevens amendment is found on page 1435-36 of the Legislative Journal.)

SPEAKER BARRETT: (Gavel.) The Chair recognizes Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you. Members of the body, if you'll remember, on 1090 there were a few things added on and it increased the A bill slightly from about 5,000 to 390 some thousand, so a group of people obviously got together on the A bill, understanding that the bill may, in fact, be a little heavy on the bill itself and also realizing that there were things in 1090 that were very much needed particularly in regards to human relations and how we certify the teachers that are coming in to Nebraska from other states. So we did not want to jeopardize the bill. So, in essence, this amendment does two things. Number one, it sets the amendment up so that if for some reason the Governor does not like a single, a particular part of it, she would be able to use her line-item powers and line-item things back to or from whatever number she thought reasonable. It would then, thus, there is a possibility that the funding could be taken out in the areas she felt was not acceptable but it would not affect the statute of 1090. The second part of the amendment deals with the section that I had instituted which was LB 1195 and, in essence, what we agreed to do was to maintain the two sides but fund one of them. The funding would be decided by the educational consortium and it would change the A bill from what we had of a hundred some thousand dollars down to \$61,000, and that is simply the extent of the amendment. At this point I would urge the body to adopt the amendment.

SPEAKER BARRETT: Thank you. Any discussion on the amendment? Seeing none, those in favor of the adoption of the

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LB 220A, 348, 369A, 542, 571A, 594, 866
880A, 958, 965, 1032, 1059, 1094, 1141
1141A, 1146, 1222A, 1236
LR 382, 383

CLERK: 25 ayes, 2 nays to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please record your presence. Senator Schmit is the only one excused, so everyone else should be here. We're looking for Senator Wesely, Senator Lynch, Senator Schellpeper, Senator Pirsch, Senator Landis, Senator Emil Beyer. Senator Wesely and Senator Beyer are here now, so that is it, and there is a roll call vote. Oh, Senator Lynch is not here. I thought I saw him. Okay, we'll wait for Senator Lynch. Senator Lynch is here and the question is the advancement of the bill. Roll call vote in regular order. If you'll hold it down so the Clerk can hear your response. Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1547-48 of the Legislative Journal.) 34 ayes, 12 nays, Mr. President, on the advancement of LB 1059.

PRESIDENT: The bill is advanced. Anything for the record, Mr. Clerk, at this time.

CLERK: I do, Mr. President.

PRESIDENT: The call is raised.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 220A and find the same correctly engrossed, LB 369A correctly engrossed, LB 880A correctly engrossed and LB 1146 correctly engrossed, those signed by Senator Lindsay. Enrollment and Review reports LB 1141 to Select File with E & R amendments, LB 1141A, LB 958, LB 571A, LB 1222A to Select File. (See page 1548 of the Legislative Journal.)

A communication from the Governor to the Clerk. (Read communication. Re: LB 348, LB 542, LB 594, LB 965, LB 1032, LB 1236 and LB 1094. See page 1549 of the Legislative Journal.)

Two study resolutions, Mr. President, will be referred to the Exec Board. (Re: LR 382, LR 383. See pages 1549-50 of the Legislative Journal.)

Senator Lamb has amendments to be printed to LB 866. (See page 1551 of the Legislative Journal.) That's all that I have.