

January 5, 1989

LB 81-160
LR 1-2

being here and thank you for your services. We also have guests of Senator Rod Johnson under the north balcony. We have Omer Troester of Hampton, Nebraska. With him is an exchange student, Alberto Porras of Costa Rica. Would you gentlemen please stand up and be recognized. Thank you for being here. We also have, over under the south balcony, a former member of this Legislature, Senator Tom Fitzgerald, would you please stand up and wave your hand. Thank you. Please welcome Senator Fitzgerald back. Thank you, Tommy. Mr. Clerk, back to the reading.

CLERK: (Read LB 81-98 by title of the first time. See pages 61-67 of the Legislative Journal.)

PRESIDENT: We'll stand at ease for some 15 minutes or half an hour while we get some of the work caught up up here in front. So be at ease, please, for a while. Thank you.

EASE

CLERK: Meeting of the Health Committee, under the north balcony, right now. Health Committee, north balcony right now.

SPEAKER BARRETT PRESIDING

SPEAKER BAPRETT: Additional bill introductions, Mr. Clerk.

ASSISTANT CLERK: (Read LB 99-150 by title for the first time. See pages 67-76 of the Legislative Journal.) That's all I have at this time, Mr. President.

SPEAKER BARRETT: More bill introductions, Mr. Clerk.

CLERK: (Read LB 151-160 by title for the first time. See pages 76-79 of the Legislative Journal.) Mr. President, in addition to those new bills I have new resolutions. (Read LR 1-2 for the first time. See pages 79-81 of the Legislative Journal.)

Mr. President, in addition to those items I have a series of announcements. Mr. President, there will be a meeting of the Executive Board today at three-fifteen for purposes of referencing. Executive Board, three-fifteen for referencing.

Mr. President, Senator Rod Johnson would like to have a meeting

February 6, 1989

LB 132, 147, 224, 265, 267, 397, 619
623

the bill on to Select File.

SPEAKER BARRETT: Thank you.

SENATOR KRISTENSEN: I think the Chambers amendment is a reasonable compromise, and it gets to the point of what we wanted to do, and I would call the question.

SPEAKER BARRETT: Thank you. That won't be necessary. Senator Chambers. No closing, thank you. The question is the adoption of the Chambers amendment to LB 267. Those in favor please vote aye, opposed nay. Voting on the Chambers amendment to LB 267. Have you all voted? Record, please.

CLERK: 25 ayes, 1 nay, Mr. President, on adoption of Senator Chambers' amendment.

SPEAKER BARRETT: The amendment is adopted. Anything further?

CLERK: Nothing further on the bill, Mr. President.

SPEAKER BARRETT: Senator Abboud. No closing. No lights on. Is there any discussion on the advancement of the bill? Seeing none, those in favor of advancing 267 to E & R Initial please vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 267.

SPEAKER BARRETT: LB 267 is advanced. For the record, Mr. Clerk.

CLERK: Mr. President, your Committee on Judiciary, whose Chair is Senator Chizek, to whom was referred LB 147 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 224 General File, LB 265 General File, LB 397 General File. Those are signed by Senator Chizek as Chair. Natural Resources Committee whose Chair is Senator Schmit reports LB 132 to General File, LB 619 General File, LB 623 General File. Those are signed by Senator Schmit as Chair.

I have a confirmation report from Senator Schmit as Chair of the Natural Resources Committee; and a notice of hearing from the Revenue Committee signed by Senator Hall. That is all that I

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LB 132, 224A, 224, 604, 775

you.

PRESIDENT: Thank you. The question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 224A.

PRESIDENT: The bill is advanced. LB 132, please. Would you like to put some things in the record, please, Mr. Clerk?

CLERK: Mr. President, yes, I would. Thank you. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 775 and recommend that same be placed on Select File; LB 224, Select File. Mr. President, hearing notice from the Government Committee, that's offered by Senator Baack as Chair of the committee. And, Mr. President, Government Committee reports LB 604 to General File with committee amendments attached. That's signed by Senator Baack as Chair of the committee. (See pages 1022-25 of the Legislative Journal.)

Mr. President, LB 132 was introduced by Senator Wehrbein. (Read.) The bill was introduced on January 5, was referred to the Natural Resources Committee. The bill was advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Wehrbein, may I introduce some guests, please, before you start. Under the north balcony Senator Scott Moore has some members of his liaison youth group from Centennial High School in Utica and their sponsor. Would you folks please stand and be recognized. Thank you for visiting us this morning. Senator Wehrbein, please. Thank you.

SENATOR WEHRBEIN: Mr. President, members, thank you. This is a very straightforward bill that simply creates a cash fund in the Department of Water Resources. As you may well understand, they presently provide blueprint copies of maps, computer printouts, copies of data provided by other methods. In other words, photostatic copies of much of the material that they create in that department is now presently funded by General Fund, and then they are reimbursed. This simply would create a cash fund that would be created to funnel the money through, instead of having to annually appropriate money to the General Fund and

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LB 132, 587

then have it come back the next year as a reimbursement back to that fund. This would create a cash fund, it would be easier to plan. Their workload is growing in this area, and this simply creates that cash fund to make it more self-sustaining. Simplifies the bookkeeping.

PRESIDENT: Thank you. Any further discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 132.

PRESIDENT: LB 132 is advanced. LE 587.

CLERK: Mr. President, LB 587 was a bill that was introduced by Senators Schmit, Baack, Weihing, Robak, Morrissey and Wehrbein. (Read.) The bill was introduced on January 18 of this year, Mr. President. At that time it was referred to the Natural Resources for public hearing. The bill was advanced to General File. I do have committee amendments pending by the Natural Resources Committee.

PRESIDENT: Senator Schmit, you want to take the amendments first, or the bill first?

SENATOR SCHMIT: Mr. President, I would take the committee amendments at this time and explain them.

PRESIDENT: (Gavel.) Could we please have it quieter so we can hear the speakers. Thank you.

SENATOR SCHMIT: The committee amendments are very simple. They....The original language of the statute calls for board members of the Ethanol Authority to be drawn from the membership of the corn, wheat and sorghum check-off board. It was felt by a number of the farm organizations and the farmers who came before us that this ought to be less restrictive and that any individual who is a grower of one of those commodities ought to be available for appointment to that board. It also provides a method whereby the candidates for appointment to the board may place their names on the candidacy list by getting at least 50 growers from each...from any crop to sign a petition on their behalf. This is consistent with the method whereby those appointments are made to some of the other boards, and I think

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LB 132, 224A, 574

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. I understand that a Reverend Baker was supposed to be here this morning but Reverend Baker didn't show up but the bakery goods did show up. So we're going to have our own Harland Johnson give the invocation. Would you please rise.

HARLAND JOHNSON: {Prayer offered.}

PRESIDENT: (Gavel.) Thank you, Harland Johnson, for your invocation this morning. Roll call, please.

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

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

CLERK: No corrections, Mr. President.

PRESIDENT: All right, any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 574 and recommend that the same be placed on Select File; LB 224A and LB 132, all on Select File. (See pages 1034-35 of the Legislative Journal.)

Mr. President, resolutions passed yesterday are now ready for your signature. And, Mr. President, priority bills have been selected; LB 371, by Senator Haberman and LB 49 by Senator Dierks.

Mr. President, your Committee on Education reports on the confirmation hearing of Mr. Demarest Carlson. That's offered by Senator Withem as Chair of the committee. (See page 1035 of the Legislative Journal.)

That's all that I have, Mr. President.

PRESIDENT: Thank you, Mr. Clerk. (Gavel.) Ladies and gentlemen, I need your attention for a moment, please. (Gavel.) If I could have your attention for a moment. You will notice in the north balcony we have some special guests. You will also notice on your desks you have something to eat and it is because of these ladies that you have this on your desks. We have six

March 22, 1989

LB 49A, 132

SPEAKER BARRETT: Yes.

SENATOR DIERKS: ...to Final Reading.

SPEAKER BARRETT: Any discussion? If not, shall the A bill be advanced? Those in favor say aye. Opposed no. Carried, the bill is advanced. There are about ten bills on Select File, nonpriority bills which are unamended. Mr. Clerk, can we voice vote those across, please, starting with LB 132.

CLERK: Mr. President, with respect to 132, Senator, I have E & R amendments on the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move the adoption of the E & R amendments to LB 132.

SPEAKER BARRETT: Shall the E & R amendments be adopted to 132? All in favor say aye. Opposed no. Carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 132, as amended, be advanced.

SPEAKER BARRETT: Senator Withem.

SENATOR WITHEM: I'm sorry, Mr. Speaker. I didn't see on the agenda and I missed your explanation of what it is we're doing. What is 132 and did I just misread the agenda and miss it, or have we added it for....

SPEAKER BARRETT: Senator Withem, we're on nonpriority bills, Select File. These are bills that...

SENATOR WITHEM: Oh, without amendments, okay.

SPEAKER BARRETT: ...do not have amendments (inaudible) filed.

SENATOR WITHEM: Okay, thank you very much. I apologize for not listening more closely. Thank you.

March 22, 1989

LB 46, 132, 145, 379, 388

SPEAKER BARRETT: Certainly. Any other discussion? If not, shall LB 132 be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. LB 379, Mr. Clerk.

CLERK: Mr. President, 379, I have no amendments to the bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I'd move that LB 379 be advanced.

SPEAKER BARRETT: Shall LB 379 be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. LB 46, Mr. Clerk.

CLERK: Senator, on LB 46 I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I'd move that LB 46 be advanced.

SPEAKER BARRETT: Shall LB 46 be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. LB 388.

CLERK: Mr. President, on LB 388 I have no amendments to the bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move the advancement of LB 388.

SPEAKER BARRETT: Shall LB 388 be advanced? All in favor say aye. Opposed no. Ayes have it, carried, the bill is advanced. LB 145.

CLERK: Senator, on 145 I have E & R amendments first of all.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I'd move the adoption of the E & R amendments to LB 145.

March 28, 1989

LB 46, 49, 49A, 132, 145, 231A, 237
250, 250A, 281, 378A 379, 388, 408A
412A, 418, 449, 449A, 506

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the 54th day in the life of the First Session of the Ninety-first Legislature. Our opening prayer this morning by our chaplain, Pastor Allen Vomhaf of St. Johns Lutheran Church in Omaha, Senator Lynch's district. Pastor Vomhaf, please.

PASTOR VOMHAF: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Vomhaf. Hope you can come back again. Roll call.

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

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

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Reports, announcements or messages.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 46 and find the same correctly engrossed, LB 49, LB 49A, LB 132, LB 145, LB 231A, LB 237, LB 250, LB 250A, LB 281, LB 378A, LB 379, LB 388, LB 408A, LB 412A, LB 418, LB 449, LB 449A and LB 506, all reported correctly engrossed. (See page 1364 of the Legislative Journal.)

Mr. President, the last item I have is a report from the Job Training Director for the City of Omaha. That will be on file in my office. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Before proceeding into General File, senator priority bills, an announcement of general interest to the body (gavel) for your advanced planning. On Thursday of this week, day after tomorrow, we will be on consent calendar, consent calendar beginning Thursday morning, running through the noon hour, working through the noon hour and hopefully adjourning again at the midafternoon point. It's my hope that we can dispose in one way or another of all of the bills that will be listed on consent calendar on Thursday. Those bills that will be a part of consent calendar will be available to you this afternoon at the same time the agendas for tomorrow are available. So you will be able to have a little

May 4, 1989

LB 132, 323, 325, 330, 769, 811
LR 116-121

Senator Ashford amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please. Record vote has been requested.

CLERK: (Read record vote. See pages 2099-2100 of the Legislative Journal.) 32 ayes, 4 nays, Mr. President, on the adoption of the amendment.

PRESIDENT: The Ashford amendment is adopted. Do you have anything else on it, Mr. Clerk?

CLERK: I do, Mr. President. May I read some items into the record?

PRESIDENT: Yes, you may.

CLERK: Mr. President, the Enrolling Clerk has presented to the Governor bills read on Final Reading this afternoon. (Re: LB 330, LB 325, LB 811.)

A study resolution by Senator Withem. (Read brief explanation of LR 116.) It will be referred to the Reference Committee. LR 117 by Senator Johnson. (Read brief explanation.) LR 118 by Senator Johnson. (Read brief explanation.) LR 119 by Senator Rod Johnson. (Read brief explanation.) LR 120 by Senator Johnson. (Read brief explanation.) LR 121 by Senator Johnson. (Read brief explanation. See pages 2100-04 of the Legislative Journal.)

Senator Schmit has amendments to be printed to LB 132; Senator Landis to LB 323. (See page 2104 of the Legislative Journal.)

Mr. President, the next amendment I have to LB 769 is an amendment from Senator Lindsay. Senator, I understand you wish to withdraw this amendment, however, and substitute another amendment, is that correct?

SENATOR LINDSAY: That is correct.

CLERK: And, Senator, the amendment you would like to substitute is the one that reads on page 5, lines 22 and 23, strike the original language and insert the following, a new Section 9, is that right? (See Lindsay amendment found on pages 2104-05 of the Legislative Journal.)

May 18, 1989

LB 89, 132

Journal.)

SPEAKER BARRETT: To LB 132, Mr. Clerk. I'm sorry. Senator Abboud. Senator Abboud, your light is on. Thank you. Senator Lynch.

SENATOR LYNCH: Mr. Chairman, could I ask permission of the Chairman of the body to authorize the expediting of the bill with the bill drafter's office?

SPEAKER BARRETT: Request from Senator Lynch to...

SENATOR LYNCH: LB...LB 89, I'm sorry.

SPEAKER BARRETT: ...expedite LB 89?

SENATOR LYNCH: Yes, sir.

SPEAKER BARRETT: If there is no objection, so ordered. Mr. Clerk.

CLERK: On LB 132, Senator Schmit had a motion to return the bill, but I understand, Senator, you want to withdraw.

SPEAKER BARRETT: Senator Schmit.

SENATOR SCHMIT: I would like to ask unanimous consent to withdraw that amendment.

SPEAKER BARRETT: Thank you. Without objection, it is withdrawn. Is there anything further on that bill, Mr. Clerk?

CLERK: Nothing further on that bill, Mr. President.

SPEAKER BARRETT: Thank you. Senator Schellpeper, for what purpose do you rise?

SENATOR SCHELLPEPER: A point of personal privilege. I would move we adjourn until May 19th at 8:00 a.m.

SPEAKER BARRETT: You have heard the motion to adjourn until tomorrow morning at 8:00 a.m. You have heard the motion to adjourn. Those in favor say aye. Opposed no. Request for a machine vote. Those in favor of adjourning until tomorrow morning at eight o'clock vote yes, those opposed vote no. On

May 19, 1989

LB 132, 183

on page 2606 of the Legislative Journal.) Return to your desks. The first bill on Final Reading will be LB 132, which has come down from agenda number 9 earlier. LB 132, proceeding then to LB 183 and so forth. LB 340 came down from motions from bills to be returned. That's plugged in between LB 335 and LB 354. Members take your seats for Final Reading. Proceed, Mr. Clerk, LB 132.

CLERK: (Read LB 132 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 132 become law? All in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: (Record vote read as found on page 2607 of the Legislative Journal.) 47 ayes, 0 nays, 2 present...2 excused not voting, Mr. President.

SPEAKER BARRETT: LB 132 passes. LB 183.

CLERK: Mr. President, I have a motion on the desk. Senator Hefner would move to return LB 183 to Select File for a specific amendment.

SPEAKER BARRETT: Senator...it is withdrawn.

CLERK: Mr. President, I have an amendment from Senator Lamb to the bill.

SPEAKER BARRETT: It is withdrawn.

CLERK: Mr. President, Senator Dierks would move to bracket the bill until January 10, 1990.

SPEAKER BARRETT: Senator Dierks, please.

SENATOR DIERKS: Mr. Speaker and members of the body, I will tell you at the outset that I intend to withdraw this bracket motion. I just needed the opportunity to say a few words. And when I started out with this, I did it...someone the other day mentioned something about righteous anger. I suspect maybe righteous indignation was more the right term. I want people to understand that I have opposed this bill, not because I oppose choice, because I think choice is all right. The reason that I

May 19, 1989

LB 132, 183, 183A, 335, 335A, 340, 340A

LB 340 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read as found on pages 2611-12 of the Legislative Journal.) Vote is 30 ayes, 16 nays, 1 present not voting, 2 excused not voting, Mr. President.

SPEAKER BARRETT: LB 340 passes. LB 340A.

CLERK: (Read LB 340A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 340A with the emergency clause attached become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read as found on pages 2612-13 of the Legislative Journal.) Vote is 36 ayes, 11 nays, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 340AE passes. And while the Legislature's in session and capable of transacting business, I propose to sign and I do sign LB 132, LB 183, LB 183A, LB 335, LB 335A, LB 340, and LB 340A.

Senator Lynch, for what purpose do you rise?

SENATOR LYNCH: Mr. Chairman and members, I move we adjourn until nine o'clock on the morning of May 22nd.

SPEAKER BARRETT: A motion to adjourn. Senator Pirsch, I would recognize you for a very quick announcement, please.

SENATOR PIRSCH: Thank you, Mr. Speaker. Before we adjourn, if we adjourn, I would like to suggest a round of applause and bravos for the good work that Pat and Dick and Vicki have done this evening, as well as all the other evenings. They have a monumental task that has to be even more frustrating and worrisome than the job that we do. Thank you.

SPEAKER BARRETT: Thank you, Senator Pirsch.

SENATOR PIRSCH: (Microphone not activated immediately)..on that, Mr. Speaker? I think that a thanks is owed to our Sergeant-of-Arms, who have to track everybody down and keep us

May 22, 1989

LB 132, 183, 183A, 335, 335A, 340, 340A
LR 219

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the last Monday morning in this the First Session of the Ninety-First Legislature. The opening prayer this morning by Rabbi Ethan Seidel of Tiffereth Israel Synagogue here in Lincoln. Rabbi Siedel. (Gavel.)

RABBI SEIDEL: (Prayer offered.)

SPEAKER BARRETT: Thank you, Rabbi Seidel. We hope you can come back with us again. Roll call. (Gavel.)

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

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

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any messages or reports or announcements?

CLERK: Mr. President, your Enrolling Clerk did present to the Governor Friday evening as of 10:30 p.m. bills read on...during the evening hour. (Re. LB 132, LB 183, LB 183A, LB 335, LB 335A, LB 340, LB 340A.)

Mr. President, report from the Board of Public Roads Classifications Standards. That will be on file in my office. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. To item 5, Mr. Clerk, legislative resolution.

CLERK: Mr. President, Senator Abboud offers LR 219 that's found on page 2523. (Read brief description of LR 219.)

SPEAKER BARRETT: (Gavel.) Senator Abboud, please.

SENATOR ABOUD: Yes, Mr. President, Father Bill Foster has the parish priest of St. Gerald's since the parish's inception in 1957. He has seen the parish grow under his leadership. They have a fine school there as well as a fine parish in Ralston and in 1975 they extended it into southwest Omaha so they have two...two churches now. But he has done fantastic job. He has been a real inspiration to the community and I would like the Legislature to honor him here today.

May 24, 1989 LB 95, 132, 134, 158, 158A, 175, 175A, 182, 182A
183, 183A, 198, 228A, 228, 261, 261A, 280, 283
285, 285A, 302, 303, 303A, 305, 309, 309A, 310
312, 312A, 335, 335A, 340, 340A, 469, 525, 566
588, 651, 651A, 695, 706, 727, 781, 816, 816A

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us on our closing day as our Chaplain, Reverend Harland Johnson. Would you please rise for the invocation.

REVEREND HARLAND JOHNSON: (Prayer offered.)

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

PRESIDENT: Do we have any corrections this morning?

CLERK: Mr. President, one small correction. (Read correction found on page 2719 of the Legislative Journal.)

PRESIDENT: Okay, do you have any messages, reports, or announcements today?

CLERK: Mr. President, I do. I have a series of communications from the Governor. First of all, Mr. President, the last few bills read on Final Reading yesterday afternoon have been presented to the Governor as of 2:48 p.m., yesterday. (Re: LB 525, LB 566, LB 588, LB 651, LB 651A, LB 695, LB 706, LB 781. See page 2720 of the Legislative Journal.)

Mr. President, a series of communications from the Governor. (Read. Re: LB 228A.) A second communication to the Clerk. (Read. Re: LB 134, LB 158, LB 158A, LB 175, LB 175A, LB 182, LB 182A, LB 198.) A third communication. (Read. Re: LB 95, LB 261, LB 261A, LB 280, LB 283, LB 303, LB 303A, LB 312, LB 312A.) A fourth communication, Mr. President, to Mr. President, and Senators. (Read. Re: LB 183, LB 183A.) A fourth, Mr. President, to the Clerk. (Read. Re: LB 132, LB 285, LB 285A, LB 302, LB 305, LB 309, LB 309A, LB 310, LB 335, LB 335A, LB 340, LB 340A, LB 469, LB 727, LB 816, LB 816A.) The last letter I have received, Mr. President, with respect to signing of bills. (Read. Re: LB 228. See pages 2720-22 of the Legislative Journal.)