

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

March 9, 1989

LB 54, 78, 84, 137, 287, 335, 438
611
LR 51

Priority bill designation. Senator Lamb has selected LB 84; Senator Beyer, LB 78; Senator Haberman, as Chair of Retirement, LB 137 and LB 287; Senator Korshoj, LB 335; Senator Moore, LB 611; all of those designating priority bills.

Mr. President, new resolution, LR 51 by Senator McFarland. (Read brief description of LR 51 as found on page 1045 of the Legislative Journal.) That will be referred to Reference Committee.

Mr. President, your Committee on Education whose Chair is Senator Withem, to whom was referred LB 438, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File.

Mr. President, Natural Resources Committee will have an Executive Session today in Room 1517 at one-thirty. Natural Resources, one-thirty in Room 1517.

SPEAKER BARRETT: Thank you. Proceeding next to General File, priority bills. Mr. Clerk.

CLERK: Mr. President, LB 54 is scheduled for debate this morning. It was a bill introduced by Senator Weihsing. (Read title.) The bill was introduced on January 5. It was referred to the Agriculture Committee. The bill was advanced to General File. I do have committee amendments pending by the Agriculture Committee, Mr. President.

SPEAKER BARRETT: Thank you. (Cavel.) The house will come to order, please. Committee amendments to LB 54, Senator Johnson.

SENATOR R. JOHNSON: Mr. Speaker and members, as the Clerk has already identified, this bill requires food service establishments to post the type of cooking oils they use in preparation of the food served in that establishment. The committee made actually two changes to the bill, one is the more technical aspect of the committee amendments, simply changing the terminology in the bill as it relates to cholesterol content and changing that to percent of saturated fat. The more substantial committee change would go ahead and have the penalty section amended so that when a food establishment fails to post a sign as to what type of cooking oils are being used, the Department of Agriculture, which administers the Pure Food

March 13, 1989

LB 49, 85, 137, 146, 178, 179, 215
293, 345, 377, 387, 424, 434, 463
515, 555, 617, 669, 685, 710, 799
LR 27, 28

Without any further discussion, I believe we should just go ahead and try to advance this bill. Thank you.

SPEAKER BARRETT: Thank you. Any discussion on the advancement of the bill? If not, the question is the advancement of LB 49 to E & R Initial. All in favor vote aye, opposed nay. Shall LB 49 be advanced? That is the question. Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to advance LB 49.

SPEAKER BARRETT: LB 49 is advanced. The Chair is pleased to announce that Senator Moore has some eighth graders from Emmanuel Lutheran in York. I believe there are 12 of them in the north balcony, with their teacher. Would you folks please stand and be recognized. Thank you for being with us. Also, Senator Sharon Beck has a special visitor from District 8 this morning, Dr. Paul Paulman, who is here today as doctor of the day. Please welcome Dr. Paulman. Anything for the record, Mr. Clerk?

CLERK: Mr. President, I do, thank you. Retirement Systems reports LB 137 to General File with amendments. That is signed by Senator Haberman. (See pages 1076-77 of the Legislative Journal.)

Transportation Committee reports LB 424 to General File with amendments; LB 799, General File with amendments; LB 146, indefinitely postponed; LB 434, indefinitely postponed; LB 515, indefinitely postponed; LR 27, advanced to the floor, and LR 28, advanced to the floor, all of those reports signed by Senator Lamb as Chair of Transportation. (See pages 1077-80 of the Legislative Journal.)

Natural Resources Committee reports LB 617 to General File; LB 710 to General File; LB 293 to General File with amendments. Those are signed by Senator Schmit as Chair. (Journal page 1080 shows LB 293 as indefinitely postponed and LB 387 as indefinitely postponed.)

Judiciary Committee reports LB 215 to General File; LB 377, General File; LB 669, General File; LB 555, General File with amendments; LB 685, General File with amendments; LB 85, indefinitely postponed; LB 178, indefinitely postponed; LB 179, indefinitely postponed; LB 345, indefinitely postponed; LB 463,

April 4, 1989

LB 137, 335A, 392, 482, 611, 695, 705

SENATOR HALL: I would move that LB 335A be advanced to E & R for Engrossing.

SPEAKER BARRETT: Shall LB 335A be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 705.

CLERK: Mr. President, may I read some items for the record? I have a proposed rules change offered by Senator Wesely. That will be referred to the Rules Committee.

Enrollment and Review Committee reports LB 482, LB 695, and LB 392 to Select File some having E & R amendments attached. (See pages 1489-90 of the Legislative Journal.)

Mr. President, Senator Bernard-Stevens would like to add his name to LB 137 and to LB 611 as co-introducer.

Mr. President, the next bill is LB 705. The first order of business are adoption of Enrollment and Review...consideration of Enrollment and Review amendments, Mr. President.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 705 be adopted.

SPEAKER BARRETT: You heard the motion to adopt the E & R amendments. Those in favor say aye. Opposed no. Carried. They are adopted.

CLERK: Mr. President, Senator Moore would move to indefinitely postpone the bill. Senator Lindsay would have the option to lay the bill over, Mr. President.

SPEAKER BARRETT: Senator Lindsay, your wishes.

SENATOR LINDSAY: We will take it up.

SPEAKER BARRETT: Take the bill up, thank you. Senator Moore.

SENATOR MOORE: Mr. Speaker and members, as you all remember, LB 705 is the bill that basically has the state giving a gift of about \$200,000 to Joslyn Art Museum down in Omaha, and I'm going to ask Senator Hall a question as I want to say this I have got

permanent injury, would you agree to that?

SENATOR LINDSAY: Sure. Brad, I'm willing to talk about this. We have the question divided. I think we ought to handle this half of the amendment first...

SENATOR ASHFORD: I know, but I mean this is pretty...

SENATOR LINDSAY: ...and then go back...

SENATOR ASHFORD: ...this is pretty important stuff.

SENATOR LINDSAY: Sure, but that's on the second half. It's on the question that we're not dealing with right now.

SENATOR ASHFORD: I know it's on the second half, but it goes to the essence of the whole darn thing. I mean if we can't...

SPEAKER BARRETT: (Gavel.) Time has expired.

SENATOR ASHFORD: Thank you.

SPEAKER BARRETT: I would remind the body that we are discussing the Chambers amendment to Section 1 of the amendment. Senator Dierks, would you care to discuss it? Senator Scofield, would you care to discuss it? Senator Abboud on deck, followed by Senator Labedz.

SENATOR SCOFIELD: Mr. President, I move we adjourn until tomorrow morning at eight o'clock.

SPEAKER BARRETT: Mr. Clerk, have you something for the record?

CLERK: Mr. President, I have amendments to be printed to LB 137. (See page 2109 of the Legislative Journal.) That is all that I have.

SPEAKER BARRETT: A machine vote has been requested on the motion to adjourn, and the question is, shall we adjourn until tomorrow morning at eight o'clock? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: 18 ayes, 14 nays to adjourn, Mr. President.

SPEAKER BARRETT: Motion prevails, we are adjourned until

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LB 137, 272

bankers taken into account, I would urge for the advancement of Senator Barrett's LB 272.

SPEAKER BARRETT: Thank you for that sterling performance. Is there any question, any discussion on the advancement of the bill? Seeing none, those in favor of its advancement vote aye, opposed nay. Voting on the advancement of the bill. Please record.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 272.

SPEAKER BARRETT: LB 272 is advanced. LB 137.

CLERK: Mr. President, 137 was a bill that was introduced by Senator Chizek. (Read title.) The bill was introduced on January 5, referred to the Retirement Committee for hearing. The bill was advanced to General File. I have committee amendments pending by the Retirement Systems Committee, Mr. President.

SPEAKER BARRETT: Senator Haberman, on the committee amendments.

SENATOR HABERMAN: Mr. President and members of the body, with the absence of Senator Chizek, the introducer, I am more than pleased to handle this bill for him. First of all, members of the body, this does not include any state funds, does not have an A bill. There is no increase to anyone and the funds are already available. As introduced, LB 137 would provide an annual adjustment for State Patrol officers whose retirement benefits are below the minimum poverty level. In addition to this increase, there is a one-time cost of living adjustment for retirees or surviving spouses. Thank you, Mr. President.

SPEAKER BARRETT: An amendment on the desk, Mr. Clerk.

CLERK: Mr. President, Senator Haberman would move to amend the committee amendments. Senator, this is your amendment on page 1484 of the Journal that you filed in early April of this year.

SPEAKER BARRETT: Senator Haberman.

SENATOR HABERMAN: The amendment to the committee amendment, fellow members, deals only with Section 2 of the committee

amendments. Section 2 raises the benefits of all retired State Patrol officers and their spouses to the poverty level. This amendment is necessary to more clearly define the family unit. This amendment would also require those who qualify for this benefit to file an annual report to the State Retirement Office. The report will verify the size of the family unit. This was suggested to us by the PERB board and I would ask for the adoption of the amendment.

SPEAKER BARRETT: Discussion? Senator Warner. Thank you. Senator Nelson, on the amendment to the amendment. Thank you. Any discussion? Any questions on the Haberman amendment to the committee amendment? Seeing none, those in favor of its adoption vote aye, opposed nay. Record.

CLERK: 21 ayes, 0 nays, Mr. President, on adoption of Senator Haberman's amendment to the committee amendments.

SPEAKER BARRETT: The amendment to the amendment is adopted. Back to the committee amendments, Senator Warner, do you care to discuss?

SENATOR WARNER: Mr. President and members of the Legislature, I'm not exactly sure how to address the issue because, as Senator Haberman pointed out, the bill could be enacted without funding by further depletion of the reserve that is in there now and that is accurate. The problem is that that reserve fluctuates, depending upon earnings. If you looked at this bill all by itself without and disregard the reserve, why it would take about \$137,000 General Fund annually to fund the unfunded liability. And the issue, as is always true of retirement bills, it's the long term count. Now it's also accurate to say that, yes, it could be funded without any additional General Fund at this point and if earnings though are something less than the actuary reports are showing on the current system, why then we could...the only really net effect is that we're going to have to start a General Fund appropriation sooner at some later date than we would have to without this bill. Now the reason that comes about is that the contribution rates of, remember in the state, have been running 16 percent of what is paid out. Last year we paid seven...or through June 30, '88, paid out 17.3 percent. It's been running from 18.7 down to 17.3 over the last four years while we were putting in 16. It was only a very few years ago, last in 1984, when the defi...when the surplus had a deficit and then an annual appropriation of in

excess of 800,000 was necessary to keep the plan actuarially sound. This year the reserve goes down...or that is between '87 and '88 the reserve went down about 4.7 million because earnings were less than was anticipated. In fact, the surplus went from 12.8 to 8.2 and this bill will further decrease that reserve. The thing that you have to speculate on is what will be earnings in the future and should some of those earnings decline again, this additional expenditure will have its problem. I don't know whether an A bill should be put in or not. I have an A bill. But the issue is do you want...and I have no quarrel with the improvement in the retirement system. That's not my concern whatsoever. I am fully in support of the bill. But the issue is one of whether or not it ought to be funded on its own as any expansion retirement system should be, or whether or not it should be funded out of the reserve knowing very...full well that it's very likely that within some short period of time, a few years maybe, that we'll have to start putting in General Fund money to keep that fund up so it's actuarially sound. And I'm not sure how to address the issue...

SPEAKER BARRETT: One minute.

SENATOR WARNER: ...at this point other than to say that, personally, I think you have a much more sound retirement system if we do not improve benefits without funding being provided at the same time. But at least you...if we are not going to do an A bill, at least you should know that you are incurring a future obligation to the state that will for sure become a necessity to meet. Now the reason I raised the question, a number of reasons, we did a retirement benefit in another area, I think it was a year ago, and we ended with an appropriation this year of a million...over a million dollars, a portion of which came about because it was far more participation in that particular program than had been anticipated. That's didn't make it wrong. That's not what I'm saying. What I'm saying is there are costs...

SPEAKER BARRETT: Time.

SENATOR WARNER: ...for these improved benefits and they need to be considered and addressed and preferably fully funded at the time they're enacted.

SPEAKER BARRETT: Thank you. Senator Nelson, did you care to discuss the committee amendments? Thank you. Senator Haberman,

would you care to close?

SENATOR HABERMAN: Yes, Mr. President. This is a one-time adjustment and it's going to take many, many years if it would dry up any of the \$8 million surplus that we now have. The age of these people are going to enter into these figures because they're not going to maybe draw this retirement for that long. So I would say to you that beings that this is a one-time adjustment it brings the poverty level of nine retirees, just nine, who are below the poverty level, it brings them up, and I would ask that under those conditions we do have the money. It's 3 percent a year for seven years. Eighty-seven people are going to qualify. We have the \$8 million in the kitty. It's going to draw interest. We're possibly going to put more money into it so I would ask that you adopt the committee amendment, Mr. President.

SPEAKER BARRETT: Thank you. Shall the committee amendments be adopted to LB 137? Those in favor vote aye, opposed nay. Record, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

SPEAKER BARRETT: The committee amendments are adopted.

CLERK: Mr. President, I did have an amendment pending. I do have an amendment pending from Senators Chizek and a number of the members. (The Chizek, et al, amendment appears on page 2109 of the Legislative Journal.)

SPEAKER BARRETT: Senator Hall, would you handle it, please.

SENATOR HALL: Thank you, Mr. President, and members, the amendment that is filed on LB 137 is an amendment that I co-sponsored along with a number of individuals with regard to LB 137. What the amendment is is basically LB 252 that was introduced also by Senator Chizek and it deals with the substantive issue that...the State Patrol retirement and the 25-year requirement. It is a substantive issue that I think needs to be addressed, deserves to be addressed in the form of an amendment to this bill but Senator Chizek is gone today, the other members that are gone, so with that I would just let the body know that the amendment will return on Select File and I would ask the Clerk that he would refile that once LB 137 is

advanced. I withdraw it at this time. Thank you.

SPEAKER BARRETT: Thank you. It is withdrawn.

CLERK: I have nothing further to the bill, Mr. President.

SPEAKER BARRETT: On the advancement of the bill, Senator Nelson, followed by Senator Warner.

SENATOR NELSON: Mr. Speaker, members of the body, I had the opportunity to sit in on this retirement and this question last year. I guess I really have no problem in the very few that Senator Haberman meant bringing them up, their retirement. However, I do have a question. Those are not actually the State Patrol retirees themselves. In most of the cases we're talking about the widows, aren't we? You know, in other words drawing half of the pay or half of the salary or something. Thank you, Senator Haberman. I do have some...my concern and my chief concern was is the amount that we would be obligating ourselves on the portion that I think Senator Hall is now going to maybe address on Select File. I would ask Senator Hall where that amendment, as it's filed in the Journal...all right, thank you, Senator Haberman. And that was where I had a concern is the long-term effect and we were talking about much larger dollars than what this is. With this, I can support LB 137 as it is without the amendment...without it further being amended.

SPEAKER BARRETT: Thank you. Senator Warner.

SENATOR WARNER: Mr. President and members of the Legislature, and again I'm not arguing the merits of the bill because I am in support of it but I've been trying to figure out how the Legislature can appropriately address the issue and maybe the proper way to do it is for me to go ahead and sign the A bill and then a deliberate decision can be made not to fund it. But the reason I have a concern is that, as Senator Haberman has stated, there is 8 million in the fund, or at least there was as of June 30, 1988. On June 30 of 1987 there was 12.8 million. It dropped 4.6 million in 12 months because earnings were less. We didn't add, I don't believe, anything in the way of benefits. And those things can happen and, you know, half of the 8 million can be gone next year. I have absolutely no objection to the improvements in the retirement system. My concern lies in the...in the broader policy that we make improvements in retirement systems based on surpluses that have been there which

only eventually, eventually you end up making appropriations. And it seems to me that the better public policy as we make these improvements in retirement systems which are desirable and necessary that the funding not be deferred, that the funding be provided that is necessary or is anticipated to be necessary to keep it actuarially sound. It's...but the total bill for this program is estimated by the actuaries to be \$2 million and, yes, \$2 million could, obviously, be absorbed in 8 million. But the point is that we went from 12 to 8 two years ago at this time and the only reduction was because of earnings, were less successful, and for those reasons I think...Senator Haberman, I'm not trying to disturb the bill, I think I will file the A bill and then the Legislature can make a very deliberate decision not to pass the A bill and that's the only way I can think of to make a positive approach to a determination of whether or not this necessary and desirable retirement benefit should be funded straight up or whether we want to use a reserve and further deplete it and then at some point in the future have to provide the funding in any event. It's for those reasons and not an attempt to do anything more than provide the body the opportunity to make a direct funding decision as to how they want to fund this, I perhaps will drop in the A bill and then if the Legislature chooses not to enact it, that's fine, but at least that way we can address the issue of funding in a positive way by either declining to put in the money or by providing the funding and therefore not in any way affecting the actuary soundness of the rest of the retirement system.

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

SENATOR HABERMAN: I just move for the advancement of the bill, Mr. President.

SPEAKER BARRETT: Thank you. Shall LB 137 be advanced to E & R Initial? All in favor vote aye, opposed nay. Please record.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 137.

SPEAKER BARRETT: LB 137 is advanced. Senator Korshoj has some visitors in our north balcony. From Blair Elementary in Blair, Nebraska we have 50 fourth graders with their teacher. Would you folks please stand and be recognized. Thank you. We're pleased to have you. And Senator Lowell Johnson has 17 eighth

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LB 137, 182A, 301, 302, 444, 541, 630
640

goes below a quorum, because right now there is no provision in our statutes for the...for the Secretary of State to hold special elections for those two entities. There are provisions for providing for all other entities but those two don't have any. The specific example happened in Ord recently where they...their hospital board fell below a quorum. They...there was a real process in trying to determine how they were going to get back to a quorum. Because they were under a quorum, they couldn't appoint other members. This provides a procedure for doing that. That's what the amendment does. Thank you.

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

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

PRESIDENT: The Baack amendment is adopted. Anything further on the bill?

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

PRESIDENT: Senator Moore.

SENATOR MOORE: I move we advance LB 640 to E & R for Engrossing.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 653.

CLERK: Mr. President, may I read some items for the record?

PRESIDENT: Yes, you may.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 182A and find the same correctly engrossed; LB 301, correctly engrossed; LB 302, correctly engrossed; LB 541 and LB 630, correctly engrossed. (See page 2317 of the Legislative Journal.)

Mr. President, Senator Hartnett would like to add his name to LB 444 as co-introducer, and Senator Haberman to LB 137.

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LB 84, 137, 211, 215, 272, 377, 487
639, 813, 816
LR 211

SPEAKER BARRETT: Any discussion? If not, those in favor vote aye, opposed nay. Record.

CLERK: 27 ayes, no nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: The amendment is adopted. Senator Lamb.

SENATOR LAMB: I'd move to readvance the bill, Mr. President.

SPEAKER BARRETT: Question is the readvancement of the bill. Those in favor say aye. Opposed no. Carried. The bill is readvanced. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign Legislative Resolution 211. Senator Baack, for what purpose do you rise?

SENATOR BAACK: Mr. Speaker, I move that we recess till 1:30.

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

CLERK: Mr. President, amendments to be printed to LB 816 by Senator Haberman, Senator Landis and Scofield, LB 813; notice of confirmation hearing by the General Affairs Committee. Enrollment and Review reports LB 211, LB 639, LB 272, LB 137, LB 215, and LB 377 to Select File.

Mr. President, Senator Abboud asked unanimous consent to add his name to LB 84 as co-introducer. That's all that I had, Mr. President.

SPEAKER BARRETT: Thank you, and the question is recessing until 1:30. All in favor say aye. Opposed no. Carried. We are recessed. (Gavel.)

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you. Anything for the record?

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LB 89, 137, 308, 309A, 761, 781, 813
814

site. We haven't taken anything away from the power companies. We haven't taken anything away from anybody who can be opposed to the amendment. You really have got to prove to me that this amendment is not good. I can't see where it hurts one person. The only thing it can do is provide good and provide community consent and provide the input that these people have asked for all this time. It is a simple duty to the citizens of this state. There can be no reason that I can see to not support the amendment. I appeal to your sense of decency and your sense of respect for the people of this state to support this amendment. Thank you.

SPEAKER BARRETT: Thank you. The question is the adoption of the Dierks amendment to LB 761. Those in favor vote aye, opposed nay. Have you all voted?

SENATOR DIERKS: Mr. Speaker, let's just have a call of the house and a reverse order roll call vote please.

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

CLERK: 17 ayes, 1 nay to go under call.

SPEAKER BARRETT: The house is under call. Members, please record your presence. Those outside the Chamber, please return and record your presence. Member, please take your seats in anticipation of a roll call vote in reverse order. Senator Scofield, Warner, Wesely, Kristensen, Senator Moore, Senator Lindsay, Senator Ashford, please. Senator Kristensen, the house is under call. Mr. Clerk, please proceed in reverse order.

CLERK: (Roll call vote taken in reverse order. See page 2357 of the Legislative Journal.) 16 ayes, 27 nays, Mr. President.

SPEAKER BARRETT: Motion fails. The call is raised. Mr. Clerk, what have you for the record?

CLERK: Mr. President, an Attorney General's Opinion addressed to Senator Haberman. (Re: LB 137. See pages 2358-59 of the Legislative Journal.)

Amendments to be printed to LB 781 by Senator Smith; Senator Nelson to LB 89; Senator Warner to LB 814, LB 813, LB 309A, LB 308. (See pages 2359-64 of the Legislative Journal.)

SPEAKER BARRETT: Record.

SENATOR LANDIS: ...already.

CLERK: 30 ayes, 0 nays on the motion to suspend the germaneness rule, Mr. President.

SPEAKER BARRETT: The germaneness rule is suspended. Senator Wehrbein, would you care to discuss the Ashford amendment?

SENATOR WEHRBEIN: Yes, Mr. Speaker, I just want to say I support this amendment.

SPEAKER BARRETT: Thank you. Any other discussion? Any closing comment, Senator Ashford?

SENATOR ASHFORD: I think it has been covered, thank you. I would just ask that the amendment be adopted.

SPEAKER BARRETT: Thank you. The question is the adoption of the Ashford amendment to LB 272. Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of Senator Landis's...Senator Ashford's amendment, excuse me.

SPEAKER BARRETT: The amendment is adopted.

CLERK: I have nothing further on the bill, Mr. President.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 272 as amended be advanced to E & R for Engrossment.

SPEAKER BARRETT: Thank you. The motion is to advance LB 272. Those in favor say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. Mr. Clerk, to LB 137.

CLERK: Mr. President, 137, I have no E & R. I have an amendment to the bill offered by Senator Chizek and a number of members. I believe Senator Chizek is excused until he arrives.

SPEAKER BARRETT: Is anyone authorized?

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LB 137, 137A, 215

SENATOR HABERMAN: Mr. President.

SPEAKER BARRETT: Senator Haberman.

SENATOR HABERMAN: Senator Chizek informed me that he wished to have that amendment withdrawn.

SPEAKER BARRETT: Thank you. It is withdrawn.

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

SPEAKER BARRETT: Thank you. Senator Lindsay.

SENATOR LINDSAY: Are we on the advancement of the bill?

SPEAKER BARRETT: Yes, sir.

CLERK: Advance.

SENATOR LINDSAY: Mr. President, I move that LB 137 be advanced to E & R for Engrossment.

SPEAKER BARRETT: Shall 137 be advanced to E & R? Those in favor say aye. Opposed no. Ayes have it, the bill is advanced. There is an A bill which I'd like to proceed to next, LB 137A which is not on the agenda, but I'd like to handle it right now. Mr. Clerk.

CLERK: Mr. President, I have no amendments to 137A.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 137A be advanced to E & R for Engrossment.

SPEAKER BARRETT: The question is the advancement of 137A. Those in favor say aye. Opposed no. Carried, the bill is advanced. LB 215.

CLERK: Mr. President, 215, Senator, I have E & R pending to the bill.

SPEAKER BARRETT: Senator Lindsay.

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

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LB 89, 137, 137A, 211, 215, 228, 279
289, 289A, 352, 639, 651, 651A, 761A
762A, 815A, 817A

Teachers buy books. Teachers buy supplies for kids that don't have them. They take money right out of their own pockets and give it to kids. And so it's...I guess that's one of the reasons why I feel very strongly about giving the money directly to teachers. Senator Warner's remarks struck a chord with me and reminded me of all the contributions that I know that individual teachers make to kids. And so I would urge us to get on with it. Let's pass this bill. It's time we did something for teachers.

SPEAKER BARRETT: Senator Schellpeper.

SENATOR SCHELLPEPER: I will give my time to Senator Moore.

SPEAKER BARRETT: Senator Moore.

SENATOR MOORE: Yes, Mr. Speaker. just to say I guess it's time to withdraw this. I apologize to the...to the original supporters of this bill, at least, because I think some of them wanted to read it tonight and because if my amendment was adopted, they couldn't, but I think it makes it a better bill, obviously, a bill that I can now support and I think there has been some fights among some varying entities on this bill. I think now we've got a bill that really does help education in the state. And, with that, I withdraw the amendment. The last things I will say on LB...the last things that all of us will say on LB 89 and come Monday we'll pass the bill over to the Governor.

SPEAKER BARRETT: Thank you. It is withdrawn. Anything further, Mr. Clerk?

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

SPEAKER BARRETT: Yes, for the record.

CLERK: Mr. President, amendments to be printed, Senator Scofield to LB 761A; Senator Chizek to LB 279. (See pages 2546-47 of the Legislative Journal.)

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 137, LB 137A, LB 211, LB 215, LB 228, LB 289, LB 289A, LB 352, LB 639, LB 651, LB 651A, LB 761A, LB 762A, LB 815A and LB 817A, Mr. President. (See pages 2548-50 of the Legislative

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LB 137A, 137, 211, 215, 228, 352, 639
761, 762, 780, 815, 815A, 817, 817A

voting, Mr. President.

PRESIDENT: LB 780 passes. We'll move on to LB 13....Oh, Senator Barrett, please.

SENATOR BARRETT: Thank you, Mr. President. I would move to suspend the rules in order to read the bills that were shared with the body just before lunch today. I believe the Clerk has the motion.

PRESIDENT: Mr. Clerk.

CLERK: Well, Mr. President, Senator Barrett would move to suspend Rule 6, Section 7(b) to permit consideration of LB 137, LB 137A, LB 211, LB 215, LB 228, LB 352, LB 639, LB 761, LB 762, LB 815, LB 815A, LB 817, and LB 817A on Final Reading today.

PRESIDENT: You've heard the motion. All in favor say aye...or vote aye. All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 36 ayes, 0 nays, Mr. President, on the motion to suspend the rules.

PRESIDENT: The rules are suspended and we'll go to LB 137 with the emergency clause attached.

CLERK: (Read LB 137 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 137 pass with the emergency clause attached? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on pages 2664-65 of the Legislative Journal.) 46 ayes, 0 nays, 3 present and not voting, Mr. President.

PRESIDENT: LB 137 passes with the emergency clause attached. LB 137A with the emergency clause attached.

CLERK: (Read LB 137A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 137A pass with the

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LB 137A, 137, 639, 739A, 744, 761, 762
767, 767A, 780

PRESIDENT: It is withdrawn. Please read the bill.

CLERK: (Read LB 639 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 639 pass? All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 2669-70 of the Legislative Journal.) 36 ayes, 8 nays, 5 present and not voting, Mr. President.

PRESIDENT: LB 639 passes. LB 761 with the emergency clause attached.

CLERK: (Read LB 761 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 761 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 2671 of the Legislative Journal.) 46 ayes, 0 nays, 3 present and not voting, Mr. President.

PRESIDENT: LB 761 passes with the emergency clause attached. LB 762, please.

ASSISTANT CLERK: (Read LB 762 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 762 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 2671-72 of the Legislative Journal.) The vote is 48 ayes, 0 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 762 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 767, LB 137A, LB 137, LB 780, LB 767A, LB 744, LB 739A,

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LB 137, 137A, 211, 215, 228, 352, 639
739, 739A, 744, 761, 762, 762A, 767
767A, 780, 815, 815A, 817
LR 115

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated immediately) ...W. Norris Legislative Chamber. We have with us this morning, as our Chaplain of the Day, Reverend Homer Clements of Saint Luke's United Methodist Church in Lincoln. Would you please rise for the invocation.

REVEREND CLEMENTS: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Reverend Clements. We appreciate it. Roll call, please.

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

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

CLERK: I have no corrections, Mr. President.

PRESIDENT: Good. Any messages, reports or announcements?

CLERK: Mr. President, just one item and that is a...your Enrolling Clerk did present to the Governor the last few bills read on Final Reading last evening, and that's all that I had, Mr. President. (See bills presented to the Governor regarding LB 767, LB 767A, LB 137, LB 137A, LB 744, LB 780, LB 739, LB 739A, LB 211, LB 215, LB 228, LB 352, LB 639, LB 761, LB 762, LB 762A, LB 815, LB 815A, and LB 817 as found on page 2677 of the Legislative Journal.)

PRESIDENT: Good. We'll move on to Legislative Resolution, LR 115.

CLERK: Mr. President, LR 115 is offered by Senator Baack. It's found on page 2092. It asks the Legislature to acknowledge the centennial celebration of Cheyenne County...Banner County. Banner County, excuse me, Senator.

PRESIDENT: Senator Baack, please.

SENATOR BAACK: They're fairly close together, I guess. Banner County at one time was a part of Cheyenne County, but is now a Banner County. Mr. President and colleagues, this is a resolution honoring Banner County for their 100th birthday that will take place this summer. Banner County was the first county