

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

January 25, 1989

LB 13, 18, 19-32, 58, 62, 70, 115
128, 134, 142, 156, 255, 279, 283
284, 296, 298, 312, 321, 322

SPEAKER BARRETT: Thank you. You have heard the closing on the advancement of 134. Those in favor of the motion to advance the bill please vote aye, opposed nay. Have you all voted on the advancement of LB 134? Record, please.

CLERK: 32 ayes, 0 nays, Mr. President, on the advancement of 134.

SPEAKER BARRETT: LB 134 is advanced to E & R. Anything for the record, Mr. Clerk?

CLERK: Mr. President, I do. Thank you. Your Committee on Transportation, whose Chair is Senator Lamb, to whom was referred LB 115, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 283, General File; LB 284, General File; LB 58, General File with amendments; LB 142, General File with amendments; LB 156, General File with amendments; and LB 128 indefinitely postponed. Those are signed by Senator Lamb. (See pages 439-41 of the Legislative Journal.)

General Affairs Committee, whose Chair is Senator Smith, reports LB 298 to General File, LB 70 to General File with amendments, and LB 62 indefinitely postponed. Those signed by Senator Smith as Chair. (See page 441 of the Legislative Journal.)

Your Committee on Education, whose Chair is Senator Withem, reports LB 312 to General File with amendments. That is signed by Senator Withem. Banking, Commerce and Insurance reports LB 279 to General File; LB 296, General File; LB 321, General File; LB 322, General File; those signed by Senator Landis as Chair. (See page 442 of the Legislative Journal.)

Mr. President, I have hearing notices from the Natural Resources Committee, signed by Senator Schmit; Health and Human Services, signed by Senator Wesely. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 13, LB 18, LB 19, LB 20, LB 21, LB 22, LB 23, LB 24, LB 25, LB 26, LB 27, and LB 28, and LB 29, LB 30, LB 31, and LB 32. The next bill, Mr. Clerk, LB 255.

SENATOR BEYER: Isn't it EC?

SENATOR CHAMBERS: No, it isn't. You asked me my license plate number...

SENATOR BEYER: Okay.

SENATOR CHAMBERS: ...and I am telling you, it is 1-E39.

SENATOR BEYER: Okay, thank you.

SENATOR CHAMBERS: The E for Ernie, the 39 for my age.

SPEAKER BARRETT: Anything further? Senator Baack, any closing statement.

SENATOR BAACK: I would simply move for advancement of the bill.

SPEAKER BARRETT: You have heard the motion to advance LB 142. Ail in favor of that motion vote aye, opposed nay. Have you all voted? Voting on the motion to advance LB 142 to E & R. Please record.

CLERK: 25 ayes, 5 nays, Mr. President, on the advancement of 142.

SPEAKER BARRETT: LB 142 is advanced. LB 156.

CLERK: Mr. President, LB 156 offered by Senators Hefner, Ashford, Pirsch, Lynch, Elmer, Beyer, Goodrich, Baack, Hall, Labedz, and Lindsay. (Read title.) The bill was introduced on January 5, referred to Transportation, advanced to General File. I do have committee amendments pending by the Transportation Committee. (See page 441 of the Legislative Journal.)

SENATOR L. JOHNSON PRESIDING

SENATOR L. JOHNSON: Senator Lamb.

SENATOR LAMB: Mr. President and members, this is another similar bill for Purple Heart veterans, and the committee amendments, consistent with the other bills, have placed the annual charge at \$5 and the effective date would be January 1, 1990. I move the committee amendments.

SENATOR L. JOHNSON: Is there discussion on the committee amendments? Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I concur with the Transportation Committee's decision. I think it is only right and proper that those that want the plates pay for the cost of them. This would cover the cost and a little more so, and these veterans have told me that they are willing to pay the cost. So I support the committee amendment.

SENATOR L. JOHNSON: Is there further discussion on the committee amendments? If not, Chairman Lamb, any closing? The question then is, shall the committee amendments on LB 156 be adopted? All those in favor vote by registering aye, opposed nay. Record, please.

CLERK: 30 ayes, 0 nays, Mr. President, on adoption of committee amendments.

SENATOR L. JOHNSON: On the bill, Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, this is the Purple Heart license plate bill. It looks to me like today is license plate day. I'm a co-sponsor of this bill along with a number of other senators, and I appreciate them signing onto the bill. But those veterans who have been awarded the Purple Heart would be eligible to purchase these special plates. A little while ago I had a Page pass out a proposed sample of what these plates would look like. This isn't the exact proposal but it would be something like this. These veterans would have to show proof to the Department of Motor Vehicles that they are recipients of the Purple Heart. The amendment says that they would pay \$5.00 for these plates and they have agreed to that. Only one vehicle to a qualified veteran could be issued and this is the Purple Heart license. I feel that this is an appropriate way to honor veterans who have served and sacrificed for our nation's benefit and so I would urge you to support this bill.

SENATOR L. JOHNSON: Is there further discussion on LB 156? Senator Chambers, you are recognized.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I had said I wouldn't speak on these but something occurred to me. There is going to be a transcription of the debate on each

one of these bills and I want it to be clear on each one of these bills that I opposed it very strenuously and I think this is...it defies description by me what is being done here today. I think people signed on this bill because they just couldn't say no and now that the floodgates are open, don't be surprised when other requests come in. I might even make some requests and we may as well. This is nonsensical. This is not giving an honor to somebody who got wounded, and, remember, these people didn't get wounded on purpose; they were doing everything they could to avoid it. Some of them were accidentally wounded. Some of them were wounded while fleeing so there is no need in us all of a sudden getting misty-eyed and creating some kind of mythical set of circumstances that justifies the license plates of this state being cluttered with all of this mishmash of one thing and another and that is exactly what it is. If a person has one of these medals, let him wear it wherever he goes. Let him put a sign on his chest if he wants to, freedom of speech, but to ask the state to be complicit in this kind of activity is a mistake. I think it is a violation of the duty that we have to show good judgment. We are not always should be moved by public opinion. At some point we're to serve an educational function and raise the level of understanding of the public as to what it is that a state is to do, what the Legislature as the policy-making, lawmaking body is supposed to do. Our example should be one of public courage. I don't think it would take courage, at least it doesn't for me, to speak against and vote against bills like this, but it might take that for others because they can't look somebody in the face and they will say, you voted against the veterans. You're not voting against veterans. You're voting against the misuse of an object that exists for a specific purpose, and I hope none of the senators will come up to me after this one and say, Ernie, you sure were right and I should have voted against it but I couldn't. I get tired of hearing that. If others have the feelings that I have, vote that way. This is a mistake. The other one was a mistake and the way to correct it is not to compound it by doing it over and over and over. How about a farmer wanting to put a tractor on the license plate saying, I survived the drought of 1988, how about that? And the only farmers who can get it are those who indeed rode the tractors themselves and he would have a picture of a little tractor up there, and then maybe a shock of corn on the other side to balance it, because this is an agricultural state and I think that would be quaint. I know what I'm going to do.

CLERK: Mr. President, Senator Chambers would move to indefinitely postpone LB 156. Senator Hefner, I believe you'd have the option to lay it over, Senator, if that was your inclination.

SENATOR L. JOHNSON: Senator Hefner.

SENATOR HEFNER: I'll take it up.

SENATOR L. JOHNSON: Senator Chambers, on the motion to indefinitely postpone.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, having the conviction I do about this, it's not enough for me merely to speak against it. I should take some affirmative act to try to stop it and I've done that by offering a kill motion and I offer it in all seriousness. And when we get to Select File, I'm going to offer a kill motion on the other one, too. There are a lot of important matters this session that I'm going to have to deal with and the rest of us are going to have to deal with. I have never used that as an argument against a senator bringing anything he or she wants to bring before the body but once it gets before us, then it has to be dealt with and there is a way that I think these types of things need to be dealt with and that is to dispatch them. So I want Senator Hefner and everybody else to understand that I'm not saying you have no right to offer these kind of bills. Anything can be offered but once out here, then we deal with it the way we think it should be dealt with. I'm not even going to say it's a waste of time for this to come before us because it creates an opportunity for certain issues to be discussed that I think go beyond just these license plates. There are times when we have to seriously stop and consider what our role and function are as a legislative body and it's not to placate or accommodate every whim that occurs to somebody. I don't know where the idea came from or who first got it that the license plates in Nebraska ought to have this picture on it or this symbol and these words. But the idea is all right for discussion in a coffee shop and it's all right for churches and other types of voluntary associations and organizations to put together ceremonies and whatever they want to do to honor these people or recognize them, but you're asking that the power of the state, the sovereign legislating authority of the people be utilized to do this kind of a thing. I think it's a mistake and I hope that there will be enough votes to kill this bill.

SENATOR L. JOHNSON: Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I oppose the kill motion. This is just an option. We're not forcing anybody to do anything. These Purple Heart veterans can do this if they care to and at the committee hearing there was a number that said that they would like to do it. They could do it now if they would buy a prestige plate. They can put six letters on and we have a bill here to increase that to seven letters on a prestige plate so they could put perhaps a P, heart, number one, or two, three, four, five and six. So they could do it now if they are willing to buy a purple...or buy a prestige plate. Senator Chambers said it's a misuse of our license plates. Well, if he thinks it's a misuse, well, then we should ban all of them, then we should not allow prestige plates on our vehicles. And so I just wanted to call this to your attention. There are many other states that do this. I see nothing wrong with it. I think it's a good way to honor some of those people that have given a lot for our country and this is why I am a co-sponsor of this. I'm not a co-sponsor of it because I didn't want to say no. I felt it was a good idea. I thought that we probably should have done it years ago but we didn't, and so now I am a sponsor of this to try to pass this bill. If you oppose it, well, I guess all you'd have to do is vote for the kill motion, but I hope there is enough in this body that would vote against the kill motion and then vote to advance this bill.

SENATOR L. JOHNSON: Thank you, Senator Hefner. Continuing the speaking order, Senator Warner is recognized for discussion of the bill.

SENATOR WARNER: Mr. President, members of the Legislature, I rise I guess mostly to explain my own vote and not to persuade anyone. But I happen to agree with the concept and always have, that a license plate ought to be what we originally used to call generic, that had the state and the proper identifying code and that's it. And I also appreciate, and we all know for a fact that once you start down this road there is no really good reason why you cannot add others. As an alternative which would seem to me to make more sense that would preserve the integrity of an identification system, which is what the license plate is for, perhaps a better alternative is to authorize by statute, because the law does prescribe to some extent what can and cannot be on a motor vehicle, that you have a variety of

additional plates that can be attached that may indicate a variety of things that the state wants to honor, which is appropriate, that the state wishes to honor the owner of that vehicle for some past service. But it seems to me that that can be done on a separate plate that would be authorized and attached on those vehicles where it was appropriate rather than using the method of numerically identifying the owner of a vehicle through a number and a registration. And that would be a more appropriate way to address these issues rather than a variety of official plates so issued.

SENATOR L. JOHNSON: Thank you, Senator Warner. Further discussion, Senator Landis is recognized.

SENATOR LANDIS: Thank you, Mr. Speaker. A little while ago Ernie said, listen, if you agree with me, then this is your time to vote with me. I wound up voting with Ernie but I don't agree with his reasons so I'm standing up and trying to explain my own reason which is different. If the rhetoric wasn't as wild, I think I would have just sat down here and cast my vote but I, too, want to explain it. The purpose of these plates are, I think, to honor a certain kind of sacrifice, fair characterization? Purple Hearts, DAV, veterans generally trying to recognize the sacrifice that an individual has paid on behalf of society in war time. And they've trickled in and I've had this little frown on my brow but I haven't said anything about it, and now that the gates are kind of opening up and some more coming in, I guess it's a little untimely now to make the argument, but the difficulty I've got is not whether a plate should or should not be used to do this, it's what role we have as a society to play in the recognition of sacrifice. I think there is two aspects to it. One is a public aspect in which we remember the significance of war and the sacrifice of war and one is a private recognition of the pain that that has caused. In one sense we've tried to compensate for personal pain by such things as VA hospitals and educational loans. I think that is reasonable. We wouldn't, I think, force somebody to put a decal on their window saying, I used the G.I. Bill, I've used a VA hospital. We wouldn't push somebody into recognizing themselves in that form. It has been a private and a confidential exchange but one that we've meant to reach out and recognize that sacrifice. On the public side, I think the way that we should do this, rather than plates, are ceremonies that we all share in and ceremonies that don't distinguish between the people who have sacrificed because that is what we are doing here. We're

making distinctions. We leave out a lot of people who sacrificed and sacrifices in wartime are immense, but I don't see a plate in there for people who lost a loved one; I don't see a plate in there for people who suffered a psychic injury; I don't see a plate in there for people who had a divorce or who had to forego a college education but came back unscathed. I don't see one in there for the women and the families who bore the psychic pain or sacrifice of staying here. Those sacrifices are being distinguished away to recognize only a certain portion of the soldiers' sacrifice, and I say that that pain of wartime is borne by the society, everyone. And the public ceremony is the way you pay the debt for that societal sacrifice that everybody paid. I don't think anybody came through the war unscathed. The kinds of sacrifices varied. The special and particular private sacrifices of an injury or whatever I think is compensable in a private fashion by making the compensation of veterans' benefits, education, health care and the like. But beyond that, any other individual sacrifice I think should be borne with dignity, should be borne privately and should be examined for what an individual learns from it rather than to be recognized in some public fashion by a recognition in law that some kinds of sacrifices were different...

SENATOR L. JOHNSON: One minute.

SENATOR LANDIS: ...and I think we intrinsically recognize the superiority of certain kinds of sacrifices and that is my problem. This, to me, does not mean a reasoned examination of the kinds of sacrifices that are made to preserve society which is what should be at stake in wartime. I don't see a plate in there for families, for women, for people who went into the workforce, the people who lost people and our debt, our sacrifice is social. It runs from the breadth and width of our society, and for that reason, I think there is no particular justification to support a special recognition of sacrifice. I'm going to vote against the bill.

SENATOR L. JOHNSON: Thank you, Senator Landis. Senator Lynch is recognized.

SENATOR LYNCH: Mr. President and members, this is one of those things you could argue either side, depending upon the mood you're in. I'm going to stand to support the kill motion. Just a minute on the previous bill, I should have stood up, I was curious about, for example, if someone is 100 percent disabled

and able to have a disabled veteran's license plate, does that plate, technical question we'll discuss later on Select File, does that plate permit him the same privileges for disabled parking, for example, that everybody else has? Generally those kind of people do have and are eligible for a disabled kind of license plate. On this particular bill I would agree with most of the speakers who support and are concerned about how far we go. By the way, there are over 24 different kinds of medals you can win for service. There are, I think, 35 different areas of service you can get campaign ribbons for. There is no end to what we could recognize or not recognize. Veterans of Foreign Wars is a large group of folks, there is a smaller group of folks who received Purple Hearts. I know an awful lot of folks who have Purple Hearts. Most that I talked to didn't intend to buy the license even if they had the provision. I haven't really talked to anybody who said, who was a Purple Heart recipient who said they really wanted one. It is my understanding, and I'm not sure I wasn't at the hearing then, the association, people that I knew that belong to the association did not support the legislation. I'd like to simply say that, you know, we talked about this quite a bit, that maybe we have gone far enough. Maybe the next motion should be that we discontinue to allow any more special plates as long as we have in the state the provision for you to spend fifty bucks and recognize yourself for an experience you had, good or bad, you have a chance to do that. I don't think people who have lost their license, for example, from drunken driving are going to buy, want a designated former drunken driving license plate, for example, so it would work both ways. If you want to recognize what you did good, maybe we ought to think about developing special plates for those that screwed up along the way. So in any case, I understand and appreciate Senator Hefner and other supporters of this legislation because these are good folks, but on the other hand, I think it has probably gone as far as we should go with this kind of a responsibility and I intend to vote for the kill motion.

SENATOR L. JOHNSON: Thank you, Senator Lynch. The Chair recognizes Senator Korshoj, please.

SENATOR KORSHOJ: Mr. Johnson and members, I have a question for Senator Hefner.

SENATOR L. JOHNSON: Senator Hefner.

SENATOR KORSHOJ: I'm standing on neither proponent or opponent, I'm neutral. This exam...no, I am neutral, I'm serious. This example you gave us of a license plate, is that all they can put on it? You know a lot of Purple Heart veterans are also POWs and et cetera. How much stuff can they pile on the plate? Is it limited to this or can they...how far can they go?

SENATOR HEFNER: Senator Korshoj, this sample that was drawn confirms to the bill that we're debating now. The bill says...

SENATOR KORSHOJ: Yeah, I never read it. Don't read the bill to me, just answer the question.

SENATOR HEFNER: Okay. This is what the bill says can be on the plate for this particular Purple Heart...

SENATOR KORSHOJ: Okay, so these people would choose which one they want, if the POW, et cetera, they can have one plate and this is all they can put on it then? Because a lot of these would be...

SENATOR HEFNER: This is all they can put on it...

SENATOR KORSHOJ: Yeah.

SENATOR HEFNER: ...according to LB 156, yes.

SENATOR KORSHOJ: Thank you. No more comment. I'll remain neutral.

SENATOR L. JOHNSON: Thank you, Senator Korshoj. The Chair recognizes Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. Chairman. I rise in support of the license plates for the Purple Heart and to tell you, quite frankly, I don't understand you people's priorities. You just passed a bill for disabled American veterans and now those who were injured or disabled in combat we suddenly say this is where we're going to draw the line. I don't understand that. We decreased the rates for amateur radio licenses but we cannot recognize Purple Heart veterans who were injured in combat? I don't understand that, and I would hope that you would give this bill the consideration that it deserves and vote against the kill motion and vote to advance it. Thank you.

SENATOR L. JOHNSON: Thank you, Senator Pirsch. Senator Labedz is recognized.

SENATOR LABEDZ: Thank you. Senator Pirsch practically took the words that I was going to say, but the other day you advanced a bill with hardly any debate whatsoever when I asked for seven letters to be put on a license plate and I was told that there are 12,000 people in this state that use the prestige plates now with the six letters. I asked for seven so that 18,000, approximately 18,000 is their estimate, will buy a prestige license plate. When we show number one on this license plate we are telling the people of Nebraska that whoever is driving that car received the Purple Heart and I can't understand why anyone would say it is all right for 18,000 people to have prestige plates and sometimes the wording on those plates are ridiculous and I'm the first one to admit that. But something like this, if it should pass me up driving, I would either bow my head or thank God that that person was able to drive that car and that he practically gave his life for his country. So I cannot understand Senator Chambers' motion to indefinitely postpone a license plate such as this when we will let the prestige license plates go on and on and on. And maybe in the next few years there might be 20 to 30,000 prestige plates in the State of Nebraska and yet we don't think that anyone that received the Purple Heart should be able to get a plate. I definitely oppose the indefinitely postponement of this bill.

SENATOR L. JOHNSON: Thank you. The Chair recognizes Senator Haberman, please.

SENATOR HABERMAN: Call the question.

SENATOR L. JOHNSON: The question has been called. Do I see five hands? I do. The question is on the closing of debate on the motion to kill. All those in favor vote aye, opposed nay. Voting on the motion to close debate. Record, Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, to cease debate.

SENATOR L. JOHNSON: Debate is closed. The Chair recognizes Senator Chambers for closing on his motion for indefinite postponement.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I think that the discussion was good. There are some things on

the record that needed to be put there and I hope that we will vote to indefinitely postpone this bill.

SENATOR L. JOHNSON: Thank you, Senator Chambers. You've heard the motion to indefinitely postpone LB 156. All those in favor vote aye, opposed no. Has everyone voted? Has everyone voted? Record, Mr. Clerk.

CLERK: 12 ayes, 22 nays, Mr. President, on the motion to indefinitely postpone.

SENATOR L. JOHNSON: The bill is not indefinitely postponed. Is there further discussion on the bill? Senator Hefner, do you have closing?

SENATOR HEFNER: Mr. President and members of the body, I move to advance LB 156 to E & R Initial. I want to thank those 22 senators that voted against the kill motion. I think it's only right and proper that we advance this bill. We have other prestige plates out there. We recognize other groups of people. I think if anybody is...if any group is worthy of being recognized, I think it is those Purple Heart veterans. If we want to kill this bill, then we should have absolutely no more prestige plates and I feel very strongly about that. I can't understand Senator Lynch. Senator Lynch was an introducer of this bill, he co-sponsored it, and now he didn't say why he has a change of heart. But I imagine he has his own reasons for that. So I would urge you to advance this bill.

SENATOR L. JOHNSON: Thank you, Senator Hefner. The question is on the advancement of LB 156 to E & R Initial. All those in favor vote aye, opposed nay. Has everyone voted? Record, Mr. Clerk. A record vote has been requested.

CLERK: (Record vote read. See page 453 of the Legislative Journal.) 26 ayes, 7 nays, Mr. President, on the advancement of LB 156.

SENATOR L. JOHNSON: LB 156 advances to E & R Initial. LB 298.

CLERK: Mr. President, LB 298 was a bill introduced by Senator Barrett and Senator Warner. (Title read.) The bill was introduced on January 10, referred to General Affairs, advanced to General File. I have no committee amendments, Mr. President.

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LB 142, 156

CLERK: 26 ayes, 5 nays, Mr. President, on the advancement of LB 142.

PRESIDENT: LB 142 advances. LB 156.

CLERK: Senator, the first item I have are E & R amendments.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I would move that the E & R amendments to LB 156 be adopted.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: Mr. President, Senator Chambers would move to indefinitely postpone the bill.

PRESIDENT: Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, in the interest of time, I'm not going to repeat what I said, other than to indicate, Senator Hefner, that what I said on the other bill goes double for this one.

PRESIDENT: Any further discussion? If not, the question is shall LB 156 be postponed? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 6 ayes, 12 nays, Mr. President, on the motion to indefinitely postpone.

PRESIDENT: The motion fails. Anything else on it, Mr. Clerk?

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

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 156, as amended, be advanced.

PRESIDENT: Machine vote has been requested. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please. Record vote has been asked for, requested.

February 1, 1989

LB 70, 156, 298

CLERK: (Read record vote as found on page 533 of the Legislative Journal.) 27 ayes, 5 nays, Mr. President, on the advancement of LB 156.

PRESIDENT: LB 156 advances. LB 70.

CLERK: Mr. President, I have E & R amendments to LB 70.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: There are E & R amendments?

CLERK: There are, yes, sir.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 70 be adopted.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted. Anything further?

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

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 70 be advanced, as amended.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It advances. We'll move on to General File, LB 298.

CLERK: Mr. President, General File, 298 was a bill introduced by the Speaker and Senator Warner. (Read title.) The bill was introduced on January 10, referred to General Affairs. The Legislature considered the bill on January 26, Mr. President. At that time there was an amendment to the bill by Senator Haberman that was adopted. There was an amendment to the Haberman amendment by Senator Landis that was adopted. Mr. President, I now have pending a motion to reconsider the adoption of the Haberman amendment, that is offered by Senator Moore and Senator Schimek. That motion, Mr. President, was filed on January 27th. It's found on Journal page 479.

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

February 2, 1989

LB 58, 70, 115, 119, 142, 156, 175
256, 261, 283, 284, 286, 298, 502
LR 23

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We're privileged to have a minister from Senator Bernard-Stevens' area and with us as our chaplain of the day, Reverend Patrick Skinner of the Wesleyan Church in North Platte. Would you please rise for the invocation.

REVEREND SKINNER: (Prayer offered.)

PRESIDENT: Thank you, Reverend Skinner. Please come back and see us again. Roll call, please.

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

PRESIDENT: Thank you. Do we have any corrections to be made in the Journal?

CLERK: No corrections this morning, Mr. President.

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

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 298 and recommend that same be placed on Select File. That is signed by Senator Lindsay as Chair. Enrollment and Review reports LB 58, LB 70, LB 115, LB 142, LB 156, LB 175, LB 256, LB 261, LB 283, LB 284 all correctly Engrossed. Those also signed by Senator Lindsay as Chair. (See page 553 of the Legislative Journal.)

Mr. President, your Committee on Natural Resources, whose Chair is Senator Schmit, to whom was referred LB 502, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 119 as indefinitely postponed, both those signed by Senator Schmit, and LB 286 as indefinitely postponed, that signed by Senator Schmit as well. (See page 554 of the Legislative Journal.)

Mr. President, new resolution by Senator Beyer and Senator Hefner. (Read brief description of LR 23. See page 555 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, confirmation report from the Education Committee. That is offered by Senator Withem as Chair.

February 9, 1989

LB 70, 115, 142, 156

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 70 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 669 of the Legislative Journal.) 41 ayes, 0 nays, 4 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 70 passes. LB 115.

CLERK: (Read LB 115 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 115 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 670 of the Legislative Journal.) 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 115 passes. LB 142.

CLERK: (Read LB 142 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 142 pass? All those in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote as found on page 671 of the Legislative Journal.) 37 ayes, 7 nays, 1 present and not voting, 4 excused and not voting, Mr. President, on the passage of 142.

PRESIDENT: LB 142 passes. LB 156.

CLERK: (Read LB 156 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 156 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

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LB 57, 58, 70, 94, 97, 115, 116
126, 133, 142, 156, 191, 229, 230
233, 251, 255, 256, 295, 327

CLERK: (Read record vote as found on pages 671-72 of the Legislative Journal.) 33 ayes, 11 nays, 1 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 156 passes. LB 256.

CLERK: (Read LB 256 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 256 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote as found on pages 672-73 of the Legislative Journal.) 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 256 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 57, LB 94, LB 97, LB 126 with the emergency clause attached, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, and LB 256. Mr. Clerk, do you have anything for the record?

CLERK: Mr. President, two items. Government Committee reports LB 191 to General File with committee amendments attached. I have amendments to be printed, by Senator Chambers, to LB 116. That's all that I have, Mr. President. (See page 673 of the Legislative Journal.)

PRESIDENT: Thank you. For those that are interested in the General File list that is coming up, we'll be skipping the third one, LB 744, and over on the back page LB 336. So, with that, we'll go to General File and LB 327.

CLERK: Mr. President, LB 327 was a bill introduced by Senator Wehrbein. (Read title.) The bill was introduced on January 11 of this year, referred to the Government Committee, advanced to General File. I have committee amendments pending by the Government Military and Veterans Affairs Committee, Mr. President.

PRESIDENT: Senator Baack, are you going to handle the committee amendments?

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LB 37, 48, 57, 58, 70, 77, 94
97, 115, 120, 126, 133, 142, 156
209, 229, 230, 233, 251, 255, 256
295, 311, 350, 521, 597, 598, 692
703, 777, 780

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 209 as amended be advanced.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. May I introduce a guest, please, of Senator Hefner. We have Mr. Art Anderson of Bloomfield, Nebraska. Would you please stand, Mr. Anderson. Thank you. Mr. Clerk, anything for the record?

CLERK: Yes, Mr. President, thank you. Your Committee on Appropriations gives notice of hearing for March 7...I'm sorry, for February 24. That's signed by Senator Warner. A location change for Appropriations hearings on March 1, also offered by Senator Warner.

Mr. President, General Affairs Committee offers LB 703 to General File; LB 777 to General File; LB 780 to General File. Those are signed by Senator Smith as Chair of the Committee.

Agriculture Committee reports LB 37 to General File with amendments; LB 120 to General File with amendments. Those are signed by Senator Johnson as Chair. (See pages 678-79 of the Legislative Journal.)

Mr. President, your Committee on Banking, Commerce and Insurance whose Chair is Senator Landis reports LB 77 to General File with amendments; LB 311, General File with amendments; LB 350, General File with amendments; LB 598, General File with amendments; LB 692, General File with amendments, and LB 597, General File with amendments. Those are signed by Senator Landis as Chair. (See pages 679-82 of the Legislative Journal.)

Your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 11:30 a.m. (Re: LB 57, LB 94, LB 97, LB 126, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, and LB 256.)

Mr. President, Senator Moore would like to print amendments to LB 48. (See page 682 of the Legislative Journal.)

And, Mr. President, Senator Weihing would like to add his name to LB 521 as co-introducer. That's all that I have, Mr. President.

February 15, 1989 LB 57, 58, 70, 74, 94, 97, 115
116, 126, 133, 142, 156, 175A, 177A
208, 229, 230, 233, 251, 255, 256
261A, 263, 267, 273, 281, 284A, 295
338, 378, 391, 398, 416, 443, 458
459, 499, 502

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber. Please rise for the opening prayer. Our Chaplain for the day is Father Daniel Sieker, of Blessed Sacrament in Lincoln. Father Sieker.

FATHER SIEKER: (Prayer offered.)

SPEAKER BARRETT: Thank you, Father Sieker. Please come back again. Roll call.

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

SPEAKER BARRETT: Thank you. Corrections to the Journal.

CLERK: I have no corrections, Mr. President.

SPEAKER BARRETT: Any reports, messages, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 502 and recommend that same be placed on Select File, LB 281 Select File, LB 416 Select File, LB 443 Select File, those signed by Senator Lindsay as Chair. Mr. President, your Committee on Enrollment and Review reports LB 74 as correctly engrossed; LB 116, LB 175A, LB 177A, LB 208, LB 261A, LB 263, LB 267, LB 273, LB 284A, LB 338, LB 378, LB 391, LB 398, LB 458, LB 459, and LB 499, all reported correctly engrossed, all signed by Senator Lindsay. (See pages 746-47 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read. Re: LB 57, LB 94, LB 97, LB 126, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, LB 256. See page 748 of the Legislative Journal.)