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

while you bring in your bills. If you have some, please bring them up. Do you have an announcement for us?

CLERK: Mr. President, Reference Committee will meet in five minutes in Room 2102; Reference Committee in Room 2102 in five minutes.

PRESIDENT: Reference Committee, please heed the announcement just made.

EASE

PRESIDENT: If you don't have anything to do, there is some dry edible beans up in front here, if you would like to help yourself you may. John Weihing knows all about them, so you can ask him if you want to know how to cook them of anything. (Gavel.) Senator Weihing.

SENATOR WEIHING: Mr. President and members of the Legislature, this year Nebraska is number one in the production of dry edible beans. I thought that you should realize that we have a very high standing with the production in the nation.

PRESIDENT: Mr. Clerk, you have something to do.

CLERK: Mr. President, your Committee on Agriculture, whose Chair is Senator Rod Johnson, to whom was referred LB 35, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 36 and LB 38 to General File, all signed by Senator Johnson as Chair.

Mr. President, new bills. (LBs 496-536. Read for the first time by title. See pages 258-66 of the Legislative Journal.)

Mr. President, in addition to those items, I have the hearing notice from the Health and Human Service Committee. Mr. President, a Reference Report referring LBs 463 through 495.

Mr. President, Transportation Committee, whose Chair is Senator Lamb, to whom was referred LB 79, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with committee amendments attached, and LB 158 to General File, both of those signed by Senator Lamb (See pages 268 of the Legislative Journal.)

I suppose, but is only applicable to new dairy operations. It does not affect existing dairy operations or potential construction on those existing facilities. So it would not affect...it somewhat grandfathers those others in. With that, I would move for the advancement of the bill.

SPEAKER BARRETT: Thank you, sir. Discussion on the motion to advance LB 38. If there is none, Senator Johnson, any closing? Thank you. The question is then the advancement of LB 38 to E & R Initial. Those in favor vote aye, opposed nay. Shall LB 38 be advanced? Have you all voted? Record, please.

CLERK: 31 ayes, 0 nays, Mr. President, on the advancement of LB 38.

SPEAKER BARRETT: The bill is advanced. LB 158, Mr. Clerk.

CLERK: Mr. President, 158 offered by Senator Labedz. (Read title.) The bill was introduced on January 5, referred to Transportation, advanced to General File. I have no amendments to the bill, Mr. President.

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

SENATOR LABEDZ: Thank you, Mr. President. LB 158 is a very simple bill that just does one thing. It would allow the prestige license plate to have seven characters instead of the currently allowed, which is six. The fiscal note states that there will be a one-time cost of an estimated 50,000 to provide the tooling necessary to produce seven-character plates. It is assumed that the cost will be borne by the General Fund since the prestige plates are deposited...or the fees are deposited to the General Fund. This bill may generate increased General Fund revenue if the additional one character to the plate results in additional individuals applying. And I have been told there is about 12,000 people that now have prestige plates and they're estimating that if we add one more character to the plates, there will be approximately 18,000 that will apply for the prestige plates. I urge the advancement of LB 158 to E & R Initial.

SPEAKER BARRETT: Thank you. You have heard the motion. Is there discussion? Seeing none, Senator Labedz, any closing?

SENATOR LABEDZ: Thank you, Mr. President. No closing.

SPEAKER BARRETT: Correction. We do have a light on. Senator Warner, please.

SENATOR WARNER: It's just a question. I understood there is a \$50,000 cost. Is there an A bill that's coming in to buy the equipment?

SPEAKER BARRETT: Senator Labedz.

SENATOR LABEDZ: Yes, there will be an A bill, Senator Warner. It's coming...

SENATOR WARNER: Chiefly, all I'm wondering is I thought...can the A bill...this could be advanced now and the A bill will follow then?

SENATOR LABEDZ: Absolutely right.

SENATOR WARNER: I just want to be sure. Thank you.

SENATOR LABEDZ: Thank you, Senator Warner.

SPEAKER BARRETT: Thank you. The Chair assumes you are ready to vote on the advancement of LB 158. Those in favor please vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

ChERK: 27 ayes, 1 may, Mr. President, on the advancement of LB 158.

SPEAKER BARRETT: LB 158 is advanced. LB 79, Mr. Clerk.

CLERK: Mr. President, 79, a bill offered by Senator Korshoj. (Read title.) The bill was introduced on January 5, referred to Transportation, advanced to General File. I have no amendments to the bill, Mr. President. Senator, you're absolutely, right, excuse me. Mr. President, I stand corrected. Senator Lamb, as Chair of the Transportation Committee, does have committee amendments pending.

SPEAKER BARRETT: The Chair recognizes the Chairman of the Transportation Committee, Senator Lamb.

SENATOR LAMB: Thank you, Mr. Speaker, and members of the Legislature, this is a bill that was brought to the

SPEAKER BARRETT: Proceed.

CLERK: Mr. President, I have a report of registered lobbyists for the week of January 19, as prepared by my office.

Mr. President, Business and Labor offers notice of hearing; Natural Resources Committee offers notice of hearing, signed by the respective chairs.

Natural Resources Committee reports on a confirmation hearing of Mr. Lawrence Myers.

Your Committee on Natural Resources to whom is referred LB 45 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 168 General File; LB 169 General File; LB 170 indefinitely postponed, those signed by Senator Schmit.

Enrollment and Review reports LB 190 to Select File; LB 35 to Select File with amendments; LB 36, Select File; LB 38, Select File with amendments; LB 158, Select File; LB 79, Select File; LB 53, Select File with amendments; LB 57, Select File and LB 123, Select File, those signed by Senator Lindsay as Chair, Enrollment and Review. (See pages 370-71 of the Legislative Journal for above announcements.)

Mr. President, the next amendment I have to LB 189 is offered by Senator Haberman. (Amendment appears on page 372 of the Legislative Journal.)

SPEAKER BARRETT: Senator Haberman, please.

SENATOR HABERMAN: Would you like to read the amendment, Mr. Clerk?

CLERK: (Read Haberman amendment.)

SENATOR HABERMAN: Mr. President, members of the body, the bill, LB 189, said, in essence, the chairperson and members shall be chosen in the same manner as chairpersons and members of the standing committees of the Legislature. That's fine. That's what we did. I agree with that. But now we reach the point that in 1991 should it or should it not be a standing committee? So let's examine the issue. If you will look on the work sheet dated January 20, 1989, there are 14 bills referred to General

SPEAKER BARRETT: Shall LB 35, as amended, be advanced? Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 36.

CLERK: On LB 36, Senator, no amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 36 be advanced.

SPEAKER BARRETT: Shall LB 36 be advanced? Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 38.

CLERK: LB 38, Senator, there are E & R amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 38 be adopted.

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

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 38 be advanced to E & R Final.

SPEAKER BARRETT: The question is the advancement of LB 38 to Final. Those in favor say aye. Opposed no. Carried. Advanced. LB 158.

CLERK: LB 158, Senator, no E & R. I do have an amendment from Senator Labedz to the bill.

SPEAKER BARRETT: Senator Labedz, please.

SENATOR LABEDZ: Thank you, Mr. President. This is a very simple technical amendment requested by the Department of Corrections. It makes it clear that the characters on the prestige license plates may be a different size than the letters on regular number plates. This is necessary since the letters on the prestige plates will have to be a different size to

include the additional character on the plate. Very simple technical amendment. I think there is a copy on your desk. Thank you.

SPEAKER BARRETT: Thank you. Discussion on the amendment offered by Senator Labedz. Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Would Senator Labedz yield to a question?

SPEAKER BARRETT: Senator Labedz.

SENATOR LABEDZ: Yes.

SENATOR BERNARD-STEVENS: Is this the bill...to clarify my mind, is this the bill that would allow all the whole word "Bernice" to be on a license plate? Is this that bill?

SENATOR LABEDZ: Yes, it is, Senator Bernard-Stevens, Dave, it is. It also includes the word "Senator". That's seven letters.

SENATOR BERNARD-STEVENS: Thank you.

SENATOR LABEDZ: So you can have Senator rather than Bernard-Stevens on your license plate.

SENATOR BERNARD-STEVENS: Thank you, because I would have to, for my own case, expand it too far. So it's seven. Thank you, Senator.

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

SENATOR LABEDZ: Thank you, Mr. President. Other than the fact that Senator Bernice will never have her name on her license plate.

SPEAKER BARRETT: Thank you. The vote is the adoption of the amendment offered by Senator Labedz to LB 158. Those in favor vote aye, opposed nay. Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of Senator Labedz's amendment.

SPEAKER BARRETT: The amendment is adopted. Anything further on

the bill?

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

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 158 be advanced.

SPEAKER BARRETT: You've heard the motion to advance LB 158, as amended. Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 79.

CLERK: LB 79, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 79 be advanced to E & R Final.

SPEAKER BARRETT: Shall LB 79 be advanced? Those in favor say aye. Opposed no. The ayes have it, motion carries, the bill is advanced. LB 53.

CLERK: Senator, I have E & R amendments on LB 53.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 53 be adopted.

SPEAKER BARRETT: Shall the amendments to LB 53 be adopted? Those in favor say aye. Opposed no. Ayes have it, they are adopted.

CLERK: Mr. President, Senator Weihing would move to amend the bill.

SPEAKER BARRETT: Senator Weihing, please.

SENATOR WEIHING: Yes, Mr. President, members of the Legislature, the bill revisor suggested that a...really a technical amendment. This amendment is to clarify that the appointment power still exists for the chief health officer. It's just a technical amendment. That amendment has been passed out to you, to LB 53. I move that we accept this.

January 24, 1989

LB 1-6, 8-12, 14-17, 35, 36, 38, 53 57, 67, 71, 79, 103, 123, 133 158, 180, 181, 190, 223, 236, 255 257, 277, 295, 297

LB 255 to General File, LB 257 to General File with amendments, LB 223 as indefinitely postponed. Banking, Commerce and Insurance Committee, whose Chair is Senator Landis, reports LB 295 to General File and LB 297 as indefinitely postponed. Your Committee on Revenue, whose Chair is Senator Hall, reports LB 133 to General File, LB 277 General File, LB 236 General File with amendments, LB 67 indefinitely postponed, LB 71, LB 103 and LB 181 all indefinitely postponed, all signed by respective Chairs. (See pages 413-14 of the Legislative Journal.)

Mr. President, I have notice of hearing from the Urban Affairs Committee, that is signed by Senator Hartnett; from the Education Committee signed by Senator Withem and from the Retirement Systems Committee signed by Senator Haberman.

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 35 and find the same correctly Engrossed, LB 36, LB 38, LB 53, LB 57, LB 79, LB 123, LB 158 and LB 190 all correctly Engrossed. (See pages 415-16 of the Legislative Journal.)

Mr. President, a communication from the Governor addressed to the Cierk. (Read communication re: LBs 1-6, LBs 8-12, LBs 14-17. See page 416 of the Legislative Journal.) Mr. President, that is all that I have at this time.

SPEAKER BARRETT: Thank you. Proceeding then to General File discussion, LB 180.

CLERK: Mr. President, 180 is a bill introduced by Senator McFarland. (Title read.) The bill was introduced on January 5, referred to Education. The bill was considered on the floor, Mr. President, on January 19. I now have pending an amendment from Senator McFarland. Senator, I understand the amendment you had printed on page 402 you want to withdraw that amendment.

SENATOR McFARLAND: I'd like to withdraw that, Mr. Clerk.

CLERK: Mr. President, Senator McFarland would move to amend the bill and, if I may, Senator, I'll read the language.

SENATOR McFARLAND: Please.

CLERK: (Read McFarland amendment. See page 417 of the Legislative Journal.)

for visiting us today. Mr. Clerk, LB 49.

ASSISTANT CLERK: (Read LB 49 on Final Reading.)

All provisions of law relative to procedure having been complied with, the question is, shall LS 49 pass? those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 2460-61 of the Legislative Journal.) The vote is 42 ayes, 2 mays, 1 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 49 passes. LB 49A, please.

ASSISTANT CLERK: (Read LB 49A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 49A pass? All those in favor vote aye, opposed nay, please. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 2461-62 of the Legislative Journal.) The vote is 40 ayes, 5 mays, 1 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 49A passes. LB 134, please.

ASSISTANT CLERK: (Read LB 134 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 134 pass? those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See page 2462 of the Legislative Journal.) The vote is 41 ayes, 2 mays, 3 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 134 passes with the emergency clause attached. LB 158.

ASSISTANT CLERK: (Read LB 158 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 158 pass? those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 2463 of the Legislative Journal.) 35 ayes, 10 nays, 1 present and voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 158 passes. LB 158A.

CLERK: (Read LB 158 on Final Reading.)

All provisions of law relative to procedure having been complied with, the question is, shall LB 158A pass? those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 2464 of the Legislative 33 ayes, 9 nays, 2 present and not voting, 5 excused Journal.) and not voting, Mr. President.

PRESIDENT: LB 158A passes. LB 162, please.

CLERK: (Read LB 162 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 162 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

(Record vote read. See page 2465 of the Legislative Journal.) 32 ayes, 10 mays, 3 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 162 passes. LB 162A.

CLERK: (Read LB 162A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 162A pass? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 2465-66 of the Legislative Journal.) 33 ayes, 9 nays, 3 present and not voting, 4 excused

May 17, 1989

LB 44, 44A, 49, 49A, 134, 137A, 158 158A, 162, 162A, 175, 175A, 182, 182A 198, 228, 228A, 305, 815, 816, 816A

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 228 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote as found on pages 2473-74 of the Legislative Journal.) The vote is 47 ayes, 0 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 228 passes. LB 228A.

ASSISTANT CLERK: (Read LB 228A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 228A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote as found on page 2474 of the Legislative Journal.) The vote is 45 ayes, 1 may, 2 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 228A passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 44, LB 44A, LB 49, LB 49A, LB 134 with the emergency clause attached, LB 158, LB 158A, LB 162, LB 162A, LB 175, LB 175A, LB 182, LB 182A, LB 198, LB 228, and LB 228A. Anything for the record, Mr. Clerk?

CLERK: Mr. President, yes, thank you. Your Committee on Enrollment and Review reports LB 305, LB 815, LB 816, and LB 816A as correctly engrossed, all signed by Senator Lindsay as Chair of Enrollment and Review. (See pages 2475-76 of the Journal.)

I have a confirmation hearing report from Health and Human Services Committee signed by Senator Wesely as Chair. That's all that I have, Mr. President.

PRESIDENT: We'll move on to LB 137A.

CLERK: Mr. President, 137A is a bill introduced by Senator Warner. (Read title.)

May 17, 1989

LB 44, 44A, 49, 49A, 134, 158, 158A 162, 162A, 175, 175A, 182, 182A, 198 211, 228, 228A, 308, 309, 309A, 362 377, 429 LR 88

Mr. President, bills read on Final Reading today have been presented to the Governor. (Re: LB 44, LB 44A, LB 49, LB 49A, LB 134, LB 158, LB 158A, LB 162, LB 162A, LB 175, LB 175A, LB 182, LB 182A, LB 198, LB 228 and LB 228A. See page 2482 of the Legislative Journal.)

Mr. President, amendments to be printed, Senator Hall to LB 211, Senator Ashford to LB 362, Senator Weihing to LB 377, Senator Lynch to LB 377. (See pages 2482-88 of the Legislative Journal.)

Enrollment and Review reports LB 308 as correctly engrossed, LB 309 and LB 309A as correctly engrossed.

And, Mr. President, I have a communication from the Chair of the Reference Committee rereferring study resolution LR 88 from the Banking Committee to the General Affairs Committee. That is signed by Senator Labedz as Chair. And that is all that I have, Mr. President.

PRESIDENT: We'll go to Final Reading on number 9. We'll start with LB 429, but we need to get into our seats and get ready for Final Reading, please. Mr. Clerk, LB 429.

CLERK: The first motion...I have motions on 429, the first is by Senator Wesely. Senator Wesely would move to return the bill, the purpose being to strike the enacting clause.

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: I will withdraw that amendment at this time.

PRESIDENT: All right, it is withdrawn.

CLERK: Mr. President, Senator Moore and Lindsay would move to return the bill for a specific amendment. (Moore-Lindsay amendment appears on page 2489 of the Journal.)

PRESIDENT: Senator Moore, please

SENATOR MOORE: Well, it's another one of those cows to the ring and see who bought her this time. This time it's one of my old rangy old cow. This one I believe in. This is the Bergan Mercy amendment. Now 429 is a bill dealing with certificate of need, 429 introduced by Senator Baack and the intention of this bill I

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.) Α fourth communication, Mr. President, Mr. President, and Senators. (Read. Re: LB 183, LB 183A.) fourth, M... President, to the Clerk. (Read. LB 132. Re: 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. pages 2720-22 of the Legislative Journal.)