

January 5, 1989

LB 48, 52, 84, 161-189

the Executive Board will meet in...the Reference Committee will meet in Room 2102 at three-fifteen today for purposes of referencing bills, Reference Committee at three-fifteen.

Mr. President, new bills. (Read LBs 161-189 by title for the first time. See pages 82-88 of the Legislative Journal.)

Mr. President, in addition to those items, I have requests from Senators Chambers, Nelson, Schellpeper, Hefner, Lamb, Crosby and Hartnett to add their name to LB 48 as co-introducer; Senator McFarland and Schellpeper to LB 52 as co-introducer and Senator Carson Rogers to LB 84 as co-introducer. (See page 88 of the Legislative Journal.)

PRESIDENT: No objections, so ordered.

CLERK: Mr. President, an announcement from the Agriculture Committee and signed by Senator Rod Johnson, the Ag Committee has selected Senator Owen Elmer as its Vice-Chairperson. Mr. President, I believe that is all that I have.

PRESIDENT: Ladies and gentlemen, we're about to start the proceedings for the afternoon, and we're very grateful to have with us Father Dawson this afternoon for our invocation. Would you please rise for Father Dawson.

FATHER DAWSON: (Prayer offered.)

PRESIDENT: Thank you, Father Dawson. Please feel free to stay with us as long as you like. We're privileged to have with us this afternoon the Nebraska National Guard who will present colors. Would you please rise.

PRESENTATION OF COLORS

PRESIDENT: Ladies and gentlemen of the National Guard, we appreciate your being with us and presenting the colors today. If I might say a word to those who will be escorting the folks in today, it will be necessary that we do it a little bit different than we usually do it. When one group of ushers brings in their group, please bring them up onto the stage and then retire back to your seats until the inauguration proceedings are over with and then I will call you back one group at a time to take your group back, because if we should all come in and all stay up here on the podium, we wouldn't have

January 20, 1989

LB 35, 36, 38, 45, 53, 57, 79
123, 158, 168-170, 189, 190

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: Thank you. Any other discussion on the bill? Any closing statement, Senator Bernard-Stevens?

SENATOR BERNARD-STEVENS: Just that we advance the bill at this point, Mr. President.

SPEAKER BARRETT: Thank you. You have heard the motion to advance LB 45 to E & R Initial. Those in favor of that motion vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to advance LB 45.

SPEAKER BARRETT: LB 45 is advanced. LB 168.

CLERK: LB 168, Mr. President, introduced by Senator Schmit. (Read title.) The bill was introduced on January 5, referred to Natural Resources, advanced to General File. I have no amendments to the bill.

SPEAKER BARRETT: The Chair recognizes the Chairman of the Natural Resources Committee, Senator Schmit.

SENATOR SCHMIT: Mr. President and members, this bill eliminates language which authorizes the shooting of crows, hawks and wolves on reservations and sanctuaries. It's technical in nature. Actually, there haven't been many wolves in Nebraska for quite a few years and so the language wasn't really necessary. It boils down to the fact that it says you can't shoot crows on game reserves and there are not very many of those in the State of Nebraska. But the Game and Parks did have a series of these bills which they wanted introduced for the purpose of cleaning up language. It's almost a redundant bill but I took it out of courtesy to the Game and Parks Commission. I would be glad to answer any questions and if not, I would assume that the bill could be moved forward.

SPEAKER BARRETT: Thank you. For purposes of discussion, Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. Speaker and members, I would have one question for Senator Schmit if he would yield.

SPEAKER BARRETT: Senator Schmit, would you respond?

SENATOR SCHMIT: Surely.

SENATOR R. JOHNSON: Senator Schmit, we do have an Animal Damage Control Program that's implemented primarily by the federal government and some local counties that contribute. If a predator happens to wander onto these sanctuaries, could the personnel from Animal Damage go in and eliminate those? Or is there any connection between those programs at all?

SENATOR SCHMIT: I think if the predator got onto the reserve, he would probably be home free.

SENATOR R. JOHNSON: Okay, that's all I need. Thank you.

SPEAKER BARRETT: Anything further? There are no lights on. Senator Schmit.

SENATOR SCHMIT: I move the bill be advanced.

SPEAKER BARRETT: Thank you. The question is the advancement of LB 168 to E & R. Those in favor vote aye, opposed nay. Record, please.

CLERK: 28 ayes, 0 nays, Mr. President, on the advancement of 168.

SPEAKER BARRETT: The bill is advanced. LB 169.

CLERK: LB 169, Mr. President, by Senator Schmit. (Read title.) The bill was introduced on January 5, referred to Natural Resources, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Loran Schmit, please.

SENATOR SCHMIT: Mr. President and members, this is another bill of the Game and Parks and it is designed to take care of technical changes in order that the regulations would conform with Coast Guard regulations. It changes (recorder malfunction)...of lighting on boats from points on the compass to degrees. I know you've all been waiting for this bill and so that's why we brought it up here early in the session. Any other questions? Any questions at all?

SPEAKER BARRETT: Any discussion? Seeing none, we...Senator

January 24, 1989

LB 45, 97, 168, 169, 229, 230, 232
233, 341

have it thoroughly considered, that all three bills should be considered at once since they deal with the same section. So I'll ask you for your vote to rerefer LB 341.

SPEAKER BARRETT: Thank you, Senator Pirsch. Discussion. Any discussion on the motion to rerefer LB 341? If not, Senator Pirsch, anything further?

SENATOR PIRSCH: Oh, I move for the adoption of the motion.

SPEAKER BARRETT: Thank you. The question is the rereferencing of LB 341 from Judiciary to Government. Those in favor of that motion please vote aye, opposed nay. Record, please.

CLERK: 32 ayes, 0 nays, Mr. President, on the motion to rerefer the bill.

SPEAKER BARRETT: LB 341 is rereferred. To General File, Mr. Clerk, LB 97.

CLERK: Mr. President, if I might right before that, some items for the record?

SPEAKER BARRETT: Certainly.

CLERK: Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 45 and recommend that same be placed on Select File with E & R amendments; LB 168 to Select File with E & R attached; LB 169 Select File, LB 229 Select File; LB 230 Select File; LB 232 Select File; LB 233 Select File, all signed by Senator Lindsay as Enrollment and Review Chair. (See page 412 of the Legislative Journal.)

Mr. President, the first bill for consideration this morning is LB 97. It was a bill introduced by Senator Landis. (Title read.) The bill was introduced on January 5, referred to the Banking Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: The Chair recognizes the Chairman of the Banking Committee, Senator Landis.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature, I promised that I'd try to do a little better job

SPEAKER BARRETT: The bill is on General File. The motion prevails. The bill is killed. I would like to ask for your indulgence for the movement of three bills on Select File. Anything for the record first, Mr. Clerk? Let's proceed to LB 45, Mr. Clerk.

CLERK: Mr. President, on LB 45, Senator Lindsay, I have E & R amendments pending, Senator.

SPEAKER BARRETT: Senator Lindsay.

CLERK: E & R amendments, Senator.

SENATOR LINDSAY: Mr. President, I would move that the E & R amendments to LB 45 be adopted.

SPEAKER BARRETT: Shall the E & R amendments to LB 45 be adopted? Those in favor say aye. Opposed no. Carried. They are adopted.

CLERK: I have nothing further, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 45 be advanced.

SPEAKER BARRETT: You have heard the motion to advance LB 45 as amended. Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 168, Mr. Clerk.

CLERK: LB 168, Senator, I have E & R amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 168 be adopted.

SPEAKER BARRETT: Thank you. Shall the E & R amendments be adopted to LB 168? All in favor say aye. Opposed no. Carried. They are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

January 25, 1989

LB 13, 18, 19-32, 89, 114, 122, 165
168, 169, 177, 221, 254, 646, 742

SENATOR LINDSAY: Mr. President, I move that LB 168 be advanced as amended.

SPEAKER BARRETT: Shall 168 be advanced? Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 169.

CLERK: LB 169, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 169 be advanced.

SPEAKER BARRETT: You have heard the motion to advance 169. Those in favor say aye. Opposed no. Carried. The bill is advanced. Thank you. Messages on the President's desk.

CLERK: Mr. President, your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 11:11 a.m. (Re: LB 13, LB 18, LB 19, LB 20, LB 21, LB 22, LB 23, LB 24, LB 25, LB 26, LB 27, LB 28, LB 29, LB 30, LB 31, and LB 32. See page 445 of the Legislative Journal.)

Mr. President, your Committee on Government, Military and Veterans Affairs reports LB 165 to General File with amendments; LB 177 to General File with amendments; LB 254 General File with amendments, all signed by Senator Baack as Chair. Banking Committee reports LB 221 to General File with amendments, that is signed by Senator Landis. Transportation Committee reports LB 114 to General File with amendments; and LB 122 as indefinitely postponed. Those are all signed by Senator Lamb as Chair. (See pages 445-446 of the Legislative Journal.)

Mr. President, I have a hearing notice from the Government, Military and Veterans Affairs Committee. That is signed by Senator Baack.

Mr. President, Senator Hartnett would like to have an Executive Session I believe in the Senators Lounge upon adjournment; Urban Affairs Committee, Senators Lounge upon adjournment.

Mr. President, Senator Crosby would like to add her name to LB 89; Senator Smith to LB 646; and Senator Labeledz to LB 742. That is all that I have, Mr. President.

January 26, 1989

LB 43, 45, 113, 133, 134, 168, 169
171, 172, 255, 257, 277, 295

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George Norris Legislative Chamber, the opening of the 15th day in this, the First Session of the Ninety-first Legislature. For our opening prayer the Chaplain of the day, the Reverend David Quam, Central Alliance Church in Lincoln. Pastor Quam, please.

REVEREND DAVID QUAM: (Prayer offered.)

SPEAKER BARRETT: Thank you, Reverend Quam, hope you can come back again. Roll call.

CLERK: Twenty-nine members present this morning, Mr. President.

SPEAKER BARRETT: Thank you. With a quorum present, any corrections to the Journal?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any messages, reports, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 134 and recommend the same be placed on Select File; LB 255, LB 257, LB 295, LB 133, and LB 277, those on Select File, some of which have E & R amendments attached. (See page 449 of the Legislative Journal.)

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 45 and find the same correctly engrossed; LB 168 and LB 169, also correctly engrossed.

Mr. President, your Committee on Natural Resources, whose Chair is Senator Schmit, to whom was referred LB 43 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 113, LB 171, LB 172, all advanced to General File, all signed by Senator Schmit as Chair.

Mr. President, a hearing notice from the Natural Resources Committee for Thursday, February 2. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. To item number five on the agenda,

February 7, 1989

LB 45, 168, 169, 207

Legislative Journal.) The vote is 44 ayes, 0 nays, 1 present and not voting, 4 excused, Mr. President.

PRESIDENT: LB 207 passes. LB 45.

ASSISTANT CLERK: (Read LB 45 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 45 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 623 of the Legislative Journal.) 44 ayes, 0 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 45 passes. LB 168.

CLERK: (Read LB 168 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 168 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 624 of the Legislative Journal.) 45 ayes, 0 nays, 1 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 168 passes. LB 169.

CLERK: (Read LB 169 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 169 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 625 of the Legislative Journal.) 44 ayes, 0 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 169 passes.

CLERK: Mr. President, items for the record, thank you. Your

February 7, 1989

LB 35, 38, 45, 51, 53, 60, 79
92A, 123, 168, 169, 189, 190, 207
379

Committee on Education whose Chair is Senator Withem would report LB 379 to General File and that is signed by Senator Withem as Chair of the Education Committee, Mr. President, and that is all that I have. (See page 625 of the Legislative Journal.)

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 35, LB 38, LB 53, LB 79, LB 123, LB 190, LB 51, LB 60, LB 189, LB 207, LB 45, LB 168, LB 169. (See page 625 of the Legislative Journal.) We'll move on to the General File A bills and, Senator Barrett, did you wish to make an announcement about later taking up the Select File?

SPEAKER BARRETT: Yes, Mr. President. Thank you, and members, just a reminder of something we've done in the past on numerous occasions, if we perchance have not completed Select File by adjournment time at noon, I'd like very much with your leave to move those bills on to Final that are not amended. Those bills that are clean, I'd like to move them, if at all possible, before we adjourn if we haven't completed Select File. Thank you.

PRESIDENT: Thank you, and in checking with the Clerk, he tells us he will be in shape to take those up a little bit before noon, so that will be fine. Thank you, Speaker Barrett. LB 92A, Mr. Clerk.

CLERK: Mr. President, 92A was a bill offered by Senator Landis. (Title read.)

PRESIDENT: Senator Landis, please.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, this is the omnibus insurance act. The Insurance Department is a cash funded agency based on examination fees that they obtain. This, I believe, is the reappropriation of roughly \$50,000 to accomplish the tasks of the bill and I would ask that we advance LB 92A to accompany LB 92.

PRESIDENT: Any further discussion? If not, the question is the advancement of LB 92A. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

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

February 7, 1989

LB 36, 38, 45, 46, 51, 53, 60
79, 123, 145, 168, 159, 189, 190
207, 237, 273, 308, 338, 410, 414
418, 431, 449, 458, 506, 706, 733

LB 36, LB 38, LB 53, LB 79, LB 123, LB 190, LB 51, LB 60,
LB 189, LB 207, LB 45, LB 168, and LB 169.)

Retirement Systems reports LB 46 to General File; LB 308,
General File; LB 145, General File with amendments; LB 237,
General File with amendments; LB 418, General File with
amendments; LB 506, General File with amendments. Those are all
signed by Senator Haberman as Chair. (See pages 635-40 of the
Legislative Journal.)

Health Committee reports LB 449 to General File with amendments;
LB 733, General File with amendments. Those are signed by
Senator Wesely as Chair. Business and Labor reports LB 410 to
General File; LB 414, General File. Those are signed by Senator
Coordsen as Chair. Banking Committee reports LB 431 to General
File; LB 706, General File. Those are signed by Senator Landis
as Chair. (See page 637 of the Legislative Journal.)

Mr. President, Senator Rogers has amendments to be printed to
LB 273; Senator Labedz to LB 338; Senator Smith to LB 338; and
Senator Nelson to LB 458. That's all that I have,
Mr. President. (See pages 637-38 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. The Chair recognizes Senator
Conway. Would you care to adjourn us, Mr. Conway.

SENATOR CONWAY: Mr. Speaker, members, I move that we adjourn
until 9:00 a.m., February 8th.

SPEAKER BARRETT: Thank you. You've heard the motion to adjourn
until tomorrow morning at nine o'clock. Those in favor say aye.
Opposed no. Carried, we are adjourned.

Proofed by: Arleen McCrory
Arleen McCrory

February 10, 1989 LB 35, 36, 38, 42, 44, 45, 51
53, 60, 79, 110, 123 140, 168
169, 189, 190, 207, 408, 607, 610
708, 775
LR 2, 29

for the record, Mr. Clerk, at this time?

CLERK: I do, Mr. President. Mr. President, your Committee on Judiciary whose Chair is Senator Chizek reports LB 42 to General File; LB 44, General File; LB 708, General File; and LB 110 as indefinitely postponed. Those are signed by Senator Chizek.

Mr. President, Revenue committee whose Chair is Senator Hall reports LR 2CA to General File; LB 607, General File with amendments; LB 775, General File with amendments. Those are signed by Senator Hall. (See pages 690-91 of the Legislative Journal.)

Health and Human Services Committee whose Chair is Senator Wesely reports LB 610 to General File with amendments. (See page 691 of the Legislative Journal.)

Mr. President, Report of Registered Lobbyists for this past week as required by statute. (See page 692 of the Legislative Journal.)

I have amendments to be printed to LB 408 by Senator Barrett.

Mr. President, communication from the Governor to the Clerk. (Read communication regarding signing of LB 35, LB 36, LB 38, LB 53, LB 79, LB 123, LB 190, LB 51, LB 60, LB 189, LB 207, LB 45, LB 168 and LB 169. See page 693 of the Legislative Journal.)

Mr. President, your Committee on Enrollment and Review reports LB 140 to Select File with E & R amendments attached. (See page 693 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: We'll move on to LR 29, please.

CLERK: Mr. President, LR 29 was offered by Senator Langford. It's found on page 656. (Read resolution.)

PRESIDENT: Senator Langford, please.

SENATOR LANGFORD: Mr. President and colleagues, I offer this resolution with a great deal of joy because this gentleman plays cards and plays golf with Jack, my husband, every day, practically, in the summer. He has been instrumental in the