

January 27, 1989

LB 70, 166, 177A, 261A, 277, 277A, 284A
312A

have it, motion carried, the bill is advanced. Anything for the record, Mr. Clerk?

CLERK: Mr. President, I do, thank you. Your Committee on Banking, Commerce and Insurance gives notice of hearing. That is signed by Senator Landis. Natural Resources Committee gives notice of hearing, signed by Senator Schmit. Urban Affairs Committee gives notice of hearing. That is signed by Senator Hartnett. Revenue Committee gives notice of hearing. That is signed by Senator Hall. Transportation Committee offers notice of hearing. That is signed by Senator Lamb.

New A bills, Mr. President. (Read LB 177A, LB 261A, LB 277A, LB 284A, and LB 312A by title for the first time. See pages 470-71 of the Legislative Journal.)

Mr. President, I have a Report of Registered Lobbyists for this past week. Mr. President, Natural Resources Committee would report LB 166 to General File with committee amendments attached. That is signed by Senator Schmit as Chair. That is all that I have, Mr. President. (See page 472 of the Journal.)

SPEAKER BARRETT: Thank you. Proceeding then to General File discussion on LB 70, Mr. Clerk.

CLERK: Mr. President, LB 70 was a bill that was introduced by Senator Smith. (Read title.) The bill was introduced on January 5 of this year, referred to the General Affairs Committee. The bill was advanced to General File. I do have committee amendments pending by the General Affairs Committee, Mr. President.

SPEAKER BARRETT: The Chair recognizes the Chairperson of the General Affairs Committee, Senator Smith. (Gavel.)

SENATOR SMITH: Thank you, Mr. Chairman. Members of the body, we have committee amendments on the bill, on LB 70. What it will simply do is to strike language allowing the commission to charge a fee for the warning signs. The commission would then pick up the cost of producing and distributing the signs. The cost on...the original cost on it was approximately \$500.

SPEAKER BARRETT: Are you....

SENATOR SMITH: Did you want me to give a short version of what

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LB 175A, 177A

advancement of the bill. All those in favor vote aye, opposed nay. Please vote if you care to. We're voting on the advancement of LB 175A. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, on the advancement of 175A, Mr. President.

PRESIDENT: LB 175A advances. LB 177A.

CLERK: LB 177A by Senator McFarland. (Title read.)

PRESIDENT: Senator McFarland.

SENATOR MCFARLAND: Yeah, what I told you before applies to this bill. This is the protocol act. This will appropriate funds for the carrying out of the act. The bill is on Select File. I'd ask you advance the A bill. Thank you.

PRESIDENT: Any further discussion? If not, the question is the advancement of LB 177A. All those in favor vote aye, opposed nay. Senator McFarland.

SENATOR MCFARLAND: May as well have a call of the house, Mr. President. I think we've waited long enough.

PRESIDENT: The question is, shall the house come under call? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 11 ayes, 1 nay to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please return to your desks and record your presence, please. Those not in the Chamber, please return to the Chamber so that we may continue and record your presence. Please look up to see if you have illuminated your light. Senator Hefner, would you record your presence, please. Senator Warner, would you record your presence, please. Senator Landis, would you record your presence, please. Looking for Senator Abboud and Senator Bernard-Stevens, Senator Schellpeper, Senator Schmit. Senator McFarland, did you want to authorize call ins? You didn't say did you, or did you?

SENATOR MCFARLAND: Call ins would be fine, Mr. President.

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LB 177A, 261A

PRESIDENT: Okay. And the question, ladies and gentlemen, is the advancement of LB 177A. We're still looking for Senator Bernard-Stevens, Senator Schmit and Senator Schellpeper. We are now looking for Senator Schellpeper and Senator Schmit. Senator Schellpeper is on his way. Senator McFarland, did you request a roll call vote?

SENATOR MCFARLAND: No, it's not necessary.

PRESIDENT: We've already taken a machine vote and...you do want a roll call vote? All right. A roll call vote has been requested, ladies and gentlemen. The question is the advancement of LB 177A. Would you please hold your conversation down so the Clerk can hear your response, please. Mr. Clerk.

CLERK: (Roll call vote taken. See pages 626-27 of the Legislative Journal.) 31 ayes, 14 nays, Mr. President, on the advancement of 177A.

PRESIDENT: LB 177A advances. The call is raised. LB 261A.

CLERK: Mr. President, 261A by Senator Kristensen. (Title read.)

PRESIDENT: Senator Kristensen, please.

SENATOR KRISTENSEN: Thank you, Mr. President. Just to remind the body, LB 261A deals with changing the Workers' Compensation Court to allow for hearings to be held outside of the City of Lincoln in accidents which involve employees of the State of Nebraska who are injured outside of the state. Under the current law, if they are injured outside of the state, they must have their hearing in the City of Lincoln. This bill basically just allows for the funding of additional travel for about two weeks of the Workers' Compensation Court to go out to western Nebraska and hear cases for two weeks and it is approximately \$912.

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

CLERK: 29 ayes, 0 nays, Mr. President, on the advancement of LB 261A.

February 8, 1989

LB 43, 80, 82, 92, 92A, 106, 113
116, 158A, 165, 166, 171, 172, 175A
177A, 177, 194, 200, 208, 238, 261A
267, 277A, 284A, 296, 312A, 312, 321
322, 353, 357, 369, 458, 459

PRESIDENT: Senator Nelson, would you object to the bracketing?

SENATOR NELSON: No. I just tried to get some attention on my mike. I didn't run up there at the front and no one asked me. I didn't say yes, I didn't say no, and it is all right with me to pass over the bill until February 22. As I've said many times, I'm willing to listen, I'm willing to learn, I'm willing to amend the bill as it is, but we're talking about a serious thing so I'm very willing.

PRESIDENT: May I ask, are there any objections to bracketing this bill until February 22? If so, now is the time to say so. If not, the bill is bracketed until February 22. Do you have anything for the record, Mr. Clerk?

CLERK: Mr. President, I do, thank you. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 92 and recommend that same be placed on Select File; LB 459 Select File; LB 458 Select File; LB 116 Select File; LB 267, LB 208, LB 92A, LB 158A, LB 175A, LB 177A, LB 261A, LB 277A, LB 284A, LB 312A, all on Select File. Those are signed by Senator Lindsay. (See pages 647-51 of the Legislative Journal.)

Mr. President, your committee on Transportation whose Chair is Senator Lamb reports LB 369 to General File with amendments. That is signed by Senator Lamb. Your Committee on Enrollment and Review reports LB 43, LB 80, LB 82, LB 106, LB 113, LB 165, LB 166, LB 171, LB 172, LB 177, LB 194, LB 200, LB 296, LB 312, LB 321, LB 322 and LB 353 all are reported correctly engrossed, Mr. President. That is all that I have at this time, Mr. President. (See page 651 of the Legislative Journal.)

PRESIDENT: Very good. We'll move on then LB 238.

CLERK: Mr. President, 238 was a bill that was introduced by Senator Hall. (Title read.) The bill was introduced on January 9, referred to Business and Labor, advanced to General File. I do have committee amendments pending by the Business and Labor Committee, Mr. President.

PRESIDENT: Senator Coordsen, are you going to handle those committee amendments?

February 13, 1989 LB 175A, 177A, 261A, 284A, 338

Opposed no. Carried, the bill is advanced. Mr. Clerk.

CLERK: LB 177A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 177A be advanced to E & R Final.

SPEAKER BARRETT: Shall LB 177A be advanced? All in favor say aye. A request for a machine vote on 177A. Those in favor vote aye, opposed nay. Please record.

CLERK: 25 ayes, 3 nays, Mr. President, on the advancement of 177A.

SPEAKER BARRETT: LB 177A is advanced. LB 261A.

CLERK: LB 261A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 261A be advanced.

SPEAKER BARRETT: Shall 261A be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. LB 284A.

CLERK: LB 284A, Senator, no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 284A be advanced.

SPEAKER BARRETT: Shall LB 284A be advanced? All in favor say aye. Opposed no. Ayes have it, the bill is advanced. LB 338.

CLERK: LB 338, Mr. President, has E & R amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 338 be adopted.

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.)

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LB 177A, 177

PRESIDENT: Senator Moore, please.

SENATOR MOORE: (Microphone not immediately activated.)..in about 30 seconds. Since it's been about three months since we debated this bill, I was hope...just want to remind the body of this Protocol Act, a bill that was around last year the Governor vetoed. Just simply encourage the body to oppose this bill as was said on General and Select File by a quote I'm not going to take credit for, I think Senator Warner said it, on the other programs many times the only way you keep a program from growing is not to start it. Though \$80,000 is indeed a minuscule amount given the hundreds of millions that we're spending this year, I think this protocol position is something that I think is unnecessary. It can be done with an existing state statute and can be done with existing officers of state government, and for those reasons I simply rise to oppose the bill if the body will vote against it's advancement. And now, that the body has been duly reminded of the lack of wisdom if they would pass this bill, I withdraw the amendment.

PRESIDENT: Read the bill, Mr. Clerk, please.

CLERK: (Read LB 177 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 177 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 as found on page 2687 of the Legislative Journal.) 25 ayes, 20 nays, 4 present and not voting, Mr. President.

PRESIDENT: LB 177 passes. LB 177A.

CLERK: Mr. President, Senator Moore would move to return the bill to strike the enacting clause.

PRESIDENT: Senator Moore, please.

SENATOR MOORE: Yes, Mr. President, just to...on the A bill. This is one of those few occasions where, at least in my opinion, given the amendment we adopted on Friday night that created the Cash Fund, if Senator McFarland would yield to a

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LB 177A

question.

PRESIDENT: Senator McFarland, will you respond to a question, please?

SENATOR MOORE: Now we created the Cash Fund with the amendment that you introduced on Friday night, correct?

SENATOR MCFARLAND: Yes, we did.

SENATOR MOORE: Well, given the Cash Fund that was created, obviously that was half the amendment that I introduced on General and Select File and so private corporations and people interested in this Protocol Division could now contribute money to the Protocol Officer, correct?

SENATOR MCFARLAND: Exactly, and they have done that in the past on foreign visitors and dignitaries. They've given them gifts and contributed money.

SENATOR MOORE: Well, the only reason I rise to state then, and I will, along with Senator McFarland, don't have any balance on my time to argue it, but I think this is one of those rare occasions we don't necessarily have to have the A bill. By creating in statute, you've created the office, and if there is sufficient interest among private corporations, the public in general, or foreign dignitaries, the Cash Fund could finance this particular Protocol Officer at the level there is interest. And, for that reason, I simply would urge the body that they, even though you voted for the bill, feel free to vote against the A bill and you still have created that Protocol Office and it can be funded if there is interest, and I withdraw the motion after Senator McFarland has any time to respond.

PRESIDENT: Senator McFarland, would you like to respond?

SENATOR MCFARLAND: Yes, I'd be glad to. In the past, there have been private individuals and businesses that have given gifts to foreign visitors and dignitaries in the way of, oh, items, awards, hats, mementos, all that kind of thing. Also, they have provided cash funds to pay for meals, expenses, hotel bills, things like that. The idea of the Cash Fund was certainly a way to allow that practice to continue and, in fact, reduce any expense that might be incurred by the bill itself. Certainly it's not going to be a completely self-funding operation at

first, but the Cash Fund does allow that if the...if there are sufficient funds there, then there won't have to be an expenditure of state funds. But to start up, I think we need to have the A bill. It certainly needs to have some initial funding for the Protocol Office itself. After that and if we find in the future that it's not necessary and there are enough private contributions to support the process and support the duties that the Protocol Office performs, then maybe later we could do that, but right now I think the A bill is essential to have it. Thank you.

PRESIDENT: And, Senator Moore, you wish to withdraw it. Fine. Read the bill, please.

CLERK: (Read LB 177 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 177A pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please?

CLERK: (Record vote read as found on page 2688 of the Legislative Journal.) 25 ayes, 19 nays, on the passage of the bill, Mr. President.

PRESIDENT: LB 177A passes. LB 187.

CLERK: Mr. President, I have two motions on the bill. I have a priority motion. Senator Lynch would move to bracket LB 187 until January 3, 1990.

PRESIDENT: Senator Lynch, please.

SENATOR LYNCH: Mr. President and members, I would ask for your permission to bracket 187, which I don't think will be hard to get to tell you the truth. I do it, just quickly, for a number of reasons. I didn't know at the time we were pursuing LB 187 that LB 525 was coming down the pike, and I know this year is a difficult year with funds. This is about \$7.2 million which wouldn't be spent until 1990 and '91. I also have terrible problems with the A bill which provides for...well, I'll talk about the A bill when we get to that. But, in any case, I also know that we all have to give and take a little. I think we have to do a better job helping the body to understand who, in fact, would be served by this and it probably would be good to

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LB 75, 89, 89A, 147, 177, 177A, 272
279, 289A, 289, 487, 487A

ASSISTANT CLERK: (Read LB 272 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 272 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read as found on page 2691 of the Legislative Journal.) Vote is 47 ayes, 0 nays, 2 present not voting, Mr. President.

PRESIDENT: LB 272 passes with the emergency clause attached. I understand we're going to skip LB 272A for the moment and continue on with LB 279 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 279 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 279 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read as found on page 2692 of the Legislative Journal.) Vote is 44 ayes, 0 nays, 5 present and not voting, Mr. President.

PRESIDENT: LB 279 passes with the emergency clause attached. While the Legislature's in session and capable of transacting business, I propose to sign and do sign LB 147, LB 487, LB 487A, LB 75, LB 89, LB 89A, LB 177, and LB 177A. Continue on with LB 289 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 289 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 289 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read as found on page 2693 of the Legislative Journal.) 44 ayes, 0 nays, 2 present not voting, 3 excused not voting, Mr. President.

PRESIDENT: LB 289 passes with the emergency clause attached. LB 289A with the emergency clause attached.

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LB 75, 89, 89A, 147, 177, 177A, 272A
311, 362A, 377, 487, 487A
LR 224, 225, 226

SPEAKER BARRETT: LB 362A passes. LB 377.

ASSISTANT CLERK: (Read LB 377 on Final reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 377 become law? Those in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See pages 2702-03 of the Legislative Journal.) The vote is: 48 ayes, 0 nays, 1 present and not voting, Mr. President.

SPEAKER BARRETT: LB 377 passes. Matters for the record, Mr. Clerk.

CLERK: Mr. President, your Enrolling Clerk has presented to the Governor bills read...some of the bills read on Final Reading this morning. (See page 2703 regarding LB 147, LB 487, LB 487A, LB 75, LB 89, LB 89A, LB 177 and LB 177A.)

Mr. President, LB 311 is reported correctly enrolled.

Mr. President, new resolutions. LB 224 by Senator Conway. (Read brief description of LR 224 as found on pages 2703-04 of the Legislative Journal.) LR 225 by Senator...by the Appropriations Committee. (Read brief description of LR 225 as found on pages 2704-06 of the Legislative Journal.) That will be laid over, Mr. President. LR 226 offered by Senators Pirsch, Beck, Hannibal, Ashford, Chizek, Hall, Labedz, Lynch, Abboud and Chambers. (Read brief description of LR 226 as found on pages 2706-07 of the Legislative Journal.) That, as well, will be laid over. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Directing your attention now to the agenda to LB 272AE which we moved over earlier in the day. Mr. Clerk.

CLERK: Mr. President, I have a motion to bracket LB 272A until May 24. That is offered by Senator Landis.

SPEAKER BARRETT: Senator Landis, please.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature, this is the American Savings, State Securities,