

January 9, 1989

LB 112, 202-240
LR 3

LBs 202-240 for the first time by title. See pages 100-108 of the Legislative Journal.)

Mr. President, I have a notice of hearing by Senator Rod Johnson who is Chair of the Agriculture Committee for Tuesday, January 17.

Mr. President, Senator Hannibal would like to announce that Senator Conway has been selected as Vice-Chair of the Intergovernmental Cooperation Committee.

Mr. President, a new resolution, LR 3. It is offered by Senator Baack and a number of the members. (Read brief explanation. See pages 108-109 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, I have a request from Senator Smith to withdraw LB 112. That will be laid over. I believe that is all that I have, Mr. President.

PRESIDENT: Senator Lynch, are you ready to go back to work now? We will return back to adopting of permanent rules. Senator Lynch.

SENATOR LYNCH: Mr. President and members, I have one more proposed committee amendment, simple little amendment. It has to do with cloture. This change would adopt a cloture rule that would become effective after 12 hours debate at each stage of debate on any appropriation bill, and after 8 hours at each stage of debate on all other bills. To briefly explain it, and then Senator Moore will take it from there, let me give you a scenario. Some of you may be familiar with 428, the motorcycle helmet bill. It was my bill. An amendment, say, was offered under this rule by Senator Moore to the bill. As you know, sometimes amendments can take and need more time for discussion and debate than the bill, itself. After 8 hours of debate on Select File, I would move for cloture, or if that bill happened to be a committee bill, the chairman of the committee would move for cloture. The presiding officer then, under this proposal, would immediately recognize the motion and orders debate to cease on Moore's amendment. The vote on the Moore amendment would be taken without further debate. After that, a vote on the cloture motion without debate, 33 votes would be needed for that motion on cloture would be successful. If the cloture motion were successful, a vote on the advancement of the bill,

January 19, 1989

LB 60, 97, 126, 207, 235

PRESIDENT NICHOL PRESIDING

PRESIDENT: For our chaplain of the day we have Reverend Gary Wachter of the Second Baptist Church in Lincoln. Would you please rise for the invocation.

REVEREND WACHTER: (Prayer offered.)

PRESIDENT: Thank you, Reverend, we appreciate your message. Roll call, please. Record, Mr. Clerk, please.

CLERK: Quorum present, Mr. President.

PRESIDENT: Thank you. Do you have any corrections to the Journal this morning?

CLERK: I have no corrections, Mr. President.

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

CLERK: Mr. President, your Committee on Banking, Commerce and Insurance, whose Chair is Senator Landis, to whom was referred LB 60, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File; LB 97, General File; LB 126, General File; and LB 207, General File. And that's all that I have this morning, Mr. President.

PRESIDENT: Thank you. I would like to introduce a guest that we have under the south balcony, please. We have Shirley Early Steinkoenig, guest of Senator Weihing this morning. She lives in Denver and is here on business reasons. So, Shirley, would you please stand and we'll welcome you to the Legislature. Thank you. Move on to the motion, number five, please, by Senator Wehrbein.

CLERK: Mr. President, Senator Wehrbein would move to withdraw LB 235. He offered his motion yesterday. It's found on page 294 of the Journal.

PRESIDENT: Senator Wehrbein, please.

SENATOR WEHRBEIN: Mr. Speaker and members, I would like to request permission to withdraw LB 235. They had some problems in the drafting of it and I would like to have it considered for withdrawal. It's on page 294, as said, in the Journal.

each year and give the state chartered organizations the same rights and privileges as the federal chartered credit unions which in turn says, in essence, you can now do that which a federal charter can do, but we have to do it as of a specific day each year. So consequently, that's what we're doing right now with this wild card bill, the next one up also is just the annual procedure for telling the state chartered credit unions that they can now do that which a federal chartered credit union can do. Thank you.

SENATOR LAMB: As there are no other speakers, Senator Goodrich, do you care to close? Senator Goodrich waives closing. The motion is to advance LB 126. Those in support vote aye, those opposed vote no. Have you all voted? Record, Mr. Clerk.

CLERK: 31 ayes, 0 nays, Mr. President, on the advancement of 126.

SENATOR LAMB: LB 126 has been advanced. Next bill is LB 207, Senator Lowell Johnson's bill.

SENATOR L. JOHNSON: Mr. President and members of the Legislature, LB 207 is a bill to provide the six state chartered savings and loan associations with the same rights and privileges that are provided to the 19 federally chartered associations in the State of Nebraska. The rights, the responsibilities and the privileges of federally chartered savings and loan associations are covered under the terms and regulations of the Federal Home Loan Bank Board. The state chartered institutions, of course, operate under the statutes of the State of Nebraska and the rules and regulations of our Nebraska Department of Banking and Finance. LB 207 does not relieve Nebraska savings and loans from any applicable state taxes. Since the federal and state chartered associations perform the same functions and compete against each other, LB 207 is necessary to guarantee equality of opportunity and responsibility. The bill needs to be passed each year, as Senator Goodrich indicated for his bill, in order to keep these two differently chartered types of savings and loan associations on a same competitive basis. The equal rights bill has allowed state chartered savings and loans to keep in step with their federal counterparts in the areas of consumer loans, checking accounts, corporate stock purchases and other areas in their financial services. Mr. President, I move the advancement of LB 207.

SENATOR LAMB: No other speakers, Senator Johnson, do you care to close? Waive closing. Motion is the advancement of LB 207. Those in support vote aye, those opposed vote nay.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Have you all voted? Please record.

CLERK: 30 ayes, 0 nays, Mr. President, on the advancement of LB 207.

SPEAKER BARRETT: LB 207 is advanced to E & R. LB 189.

CLERK: (Title read.) The bill was introduced on January 5, referred to the Government Committee for public hearing, advanced to General File, Mr. President. I have no committee amendments.

SPEAKER BARRETT: Senator Lynch, please.

SENATOR LYNCH: Mr. President and members, the Rules Committee discussed this and a number of other proposed recommendations. This would simply provide that the body would elect the Chairman of the Retirement Committee rather than at the present time the chairman and the members of the committee being chosen by the Executive Board. The members of the committee would also be chosen by the Committee on Committees as other committee memberships are. I should point out to you that it also provides that under this new proposal the ex officio membership to the committee by the Chairman of the Appropriations Committee would be eliminated. In 1959, some background on the committee, the committee was first originated. At that time the Chairman of the Executive Board, the Chairman of the Committee on Committees and three members were appointed by the Executive Board to serve on the Retirement Committee. I'm not quite sure, someone around here might remember, but before that time it apparently was not important that some kind of an oversight committee existed and that is generally what was accomplished. However, today it is different. The committee does, in fact, introduce and consider legislation as well. We simply recommend this. We think it is a good idea and ask for your support.

SPEAKER BARRETT: Thank you. An amendment on the desk.

Withem, any comment? Thank you. Any discussion? Seeing none, we will proceed to the vote. The question is the suspension of Rule 3, Section 13. Those in favor vote aye, opposed nay. Record, please.

CLERK: 0 ayes, 28 nays, Mr. President, on the motion to suspend Rule 3, Section 13.

SPEAKER BARRETT: Motion fails. Proceeding then to the suspension of Rule 3, Section 19. Senator Withem. Thank you. Any discussion? Proceeding then to the vote. The question is the suspension of Rule 3, Section 19. Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: 0 ayes, 30 nays, Mr. President, on the motion to suspend Rule 3, Section 19.

SPEAKER BARRETT: Motion fails. Anything on the desk, Mr. Clerk?

CLERK: Yes, Mr. President, I do. Mr. President, I have a motion from Senator Warner as Chair of the Credentials Committee. That will be read and laid over, Mr. President.

Mr. President, I have a series of gubernatorial appointments. Those will be referred to Reference. (See pages 395-97 of the Legislative Journal.)

Mr. President, hearing notices from the Transportation Committee, from the Banking Committee, from the General Affairs Committee, all signed by the respective Chairs.

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 60 and report the same to Select File; LB 126, Select File; LB 207 to Select File, and LB 189, Select File; and LB 51, all reported to Select File, Mr. President. (See pages 398-99 of the Legislative Journal.) That's all that I have at this time.

SPEAKER BARRETT: Thank you. Proceeding then to General File. LB 45. Mr. Clerk.

CLERK: Mr. President, LB 45 was a bill that was introduced by Senator Bernard-Stevens. (Read title.) The bill was introduced on January 5 of this year, referred to Natural Resources. It

January 24, 1989

LB 51, 60, 189, 207

SPEAKER BARRETT: Proceeding to Select File, Mr. Clerk, LB 60.

CLERK: Mr. President, on LB 60, I have no amendments to the bill.

SPEAKER BARRETT: E & R Chair, Senator John Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 60 be advanced.

SPEAKER BARRETT: The question is, shall LB 60 be advanced? Those in favor say aye. Opposed no. The ayes have it, carried. The bill is advanced. LB 207.

CLERK: LB 207, Mr. President, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 207 be advanced to E & R Final.

SPEAKER BARRETT: You have heard the motion to advance LB 207. Those in favor say aye. Opposed no. The ayes have it, carried. The bill is advanced. LB 189.

CLERK: LB 189, Mr. President, I do have E & R pending, Senator.

SPEAKER BARRETT: On the E & R amendments, Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 189 be adopted.

SPEAKER BARRETT: You have heard the motion to adopt the E & R amendments. All those in favor say aye. Opposed no. Carried.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 189 be advanced, as amended.

SPEAKER BARRETT: You have heard the motion to advance LB 189 as amended. All in favor say aye. Opposed no. Carried. The bill is advanced. LB 51.

January 25, 1989

LB 51, 60, 94, 97, 175, 189, 207
251, 261
LR 20

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to this the 14th legislative day in the First Session of the 91st Legislature. Our chaplain of the day, Pastor John Eilers, Southview Christian Church in Lincoln. Reverend Eilers.

REVEREND EILERS: (Prayer offered.)

SPEAKER BARRETT: Thank you, Reverend Eilers, we're glad to have you with us. Roll call.

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

SPEAKER BARRETT: Record, Mr. Clerk. Corrections to the Journal, please.

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any reports, announcements or messages?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 94 and recommend that same be placed on Select File; LB 97, LB 251 all on Select File, some of which have E & R amendments. (See pages 422-23 of the Legislative Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 51 and find the same correctly engrossed; LB 60, LB 189, and LB 207 all correctly engrossed, all signed by Senator Lindsay as Chair.

Business and Labor, whose Chair is Senator Coordsen, reports LB 261 to General File, and LB 175 to General File with amendments. Those are signed by Senator Coordsen as Chair. (See page 423 of the Legislative Journal.)

Mr. President, new resolution. (Read LR 20 for first time. See page 424 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, hearing notices from Judiciary, signed by Senator Chizek as Chair; Revenue, signed by Senator Hall as Chair. Mr. President, a series of reports, two from the Lewis and Clark and the Middle Niobrara NRD districts regarding payment of

February 7, 1989

LB 51, 60, 189, 207

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 51 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See page 620 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 5 excused and not voting, Mr. President.

PRESIDENT: LB 51 passes. LB 60.

ASSISTANT CLERK: (Read LB 60 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 60 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See pages 620-21 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

PRESIDENT: LB 60 passes. LB 189, please.

ASSISTANT CLERK: (Read LB 189 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 189 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See pages 621-22 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 5 excused and not voting, Mr. President.

PRESIDENT: LB 189 passes. LB 207.

ASSISTANT CLERK: (Read LB 207 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 207 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See page 622 of the

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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

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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