

February 9, 1989

LB 61, 125, 231A, 240, 349, 360A, 421
431A, 494, 733, 790

and we don't have a system in our law to recognize that difference, when you make your change you resubmit your forms, your policies and your agents. Now, what are we going to do? We're going to approve them all, aren't we? But we're going to take them out and look at them and stamp them with another rubber stamp. It's unnecessary. So long as these items were approved by the department when they were initially brought to the state, they stay in effect while the transfer is made. If the provision is not here, unfortunately, that change of domicile will occasion a new filing of all of the forms we already have approved, totally unnecessary, therefore, the reason for this bill. It's standard practice elsewhere. I urge its adoption and advancement and applaud Senator Haberman for bringing this measure.

PRESIDENT: Thank you. Senator Haberman, did you wish to close? Okay, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 61.

PRESIDENT: LB 61 advances to E & R Initial. LB 349.

CLERK: Mr. President, before that, if I may, items for the record. Mr. President, new bills. (Read title for the first time to LB 431A, LB 231A, LB 360A and 520A. See page 675 of the Legislative Journal.)

Urban Affairs Committee reports LB 240 to General File; LB 790 to General File; LB 125 indefinitely postponed; LB 494 indefinitely postponed. Those are signed by Senator Hartnett as Chair.

Senator Wesely has amendments to LB 733 to be printed; Senator Smith to LB 421. (See page 676 of the Legislative Journal.)

Mr. President, the next bill, LB 349, was a bill that was introduced by Senator Conway. (Read title.) The bill was introduced on January 11, referred to the Banking Committee, advanced to General File. I have committee amendments pending by the Banking Committee, Mr. President.

PRESIDENT: Senator Landis, are you going to handle those?

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LB 49A, 231A, 285A

constituents in all of Nebraska and as regards to the eradication of these weeds. So, with that, I would just certainly recommend that we advance this bill on to Select File. Thank you.

SPEAKER BARRETT: Thank you. Senator Lamb.

SENATOR LAMB: Question.

SPEAKER BARRETT: Thank you, that won't be necessary. Yours is the last light. Senator Dierks, would you care to make any other statement before we call the vote?

SENATOR DIERKS: No, sir.

SPEAKER BARRETT: Thank you. The question then is the advancement of LB 49A to E & R Initial. Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: 28 ayes, 0 nays, Mr. President, on the advancement of LB 49A.

SPEAKER BARRETT: LB 49A is advanced. LB 231A.

CLERK: LB 231A by Senator...introduced by Senator Wesely. (Read title.)

SPEAKER BARRETT: Senator Chizek, will you handle it, please.

SENATOR CHIZEK: The committee amended 231 and, as a result, I have introduced the A bill. I get to do the good things. The A bill is \$7,643, '89-90; and \$6,518 in 1990 and '91, and it's to redesign some forms, printing some forms, some postage and some supplies. I would ask your support for the A bill.

SPEAKER BARRETT: Any discussion? Seeing none, all in favor of the advancement of the bill to E & R please vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 231A.

SPEAKER BARRETT: LB 231A is advanced. LB 285A.

CLERK: LB 285A, Mr. President, is offered by Senator Lamb.

March 21, 1989

LB 49A, 77, 231A, 262, 285A, 575A, 592
714

individually liable and that is not placing the responsibility where it ought to be placed. I would urge that the body advance the bill, and if some of these other concerns that actually go beyond the provisions of 77 are to be addressed, that perhaps can be done or at least considered but, by all means, let's at least give some basic fairness to those employees who are perhaps subject to cost that is beyond any reasonable basis to assess against them.

SPEAKER BARRETT: Thank you. The question is the advancement of LB 77 to Enrollment and Review. All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 29 ayes, 1 nay, Mr. President, on the advancement of LB 77.

SPEAKER BARRETT: LB 77 advances. For the record, Mr. Clerk.

CLERK: Mr. President, Enrollment and Review reports LB 592 to Select File; LB 49A, LB 231A; and LB 285A, all to Select File. (See page 1257 of the Legislative Journal.)

I have a motion to reconsider an amendment offered to LB 262 yesterday. That's offered by Senator Bernard-Stevens.

New A bill, LB 575A, by Senator Barrett. (Read by title for the first time as found on page 1258 of the Legislative Journal.)

That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. To the next priority bill, LB 714. Mr. Clerk.

CLERK: Mr. President, LB 714 was a bill that was introduced by Senator Lamb, Senator Bernard-Stevens, Hefner, Robak, Smith and Conway. (Read title.) The bill was introduced on January 19, referred to the Revenue Committee. The bill was advanced to General File. I have committee amendments pending by the Revenue Committee, Mr. President.

SPEAKER BARRETT: Chairman Hall, on the committee amendments.

SENATOR HALL: Thank you, Mr. President, members, Mr. Clerk, the amendment that I have is an amendment to the committee amendments?

SENATOR MCFARLAND: Question.

SPEAKER BARRETT: Your...That will not be necessary, Senator McFarland, there are no other lights. Thank you. Senator Goodrich, would you care to close?

SENATOR GOODRICH: Just very briefly. We're talking about four items, so to speak, one is the...dropping the two words "equal and" for the sake of avoiding any lawsuits. Another one...the second one is the public projects, for example, if there are any other public projects other than roads then we should have them...a comment to that effect in there. The third one is the refus...a known relative refusing to pay, we should have that covered so that the county picks it up. In those three points the attorney for the Indian Commission or Indian group out here has said they have no problem with this three. The fourth one is the construction equipment. We've already discussed that. We've decided it in the amendment to the amendment, so I would suggest that we just go ahead and adopt the Goodrich amendment with all four parts.

SPEAKER BARRETT: Thank you. The question is the adoption of the Goodrich amendment. All in favor vote aye, opposed nay. On the Goodrich amendment, have you all voted? Record, Mr. Clerk.

CLERK: 7 ayes, 14 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: Motion fails. I'd like to advise the body that at this point there are four to five bills on Select File that are not amended and perhaps could be moved before we adjourn for the weekend. If there are no objections, I would like to try to handle 231A, 378A, 408A, and 412A toward the end of the agenda. This might then be a convenient time to adjourn for the weekend, at which point I will recognize Senator McFarland. Senator McFarland, may I recognize the Clerk and then Senator Lindsay for the purpose of moving the bill?

SENATOR MCFARLAND: Yes, I would be glad to.

SPEAKER BARRETT: Senator Hall, Senator Hall, would you care to advance LB 231A?

SENATOR HALL: Mr. President, I would be delighted to advance

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LB 231A, 378A, 408A, 412A

LB 231A to E & R for Engrossing.

SPEAKER BARRETT: Those in favor of the motion to advance 231A say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. Mr. Clerk, LB 378A.

CLERK: LB 378A, I have no amendments to the bill, Senator.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. President, I would move that LB 378A be advanced to E & R for Engrossing.

SPEAKER BARRETT: The question is the advancement of 378A. Those in favor say aye. Opposed no. Carried, the bill is advanced. LB 408A.

CLERK: LB 408A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. President, I'd move that LB 408A be advanced to E & R for Engrossing.

SPEAKER BARRETT: The question is the advancement of 408A. Those in favor say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. LB 412A.

CLERK: LB 412A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. President, I'd move that LB 412A be advanced to E & R for Engrossing.

SPEAKER BARRETT: The motion is to advance 412A. Those in favor say aye. Opposed no. Ayes have it, carried, the bill is advanced. Any messages on the President's desk, Mr. Clerk?

CLERK: I have nothing on the desk, Mr. President.

SPEAKER BARRETT: Thank you. Senator McFarland.

SENATOR MCFARLAND: Mr. Speaker, I'd move to adjourn until Monday, March 27, 1989, at one o'clock.

March 28, 1989

LB 46, 49, 49A, 132, 145, 231A, 237
250, 250A, 281, 378A 379, 388, 408A
412A, 418, 449, 449A, 506

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the 54th day in the life of the First Session of the Ninety-first Legislature. Our opening prayer this morning by our chaplain, Pastor Allen Vomhaf of St. Johns Lutheran Church in Omaha, Senator Lynch's district. Pastor Vomhaf, please.

PASTOR VOMHAF: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Vomhaf. Hope you can come back again. Roll call.

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

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Reports, announcements or messages.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 46 and find the same correctly engrossed, LB 49, LB 49A, LB 132, LB 145, LB 231A, LB 237, LB 250, LB 250A, LB 281, LB 378A, LB 379, LB 388, LB 408A, LB 412A, LB 418, LB 449, LB 449A and LB 506, all reported correctly engrossed. (See page 1364 of the Legislative Journal.)

Mr. President, the last item I have is a report from the Job Training Director for the City of Omaha. That will be on file in my office. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Before proceeding into General File, senator priority bills, an announcement of general interest to the body (gavel) for your advanced planning. On Thursday of this week, day after tomorrow, we will be on consent calendar, consent calendar beginning Thursday morning, running through the noon hour, working through the noon hour and hopefully adjourning again at the midafternoon point. It's my hope that we can dispose in one way or another of all of the bills that will be listed on consent calendar on Thursday. Those bills that will be a part of consent calendar will be available to you this afternoon at the same time the agendas for tomorrow are available. So you will be able to have a little

April 5, 1989

LB 231, 231A, 237, 379

been complied with, the question is, shall LB 231 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1513 of the Legislative Journal.) 36 ayes, 0 nays, 1 present and not voting, 12 excused and not voting, Mr. President.

PRESIDENT: LB 231 passes. LB 231A.

CLERK: (Read LB 231A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 231A pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1514 of the Legislative Journal.) 35 ayes, 0 nays, 2 present and not voting, 12 excused and not voting, Mr. President.

PRESIDENT: LB 231A passes. LB 237 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 237 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 237 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. See page 1515 of the Legislative Journal.) The vote is 36 ayes, 0 nays, 2 present and not voting, 11 excused and not voting Mr. President.

PRESIDENT: LB 237 passes with the emergency clause attached. LB 379, please.

ASSISTANT CLERK: (Read LB 379 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 379 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

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LB 46, 145, 157, 231A, 231, 237, 361
379, 418, 651A, 678
LR 72

ASSISTANT CLERK: (Record vote read. See pages 1515-16 of the Legislative Journal.) The vote is 35 ayes, 0 nays, 3 present and not voting, 11 excused and not voting, Mr. President.

PRESIDENT: LB 379 passes. LB 418, please.

ASSISTANT CLERK: (Read LB 418 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 418 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 1516-17 of the Legislative Journal.) The vote is 36 ayes, 0 nays, 3 present and not voting, 10 excused and not voting, Mr. President.

PRESIDENT: LB 418 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 418, LB 379, LB 237, LB 231A, LB 231, LB 145, LB 46, LB 157 and LB 418. We'll move on to Select File and going to jump over LB 279 and take up LB 361.

CLERK: Mr. President, if I might right before that, new resolution, LR 72 by Senator Haberman. (Read brief description of resolution. See pages 1517-18 of the Legislative Journal.) That will be referred to the Executive Board. Senator Haberman has amendments to LB 678. New A bill, LB 651A by Senator Hall. (Read by title for the first time. See page 1518 of the Legislative Journal.) Yes, sir.

PRESIDENT: Okay, we'll move on to LB 361, please. Mr. Clerk.

CLERK: Mr. President, 361 is on Select File. The first order of business...Mr. President, I have E & R amendments first of all.

PRESIDENT: Senator Rod Johnson, please.

SENATOR R. JOHNSON: Yes, I would move that the E & R amendments be adopted.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted. Anything else on it, Mr. Clerk?

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LB 46, 145, 157, 231, 231A, 237, 247
325, 379, 397, 414, 418, 640, 651
LR 73

way. I think if we still see a lot of recalls going on in this state, still seeing it being used as a harassment tool, we'll come back in and try and make it even more meaningful with maybe some stricter restrictions onto what the reasons can be for recall, but right now I think we've just got a very general statement of reasons. We've got something here that would be a very meaningful process. With that, I would just urge you to advance the bill. Thank you.

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

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to advance LB 640.

PRESIDENT: LB 640 advances. LB 651.

CLERK: Mr. President, may I read some items for the record?

PRESIDENT: Yeah, please.

CLERK: Mr. President, new resolution, LR 73, by Senator Abboud. (Read brief description. See pages 1521-22 of the Legislative Journal.) That will be laid over.

I have a request...or bills read on Final Reading this afternoon have been presented to the Governor. (Re: LB 157, LB 46, LB 145, LB 231, LB 231A, LB 237, LB 379 and LB 418. See page 1522 of the Legislative Journal.)

Senator Chambers has amendments to LB 397, Senator Hall to LB 414, Senator Withem to LB 247. (See pages 1522-29 of the Legislative Journal.)

And Senator Schimek would like to add her name to LB 325 as co-introducer. (See page 1529 of the Legislative Journal.) That's all that I have, Mr. President.

Mr. President, the next bill, LB 651 is on General File. It is a bill originally introduced by Senator Hall. (Title read.) The bill was introduced on January 19, referred to the Education Committee for public hearing. The bill was advanced to General File. I have committee amendments pending by the Education Committee, Mr. President.

April 10, 1989

LB 46, 84, 145, 157, 231, 231A, 237
356, 379, 410, 414, 418, 587, 588
653, 733

CLERK: Mr. President, I have a reference report referring certain gubernatorial appointees to the appropriate committee for a confirmation hearing.

Senator Conway has amendments to LB 356 to be printed. Senator Conway would like to add his name to LB 84 as co-introducer. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. On Senator Withem's motion to adjourn, those in favor...recess, those in favor say aye. Opposed no. Carried, we are recessed until one-thirty.

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you. Back to LB 588. Mr. Clerk, could you bring us up to date as to our position just before recess.

CLERK: Mr. President, I will, if I may read some items for the record initially?

SPEAKER BARRETT: Certainly.

CLERK: Your committee...strike that. A communication to the Clerk from the Governor. (Read communications re: LB 410, LB 414, LB 587, LB 733, LB 157, LB 46, LB 145, LB 231, LB 231A, LB 237, LB 379 and LB 418. See page 1600 of the Legislative Journal.)

Senator Hall has amendments to LB 653 to be printed, Mr. President. (See page 1601 of the Legislative Journal.)

Mr. President, the Legislature left LB 588 this morning and at that time Senator Smith via Senator Chambers had moved to reconsider adoption of Senator Labedz's amendment to the committee amendments. That motion is pending.

SPEAKER BARRETT: Thank you. Back then to the motion to reconsider. Senator Withem, would you care to continue the discussion on the motion to reconsider, Senator Chambers next.