

January 9, 1989

LB 58, 84, 98, 102, 140, 141, 241-266

CLERK: Mr. President, new bills. (Read titles for the first time to LBs 241-266. See pages 112-18 of the Legislative Journal.)

Mr. President, in addition to those items, the Rules Committee would like to announce that Senator Carson Rogers has been selected as Vice-Chair of the committee.

Mr. President, Revenue Committee will be or are...is conducting a meeting underneath the south balcony.

Mr. President, the Judiciary Committee will conduct an Executive Session upon recess on the south side of the Chamber; Judiciary upon recess. And Transportation will meet in the lounge upon recess...or, Senator...I'm sorry, Senator Lamb, do you want that this afternoon, Senator? I'm sorry, Transportation upon adjournment this afternoon in the Senators' Lounge; Transportation this afternoon.

Mr. President, Government Committee has selected Senator Bernard-Stevens as Vice-Chair.

Mr. President, Senator Conway would like to add his name to LB 140 as co-introducer; Senator Beck to LB 102 and to LB 141; Senators Smith and Hartnett to LB 58; Senator Hartnett to LB 98; Senator Rod Johnson to LB 84.

Mr. President, the last note is a Reference Committee meeting at two-thirty this afternoon in Room 2102; Reference Committee at two-thirty in Room 2102. That's all that I have.

PRESIDENT: Senator Emil Beyer, for what purpose do you rise?

SENATOR BEYER: Mr. Speaker, a point of personal privilege. I hope that the senators have noticed that we have a familiar face back in the Legislature and that's our Page Supervisor, Kitty Kearns. We're glad to have her back and we've missed her and we wish her good health from now on. (Applause.)

PRESIDENT: Thank you. Ladies and gentlemen, would you please listen as your Speaker speaks.

SPEAKER BARRETT: Thank you, Mr. President, and members, just a reminder to committee chairs, committee clerks, if you plan to have a hearing next week, I believe the first day would be the

February 1, 1989 LB 61, 90, 114, 183, 263, 264, 327
349, 389, 408, 412, 612, 744
LR 21, 22

Education gives notice of change of hearing location regarding LB 89 as well as notice of hearing. I also have notice of hearings from the Government, Military and Veterans Affairs Committee. That is signed by Senator Baack as Chair.

Your Committee on Government, Military and Veterans Affairs whose Chair is Senator Baack to whom was referred LB 263 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File. LB 327 General File with amendments, LB 408 General File with amendments, LB 389 indefinitely postponed. Those are signed by Senator Baack. (See pages 536-37 of the Legislative Journal.)

Education Committee whose Chair is Senator Withem reports LB 744 to General File, LB 183 General File with amendments, LB 264 indefinitely postponed, LB 612 indefinitely postponed. Those are signed by Senator Withem as Chair. (See pages 537-42 of the Legislative Journal.)

Business and Labor Committee whose Chair is Senator Coordsen reports LB 412 to General File with amendments. It is signed by Senator Coordsen as Chair. (See page 542 of the Legislative Journal.)

Banking Committee whose Chair is Senator Landis reports LB 61 to General File and LB 349 to General File with amendments. Those are signed by Senator Landis as Chair of the Banking Committee. (See page 542 of the Legislative Journal.)

Mr. President, in addition to those items, resolutions, LR 21 by Senators Beyer, Goodrich, and Senator Abboud asking the Legislature to express its sympathy to the family of Opal Peterson. That will be laid over, Mr. President. (See page 543 of the Legislative Journal.) LR 22 by Senator Dierks asking the Legislature to recognize July 1, 1989 as Centennial Day for the Village of Elgin. (See page 544 of the Legislative Journal.)

Mr. President, Senator Lynch would move that LB 90 be placed on General File notwithstanding the actions of the Natural Resources Committee, Mr. President. That will be laid over. (See page 543 of the Legislative Journal.)

I have amendments to be printed from Senator Schellpeper to LB 114. (See page 543 of the Legislative Journal.) That is all that I have at this time, Mr. President.

PRESIDENT: Thank you. Senator Hall, would you like to close on the advancement of the bill?

SENATOR HALL: Thank you, Mr. President, I would just urge the body's advancement of the bill and I appreciate Senator Pirsch and Senator Coordsen's support of it. It is an important issue that has been before the Legislature for about three or four years now. Senator Conway was the first to bring it to the body, and I think that by changing the structure by which we do it through LB 238, we do have something that folks on both sides of the issue can deal with, so I would urge the advancement.

PRESIDENT: 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 on the advancement of LB 238, Mr. President.

PRESIDENT: LB 238 advances. We'll do LB 263 and then quit for the morning.

CLERK: Mr. President, 263 by Senator Moore. (Title read.) The bill was introduced on January 9, referred to the Government Committee, advanced to General File. I do have an amendment pending to the bill by Senator Moore, Mr. President. (Moore amendment appears on page 652 of the Legislative Journal.)

PRESIDENT: Okay. Senator Moore, do you wish to take the amendment and the bill?

SENATOR MOORE: Yes, I will kind of explain both of them briefly. LB 263 is a bill brought to me by the Professional Surveyors Association of Nebraska. The reason this bill was brought to me is the fact that in our present statute, if you look at the bill itself, you look at the old language, they use the term surveying to define surveying, and so it is a circular definition. I mean, it is one of those things where you describe the Unicameral as the Unicameral or you say Jerry Conway, well, boy, he's like Jerry Conway. If you don't know anything about what you're talking about, that definition is not going to do you any good. But that is what this bill is all about. It is a further definition, you can read that, what it says. It is a definition agreed upon by the surveyors of the

state. The amendment simply adds some more technical language to it and also allows someone an exemption, if you turn on to the back on page 4, line 13, inserts the word "any engineer or person working under the direct supervision of an engineer", for that exemption so it broadens it a little bit more. I would simply ask the adoption of the amendment.

PRESIDENT: Senator Lynch, did you wish to speak about the amendment? Senator Baack suggests you might use a better example, Senator Moore. (laughter) The question is the adoption of the Moore amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Moore's amendment.

PRESIDENT: The Moore amendment is adopted. Now, Senator Moore, on the advancement of the bill.

SENATOR MOORE: With that being my first amendment I've got adopted this year, I would like to continue that trend and move the bill.

PRESIDENT: Any further discussion? 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 advancement of LB 263.

PRESIDENT: The bill is advanced. Mr. Clerk, anything for the record?

CLERK: Mr. President, I do. Your Committee on Agriculture whose Chair is Senator Rod Johnson instructs me to report LB 548 to General File and LB 582 to General File, those reports signed by Senator Johnson. (See page 652 of the Legislative Journal.)

Mr. President, new A bill LB 214A by Senator Landis. (Read by title for the first time. See pages 652-53 of the Legislative Journal.)

Mr. President, a series of adds. Senator Conway would like to add his name to LB 238; Senator Ashford to LB 140; Senator Chizek to LB 89. (See page 653 of the Legislative Journal.)

February 9, 1989

LB 74, 155, 238, 263, 338, 378, 391
398, 499
LR 29

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. We have with us today, as chaplain of the day, Reverend Jim McGaffin, who is with the Victory Outreach in Omaha, Nebraska. He is in Senator Lynch's district. Reverend McGaffin. Would you please rise for the invocation.

REVEREND MCGAFFIN: (Prayer offered.)

PRESIDENT: Senator Lynch, for what purpose do you rise?

SENATOR LYNCH: Request personal privilege, just for a private comment, if I could. I wanted to mention that Reverend McGaffin is the son of Jim McGaffin, who was WOW News Director for a long time, TV, in Omaha. And many of you knew Jim, and I thought I should mention that. So you might remember and recognize more of his mother than his father in Reverend McGaffin. We're sure pleased to have you here today, Reverend.

PRESIDENT: Okay, thank you. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 338 and recommend that same be placed on Select File with E & R amendments attached; LB 378, Select File with E & R; LB 391, Select File with E & R; LB 74, Select File; LB 398, Select File; LB 499, Select File with E & R amendments; LB 238, Select File with E & R; and LB 263, Select File. All signed by Senator Lindsay as Chair. (See pages 654-56 of the Legislative Journal.)

Mr. President, Senator Wehrbein would like to print amendments to LB 155 in the Journal. New resolution, LR 29, offered by Senator Langford. (Read brief summary of resolution. See pages 656-55 of the Journal.) That will be laid over,

February 13, 1989 LB 238, 263, 499

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 499 be adopted.

SPEAKER BARRETT: Shall the 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 499, as amended, be advanced.

SPEAKER BARRETT: Shall the bill, as amended, be advanced? All in favor say aye. Opposed no. Ayes have it, the bill is advanced. LB 238.

CLERK: LB 238, Senator, does have E & R amendments.

SPEAKER BARRETT: On the amendments.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 238 be adopted.

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

CLERK: Nothing further on the bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 238, as amended, be advanced.

SPEAKER BARRETT: Shall the bill, as amended, be advanced? All in favor say aye. Opposed no. Ayes have it, carried, the bill is advanced. The last bill, LB 263.

CLERK: LB 263, Senator, no amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 263 be advanced.

February 13, 1989

LB 43, 80, 82, 106, 113, 158A, 166
171, 172, 194, 197, 200, 260, 263
296, 321, 322, 332, 340, 353, 433
481, 717, 729, 731, 772, 773, 804
LR 15

SPEAKER BARRETT: Shall LB 263 be advanced? Those in favor say aye. Opposed no. Ayes have it, carried, the bill is advanced. For the record, Mr. Clerk, on the President's desk.

CLERK: Mr. President, your Committee on Revenue, whose Chair is Senator Hall, to whom was referred LB 260, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 332, General File with amendments; LB 729, General File with amendments; LB 197, indefinitely postponed; LB 433, indefinitely postponed; LB 481, indefinitely postponed; LB 717, indefinitely postponed; LB 731, indefinitely postponed; LB 804, indefinitely postponed; and LR 15CA, indefinitely postponed. Those signed by Senator Hall as Chair. (See pages 724-26 of the Legislative Journal.)

Urban Affairs Committee, whose Chair is Senator Hartnett, reports LB 772 and LB 773 as indefinitely postponed, both signed by Senator Hartnett. Your Enrolling Clerk did present to the Governor, as of ten forty-five, bills read on Final Reading, Mr. President. (Re. LB 43, LB 80, LB 82, LB 106, LB 113, LB 166, LB 171, LB 172, LB 194, LB 200, LB 296, LB 321, LB 322, and LB 353.)

Senator Warner has amendments to be printed to LB 340; and Senator Labedz to LB 158A. Mr. President, that's all that I have. (See pages 727-28 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, sir. Senator Robak, please.

SENATOR ROBAK: Mr. President, I move we adjourn until tomorrow at nine o'clock.

SPEAKER BARRETT: You've heard the motion to adjourn until tomorrow morning at nine o'clock. All in favor say aye. Opposed no. Ayes have it, motion carried, we are adjourned.

Proofed by:

Sandy Ryan
Sandy Ryan

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.)

February 24, 1989 LB 208, 238, 263, 267, 273

Journal.) 39 ayes, 7 nays, 3 excused and not voting,
Mr. President.

PRESIDENT: LB 208 passes. LB 238.

CLERK: (Read LB 238 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having
been complied with, the question is, shall LB 238 pass? All
those in favor vote aye, opposed nay. Have you all voted?
Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 866 of the Legislative
Journal.) 47 ayes, 0 nays, 2 excused and not voting,
Mr. President.

PRESIDENT: LB 238 passes. LB 263.

CLERK: (Read LB 263 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having
been complied with, the question is, shall LB 263 pass? All
those in favor vote aye, opposed nay. Have you all voted?
Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 866-67 of the Legislative
Journal.) 46 ayes, 0 nays, 1 present and not voting, 2 excused
and not voting, Mr. President.

PRESIDENT: LB 263 passes. LB 267.

CLERK: (Read LB 267 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having
been complied with, the question is, shall LB 267 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. See pages 867-68 of the Legislative
Journal.) 43 ayes, 4 nays, 2 excused and not voting,
Mr. President.

PRESIDENT: LB 267 passes. LB 273.

CLERK: (Read LB 273 on Final Reading.)

February 24, 1989

LB 74, 116, 208, 238, 263, 267, 273
344, 781

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 273 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 868 of the Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 273 passes. LB 344 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 344 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 44 (sic) pass with the emergency clause attached...excuse me, 344 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 pages 869-70 of the Legislative Journal.) The vote is 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 344 passes with the emergency clause attached. This ends the Final Reading. Do you have anything for the record at this time? If not, we'll move on to special order, LB 781.

CLERK: Mr. President, LB 781...

PRESIDENT: Mr. Clerk, before you start, may I just say that while the Legislature is in order...in session and capable of transacting business, I propose to sign and do sign LB 74, LB 116, LB 208, LB 238, LB 263, LB 267, LB 273 and LB 344 with the emergency clause attached. Now on to LB 781.

CLERK: Mr. President, 781 was a bill that was introduced by the General Affairs Committee and signed by its members. (Read title.) The bill was introduced on January 19 of this year, Mr. President. At that time, it was referred to the General Affairs Committee for public hearing. The bill was advanced to General File. I do have committee amendments pending by the General Affairs Committee.

February 24, 1989

LB 74, 116, 208, 238, 263, 265, 267
273, 344, 360A, 765

SPEAKER BARRETT: LB 360A is advanced. For the record, Mr. Clerk.

CLERK: Mr. President, Senator Smith would move to withdraw LB 765. That will be laid over. I have a notice of hearing from the Rules Committee, signed by Senator Lynch as Chair. Your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning, Mr. President. That's all that I have. (See page 875 of the Legislative Journal, re: LB 74, LB 116, LB 208, LB 238, LB 263, LB 267, LB 273, and LB 344.)

SPEAKER BARRETT: As a matter of general information, we will not be discussing 520 or 520A this morning. We will not be discussing LB 340, LB 147, or 147A. We are then at this point to LB 265. Mr. Clerk.

CLERK: Mr. President, 265, offered by Senator Chizek. (Read title.) The bill was introduced on January 9, referred to the Judiciary Committee. The bill was advanced to General File. I do have an amendment to the bill by Senator Chizek, Mr. President. That amendment is on page 739 of the Journal.

SPEAKER BARRETT: Senator Chizek, on your amendment.

SENATOR CHIZEK: Mr. President, colleagues, the amendment is on page 739. The amendment removes paternity matters from the expedited process required by federal law. The changes in the federal requirements permit the state to remove paternity matters from this expedited process. The judges and the Department of Social Services have excluded paternity because these actions don't lend themselves to the expedited process. Appointment of counsel, jury trial, discovery, blood tests, et cetera make paternity matters a poor candidate for the expedited process. LB 265 would, however, allow referees to handle paternity matters under direction of the district court. I would urge the adoption of the amendment.

SPEAKER BARRETT: Any discussion on the amendment to 265? If not, those in favor of the adoption of that amendment please vote aye, opposed nay. Voting on the amendment to LB 265. Please vote, if you'd care to vote. On the amendment to 265, please vote, if you'd care to vote. Record, please.

CLERK: 25 ayes, 0 nays on adoption of Senator Chizek's amendment to the bill, Mr. President.

March 3, 1989

LB 74, 91, 116, 208, 238, 263, 267
273, 344, 471, 628
LR 38-41

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: (Recorder not activated) ...hearty souls who are with us this morning as we convene this last day of the working week. Our opening prayer this morning by Chaplain Clarence Zwetzig of Bryan Memorial Hospital, here in Lincoln. Chaplain Zwetzig.

CHAPLAIN ZWETZIG: (Prayer offered.)

SPEAKER BARRETT: Thank you, Chaplain Zwetzig. We 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: Any messages, reports, or announcements?

CLERK: Mr. President, a communication from the Governor to the Clerk. (Read. Re: LB 74, LB 116, LB 208, LB 238, LB 263, LB 267, LB 273, LB 344. See page 960 of the Legislative Journal.)

Mr. President, resolutions LR 38 and LR 39 adopted yesterday are ready for your signature.

Mr. President, your Committee on Government, Military and Veterans Affairs, whose Chair is Senator Baack, to whom was referred LB 471 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, LB 628 General File with amendments, LB 91 indefinitely postponed, those signed by Senator Baack as Chair. (See pages 960-61 of the Legislative Journal.)

Mr. President, I have two study resolutions, both introduced by Senator Rod Johnson. (Read brief explanation of LR 40.) That will be referred to Reference. (Read brief explanation of LR 41.) That, too, will be referred to the Exec Board. (See pages 961-62 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. While the Legislature is in