

January 10, 1989

LB 1, 280-288

LR 3

CLERK: Mr. President, LR 3 is offered by Senator Baack and a number of the members. It is found on page 108. (Read.)

PRESIDENT: Senator Baack, please.

SENATOR BAACK: Mr. President and members, I bring this resolution in memory of my predecessor, Senator Clark from Sidney, and for his family who remains. I did allow an opportunity for all of the members who are still in the body that served with Senator Clark and most of them signed the resolution. I would also say that our Lieutenant Governor did an excellent job at the memorial service for Senator Clark in commemorating his service to the state and to his community. So, with that, I would urge your adoption of the resolution. Thank you.

PRESIDENT: Thank you. You've heard the motion. All those in favor vote aye, opposed nay. Have you all voted on the resolution? Record, Mr. Clerk.

CLERK: 31 ayes, 0 nays, Mr. President, on adoption of LR 3.

PRESIDENT: The resolution passes. We'll move on to bill introduction. Mr. Clerk.

CLERK: Mr. President, new bills. (Read LBs 280-288 by title for the first time. See pages 133-36 of the Legislative Journal.) That's all that I have at this time, Mr. President.

PRESIDENT: We'll move on to the revisor's bills then, under number eight.

CLERK: Mr. President, revisor bills, series of revisor bills this morning. The first is LB 1. It's a bill offered by Senator Labedz, as Chairperson of the Executive Board. (Read title.) The bill was introduced on January 5, Mr. President, referred directly to General File.

PRESIDENT: Senator Labedz, please.

SENATOR LABEDZ: Thank you, Mr. President. Before I start on the 17 bills, the revisor bills, I want to remind the senators to avoid the temptation to amend these bills, which are bills designed to correct errors made in prior years, and bills which

January 25, 1989

LB 13, 18, 19-32, 58, 62, 70, 115
128, 134, 142, 156, 255, 279, 283
284, 296, 298, 312, 321, 322

SPEAKER BARRETT: Thank you. You have heard the closing on the advancement of 134. Those in favor of the motion to advance the bill please vote aye, opposed nay. Have you all voted on the advancement of LB 134? Record, please.

CLERK: 32 ayes, 0 nays, Mr. President, on the advancement of 134.

SPEAKER BARRETT: LB 134 is advanced to E & R. Anything for the record, Mr. Clerk?

CLERK: Mr. President, I do. Thank you. Your Committee on Transportation, whose Chair is Senator Lamb, to whom was referred LB 115, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 283, General File; LB 284, General File; LB 58, General File with amendments; LB 142, General File with amendments; LB 156, General File with amendments; and LB 128 indefinitely postponed. Those are signed by Senator Lamb. (See pages 439-41 of the Legislative Journal.)

General Affairs Committee, whose Chair is Senator Smith, reports LB 298 to General File, LB 70 to General File with amendments, and LB 62 indefinitely postponed. Those signed by Senator Smith as Chair. (See page 441 of the Legislative Journal.)

Your Committee on Education, whose Chair is Senator Withem, reports LB 312 to General File with amendments. That is signed by Senator Withem. Banking, Commerce and Insurance reports LB 279 to General File; LB 296, General File; LB 321, General File; LB 322, General File; those signed by Senator Landis as Chair. (See page 442 of the Legislative Journal.)

Mr. President, I have hearing notices from the Natural Resources Committee, signed by Senator Schmit; Health and Human Services, signed by Senator Wesely. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 13, LB 18, LB 19, LB 20, LB 21, LB 22, LB 23, LB 24, LB 25, LB 26, LB 27, and LB 28, and LB 29, LB 30, LB 31, and LB 32. The next bill, Mr. Clerk, LB 255.

January 26, 1989

LB 283, 284

Registration Operations Cash Fund, this particular portion of the statute did not get changed. And that, basically, is the bill, Mr. Chairman.

SPEAKER BARRETT: Thank you. Any discussion on 283? Anything further, Senator Lamb? Thank you. Those in favor of the advancement of LB 283 please vote aye, opposed nay. Record, please.

CLERK: 32 ayes, 0 nays, Mr. President, on the advancement of LB 283.

SPEAKER BARRETT: LB 283 is advanced. LB 284.

CLERK: Mr. President, LB 284 is a bill introduced by the Transportation Committee and signed by its members. (Read title.) The bill was introduced on January 10, referred to the Transportation Committee for public hearing, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Chairman Lamb, please.

SENATOR LAMB: Thank you, Mr. President. LB 284 deals with identification cards. You will recall a few years ago we established a system of identification cards primarily for those people who do not have drivers' licenses in this state. The drivers' licenses have sort of become an identification card, and those people who do not have drivers' licenses do not have the benefits of that card for identification purposes. So the identification card which has been in existence will undergo some changes in this bill. Currently, the card never expires, and that is changed. It is changed, all the conditions concerning the card are now or would be under this bill some very similar to those with the driver's license. The cards will be issued by the county treasurer following application to the driver's license examiner, and that tightens it up somewhat because previously those cards were issued by the county treasurer only upon showing one form of identification. The cards will bear a color photo of the holder, a different color background shall be utilized for minors. In order to get the card, you have to have two forms of identification rather than one. Cards shall expire upon the birthday in the first year after issuance in which the holder's age is divisible by four which is similar to drivers' licenses, and the fee will be \$10. Those valid for less than four years are at a lesser rate; three

or more years, \$10, two years but less than three years, \$8, one year but less than two, \$5.50. Cards valid less than one year, \$3.50. Basically, that is it. A duplicate card may be obtained from the county treasurer upon payment of \$5, and it is declared lawful for any person to display or have in their possession, unlawful, any fraudulently altered card, to make false statements in the application. I would move the bill be advanced.

SPEAKER BARRETT: Discussion on 284, Senator Withem.

SENATOR WITHEM: Yes, Mr. Speaker and members, Senator Lamb, would you respond to a question. This seems like an excellent bill. I am going to support it and all. I just had a question about point two here in your summary of purpose, and I couldn't find in the bill where it refers to that, but does this bill...it looks like from the fiscal note there are about 100,000 of these in existence around the state. Does this bill make all of those invalid on the date that this bill becomes effective, I assume sometime August or September of this year, or is there some sort of phase out of the current ones, when they would have to get those replaced?

SPEAKER BARRETT: Senator Lamb.

SENATOR LAMB: Any identification card issued under prior law prior to the operative date of this act shall be invalid after such date and, yes.

SENATOR WITHEM: So the intent is sometime between when we pass this bill and the effective date of it, these people need to become aware that their current card becomes invalid and get into the treasurer's office and get one of these new ones?

SENATOR LAMB: I believe that is correct.

SENATOR WITHEM: Okay. Yeah, I guess the department...I would hope that the department would go through some notification process so that people become aware of this change, and it might be something to think about, putting some sort of phase in so they don't all become invalid on the same particular date, only a question raised for you and the committee to consider. I think everything else there seems like an excellent bill and I am going to support it and I think it is a good idea.

SENATOR LAMB: Thank you for that suggestion. We will check it out.

SPEAKER BARRETT: Anything further on the bill? Senator Lamb.

SENATOR LAMB: No.

SPEAKER BARRETT: Thank you. The question before the body, then, is the advancement of LB 284 to E & R. Those in favor vote aye, opposed nay. Record, please.

CLERK: 29 ayes, 0 nays, Mr. President, on the advancement of 284.

SPEAKER BARRETT: LB 284 is advanced. LB 58.

CLERK: LB 58, Mr. President, offered by Senator Coordsen, Hartnett, Dierks, and Ashford. (Read title.) The bill was introduced on January 5, referred to the Transportation Committee, advanced to General File. I do have committee amendments by the Transportation Committee pending, Mr. President. (See page 439 of the Legislative Journal.)

SPEAKER BARRETT: Senator Lamb, on the committee amendments.

SENATOR LAMB: Mr. President and members, LB 58 is a bill which would reduce the fee for an amateur radio license plate from the current \$10 to \$2. You may remember that last year we increased the fee from \$1 to \$10. There was a lot of discussion about that and a lot of opposition, a lot of unhappiness, and so this is Senator Coordsen's attempt to lower the fee. The committee decided that \$5 was a more appropriate fee and that is the committee amendment.

SPEAKER BARRETT: Discussion on the committee amendments to LB 58. Senator Wesely, followed by Senators Nelson, Coordsen, and Dierks. Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, members. I would like to ask Senator Lamb, the \$5 figure, does that cover the cost of this special plate? Have you got some figures on what it does cost to do this special type of a plate?

SENATOR LAMB: Yes. This more than covers the cost, and I might at this point explain that there are a number of these plates

January 27, 1989

LB 58, 115, 138, 142, 159, 175, 225
256, 261, 283, 284
LR 20

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber on Friday, January 27th. Chaplain of the day, Pastor Jerry McInnis of Trinity United Methodist Church in Lincoln. Reverend McInnis, please.

REVEREND McINNIS: (Prayer offered.)

SPEAKER BARRETT: Thank you, Reverend McInnis. We hope you will be able to come back again. Roll call, please.

CLERK: There is a quorum present, Mr. President.

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

CLERK: (Read correction as found on page 458 of the Legislative Journal.) That is all that I have, 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 256 and recommend that same be placed on Select File; LB 175, LB 261, LB 115, LB 283, LB 284, LB 58, and LB 142, all reported to Select File, some having E & R amendments attached. (See pages 458-60 of the Legislative Journal.)

Mr. President, your Committee on Judiciary, whose Chair is Senator Chizek, reports LB 159 to General File, and LB 138 to General File with amendments, both signed by Senator Chizek. (See page 460 of the Legislative Journal.)

Judiciary offers notice of hearing, Mr. President; and LR 20 is now ready for your signature, Mr. President. That is all that I have.

SPEAKER BARRETT: Thank you. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 20. *tem 5, Mr. Clerk.

CLERK: Mr. President, I have a motion from Senator McFarland to rerefer LB 225 from the Urban Affairs Committee to the Education Committee. Senator McFarland filed his motion yesterday. It is found on page 451 of the Journal.

February 1, 1989

LB 58, 283, 284

Coordsen, I should stand up and put in my two cents worth, and that's it.

PRESIDENT: Thank you. Senator Hefner, please.

SENATOR HEFNER: Question.

PRESIDENT: Thank you. You are the last one, so it won't be necessary, but thank you anyway. Senator Coordsen, would you like to close on your amendment?

SENATOR COORDSEN: Thank you, Mr. President. Only to say that this does not remove the words "Farm" which is plainly printed on every license plate which is enough indication that this is not a commercial vehicle. So this does not remove that. It simply removes the superfluous language "NOT FOR HIRE". With that, I would move the amendment.

PRESIDENT: The question is the adoption of the Coordsen amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 12 ayes, 16 nays, Mr. President, on adoption of the amendment.

PRESIDENT: The amendment fails.

CLERK: Nothing further on this bill, Mr. President.

PRESIDENT: Senator Moore, on the advancement of the bill.

SENATOR MOORE: I move we advance LB 283.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 284.

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

PRESIDENT: Senator Lindsay, please.

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

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 58, please, and we have a request for a machine vote on this.

February 2, 1989

LB 58, 70, 115, 119, 142, 156, 175
256, 261, 283, 284, 286, 298, 502
LR 23

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We're privileged to have a minister from Senator Bernard-Stevens' area and with us as our chaplain of the day, Reverend Patrick Skinner of the Wesleyan Church in North Platte. Would you please rise for the invocation.

REVEREND SKINNER: (Prayer offered.)

PRESIDENT: Thank you, Reverend Skinner. Please come back and see us again. Roll call, please.

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

PRESIDENT: Thank you. Do we have any corrections to be made in the Journal?

CLERK: No corrections this morning, Mr. President.

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

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 298 and recommend that same be placed on Select File. That is signed by Senator Lindsay as Chair. Enrollment and Review reports LB 58, LB 70, LB 115, LB 142, LB 156, LB 175, LB 256, LB 261, LB 283, LB 284 all correctly Engrossed. Those also signed by Senator Lindsay as Chair. (See page 553 of the Legislative Journal.)

Mr. President, your Committee on Natural Resources, whose Chair is Senator Schmit, to whom was referred LB 502, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 119 as indefinitely postponed, both those signed by Senator Schmit, and LB 286 as indefinitely postponed, that signed by Senator Schmit as well. (See page 554 of the Legislative Journal.)

Mr. President, new resolution by Senator Beyer and Senator Hefner. (Read brief description of LR 23. See page 555 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, confirmation report from the Education Committee. That is offered by Senator Withem as Chair.

March 9, 1989

LB 284
LR 50

would be met. It is unwise, I believe, for the federal government to make cuts in the services offered by the VA Med Centers. The burden will merely be passed on to other programs. The federal government has been looking for ways to hold health care costs to a minimum and to ensure that everyone in need of health care has access to it. It simply makes no sense to me to make cuts in the VA health care and so I would urge you to support this amendment...this resolution.

PRESIDENT: Thank you. Senator Moore, please.

SENATOR MOORE: Mr. President and members, just briefly I rise to also support LR 50 sponsored by Senator Hefner and co-sponsored by several other senators, including myself. Quite simply, myself being of the age where the last time this country was at war I was not even a teenager yet and, obviously, the people that were involved in the big wars, World War I and World War II, I guess, I, myself, think that those ladies and gentlemen who served in all of those wars that we have some duty to care for their health needs as they age. And they came to our country in a time of need and now as they age it's only right for a government in a variety of ways, primarily the federal level, I don't think it's right for them to cut back on services that are very important for people and the federal government should not let those people down when they were there for all of us in a variety of wartime conflicts. And I guess I just simply urge passage of LR 50.

PRESIDENT: The question is the adoption of the resolution. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of LR 50.

PRESIDENT: The resolution is adopted. Ladies and gentlemen, if you will return to your seats, we will begin Final Reading. (Gavel.) If you will return to your seats, we will begin Final Reading, please. Mr. Clerk, LB 284.

CLERK: (Read LB 284 on Final Reading.)

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 284 pass?

March 9, 1989

LB 284, 284A, 499

Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: (Record vote read. See page 1036 of the Legislative Journal.) 44 ayes, 0 nays, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 284 passes. LB 284A.

CLERK: (Read LB 284A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 284A pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See page 1037 of the Legislative Journal.) 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 284A passes. LB 499E.

CLERK: Mr. President, I have a motion on the desk. Senator Moore would move to return LB 499 to Select File for a specific amendment. The amendment is on page 980 of the Journal.

SPEAKER BARRETT: Senator Moore.

SENATOR MOORE: Mr. Speaker and members, this morning I am simply attempting to amend this bill, unfortunately, that's on Final Reading but that's the only logical vehicle I have to accomplish my goal and my goal, quite simply, is to change the name of Class VI high schools as they are now in statute to the name of regional high schools. And the reason I do that is that even though I have none of the 22 Class VI school systems in my legislative district, I firmly believe the whole Class VI concept is something that has a bright future in the State of Nebraska and I think it would be wise for this body to simply call the Class VI schools what they really are and those schools are regional high schools. They're a collection of, in most cases at least, rural people that have banded together usually with maintaining some Class I identities and forming a Class VI school. But Class VI school, if you get out of the body...if you get outside the confines of the Legislature, if you get outside the confines of some limited people in this state that

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LB 54, 214, 214A, 284, 284A, 318, 320
443, 499

Nebraska that probably are not too hep on complying with this law, along with some others. So I guess I just see it as an unnecessary regulation on the small businesses that really don't see a need to post at this time.

SPEAKER BARRETT: Thank you. Senator Wehrbein is announcing that he has guests in the north balcony. We have 15 members from District 2 school of Nebraska City, with their teacher. Would you folks please stand. Thank you. We're glad to have you with us. Also, Senator Ashford is announcing that his brother, County Judge Mark Ashford, is with us under the south balcony. Judge Ashford, would you please stand. Thank you. We're glad to have you with us. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 284, LB 284A, LB 214 and LB 214A, LB 443, LB 499, LB 318 and LB 320. Additional discussion on the advancement of the bill, Senator Ashford, followed by Senators Wehrbein and Coordsen.

SENATOR ASHFORD: Mr. Speaker and members, I appreciate the introduction of my brother, before I have an opportunity to speak so I can just prove to you that there was a relatively successful member of my family that...other than...anyway, Senator WeiHING, could I ask you a couple of questions?

SPEAKER BARRETT: Would you respond, Senator WeiHING.

SENATOR WEIHING: Certainly, most happy to do so.

SENATOR ASHFORD: I've had some concerns raised by individuals in my district, Senator, about the effect of this legislation. One of the concerns that was raised by a couple of older local restaurants, specifically I think Johnny's was one and there are some others, that the information that is being required to be posted would, in effect, be a...could infringe on a trade secret or a secret recipe that the particular restaurant had developed. Have you heard anything about that, or...

SENATOR WEIHING: Not specifically and it should not. It is not to divulge any recipes whatsoever. It is simply to make it known as to the kind of oils that they are utilizing in their cooking process. Much of the cooking is that of the preparation of meats and vegetables and on occasion they do have those with their recipes, so just stating as to the kind of oils that they use within their general food preparation, it would not have

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LB 54, 84, 140, 162A, 214, 214A, 254
284, 284A, 318, 320, 357, 432, 443
499, 588, 611, 652, 781
LR 1, 7

General File; LB 432 is indefinitely postponed; LR 1 indefinitely postponed; LR 7 indefinitely postponed, and LB 588 advanced to General File with committee amendments. (See page 1049 of the Legislative Journal.)

Your Enrolling Clerk has presented the bills read earlier this morning to the Governor. (Re: LB 284, LB 284A, LB 499, LB 443, LB 214, LB 214A, LB 318 and LB 320. See page 1057 of the Legislative Journal.)

Priority bill designations: Government Committee is 640 and 639, Senator Abboud LB 592, Senator Hall LB 653, Senator Lindsay LB 681, Senator Elmer LB 429.

New A bill, Mr. President, LB 162A from Senator Rod Johnson. (Read by title for the first time as found on page 1057 of the Legislative Journal.)

I have amendments to be printed to LB 357 from Senator Schellpeper and Nelson, Senator Lindsay to LB 54, Senator Baack to LB 254, Senator Chizek to LB 140, Senator Hall to LB 781, Senator Withem to LB 652. (See pages 1049-57 of the Legislative Journal.)

Unanimous consent for addition of names as co-sponsors, LB 611 Senator Rod Johnson; and LB 84 from Senator Haberman. (See pages 1057-58 of the Legislative Journal.)

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

SPEAKER BARRETT: Thank you. The Chair recognizes the member from the 33rd District, Senator Jacklyn Smith.

SENATOR SMITH: Thank you, Mr. Speaker. I would like to make a motion to adjourn until Monday, March 13 at 9:00 a.m.

SPEAKER BARRETT: You've heard the motion to adjourn until nine o'clock Monday morning. Those in favor say aye. Opposed nay. Ayes have it, motion carried, we are adjourned.

Proofed by:

Arleen McCrory
Arleen McCrory

March 15, 1989

LB 214, 214A, 284, 284A, 318, 320, 443
499
LR 2

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated) ...Legislative Chamber. We have with us this morning as our chaplain of the day, Harland Johnson, our Chaplain Coordinator. Would you please rise.

HARLAND JOHNSON: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Harland Johnson, for your thoughtful prayer this morning. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal?

CLERK: No corrections, Mr. President.

PRESIDENT: Good. Any messages, reports or announcements?

CLERK: Mr. President, a communication from the Governor to the Clerk. (Read communication regarding signing of LB 284, LB 284A, LB 499, LB 443, LB 214, LB 214A, LB 318, and LB 320. See page 1150 of the Legislative Journal.)

Mr. President, I have a series of appointment letters that will be referred to Reference Committee. (See pages 1150-52 of the Legislative Journal.)

Mr. President, a series of reports. A report from the Department of Roads, the Highway Cash Fund, Department of Revenue; a report from the University of Nebraska, Lincoln, and a report from the Department of Education. All of those will be on file in my office, Mr. President. And that's all that I have at this time.

PRESIDENT: Thank you. We will move on to the General File and LR 2CA.

CLERK: Mr. President, LR 2 is a proposed constitutional amendment that was introduced by Senators Rod Johnson, Howard Lamb, Moore and Wehrbein. (Read brief description of LR 2.) The resolution was originally introduced on January 5, Mr. President. It was referred to the Revenue Committee for hearing. The resolution was advanced to General File. At this time, I have no amendments pending.