

January 11, 1989

LB 1-6, 8-17, 33, 34, 330-340

PRESIDENT: LB 33 advances. LB 34, please.

CLERK: LB 34, Mr. President, offered by Senator Labedz as Chair of the Board. (Read title.) Introduced on January 5, referred directly to General File.

PRESIDENT: Senator Peterson, please.

SENATOR PETERSON: Mr. President, LB 34, the final revisor's bill, makes numerous internal changes relating to the Game and Parks Commission. I ask that this bill be advanced to E & R Initial.

PRESIDENT: You've heard the explanation. The question is the advancement of the bill. All those in favor please vote aye, opposed nay. Ladies and gentlemen, I need a little help, please. Thank you. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 34.

PRESIDENT: LB 34 is advanced to E & R Initial. Mr. Clerk, do you want to read in a few more bills?

CLERK: Mr. President, yes, thank you. Mr. President, before I proceed to do that, two announcements, the Education Committee has selected Senator Dierks as Vice-Chair and General Affairs Committee has selected Senator Hartnett as Vice-Chair. Signed by Senator Withem and Smith respectively.

(Read by title for the first time LBs 330-340. See pages 179-81 of the Legislative Journal.

Mr. President, other items for the record. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 1 and recommend that same be placed on Select File; LB 2, Select File; LB 3, Select File; LB 4, Select File; LB 5, Select File; LB 6, Select File; LB 8, Select File; LB 9, Select File; LB 10, Select File with E & R amendments attached; LB 11, Select File; LB 12, Select File; LB 13, Select File; LB 14, Select File; LB 15, Select File with E & R amendments attached; LB 16, Select File; and LB 17, Select File. (See pages 181-83 of the Legislative Journal.) That's all that I have at this time, Mr. President.

February 2, 1989

LB 121, 183, 214, 320, 326, 334, 354  
362, 473, 489

want to just...? I would move that we adjourn until tomorrow morning at nine o'clock.

SPEAKER BARRETT: You have heard the motion to adjourn. Mr. Clerk, do you have anything for the record?

CLERK: Mr. President, yes, I do, thank you. Your Committee on Banking, Commerce and Insurance, whose Chair is Senator Landis, to whom was referred LB 214, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 320, General File with amendments; LB 326, General File with amendments; LB 334, General File with amendments. Those are signed by Senator Landis as Chair. (See pages 566-71 of the Legislative Journal.)

Your Committee on Health and Human Services whose Chair is Senator Wesely, to whom was referred LB 354, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 362, General File; LB 489 to General File, all signed by Senator Wesely. (See page 571 of the Legislative Journal.)

I have a series of notices of hearings from the Appropriations Committee, Mr. President, all signed by Senator Warner as Chair of the committee. Mr. President, a series of unanimous consent requests. Senator Withem to add his name to LB 183; Senator Korshoj to LB 473, Senator Smith to LB 121. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The question is the adjournment of the body until tomorrow morning at nine o'clock. Those in favor say aye. Opposed nay. Carried. We are adjourned. (Gavel.)

Proofed by:

  
Sandy Ryan

February 15, 1989      LB 326, 334

CLERK:      28 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

PRESIDENT:      The committee amendments are adopted. Senator Landis, on the advancement of the bill, please.

SENATOR LANDIS: Ah, I guess that's right, we were talking about the committee amendments. Self-insurance, remember, is based on the idea that you pay your losses. You pay for your losses. The virtue of having this measure is to give us a competitive method. Even if we don't use 326 for self-insurance, the fact that we can self-insure is a fact that we can take to the insurance companies whom we ask to bid for our business and to remind them that if their premiums are exorbitant, we can, in fact, self-insure. I think it has the additional in...ability to create some leverage for us should we wish to continue with the idea of using an insurance policy. One of the difficulties is that it is hard to find insurers who will do this business. Oddly enough, we don't find a lot of clamoring to do the state's business. I would move for the advancement of the measure.

PRESIDENT: Any further discussion? If not, 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 326.

PRESIDENT: LB 326 advances. LB 334, please.

CLERK: LB 334, Mr. President, introduced by Senator Haberman. (Read title.) The bill was introduced on January 11, referred to the Banking Committee for hearing, advanced to General File. I do have Banking, Commerce and Insurance Committee amendments pending.

PRESIDENT: Thank you. Senator Landis, please.

SENATOR LANDIS: Thank you, Mr. President, and members of the Legislature, I am getting worn out here but I will...I think I've got it in me to do one more bill here.

PRESIDENT: That's fine, we're enjoying it.

SENATOR LANDIS: Okay. To understand this bill, you have to

understand what a trust deed is. A trust deed is an arrangement that approximates a mortgage but it's a slightly different animal. In a mortgage, normally, you borrow from the lender, you pay it back. The deed is filed in your name. In the event you don't pay off the mortgage, they foreclose on the mortgage and take back title to the property. Foreclosure can be a difficult situation for the lender. It has the right of repayment. It has some delays in there to allow the person to pay off the mortgage. It is a system that lenders feel is pretty much tied up in the courts for a long time and they can't get back the property should the mortgage not be paid. So the trust deed was invented to take the place of the mortgage. And the trust deed works this way. I want to buy a piece of property but I have got to borrow the money to do it. So I go to a lender, they lend me money. I then, although I don't do it physically, the notion goes I hand the deed to a trustee who holds the deed during the pendency of my repayment of the loan. The trustee is supposed to give me the deed back when I have paid off the loan and the property is now mine. If I do not pay off the loan, the trustee is to give the deed back to the borrower...I'm sorry, back to the lender. The trust deed value as an instrument is to cut off the rights that a borrower has in foreclosure and it strengthens the hand of the lender. That's why lenders want to use them. Now, in fact, the trustee doesn't wind up holding the actual deed and they do this arrangement on paper but the trustee is to hold this function. Now, who wants to have the trustee? Well, in one sense, both parties do because the borrower wants the money but it's the lender who wants the trustee and the lender usually finds a lawyer that they do business with to serve as the trustee and they serve on paper as the trustee and they are supposed to be notified of certain things. Now let's say that the borrower has agreed to the trustee, the trustee has been named by the lender and, for some reason, the lender who is really in the driver's seat here wants a different trustee, wants to substitute one trustee for another. Well, they can do that and they can do that under existing law and all they have to do is go through some notification processes. But this bill is designed to change the rules by which that substitution is done. Why? Well, I'll tell you what's happening out there. What's happening is the lawyers who are serving as the trustees and performing this ministerial function, when they're being asked to step aside and getting substituted by the lender, are saying, all right, I will agree to being substituted out of this arrangement and I will sign this substitution if you pay me. Haven't done anything.

Haven't done any work, but I'm getting substituted out of this arrangement and while I'm here I'll tell you what, I'll sign your substitution agreement if you pay me some money. It's kind of like the Czech hostage issue of last year. So who has asked for this bill? The bankers have asked for this bill. The lenders have asked for this bill. What do they want to do? They want to be able to bounce their trustee and get a different trustee without having to pay off the trustee for substituting them for doing basically no work. Now, how do they want to do that? They want to be able to have an affidavit given to the court, if necessary, telling the court that they have sent a certified or a registered mail with this request for substitution and that it was received at the last known address of the trustee that's being replaced and that will suffice. Currently, the law requires the signature of that replacement trustee and they're not giving their signature without taking the chance, in some cases, to gig for a little cash from the lender. Well, this is the bank's way of getting around that and that's why the bill is here. I would urge the adoption of the amendment which identifies the level of notice that has to be given and what has to be done. The amendment says that it is sufficient that you substitute by certified or registered mail with postage prepaid and return receipt requested and that that is received at the last known address of the trustee being replaced. I ask for the adoption of the amendment.

PRESIDENT: Senator Ashford, did you wish to speak on the committee amendment.

SENATOR ASHFORD: I would like to ask Senator Landis a question, briefly.

PRESIDENT: Senator Landis, please.

SENATOR ASHFORD: I...

SENATOR LANDIS: Sure.

SENATOR ASHFORD: I have had some experience in doing these matters and I...I am not sure that the picture out there is quite as machiavellian as you...as you suggest. Let me understand this. When the trust deed is executed, under state law it's required that a trustee be appointed and in many cases it's the trust...trustee is the attorney who drafts the trust deed, or at least who may be the attorney for the trustor. Is

that your understanding? Is that what you said?

SENATOR LANDIS: It's not what I said. That is the case sometimes. Generally speaking, in my experience, the trustee winds up being appointed by the lender. It's the lender choice.

SENATOR ASHFORD: All right. And the problem you're trying to solve is when there is a foreclosure of the trust deed, the lender can then substitute itself or himself?

SENATOR LANDIS: No.

SENATOR ASHFORD: Or there is a...

SENATOR LANDIS: Let me describe it again. Okay, I'll answer that question then. I'm not...

SENATOR ASHFORD: You don't have to go through the whole thing. I just want to...

SENATOR LANDIS: Sure. In the event...in the administration of the trust, the lender may wish for a different trustee. Somebody is moving, going out of town, going out of business, retiring, whatever, the lender wants a different trustee and wants to substitute the trustee they have for a new one and that is what occasions this circumstance.

SENATOR ASHFORD: All right, and it may be...and in most cases or in many cases the trustee is the...because this may be someone such as the attorney who represented the lender at the time of the transaction.

SENATOR LANDIS: Right.

SENATOR ASHFORD: It could be a bank too or it could be some other institution.

SENATOR LANDIS: Yes, it could.

SENATOR ASHFORD: And what this bill does is it requires that substitution to take place upon notice automatically.

SENATOR LANDIS: That's right. That's...

SENATOR ASHFORD: What if they're...I guess my question would

be, what if the trustee does have a valid claim for services in connection with that transaction?

SENATOR LANDIS: Absolute...the trustee, if he has done business and done services, is not prejudiced in any way by this measure for recovering their fees. What the...what the trust...what this is designed to do is to say, listen, if you won't give me your signature without asking me for extra money for substituting you, all I have to do to substitute for who my trustee is is get an affidavit that I have sent notice that I want a new trustee, to my existing trustee, and that it has been received at his place of business. Then I can go out and get a new trustee.

SENATOR ASHFORD: Okay, I can see some...some abuse there on the part of the bank lender, possibly, and maybe I...between General and Select File, we could talk about it.

SENATOR LANDIS: Good.

SENATOR ASHFORD: Because I think there are legitimate claims of trustees, both for the initial...oftentimes what happens is the trustee is paid a fee upon the foreclosure of a trust deed, and what happens is that...and so when a trustee is appointed as trustee, he or she does not receive a fee at that time, but receives a fee upon foreclosure or upon doing some other act. So the review of the material and that the trust deed accomplishes, though albeit minor, still has some service, and that if this can be done in the way that you're suggesting, the trustee may have...be anticipating a fee down the road which this particular procedure would cut he or she off from.

SENATOR LANDIS: If I have a...if that's in the form of a question...

SENATOR ASHFORD: Yeah.

SENATOR LANDIS: ...I'd like a chance to respond...

SENATOR ASHFORD: Yes.

SENATOR LANDIS: ...about my intention and what I think the law is. Number one, it would not be my intention to cut off the right of recovery for somebody who performs service. That's not my intention...and when I say, my intention, this bill isn't

mine, this is Senator Haberman's bill that I'm explaining for him, he is not here. As a matter of fact, if he was here, you could try your hand at trying to understand what the issue was. Maybe I've erred by making it a little too clear here, but with respect to the issue at hand... (Laughter.)

SENATOR ASHFORD: Well, I expect there is an issue here...

PRESIDENT: Half a minute.

SENATOR LANDIS: Right. With the question of whether or not service has been performed, two things I think occur. Number one, in quasi contract the lawyer would be able to recover for a service. Second, under the theory of quantum meruit, if you perform a service, you receive...and those...

SENATOR ASHFORD: Yeah.

SENATOR LANDIS: ...underlying theories remain unchanged.

SENATOR ASHFORD: Yeah.

SENATOR LANDIS: This is to effectuate a transfer when there is a stubborn trustee that won't permit themselves to be substituted out by the lender.

SENATOR ASHFORD: As there may, in fact, have been at one time or another in the history of...

PRESIDENT: Time has expired.

SENATOR LANDIS: I think that's why the bankers are here.

PRESIDENT: May I introduce a special guest of Senator Smith. Over under the north balcony we have a previous Lieutenant Governor, Lieutenant Governor Gerry Whalen of Hastings, Nebraska. It's good to see you again, Gerry. Thank you for visiting us. Senator Landis, did you wish to close on the committee amendments.

SENATOR LANDIS: I will close on the committee amendments which are technical in nature and then I will move on to the bill. Let me just summarize on the bill itself by saying this does not prohibit recovery for services rendered. What it does do is to allow the lender to substitute the trustee of their choice



without a reluctant trustee hitting them up for some money at the time. The winners in this case are the lenders because they get...basically, they get to make this transfer of trustee without being over the barrel. That's why you can see that the Nebraska Bankers Association and NBC are there. Why has it come about? Because there were some trustees asking for money. In the typical fashion, by the way, in which these kinds of businesses are done both of these people came in and testified about the bill in the most pristine manner that there was. I had to go outside and say, what's happening? Why do you need this bill? And they said, oh, well, David, the reason we need the bill is because the lawyers are asking us for some money for doing nothing and we think we ought to be able to substitute them. I said, why didn't you put that on the record? Why didn't you say that in the hearing so we all know what's going on? They said, well, maybe we'll do that next time. Anyway, I'm going to try to bring you back...that kind of stuff, that's the story of why this bill is here. And, on that basis, I intend to vote for the bill.

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

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

PRESIDENT: The committee amendments are adopted. Now on the advancement of the bill, Senator Ashford. Okay. Any further discussion? Senator Landis, on the advancement of the bill. If not, 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 334, Mr. President.

PRESIDENT: LB 334 is advanced. We'll move on to LB 354.

CLERK: Mr. President, 354 was a bill introduced by Senator Wesely. (Read title.) Introduced originally on January 11, referred to Health and Human Services, advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Wesely, please.

February 21, 1989      LB 320, 326, 334, 354, 354A, 362, 362A  
365, 489

County senators supported it and some of them opposed it. So it was very difficult for me, being 150 miles from Douglas County, to know exactly what to do and this is why I held out for the amendment that it be brought up to a vote, both whether they would allow Douglas County to purchase Ak-Sar-Ben, and also if Douglas County had to issue bonds to do this, it would have to be brought up to a vote of Douglas County voters. So I just...and I'm going to support Senator Labedz in withdrawing this now.

PRESIDENT: Thank you. Senator Labedz, would this be your closing, Senator Labedz?

SENATOR LABEDZ: Yes.

PRESIDENT: All right.

SENATOR LABEDZ: Thank you, Mr. President. I failed to also thank the senators of the Ag Committee that supported the bill in the committee hearing and every time they had an exec session and I do appreciate that fact. And Senator Hefner is right, it did allow a vote of the people as the committee amended the bill and perhaps it may come back again. In fact, I know it will and I appreciate the fact that Senator Johnson has offered the county board an interim study on the issue, and as I say again, I appreciate the fact, the support that I got and the co-sponsors also of LB 365. I urge the affirmative vote on the withdrawal of LB 365.

PRESIDENT: Thank you. The question is, shall LB 365 be withdrawn? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 33 ayes, 0 nays, Mr. President, on the motion to withdraw LB 365.

PRESIDENT: LB 365 is withdrawn. Would you like to read in some things, Mr. Clerk, please?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 320 and recommend that same be placed on Select File with E & R amendments attached, LB 326 Select File E & R amendments, LB 334 Select File with E & R, LB 354 Select File, LB 354A Select File, LB 362 Select File, LB 362A Select File, LB 489

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LB 320, 326, 334

SENATOR LINDSAY: Mr. President, I move that LB 320 as amended be advanced to E & R for Engrossing.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 326.

CLERK: On 326, Senator, I have E & R amendments only.

PRESIDENT: Senator Lindsay.

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

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

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

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 326 as amended be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. Moving to LB 334.

CLERK: I have E & R on 334, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: You do have E & R?

CLERK: Yes, sir.

PRESIDENT: Yes.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 334 be adopted.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

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

SENATOR LINDSAY: Mr. President, I move that LB 334 as

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LB 48, 61, 161, 176, 298, 327, 334  
349, 354, 354A, 391, 398, 416, 458  
459, 502, 542

adopted...or, excuse me, as amended be advanced.

PRESIDENT: You've heard the motion. All in favor say aye.  
Opposed nay. It is advanced. LB 354.

CLERK: LB 354, Senator, no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 354 be advanced.

PRESIDENT: You've heard the motion. All in favor say aye.  
Opposed nay. It is advanced. LB 354A.

CLERK: On 354A, Senator, I have no amendments to the bill.

PRESIDENT: You've heard the motion...Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 354A be  
advanced.

PRESIDENT: You've heard the motion. All in favor say aye.  
Opposed nay. It is advanced. Mr. Speaker, did you wish to say  
something about the time of the meeting tomorrow morning before  
we adjourn?

SPEAKER BARRETT: Thank you, Mr. President, just a reminder that  
we will convene at eight o'clock tomorrow morning for the  
purpose of reading, I believe it is LB 92, the big bill. Thank  
you. Eight o'clock, tomorrow morning.

PRESIDENT: Okay, Mr. Clerk, do you have something for the  
record?

CLERK: Mr. President, I do. Senator Rod Johnson would move  
that LB 161 be placed on General File pursuant to Rule 3,  
Section 19, and that will be laid over.

Your Enrolling Clerk has presented to the Governor as of  
eleven-o-five this morning bills read on Final Reading this  
morning. (Re: LB 391, LB 398, LB 458, LB 459, LB 48, LB 61,  
LB 176, LB 298, LB 327, LB 349, LB 416, LB 502. See page 956 of  
the Legislative Journal.)

Banking Committee reports LB 542 to General File with amendments

March 6, 1989

LB 187, 187A, 214, 214A, 224, 320, 326  
334, 354, 354A, 421, 516, 556, 638

PRESIDENT: The motion fails. Mr. Clerk, do you want to read in some things before we proceed?

ASSISTANT CLERK: Yes, Mr. President. I have priority bill designations from Transportation Committee and Senator Carson Rogers. Government Committee reports LB 638 to General File with committee amendments. Committee on Enrollment and Review reports the following bills correctly engrossed--LB 187, LB 187A, LB 214,...

PRESIDENT: The call is raised.

ASSISTANT CLERK: ...LB 214A, LB 320, LB 326, LB 334, LB 354, LB 354A, LB 421, LB 516, and LB 556. That is all that I have, Mr. President. (See pages 988-91 of the Legislative Journal.)

PRESIDENT: We're back on the advancement of the bill. Senator McFarland, on the advancement of the bill, followed by Senator Chambers and Senator Hefner.

SENATOR MCFARLAND: Yes, I'd like to address some of the concerns that Senator Chambers has raised because he's really overstated, he's misled and he had not apparently read the bill in detail, as he tries to convey to us. Let's just look at one thing. He's alleging that this is going to be a state enforcement procedure, an...

PRESIDENT: The call is raised.

SENATOR MCFARLAND: ...agent for the NCAA. And all it is to do is to protect eligibility of college athletes for the institutions. Well the fact of the matter is that in the part dealing with the noneligible student athlete we say that they cannot be contacted either, unless the sports agent registers with the Secretary of State. Earlier Senator Chambers said, well why should they have to be concerned, if they don't have eligibility, why should they have to be concerned about whether the sports agent registers with the Secretary of State. The reason is we're concerned about all athletes, eligible, noneligible, high school athletes, athletes who may be in professional school or graduate school or whatever. The goal of the bill is to protect athletes from being exploited by sports agents. If you read that particular provision that talks about noneligible student athletes they can be contacted, it's on page 4, they can be contacted if the sports agent is registered.

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LB 326, 334, 421

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 326 with the emergency clause attached become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 1199-1200 of the Legislative Journal.) 37 ayes, 0 nays, 3 present and not voting, 9 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 326E passes. LB 334.

CLERK: (Read LB 334 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 334 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 1200-01 of the Legislative Journal.) 42 ayes, 0 nays, 7 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 334 passes. LB 421.

CLERK: Mr. President, I have a motion. Senator Smith would move to return LB 421 to Select File for a specific amendment. The amendment is found on page 1191 of the Journal.

SPEAKER BARRETT: Senator Smith, please.

SENATOR SMITH: Thank you, Mr. Speaker. Members of the body, you remember that LB 421 was a bill which set forth procedural requirements when municipalities were attempting to go through the process of annexation. And you will also remember that when the bill moved from Select I attached an amendment that would have placed not only the first class cities under this process but all classes of cities, including metropolitan and primary. And since that time have sat down and visited with representatives from Omaha and Lincoln and I have seen...they are both, by the way, home charter communities, and they have shown me their policies, their processes and procedures and it would make it almost impossible, in fact, it would be impossible to follow this process which I have set out which originally was intended for first class cities. For that reason, what I am

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LB 155, 326, 334, 336, 440, 441, 489  
516, 556, 623, 744  
LR 58, 59

return to your seats, we will continue with Final Reading, please. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 556, LB 516, LB 489, LB 440, LB 334, LB 326. Okay, Mr. Clerk.

ASSISTANT CLERK: (Read LB 441 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 441 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 1205-06 of the Legislative Journal.) The vote is 40 ayes, 0 nays, 4 present and not voting, 5 excused and not voting, Mr. President.

PRESIDENT: LB 441 passes with the emergency clause attached. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 441 with the emergency clause attached. Mr. Clerk, do you have something for the record?

CLERK: Mr. President, I do. Your Committee on Enrollment and Review respectfully reports they have carefully reviewed and examined LB 155 and find the same correctly engrossed; LB 336; LB 623, and LB 744, all reported correctly engrossed. (See pages 1206-07 of the Legislative Journal.)

Mr. President, I have a report of registered lobbyists for this past week.

New resolution, Mr. President, LR 58, by Senator Rod Johnson. (Read brief description of LR 58 as found on page 1209 of the Legislative Journal.) That will be laid over. LR 59, by Senator Rod Johnson. (Read brief description of LR 59 as found on page 1209 of the Legislative Journal.) That's all that I have, Mr. President.

I do, excuse me, I do have one other item. Hearing notice, confirmation hearing notice from the Judiciary Committee. (See page 1210 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Thank you. I would like to introduce some guests in the north balcony. Senators Barrett, Baack, Elmer, Haberman,

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LB 89, 326, 334, 440, 441, 489, 516  
556, 711  
LR 60

only one absent, Senator Chambers, at this point. Should we go ahead, or would you prefer to wait? A roll call vote has been requested. Members, please return to your seats for a roll call vote. The question before the body is the adoption of the Chambers amendment to the Schmit amendment to LB 89. Mr. Clerk, proceed.

CLERK: (Roll call vote taken. See page 1213 of the Legislative Journal.) 10 ayes, 29 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: The motion fails. Anything for the record, Mr. Clerk? The call is raised.

CLERK: Mr. President, new resolution. LR 60, by Rod Johnson, asking the Legislature to declare the week of March 19 through the 25th as Agriculture Week. That will be laid over. Your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning, Mr. President. (Re. LB 326, LB 334, LB 440, LB 489, LB 516, LB 556, and LB 441.) Banking Committee reports LB 711 as indefinitely postponed. Government Committee offers a confirmation report, that is signed by Senator Baack as Chair. That's all that I have, Mr. President. (See pages 1213-14 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, Mr. Clerk. The Chair would like to take just a moment to advise the membership that we will be on a full day schedule beginning Monday. This next Monday we will be on the floor all day. The second announcement that I'd like to share with you is the fact that the following Monday, that is specifically March 27th, it is my plan at this moment to convene at one o'clock, Monday afternoon, March 27th. You will have Monday morning off, that's the Monday following Easter. We will convene at one o'clock, Monday afternoon, the 27th of March, and hopefully work a little later that day than we normally would. Anything else, Mr. Clerk?

CLERK: Not at this time, Mr. President.

SPEAKER BARRETT: Thank you. Senator Robak.

SENATOR ROBAK: Mr. Speaker, I move we adjourn until Monday morning at nine o'clock.

SPEAKER BARRETT: You've heard the motion offered by Senator



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LB 326, 334, 340A, 340, 378A, 408A, 410  
412A, 414, 440, 441, 489, 516, 556  
574A, 714

SPEAKER BARRETT: Is there any discussion? Seeing none, those in favor of the advancement of LB 714 to Enrollment and Review please vote aye, opposed nay. Record, please.

CLERK: 34 ayes, 0 nays, Mr. President, on the advancement of LB 714.

SPEAKER BARRETT: LB 714 is advanced. Anything for the record?

CLERK: Mr. President, Enrollment and Review reports LB 340A to Select File; LB 378A to Select File; LB 408A, Select File; LB 412A, Select File; LB 574A, Select File; LB 410; LB 414, Select File. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Schellpeper, would you care to recess us until one-thirty.

SENATOR SCHELLPEPER: Yes, I will. Mr. Speaker and members, I would move that we recess until one-thirty.

SPEAKER BARRETT: You have heard the motion to recess until one-thirty. Those in favor say aye. Opposed no. Motion carried. We are recessed. (Gavel.)

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you, sir. For the record, Mr. Clerk.

CLERK: Mr. President, a communication from the Governor to the Clerk. (Read communication re signing of LB 326, LB 334, LB 440, LB 489, LB 516, LB 556, and LB 441. See pages 1259-60 of the Legislative Journal.)

Senator Bernard-Stevens has amendments to LB 340 to be printed, Mr. President. (See pages 1260-61 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Before proceeding into the