

March 13, 1989

LB 49A, 77, 161, 162, 183, 215, 226A
258, 272, 279, 319, 325, 335A, 357
377, 415, 431, 468, 477, 498, 537
539, 541, 568, 569, 572, 575, 586
591, 628, 630, 633, 646, 660, 662
671, 678, 714, 720, 747, 766

LB 335A for the first time by title. That is offered by Senator Korshoj. Read LB 49A for the first time by title. Read LB 226A for the first time by title. See pages 1100-01 of the Legislative Journal.)

Mr. President, Business and Labor Committee reports LB 415 to General File with amendments, signed by Senator Coordsen as Chair of the committee. General Affairs reports LB 477 indefinitely postponed, LB 568 indefinitely postponed, LB 572 indefinitely postponed, LB 660 indefinitely postponed, LB 766 indefinitely postponed. Those are signed by Senator Smith as Chair. Urban Affairs reports LB 498 as indefinitely postponed, LB 633 indefinitely postponed, LB 671 indefinitely postponed. Those are signed by Senator Hartnett. (See page 1101 of the Legislative Journal.)

I have amendments to be printed, Senator Wesely to LB 279; and Senator Schellpeper to LB 357. Mr. President, Health and Human Services Committee reports LB 537 to General File with amendments, LB 645 to General File with amendments, LB 662 to General File with amendments, and LB 539 indefinitely postponed, those signed by Senator Wesely as Chair. (See pages 1102-07 of the Legislative Journal.)

Mr. President, priority bill designations; Senator Morrissey selects LB 569; Senator Kristensen, LB 586, Senator Chizek, LB 747 as his personal priority bill, and LB 215 and LB 377 as Judiciary Committee priorities; Senator Warner has LB 468 and LB 258 by Appropriations Committee; Banking, Commerce and Insurance offers LB 319 and LB 272 as priority bills; Senator Barrett has LB 575 as his personal priority bill; Senator Warner, LB 77 as his personal priority bill; Senator Coordsen offers LB 541 and LB 630 as Business and Labor priority bills; Senator Goodrich has selected LB 591 as his priority bill; Senator Rod Johnson has selected LB 161 and LB 162 as committee priority bills, and LR 2CA as his personal priority resolution; Senator Wesely selects LB 431 as his personal priority bill, and LB 678 and LB 720 as Health and Human Services priorities; Senator Hefner selects LB 325 as his personal priority bill; Senator Lowell Johnson selects LB 646 as his personal priority bill; Senator Robak, LB 628 as her priority bill; and Senator Conway, LB 714 as his priority bill.

And Senator Baack, Mr. President, has amendments to be printed to LB 183. (See pages 1109-10 of the Legislative Journal.) And

March 28, 1989

LB 335A, 705

SPEAKER BARRETT: Thank you. To the first bill, Mr. Clerk, LB 335A.

CLERK: Mr. President, 335A is on General File. It was introduced by Senator Korshoj. (Title read.) I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Korshoj, would you handle the A bill, please?

SENATOR KORSHOJ: Mr. Speaker and members, I move the A bill forward with the bill. Thank you.

SPEAKER BARRETT: Thank you. Any discussion? Any discussion? If not, those in favor of advancing LB 335A please vote aye, opposed nay. On the advancement of 335A, have you all voted? Please record.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 335A.

SPEAKER BARRETT: LB 335A is advanced. LB 705.

CLERK: Mr. President, 705 was a bill that was introduced by Senators Lindsay and Hall. (Title read.) The bill was introduced on January 19, referred to the Revenue Committee. The bill was advanced to General File. I have no amendments to the bill, I have committee amendments pending to the bill, Mr. President, excuse me.

SPEAKER BARRETT: Senator Hall, on the committee amendments.

SENATOR HALL: Thank you, Mr. President and members. The committee amendments, as the Clerk pointed out, are on the bill. All they do is add an effective date of July 1, 1989. The purposes for that is so that it clarifies at what point in time the exemption would take place. I would urge the adoption of the committee amendments.

SPEAKER BARRETT: Is there discussion? If not, those in favor of the adoption of the committee amendments to 705 please vote aye, opposed nay. Record, please.

CLERK: 26 ayes, 0 nays on adoption of committee amendments,

March 30, 1989

LB 54A, 335, 335A, 395, 705
LR 63, 65

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George Norris Legislative Chamber for the final work day of this week. The opening prayer by our chaplain this morning, Reverend James Carmon of the Old Cheney Alliance Church here in Lincoln. Reverend Carmon. (Gavel.)

REVEREND CARMON: (Prayer offered.)

SPEAKER BARRETT: Thank you, Reverend Carmon. We hope you can come back again another day. Roll call.

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

SPEAKER BARRETT: Thank you. With a quorum present, any corrections to the Journal?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any announcements, messages or reports?

CLERK: Mr. President, Enrollment and Review reports LB 54A to Select File; LB 335, Select File with amendments; LB 335A, Select File; LB 705, Select File with amendments, and LB 395, Select File, those all signed by Senator Lindsay as Chair of Enrollment and Review. (See pages 1398-99 of the Legislative Journal.)

Mr. President, study resolution offered by Senators Wesely, Schellpeper, Goodrich, Crosby, Dierks and Byars. (Gave brief description of LR 65 as found on pages 1399-1400 of the Legislative Journal.) That will be referred to the Executive Board. 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 LR 63. Also, pleased to announce that Senator McFarland has some guests in the north balcony. We have six students from Lincoln, specifically Victory Fellowship Church School, and their teacher. Would you folks please stand and be recognized. Thank you. We're glad to have you. Again, a reminder, we are proceeding into consent calendar at this point, LB 706. A reminder that bills can be struck from the consent calendar with three signatures. A very specific reminder that

mean, it is not something to take lightly. We are allowing for a 50 percent increase in the credit for small businesses and I appreciate the first half of the proposal that Senator Rogers and Korshoj brought to the committee because I think, one, we have to clarify provisions with regard to what the investment total was; and, secondly, a reduction in that investment requirement was appropriate for small businesses. They needed to be able to use that if we're going to have it in place at all. But to increase by 50 percent the credit that is available to the income tax for those owners is a policy decision that I think needs to be voted on separately and I offer that amendment for that purpose. I think that the issue is one that's been debated clearly. The weaknesses and the strengths have been pointed out. I won't belabor the issue but I did want to bring this to the body's attention because it is a substantive policy change in LB 270 that was passed two years ago. I would urge the adoption of the amendment, Mr. President.

SPEAKER BARRETT: Thank you. You have heard the closing and the question is the adoption of the Hall amendment to LB 335. Those in favor vote aye, opposed nay. Record, Mr. Clerk. A record vote has been requested.

CLERK: (Record vote read. See page 1487 of the Legislative Journal.) 4 ayes, 26 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: Motion fails.

CLERK: I have nothing further on the bill, Mr. President.

SPEAKER BARRETT: Senator Lindsay. Senator Hall, please, would you care to.

SENATOR HALL: I move that LB 335 be advanced to E & R for Engrossing.

SPEAKER BARRETT: Thank you. Any discussion? If not, those in favor of the movement of 335 please say aye. Opposed no. The ayes have it. The bill is advanced. LB 335A, Mr. Clerk.

CLERK: LB 335A, Mr. President, I have no amendments to the bill.

SPEAKER BARRETT: Senator Hall.

April 4, 1989

LB 137, 335A, 392, 482, 611, 695, 705

SENATOR HALL: I would move that LB 335A be advanced to E & R for Engrossing.

SPEAKER BARRETT: Shall LB 335A be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 705.

CLERK: Mr. President, may I read some items for the record? I have a proposed rules change offered by Senator Wesely. That will be referred to the Rules Committee.

Enrollment and Review Committee reports LB 482, LB 695, and LB 392 to Select File some having E & R amendments attached. (See pages 1489-90 of the Legislative Journal.)

Mr. President, Senator Bernard-Stevens would like to add his name to LB 137 and to LB 611 as co-introducer.

Mr. President, the next bill is LB 705. The first order of business are adoption of Enrollment and Review...consideration of Enrollment and Review amendments, Mr. President.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 705 be adopted.

SPEAKER BARRETT: You heard the motion to adopt the E & R amendments. Those in favor say aye. Opposed no. Carried. They are adopted.

CLERK: Mr. President, Senator Moore would move to indefinitely postpone the bill. Senator Lindsay would have the option to lay the bill over, Mr. President.

SPEAKER BARRETT: Senator Lindsay, your wishes.

SENATOR LINDSAY: We will take it up.

SPEAKER BARRETT: Take the bill up, thank you. Senator Moore.

SENATOR MOORE: Mr. Speaker and members, as you all remember, LB 705 is the bill that basically has the state giving a gift of about \$200,000 to Joslyn Art Museum down in Omaha, and I'm going to ask Senator Hall a question as I want to say this I have got

April 7, 1989

LB 54A, 247, 335, 335A, 395, 705, 722
LR 2

CLERK: Nothing further, Senator.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I would move that LB 722, as amended, be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. Now, to go back. Would you like to put something into the record, Mr. Clerk?

CLERK: Mr. President, very quickly. Your Committee on Enrollment and Review reports LR 2CA as correctly engrossed; LB 54A, correctly engrossed; LB 335, LB 335A, LB 395, LB 705 all correctly engrossed, all signed by Senator Lindsay. That's all that I have, Mr. President. (See page 1576 of the Journal.)

PRESIDENT: All right, we'll go back to LB 247. And do you have something new for us, Mr. Clerk?

CLERK: Mr. President, back to 247. The next item I have is an amendment by Senators Warner, Langford and Kristensen. Mr. President, you'll find the amendment in your bills books, its AM1114. (See page 1540 of the Legislative Journal.)

PRESIDENT: Senator Warner, are you going to handle that to start with?

SENATOR WARNER: Initially.

PRESIDENT: All right.

SENATOR WARNER: Mr. President, members of the Legislature, this amendment deals with the issue of Kearney State, whether or not it should be a portion of the University of Nebraska system, namely the University of Nebraska at Kearney, which in essence I guess is the issue we've been discussing, in a sense, much of the morning. The amendment, as offered, is identical to LB 160, with three exceptions. At the time the bill was introduced, there was not a provision contained in the original draft that addressed the issue of any bonded indebtedness that Kearney State did have, does have, and how that would be handled. And it was not in there for the reason that it just simply had not been put together by bond attorneys. That has now been addressed and is in the amendment that is proposed. Secondly,

PRESIDENT: The motion fails. Do you have anything for the record, Mr. Clerk?

CLERK: Mr. President, Enrollment and Review reports LB 591 as correctly engrossed. New A bills. (Read LB 591A and LB 335A by title for the first time. See pages 1802-03 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Approaching at the moment in the north balcony, Senator Goodrich has guests coming in. There are 56 students from Westgate Elementary School in Omaha, Nebraska with their teacher. Would you wave to us, students, so that we can recognize you for visiting us today. And thank you for visiting us. Mr. Clerk.

CLERK: Mr. President, Senator Wesely would move to amend. (See page 1803 of the Journal.)

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. President and members, this amendment follows an expected vote on the last amendment and raises the issue for discussion about why it would be appropriate to move with Kearney and not appropriate to include all the other state colleges. Now I understand there may be some differentiations, obviously size would be one, but in my estimation the role and mission of the state colleges is very similar that the differences are rather small in nature in terms of what their intent is. Their differences in size of the student population is certainly great, but a university is not a university just because of its size. It's a university because of its role and its mission, its function, its programs, its faculty, and there is a lot of different factors involved with that. And I frankly contend that if Kearney is a university, then you can as well argue that the other state colleges could be considered a university as well. I have in my own district Wesleyan University, a small university that has about 1,000 students. The other state colleges are as big as Wesleyan is. It is considered a university. And so in my view the question really is, why single out Kearney and why not include the other state colleges as we make this change? If the goal is to better coordinate and prioritize in higher education, then the better course of action would seem to me to include all the state colleges and not just one of the state colleges. And this is

May 19, 1989

LB 183, 183A, 335, 335A, 340

SPEAKER BARRETT: LB 183 passes. LB 183A.

CLERK: (Read LB 183A on Final Reading.)

SPEAKER BARRETT: Have you all voted? Record.

CLERK: (Record vote read as found on page 2609 of the Legislative Journal.) 39 ayes, 6 nays, 2 present not voting, 2 excused not voting.

SPEAKER BARRETT: LB 183A passes. The Chair again reminds members that they are to remain in their seats during Final Reading and until the vote has been announced certainly. Would ask the Sergeant-at-Arms to cooperate. Next bill, Mr. Clerk.

CLERK: (Read LB 335 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 335 pass? Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: (Record vote read as found on page 2610 of the Legislative Journal.) 44 ayes, 3 nays, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 335 passes. LB 335A.

CLERK: (Read LB 335A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 335A become law? Those in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read as found on pages 2610-11 of the Legislative Journal.) 44 ayes, 3 nays, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 335A passes. LB 340. Again, members are reminded to be in their seats.

ASSISTANT CLERK: (Read LB 340 on Final Reading.)

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

May 19, 1989

LB 132, 183, 183A, 335, 335A, 340, 340A

LB 340 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read as found on pages 2611-12 of the Legislative Journal.) Vote is 30 ayes, 16 nays, 1 present not voting, 2 excused not voting, Mr. President.

SPEAKER BARRETT: LB 340 passes. LB 340A.

CLERK: (Read LB 340A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 340A with the emergency clause attached become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read as found on pages 2612-13 of the Legislative Journal.) Vote is 36 ayes, 11 nays, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 340AE passes. And while the Legislature's in session and capable of transacting business, I propose to sign and I do sign LB 132, LB 183, LB 183A, LB 335, LB 335A, LB 340, and LB 340A.

Senator Lynch, for what purpose do you rise?

SENATOR LYNCH: Mr. Chairman and members, I move we adjourn until nine o'clock on the morning of May 22nd.

SPEAKER BARRETT: A motion to adjourn. Senator Pirsch, I would recognize you for a very quick announcement, please.

SENATOR PIRSCH: Thank you, Mr. Speaker. Before we adjourn, if we adjourn, I would like to suggest a round of applause and bravos for the good work that Pat and Dick and Vicki have done this evening, as well as all the other evenings. They have a monumental task that has to be even more frustrating and worrisome than the job that we do. Thank you.

SPEAKER BARRETT: Thank you, Senator Pirsch.

SENATOR PIRSCH: (Microphone not activated immediately)..on that, Mr. Speaker? I think that a thanks is owed to our Sergeant-of-Arms, who have to track everybody down and keep us

May 22, 1989

LB 132, 183, 183A, 335, 335A, 340, 340A
LR 219

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the last Monday morning in this the First Session of the Ninety-First Legislature. The opening prayer this morning by Rabbi Ethan Seidel of Tiffereth Israel Synagogue here in Lincoln. Rabbi Siedel. (Gavel.)

RABBI SEIDEL: (Prayer offered.)

SPEAKER BARRETT: Thank you, Rabbi Seidel. We hope you can come back with us again. Roll call. (Gavel.)

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 or reports or announcements?

CLERK: Mr. President, your Enrolling Clerk did present to the Governor Friday evening as of 10:30 p.m. bills read on...during the evening hour. (Re. LB 132, LB 183, LB 183A, LB 335, LB 335A, LB 340, LB 340A.)

Mr. President, report from the Board of Public Roads Classifications Standards. That will be on file in my office. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. To item 5, Mr. Clerk, legislative resolution.

CLERK: Mr. President, Senator Abboud offers LR 219 that's found on page 2523. (Read brief description of LR 219.)

SPEAKER BARRETT: (Gavel.) Senator Abboud, please.

SENATOR ABOUD: Yes, Mr. President, Father Bill Foster has the parish priest of St. Gerald's since the parish's inception in 1957. He has seen the parish grow under his leadership. They have a fine school there as well as a fine parish in Ralston and in 1975 they extended it into southwest Omaha so they have two...two churches now. But he has done fantastic job. He has been a real inspiration to the community and I would like the Legislature to honor him here today.

May 24, 1989 LB 95, 132, 134, 158, 158A, 175, 175A, 182, 182A
183, 183A, 198, 228A, 228, 261, 261A, 280, 283
285, 285A, 302, 303, 303A, 305, 309, 309A, 310
312, 312A, 335, 335A, 340, 340A, 469, 525, 566
588, 651, 651A, 695, 706, 727, 781, 816, 816A

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us on our closing day as our Chaplain, Reverend Harland Johnson. Would you please rise for the invocation.

REVEREND HARLAND JOHNSON: (Prayer offered.)

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

PRESIDENT: Do we have any corrections this morning?

CLERK: Mr. President, one small correction. (Read correction found on page 2719 of the Legislative Journal.)

PRESIDENT: Okay, do you have any messages, reports, or announcements today?

CLERK: Mr. President, I do. I have a series of communications from the Governor. First of all, Mr. President, the last few bills read on Final Reading yesterday afternoon have been presented to the Governor as of 2:48 p.m., yesterday. (Re: LB 525, LB 566, LB 588, LB 651, LB 651A, LB 695, LB 706, LB 781. See page 2720 of the Legislative Journal.)

Mr. President, a series of communications from the Governor. (Read. Re: LB 228A.) A second communication to the Clerk. (Read. Re: LB 134, LB 158, LB 158A, LB 175, LB 175A, LB 182, LB 182A, LB 198.) A third communication. (Read. Re: LB 95, LB 261, LB 261A, LB 280, LB 283, LB 303, LB 303A, LB 312, LB 312A.) A fourth communication, Mr. President, to Mr. President, and Senators. (Read. Re: LB 183, LB 183A.) A fourth, Mr. President, to the Clerk. (Read. Re: LB 132, LB 285, LB 285A, LB 302, LB 305, LB 309, LB 309A, LB 310, LB 335, LB 335A, LB 340, LB 340A, LB 469, LB 727, LB 816, LB 816A.) The last letter I have received, Mr. President, with respect to signing of bills. (Read. Re: LB 228. See pages 2720-22 of the Legislative Journal.)