

February 14, 1989 LB 147A, 224A, 350A, 361A, 375, 408A, 416
535, 570, 629, 801

indefinitely postponed; LB 375, indefinitely postponed; LB 535, indefinitely postponed; LB 570, LB 629, LB 801, all indefinitely postponed, signed by Senator Hall as Chair of Revenue. (See page 742 of the Legislative Journal.)

New A bills, Mr. President. (Read LB 224A, LB 350A, LB 408A, LB 361A and LB 147A by title for the first time. See page 743 of the Legislative Journal.) That is all that I have, Mr. President.

PRESIDENT: Fine, thank you. We'll move on to LB 416.

CLERK: Mr. President, LB 416 was introduced by Senator Robak. (Title read.) The bill was introduced on January 13, referred to the Transportation Committee for public hearing, advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Thank you. Senator Robak, please.

SENATOR ROBAK: Mr. President and members of the Legislature, I don't want to make light of this situation, but in my office we refer to this as the K-Mart blue light special. LB 416 permits the use of blue flashing lights in conjunction with red and white flashing lights on emergency vehicles. Current law only now uses...permits the use of red and white lights. However, several Nebraska jurisdictions are already using blue with red and white lights. Studies have shown that at night blue and white lights are more visible than red and white lights. The Columbus police chief surveyed over 30 law enforcement agencies in Nebraska and learned that 20 are currently using blue lights. There is some confusion as to whether or not law enforcement agencies have the authority to use blue lights. For example, a city attorney told a police chief that blue lights were authorized while the county attorney told him that they were not. However, since 20 jurisdictions already use the blue lights, obviously, other positive legal opinions have been rendered in this matter. In 1982 a similar bill was introduced in the Legislature. The reason it was defeated at that time was because there were no studies done then to determine the effectiveness of blue lights. Those studies now have been done and they conclusively show that blue lights are much easier for motorists to see at night. During the day red lights are better, but the addition of blue at night greatly increases the visibility of the emergency vehicle. The other arguments were that if the lights were mandatory, it would be too expensive for

for example, that they negotiate could be \$30, it could be \$35, but at least there is a guideline in there to make it legal that we don't...they can't even negotiate a contract beyond the \$100. The rest of it, as I mentioned before, is a series of provisions for reciprocity, for conformity of other sections of the statutes, for the language, obsolete language, for any number of grammatical errors found in the real estate statutes, and that is just what we are trying to clean up all in one legislative bill. Beyond that, there is not much to it. I would just move that we advance the bill.

SPEAKER BARRETT: Thank you. There are no other lights on. Did that constitute your closing, Senator Goodrich? Thank you. The question is the advancement of the bill to E & R. Those in favor vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: 28 ayes, 1 nay, Mr. President, on the advancement of LB 350.

SPEAKER BARRETT: LB 350 is advanced. To the A bill, Mr. Clerk.

CLERK: Mr. President, LB 350A offered by Senator Goodrich. (Read title.)

SPEAKER BARRETT: The Chair recognizes Senator Goodrich.

SENATOR GOODRICH: Yes, the A bill calls for a \$3,980, I believe, figure it is. It is a cash-funded agency. There is no general funds involved. The real estate people pay their own thing all the way through this thing, so it is for \$3,980. I would move the advancement of the A bill.

SPEAKER BARRETT: Is there discussion? Seeing none, those in favor of the advancement of the A bill, please vote aye, opposed nay. Record, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to advance 350A.

SPEAKER BARRETT: LB 350A is advanced, and the Chair is pleased to note that Senator Elmer has a guest under the south balcony, the Executive Director of the Greater McCook Chamber of Commerce, Mr. Keith Ellis. Mr. Ellis, would you please stand and be recognized. Thank you, sir. We are glad to have you

February 5, 1990

LB 81, 350, 350A, 369, 692
LR 249

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the 22nd day in this, the Second Session of the Ninety-First Legislature. Our Chaplain of the day, our own Senator Carson Rogers. Senator Rogers. (Gavel.)

SENATOR ROGERS: (Prayer offered.)

SPEAKER BARRETT: (Gavel.) Thank you very much, Senator Rogers. Roll call.

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

SPEAKER BARRETT: Thank you. Are there any corrections to the Journal?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any reports, messages, or announcements?

CLERK: Mr. President, Enrollment and Review reports LB 81, LB 369, LB 350, LB 350A, and LB 692 to Select File, some of which have E & R amendments attached. That is all that I have, Mr. President. (See pages 658-60 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Proceeding to item five on today's agenda, LR 249, Mr. Clerk.

CLERK: Mr. President, LR 249 was introduced by Senator Scofield and Dierks. It is found on page 647 of the Journal. (Read.) Again, Mr. President, the resolution is on page 647 of the Journal.

SPEAKER BARRETT: The Chair recognizes Senator Scofield.

SENATOR SCOFIELD: Thank you, Mr. President. I shutter to introduce this resolution knowing that it will probably consume us this morning and, yet, even though I do it with some good humor, I also do it because it is an issue that continues to emerge across the state. It is, if you will look at the handouts on your desk, even a couple of years ago, and I don't believe there is a date, but this is a 1987 column from the Rural Electric Nebraskan that raised this question again about what does outstate mean, and where is it, and I, for the life of me, don't know. And, in fact, I teased Senator Hannibal, you

February 7, 1990

LB 350, 350A, 692

the bill is advanced. The A bill, Mr. Clerk. (LB 350A)

CLERK: Senator, I have Enrollment and Review amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 350A.

SPEAKER BARRETT: Any discussion? If not, shall the E & R amendments be adopted? All in favor say aye. Opposed no. Carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 350A as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? The question is the advancement of 350A. All in favor say aye. Opposed no. Carried, the bill is advanced. LB 692.

CLERK: 692, Senator, I have Enrollment and Review amendments.

SPEAKER BARRETT: The member from the 9th District, please.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 692 be adopted.

SPEAKER BARRETT: Any discussion? If not, shall the E & R amendments be adopted? All in favor say aye. Opposed no. Ayes have it, motion carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 692 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Seeing none, those in favor of the advancement of LB 692 say aye. Opposed no. Ayes have

February 12, 1990 LB 350, 350A, 542, 551, 567, 567A, 602
663, 692, 742, 851, 856, 857, 858
874, 875, 891, 893, 896, 902, 906
907, 918, 924, 930, 940, 957, 964-966
969, 970, 974, 983, 984, 997, 1013
1016, 1017, 1043, 1044, 1118

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber and a new day in the Second Session of the Ninety-first Legislature. Our Chaplain of the day is Father Mitch Lindeman of St. Matthews Episcopal here in Lincoln. Father Lindeman.

FATHER LINDEMAN: (Prayer offered.)

SPEAKER BARRETT: Thank you, Father Lindeman, pleased to have you with us. Roll call.

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

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

CLERK: Mr. President, I have no corrections to the Journal.

SPEAKER BARRETT: Are there any reports, messages, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 350 and find the same correctly engrossed, LB 350A, LB 567, LB 567A, LB 663, LB 692, and LB 742, all reported correctly engrossed, those signed by Senator Lindsay as Chairperson of the Enrollment and Review Committee. (See pages 726-27 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 551 to Select File with E & R attached, LB 542, LB 602, LB 858, LB 875, LB 891, LB 1013, LB 983, LB 906, LB 907, LB 984, LB 856, LB 851, LB 957, LB 964, LB 966, LB 997, LB 857, LB 874, LB 893, LB 918, LB 930, LB 970, LB 940, LB 902, LB 974, LB 1016, LB 1017, LB 969, LB 896, LB 965, LB 924, LB 1118, LB 1043, LB 1044,

February 15, 1990 LB 350, 350A, 465, 692, 742

Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See page 812 of the Legislative Journal.) The vote is 41 ayes, 0 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

PRESIDENT: LB 465 passes. LB 350.

ASSISTANT CLERK: (Read LB 350 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 350 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 813 of the Legislative Journal.) 41 ayes, 0 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

PRESIDENT: LB 350 passes. LB 350A.

CLERK: (Read LB 350A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 350A pass? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 814 of the Legislative Journal.) 42 ayes, 0 nays, 7 excused and not voting, Mr. President.

PRESIDENT: LB 350A passes. LB 692, please.

CLERK: (Read LB 692 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 692 pass? All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote. See pages 814-15 of the Legislative Journal.) 41 ayes, 0 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

PRESIDENT: LB 692 passes. LB 742 with the emergency clause

February 15, 1990 LB 50, 143, 240, 240A, 350, 350A, 465
663A, 692, 742, 1244, 1245
LR 8

takes 30 votes to do this at this time, and then we can go ahead and schedule the hearing and the hearing will be February 26, which is a week from Monday, should these bills be allowed to be introduced. Thank you.

PRESIDENT: Any further discussion? If not, the motion is to allow the introduction of the two bills. All those in favor vote aye, opposed nay. Requires 30 votes. Record, Mr. Clerk, please.

CLERK: 32 ayes, 0 nays, Mr. President, on the introduction of the new bills.

PRESIDENT: The new bills are introduced.

CLERK: Mr. President, new bills. (Read LB 1244 and LB 1245 by title for the first time. See page 820 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: While the Legislature is in session and capable of transacting business I propose to sign and do sign LB 50, LB 143, LB 240, LB 240A, LB 465, LB 350, LB 350A, LB 692, LB 742, LR 8CA. (See page 820 of the Legislative Journal.) We'll move on to General File, A bills, LB 663A.

CLERK: Mr. President, 663A offered by Senator Scofield. (Read title.)

PRESIDENT: Senator Scofield, please.

SENATOR SCOFIELD: Thank you, Mr. President and members. You will recall this is the bill that creates the Juvenile Services Act. The vast majority of the \$581,000 figure in this bill for fiscal year '90-91 and the \$565,928 figure for '90-92, the vast majority of those two fiscal notes are grants that would go out to communities to help them set up alternatives for juvenile incarceration, diversionary processes, if necessary, facilities to incarcerate juveniles. There is...the other piece of this that you need to know about is simply the administrative costs and the primary expenditure here is the \$28,000 figure for a juvenile coordinator with some secretarial support and some start up costs for the office. You will recall we made the decision to put this under Probation so that that could work more closely with the judges to help us solve that problem. It would be my intent that that juvenile coordinator position would

February 15, 1990 LB 42, 50, 143, 159, 240, 240A, 259A
350, 350A, 465, 692, 742, 844, 866
905, 919, 1080A, 1082, 1141, 1183
LR 8, 239, 256

CLERK: (Roll call vote taken. See page 830 of the Legislative Journal.) 2 ayes, 28 nays, Mr. President.

PRESIDENT: The motion fails. Anything for the good of the cause, Mr. Clerk?

CLERK: Yes, Mr. President, I do. Mr. President, Senator Kristensen has amendments to be printed to LB 159; Senator Withem to LB 259A. (See pages 830-32 of the Legislative Journal.)

A new resolution, LR 256 by Senators Wesely, Withem, Bernard-Stevens. (Read brief explanation. See pages 832-33 of the Legislative Journal.) That will be laid over.

An announcement from the Speaker regarding afternoon sessions next Tuesday, Mr. President; a reminder of the membership. Confirmation report from the Nebraska Retirement Systems Committee. That is offered by Senator Haberman.

Bills have been presented to the Governor, Mr. President, as of 10:43 a.m., those read on Final Reading this morning. (Re: LB 50, LB 143, LB 240, LB 240A, LB 465, LB 350, LB 350A, LB 692, LB 742.) LR 8 presented directly to the Secretary of State.

A new A bill, LB 1080A by Senator Schellpeper. (Read for the first time by title. See page 834 of the Legislative Journal.)

Mr. President, Revenue Committee reports LB 844 to General File, LB 919 to General File, LB 1183 General File, and LB 1082 as indefinitely postponed. Those all signed by Senator Hall.

Mr. President, priority bill designations, Senator Byars has chosen LB 905; and Senator Lamb LB 866.

Mr. President, Education Committee, whose Chair is Senator Withem, reports LB 1141 to General File with committee amendments attached, signed by Senator Withem; and Education Committee reports LR 239CA to General File with committee amendments attached. (See pages 834-36 of the Legislative Journal.)

Finally, Mr. President, Senator Rogers would like to add his name to LB 866; and Senators Weihsing, Goodrich, and Coordsen to

February 21, 1990 LB 50, 143, 240, 240A, 350, 350A, 465
642, 692, 742, 1148, 1200

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated) ...George W. Norris
Legislative Chamber. We have with us this morning for our
invocation our own Senator Carol Pirsch. Would you please rise.

SENATOR PIRSCH: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Senator Pirsch. We appreciate
that very much. Roll call, please. Mr. Clerk, please.

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

PRESIDENT: Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

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

CLERK: Mr. President, your Committee on Government, Military
and Veterans Affairs, whose Chair is Senator Baack, reports
LB 1200 to General File; LB 1148 as indefinitely postponed.
Those are signed by Senator Baack.

Mr. President, a communication from the Governor to the Clerk.
(Read communication regarding signing of LB 50, LB 143, LB 240,
LB 240A, LB 465, LB 350, LB 350A, LB 692 and LB 742. See
page 882 of the Legislative Journal.)

Mr. President, a series of appointments letters from the
Governor: Those will be referred to Reference.

I have an Attorney General's Opinion addressed to Senator
Schmit, Mr. President. And that's all that I have.

PRESIDENT: We will move on then, ladies and gentlemen, to our
General File and LB 642.

CLERK: Mr. President, LB 642 was a bill that was introduced by
Senators Ashford, Weihsing, Chambers and Crosby. (Read title.)
The bill was introduced on January 19 last year. At that time,
it was referred to Judiciary. The bill was advanced to General
File. I do have committee amendments pending by the Judiciary
Committee, Mr. President.