

February 6, 1989

LB 70, 155, 177, 195, 198, 209, 238
254, 338, 357A, 773
LR 25

CLERK: 5 ayes, 23 nays, Mr. President, on the motion to indefinitely postpone.

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

CLERK: I do, Mr. President. Notice of hearings from the Agriculture Committee. That's signed by Senator Rod Johnson as Chair.

New A bill, LB 357A, by Senator Nelson. (Read by title for the first time. See page 605 of the Legislative Journal.)

Enrollment and Review reports LB 195, LB 198, and LB 209 to Select File with E & R amendments attached on each. Those are signed by Senator Lindsay. (See page 606 of the Legislative Journal.)

Transportation Committee would offer LB 155 to General File with amendments. That's signed by Senator Lamb. (See page 608 of the Legislative Journal.)

LR 25, Mr. President, is offered by the Appropriations Committee. (Read brief description of the resolution. See pages 607-08 of the Legislative Journal.) That will be laid over.

I have amendments to be printed to LB 70 from Senator Hall; Senator Moore to LB 177; Senator Coordsen to LB 238, and Senator Baack to LB 254. That's all that I have, Mr. President. (See pages 609-10 of the Legislative Journal.)

PRESIDENT: Senator Dennis Byars, would you step to your microphone and say something about adjourning tomorrow, February 7th, until nine o'clock, but wait just a minute, the Clerk has something.

CLERK: Excuse me, Senator. Mr. President, I have amendments to be printed to LB 773. That's offered by Senator Korshoj.

PRESIDENT: Are you ready to adjourn now? Now, Senator Byars.

SENATOR BYARS: I would move that we adjourn this body until nine o'clock on February the 7th, 1989.

February 24, 1989 LB 357A

Would you please stand and be recognized, Beverly. Then in the north balcony Senator Schellpeper has guests. We have 60 ninth grade students from West Point, Nebraska and their teacher. Would you folks please stand and be recognized. Thank you for visiting us today. We will move on to LB 357A.

CLERK: Mr. President, on the A bill...and before we proceed to that, General Affairs would like to have an Executive Session in the senate lounge now. General Affairs Committee in the senate lounge for an Executive Session now. Mr. President, 357A was a bill that was introduced by Senator Nelson. (Read title.) Senator, I do have an amendment from you to the bill.

PRESIDENT: Senator Nelson, please.

SENATOR NELSON: Well, let's see, I amended it down to a \$500,000 cap last year. I guess I have to ask for that and amend that on Select File too then, right?

PRESIDENT: Yes.

SENATOR NELSON: When we get these figures back from the bill drafter?

PRESIDENT: That would be the...

SENATOR NELSON: That would be the sensible thing and I'm not going to ask you for 500,000 all the way through.

PRESIDENT: You're...you're moving to advance the bill.

SENATOR NELSON: Yes, please.

PRESIDENT: Okay. The question is the advancement of the A bill. All those in favor vote aye, opposed nay. We are voting on the advancement of the A bill. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 357A.

PRESIDENT: LB 357A is advanced. LB 744...or are we going to take that up, Mr. Clerk? Senator Withem is excused and that is Senator Withem's bill. Mr. Speaker, maybe you could help me out a little bit. Do you suggest we pass over Senator Withem's bill

February 28, 1989

LB 99, 183A, 227A, 260A, 278, 323, 329A
355, 357, 357A, 386, 437A, 441, 447
491, 511, 569, 678, 720, 724, 726
755, 781

SPEAKER BARRETT: The A bill is advanced. Messages on the President's desk.

CLERK: Mr. President, your Committee on Education, whose Chair is Senator Withem, to whom was referred LB 447, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 386 indefinitely postponed, those signed by Senator Withem. Natural Resources Committee reports LB 755 to General File with amendments. That is signed by Senator Schmit as Chair. Banking Committee reports LB 99 to General File, LB 278 as indefinitely postponed, those signed by Senator Landis as Chair. Mr. President, Health and Human Services Committee reports LB 678 General File with amendments, LB 323 General File, LB 569 General File with amendments, LB 720 General File with amendments, LB 355 General File with amendments, LB 511 indefinitely postponed. Mr. President, Health and Human Services reports LB 491 to General File with amendments, LB 724 General File with amendments, LB 726 General File with amendments, those signed by Senator Wesely as Chair. Mr. President, Enrollment and Review reports LB 781 to Select File with E & R, LB 357 Select File with E & R, LB 357A Select File, LB 441 Select File with E & R amendments. (See pages 907-13 of the Legislative Journal.)

Mr. President, new A bills. (Read LB 329A, LB 260A, LB 437A and LB 227A by title for the first time. See pages 913-14 of the Legislative Journal.)

Mr. President, I have an appointment by the Governor to the Boiler Safety Code Advisory Board. That will be referred to Reference Committee.

Notice of hearing by the Revenue Committee; notice of room change by Health and Human Services Committee for hearings; and a cancellation of hearing by the Banking Committee, those three signed by the respective Chairs. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. If the gentleman from Minden is so inclined, would he care to adjourn us?

SENATOR KRISTENSEN: Thank you, Mr. President, I'd move that we adjourn the body until tomorrow morning at nine o'clock.

March 14, 1989

LB 357A, 357

All those in favor vote aye...all those in favor say aye.
Opposed nay. It is advanced. LB 357A.

CLERK: 357A, Mr. President, I have no E & R. I have an amendment to the bill from Senator Nelson, however. (Nelson amendment appears on pages 1128-29 of the Legislative Journal.)

PRESIDENT: Senator Nelson, please.

SENATOR NELSON: Yes, I didn't get this printed into the Journal. It is an amendment to the original fiscal note and simply what it does is it addresses then the changes that we have made in the bill. I am suffering from the same problem that many of us have in the fiscal note. I certainly appreciate the work that they've done on the bill, and by the provisions of the bill we try to make a cap, we try to make hold the bill down under 500,000 for each and every year. If you will look at my passout on page 2, part 1, will address the total cost of the bill. There is one portion of it, the rural assistance. As I say, I have all due respect for the fiscal office and the fiscal analyst and so on, on this bill, but the number of students that they have used for the rural incentive is...let's see, 150 BSNs, 75 ADN or diploma the first year and 75 LPNs for example. Last year and by our LB 890 study, we have, I believe, 307 projected additional nurses all in Nebraska for 1989 and 1990, 368 new nurses in the State of Nebraska. Using the fiscal note that they are using, they are using a total of 300 nurses for the rural incentive program. I would say it would be a very, very successful program if we were to have that many nurses move to the rural area. If we could only get half or one-third of them I would be more than pleased. So, frankly, it is possible within the realm that if every nurse graduated and every nurse went to the rural area, but you and I know that that will not happen. So I, frankly, in due respect to the fiscal office and so on, I would cut those incentives down at least \$100,000 because we do not have that many nurses graduating and naturally they are not going to be, all of them are going to go in the rural areas. So I do want to mention that to the body. If...I asked them about this and as they explained if there is any money or financial aid left over in the fund, that goes back to the General Fund. It is hard on my bill to call...to have another \$100,000 each year in there that we don't anticipate spending, but again, they are correct. There are...it is possible, but the money will just go back to the General Fund, so with that, it has been amended then to use the higher or the

amounts as 470,000 the first year and I would cut that down at least a hundred, in fact, mine, it's almost impossible for a BSN or...and it is impossible for an LPN or an associate when they start the program to even get the incentives in the first year. And if you will notice, the bill does call for incentives for the first year, but I do want to explain it to the body, I'm suffering from the same thing on the fiscal note. I don't expect it to be near that much money.

PRESIDENT: Thank you. Senator Schimek, please.

SENATOR SCHIMEK: Yes, Mr. President, members of the body, I just wanted to ask a question of Senator Nelson. Am I understanding you right, Senator Nelson, that you're...are you offering an amendment to this bill that would reduce the cost 100,000 each year?

SENATOR NELSON: No, Senator Chizek...or...

SENATOR SCHIMEK: Schimek.

SENATOR NELSON: Schimek...

SENATOR SCHIMEK: Close.

SENATOR NELSON: No, Senator Schellpeper and I discussed this yesterday whether or not...what we would have done is to have cut the third-year incentive out for the BSN, to have cut the amount of it down, but realistically speaking it is impossible to have this many students with the rural incentive.

SENATOR SCHIMEK: So you're just suggesting that even though the amount is in the A bill and will be appropriated, that it probably won't be used.

SENATOR NELSON: Correct. I just can't see how it can possibly be used. If it is used, the program is a very...very, very successful but we just don't have that many new nurses coming on deck.

SENATOR SCHIMEK: Okay, and page 2, actually page 3, in what the handout was, is a total really of the first two pages, correct? So that all your costs are right there on what is called page 2, part 1.

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LB 357A

SENATOR NELSON: You are correct.

SENATOR SCHIMEK: Thank you.

SENATOR NELSON: And Section 11 is the rural incentives and the other parts it's entirely possible and I hope that there are that many nurses that can use it, but actually in my calculation, I think I only had \$160,000 for that first year, but add some more on it, but it's at least 100,000 too much.

SENATOR SCHIMEK: Okay, Mr. President, if there are no other lights on, I guess I would call the question. Can't do that?

PRESIDENT: No, you can't do that, but it doesn't matter because that was the last light anyway. Senator Nelson. Senator Nelson, would you like to close on the Nelson amendment?

SENATOR NELSON: Yes, Mr. Speaker, it was just pointed out to me, the A bill has been, and I will have to...and boy, I hate to do this, maybe I'd better run up right quick and do it, appropriated the money to education, now we'll have to appropriate it to the Health Department. I'll run right up right quick and do that so we don't have to do that on Final Reading. Right?

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

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

PRESIDENT: The first Nelson amendment is adopted. Now I understand, Mr. Clerk, you have another one.

CLERK: Mr. President, Senator Nelson would move to amend the A bill. (Read Nelson amendment. See page 1129 of the Legislative Journal.)

PRESIDENT: Senator Nelson.

SENATOR NELSON: I just move for the adoption. Thank you.

PRESIDENT: Thank you. The question is the adoption of the second Nelson amendment. All those in favor vote aye, opposed

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LB 50, 54, 157, 203, 330, 357A, 455
496, 571, 583, 584-586, 597
LR 8-10, 52, 53

may. Record, Mr. Clerk, please.

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

PRESIDENT: The Nelson amendment is advanced. Now...is adopted. Now we're on the advancement of the bill, Senator Nelson.

SENATOR NELSON: Just move for the advancement.

PRESIDENT: Thank you. The question is the advancement of the bill. All those in favor say aye. Opposed nay. It is advanced. LB 157.

CLERK: Mr. President, may I read some items?

PRESIDENT: Yes, please.

CLERK: Mr. President, your Committee on Judiciary, whose Chair is Senator Chizek, to whom was referred LR 8, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, LB 50 General File with amendments, LB 203 General File with amendment, LB 330 General File with amendments, LB 455 General File with amendments, LB 571 General File with amendments, LB 586 General file with amendments, LR 9 indefinitely postponed, LR 10 indefinitely postponed, LB 496 indefinitely postponed, LB 583 indefinitely postponed, LB 584 indefinitely postponed, LB 585 indefinitely postponed, all signed by Senator Chizek as Chair of the committee. (See pages 1129-38 of the Legislative Journal.)

Senator Morrissey offers LR 52 congratulating the Falls City Sacred Heart boys basketball team. That will be laid over. LR 53 is offered by Senators Chizek, Abboud and Beyer congratulating the Millard South boys basketball team. (See pages 1138-40 of the Legislative Journal.)

Mr. President, Senator Wehrbein has amendments to be printed to LB 54 and Senator Abboud to LB 597. (See pages 1140-41 of the Legislative Journal.)

Mr. President, on LB 157 which is on Select File, the first order of business are Enrollment and Review amendments.

PRESIDENT: Senator Lindsay, please.

March 16, 1989

LB 41, 49, 72, 89, 152, 157, 265
285, 287, 357, 357A, 373, 421, 431
431A, 480, 501, 513, 613, 619, 637
649, 758, 767, 776, 803

Retirement Systems report LB 41 to General File with amendments. That is signed by Senator Haberman. And LB 287 to General File with amendments, signed by Senator Haberman. Banking Committee reports LB 758 to General File with amendments; LB 776, General File with amendments; LB 480, indefinitely postponed; LB 613, indefinitely postponed, and LB 803 indefinitely postponed, those signed by Senator Landis as Chair. Transportation reports LB 72 to General File with amendments; LB 373, General File with amendments; LB 501, General File with amendments; LB 152, indefinitely postponed; LB 513, indefinitely postponed; LB 649, indefinitely postponed, those signed by Senator Lamb as Chair. Select File, E & R reports LB 49 and LB 431 to Select File and LB 431A to Select File. Enrollment and Review reports LB 157 correctly engrossed, LB 265, LB 357, LB 357A and LB 619 all correctly engrossed. General Affairs Committee reports LB 767 to General File with amendments. That is signed by Senator Smith. A series of amendments to be printed, Senator Lamb to LB 285, Senator Withem to LB 637, and Senator Smith to LB 421. (See pages 1182-93 of the Legislative Journal.) That is all that I have, Mr. President.

PRESIDENT: May I please introduce some guests of Senator Schmit, please, in the...I don't know which balcony they are in. There are 41 seventh graders and their teacher from Aquinas School in David City. Are you folks in either balcony? Would you please rise and be recognized? Thank you for visiting us today. Senator Smith, did you wish to speak on Section 10 of the amendment? Senator Lynch, did you wish to speak on that?

SENATOR LYNCH: Only to save time, mention again, as Senator Warner and I discussed earlier, our agreement on this portion of the Scott Moore amendment, so we would ask for your support for this amendment.

PRESIDENT: Senator Moore, did you wish to close on the Section 10 portion of your amendment?

SENATOR MOORE: No, just ask that it be adopted.

PRESIDENT: All right, the question is the adoption of the second half of the Moore amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of Senator Moore's second amendment to the bill.

May 15, 1989

LB 357A, 706, 744A, 761, 813, 814

CLERK: 9 ayes, 1 nay to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please record your presence. Those not in the Chamber, please return so that we may continue on. Put, please look up to see if your light is turned on. Senator McFarland, would you record your presence. And, Senator Wesely, please, would you record your presence. Thank you. Senator Conway, would you record your presence. Senator Abboud. We're looking for Senator Hall. We're looking for Senator Abboud only. Senator Abboud is here now. Everyone is here now except those who are excused. Roll call vote has been requested, okay, in reverse order. Mr. Clerk. And the question is the adoption of the Morrissey amendment. Mr. Clerk.

ASSISTANT CLERK: (Roll call vote taken. See pages 2372-73 of the Legislative Journal.) The vote is 18 ayes, 25 nays, Mr. President.

PRESIDENT: The amendment fails. Anything further on the bill? The call is raised.

CLERK: Mr. President, some items for the record, if I might.

PRESIDENT: Please.

CLERK: Mr. President, Senator Warner has amendments to LB 813 to be printed; Senator Wesely to LB 706; Senator Nelson to LB 357A; Senator Warner to LB 814. General Affairs gives notice of confirmation hearing. That is offered by Senator Smith as Chair. New A bill, Mr. President. (Read LB 744A by title for the first time. See pages 2373-77 of the Legislative Journal.)

Mr. President, the next amendment I have is by Senator Morrissey. Senator, I have a note that you want to withdraw. This is AM1751. (The amendment appears on page 2179 of the Legislative Journal.)

PRESIDENT: Senator Morrissey.

SENATOR MORRISSEY: I've changed my mind here.

PRESIDENT: All right.

SENATOR MORRISSEY: Mr. President and members, we want to

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LB 357A, 357

SENATOR NELSON: All right. I just move the amendment be moved.

PRESIDENT: Very good. Thank you. Any further discussion? If not, the question is the adoption of the Nelson amendment. All those in favor vote aye, opposed nay. We're voting on the adoption of the Nelson amendment. (Gavel.) Since several of you were absent, sure appreciate the...your help, if you're inclined to vote. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays on adoption of Senator Nelson's amendment.

PRESIDENT: The Nelson amendment is adopted. Senator Nelson, would you like to readvance your bill.

SENATOR NELSON: I just move for readvancement of the bill.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. Anything else on it, Mr. Clerk?

CLERK: Nothing on LB 357, Mr. President.

PRESIDENT: All right. LB 357A.

CLERK: Senators Nelson and Schellpeper would move to return the bill for a specific amendment.

PRESIDENT: Senator Nelson, please.

SENATOR NELSON: Yes, this is on the fiscal note of the bill. I think, if any of you want to turn back to the original discussion of the bill, at the time I did not really stand up here and oppose the fiscal note because it should, of course, carry anything to extremes in amount. But, if you will go back to my discussion on the floor, I said it was almost absolutely impossible for the fiscal note, for the first year, to be as great as it was originally brought down to me. It was originally \$470,072, and I said that it...I just couldn't see how it could possibly be that because there were not that many nurses in training now. And the provision of the bill, there could not be that many nurses move out and collect the incentive for serving in the rural area, because we didn't have that many in training. So they have reduced. And, incidentally, I didn't even ask them to do that for me, but I appreciate this. They have reduced the fiscal note down to \$249,175 this year, and for

the next year the fiscal note has been reduced down from 677,000 to 595,000. And, also since my original bill had the Department of Education to administer it, and it was amended on the floor to have the Health Department administer it. And since it is now not as simple as it was originally, and does have to do with student loans and granting loans and so on, they are asking for an additional fund to administer the program. And, with that, I will answer any questions. If not, I move for the...to return the bill to Select File.

PRESIDENT: Thank you. Senator Schellpeper, please.

SENATOR SCHELLPEPER: Thank you, Mr. President and members. I just want to make the point that this is one of the few times that we can save some money. This A bill comes in at about \$303,000 less than what it was, so I think we have that much more money that we can use again. So, there is \$303,000 here less than what the estimate was the first time. So I would just urge you to advance the bill. Thank you.

PRESIDENT: Thank you. Any closing on it, Senator Nelson?

SENATOR NELSON: No, I think I've made it clear. As I say, I'm happy to find one that I can reduce a little bit, maybe I'll have a little better chance.

PRESIDENT: Okay. The question is the return of the bill to Select File. All those in favor vote aye, opposed nay. We're voting on the return of the bill. Record, Mr. Clerk, please.

CLERK: 25 ayes, 1 nay, Mr. President, on the motion to return the bill.

PRESIDENT: Senator Nelson.

SENATOR NELSON: I move for the adoption of the amendment.

PRESIDENT: Thank you. Senator Schellpeper, did you wish to speak on it? Okay. The question is the adoption of the amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the adoption of Senator Nelson's and Schellpeper's amendment.

PRESIDENT: The amendment is adopted. Senator Nelson.

SENATOR NELSON: I ask to move the bill.

PRESIDENT: Any further discussion? If not, the question is the advancement of the bill. All those in favor say aye. Opposed nay. It is advanced. LB 362.

CLERK: LB 362, Mr. President, Senator Ashford would move to return the bill for a specific amendment. (The Ashford amendment appears on page 2482 of the Legislative Journal.)

PRESIDENT: Senator Ashford, please.

SENATOR ASHFORD: Thank you, Mr. President, and members, this amendment deals with the emergency assistance program which is...currently provides assistance to needy families with minor children who are threatened with a crisis situation when there are no other resources available through other assistance programs. Funding is provided by a combination of 50 percent federal and 50 percent county funds. Recently, the federal representatives of the Department of Health and Human Services reviewed our particular...the way we structure our emergency assistance program. In this case, as I mentioned, the state's current program is administered by the counties and the counties pay the 50 percent match requirement. The counties pay approximately \$250,000 and the remaining amount for the program is federal funds of two hundred...approximately \$250,000 per year. However, after the audit was completed it was determined that the federal government, in order to continue to provide the match and to avoid imposition of federal sanctions, it was necessary that the program actually be administered directly by the Department of Social Services rather than by each individual county. The amendment to LB 362 is an amendment which simply adds the words "emergency assistance" to the...to the portion of the bill to make it clear that the Department of Social Services will be the administering arm for this program. The statute which requires the counties to provide that the funding will continue and it will enable the county...or the program to continue to get its 250,000, approximately \$250,000 in federal fund match, the program...this is basically a technical change to comply with federal rules and regulations. And I would move...ask that the bill be returned to Select File for the purpose of making that amendment. Thank you.

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LB 272A, 285, 285A, 311, 357, 357A, 525
566

guess you can start reading LB 285. We'll not be holding you to the seats for this next half hour.

ASSISTANT CLERK: (Read LB 285 on Final Reading.)

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 285 become law? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Read record vote as found on pages 2589-90 of the Legislative Journal.) 36 ayes, 1 nay, 7 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 285 passes. Again, consistent with the announcements earlier today, we'll...yes, we'll go to the A bill next. We'll proceed, after the A bill, on Final Reading, bills with motions to return. Nine o'clock is the operative time, nine o'clock. I should hasten to advise that there have been three amendments filed under other motions filed with the Clerk. We have amendments to 209, 183, and 761A. You know what we have to continue, finish, under Item 9, three additional amendments. We stop at nine o'clock for Final Reading. Mr. Clerk, the A bill.

CLERK: (Read LB 285A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 285A, with the emergency clause attached, become law? All in favor vote aye, opposed nay. Have you all voted? Please record. We've got 33, um-huh. Yes. Record.

CLERK: (Read record vote as found on pages 2590-91 of the Legislative Journal.) 34 ayes, 0 nays, 9 present and not voting, 6 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 285AE passes. For the record, Mr. Clerk.

CLERK: Mr. President, Enrollment and Review reports LB 272A as correctly engrossed; LB 311 as correctly engrossed; LB 357 as correctly engrossed; LB 357A, LB 525, and LB 566 all reported correctly engrossed, all signed by Senator Lindsay as Chair of

May 23, 1989

LB 357, 357A, 362A, 362

CLERK: (Record vote read. See page 2699 of the Legislative Journal.) 33 ayes, 14 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 357 passes. LB 357AE.

CLERK: (Read LB 357A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 357A with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Please record. Correction, 33 votes are necessary. I'm sorry. Have you all voted? Record, please.

CLERK: (Record vote read. See page 2700 of the Legislative Journal.) 34 ayes, 13 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 357AE passes. LB 362.

CLERK: (Read LB 362 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 362 pass? Those in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read. See page 2701 of the Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 362 passes. LB 362A.

ASSISTANT CLERK: (Read LB 362A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 362A pass? Those in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Record vote read. See page 2702 of the Legislative Journal.) The vote is 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: Motion fails. Mr. Clerk.

CLERK: Mr. President, I have a second motion by Senator Landis to bracket LB 272A until January 3, 1990.

SPEAKER BARRETT: Senator Landis.

SENATOR LANDIS: Thank you, and I'll take this matter up briefly as well. Let me tell you my intentions and you'll be able to measure your own choices against them. I intend to offer this bracket motion. If it fails, I intend to have the bill read and rather than to make any request for a limitation of funds, we should read the bill straight up and see how it does. Now, having told you what my intentions are, let me tell you my reasons for this motion. I have since Select File had four, I would imagine four votes fall off the bill. It seems to me that I do not have 25 votes. I've got votes that want to vote for 272, want to vote for Commonwealth and believe it to be a priority, but not a higher priority than other important spending issues. And I can't disagree with them. A number of those priorities I voted for myself. I believe in them, I want to see them be law. I can understand why when they have to make a choice, if they are jeopardizing a higher spending priority by voting for this bill, that they create a problem for themselves, and frankly, you know that to be true and I know that to be true. And because that's the case, I want to live to fight another day. That's why I offer the motion. Thank you.

SPEAKER BARRETT: Thank you. For discussion, Senator McFarland, followed by Senators Warner, Moore and Hall.

SENATOR MCFARLAND: Thank you, Mr. Speaker. Ideally we should vote on bills not on the basis of what point we consider them in time or how are they, are listed on the agenda schedule or whether they come up during the middle of the session or in the last of the session. Ideally we should look at each bill on its own merits, vote on it whether we approve of it or disapprove of it and have those bills that are the most meritorious be the ones that pass. In my view, of course, this is one of the most if not the most meritorious bill that we had before us this session. The people of State Securities and Commonwealth and American Savings have been waiting years to be reimbursed on the guaranty that was provided to them when they deposited their savings, their life savings, their futures in the institutions only to find out that those savings were not protected and they

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LB 272A, 311, 355, 355A, 357, 357A, 362
362A, 377

where others have not a lack of priority or a responsibility for this issue, but a higher priority elsewhere which is endangered if this bill passes. In a Legislature of Timmy Hall's I'd run this bill in a minute, but that's not the situation today and, frankly, I need to live to fight another day and that's why I make this motion. I move to bracket 272 (sic) until next year.

SPEAKER BARRETT: Thank you. You've heard the motion to bracket the bill until January 3 of 1990. Those in favor of the bracketing motion vote yes, those opposed vote no. Have you all voted? Please record.

ASSISTANT CLERK: 25 ayes, 21 nays to bracket the bill until January 3, 1990, Mr. President.

SPEAKER BARRETT: The bracketing motion is adopted. The bill is bracketed. While the Legislature is in session and capable of transacting business, I propose and I do sign LB 355 and LB 355A, LB 357 and LB 357A, LB 362 and LB 362A, LB 311 and LB 377. (See page 2707 of the Legislative Journal.) Anything for the record, Mr. Clerk?

ASSISTANT CLERK: I have nothing for the record, Mr. President.

SPEAKER BARRETT: Senator Hefner, please.

SENATOR HEFNER: Mr. President, I move that we recess till one-thirty.

SPEAKER BARRETT: You've heard the motion to recess until one-thirty. All in favor say aye. Opposed no. Ayes have it, we are recessed until one-thirty.

RECESS

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated.) ...balcony, Senator Wehrbein has some guests. We have 40 fourth graders from Nebraska City, and their teachers. Would you folks please stand so we may welcome you to the Legislature? All of you students, please stand. Thank you for visiting us today. If you would start making your way to your seats, please, we would begin