

March 1, 1990

LB 369, 369A, 571, 594, 656, 980
LR 264

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

SENATOR HANNIBAL: On the advancement of the bill, Senator Lamb.

SENATOR LAMB: Well, Mr. President, I would only say that I think this bill is in great shape now. There are only eight bills in it. Originally there were going to be 10, but two of them advanced on consent calendar, so I would ask that the bill be advanced.

SENATOR HANNIBAL: There are no other lights on, Senator Lamb. Would you care to close? Senator Lamb waives closing. The issue before you is the advancement of LB 369. All those in favor say aye. Opposed nay. It is advanced. Anything for the record, Mr. Clerk?

CLERK: I do, Mr. President. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 571 and recommend that same be placed on Select File, LB 594 Select File, LB 656 Select File, with E & R attached. (See pages 1112-18 of the Legislative Journal.)

Mr. President, a new resolution, LR 264 introduced by Senators Schmit, Landis and Wesely. (Read brief description. See page 1118 of the Legislative Journal.) That will be laid over.

Senator Lamb has amendments to LB 980 to be printed. (See page 1119 of the Legislative Journal.)

Mr. President, a new A bill, LB 369A offered by Senator Beyer. (Read by title for the first time. See page 1118 of the Legislative Journal.) That's all that I have, Mr. President.

SENATOR HANNIBAL: Thank you. Senator Weihing, for what purpose do you rise?

SENATOR WEIHING: Mr. President and members of the Legislature, I move that we adjourn until Friday, March 2, tomorrow morning, at 9:00 a.m.

SENATOR HANNIBAL: Thank you. You've heard the motion. All those in favor say aye. Opposed nay. We are adjourned.

Proofed by: Debbie Smith
Debbie Smith

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369A, but before we do, Mr. Clerk, I'd like to take this opportunity to announce that Senator Moore has some guests in the south balcony. There are students there from Nebraska Lutheran School at Waco, Nebraska, and their sponsor. Would you all please rise and be recognized by the Legislature. Thank you for joining us. Also in the south balcony Senator Moore has some additional guests from Stromsburg and it is from Stromsburg High School and their sponsors. Would you all please rise and be welcomed. Thank you for joining us today. Mr. Clerk, LB 369A

CLERK: 369A, Mr. President, was a bill introduced by Senator Beyer. (Read title.) I do have an amendment to the bill. Senator Conway would move to amend the bill, Mr. President. (Conway amendment appears on page 1173 of the Legislative Journal.)

SENATOR HANNIBAL: Senator Chizek, excuse me, Senator Beyer, please. Thank you. Senator Conway, on the amendment.

SENATOR CONWAY: I would like to move the amendment to LB 369A. It's an additional \$2,000 due to some amending that we did during the debate on the bill itself that brought me a \$2,000 bump into the Department of Motor Vehicles, program 70, and I move that amendment to 369A.

SENATOR HANNIBAL: Thank you. There are no other lights on, Senator Conway, would you care to close? Senator Conway waives closing. The issue before you is the adoption of the amendment to 369A. All those in favor vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: 27 ayes, 1 nay, Mr. President, on adoption of Senator Conway's amendment to the bill.

SENATOR HANNIBAL: The amendment is adopted. Any further amendments, Mr. Clerk?

CLERK: Nothing further, Mr. President.

SENATOR HANNIBAL: Senator Beyer, please.

SENATOR BEYER: Well, Mr. Speaker and colleagues, even with Senator Conway's amendment this bill or this A bill ultimately results in income to the state. As with most bills this way, we

March 6, 1990

LB 369A, 880A

have a cash fund to be used to start it up and it has to do with the license plates, so with that, I would ask your adoption of the amendment.

SENATOR HANNIBAL: There are no further lights on. Senator Beyer, do you care to close? Senator Beyer waives closing. The issue before you is the advancement of LB 69A (sic), excuse me, LB 369A. All those in favor vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 369A.

SENATOR HANNIBAL: LB 369A is advanced. We'll be moving on to LB 880A, but before we do I'd like to take this opportunity to introduce, Senator Byars has a special guest under the south balcony. With him today is Superintendent M.L. Smith from Odell, Nebraska. He is the Superintendent of the Odell Public Schools. Would you please rise and be recognized by the Legislature. Thank you for joining us today. LB 880A, Mr. Clerk.

CLERK: Mr. President, 880A, introduced by Senator Chizek. (Read title.)

SENATOR HANNIBAL: Senator Chizek, please.

SENATOR CHIZEK: Yes, this LB 880 is the, the A bill, in regards to the bill on the district judges and the support staff that we dealt with last year and I would move advancement of the A bill.

SENATOR HANNIBAL: Senator Chambers, on 880A, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I didn't bother LB 42A which was, I think, a greater abomination than this one, so, Senator Chizek, I'm not going to bother this one either, but I am going to vote no against it as I did that other one.

SENATOR HANNIBAL: Thank you. There are no further lights on, Senator Chizek.

SENATOR CHIZEK: Move the advancement of the bill.

SENATOR HANNIBAL: The issue before you is the advancement of

March 7, 1990

LB 42A, 81, 220A, 369A, 579, 830, 831
863, 880A, 888, 917, 922, 923A, 932
938, 954, 956, 978, 987, 987A, 1013
1022, 1037, 1050, 1067, 1077, 1090A, 1102
1136, 1178, 1199, 1222

SPEAKER BARRETT: Thank you. You have heard the motion by Senator Wesely to recess until one-thirty. All in favor say aye. Opposed no. Carried. We are recessed. (Gavel.)

RECESS

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Roll call. Record, Mr. Clerk.

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

SPEAKER BARRETT: Thank you. Anything for the record?

CLERK: Mr. President, I do. Bills read on Final Reading, this morning, have been presented to the Governor as of 12:15 p.m. (Re. LB 1022, LB 81, LB 956, LB 1050, LB 863, LB 938, LB 932, LB 917, LB 888, LB 831, LB 830, LB 579, LB 1199, LB 922, LB 954, LB 978, LB 987, LB 987A, LB 1037, LB 1067, LB 1178, LB 1102, and LB 1077.)

Your Committee on Enrollment and Review reports LB 1018, LB 1136, LB 1222, LB 42A, LB 220A, LB 369A, LB 880A, LB 923A, LB 1090A to Select file, some of which have Enrollment and Review amendments attached, Mr. President. (See pages 1233-36 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Perhaps a very brief announcement from the Chair regarding our deliberations tomorrow. It is my hope that we can work through the lunch hour tomorrow, with the thought in mind that we can adjourn a little early tomorrow for the long weekend. It's my intent, at the present time, to work through the noon hour tomorrow, and look toward an early adjournment tomorrow afternoon. Contrary to previous statements made by the Chair, it will not be my intent to schedule appropriations bills tomorrow, budget bills tomorrow. We will be looking at them, probably, Monday or Tuesday of next week. We will continue with the agenda tomorrow with some Final Reading, probably some Select File, and perhaps senator priorities on General File. Any questions? Mr. Clerk, would you bring us up-to-date.

March 19, 1990

LB 42A, 220A, 315, 369A, 880A, 1018

trying to do here and I applaud him for that. Thank you.

SPEAKER BARRETT: Thank you. The question before the body is the adoption of the Wehrbein amendment to LB 315. All in favor vote aye, opposed nay. Senator Wehrbein.

SENATOR WEHRBEIN: Mr. Speaker, I'd ask for a call of the house and a roll call vote please.

SPEAKER BARRETT: Shall the house go under call? All in favor vote aye, opposed nay. Record.

CLERK: 22 ayes, 0 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please return to your desks and record your presence. Unauthorized personnel, please leave the floor. Those outside the Chamber, please return. While waiting for members to return, there are about five bills on Select File that could perhaps be advanced yet this afternoon. If you'd care to make a note, LB 1018, LB 42A, LB 220A, LB 369A and LB 880A. Senator Wesely, the house is under call. Did you request a roll call, Senator Wehrbein? And you're suggesting we can go ahead? Thank you. On the adoption of the Wehrbein amendment, Mr. Clerk, proceed.

CLERK: (Read roll call vote. See pages 1443-44 of the Legislative Journal.) 22 ayes, 12 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: Motion failed. Mr. Clerk, I'd like to proceed to the bills which were identified earlier, starting with LB 1018.

CLERK: Mr. President, 1018, Senator Lindsay, I have E & R amendments, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 1018.

SPEAKER BARRETT: Any discussion? If not, shall the E & R amendments be adopted to 1018? All in favor say aye. Opposed no. Carried, they are adopted.

March 19, 1990

LB 220A, 369A, 880A, 1018

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1018 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Seeing none, shall LB 1018 as amended be advanced? All in favor say aye. Opposed no. Carried. LB 42A. LB 220A.

CLERK: On 220A I have no amendments to the bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 220A be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Shall LB 220A be advanced? All in favor say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. LB 369A.

CLERK: 369A, Senator, I have no amendments to the bill. I'm sorry...no, no amendments to the bill, that's right.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 369A be advanced to E & R for engrossment.

SPEAKER BARRETT: Shall 369A be advanced? If there is no discussion, all in favor say aye. Opposed no. Carried, the bill is advanced. LB 880A.

CLERK: 880A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 880A be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? All in favor of the advancement of the bill please say aye. Opposed no. Carried, the bill is advanced. Anything for the record, Mr. Clerk?

March 21, 1990

LB 220A, 348, 369A, 542, 571A, 594, 866
880A, 958, 965, 1032, 1059, 1094, 1141
1141A, 1146, 1222A, 1236
LR 382, 383

CLERK: 25 ayes, 2 nays to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please record your presence. Senator Schmit is the only one excused, so everyone else should be here. We're looking for Senator Wesely, Senator Lynch, Senator Schellpeper, Senator Pirsch, Senator Landis, Senator Emil Beyer. Senator Wesely and Senator Beyer are here now, so that is it, and there is a roll call vote. Oh, Senator Lynch is not here. I thought I saw him. Okay, we'll wait for Senator Lynch. Senator Lynch is here and the question is the advancement of the bill. Roll call vote in regular order. If you'll hold it down so the Clerk can hear your response. Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1547-48 of the Legislative Journal.) 34 ayes, 12 nays, Mr. President, on the advancement of LB 1059.

PRESIDENT: The bill is advanced. Anything for the record, Mr. Clerk, at this time.

CLERK: I do, Mr. President.

PRESIDENT: The call is raised.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 220A and find the same correctly engrossed, LB 369A correctly engrossed, LB 880A correctly engrossed and LB 1146 correctly engrossed, those signed by Senator Lindsay. Enrollment and Review reports LB 1141 to Select File with E & R amendments, LB 1141A, LB 958, LB 571A, LB 1222A to Select File. (See page 1548 of the Legislative Journal.)

A communication from the Governor to the Clerk. (Read communication. Re: LB 348, LB 542, LB 594, LB 965, LB 1032, LB 1236 and LB 1094. See page 1549 of the Legislative Journal.)

Two study resolutions, Mr. President, will be referred to the Exec Board. (Re: LR 382, LR 383. See pages 1549-50 of the Legislative Journal.)

Senator Lamb has amendments to be printed to LB 866. (See page 1551 of the Legislative Journal.) That's all that I have.

April 5, 1990

LB 369A, 1018, 1090
LR 401-405, 407-417, 420

They are guests of Senator Goodrich and Senator Africa (sic). And we have 11 students from Ely, England and their principal from England. Would you folks from England please stand so we may welcome you to the Legislature. And also with these folks are nine students from the Westside High School in Omaha. Would you folks please stand. Thank you. Then Senator Dierks, in the south balcony, has five students that are eighth graders from St. Michaels and their teacher. Would you folks all stand and be welcomed. And thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 401, LR 402, LR 403, LR 404, LR 405, LR 407, LR 408, LR 409, LR 410, LR 411, LR 412, LR 413, LR 414, LR 415, LR 416, LR 417, and LR 420. Mr. Clerk, shall we move on to LB 369A with the emergency clause attached?

CLERK: (Read LB 369A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 369A pass with the emergency clause attached? Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1948-49 of the Legislative Journal.) 43 ayes, 0 nays, 2 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 369A passes with the emergency clause attached. LB 1018.

CLERK: (Read LB 1018 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1018 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1949-50 of the Legislative Journal.) 38 ayes, 5 nays, 3 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 1018 passes. LB 1090.

CLERK: Mr. President, Senator Hall had amendments printed on 1771. I have a note you wanted to withdraw those, Senator.

April 5, 1990

LB 315, 369, 369A, 551, 551A, 577, 920
931, 953, 980, 980A, 994, 994A, 1018
1043, 1063, 1063A, 1090, 1090A, 1241

year. Senator Chambers and Senator Bernard-Stevens, no doubt, will fight that change in the rules but, hopefully, there will be enough of us here and, as far as I'm concerned, they can filibuster that till the end of the session starting in January, but that's exactly what should be done.

PRESIDENT: One minute.

SENATOR LABEDZ: Thank you, Mr. President.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 980, LB 980A, LB 994, LB 994A, LB 1043, LB 953, LB 369, LB 369A, LB 1018, LB 1090, LB 1090A, LB 315, LB 551, LB 551A, LB 920, LB 931, LB 1063 and LB 1063A. Senator Wesely, please, followed by Senator Langford.

SENATOR WESELY: Thank you, Mr. President and members, I would rise in opposition to the bracket motion and give you a little history on...that hasn't come out yet on this bill and let you know why I do support it. This bill came in after I had introduced a bill on venture capital last year, Venture Capital Company Act. We were looking at this concept of providing incentives for investment in the state across Nebraska at a 25 percent credit level and with a number of other restrictions with the idea that what we're having across the state is a need for capital, a need for venture capital in particular, and a number of studies have indicated that. The Banking Committee worked with me and we did put out LB 577 to accomplish that goal. Senator Chambers then came in with LB 1241 which was a bill that he worked with with the administration and it tied in conceptually with what that other bill was. So, originally, what we did in the Banking Committee was we merged, with Senator Chambers' cooperation, LB 577 and LB 1241 so that the whole State of Nebraska would be benefiting from venture capital initiative. And this compromise that was reached in the Banking Committee was one that I was very excited about and appreciated very much Senator Chambers' cooperation. But what's odd is that after we reached this compromise and the committee advanced the bill as amended, then Deb Thomas from the Governor's office came in after the deadline for picking priority bills and told Senator Chambers that the Governor could not tolerate the additional coverage of the whole state, that she wanted only north Omaha to be the focus of the bill. And, of course, I was not happy with that situation and felt that I had not been dealt

April 9, 1990

LB 220, 220A, 315, 369, 369A, 551, 551A
571, 576, 720, 720A, 799, 851, 896
923, 953, 958, 960, 960A, 980, 980A
994, 994A, 1018, 1063, 1063A, 1064, 1064A
1080, 1090, 1136, 1146, 1184, 1184A, 1244

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber for the last day of the Second Session of the 91st Legislature. We're especially happy to have with us this morning our own Harland Johnson for our prayer of the morning. Would you please rise?

HARLAND JOHNSON: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Harland, and may I say, on behalf of all the members of the Legislature, we have truly appreciated your prayers during the session. They have been very meaningful because you understand us so well, so thank you again. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal?

CLERK: No corrections this morning, Mr. President.

PRESIDENT: Any messages, reports, or announcements today?

CLERK: Mr. President, a series of messages. First, communications from the Governor. Engrossed...well, before that, Mr. President, bills read on Final Reading as of late last Thursday were presented to the Governor on Thursday evening as of 8:15 p.m. Communications from the Governor, Mr. President, and I might indicate to the members that copies of messages I have received have been distributed and you should have a copy on your desk. Communications to the Clerk: Engrossed LB 1080, LB 1184, LB 1184A, LB 656, LB 1146, LB 799, and LB 1136 were received in my office on April 3 and signed by me on April 6 and delivered to the Secretary of State. Sincerely, Kay Orr, Governor. (See Message from the Governor as found on page 1985 of the Legislative Journal.) A second communication: Engrossed LB 220, LB 220A, LB 315, LB 369, LB 369A, LB 551, LB 551A, LB 571, LB 720, LB 720A, LB 851, LB 896, LB 923, LB 953, LB 958, LB 960, LB 960A, LB 980, LB 980A, LB 994, LB 994A, LB 1018, LB 1063, LB 1063A, LB 1064, LB 1064A, LB 1090, and LB 1244 were received in my office on April 3 and signed by me on April 7, delivered to the Secretary of the State. Sincerely, Kay Orr, Governor. (See Message from the Governor as found on page 1985 of the Legislative Journal.) In addition to those items,