

will meet for a brief Executive Session, in Room 1003, upon recess to select a Vice-Chair. Appropriations Committee upon recess in Room 1003 by the Appropriations Committee.

Mr. President, I also have the Committee on Committees report as offered by Senator Lowell Johnson and the Committee on Committees. Also an acknowledgment, Mr. President, that Senator Beyer has been selected...Senator Emil Beyer has been selected as Vice-Chair of the Committee on Committees.

PRESIDENT: The Chair recognizes Senator Lowell Johnson. Could we have your attention for just a moment, please. (Gavel.) Could we have your attention just a moment, ladies and gentlemen. If we could have your attention just a moment, we won't request your attention too long today, but Senator Lowell Johnson has an announcement.

SENATOR L. JOHNSON: Mr. President and members of the Legislature, your Committee on Committees met yesterday, and after careful deliberations completed the committee roster, which you find on your desks, which has been placed there by the Clerk. The report was unanimously adopted by the Committee on Committees, and I, therefore, move at this time that it be accepted and approved by the Legislature.

PRESIDENT: Is there any discussion? If not, the question is the adoption of the report. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of the Committee on Committees report.

PRESIDENT: The report is adopted. Back to you, Mr. Clerk. We're ready for the introduction of new bills. Mr. Clerk.

CLERK: Mr. President, new bills. (Read LB 1-80 by title for the first time. See pages 44-61 of the Legislative Journal.)

PRESIDENT: If I could have your attention just a moment, please, we'll introduce a couple of guests. Over under the north balcony, our first doctor of the day for this year is Dr. Dale Michaels of Lincoln, Nebraska. He's from Senator Warner's district. He's here to take care of us on behalf of the Nebraska Academy of Family Physicians. So would you welcome Dr. Michaels. Would you please stand, Doctor. Thank you for

February 9, 1989

LB 37, 48, 57, 58, 70, 77, 94
97, 115, 120, 126, 133, 142, 156
209, 229, 230, 233, 251, 255, 256
295, 311, 350, 521, 597, 598, 692
703, 777, 780

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 209 as amended be advanced.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. May I introduce a guest, please, of Senator Hefner. We have Mr. Art Anderson of Bloomfield, Nebraska. Would you please stand, Mr. Anderson. Thank you. Mr. Clerk, anything for the record?

CLERK: Yes, Mr. President, thank you. Your Committee on Appropriations gives notice of hearing for March 7...I'm sorry, for February 24. That's signed by Senator Warner. A location change for Appropriations hearings on March 1, also offered by Senator Warner.

Mr. President, General Affairs Committee offers LB 703 to General File; LB 777 to General File; LB 780 to General File. Those are signed by Senator Smith as Chair of the Committee.

Agriculture Committee reports LB 37 to General File with amendments; LB 120 to General File with amendments. Those are signed by Senator Johnson as Chair. (See pages 678-79 of the Legislative Journal.)

Mr. President, your Committee on Banking, Commerce and Insurance whose Chair is Senator Landis reports LB 77 to General File with amendments; LB 311, General File with amendments; LB 350, General File with amendments; LB 598, General File with amendments; LB 692, General File with amendments, and LB 597, General File with amendments. Those are signed by Senator Landis as Chair. (See pages 679-82 of the Legislative Journal.)

Your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 11:30 a.m. (Re: LB 57, LB 94, LB 97, LB 126, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, and LB 256.)

Mr. President, Senator Moore would like to print amendments to LB 48. (See page 682 of the Legislative Journal.)

And, Mr. President, Senator Weihing would like to add his name to LB 521 as co-introducer. That's all that I have, Mr. President.

March 20, 1989

LB 37, 49A, 343, 592
LR 62

selling and profiting from the sale of cocaine and crack. I urge the advancement of LB 592. Thank you.

SPEAKER BARRETT: Thank you. And the question before the body is the advancement of LB 592 to E & R Initial. Those in favor of that motion vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 31 ayes, 5 nays, Mr. President, on the advancement of LB 592.

SPEAKER BARRETT: LB 592 is advanced. Mr. Clerk, anything for the record?

CLERK: Mr. President, yes, sir, I do, thank you. Health and Human Services reports LB 343 to General File with amendments. That's signed by Senator Wesely as Chair. (See pages 1230-31 of the Legislative Journal.)

Senator Rod Johnson has amendments to LB 37 to be printed. (See page 1231 of the Legislative Journal.)

New resolution by Senator Rod Johnson. (Read brief description of LR 62 as found on pages 1231-32 of the Legislative Journal.)

Mr. President, there will be a meeting of the Business and Labor Committee Tuesday, March 21 in the senate lounge at ten o'clock. Business and Labor, ten o'clock tomorrow morning in the senate lounge. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. It is my hope we can get into a few of the A bills, ladies and gentlemen, so let's proceed to item 8 on General File. Mr. Clerk.

CLERK: Mr. President, LB 49A is the first bill. It's offered by Senator Dierks. (Read title.)

SPEAKER BARRETT: Senator Dierks, please.

SENATOR DIERKS: Mr. Speaker and members of the Legislature, I'm caught a little bit short, I guess, if that's possible. I don't even seem to have my folder here. LB 49 is the weeds bill and it does have an A bill I think in the amount of \$187,000. Maybe someone can correct me on that. I believe that's the amount. I don't have a bit of problem bringing that legislation to you

Commission for Postsecondary Education, again, filed pursuant to statute; a report from the Nebraska Games and Parks Commission filed pursuant to statute; the annual report of the Division of Telecommunications; a communication from a series of Natural Resources Districts, Mr. President, with respect to payment of attorneys fees incurred during this past year. (See pages 88-89 of the Legislative Journal.)

Mr. President, I have a series of appointment letters from the Governor, appointments to the Board of Health, to the Rural Health Manpower Commission, the Foster Care Review Board, the Job Training Council, the Oil and Gas Conservation Commission. Those will all be referred to Reference for referral to the appropriate Standing Committee, Mr. President. (See pages 89-97 of the Legislative Journal.)

Finally, I have received a communication with respect to the siting for the low-level radio active waste disposal facility. That communication was received from US Ecology, Mr. President. (See page 88 of the Legislative Journal.) All of those reports will be on file in my office subject to review by members upon their request. That is all that I have, Mr. President.

PRESIDENT: Thank you. (Gavel.) Ladies and gentlemen, we're ready to begin the introduction of bills and some of you I understand would like to hear what the bills are about, so while I don't wish to spoil your fun and visitation with each other, kindly hold it down so that those that wish to listen to the introduction of the bills may do so. We anticipate that this will probably go on until about noon and, of course, free to do whatever you would like to do. Thank you. Mr. Clerk, the introduction of bills.

CLERK: Mr. President, new bills: (Read by title for the first time, LBs 818-878. See pages 97-109 of the Legislative Journal.)

I have amendments to be printed from Senator Rod Johnson to LB 163, LB 39, LB 37. (See pages 110-14 of the Legislative Journal.)

Mr. President, new bills. (Read by title for the first time, LBs 879-922. See pages 114-23 of the Legislative Journal.)

Mr. President, I have new resolutions: (Read brief description

January 10, 1990

LB 37, 163A, 828, 829, 1091-1095
LR 237

ASSISTANT CLERK: 25 ayes, 0 nays on the advancement of the bill, Mr. President.

SPEAKER BARRETT: LB 828 is advanced. The final revisor bill of the day, LB 829.

ASSISTANT CLERK: LB 829 was introduced by Senator Labedz. (Read title.)

SPEAKER BARRETT: The Chair recognizes the member from the 21st Legislative District, Senator Peterson.

SENATOR PETERSON: Mr. Speaker, this is the last revisor bill although I have a bill that was introduced, 830, that is right under it. I presume we could take that up, too, Mr. Speaker. Just funning, yeah, mine is a...Mr. Speaker, and members, this bill would repeal a section relating to payments by certain prisoners that is obsolete. The bill also corrects internal references in two sections. I ask for the movement of the bill, Mr. Speaker.

SPEAKER BARRETT: Any discussion? Those in favor of advancement of the bill to E & R please vote aye, opposed nay. Record, please.

ASSISTANT CLERK: 27 ayes, 0 nays on the advancement of the bill, Mr. President.

SPEAKER BARRETT: LB 829 is advanced. Any new bills, Mr. Clerk?

ASSISTANT CLERK: New bills. (Read for the first time by title: LBs 1091-1095, LB 163A. See pages 259-61 of the Legislative Journal.) A new resolution, LR 237CA by Senators Wesely, Chambers, and Chizek. (Read brief explanation. See pages 261-63 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Moving to item seven, General File, 1989 Speaker priority bills, LB 37. Mr. Clerk.

CLERK: Mr. President, LB 37 was a bill originally introduced by Senator Rod Johnson. (Read title.) The bill was introduced on January 5 of last year. Mr. President, at that time, it was referred to the Agriculture Committee for public hearing. The bill was advanced to General File. I do have committee

amendments pending by the Agriculture Committee. (See page 678 of the Legislative Journal, First Session.) Senator, I also have your amendments. Do you want to take those up now or do you want to defer?

SPEAKER BARRETT: Senator Johnson, which do you prefer?

SENATOR R. JOHNSON: Mr. President.

SPEAKER BARRETT: The committee amendments?

SENATOR R. JOHNSON: Yeah, we will take up the committee amendments first. Let me just briefly explain what the bill does so that you are up to date on this particular proposal. This is commonly known as one of those clean-up bills for the department, and the Department of Agriculture currently implements and carries out the Nebraska Seed Law, and this bill is designed to upgrade existing statute regulations as to the programs under the Nebraska Seed Law. This bill is designed to make the Nebraska Seed Law consistent with the Recommended Uniform State Seed Law, better known as RUSSEL, and these changes affect the labeling, the methods of testing, and also seed permits in transactions between farmer and seller. The amendments, the committee amendments are relatively simple. One is to change the word "bag" to "container", and the more substantial of the committee amendments happens to be a situation that the committee discussed in great detail. In fact, Senator Coordsen brought up the question about the sale of seed between farmer and farmer. Currently, we have exempted that. That is current law, at least, that any seed less than 10,000 pounds between, for example, a farmer to another farmer does not need to comply with the seed law, and there was a lot of discussion, as I said, about that. We eventually came to the conclusion as a committee that we did not want to change that. There is some difference of opinion with the seed advisory committee over this but the committee chose, instead, to agree with Senator Coordsen's objections to that, and we are asking to, basically, maintain the current exemption of transactions of seed under 10,000 pounds. So with that, that is the committee amendments.

SPEAKER BARRETT: Is there discussion on the committee amendments? Senator Haberman.

SENATOR HABERMAN: Mr. President, and members of the body,

Senator Johnson, would you please yield to a few questions.

SPEAKER BARRETT: Will you respond?

SENATOR R. JOHNSON: Yes.

SENATOR HABERMAN: Senator Johnson, in looking this over, I guess I am a little concerned about flower seeds. It says that...adds flower seeds to the act requiring the purchase of a seed permit. If you are going to sell flower seeds, do you have to have the permit?

SENATOR R. JOHNSON: Pardon me, I was being talked to. Could you ask me the question again?

SENATOR HABERMAN: Well, I know I am not as pretty as she is, Senator Johnson. If anyone sells flower seeds, do they have to have a permit?

SENATOR R. JOHNSON: Senator, we currently, flower seeds are...yes, you do need a permit for that now.

SENATOR HABERMAN: Do grocery stores, drug stores, dime stores, discount stores all have to have a permit?

SENATOR R. JOHNSON: Yes, what we are dealing with here is wildflower seed, just adding it to the list, Senator. This does not...we already currently ask for permits for those who sell flower seed.

SENATOR HABERMAN: Okay, the amendment just says "flower seed". It doesn't say anything about wild.

SENATOR R. JOHNSON: Well, that probably is a misstatement in the committee summary but we are only talking about wildflower seed here because flower seed is currently under the law and you do need a permit to sell those.

SENATOR HABERMAN: Well, then before we adopt the amendment, don't you think that we should amend it to say "wild"?

SENATOR R. JOHNSON: Well, I can ask my committee counsel about that, but, Senator, right now what we are talking about is only the committee amendments. The committee amendments just deal with, as is explained in the summary here, changing the word

"bag" to "container" and also reinstating language that provides for an exemption of transactions under or less than 10,000 pounds.

SENATOR HABERMAN: Oh, I see, this is not a committee amendment?

SENATOR R. JOHNSON: No.

SENATOR HABERMAN: Okay, I will wait until we get...Mr. President, I will wait until we get on the amendments, please, or on the bill.

SPEAKER BARRETT: Thank you, sir. Mr. Clerk, have you an amendment on the desk?

CLERK: Mr. President, I do. Senator Johnson, you had an amendment printed last year. Senator, you had...

SPEAKER BARRETT: Senator Johnson.

CLERK: You had an amendment printed last year. I assume that one is to go away.

SENATOR R. JOHNSON: Yes.

CLERK: And substitute the one you gave me this year, AM1975? (See Journal page 113.)

SENATOR R. JOHNSON: That is right.

CLERK: Okay.

SENATOR R. JOHNSON: Again, Senators, the purpose is to update the language and maybe this is an area that Senator Chambers or Senator Haberman would like to talk about, but, obviously, we are dealing with a variety of technical terminology about seed, and we are just, as I said, trying to update Nebraska Seed Law to comply with RUSSL, which is a program nationally designed, and I might add that all these recommendations came from the Nebraska Seed Advisory Committee, which is made up of the seedsmen of Nebraska, and they are in agreement with all of these recommended changes. And I guess the important thing to remember here is that we are not trying to change law in a way that would be adverse to the buyer as well. We are making sure that those individuals, those seedsmen who hold themselves out

to selling a product, that they are selling a product that has been tested and the label accurately reflects what kind of seed is there. I know we had a few bills in here a couple of years ago from Senator Pappas on germination of the seed, but in this case, we are talking mostly about terminology, to bring those terms up to date with RUSSL. So I would move for the amendment.

SPEAKER BARRETT: Is there discussion on the amendment to the amendment? Seeing none, those in favor of its adoption please vote aye, opposed nay. Record, please.

CLERK: 20 ayes, 0 nays, Mr. President, on adoption of the amendment to the committee amendments.

SPEAKER BARRETT: The amendment is adopted. To the committee amendments as amended.

SENATOR R. JOHNSON: I'd just move the committee amendments, Mr. Speaker.

SPEAKER BARRETT: Any discussion? If not, those in favor of the adoption of the committee amendments as amended...excuse me. Senator Haberman, I am sorry.

SENATOR HABERMAN: Mr. President, members of the body, is this the one we want to discuss?

SPEAKER BARRETT: Senator Johnson.

SENATOR R. JOHNSON: Senator Haberman, I think that the question that you have is yet to come.

SENATOR HABERMAN: Okay.

SENATOR R. JOHNSON: We have yet to adopt the committee amendments but I will answer your question now.

SENATOR HABERMAN: Well, I don't want to adopt the committee amendment if it says "flower seeds" without the word "wild".

SENATOR R. JOHNSON: Well, Senator, I think in the bill, if you look on page 16 of the bill, it will say on line 14 dealing with...well, I will just read it. "For any agricultural seeds or any mixture thereof, or any vegetable seeds or mixture thereof, or any flower seeds or any mixture thereof" and I have

been told by committee counsel that that is what the seedsmen association, and seed advisory committee has told us would cover wild seed or wildflower seed. So she has told me that that is the recommendation they have and they understand that language and maybe we don't as laymen but if you want to make it more specific or more clear, we can do that. We'd be happy to entertain an amendment between now and Select File.

SENATOR HABERMAN: Well, Senator Johnson, the only thing I am talking about in bringing this up is you told me and this body a few minutes ago that it only pertains to wild seeds, wildflower seeds.

SENATOR R. JOHNSON: Well, currently we regulate flower seed and we have to have a permit or you have to have a permit if you hold yourself out to sell that, but there is a growing market in the area of wildflower seed and that is not regulated, and I think what this bill does along with many other things is attempt to bring some regulation to that new product, and if it is not specifically clear to you or to others, that we need to clarify that, we'd be happy to work on an amendment between here and Select File to make that more clear.

SENATOR HABERMAN: I just don't, Senator Johnson, want the world to come crashing down if we pass a piece of legislation that isn't going to...

SENATOR R. JOHNSON: I understand what you are saying.

SENATOR HABERMAN: ...say what it means. Thank you, Mr. President.

SPEAKER BARRETT: Senator Hartnett, further discussion.

SENATOR HARTNETT: Mr. Speaker, and members of the body, if I can ask Senator Johnson a question.

SPEAKER BARRETT: Senator Johnson.

SENATOR HARTNETT: I was just listening. If I sell less than 10,000 pounds, then I do not have to register, is that...?

SENATOR R. JOHNSON: That is correct. A good example, and Senator Coordsen might cover this as well, a lot of times you will have farmers out there who are planting, for example, wheat

and get down to the end, have got a few acres left to go, run out of seed. Your neighbor down the road might have some seed for sale. A lot of times a guy is going to run over to the guy's neighbor and pick up some seed to help finish up. And we had a long discussion about this in committee because the seedsmen association or the seed advisory group would actually like to see that a permit is needed, but I guess we are looking at it from a more practical standpoint that a lot of times this is just neighbor to neighbor, farmer to farmer kind of transaction. Is it really necessary to go into that detail and, as I said, George can probably cover it in more detail than I but we decided to keep the current exemption in place to let farmers, in most cases farmers, continue those transactions without having to be regulated or have a permit.

SENATOR HARTNETT: Thank you.

SPEAKER BARRETT: The Chair recognizes Senator Coordsen.

SENATOR COORDSEN: Thank you, Mr. Speaker, and members of the body. Just a little bit to continue on with that discussion, when we pass legislation, this is my concern with that, that we have to be careful that we don't put in place things that can't be enforced, and I think Senator Johnson adequately explained my concern and that is that while it is essential that, as part of our seed law, we protect variety designations and ensure that the purchaser is getting what they pay for, there are exceptions to that in the case of some agricultural seeds where, as he indicated, a farmer will run over to the neighbors and buy a few bushel of oats as a cover crop in a waterway and those sorts of things, and really doesn't care what the variety is, where the varieties and stuff are already protected under other sections of the seed law. So a farmer could not advertise seed as a variety without having went through all of the testing and the certified seed laws that apply in those particular cases to protect variety. So this is simply to allow a little flexibility for emergency situations that do allow, and 10,000 pounds of most agricultural seeds is certainly not very much seed. So we are not looking at a big issue, and we are still protecting those who are professionals in the production of certified seed.

SPEAKER BARRETT: Thank you. A very brief reminder from the Chair that the Reference Committee is now meeting in Room 2102, Reference Committee now meeting. Any other discussion on the

committee amendments. Senator Johnson, any closing comment?

SENATOR R. JOHNSON: Only one other point that was brought out to me by committee counsel and that is that in our amendments, which have been adopted and now are part of the committee amendments, there is additional references to pure live seed as an option for native grasses. We currently have a federal program known as the Federal Conservation Reserve Program, and that program, basically, is taking cropland and turning it back into grassland, and one of the things that farmers might want to or might need in order to purchase the kind of grasses that are permitted under the PLS program is that kinds of information. What we are asking for in this seed is that the PLS labeling be on the bag so that a farmer can know and evaluate the seed quality that he or she might be purchasing to plant on those acres that are going into the conservation reserve program. So, again, it is more technical in nature but there are a number of farmers I think that would be concerned if they were making sure that they were planting seed that it was in compliance with the CRP program.

SPEAKER BARRETT: You have heard the closing on the adoption of the committee amendments. Those in favor of that motion vote aye, opposed nay. Please record.

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

SPEAKER BARRETT: The committee amendments are adopted. To the bill as amended, Senator Johnson.

SENATOR R. JOHNSON: Mr. President, and members, I would add one other comment. With the adoption of the committee amendments, it will be unnecessary for us to have an A bill with this particular bill, LB 37. The reason for the A bill originally was if the Legislature chose to have seller to buyer transactions of less than 10,000 pounds, then if there would have been some need for additional personnel to go out and inspect and labeling and all those type of things, and since we reinstated the current exemption, the A bill will be unnecessary. So I will be filing a motion to withdraw the A bill on LB 37, because with the adoption of the committee amendments, the A bill is now unnecessary.

SPEAKER B. BARRETT: Any discussion? Senator Haberman, I believe

January 10, 1990

LB 37, 37A, 742

you wanted to discuss the bill. Thank you. Any discussion on the advancement of the bill? If not, those in favor of its advancement please vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

ASSISTANT CLERK: 25 ayes, 0 nays on the advancement of the bill, Mr. President.

SPEAKER BARRETT: LB 37 is advanced. Moving then to LB 7...Senator Johnson, you had some discussion on the A bill.

SENATOR R. JOHNSON: Yes, Mr. Speaker, members, the easiest way to expedite the matter is to simply move to indefinitely postpone LB 37, as the Clerk has told us, 37A, I am sorry, so I would move to indefinitely postpone LB 37A.

SPEAKER BARRETT: Any discussion on the motion to indefinitely postpone the bill? If not, those in favor of its adoption please vote aye, opposed nay. Please record.

ASSISTANT CLERK: 25 ayes, 0 nays on the indefinite postponement of LB 37A.

SPEAKER BARRETT: LB 37A is indefinitely postponed. Moving to the next bill on General File, LB 742, Mr. Clerk, please.

ASSISTANT CLERK: LB 742 was introduced by Senator Robak and a number of other members. (Title read.) The bill was read for the first time on January 19 of last year. It was referred to the Transportation Committee. That committee reports the bill to General File with committee amendments, Mr. President.

SPEAKER BARRETT: Senator Lamb, would you discuss the amendments, please.

SENATOR LAMB: Yes, Mr. President, since we were so rudely interrupted yesterday, LB 742 is a bill which was introduced by Senator Robak and it has to do with vision requirements for drivers' licenses and the committee amendments are minimal. We have...if you will notice in the committee statement, we're changing some words. On page 2, line 19 strike "or" and insert "and". This was a drafting error. Also on page 3, line 7 strike the words "the applicant has". They are just redundant. Those two are insignificant drafting errors. Then the emergency clause is the other part of the committee amendment and that is

January 18, 1990

LB 37, 50, 159, 259A, 409, 422, 465
503, 503A, 543, 662, 742, 953, 1220-1242
LR 8, 244, 245

not, the question is the advancement of the A bill. All those in favor vote aye...say aye. Opposed nay. It is advanced. Mr. Clerk, do you have anything for the good of the cause?

CLERK: Mr. President, I do. Mr. President, your Committee on Retirement Systems, whose Chairperson is Senator Haberman, to whom was referred LB 953, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File. That is signed by Senator Haberman. (See page 397 of the Journal.)

Mr. President, I have a series of hearing notices from Judiciary Committee, Appropriations Committee, Health and Human Services and Revenue, all signed by the respective chairs.

Mr. President, Senator Kristensen has amendments to LB 159 to be printed. Enrollment and Review respectfully reports they have carefully examined and reviewed LB 37 and recommend that same be placed on Select File; LB 742, LB 662, LR 8CA, LB 50, LB 543, LB 422, LB 409, LB 503, LB 503A, and LB 465 all to Select File, some of which have Enrollment and Review amendments attached. (See pages 398-408 of the Legislative Journal.)

Mr. President, new bills. First of all, Mr. President, two constitutional amendments, LR 244, offered by Senator Schmit. And LR 245 offered by Senator Hefner. (Read brief summary of resolutions. See pages 408-11 of the Journal.)

Mr. President, new bills. (Read LBs 1220-1242 by title for the first time. See pages 411-17 of the Legislative Journal.)

Mr. President, reminder, Reference Committee will meet at three-thirty today in Room 2102, Reference Committee at three-thirty in 2102. A final reminder, Mr. President. Chairmen's meeting tomorrow morning at nine...I'm sorry, at eight-fifteen in Room 2102, Chairmen's meeting, eight-fifteen, in 2102. That's called by the Speaker. That is all that I have, Mr. President.

PRESIDENT: I understand that we have 434 new bills introduced this year. This is the last day, of course. So you might be interested in that. Senator Baack, you're close to your microphone, would you like to adjourn us until nine o'clock tomorrow morning, please.

PRESIDENT: The Lindsay amendment is adopted. Back to the Scofield amendment. Senator Scofield, would you like to close?

SENATOR SCOFIELD: I don't think I need to. I think that if people understand simply that we're putting into place this grant program that communities, however they define themselves, can come in and apply for this and that our intention is to create a comprehensive array of juvenile services here and that we put the mechanics into place here under the Probation Department to do so, that's generally what the bill does. And once you've adopted this amendment, that is the bill, so I would urge the adoption of the amendment and then urge you to move the bill. Thank you.

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

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

PRESIDENT: The Scofield amendments have been adopted. Senator Scofield, on the advancement of the bill.

SENATOR SCOFIELD: Thank you, Mr. President, as I mentioned earlier, these amendments become the bill. I would move the advancement of the bill to E & R.

PRESIDENT: Any discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 663.

PRESIDENT: LB 663 is advanced. Anything for the good of the cause, Mr. Clerk? If not, we'll do that in a little bit. Ladies and gentlemen, we're going to be going to Select File with six bills that have nothing on them and advance those perhaps. First, Mr. Clerk, LB 37.

CLERK: Senator, I have Enrollment and Review amendments pending to LB 37.

January 29, 1990

LB 37, 422, 543

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 37.

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

CLERK: Nothing further on that bill, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 37 as amended be advanced to E & R for engrossment.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 543.

CLERK: Senator, on LB 543 I have E & R amendments pending.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the E & R amendments to LB 543.

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

CLERK: Nothing further on that bill, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 543 as amended be advanced to E & R for engrossment.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 422.

CLERK: I have Enrollment and Review amendments, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the E & R amendments to LB 422 be adopted.

February 1, 1990

LB 37, 81, 240A, 409, 422, 465, 543
678, 678A, 863, 953, 1004, 1124

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber on this the 20th day of the Second Session of the Ninety-First Legislature. Our Chaplain this morning, Dr. John Wagner, President of Union College. Mr. Wagner.

DR. WAGNER: (Prayer offered.)

SPEAKER BARRETT: Thank you, so much, Mr. Wagner. We hope you can come back again. Roll call.

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 announcements, reports or messages?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they've carefully examined engrossed LB 37 and find the same correctly engrossed; LB 240A, correctly engrossed; LB 409, LB 422, LB 465, LB 543, LB 678, LB 678A, all of those reported correctly engrossed, all signed by Senator Lindsay as Chair of the E & R Committee. (See pages 612-16 of the Legislative Journal.)

Mr. President, Senator Smith has designated LB 1124 as her personal priority bill this session. Senator Haberman has selected LB 953 as one of the Retirement Systems Committee's priority bills. Senator Smith has designated LB 863 as one of the General Affairs Committee priority bills. And Senator Carson Rogers selected LB 1004 as his personal priority bill. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The Chair has a very special announcement at this point. Today, February 1st, is the birthday of Senator Carson Rogers. Senator Rogers has provided the treats on each of the desks this morning. Happy birthday, Senator Rogers. Mr. Clerk, to Item 5, on General File, 1990 priority bill.

CLERK: Mr. President, LB 81 was a bill introduced originally

office. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. And the Chair is pleased to take note of the fact that this Friday is Senator Spencer Morrissey's birthday, but because the ninth, of course, is a recess day, he is celebrating his birthday today and would like to share these cookies that you find on your desks with members of the Legislature. For those who might be interested, the Chair has just received a bran muffin. Happy birthday, Senator Morrissey. The Chair recognizes Senator Morrissey, the birthday boy.

SENATOR MORRISSEY: Thank you, the birthday boy, thank you all for that and the bran muffin is just in recognition that there are others in this body that are also getting on in years as we move towards Friday. Thank you.

SPEAKER BARRETT: Happy birthday again, Senator Morrissey. Members, please take your seats for Final Reading. Members, please return to your seats for Final Reading. Members, return to your seats in anticipation of Final Reading. Unauthorized personnel please leave the floor. Mr. Clerk, proceed with the reading of LB 37.

CLERK: (Read LB 37 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 37 pass? All in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote. See page 692 of the Legislative Journal.) 39 ayes, 0 ayes, 10 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 37 passes. LB 409, Mr. Clerk.

ASSISTANT CLERK: (Read LB 409 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 409 pass? Those in favor vote aye, opposed nay. Record, Mr. Clerk.

ASSISTANT CLERK: (Read record vote. See pages 692-93 of the Legislative Journal.) The vote is 39 ayes, 0 nays, 10 excused and not voting, Mr. President.

was done by resolution last session.

SPEAKER BARRETT: Senator Withem, would you care to close or withdraw the motion or...?

SENATOR WITHEM: Yeah, I would love to withdraw the motion. Thank you.

SPEAKER BARRETT: Thank you. It is withdrawn. Mr. Clerk, proceed.

CLERK: (Continued reading LB 543 on Final Reading.)

SPEAKER BARRETT: All provisions of law having been complied with, the question is, shall LB 543 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: (Read record vote. See pages 694-95 of the Legislative Journal.) 41 ayes, 0 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 543 passes. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 37, LB 409, LB 422 and LB 543. Also an announcement perhaps of general interest, Senator Nelson apparently was caught yesterday using the expression "outstate". She is now paying her penalty by donating rolls to her favorite society, specifically the Nebraska Unicameral. Her birthday is in July, but she is using this as an opportunity to treat her colleagues. Anything for the record, Mr. Clerk? The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Point of order, if I am not mistaken in what I heard, the Chair used that word too. I thought I'd call it to the Chair's attention.

SPEAKER BARRETT: The Chair has just ruled you out of order, Senator Chambers. (laughter) Mr. Clerk, please.

CLERK: Mr. President, amendments to be printed to be LB 81 by Senators Withem, Korshoj and Hartnett. (See pages 695-98 of the Legislative Journal.)

Hearing notice from the Natural Resources Committee, signed by Senator Schmit.

February 14, 1990 LB 37, 409, 422, 543

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us today as our Chaplain of the day, Pastor R. M. Meyer, who is Chaplain at the Florence Nursing Home. Will you please rise for the invocation.

PASTOR R. M. MEYER: (Prayer offered.)

PRESIDENT: Reverend Meyer, thank you for coming this morning and thank you for your thoughtful prayer. We appreciate it. Roll call, please.

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

PRESIDENT: Thank you. Did you make any mistakes in the Journal?

CLERK: No, sir, I did not make any mistakes, Mr. President.

PRESIDENT: Thank you, that is good. Any messages, reports, or announcements today?

CLERK: Mr. President, a communication from the Governor to the Clerk. (Re: LB 37, LB 409, LB 422, LB 543. See page 785 of the Legislative Journal.)

Mr. President, a report from the Department of Roads filed pursuant to Section 66-476 of the Nebraska Statutes. That is all that I have, Mr. President.

PRESIDENT: Thank you. Shall we move on to the confirmation report, please?

CLERK: Mr. President, the Education Committee reports on the appointments of certain individuals to the Safety Center Advisory Council. The report is on page 781 of the Journal.

PRESIDENT: Senator Dierks, are you present? Did you wish to take this confirmation report, please?

CLERK: Senator, these are the Safety Center Advisory Council appointments. There were about a half a dozen people.

SENATOR DIERKS: Yes, I will, Mr. President, and members of the