

January 12, 1989

LB 18-29, 54, 374-388
LR 4

SPEAKER BARRETT: Thank you. You have heard the closing and the question is the adoption of LR 4 introduced by Senator Bernard-Stevens. Those in favor vote aye, opposed nay. Voting on the adoption of LR 4. Have you all voted? Record, please.

CLERK: 34 ayes, 0 nays, Mr. President, on the adoption of LR 4.

SPEAKER BARRETT: LR 4 is adopted. Further bill introductions, Mr. Clerk.

CLERK: Mr. President, new bills. (Read LBs 374-388 for the first time by title. See pages 200-203 of the Legislative Journal.)

Mr. President, in addition to those items, I have some Select File reports. Mr. President, your Committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 18 and recommend that same be placed on Select File with E & R amendments attached, LB 19 Select File, LB 20 Select File, LB 21 Select File, LB 22 Select File with E & R amendments attached, LB 23 Select File, LB 24 Select File, LB 25 Select File with E & R amendments attached, LB 26 Select File with E & R amendments attached, LB 27 Select File, LB 28 and LB 29 to Select File, as well, Mr. President, all signed by Senator Lindsay as Chair of the Enrollment and Review Committee. (See pages 204-205 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, Mr. Clerk. Proceeding to item number six on today's agenda, a motion to rerefer. Mr. Clerk.

CLERK: Mr. President, Senator Weihing moves to rerefer LB 54 from the Agriculture Committee to the Health and Human Services Committee. Senator Weihing offered his motion yesterday. It is found on page 194.

SPEAKER BARRETT: For purposes of objecting to the referencing of a bill, the Chair recognizes Senator Weihing. (Gavel.)

SENATOR WEIHING: Mr. President and members of the Legislature, I request to move this bill because I feel it is much more in the medical area, the health area, and, therefore, it should be first heard, if it is heard at all, in the Health and Human Services Committee. This bill is one which deals with cholesterol. Cholesterol has become a daily word within our

February 7, 1989

LB 35, 38, 45, 51, 53, 60, 79
92A, 123, 168, 169, 189, 190, 207
379

Committee on Education whose Chair is Senator Withem would report LB 379 to General File and that is signed by Senator Withem as Chair of the Education Committee, Mr. President, and that is all that I have. (See page 625 of the Legislative Journal.)

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 35, LB 38, LB 53, LB 79, LB 123, LB 190, LB 51, LB 60, LB 189, LB 207, LB 45, LB 168, LB 169. (See page 625 of the Legislative Journal.) We'll move on to the General File A bills and, Senator Barrett, did you wish to make an announcement about later taking up the Select File?

SPEAKER BARRETT: Yes, Mr. President. Thank you, and members, just a reminder of something we've done in the past on numerous occasions, if we perchance have not completed Select File by adjournment time at noon, I'd like very much with your leave to move those bills on to Final that are not amended. Those bills that are clean, I'd like to move them, if at all possible, before we adjourn if we haven't completed Select File. Thank you.

PRESIDENT: Thank you, and in checking with the Clerk, he tells us he will be in shape to take those up a little bit before noon, so that will be fine. Thank you, Speaker Barrett. LB 92A, Mr. Clerk.

CLERK: Mr. President, 92A was a bill offered by Senator Landis. (Title read.)

PRESIDENT: Senator Landis, please.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, this is the omnibus insurance act. The Insurance Department is a cash funded agency based on examination fees that they obtain. This, I believe, is the reappropriation of roughly \$50,000 to accomplish the tasks of the bill and I would ask that we advance LB 92A to accompany LB 92.

PRESIDENT: Any further discussion? If not, the question is the advancement of LB 92A. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

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

March 8, 1989

LB 141, 161, 333, 379, 457, 742

time by title. See page 1027 of the Legislative Journal.)

Ag Committee reports LB 161 to General File with amendments, that is signed by Senator Johnson; Banking Committee reports LB 333 to General File with amendments, and LB 457 to General File, those signed by Senator Landis as Chair; Transportation reports LB 141 to General File with amendments, and LB 742 to General File with amendments, those signed by Senator Lamb. (See pages 1028-29 of the Legislative Journal.)

Mr. President, Senator Baack gives notice of cancellation of hearing. That is all that I have at this time, Mr. President.

PRESIDENT NICHOL PRESIDING

PRESIDENT: We will move on to LB 379.

CLERK: Mr. President, LB 379 was introduced by Senator Hartnett. (Read title.) The bill was introduced on January 12 of this year, referred to Education. The bill was advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Hartnett.

SENATOR HARTNETT: Yes, Mr. President, members of the body, this would give school districts authority to invest school district funds in repurchase agreement. Current law allows school districts to invest school funds in the securities under the prudent man rule, and really what it does, it is kind of a clarifying law is that large school districts that receive large amounts of money can invest it within a...before a seven-day period of time and that is really what it does. Some of the attorneys for some of the larger school districts feel that this has to be clarified, and with that, I would ask for the advancement of the bill, unless there are some questions.

PRESIDENT: Senator Elmer, please. No? Okay, did you wish to close?

SENATOR HARTNETT: (Mike off) ...kind of a clarifying.

PRESIDENT: Okay, the question is the advancement of the bill. All those in favor vote aye, opposed nay. It looks like I need a little help, ladies and gentlemen. Record, Mr. Clerk, please.

March 8, 1989

LB 46, 379, 388

CLERK: 25 ayes, 0 nays on the advancement of LB 379.

PRESIDENT: LB 379 advances. LB 46.

CLERK: LB 46, Mr. President, was introduced by Senators Lamb and Schimek. (Read title.) The bill was introduced on January 5, referred to Retirement for hearing. The bill was advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Lamb, please.

SENATOR LAMB: Yes, Mr. President, members, this is a bill that corrects an oversight in retirement laws, and all it does is allow county superintendents of schools who were employed before July 10, 1976 to buy into the retirement system. Just because of an oversight in the retirement system, they have not been able to buy into the system. The bill had no opponents in committee and was advanced with no negative votes, and for years I have been looking for a "Herbie" and a "Howie" bill and I think this is it, and I would ask that the bill be advanced.

PRESIDENT: Thank you. Senator Haberman, please.

SENATOR HABERMAN: Mr. President, members of the body, I would heartily ask you to endorse the bill and ask you to advance it as everything Senator Lamb says is absolutely true and I think it should be done. Thank you, Mr. President.

PRESIDENT: Thank you. The question is the advancement...Senator Schimek, please. Okay, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on the advancement of LB 46.

PRESIDENT: LB 46 advances. LB 388.

CLERK: LB 388, Mr. President, was a bill introduced by Senator Haberman. (Read title.) The bill was introduced on January 12, referred to the Retirement Committee for hearing, advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Haberman, please.

March 13, 1989

LB 46, 54, 145, 182, 211, 237, 247
259, 288, 315, 316, 356, 379, 388
411, 418, 437, 447, 449, 449A, 506
587, 630, 651, 652, 809

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: (Microphone not activated) ...to a new week in this the life of the First Session of the Ninety-first Legislature. Our Chaplain this morning for the opening prayer, Pastor Jerry Carr of First Four-Square Church here in Lincoln. Pastor Carr, please.

PASTOR CARR: (Prayer offered.)

SPEAKER BARRETT: (Gavel.) Thank you, Pastor Carr. We hope you can come back again. Roll call.

CLERK: Quorum present, Mr. President.

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: I have no corrections, Mr. President.

SPEAKER BARRETT: Messages, announcements, reports?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 587 and recommend that same be placed on Select File; LB 379, LB 46, LB 388 and LB 145, LB 237, LB 418, LB 506, LB 449, LB 449A and LB 54, all placed on Select File, some of which have E & R amendments attached. (See pages 1059-66 of the Legislative Journal.)

Mr. President, Business and Labor Committee reports LB 630 to General File; LB 315 to General File with amendments; LB 288, indefinitely postponed; LB 316, indefinitely postponed, LB 411, indefinitely postponed, and LB 652, indefinitely postponed, those signed by Senator Coordsen as Chair of the Business and Labor Committee. (See pages 1067-69 of the Legislative Journal.)

Mr. President, a series of priority bill designations. Senator Withem, as Chair of Education, has selected LB 259 and LB 651. Mr. President, Senator Nelson has selected LB 447; Senator Langford, LB 211; Senator Coordsen, LB 182; Senator McFarland, LB 437; Senator Byars, LB 809; Senator Withem, LB 247; and Senator Crosby selected LB 356, Mr. President.

I have an Attorney General's Opinion addressed to Senator Hefner

March 22, 1989

LB 46, 132, 145, 379, 388

SPEAKER BARRETT: Certainly. Any other discussion? If not, shall LB 132 be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. LB 379, Mr. Clerk.

CLERK: Mr. President, 379, I have no amendments to the bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I'd move that LB 379 be advanced.

SPEAKER BARRETT: Shall LB 379 be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. LB 46, Mr. Clerk.

CLERK: Senator, on LB 46 I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I'd move that LB 46 be advanced.

SPEAKER BARRETT: Shall LB 46 be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. LB 388.

CLERK: Mr. President, on LB 388 I have no amendments to the bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move the advancement of LB 388.

SPEAKER BARRETT: Shall LB 388 be advanced? All in favor say aye. Opposed no. Ayes have it, carried, the bill is advanced. LB 145.

CLERK: Senator, on 145 I have E & R amendments first of all.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I'd move the adoption of the E & R amendments to LB 145.

March 28, 1989

LB 46, 49, 49A, 132, 145, 231A, 237
250, 250A, 281, 378A 379, 388, 408A
412A, 418, 449, 449A, 506

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the 54th day in the life of the First Session of the Ninety-first Legislature. Our opening prayer this morning by our chaplain, Pastor Allen Vomhaf of St. Johns Lutheran Church in Omaha, Senator Lynch's district. Pastor Vomhaf, please.

PASTOR VOMHAF: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Vomhaf. 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: Reports, announcements or messages.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 46 and find the same correctly engrossed, LB 49, LB 49A, LB 132, LB 145, LB 231A, LB 237, LB 250, LB 250A, LB 281, LB 378A, LB 379, LB 388, LB 408A, LB 412A, LB 418, LB 449, LB 449A and LB 506, all reported correctly engrossed. (See page 1364 of the Legislative Journal.)

Mr. President, the last item I have is a report from the Job Training Director for the City of Omaha. That will be on file in my office. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Before proceeding into General File, senator priority bills, an announcement of general interest to the body (gavel) for your advanced planning. On Thursday of this week, day after tomorrow, we will be on consent calendar, consent calendar beginning Thursday morning, running through the noon hour, working through the noon hour and hopefully adjourning again at the midafternoon point. It's my hope that we can dispose in one way or another of all of the bills that will be listed on consent calendar on Thursday. Those bills that will be a part of consent calendar will be available to you this afternoon at the same time the agendas for tomorrow are available. So you will be able to have a little

March 28, 1989

LB 335, 379, 437, 780

SENATOR ROGERS: Mr. President, body, I think we've had plenty of debate on this bill. I think everyone stands at ease now that they know what it means, what it will do for small towns, small communities out in rural Nebraska. I don't think that there is any need to explain it anymore. I just ask for the advancement of the bill.

SENATOR LAMB: Debate is ceased. The motion is to advance LB 335. All those in support vote aye, those opposed no. Have you all voted? Record, Mr. Clerk.

CLERK: 40 ayes, 1 nay, Mr. President, on the motion to advance LB 335.

SENATOR LAMB: LB 335 has been advanced. Anything on the desk, Mr. Clerk?

CLERK: Mr. President, I have amendments to be printed from Senator Smith to LB 780. and Senator Hartnett to LB 437. Attorneys General Opinion addressed to Senator Hartnett (re. LB 379) and an explanation of vote from Senator Kristensen. That's all that I have, Mr. President. (See pages 1370-73 of the Legislative Journal.)

SENATOR LAMB: Senator Hannibal, would you care to recess us over the lunch hour?

SENATOR HANNIBAL: I will, Mr. Speaker, Mr. Chairman. I would move we recess until one-thirty.

SENATOR LAMB: All those in favor say aye. We are recessed.

RECESS

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Roll call.

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

SPEAKER BARRETT: Any announcements?

CLERK: Nothing at this time, Mr. President.

April 5, 1989

LB 231, 231A, 237, 379

been complied with, the question is, shall LB 231 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1513 of the Legislative Journal.) 36 ayes, 0 nays, 1 present and not voting, 12 excused and not voting, Mr. President.

PRESIDENT: LB 231 passes. LB 231A.

CLERK: (Read LB 231A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 231A pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1514 of the Legislative Journal.) 35 ayes, 0 nays, 2 present and not voting, 12 excused and not voting, Mr. President.

PRESIDENT: LB 231A passes. LB 237 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 237 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 237 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See page 1515 of the Legislative Journal.) The vote is 36 ayes, 0 nays, 2 present and not voting, 11 excused and not voting Mr. President.

PRESIDENT: LB 237 passes with the emergency clause attached. LB 379, please.

ASSISTANT CLERK: (Read LB 379 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 379 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

April 5, 1989

LB 46, 145, 157, 231A, 231, 237, 361
379, 418, 651A, 678
LR 72

ASSISTANT CLERK: (Record vote read. See pages 1515-16 of the Legislative Journal.) The vote is 35 ayes, 0 nays, 3 present and not voting, 11 excused and not voting, Mr. President.

PRESIDENT: LB 379 passes. LB 418, please.

ASSISTANT CLERK: (Read LB 418 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 418 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 1516-17 of the Legislative Journal.) The vote is 36 ayes, 0 nays, 3 present and not voting, 10 excused and not voting, Mr. President.

PRESIDENT: LB 418 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 418, LB 379, LB 237, LB 231A, LB 231, LB 145, LB 46, LB 157 and LB 418. We'll move on to Select File and going to jump over LB 279 and take up LB 361.

CLERK: Mr. President, if I might right before that, new resolution, LR 72 by Senator Haberman. (Read brief description of resolution. See pages 1517-18 of the Legislative Journal.) That will be referred to the Executive Board. Senator Haberman has amendments to LB 678. New A bill, LB 651A by Senator Hall. (Read by title for the first time. See page 1518 of the Legislative Journal.) Yes, sir.

PRESIDENT: Okay, we'll move on to LB 361, please. Mr. Clerk.

CLERK: Mr. President, 361 is on Select File. The first order of business...Mr. President, I have E & R amendments first of all.

PRESIDENT: Senator Rod Johnson, please.

SENATOR R. JOHNSON: Yes, I would move that the E & R amendments be adopted.

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

April 5, 1989

LB 46, 145, 157, 231, 231A, 237, 247
325, 379, 397, 414, 418, 640, 651
LR 73

way. I think if we still see a lot of recalls going on in this state, still seeing it being used as a harassment tool, we'll come back in and try and make it even more meaningful with maybe some stricter restrictions onto what the reasons can be for recall, but right now I think we've just got a very general statement of reasons. We've got something here that would be a very meaningful process. With that, I would just urge you to advance the bill. Thank you.

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

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to advance LB 640.

PRESIDENT: LB 640 advances. LB 651.

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

PRESIDENT: Yeah, please.

CLERK: Mr. President, new resolution, LR 73, by Senator Abboud. (Read brief description. See pages 1521-22 of the Legislative Journal.) That will be laid over.

I have a request...or bills read on Final Reading this afternoon have been presented to the Governor. (Re: LB 157, LB 46, LB 145, LB 231, LB 231A, LB 237, LB 379 and LB 418. See page 1522 of the Legislative Journal.)

Senator Chambers has amendments to LB 397, Senator Hall to LB 414, Senator Withem to LB 247. (See pages 1522-29 of the Legislative Journal.)

And Senator Schimek would like to add her name to LB 325 as co-introducer. (See page 1529 of the Legislative Journal.) That's all that I have, Mr. President.

Mr. President, the next bill, LB 651 is on General File. It is a bill originally introduced by Senator Hall. (Title read.) The bill was introduced on January 19, referred to the Education Committee for public hearing. The bill was advanced to General File. I have committee amendments pending by the Education Committee, Mr. President.

April 10, 1989

LB 46, 84, 145, 157, 231, 231A, 237
356, 379, 410, 414, 418, 587, 588
653, 733

CLERK: Mr. President, I have a reference report referring certain gubernatorial appointees to the appropriate committee for a confirmation hearing.

Senator Conway has amendments to LB 356 to be printed. Senator Conway would like to add his name to LB 84 as co-introducer. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. On Senator Withem's motion to adjourn, those in favor...recess, those in favor say aye. Opposed no. Carried, we are recessed until one-thirty.

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you. Back to LB 588. Mr. Clerk, could you bring us up to date as to our position just before recess.

CLERK: Mr. President, I will, if I may read some items for the record initially?

SPEAKER BARRETT: Certainly.

CLERK: Your committee...strike that. A communication to the Clerk from the Governor. (Read communications re: LB 410, LB 414, LB 587, LB 733, LB 157, LB 46, LB 145, LB 231, LB 231A, LB 237, LB 379 and LB 418. See page 1600 of the Legislative Journal.)

Senator Hall has amendments to LB 653 to be printed, Mr. President. (See page 1601 of the Legislative Journal.)

Mr. President, the Legislature left LB 588 this morning and at that time Senator Smith via Senator Chambers had moved to reconsider adoption of Senator Labedz's amendment to the committee amendments. That motion is pending.

SPEAKER BARRETT: Thank you. Back then to the motion to reconsider. Senator Withem, would you care to continue the discussion on the motion to reconsider, Senator Chambers next.