

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

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.

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LB 388

SENATOR HABERMAN: Mr. President, I am operating without my file, so until I get it I would like to slip over this bill. I have got it now, all right. Well, first of all, the bill changes the age for voluntary participation in the State Employees Retirement System. Currently full-time employees who are 25 years of age with one year of service may elect to participate in the State Employees Retirement System. LB 388 would reduce the eligibility age for voluntary participation from 25 to 20 years of age. The purpose behind the legislation is that we have many, many young employees who start to work for the state at 19 and 18 years old, and they work, and they are 20 years old, they have to work for five years before they can join the retirement system. Now it seems to me that that is unfair to have somebody wait that long when they are doing good work or they would not be kept on the payroll before they are entitled to join a retirement system. This would stop proliferation of good state young employees to other entities if they are given this opportunity to join the system. The bill was not opposed. There were no no votes, and I ask you to heartily support LB 388.

PRESIDENT: Thank you. Senator Schimek, please. Your light is on. Senator Pirsch, please.

SENATOR PIRSCH: Thank you, Mr. President, I just rise to support Senator Haberman in this effort, and am glad that he didn't pass over it because I think it is a matter of fairness that these young employees should be able to start participating in the retirement plan after they have had one year of service. Thank you.

PRESIDENT: Okay, thank you. Senator Haberman, would you like to close.

SENATOR HABERMAN: Mr. President, I would just ask for the advancement of the bill.

PRESIDENT: Okay, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Please vote if you care to. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of LB 388.

PRESIDENT: LB 388 advances. LB 145.

CLERK: LB 145, Mr. President, was introduced by Senator Baack. (Read title.) The bill was introduced on January 5, referred to Retirement for hearing. The bill was advanced to General File. I have committee amendments pending by the Retirement Committee, Mr. President. (See page 635 of the Legislative Journal.)

PRESIDENT: Senator Haberman, are you handling the committee amendments? All right.

SENATOR HABERMAN: Mr. President, the committee amendments strike the old matter and insert the words "plan shall be established by appropriate ordinance or proper resolution, which may provide for mandatory contribution by the employee." And it also inserts "any amounts contributed." It helps to give the city complete flexibility in establishing the employees' contribution as established by city ordinance or resolution. The employees may contribute an amount equal to, less than, or greater than the employers contribution, and it just adds flexibility to the bill, and I am sure that the introducer does not object to this. Thank you, Mr. President.

PRESIDENT: Any further discussion on the committee amendments? If not, the question is the adoption of the committee amendments. All those in favor vote aye, opposed nay. We are voting on the committee amendments. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of committee amendments.

PRESIDENT: The committee amendments are adopted. Before we proceed, Senator Baack, I would like to introduce some guests of Senator Ashford, please. In the north balcony, we have 39 eighth grade students from St. Margaret Mary School in Omaha with their teacher. Will you folks please stand and be recognized. Thank you for visiting us this morning. Senator Baack, we are on the advancement of the bill.

SENATOR BAACK: Yes, Mr. President and members, this is a very simple bill. The concern was brought to me by the City of Kimball who wanted to establish a retirement system for their employees. The statute said that an employee had to contribute an amount at least equal to the city's contribution. The City of Kimball wanted to establish it and pay totally for their

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

May 22, 1989

LB 209, 319, 323, 354, 354A, 360, 360A
378, 378A, 388

and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 360 passes. LB 360A.

ASSISTANT CLERK: (Read LB 360A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 360A pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2621 of the Legislative Journal.) The vote is 41 ayes, 0 nays, 4 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 360A passes. LB 378, Mr. Clerk.

ASSISTANT CLERK: (Read LB 378 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 378 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2622 of the Legislative Journal.) The vote is 30 ayes, 11 nays, 4 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 378 passes. LB 378A.

ASSISTANT CLERK: (Read LB 378A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 378A pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2623 of the Legislative Journal.) The vote is 35 ayes, 5 nays, 5 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 378A passes. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 209, LB 319, LB 323, LB 354 and LB 354A, LB 360 and LB 360A. LB 388, please.

May 22, 1989

LB 388, 408, 408A, 412

ASSISTANT CLERK: (Read LB 388 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 388 become law? Those in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: (Record vote read. See page 2624 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 3 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 388 passes. LB 408.

ASSISTANT CLERK: (Read LB 408 on Final Reading.)

SPEAKER BARRETT: All provision of law relative to procedure having been complied with, the question is, shall LB 408 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See pages 2624-25 of the Legislative Journal.) 35 ayes, 8 nays, 3 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 408 passes. LB 408A.

CLERK: (Read LB 408A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 408A pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See pages 2625-26 of the Legislative Journal.) 38 ayes, 7 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 408A passes. LB 412E.

CLERK: (Read LB 412E on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 412 pass with the emergency clause attached? Those in favor vote aye, opposed nay. Have you all voted? Please record.

May 22, 1989

LB 378, 378A, 388, 408, 408A, 412, 412A
423, 438, 438A, 444, 449

ASSISTANT CLERK: (Read LB 438 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 438 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See page 2630 of the Legislative Journal.) The vote is 36 ayes, 10 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 438 passes. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 378, LB 378A, LB 388, LB 408 and LB 408A, LB 412 and LB 412A and LB 423. LB 438A.

ASSISTANT CLERK: (Read LB 438A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 438A pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2631 of the Legislative Journal.) The vote is 37 ayes, 10 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 438A passes. LB 444.

ASSISTANT CLERK: (Read LB 444 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 444 become law? Those in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: (Record vote read. See page 2632 of the Legislative Journal.) The vote is 48 ayes, 0 nays, 1 excused and not voting.

SPEAKER BARRETT: LB 444 passes. LB 449.

ASSISTANT CLERK: (Read LB 449 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure

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LB 209, 319, 323, 336, 354, 354A, 360
360A, 378, 378A, 388, 408, 408A, 412
412A, 423, 438, 438A, 444, 449, 449A
541, 569, 569A, 574, 575A, 575, 630
640
LR 219

While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 219. Mr. Clerk, where did we leave off?

CLERK: Mr. President, before we commence Final once again, I have an explanation of vote from Senator Conway. (Re. LB 209. See page 2648 of the Legislative Journal.)

Acknowledgement from your Enrolling Clerk, that bills read on Final Reading have been presented to the Governor. (Re. LB 209, LB 319, LB 323, LB 354, LB 354A, LB 360, LB 360A, LB 378, LB 378A, LB 388, LB 408, LB 408A, LB 412, LB 412A, LB 423, LB 336, LB 438, LB 438A, LB 444, LB 449, LB 449A, LB 541, LB 569, LB 569A, LB 574, LB 575A, and LB 575.)

Mr. President, the first bill on Final is LB 630, this afternoon.

PRESIDENT: If you'll take your seats, please, we'll begin Final Reading. (Gavel.) If you'll take your seats, please, we'll start Final Reading on LB 630, please. LB 630, Mr. Clerk.

CLERK: (Read LB 630 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 630 pass? All those in favor vote aye, opposed vote nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as it appears on pages 2648-49 in the Legislative Journal.) 41 ayes, 1 nay, 3 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 630 passes. LB 640 with the emergency clause attached.

CLERK: (Read LB 640 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 640 pass with the emergency clause attached? All those in favor vote aye, opposed nay, and I am reminded again for the second time today that some of you are not remaining in your seats while Final Reading is being read. Have you all voted? Record, Mr. Clerk, please.