

January 12, 1989

LB 54, 111, 209, 268, 271, 325, 335
389-408

raised, please stay in your seats.

CLERK: 20 ayes, 21 nays, Mr. President, on the motion to rerefer.

SPEAKER BARRETT: Motion fails. The call is raised. Mr. Clerk, continue with the introduction of bills.

CLERK: Mr. President, I might announce that the Reference Committee, the Reference Committee will meet in the Senate Lounge for referring of bills now; Reference Committee in the Senate Lounge now.

Mr. President, new bills. (Read LBs 389-406 for the first time by title. See pages 206-209 of the Legislative Journal.)

SPEAKER BARRETT: The body will stand at ease while the Referencing Committee handles some more bills.

EASE

CLERK: Mr. President, new bills. (Read LBs 407-408 for the first time by title. See page 210 of the Legislative Journal.)

Mr. President, in addition to those items, I have a notice of hearing from the Government Committee, that is offered by Senator Baack as Chair. Mr. President, I have received a reference report referring LBs 324 through 373.

Mr. President, in addition to those items, announcement that the Appropriations Committee....

Mr. President. some unanimous consent requests, Senator Schellpeper would like to add his name to LB 209; Senator Rod Johnson and Senator Morrissey would like to add their names to LB 325; Senator Dennis Byars to LB 111; Senator Haberman to LB 268, and Senator Haberman to LB 271 as well, and Senator Haberman to LB 335.

SPEAKER BARRETT: If there are no objections, so be it.

CLERK: Mr. President, I have a motion filed with respect to the investigating committee formed to review the Franklin Credit Union situation. That motion will be laid over, Mr. President. It involves the suspension of the rules. Those will be laid

proceedings of the contest of election for the member of the Legislature from the 17th Legislative District be compiled. The record shall include the official transcripts of all hearings held by the committee appointed to consider such contest, all documents, materials, testimony and depositions requested or received by the committee or the Clerk of the Legislature in the course of the proceedings, all motions proposed or adopted by the committee or the Legislature in the course of their proceedings and the action taken on each such motion. And the final report of the committee, when compiled and set forth above shall be filed with the records of the Legislature in the office of the Clerk of the Legislature.

PRESIDENT: Senator Warner, please.

SENATOR WARNER: Mr. President, I move adoption of the amendment (sic). Obviously, it is only relative to maintaining as a part of the permanent record of the Legislature the proceedings and other documents that was provided to the Credentials Committee. I would move its adoption.

PRESIDENT: Thank you. Any further discussion? If not, the question is the adoption of the motion, the second motion, by Senator Warner. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: 35 ayes, 0 nays, Mr. President, on adoption of the motion as offered by the Credentials Committee.

PRESIDENT: The motion is adopted. Mr. Clerk, some things for the record, please.

CLERK: Mr. President, yes, sir, thank you. Revenue offers notice of hearing for February 15, 16, 22, 23 and 24 and March 1. That was signed by Senator Hall as Chair.

Senator Chizek, as Chair of Judiciary, offers a notice of cancellation for two hearings and rescheduling.

Mr. President, your Committee on Banking, Commerce and Insurance, whose Chair is Senator Landis, reports LB 391 to General File with committee amendments attached. Signed by Senator Chizek. (See page 318 of the Legislative Journal.) That's all that I have, Mr. President.

So I would ask for the adoption of the committee amendments.

PRESIDENT: Have you finished, Senator?

SENATOR WESELY: Yes.

PRESIDENT: Okay, thank you. The question is the adoption of the committee amendments. All those in favor vote aye, opposed nay. Need a little help, thanks. Record, Mr. Clerk, please.

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

PRESIDENT: We are back on the advancement of the bill. Okay, Senator Schellpeper, did you wish to explain the bill to us.

SENATOR SCHELLPEPER: Thank you, Mr. President and members. Yes, this is a bill that came out of a task force that we had last summer. There is a lot of rural communities out there that are having trouble with their finding doctors, with their hospitals, they can't keep their hospitals open. What this bill will do, it will take some doctors, some nurses, some optometrists, hospital administrators, some city people, anybody that is involved in rural health, and try to improve their rural health issues. And what it does, it sets up an 11 member advisory board that will go around and just try to help these rural communities. And it would mainly be to not really give them, in fact, it wouldn't give them any money. It would just be to help them to find doctors, to move them to maybe have a satellite office in a certain town. It would also try to help the hospital. There are some federal grant money out there, and this would also help them to apply for that there grant money. And I think it is something that these rural communities need in order to have or to keep and to also obtain doctors, and to keep their hospitals. Thank you.

PRESIDENT: Any further 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 378.

PRESIDENT: LB 378 advances. LB 391.

CLERK: LB 391, Mr. President, was a bill introduced by Senator Conway. (Read title.) The bill was introduced on January 12, referred to the Banking Committee and was advanced to General File. I do have Banking, Commerce, and Insurance Committee amendments pending, Mr. President.

PRESIDENT: Senator Conway, are you going to handle those, too?

SENATOR CONWAY: Yes, Mr. President and member, the committee amendments to LB 391 was or are simply a change where at one point in the bill a general description of the national market system was used and the amendment simply changes that to its proper name which is the Automated Quotation National Market System, so the amendment is simply technical in nature. So I offer that to be accepted.

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

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of committee amendments.

PRESIDENT: The committee amendments are adopted. Do you have anything else on the bill, Mr. Clerk?

CLERK: Nothing further, Mr. President.

PRESIDENT: All right, we are back to the advancement of the bill. Senator Conway.

SENATOR CONWAY: Thank you, Mr. President. LB 391, as it was presented to us, came from the Banking Department, Security Division, a request from them. I worked on the bill by virtue of the fact that in the past I have tried to expand the types and nature of securities that are under registration or don't need to be under registration under our Department of Banking registration techniques. LB 391 would amend the sections that exempt from registration those securities that are listed on the National Association of Securities, Dealers, Automated Quotations, or better known as NASDAQ in the securities arenas. Currently, we exempt those securities that are already listed on the New York Stock Exchange, on the Midwest Stock Exchange, and on the American Stock Exchange. And what this simply does is adds the top tier out of the national market system and adds to

that listing that are exempt and do not need to be specifically registered in the State of Nebraska if they already are on that exchange. The NASDAQ quotes on that top tier meet all of the standards that the Banking Department feels is necessary relative to quality of security, relative to the disclosure information, the like, in order to be listed on NASDAQ, and so they have requested and I would concur and support the fact that they are also exempt from registration in the State of Nebraska. We are not unique in doing this. The majority of the states also exempt that particular tier of securities that are listed there from registration in the other states. So with that, I offer this bill, and open myself up for any questions anyone might have.

PRESIDENT: Any further 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 391.

PRESIDENT: LB 391 advances. We will move on to LB 74, please.

CLERK: LB 74, Mr. President, offered by Senator Warner. (Read title.) The bill was introduced on January 5, referred to Education, advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Warner, please.

SENATOR WARNER: Mr. President, members of the Legislature, LB 74 is a bill which was discussed somewhat a few days ago on a reference issue, but to refresh your mind, LB 74 is an amendment to a statute that was enacted a couple, three years ago. You may recall that at that time a problem had been created in areas where there was a subdivision on vacant land plotted, and as a result of that subdividing, subdivision or the creation of lots, that a school district boundary in existence could result in a lot being in two school districts, a portion of the lot in two or more school districts. The law that was enacted resolved the issue by authorizing the lot so created and lying in two school districts to pick which school district it would be attached to, and it was a reasonable solution to a relatively minor problem. Afterwards, however, a condition arose where, actually it was

February 9, 1989

LB 74, 155, 238, 263, 338, 378, 391
398, 499
LR 29

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. We have with us today, as chaplain of the day, Reverend Jim McGaffin, who is with the Victory Outreach in Omaha, Nebraska. He is in Senator Lynch's district. Reverend McGaffin. Would you please rise for the invocation.

REVEREND MCGAFFIN: (Prayer offered.)

PRESIDENT: Senator Lynch, for what purpose do you rise?

SENATOR LYNCH: Request personal privilege, just for a private comment, if I could. I wanted to mention that Reverend McGaffin is the son of Jim McGaffin, who was WOW News Director for a long time, TV, in Omaha. And many of you knew Jim, and I thought I should mention that. So you might remember and recognize more of his mother than his father in Reverend McGaffin. We're sure pleased to have you here today, Reverend.

PRESIDENT: Okay, thank you. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 338 and recommend that same be placed on Select File with E & R amendments attached; LB 378, Select File with E & R; LB 391, Select File with E & R; LB 74, Select File; LB 398, Select File; LB 499, Select File with E & R amendments; LB 238, Select File with E & R; and LB 263, Select File. All signed by Senator Lindsay as Chair. (See pages 654-56 of the Legislative Journal.)

Mr. President, Senator Wehrbein would like to print amendments to LB 155 in the Journal. New resolution, LR 29, offered by Senator Langford. (Read brief summary of resolution. See pages 656-55 of the Journal.) That will be laid over,

SPEAKER BARRETT: Shall the E & R amendments be adopted to 338? Those in favor say aye. Opposed no. They are adopted.

CLERK: Nothing further, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 338, as amended, be advanced.

SPEAKER BARRETT: Shall the bill, as amended, be advanced? Those in favor say aye. Opposed no. Ayes have it, carried. LB 378.

CLERK: LB 378, Senator, does have E & R amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 378 be adopted.

SPEAKER BARRETT: Shall the E & R amendments be adopted? All in favor say aye. Opposed no. Carried, they are adopted.

CLERK: Nothing further, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 378, as amended, be advanced.

SPEAKER BARRETT: Shall 378, as amended, be advanced? All in favor say aye. Opposed no. Ayes have it, the bill is advanced. LB 391.

CLERK: LP 391, Senator, has E & R amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 391 be adopted.

SPEAKER BARRETT: Shall the E & R amendments be adopted? All in favor say aye. Opposed no. Ayes have it, carried.

February 13, 1989 LB 74, 391, 398, 499

CLERK: Nothing further on the bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 391, as amended, be advanced.

SPEAKER BARRETT: Shall LB 391 be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. LB 74.

CLERK: LB 74, Senator, does have E & R amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 74 be adopted.

SPEAKER BARRETT: Shall the E & R amendments be adopted? All in favor say aye. Opposed no. Carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 74, as amended, be advanced.

SPEAKER BARRETT: Shall LB 74, as amended, be advanced? Those in favor say aye. Opposed no. Carried, the bill is advanced. LB 398.

CLERK: LB 398, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 398 be advanced.

SPEAKER BARRETT: Shall LB 398 be advanced? All in favor say aye. Opposed no. Ayes have it, carried, the bill is advanced. LB 499.

CLERK: LB 499, Senator, has E & R amendments.

SPEAKER BARRETT: Senator Lindsay.

February 15, 1989 LB 57, 58, 70, 74, 94, 97, 115
116, 126, 133, 142, 156, 175A, 177A
208, 229, 230, 233, 251, 255, 256
261A, 263, 267, 273, 281, 284A, 295
338, 378, 391, 398, 416, 443, 458
459, 499, 502

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber. Please rise for the opening prayer. Our Chaplain for the day is Father Daniel Sieker, of Blessed Sacrament in Lincoln. Father Sieker.

FATHER SIEKER: (Prayer offered.)

SPEAKER BARRETT: Thank you, Father Sieker. Please come back again. Roll call.

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

SPEAKER BARRETT: Thank you. Corrections to the Journal.

CLERK: I have no corrections, Mr. President.

SPEAKER BARRETT: Any reports, messages, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 502 and recommend that same be placed on Select File, LB 281 Select File, LB 416 Select File, LB 443 Select File, those signed by Senator Lindsay as Chair. Mr. President, your Committee on Enrollment and Review reports LB 74 as correctly engrossed; LB 116, LB 175A, LB 177A, LB 208, LB 261A, LB 263, LB 267, LB 273, LB 284A, LB 338, LB 378, LB 391, LB 398, LB 458, LB 459, and LB 499, all reported correctly engrossed, all signed by Senator Lindsay. (See pages 746-47 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read. 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, LB 256. See page 748 of the Legislative Journal.)

March 2, 1989

LB 391, 398, 810, 811

new bills.

PRESIDENT: The bill is introduced.

CLERK: Mr. President, new bills. LB 810, offered by the Business and Labor Committee. New bill, LB 811, offered by Business and Labor and signed by its members. (Read bills by title for the first time. See pages 939 of the Legislative Journal.)

PRESIDENT: Thank you. Before we go to Final Reading, may I introduce some guests in the east balcony, the rear of the Chamber, guests of Senator Baack. We have 10 students from the Western Nebraska Community College at Sidney, Nebraska and their instructor. Would you ladies and gentlemen please stand and be recognized. Thank you. We appreciate your coming the long distance of about, what, 400 miles to visit us. You hit us at a good time, which is called Final Reading. For the next 45 minutes or so you'll be listening to the Clerk read bills on Final Reading which is necessary. The members of the Legislature will be in their seats at the time of Final Reading, which is unusual, for the most part. But perhaps, if you stick around a little after this, it will be more exciting. Thank you for visiting us. Mr. Clerk, to Final Reading. Will you please go to your seats, please, so that we can begin Final Reading. Unauthorized personnel, please leave the floor. LB 391, Mr. Clerk.

CLERK: (Read LB 391 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 391 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on pages 939-40 of the Legislative Journal.) 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

PRESIDENT: LB 391 passes. LB 398.

CLERK: (Read LB 398 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 398 pass? All

March 2, 1989

LB 48, 49, 61, 176, 226, 298, 327
349, 391, 398, 408, 416, 458, 459
502

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

PRESIDENT: LB 502 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 391, LB 398, LB 458, LB 459, LB 48, LB 61, LB 176, LB 298, LB 327, LB 349, LB 416 and LB 502. May I introduce some guests, please, of Senator Hefner. Under the south balcony we have Mr. and Mrs. Darrell Henry of Coleridge, Nebraska. Would you folks please stand and be recognized. Thank you for visiting us today. Mr. Clerk, something for the record?

CLERK: Mr. President, your Committee on Education reports LB 226 to General File with amendments, signed by Senator Withem. Agriculture Committee reports LB 49 to General File with committee amendments, signed by Senator Johnson as Chair. That's all that I have, Mr. President. (See page 950 of the Legislative Journal.)

PRESIDENT: Thank you. We'll move on to Select File. LB 408.

CLERK: Mr. President, the first bill on Select File, LB 408. The first order of business are E & R amendments.

PRESIDENT: Senator Moore, please.

SENATOR MOORE: Mr. President, I move we adopt the E & R amendments to LB 408.

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

CLERK: Mr. President, the first amendment I have to the bill is by Senator Barrett. Senator, I have AM306, it's on page 692 of the Journal.

PRESIDENT: Senator Barrett, please.

SENATOR BARRETT: Thank you, Mr. President and members. Yes, this little amendment is on page 306 or rather 692 in the Journal. It affects only the exchange program, Mr. President. The original bill put a limitation on which would have prevented an exchange student from attending a high school within 150 miles of his own school. We heard from a superintendent in Columbus who said we may have some students who would like to go

March 2, 1989

LB 48, 61, 161, 176, 298, 327, 334
349, 354, 354A, 391, 398, 416, 458
459, 502, 542

adopted...or, excuse me, as amended be advanced.

PRESIDENT: You've heard the motion. All in favor say aye.
Opposed nay. It is advanced. LB 354.

CLERK: LB 354, Senator, no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 354 be advanced.

PRESIDENT: You've heard the motion. All in favor say aye.
Opposed nay. It is advanced. LB 354A.

CLERK: On 354A, Senator, I have no amendments to the bill.

PRESIDENT: You've heard the motion...Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 354A be
advanced.

PRESIDENT: You've heard the motion. All in favor say aye.
Opposed nay. It is advanced. Mr. Speaker, did you wish to say
something about the time of the meeting tomorrow morning before
we adjourn?

SPEAKER BARRETT: Thank you, Mr. President, just a reminder that
we will convene at eight o'clock tomorrow morning for the
purpose of reading, I believe it is LB 92, the big bill. Thank
you. Eight o'clock, tomorrow morning.

PRESIDENT: Okay, Mr. Clerk, do you have something for the
record?

CLERK: Mr. President, I do. Senator Rod Johnson would move
that LB 161 be placed on General File pursuant to Rule 3,
Section 19, and that will be laid over.

Your Enrolling Clerk has presented to the Governor as of
eleven-o-five this morning bills read on Final Reading this
morning. (Re: LB 391, LB 398, LB 458, LB 459, LB 48, LB 61,
LB 176, LB 298, LB 327, LB 349, LB 416, LB 502. See page 956 of
the Legislative Journal.)

Banking Committee reports LB 542 to General File with amendments

March 7, 1989

LB 48, 61, 92, 92A, 147, 147A, 154
176, 298, 327, 349, 360, 360A, 391
398, 416, 441, 458, 459, 502

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning as our chaplain of the day Reverend Steve Janovec of the People's City Mission in Lincoln. Would you please rise for the convocation.

REVEREND JANOVEC: (Prayer offered.)

PRESIDENT: Thank you, Reverend Janovec. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Any corrections to the Journal this morning?

CLERK: No corrections, Mr. President.

PRESIDENT: Do you have any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 147 and recommend that same be placed on Select File; LB 147A, Select File.

Mr. President, Enrollment and Review reports LB 154, LB 360, LB 360A and LB 441 as correctly engrossed, both those items signed by Senator Lindsay as Chair of the Enrollment and Review Committee. (See pages 1003-04 of the Legislative Journal.)

Mr. President, communications from the Governor. (Read communications regarding signing of LB 391, LB 398, LB 458, LB 459, LB 48, LB 61, LB 176, LB 298, LB 327, LB 349, LB 416, LB 502, LB 92 and LB 92A. See page 1004 of the Legislative Journal.)

Mr. President, an appointment letter from the Governor appointing Ms. Kathy Campbell to the Child Abuse Prevention Fund Board. That will be referred to Reference. (See page 1005 of the Legislative Journal.)

I have a report from the Job Training area for the Department of Labor, Mr. President. That will be on file in my office. (See page 1005 of the Legislative Journal.)