

February 3, 1989

LB 153, 154, 209, 338A, 378A, 412A, 440
441, 459

Committee, on this bill and I certainly appreciate the support of Senator Schmit and Senator Schellpeper as co-sponsors of the bill. Again, we are simply clarifying the definition of gross receipts under these statutes and specifically stating that access charges shall not be subject to a sales tax. With that, Mr. Speaker and members, I would move the advancement of LB 209.

SPEAKER BARRETT: Thank you. You've heard the closing and the question is the advancement of LB 209 to E & R. All in favor vote aye, opposed nay. Record, please.

CLERK: 35 ayes, 0 nays, Mr. President, on the advancement of 209.

SPEAKER BARRETT: LB 209 is advanced. For the record, Mr. Clerk.

CLERK: Mr. President, your Committee on General Affairs, whose Chair is Senator Smith, to whom was referred LB 440, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 154 General File with amendments; LB 441 General File with amendments and LB 153 indefinitely postponed, those signed by Senator Smith as Chair of the committee. (See pages 589-90 of the Legislative Journal.)

I have gubernatorial appointments referring an individual to the Parole Board and to the Game and Parks Commission. That will be referred to Reference Committee.

New A bills, Mr. President. (Read LB 338A, LB 378A and LB 412A by title for the first time. See page 590 of the Legislative Journal.) And that is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The next bill, LB 459.

CLERK: 459, Mr. President, was offered by the Revenue Committee and signed by its members. (Title read.) The bill was introduced on January 13, referred to Revenue, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Thank you. To the Chairman of the Revenue Committee, Senator Hall.

SENATOR HALL: Thank you, Mr. President, members. This, Senator

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LB 378A, 408A, 412A

continue to look at why the rural hospitals, why the rural health care facilities are having some problems and that's what this here is all designed to do. Thank you.

SENATOR LABEDZ: Any further discussion on LB 378A? Senator Schellpeper, there are no lights. Senator Schellpeper waives closing. All those in favor of advancing LB 378A vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Madam President, on the advancement of 378A.

SENATOR LABEDZ: LB 378A is advanced. Mr. Clerk, LB 408A.

CLERK: Madam President, LB 408A offered by Senator Barrett. (Read title.)

SENATOR LABEDZ: Senator Barrett.

SPEAKER BARRETT: Thank you, Madam President, and members, LB 408, as you will recall, is the bill to adopt the Youth Leadership Academy and the Student Exchange Act. The A bill is calling for an expenditure of \$145,000 divided between the Academy at about 130, and the Student Exchange portion at 15,000. I would move the advancement of the bill.

SENATOR LABEDZ: Any discussion on the advancement of LB 408A? Senator Barrett, there are no lights on, would you like to close?

SPEAKER BARRETT: Just ask that the bill be advanced. Thank you.

SENATOR LABEDZ: Thank you, Senator Barrett. All those in favor of the advancement of LB 408A vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 26 ayes, 1 nay, Madam President, on the advancement of 408A.

SENATOR LABEDZ: LB 408A is advanced. Mr. Clerk, LB 412A.

CLERK: LB 412A, Madam President, by Senator Coordsen. (Read title.)

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LB 412A, 574A

SENATOR LABEDZ: Senator Coordsen.

SENATOR COORDSEN: Thank you, Madam President. Members of the body, LB 412 was a bill we passed about a month or so ago. It was a committee bill that corrected some language problems and the enforcement thereof in our minimum wage law. And I feel like I must apologize for the size of this A bill because it amounts to \$1,000 for the Department of Labor to print up notices. So I would encourage the advancement of LB 412A but I wish it would have been more money. Thank you.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Any discussion? If not, shall LB 412A be advanced to E & R? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 412A.

SPEAKER BARRETT: LB 412A is advanced. LB 574A.

CLERK: LB 574A by Senator Rogers. (Read title.)

SPEAKER BARRETT: Senator Rogers.

SENATOR ROGERS: Mr. Speaker and members, a relatively small A bill for what this will do for the industry. It's 146,000 for '89-90 and 150,000 for '90-91. I gave some figures when we talked about this bill the last time. Unless someone wants to hear them again, I won't go through them but I had some figures just on a couple of producers in our state and the loss of income and sales tax just from a couple of these operations that have went through pseudorabies would darn near fund this part of the bill. So I ask for the advancement of the bill.

SPEAKER BARRETT: Thank you. Any discussion? If not, the question is the advancement of LB 574A. Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 574A.

SPEAKER BARRETT: LB 574A is advanced. The Chair would ask your continued indulgence for just a few minutes, if at all

March 21, 1989

LB 326, 334, 340A, 340, 378A, 408A, 410
412A, 414, 440, 441, 489, 516, 556
574A, 714

SPEAKER BARRETT: Is there any discussion? Seeing none, those in favor of the advancement of LB 714 to Enrollment and Review please vote aye, opposed nay. Record, please.

CLERK: 34 ayes, 0 nays, Mr. President, on the advancement of LB 714.

SPEAKER BARRETT: LB 714 is advanced. Anything for the record?

CLERK: Mr. President, Enrollment and Review reports LB 340A to Select File; LB 378A to Select File; LB 408A, Select File; LB 412A, Select File; LB 574A, Select File; LB 410; LB 414, Select File. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Schellpeper, would you care to recess us until one-thirty.

SENATOR SCHELLPEPER: Yes, I will. Mr. Speaker and members, I would move that we recess until one-thirty.

SPEAKER BARRETT: You have heard the motion to recess until one-thirty. Those in favor say aye. Opposed no. Motion carried. We are recessed. (Gavel.)

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you, sir. For the record, Mr. Clerk.

CLERK: Mr. President, a communication from the Governor to the Clerk. (Read communication re signing of LB 326, LB 334, LB 440, LB 489, LB 516, LB 556, and LB 441. See pages 1259-60 of the Legislative Journal.)

Senator Bernard-Stevens has amendments to LB 340 to be printed, Mr. President. (See pages 1260-61 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Before proceeding into the

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LB 231A, 378A, 408A, 412A

LB 231A to E & R for Engrossing.

SPEAKER BARRETT: Those in favor of the motion to advance 231A say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. Mr. Clerk, LB 378A.

CLERK: LB 378A, I have no amendments to the bill, Senator.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. President, I would move that LB 378A be advanced to E & R for Engrossing.

SPEAKER BARRETT: The question is the advancement of 378A. Those in favor say aye. Opposed no. Carried, the bill is advanced. LB 408A.

CLERK: LB 408A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. President, I'd move that LB 408A be advanced to E & R for Engrossing.

SPEAKER BARRETT: The question is the advancement of 408A. Those in favor say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. LB 412A.

CLERK: LB 412A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. President, I'd move that LB 412A be advanced to E & R for Engrossing.

SPEAKER BARRETT: The motion is to advance 412A. Those in favor say aye. Opposed no. Ayes have it, carried, the bill is advanced. Any messages on the President's desk, Mr. Clerk?

CLERK: I have nothing on the desk, Mr. President.

SPEAKER BARRETT: Thank you. Senator McFarland.

SENATOR McFARLAND: Mr. Speaker, I'd move to adjourn until Monday, March 27, 1989, at one o'clock.

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 336, 412, 412A, 423, 438

CLERK: (Record vote read. See pages 2626-27 of the Legislative Journal.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 412E passes. LB 412AE.

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

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 412A with the emergency clause attached pass? Those in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read. See pages 2627-28 of the Legislative Journal.) 45 ayes, 0 nays, 3 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 412AE passes. LB 423.

CLERK: (Read LB 423 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 423 pass? Those in favor vote aye, opposed nay. Record.

CLERK: (Record vote read. See page 2628 of the Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 423 passes. I would like to return now to LB 336E.

ASSISTANT CLERK: (Read LB 336E on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 336 with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See pages 2628-29 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 5 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 336E passes. LB 438.

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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.