

January 13, 1989

LB 30-34, 361, 410-460

CLERK: Mr. President, I do, thank you. I have a reference report referring LBs 374-409, signed by Senator Labedz as Chair of the Reference Committee.

In addition to that, Mr. President, I have received a communication from the Chair of the Reference Committee referring the communication received from the University Board of Regents regarding the University Health Care project. That has been referred to Appropriations Committee for public hearing.

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 30 and recommend that same be placed on Select File; LB 31, LB 32, LB 33 and LB 34, all on Select File, Mr. President, all with E & R amendments attached. (See pages 223-26 of the Legislative Journal.)

Mr. President, new bills. (Read LBs 410-449 by title for the first time as found on pages 226-49 of the Legislative Journal.)

Mr. President, in addition to those items I have notice of hearings from the Agriculture Committee offered by Senator Rod Johnson as Chair; from the Business and Labor Committee offered by Senator Coordsen as Chair; from the General Affairs Committee. That is offered by Senator Smith as Chair. And, Mr. President, a notice of hearing from Senator Warner as Chair of the Appropriations Committee.

SENATOR HANNIBAL: Mr. Clerk.

CLERK: Mr. President, new bills. (Read LBs 450-459 by title for the first time. See pages 236-38 of the Legislative Journal.)

Mr. President, finally, I have an announcement the Urban Affairs Committee has selected Senator Korshoj as Vice-Chair of the committee.

Senator Rod Johnson would like to add his name to LB 361 as co-introducer. (See page 238 of the Legislative Journal.)

(Read LB 460 by title for the first time. See page 238 of the Legislative Journal.)

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LB 36, 38, 45, 46, 51, 53, 60  
79, 123, 145, 168, 159, 189, 190  
207, 237, 273, 308, 338, 410, 414  
418, 431, 449, 458, 506, 706, 733

LB 36, LB 38, LB 53, LB 79, LB 123, LB 190, LB 51, LB 60,  
LB 189, LB 207, LB 45, LB 168, and LB 169.)

Retirement Systems reports LB 46 to General File; LB 308,  
General File; LB 145, General File with amendments; LB 237,  
General File with amendments; LB 418, General File with  
amendments; LB 506, General File with amendments. Those are all  
signed by Senator Haberman as Chair. (See pages 635-40 of the  
Legislative Journal.)

Health Committee reports LB 449 to General File with amendments;  
LB 733, General File with amendments. Those are signed by  
Senator Wesely as Chair. Business and Labor reports LB 410 to  
General File; LB 414, General File. Those are signed by Senator  
Coordsen as Chair. Banking Committee reports LB 431 to General  
File; LB 706, General File. Those are signed by Senator Landis  
as Chair. (See page 637 of the Legislative Journal.)

Mr. President, Senator Rogers has amendments to be printed to  
LB 273; Senator Labedz to LB 338; Senator Smith to LB 338; and  
Senator Nelson to LB 458. That's all that I have,  
Mr. President. (See pages 637-38 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. The Chair recognizes Senator  
Conway. Would you care to adjourn us, Mr. Conway.

SENATOR CONWAY: Mr. Speaker, members, I move that we adjourn  
until 9:00 a.m., February 8th.

SPEAKER BARRETT: Thank you. You've heard the motion to adjourn  
until tomorrow morning at nine o'clock. Those in favor say aye.  
Opposed no. Carried, we are adjourned.

Proofed by: Arleen McCrory  
Arleen McCrory

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LB 449, 506

bill and they answered questions.

SENATOR HALL: Thank you very much.

SPEAKER BARRETT: Any other discussion? Any closing? Thank you. Shall LB 506 be advanced. Those in favor vote aye, opposed nay. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of 506.

SPEAKER BARRETT: LB 506 is advanced. LB 449, Mr. Clerk.

CLERK: LB 449, Mr. President, was a bill introduced by Senators Ashford and Wesely. (Read title.) The bill was introduced on January 13, referred to Health Committee. The bill was advanced to General File. I have Health and Human Services Committee amendments pending, Mr. President. (See page 637 of the Legislative Journal.)

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Thank you.

SPEAKER BARRETT: On the amendments.

SENATOR WESELY: Mr. Speaker, members of the body, the amendments delete the increase in ADC provided for under this piece of legislation. If you recall, last year we did increase to \$293 a month the amount of ADC payments we make. We also authorized up to \$300 those payments. This bill would have increased that from 293 to 300. That is eliminated by the committee amendments, and deletes \$1.5 million from the fiscal note. I would move for the adoption of the committee amendments.

SPEAKER BARRETT: Any discussion on the committee amendments? If not, those in favor of their adoption vote aye, opposed nay. Record.

CLERK: 25 ayes, 2 nays, Mr. President, on adoption of committee amendments.

SPEAKER BARRETT: The amendments are adopted. Senator Ashford, on the bill.

SENATOR ASHFORD: Thank you, Mr. Speaker and members. LB 449 is the second piece in a puzzle that we started to put together last year with LB 518, which LB 518, as you may recall, created a transition funding program for ADC mothers who leave the welfare rolls and are employed in the job force. LB 449, or LB 518 last year increased or continued health care benefits, child care benefits for a period of time after the welfare recipient obtained employment. LB 449 is...initially had three parts to it. One was the ADC grant which was amended by the committee and we have just voted on those amendments. The second piece is a tracking system which will enhance the ability of the Department of Social Services to network these particular individuals once they leave the welfare rolls and become employed, network with them to enhance their job opportunities on an ongoing basis to maintain their employment, and, hopefully, make them more aware of better job opportunities so that they can continue in the work force. The second piece of LB 449 is a much needed alteration to the transition funding program in LB 518 of last year. I appreciate Senator Wesely's help over the interim in working on these changes or additions to LB 518. It provides for a 30 day grant, additional grant, for the first month that the welfare recipient is in the job force, and the reason for this is to fill the gap that...that gap that is created by the person leaving the welfare rolls and then going onto the employment rolls. There is a period of time when most of those welfare mothers do not have sufficient income to cover the expenses for that first month. So this is something, quite frankly, that should have been on 518 last year. It is a much needed addition and will enhance the ability of the department to continue to increase the number of welfare recipients who are leaving the welfare rolls. The statistics on this are significant. The department, through its Job Service Program, has been increasingly successful in the last year, have increased the number of individuals who have left the welfare rolls, and that, of course, is consistent with the intent behind the transition funding program of 518 and is also consistent with what we are trying...some of the gaps we are trying to fill in LB 449. So with that, I would move the advancement of LB 449. Thank you.

SPEAKER BARRETT: Thank you. Senator Wesely, discussion?

SENATOR WESELY: Thanks. Mr. Speaker, members, I will just take a second, time is running out, but I want to commend Senator

Ashford. First, his initiative and work last year on behalf of the committee led to transition benefits that have since been adopted by the Congress as national policy, and now we are following up with filling the gap that he identified in further research in this area. If we want to move people off of welfare and into the work force, we need to recognize the need for assistance that is being proposed, and because time is running out, I would only take this opportunity to publicly thank Senator Ashford for his good work on this and ask all of your support for the advancement of the bill.

SPEAKER BARRETT: Senator Wehrbein.

SENATOR WEHRBEIN: Mr. President and members, I just would like to have a question for Senator Ashford. The A bill, is that the A bill as the bill is now amended? Is that accurate?

SENATOR ASHFORD: No, it is not. The A bill was as originally, I believe as originally put in.

SENATOR WEHRBEIN: And what is the amended version, what would that be?

SENATOR ASHFORD: Senator Wesely might have some updated numbers on that. I don't have the exact number, Senator Wehrbein.

SENATOR WEHRBEIN: I didn't catch that. Senator Wesely, what is the amended fiscal impact now, that is my question?

SENATOR WESELY: The committee amendment took out the increase in ADC. That was a large bulk of the increase, and so what is left is about \$750,000.

SENATOR WEHRBEIN: Well, the A bill does say 704 and 938, the big numbers anyway.

SENATOR WESELY: Oh, I see. I don't know. We are going to have...maybe that does reflect that. Well, we, obviously, will have to take a look after the committee amendments are adopted and make the adjustment if we need to.

SENATOR WEHRBEIN: But is is not 4 and 5 million?

SENATOR WESELY: No.

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LB 449A, 449

SENATOR WEHRBEIN: Okay, I guess that answers my question for now.

SENATOR WESELY: Yeah.

SENATOR WEHRBEIN: All right.

SPEAKER BARRETT: Any other discussion? Seeing none, Senator Ashford, for closing.

SENATOR ASHFORD: Yes, just briefly, thank you, Mr. Speaker and members. The Job Service Program administered by the Department of Social Services has increased the number of employees having found employment from 2,698 in FY85 to 7,550 in FY88. The amount of one month savings attributed to the program has increased each year from 600,460 in FY85 to 2,025,290 in FY88, and the numbers, I have additional numbers here, but it all shows a picture that is fairly positive as far as the ability of the department, through its job service and other programs, to bring these people on line onto the employment rolls, and I believe, again, that LB 449 is another enhancement piece to that puzzle and would urge its advancement. Thank you.

SPEAKER BARRETT: Thank you. You have heard the closing and the question is the (mike off). Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: 26 ayes, 0 nay, Mr. President, on the advancement of 449.

SPEAKER BARRETT: The bill is advanced. The A bill, Mr. Clerk.

CLERK: LB 449A, Mr. President, offered by Senator Wesely. (Read title.)

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker. I want to clarify, for Senator Wehrbein. The A bill is correct based on the committee amendments. The fiscal note...I thought he was referring to the fiscal note is wrong based on the committee amendments. The fiscal note is right, though, based on the original bill but the committee amendments deleted the vast majority of the expenditure. So this A bill is correct as I understand at this point. I move for the advancement of the A bill.

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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

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LB 449A, 449, 506

SPEAKER BARRETT: Senator Lindsay.

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

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 that bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the advancement of LB 506, as amended.

SPEAKER BARRETT: Shall 506, as amended, be advanced? All in favor say aye. Opposed no. Ayes have it, carried, the bill is advanced. LB 449.

CLERK: On 449, Senator, I have E & R amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 449.

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

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 449, as amended, be advanced to E & R Final.

SPEAKER BARRETT: Shall 449 be advanced? Those in favor say aye. Opposed no. Carried, the bill is advanced. The A bill, Mr. Clerk.

CLERK: Senator, I have E & R amendments on LB 449A.

SPEAKER BARRETT: Senator Lindsay.



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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

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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 449, 449A, 541, 569

having been complied with, the question is, shall LB 449 pass? All in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: (Record vote read. See pages 2632-33 of the Legislative Journal.) 31 ayes, 16 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 449 passes. LB 449A.

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

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 449A pass? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 2633-34 of the Legislative Journal.) 27 ayes, 17 nays, 4 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 449A passes. LB 541.

CLERK: (Read LB 541 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 541 pass? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 2634-35 of the Legislative Journal.) 39 ayes, 3 nays, 6 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 541 passes. LB 569E.

CLERK: (Read LB 569E on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 569, with the emergency clause attached become law? All in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See pages 2635-36 of the Legislative Journal.) The vote is 46 ayes, 0 nays, 2 present

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LB 336, 438, 438A, 444, 449, 449A, 541  
569, 569A, 574, 574A, 575, 575A, 603  
603A, 611

those in favor vote aye, opposed nay. Have you all voted?  
Record, please.

CLERK: (Record vote read. See page 2643 of the Legislative Journal.) 45 ayes, 1 nay, 1 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 603 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 336, LB 438, LB 438A, LB 444, LB 449, LB 449A, LB 541, LB 569, LB 569A, LB 574, LB 574A, LB 575 and LB 575A. LB 603A, please.

CLERK: (Read LB 603A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 603A pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 2644-45 of the Legislative Journal.) 42 ayes, 1 nay, 3 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 603A passes. LB 611, please.

CLERK: Mr. President, Senator Abboud would move to bracket LB 611 until January 3, 1990.

PRESIDENT: Senator Abboud, please.

SENATOR ABOUD: Yes, Mr. President, colleagues, LB 611 is a bill that's been moving along through the process with little fanfare or some fanfare but not a lot of debate. The bill itself has been whittled down to...or at least certain portions have been whittled out and other portions have been left in. But there has been left with some confusion as to what this bill will provide for. It's my understanding that there is no immediate local option for income tax for the local school districts. What it provides for is a state identification to be able to implement a program like that in the future. And, most importantly, it takes away all local state aid options dealing with state aid to education which is a considerable amount of money for local school districts to put our feet to the fire. Now when this session started out I thought that Senator Moore

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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.