CLERK: 30 ayes, 0 nays, Mr. President, on the motion to suspend that particular rule and refer 303A and 309A to Appropriations Committee.

PRESIDENT: The motion is carried, the rules are suspended, and the bills are referred to the Appropriations Committee. What would you like to do now, Mr. Clerk?

CLERY: Mr. President, Reference Committee will meet in Room 2102 now for referring of bills; Reference Committee in Room 2102 now for referring of bills.

PRESIDENT: The Reference Committee or the Executive Board will adjourn, leave us for a while. We'll stand at ease for a little while until they come back. So, relax.

EASE

CLERK: Mr. President, new bills. (Read LB 473-492 by title for the first time. See pages 245-50 of the Legislative Journal.)

Mr. President, I have a new resolution, LR 7, by Senator Hall. (Read. See pages 250-52 of the Journal.)

Mr. President, Senator Mcrrissey would like to add his name to LBs 356 and 438. Finally, Mr. President, I have a Reference Report referring LBs 410 through 462. That is all that I have, Mr. President.

PRESIDENT: If I could direct your attention, please, over under the north balcony we have a special guest. Senator Stephanie Johanns, it looks like you. Would you step out so we can see you. Please welcome former Senator Johanns back to the Legislature. Do you have any words of wisdom for us now that you are out? Senator Lynch, you haven't done much today. Would you like to...just a moment. Don't go to work yet. Just a minute. Mr. Clerk.

CLERK: Mr. President, a couple of bills coming in. In addition, I have hearing notices for the Education Committee and one from the Judiciary Committee signed by Senators Withem and Chizek as Chairs.

Mr. President, new bill. (Read LB 493-495 by title for the first time. See pages 254-55 of the Legislative Journal.)

March 14, 1989

LB 107, 174, 192, 259, 274, 281, 370 486, 487, 488, 575, 738, 741 LR 27

PRESIDENT NICHOL PRESIDING

PRESIDENT: ...Legislative Chamber. We have with us today, as our chaplain of the day, Reverend Gordon Patterson of the Calvery United Methodist Church in Lincoln. Would you please stand for the invocation.

REVEREND PATTERSON: (Prayer offered.)

PRESIDENT: Thank you, Reverend Patterson. We appreciate your message this morning. Please come back and visit us again. Roll call, please.

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

PRESIDENT: Thank you. Do we have any corrections to the Journal today?

CLERK: I have no corrections, Mr. President.

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

CLERK: Mr. President, your Committee on Education, whose Chair is Senator Withem, reports LB 107 to General File; LB 486, General File; LB 487, General File; LB 488, General File; LB 741, General File; LB 259, General File with amendments; LB 575, General File with amendments; LB 174, indefinitely postponed; LB 192, indefinitely postponed; LB 274, indefinitely postponed; LB 370, indefinitely postponed; and LB 738, indefinitely postponed. All of those signed by Senator Withem as Chair. (See pages 1111-16 of the Legislative Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Lamb regarding LB 281. That's all that I have, Mr. President. (See pages 1116-19 of the Legislative Journal.)

PRESIDENT: Thank you. We'll move on to the legislative resolutions, LR 27, by Senator Warner.

CLERK: Mr. President, LR 27 was originally introduced by Senators Warner, Scofield and Hartnett. It asks the Legislature to strongly support the removal of Federal Transportation Trust Funds from the federal budget and urges the Nebraska congressional delegation to work towards such removal. The

Senator Hall. (Title read.) The bill was read for the first time on January 19. It was referred to Judiciary Committee. They report the bill advanced to General File.

SENATOR LANDIS: Thank you, Mr. Clerk. Senator Lindsay, on behalf of Senator Hall.

SENATOR LINDSAY: Thank you, Mr. President and colleagues, LB 669 is a bill which relates to probation. The thrust of the bill is to allow judges a little more leeway in the area of probation. It affects just one section and that section is that dealing with jail time involved in probation. What the bill would do very simply is that for a misdemeanor the greatest amount of jail time that could be served by a defendant would be the maximum amount stated by ... in the statutes. the time that could be served would be 180 days. The reason for that is it gives judges leeway a little bit on probations for felonies that if they feel that somebody...the current statute allows 90 days. If they feel somebody deserves probation but 90 days isn't going to do it, this gives them a little more leeway that they can give up to 180 days and still allow that person to be on probation. Conversely, on misdemeanors, what is occurring on occasion is that somebody is sentenced probation, and for a crime that may have a maximum of seven days, they are getting much in excess of that. The statute allows on probation up to 90 days. It's a case that could be appealed, but practically speaking, nobody can get an appeal up there because of jail time served before an appeal can be heard. I would urge the adoption of the bill.

SENATOR LANDIS: Thank you, Senator Lindsay, there are no lights on. You are recognized to close. Senator Lindsay waives closing. We'll proceed to a vote on LB 669. Those in favor vote aye, those opposed vote no. The Clerk will record.

ASSISTANT CLERK: 25 ayes, 0 nays on the advancement of the bill, Mr. President.

SENATOR LANDIS: The motion carries. The bill is advanced. We'll go on to LB 486, an Education Committee bill. Mr. Clerk.

ASSISTANT CLERK: LB 486 was introduced by the Education Committee. (Title read.) The bill was read for the first time on January 17. It was referred to the Education Committee. They report the bill to General File.

SENATOR LANDIS: Senator Withem, on behalf of LB 486.

SENATOR WITHEM: Yes, Mr. President, members of the body, the next three bills are all Education Committee bills. all bills that were referred to us by the Department of Education, and they're all relatively minor. They're all also needed to help the department do its job a little more efficiently. The first one deals with things like freeholding petitions and also with ESUs. The major change it makes in freeholding is it takes the State Department of Education totally out of the process. Currently freeholding petitions are appealed to them. If they take action on them, it doesn't really make a whole lot of difference anyway. It goes back to the local level for enactment so we're taking them out of it because it's really not...doesn't make any difference. second portion of the bill, a couple of years ago we changed the educational service unit statutes to allow for a reorganization transfer of property, school districts leaving one ESU, going to another. One of the things that we have done is, we inadvertently didn't do at that time was we did not make it mandatory that before a school district goes to a new ESU that they need the permission of that new ESU. They have to accept them. This makes that change and also says that the state board can appoint a hearing officer to conduct a public hearing on proposed ESU boundary changes. That's what the bill does. I would urge its acceptance.

SENATOR LANDIS: Senator Withem, there are no lights on. Would you care to close? Senator Withem waives closing. We'll be voting on the advancement of LB 486. Those in favor vote aye, those opposed vote no. The Clerk will record.

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

SENATOR LANDIS: The bill is advanced. We'll move on to LB 487 by the Education Committee. Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB 487 was introduced by the Education Committee. (Title read.) The bill was read for the first time on January 17. It was referred to the Education Committee. The Education Committee does report the bill to General File, Mr. President.

SPEAKER BARRETT PRESIDING

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

SENATOR LOWELL JOHNSON PRESIDING

SENATOR L. JOHNSON: Are there any corrections to the Journal?

CLERK: I have no corrections, Mr. President.

SENATOR L. JOHNSON: Any messages, reports or announcements?

Mr. President, Senator Withem has amendments to be printed to LB 506, to LB 488 and LB 486. (See pages 1502-07 of the Legislative Journal.)

I have an Attorney General's Opinion addressed to Senator Chambers regarding LB 397. (See pages 1507-10 of Legislative Journal.)

Mr. President, I have a series of audit reports as filed with my office by the state auditor. Those reports will be on file in my office. That is all that I have, Mr. President.

PRESIDENT NICHOL PRESIDING

PRESIDENT: If you'll take your seats, please, we'll begin Final Reading. (Gavel.) If you'd return to your seats, please, we'll begin Final Reading. Read LB 157.

CLERK: (Read LB 157 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 157 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1510-11 of the Legislative Journal.) 35 ayes, 0 mays, 1 present and not voting, 13 excused and not voting, Mr. President.

PRESIDENT: LB 157 passes. May I reintroduce to, introduce to you again some gentlemen from Austria that were introduced to you a few days ago, Dr. Erwin Proell who is the Deputy Governor of lower Austria. Would you please stand, Governor.

April 6, 1989

LB 77, 99, 135, 143, 2°C6, 213, 228 228A, 247, 323, 324, 371, 381, 423 486, 487, 487A, 488, 488A, 508, 509 566, 592, 605, 627, 643, 669, 714 722, 756, 781, 793 LR 70

PRESIDENT NICHOL PRESIDING

PRESIDENT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber. We have with us this morning as our Chaplain of the day Dr. Paul Lundell of the Dundee Presbyterian Church in Omaha. Would you please rise.

DR. LUNDELL: (Prayer offered.)

PRESIDENT: Thank you, Dr. Lundell. We appreciate your message this morning. Roll call, please. Record, please.

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

PRESIDENT: Thank you. Do we have any corrections to the Journal?

CLERK: No corrections, Mr. President.

PRESIDENT: Good. Any messages, reports or announcements?

CLERK: Mr. President, Enrollment and Review reports LB 77, LB 371, LB 592, LB 643, LB 714, and LB 781 as correctly Engrossed. Enrollment and Review also reports LB 99, LB 323, LB 143, LB 213, LB 381, LB 423, LB 509, LB 793, LB 605, LB 135, LB 324, LB 756, LB 206, LB 669, LB 486, LB 487, LB 487A, LB 488, LB 488A, LB 228, LB 228A, LB 627, LB 508, LB 722, and LB 566 to Select File, some of those having Enrollment and Review amendments attached. (See pages 1533-40 of the Legislative Journal.)

Mr. President, Senator Warner would like to print amendments to LB 247 in the Legislative Journal. That's all that I have, Mr. President. (See page 1540 of the Journal.)

PRESIDENT: Okay. We'll move on to LR 70.

CLERK: Mr. President, LR 70 has been offered by Senators Ashford and Moore. It's found on page 1476. (Read brief summary of resolution.)

PRESIDENT: Senator Ashford, please.

SENATOR ASHFORD: Thank you, Mr. President and members. Last year we passed legislation which authorized the profession of

PRESIDENT: The question is the adoption of the Hall amendment. All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of Senator Hall's amendment.

PRESIDENT: The Hall amendment is adopted. Senator Hall.

CLERK: Mr. President, Senator Hall would move to amend his bill. Senator I believe this is your date change amendment. (Hall amendment appears on page 338 of the Legislative Journal.)

PRESIDENT: Senator Hall, please.

SENATOR HALL: Thank you, Mr. President, members, now that we have amended LB 240 we have to change the dates that were in the original LB 129. We strike October 1, 1989 and insert January 1, 1991 for the effective date throughout the bill. We also add the language that the proceeds from the surcharge shall be remitted monthly, no later than 30 days after the end of the month in which they are collected. This is so that the industry sends the money to the Public Service Commission so that we can basically pay for the relay system. And then we also add language that specifies the dual-party relay system shall assure prompt and accurate relay of all messages seven days a week, 24 hours a day, including holidays. It's basically a change of the date and clarifying language with regard to the intent of the bill. I would urge the amendment's adoption.

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

CLERK: 27 ayes, 0 nays, Mr. President, on the adoption of Senator Hall's amendment.

PRESIDENT: The second Hall amendment is adopted. Now we're ready for the advancement, Senator Hall.

SENATOR HALL: Mr. President, I'd be move that LB 240 be advanced to E & R for engrossing.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. We'll move on to LB 486.

CLERK: Mr. President, 486, the first order of business are Errollment and Review amendments.

PRESIDENT: Senator Lindsay, please. We didn't hear a word you said. Just a moment, please. Now try us.

SENATOR LINDSAY: Mr. President, can you hear me?

PRESIDENT: Not very well. Now go.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amandments to LB 486.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted. The telephone companies and we are having a problem.

CLERK: Mr. President, I now have an amendment by Senator Withem to the bill. Senator, this amendment was printed last year, AM0974. Do you want me to read it to you, would that be helpful?

SENATOR WITHEM: That would be delightful, yes.

CLERK: Real helpful? I could tell. (Read Withem amendment as it appears on page 1507 of the Legislative Journal, First Session, 1989.)

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Okay, 486 deals with some minor changes in the way property transfers from school districts to school districts, freeholder petitions, ESUs and that kind of thing. County treasurers came in and they felt that that there was a need for them to be included within this process also so that amendment is being suggested and it's adding county treasurers to county superintendents and county clerks dealing with transfer of land via freeholder petitions, involves the county treasurers in the line...in the process. They are included in the list of the people up here on page 2 and they were left out of the draft of the bill over here on page 3. This is a very technical amendment.

PRESIDENT: Any further discussion? If not, the question is the adoption of the Withem amendment. All those in favor vote aye,

opposed may. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of Senator Withem's amendment to the bill.

PRESIDENT: The Withem amendment is adopted.

CLERK: I have nothing further, Mr. President.

PRESIDENT: Senator Lindsay or Senator Withem. Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 486 as amended be advanced to E & R for engrossing.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 488.

CLERK: Mr. President, the first order of business on 488 are Enrollment and Review amendments.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 488.

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

CLERK: Mr. President, I now have an amendment to the bill from you, Senator Withem. Again, Senator, this is printed last year. It's a little longer.

PRESIDENT: Did you want the Clerk to refresh your memory?

CLERK: I think we just delivered a copy, Mr. President.

PRESIDENT: Okay.

SENATOR WITHEM: Okay, yeah, the bill, 488, deals with the regulation of private vocational schools. We're changing the terms in the bill from, we now call them private vocational schools. They prefer the term Private Postsecondary Career School Act. The bill deals with, the amendment deals with those types of career schools, like H & R Block is probably the best example that have a number of different facilities across the

January 19, 1990

LB 87, 159, 163, 163A, 220, 240, 257
313, 315, 397, 399, 486, 488, 488A
756, 856, 911, 963, 1002, 1026, 1033
1037, 1050, 1051, 1090, 1108, 1109, 1141
1168, 1181, 1190
LR 239, 240

PRESIDENT: Okay. Thank you. Senator Ashford, you are next, but may I introduce some guests under the south balcony, please. We have from District 22, which is Senator Robak's district, Dianne Foltz of Platte Center and Betty Grant of Columbus, Nebraska. With them are three AFS students, Jean/David Miquel of Paris, France, and Patty Cervantes from Bolivia, and Shane Walker from Australia. Would you folks please stand and be recognized. Mr. Clerk, you have something for the record?

CLERK: I do, Mr. President, very quickly. Enrollment and Review reports LE 163 to Select File, LB 163A to Select File, those signed by Senator Lindsay as Chair. Agriculture Committee, whose Chair is Senator Rod Johnson, reports LB 856 to General File. (See page 429 of the Legislative Journal.)

Mr. President, Senator Coordsen, as Chair of the Business and Labor Committee, has selected LB 313 and LB 315 as the committee priority bills for the year. And Enrollment and Review reports LB 87, LB 220, LB 240, LB 257, LB 397, LB 399, LB 486, LB 488, LB 488A, LB 756 all correctly engrossed. Those signed by Senator Lindsay as Chair. (See pages 430-33 of the Legislative Journal.)

Mr. President, notice of hearings from the Education Committee and from the Natural Resources Committee, signed by the respective chairs. (Re: LB 1190, LB 1181, LB 1168, LB 911, LB 1050, LB 1090, LB 1033, LB 1037, LB 963, LB 1026, LB 1108, LB 1109, LB 1141, LB 1002, LB 1051, LR 239 and LR 240.) And Senator Haberman has amendments to be printed to LB 163. That's all that I have, Mr. President. (See pages 433-34 of the Legislative Journal.)

PRESIDENT: Senator Ashford, did you wish to speak on the first set of Kristensen amendments?

SENATOR ASHFORD: I call the question.

PRESIDENT: Oh, you call the question. The question is, shall debate cease? All those in favor...Do I see five hands, first? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. What do you think, Senator Ashford? Record, Mr. Clerk.

CLERK: 16 ayes, 0 mays to cease debate, Mr. President.

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 397 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 524 of the Legislative Journal.) 29 ayes, 7 nays, 10 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 397 passes. LB 486.

CLERK: (Read LB 486 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 486 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 524-25 of the Legislative Journal.) 46 ayes, 0 mays, 3 excused and not voting, Mr. President.

PRESIDENT: LB 486 passes. LB 756.

CLERK: (Read LB 756 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 756 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote as found on pages 525-26 of the Legislative Journal.) 46 ayes, 0 nays, 3 excused and not voting, Mr. President.

PRESIDENT: LB 756 passes. LB 534, please.

ASSISTANT CLERK: (Read LB 534 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 534 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote as found on pages 526-27 of

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 819 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote as found on page 530 of the Legislative Journal.) The vote is 45 ayes, 0 mays, 2 present and not voting, 2 excused and not voting, Mr. President.

FRESIDENT: LB 819 passes. LB 820.

ASSISTANT CLERK: (Read LB 820 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 820 pass? All those in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote as found on page 531 of the Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 820 passes. (Gavel.) If I could have your attention a minute, Speaker Barrett has an important announcement for you.

SPEAKER BARRETT: Thank you, Mr. President. Very briefly, to all members, the video taping will take place now. We'll complete it in Room 2102. At the conclusion of Final Reading, those of you who have not taken advantage of the taping, which is now in progress, please go over to 2102 at your leisure. This will be the last time that they are here in the building. Thank you, Mr. President.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 87, LB 257, LB 397, LB 486, LB 756, LB 534, LB 601, LB 730, LB 818, LB 819, and LB 820. Mr. Clerk, anything for the record?

CLERK: Mr. President, I do, thank you. I have notice or report of registered lobbyists for the period January 19th through January 25. New A bill by Senator Moore, LB 1009A. (Read by title for the first time. See page 532 of the Legislative Journal.)

January 26, 1990 LB 87, 240, 257, 397, 486, 534, 567A 567, 601, 730, 756, 818-820, 960A LR 248

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 567.

PRESIDENT: LB 567 is advanced. Do you have anything for the record, Mr. Clerk?

CLERK: Mr. President, I do. New A bill, LB 960A offered by Senator Withem. (Read by title for the first time. See page 536 of the Legislative Journal.)

Bills have been presented to the Governor that were read on Final Reading this morning, Mr. President, as of 10:50 a.m. (Re: LB 87, LB 257, LB 397, LB 486, LB 756, LB 534, LB 601, LB 730, LB 818, LB 819, and LB 820. See page 536 of the Legislative Journal.)

New resolution, LR 248, offered by Senators Rogers and Lamb. (Read brief description of resolution. See pages 636-37 of the Legislative Journal.) That will be laid over, Mr. President.

Senator Baack has amendments to be printed to LB 240 in the Journal. (See pages 537-41 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Thank you. We'll go on to LB 567A.

CLERK: Mr. President, 567A, (title read.) Senator, I have two amendments filed. I assume the latter in time is the one you prefer?

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Yeah, this reduces the appropriation bill by \$6,000, I believe, reflecting the amendment we made, taking the commission out and it also changes the years, would urge the support of the amendment.

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

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the amendment.

February 1, 1990 LB 87, 163, 257, 397, 486, 534, 601 610, 688, 692, 730, 756, 818-820, 923 956, 980, 1021, 1067, 1069, 1230

9:00 a.m.

SPEAKER BARRETT: Have you anything for the record?

CLERK: I do, Mr. President. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 956 and recommend that same be placed on Select File; Transportation Committee reports LB 980 to General File with committee amendments, and LB 1021 as indefinitely postponed, those signed by Senator Lamb; Health and Human Service Committee, I am sorry, Banking Committee reports LB 1069 to General File with amendments, and LB 1230 indefinitely postponed, those signed by Senator Landis; and Health and Human Services Committee reports LB 1067 to General File, LB 688 General File with amendments, and LB 923 General File with amendments, those signed by Senator Wesely. (See pages 619-25 of the Legislative Journal.)

A communication from the Governor to the Clerk. (Read. Re: LB 87, LB 257, LB 397, LB 486, LB 756, LB 534, LB 601, LB 730, LB 818, LB 819, LB 820. See pages 625-26 of the Legislative Journal.)

Mr. President, Senator Moore has amendments to LB 163 to be printed; Senator Wesely amendments to LB 610 to be printed. (See pages 626-28 of the Legislative Journal.)

And, Mr. President, a hearing notice from Retirement Systems Committee. That was given to me by Senator Haberman; and, finally, Mr. President, I have a request from Senator Abboud to add his name to LB 692 as co-introducer. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The motion before the body is to adjourn until tomorrow morning at nine o'clock. All in favor say aye. Opposed no. The ayes have it. Motion carried. We are adjourned. (Gavel.)

Proofed by:

Marilyn Jank