

March 23, 1989

LB 54A, 340, 403, 404, 437, 487A, 488A
566, 599, 787

decision that the tribe could make, if they chose to do so, with or without it. The key is whether or not you're going to provide any additional time and what level of funding you're going to provide and whether or not an appropriate site can be acquired, and all of those things could be addressed in a different fashion. And this portion of the amendment is not necessary, or for that matter adds anything to the bill.

SPEAKER BARRETT: Thank you. The Chair recognizes Senator Baack.

SENATOR BAACK: Yes, Mr. Speaker and members, in an effort to be accommodating I'll just simply withdraw this and we'll deal with the issue of the return date, straight up front with Senator Warner's amendment. We'll just do that. I'll just withdraw this portion of the amendment.

SPEAKER BARRETT: Thank you, sir. It is withdrawn. To the next motion, Mr. Clerk.

CLERK: Mr. President, may I read some items?

SPEAKER BARRETT: Proceed.

CLERK: Senator Weiing has some amendments to LB 54A to be printed. Revenue Committee reports LB 566 to General File; LB 403, indefinitely postponed; LB 404, LB 599, LB 787, indefinitely postponed. New A bills. (Read LB 487A, and LB 488A by title for the first time.) Senator McFarland would like to print amendments to LB 437, Mr. President. (See pages 1324-25 of the Legislative Journal.)

The next amendment I have, Mr. President, to LB 340 is by Senator Baack. Senator, I have AM837 in front of me.

SENATOR BAACK: Yes, that's correct.

SPEAKER BARRETT: Senator Baack, please.

SENATOR BAACK: This is simply a clarifying amendment at the request of the Department of Roads, which sets out a definite procedure for the Department of Roads in case they're in the middle of a construction project and come across some unmarked remains. And it just sets forth a procedure that they will follow so that they can get it done as quickly as possible and

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LB 228, 488, 488A

that has widespread support and I'd urge you to accept it.

SENATOR LANDIS: Thank you, Senator Withem. There are no lights on. Closing? Closing? That doesn't look like a closing to me. All right, we'll proceed on in that case with a vote on LB 488. 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: It's advanced. Let's go on to A bill, Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB 488A was introduced by Senator Withem. (Title read.)

SENATOR LANDIS: Senator Withem.

SENATOR WITHEM: Yeah, with the change in the statute, the rules will have to be rewritten and published. We're appropriating \$10,000 for this year, 5,000 for next year to complete the republishing of the rules and regulations. Would urge the acceptance of the A bill.

SENATOR LANDIS: Thank you, Senator Withem. There is no lights. A closing? No closing. The question is the advancement of LB 488A. Those in favor vote aye, those opposed vote no. The Clerk will record.

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

SENATOR LANDIS: The bill is advanced. The next bill on your list, 741 has been pulled from the list, and the Chair has not been apprised about the fate of LB 228. Is a member prepared to take that on behalf of Senator McFarland? Well, in that case, let's have the reading of the record on LB 228, Mr. Clerk. Senator Withem will be taking care of this bill for Senator McFarland.

ASSISTANT CLERK: Mr. President, LB 228 was introduced by Senator McFarland. (Title read.) The bill was read for the first time on January 9. It was referred to the Education Committee. That committee reports the bill to General File.

April 6, 1989

LB 77, 99, 135, 143, 206, 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

state. This amendment would make sure that each, that when we go through the approval process of giving approval, accreditation for H & R Block to offer programs in the state that they would not have to come in for each individual office and seek separate approval for that particular, for each particular office. They could just get approval to operate their program in the state. That's what this amendment does.

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

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Withem's amendment to the bill.

PRESIDENT: The Withem amendment is adopted. Senator Withem, on the advancement of the bill.

SENATOR WITHEM: Yeah, I'd simply move that this bill be advanced to E & R for engrossing. It is a fairly technical update of the current statutes which regulate private vocational schools in the state. These are the ones that are, you know, you maybe heard the term trade schools associated with them; proprietary school. Those individuals that offer training in a particular career to individuals who pay to attend classes, spend a lot of...there was a task force that spent a lot of time updating these statutes. They are fairly technical in nature. If you have any questions about any we could probably get you answers to those, but it's a fairly noncontroversial bill.

PRESIDENT: Thank you. The question is the advancement of the bill. All those in favor say aye. Opposed nay. It is advanced. We'll go to LB 488A.

CLERK: I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Withem.

SENATOR WITHEM: Move this bill be advanced.

PRESIDENT: ...advancement of 488A, the appropriation bill following 488.

SENATOR WITHEM: I'd move that the bill be advanced.

January 16, 1990

LB 397, 488A

PRESIDENT: Okay, thank you. You've heard the motion. All those in favor say aye. Opposed nay. It is advanced. Do you have anything for the record, Pat?

CLERK: Not at this time, Mr. President, no. No, sir.

PRESIDENT: We'll move on to Select File then, LB 397.

CLERK: Mr. President, 397 is on Select File. The bill was considered on Select File on March 3 of last year, Mr. President. I do have an amendment from you, Senator Chambers, with a note that you want to withdraw this one, Senator. This is the one that said this act may be known and cited as... Withdraw?

SENATOR CHAMBERS: Right.

CLERK: Okay.

PRESIDENT: Do you wish that one withdrawn?

SENATOR CHAMBERS: Yes.

PRESIDENT: Okay.

CLERK: Mr. President, Senator Chambers would then move to amend. Senator, I have the one you filed with me last year. I guess it substitutes, does it not, this act shall be known and this may be cited as the Nebraska Collegiate Athletic Association Procedures Act?

SENATOR CHAMBERS: Yes, and...

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: ...it strikes 50?

CLERK: Yes, that's right.

SENATOR CHAMBERS: All right.

PRESIDENT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this is a bill related to the NCAA, if it wants to have occasion

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 LB 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 nays to cease debate, Mr. President.

March 29, 1990

LB 313A, 488, 488A, 503

CLERK: (Read record vote. See page 1705 of the Legislative Journal.) 44 ayes, 0 nays, 4 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 313A passes. Senator Johnson is announcing the presence of some elementary students from Hampton, Nebraska, 63 of them in our south balcony with their teacher. Would you folks stand and be recognized by your Legislature. Thank you. We are glad to have you with us. Mr. Clerk, LB 488.

CLERK: (Read LB 488 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 488 pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Read record vote. See page 1706 of the Legislative Journal.) 44 ayes, 0 nays, 3 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 488 passes. LB 488A.

CLERK: (Read LB 488A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 488A pass? Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: (Read record vote. See page 1707 of the Legislative Journal.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 488A passes. LB 503.

CLERK: (Read LB 503 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 503 pass? All in favor vote aye, opposed nay. Have you all voted? Please record. Please record.

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LB 272A, 313, 313A, 488, 488A, 503, 503A
567, 567A, 662

sign and I do sign, LB 272A, LB 313, LB 313A, LB 488, LB 488A, LB 503, and LB 503A. LB 567, Mr. Clerk.

ASSISTANT CLERK: (Read LB 567 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 567 become law? Those in favor vote aye, opposed nay. Have you all voted? Senator Withem.

SENATOR WITHEM: I would ask for everybody to check in and a roll call vote.

SPEAKER BARRETT: Thank you. Will members please record your presence. A roll call vote has been requested. Senator Hefner, Senator Lowell Johnson, Senator Byars. Senator Morrissey, would you check in, please. Senator Goodrich. A roll call vote has been requested and the question is, shall LB 567 pass?

CLERK: (Roll call vote taken. See page 1711-12 of the Legislative Journal.) 27 ayes, 20 nays, 2 excused and not voting, Mr. President, on adoption of or final passage of LB 567.

SPEAKER BARRETT: LB 567 passes. The A bill.

CLERK: (Read LB 567A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 567A pass? All in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote. See pages 1712-13 of the Legislative Journal.) 27 ayes, 20 nays, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 567A passes. LB 662.

CLERK: Mr. President, I have a motion on the desk. Senator Nelson would move to return the bill for a specific amendment.

SPEAKER BARRETT: The Chair recognizes Senator Nelson.

SENATOR NELSON: Mr. Speaker, and members of the body, I am not sure that all of you are aware or not, I had asked for an

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LB 163, 163A, 164, 164A, 187, 187A, 259
259A, 260, 260A, 272A, 313, 313A, 338
488, 488A, 503, 503A, 520, 520A, 536
567, 567A, 662, 898, 899, 1031, 1125
1126, 1170, 1220

morning visiting in the south balcony. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 520, LB 520A, LB 567, and LB 567A. Senator Lynch, please check in. Senator Byars. Senator Schimek, please. Senator Labedz. Members will return to your seats for a roll call vote. Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1713-14 of the Legislative Journal.) 14 ayes, 33 nays, Mr. President, on the motion to return the bill.

SPEAKER BARRETT: Motion fails. Mr. Clerk, have you a priority motion?

CLERK: I do, Mr. President. May I read some items?

SPEAKER BARRETT: Proceed.

CLERK: Mr. President, amendments to be printed to LB 338 by the Health and Human Services Committee. (See pages 1714-17 of the Legislative Journal.)

Messages that bills read on Final Reading this morning have been presented to the Governor. (Re: LB 1031, LB 1125, LB 1170, LB 536, LB 1220, LB 1126, LB 898, LB 899, LB 163, LB 163A, LB 164, LB 164A, LB 187, LB 187A, LB 259, LB 259A, LB 260, LB 260A, LB 272A, LB 313, LB 313A, LB 488, LB 488A, LB 503, LB 503A. See page 1714 of the Legislative Journal.)

And LB 272A has been reported correctly enrolled, Mr. President. That is all that I have.

SPEAKER BARRETT: To the motion.

CLERK: Mr. President, the first motion, Senator Hall would move to recess until one-thirty, Mr. President.

SPEAKER BARRETT: You have heard the motion to recess until one-thirty. All in favor say aye. Opposed no. Carried. We are recessed.

RECESS

April 4, 1990

LB 260, 260A, 313, 313A, 488, 488A, 520
567, 567A, 663, 663A, 854, 899, 1124
1125, 1141
LR 239

SENATOR BERNARD-STEVENS: It'd be a fascinating turn of events to have that happen. But the bottom line is all of this debate is about a bill that's unconstitutional. Bottom line is in some cases in western Nebraska, by the way the bill is, it may not be possible to get the kind of counseling that they need in order to get the permit signed on the informed consent. Bottom line is some people in western Nebraska who don't have a counselor or someone that fits the definition that's in LB 84 (sic), which I'll again bet that 90 percent of the people in this body still have no clue of what that definition is, nor care, that a lot of people in the rural part of our state have to go elsewhere to find somebody who fits the qualifications that are in the bill. I took the time to call counselors throughout western Nebraska and ask if they felt they qualified under the bill. They stated, the way the bill is written, probably not.

SPEAKER BARRETT: Time has expired.

SENATOR BERNARD-STEVENS: But if we'd a been allowed to make some (inaudible).. improve that situation. Thank you.

SPEAKER BARRETT: Thank you. Senator... excuse me, Mr. Clerk, you have a motion on the desk?

CLERK: Mr. President, Senator Chambers, I understand you want to offer a motion to adjourn until nine o'clock tomorrow morning, Thursday, April 5.

SPEAKER BARRETT: Have you anything to read in, Mr. Clerk?

CLERK: Mr. President, I do. I have your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LR 239CA and find the same correctly engrossed, LB 1141 and LB 1124. (See pages 1902-04 of the Legislative Journal.)

Mr. President, I also have three communications from the Governor regarding signed bills addressed to the Clerk: Engrossed LB 663, LB 663A, received in my office March 30 and signed by me on April 4. (See pages 1905-06 of the Legislative Journal.) A second communication: Engrossed LB 1125, LB 899, LB 260, LB 260A, LB 313, LB 313A, LB 488, LB 488A, LB 520, LB 567, LB 567A, received in my office on March 29 and signed by me on April 4 and delivered to the Secretary of State, Sincerely, Kay Orr, Governor. (See Page 1905 of the Legislative