

January 17, 1989

LB 303A, 309A, 356, 438, 473-495
LR 7

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?

CLERK: 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 Morrissey 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 Johannis, it looks like you. Would you step out so we can see you. Please welcome former Senator Johannis 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.)

February 2, 1989

LB 121, 183, 214, 320, 326, 334, 354
362, 473, 489

want to just...? I would move that we adjourn until tomorrow morning at nine o'clock.

SPEAKER BARRETT: You have heard the motion to adjourn. Mr. Clerk, do you have anything for the record?

CLERK: Mr. President, yes, I do, thank you. Your Committee on Banking, Commerce and Insurance, whose Chair is Senator Landis, to whom was referred LB 214, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 320, General File with amendments; LB 326, General File with amendments; LB 334, General File with amendments. Those are signed by Senator Landis as Chair. (See pages 566-71 of the Legislative Journal.)

Your Committee on Health and Human Services whose Chair is Senator Wesely, to whom was referred LB 354, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 362, General File; LB 489 to General File, all signed by Senator Wesely. (See page 571 of the Legislative Journal.)

I have a series of notices of hearings from the Appropriations Committee, Mr. President, all signed by Senator Warner as Chair of the committee. Mr. President, a series of unanimous consent requests. Senator Withem to add his name to LB 183; Senator Korshoj to LB 473, Senator Smith to LB 121. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The question is the adjournment of the body until tomorrow morning at nine o'clock. Those in favor say aye. Opposed nay. Carried. We are adjourned. (Gavel.)

Proofed by:


Sandy Ryan

be advanced.

SENATOR LABEDZ: Thank you, Senator Wesely. Senator Wesely was closing on LB 362A. All those in favor vote aye, opposed nay. Have you all voted? Please vote. Have you all voted? Please vote. Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of 362A.

SENATOR LABEDZ: LB 362A is advanced. Mr. Clerk, LB 489.

CLERK: LB 489, Madam President, was a bill that was introduced by Senator Wesely. (Read title.) The bill was introduced on January 17, referred to the Health Committee for hearing, advanced to General File. I have no amendments to the bill.

SENATOR LABEDZ: Senator Wesely. LB 489.

SENATOR WESELY: Thank you, Madam President. LB 489 is a bill brought to me and then brought to the Health and Human Services Committee by the Dental Board of Examiners. They had a situation where individuals failed the oral exam by the board and they feel that it's in the best interest of the practice of dentistry to have those types of individuals go back and take the practicum...practical exam that is applied by the central and regional dental testing service before they go back once again to apply for a license. It's felt that once they failed the oral exam they need to take the other exam again, and that is all the bill does. So, with that, I'd ask for advancement of the bill.

SENATOR LABEDZ: Any discussion on the advancement of LB 489? Senator Wesely, there are no lights on, would you like to close?

SENATOR WESELY: No, I just move for advancement.

SENATOR LABEDZ: Senator Wesely has moved for the advancement of LB 489. All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Please vote. We are voting on the advancement of LB 489. Will the senators please return to their seats and vote. Have you all voted? We are voting on the advancement of LB 489. Senator Wesely.

SENATOR WESELY: I guess I have to ask for a call of the house.

I'm sorry. I don't know.

SENATOR LABEDZ: The question is, shall the house go under call? All those in favor vote aye, opposed nay. Mr. Clerk, record the vote.

CLERK: 13 ayes, 0 nays to go under call, Madam President.

SENATOR LABEDZ: The house is under call. All unauthorized personne', please leave the floor and senators return to your seats and record your presence. The house is under call. Senators, please return to your seats. Senator Pirsch, will you please check in. Senator Wesely, will you accept call ins?

SENATOR WESELY: Sure will.

SENATOR LABEDZ: Thank you. The house is under call, please record your presence. Senator Wesely will accept call ins.

CLERK: Senator Hefner voting yes. Senator Chizek voting yes. Senator Lowell Johnson voting yes. Senator Lindsay voting yes.

SENATOR LABEDZ: Record the vote, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Madam President, on the advancement of LB 489.

SENATOR LABEDZ: LB 489 is advanced. Mr. Clerk, LB 318. The call is raised.

CLERK: Mr. President, 318 was a bill introduced by the Banking Committee. (Read title.) The bill was introduced on January 10, referred to the Banking Committee, advanced to General File. I have committee amendments by the Banking Committee pending, Madam President.

SENATOR LABEDZ: Senator Conway, on the committee amendments.

SENATOR CONWAY: Thank you, Madam Speaker and members. LB 318 was, as you mentioned, a Banking Committee bill. Primarily, the bill in itself, and I'll give a quick explanation on the bill itself because the committee amendments become the bill, and all they really were was a technique of rewriting it and replacing language that was erroneously eliminated in 1987. Conceptually, what the...what 318 does is takes individuals that do not fall

February 21, 1989 LB 320, 326, 334, 354, 354A, 362, 362A
365, 489

County senators supported it and some of them opposed it. So it was very difficult for me, being 150 miles from Douglas County, to know exactly what to do and this is why I held out for the amendment that it be brought up to a vote, both whether they would allow Douglas County to purchase Ak-Sar-Ben, and also if Douglas County had to issue bonds to do this, it would have to be brought up to a vote of Douglas County voters. So I just...and I'm going to support Senator Labedz in withdrawing this now.

PRESIDENT: Thank you. Senator Labedz, would this be your closing, Senator Labedz?

SENATOR LABEDZ: Yes.

PRESIDENT: All right.

SENATOR LABEDZ: Thank you, Mr. President. I failed to also thank the senators of the Ag Committee that supported the bill in the committee hearing and every time they had an exec session and I do appreciate that fact. And Senator Hefner is right, it did allow a vote of the people as the committee amended the bill and perhaps it may come back again. In fact, I know it will and I appreciate the fact that Senator Johnson has offered the county board an interim study on the issue, and as I say again, I appreciate the fact, the support that I got and the co-sponsors also of LB 365. I urge the affirmative vote on the withdrawal of LB 365.

PRESIDENT: Thank you. The question is, shall LB 365 be withdrawn? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 33 ayes, 0 nays, Mr. President, on the motion to withdraw LB 365.

PRESIDENT: LB 365 is withdrawn. Would you like to read in some things, Mr. Clerk, please?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 320 and recommend that same be placed on Select File with E & R amendments attached, LB 326 Select File E & R amendments, LB 334 Select File with E & R, LB 354 Select File, LB 354A Select File, LB 362 Select File, LB 362A Select File, LB 489

March 3, 1989

LB 92, 92A, 318, 362A, 489

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Wesely's amendment.

SPEAKER BARRETT: The amendment is adopted.

CLERK: I have nothing further on the bill, Mr. President.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 362A as amended be advanced to E & R for Engrossing.

SPEAKER BARRETT: Shall LB 362A be advanced? Those in favor say aye. Opposed no. Carried. The bill is advanced. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 92, and LB 92A. Mr. Clerk, LB 489.

CLERK: Mr. President, on LB 489, I have E & R amendments pending, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 489 be adopted.

SPEAKER BARRETT: Shall the E & R amendments to LB 489 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 489 as amended be advanced.

SPEAKER BARRETT: Shall LB 489 as amended be advanced? Those in favor say aye. Opposed no. Carried. The bill is advanced. Next bill.

CLERK: Mr. President, the next bill is LB 318. I have E & R amendments pending, Senator. E & R amendments, Mr. President.

March 6, 1989

LB 87, 318, 340, 362, 362A, 390, 440
489, 541, 545A, 563, 587, 605, 661
687, 728, 793, 809
LR 16, 44, 45

SPEAKER BARRETT: With your permission, perhaps the Clerk could read some items in before we take a vote, Senator Goodrich? Thank you.

ASSISTANT CLERK: Mr. President, your Committee on Business and Labor, whose Chairperson is Senator Coordsen, reports LB 541 to General File with amendments; LB 605, indefinitely postponed. Committee on Enrollment and Review reports LB 318 as correctly Engrossed; LB 362, LB 362A, LB 440, LB 489. (See pages 993-97 of the Legislative Journal.)

New resolutions. (Read brief descriptions of LR 44 and LR 45 for first time. See pages 997-98 of the Legislative Journal.)

I have a notice of committee hearing from the Business and Labor Committee on gubernatorial appointments. Your Committee on Revenue, whose Chairperson is Senator Hall, reports LB 793 to General File; LB 390, indefinitely postponed; LB 563, indefinitely postponed; LB 661, indefinitely postponed; LB 687, indefinitely postponed; LB 728 and LR 16CA, indefinitely postponed. (See page 998 of the Legislative Journal.)

I have amendments to LB 587 from Senator Schmit to be printed; and from Senator Pirsch to LB 87. New A bill, LB 545A, from Senator Baack. (Read by title for the first time. See page 999 of the Legislative Journal.)

Amendments to be printed to LB 340 from Senator Chambers. Unanimous consent request from Senator Pirsch to add her name as a co-sponsor of LB 809, and an announcement from Senator Rod Johnson that the Agriculture Committee will meet in a brief Executive Session under the north balcony, immediately following adjournment today. That's all that I have, Mr. President. (See page 1000 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. You've heard the motion to adjourn offered by Senator Goodrich. Those in favor say aye. Opposed no. Ayes have it, motion carried. We are adjourned until tomorrow morning.

Proofed by:

Marilyn Zank
Marilyn Zank

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LB 421, 440, 489

SENATOR SMITH: No, I don't think so, Mr. President. I think everyone here understands what I'm trying to do and, yes, definitely this does...it's a process for, at this point if they accept my amendment, citizens of the first class cities. And if there is a problem that surfaces later on, I will be the first one to be supportive of doing some things but it will have to be something different than this process to do that. I would ask for the support of the body. Thank you.

SPEAKER BARRETT: Thank you. The question is the adoption of the amendment. Those in favor vote aye, opposed nay. Record, please.

CLERK: 37 ayes, 0 nays, Mr. President, on the adoption of Senator Smith's amendment.

SPEAKER BARRETT: The amendment is adopted. Senator Smith, please. Senator Smith, would you care to readvance.

SENATOR SMITH: I would ask the body to readvance the bill, please.

SPEAKER BARRETT: You have heard the motion to readvance the bill. Those in favor say aye. Opposed no. Motion carried. The bill is readvanced. Mr. Clerk, the next bill.

CLERK: (Read LB 440 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 440 become law? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See pages 1201-02 of the Legislative Journal.) 44 ayes, 0 nays, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 440 passes. LB 489.

CLERK: (Read LB 489 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 489 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

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LB 154, 489, 516, 556

ASSISTANT CLERK: (Record vote read. See pages 1202-03 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 489 passes. LB 516E.

ASSISTANT CLERK: (Read LB 516E on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 516 with the emergency clause attached pass? Those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

ASSISTANT CLERK: (Record vote read. See pages 1203-04 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 516E passes. LB 556.

ASSISTANT CLERK: (Read LB 556 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 556 become law? Those in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Record vote read. See page 1204 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 556 passes. Before proceeding to LB 154 on Final Reading, the Chair is pleased to advise the body that the corned beef sandwiches which are now being passed out are courtesy of Senator Hall, who apparently purloined them from Clancy's on his way to the Chambers this morning. This is anticipation of Senator "O'Beyer's" corned beef and cabbage today on adjournment, Senator "O'Beyer's" lunch and with the help of his leprechauns at the law center. Corned beef, courtesy of Senator Hall. The next bill, Mr. Clerk.

ASSISTANT CLERK: Mr. President, I have a motion on the desk. Senator Smith would move to return LB 154 to Select File for a specific amendment. The amendment is found on page 1100.

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LB 155, 326, 334, 336, 440, 441, 489
516, 556, 623, 744
LR 58, 59

return to your seats, we will continue with Final Reading, please. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 556, LB 516, LB 489, LB 440, LB 334, LB 326. Okay, Mr. Clerk.

ASSISTANT CLERK: (Read LB 441 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 441 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 1205-06 of the Legislative Journal.) The vote is 40 ayes, 0 nays, 4 present and not voting, 5 excused and not voting, Mr. President.

PRESIDENT: LB 441 passes with the emergency clause attached. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 441 with the emergency clause attached. Mr. Clerk, do you have something for the record?

CLERK: Mr. President, I do. Your Committee on Enrollment and Review respectfully reports they have carefully reviewed and examined LB 155 and find the same correctly engrossed; LB 336; LB 623, and LB 744, all reported correctly engrossed. (See pages 1206-07 of the Legislative Journal.)

Mr. President, I have a report of registered lobbyists for this past week.

New resolution, Mr. President, LR 58, by Senator Rod Johnson. (Read brief description of LR 58 as found on page 1209 of the Legislative Journal.) That will be laid over. LR 59, by Senator Rod Johnson. (Read brief description of LR 59 as found on page 1209 of the Legislative Journal.) That's all that I have, Mr. President.

I do, excuse me, I do have one other item. Hearing notice, confirmation hearing notice from the Judiciary Committee. (See page 1210 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Thank you. I would like to introduce some guests in the north balcony. Senators Barrett, Baack, Elmer, Haberman,

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LB 89, 326, 334, 440, 441, 489, 516
556, 711
LR 60

only one absent, Senator Chambers, at this point. Should we go ahead, or would you prefer to wait? A roll call vote has been requested. Members, please return to your seats for a roll call vote. The question before the body is the adoption of the Chambers amendment to the Schmit amendment to LB 89. Mr. Clerk, proceed.

CLERK: (Roll call vote taken. See page 1213 of the Legislative Journal.) 10 ayes, 29 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: The motion fails. Anything for the record, Mr. Clerk? The call is raised.

CLERK: Mr. President, new resolution. LR 60, by Rod Johnson, asking the Legislature to declare the week of March 19 through the 25th as Agriculture Week. That will be laid over. Your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning, Mr. President. (Re. LB 326, LB 334, LB 440, LB 489, LB 516, LB 556, and LB 441.) Banking Committee reports LB 711 as indefinitely postponed. Government Committee offers a confirmation report, that is signed by Senator Baack as Chair. That's all that I have, Mr. President. (See pages 1213-14 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, Mr. Clerk. The Chair would like to take just a moment to advise the membership that we will be on a full day schedule beginning Monday. This next Monday we will be on the floor all day. The second announcement that I'd like to share with you is the fact that the following Monday, that is specifically March 27th, it is my plan at this moment to convene at one o'clock, Monday afternoon, March 27th. You will have Monday morning off, that's the Monday following Easter. We will convene at one o'clock, Monday afternoon, the 27th of March, and hopefully work a little later that day than we normally would. Anything else, Mr. Clerk?

CLERK: Not at this time, Mr. President.

SPEAKER BARRETT: Thank you. Senator Robak.

SENATOR ROBAK: Mr. Speaker, I move we adjourn until Monday morning at nine o'clock.

SPEAKER BARRETT: You've heard the motion offered by Senator

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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