

January 18, 1989

LB 35, 36, 38, 79, 158, 496-536

while you bring in your bills. If you have some, please bring them up. Do you have an announcement for us?

CLERK: Mr. President, Reference Committee will meet in five minutes in Room 2102; Reference Committee in Room 2102 in five minutes.

PRESIDENT: Reference Committee, please heed the announcement just made.

EASE

PRESIDENT: If you don't have anything to do, there is some dry edible beans up in front here, if you would like to help yourself you may. John Weihsing knows all about them, so you can ask him if you want to know how to cook them or anything. (Gavel.) Senator Weihsing.

SENATOR WEIHSING: Mr. President and members of the Legislature, this year Nebraska is number one in the production of dry edible beans. I thought that you should realize that we have a very high standing with the production in the nation.

PRESIDENT: Mr. Clerk, you have something to do.

CLERK: Mr. President, your Committee on Agriculture, whose Chair is Senator Rod Johnson, to whom was referred LB 35, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 36 and LB 38 to General File, all signed by Senator Johnson as Chair.

Mr. President, new bills. (LBs 496-536. Read for the first time by title. See pages 258-66 of the Legislative Journal.)

Mr. President, in addition to those items, I have the hearing notice from the Health and Human Service Committee. Mr. President, a Reference Report referring LBs 463 through 495.

Mr. President, Transportation Committee, whose Chair is Senator Lamb, to whom was referred LB 79, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with committee amendments attached, and LB 158 to General File, both of those signed by Senator Lamb (See pages 268 of the Legislative Journal.)

February 2, 1989

LB 58, 70, 115, 119, 142, 156, 175  
256, 261, 283, 284, 286, 298, 502  
LR 23

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We're privileged to have a minister from Senator Bernard-Stevens' area and with us as our chaplain of the day, Reverend Patrick Skinner of the Wesleyan Church in North Platte. Would you please rise for the invocation.

REVEREND SKINNER: (Prayer offered.)

PRESIDENT: Thank you, Reverend Skinner. Please come back and see us again. Roll call, please.

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

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

CLERK: No corrections this morning, Mr. President.

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

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 298 and recommend that same be placed on Select File. That is signed by Senator Lindsay as Chair. Enrollment and Review reports LB 58, LB 70, LB 115, LB 142, LB 156, LB 175, LB 256, LB 261, LB 283, LB 284 all correctly Engrossed. Those also signed by Senator Lindsay as Chair. (See page 553 of the Legislative Journal.)

Mr. President, your Committee on Natural Resources, whose Chair is Senator Schmit, to whom was referred LB 502, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 119 as indefinitely postponed, both those signed by Senator Schmit, and LB 286 as indefinitely postponed, that signed by Senator Schmit as well. (See page 554 of the Legislative Journal.)

Mr. President, new resolution by Senator Beyer and Senator Hefner. (Read brief description of LR 23. See page 555 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, confirmation report from the Education Committee. That is offered by Senator Withem as Chair.

Mr. Clerk.

CLERK:      (Roll call vote read. See page 736 of the Legislative Journal.) 15 ayes, 19 nays, Mr. President.

PRESIDENT: The bill fails to advance. Do you have anything for the record, Mr. Clerk? The call is raised.

CLERK:      Yes, Mr. President, I do. Your Committee on Transportation whose Chair is Senator Lamb reports LB 101 to General File with amendments attached. Signed by Senator Lamb as Chair. (See page 737 of the Legislative Journal.)

I have notice of hearing from the Natural Resources Committee, signed by Senator Schmit as Chair. That's all that I have, Mr. President.

PRESIDENT: Move on to LB 502.

CLERK:      Mr. President, 502 was a bill introduced by Senator Elmer. (Read title.) The bill was introduced on January 18, referred to Natural Resources, advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Elmer, please. Just a moment, Senator Elmer. (Gavel.) Shall we hold it down so we can hear the speakers, please. Senator Elmer.

SENATOR ELMER: Thank you, Mr. President, and members, LB 502 is a bill brought forth by the irrigation districts. Originally, when the Nebraska Uniform Budget Act was passed it was implied that public power districts and irrigation districts were exempt from the act, since they levy no direct tax dollars. In a court case, courts ruled that public power districts were subject to submit the budgets to the state auditor and from that the auditor has implied that the irrigation districts should also be a part of the act. Now, irrigation districts are much like a small business. They have 10 to 20 employees. They levy use fees on the people that use the services that they offer and irrigate their districts. If they were subject to this act, it would require that they go to much more legal lengths with auditors and accountants, add to their costs to submit their budgets to the state auditor. The auditor requires that this budget be submitted by August 25th of each year. And, of course, irrigation districts being very seasonal in their

operations prepare their budget at much different times besides. Since there are no tax dollars involved and since it's a small enterprise, this...these requirements really are not necessary, serve the public no real service and part of the bill does require that the budget they prepare, which they all do as part of doing business, would be available to the public, the people that they serve or anyone else that might be interested in their principal offices during their regular business hours. The bill was advanced by unanimous vote. It had no opponents. It would qualify for consent file. And I would ask for your advancement of the bill.

PRESIDENT: Thank you. Any further discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays on the advancement of 502, Mr. President.

PRESIDENT: LB 502 advances. LB 281.

CLERK: LB 281, Mr. President, was a bill that was introduced by the Transportation Committee and signed by its members. (Read title.) The bill was introduced on January 10, referred to Transportation, advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Lamb, please.

SENATOR LAMB: Yes, Mr. President and members, this is the bill that was brought to the Transportation Committee by the Department of Motor Vehicles. In September of 1988, the Supreme Court raised the issue of whether or not an out-of-state citation without a court seal was authenticated under Nebraska law and may be used to revoke an operator's license after accumulation of 12 points. The court held that the seal of the court must appear on the document if it is to be introduced into evidence for a court of law. Some states, such as Kansas, provide to Nebraska a copy of the citation which contains the court seal. However, the Supreme Court's decision has caused the department to send back the tickets, such as in Iowa, when 12 points have been accumulated by the individual. Sending back every ticket that does not contain the seal before the individual has accumulated 12 points is impractical, as

February 15, 1989      LB 57, 58, 70, 74, 94, 97, 115  
116, 126, 133, 142, 156, 175A, 177A  
208, 229, 230, 233, 251, 255, 256  
261A, 263, 267, 273, 281, 284A, 295  
338, 378, 391, 398, 416, 443, 458  
459, 499, 502

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT:      Welcome to the George W. Norris Legislative Chamber. Please rise for the opening prayer. Our Chaplain for the day is Father Daniel Sieker, of Blessed Sacrament in Lincoln. Father Sieker.

FATHER SIEKER:      (Prayer offered.)

SPEAKER BARRETT:      Thank you, Father Sieker. Please come back again. Roll call.

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

SPEAKER BARRETT:      Thank you. Corrections to the Journal.

CLERK:      I have no corrections, Mr. President.

SPEAKER BARRETT:      Any reports, messages, or announcements?

CLERK:      Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 502 and recommend that same be placed on Select File, LB 281 Select File, LB 416 Select File, LB 443 Select File, those signed by Senator Lindsay as Chair. Mr. President, your Committee on Enrollment and Review reports LB 74 as correctly engrossed; LB 116, LB 175A, LB 177A, LB 208, LB 261A, LB 263, LB 267, LB 273, LB 284A, LB 338, LB 378, LB 391, LB 398, LB 458, LB 459, and LB 499, all reported correctly engrossed, all signed by Senator Lindsay. (See pages 746-47 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read. Re: LB 57, LB 94, LB 97, LB 126, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, LB 256. See page 748 of the Legislative Journal.)

February 21, 1989      LB 157, 176, 183, 280, 416, 502, 567A

Opposed nay. It is advanced. LB 140. We'll skip that one since it has an amendment on it. Do we have anything on LB 502, Mr. Clerk?

CLERK: Senator, I have no amendments to LB 502.

PRESIDENT: Okay, Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 502 be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 416, please.

CLERK: 416, Senator, I have E & R amendments pending.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 416 be adopted.

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

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

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 416 as amended be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. We'll skip LB 443 since it also has amendments on it. Mr. Clerk, do you have anything for the good of the cause?

CLERK: Mr. President, thank you, I do. Senator Chizek has amendments to be printed to LB 157 and Senator Lamb has amendments...a series of amendments to LB 183. (See pages 808-15 of the Legislative Journal.)

Mr. President, new A bill, LB 567A by Senator Withem. (Read by title for the first time. See page 815 of the Legislative Journal.)

Transportation Committee to whom was referred LB 280 instructs

February 22, 1989      LB 64, 339, 357, 361, 371, 416, 444  
482, 502, 559, 730, 782  
LR 34, 35

LB 416, LB 502, all correctly engrossed, all signed by Senator Lindsay as Chair. (See page 829 of the Legislative Journal.)

Senator Landis has amendments to LB 361; Senator Nelson to LB 357. (See pages 830-31 of the Legislative Journal.)

Mr. President, Senator Warner would like to announce the room changes for hearings scheduled for March 1 and March 3.

Mr. President, the Natural Resources Committee reports LB 339 to General File with amendments, LB 730 to General File with amendments; Urban Affairs Committee reports LB 444 to General File with amendments; Banking reports LB 482 to General File, LB 64 indefinitely postponed, LB 559 indefinitely postponed, LB 782 indefinitely postponed; and General Affairs reports LB 371 to General File with amendments; all signed by their respective Chairs. (See pages 831-34 of the Legislative Journal.)

Mr. President, new resolutions, LR 34 offered by Senator Weihing. (Read brief explanation.) LR 35 by Senator Rogers. (Read brief explanation. See pages 835-36 of the Legislative Journal) Both of those will be laid over, Mr. President.

Mr. President, Senator Schellpeper has amendments to LB 357 to be printed. (See pages 836-39 of the Legislative Journal.) That is all that I have, Mr. President.

PRESIDENT: Senator Robak, would you like to adjourn us until tomorrow at nine o'clock which is February 23rd.

SENATOR ROBAK: I move that we adjourn until tomorrow, February 23rd, at nine o'clock.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. You are adjourned until tomorrow at nine o'clock.

Proofed by:

Sandy Ryan  
Sandy Ryan

March 2, 1989

LB 327, 349, 416, 502

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

ASSISTANT CLERK: (Read record vote as found on page 947 of the Legislative Journal.) The vote is 44 ayes, 0 nays, 1 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 327 passes. LB 349.

ASSISTANT CLERK: (Read LB 349 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 349 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 947-48 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 2 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 349 passes. LB 416.

ASSISTANT CLERK: (Read LB 416 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 416 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Read record vote as found on pages 948-49 of the Legislative Journal.) The vote is 38 ayes, 3 nays, 4 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 416 passes. LB 502.

ASSISTANT CLERK: (Read LB 502 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 502 pass? All those in favor vote aye, opposed nay. Have you all voted?

ASSISTANT CLERK: (Read record vote as found on pages 949-50 of the Legislative Journal.) The vote is 43 ayes, 0 nays,



March 2, 1989

LB 48, 49, 61, 176, 226, 298, 327  
349, 391, 398, 408, 416, 458, 459  
502

2 present and not voting, 4 excused and not voting,  
Mr. President.

PRESIDENT: LB 502 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 391, LB 398, LB 458, LB 459, LB 48, LB 61, LB 176, LB 298, LB 327, LB 349, LB 416 and LB 502. May I introduce some guests, please, of Senator Hefner. Under the south balcony we have Mr. and Mrs. Darrell Henry of Coleridge, Nebraska. Would you folks please stand and be recognized. Thank you for visiting us today. Mr. Clerk, something for the record?

CLERK: Mr. President, your Committee on Education reports LB 226 to General File with amendments, signed by Senator Withem. Agriculture Committee reports LB 49 to General File with committee amendments, signed by Senator Johnson as Chair. That's all that I have, Mr. President. (See page 950 of the Legislative Journal.)

PRESIDENT: Thank you. We'll move on to Select File. LB 408.

CLERK: Mr. President, the first bill on Select File, LB 408. The first order of business are E & R amendments.

PRESIDENT: Senator Moore, please.

SENATOR MOORE: Mr. President, I move we adopt the E & R amendments to LB 408.

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

CLERK: Mr. President, the first amendment I have to the bill is by Senator Barrett. Senator, I have AM306, it's on page 692 of the Journal.

PRESIDENT: Senator Barrett, please.

SENATOR BARRETT: Thank you, Mr. President and members. Yes, this little amendment is on page 306 or rather 692 in the Journal. It affects only the exchange program, Mr. President. The original bill put a limitation on which would have prevented an exchange student from attending a high school within 150 miles of his own school. We heard from a superintendent in Columbus who said we may have some students who would like to go

March 2, 1989

LB 48, 61, 161, 176, 298, 327, 334  
349, 354, 354A, 391, 398, 416, 458  
459, 502, 542

adopted...or, excuse me, as amended be advanced.

PRESIDENT: You've heard the motion. All in favor say aye.  
Opposed nay. It is advanced. LB 354.

CLERK: LB 354, Senator, no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 354 be advanced.

PRESIDENT: You've heard the motion. All in favor say aye.  
Opposed nay. It is advanced. LB 354A.

CLERK: On 354A, Senator, I have no amendments to the bill.

PRESIDENT: You've heard the motion...Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 354A be  
advanced.

PRESIDENT: You've heard the motion. All in favor say aye.  
Opposed nay. It is advanced. Mr. Speaker, did you wish to say  
something about the time of the meeting tomorrow morning before  
we adjourn?

SPEAKER BARRETT: Thank you, Mr. President, just a reminder that  
we will convene at eight o'clock tomorrow morning for the  
purpose of reading, I believe it is LB 92, the big bill. Thank  
you. Eight o'clock, tomorrow morning.

PRESIDENT: Okay, Mr. Clerk, do you have something for the  
record?

CLERK: Mr. President, I do. Senator Rod Johnson would move  
that LB 161 be placed on General File pursuant to Rule 3,  
Section 19, and that will be laid over.

Your Enrolling Clerk has presented to the Governor as of  
eleven-o-five this morning bills read on Final Reading this  
morning. (Re: LB 391, LB 398, LB 458, LB 459, LB 48, LB 61,  
LB 176, LB 298, LB 327, LB 349, LB 416, LB 502. See page 956 of  
the Legislative Journal.)

Banking Committee reports LB 542 to General File with amendments

March 7, 1989

LB 48, 61, 92, 92A, 147, 147A, 154  
176, 298, 327, 349, 360, 360A, 391  
398, 416, 441, 458, 459, 502

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning as our chaplain of the day Reverend Steve Janovec of the People's City Mission in Lincoln. Would you please rise for the convocation.

REVEREND JANOVEC: (Prayer offered.)

PRESIDENT: Thank you, Reverend Janovec. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Any corrections to the Journal this morning?

CLERK: No corrections, Mr. President.

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

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 147 and recommend that same be placed on Select File; LB 147A, Select File.

Mr. President, Enrollment and Review reports LB 154, LB 360, LB 360A and LB 441 as correctly engrossed, both those items signed by Senator Lindsay as Chair of the Enrollment and Review Committee. (See pages 1003-04 of the Legislative Journal.)

Mr. President, communications from the Governor. (Read communications regarding signing of LB 391, LB 398, LB 458, LB 459, LB 48, LB 61, LB 176, LB 298, LB 327, LB 349, LB 416, LB 502, LB 92 and LB 92A. See page 1004 of the Legislative Journal.)

Mr. President, an appointment letter from the Governor appointing Ms. Kathy Campbell to the Child Abuse Prevention Fund Board. That will be referred to Reference. (See page 1005 of the Legislative Journal.)

I have a report from the Job Training area for the Department of Labor, Mr. President. That will be on file in my office. (See page 1005 of the Legislative Journal.)