

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.)

March 22, 1989

LB 77, 139, 164, 253, 291, 325, 409  
448, 493, 500, 508, 663, 691, 714  
722

with amendments. That's signed by Senator Coordsen. Government Committee reports LB 409 to General File; LB 508, General File; LB 722, General File; LB 139, General File with amendments; LB 164, General File with amendments; LB 663, General File with amendments; LB 253, indefinitely postponed, as is LB 291, LB 448, LB 493, LB 500, and LB 691. (See pages 1286-91 of the Legislative Journal.)

SPEAKER BARRETT: The call is raised.

CLERK: Mr. President, Senator Pirsch would like to add her name to LB 325 as co-introducer. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Kristensen, please. Would you care to recess us.

SENATOR KRISTENSEN: Thank you, Mr. Speaker. I would move to adjourn (sic) us until this afternoon at one-thirty...recess.

SPEAKER BARRETT: I believe the motion is to recess. Thank you, Senator Kristensen.

SENATOR KRISTENSEN: No, I think I said adjourn.

SPEAKER BARRETT: Those in favor say aye. Opposed nay. Ayes have it, we are recessed until one-thirty.

RECESS

PRESIDENT NICHOL PRESIDING

PRESIDENT: Roll call, please. Record, Mr. Clerk, please.

CLERK: There is a quorum present, Mr. President.

PRESIDENT: Thank you. What should we do first, Mr. Clerk? Any reports or announcements?

CLERK: Yes, Mr. President, I do. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 77 and recommend that same be placed on Select File; LB 714 on Select File, both of those having been signed by

March 30, 1989

LB 508, 627

SENATOR ASHFORD: Okay, I'll get it ready for Select File. Thank you.

SENATOR LANDIS: Well, that alludes our six lights now and apparently we're ready for closing. Senator Kristensen, to close.

SENATOR KRISTENSEN: Well, after I mowed down all those questions, I don't really feel as if there is much else I can add but to say, thank you.

SENATOR LANDIS: We'll see how the vote turns out. The question is, shall we advance LB 627? Those in favor vote aye, those opposed vote no. Sure handled those questions. I'd request the body to expedite their decisions on this issue so we can move along to the remaining ones and then absent ourselves from the Chamber. The Clerk will record.

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

SENATOR LANDIS: The bill is advanced. Move on to LB 508 by Senator Scofield. Mr. Clerk.

ASSISTANT CLERK: LB 508 was introduced by Senator Scofield. (Title read.) The bill was read for the first time on January 18, was referred to the Government Committee. They report the bill to General File, Mr. President.

SENATOR LANDIS: Senator Scofield, to open on 508.

SENATOR SCOFIELD: Thank you, Senator Landis. This bill was brought to me by Indian tribes in Nebraska who had explored a possibility of using the Interlocal Cooperation Act to enter into agreements with state agencies or other governmental entities and there appeared to be some question about whether, in fact, current practices didn't need to be clarified and, in fact, some agencies were reluctant to enter into agreements with the tribes not knowing for sure what their status was. State Patrol, for instance, pointed that they do some law enforcement activities, but upon the raising of this question it wasn't clear but what we shouldn't make it absolutely clear the terms under which we would permit public agencies to enter into agreements with tribal governments. And so it became obvious

after my staff researched this that it would be easier just to authorize it through this mechanism rather than try to amend the current statutes on the Interlocal Cooperation Act. Some examples of the way this might possibly be used, and I think the reason this was brought to me was because of the work of the Select Committee on Children, there was an interest, for instance, in Foster Care Review Board activities with children under the jurisdiction of the tribe for example. And the board has indicated a desire to review Indian foster care cases and under the present statutory scheme, the board wouldn't have jurisdiction to do this, and the agreement would permit cooperation if both parties wished to do that. The same way with civil commitments as well as juvenile commitments might be an area where the tribe might decide to contract for services or, as I mentioned earlier, law enforcement services. So this would simply legitimize practices that are already in some instances taking place and would allow agreements where uncertainty about contracting now exists. And with that explanation, I would ask you to advance LB 508.

SENATOR LANDIS: There is a light. Senator Coordsen, our only designated speaker so far.

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body, I rise only to ensure you that I make no bones about my support of this bill and ensure you that with its passage we can bury a lot of problems.

SENATOR LANDIS: Thank you for that speech from the David Bernard-Stevens school of rhetoric. (laughter) Is there any closing remarks, Senator Scofield? Waiving closing, we'll move then to a vote to advance LB 508. 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.

SENATOR LANDIS: The bill is advanced. We have two remaining bills. The first one is LB 722. Senator Wesely, and, Mr. Clerk, the history of the bill, please.

ASSISTANT CLERK: 722 was introduced by Senator Wesely. (Title read.) The bill was read for the first time January 19, was referred to the Government Committee which placed the bill on 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

April 7, 1989

LB 228A, 508, 627, 722

PRESIDENT: You've heard the motion. All in favor say aye.  
Opposed nay. It is advanced. LB 627.

CLERK: LB 627, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the advancement of  
LB 627.

PRESIDENT: You've heard the motion. All in favor say aye.  
Opposed nay. It is advanced. LB 508.

CLERK: LB 508, Senator, I have E & R pending.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I would move the adoption of  
the E & R amendments to LB 508.

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

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

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 508, as  
amended, be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye.  
Opposed nay. It is advanced. LB 722.

CLERK: LB 722, Senator, has E & R pending. E & R amendments,  
Senator.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I would move the adoption of  
the E & R amendments to LB 722.

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

April 12, 1989

LB 99, 135, 206, 228, 228A, 323-325, 381  
423, 487, 487A, 508, 509, 605, 627  
669, 722, 793

chemicals. There are other bills coming up this session that deal with solid waste disposal that I hope that we'll get to yet this session. So I think that there are people in this body who are committed to doing something in respect to the environment and I take some exception to the statements made by Senator Chambers on the fact that this body is not interested. I think we are interested and I think the message is beginning to come across to us that we need to begin to look at the environment, whether we come from the country or the city, it's just as important to all of us. So I support the bill and other bills. Hopefully, it will be forthcoming this session.

SPEAKER BARRETT: Thank you. There are no other lights. The question is the advancement of LB 325 to E & R Initial. Those in favor of that motion vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 37 ayes, 0 nays, Mr. President, on the advancement of LB 325.

SPEAKER BARRETT: LB 325 is advanced. Messages on the President's desk, Mr. Clerk.

CLERK: Mr. President, Enrollment and Review reports they have carefully examined and engrossed LB 99 and find the same correctly engrossed, LB 135, LB 206, LB 228, LB 228A, LB 323, LB 324, LB 381, LB 423, LB 487, LB 487A, LB 508, LB 509, LB 605, LB 627, LB 669, LB 722 and LB 793, all reported correctly engrossed. (See pages 1671-72 of the Legislative Journal.)

Senator Abboud would like to add his name to LB 325 as co-introducer, Mr. President. That's all that I have.

SPEAKER BARRETT: Thank you. Senator Schellpeper, would you care to adjourn us?

SENATOR SCHELLPEPER: I sure would. I would move we adjourn until April 13th at 9:00 a.m.

April 21, 1989

LB 508  
LR 79

every April and was established to give children an opportunity to speak up on issues related to their future. They will symbolically govern the world for one day. The World Children's Day Foundation anticipates children representing 133 countries to gather to the United Nations, and consistent with the Foundation's theme of how can you, as a child, represent...contribute to world peace, the Bryan Student Council sponsored a Friendship Week, and as a result of that Friendship Week, children were involved in recording over 50,000 acts of friendship between themselves and in the community of Omaha. I would urge the body to pass this resolution to show our appreciation towards the Bryan Elementary School having this Friendship Week as well as sponsoring the State of Nebraska in this manner. I think Senator Chizek might have a couple of words as well.

PRESIDENT: Senator Chizek, please.

SENATOR CHIZEK: Yeah, I would just ask the body to support this resolution. I think it is very important. I think it is meaningful. I think it causes involvement for the young people or from the young people, and I think all of us appreciate their involvement at all levels. So I would urge your adoption of the resolution.

PRESIDENT: Thank you. Any further discussion? If not, the question is the adoption of LR 79. All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of LR 79.

PRESIDENT: The resolution is adopted. If you will take your seats, we will get ready for Final Reading, please. I might explain to the students visiting this morning that the Legislature is required to listen to each bill before voting on it in its final stage, and this is required. However, it is unlikely you will understand what the Clerk is saying because he goes a little fast, but the members of the Legislature have been through this bill and these bills so that they know what is in them even though you won't be able to understand what the Clerk is reading. Mr. Clerk, LB 508.

CLERK: (Read LB 508 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having



April 21, 1989

LB 508, 509, 605, 627

been complied with, the question is, shall LB 508 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 1826 of the Legislative Journal.) 41 ayes, 0 nays, 8 excused and not voting, Mr. President.

PRESIDENT: LB 508 passes. LB 509.

CLERK: (Read LB 509 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 509 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote. See pages 1826-27 of the Legislative Journal.) 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

PRESIDENT: LB 509 passes. Speaker Barrett has asked me to announce that we will break at noon, so some of you were wondering, I guess. So you can relax and you get to eat at noon today, come back afterward, I assume. LB 605, please.

CLERK: (Read LB 605 on Final Reading ,

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 605 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote. See pages 1827-28 of the Legislative Journal.) 43 ayes, 0 nays, 6 excused and not voting, Mr. President.

PRESIDENT: LB 605 passes. LB 627, please.

CLERK: (Read LB 627 on Final Reading.)

PRESIDENT: (Mike off) ...LB 627 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

April 21, 1989

LB 301-303, 303A, 305, 308, 309, 309A, 310  
469, 508, 509, 605, 627, 669, 722  
727, 793

May I introduce some guests please in the north balcony. Senator Hannibal has 75 eighth grade students from St. Roberts School in Omaha with their teachers. Would you ladies and gentlemen please stand and be recognized by the Legislature. Thank you for visiting us this morning. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 793, LB 508, LB 509, LB 605, LB 627, LB 669, and LB 722. We will move on to introduction of appropriation bills, Mr. Clerk.

CLERK: Mr. President, before, if I may, read some reports. Your Committee on Appropriations whose Chair is Senator Warner to whom was referred LB 301 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, as are LB 302, LB 303, LB 303A, LB 305, LB 308, LB 309, LB 309A, LB 310, LB 469, and LB 727, all reported to General File, all having committee amendments, all signed by Senator Warner as Chair. (See pages 1831-39 of the Legislative Journal.)

Mr. President, Senator Warner would move for the introduction of Committee Req. 1249.

PRESIDENT: Senator Warner, please.

SENATOR WARNER: Mr. President and members of the Legislature, Req. 1249 would be the mainline budget bill. It would include everything other than...well, obviously, the bills, the constitutional officers are separate, legislative salaries are separate, salaries are separate, health insurance is separate, but this would include the other recommended appropriations for state agencies and state aid programs. I would move the suspension of the rule to permit its introduction.

PRESIDENT: Any further discussion? If not, the question is the introduction of the appropriation bill as described by Senator Warner. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 32 ayes, 1 nay, Mr. President, on the introduction of Req. 1249.

PRESIDENT: The bill is introduced. Do you have another one, Mr. Clerk?

April 21, 1989

LB 183, 289, 470, 508, 509, 602, 605  
627, 669, 743, 772, 793

SENATOR KORSHOJ: Mr. Speaker and members, my question that I was interested in, Arlene Nelson brought up about farm tanks and private tanks so I have no more to say. Anybody wants my time, can have it. I was wanting to give it to Howard Lamb but he left so that's all I have. Thank you.

SPEAKER BARRETT: Thank you. Senator Lynch.

SENATOR LYNCH: Question.

SPEAKER BARRETT: Question has been called. Do I see five hands? I do. Shall debate cease? Those in favor vote aye, opposed nay. Please record.

CLERK: 26 ayes, 0 nays to cease debate, Mr. President.

SPEAKER BARRETT: Debate ceases. Senator Schmit, any closing comment? Anything further, Senator Schmit?

SENATOR SCHMIT: Mr. President, I move the bill be advanced.

SPEAKER BARRETT: Thank you. The question is, shall LB 289 be advanced to E & R Initial? All in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 34 ayes, 1 nay, Mr. President, on the advancement of LB 289.

SPEAKER BARRETT: The bill is advanced. Anything for the record?

CLERK: Mr. President, your Committee on Appropriations whose Chair is Senator Warner reports LB 602 to General File, LB 470 to General File with amendments, LB 743 General File with amendments, those signed by Senator Warner.

Enrolling Clerk has presented to the Governor bills read on Final Reading. (Re: LB 508, LB 509, LB 605, LB 627, LB 669, LB 772 and LB 793.)

Senator Lamb has amendments to LB 183 to be printed and I have a lobby report for this past week, Mr. President. That's all that I have. (See pages 1843-44 of the Legislative Journal for above announcements.)

April 26, 1989

LB 84, 308, 361, 361A, 508, 509, 591A  
605, 627, 669, 722, 793, 813

SPEAKER BARRETT: Thank you, Mr. Chairman, and thanks to members of the Appropriations Committee for the overview of LB 813. Mr. Clerk, do you have anything for the record?

CLERK: Mr. President, Government Committee gives notice of cancellation of hearing, confirmation hearing. Amendments to be printed to LB 308 by Senator Warner; and Senator Conway and Haberman to LB 84. (See pages 1934-35 of the Legislative Journal.)

Natural Resources offers a confirmation hearing report. Communications from the Governor to the Clerk. (Read. Re: LB 361, LB 361A.) A second letter. (Read. Re: LB 508, LB 509, LB 605, LB 627, LB 669, LB 722, and LB 793. See pages 1935-36 of the Legislative Journal.)

Enrollment and Review reports LB 591A as correctly engrossed, Mr. President. That is all that I have. (See pages 1936-37 of the Legislative Journal,)

SPEAKER BARRETT: Thank you. There are a number of motions on the desk. It occurs to the Chair...Senator Schmit.

SENATOR SCHMIT: I believe the comment from Senator Warner was that if there were comments relative or questions relative to the general explanation, that they would be in order before the motions, is that correct or not?

SPEAKER BARRETT: That is correct. You are in order, yes. Proceed.

SENATOR SCHMIT: Well, thank you, Mr. President and members. I appreciate this explanation of the budget this morning, and I know that although it was an overview it was detailed and there will be, no doubt, many other legislators who will have questions, and I want to ask the indulgence of the body this morning because of an issue which is of considerable importance to all of us, I believe, and to myself, in particular, and to all of those who are associated with agriculture, in particular also. Agency 60 on page 112, the Gasohol Committee, Senator Warner pointed out that the committee has appropriated for '89-90 only \$1,670,626 of that total 17 million plus money and I want to say at this time that there will probably be a lot of comment about that in the future, but I have discussed it just