

desk, Ben, who is Jim's son. Would you please welcome them to the Legislature. Thank you for visiting us today. Move on to the A bill, LB 520A.

CLERK: LB 520A, Mr. President, offered by Senator Schellpeper. (Read title.) I do have an amendment to the bill offered by Senator Schellpeper. (Schellpeper amendment appears on page 534 of the Legislative Journal.)

PRESIDENT: Senator Schellpeper, you want to speak about the amendment to start with.

SENATOR SCHELLPEPER: Thank you, Mr. President and members. I want to point out that this bill this year is much less than it was last year. I think last year we were talking 300,000 the first year, then it went up to 5 or 6 hundred thousand. The bill, this year, should only be for 80,563 the first year. So you can see we're not talking that many dollars. We're talking about 60 nurses the first year at \$1,000, plus they have 20,563 for the secretary and the operating and things like that in the Health Department. Then the second year it goes to \$141,000. So it isn't that much to take care of 120 nurses. So I would just move for the adoption of the A bill.

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

CLERK: 26 ayes, 0 nays on adoption of the Schellpeper amendment, Mr. President.

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

SENATOR SCHELLPEPER: I would just move the advancement.

PRESIDENT: Thank you. The question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 520A.

PRESIDENT: The bill is advanced. May I please introduce some guests of Senator Labedz. She has with her Tim and Jan

January 30, 1990

LB 269, 520, 520A, 567, 567A, 888, 917
946, 954, 1046, 1050, 1085
LR 248

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Good morning, ladies and gentlemen. Welcome to this, the 18th day in the Second Session of the Ninety-first Legislature. The Chaplain of the day, Pastor Chris Anderson, from Glad Tidings Assembly of God, here in Lincoln. Pastor Anderson.

PASTOR ANDERSON: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Anderson. Roll call.

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

SPEAKER BARRETT: Thank you. With a quorum present, are there corrections to the Journal?

CLERK: I have no corrections, Mr. President.

SPEAKER BARRETT: Any messages, announcements, or reports?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 520 and recommend that same be placed on Select File, LB 520A Select File, LB 567, and LB 567A all on Select File, some having E & R amendments attached. (See pages 560-62 of the Legislative Journal.)

Health and Human Services Committee, whose Chair is Senator Wesely, reports LB 888 to General File, LB 917 to General File, LB 946 General File, LB 954 General File, LB 269 General File with amendments, LB 1046 General File with amendments, LB 1085 General File with amendments, those all signed by Senator Wesely as Chair. Mr. President, Education Committee reports LB 1050 to General File. That is offered by Senator Withem as Chair of the Education Committee. (See pages 562-63 of the Legislative Journal.)

I have appointment letters from the Governor that will be referred to Reference Committee for referral to Standing Committee for public hearing. An Attorney General's Opinion addressed to Senator Hartnett. (See pages 563-65 of the Legislative Journal.)

And, finally, Mr. President, LR 248 is ready for your signature,

February 5, 1990

LB 164, 520A, 708, 1004, 1032

the house is under call. Senators Schellpeper and Elmer, the house is under call. Senators Schellpeper and Elmer, please report to the Chamber. Senator Chambers. A machine vote has been requested. The question is the advancement of LB 708 to E & R initial. All in favor vote aye, opposed nay. Have you all voted? Roll call has been requested. Mr. Clerk, proceed.

CLERK: (Roll call vote taken. See page 664 of the Legislative Journal.) 18 ayes, 9 nays, Mr. President, on the motion to advance.

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

CLERK: Yes, Mr. President, I do. Mr. President, Natural Resources gives notice of cancellation and resetting of a hearing, signed by Senator Schmit as Chair. LB 1032 has been selected as one of the Speaker's priority bills.

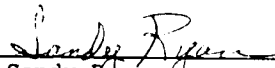
Senator Rogers has amendments to LB 1004; and Senator Schellpeper to LB 520A. (See page 665 of the Legislative Journal.) Mr. President, Senator Abboud would like to add his name to LB 164 as co-introducer. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Schimek, please, would you care to adjourn us.

SENATOR SCHIMEK: Yes, thank you, Mr. President. I move we adjourn until tomorrow morning at nine o'clock.

SPEAKER BARRETT: Thank you. You have heard the motion to adjourn until nine o'clock tomorrow. All in favor say aye. Opposed no. The ayes have it, carried. We are adjourned.

Proofed by:


Sandy Ryan

March 1, 1990

LB 520A, 520

his bill. (Schellpeper amendment appears on page 1085 of the Legislative Journal.)

PRESIDENT: Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Mr. President and members, this, again, is a two line amendment that the Health Department brought yesterday that they found that they thought this would explain it better and would move the bill a lot smoother. So it is just changing two lines. It is just some technical words that the Health Department, again, brought yesterday, so I would move for this amendment.

SENATOR LAMB PRESIDING

SENATOR LAMB: The question is the adoption of the amendment by Senator Schellpeper. All those in support vote aye, those opposed vote nay.

SENATOR HANNIBAL PRESIDING

SENATOR HANNIBAL: Have you all voted? Please record, Mr. Clerk.

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

SENATOR HANNIBAL: The amendment is adopted. Anything further?

CLERK: Nothing further on the bill, Mr. President.

SENATOR HANNIBAL: Senator Schellpeper.

SENATOR SCHELLPEPER: Just move the bill.

SENATOR HANNIBAL: You've heard the motion. All in favor of advancing LB 520 say aye. Opposed nay. It is advanced. Mr. Clerk.

CLERK: LB 520A, Mr. President, has E & R amendments first of all.

SENATOR HANNIBAL: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the

March 1, 1990

LB 369, 520A

E & R amendments to LB 520A.

SENATOR HANNIBAL: You've heard the motion. All those in favor say aye. Opposed nay. They are advanced.

CLERK: Mr. President, Senator Schellpeper would move to amend the A bill. The amendment is on page 665 of the Journal.

SENATOR HANNIBAL: Senator Schellpeper, please.

SENATOR SCHELLPEPER: Thank you, Mr. Chairman and members, the A bill will decrease it from 120,000 a year to 60,000 a year, so it is a decrease in the A bill. So I would just move the A bill.

SENATOR HANNIBAL: Any discussion? Seeing no lights on, Senator Schellpeper, would you care to close? Waives closing. The issue before you is the amendment by Senator Schellpeper to LB 520A. All those in favor of the amendment vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Schellpeper's amendment to the bill.

SENATOR HANNIBAL: It is adopted.

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

SENATOR HANNIBAL: Senator Schellpeper.

SENATOR SCHELLPEPER: Move the bill.

SENATOR HANNIBAL: Motion before you is advancement of 520A. All those in favor say aye. Opposed nay. It is advanced. Mr. Clerk, to LB 369.

CLERK: Mr. President, 369, first order of business are Enrollment and Review amendments.

SENATOR HANNIBAL: Senator Lamb, please. Excuse me, Senator Lindsay, please.

SENATOR LINDSAY: It's the first time I've been confused with Senator Lamb. I'd move the adoption of the E & R amendments to LB 369.

respectfully reports they have carefully examined and engrossed LB 520 and find the same correctly engrossed, LB 520A, LB 662 and LB 662A, all of those reported correctly engrossed. (see page 1180 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. To the next amendment, Mr. Clerk.

CLERK: Mr. President, Senator Hall would move to amend the bill. Senator, I have your AM2794. I believe copies have been distributed to the membership, Senator. (Hall amendment appears on pages 1181-82 of the Legislative Journal.)

SPEAKER BARRETT: Senator Hall, please.

SENATOR HALL: Thank you, Mr. President, members, this is an amendment that I would consider a technical amendment. It deals, if you...the amendment...I got in too late to have it printed so we did get it passed out to everyone, you have it sitting on your desk. It's three pages. If you would turn to the second page and if you would just take a look under item E, line 6 through 9, it takes and it just changes the way the income tax will be adjusted. When we passed LB 773 in 1987 the bill was originally introduced and passed with the percentages being rounded to the nearest tenth and what happened is, is that those percentages were rounded up so that if I was in the, say, for example, four one hundredths instead of eight one hundredths, that would be rounded up to the next tenth. No matter...it didn't make any difference if it was four or eight-hundredths, it would get rounded up. Folks at that time said that it didn't make that much of a difference. I tend to think that what it does is it doesn't allow us to accurately determine, through methods that we have available to us, the reflective income tax that is due and owed. So, with this amendment, all we do is require that it be rounded to hundredths of one percent. We have the ability to do it. It would reflect the most accurate assessment of what the tax would be, and you would have taxpayers that would be paying exactly what they owed. I think that under the current system it's very likely, even though we're not talking about any one taxpayer having to pay any great difference, but it isn't the most fair way to determine that we have it available to us. And my amendment simply uses the ability within the Department of Revenue to calculate, to the next hundredth of one percent, taxes that are due and owed. I would urge the adoption of the amendment.

March 29, 1990

LB 503, 503A, 520, 520A

CLERK: (Read record vote. See page 1708 of the Legislative Journal.) 34 ayes, 12 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 503 passes. The A bill.

CLERK: (Read LB 503A on Final Reading.)

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

CLERK: (Read record vote. See pages 1708-09 of the Legislative Journal.) 33 ayes, 10 nays, 4 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 503A passes. LB 520E.

ASSISTANT CLERK: (Read LB 520 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 520 with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Read record vote. See pages 1709-10 of the Legislative Journal.) The vote is 41 ayes, 4 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 520E passes. LB 520AE.

ASSISTANT CLERK: (Read LB 520A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 520A with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Read record vote. See pages 1710-11 of the Legislative Journal.) The vote is 42 ayes, 1 nay, 4 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 520AE passes. And while the Legislature is in session and capable of transacting business, I propose to

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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

PRESIDENT NICHOL PRESIDING

PRESIDENT NICHOL: Record, Mr. Clerk, please.

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

PRESIDENT NICHOL: Anything for the record?

CLERK: Mr. President, I have received the reference report of interim study resolutions. That will be inserted in the Journal, Mr. President. That's all, and I also have the last notice with respect to the delivery of bills read on Final Reading of the Governor, Mr. President. (See page 1727 of the Legislative Journal regarding LB 520, LB 520A, LB 567, and LB 567A.) That's all that I have.

PRESIDENT NICHOL: Thank you. We'll move on to General File, then. LB 1246A.

CLERK: Mr. President, LB 1246A was a bill introduced by Senator Wesely. (Read title.)

PRESIDENT NICHOL: Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. President and members, this legislation supports the LB 1246 bill, which was a merger of several different pieces of legislation, as you recall, that deal with the Franklin Committee legislation, legislation I had in with Senator Schmit dealing with the Attorney General's Office and prosecution of crimes against children. We did reach a compromise and this is that compromise as part of the package to provide for 405,000 dollars this year, or 1990-91, and 396,000 the next year to do the following things: First, a Crimes Against Children Prosecution Unit in the Attorney General's Office would be established. There'd be three attorneys hired with speciality, expertise in prosecuting crimes against children. There would be a support staff as well and then other operational expenses that would cost around 250 or so thousand dollars. This unit would be available to assist county attorneys where necessary and if, in fact, individuals, including the county attorney, felt that they were not in a position to prosecute a case, the public or the county attorney or others could appeal to this unit and ask them to prosecute the case instead of the county attorney. And so this unit would be very valuable in assisting county attorneys and also, where

April 5, 1990

LB 163, 163A, 164, 164A, 187, 187A, 503
503A, 520A, 536, 662, 662A, 678, 678A
898, 1031, 1126, 1170, 1220

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, Pastor Jim McGaffin of the Victory Outreach in Omaha. You might be interested to know that his father was the Chairman of the Board of Nebraska Education TV at one time and he was also News Director of WOW-TV. Would you please rise for the invocation by Pastor McGaffin.

PASTOR MCGAFFIN: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Pastor McGaffin. We appreciate your being here. Roll call, please. Mr. Clerk, please.

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

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

CLERK: No corrections, Mr. President.

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

CLERK: Mr. President, I have received a series of veto messages from the Governor, specifically a veto message on LB 163 and LB 163A, LB 164 and LB 164A, LB 187, LB 187A, LB 503, LB 503A, LB 520A, LB 536, LB 662, LB 662A, LB 678, LB 678A, LB 898, LB 1031, LB 1126, LB 1170, LB 1220. All of those messages will be placed in the Journal, Mr. President. (See pages 1912-25.) That is all that I have.

PRESIDENT: Thank you. How about the confirmation report, Transportation Committee.

CLERK: Mr. President, confirmation report offered by Senator Lamb is found on page 1852 of the Journal.

PRESIDENT: Senator Lamb, please.

SENATOR LAMB: Mr. President and members, the Committee on Transportation reports favorably on a number of appointments. We have three for the Board of Public Roads Classifications and Standards. They are Marvin Athey, William Lindholm, and Robert Stutzman. There were no negative votes for those appointments.

April 9, 1990

LB 520A, 678, 880

vetoed makes it difficult, of course, to accomplish that goal. Although last session we did pass and did make some improvement in that area. So the Title XX issue remains to be addressed. The training issue of our day care provides remains, and I think that is an issue we need to readdress. Coordination of child care in this state is nonexistent, we need to work together and try and bring about changes in that area. And the ABC bill before the Congress is pending and likely to pass, and we will see, on the federal level, some major initiatives, perhaps, by the end of the year. So what I'm saying is there are many other issues I could bring up in child care that we need to look at, LB 678 would have helped us address those issues. With the Governor's veto and with concerns expressed by some of my colleagues, I'm not going to actually go ahead with a vote on this override, and I'm very disappointed about that. I wish children were a higher priority. I wish children would be able to receive the kind of assistance and help that they deserve, but we've done some, and I appreciate that. We haven't done enough. I guess we'll just have to see if we can't come back next year and do more. With that, I'd withdraw my motion to override LB 678's veto.

PRESIDENT: The motion is withdrawn. Move on to LB 520A, please.

CLERK: Mr. President, the next motion I have is on LB 520A by Senator Schellpeper.

PRESIDENT: Senator Schellpeper, please.

SENATOR SCHELLPEPER: I'll pull that one.

PRESIDENT: It is pulled. LB 880.

CLERK: Mr. President, Senators Lindsay and Chizek would move to override the Governor's veto of LB 880.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Thank you, Mr. President and members. This body...this motion has been filed to override LB 880A. What 880 is is the bill to add two additional district judges to the district court system. And I apologize for the grin as Senator Chambers walks in waiving. The Douglas County system has been getting overloaded since the last time a district judge was