

March 8, 1990

LB 551A, 1031, 1113A, 1222

have anything to read in?

CLERK: I do, Madam President. Senator Coordsen has amendments to be printed to LB 1222; Senator Kristensen to LB 1031. (See page 1294 of the Legislative Journal.)

New A bill, LB 551A by Senator Lynch. (Read title for the first time. See pages 1294-95 of the Legislative Journal.) And LB 1113A by Senator Wesely. (Read by title for the first time. See page 1295 of the Legislative Journal.) That's all that I have, Madam President.

SENATOR LABEDZ: Thank you, Mr. Clerk. Senator Hall, the 34-year-old birthday boy, would you like to adjourn us until Monday morning at nine o'clock...

SENATOR HALL: No, I would rather stay here.

SENATOR LABEDZ: ...on March 12th?

SENATOR HALL: I would move we adjourn until 9:00 a.m. on Monday morning.

SENATOR LABEDZ: The motion is made to adjourn. All those in favor say aye. Opposed nay. The ayes have it. We are adjourned until Monday morning, nine o'clock, March 12th.

Proofed by: Debbie Smith  
Debbie Smith

March 13, 1990

LB 551A  
LR 278

publicly, and this is why I introduced this resolution. If any of you other senators would care to co-sponsor this with me, I'd certainly appreciate it. I know a number of you have signed onto it, and with that, Mr. President, that is my close. Thank you.

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

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of LR 278.

PRESIDENT: The resolution is adopted. Anything for the record at this time, Mr. Clerk?

CLERK: Not at this time, Mr. President.

PRESIDENT: All right, we'll move on to General File then.  
LB 551A.

CLERK: Mr. President, 551A is on General File. It is a bill introduced by Senator Lynch. (Read title.)

PRESIDENT: Senator Lynch, please.

SENATOR LYNCH: Mr. President and members, the fiscal note....First of all, I guess I should mention that at the present time medical laboratories are not certified. I would hope and assume that they are, of course, safe for all of us. But in a state where we certify with a Health Department investigation restaurant operations and other kinds of similar health related operations that we don't, in fact, do the same thing for medical laboratories. I also want to tell you right at the outset that I have some serious concerns about the cost, as we've all discussed in some cases with A bills. But, nevertheless, I offer you this today and a promise that before we get to Select File we have to do some work to understand these costs. And I need an explanation from the Health Department, which I apologize I don't have this morning, to better understand these costs. But the A bill provides for General Funds of \$98,000 at \$50 a piece, and for 1990 and '91. But it also indicates General Fund costs for '91-92 of \$682,000. But the General Fund revenues, at that point in time because of fees that would be collected from the labs, would be \$83,100. I do have to get some better explanation on those costs. And

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LB 551A, 1063, 1063A  
LR 239

there will be an amendment coming up that we will discuss at a later time. But I would ask for your support for this A bill.

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

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 551A.

PRESIDENT: LB 551A is advanced. LB 1063A.

CLERK: Mr. President, 1063A, offered by Senator Crosby. (Read title.)

PRESIDENT: Senator Crosby, please.

SENATOR CROSBY: Mr. President and members, 1063A is the appropriations bill for LB 1063, which I introduced in behalf of the Department of Social Services to give them the mechanism to sell some surplus properties that they no longer are using. The amounts in the appropriation bill, of course, are dependent on what...if and when they sell the property, what the property sells for. So, that's what the bill is for. And I thank you for moving it.

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

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of 1063A.

PRESIDENT: The bill is advanced. We'll move on to LR 239CA.

CLERK: Mr. President, 239 has been discussed by the Legislature. Yesterday, when the Legislature left the resolution, there was pending an amendment offered by Senator McFarland. That amendment, Mr. President, is found on page 1285 of the Journal.

PRESIDENT: Senator Withem, would you like to pick us up? Excuse me, just a moment. Excuse me, Senator McFarland, I should have recognized you first. Please accept my apology.

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LB 551A, 656, 843, 843A, 1031, 1059, 1059A  
1063A, 1141, 1244

that we can do a lot to help these children in their classrooms and stir continued interest in the Legislature and in the legislative process, and perhaps give a lot of people, including civic clubs and others, a deeper understanding of our process, what we go through and how we labor in the vineyards. And so, as I said, we can do it all in-house. There will be an oversight committee. And I have no doubt that the video production will be an enormous hit, and I would urge the body to adopt the amendment. Thank you.

PRESIDENT: Thank you. The question is the amendment to the...the adoption of the amendment to the amendment. All those in favor vote aye, opposed nay. Senator Barrett. Senator Barrett. Thank you. Record, Mr. Clerk, please.

CLERK: 25 ayes, 9 nays, Mr. President, on adoption of Senator Barrett's amendment.

PRESIDENT: The amendment to the amendment is adopted. Something for the record, Mr. Clerk, please?

CLERK: Yes, Mr. President, I do have some items for the record. Senator Nelson has amendments to be printed to LB 656; Senator Schmit to LB 1031; Senator Warner and Withem to LB 1141. Enrollment and Review reports LB 1059, LB 1059A, LB 1244, LB 843, LB 843A, LB 551A, LB 1063A all to Select File. (See pages 1333-39 of the Legislative Journal.)

Mr. President, the next amendment to the committee amendments I have is offered by Senator Withem. (Withem amendment appears on page 1339 of the Legislative Journal.)

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Mr. President, members of the body, this is an amendment somewhat similar to the last one dealing with our legislative process. Increased appropriation to the Legislative Council to the tune of \$20,000. The purpose of this is to fund ongoing telecommunication, actually it says television, maybe it should say telecommunication, if people are interested in changing that, we can do so, if this gets adopted, with another amendment or a Select File amendment...televise legislative hearings. Over the past year we have had two major interactive teleconferences with legislative leadership hearing people testifying on issues of concern to the public, we questioning

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LB 551A, 1031, 1059  
LR 343-364

PRESIDENT: One minute.

SENATOR LANDIS: I ask you to adopt the amendment.

PRESIDENT: Thank you. the question is the adoption of the Landis amendment. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: 13 ayes, 16 nays, Mr. President, on adoption of the amendment.

PRESIDENT: The amendment fails. Anything further on it, Mr. Clerk?

CLERK: Yes, Mr. President, but may I read some items for the record?

PRESIDENT: Yes, please.

CLERK: Mr. President, a series of study resolutions. (Read introduction of LRs 343-364 for the first time. See pages 1489-1503 of the Legislative Journal.)

Amendments to be printed by Senator Warner to LB 1031, Senator Lynch to LB 551A. (See pages 1504-05 of the Legislative Journal.)

Mr. President, the next amendment I have to the bill is by Senator Ashford. (Ashford amendment appears on page 1506 of the Legislative Journal.)

PRESIDENT: Senator Ashford, please. Senator Ashford, do you want to see if your speaker works, or your system works? No guarantees.

SENATOR ASHFORD: Yes, I believe it does. Thank you, Mr. President and members, this amendment is on your desks and it relates to a very narrow issue concerning teacher contracts or collective bargaining agreements. As you know, most or many collective bargaining agreements are entered into between the teachers groups and the school boards and they are confirmed, many of them, by the Commission of Industrial Relations, either as a result of a decision by the commission or simply as the result of collective bargaining. The law is rather specific that these collective bargaining agreements are enforceable

July 1, 1991, which will allow the changes needed to be done in the 1991 legislative session, after the rules and regulations are in place. It makes good sense for us to do this. We appreciate the cooperation of all of the public and private agencies and institutions that were involved. I think most have signed off at a recent meeting. These amendments that I just described to you were, in fact, those recommendations and were the result of that meeting. I appreciate that support from those folks and ask for your support for this amendment.

SENATOR LABEDZ: Any discussion on Senator Lynch's amendment to LB 551? Senator Lynch, there are no further lights, would you like to close? Senator Lynch waives closing. All those in favor of the amendment to LB 551 vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

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

SENATOR LABEDZ: The amendment is adopted. Anything further on the bill?

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

SENATOR LABEDZ: Senator Lynch, would you like to move the bill?

SENATOR LYNCH: Move the bill advance to E & R engrossing.

SENATOR LABEDZ: The motion is to advance LB 551 to E & R engrossing. All those in favor say aye, opposed. It is advanced.

CLERK: Madam President, LB 551A, I have no E & R. I do have an amendment to the bill by Senator Lynch. Senator, this amendment may be found on page 1504 of the Journal.

SENATOR LABEDZ: Senator Lynch.

SENATOR LYNCH: Madam President and members, this, of course, describes the kind of costs that would be involved when this kind of legislation is implemented. I already described the fee schedule. The fee schedule will be determined and then be implemented based on what the need for administering this important responsibility would be in the state. That's why there seems to be a wide and is a wide range for fee schedule.

March 22, 1990

LB 551A, 799

However, in the first and beginning next year and the first part of the year there is a \$98,905 General Fund expenditure to support the cost for developing the administration for this responsibility, which will be recovered and returned to the General Fund through the fee schedule as soon as those schedules and those fees are established. I would move for the adoption of this amendment to the A bill.

SENATOR LABEDZ: Any discussion on the amendment? Senator Lynch, there are no further lights, would you like to close? Senator Lynch waives closing. All those in favor of the amendment vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

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

SENATOR LABEDZ: Senator Lindsay.

SENATOR LINDSAY: Madam President, I move that LB 551A, as amended, be advanced to E & R for engrossing.

SENATOR LABEDZ: You heard the motion. All those in favor say aye. Opposed. It is advanced. Mr. Clerk, LB 799.

CLERK: Madam President, LB 799, I have E & R amendments pending first of all, Senator.

SENATOR LABEDZ: Senator Lindsay.

SENATOR LINDSAY: Madam President, I move the adoption of the E & R amendments to LB 799.

SENATOR LABEDZ: You heard the motion. All those in favor say aye, opposed. They are adopted.

CLERK: Madam President, the first amendment I have to the bill, Senator Beyer, Senator Lindsay, you passed yours over for the time being, is that right? Senator Beyer, I now have your amendment, Senator, and that is found on page 1371 of the Journal.

SENATOR LABEDZ: Senator Beyer.

SENATOR BEYER: Madam Speaker and colleagues, when we discussed

March 27, 1990

LB 315, 536, 551, 551A, 799, 898, 899  
920, 1019, 1019A, 1031, 1125, 1126, 1136  
1170, 1220, 1246

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber. Please stand. The opening prayer of the day by Pastor Robert Bye of the First Presbyterian Church of Plattsmouth, Nebraska, Senator Wehrbein's district. Pastor Bye. (Gavel.)

PASTOR BYE: (Prayer offered.)

SPEAKER BARRETT: Thank you so much, Reverend Bye. Please come back again. Roll call.

PRESIDENT NICHOL PRESIDING

PRESIDENT: I understand we're about ready to start. Mr. Speaker, would you explain the progression we're going to follow, please.

SPEAKER BARRETT: Yes, thank you, Mr. President and members. Obviously we do have a problem with the electronic voting board this morning. Apparently everything else is working. The microphones and the panels on either side of the board are okay, so rather than waste some time waiting for repair people to arrive on the scene, I'd recommend we get started and when it comes to casting a vote, we'll have to either use hands, voice vote or, of course, a roll call. So if we can put up with the inconvenience for a short while, we should be back in business as soon as the repair people are on site. Mr. President, I'd suggest we go ahead with the first item on the agenda.

PRESIDENT: Okay, thank you. Have you any corrections, Mr. Clerk?

CLERK: I have 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 1246 and recommend that same be placed on Select File with E & R amendments attached. Mr. President, Enrollment and Review also reports they have carefully engrossed LB 315 and find it correctly engrossed as well as LB 536, LB 551, LB 551A, LB 799, LB 898, LB 899, LB 920, LB 1019, LB 1019A, LB 1031, LB 1125, LB 1126, LB 1136, LB 1170 and LB 1220, all of those reported



April 5, 1990

LB 315, 551, 551A, 920

ASSISTANT CLERK: (Read LB 315 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 315 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1953 of the Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

PRESIDENT: LB 315 passes. May I introduce a guest, please, of Senator Smith. Under the north balcony is Arthur I. McMasters who is a...UNL student from Hastings. Arthur, would you please stand so we may recognize you. Thank you. Thank you, Arthur. Senator Hannibal has a guest under the north balcony, Jim, Beverly Lang, please, both of you. Thank you for visiting us. LB 551, please.

CLERK: (Read LB 551 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 551 pass? All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1954 of the Legislative Journal.) 44 ayes, 1 nay, 2 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 551 passes. LB 551A.

CLERK: (Read LB 551A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 551A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1955 of the Legislative Journal.) 44 ayes, 0 nays, 3 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 551A passes. LB 920.

CLERK: (Read LB 920 on Final Reading.)

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LB 315, 369, 369A, 551, 551A, 577, 920  
931, 953, 980, 980A, 994, 994A, 1018  
1043, 1063, 1063A, 1090, 1090A, 1241

year. Senator Chambers and Senator Bernard-Stevens, no doubt, will fight that change in the rules but, hopefully, there will be enough of us here and, as far as I'm concerned, they can filibuster that till the end of the session starting in January, but that's exactly what should be done.

PRESIDENT: One minute.

SENATOR LABEDZ: Thank you, Mr. President.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 980, LB 980A, LB 994, LB 994A, LB 1043, LB 953, LB 369, LB 369A, LB 1018, LB 1090, LB 1090A, LB 315, LB 551, LB 551A, LB 920, LB 931, LB 1063 and LB 1063A. Senator Wesely, please, followed by Senator Langford.

SENATOR WESELY: Thank you, Mr. President and members, I would rise in opposition to the bracket motion and give you a little history on...that hasn't come out yet on this bill and let you know why I do support it. This bill came in after I had introduced a bill on venture capital last year, Venture Capital Company Act. We were looking at this concept of providing incentives for investment in the state across Nebraska at a 25 percent credit level and with a number of other restrictions with the idea that what we're having across the state is a need for capital, a need for venture capital in particular, and a number of studies have indicated that. The Banking Committee worked with me and we did put out LB 577 to accomplish that goal. Senator Chambers then came in with LB 1241 which was a bill that he worked with with the administration and it tied in conceptually with what that other bill was. So, originally, what we did in the Banking Committee was we merged, with Senator Chambers' cooperation, LB 577 and LB 1241 so that the whole State of Nebraska would be benefiting from venture capital initiative. And this compromise that was reached in the Banking Committee was one that I was very excited about and appreciated very much Senator Chambers' cooperation. But what's odd is that after we reached this compromise and the committee advanced the bill as amended, then Deb Thomas from the Governor's office came in after the deadline for picking priority bills and told Senator Chambers that the Governor could not tolerate the additional coverage of the whole state, that she wanted only north Omaha to be the focus of the bill. And, of course, I was not happy with that situation and felt that I had not been dealt

April 9, 1990

LB 220, 220A, 315, 369, 369A, 551, 551A  
571, 56, 720, 720A, 799, 851, 896  
923, 953, 958, 960, 960A, 980, 980A  
994, 994A, 1018, 1063, 1063A, 1064, 1064A  
1080, 1090, 1136, 1146, 1184, 1184A, 1244

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber for the last day of the Second Session of the 91st Legislature. We're especially happy to have with us this morning our own Harland Johnson for our prayer of the morning. Would you please rise?

HARLAND JOHNSON: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Harland, and may I say, on behalf of all the members of the Legislature, we have truly appreciated your prayers during the session. They have been very meaningful because you understand us so well, so thank you again. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal?

CLERK: No corrections this morning, Mr. President.

PRESIDENT: Any messages, reports, or announcements today?

CLERK: Mr. President, a series of messages. First, communications from the Governor. Engrossed...well, before that, Mr. President, bills read on Final Reading as of late last Thursday were presented to the Governor on Thursday evening as of 8:15 p.m. Communications from the Governor, Mr. President, and I might indicate to the members that copies of messages I have received have been distributed and you should have a copy on your desk. Communications to the Clerk: Engrossed LB 1080, LB 1184, LB 1184A, LB 656, LB 1146, LB 799, and LB 1136 were received in my office on April 3 and signed by me on April 6 and delivered to the Secretary of State. Sincerely, Kay Orr, Governor. (See Message from the Governor as found on page 1985 of the Legislative Journal.) A second communication: Engrossed LB 220, LB 220A, LB 315, LB 369, LB 369A, LB 551, LB 551A, LB 571, LB 720, LB 720A, LB 851, LB 896, LB 923, LB 953, LB 958, LB 960, LB 960A, LB 980, LB 980A, LB 994, LB 994A, LB 1018, LB 1063, LB 1063A, LB 1064, LB 1064A, LB 1090, and LB 1244 were received in my office on April 3 and signed by me on April 7, delivered to the Secretary of the State. Sincerely, Kay Orr, Governor. (See Message from the Governor as found on page 1985 of the Legislative Journal.) In addition to those items,