

January 18, 1989

LB 53, 57, 123, 537-597  
LR 8-12

Mr. President, new bill. (LBs 537-538. Read for the first time by title. See page 268 of the Legislative Journal.)

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: The Chair is pleased to announce that Senator Jacklyn Smith of Hastings has visiting the Legislature today Dr. Robert Schlock and 20 students from Hastings College, specifically, psychology and law class, in the east balcony, the rear balcony. Dr. Schlock, would you and your students please stand and be recognized by your Legislature. Thank you. We are pleased to have you visiting with us today. Also under the north balcony from David City High School, Senator Schmit announces the following guests, 8 students from David City High School with their teacher. Would you folks please stand and be recognized. Thank you for visiting. We are glad to have you. Mr. Clerk, more bill introductions, please.

CLERK: Mr. President, first of all, your Committee on Urban Affairs, whose Chair is Senator Hartnett, to whom was referred LB 53, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File; LB 57 General File; LB 123 General File, all signed by Senator Hartnett as Chair of the committee.

Mr. President, new bills. (LBs 539-557 read for the first time by title. See pages 269-72 the Legislative Journal.)

SENATOR HEFNER PRESIDING

SENATOR HEFNER: Mr. Clerk, do you have some more bills to introduce?

ASSISTANT CLERK: Yes, I do, Mr. President. (LBs 558-593 read for the first time by title. See pages 273-81 of the Legislative Journal.)

SENATOR HEFNER: Do you want to read the bills into the record?

CLERK: Yes, Mr. President, thank you. (LBs 594-597 read for the first time by title. See page 281 of the Legislative Journal.)

Mr. President, in addition to those items, I have new resolutions. (Read a brief explanation of LRs 8-12. See

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LB 54, 162, 319, 380, 381, 423, 467  
476, 562, 574, 589, 651, 759  
LR 14

new bills. That will be laid over.

Education Committee reports LB 562 to General File with amendments attached. That is signed by Senator Withem. (See page 927 of the Legislative Journal.)

Agriculture Committee reports LB 162 to General File, LB 381 General File, LB 574 General File, LB 54 General File with amendments, LB 589 indefinitely postponed, LR 14CA indefinitely postponed, those all signed by Senator Johnson as Chair. (See pages 930-33 of the Legislative Journal.)

Banking Committee reports LB 423 to General File, LB 380 to General File with amendments, LB 467 indefinitely postponed, LB 476 indefinitely postponed, LB 759 indefinitely postponed, those signed by Senator Landis. (See pages 933-34 of the Legislative Journal.)

Education reports LB 651 to General File with amendments, signed by Senator Withem and Banking reports LB 319 to General File with amendments. That is signed by Senator Landis. (See page 935 of the Legislative Journal.) I believe that is all that I have, Mr. President.

PRESIDENT: Senator Chambers, you have an amendment coming up. Do you wish to take that up now, or... Okay, Senator Bernard-Stevens, you have one. Do you want to try that now? We're getting close to the end of time. What do you think?

SENATOR BERNARD-STEVENS: We're going to pick it up just for a couple of minutes here.

PRESIDENT: All right, go ahead. Mr. Clerk.

CLERK: Mr. President, Senator Bernard-Stevens would move to amend the bill.

SENATOR BERNARD-STEVENS: Mr. Speaker, or, Mr. President, what I'm going to do is I wanted to briefly explain what the bill (sic) is, and then I'm going to withdraw it because I do believe we can get a vote on the bill at this particular time and I'd hate for us to have this good discussion and not have the bill advance, and I'm hoping the bill will advance. What I'll be offering on Select File is an amendment, is this particular amendment that will put in a mechanism and a procedure in place

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LB 562, 706

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 706.

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

CLERK: Mr. President, I now have an amendment from Senator Wesely. Senator, I have a note on this one that you would like to withdraw. I have AM1315 in front of me.

SENATOR WESELY: Yeah, please withdraw that one.

CLERK: I'm sorry Senator, I couldn't hear.

SENATOR WESELY: Yes, please withdraw that one.

CLERK: Withdraw, thank you.

PRESIDENT: It is withdrawn.

Mr. President, the... Senator Wesely would move to amend the bill, Mr. President.

PRESIDENT: Senator Wesely.

SENATOR WESELY: Is this amendment 1840?

CLERK: Yes sir.

SENATOR WESELY: Okay. Mr. President and members, this amendment is based on LB 562 a bill that was heard by the Education Committee, LB 706 is a bill heard by the Banking Committee. They both deal with the topic of asbestos removal in our schools, a topic I have been involved in since 1979. There have been recent changes in the rules and regulations and mandates from the federal government regarding asbestos in our schools in particular, but across the board. We have also had some state legislation passed last year. This has impacted our schools tremendously and they are facing tremendous costs across the State of Nebraska to meet the mandates of that legislation. This bill and also LB 706 deal with more than asbestos. They deal with other environmental hazards. That would also include, for instance, underground storage tanks and leaking underground tanks that are also the focus of concern in other legislation.

With all of this, we are finding some particular environmental hazards costing schools a great deal of money and in looking at the options of how to meet the cost involved, the schools are interested in having the ability to issue bonds to pay for these costs. Now LB 706, in a general sense, addresses this and LB 562 had more specific language needed by the public schools in the state. So this amendment would incorporate that language. They would change a date that we have regarding when a public hearing has to be held on this topic, the schools have been having trouble with that date. It does require that school boards designate the environmental hazards involved for whatever tax levy, which is now currently under the statute as applied to. See there is a separate tax levy now allowed for our schools that we have had for some time so we could identify and clearly for the budget and the public what is going into asbestos removal and that will also be for environmental hazard abatement. The tax levy would go from 3.5 to 5.2 cents because of this increased cost of asbestos removal and that would be included in the amendment. There would also be an additional yearly requirement to, by the Commissioner of Education, to report on this problem and finally again clarifying the school district authority to issue bonds to pay for these projects. We very much need this bill. We appreciate the Speaker putting it on the agenda because of this crisis that we are facing in our schools. I did pass out an article from the Lincoln paper about our problems and so with that I would ask for the adoption of the amendment and be happy to answer questions about it if there are any.

PRESIDENT: Senator Hall, please, followed by Senator Hefner.

SENATOR HALL: Thank you, Mr. President, and members. The Wesely amendment is to LB 706 which is a bill, as he stated, I brought before the Banking and Insurance Committee, deals with changing the authority for NIFA with regard to allowing for hazardous abatement projects to be funded for schools. In other words, it expanded their lending authority so that schools could use the low interest loans that NIFA offers for the permanent abatement of hazardous materials. Asbestos fell in that category but there were a number of other areas that it would provide for specifically one of the issues that we talked about yesterday, the underground storage tank issue is a problem for many school districts who in the past have had to store their own petroleum products or other liquid hazardous materials underground. So the bill, itself, is a bill that had little or

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LB 562, 706

we can dedicate it to the bonds and that is a very clear and distinct way to do it so that people know exactly how much it is costing them.

SENATOR PIRSCH: Have we also expanded the program from just asbestos to any hazardous waste?

SENATOR WESELY: We have done that. I think we did that last year, I'm not sure, but why we did that was the underground tanks and especially up in Omaha came to light and they decided, gee, we are going to have to spend a lot on that darn thing now too.

SENATOR PIRSCH: But that isn't changed by this amendment?

SENATOR WESELY: I don't think so.

SENATOR PIRSCH: It would still apply to the same?

SENATOR WESELY: Currently already...

SENATOR PIRSCH: Okay, thank you.

PRESIDENT: Senator Hefner, please. Senator Wesely, would you like to close, please.

SENATOR WESELY: Thank you. I apologize, this again, this amendment is based on LB 562 as it came out of committee. It helps the schools to allow them the flexibility to, if they so chose, issue bonds to pay for their asbestos and other environmental hazardous mandates that they are facing. It is supported by the schools across the state and I would ask for your adoption of the amendment.

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

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

PRESIDENT: The Wesely amendment is adopted. How...

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

this time I would just urge you to vote to advance the bill.

SPEAKER BARRETT: Thank you. Any discussion on the advancement of the bill? Senator Hefner, anything further? Thank you. Shall LB 571 be advanced to E & R? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 571.

SPEAKER BARRETT: LB 571 is advanced. Have you matters for the record?

CLERK: Mr. President, Senator Hall has amendments to LB 562 to be printed, and your Committee on Government, Military and Veterans Affairs whose Chair is Senator Baack, reports LB 837 to General File. (See page 991 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Johnson, please, your light is on.

SENATOR L. JOHNSON: Mr. President, members of the Legislature, I move that we adjourn until 9:00 a.m., February 27.

SPEAKER BARRETT: You've heard the motion offered by Senator Johnson to adjourn until nine o'clock tomorrow morning. All in favor of that motion say aye. Opposed no. Ayes have it, motion carried, we are adjourned.

Proofed by:

  
LaVera Benischek