

March 8, 1989

LB 89A, 569A, 574A, 587

well be, time will come when the ethanol will, in fact, be the by-product and some other product from this process will be the major financial component. I would like to point out also that we have, as I have pointed out, seen the accent upon developing the ETBE industry, which is a further derivative of the ethanol distillation. I have to explain and apologize that many years ago I didn't know how far we were going to go on this but we have come quite a ways.

SENATOR HABERMAN: All right, Senator Schmit and members of the body, for the record, as I understood Senator Schmit that the amendments and the bill pertain to the use of grain. That is what Senator Schmit said. That, I will buy. I will support the issue...

SPEAKER BARRETT: One minute.

SENATOR HABERMAN: ...due to the fact that it says, "and the intent is the use of grain". I'm not saying Nebraska grain. I'm not putting any strings on this thing but that is what the bill does. That's what it's to be used for and that I will buy. Thank you, Senator Schmit.

SPEAKER BARRETT: Anything further on the bill? Any closing comment, Senator Schmit?

SENATOR SCHMIT: No closing, Mr. President.

SPEAKER BARRETT: Thank you. The question before the body is the advancement of LB 587 to E & R Initial. Those in favor vote aye, opposed nay. On the advancement of the bill, have you all voted? Please record.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 587.

SPEAKER BARRETT: LB 587 is advanced. Senator Roger Wehrbein is announcing the presence of a very special guest from Plattsmouth, Jan Stuckey. Jan, would you please stand and take a bow. Thank you. Glad you are here. For the record, Mr. Clerk.

CLERK: New bills, LB 89A by Senator Lynch. (Read for the first time by title.) LB 574A by Senator Rogers. (Read for the first time by title.) LB 569A by Senator Rogers. (Read for the first

March 20, 1989

LB 412A, 574A

SENATOR LABEDZ: Senator Coordsen.

SENATOR COORDSEN: Thank you, Madam President. Members of the body, LB 412 was a bill we passed about a month or so ago. It was a committee bill that corrected some language problems and the enforcement thereof in our minimum wage law. And I feel like I must apologize for the size of this A bill because it amounts to \$1,000 for the Department of Labor to print up notices. So I would encourage the advancement of LB 412A but I wish it would have been more money. Thank you.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Any discussion? If not, shall LB 412A be advanced to E & R? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 412A.

SPEAKER BARRETT: LB 412A is advanced. LB 574A.

CLERK: LB 574A by Senator Rogers. (Read title.)

SPEAKER BARRETT: Senator Rogers.

SENATOR ROGERS: Mr. Speaker and members, a relatively small A bill for what this will do for the industry. It's 146,000 for '89-90 and 150,000 for '90-91. I gave some figures when we talked about this bill the last time. Unless someone wants to hear them again, I won't go through them but I had some figures just on a couple of producers in our state and the loss of income and sales tax just from a couple of these operations that have went through pseudorabies would darn near fund this part of the bill. So I ask for the advancement of the bill.

SPEAKER BARRETT: Thank you. Any discussion? If not, the question is the advancement of LB 574A. Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 574A.

SPEAKER BARRETT: LB 574A is advanced. The Chair would ask your continued indulgence for just a few minutes, if at all

March 21, 1989

LB 326, 334, 340A, 340, 378A, 408A, 410
412A, 414, 440, 441, 489, 516, 556
574A, 714

SPEAKER BARRETT: Is there any discussion? Seeing none, those in favor of the advancement of LB 714 to Enrollment and Review please vote aye, opposed nay. Record, please.

CLERK: 34 ayes, 0 nays, Mr. President, on the advancement of LB 714.

SPEAKER BARRETT: LB 714 is advanced. Anything for the record?

CLERK: Mr. President, Enrollment and Review reports LB 340A to Select File; LB 378A to Select File; LB 408A, Select File; LB 412A, Select File; LB 574A, Select File; LB 410; LB 414, Select File. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Schellpeper, would you care to recess us until one-thirty.

SENATOR SCHELLPEPER: Yes, I will. Mr. Speaker and members, I would move that we recess until one-thirty.

SPEAKER BARRETT: You have heard the motion to recess until one-thirty. Those in favor say aye. Opposed no. Motion carried. We are recessed. (Gavel.)

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you, sir. For the record, Mr. Clerk.

CLERK: Mr. President, a communication from the Governor to the Clerk. (Read communication re signing of LB 326, LB 334, LB 440, LB 489, LB 516, LB 556, and LB 441. See pages 1259-60 of the Legislative Journal.)

Senator Bernard-Stevens has amendments to LB 340 to be printed, Mr. President. (See pages 1260-61 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Before proceeding into the

March 22, 1989

LB 183A, 574A, 574

SPEAKER BARRETT: Senator Baack. Senator Lindsay. Senator Hall, would you care to advance 183A?

SENATOR HALL: Mr. President, I'd be happy to advance 183A to E & R for Engrossing.

SPEAKER BARRETT: Thank you. You've heard the motion. Shall the bill be advanced? Those in favor say aye. Opposed no. Carried, the bill is advanced. Next bill, Mr. Clerk.

CLERK: Mr. President, the next bill I have is LB 574.

SPEAKER BARRETT: LB 775 is on the agenda, we will pass over it momentarily, come back to it at some later point in time, waiting for information. LB 574 and 574A, Mr. Clerk.

CLERK: Mr. President, 574, Senator Lindsay, I have Enrollment and Review amendments pending, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that the E & R amendments to LB 574 be adopted.

SPEAKER BARRETT: Shall the E & R amendments be adopted? All in favor say aye. Opposed no. Carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 574, as amended, be advanced.

SPEAKER BARRETT: You've heard the motion to advance 574 as amended. All in favor say aye. Opposed no. Carried, the bill is advanced.

CLERK: Senator, on LB 574A I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 574A be advanced.

SPEAKER BARRETT: Shall 574A be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. Next bill, Mr. Clerk.

CLERK: Senator, the first item I have on E & R...are E & R amendments to LB 54, excuse me.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 54 be adopted.

SPEAKER BARRETT: Shall the E & R amendments to LB 54 be adopted? All in favor say aye. Opposed no. Ayes have it, carried, they are adopted.

CLERK: Mr. President, I now have an amendment to the bill by Senator Wehrbein. Senator, this is your amendment on page 1140 of the Journal.

SPEAKER BARRETT: Senator Wehrbein.

SENATOR WEHRBEIN: Yes, I have an amendment that is being also passed out. Just a second. Mr. President, I have two parts to this, one is to take away the...actually the second part strikes the Goodrich amendment, which was put on the other day to require the Department of Agriculture to furnish the sign. And I feel that this turns out to be kind of an undue burden on the Department of Agriculture. It's not a bad idea to have a consistent sign policy. But, on the other hand, I'm going to go back to the first part of my amendment, and that is to say that it doesn't require just a posted sign to fulfill the requirements of this.

SPEAKER BARRETT: Excuse me, Senator Wehrbein. (Gavel.)

SENATOR WEHRBEIN: Thank you. I felt that this kind of put an undue burden on the restaurants in requiring that it be specifically a sign. The way I interpreted the bill, especially after the addition of Senator Goodrich's amendment requiring this sign, it became an undue burden to have another sign on the wall some place. It's my feeling that if we have a tent card, or a menu card, or something written in the menu, or maybe some other innovative ways to require the outline of what cooking...or the posting of the sign would suffice. In other

March 27, 1989

LB 89, 89A, 183A, 285, 371, 490, 574
574A

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. For this afternoon's business, Mr. Harland Johnson with the opening prayer.

HARLAND JOHNSON: (Prayer offered.)

SPEAKER BARRETT: Thank you, Harland, very much. Roll call.

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

SPEAKER BARRETT: Thank you. Any corrections to the Journal, Mr. Clerk?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 183A and find the same correctly engrossed, LB 574 and LB 574A, all correctly engrossed, those signed by Senator Lindsay. (See page 1336 of the Legislative Journal.)

Mr. President, your Committee on Enrollment and Review reports LB 371 to Select File, LB 89 and LB 89A all to Select File, some having E & R amendments attached. (See pages 1330-36 of the Legislative Journal.)

Mr. President, I have two Attorney General's Opinions to be inserted in the Journal. (One re: LB 490. See pages 1340-41 of the Legislative Journal.) And that is all that I have, Mr. President.

And, Mr. President, I have amendments to be printed from Senator Lamb to LB 285. (See page 1342 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. A couple of announcements, guests, which we presently have with us under the south balcony; Senator Korshoj has from Herman, Nebraska, Garnet Johnson visiting with us. Garnet, would you please stand and take a bow. Thank you. And a guest of Senator Hartnett, also under the south balcony,

May 22, 1989

LB 569, 569A, 574A, 574

and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 569E passes. LB 569AE.

ASSISTANT CLERK: (Read LB 569AE on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 569A, with the emergency clause attached, become law? All in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See pages 2636-37 of the Legislative Journal.) The vote is 45 ayes, 0 nays, 3 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT NICHOL PRESIDING

PRESIDENT: LB 569A passes with the emergency clause attached. LB 574 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 574 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 574 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 2637-38 of the Legislative Journal.) The vote is 45 ayes, 1 nay, 2 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 574 passes with the emergency clause attached. LB 574A with the emergency clause attached.

ASSISTANT CLERK: (Read LB 574A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 574A pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See page 2638 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 5 present and not voting, 1 excused and not voting, Mr. President.

May 22, 1989

LB 574A, 575, 575A, 586

PRESIDENT: LB 574A passes with the emergency clause attached. LB 575, please.

ASSISTANT CLERK: (Read LB 575 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 575 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See page 2639 of the Legislative Journal.) The vote is 40 ayes, 1 nay, 7 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 575 passes. LB 575A.

ASSISTANT CLERK: (Read LB 575A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 575A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 2640 of the Legislative Journal.) 41 ayes, 0 nays, 7 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 575A passes. May I introduce a very special guest of Senator Pirsch. Under the north balcony, we have the Honorable P.J. Morgan, Mayor-elect of Omaha. Mayor, would you step out so we can see you? Thank you, Mayor, we are honored to have you in our presence this morning. And congratulations to you from all of us. LB 586.

CLERK: Mr. President, I have a motion on the desk. Senator Haberman will move to return the bill for purposes of striking the enacting clause.

PRESIDENT: Senator Haberman, please.

SENATOR HABERMAN: Mr. President and members of the body, I would like to bring to your attention some of the facts and features in 586.

PRESIDENT: Senator Haberman.

May 22, 1989

LB 336, 438, 438A, 444, 449, 449A, 541
569, 569A, 574, 574A, 575, 575A, 603
603A, 611

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

CLERK: (Record vote read. See page 2643 of the Legislative Journal.) 45 ayes, 1 nay, 1 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 603 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 336, LB 438, LB 438A, LB 444, LB 449, LB 449A, LB 541, LB 569, LB 569A, LB 574, LB 574A, LB 575 and LB 575A. LB 603A, please.

CLERK: (Read LB 603A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 603A pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 2644-45 of the Legislative Journal.) 42 ayes, 1 nay, 3 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 603A passes. LB 611, please.

CLERK: Mr. President, Senator Abboud would move to bracket LB 611 until January 3, 1990.

PRESIDENT: Senator Abboud, please.

SENATOR ABOUD: Yes, Mr. President, colleagues, LB 611 is a bill that's been moving along through the process with little fanfare or some fanfare but not a lot of debate. The bill itself has been whittled down to...or at least certain portions have been whittled out and other portions have been left in. But there has been left with some confusion as to what this bill will provide for. It's my understanding that there is no immediate local option for income tax for the local school districts. What it provides for is a state identification to be able to implement a program like that in the future. And, most importantly, it takes away all local state aid options dealing with state aid to education which is a considerable amount of money for local school districts to put our feet to the fire. Now when this session started out I thought that Senator Moore