

your presence, please. Thank you. Senator Labedz, would you record your presence, please. Senator Robak, record your presence, please. Senator Bernard-Stevens. Senator Chambers, would you record your presence, please. Thanks. We're looking for Senator Lynch, Senator Owen Elmer, Senator Peterson, Senator Pirsch. Senator Kristensen, record your presence, please. Thank you. Okay, we're looking for Senator Bernard-Stevens is all. Senator McFarland, shall we go ahead with your roll call vote?

SENATOR MCFARLAND: That would be fine.

PRESIDENT: All right. The question is the advancement of the bill. Mr. Clerk, please.

CLERK: (Roll call vote taken. See page 297 of the Legislative Journal.) 21 ayes, 25 nays, Mr. President, on the advancement.

PRESIDENT: LB 180 fails to advance. Mr. Clerk, do you have anything for the record, please?

CLERK: Yes, Mr. President, I do.

PRESIDENT: The call is raised.

CLERK: Mr. President, new bills. (Read by title for the first time LBs 600-647. See pages 298-308 of the Legislative Journal.)

Mr. President, in addition to those items, I have hearing notice from the Natural Resources Committee, signed by Senator Schmit. Notice of hearing from the Revenue Committee. That is signed by Senator Hall. Notice of hearing from the Government Committee. That's signed by Senator Baack.

Mr. President, that's all that I have at this time.

PRESIDENT: We will progress on to LB 190.

CLERK: Mr. President, LB 190 was a bill that was introduced Senator Withem. (Read title.) The bill was introduced on January 9, referred to Education, advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: (Gavel.) Senator Withem, just a moment, maybe we

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.)

criteria for legislation to be put on the consent calendar. I understood and the people I have talked to is that no no votes and no amendments.

SPEAKER BARRETT: That was a part of the criteria.

SENATOR HABERMAN: What is the other part, please? .

SPEAKER BARRETT: The difficulty of the bill, the whether or not it had a substantial fiscal impact, there were a number of facts which entered into the decision. It was not a final decision of the Chair alone, but also in consultation with at least two committee counsels in most cases.

SENATOR HABERMAN: May I ask what would a financial fiscal note please be, what range of figures?

SPEAKER BARRETT: No, I don't think that this is necessary at this point, Senator. The Chair has decided that there are approximately 40 bills on consent calendar today, reasonably clean, and a considerable amount of effort has gone in to naming these particular bills. Is there a specific bill that you are concerned about?

SENATOR HABERMAN: Yes, I'm concerned about...I'm concerned about LB 834, Mr. President. The bill had no no votes, has no amendments, however, it does have a fiscal note and I did not realize that a fiscal note was...(interruption)

SPEAKER BARRETT: Senator Haberman, I'm not sure how long I want to continue this discussion. I will answer your question. LB 834 was removed from the consent calendar consideration because of the financial impact.

SENATOR HABERMAN: Fine...

SPEAKER BARRETT: That was in consultation with two committee counsels as well as my office.

SENATOR HABERMAN: Thank you very much, Mr. President.

SPEAKER BARRETT: Thank you.

SPEAKER BARRETT: Mr. Clerk, LB 610, correction, LB 602, Mr. Clerk.

CLERK: Mr. President, 602 was a bill originally introduced by Senators Warner and Hartnett. (Read title.) The bill was introduced January 19 last year, referred to Appropriations, advanced to General File. I have no amendments to the bill.

SENATOR WARNER: Mr. President, members of the Legislature, this bill is almost corrective, I suppose, in nature. Under the current statutes there is a provision for how the funds flow that are deposited to the Highway Cash Fund. One of those provisions require, because the Highway Cash Fund, excuse me, the Highway Trust Fund has as one of its first obligations, retirement of any bonded indebtedness that the flow mechanism is such, and it is only an accounting procedure, that money is placed in that fund in order to meet debt service and then distributed on through to the various governmental subdivisions in the state that receive the money. Inasmuch that there is no bonded indebtedness at the moment, why, what the bill does is it eliminates that paper process unless bonds are issued in which that trust fund becomes a part of the security for those bonds, and so I would...that's all the bill does. It eliminates a paper process that is of no necessity unless there would be bonds issued and which, of course, could not be done without the approval of the Legislature, depending on how those bonds were authorized, there is no need for the current statute. It just adds to the processing cost of accounting for funds which it has obviously a very incidental cost, but nevertheless, an unnecessary process. I'd move the bill be advanced.

PRESIDENT NICHOL PRESIDING

PRESIDENT: Senator Hartnett, please.

SENATOR HARTNETT: Yes, Mr. President, members of the body, I simply rise to support this bill. I think we passed a bonding bill for highways a couple of years ago and no bonds have been issued. As Senator Warner suggested this, that the Legislature would have to approve issuance of bonds and this is just simply a clarification where it could be classified a revisor bill and so I simply rise to support the advancement of this bill. Thank you.

PRESIDENT: Thank you. Any closing, Senator Warner? Senator Warner, any closing? Okay, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Please

vote if you care to. We're voting on the advancement of the bill. Ladies and gentlemen, if I could have your attention a moment, please. I know we're on consent calendar and several of you are anxious to move on these, and if you'd kind of stick around it certainly would help, so I'd ask your cooperation. Thank you. Have you all voted? Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 602.

PRESIDENT: The bill is advanced. LB 858, please.

CLERK: Mr. President, on 858, it's a bill introduced by Senator Beyer. (Read title.) The bill was introduced on January 3 of this year, Mr. President, referred to Transportation, advanced to General File. I have no amendments to the bill.

PRESIDENT: Senator Beyer, please.

SENATOR BEYER: Thank you, Mr. President. Very simply put, this bill would provide that any person owning any two or more motor vehicles required to be registered in the State of Nebraska has the option to elect to register both of the vehicles on a calendar year basis so the same registration period beginning in a month selected by the owner of the vehicles. At present this registration alternative may be utilized by individuals owning three or more vehicles and we have changed the language from three to two. It basically is a provision that will make government more responsive to the taxpayer and it will only take one trip to the county courthouse instead of two to pay the annual tax, and I would move that this bill be advanced.

PRESIDENT: Thank you. Any further discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. We're voting on the advancement of the bill. Please vote if you care to. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 858.

PRESIDENT: The bill is advanced. LB 875, please.

CLERK: Mr. President, 875 was a bill introduced by Senator Haberman. (Read title.) The bill was introduced on January 3 of this year, referred to Transportation. The bill was advanced

February 12, 1990 LB 350, 350A, 542, 551, 567, 567A, 602
663, 692, 742, 851, 856, 857, 858
874, 875, 891, 893, 896, 902, 906
907, 918, 924, 930, 940, 957, 964-966
969, 970, 974, 983, 984, 997, 1013
1016, 1017, 1043, 1044, 1118

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber and a new day in the Second Session of the Ninety-first Legislature. Our Chaplain of the day is Father Mitch Lindeman of St. Matthews Episcopal here in Lincoln. Father Lindeman.

FATHER LINDEMAN: (Prayer offered.)

SPEAKER BARRETT: Thank you, Father Lindeman, pleased to have you with us. 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: Mr. President, I have no corrections to the Journal.

SPEAKER BARRETT: Are there any reports, messages, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 350 and find the same correctly engrossed, LB 350A, LB 567, LB 567A, LB 663, LB 692, and LB 742, all reported correctly engrossed, those signed by Senator Lindsay as Chairperson of the Enrollment and Review Committee. (See pages 726-27 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 551 to Select File with E & R attached, LB 542, LB 602, LB 858, LB 875, LB 891, LB 1013, LB 983, LB 906, LB 907, LB 984, LB 856, LB 851, LB 957, LB 964, LB 966, LB 997, LB 857, LB 874, LB 893, LB 918, LB 930, LB 970, LB 940, LB 902, LB 974, LB 1016, LB 1017, LB 969, LB 896, LB 965, LB 924, LB 1118, LB 1043, LB 1044,

February 13, 1990

LB 602, 858, 875
LR 252, 253

sign LR 252 and LR 253. May I announce, please, that Senator Langford's birthday is never when we're in session so she doesn't get to provide doughnuts, but her husband Jack's birthday is today and he is providing doughnuts in a little while. So you can thank Senator Langford for Senator Jack's...or her husband's birthday. Thank you, Senator Lorraine. We'll move on to Select File, please, LB 602.

CLERK: Mr. President, 602, I have Enrollment and Review amendments pending.

PRESIDENT: Senator Chizek, would you help us out this morning, please.

SENATOR CHIZEK: Yes. I move the E & R amendments to be 602 adopted.

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

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

PRESIDENT: Senator Chizek.

SENATOR CHIZEK: I move that LB 602 be advanced.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 858.

CLERK: LB 858, Senator, I have no amendments to the bill.

PRESIDENT: Senator Chizek, please.

SENATOR CHIZEK: I move LB 858 be advanced.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 875.

CLERK: LB 875, Senator, I have no amendments to the bill.

PRESIDENT: Senator Chizek.

SENATOR CHIZEK: I move LB 875 be advanced.

PRESIDENT: You have heard the motion. All in favor say aye.

February 14, 1990

LB 313, 313A, 602, 618, 662, 858, 875
891, 906, 907, 1013, 1051, 1059A
LR 254, 255

I can go to the hospital, even...and have them stick a knife in my body and work on it. I don't think people are going to do that. And, if they're injured, I don't think they're just going to be lapping up all this cream that we're so concerned about. There are times when you're drawing workmen's comp when you can be taxed by the federal government. In certain situations, if you are on a light duty status, where you can't make it on the existing workmen's comp, and the employer says, well, come back, we'll give you light duty and we'll give you a little bit of a wage, not your total wage, and then your workmen's comp makes up what your total wage would have been, then that is all balled into a wage, and that is taxed. You can check it out if you'd like. So there are times it is taxed on the federal level, when you can't make it and are forced to go back to work, often times after further aggravating your injuries, but you just can't make it. So that's what...that's how light duty came into existence, because of poor workmen's comp. We know you're injured but...and we know you can't make it, so come on back and we'll give you a little bit to do a little bit. It might further aggravate your injury, might make things worse in the long-run, but we know you can't make it, so come on back, you'll help us out at a cheap rate. And, oh, by the way, you will be taxed on your workmen's comp, too. They probably leave that part out. But I don't think we're going to have people, part-time employees, rushing out to injure themselves so they can draw this extra 20 bucks a week, or whatever it is. I don't think we have a big concern about that and I would support Senator Hall's amendment.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 254, and LR 255. Mr. Clerk, do you have something to read in?

CLERK: Mr. President, Education Committee reports LB 618 to General File; and LB 1051 to General File, those signed by Senator Withem. New A bills. (Read LB 1059A and LB 313A by title for the first time.) Senator Smith has amendments to LB 662. I have a motion for introduction of a new bill that will be laid over, that's offered by Senator Coordsen. And, Mr. President, LB 602, LB 858, LB 875, LB 891, LB 906, LB 907, and LB 1013 are reported correctly engrossed. That's all that I have, Mr. President. (See pages 788-91 of the Legislative Journal.)

office. That is all that I have, Mr. President.

PRESIDENT: Before you all go to your seats for Final Reading, may I announce, please, that one of our members has a birthday today, and it is Senator Glenn Goodrich, I understand, and, Glenn Goodrich, Senator Goodrich, are those your little gift to us today? No? Well, if they were, we'd thank you for them, but...now, Senator Goodrich, we knew better than to put this to a vote, but we do wish you a happy birthday. Thank you. If you would take your seats, please, we will begin Final Reading. Okay, Mr. Clerk, LB 602 with the emergency clause attached.

CLERK: (Read LB 602 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 602 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: (Read record vote. See page 912 of the Legislative Journal.) 37 ayes, 0 nays, 1 present and not voting, 11 excused and not voting, Mr. President.

PRESIDENT: LB 602 passes with the emergency clause attached. LB 856.

CLERK: (Read LB 856 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 856 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See pages 913-14 of the Legislative Journal.) 41 ayes, 0 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

PRESIDENT: LB 856 passes. LB 857.

CLERK: (Read LB 857 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 857 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

February 22, 1990

LB 602, 855, 856-858, 874, 875, 891, 893
906, 907, 957, 964, 966, 984, 997
1013
LR 260

Holdrege, Nebraska. He is under the north balcony. Doctor, would you please stand up so we may see what you look like and welcome you to the body today. I guess he is in his office at the moment, so...while the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 602 with the emergency clause attached, LB 856, LB 857, LB 858, LB 874 with the emergency clause attached, LB 875, LB 891, LB 893, LB 906, LB 907, LB 957, LB 964, LB 966, LB 984, LB 997 with the emergency clause attached and LB 1013. (See page 925 of the Legislative Journal.) Mr. Clerk, anything for the record?

CLERK: One item, Mr. President, a new resolution, LR 260 offered by Senator Nelson and a number of members. (Read brief description of LR 260. See pages 925-26 of the Legislative Journal.) That will be referred to the Reference Committee, Mr. President. And that is all that I have, Mr. President.

PRESIDENT: We'll move on to LB 855, please.

CLERK: Mr. President, 855 was introduced by Senator Rod Johnson. (Read title.) The bill was introduced on January 3 of this year, referred to the Agriculture Committee for public hearing. The bill was advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Thank you. Senator Owen Elmer, please.

SENATOR ELMER: Thank you, Mr. President and members. Senator Johnson isn't here to present his bill and I'm proud to be able to present it for him. LB 855 is identical with the animal damage control bill that we passed through Final Reading and sent to the Governor last year and was a casualty in the funding crisis that we had sent to her desk. This particular program is one that is supported by the USDA Department of Agriculture, animal damage control people, that assist with funds to the state in controlling animals that are a nuisance and are predatory animals. Several western counties have been funding local programs in their counties independently of the state and receiving federal aid in their efforts. The livestock, sheep, poultry industry in the state are very interested in this bill. We heard it in Agriculture Committee January 23. We had nine different persons representing themselves and different agencies and units, such as the Nebraska Animal Damage Control Board of the USDA, Nebraska Farm Bureau, the Game and Parks Commission,

February 22, 1990 LB 315, 602, 856-858, 874, 875, 891, 893
906, 907, 957, 964, 966, 984, 997
1013, 1090, 1105, 1119, 1136, 1228, 1246

all voted? Have you all voted? We're voting on the advancement of LB 1090. Please vote. Have you all voted? Senator Withem.

SENATOR WITHEM: Yeah, it appears as though we need another four votes, so I would ask that we...the house be brought under call and I will accept call in votes.

SENATOR LABEDZ: Thank you, Senator. Shall the house go under call? All those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 14 ayes, 0 nays to go under call, Madam President.

SENATOR LABEDZ: The house is under call. All unauthorized personnel, please leave the floor. Senators in their offices, please return to the Chamber and record your presence. The house is under call. Please return to the Chamber and record your presence. Senator Withem has requested call ins.

CLERK: Senator Chizek voting yes. Senator Lindsay voting yes. Senator Smith voting yes. Senator Morrissey voting yes. Senator Byars, you had voted yes, Senator.

SENATOR LABEDZ: Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 2 nays, Madam President, on the advancement of LB 1090.

SENATOR LABEDZ: LB 1090 is advanced. Mr. Clerk, we'll go to the 1990 Speaker priority bills, LB 1032. The call is raised. Mr. Clerk, you have something to read in the record?

CLERK: Yes, Madam President. Your Committee on Enrollment and Review reports LB 1228 to Select File; LB 1105, Select File; LB 1119, Select File, those signed by Senator Lindsay. Banking, Commerce and Insurance Committee, whose Chair is Senator Landis, reports LB 1136 to General File with amendments attached, signed by Senator Landis as Chair. The Enrolling Clerk has presented to the Governor bills read on Final Reading this morning. (Re. LB 602, LB 856, LB 857, LB 858, LB 874, LB 875, LB 891, LB 893, LB 906, LB 907, LB 957, LB 964, LB 966, LB 984, LB 997, and LB 1013.) Reference report referring LB 1246 to Judiciary for public hearing, as well as certain gubernatorial appointments for confirmation hearing. Amendments to be printed to LB 315 by Senator Coordsen and Hefner; and Senator Conway has amendments

February 26, 1990 LB 260A, 602, 856, 857, 858, 874, 875
891, 893, 906, 907, 957, 964, 966
984, 997, 1013, 1039A, 1064A

this?

SENATOR CONWAY: Luckily, the world is round, yes, you will meet somewhere.

SENATOR CHAMBERS: And those...blessed are those who go in circles for they shall be called what?

SENATOR CONWAY: Ah...

SENATOR CHAMBERS: I will let it go.

SPEAKER BARRETT: Any other discussion? Anything further, Senator Conway, on the advancement of the bill?

SENATOR CONWAY: No, sir, I just request the advancement of the bill.

SPEAKER BARRETT: Thank you. Shall LB 260A be advanced? Those in favor vote aye, opposed nay. Voting on the advancement of 260A. Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 4 nays on the advancement, Mr. President.

SPEAKER BARRETT: The A bill is advanced. Have you matters for the record, Mr. Clerk?

CLERK: I do, Mr. President. Senator Peterson has amendments to be printed to LB 1064A. (See page 983 of the Legislative Journal.)

New A bill by Senator Haberman, LB 1039A. (Read by title for the first time. See page 983 of the Legislative Journal.)

I have a motion from Senator Hannibal involving a reconsideration. That will be laid over. (See page 983 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read communication regarding LB 602, LB 856, LB 857, LB 858, LB 874, LB 875, LB 891, LB 893, LB 906, LB 907, LB 957, LB 964, LB 966, LB 984, LB 997 and LB 1013. See page 984 of the Legislative Journal.)

That's all that I have, Mr. President.