

April 4, 1989

LB 335, 603A

LB 603A, offered by Senator Hartnett. (Read by title for the first time.) That's all that I have, Mr. President. (See pages 1482-85 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. On the motion by Senator Hall to recess until one-thirty, those in favor say aye. Opposed no. Ayes have it, carried, we are adjourned...recessed.

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you. Anything for the record, Mr. Clerk?

CLERK: Not at this time, Mr. President.

SPEAKER BARRETT: Proceeding then to the point at which we left off upon recessing, LB 335. Can you bring us up to speed, Mr. Clerk? Oh, excuse me, we do have a one-thirty agenda item, my apologies, introduction of the deficiency appropriations bill. Mr. Clerk.

CLERK: Mr. President, the first motion is for the introduction of a new bill by the Appropriations Committee, Request number 1215. Motion is on page 1409 of the Journal. I believe you will find the committee statement on your desk.

SPEAKER BARRETT: Senator Warner, please.

SENATOR WARNER: Mr. President and members of the Legislature, this is a rule suspension to permit the introduction of a deficit appropriation bill. On the handout is indicated the six items that are covered. These are all...there will be an additional deficit bill that will include more routine things. These are all areas which it would be helpful if the deficit was considered ahead of the other appropriation bills which will not be heard until the latter part of the month and throughout the month of May. There are six items in here that are included in this for discussion by the Legislature. One is in the Health Department for renal aid which is simply out of money because of

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LB 603, 603A, 767

think, is also. So I think that it has been working and I think this kind of gives another little tool that they can use for the betterment of the children in the state. Some of these children kind of fall through the cracks but this, I think, will help maybe better support these types of children. So, with that, I would ask for the advancement of the bill.

SPEAKER BARRETT: You've heard the closing and the question is the advancement of LB 603 to E & R Initial. Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: 36 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER BARRETT: LB 603 is advanced. To the A bill, Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB 603A was introduced by Senator Hartnett. (Read title.)

SPEAKER BARRETT: Senator Hartnett.

SENATOR HARTNETT: Yeah, Mr. Speaker and members, be very brief on this fiscal note. I think I think I passed out a sheet, three-page sheet, and I think we...on the note, I think what's in the A bill is simply the low figures. There is three sets of figures, low, middle and high, and I think one of the things I want to point out in this is that their role will be very limited because there is only \$30,000 for a legal fee. And so, with that, I would ask for the advancement of the A bill which is 603A.

SPEAKER BARRETT: Any discussion? Any questions? If not, shall LB 603A be advanced? All in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: 29 ayes, 0 nays on the motion to advance the A bill, Mr. President.

SPEAKER BARRETT: LB 603A is advanced. LB 767.

CLERK: Mr. President, LB 767 was a bill that was introduced by Senators Smith, Rod Johnson and Elmer. (Read title.) The bill was introduced on January 19, referred to the General Affairs Committee. The bill was advanced to General File. There are

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LB 84, 84A, 89, 89A, 182, 247A, 325
603, 603A, 651A, 761
LR 2

this go on about the possibility down the road of some kind of discussion down the line of the two entities, namely, the local monitoring committee and DEC, under its rules and regs, getting into a dispute over was the money properly expended, and maybe we need a better agreement right up front on how that process is going to work. We are about out of time and we may want to come back to that. That is the question I want to raise and I think we have got, at least, some intent here into the record, and I would not want to see this unnecessarily tie the hands of a local monitoring committee that might have legitimate reasons to wish for more data or a different analysis of data. Thank you.

SPEAKER BARRETT: Time has expired. Any other discussion? Any closing, Senator Schmit?

SENATOR SCHMIT: I have no closing, Mr. President.

SPEAKER BARRETT: Thank you, sir. The question is the adoption of the Schmit amendment, AM1403. Those in favor vote aye, opposed nay. Record, please.

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

SPEAKER BARRETT: The amendment is adopted. Mr. Clerk, for the record.

CLERK: Mr. President, I have a reference report referring certain gubernatorial appointees to the appropriate Standing Committee for confirmation hearing. I have a series of appointment letters from the Governor. Those will be referred to the Reference Committee, Mr. President.

Enrollment and Review reports LB 182 to Select File, LB 325 Select File, LB 247A, LB 651A, LB 603, LB 603A, all to Select File. Enrollment and Review reports LR 2 as correctly engrossed, Mr. President. A series of amendments to be printed, Senator Coordsen to LB 89; Senator Lynch to LB 89, Senator Lynch to LB 89A; Senator Lamb to LB 84 and LB 84A. (See pages 1726-33 of the Legislative Journal.)

Mr. President, the next amendment I have is by Senator Schmit. Senator, I have AM1417 in front of me. (See page 1733 of the Legislative Journal.)

April 26, 1989

LB 603A, 603

SPEAKER BARRETT: Senator Kristensen, any comments? Any discussion? Any discussion on the advancement of LB 603 to E & R? Any other comment, Senator Hartnett? Thank you. The question is the advancement of 603 to E & R engrossing. Those in favor say...vote aye, opposed nay. Record, please.

CLERK: 37 ayes, 0 nays on the advancement of the bill, Mr. President.

SPEAKER BARRETT: LB 603 is advanced. LB 603A.

CLERK: Mr. President, 603A, I have no E & R. I do have an amendment to the bill by Senator Hartnett. (Hartnett amendment is on page 1949 of the Legislative Journal.)

SPEAKER BARRETT: Senator Hartnett.

SENATOR HARTNETT: Mr. Speaker, members of the body, I think this...the A bill, to bring it up-to-date is simply something that the appropriation, I think Senator Scofield explained this morning when she was going through the appropriation part of it was that the Appropriation Committee added a satellite program in Omaha. There are some additional costs. Attorney fees still stay the same as...\$30,000, so I think Senator Scofield explained what the additional funds in this amendment is this morning. So, with that, if there are any...unless there are any questions, I simply would ask for adoption of this amendment.

SPEAKER BARRETT: Any questions? Any discussion on the A bill? If not, those in favor of the adoption of the Hartnett amendment to the A bill please vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 31 ayes, 0 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: The amendment is adopted.

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

SPEAKER BARRETT: Senator Hartnett.

SENATOR HARTNETT: I would just simply ask the A bill to be advanced to E & R engrossing.

April 26, 1989

LB 429, 603A

SPEAKER BARRETT: Thank you, any discussion? If not, those in favor of the advancement of 603A say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. LB 429, Mr. Clerk. (Gavel.)

CLERK: Mr. President, the first item on LB 429 are Enrollment and Review amendments.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 429.

SPEAKER BARRETT: The question is the adoption of the E & R amendments to LB 429. Those in favor say aye. Opposed no. Carried, they are adopted.

CLERK: Mr. President, the first amendment I have to the bill is by Senator Abboud.

SPEAKER BARRETT: Senator Abboud.

CLERK: Senator, I believe...

SENATOR ABBOD: Withdraw.

SPEAKER BARRETT: It is withdrawn.

CLERK: The next amendment, Mr. President, is by Senator Wesely. Senator, this is your amendment, page 1705 of the Journal, it's AM1360, 1360, Senator.

SPEAKER BARRETT: Senator Wesely.

CLERK: Senator, I'm sorry. It's AM1360, the Journal page is 1705. My mistake, 1705, Senator. Excuse me.

SENATOR WESELY: Oh, okay. Mr. Speaker, members, this is an amendment to deal with a particular problem of review that was added in LB 429, that would be HMO's and their sale. I think it was kind of an inadvertent mistake. HMO's are covered under CON for equipment purchases and capital expenditures and different items. Under this bill they would have been included and they are thought to be included under their sale. We just had a sale

May 2, 1989

LB 84, 603, 603A

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the first working day in the new week. Our chaplain of the day, for the opening prayer, is Pastor Jerry Bauman of Bethel Baptist here in Lincoln. Pastor Bauman. (Gavel.)

PASTOR BAUMAN: (Prayer offered.)

SPEAKER BARRETT: Thank you very much, Pastor Bauman. Hope you can come back again. Roll call.

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

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

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Reports, messages or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports that have carefully examined engrossed LB 603 and find the same correctly Engrossed; LB 603A correctly Engrossed. (See pages 1990-91 of the Legislative Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator McFarland regarding LB 84. I have a report from the Policy Research Office regarding Municipal Natural Gas Regulation Act and a series of actuarial valuations received from the Public Employees Retirement System. Those will be on file in my office, Mr. President. That's all that I have. (See pages 1992-97 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Item 5, confirmation report, Mr. Clerk.

CLERK: Mr. President, Senator Coordsen, as Chair of Business and Labor, would report on the appointment of Gerald Stolze to the Boiler Safety Code Advisory Board. The report is on page 1984 of the Journal.

SPEAKER BARRETT: Senator Coordsen.

SENATOR COORDSEN: Mr. President, members of the body, Business and Labor Committee, on April 27th, heard the...had a hearing

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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

May 22, 1989

LB 586, 586A, 603A, 603, 611A, 611

LB 611A, please.

CLERK: (Read LB 611A on Final Reading.)

PRESIDENT: Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read as found on pages 2646-47 of the Legislative Journal.) 35 ayes, 10 nays, 3 present not voting, 1 excused not voting, Mr. President.

PRESIDENT: LB 611A passes. Senator Barrett, please.

SPEAKER BARRETT: Thank you, Mr. President and members. I would like to suggest that there are another dozen or so bills that are available to be read on Final. I'd like to add them to the list today and if you'd like to make a note of them we'll tack them on to the end of the current agenda on Final Reading. They start with LB 137 and LB 137A, LB 211, and LB 215, LB 228, and LB 352, LB 639, and LB 761, and LB 762, LB 762A, LB 815 and LB 815A, and LB 817 and LB 817A. Those we can read this afternoon with a suspension, and I would like to so suggest. Thank you.

PRESIDENT: Did you want to suggest something about recessing?

SPEAKER BARRETT: I would move we recess until one-thirty.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. We are recessed till one-thirty. Thank you.

RECESS

PRESIDENT NICHOL PRESIDING

CLERK: Quorum present, Mr. President.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign, LB 611, LB 611A, LB 603A, LB 586, LB 586A, LB 603. Let the record show please that Senator Coordsen had some guests in the north balcony. There were seven 9th grade students from Milligan High School in Milligan, Nebraska and the teacher.

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LB 84, 84A, 586, 586A, 603, 603A, 611
611A, 739A, 744

CLERK: (Read LB 739A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 739A pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Read record vote as found on pages 2658-59 of the Legislative Journal.) 40 ayes, 7 nays, 2 present and not voting, Mr. President.

SPEAKER BARRETT: LB 739A passes. LB 744.

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

SPEAKER BARRETT: Proceed.

CLERK: Mr. President, communication from the Governor to the Clerk. (Read communication regarding LB 84 and LB 84A. See page 2659 of the Legislative Journal.)

Confirmation report from the General Affairs Committee. Your Enrolling Clerk has presented to the Governor bills read on Final Reading this afternoon, Mr. President. That's all that I have. (Re. LB 586, LB 586A, LB 603, LB 603A, LB 611, LB 611A.)

SPEAKER BARRETT: Thank you. Proceed then to the reading of LB 744.

CLERK: (Read LB 744 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 744 become law? All in favor vote aye, opposed nay. Have you all voted? Have you all voted? Senator Withem.

SENATOR WITHEM: Let's do a roll call vote, please.

SPEAKER BARRETT: Thank you. Roll call has been requested. Members, please check in. Senators Rod Johnson and Byars, please record your presence. Senator Lynch, please. Senator Warner, please record your presence. Senator Smith. Senator Byars. Senator Dennis Byars, please, record your presence. Proceed with the roll call. The question again is the...whether