

April 20, 1989

LB 84, 84A, 611A

favor of the suspension of the rules.

PRESIDENT: Thank you. Senator Moore, followed by Senator Warner. Oh, we have a priority motion. Okay. Would you like to read some items for the record first?

ASSISTANT CLERK: Mr. President, I have one item, LB 611A, by Senator Moore. (Read LB 611A by title for the first time. See page 1821 of the Legislative Journal.) The priority motion that I have is to adjourn until nine o'clock tomorrow morning, from Senators Landis and Hall. (Journal pages 1821-22 show an amendment of Senator Lamb printed to LB 84A.)

PRESIDENT: Is that it? Okay, and what's your priority motion?

ASSISTANT CLERK: The priority motion is to adjourn until nine o'clock tomorrow morning.

PRESIDENT: Would you read that again? I didn't understand. I didn't hear it. Okay, the motion is to adjourn until nine o'clock tomorrow morning. All those in favor say aye. Opposed nay. You are adjourned until nine o'clock in the morning. Thank you.

Proofed by:

Sandy Ryan
Sandy Ryan

April 25, 1989

LB 611A, 811

except LB 611A, so we'll take up 611A.

CLERK: LB 611A, Mr. President, offered by Senator Moore. (Read title.)

PRESIDENT: Senator Moore, please.

SENATOR MOORE: Yes, Mr. Speaker and members, LB 611A is the accompanying A bill to LB 611. Basically, the A bill is necessary for the provisions in LB 611 dealing with the income taxpayer, mandating that for a complete income tax form you must fill out the school identification number. The fact of the matter is that for the first year you have to send a variety of those things back and there will be some bookkeeping. Some bookkeeping items will have to take place without raising the A bill. And, as you can see, the dollar amount is in the A bill and I simply move the advancement of the A bill.

PRESIDENT: Any further discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Requires 25 votes. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to advance LB 611A.

PRESIDENT: LB 611A advances. We will move on to Select File, LB 811, please.

CLERK: Mr. President, 811 is on Select File. The first order of business are Enrollment and Review amendments.

PRESIDENT: Senator Hall, do you want to handle those E & R?

SENATOR HALL: Mr. President, I would move the E & R amendments be adopted.

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

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

PRESIDENT: Is anyone authorized to handle Senator McFarland's motion? Do you have anything else on it, Mr. Clerk?

plans that had been presented here today is that prudence had to be the underlying concern of all of us. If there was a condition present which would harm or endanger life or limb, then we should take care of it. And, to that extent, the college and the committee and the administration of the university authorized the immediate shoring of that building to prevent the possibility of harm or injury to the occupants. I would, therefore, I think very much oppose the amendment which has been offered here this morning and call your attention again to the possibility of prudence and quality of design by a bridge which collapsed in Tennessee about three weeks ago, a concrete structure. And I'm sure that if we had had consultants look at that bridge and the design of that bridge and the components that went into it, at eight-thirty that night, there would have been just as conflicting opinions as we have here today on the floor. However, at something like eight-forty that evening the bridge did collapse with the loss of at least seven lives in that instance. So prudence, as I indicated to you, was the keynote of our decision in making the...taking the action that we did. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Senator Schmit. Senator Schmit. Senator Hall.

SENATOR HALL: Mr. President, I would move that we recess until one-thirty.

SPEAKER BARRETT: For the record, Mr. Clerk.

CLERK: Mr. President, I have amendments to be printed to LB 89 by Senator McFarland. (See pages 1901-03 of the Legislative Journal.)

Enrollment and Review reports LB 289 to Select File; LB 586A, LB 591A, LB 767A, LB 611A, all to Select File. (See pages 1903-04 of the Legislative Journal.)

Mr. President, a reminder offered by Senator Withem that there will be the showing of Learning in America today at noon in Room 1117.

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

SPEAKER BARRETT: Thank you. (Gavel.) One other quick announcement. The Nebraska Futures, Inc. briefing which was

April 26, 1989

LB 301, 591A, 611A

CLERK: LB 591A, Senator, I have no amendments to the bill.

PRESIDENT: Speaker Barrett, please.

SPEAKER BARRETT: Mr. President, I would move the advancement of LB 591A.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 611A.

CLERK: LB 611A, Mr. President, I have no amendments to the bill.

PRESIDENT: Speaker Barrett, please.

SPEAKER BARRETT: Mr. President, I move the advancement of LB 611A.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. Thank you, Senator Barrett, you did very well.

SPEAKER BARRETT: Thank you, sir.

PRESIDENT: Move on to General File, appropriation bills. For you students in the balcony, you hit us at a lucky time. We're going to be talking about how we are going to spend some tax money, so you hit us at a good time. Mr. Clerk, LB 301.

CLERK: Mr. President, 301 was a bill that was introduced by the Speaker at the request of the Governor. (Read title.) The bill was introduced on January 10, referred to Appropriations, advanced to General File. I have committee amendments pending by the Appropriations Committee, Mr. President.

PRESIDENT: Senator Warner, are you going to handle this one?

SENATOR WARNER: Mr. President, members of the Legislature, this is, as you will recall, is the bill for the salaries of constitutional officers which is required by the Constitution to be in a separate appropriation bill and it includes the Supreme Court, the Clerk of the Supreme Court, Reporter of the Supreme Court, 53 district and juvenile judges, 57 county judges and then the Governor, Lieutenant Governor, Secretary of State,

April 27, 1989

LB 325, 586A, 588, 611A, 683, 683A, 811
812

LB 325, LB 586A, LB 611A, LB 683, LB 683A, LB 811, LB 812 all reported correctly engrossed. That's all that I have, Mr. President. (See pages 1978-79 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Pleased to announce that Senator Dennis Byars has some guests in the north balcony from Diller High School. Would you people please stand and be recognized? Thank you for being with us this afternoon. Also some special guests under the north balcony, from the North Platte area, and guests of Senator Bernard-Stevens, we have some champions and runners up from an auto mechanics class and their teachers, from North Platte High School. They've just won the Plymouth AAA Troubleshooting Contest. Would you four students and your two teachers please stand and be recognized. Thank you, we're very pleased to have you with us and congratulations to all of you. Let the record also indicate that Senator Moore had 27 third and fourth graders from Staplehurst and Ulysses in the north balcony. They have just left the Chamber. Mr. Clerk, to the first bill on General File. LB 588.

CLERK: Mr. President, 588 was a bill introduced by Senator Chambers. (Title read.) The bill was introduced on January 18, referred to the Government Committee. The bill was discussed, Mr. President, on March 29. It was discussed again on April 10. At that time the committee amendments were defeated. There was then a motion offered by Senator Conway to indefinitely postpone the bill. Senator Chambers agreed to lay the bill over, Mr. President. That motion is currently pending.

SPEAKER BARRETT: Senator Conway.

SENATOR CONWAY: Is Senator Chambers in the building?

SPEAKER BARRETT: I'm sorry.

SENATOR CONWAY: Is Senator Chambers in the building?

SPEAKER BARRETT: We are not certain.

SENATOR CONWAY: Does he have someone designated to represent him on this bill, or will we just pass it over?

SPEAKER BARRETT: The Chair recognizes Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature,

that takes that into account. A lot of people have concern about the old...age-old concern you have when you go home about, yeah, you'll just raise money through LB 611 and school districts will spend more. If you look at the bottom of page 1 and the top of page 2, part of that intent language is to develop some sort of budget growth limitation in conjunction with the school districts so they don't just spend all the money, and so you're saying we're going to guarantee property tax relief by developing some sort of budget growth limitation that the schools can live with but yet assure the property taxpayer that, indeed, there is going to be some property tax relief. Now...

PRESIDENT: One minute.

SENATOR MOORE: ..LB 611 is half the move. It's a big step 'cause you're promising you're going to do something. Now, as Senator Abboud said, you promise things in intent language and then you don't deliver them. Well, the promise you're making when you vote for LB 611 is that, yes, we recognize we're going to try and shift the property tax burden on to something else and, to give that statement merit, we're going to sunset foundation and equalization aid. You know, yes, it's a big step, but the promise you're making with this one is, is that, yes, we recognize there is a problem and, yes, the Legislature is finally going to do something about it. And, with that, I'm glad Senator Abboud's withdrawing the motion and hope the body will advance the bill.

PRESIDENT: The motion is withdrawn. Mr. Clerk, you want to read the bill?

CLERK: (Read LB 611 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 611 pass? All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read as found on pages 2645-46 of the Legislative Journal.) 35 ayes, 12 nays, 1 present not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 611 passes. We'll do LB 611A, and then Senator Barrett has an announcement for you before we recess for lunch.

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.

May 22, 1989

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