

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

February 15, 1989

LB 124, 149, 217, 241, 306, 341, 368
382, 442, 460, 631, 637
LR 30

Mr. President, your Committee on Government, Military and Veterans Affairs, whose Chair is Senator Baack, instructs me to report LB 637 as advanced to General File, LB 124 indefinitely postponed, LB 149 indefinitely postponed, LB 217 indefinitely postponed, LB 241 indefinitely postponed, LB 306 indefinitely postponed, LB 341 indefinitely postponed, LB 382 indefinitely postponed, LB 442 indefinitely postponed, LB 460 indefinitely postponed, LB 631 indefinitely postponed, all those signed by Senator Baack as Chair of the Government Committee.

Mr. President, I have a motion from Senator Lamb to withdraw LB 368. That will be laid over.

Mr. President, two reports, the first from the Department of Roads regarding the Highway Cash Fund; and second, Mr. President, the Biennium Report of the Nebraska Indian Commission. Both of those will be on file in my office. That is all that I have, Mr. President.

SENATOR L. JOHNSON PRESIDING

SENATOR L. JOHNSON: Thank you, Mr. Clerk. We will proceed to Item 5 on the agenda, legislative resolutions. The Chair recognizes Senator Barrett for LR 30.

SPEAKER BARRETT: Mr. Clerk, is there a Journal page?

CLERK: Yes sir, Mr. President. LR 30 offered by the Speaker found on page 734 of the Journal.

SPEAKER BARRETT: Thank you. Mr. President and members, this resolution simply recognizes Vocational Education Week, which started on the 12th, on Monday of this week. The American Vocational Association and the Nebraska Vocational Association have established the third week in February as Vocational Education Week, and I would hope that the Legislature would join me in recognizing this week and would urge citizens of Nebraska to join in supporting and recognizing vocational education programs in Nebraska. I would move adoption of the resolution.

SENATOR L. JOHNSON: Is there further discussion on the resolution? If not, the question is the adoption of LR 30. All those in favor vote aye, opposed nay. Has everyone voted? Record, Mr. Clerk.

March 16, 1989

LB 41, 49, 72, 89, 152, 157, 265
285, 287, 357, 357A, 373, 421, 431
431A, 480, 501, 513, 613, 619, 637
649, 758, 767, 776, 803

Retirement Systems report LB 41 to General File with amendments. That is signed by Senator Haberman. And LB 287 to General File with amendments, signed by Senator Haberman. Banking Committee reports LB 758 to General File with amendments; LB 776, General File with amendments; LB 480, indefinitely postponed; LB 613, indefinitely postponed, and LB 803 indefinitely postponed, those signed by Senator Landis as Chair. Transportation reports LB 72 to General File with amendments; LB 373, General File with amendments; LB 501, General File with amendments; LB 152, indefinitely postponed; LB 513, indefinitely postponed; LB 649, indefinitely postponed, those signed by Senator Lamb as Chair. Select File, E & R reports LB 49 and LB 431 to Select File and LB 431A to Select File. Enrollment and Review reports LB 157 correctly engrossed, LB 265, LB 357, LB 357A and LB 619 all correctly engrossed. General Affairs Committee reports LB 767 to General File with amendments. That is signed by Senator Smith. A series of amendments to be printed, Senator Lamb to LB 285, Senator Withem to LB 637, and Senator Smith to LB 421. (See pages 1182-93 of the Legislative Journal.) That is all that I have, Mr. President.

PRESIDENT: May I please introduce some guests of Senator Schmit, please, in the...I don't know which balcony they are in. There are 41 seventh graders and their teacher from Aquinas School in David City. Are you folks in either balcony? Would you please rise and be recognized? Thank you for visiting us today. Senator Smith, did you wish to speak on Section 10 of the amendment? Senator Lynch, did you wish to speak on that?

SENATOR LYNCH: Only to save time, mention again, as Senator Warner and I discussed earlier, our agreement on this portion of the Scott Moore amendment, so we would ask for your support for this amendment.

PRESIDENT: Senator Moore, did you wish to close on the Section 10 portion of your amendment?

SENATOR MOORE: No, just ask that it be adopted.

PRESIDENT: All right, the question is the adoption of the second half of the Moore amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of Senator Moore's second amendment to the bill.

March 30, 1989

LB 44, 44A, 637

return, the house is under call. Senator Beyer, please report your presence.

SENATOR BERNARD-STEVENS: Mr. President, I would accept call in votes. There are 20 ayes at this point and most people are gone.

SPEAKER BARRETT: I'm sorry, we have had a request for a roll call vote, Senator.

SENATOR BERNARD-STEVENS: Thank you.

SPEAKER BARRETT: Members, return to your seats for a roll call vote. Senators Chambers and Chizek, please return. Senators Lamb and Moore, the house is under call. Members, please return to your seats. (Gavel.) Senator David, Senator Chambers is the only one missing. Proceed? Thank you. A roll call vote has been requested. The question is the advancement of LB 44 to E & R Initial. Mr. Clerk, call the roll.

CLERK: (Roll call vote read. See page 1402 of the Legislative Journal.) 26 ayes, 4 nays, Mr. President, on the advancement of LB 44.

SPEAKER BARRETT: LB 44 is advanced. The call is raised. The A bill, Mr. Clerk.

CLERK: Mr. President, LB 44A by Senator Bernard-Stevens. (Read title.)

SPEAKER BARRETT: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Mr. President, I would simply move the advancement of the A bill.

SPEAKER BARRETT: Is there discussion on the advancement of the A bill? If not, those in favor of the advancement of LB 44A, please vote aye, opposed nay. Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of LB 44A.

SPEAKER BARRETT: The bill is advanced. LB 637.

CLERK: Mr. President, LB 637 was a bill introduced by Senator

Baack. (Read title.) The bill was introduced on January 19, referred to the Government Committee. The bill was advanced to General File.

SPEAKER BARRETT: Would you care to explain your bill, Senator Baack?

SENATOR BAACK: Yes, Mr. Speaker and members, the bill is a very simple one, not that it doesn't make a major change, but it's a very simple bill. What the bill does is it eliminates our existing statutory provision that allows for payment of individuals who are circulating statewide initiative and referendum petitions. And the reason that this change is necessary is that the U.S. Supreme Court in Meyer v. Grant held that states may not prohibit such payment and the Nebraska statute differs a little bit from the one that was in the Meyer v. Grant but the Nebraska Supreme Court has also held that this provision in our law is unconstitutional. And I think that, as a result of these rulings and the fact that the U.S. Supreme Court would probably rule Nebraska's statute unconstitutional, we simply need to remove this prohibition in our statutes to remove a cloud out there for people who are circulating petitions. They don't know whether it's legal or illegal and I think that it's been shown by the Supreme Court that this is unconstitutional to do, to have this prohibition, so, therefore, we ought to remove this cloud in our law. We ought to simply eliminate this right now. I think Senator Withem is going to have an amendment to this that calls for a little bit of regulation of these...of these circulators so that there is some reporting mechanisms in there so we do have some regulation. The Government Committee is also looking at this issue very closely and probably will be coming in with a bill that tries to deal somehow with payment of petition circulators and so that somehow we can have some regulation of the way that circulators are paid. And so we are looking at that. But I think right now we just simply need to remove this from our law because it is unconstitutional. Thank you.

SPEAKER BARRETT: Thank you. An amendment on the desk.

CLERK: Mr. President, Senator Withem, you had an amendment on page...an earlier amendment, Senator, I understand you want to withdraw that one.

SENATOR WITHEM: I want to run AM0878, the one...

CLERK: Yes, sir.

SENATOR WITHEM: ...that was printed separately and withdraw the other one.

CLERK: Yes, sir.

SENATOR WITHEM: Okay.

CLERK: Mr. President, Senator Withem would move to amend. (The Withem amendment appears on page 1191 of the Legislative Journal.)

SPEAKER BARRETT: Senator Withem.

SENATOR WITHEM: First of all, I would stand to reiterate what Senator Baack said. I am one who philosophically am opposed very, very strongly to paying circulators for petitions but that's not the issue. I guess the only thing I would differ with what Senator Baack said, he said this bill makes a substantive change. The bill really puts the statutes in line with the change that the courts have already made for us and we have to pass the bill. But if we are going to have paid circulators, I think that there are some restrictions we need. I filed two amendments, one of them probably a little more controversial than we want to deal with on consent calendar that deals with circumstances around which a petitioner...a circulator can be paid. That's the amendment I have withdrawn. The other one is another bill that had been introduced by the Government Committee. The committee...and I am a member of that committee, we decided to just advance one bill and do our arguments and discussion about the petition process around this particular bill. So this particular bill was killed by the committee. It was a friendly kill motion as opposed to an unfriendly kill motion. It was a bill, LB 524, had absolutely no opposition. A large number of people, if you want to look in your bill books, did testify in favor of it. All it does is establish accountability and disclosure reporting procedures for petition campaigns. The rationale is that if this process is one that is available to people that can raise large sums of money, can hire circulators, put them out on the street, get petitions, get issues on the ballot, that we ought to have, as citizens, the same access to knowledge about who these people are, where their funds are being raised, how they're spending

their money, who is contributing that we have to other campaigns. It establishes the reporting procedures then with accountability and disclosure statements, I think, basically the same type of procedures that any of us have to follow when we run for public office. So I would urge you to accept this amendment and will respond to any questions.

SPEAKER BARRETT: Thank you. Discussion on the Withem amendment. Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, and members, and I know time is running out. I would rise in support of the Withem amendment and also indicate my unfortunate recognition that we have lost the right to ban the payment of circulators of petitions. I just think that is absolutely wrong, runs counter to the concept and I wish...I don't know if there is any options we have other than the constitutional amendment. Evidently, we don't have any. Senator Baack, could you respond to that? Is there any options this Legislature has to get back at that issue?

SENATOR BAACK: The Government Committee is looking at a number of options and I had proposed a couple of ones but, you know, they're just...they're in the initial stages. We're looking at what some other states are doing to deal with this and some other states have some constitutional things they are doing dealing with payment of circulators. We're looking very seriously at those.

SENATOR WESELY: When we're talking about a constitutional problem we're not talking about a state constitutional but a national...

SENATOR BAACK: Yeah, the U.S. Supreme Court ruled that states simply do not have the right to prohibit payment.

SENATOR WESELY: Which really limits our options, obviously, so...

SENATOR BAACK: It does.

SENATOR WESELY: Senator Withem, could I ask one question of you?

SPEAKER BARRETT: Senator Withem.

SENATOR WESELY: When we had...this bill deals with petitions and the financial disclosure information, I'm trying to think of other...have you looked at other disclosures? I'm trying to think now, out of state, does this cover out of state contributors as well as in state? Because...

SENATOR WITHEM: I believe...I believe what the amendment does is it references Sections 49-1459 through 1462 that applies the same reporting requirements that you have to file, that I have to file. If we get a check...

SENATOR WESELY: Oh...

SENATOR WITHEM: ...for \$200 from an out-of-state contributor, yeah, we have to report that. It applies, makes those same reporting procedure requirements apply to campaigns to put a ballot...a question on the ballot.

SENATOR WESELY: What about after it's on the ballot? For instance, on the 402 or I can't remember what that was called on the waste site.

SENATOR WITHEM: After it's on the ballot, the first campaign statement shall be filed not later than 55 days before the deadline for filing petitions with the Secretary of State. Second, campaign statements shall be filed not later than the deadline for filing petitions. Final campaign statements shall be filed not later than 30 days after the deadline for filing. So there is these procedures set up for reports as the process goes on.

SENATOR WESELY: Okay.

SENATOR WITHEM: And if the filing...and if the deadlines...after you look at the deadlines and you think they need to be more reports, fewer reports, at different times, we can sure talk about that.

SENATOR WESELY: Okay, I would like to work with you on that. Thank you. I would support the amendment.

SPEAKER BARRETT: Thank you. Any other discussion? Seeing none, those in favor of the adoption of the Withem amendment please vote aye, opposed nay. Record.

March 30, 1989

LB 108, 285A, 431, 465, 484, 552, 553
554, 565, 579, 581, 526, 637, 699
707, 719, 769, 806
LR 66

CLERK: 25 ayes, 0 nays on adoption of Senator Withem's amendment, Mr. President.

SPEAKER BARRETT: The Withem amendment is adopted. Back to the bill as amended. Senator Baack, anything further?

SENATOR BAACK: No, Mr. Speaker, I would simply urge the body to advance this bill. I...I agree with Senator Withem, it's not something that I...that I particularly like, not being able to prohibit the payment of petition circulators but I think it's something that we have to deal with in our law right now. So I would just urge advancement of the bill.

SPEAKER BARRETT: Any discussion? Shall LB 637 be advanced? Those in favor vote aye, opposed nay. Record, please.

CLERK: 25 ayes, 1 nay, Mr. President, on the advancement of LB 637.

SPEAKER BARRETT: LB 637 is advanced. Anything for the record, Mr. Clerk?

CLERK: Mr. President, thank you, yes. Your Committee on Judiciary whose Chair is Senator Chizek, to whom was referred LB 465 instructs me to report the bill back with the recommendation it be advanced to General File; LB 552, General File; LB 554, General File; LB 565, General File; LB 579, General File; LB 719, General File with amendments; LB 769, General File with amendments; LB 108, indefinitely postponed, as is LB 484, LB 553, LB 626, LB 699, LB 806, all those indefinitely postponed. (See pages 1404-05 of the Legislative Journal.)

Revenue Committee reports LB 707 to General File with amendments and LB 581, General File with amendments. Those are signed by Senator Hall as Chair. New resolution, LR 66 by Senator Rogers. (Read summary of resolution.) That will be laid over. Lobby report for this week, Mr. President. Amendments to be printed, Senator Lamb to LB 285A, Senator Wehrbein to LB 431. And, Mr. President, I have motions from Senator Warner, as Chair of the Appropriations Committee, regarding introduction of a new bill and a rules suspension accompanying that. Both of those will be laid over. That's all that I have, Mr. President. (See pages 1406-10 of the Legislative Journal.)

April 3, 1989

LB 44, 44A, 47, 66, 75, 78, 87
220, 240, 262, 348, 372, 399, 401
431, 438, 438A, 546, 548, 569, 569A
582, 582A, 592, 606, 608, 628, 637
681, 706, 777, 790

the time Senator Abboud can have to finish his closing.

SPEAKER BARRETT: Thank you. The question is the advancement of the bill to E & R Engrossing. All in favor vote aye...thank you. Roll call vote has been requested in reverse order. So be it. Mr. Clerk.

CLERK: (Roll call vote read. See pages 1431-32 of the Legislative Journal.) 27 ayes, 10 nays, Mr. President, on the advancement 592.

SPEAKER BARRETT: LB 592 advances. Anything for the record, Mr. Clerk?

CLERK: I do, Mr. President, thank you. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 262 and recommend that same be placed on Select File; LB 569, LB 569A, LB 606, LB 628, LB 681, LB 78, LB 438, LB 438A, LB 706, LB 47, LB 75, LB 548, LB 582, LB 582A, LB 240, LB 790, LB 777, LB 44, LB 44A, LB 637, LB 66, LB 546, LB 87, LB 220, LB 372, LB 399, LB 401 and LB 608, some of which have E & R amendments attached, Mr. President. (See pages 1432-44 of the Legislative Journal.)

Mr. President, your Committee on Health whose Chair is Senator Wesely reports LB 348 to General file with committee amendments attached. That's signed by Senator Wesely as Chair. (See page 1444 of the Legislative Journal.)

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

SPEAKER BARRETT: Thank you. As announced before recess, we will move back to LB 431 and LB 431A. LB 431, Mr. Clerk.

CLERK: Mr. President, the first item I have on 431 are Enrollment and Review amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 431 be adopted.

SPEAKER BARRETT: The question is the adoption of the E & R amendments to LB 431. Those in favor say aye. Opposed no. Carried. They are adopted.

April 7, 1989

LB 44A, 66, 637

CLERK: LB 44A, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 44A be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 637.

CLERK: LB 637, I have E & R amendments pending.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 637 be adopted.

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

CLERK: Nothing further on that bill, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 637, as amended, be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 66.

CLERK: LB 66, Senator, I have E & R amendments, first of all.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 66.

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

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

PRESIDENT: Senator Lindsay, please.

April 11, 1989

LB 44, 44A, 47, 66, 285, 285A, 361
361A, 372, 401, 429, 506, 546, 548
582, 582A, 608, 637, 739, 777, 790

your light is on.

SENATOR MORRISSEY: Yes, Mr. Speaker, I would move that we adjourn until 9:00 a.m., Wednesday, April 12.

SPEAKER BARRETT: Thank you. Before we take a vote, Mr. Clerk, have you anything for the record?

CLERK: Mr. President, I have amendments to be printed to LB 739 by Senator Wesely and to LB 429. Enrollment and Review reports LB 44, LB 44A, LB 47, LB 66, LB 285, LB 285A, LB 361, LB 361A, LB 372, LB 401, LB 506, LB 546, LB 548, LB 582, LB 582A, LB 608, LB 637, LB 777, and LB 790 as correctly engrossed. (See pages 1648-52 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The question is adjournment until tomorrow morning at nine o'clock. Those in favor say aye, opposed no. Carried. We are adjourned. (Gavel.)

Proofed by:

Sandy Ryan
Sandy Ryan

April 18, 1989

LB 582, 582A, 608, 637

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

CLERK: (Record vote read. See pages 1741-42 of the Legislative Journal.) 47 ayes, 0 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 582 passes. LB 582A.

CLERK: (Read LB 582A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 582A pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1742 of the Legislative Journal.) 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 582A passes. LB 608.

CLERK: (Read LB 608 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 608 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1743 of the Legislative Journal.) 47 ayes, 0 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 608 passes. LB 637, please.

CLERK: (Read LB 637 on Final Reading.)

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 637 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See page 1744 of the Legislative

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LB 99, 637, 777, 790

Journal.) 33 ayes, 15 nays, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 637 passes. LB 777.

CLERK: (Read LB 777 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 777 become law? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 1744-45 of the Legislative Journal.) 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 777 passes. LB 790, Mr. Clerk.

CLERK: (Read LB 790 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 790 pass? Those in favor vote aye, opposed nay. Record.

CLERK: (Record vote read. See pages 1745-46 of the Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 790 passes. Final bill on Final Reading, LB 99.

CLERK: (Read LB 99 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 99 become law? Those in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read. See pages 1746-47 of the Legislative Journal.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 99 passes. Before the call is raised, two or three announcements. Senator Beyer had some guests in the north balcony from Skyline Elementary in Elkhorn. Sixty-six fourth graders were with us this morning. Also, the Central

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LB 99, 546, 548, 582A, 582, 608, 637
761, 777, 790

Nebraska Public Power and Irrigation District and the Nebraska Public Power District is opening an exhibit in our Rotunda at this point. The exhibit is open to the public. Everyone is invited to attend. And, finally, an announcement of considerable concern, or it should be, to this entire body, the final score in last night's practice game or preseason basketball game, staff-66, senators-47. The good news is that there were no fatalities. The call is raised. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 790, LB 777, LB 637, LB 608, LB 582A, LB 582, LB 548, LB 546, and LB 99. Senator Dierks, for what purpose do you rise?

SENATOR DIERKS: Personal privilege.

SPEAKER BARRETT: State your point.

SENATOR DIERKS: Well, I just wanted to assure the senators that the reason for the good news was that the team physician was absent last night.

SPEAKER BARRETT: The team physician was absent last evening? Thank you, sir. That's for the good of the order. Mr. Clerk, proceed to General File, special order, LB 761.

CLERK: Mr. President, 761 was the bill introduced by the Natural Resources Committee. (Read title.) The bill was discussed yesterday, Mr. President. At that time, the committee amendments were adopted along with a series of amendments to those committee amendments. Mr. President, the first item I have on the bill this morning is an amendment by Senator Dierks. Senator Dierks' amendment is on page 1694 of the Journal.

SPEAKER BARRETT: Senator Dierks, please.

SENATOR DIERKS: Mr. Speaker and members of the body, we discussed this amendment a little bit yesterday so you have an idea of what we're talking about. This amendment requires voter approval by citizens of a county prior to the issuance of a license to site a facility. It seems a little bit strange to me that I have to stand here to justify this requirement, this requirement of local election, for specific reasons which I think are obvious, they're obviously consistent with Nebraska's traditional philosophy of local control, sovereignty of our citizens. More specifically, I believe the state made a pledge

April 18, 1989

LB 99, 240, 279, 361, 361A, 546, 548
582, 582A, 608, 637, 761, 777, 790

Record, Mr. Clerk. Senator Chambers.

SENATOR CHAMBERS: I want a call of the house and a roll call vote.

PRESIDENT: Okay, the question is, shall the house go under...okay, we are under call, Senator Chambers, but we will check in. Yes, all right. Please record your presence. Senator Lynch, would you record your presence, please. Senator Hefner, would you push...pardon me. Record your presence, please. Yes, we are, but we're checking in. Please. Senator Wesely, we're looking for and Senator Schmit. Did you ask for a roll call vote, Senator Chambers? All right. Okay, the question is the adoption of the Chambers amendment. Roll call vote has been requested. Mr. Clerk.

CLERK: (Roll call vote read. See page 1749 of the Legislative Journal.) 21 ayes, 24 nays, Mr. President.

PRESIDENT: The amendment fails. Do you have anything else on the bill?

CLERK: Nothing.

PRESIDENT: Do you have anything for the record, Mr. Clerk:

CLERK: I do, Mr. President. Mr. President, your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning. (Re: LB 546, LB 548, LB 582, LB 582A, LB 608, LB 637, LB 777, LB 790 and LB 99.)

I have a motion to be printed by Senator Landis. (See page 1750 of the Legislative Journal. Re. LB 361 and LB 361A.)

PRESIDENT: The call is raised.

CLERK: Transportation Committee gives notice of confirmation hearing.

Amendments to be printed to LB 279 by Senator Chizek, and Senator Hall to LB 240. (See pages 1750-53 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: May I introduce some guests, please. In the north balcony Senator Byars has 80 fourth graders from Anderson Grove

April 20, 1989

LB 47, 66, 99, 135, 206, 247, 247A
324, 372, 381, 392, 395, 401, 482
506, 546, 548, 582, 582A, 608, 611
637, 777, 790
LR 81, 82

advancement of LB 247.

SPEAKER BARRETT: LB 247 is advanced. Anything for the record? The call is raised. Senator Withem, would you like to handle the A bill at this point? (LB 247A)

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

SENATOR WITHEM: Move the advancement of the A bill.

SPEAKER BARRETT: Thank you. Any discussion? If not, those in favor of the advancement of the A bill say aye. Opposed no. Carried. For the record.

CLERK: Mr. President, thank you. Communication from the Governor to the Clerk. (Read communications regarding LB 135, LB 206, LB 324, LB 381, LB 392, LB 482, LB 395, LB 47, LB 66, LB 372, LB 401, LB 506, LB 546, LB 548, LB 582, LB 582A, LB 608, LB 637, LB 777, LB 790, and LB 99 as found on pages 1809-10 of the Legislative Journal.)

Study resolution, Mr. President, by Senator Goodrich and some other members regarding a review of state institutions where there is a permanent residence population. That will be referred to Reference Committee. (LR 81.) LR 82 is a resolution by Senators Pirsch and Lindsay asking the Legislature to applaud the efforts of 120 students in the...for their academic achievement. That will be laid over. (See pages 1810-12 of the Journal.)

Mr. President, Government Committee gives notice of confirmation hearing for May 4. That is offered by Senator Baack as Chair. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Proceeding then to the next bill on Select File, LB 611.

CLERK: Mr. President, the first item on LB 611 are Enrollment and Review amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 611 be adopted.