

January 19, 1989

LB 36, 38, 648-661

SPEAKER BARRETT: Thank you. On Senator Johnson's motion to advance the bill, is there discussion? Seeing none, Senator Rod Johnson, anything further? The question is then the advancement of LB 36 to E & R Initial. Those in favor vote aye, opposed nay. Voting on the advancement of LB 36. Have you all voted? Record, please.

CLERK: 30 ayes, 0 nays, Mr. President, on the advancement of LB 36.

SPEAKER BARRETT: LB 36 is advanced. New bills, Mr. Clerk.

CLERK: Mr. President, new bills. (Read title for the first time to LBs 648-661. See pages 309-12 of the Legislative Journal.)

SPEAKER BARRETT: Mr. Clerk, proceed to LB 38 on General File, please.

CLERK: Mr. President, LB 38 offered by Senator Rod Johnson. (Read title.) The bill was introduced on January 5, referred to the Agriculture Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: (Gavel.) Senator Rod Johnson, to present LB 38.

SENATOR R. JOHNSON: Mr. Speaker and members, again, another housekeeping bill, this time for the Department of Agriculture. Covers three basic areas in the statutes that affect the department. The first area in Section 1 of the bill affects definitions as it relates to the Nebraska Poultry Disease Control Act. Sections 3 through 5 deal with the Manufactured Milk Act and this might be one of the more controversial areas of the bill. In Section 4, it amends the law to require new permittees who run dairies to have hot and cold running water in the milkhouse as of October 1 of 1989. This might be controversial. However, the dairymen have come in and testified in support of the bill and feel that any new construction of a dairy house should incorporate both hot and cold water for sanitation reasons. Finally, in Section 6, it approves new rules and regulations that will be adopted by the state veterinarian as it concerns the Nebraska Swine Brucellosis Act. Again, most of this is technical. The hot and cold running water in the dairy house is an area that does have some concern,

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SENATOR MOORE: Okay. No further questions.

PRESIDENT: Thank you. Senator Rod Johnson, followed by Senator Beck.

SENATOR R. JOHNSON: Mr. President and members, as Senator Hall has outlined, we did hear LB 660 yesterday afternoon with a variety of other bingo and pickle card bills. LB 660, however, is a very comprehensive bill that covers both bingo and pickle regulations and operations and also deals with those who can operate bingos and those who can sell pickles. It also deals with the taxes on both of those products. And I think that the committee is in agreement that something needs to be done with both the tax and addressing the issue of who should qualify for participation in bingo and operating pickle sales in the state. And it would seem appropriate to me that we deal with this entire issue of both pickle and bingo in one bill as opposed to piecemealing as we're doing here with LB 775. It's just ironic that we heard those bills yesterday and yet today we're just talking specifically of bingos, but I think if any of you had sat through the hearing yesterday afternoon, you would have heard all of the various charitable organizations come forward and tell you what a good job they have been doing. And I don't think anyone on the committee who heard the testimony yesterday would complain that they haven't been doing good things for the variety of charitable interests throughout the State of Nebraska and specifically Omaha. But my point is if we're going to take time on this issue; then I would prefer to take time on LB 660 and I realize it's not on the floor, it's not a priority bill, however, I guess my point is I would prefer to see this entire issue be discussed in LB 660, which is Senator Lynch's bill, and possibly this bill, LB 775 could be amended to include most of the provisions in LB 660 that agreement has been reached. Yesterday, the Department of Revenue did come in and indicate that they had no problem making adjustments in some of the tax on both pickles and bingo. I guess, right now, however, we're talking about committee amendments which cut into the amount that the City of Omaha can collect on pickles...or on bingos, and I guess I have some problems with that even though I'm not a resident of Omaha. You know, yesterday we heard a variety of people come up and pick on Ak-Sar-Ben. Ak-Sar-Ben doesn't pay any tax, as many of you know, and it seems like that was an easy argument to make that while we're overtaxing bingo and pickles, we're not taxing Ak-Sar-Ben at all. However, Senator Labedz, in 1984, did sponsor LB 701 which was brought to her by the City of

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Omaha to place a tax or get part of the tax that was then being paid by Ak-Sar-Ben to be paid to Omaha. That bill was killed by the Revenue Committee but it was, in fact, an attempt to recognize that Omaha does incur expenses to have Ak-Sar-Ben in Omaha and that there are expenses such as roads and traffic control that are necessary to keep up during the racing season and I think that they recognize that there were expenses and I think that we have to recognize that the City of Omaha does have expenses, that they do, in fact, have to pay for enforcement. As Senator Hall said though, there's only been one situation and that might have been isolated. But, really, my point is could we not...and I guess I will ask Senator Hall this question if he would yield.

PRESIDENT: One minute.

SENATOR R. JOHNSON: Senator Hall, would you be amenable to an amendment to include most of the provisions of LB 660 in 775?

SENATOR HALL: Senator Johnson, I think that question might be more appropriately directed toward Senator Beck. It's her priority bill. She did...she is on the floor at present.

SENATOR R. JOHNSON: Sure.

SENATOR HALL: You know me, I would like amendments, but...

SENATOR R. JOHNSON: Okay. I will ask Senator Beck then because she did...she does serve on the General Affairs Committee and she did hear LB 660 yesterday. Senator Beck, would you consider an amendment on Select File that would include most of the agreed provisions of LB 660 and LB 775?

SENATOR BECK: I would certainly be...or Senator Moore...or Senator Johnson, I'm sorry, I would certainly be amenable to that and we could sit down and discuss that. Again, we would have to take Senator Lynch and those people that are on 660, I think, into consideration to make certain that we were all in agreement and in sync on it. But I would not be against that, no.

SENATOR R. JOHNSON: Okay. Let me ask you this, are you supportive...

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LB 49A, 77, 161, 162, 183, 215, 226A
258, 272, 279, 319, 325, 335A, 357
377, 415, 431, 468, 477, 498, 537
539, 541, 568, 569, 572, 575, 586
591, 628, 630, 633, 646, 660, 662
671, 678, 714, 720, 747, 766

LB 335A for the first time by title. That is offered by Senator Korshoj. Read LB 49A for the first time by title. Read LB 226A for the first time by title. See pages 1100-01 of the Legislative Journal.)

Mr. President, Business and Labor Committee reports LB 415 to General File with amendments, signed by Senator Coordsen as Chair of the committee. General Affairs reports LB 477 indefinitely postponed, LB 568 indefinitely postponed, LB 572 indefinitely postponed, LB 660 indefinitely postponed, LB 766 indefinitely postponed. Those are signed by Senator Smith as Chair. Urban Affairs reports LB 498 as indefinitely postponed, LB 633 indefinitely postponed, LB 671 indefinitely postponed. Those are signed by Senator Hartnett. (See page 1101 of the Legislative Journal.)

I have amendments to be printed, Senator Wesely to LB 279; and Senator Schellpeper to LB 357. Mr. President, Health and Human Services Committee reports LB 537 to General File with amendments, LB 645 to General File with amendments, LB 662 to General File with amendments, and LB 539 indefinitely postponed, those signed by Senator Wesely as Chair. (See pages 1102-07 of the Legislative Journal.)

Mr. President, priority bill designations; Senator Morrissey selects LB 569; Senator Kristensen, LB 586, Senator Chizek, LB 747 as his personal priority bill, and LB 215 and LB 377 as Judiciary Committee priorities; Senator Warner has LB 468 and LB 258 by Appropriations Committee; Banking, Commerce and Insurance offers LB 319 and LB 272 as priority bills; Senator Barrett has LB 575 as his personal priority bill; Senator Warner, LB 77 as his personal priority bill; Senator Coordsen offers LB 541 and LB 630 as Business and Labor priority bills; Senator Goodrich has selected LB 591 as his priority bill; Senator Rod Johnson has selected LB 161 and LB 162 as committee priority bills, and LR 2CA as his personal priority resolution; Senator Wesely selects LB 431 as his personal priority bill, and LB 678 and LB 720 as Health and Human Services priorities; Senator Hefner selects LB 325 as his personal priority bill; Senator Lowell Johnson selects LB 646 as his personal priority bill; Senator Robak, LB 628 as her priority bill; and Senator Conway, LB 714 as his priority bill.

And Senator Baack, Mr. President, has amendments to be printed to LB 183. (See pages 1109-10 of the Legislative Journal.) And