

January 19, 1989

LB 94, 247, 570, 576, 683-808

as yet, please contact Joanne immediately. If you don't have the bill that you are expecting, please contact the Bill Drafters Office immediately. Mr. Clerk.

CLERK: Mr. President, for the record, I have received a reference report referring LBs 496-599 including resolutions 8-12, all of which are constitutional amendments.

Mr. President, your Committee on Banking, Commerce and Insurance to whom we referred LB 94 instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with amendments attached. (See pages 320-21 of the Legislative Journal.)

Mr. President, I have hearing notices from the Judiciary Committee signed by Senator Chizek as Chair, and a second hearing notice from Judiciary as well as a third hearing notice from Judiciary, all signed by Senator Chizek.

Mr. President, new bills. (Read LBs 683-726 by title for the first time. See pages 321-30 of the Legislative Journal.)

Mr. President, a request to add names, Senator Korshoj to LB 570, Senator Smith to LB 576, Senator Baack to 570 and Senator Barrett to LB 247.

SPEAKER BARRETT: Stand at ease.

EASE

SPEAKER BARRETT: More bills, Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. (Read LBs 727-776 by title for the first time. See pages 331-42 of the Legislative Journal.)

EASE

SPEAKER BARRETT: More bill introductions.

ASSISTANT CLERK: Thank you, Mr. President. (Read LBs 777-808 by title for the first time. See pages 343-50 of the Legislative Journal.)

CLERK: Mr. President, I have reports. Your Committee on

February 9, 1989

LB 37, 48, 57, 58, 70, 77, 94
97, 115, 120, 126, 133, 142, 156
209, 229, 230, 233, 251, 255, 256
295, 311, 350, 521, 597, 598, 692
703, 777, 780

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 209 as amended be advanced.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. May I introduce a guest, please, of Senator Hefner. We have Mr. Art Anderson of Bloomfield, Nebraska. Would you please stand, Mr. Anderson. Thank you. Mr. Clerk, anything for the record?

CLERK: Yes, Mr. President, thank you. Your Committee on Appropriations gives notice of hearing for March 7...I'm sorry, for February 24. That's signed by Senator Warner. A location change for Appropriations hearings on March 1, also offered by Senator Warner.

Mr. President, General Affairs Committee offers LB 703 to General File; LB 777 to General File; LB 780 to General File. Those are signed by Senator Smith as Chair of the Committee.

Agriculture Committee reports LB 37 to General File with amendments; LB 120 to General File with amendments. Those are signed by Senator Johnson as Chair. (See pages 678-79 of the Legislative Journal.)

Mr. President, your Committee on Banking, Commerce and Insurance whose Chair is Senator Landis reports LB 77 to General File with amendments; LB 311, General File with amendments; LB 350, General File with amendments; LB 598, General File with amendments; LB 692, General File with amendments, and LB 597, General File with amendments. Those are signed by Senator Landis as Chair. (See pages 679-82 of the Legislative Journal.)

Your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 11:30 a.m. (Re: LB 57, LB 94, LB 97, LB 126, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, and LB 256.)

Mr. President, Senator Moore would like to print amendments to LB 48. (See page 682 of the Legislative Journal.)

And, Mr. President, Senator Weihing would like to add his name to LB 521 as co-introducer. That's all that I have, Mr. President.

January 10, 1990

LB 662, 662A, 692, 832, 850, 861, 881
896, 952, 965, 1015, 1034, 1055, 1099
1100, 1101
LR 229

that, I hope you will let me know because we are going to take these concerns seriously and draft amendments as required to move this bill and get it to work as quickly as possible out there in the communities. Thank you. I ask you to move the bill.

SPEAKER BARRETT: Thank you. The question before the body is the advancement of LB 662. Those in favor of that motion please vote aye, opposed nay. Voting on the advancement of the bill, have you all voted? Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 662.

SPEAKER BARRETT: LB 662 is advanced. The Chair is pleased to take a moment to recognize a guest of Senator Bernard-Stevens. Under the north balcony, we have from ESU 16, Ogallala, Mr. Ken Wilcox. Ken, would you please stand and be recognized. Thank you. We are glad to have you with us. Mr. Clerk, matters for the record.

CLERK: Mr. President, Senator Weihsing has amendments to be printed to LB 692. I have notice of hearing from Revenue Committee. (Re: LB 850, LB 1015, LB 832, LR 229CA, LB 952, LB 881, LB 965, LB 1034, LB 1055, LB 861, LB 896. (See page 272 of the Legislative Journal.)

Mr. President, new bills. (Read for the first time by title: LB 662A, LB 1099, LB 1100, LB 1101. See pages 273-74 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Senator Kristensen, for what purpose do you rise?

SENATOR KRISTENSEN: Mr. Speaker, I would move that we adjourn today until tomorrow morning, January 11th at 9:00 a.m.

SPEAKER BARRETT: Thank you. You have heard the motion to adjourn until tomorrow morning at nine o'clock. A machine vote has been requested. Those in favor of the motion to adjourn please vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 17 ayes, 13 nays to adjourn, Mr. President.

here. LB 692, Mr. Clerk.

CLERK: Mr. President, 692 was a bill offered by Senator Weihing. (Read title.) The bill was introduced on January 19 of last year. At that time, it was referred to the Banking, Commerce, and Insurance Committee for public hearing. The bill was advanced to General File. I have Banking Committee amendments pending, Mr. President. (See page 682 of the Legislative Journal, First Session.)

SPEAKER BARRETT: The Chair recognizes Senator Conway for the purpose of introducing the amendment.

SENATOR CONWAY: Thank you, Mr. Speaker. The Banking Committee amendments on LB 692 simply consist of reinstating some language that had been taken out in conjunction with the changes. The reinstatement provisions require the refunding bonds to state on the bond the object of the bond, statutes under which the issue was made, and the date and principal amount of the bonds for which the refunding bonds are being issued. In essence, it is reinstating the language on page 4, starting with line 20, where that information before had to be printed on the bonds, and we are reinstating that saying it should continue to be on the bonds.

SPEAKER BARRETT: Thank you. Any discussion? If not, those in favor of the adoption of the committee amendments vote aye, opposed nay. Record, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of committee amendments.

SPEAKER BARRETT: The committee amendments are adopted.

CLERK: Mr. President, Senator Weihing, you have an amendment to the bill. Senator, do you want that now or later?

SENATOR WEIHING: Another?

CLERK: You have an amendment to the bill.

SENATOR WEIHING: No, the only amendment...

SPEAKER BARRETT: Senator Weihing, do you have an amendment?

SENATOR WEIHING: Yes, the amendment to which the Clerk spoke is on page 272 of the Journal. This is an amendment that simply is correcting what is already in the Journal. If you turned within the bill on page 2 in line 5, you will see the statement "public power district, public power and irrigation district." The bill will be authorizing various areas of government for refunding bond, to be able to have refunding bonds. The public power districts already, already have that power. This is already in the statutes. Therefore, the language is redundant and this amendment simply takes out that language "public power district, public power and irrigation district" so we do not have duplication within the statutes. I request that we move ahead and vote on that.

SPEAKER BARRETT: Thank you. Is there discussion on the amendment offered by Senator Weihing? If not, those in favor of its adoption please vote aye, opposed nay. Please record.

ASSISTANT CLERK: 26 ayes, 0 nays on the adoption of the Weihing amendment, Mr. President.

SPEAKER BARRETT: The amendment is adopted. Anything further, Mr. Clerk?

ASSISTANT CLERK: Nothing further on the bill.

SPEAKER BARRETT: Senator Weihing, would you care to explain the bill as amended.

SENATOR WEIHING: Thank you, Mr. Chairman, and members of the Legislature, Section 10-142 currently authorizes counties, cities, and villages to issue refunding bonds. Now refunding bonds are utilized when bonds have been issued at a high interest level. If you recall, ten years ago interest rates were up around 10 percent, or perhaps even higher, with regards to bonds. Then interest rates dropped. When bonds have been issued for a period of years, let us take an example, just 12 years, and there is a significant drop in the interest rate, it is certainly desirable if those bonds can be paid off to that particular point in time, say five years, and then reissued at a lower rate. This technique has been used and used very successfully with the counties, cities, and villages.

SPEAKER BARRETT: Senator Weihing, excuse me. (Gavel.) Go ahead.

SENATOR WEIHING: Now I want to point out that when a bond is sold to a purchaser, the purchaser is informed, in fact, it is a matter of regulation by the Securities Exchange Commission, be informed as to what the yield will be, that is the interest, and not just the interest rate on the bond but what it would be at the end of the term, and how much this will amount to. They are also told that whether or not this is a bond that can be called after a specified period of time. Let us take a period of five years. After five years, if the interest rates have dropped significantly, the issuing unit, if it is a city, may wish to refinance those bonds or refund them, would call them and refund them. Now under the current language, only the counties, cities, and villages are permitted to do that. Now under LB 962 (sic), school districts, metropolitan utilities, utility districts, rural water districts, or any other municipal or public corporation, governmental subdivision, or body politic or corporate created under Nebraska law exercising essential public functions would be allowed to issue refunding bonds. This is extending that right. It has been proven to be successful with the cities, counties, and villages. This would be of a significant value to our taxpayer in having this privilege, and that is, basically, or that is the purpose of this bill, and those are the conclusion of my comments. Do you have any lights? You do.

SPEAKER BARRETT: Yes, sir.

SENATOR WEIHING: Very well.

SPEAKER BARRETT: Thank you. Before proceeding to a discussion on the bill, I am pleased to announce that Senator Wehrbein has some guests who are in the south balcony from District 88 in Plattsmouth. We have six kindergarten through sixth graders with their teacher. Would you folks please stand and be recognized by the Legislature. Thank you. We are glad to have you with us. For purposes of discussion, Senator Abboud, followed by Senator Pirsch.

SENATOR ABOUD: Mr. President, colleagues, I rise to support LB 692. I heard the bill in Banking Committee and I think that it is an excellent way to save the taxpayers some money by allowing these local political subdivisions to refinance some of the bonds. Now we all know that when a city or other political subdivision issues these bonds, they usually come at a time when

they need something, such as a new road, a new bridge, new structures, and at that particular time, interest rates are one of the small concerns. The larger concern is getting that construction project completed, and because of that, sometimes the interest rates are much higher than somewhere down the road like at the current time when bond interest rates are some of the lowest in the decade. And if we can allow them to refinance these bonds to save taxpayers some money, I think we should allow them to do that. Reduce taxes, makes the public happy, I think it is a great bill and I want to thank Senator Weihsing for bringing it before the Legislature to give us the opportunity to pass it this year. Thank you.

SPEAKER BARRETT: Thank you. Senator Pirsch.

SENATOR PIRSCH: Thank you. A question of Senator Weihsing, if he will yield. Senator Weihsing, what we are doing is adding all of these other subdivisions so they would have the same opportunity to refinance at a lower interest those bonds that have been issued previously, is that correct?

SENATOR WEIHSING: Not necessarily previously because they would have to have been designated that they could have been called. It would be from here on. I would...

SENATOR PIRSCH: Any...

SENATOR WEIHSING: If at the time that they are issued, they would have to be told that they could be drawn. That is the...

SENATOR PIRSCH: Okay, so this is (interruption) then?

SENATOR WEIHSING: Our Securities Exchange Commission would require that that way.

SENATOR PIRSCH: That would be prospective then, rather than retrospective going back on bonds that have already been issued, is that correct?

SENATOR WEIHSING: Yes, we can't...we have to have good faith when we issue bonds and they were issued in good faith...

SENATOR PIRSCH: At a higher interest rate.

SENATOR WEIHSING: Yes, that is true.

SENATOR PIRSCH: So what we are just saying then is from now on, if we issue bonds at a certain interest rate, that it would be available to that subdivision to recall them and reissue them at a lower interest?

SENATOR WEIHING: That is of interest to the public, that is right.

SENATOR PIRSCH: Okay. It says on page 4 that obligations guaranteed by the United States Government have been pledged and set aside in safekeeping for the complete payment of the bonds will not be considered as outstanding and unpaid. Does that refer to those bonds that are already out there, then, or could you explain why we say those will not be considered as outstanding and unpaid.

SENATOR WEIHING: I am having to read this, if you will just give me a second.

SENATOR PIRSCH: Surely. It is page 4. On the first page, we are...

SENATOR WEIHING: Yes, (interruption)...

SENATOR PIRSCH: ...authorizing them to issue refund...

SENATOR WEIHING: ...interpretation is right there.

SENATOR PIRSCH: Okay, that those would refer then to those retrospective bonds.

SENATOR WEIHING: Yes.

SENATOR PIRSCH: Okay, thank you. I hope this is a good opportunity for those subdivisions of government to be able to perhaps save and reduce some of their bonded indebtedness, so I thank you for bringing this.

SENATOR WEIHING: Thank you.

SPEAKER BARRETT: Thank you. Any other discussion? Senator Weihing, would you care to close on the advancement of the bill?

SENATOR WEIHING: This bill gives our other...our subdivisions

of government the opportunity to enter into the same kind of obligation as our counties, cities, and villages. It has worked out very well since they have been given that system. And so I move that we accept this bill, LB 692, and in the future it can be of significant benefit to our taxpayers.

SPEAKER BARRETT: Thank you. The question is, shall LB 692 be advanced to E & R Initial? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: 26 ayes, 0 nays on the advancement of the bill, Mr. President.

SPEAKER BARRETT: LB 692 is advanced. LB 708, Mr. Clerk.

ASSISTANT CLERK: LB 708 was introduced by Senator Chambers. (Read title.) The bill was read for the first time on January 19 of last year. It was referred to the Judiciary Committee which reports the bill to General File, Mr. President.

SPEAKER BARRETT: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, since there were no committee amendments, I would like to go through the bill first, and then I have some clean-up amendments to offer, but I think it should be clear what the bill is designed to do. I will state it as briefly and succinctly as I can, then I will elaborate from the bill, itself. There is a set of circumstances existing in big-time intercollegiate athletics which is created by NCAA rules, which are very unfair. The NCAA behaves in a way that would make the fascist countries seem like paragons of democracy, but we have a set of circumstances where universities in order to be members of the NCAA, and they must be a member if they want to participate in intercollegiate athletic activities in this country or any of its possessions, they accede to these rules, and one of the rules places a limit on the amount of a Pell Grant that a participating athlete can receive. That limit is \$1,400. The Pell Grant is \$2,100. It is a federally financed administered program and the basis for receiving one is need. So it has to be clear in everybody's mind that we are talking about assistance based on established demonstrated need. The NCAA and universities, recognizing this status of such a player, has decided to impose a rule saying that the needy athlete can receive \$1,400 of this \$2,100. A nonathlete similarly situated, even on scholarship, can receive the full

February 1, 1990

LB 87, 163, 257, 397, 486, 534, 601
610, 688, 692, 730, 756, 818-820, 923
956, 980, 1021, 1067, 1069, 1230

9:00 a.m.

SPEAKER BARRETT: Have you anything for the record?

CLERK: I do, Mr. President. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 956 and recommend that same be placed on Select File; Transportation Committee reports LB 980 to General File with committee amendments, and LB 1021 as indefinitely postponed, those signed by Senator Lamb; Health and Human Service Committee, I am sorry, Banking Committee reports LB 1069 to General File with amendments, and LB 1230 indefinitely postponed, those signed by Senator Landis; and Health and Human Services Committee reports LB 1067 to General File, LB 688 General File with amendments, and LB 923 General File with amendments, those signed by Senator Wesely. (See pages 619-25 of the Legislative Journal.)

A communication from the Governor to the Clerk. (Read. Re: LB 87, LB 257, LB 397, LB 486, LB 756, LB 534, LB 601, LB 730, LB 818, LB 819, LB 820. See pages 625-26 of the Legislative Journal.)

Mr. President, Senator Moore has amendments to LB 163 to be printed; Senator Wesely amendments to LB 610 to be printed. (See pages 626-28 of the Legislative Journal.)

And, Mr. President, a hearing notice from Retirement Systems Committee. That was given to me by Senator Haberman; and, finally, Mr. President, I have a request from Senator Abboud to add his name to LB 692 as co-introducer. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The motion before the body is to adjourn until tomorrow morning at nine o'clock. All in favor say aye. Opposed no. The ayes have it. Motion carried. We are adjourned. (Gavel.)

Proofed by:

Marilyn Zank
Marilyn Zank

February 5, 1990

LB 81, 350, 350A, 369, 692
LR 249

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the 22nd day in this, the Second Session of the Ninety-First Legislature. Our Chaplain of the day, our own Senator Carson Rogers. Senator Rogers. (Gavel.)

SENATOR ROGERS: (Prayer offered.)

SPEAKER BARRETT: (Gavel.) Thank you very much, Senator Rogers. Roll call.

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

SPEAKER BARRETT: Thank you. Are there any corrections to the Journal?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any reports, messages, or announcements?

CLERK: Mr. President, Enrollment and Review reports LB 81, LB 369, LB 350, LB 350A, and LB 692 to Select File, some of which have E & R amendments attached. That is all that I have, Mr. President. (See pages 658-60 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Proceeding to item five on today's agenda, LR 249, Mr. Clerk.

CLERK: Mr. President, LR 249 was introduced by Senator Scofield and Dierks. It is found on page 647 of the Journal. (Read.) Again, Mr. President, the resolution is on page 647 of the Journal.

SPEAKER BARRETT: The Chair recognizes Senator Scofield.

SENATOR SCOFIELD: Thank you, Mr. President. I shutter to introduce this resolution knowing that it will probably consume us this morning and, yet, even though I do it with some good humor, I also do it because it is an issue that continues to emerge across the state. It is, if you will look at the handouts on your desk, even a couple of years ago, and I don't believe there is a date, but this is a 1987 column from the Rural Electric Nebraskan that raised this question again about what does outstate mean, and where is it, and I, for the life of me, don't know. And, in fact, I teased Senator Hannibal, you

the bill is advanced. The A bill, Mr. Clerk. (LB 350A)

CLERK: Senator, I have Enrollment and Review amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 350A.

SPEAKER BARRETT: Any discussion? If not, shall the E & R amendments be adopted? All in favor say aye. Opposed no. Carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 350A as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? The question is the advancement of 350A. All in favor say aye. Opposed no. Carried, the bill is advanced. LB 692.

CLERK: 692, Senator, I have Enrollment and Review amendments.

SPEAKER BARRETT: The member from the 9th District, please.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 692 be adopted.

SPEAKER BARRETT: Any discussion? If not, shall the E & R amendments be adopted? All in favor say aye. Opposed no. Ayes have it, motion carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 692 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Seeing none, those in favor of the advancement of LB 692 say aye. Opposed no. Ayes have

it, motion carried, the bill is advanced. Any items for the record, Mr. Clerk?

CLERK: Mr. President, yes, I do. Mr. President, your Committee on General Affairs whose Chair is Senator Smith to whom was referred LB 1102 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 1236 General File, both signed by Senator Smith as Chair. (See page 703 of the Legislative Journal.)

Mr. President, Senator Beck would like to print amendments to LB 163. (See page 703 of the Legislative Journal.)

New A bills. (Read LB 843A and LB 910A by title for the first time. See page 703 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The Chair is pleased to note that in our south balcony we have a number of guests representing the Nebraska Society of Radiologic Technologists. Would you people please stand and be recognized by your Legislature. Thank you. We're pleased to have you with us. Also, Senators Kristensen and Smith have a guest under the north balcony, Jean Korth from Hastings. Jean, would you please stand and take a bow. Also, visitors from Senator Korshoj's district, John and Joyce Broderson from Herman, Nebraska, under the south balcony. Would you people please stand and be recognized. Thank you. We're pleased to have all of you guests with us this morning. Proceeding to item number eight on the agenda, consent calendar, and on to item nine, General File, consent calendar bills. Again, the following rules, or the rules that have applied to consent calendar in the past are applicable today. If three members of the Legislature object to a bill being considered today, they can advise the Chair in writing. If the debate extends beyond 15 minutes and the introducer is not closing, the bill will be removed from consent calendar. Mr. Clerk, LB 610. Excuse me, for what purpose do you rise, Senator Haberman?

SENATOR HABERMAN: I would like to rise, a question of the Chair and a point of clarification, ask the Chair a question, a point of clarification.

SPEAKER BARRETT: Proceed.

SENATOR HABERMAN: Would you please explain to the body the

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 15, 1990 LB 350, 350A, 465, 692, 742

Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See page 812 of the Legislative Journal.) The vote is 41 ayes, 0 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

PRESIDENT: LB 465 passes. LB 350.

ASSISTANT CLERK: (Read LB 350 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 350 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 813 of the Legislative Journal.) 41 ayes, 0 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

PRESIDENT: LB 350 passes. LB 350A.

CLERK: (Read LB 350A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 350A pass? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 814 of the Legislative Journal.) 42 ayes, 0 nays, 7 excused and not voting, Mr. President.

PRESIDENT: LB 350A passes. LB 692, please.

CLERK: (Read LB 692 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 692 pass? All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote. See pages 814-15 of the Legislative Journal.) 41 ayes, 0 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

PRESIDENT: LB 692 passes. LB 742 with the emergency clause

February 15, 1990 LB 50, 143, 240, 240A, 350, 350A, 465
663A, 692, 742, 1244, 1245
LR 8

takes 30 votes to do this at this time, and then we can go ahead and schedule the hearing and the hearing will be February 26, which is a week from Monday, should these bills be allowed to be introduced. Thank you.

PRESIDENT: Any further discussion? If not, the motion is to allow the introduction of the two bills. All those in favor vote aye, opposed nay. Requires 30 votes. Record, Mr. Clerk, please.

CLERK: 32 ayes, 0 nays, Mr. President, on the introduction of the new bills.

PRESIDENT: The new bills are introduced.

CLERK: Mr. President, new bills. (Read LB 1244 and LB 1245 by title for the first time. See page 820 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: While the Legislature is in session and capable of transacting business I propose to sign and do sign LB 50, LB 143, LB 240, LB 240A, LB 465, LB 350, LB 350A, LB 692, LB 742, LR 8CA. (See page 820 of the Legislative Journal.) We'll move on to General File, A bills, LB 663A.

CLERK: Mr. President, 663A offered by Senator Scofield. (Read title.)

PRESIDENT: Senator Scofield, please.

SENATOR SCOFIELD: Thank you, Mr. President and members. You will recall this is the bill that creates the Juvenile Services Act. The vast majority of the \$581,000 figure in this bill for fiscal year '90-91 and the \$565,928 figure for '90-92, the vast majority of those two fiscal notes are grants that would go out to communities to help them set up alternatives for juvenile incarceration, diversionary processes, if necessary, facilities to incarcerate juveniles. There is...the other piece of this that you need to know about is simply the administrative costs and the primary expenditure here is the \$28,000 figure for a juvenile coordinator with some secretarial support and some start up costs for the office. You will recall we made the decision to put this under Probation so that that could work more closely with the judges to help us solve that problem. It would be my intent that that juvenile coordinator position would

February 15, 1990

LB 42, 50, 143, 159, 240, 240A, 259A
350, 350A, 465, 692, 742, 844, 866
905, 919, 1080A, 1082, 1141, 1183
LR 8, 239, 256

CLERK: (Roll call vote taken. See page 830 of the Legislative Journal.) 2 ayes, 28 nays, Mr. President.

PRESIDENT: The motion fails. Anything for the good of the cause, Mr. Clerk?

CLERK: Yes, Mr. President, I do. Mr. President, Senator Kristensen has amendments to be printed to LB 159; Senator Withem to LB 259A. (See pages 830-32 of the Legislative Journal.)

A new resolution, LR 256 by Senators Wesely, Withem, Bernard-Stevens. (Read brief explanation. See pages 832-33 of the Legislative Journal.) That will be laid over.

An announcement from the Speaker regarding afternoon sessions next Tuesday, Mr. President; a reminder of the membership. Confirmation report from the Nebraska Retirement Systems Committee. That is offered by Senator Haberman.

Bills have been presented to the Governor, Mr. President, as of 10:43 a.m., those read on Final Reading this morning. (Re: LB 50, LB 143, LB 240, LB 240A, LB 465, LB 350, LB 350A, LB 692, LB 742.) LR 8 presented directly to the Secretary of State.

A new A bill, LB 1080A by Senator Schellpeper. (Read for the first time by title. See page 834 of the Legislative Journal.)

Mr. President, Revenue Committee reports LB 844 to General File, LB 919 to General File, LB 1183 General File, and LB 1082 as indefinitely postponed. Those all signed by Senator Hall.

Mr. President, priority bill designations, Senator Byars has chosen LB 905; and Senator Lamb LB 866.

Mr. President, Education Committee, whose Chair is Senator Withem, reports LB 1141 to General File with committee amendments attached, signed by Senator Withem; and Education Committee reports LR 239CA to General File with committee amendments attached. (See pages 834-36 of the Legislative Journal.)

Finally, Mr. President, Senator Rogers would like to add his name to LB 866; and Senators Weihsing, Goodrich, and Coordsen to

February 21, 1990 LB 50, 143, 240, 240A, 350, 350A, 465
642, 692, 742, 1148, 1200

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated) ...George W. Norris
Legislative Chamber. We have with us this morning for our
invocation our own Senator Carol Pirsch. Would you please rise.

SENATOR PIRSCH: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Senator Pirsch. We appreciate
that very much. Roll call, please. Mr. Clerk, please.

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

PRESIDENT: Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Do you have any messages, reports or announcements?

CLERK: Mr. President, your Committee on Government, Military
and Veterans Affairs, whose Chair is Senator Baack, reports
LB 1200 to General File; LB 1148 as indefinitely postponed.
Those are signed by Senator Baack.

Mr. President, a communication from the Governor to the Clerk.
(Read communication regarding signing of LB 50, LB 143, LB 240,
LB 240A, LB 465, LB 350, LB 350A, LB 692 and LB 742. See
page 882 of the Legislative Journal.)

Mr. President, a series of appointments letters from the
Governor: Those will be referred to Reference.

I have an Attorney General's Opinion addressed to Senator
Schmit, Mr. President. And that's all that I have.

PRESIDENT: We will move on then, ladies and gentlemen, to our
General File and LB 642.

CLERK: Mr. President, LB 642 was a bill that was introduced by
Senators Ashford, Weihsing, Chambers and Crosby. (Read title.)
The bill was introduced on January 19 last year. At that time,
it was referred to Judiciary. The bill was advanced to General
File. I do have committee amendments pending by the Judiciary
Committee, Mr. President.