

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 7, 1989

LB 36, 38, 45, 46, 51, 53, 60
79, 123, 145, 168, 159, 189, 190
207, 237, 273, 308, 338, 410, 414
418, 431, 449, 458, 506, 706, 733

LB 36, LB 38, LB 53, LB 79, LB 123, LB 190, LB 51, LB 60,
LB 189, LB 207, LB 45, LB 168, and LB 169.)

Retirement Systems reports LB 46 to General File; LB 308,
General File; LB 145, General File with amendments; LB 237,
General File with amendments; LB 418, General File with
amendments; LB 506, General File with amendments. Those are all
signed by Senator Haberman as Chair. (See pages 635-40 of the
Legislative Journal.)

Health Committee reports LB 449 to General File with amendments;
LB 733, General File with amendments. Those are signed by
Senator Wesely as Chair. Business and Labor reports LB 410 to
General File; LB 414, General File. Those are signed by Senator
Coordsen as Chair. Banking Committee reports LB 431 to General
File; LB 706, General File. Those are signed by Senator Landis
as Chair. (See page 637 of the Legislative Journal.)

Mr. President, Senator Rogers has amendments to be printed to
LB 273; Senator Labedz to LB 338; Senator Smith to LB 338; and
Senator Nelson to LB 458. That's all that I have,
Mr. President. (See pages 637-38 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. The Chair recognizes Senator
Conway. Would you care to adjourn us, Mr. Conway.

SENATOR CONWAY: Mr. Speaker, members, I move that we adjourn
until 9:00 a.m., February 8th.

SPEAKER BARRETT: Thank you. You've heard the motion to adjourn
until tomorrow morning at nine o'clock. Those in favor say aye.
Opposed no. Carried, we are adjourned.

Proofed by: Arleen McCrory
Arleen McCrory

any bill, any conversation extending beyond 15 minutes unless the introducer is closing will be dead in the water. We will move to the next bill. Fifteen minutes maximum on each bill. If you will turn to your yellow consent calendar agenda, there are several bills which have been stricken from the list, the second and third bills, LB 567 and 567A. LB 608 will be temporarily passed over. We will return to it. LB 527, near the bottom of the agenda has been stricken. On the back page, LB 533 has been stricken. Any questions? If not...Senator Haberman.

SENATOR HABERMAN: Mr. President, a question, please. Point of order, whatever.

SPEAKER BARRETT: State your point.

SENATOR HABERMAN: Can a sig...can they be stricken from the sheet throughout the day? Or does it have to be done right now? I mean, see, we haven't had too much time to look at some of these and...

SPEAKER BARRETT: Senator Haberman, I believe we have done it both ways in the past and it would be the opinion of the Chair that it could be done throughout the day. I see no reason to waste the maximum...a total of 15 minutes on a bill that might be in jeopardy.

SENATOR HABERMAN: Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Any other questions? If not, at 9:16 a.m., LB 706, Mr. Clerk.

CLERK: Mr. President, 706 was a bill introduced by Senator Hall. (Read title.) The bill was introduced on January 19, referred to the Banking Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Thank you, Mr. President, and members, LB 706 is a bill that would expand the NIFA authority with regard to areas that they could, basically, allow loans to be used for the purpose for which an entity could borrow money. The purpose specifically in this case is one that I worked on with Senator Wesely in the past and other members of the body, deals with the

issue of asbestos. Specifically, 706 would allow for the abatement of hazardous waste, more importantly asbestos, but it is open-ended in that should down the road there be the need to do something in the area for a school district or school that had an underground storage tank, for example, there would be the provision or the flexibility within this bill to allow for that. But the primary purpose here is to allow for schools, both public and private, to be able to borrow money for the purposes of the removal of asbestos. It deals with...the bill deals with the issue of environmental hazards but, as many of you know, the concern in the issue surrounding asbestos is one that is at the critical point for the schools in this state and I think to allow them another source of low interest money is appropriate. I think the NIFA funds would serve that purpose well. And, with that, Mr. President, I would urge the advancement of LB 706 to E & R Initial.

SPEAKER BARRETT: Thank you. Any discussion on the advancement of the bill? If not, those in favor...excuse me, Senator Pirsch.

SENATOR PIRSCH: Just a quick question of Senator Hall. This would operate then with...as other financing provisions of NIFA where they would apply for a loan and they would get the loan and they would pay it back?

SENATOR HALL: Exactly. It does not...does not change any of the procedures that would be used, it only expands the use of the funds. So it would allow for the use of the funds in the case of a school for the removal or the abatement of an environmental hazard.

SENATOR PIRSCH: But otherwise the same provisions of pay back and interest and so forth.

SENATOR HALL: That's right, there is no change in those provisions.

SENATOR PIRSCH: Thank you.

SENATOR HALL: Uh-huh.

SPEAKER BARRETT: Any other discussion? Seeing none, those in favor of the advancement of the bill please vote aye, opposed nay. Have you all voted? Please record.

March 30, 1989

LB 47, 75, 706

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of 706.

SPEAKER BARRETT: LB 706 advances. LB 47, Mr. Clerk.

CLERK: Mr. President, LB 47 was a bill that was introduced by Senator Dierks. (Read title.) The bill was introduced on January 5, referred to Transportation, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Dierks.

SENATOR DIERKS: Mr. Speaker and members of the body, LB 47 was suggested...was brought to the body at the suggestion of the Nebraska Motor Vehicle Industry Licensing Board. And, quite simply, it just expands the penalty language for failure to hold proper license as a motor vehicle dealer. Currently, the law does not specifically apply to auction dealers and LB 47 attempts to rectify this. It strikes the word "wholesaler" and inserts the words "auction dealers, motorcycle dealers and motorcycle salespersons". That, in a nutshell, is what LB 47 does and I urge the body to advance it to Select File.

SPEAKER BARRETT: Any discussion? Any questions? If not, the question is, shall the bill be advanced? Those in favor vote aye, opposed nay. Voting on the advancement of the bill. Have you all voted? Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 47.

SPEAKER BARRETT: LB 47 advances. LB 75.

CLERK: LB 75 offered by Senator Warner. (Read title.) The bill was introduced on January 5, referred to Transportation Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Warner, please.

SENATOR WARNER: Mr. President and members of the Legislature, this bill, too, is one that deals with proper registration of motor vehicles and particularly been brought up in Lancaster County, I know, from time to time, in which individuals do not

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.

Langford, followed by Senator Kristensen.

SENATOR LANGFORD: Mr. President and colleagues, I rise to oppose the Scofield amendment. First, let me explain a little bit about this study business. Just last year a very expensive study was done by the State College Board. This part of the study would not have to be repeated because it was done by an outside of the state very authoritative group. Therefore, the money that is appropriated would certainly cover the study of the university system and the tech colleges. I would like to talk a little bit about my dream of the future of postsecondary education in the State of Nebraska. Kearney State College going into the university system is just a first step. It really is, in my opinion, the thing that we'll start thinking on what we should do with postsecondary education in our state. The tech colleges have sort of been a stepchild up until now that they are an integral important part of the needs of our citizens and I believe totally that they are as important as any other part of the system. My dream is that one day all of postsecondary education will be under one governing body. Governance is the important part of any institution simply because it makes policy and policy is more important than anything else because those subordinates who are under this policy must obey. No matter what they want to do, they must do what governance tells them. This leads to one more thing. Above this great board that is going to govern all of our postsecondary institutions is the Legislature and the executive branch of government, each having a part. Right now the governance from the Legislature is in great jeopardy because of the Attorney General's Opinion and his statements to the newspaper that should this come about he would have to challenge. This is exactly what we, in the Legislature, need. We need the challenge from the Attorney General so that we can actually find out what our position is in the governance of our postsecondary education. I would ask now that you do not vote for Sandy's amendment and that you vote for Senator Withem's amendment. Thank you.

PRESIDENT: Thank you. Mr. Clerk, would you like to put something into the record, please, at this time.

CLERK: Mr. President, I would, thank you. Senator...I have amendments to be printed from Senator Lamb to LB 47, Senator Wesely to LB 706, Senator Lindsay to LB 681 and Senator Hefner to LB 325. (See pages 1566-71 of the Legislative Journal.)

May 15, 1989

LB 357A, 706, 744A, 761, 813, 814

CLERK: 9 ayes, 1 nay to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please record your presence. Those not in the Chamber, please return so that we may continue on. Put, please look up to see if your light is turned on. Senator McFarland, would you record your presence. And, Senator Wesely, please, would you record your presence. Thank you. Senator Conway, would you record your presence. Senator Abboud. We're looking for Senator Hall. We're looking for Senator Abboud only. Senator Abboud is here now. Everyone is here now except those who are excused. Roll call vote has been requested, okay, in reverse order. Mr. Clerk. And the question is the adoption of the Morrissey amendment. Mr. Clerk.

ASSISTANT CLERK: (Roll call vote taken. See pages 2372-73 of the Legislative Journal.) The vote is 18 ayes, 25 nays, Mr. President.

PRESIDENT: The amendment fails. Anything further on the bill? The call is raised.

CLERK: Mr. President, some items for the record, if I might.

PRESIDENT: Please.

CLERK: Mr. President, Senator Warner has amendments to LB 813 to be printed; Senator Wesely to LB 706; Senator Nelson to LB 357A; Senator Warner to LB 814. General Affairs gives notice of confirmation hearing. That is offered by Senator Smith as Chair. New A bill, Mr. President. (Read LB 744A by title for the first time. See pages 2373-77 of the Legislative Journal.)

Mr. President, the next amendment I have is by Senator Morrissey. Senator, I have a note that you want to withdraw. This is AM1751. (The amendment appears on page 2179 of the Legislative Journal.)

PRESIDENT: Senator Morrissey.

SENATOR MORRISSEY: I've changed my mind here.

PRESIDENT: All right.

SENATOR MORRISSEY: Mr. President and members, we want to

May 19, 1989

LB 279, 706

PRESIDENT: The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. We are voting to cease debate. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: Debate has ceased. Senator Chizek, would you like to close on your amendment?

SENATOR CHIZEK: Very quickly. Mr. President and members, the bottom line is the amendment guarantees the notification that all pharmacies have a chance to bid on the Nebraska Medical Assistance contracts after the notification, etcetera. And many of you have received letters from your people in your area in terms of the pharmacists and I would just ask for adoption of the amendment.

PRESIDENT: Thank you. The question is the adoption of the Chizek amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 30 ayes, 0 nays, Mr. President, on adoption of Senator...

PRESIDENT: The Chizek amendment is adopted. Anything further, Mr. Clerk?

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

PRESIDENT: Go back to the advancement of the bill. Senator Landis, would you like to speak on that? Senator Lindsay, did you wish...Senator Lindsay, do you wish to move to advance the bill?

SENATOR LINDSAY: I move to advance the bill.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. Anything...move on to LB 706, please.

CLERK: Mr. President, on 706, Senator I have Enrollment and Review amendments pending.

PRESIDENT: Senator Lindsay, please.

May 19, 1989

LB 562, 706

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 706.

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

CLERK: Mr. President, I now have an amendment from Senator Wesely. Senator, I have a note on this one that you would like to withdraw. I have AM1315 in front of me.

SENATOR WESELY: Yeah, please withdraw that one.

CLERK: I'm sorry Senator, I couldn't hear.

SENATOR WESELY: Yes, please withdraw that one.

CLERK: Withdraw, thank you.

PRESIDENT: It is withdrawn.

Mr. President, the... Senator Wesely would move to amend the bill, Mr. President.

PRESIDENT: Senator Wesely.

SENATOR WESELY: Is this amendment 1840?

CLERK: Yes sir.

SENATOR WESELY: Okay. Mr. President and members, this amendment is based on LB 562 a bill that was heard by the Education Committee, LB 706 is a bill heard by the Banking Committee. They both deal with the topic of asbestos removal in our schools, a topic I have been involved in since 1979. There have been recent changes in the rules and regulations and mandates from the federal government regarding asbestos in our schools in particular, but across the board. We have also had some state legislation passed last year. This has impacted our schools tremendously and they are facing tremendous costs across the State of Nebraska to meet the mandates of that legislation. This bill and also LB 706 deal with more than asbestos. They deal with other environmental hazards. That would also include, for instance, underground storage tanks and leaking underground tanks that are also the focus of concern in other legislation.

With all of this, we are finding some particular environmental hazards costing schools a great deal of money and in looking at the options of how to meet the cost involved, the schools are interested in having the ability to issue bonds to pay for these costs. Now LB 706, in a general sense, addresses this and LB 562 had more specific language needed by the public schools in the state. So this amendment would incorporate that language. They would change a date that we have regarding when a public hearing has to be held on this topic, the schools have been having trouble with that date. It does require that school boards designate the environmental hazards involved for whatever tax levy, which is now currently under the statute as applied to. See there is a separate tax levy now allowed for our schools that we have had for some time so we could identify and clearly for the budget and the public what is going into asbestos removal and that will also be for environmental hazard abatement. The tax levy would go from 3.5 to 5.2 cents because of this increased cost of asbestos removal and that would be included in the amendment. There would also be an additional yearly requirement to, by the Commissioner of Education, to report on this problem and finally again clarifying the school district authority to issue bonds to pay for these projects. We very much need this bill. We appreciate the Speaker putting it on the agenda because of this crisis that we are facing in our schools. I did pass out an article from the Lincoln paper about our problems and so with that I would ask for the adoption of the amendment and be happy to answer questions about it if there are any.

PRESIDENT: Senator Hall, please, followed by Senator Hefner.

SENATOR HALL: Thank you, Mr. President, and members. The Wesely amendment is to LB 706 which is a bill, as he stated, I brought before the Banking and Insurance Committee, deals with changing the authority for NIFA with regard to allowing for hazardous abatement projects to be funded for schools. In other words, it expanded their lending authority so that schools could use the low interest loans that NIFA offers for the permanent abatement of hazardous materials. Asbestos fell in that category but there were a number of other areas that it would provide for specifically one of the issues that we talked about yesterday, the underground storage tank issue is a problem for many school districts who in the past have had to store their own petroleum products or other liquid hazardous materials underground. So the bill, itself, is a bill that had little or

no opposition. Senator Wesely's amendment I think is a positive step with regard to the issue of asbestos and other hazardous materials. This is a serious problem nationwide. The State of Nebraska, because of efforts such as 706 and Senator Wesely's amendment, finds itself really in the forefront with regard to these problems of hazardous materials and abatement of them. We are far ahead of everyone else and we are still way behind where we would like to be. So I would urge you, wholeheartedly, to support Senator Wesely's amendment to 706 and then to move 706 over to E & R Final. Thank you, Mr. President.

PRESIDENT: Senator Hefner, please, followed by Senator Withem. Is Senator Hefner here? Senator Withem, why don't you proceed and we will catch Senator Hefner.

SENATOR WITHEM: Be happy to, Mr. President. Simply to add to what has already been said about this amendment by saying that Senator Wesely originally had a bill in front of the Education Committee which would have accomplished what his amendment is accomplishing here. The committee did advance that bill favorably. The asbestos issue, as far as it affects schools, is a major issue and a major concern. I think every year that I have been on the Education Committee there has been another piece of legislation come in. It is my hope that this one will do it finally but I'm not holding my breath. I think the reason for that is probably because this environmental hazard asbestos problem becomes a much bigger problem each year the more deeply the schools get into it. Originally, it was just a few of the larger schools who were doing asbestos testing who discovered that they had problems. As we get further along toward meeting the federal regulations and more and more school districts are attempting to comply, we are finding what a major problem it is. I am going to be supporting Senator Wesely's amendment and would ask you to do the same.

PRESIDENT: Thank you. Senator Pirsch, please.

SENATOR PIRSCH: Thank you, Mr. President. I would have some questions for Senator Wesely if he would yield.

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Yes.

SENATOR PIRSCH: Senator Wesely, is this because the school

board needs authorization to participate in the NIFA bonding or this is their own bond fund?

SENATOR WESELY: My amendment only deals with their own ability to bond, issue bonds.

SENATOR PIRSCH: Okay. You also mentioned that the levy was raised also in this amendment. Would you repeat that.

SENATOR WESELY: Yes, Senator Pirsch, I'm sorry, there was a summary I passed out that I will get you an extra copy of. It would go from 3.5 to 5.2 cents. Of course, that would depend on the school district's need. They don't even have to use it if they don't want to, it is optional.

SENATOR PIRSCH: And we are also extending the time then for the Boards of Education to levy that tax.

SENATOR WESELY: Right, so that they can...

SENATOR PIRSCH: That increased tax.

SENATOR WESELY: If we are going to allow them to do the bonds and they need a certain time period to be able to do the bonds so we have got to provide them that flexibility.

SENATOR PIRSCH: Okay.

SENATOR WESELY: But there is a limit for each bond of 10 years so that they couldn't do 20-year bonds or 30-year bonds it would be 10-year.

SENATOR PIRSCH: Right, and the 10-year bond, of course, would require that tax levy that would dedicate that tax levy for that period of time.

SENATOR WESELY: Right. We have had that tax levy. If you remember, we adopted it back in the early eighties and the reason we had it at the time was we had the lids and so they were saying, gee, we have the lid and we can't pay for this asbestos, can you give us the special authority? And we did, and then what happened was they liked the idea of separating out so people could see just how much that darn thing was costing them, so we have kept it going. Every couple of years we have extended the life of it and now with that levy being out there

May 19, 1989

LB 562, 706

we can dedicate it to the bonds and that is a very clear and distinct way to do it so that people know exactly how much it is costing them.

SENATOR PIRSCH: Have we also expanded the program from just asbestos to any hazardous waste?

SENATOR WESELY: We have done that. I think we did that last year, I'm not sure, but why we did that was the underground tanks and especially up in Omaha came to light and they decided, gee, we are going to have to spend a lot on that darn thing now too.

SENATOR PIRSCH: But that isn't changed by this amendment?

SENATOR WESELY: I don't think so.

SENATOR PIRSCH: It would still apply to the same?

SENATOR WESELY: Currently already...

SENATOR PIRSCH: Okay, thank you.

PRESIDENT: Senator Hefner, please. Senator Wesely, would you like to close, please.

SENATOR WESELY: Thank you. I apologize, this again, this amendment is based on LB 562 as it came out of committee. It helps the schools to allow them the flexibility to, if they so chose, issue bonds to pay for their asbestos and other environmental hazardous mandates that they are facing. It is supported by the schools across the state and I would ask for your adoption of the amendment.

PRESIDENT: Thank you. The question is the adoption of the Wesely amendment. All those in favor vote aye, opposed vote nay. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the adoption of Senator Wesely's amendment.

PRESIDENT: The Wesely amendment is adopted. How...

CLERK: Nothing further on the bill, Mr. President.

May 19, 1989

LB 75, 695, 706

PRESIDENT: Nothing further on the bill. Senator Hall, did you wish to talk about the advancement of the bill?

SENATOR HALL: No, Mr. President, I would just move the advancement of LB 706 to E & R Engrossment.

PRESIDENT: Senator Hefner, please. Okay, any further discussion? If not, the question is the advancement of the bill. All those in favor say aye. Opposed nay. It is advanced. Move on to LB 75.

CLERK: Mr. President, LB 75, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 75 be advanced to E & R Final.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 695.

CLERK: Mr. President, 695, I have Enrollment and Review amendments, first of all.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to 695.

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

CLERK: Mr. President, I now have an amendment to the bill by Senator Lamb. Senator, I understand you want to withdraw. I have a note that he would like to withdraw, Mr. President.

PRESIDENT: Is Senator Lamb here? It is withdrawn.

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

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 695 as amended be advanced to E & R for Engrossment.

May 19, 1989

LB 272A, 377, 429, 706

CLERK: (Began taking roll call vote.)

PRESIDENT: (Gavel.) The Clerk can't hear your response, let's hold it down, please.

CLERK: (Roll call vote taken. See pages 2572-73 of the Legislative Journal.) 8 ayes, 30 nays, Mr. President.

PRESIDENT: The amendment to the amendment fails. Do you have anything for the record, Mr. Clerk?

CLERK: Yes, Mr. President, I do. Your Enrolling Clerk has presented to the Governor bill read on Final Reading this morning, Mr. President. LB 377 is reported as correctly Engrossed. (See pages 2574-75 of the Legislative Journal.)

PRESIDENT: The call is raised.

CLERK: Communication from the Governor to the Clerk. (Read communication regarding LB 429. See page 2574 of the Journal.) And Senator Wesely would like to add his name to LB 706 as co-introducer. That's all that I have, Mr. President.

PRESIDENT: Senator Conway, do you have any words of wisdom about eating lunch?

SENATOR CONWAY: No. (Laughter.)

PRESIDENT: You don't? (Laughter.) I know it will stress and be a strain, but...

SENATOR CONWAY: I move we recess until one-thirty.

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

RECESS

SPEAKER BARRETT PRESIDING

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

May 19, 1989

LB 272A, 311, 706

SENATOR MCFARLAND: Thank you.

PRESIDENT: All right, we're all here at this time. Now the question is the advancement of the bill. And a roll call vote has...no. Machine vote. All those in favor vote aye, opposed nay.

SENATOR ABOUD: Roll call vote.

PRESIDENT: Roll call vote has been requested. Mr. Clerk.

CLERK: (Roll call vote taken. See pages 2582-83 of the Legislative Journal.) 26 ayes, 18 nays, Mr. President.

PRESIDENT: The bill is advanced. Anything for the record, Mr. Clerk?

CLERK: Mr. President, Enrollment and Review reports LB 706 as correctly engrossed. (See pages 2583-84 of the Legislative Journal.) That's all that I have.

PRESIDENT: Okay, we will move on to LB 311 on Final Reading. LB 311, Mr. Clerk.

CLERK: Mr. President, I have a motion. Senator Landis would move to return LB 311 to Select File for a specific amendment. The amendment is on page 2437.

PRESIDENT: Senator Landis, please.

SENATOR LANDIS: Thank you. There is no money in this one at all. This is an amendment suggested to me by the firm of Kutak Rock to make an adjustment to some language that I accepted in the Scofield amendment earlier on this bill that has to do with wastewater treatment and the use of bonds. It allows the State Investment Officer to utilize a bond trustee to invest the funds and in so doing it's possible for us to make sure that we get the maximum return on our investment. Our State Investment Officer invests funds at a variable rate but in the years when the invested interest rate, it perhaps might be lower than the issuance rates of the bonds, it's necessary to use the trustee and have the bonds invested rather by a trustee and a guaranteed account at the rate of interest that the bonds were let at. Then the accounts break even and no money can be lost. In other words, if you use the bond trustee mechanism, you can ensure

May 23, 1989

LB 525, 566, 588, 651, 651A, 695, 706
781

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 695 pass? All those in favor vote aye, opposed nay. Have you all voted at least once? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read as found on page 2713 of the Legislative Journal.) Vote is 46 ayes, 1 nay, 2 present and voting, Mr. President.

PRESIDENT: LB 695 passes. LB 706 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 706 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 706 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read as found on page 2714 of the Legislative Journal.) Vote is 46 ayes, 0 nays, 3 present not voting, Mr. President.

PRESIDENT: LB 706 passes with the emergency clause attached. Senator Robak has some visitors in the north balcony. I believe they're just leaving. Have 19 eighth grade students from Holy Name School at Lindsay, Nebraska, and their teacher. Wave to us so that we can recognize you folks. Thank you for visiting us today. LB 781 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 781 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 781 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 as found on page 2715 of the Legislative Journal.) 44 ayes, 3 nays, 2 present not voting, Mr. President.

PRESIDENT: LB 781 passes with the emergency clause attached. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 525, LB 566, LB 588, LB 651, LB 651A, LB 695, LB 706, LB 781. Mr. Clerk.

May 24, 1989 LB 95, 132, 134, 158, 158A, 175, 175A, 182, 182A
183, 183A, 198, 228A, 228, 261, 261A, 280, 283
285, 285A, 302, 303, 303A, 305, 309, 309A, 310
312, 312A, 335, 335A, 340, 340A, 469, 525, 566
588, 651, 651A, 695, 706, 727, 781, 816, 816A

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us on our closing day as our Chaplain, Reverend Harland Johnson. Would you please rise for the invocation.

REVEREND HARLAND JOHNSON: (Prayer offered.)

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

PRESIDENT: Do we have any corrections this morning?

CLERK: Mr. President, one small correction. (Read correction found on page 2719 of the Legislative Journal.)

PRESIDENT: Okay, do you have any messages, reports, or announcements today?

CLERK: Mr. President, I do. I have a series of communications from the Governor. First of all, Mr. President, the last few bills read on Final Reading yesterday afternoon have been presented to the Governor as of 2:48 p.m., yesterday. (Re: LB 525, LB 566, LB 588, LB 651, LB 651A, LB 695, LB 706, LB 781. See page 2720 of the Legislative Journal.)

Mr. President, a series of communications from the Governor. (Read. Re: LB 228A.) A second communication to the Clerk. (Read. Re: LB 134, LB 158, LB 158A, LB 175, LB 175A, LB 182, LB 182A, LB 198.) A third communication. (Read. Re: LB 95, LB 261, LB 261A, LB 280, LB 283, LB 303, LB 303A, LB 312, LB 312A.) A fourth communication, Mr. President, to Mr. President, and Senators. (Read. Re: LB 183, LB 183A.) A fourth, Mr. President, to the Clerk. (Read. Re: LB 132, LB 285, LB 285A, LB 302, LB 305, LB 309, LB 309A, LB 310, LB 335, LB 335A, LB 340, LB 340A, LB 469, LB 727, LB 816, LB 816A.) The last letter I have received, Mr. President, with respect to signing of bills. (Read. Re: LB 228. See pages 2720-22 of the Legislative Journal.)