

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

April 21, 1989

LB 301-303, 303A, 305, 308, 309, 309A, 310
469, 508, 509, 605, 627, 669, 722
727, 793

May I introduce some guests please in the north balcony. Senator Hannibal has 75 eighth grade students from St. Roberts School in Omaha with their teachers. Would you ladies and gentlemen please stand and be recognized by the Legislature. Thank you for visiting us this morning. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 793, LB 508, LB 509, LB 605, LB 627, LB 669, and LB 722. We will move on to introduction of appropriation bills, Mr. Clerk.

CLERK: Mr. President, before, if I may, read some reports. Your Committee on Appropriations whose Chair is Senator Warner to whom was referred LB 301 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, as are LB 302, LB 303, LB 303A, LB 305, LB 308, LB 309, LB 309A, LB 310, LB 469, and LB 727, all reported to General File, all having committee amendments, all signed by Senator Warner as Chair. (See pages 1831-39 of the Legislative Journal.)

Mr. President, Senator Warner would move for the introduction of Committee Req. 1249.

PRESIDENT: Senator Warner, please.

SENATOR WARNER: Mr. President and members of the Legislature, Req. 1249 would be the mainline budget bill. It would include everything other than...well, obviously, the bills, the constitutional officers are separate, legislative salaries are separate, salaries are separate, health insurance is separate, but this would include the other recommended appropriations for state agencies and state aid programs. I would move the suspension of the rule to permit its introduction.

PRESIDENT: Any further discussion? If not, the question is the introduction of the appropriation bill as described by Senator Warner. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 32 ayes, 1 nay, Mr. President, on the introduction of Req. 1249.

PRESIDENT: The bill is introduced. Do you have another one, Mr. Clerk?

April 27, 1989

LB 603, 727, 743, 769, 813, 817

Members, please record your presence. Those outside the Chamber, please return and check in. Senator Haberman, the house is under call. I have a request for a roll call vote. All members in their seats. Apparently Senator McFarland is the only one absent, Senator Chambers. Senator Haberman was excused. Do you want to proceed or do you want to wait? Proceed. All members in their seats, please. Proceed with the roll call, Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1985-86 of the Legislative Journal.) 17 ayes, 22 nays, Mr. President.

SPEAKER BARRETT: Motion fails. The call is raised. Mr. Clerk.

CLERK: Mr. President, the next amendment I have is by Senator Lynch.

SPEAKER BARRETT: Senator Lynch.

SENATOR LYNCH: Mr. President, I move we adjourn until Tuesday morning at nine o'clock.

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

CLERK: Mr. President, I have reference report referring LB 817 to the Government Committee. I have notice of hearing on LB 817.

Senator Schmit has amendments to LB 813; Senator Smith has amendments to LB 743; Senator Wesely to LB 727; Senator Wesely to LB 813. Senator Abboud would like to add his name to LB 603 as co-introducer, Mr. President. (See pages 1986-88 of the Legislative Journal.) That's all that I have.

SPEAKER BARRETT: Thank you, Mr. Clerk. Shall the body adjourn until Tuesday morning at nine o'clock? Those in favor say aye. Opposed no. Motion carried. We are adjourned.

Proofed by:

Marilyn Zank
Marilyn Zank

May 8, 1989

LB 303, 588, 727, 761, 814
LR 132, 133, 150, 151-156

letting the more important go, we have to answer those questions anyway, we won't have added to that the question of why we appropriate money for something when no need has been shown. So Senator Moore's amendment I think is right on the money, and I do support it.

SPEAKER BARRETT: Senator Lynch.

SENATOR LYNCH:.. Mr. President and members, I move we adjourn until May 9th at eight o'clock in the morning.

SPEAKER BARRETT: Any messages on the President's desk?

CLERK: Mr. President, I do. I have amendments to be printed to LB 588 from Senator Hall; Senator Landis to LB 727; Senator Warner to LB 303. (See pages 2177-78 of the Legislative Journal.)

Study resolutions, from Senator Smith, LR 150; Senator Wesely offers LR 151, LB 152, LR 153, LR 154, and LR 155; and a study resolution from Senator Schellpeper, Byars, Goodrich, Dierks, Crosby, Lynch and Wesely, (LR 156). (See pages 2170-75 of the Legislative Journal.)

Mr. President, a series of amendments to LB 761 by Senator Morrissey, and that is all that I have, Mr. President. (See pages 2178-79 of the Legislative Journal.)

Mr. President, I am sorry, excuse me, Senator Smith would like to add her name to LR 132 and LB 133 as co-introducer. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The question is, shall we adjourn until tomorrow morning at eight o'clock? A machine vote has been requested. Those in favor vote aye, opposed nay. Voting on the motion to adjourn. Please vote if you would care to vote. Have you all voted? Record. Senator Chambers. A call of the house has been requested. Shall the house go under call? All in favor vote aye, opposed nay. Record.

CLERK: 15 ayes, 3 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please check in. Return to your desks. Those members outside the Chamber, please return and record your presence. Senator

May 10, 1989

LB 727

CLERK: 18 ayes, 4 nays, Mr. President, to recess.

SPEAKER BARRETT: Motion carried, we are recessed until one-thirty.

RECESS

PRESIDENT NICHOL PRESIDING

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

PRESIDENT: Fine. May I introduce some guests before we start. In the north balcony, Senator Langford has 32 fourth, fifth and sixth grade students from District 120, Kearney, Nebraska and teacher. Is that called Greenbill? Okay, Greenbill School. Would you folks please stand so we may recognize you. Thank you for visiting us today. Do you have anything for the record, Mr. Clerk, to start with?

CLERK: Mr. President, just one item. I have a report from the Midwest Grain Marketing Compact. That will be on file in my office. That's all that I have, Mr. President.

PRESIDENT: Thank you. We will go to LB 727, an appropriations bill.

CLERK: Mr. President, 727 was introduced by the Appropriations Committee and signed by its members. (Read title.) The bill was introduced on January 19, referred to Appropriations, advanced to General File. I have committee amendments pending by the Appropriations Committee, Mr. President.

PRESIDENT: Senator Warner, please.

SENATOR WARNER: Mr. President and members of the Legislature, I need to apologize for calling my attention, fortunately, there has been handed out provisions of four...I think it's four sheets, provisions of LB 727, and I forgot to initial it. So, if you have something like that, why it should have JW on it. LB 727 deals with the energy office and the weatherization...School Weatherization Fund, actually, that was created some years ago and at the time it was created it

was...in effect would be subject to sunset as it was originally established, next year. And the legislation is to, in part, continue it and in part phase out a portion of the original proposal. The committee amendment...Mr. Clerk, is there an amendment to the committee amendment by Senator Landis?

CLERK: Yes, sir, there is but it's offered by Senator Landis.

SENATOR WARNER: Right. Should...is it appropriate to adopt the committee amendments before we take that up or does it...it doesn't make any difference?

PRESIDENT: Are you prepared to handle that for Senator Landis? I don't see him here, Senator Warner.

SENATOR WARNER: It's not...I mean, the amendment is fine but I assumed he was going to...

PRESIDENT: Would you just as soon take it up now or after you have explained the amendments to us?

SENATOR WARNER: Procedurally, we need to take it up before. Does it make any difference?

PRESIDENT: All right, why don't you go ahead with it then if it's all right with you, Senator Warner.

CLERK: Senator, for your...I understand Senator Landis is on his way to the Chamber, so he will be here in just a moment. Senator Landis would move to amend the committee amendments. The Landis amendment is on page 2178 of the Journal.

PRESIDENT: Senator Landis, please.

SENATOR LANDIS: Mr. Speaker and members of the Legislature, if you ever take a look at those Ben Gay commercials, there are these joints and they have little thunderbolts coming out of the joints indicating pain the joints and in the public policy world every now and then there is one of those joints where those thunderbolts come out and the natural gas industry and the municipalities of this state are kind of that throbbing Excedrin headache. Well, this amendment says that the severance tax money given to the energy department will not be used to fund programs in which the energy department goes out and tells cities to municipalize their natural gas apparatus in the city.

The energy department didn't want to do that, agreed to the amendment. The natural gas industry, ever alert, saw the risk of a conspiracy and this drives a stake through the heart of any potential conspiracy of these monies being spent for that nefarious purpose. It's agreed to by the Department of Energy and the natural gas industries. I move the adoption of the amendment.

PRESIDENT: Any further discussion on the Landis amendment? Senator Warner, did you wish to speak? All right, the question is the adoption of the Landis amendment to the committee amendments. All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: 25 ayes, 0 nays on the Landis amendment to the committee amendments, Mr. President.

PRESIDENT: The Landis amendment is adopted. Now, Senator Warner, did you wish to continue on with the committee amendments?

SENATOR WARNER: Yeah, the committee amendment is almost technical in nature. The one amendment creates the State Energy Office Cash Fund which would be necessary for the those portions of the funds that are involved here to be appropriated from. There is...excuse me, currently, the Energy Resource Fund that was originally established and was the source of funds that was used in the weatherization program but would be inappropriate to use that fund as an administrative fund which, in effect, this will become administrative operation, so that fund is created. And then, secondly, it's...essentially, it's a correction. Currently, the way the law reads from the...from the severance tax it states that the Legislature would appropriate money from the severance tax and what it needs...should have said was that you transfer an amount to be determined by the Legislature through the appropriation process and then you appropriate the money in the Cash Fund after it has been transferred. So it's...they're both technical in nature and I would move their adoption. Perhaps I...before that just go through the bill, briefly, itself. The handout shows the...is the verbiage that explains the bill but perhaps as good as anything if you look on the...on the third sheet it shows currently how the funds that are transferred from the severance tax over to the energy office are distributed and how they would be distributed under the proposed legislation. You will notice there was...in the first

column it's headed Table 2, there is a total of 2.6 million that came from the severance tax that went to the...to the energy office and from that the funds were distributed in six different areas. Under the bill, as it is proposed, the only amount that will be transferred is the collection fee of 1 percent that's charged, a maximum of 250,000 for the administration of the energy office in this area, a maximum of the regulatory assistance that the energy department gives the municipal gas fund but not to exceed 30,000. And then from...with the passage of this bill, a two point...what has been 2.3 million from the severance tax will continue to stay in the school...the permanent school fund and would no longer be transferred under this previous act which is scheduled, in any event, to be repealed. The bill...or rather the agency when they originally came in did not have dollar caps, it was just an amount to be appropriated for these functions and plus they retained a couple of the operations of the Revenue Department and the gasohol which was really inappropriate for the severance tax and those we did not include in the bill as it was drafted and, as I indicated earlier, where they just had...the original draft indicated just an amount to be appropriated, we put in an amount to be appropriated not to exceed a dollar amount so that it would take a substantive change in law to appropriate an amount greater than the amount specified. I would move adoption of the committee amendments. And I have, in essence, explained the bill. Would be glad to answer any questions.

PRESIDENT: Thank you. Senator Withem, did you wish to speak about the committee amendments?

SENATOR WITHEM: Mr. President, I really have a question, I think, and I think Senator Warner did a good job of explaining the bill but I think I would like to share with him a second what's probably my ignorance on this whole situation and then have him correct me if I'm making any errors in my understanding. I would like to start back a little further than 727. As I understand it, Senator Warner, originally the severance tax money went into the school fund. Then a few years ago the Legislature passed a school weatherization program, took portion of the money that went to the school fund and used that to fund school weatherization programs. That's item two, I guess, in the chronology. Item three was when I first got down here, maybe the second or third year I was here, there was a big battle over the reauthorization of the weatherization program with Senators DeCamp, Wesely and Remmers, the principals in the

argument, and the agreement was that at a certain time we would quit appropriating money to this and there would be a revolving loan fund with loans to schools as opposed to outright grants and that revolving fund would continue that. It's my assumption that what is happening is that we are now at the point where we no longer need to appropriate money and the question is, what do we do with that money we used to give to the weatherization program and that this breakdown here on Table 2 is the way in which those dollars will be broken down?

SENATOR WARNER: Yes, that would be correct. Now actually the school weatherization program, as a loan program, will continue for a number of years and that, in part, is the 250,000...

SENATOR WITHEM: Right.

SENATOR WARNER: ...administrative cost...

SENATOR WITHEM: Right.

SENATOR WARNER: ...but rather than new money as the loans are paid back...

SENATOR WITHEM: Right.

SENATOR WARNER: ...and, as I recall, they're for 14 years, no interest, but I think they average about 11...or anticipate average about 11-year payback but then that money will be available...

SENATOR WITHEM: Okay.

SENATOR WARNER: ...as it is paid back for other...

SENATOR WITHEM: For other loans.

SENATOR WARNER: To the public schools.

SENATOR WITHEM: Okay. So, in essence, what...what 727 is doing then is amending current statute. If we didn't do anything with 727, almost all of this money would flow into the permanent school fund but with 727 we're proposing using \$250,000 of that for the energy office and \$30,000 of it for the muni natural gas fund?

SENATOR WARNER: The middle column on Table 2 is what would happen if 727 did not pass at all.

SENATOR WITHEM: Okay. Okay. Okay, yeah, I guess because I have heard absolutely no concerns from anybody that seems to be concerned about school finance that they see any problems with the energy office using \$250,000 that would otherwise go to them, I guess I'm not going to stand here and object to it. I just wanted to make sure I understood what was happening and I appreciate that clarification. Thank you.

PRESIDENT: Thank you. Senator Hartnett, please.

SENATOR HARTNETT: Mr. President and members of the body, Senator Warner, can I ask you a question? On this 250,000 that goes to the energy office, you see that being all used up by the energy office at the end of the, you know, the fiscal year or would any of that flow back to the General Fund or...?

SENATOR WARNER: Well, no, it...under the provisions of the act, we can transfer not to exceed 250,000 and then the current bill would appropriate the full 250,000 for the first (interruption).

SENATOR HARTNETT: So what you're going to do is look at how much activity and so forth? Or...

SENATOR WARNER: Yeah.

SENATOR HARTNETT: ...would you appropriate up to 250,000, I guess, what I was...

SENATOR WARNER: At least the current appropriation bill does do that. The theory behind it is that this is...is covering the administrative costs to continue the revolving fund and then there is another amendment that also is coming from Senator Wesely, I think it's filed, which calls for an additional report by the Department of Energy by next year for the cumulative weatherization needs of all the public schools in the state. I'm not real familiar with this amendment but I have read the copy of it.

SENATOR HARTNETT: Yeah. So what you're really saying is that this year you're going to appropriate \$250,000 to the energy office and if it's not used, some of the money may come back. Is that...might go into the permanent school fund. Is that...am

I hearing you correctly?

SENATOR WARNER: What was the last now?

SENATOR HARTNETT: If...as it is this year, you're going to appropriate \$250,000 into the energy office, next year when the Appropriations Committee looks...or meets again, they're going to look at this and see if they need the \$250,000 and then they will appropriate what they need.

SENATOR WARNER: The amount has been a flat 250,000 since 1983...

SENATOR HARTNETT: Uh-huh.

SENATOR WARNER: ...and at least as far as any budget action we will be doing this year, it would continue that same level that's been in existence since 1983 for the administration of the weatherization program for the schools.

SENATOR HARTNETT: Yeah. Okay.

SENATOR WARNER: And...

SENATOR HARTNETT: And then you may look at it then after...

SENATOR WARNER: A year from now, I mean, it's the next budget cycle, actually.

SENATOR HARTNETT: Yeah.

SENATOR WARNER: The next budget cycle, you know, a new Legislature will make another determination if it should continue at that level or it cannot go above the 250,000...

SENATOR HARTNETT: Above 250,000.

SENATOR WARNER: ...without substantive legislation.

SENATOR HARTNETT: Yeah.

SENATOR WARNER: You could not spend more just by appropriating more.

SENATOR HARTNETT: Yeah, I guess I, you know, when I come down

here I had some concern about the weatherization program and I guess I applaud what the Appropriations Committee is doing with this amendment...or this bill and 727. Thank you.

PRESIDENT: Thank you. Senator Warner, would you like to close on the advancement of the...or the adoption of the amendment?

SENATOR WARNER: Yeah. I should be...I didn't...to speak more accurately, Senator Hartnett, the 250,000 is used also with the general operation of the energy office and there is some additional funds also within the weatherization portion that pays for some of that...for that administrative cost too. So...but some of those...it's all one office and there is...I...you know, some overlap. I...I would move adoption of the committee amendment. I don't think we voted on the committee amendment yet, have we? I would move adoption of the committee amendment first and then I can move the bill, Mr. President.

PRESIDENT: Thank you. The question is the adoption of the committee amendments. All those in favor vote aye, opposed nay. Could I have your attention a moment? We're voting on the adoption of the committee amendments. I need a little help. Thank you. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

PRESIDENT: The committee amendments are adopted. Mr. Clerk, do you have any other amendments?

CLERK: Mr. President, I have an amendment from Senator Wesely. Senator Wesely is excused for the balance of the day.

PRESIDENT: Senator Warner, do you know about that?

SENATOR WARNER: Generally.

PRESIDENT: Do you wish to take Senator Wesely's amendment?

SENATOR WARNER: Well, Mr. President, I would move adoption of the amendment. I do not have it right in front of me but I understand that the agency has no problem with it and it would be a request that by, I believe it's December of this year, that a report be made...excuse me, by November 1 of this year that a

report be made to the Legislature on the current energy efficiency status of the Nebraska public schools and the cost effective opportunities for a further public school weatherization and the advocacy of current funds to accomplish weatherization opportunities identified in the...in the report. And, as I indicated, to my knowledge, the agency does not object to the amendment. I also believe that Senator Wesely had an interim study resolution the other day in a...in a similar vein which I presume is for the purpose of a legis...some legislative committee and I don't recall if there was one designated, but a legislative committee to work with this report once it is completed November 1. So I would move adoption of Senator Wesely's amendment.

PRESIDENT: Any further discussion on the Wesely amendment? If not, the question is the adoption of the Wesely amendment. All those in favor vote aye, opposed nay. (Gavel.) Please vote if you care to. Need a little help now and then. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays on adoption of the amendment, Mr. President.

PRESIDENT: The Wesely amendment is adopted. Now, Senator Warner, on the advancement of the bill.

SENATOR WARNER: Mr. President, I move that LB 727 as amended be advanced to E & R Initial.

PRESIDENT: Thank you. Any further discussion? If not, the question is the advancement of the bill. All in favor vote aye, opposed nay. Pleases vote, ladies and gentlemen, if you care to. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 727.

PRESIDENT: The bill is advanced. Move on to LB 305, please.

CLERK: LB 305, Mr. President, was introduced by the Speaker at the request of the Governor. (Read title.) The bill was introduced on January 10, referred to Appropriations, advanced to General File. I have no amendments to the bill, Mr. President.

May 11, 1989

LB 137A, 162, 162A, 280, 305, 309, 309A
310, 311, 444, 467, 727, 815
LR 213

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

PRESIDENT: Okay. Senator Moore.

SENATOR MOORE: I move we advance LB 280 to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. Anything for the record, Mr. Clerk?

CLERK: Yes, Mr. President, I do. Enrollment and Review reports LB 162 as correctly engrossed; LB 162A correctly engrossed; LB 311, correctly engrossed, all signed by Senator Lindsay. (See page 2313 of the Legislative Journal.)

New A bill, LB 137A by Senator Warner. (Read by title for the first time. See page 2314 of the Legislative Journal.)

LB 309 is reported to Select File with E & R attached; LB 309A, likewise; LB 467, E & R attached; LB 727, Select File with E & R; LB 305, Select File; LB 310, Select File with E & R; LB 815, Select File. (See pages 2311-12 of the Legislative Journal.)

Mr. President, new resolution, LR 213, introduced by Senators Crosby, Ashford and Langford. (Read brief description of LR 213 as found on pages 2314-15 of the Legislative Journal.) That will be laid over. That's all that I have at this time, Mr. President.

PRESIDENT: We will move on to LB 444.

CLERK: Mr. President, 444, the first item I have are Enrollment and Review amendments.

PRESIDENT: Senator Moore, please.

SENATOR MOORE: I move we adopt the E & R amendments to LB 444.

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

CLERK: Mr. President, Senator Lindsay would move to amend.

May 16, 1989

LB 310, 469, 727

SPEAKER BARRETT: You have heard the motion to adopt the E & R amendments. 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 469, as amended, be advanced to E & R Final.

SPEAKER BARRETT: Shall 469 be advanced to E & R Final? All in favor say aye. Opposed no. Carried. Move over 727 for the moment, go to LB 310. Mr. Clerk.

CLERK: Senator, on LB 310, I have E & R amendments pending, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 310.

SPEAKER BARRETT: Shall the E & R amendments to 310 be adopted? All in favor say aye. Opposed no. Carried. They are adopted.

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

SPEAKER BARRETT: Mr. Chairman.

SENATOR LINDSAY: (Microphone not activated) ...310, as amended, be advanced to E & R Final.

SPEAKER BARRETT: Shall LB 310 be advanced to E & R Final? All in favor say aye. Opposed no. Ayes have it. Motion carried. The bill is advanced. Mr. Clerk, LB 727.

CLERK: Mr. President, I have E & R amendments on 727.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 727.

SPEAKER BARRETT: Shall the E & R amendments to 727 be adopted?

May 16, 1989

LB 289, 311, 727

Those in favor say aye. Opposed nay. 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 727, as amended, be advanced to E & R Firal.

SPEAKER BARRETT: Shall LB 727, as amended, be advanced? All in favor say aye. Opposed no. Ayes have it. Carried. The bill is advanced. Messages on the President's desk?

CLERK: Mr. President, I have amendments to be printed to LB 289 by Senator Schmit; and Senator Landis to LB 311. (See page 2437 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Bernard-Stevens, please.

SENATOR BERNARD-STEVENS: Mr. President, for a point of personal privilege, I would just...for information's sake, on my desk there...upstairs there is a set of keys that have a Mickey Mouse key chain on it. I don't know who it is. Maybe it's my staff but I'm not familiar with that since they are gone. So if anyone is missing a set of keys, like Senator Kristensen here, be sure and pick it up so that you can get home. Thank you.

SPEAKER BARRETT: Thank you. Senator Schellpeper, would you care to adjourn the body?

SENATOR SCHELLPEPER: I would move that we adjourn till May 17th at 8:00 a.m.

SPEAKER BARRETT: You have heard the motion to adjourn until tomorrow morning at eight o'clock. Those in favor say aye. Opposed no. Carried. We are adjourned. And thank you for your cooperation. (Gavel.)

Proofed by:


Marilyn Zank

May 17, 1989

LB 310, 469, 525, 727, 761, 814, 816
816A

SENATOR WARNER: Mr. President. I move LB 816 be advanced.

SPEAKER BARRETT: Any discussion? If not, shall LB 816 be advanced. Those in favor say aye. Opposed no. Carried. The bill is advanced.

CLERK: Mr. President, LB 816A is the next bill. I have no amendments to that bill.

SPEAKER BARRETT: Senator Lindsay. Excuse me, Senator Warner, did you...? Thank you. Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 816A be advanced to E & R.

SPEAKER BARRETT: The question is the advancement of LB 816A. Those in favor say aye. Opposed nay. Carried. The bill is advanced.

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

SPEAKER BARRETT: Proceed.

CLERK: Your Committee on Enrollment and Review reports LB 310 as correctly engrossed; LB 469, LB 727, and LB 761, all reported correctly engrossed. (See pages 2444-45 of the Legislative Journal.)

Senator Chambers has amendments to LB 814 to be printed, Mr. President. (See page 2444 of the Legislative Journal.) That's all that I have.

SPEAKER BARRETT: Proceeding then to LB 525.

CLERK: Mr. President, 525 is on Select File. I do have E & R amendments pending, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 525.

SPEAKER BARRETT: Shall the E & R amendments to LB 525 be adopted? All in favor say aye. Opposed no. Carried. They are

May 19, 1989

LB 305, 310, 469, 727

SPEAKER BARRETT: LB 469E passes. LB 727.

CLERK: (Read LB 727 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 727 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See pages 2562-63 of the Legislative Journal.) 41 ayes, 5 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 727 passes. LB 305.

CLERK: (Read LB 305 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 305 become law? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See pages 2563-64 of the Legislative Journal.) 35 ayes, 9 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 305 passes. The Chair is pleased to note that Senator Conway has guests in our north balcony, 24 fourth graders from Wayne Elementary in Wayne, Nebraska with their teacher. Please stand and be recognized. Thank you. We're glad to have you with us. Incidentally, the process we're now involved in is the Final Reading of bills before they are passed into law. Our Constitution, our State Constitution, Article III, Section 14, states that all bills shall be printed and read at large before being voted upon and passed into law. That's the process we're involved at the moment with. LB 310E, Mr. Clerk.

CLERK: Mr. President, I have a motion on the desk. Senator Moore would move to return the bill for a specific amendment.

SPEAKER BARRETT: Senator Moore, please.

SENATOR MOORE: Mr. Speaker and members, LB 310 is the bill dealing with the Cash Reserve Fund. If you look on the green

May 19, 1989

LB 258, 279, 301, 302, 305, 308, 309
309A, 310, 355, 355A, 469, 588, 727
813, 814, 816, 816A

and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 816 passes. LB 816A.

ASSISTANT CLERK: (Read LB 816A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 816A become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See pages 2566-67 of the Legislative Journal.) The vote is 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 816A passes. Pursuant to the agenda that you have in front of you, we will proceed to Select File and then return to item 6, Select File, LB 525, which was bracketed at one-thirty. The call is raised. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 813E, LB 814E, LB 301, LB 302, LB 308E, LB 309E, LB 309AE, LB 469E, LB 727, LB 305, LB 310E, LB 816 and LB 816A. Mr. Clerk, proceed to LB 279.

CLERK: Mr. President, I have some items for the record. May I read?

SPEAKER BARRETT: Certainly.

CLERK: Mr. President, explanation of vote by Senator Beck. (See page 2567 of the Legislative Journal.)

I have a report of Registered Lobbyists for this week. (See page 2568 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 258, LB 355, LB 355A and LB 588 as correctly engrossed. (See pages 2567-68 of the Legislative Journal.) Those are offered by Senator Lindsay as Chair of Enrollment and Review.

Mr. President, LB 279 is on Select File. I have no E & R amendments to the bill. I do have other amendments, however. The first is by Senators Landis, Wesely and Hartnett. Senator, I have AM1192 in front of me. That was printed earlier this year. It's on page 1464.

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.)