

will meet for a brief Executive Session, in Room 1003, upon recess to select a Vice-Chair. Appropriations Committee upon recess in Room 1003 by the Appropriations Committee.

Mr. President, I also have the Committee on Committees report as offered by Senator Lowell Johnson and the Committee on Committees. Also an acknowledgment, Mr. President, that Senator Beyer has been selected...Senator Emil Beyer has been selected as Vice-Chair of the Committee on Committees.

PRESIDENT: The Chair recognizes Senator Lowell Johnson. Could we have your attention for just a moment, please. (Gavel.) Could we have your attention just a moment, ladies and gentlemen. If we could have your attention just a moment, we won't request your attention too long today, but Senator Lowell Johnson has an announcement.

SENATOR L. JOHNSON: Mr. President and members of the Legislature, your Committee on Committees met yesterday, and after careful deliberations completed the committee roster, which you find on your desks, which has been placed there by the Clerk. The report was unanimously adopted by the Committee on Committees, and I, therefore, move at this time that it be accepted and approved by the Legislature.

PRESIDENT: Is there any discussion? If not, the question is the adoption of the report. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of the Committee on Committees report.

PRESIDENT: The report is adopted. Back to you, Mr. Clerk. We're ready for the introduction of new bills. Mr. Clerk.

CLERK: Mr. President, new bills. (Read LB 1-80 by title for the first time. See pages 44-61 of the Legislative Journal.)

PRESIDENT: If I could have your attention just a moment, please, we'll introduce a couple of guests. Over under the north balcony, our first doctor of the day for this year is Dr. Dale Michaels of Lincoln, Nebraska. He's from Senator Warner's district. He's here to take care of us on behalf of the Nebraska Academy of Family Physicians. So would you welcome Dr. Michaels. Would you please stand, Doctor. Thank you for

February 8, 1989

LB 47, 75, 186, 357, 358, 359, 474
499, 608, 697

wish for absolute clarity. School officials only recently discovered the potential conflict. They have always believed that 79-548.01 was a specific grant of authority. There have been many projects that Class VI schools have paid for with Construction Sinking Funds after only the vote of the school board to authorize the expenditure. LB 499 simply clarifies that such actions are absolutely legal and appropriate with only a vote of the school board. In addition, the bill repeals some obsolete language contained in Section 79-1103, the opened section, and that is it. Thank you.

PRESIDENT: Thank you. Any further discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 499.

PRESIDENT: LB 499 is advanced. Mr. Clerk, you have something for the record?

CLERK: I do, Mr. President, thank you. Mr. President, your Committee on Transportation, whose Chair is Senator Lamb, reports LB 47 to General File, LB 75 General File, LB 608 General File, LB 186 indefinitely postponed, and LB 474 indefinitely postponed, all signed by Senator Lamb as Chair.

Banking Committee reports LB 359 to General File, and LB 358 indefinitely postponed, both signed by Senator Landis as Chair. (See page 464 of the Legislative Journal.)

I have notice of hearing from the Natural Resources Committee signed by Senator Schmit, and a motion from Senator Schmit to withdraw LB 697. Mr. President, that will be laid over pursuant to legislative rules. That is all that I have, Mr. President.

PRESIDENT: Thank you. We will move on to LB 357, please.

CLERK: Mr. President, LB 357 was a bill that was introduced by Senators Nelson, Smith, Schellpeper, Coordsen, and Crosby. (Read title.) The bill was introduced on January 11 of this year, referred to the Education Committee. The bill was advanced to General File, Mr. President. I do have committee amendments pending by the Education Committee.

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

register their motor vehicle at their place of residence and I suspect in most cases it's because, by registering it in some other location, there is a lesser tax levy and, as a result, as a result reduce what they are paying. What this bill does, it merely increases the fine maximum that would be permitted. The current statute is a Class V misdemeanor which is a maximum of a 100 and this would change it to a Class IV which is a range of 100 to 500. Obviously, it would not necessarily correct the problem but, at least, it would make violations of this nature a little more expensive. I don't have statistics to prove this but I suspect that those individuals who may opt to do this it's more likely to be the more expensive vehicles, perhaps, which they could have a savings even if they were caught in a fine so they wouldn't really be concerned with it. If that fine was heavier, why then, obviously, they may give more thought to whether or not they would register the vehicle in the appropriate county where it was actually housed. So I would move that the bill be advanced as an effort to, at least, reduce the incidence of this kind of a problem.

SPEAKER BARRETT: Thank you. Any discussion? Seeing none, the question is, shall LB 75 be advanced to E & R Initial? All in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of LB 75.

SPEAKER BARRETT: LB 75 advances. As indicated earlier, we temporarily pass over LB 608. Another bill has been deleted from the agenda, LB 129, and 129A, near the bottom of the agenda, has just been deleted. LB 129 comes off. The next bill, Mr. Clerk, LB 359.

CLERK: Mr. President, LB 359 was a bill introduced by Senator Wesely. (Read title.) The bill was introduced on January 11, Referred to the Banking committee, advanced to General File. I do have a motion.

SPEAKER BARRETT: Mr. Clerk. Senator Wesely, would you like to explain your bill before we go to the motion?

SENATOR WESELY: Right.

SPEAKER BARRETT: Thank you.

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.

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.

SPEAKER BARRETT: Thank you. Anything for the record?

CLERK: Mr. President, your Committee on Enrollment and Review reports LB 75 and LB 272 as correctly engrossed. That's all that I have, Mr. President. (See page 2575 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. May I have your attention, please. (Gavel.) For those of you who continue to have a little question in your mind about what is happening, let me again tell you that we will proceed as the agenda declares to LB 525. Upon completion of that bill, whenever, we will then return to the Select File agenda and commence with 272A, the point where we left off before lunch. We will continue Select File at that point and upon completion we'll move immediately to Final Reading. The bills under item 9 with motions to return will be considered. These bills will not be read at that time. Should they not be returned, as the agenda suggests, they will fall to Final Reading item 11. It was my purpose to list the bills on Final Reading for motions to return, giving everyone a chance to get their bills amended. And at least it was my judgment that we started with the easiest bills first, a judgment call. Everyone's bill then will be handled in that manner. We will plan to stop again, as the agenda suggests, at nine o'clock. Nine o'clock is the bewitching hour. Are there questions? Senator Chizek.

SENATOR CHIZEK: Mr. Speaker, just a quick question. I didn't hear when you started out, did you say little question or little minds?

SPEAKER BARRETT: I said little question.

SENATOR CHIZEK: Thank you, Mr. Speaker.

SPEAKER BARRETT: Is that clear? That's my intent and I wanted to again share it with you. Thank you. We will then proceed, Mr. Clerk, to...excuse me, Senator Warner.

SENATOR WARNER: Yes, Mr. President, I have just one question. Have you had anyone look...I noticed there are three or four A bills in the list, some of which are quite a ways down, some of which I suspect are being used as a vehicle and I'm, obviously, not suggesting they should have any priority, but if there are any of them that are just a technical adjustment that

May 23, 1989

LB 75, 89, 89A, 177

the rules.

PRESIDENT: The rules are suspended. Mr. Clerk, would you please read LB 75, please.

CLERK: (Read LB 75 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 75 pass? All those in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read as found on page 2685 of the Legislative Journal.) 49 ayes, 0 nays, Mr. President, on the passage of LB 75.

PRESIDENT: LB 75 passes. LB 89, please.

CLERK: (Read LB 89 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 89 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read as found on pages 2685-86 of the Legislative Journal.) 37 ayes, 12 nays, Mr. President, on the passage of LB 89.

PRESIDENT: LB 89 passes. LB 89A, please.

CLERK: (Read LB 89A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 89A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read as found on page 2686 of the Legislative Journal.) 41 ayes, 2 nays, 6 present and not voting, Mr. President.

PRESIDENT: LB 89A passes. LB 177, please.

CLERK: Mr. President, Senator Moore would move to return the bill for purposes of striking the enacting clause.

May 23, 1989

LB 75, 89, 89A, 147, 177, 177A, 272
279, 289A, 289, 487, 487A

ASSISTANT CLERK: (Read LB 272 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 272 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 2691 of the Legislative Journal.) Vote is 47 ayes, 0 nays, 2 present not voting, Mr. President.

PRESIDENT: LB 272 passes with the emergency clause attached. I understand we're going to skip LB 272A for the moment and continue on with LB 279 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 279 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 279 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 2692 of the Legislative Journal.) Vote is 44 ayes, 0 nays, 5 present and not voting, Mr. President.

PRESIDENT: LB 279 passes with the emergency clause attached. While the Legislature's in session and capable of transacting business, I propose to sign and do sign LB 147, LB 487, LB 487A, LB 75, LB 89, LB 89A, LB 177, and LB 177A. Continue on with LB 289 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 289 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 289 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 2693 of the Legislative Journal.) 44 ayes, 0 nays, 2 present not voting, 3 excused not voting, Mr. President.

PRESIDENT: LB 289 passes with the emergency clause attached. LB 289A with the emergency clause attached.

May 23, 1989

LB 75, 89, 89A, 147, 177, 177A, 272A
311, 362A, 377, 487, 487A
LR 224, 225, 226

SPEAKER BARRETT: LB 362A passes. LB 377.

ASSISTANT CLERK: (Read LB 377 on Final reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 377 become law? Those in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See pages 2702-03 of the Legislative Journal.) The vote is: 48 ayes, 0 nays, 1 present and not voting, Mr. President.

SPEAKER BARRETT: LB 377 passes. Matters for the record, Mr. Clerk.

CLERK: Mr. President, your Enrolling Clerk has presented to the Governor bills read...some of the bills read on Final Reading this morning. (See page 2703 regarding LB 147, LB 487, LB 487A, LB 75, LB 89, LB 89A, LB 177 and LB 177A.)

Mr. President, LB 311 is reported correctly enrolled.

Mr. President, new resolutions. LB 224 by Senator Conway. (Read brief description of LR 224 as found on pages 2703-04 of the Legislative Journal.) LR 225 by Senator...by the Appropriations Committee. (Read brief description of LR 225 as found on pages 2704-06 of the Legislative Journal.) That will be laid over, Mr. President. LR 226 offered by Senators Pirsch, Beck, Hannibal, Ashford, Chizek, Hall, Labedz, Lynch, Abboud and Chambers. (Read brief description of LR 226 as found on pages 2706-07 of the Legislative Journal.) That, as well, will be laid over. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Directing your attention now to the agenda to LB 272AE which we moved over earlier in the day. Mr. Clerk.

CLERK: Mr. President, I have a motion to bracket LB 272A until May 24. That is offered by Senator Landis.

SPEAKER BARRETT: Senator Landis, please.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature, this is the American Savings, State Securities,