

May 15, 1989

LB 377, 761, 762A

CLERK: (Read roll call vote. See pages 2353-54 of the Legislative Journal.) 17 ayes, 23 nays, Mr. President.

SPEAKER BARRETT: Motion fails. Anything for the record? The call is raised.

CLERK: Yes, Mr. President, I do. I have a confirmation report from the Government Committee signed by Senator Baack as Chair.

Amendments to LB 377 by Senator Rod Johnson.

New A bill, LB 762A by Senator Coordsen. (Read by title for the first time. See page 2355 of the Legislative Journal.)

SPEAKER BARRETT: Next order of business.

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

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Mr. Speaker, I'll withdraw that amendment.

SPEAKER BARRETT: It is withdrawn.

CLERK: Mr. President, the next amendment I have is by Senator Dierks. Senator, I have AM1631 in front of me.

SPEAKER BARRETT: Senator Dierks, please.

SENATOR DIERKS: I'd like to withdraw that amendment, Mr. Speaker.

SPEAKER BARRETT: It is withdrawn.

CLERK: The next amendment, Mr. President, I have is, Senator Dierks, I have AM1630.

SENATOR DIERKS: Yes, I'd like to take this amendment up.

SPEAKER BARRETT: Proceed.

SENATOR DIERKS: Mr. Speaker and members of the Legislature, this amendment is another right to vote amendment. It differs

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hands? I certainly do. Those in favor of ceasing debate please vote aye, opposed nay. Record, please.

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

SPEAKER BARRETT: Debate ceases. Senator Warner, anything further? The question is then the advancement of 761A to E & R Initial. All in favor vote aye, opposed nay. Record, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of LB 761A.

SPEAKER BARRETT: LB 761A is advanced. LB 762A.

CLERK: LB 762A was introduced by Senator Coordsen. (Read title.)

SPEAKER BARRETT: Senator Coordsen.

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body. LB 762A is an \$11,000 A bill that's been estimated, by the Department of Revenue, to cover the possible homestead exemptions that would result from the amendment that was placed on 762 last week. So I would be open to questions and would move the advancement of 762A.

SPEAKER BARRETT: Are there questions? If not, shall LB 762A be advanced? All in favor vote aye, opposed nay. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of 762A.

SPEAKER BARRETT: LB 762A is advanced. LB 817A.

CLERK: 817A, by Senator Conway. (Read title.)

SPEAKER BARRETT: The member from Wayne, Senator Conway.

SENATOR CONWAY: Mr. Speaker, members, 817A has been brought to me. LB 817, as you may remember, was the bill that will transfer the 1,400 acres of Nebraska property into the State of South Dakota. There was some discussion previously about surveys and the like to identify that. We, at this point, really don't know whether or not the A bill would be necessary in the sense that South Dakota did not also pass an

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LB 137A, 525, 761A, 762A, 815A, 817A

SENATOR SCOFIELD: Thank you, Mr. President, and I've moved in the bracket motion we do it, we bracket this bill until Friday at 1:30 p.m. Hopefully by that time we'll be through with everything else. This is the trailer bill and maybe by that time we can have sorted out some things. This bill obviously has too much money in there to be a legitimate trailer bill. It's more like a stone around all our necks rather than a trailer bill at this point, and so that's the rationale behind the motion. I'd urge you to accept it.

PRESIDENT: Senator Lamb, please. Senator Warner. Senator Abboud. Senator Lindsay. Senator Conway.

SENATOR CONWAY: I'll call the question.

PRESIDENT: Did I see five hands? The question is, shall debate cease? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 1 nay to cease debate, Mr. President.

PRESIDENT: Senator Scofield, would you like to close, please? The question is...

SENATOR SCOFIELD: (Mike not activated immediately.) ...the bill.

PRESIDENT: ...the bracket motion by Senator Scofield. All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 23 ayes, 5 nays, Mr. President, on the motion to bracket the bill.

PRESIDENT: The bill is bracketed until, what was that, one-thirty, Friday?

CLERK: It was bracketed until May 19, Mr. President.

PRESIDENT: Okay, the bill is bracketed. Do you have some things to read into the record, Mr. Clerk, please?

CLERK: Mr. President, Enrollment and Review reports LB 137A to Select File, LB 761A, LB 762A, LB 817A and LB 815A all reported to Select File, all signed by Senator Lindsay.

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LB 355A, 761A, 762A

SPEAKER BARRETT: The question is the adoption of the amendment. All in favor vote aye, opposed nay. Record, please.

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

SPEAKER BARRETT: The amendment is adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 355A be advanced to E & R for Engrossing.

SPEAKER BARRETT: The question is the advancement of LB 355A, as amended, to E & R Engrossing. Those in favor say aye. Opposed no. Ayes have it, carried, the bill is advanced. At this point I'd like to continue with four or five additional bills that we can handle at this point. These are bills to catch up with the parent bill, specifically 761, 762, 817, 815, all A bills. Mr. Clerk, proceed.

CLERK: Senator, I have on LB 761A, I have no amendments to the bill, Senator.

SPEAKER BARRETT: LB 761, Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 761A be advanced to E & R Final.

SPEAKER BARRETT: The question is the advancement of LB 761A. All in favor say aye. Opposed no. Carried, the bill is advanced.

CLERK: The next bill I have, Senator, is LB 762A, and I have no amendments on that bill.

SPEAKER BARRETT: LB 762A, Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 762A be advanced to E & R Final.

SPEAKER BARRETT: Shall the bill be advanced to E & R? All in

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LB 228, 762A, 815A, 817A

favor say aye. Opposed no. Carried, it is advanced.

CLERK: Mr. President, the next bill I have is LB 817A, and, Senator, I have no amendments to that bill.

SPEAKER BARRETT: LB 817A, Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 817A be advanced to E & R Final.

SPEAKER BARRETT: Shall 817A be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced.

CLERK: Senator, I next have LB 815A. I do have E & R amendments to that bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 815A.

SPEAKER BARRETT: Question is the adoption of the E & R amendments to 815A. All in favor say aye. Opposed no. Carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 815A, as amended, be advanced to E & R Final.

SPEAKER BARRETT: Shall 815A, as amended, be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. Thank you. Mr. Clerk, have you an item on the desk?

CLERK: Mr. President, I do. I have a motion from Senator McFarland to direct the Clerk to request the return from the Governor of LB 228 for further consideration.

SPEAKER BARRETT: Senator McFarland. Senator Withem, proceed.

SENATOR WITHEM: Yes, Senator McFarland has asked me to handle this amendment. This was an Education Committee bill. If you recall, it's one that we passed yesterday. LB 228 was a bill

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LB 89, 137, 137A, 211, 215, 228, 279
289, 289A, 352, 639, 651, 651A, 761A
762A, 815A, 817A

Teachers buy books. Teachers buy supplies for kids that don't have them. They take money right out of their own pockets and give it to kids. And so it's...I guess that's one of the reasons why I feel very strongly about giving the money directly to teachers. Senator Warner's remarks struck a chord with me and reminded me of all the contributions that I know that individual teachers make to kids. And so I would urge us to get on with it. Let's pass this bill. It's time we did something for teachers.

SPEAKER BARRETT: Senator Schellpeper.

SENATOR SCHELLPEPER: I will give my time to Senator Moore.

SPEAKER BARRETT: Senator Moore.

SENATOR MOORE: Yes, Mr. Speaker. just to say I guess it's time to withdraw this. I apologize to the...to the original supporters of this bill, at least, because I think some of them wanted to read it tonight and because if my amendment was adopted, they couldn't, but I think it makes it a better bill, obviously, a bill that I can now support and I think there has been some fights among some varying entities on this bill. I think now we've got a bill that really does help education in the state. And, with that, I withdraw the amendment. The last things I will say on LB...the last things that all of us will say on LB 89 and come Monday we'll pass the bill over to the Governor.

SPEAKER BARRETT: Thank you. It is withdrawn. Anything further, Mr. Clerk?

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

SPEAKER BARRETT: Yes, for the record.

CLERK: Mr. President, amendments to be printed, Senator Scofield to LB 761A; Senator Chizek to LB 279. (See pages 2546-47 of the Legislative Journal.)

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 137, LB 137A, LB 211, LB 215, LB 228, LB 289, LB 289A, LB 352, LB 639, LB 651, LB 651A, LB 761A, LB 762A, LB 815A and LB 817A, Mr. President. (See pages 2548-50 of the Legislative

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LB 211, 215, 228, 352, 639, 739, 761
762A, 815, 815A, 817

LB 739, LB 211, LB 215, LB 228, LB 352, LB 639, LB 761. Move on to LB 762A.

ASSISTANT CLERK: (Read LB 762A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 762A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 2672-73 of the Legislative Journal.) The vote is 48 ayes, 0 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 762A passes. LB 815, please.

ASSISTANT CLERK: (Read LB 815 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 815 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 2673-74 of the Legislative Journal.) The vote is 48 ayes, 0 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 815 passes. LB 815A.

ASSISTANT CLERK: (Read LB 815A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 815A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See page 2674 of the Legislative Journal.) The vote is 48 ayes, 0 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 815A passes. LB 817, please.

ASSISTANT CLERK: (Read LB 817 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having

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LB 762, 762A, 815, 815A, 817A, 817

CLERK: 40 ayes, 0 nays on the motion to return the bill, Mr. President.

PRESIDENT: The bill is returned to Select File.

SENATOR CONWAY: I would move that we strike the enacting clause.

PRESIDENT: Okay, Senator Conway moves to strike the enacting clause. All those in favor of killing the bill vote aye, opposed nay. Senator Kristensen, your light came on, did you wish to speak? Okay. Record, Mr. Clerk, please.

CLERK: 38 ayes, 4 nays, Mr. President, on the motion to strike the enacting clause.

PRESIDENT: LB 817A is indefinitely postponed. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 762, LB 762A, LB 815, LB 815A, LB 817. Mr. Clerk, anything for the record?

CLERK: One item, Mr. President, a motion from Senator Warner to be printed in the Journal. That's all that I have.

PRESIDENT: Senator Barrett.

SPEAKER BARRETT: Mr. President and members, I move we adjourn until tomorrow morning at eight o'clock.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. You are adjourned till tomorrow at eight o'clock, did you say? We are adjourned until eight o'clock. Thank you very much, ladies and gentlemen, for your fine cooperation today. I'm sure the Speaker appreciates it and I certainly do. Thank you. Good night.

Proofed by:

Sandy Ryan
Sandy Ryan

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LB 137, 137A, 211, 215, 228, 352, 639
739, 739A, 744, 761, 762, 762A, 767
767A, 780, 815, 815A, 817
LR 115

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated immediately) ...W. Norris Legislative Chamber. We have with us this morning, as our Chaplain of the Day, Reverend Homer Clements of Saint Luke's United Methodist Church in Lincoln. Would you please rise for the invocation.

REVEREND CLEMENTS: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Reverend Clements. We appreciate it. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: I have no corrections, Mr. President.

PRESIDENT: Good. Any messages, reports or announcements?

CLERK: Mr. President, just one item and that is a...your Enrolling Clerk did present to the Governor the last few bills read on Final Reading last evening, and that's all that I had, Mr. President. (See bills presented to the Governor regarding LB 767, LB 767A, LB 137, LB 137A, LB 744, LB 780, LB 739, LB 739A, LB 211, LB 215, LB 228, LB 352, LB 639, LB 761, LB 762, LB 762A, LB 815, LB 815A, and LB 817 as found on page 2677 of the Legislative Journal.)

PRESIDENT: Good. We'll move on to Legislative Resolution, LR 115.

CLERK: Mr. President, LR 115 is offered by Senator Baack. It's found on page 2092. It asks the Legislature to acknowledge the centennial celebration of Cheyenne County...Banner County. Banner County, excuse me, Senator.

PRESIDENT: Senator Baack, please.

SENATOR BAACK: They're fairly close together, I guess. Banner County at one time was a part of Cheyenne County, but is now a Banner County. Mr. President and colleagues, this is a resolution honoring Banner County for their 100th birthday that will take place this summer. Banner County was the first county