

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

January 18, 1989

LB 35, 36, 38, 79, 158, 496-536

while you bring in your bills. If you have some, please bring them up. Do you have an announcement for us?

CLERK: Mr. President, Reference Committee will meet in five minutes in Room 2102; Reference Committee in Room 2102 in five minutes.

PRESIDENT: Reference Committee, please heed the announcement just made.

EASE

PRESIDENT: If you don't have anything to do, there is some dry edible beans up in front here, if you would like to help yourself you may. John WeiHING knows all about them, so you can ask him if you want to know how to cook them or anything. (Gavel.) Senator WeiHING.

SENATOR WEIHING: Mr. President and members of the Legislature, this year Nebraska is number one in the production of dry edible beans. I thought that you should realize that we have a very high standing with the production in the nation.

PRESIDENT: Mr. Clerk, you have something to do.

CLERK: Mr. President, your Committee on Agriculture, whose Chair is Senator Rod Johnson, to whom was referred LB 35, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 36 and LB 38 to General File, all signed by Senator Johnson as Chair.

Mr. President, new bills. (LBs 496-536. Read for the first time by title. See pages 258-66 of the Legislative Journal.)

Mr. President, in addition to those items, I have the hearing notice from the Health and Human Service Committee. Mr. President, a Reference Report referring LBs 463 through 495.

Mr. President, Transportation Committee, whose Chair is Senator Lamb, to whom was referred LB 79, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with committee amendments attached, and LB 158 to General File, both of those signed by Senator Lamb (See pages 268 of the Legislative Journal.)

SPEAKER BARRETT: Correction. We do have a light on. Senator Warner, please.

SENATOR WARNER: It's just a question. I understood there is a \$50,000 cost. Is there an A bill that's coming in to buy the equipment?

SPEAKER BARRETT: Senator Labedz.

SENATOR LABEDZ: Yes, there will be an A bill, Senator Warner. It's coming...

SENATOR WARNER: Chiefly, all I'm wondering is I thought...can the A bill...this could be advanced now and the A bill will follow then?

SENATOR LABEDZ: Absolutely right.

SENATOR WARNER: I just want to be sure. Thank you.

SENATOR LABEDZ: Thank you, Senator Warner.

SPEAKER BARRETT: Thank you. The Chair assumes you are ready to vote on the advancement of LB 158. Those in favor please vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 27 ayes, 1 nay, Mr. President, on the advancement of LB 158.

SPEAKER BARRETT: LB 158 is advanced. LB 79, Mr. Clerk.

CLERK: Mr. President, 79, a bill offered by Senator Korshoj. (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. Senator, you're absolutely right, excuse me. Mr. President, I stand corrected. Senator Lamb, as Chair of the Transportation Committee, does have committee amendments pending.

SPEAKER BARRETT: The Chair recognizes the Chairman of the Transportation Committee, Senator Lamb.

SENATOR LAMB: Thank you, Mr. Speaker, and members of the Legislature, this is a bill that was brought to the

Transportation Committee by Senator Korshoj. It provides that prestige plates can be purchased for small trucks. Currently, there is a four-ton weight limit on prestige plates. Senator Korshoj's bill calls for six tons. It was the committee's feeling that there was no reason not to increase that to 10, 10 ton, thinking that probably next year there would be another bill come in with somebody that would want to increase it again to a higher tonnage. Seeing no reason to deny a prestige plate to those pickups that are licensed as high as 10 ton, the committee adopted the amendment and I would recommend that that amendment be adopted on the floor.

SPEAKER BARRETT: Thank you. Discussion on the committee amendment? Seeing none, anything further, Senator Lamb? The question is the adoption of the committee amendments to LB 79. Those in favor vote aye, opposed nay. On the committee amendments, record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of committee amendments.

SPEAKER BARRETT: Committee amendments are adopted. The Chair recognizes Senator Korshoj on the bill as amended.

SENATOR KORSHOJ: Mr. Speaker and members, when I introduced the bill at six ton we did a little research to find out why it was four ton. We could find no reason. In 1977 LB 419, the law was amended to authorize prestige plates and no mention then was made for that reason of a four ton limit. The Department of Motor Vehicles also said they don't know why the four ton limit was established and don't see any problem with raising it to the now amended ten ton. The Department of Motor Vehicles says they will have no problem until we get to 12 ton where their portion, of the fuel tax. Really that's really all I have to say about it. I talked to a Ford dealer and he said now their Ford pickups, we call them commercial trucks maybe, but from F-350 to F-450, actually would be able to have a ten ton license and still be considered a pickup or a small truck. And I might add that unlike Bernice's bill there is no A bill with this one. This will only generate extra revenue. It will not cost us anything. With that I ask for the advancement of the bill.

SPEAKER BARRETT: Thank you. Discussion on the advancement of LB 79. There are no lights on. Senator Korshoj, anything further? Thank you. the question is the advancement of LB 79

to E & R Initial as amended. Those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 79.

SPEAKER BARRETT: The bill is advanced. LB 53, Mr. Clerk.

CLERK: Mr. President, LB 53 offered by Senator Weihing. (Title read.) The bill was introduced on January 5, referred to Urban Affairs, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Thank you. The gentleman from Gering, Senator Weihing.

SENATOR WEIHING: Yes, Mr. Speaker and members of the Legislature, there are communities that are relatively close together such as the community in which I live. Gering and Scottsbluff are just across the river from one another and if you were there in that community for the first time and I took you around, you would not know the difference when you were in Scottsbluff and Gering. Now this bill does not bring about any real change in the statutes. The bill simply allows for municipalities within close proximity, one, to organize a joint plumbing board pursuant to the Interlocal Cooperation Act. See, all metropolitan and primary cities already have plumbing boards. That is within the statutes and they have to have. And, secondly, that the members of the board shall be residents of the cities or live within the zoning jurisdiction of the city. Now the purpose of this is a joint plumbing board may prove to be more efficient and less costly. It just makes things more easy to operate when you have adjoining cities or close by communities. Now each member of the board shall have to give bond, however, there is some new language there and that is the cost of which may be paid by such city or village which would certainly be an advantage to each board member. There is some language that was struck, it is archaic. In 1976 when it was required to have such a board, then it was necessary to have language as to staggered terms. It is no longer necessary to have that language within the statutes and so it was an opportunity to just simply clean up the language in the statutes. I do hope that you look upon this favorably and advance it because it can mean efficiency and maybe less costly where municipalities are close by.

January 20, 1989

LB 35, 36, 38, 45, 53, 57, 79  
123, 158, 168-170, 189, 190

SPEAKER BARRETT: Proceed.

CLERK: Mr. President, I have a report of registered lobbyists for the week of January 19, as prepared by my office.

Mr. President, Business and Labor offers notice of hearing; Natural Resources Committee offers notice of hearing, signed by the respective chairs.

Natural Resources Committee reports on a confirmation hearing of Mr. Lawrence Myers.

Your Committee on Natural Resources to whom is referred LB 45 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 168 General File; LB 169 General File; LB 170 indefinitely postponed, those signed by Senator Schmit.

Enrollment and Review reports LB 190 to Select File; LB 35 to Select File with amendments; LB 36, Select File; LB 38, Select File with amendments; LB 158, Select File; LB 79, Select File; LB 53, Select File with amendments; LB 57, Select File and LB 123, Select File, those signed by Senator Lindsay as Chair, Enrollment and Review. (See pages 370-71 of the Legislative Journal for above announcements.)

Mr. President, the next amendment I have to LB 189 is offered by Senator Haberman. (Amendment appears on page 372 of the Legislative Journal.)

SPEAKER BARRETT: Senator Haberman, please.

SENATOR HABERMAN: Would you like to read the amendment, Mr. Clerk?

CLERK: (Read Haberman amendment.)

SENATOR HABERMAN: Mr. President, members of the body, the bill, LB 189, said, in essence, the chairperson and members shall be chosen in the same manner as chairpersons and members of the standing committees of the Legislature. That's fine. That's what we did. I agree with that. But now we reach the point that in 1991 should it or should it not be a standing committee? So let's examine the issue. If you will look on the work sheet dated January 20, 1989, there are 14 bills referred to General

the bill?

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

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 158 be advanced.

SPEAKER BARRETT: You've heard the motion to advance LB 158, as amended. Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 79.

CLERK: LB 79, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 79 be advanced to E & R Final.

SPEAKER BARRETT: Shall LB 79 be advanced? Those in favor say aye. Opposed no. The ayes have it, motion carries, the bill is advanced. LB 53.

CLERK: Senator, I have E & R amendments on LB 53.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 53 be adopted.

SPEAKER BARRETT: Shall the amendments to LB 53 be adopted? Those in favor say aye. Opposed no. Ayes have it, they are adopted.

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

SPEAKER BARRETT: Senator Weihing, please.

SENATOR WEIHING: Yes, Mr. President, members of the Legislature, the bill revisor suggested that a...really a technical amendment. This amendment is to clarify that the appointment power still exists for the chief health officer. It's just a technical amendment. That amendment has been passed out to you, to LB 53. I move that we accept this.

January 24, 1989

LB 1-6, 8-12, 14-17, 35, 36, 38, 53  
57, 67, 71, 79, 103, 123, 133  
158, 180, 181, 190, 223, 236, 255  
257, 277, 295, 297

LB 255 to General File, LB 257 to General File with amendments, LB 223 as indefinitely postponed. Banking, Commerce and Insurance Committee, whose Chair is Senator Landis, reports LB 295 to General File and LB 297 as indefinitely postponed. Your Committee on Revenue, whose Chair is Senator Hall, reports LB 133 to General File, LB 277 General File, LB 236 General File with amendments, LB 67 indefinitely postponed, LB 71, LB 103 and LB 181 all indefinitely postponed, all signed by respective Chairs. (See pages 413-14 of the Legislative Journal.)

Mr. President, I have notice of hearing from the Urban Affairs Committee, that is signed by Senator Hartnett; from the Education Committee signed by Senator Withem and from the Retirement Systems Committee signed by Senator Haberman.

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 35 and find the same correctly Engrossed, LB 36, LB 38, LB 53, LB 57, LB 79, LB 123, LB 158 and LB 190 all correctly Engrossed. (See pages 415-16 of the Legislative Journal.)

Mr. President, a communication from the Governor addressed to the Clerk. (Read communication re: LBs 1-6, LBs 8-12, LBs 14-17. See page 416 of the Legislative Journal.) Mr. President, that is all that I have at this time.

SPEAKER BARRETT: Thank you. Proceeding then to General File discussion, LB 180.

CLERK: Mr. President, 180 is a bill introduced by Senator McFarland. (Title read.) The bill was introduced on January 5, referred to Education. The bill was considered on the floor, Mr. President, on January 19. I now have pending an amendment from Senator McFarland. Senator, I understand the amendment you had printed on page 402 you want to withdraw that amendment.

SENATOR MCFARLAND: I'd like to withdraw that, Mr. Clerk.

CLERK: Mr. President, Senator McFarland would move to amend the bill and, if I may, Senator, I'll read the language.

SENATOR MCFARLAND: Please.

CLERK: (Read McFarland amendment. See page 417 of the Legislative Journal.)



February 7, 1989

LB 51, 53, 79, 123, 190

PRESIDENT: LB 53 passes. LB 79, please.

CLERK: (Read LB 79 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 79 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 617 of the Legislative Journal.) 38 ayes, 0 nays, 2 present and not voting, 9 excused and not voting, Mr. President.

PRESIDENT: LB 79 passes. LB 123 with the emergency clause attached.

CLERK: (Read LB 123 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 123 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 618 of the Legislative Journal.) 40 ayes, 0 nays, 2 present and not voting, 7 excused and not voting, Mr. President.

PRESIDENT: LB 123 passes with the emergency clause attached. LB 190.

ASSISTANT CLERK: (Read LB 190 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 190 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See page 619 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

PRESIDENT: LB 190 passes. LB 51, please.

ASSISTANT CLERK: (Read LB 51 on Final Reading.)

February 7, 1989

LB 35, 38, 45, 51, 53, 60, 79  
92A, 123, 168, 169, 189, 190, 207  
379

Committee on Education whose Chair is Senator Withem would report LB 379 to General File and that is signed by Senator Withem as Chair of the Education Committee, Mr. President, and that is all that I have. (See page 625 of the Legislative Journal.)

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 35, LB 38, LB 53, LB 79, LB 123, LB 190, LB 51, LB 60, LB 189, LB 207, LB 45, LB 168, LB 169. (See page 625 of the Legislative Journal.) We'll move on to the General File A bills and, Senator Barrett, did you wish to make an announcement about later taking up the Select File?

SPEAKER BARRETT: Yes, Mr. President. Thank you, and members, just a reminder of something we've done in the past on numerous occasions, if we perchance have not completed Select File by adjournment time at noon, I'd like very much with your leave to move those bills on to Final that are not amended. Those bills that are clean, I'd like to move them, if at all possible, before we adjourn if we haven't completed Select File. Thank you.

PRESIDENT: Thank you, and in checking with the Clerk, he tells us he will be in shape to take those up a little bit before noon, so that will be fine. Thank you, Speaker Barrett. LB 92A, Mr. Clerk.

CLERK: Mr. President, 92A was a bill offered by Senator Landis. (Title read.)

PRESIDENT: Senator Landis, please.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, this is the omnibus insurance act. The Insurance Department is a cash funded agency based on examination fees that they obtain. This, I believe, is the reappropriation of roughly \$50,000 to accomplish the tasks of the bill and I would ask that we advance LB 92A to accompany LB 92.

PRESIDENT: Any further discussion? If not, the question is the advancement of LB 92A. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

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

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

February 10, 1989      LB 35, 36, 38, 42, 44, 45, 51  
53, 60, 79, 110, 123, 140, 168  
169, 189, 190, 207, 408, 607, 610  
708, 775  
LR 2, 29

for the record, Mr. Clerk, at this time?

CLERK:      I do, Mr. President. Mr. President, your Committee on Judiciary whose Chair is Senator Chizek reports LB 42 to General File; LB 44, General File; LB 708, General File; and LB 110 as indefinitely postponed. Those are signed by Senator Chizek.

Mr. President, Revenue committee whose Chair is Senator Hall reports LR 2CA to General File; LB 607, General File with amendments; LB 775, General File with amendments. Those are signed by Senator Hall. (See pages 690-91 of the Legislative Journal.)

Health and Human Services Committee whose Chair is Senator Wesely reports LB 610 to General File with amendments. (See page 691 of the Legislative Journal.)

Mr. President, Report of Registered Lobbyists for this past week as required by statute. (See page 692 of the Legislative Journal.)

I have amendments to be printed to LB 408 by Senator Barrett.

Mr. President, communication from the Governor to the Clerk. (Read communication regarding signing of LB 35, 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. See page 693 of the Legislative Journal.)

Mr. President, your Committee on Enrollment and Review reports LB 140 to Select File with E & R amendments attached. (See page 693 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: We'll move on to LR 29, please.

CLERK:      Mr. President, LR 29 was offered by Senator Langford. It's found on page 656. (Read resolution.)

PRESIDENT: Senator Langford, please.

SENATOR LANGFORD: Mr. President and colleagues, I offer this resolution with a great deal of joy because this gentleman plays cards and plays golf with Jack, my husband, every day, practically, in the summer. He has been instrumental in the