

January 19, 1989

LB 94, 247, 570, 576, 683-808

as yet, please contact Joanne immediately. If you don't have the bill that you are expecting, please contact the Bill Drafters Office immediately. Mr. Clerk.

CLERK: Mr. President, for the record, I have received a reference report referring LBs 496-599 including resolutions 8-12, all of which are constitutional amendments.

Mr. President, your Committee on Banking, Commerce and Insurance to whom we referred LB 94 instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with amendments attached. (See pages 320-21 of the Legislative Journal.)

Mr. President, I have hearing notices from the Judiciary Committee signed by Senator Chizek as Chair, and a second hearing notice from Judiciary as well as a third hearing notice from Judiciary, all signed by Senator Chizek.

Mr. President, new bills. (Read LBs 683-726 by title for the first time. See pages 321-30 of the Legislative Journal.)

Mr. President, a request to add names, Senator Korshoj to LB 570, Senator Smith to LB 576, Senator Baack to 570 and Senator Barrett to LB 247.

SPEAKER BARRETT: Stand at ease.

EASE

SPEAKER BARRETT: More bills, Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. (Read LBs 727-776 by title for the first time. See pages 331-42 of the Legislative Journal.)

EASE

SPEAKER BARRETT: More bill introductions.

ASSISTANT CLERK: Thank you, Mr. President. (Read LBs 777-808 by title for the first time. See pages 343-50 of the Legislative Journal.)

CLERK: Mr. President, I have reports. Your Committee on

February 9, 1989

LB 61, 125, 231A, 240, 349, 360A, 421
431A, 494, 733, 790

and we don't have a system in our law to recognize that difference, when you make your change you resubmit your forms, your policies and your agents. Now, what are we going to do? We're going to approve them all, aren't we? But we're going to take them out and look at them and stamp them with another rubber stamp. It's unnecessary. So long as these items were approved by the department when they were initially brought to the state, they stay in effect while the transfer is made. If the provision is not here, unfortunately, that change of domicile will occasion a new filing of all of the forms we already have approved, totally unnecessary, therefore, the reason for this bill. It's standard practice elsewhere. I urge its adoption and advancement and applaud Senator Haberman for bringing this measure.

PRESIDENT: Thank you. Senator Haberman, did you wish to close? Okay, 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 61.

PRESIDENT: LB 61 advances to E & R Initial. LB 349.

CLERK: Mr. President, before that, if I may, items for the record. Mr. President, new bills. (Read title for the first time to LB 431A, LB 231A, LB 360A and 520A. See page 675 of the Legislative Journal.)

Urban Affairs Committee reports LB 240 to General File; LB 790 to General File; LB 125 indefinitely postponed; LB 494 indefinitely postponed. Those are signed by Senator Hartnett as Chair.

Senator Wesely has amendments to LB 733 to be printed; Senator Smith to LB 421. (See page 676 of the Legislative Journal.)

Mr. President, the next bill, LB 349, was a bill that was introduced by Senator Conway. (Read title.) The bill was introduced on January 11, referred to the Banking Committee, advanced to General File. I have committee amendments pending by the Banking Committee, Mr. President.

PRESIDENT: Senator Landis, are you going to handle those?

March 30, 1989

LB 240, 777, 790

LB 240.

SPEAKER BARRETT: LB 240 advances. LB 790.

CLERK: LB 790 offered by Senator Hartnett. (Read title.) The bill was introduced on January 19, referred to Urban Affairs, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Korshoj, would you handle the bill, please.

SENATOR KORSHOJ: Yes, Mr. Speaker, and members, all this bill is is a technical change to a bill we passed last year, LB 625. It just spells out exactly how a mayor can vote if his vote is decisive or if it's needed to pass a bill, actually, or to pass what is on the agenda. And it's...the League discovered we needed this technical change to clarify when and how he could vote. And that's all we ask is the advancement of this bill.

SPEAKER BARRETT: Any discussion? Any questions? If not, shall LB 790 be advanced? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 790.

SPEAKER BARRETT: LB 790 advances. LB 777.

CLERK: Mr. President, LB 777 was a bill introduced by the General Affairs Committee and signed by its members. (Read title.) The bill was introduced on January 19, referred to General Affairs, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Smith.

SENATOR SMITH: Thank you, Mr. Speaker, members of the body, this is a bill that was heard in General Affairs and was passed out unanimously. Under current law, liquor distributors can ship liquor that is damaged or otherwise spoiled back from their retailer in order to destroy or replace that liquor. If the distributor just ships liquor out of the state, however, such as into Iowa, the distributor can't bring it back in to destroy it at this point in time and they are being forced to warehouse it

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.

April 7, 1989

LB 47, 548, 582, 582A, 790

CLERK: Nothing further on the bill, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 47, as amended, be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 548.

CLERK: Senator, on 548 I have no amendments to the bill.

PRESIDENT: Senator Lindsay, on the advancement.

SENATOR LINDSAY: Mr. President, I move that LB 548 be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 582.

CLERK: LB 582, Senator, I have no amendments to the bill.

PRESIDENT: Okay, Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 582 be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 582A.

CLERK: LB 582A, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 582A be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 790.

CLERK: LB 790, Senator, I have E & R amendments, first of all.

PRESIDENT: Senator Lindsay, please.

April 7, 1989

LB 44A, 44, 777, 790

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 790 be adopted.

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

CLERK: Nothing further on the bill, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 790, as amended, be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 777.

CLERK: LB 777, Senator, has no amendments.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 777 be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 44.

CLERK: LB 44, Senator, I have E & R, first of all.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 44 be adopted.

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

CLERK: Nothing further on the bill, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 44, as amended, be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 44A.

April 11, 1989

LB 44, 44A, 47, 66, 285, 285A, 361
361A, 372, 401, 429, 506, 546, 548
582, 582A, 608, 637, 739, 777, 790

your light is on.

SENATOR MORRISSEY: Yes, Mr. Speaker, I would move that we adjourn until 9:00 a.m., Wednesday, April 12.

SPEAKER BARRETT: Thank you. Before we take a vote, Mr. Clerk, have you anything for the record?

CLERK: Mr. President, I have amendments to be printed to LB 739 by Senator Wesely and to LB 429. Enrollment and Review reports LB 44, LB 44A, LB 47, LB 66, LB 285, LB 285A, LB 361, LB 361A, LB 372, LB 401, LB 506, LB 546, LB 548, LB 582, LB 582A, LB 608, LB 637, LB 777, and LB 790 as correctly engrossed. (See pages 1648-52 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The question is adjournment until tomorrow morning at nine o'clock. Those in favor say aye, opposed no. Carried. We are adjourned. (Gavel.)

Proofed by:

Sandy Ryan
Sandy Ryan

April 18, 1989

LB 99, 637, 777, 790

Journal.) 33 ayes, 15 nays, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 637 passes. LB 777.

CLERK: (Read LB 777 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 777 become law? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 1744-45 of the Legislative Journal.) 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 777 passes. LB 790, Mr. Clerk.

CLERK: (Read LB 790 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 790 pass? Those in favor vote aye, opposed nay. Record.

CLERK: (Record vote read. See pages 1745-46 of the Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 790 passes. Final bill on Final Reading, LB 99.

CLERK: (Read LB 99 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 99 become law? Those in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read. See pages 1746-47 of the Legislative Journal.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 99 passes. Before the call is raised, two or three announcements. Senator Beyer had some guests in the north balcony from Skyline Elementary in Elkhorn. Sixty-six fourth graders were with us this morning. Also, the Central

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LB 99, 546, 548, 582A, 582, 608, 637
761, 777, 790

Nebraska Public Power and Irrigation District and the Nebraska Public Power District is opening an exhibit in our Rotunda at this point. The exhibit is open to the public. Everyone is invited to attend. And, finally, an announcement of considerable concern, or it should be, to this entire body, the final score in last night's practice game or preseason basketball game, staff-66, senators-47. The good news is that there were no fatalities. The call is raised. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 790, LB 777, LB 637, LB 608, LB 582A, LB 582, LB 548, LB 546, and LB 99. Senator Dierks, for what purpose do you rise?

SENATOR DIERKS: Personal privilege.

SPEAKER BARRETT: State your point.

SENATOR DIERKS: Well, I just wanted to assure the senators that the reason for the good news was that the team physician was absent last night.

SPEAKER BARRETT: The team physician was absent last evening? Thank you, sir. That's for the good of the order. Mr. Clerk, proceed to General File, special order, LB 761.

CLERK: Mr. President, 761 was the bill introduced by the Natural Resources Committee. (Read title.) The bill was discussed yesterday, Mr. President. At that time, the committee amendments were adopted along with a series of amendments to those committee amendments. Mr. President, the first item I have on the bill this morning is an amendment by Senator Dierks. Senator Dierks' amendment is on page 1694 of the Journal.

SPEAKER BARRETT: Senator Dierks, please.

SENATOR DIERKS: Mr. Speaker and members of the body, we discussed this amendment a little bit yesterday so you have an idea of what we're talking about. This amendment requires voter approval by citizens of a county prior to the issuance of a license to site a facility. It seems a little bit strange to me that I have to stand here to justify this requirement, this requirement of local election, for specific reasons which I think are obvious, they're obviously consistent with Nebraska's traditional philosophy of local control, sovereignty of our citizens. More specifically, I believe the state made a pledge

April 18, 1989

LB 99, 240, 279, 361, 361A, 546, 548
582, 582A, 608, 637, 761, 777, 790

Record, Mr. Clerk. Senator Chambers.

SENATOR CHAMBERS: I want a call of the house and a roll call vote.

PRESIDENT: Okay, the question is, shall the house go under...okay, we are under call, Senator Chambers, but we will check in. Yes, all right. Please record your presence. Senator Lynch, would you record your presence, please. Senator Hefner, would you push...pardon me. Record your presence, please. Yes, we are, but we're checking in. Please. Senator Wesely, we're looking for and Senator Schmit. Did you ask for a roll call vote, Senator Chambers? All right. Okay, the question is the adoption of the Chambers amendment. Roll call vote has been requested. Mr. Clerk.

CLERK: (Roll call vote read. See page 1749 of the Legislative Journal.) 21 ayes, 24 nays, Mr. President.

PRESIDENT: The amendment fails. Do you have anything else on the bill?

CLERK: Nothing.

PRESIDENT: Do you have anything for the record, Mr. Clerk:

CLERK: I do, Mr. President. Mr. President, your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning. (Re: LB 546, LB 548, LB 582, LB 582A, LB 608, LB 637, LB 777, LB 790 and LB 99.)

I have a motion to be printed by Senator Landis. (See page 1750 of the Legislative Journal. Re. LB 361 and LB 361A.)

PRESIDENT: The call is raised.

CLERK: Transportation Committee gives notice of confirmation hearing.

Amendments to be printed to LB 279 by Senator Chizek, and Senator Hall to LB 240. (See pages 1750-53 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: May I introduce some guests, please. In the north balcony Senator Byars has 80 fourth graders from Anderson Grove

April 20, 1989

LB 47, 66, 99, 135, 206, 247, 247A
324, 372, 381, 392, 395, 401, 482
506, 546, 548, 582, 582A, 608, 611
637, 777, 790
LR 81, 82

advancement of LB 247.

SPEAKER BARRETT: LB 247 is advanced. Anything for the record? The call is raised. Senator Withem, would you like to handle the A bill at this point? (LB 247A)

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

SENATOR WITHEM: Move the advancement of the A bill.

SPEAKER BARRETT: Thank you. Any discussion? If not, those in favor of the advancement of the A bill say aye. Opposed no. Carried. For the record.

CLERK: Mr. President, thank you. Communication from the Governor to the Clerk. (Read communications regarding LB 135, LB 206, LB 324, LB 381, LB 392, LB 482, LB 395, LB 47, LB 66, LB 372, LB 401, LB 506, LB 546, LB 548, LB 582, LB 582A, LB 608, LB 637, LB 777, LB 790, and LB 99 as found on pages 1809-10 of the Legislative Journal.)

Study resolution, Mr. President, by Senator Goodrich and some other members regarding a review of state institutions where there is a permanent residence population. That will be referred to Reference Committee. (LR 81.) LR 82 is a resolution by Senators Pirsch and Lindsay asking the Legislature to applaud the efforts of 120 students in the...for their academic achievement. That will be laid over. (See pages 1810-12 of the Journal.)

Mr. President, Government Committee gives notice of confirmation hearing for May 4. That is offered by Senator Baack as Chair. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Proceeding then to the next bill on Select File, LB 611.

CLERK: Mr. President, the first item on LB 611 are Enrollment and Review amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 611 be adopted.