

Commission for Postsecondary Education, again, filed pursuant to statute; a report from the Nebraska Games and Parks Commission filed pursuant to statute; the annual report of the Division of Telecommunications; a communication from a series of Natural Resources Districts, Mr. President, with respect to payment of attorneys fees incurred during this past year. (See pages 88-89 of the Legislative Journal.)

Mr. President, I have a series of appointment letters from the Governor, appointments to the Board of Health, to the Rural Health Manpower Commission, the Foster Care Review Board, the Job Training Council, the Oil and Gas Conservation Commission. Those will all be referred to Reference for referral to the appropriate Standing Committee, Mr. President. (See pages 89-97 of the Legislative Journal.)

Finally, I have received a communication with respect to the siting for the low-level radio active waste disposal facility. That communication was received from US Ecology, Mr. President. (See page 88 of the Legislative Journal.) All of those reports will be on file in my office subject to review by members upon their request. That is all that I have, Mr. President.

PRESIDENT: Thank you. (Gavel.) Ladies and gentlemen, we're ready to begin the introduction of bills and some of you I understand would like to hear what the bills are about, so while I don't wish to spoil your fun and visitation with each other, kindly hold it down so that those that wish to listen to the introduction of the bills may do so. We anticipate that this will probably go on until about noon and, of course, free to do whatever you would like to do. Thank you. Mr. Clerk, the introduction of bills.

CLERK: Mr. President, new bills: (Read by title for the first time, LBs 818-878. See pages 97-109 of the Legislative Journal.)

I have amendments to be printed from Senator Rod Johnson to LB 163, LB 39, LB 37. (See pages 110-14 of the Legislative Journal.)

Mr. President, new bills. (Read by title for the first time, LBs 879-922. See pages 114-23 of the Legislative Journal.)

Mr. President, I have new resolutions: (Read brief description

January 4, 1990

LB 818-880

LR 230

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen, welcome to the George W. Norris Legislative Chambers. We have with us this morning as our Chaplain of the day, Pastor Robert Nowak of the Faith Evangelical Lutheran Church in Lincoln, Nebraska. Would you please rise for the invocation.

PASTOR NOWAK: (Prayer offered.)

PRESIDENT: Thank you, Pastor Nowak, we appreciate your being here this morning and announcing the invocation. Please come back and visit us again. Roll call, please.

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

PRESIDENT: Thank you. Do you have any messages, reports or announcements? Mr. Clerk, do you have any messages, reports or announcements?

CLERK: Mr. President, I do. I have a reference report referring LBs 818-880, signed by Senator Labeledz as Chair of the Reference Committee. I have also a reference report regarding certain gubernatorial appointments made since the last special session. That's all that I have, Mr. President. (See pages 135-37 of the Legislative Journal.)

PRESIDENT: We'll move on to number four, the temporary rules.

CLERK: Mr. President, I have a motion. Senator Lynch as Chair of the Rules Committee would move that the rules be adopted for today only, January 4.

PRESIDENT: Thank you. Senator Lynch.

SENATOR LYNCH: Mr. President, members, I couldn't have said it any better. I move the adoption of the (inaudible)...

PRESIDENT: Thank you. Is there any discussion? You've heard the motion. All in favor say aye. Opposed nay. They are adopted. We'll move on to the legislative resolutions, LR 230. Mr. Clerk.

CLERK: Mr. President, LR 230 was introduced by Senator Withem. It is found on page 124 of the Legislative Journal. (Read brief

bills or wants a lot of bills, but this is the system. You know, clearly it says here that that bill belongs in Transportation. Now we are either going to abide by the rules or the whole system goes to pot, as far as I am concerned. I realize there is a lobby group out there that wants this bill go to Judiciary. It does not belong in Judiciary, clearly does not belong in Judiciary. Jack Rodgers put it in Transportation and then it was changed by the Reference Committee. So it clearly belongs in Transportation, and I just urge you to rerefer that bill to Transportation.

PRESIDENT: Thank you. Senator Chizek, please.

SENATOR CHIZEK: Well, obviously, I disagree with Senator Lamb, and I think the realities are simple to grasp. The public has demanded that government act on the problems of drug abuse, and they rightly...and rightfully so, in my opinion. And I think these problems are multifaceted, multidefinitional, if you will, and in short, there is an overlap, and not pieces that have any connection with each other. The public is not failing to see that alcohol abuse is a part of the fabric of the problem. Response is being made to that which the public sees and demands a response to. One response is Senator Langford's LB 846 addressing suspension of driver's license for drug related offenses. Another response, colleagues, is Senator Abboud's LB 927. Other responses are Senator Pirsch's LB 976 and LB 977. Another response is Senator Lynch's LB 1062. Finally, there is LB 1114. Whether each and every sentence of these bills represents the best that we can do is a question for review in the next few weeks, colleagues. Today I think it is important that we see they share a common element of that being a response, that they share one common element in approach, specifically, cementing these suggestions with criminal penalties. All, including LB 1114, were assigned to the Judiciary Committee. At first blush, LB 1114 might, in fact, not seem to belong in this group, but its proposal to lower the level at which a person is considered legally intoxicated is, in effect, a proposal that goes to the abuse of a drug constituting a crime against society. It may even be considered, and I stress, not by its words by themselves but by their effect, to be a newly defined crime, again, one piece of the main is at were, which is the final reason why the bill should remain in Judiciary. As we respond, we need to see what the public sees. The view and the review of the issue must not be piecemeal. We must ask ourselves the logic of expected responsible hearings

before a single committee of LB 846, of LB 927, of LB 976, of LB 977, LB 1062, but advocating, advocating a piece of responsibility posed by 1114 elsewhere. I would like us at least to keep pace with what the public sees and knows is common sense, a virtue which my colleague, Senator Lamb, would in the first...be one of the first in line to defend. In that spirit, I would ask respectfully that we not be so eager to dispose of the motion that you approve it, and I respectfully ask for your defeat of the motion.

PRESIDENT: Thank you. Senator Peterson, please, followed by Senator Beck and Senator Labedz.

SENATOR PETERSON: Mr. President, and members, I rise to support the motion to refer this back to Transportation. That is where Dr. Rodgers "invidiously" said it should belong, by the statutes, the chapters and everything, and we, Senator Chambers, of course, is always in that committee trying to get a lot of things moved over to Judiciary, and I get offended a lot of times when I am sitting there referencing when this happens. And this is what happened, and from like Dr. Rodgers said, and he has expressed it to the committee time and time again, you know, this is where these bills should go, but it happens every once in awhile within that committee, especially with Senator Chambers, that this is where he wants it to go to Judiciary, and I get a little fed up with that, and I think that if anybody knows where they should go it should be Dr. Rodgers because he has done this for a number of years. So I would request that you, like you colleagues of mine, that you refer it back to Transportation where it was originally put by Dr. Rodgers. Thank you.

PRESIDENT: Thank you. Senator Beck, you are next, but may I introduce some guests, please, in the south balcony. From around the state, we have 30 members of the Nebraska Speech, Language, and Hearing Association and they are composed of members all over the state. Would you please rise and be recognized by the Legislature. Thank you for visiting us this morning. We should also recognize our physician of the day, comes from Senator Wehrbein's area. Dr. Gary Rademacher of Nebraska City, would you please rise so we can recognize you. Dr. Rademacher, we appreciate your services today. Thank you. Senator Beck, please.

SENATOR BECK: Thank you. Mr. President, and members of the

February 16, 1990      LB 163, 164A, 226, 260, 457, 571, 838  
846, 866, 880, 958, 1003, 1019, 1028  
1039, 1062, 1103, 1106, 1113, 1184, 1205  
1215, 1229

Senator Hartnett.      (See pages 846-48 of the Legislative Journal.)

Judiciary reports LB 838 to General File; LB 880, General File; LB 846, indefinitely postponed; LB 1103 and LB 1205, indefinitely postponed.

I have amendments to be printed to LB 866 by Senators Lamb, Haberman, Rogers and Crosby. (See pages 848-50 of the Legislative Journal.)

Mr. President, priority bill designations. Senator Labeledz has selected LB 457. Senator Hartnett for Urban Affairs has selected LB 1106, LB 1229; Senator Conway, LB 260; Senator Bernard-Stevens, LB 1062; Senator Beck, LB 958; Senator Rod Johnson, LB 1019; Senator Haberman, LB 1039, as one of the Retirement Systems priority bills. Senator Hall's Revenue bills are LB 1028 and LB 1215; Senator McFarland, LB 226; Senator Hefner, LB 571; and Senator Chizek's personal priority, LB 880, and Judiciary Committee's, LB 1003 and LB 1113.

Mr. President, Revenue Committee gives notice of hearing. And one new A bill, LB 164A by Senator Ashford. (Read by title for the first time as found on page 850 of the Legislative Journal.)

And, finally, Senator Scofield has amendments to LB 1184 to be printed. (See page 851 of the Legislative Journal.) That's all that I have, Madam President.

Madam President, when we left LB 163, the Enrollment and Review amendments had been adopted. Senator Johnson had an amendment to the bill that had been adopted. Senator Morrissey had amendments. Senator Hefner had his first amendment adopted. The bill was bracketed, Madam President. I now have pending Senator Hefner's amendment. Senator, this amendment is on page 599 of the Journal. I believe...it's AM2141, Senator, the biodegradable. Right. Okay.

SENATOR LABEDZ: Senator Hefner, on the amendment.

SENATOR HEFNER: Mr. President and members of the body, you will find this amendment on page 599. And what this would do, this would add a tax or a fee on disposable diapers...on nondegradable disposable diapers at the rate of 10 cents per dozen. The tax would be collected by the Department of Revenue