

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

January 18, 1990

LB 394, 847, 858, 875, 891, 906, 907  
910, 1013

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen, welcome to the George W. Norris Legislative Chamber. We are honored to have with us this morning, Father Don Hanway of St. Mark's Episcopal Church in Lincoln. Would you please rise for the invocation.

FATHER HANWAY: (Prayer offered.)

PRESIDENT: Father Hanway, we thank you for being with us this morning. Please come back. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Any messages, reports or announcements?

CLERK: Mr. President, I do. Your Committee on Transportation whose Chair is Senator Lamb to whom was referred LB 858 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, LB 875 to General File, LB 891 General File, LB 910 General File with amendments, LB 394 indefinitely postponed, and LB 847 indefinitely postponed, all those signed by Senator Lamb as Chair of the committee. (See pages 371-72 of the Legislative Journal.)

Mr. President, in addition to those Natural Resources Committee whose Chair is Senator Schmit to whom was referred LB 906 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, LB 907 and LB 1013 to General File, those signed by Senator Schmit as Chair of the Committee. (See page 372 of the Legislative Journal.)

Mr. President, I also have a confirmation report from Natural Resources regarding confirmation hearings held. That will be considered at another time by the body.

I have hearing notices from Natural Resources Committee and Business and Labor Committee, those signed by Senator Schmit and Senator Coordsen respectively. I have received, Mr. President, a report from the Department of Roads pertinent to the Highway Cash Fund and Roads Operation Cash Fund. That will be on file in my office. And a report from the Nebraska Department of Social Services pursuant to statute. That, too, will be on file in my office.

vote if you care to. We're voting on the advancement of the bill. Ladies and gentlemen, if I could have your attention a moment, please. I know we're on consent calendar and several of you are anxious to move on these, and if you'd kind of stick around it certainly would help, so I'd ask your cooperation. Thank you. Have you all voted? Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 602.

PRESIDENT: The bill is advanced. LB 858, please.

CLERK: Mr. President, on 858, it's a bill introduced by Senator Beyer. (Read title.) The bill was introduced on January 3 of this year, Mr. President, referred to Transportation, advanced to General File. I have no amendments to the bill.

PRESIDENT: Senator Beyer, please.

SENATOR BEYER: Thank you, Mr. President. Very simply put, this bill would provide that any person owning any two or more motor vehicles required to be registered in the State of Nebraska has the option to elect to register both of the vehicles on a calendar year basis so the same registration period beginning in a month selected by the owner of the vehicles. At present this registration alternative may be utilized by individuals owning three or more vehicles and we have changed the language from three to two. It basically is a provision that will make government more responsive to the taxpayer and it will only take one trip to the county courthouse instead of two to pay the annual tax, and I would move that this bill be advanced.

PRESIDENT: Thank you. Any further discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. We're voting on the advancement of the bill. Please vote if you care to. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 858.

PRESIDENT: The bill is advanced. LB 875, please.

CLERK: Mr. President, 875 was a bill introduced by Senator Haberman. (Read title.) The bill was introduced on January 3 of this year, referred to Transportation. The bill was advanced

February 12, 1990      LB 350, 350A, 542, 551, 567, 567A, 602  
663, 692, 742, 851, 856, 857, 858  
874, 875, 891, 893, 896, 902, 906  
907, 918, 924, 930, 940, 957, 964-966  
969, 970, 974, 983, 984, 997, 1013  
1016, 1017, 1043, 1044, 1118

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber and a new day in the Second Session of the Ninety-first Legislature. Our Chaplain of the day is Father Mitch Lindeman of St. Matthews Episcopal here in Lincoln. Father Lindeman.

FATHER LINDEMAN: (Prayer offered.)

SPEAKER BARRETT: Thank you, Father Lindeman, pleased to have you with us. Roll call.

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

SPEAKER BARRETT: Thank you. With a quorum present, are there corrections to the Journal?

CLERK: Mr. President, I have no corrections to the Journal.

SPEAKER BARRETT: Are there any reports, messages, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 350 and find the same correctly engrossed, LB 350A, LB 567, LB 567A, LB 663, LB 692, and LB 742, all reported correctly engrossed, those signed by Senator Lindsay as Chairperson of the Enrollment and Review Committee. (See pages 726-27 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 551 to Select File with E & R attached, LB 542, LB 602, LB 858, LB 875, LB 891, LB 1013, LB 983, LB 906, LB 907, LB 984, LB 856, LB 851, LB 957, LB 964, LB 966, LB 997, LB 857, LB 874, LB 893, LB 918, LB 930, LB 970, LB 940, LB 902, LB 974, LB 1016, LB 1017, LB 969, LB 896, LB 965, LB 924, LB 1118, LB 1043, LB 1044,

February 13, 1990

LB 602, 858, 875  
LR 252, 253

sign LR 252 and LR 253. May I announce, please, that Senator Langford's birthday is never when we're in session so she doesn't get to provide doughnuts, but her husband Jack's birthday is today and he is providing doughnuts in a little while. So you can thank Senator Langford for Senator Jack's...or her husband's birthday. Thank you, Senator Lorraine. We'll move on to Select File, please, LB 602.

CLERK: Mr. President, 602, I have Enrollment and Review amendments pending.

PRESIDENT: Senator Chizek, would you help us out this morning, please.

SENATOR CHIZEK: Yes. I move the E & R amendments to be 602 adopted.

PRESIDENT: You have heard the motion. All in favor say aye. They are adopted.

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

PRESIDENT: Senator Chizek.

SENATOR CHIZEK: I move that LB 602 be advanced.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 858.

CLERK: LB 858, Senator, I have no amendments to the bill.

PRESIDENT: Senator Chizek, please.

SENATOR CHIZEK: I move LB 858 be advanced.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 875.

CLERK: LB 875, Senator, I have no amendments to the bill.

PRESIDENT: Senator Chizek.

SENATOR CHIZEK: I move LB 875 be advanced.

PRESIDENT: You have heard the motion. All in favor say aye.

February 14, 1990

LB 313, 313A, 602, 618, 662, 858, 875  
891, 906, 907, 1013, 1051, 1059A  
LR 254, 255

I can go to the hospital, even...and have them stick a knife in my body and work on it. I don't think people are going to do that. And, if they're injured, I don't think they're just going to be lapping up all this cream that we're so concerned about. There are times when you're drawing workmen's comp when you can be taxed by the federal government. In certain situations, if you are on a light duty status, where you can't make it on the existing workmen's comp, and the employer says, well, come back, we'll give you light duty and we'll give you a little bit of a wage, not your total wage, and then your workmen's comp makes up what your total wage would have been, then that is all balled into a wage, and that is taxed. You can check it out if you'd like. So there are times it is taxed on the federal level, when you can't make it and are forced to go back to work, often times after further aggravating your injuries, but you just can't make it. So that's what...that's how light duty came into existence, because of poor workmen's comp. We know you're injured but...and we know you can't make it, so come on back and we'll give you a little bit to do a little bit. It might further aggravate your injury, might make things worse in the long-run, but we know you can't make it, so come on back, you'll help us out at a cheap rate. And, oh, by the way, you will be taxed on your workmen's comp, too. They probably leave that part out. But I don't think we're going to have people, part-time employees, rushing out to injure themselves so they can draw this extra 20 bucks a week, or whatever it is. I don't think we have a big concern about that and I would support Senator Hall's amendment.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 254, and LR 255. Mr. Clerk, do you have something to read in?

CLERK: Mr. President, Education Committee reports LB 618 to General File; and LB 1051 to General File, those signed by Senator Withem. New A bills. (Read LB 1059A and LB 313A by title for the first time.) Senator Smith has amendments to LB 662. I have a motion for introduction of a new bill that will be laid over, that's offered by Senator Coordsen. And, Mr. President, LB 602, LB 858, LB 875, LB 891, LB 906, LB 907, and LB 1013 are reported correctly engrossed. That's all that I have, Mr. President. (See pages 788-91 of the Legislative Journal.)

February 22, 1990      LB 857, 858, 874, 875

CLERK:    (Read record vote.    See page 914 of the Legislative Journal.)    41 ayes, 0 nays, 1 present and not voting,    7 excused and not voting, Mr. President.

PRESIDENT:    LB 857 passes.    LB 858, please.

CLERK:    (Read LB 858 on Final Reading.)

PRESIDENT:    All provisions of law relative to procedure having been complied with, the question is, shall LB 858 pass?    All those in favor vote aye, opposed nay.    Record, Mr. Clerk, please.

CLERK:    (Read record vote.    See page 915 of the Legislative Journal.)    40 ayes, 0 nays, 2 present and not voting    7 excused and not voting, Mr. President.

PRESIDENT:    LB 858 passes.    LB 874 with the emergency clause attached.

CLERK:    (Read LB 874 on Final Reading.)

PRESIDENT:    All provisions of law relative to procedure having been complied with, the question is, shall LB 874 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 916 of the Legislative Journal.)    42 ayes, 0 nays, 1 present and not voting,    6 excused and not voting, Mr. President.

PRESIDENT:    LB 874 passes with the emergency clause attached.    LB 891, please.    LB 875, excuse me.

CLERK:    (Read LB 875 on Final Reading.)

PRESIDENT:    All provisions of law relative to procedure having been complied with, the question is, shall LB 875 pass?    All those in favor vote aye, opposed nay.    Have you all voted?    Record, Mr. Clerk, please.

CLERK:    (Read record vote.    See pages 916-17 of the Legislative Journal.)    39 ayes, 1 nay, 3 present and not voting,    6 excused and not voting, Mr. President.



February 22, 1990

LB 602, 855, 856-858, 874, 875, 891, 893  
906, 907, 957, 964, 966, 984, 997  
1013  
LR 260

Holdrege, Nebraska. He is under the north balcony. Doctor, would you please stand up so we may see what you look like and welcome you to the body today. I guess he is in his office at the moment, so...while the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 602 with the emergency clause attached, LB 856, LB 857, LB 858, LB 874 with the emergency clause attached, LB 875, LB 891, LB 893, LB 906, LB 907, LB 957, LB 964, LB 966, LB 984, LB 997 with the emergency clause attached and LB 1013. (See page 925 of the Legislative Journal.) Mr. Clerk, anything for the record?

CLERK: One item, Mr. President, a new resolution, LR 260 offered by Senator Nelson and a number of members. (Read brief description of LR 260. See pages 925-26 of the Legislative Journal.) That will be referred to the Reference Committee, Mr. President. And that is all that I have, Mr. President.

PRESIDENT: We'll move on to LB 855, please.

CLERK: Mr. President, 855 was introduced by Senator Rod Johnson. (Read title.) The bill was introduced on January 3 of this year, referred to the Agriculture Committee for public hearing. The bill was advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Thank you. Senator Owen Elmer, please.

SENATOR ELMER: Thank you, Mr. President and members. Senator Johnson isn't here to present his bill and I'm proud to be able to present it for him. LB 855 is identical with the animal damage control bill that we passed through Final Reading and sent to the Governor last year and was a casualty in the funding crisis that we had sent to her desk. This particular program is one that is supported by the USDA Department of Agriculture, animal damage control people, that assist with funds to the state in controlling animals that are a nuisance and are predatory animals. Several western counties have been funding local programs in their counties independently of the state and receiving federal aid in their efforts. The livestock, sheep, poultry industry in the state are very interested in this bill. We heard it in Agriculture Committee January 23. We had nine different persons representing themselves and different agencies and units, such as the Nebraska Animal Damage Control Board of the USDA, Nebraska Farm Bureau, the Game and Parks Commission,

February 22, 1990      LB 315, 602, 856-858, 874, 875, 891, 893  
906, 907, 957, 964, 966, 984, 997  
1013, 1090, 1105, 1119, 1136, 1228, 1246

all voted? Have you all voted? We're voting on the advancement of LB 1090. Please vote. Have you all voted? Senator Withem.

SENATOR WITHEM: Yeah, it appears as though we need another four votes, so I would ask that we...the house be brought under call and I will accept call in votes.

SENATOR LABEDZ: Thank you, Senator. Shall the house go under call? All those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 14 ayes, 0 nays to go under call, Madam President.

SENATOR LABEDZ: The house is under call. All unauthorized personnel, please leave the floor. Senators in their offices, please return to the Chamber and record your presence. The house is under call. Please return to the Chamber and record your presence. Senator Withem has requested call ins.

CLERK: Senator Chizek voting yes. Senator Lindsay voting yes. Senator Smith voting yes. Senator Morrissey voting yes. Senator Byars, you had voted yes, Senator.

SENATOR LABEDZ: Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 2 nays, Madam President, on the advancement of LB 1090.

SENATOR LABEDZ: LB 1090 is advanced. Mr. Clerk, we'll go to the 1990 Speaker priority bills, LB 1032. The call is raised. Mr. Clerk, you have something to read in the record?

CLERK: Yes, Madam President. Your Committee on Enrollment and Review reports LB 1228 to Select File; LB 1105, Select File; LB 1119, Select File, those signed by Senator Lindsay. Banking, Commerce and Insurance Committee, whose Chair is Senator Landis, reports LB 1136 to General File with amendments attached, signed by Senator Landis as Chair. The Enrolling Clerk has presented to the Governor bills read on Final Reading this morning. (Re. LB 602, LB 856, LB 857, LB 858, LB 874, LB 875, LB 891, LB 893, LB 906, LB 907, LB 957, LB 964, LB 966, LB 984, LB 997, and LB 1013.) Reference report referring LB 1246 to Judiciary for public hearing, as well as certain gubernatorial appointments for confirmation hearing. Amendments to be printed to LB 315 by Senator Coordsen and Hefner; and Senator Conway has amendments

February 26, 1990      LB 260A, 602, 856, 857, 858, 874, 875  
891, 893, 906, 907, 957, 964, 966  
984, 997, 1013, 1039A, 1064A

this?

SENATOR CONWAY: Luckily, the world is round, yes, you will meet somewhere.

SENATOR CHAMBERS: And those...blessed are those who go in circles for they shall be called what?

SENATOR CONWAY: Ah...

SENATOR CHAMBERS: I will let it go.

SPEAKER BARRETT: Any other discussion? Anything further, Senator Conway, on the advancement of the bill?

SENATOR CONWAY: No, sir, I just request the advancement of the bill.

SPEAKER BARRETT: Thank you. Shall LB 260A be advanced? Those in favor vote aye, opposed nay. Voting on the advancement of 260A. Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 4 nays on the advancement, Mr. President.

SPEAKER BARRETT: The A bill is advanced. Have you matters for the record, Mr. Clerk?

CLERK: I do, Mr. President. Senator Peterson has amendments to be printed to LB 1064A. (See page 983 of the Legislative Journal.)

New A bill by Senator Haberman, LB 1039A. (Read by title for the first time. See page 983 of the Legislative Journal.)

I have a motion from Senator Hannibal involving a reconsideration. That will be laid over. (See page 983 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read communication regarding LB 602, LB 856, LB 857, LB 858, LB 874, LB 875, LB 891, LB 893, LB 906, LB 907, LB 957, LB 964, LB 966, LB 984, LB 997 and LB 1013. See page 984 of the Legislative Journal.)

That's all that I have, Mr. President.