

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 23, 1990

LB 160, 337, 393, 590, 740, 769, 863
935, 960, 1001

Mr. President, your Committee on General Affairs, whose Chair is Senator Smith instructs me to report LB 1001 to General File with committee amendments attached, and LB 863 to General File, those signed by Senator Smith as Chair of the Committee. (See page 472 of the Legislative Journal.)

Mr. President, Education Committee, whose Chair is Senator Withem to was referred LB 960 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, LB 160 as indefinitely postponed, LB 337 as indefinitely postponed, LB 393 as indefinitely postponed, LB 590 as indefinitely postponed, LB 740 as indefinitely postponed, LB 935 as indefinitely postponed. (See page 472 of the Legislative Journal.)

And the last item, Mr. President, is a hearing notice from the General Affairs Committee. That is signed by Senator Smith as Chair of the Committee.

PRESIDENT: Mr. Clerk, do you have a priority motion up there?

CLERK: Mr. President, I do. Senator Bernard-Stevens moves to adjourn until nine o'clock, January 24, 1990.

PRESIDENT: And a machine vote has been requested on that. The question is, shall we adjourn? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 3 ayes, 23 nays, Mr. President, on the motion to adjourn.

PRESIDENT: We are not adjourned. I understand you have another priority motion.

CLERK: Mr. President, I do have a priority motion. That motion is to recommit LB 769 to committee. That's offered by Senator Scofield, Mr. President.

PRESIDENT: Senator Scofield, please.

SENATOR SCOFIELD: Mr. President and members, I've been sitting here this morning listening to this debate. And I guess one of the things that Senator Smith said caught my attention and it relates to conversations I had in my district prior to coming

February 1, 1990

LB 37, 81, 240A, 409, 422, 465, 543
678, 678A, 863, 953, 1004, 1124

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber on this the 20th day of the Second Session of the Ninety-First Legislature. Our Chaplain this morning, Dr. John Wagner, President of Union College. Mr. Wagner.

DR. WAGNER: (Prayer offered.)

SPEAKER BARRETT: Thank you, so much, Mr. Wagner. We hope you can come back again. Roll call.

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

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any announcements, reports or messages?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they've carefully examined engrossed LB 37 and find the same correctly engrossed; LB 240A, correctly engrossed; LB 409, LB 422, LB 465, LB 543, LB 678, LB 678A, all of those reported correctly engrossed, all signed by Senator Lindsay as Chair of the E & R Committee. (See pages 612-16 of the Legislative Journal.)

Mr. President, Senator Smith has designated LB 1124 as her personal priority bill this session. Senator Haberman has selected LB 953 as one of the Retirement Systems Committee's priority bills. Senator Smith has designated LB 863 as one of the General Affairs Committee priority bills. And Senator Carson Rogers selected LB 1004 as his personal priority bill. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The Chair has a very special announcement at this point. Today, February 1st, is the birthday of Senator Carson Rogers. Senator Rogers has provided the treats on each of the desks this morning. Happy birthday, Senator Rogers. Mr. Clerk, to Item 5, on General File, 1990 priority bill.

CLERK: Mr. President, LB 81 was a bill introduced originally

think we really got the job done. And in talking to some of the pork producers, they didn't think we did either. And so I think this is the next step. One thing we need to remember that the swine industry adds a lot to the economy in Nebraska and so if we can help the swine industry, if we can help this industry, I think we should be doing it. And it looks to me like this will certainly help control and eradicate pseudorabies in our swine herds. So I would urge you to support this bill.

SENATOR HANNIBAL: Thank you, Senator Hefner. Senator Rogers, there are no other lights on, would you care to close?

SENATOR ROGERS: Yes. Thank you, Mr. Speaker, and members, I might just mention a few things that someone asked me about if you have a herd and you're tested and you're positive, what can you do with these animals? If they are at market weight, you can go ahead and market these animals. It has no affect whatsoever on the meat. I assure you, you don't want to have it in your herd because it will take a long time to get them to market. But anyway it has no effect on the meat. Someone asked me, where do we rank? I think we rank fourth or maybe fifth. I think we rank fourth in the nation in swine production as of now. At the present time, some of the things that we did do in the control bill, I might mention, someone asked me...they had heard that we test our herd once a year, to sell feeder pigs in Nebraska, as of right now, you have to test your herd. It's basically no big deal. If you have five or six hundred sows, statistically you only have to test, I think it's 32 or 33 of those animals once a year. So for the first couple of years, as far as the producers paying for this testing, it is no great hardship one way or the other. And I guess I will just ask for the advancement of the bill.

SENATOR HANNIBAL: Thank you, Senator Rogers. You have heard the closing. The issue before you now is the advancement of LB 1004. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 28 ayes, 0 nays, Mr. President, on the advancement of LB 1004.

SENATOR HANNIBAL: LB 1004 is advanced. To LB 863, Mr. Clerk.

CLERK: Mr. President, 863 was a bill introduced by Senator Smith. (Read title.) The bill was introduced on January 3 of

this year, referred to the General Affairs Committee for public hearing. The bill was advanced to General File. I have no amendments to the bill, Mr. President.

SENATOR HANNIBAL: Senator Smith, on LB 863, please.

SENATOR SMITH: Thank you, Mr. President. LB 863 was brought to the committee, to myself as the Chairperson of the committee, by the State Electrical Board. In order for us to update the 1990 edition of the National Electrical Code which is numbered now the 70-1990. What this bill does is two things...basically, one thing. It simply does the update, every three years this has to be done because of an Attorney General's Opinion, when the statute was originally drafted, stating that each specific edition, which is on a three-year basis, of that code had to be referenced every time that happened. And so what this does is simply then update that in the statutes. And that's the only part that's been changed in the bill itself, the current statute, except for a few things such as bill drafting language, words like "promulgate" and on page 3, "such" being changed to "the". That's all the bill does. And I would ask the body to support the bill.

SENATOR HANNIBAL: There are no lights on Senator Smith, do you waive closing?

SENATOR SMITH: I waive closing. Thank you.

SENATOR HANNIBAL: You've heard the issue. The issue before you is the advancement of LB 863. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of LB 863.

SENATOR HANNIBAL: LB 863 is advanced. Moving on to LB 980, Mr. Clerk.

CLERK: Mr. President, LB 980 was introduced by the Transportation Committee and signed by its members. (Read title.) The bill was introduced on January 4 of this year, referred to the Transportation Committee for public hearing. The bill was advanced to General File. I have committee amendments pending by the Transportation Committee, Mr. President.

February 7, 1990

LB 313, 663A, 863, 901, 986, 991, 1004
1032, 1050, 1117, 1178

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Good morning, ladies and gentlemen, welcome to the George W. Norris Legislative Chamber. Our Chaplain of the day is Pastor William Yeager of Westminster Presbyterian Church here in Lincoln. Will you please rise for the prayer.

PASTOR YEAGER: (Prayer offered.)

SPEAKER BARRETT: Thank you very much, Reverend Yeager. We hope you can come back again. Roll call.

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

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any messages, reports or announcements?

CLERK: Mr. President, Enrollment and Review reports LB 1050, LB 1004 and LB 863 to Select File, those signed by Senator Lindsay as Chair. (See pages 686-87 of the Legislative Journal.)

Government Committee reports LB 1032 to General File with amendments. That's signed by Senator Baack. Business and Labor reports LB 901 to General File, LB 1178 General File, LB 313 General File with amendments, LB 986 indefinitely postponed, LB 991 indefinitely postponed, LB 1117 indefinitely postponed, those signed by Senator Coordsen. (See pages 688-90 of the Legislative Journal.)

Mr. President, notice of hearing from the Revenue Committee. That is signed by Senator Hall and new A bill, Mr. President, LB 663A. It's a bill by Senator Scofield. (Read brief description. See page 690 of the Legislative Journal.)

Mr. President, I have received a request from the Nebraska State College System regarding approval required by the Legislature for a bond issue with respect to student housing at Kearney State College. That will be referred to Reference Committee.

Mr. President, finally, a report from the Department of Social Services filed pursuant to statute. That will be on file in my

Rogers' amendment.

PRESIDENT: The amendment is adopted.

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

PRESIDENT: Senator Rogers, on the advancement of the bill.

SENATOR ROGERS: Mr. President and members, if there is no question, I just move for the advancement of the bill.

PRESIDENT: Okay, the question is the advancement of the bill. All those in favor say aye. Opposed nay. It is advanced.
LB 1004A.

CLERK: LB 1004A, Senator, I no amendments to the bill.

PRESIDENT: Senator Rogers, on the advancement of the bill.

SENATOR ROGERS: Move for advancement of the A bill.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. Move on to LB 863.

CLERK: LB 863, Mr. President, I have no amendments to the bill.

PRESIDENT: Senator...Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 863 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 348. The Speaker suggested that we take up the Select File bills that do not have amendments for advance but, however, this 348 does have amendments on it.

CLERK: Mr. President, the next bill I have without substantive amendments, LB 1199. I have E & R amendments pending.

PRESIDENT: Senator Lindsay, on 1199.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to 1199.

February 28, 1990 LB 42, 315, 348, 446, 542, 662, 663A
791, 792, 863, 896A, 922, 1004, 1004A
1199
LR 262

driver, if that's who was involved, would no longer be able to drive the truck as well. If it were a secretary or somebody in that capacity, the duties of that job would not be carried out as well. So all my words will do is focus on what the words "affect the employment relationship" will mean. So if you have any questions, I am prepared to answer them.

SPEAKER BARRETT: Thank you. An amendment...or motion on the desk, Mr. Clerk.

CLERK: Mr. President, Senator McFarland would move to recess until 1:30 p.m.

SPEAKER BARRETT: You have heard the motion to recess until one-thirty. Have you matters for the record, Mr. Clerk?

CLERK: If I may, Mr. President. Your Committee on Enrollment and Review reports LB 42, LB 663A, LB 863, LB 896A, LB 922, LB 1004, LB 1004A, LB 1199, as correctly engrossed. Those are signed by Senator Lindsay. (See pages 1045-46 of the Legislative Journal.)

Mr. President, I have a corrected committee statement with respect to LB 446 offered by Senator Chizek as Chair of the committee. (See page 1045 of the Legislative Journal.)

Urban Affairs reports LB 791 and LB 792 as indefinitely postponed.

Mr. President, amendments to be printed; Senator Langford and Wesely to LB 348, Senator Labedz to LB 662, Senator Lindsay to LB 542. (See pages 1046-47 of the Legislative Journal.)

And a new resolution, Mr. President, LR 262, offered by Senators Lamb, Scofield, Dierks and Peterson. (Read brief description of LR 262. See pages 1047-50 of the Legislative Journal.) That resolution will be laid over, Mr. President. That's all that I have.

SPEAKER BARRETT: Thank you. You have heard the motion to recess until one-thirty. All in favor say aye. Opposed no. The ayes have it. Motion carried. We are recessed. (Gavel.)

RECESS

March 7, 1990

LB 863, 922, 1050, 1199

CLERK: (Record vote read. See page 1204 of the Legislative Journal.) 30 ayes, 11 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1050 passes. LB 863E.

CLERK: (Read LB 863E on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 863 with the emergency clause attached pass? All in favor vote aye, opposed nay. Please record.

CLERK: (Record vote read. See page 1205 of the Legislative Journal.) 42 ayes, 0 nays, 7 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 863E passes. LB 922.

ASSISTANT CLERK: (Read LB 922 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 922 become law? Those in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Record vote read. See pages 1205-06 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 7 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 922 passes. LB 1199.

ASSISTANT CLERK: (Read LB 1199 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1199 pass? All in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Record vote read. See pages 1206-07 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 6 excused and not voting.

SPEAKER BARRETT: LB 1199 passes. While the Legislature is in

March 7, 1990

LB 81, 830, 831, 863, 888, 956, 1022
1050

discussion, I guess the Legislature is alerted to this change. It's a significant change and whatever happens, happens, but at least we know what we're doing. Thank you. And I will withdraw that motion.

SPEAKER BARRETT: Thank you. It is withdrawn. If members will return to their seats, the Clerk can read the bill. While we're waiting, while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 1022, LB 81, LB 956, LB 1050, and LB 863. Mr. Clerk, will you read 830, please.

CLERK: (Read LB 830 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 830 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See page 1209 of the Legislative Journal.) 41 ayes, 1 nay, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 830 passes. LB 831.

CLERK: (Read LB 831 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 831 pass? All in favor vote aye, opposed nay. Please record.

CLERK: (Record vote read. See page 1210 of the Legislative Journal.) 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 831 passes. LB 888.

CLERK: (Read LB 888 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 888 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See pages 1210-11 of the Legislative

March 7, 1990

LB 42A, 81, 220A, 369A, 579, 830, 831
863, 880A, 888, 917, 922, 923A, 932
938, 954, 956, 978, 987, 987A, 1013
1022, 1037, 1050, 1067, 1077, 1090A, 1102
1136, 1178, 1199, 1222

SPEAKER BARRETT: Thank you. You have heard the motion by Senator Wesely to recess until one-thirty. All in favor say aye. Opposed no. Carried. We are recessed. (Gavel.)

RECESS

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Roll call. Record, Mr. Clerk.

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

SPEAKER BARRETT: Thank you. Anything for the record?

CLERK: Mr. President, I do. Bills read on Final Reading, this morning, have been presented to the Governor as of 12:15 p.m. (Re. LB 1022, LB 81, LB 956, LB 1050, LB 863, LB 938, LB 932, LB 917, LB 888, LB 831, LB 830, LB 579, LB 1199, LB 922, LB 954, LB 978, LB 987, LB 987A, LB 1037, LB 1067, LB 1178, LB 1102, and LB 1077.)

Your Committee on Enrollment and Review reports LB 1018, LB 1136, LB 1222, LB 42A, LB 220A, LB 369A, LB 880A, LB 923A, LB 1090A to Select file, some of which have Enrollment and Review amendments attached, Mr. President. (See pages 1233-36 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Perhaps a very brief announcement from the Chair regarding our deliberations tomorrow. It is my hope that we can work through the lunch hour tomorrow, with the thought in mind that we can adjourn a little early tomorrow for the long weekend. It's my intent, at the present time, to work through the noon hour tomorrow, and look toward an early adjournment tomorrow afternoon. Contrary to previous statements made by the Chair, it will not be my intent to schedule appropriations bills tomorrow, budget bills tomorrow. We will be looking at them, probably, Monday or Tuesday of next week. We will continue with the agenda tomorrow with some Final Reading, probably some Select File, and perhaps senator priorities on General File. Any questions? Mr. Clerk, would you bring us up-to-date.

March 12, 1990

LB 81, 579, 830, 831, 863, 888, 905A
917, 922, 932, 938, 954, 956, 978
987, 987A, 1022, 1031, 1037, 1050, 1067
1077, 1102, 1178, 1199
LR 279

communication regarding signing of LB 1022, LB 81, LB 956, LB 1050, LB 863, LB 922, LB 1199, LB 579, LB 830, LB 831, LB 888, LB 917, LB 932, LB 938, LB 954, LB 978, LB 987, LB 987A, LB 1037, LB 1067, LB 1077, LB 1102, and LB 1178. See page 1306 of the Legislative Journal.)

Mr. President, new A bill, LB 905A by Senators Johnson, Dennis Byars and Scofield. (Read by title for the first time. See page 1307 of the Legislative Journal.)

Notice of cancellation of hearing by the Government Committee.

New resolution by Senator Robak. That will be laid over. (LR 279 appears on page 1307 of the Legislative Journal.) That's all that I have, Mr. President.

Mr. President, I now have a series of amendments to both the committee amendments and the bill. The first amendment to the committee amendments that I have is by Senator Smith. Senator Smith's amendment is found on page 1195 of the Journal, Mr. President.

PRESIDENT: Senator Smith, please.

SENATOR SMITH: Thank you, Mr. President, members of the body, you have a very simple amendment before you, AM2659, in the Journal. It's simply asking, and I do want to, I guess, begin by thanking the Appropriations Committee for the recommendation that they have made for a \$212,000 increase to programs, which are being provided under the Community Aging Services Act, commonly known as CASA. This amount though is about a seventh of the amount of money that was originally requested and we can go back in history a little bit, and you have been handed a fact sheet on CASA which is...you will see it appears to be a little thing with a little State of Nebraska and the breakdown of the eight area agencies in the state, which was handed out by the Nebraska Association of Area Agencies on Aging, telling you all about what CASA is, the historic information about CASA, what the problem is, and so on. And you will recall that the Community Aging Services Act was enacted by the Legislature in 1982. It was intended to provide comprehensive aging service programs throughout Nebraska by 1984. At that time, the cost to the state was supposed to be a little over \$2.5 million. Well, we all know that, as many times as I have talked about this, the money was not funded, it was partially funded, and what even