

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 26, 1990

LB 520, 852, 872, 1121

Government Committee reports LB 852 to General File, LB 872 to General File, and LB 1121 to General File, those signed by Senator Baack as Chair. I have a confirmation hearing report offered by the Natural Resources Committee, and notice of hearing from Natural Resources. That's all that I have, Mr. President. (See page 532 of the Legislative Journal.)

PRESIDENT: Thank you. In that case we'll move on to General File, LB 520.

CLERK: Mr. President, LB 520 was a bill originally introduced by Senator Schellpeper and Dierks and Senator Smith. (Read title.) The bill was introduced on January 18 of last year, Mr. President. At that time it was referred to the Health Committee for public hearing. The bill was advanced to General File. Senator, I have...you want to offer your amendment first, or would you like to talk about the bill for a moment?

SENATOR SCHELLPEPER: I'll probably just talk about the bill first, and explain what it does.

PRESIDENT: All right. Senator Schellpeper, please.

SENATOR SCHELLPEPER: Thank you, Mr. President and members. I think, first of all, I want you to know I'm not going to put 769 into 520. I wanted you to know that before I get started. LB 520, as amended now, is an incentive bill to get nurses to go back to rural Nebraska. It's also designed to get them into nursing. At the present time there is a tremendous shortage in the entire state in nursing. In fact I just received a note that there is 938 vacancies in nursing homes alone in Nebraska at the present time. So you can see, we have a tremendous shortage, not only in rural Nebraska but in the entire state. LB 520 is designed to get the nontraditional student to go into nursing. We're trying to get the housewife, the mother, maybe some man, the low income, the minority student that will...from rural Nebraska to go into nursing and then go back to that area, because it seems like once they get into Omaha and Lincoln they do not come back to rural Nebraska. So we're hoping that we can get this student from rural Nebraska to go into nursing, we don't care where they go, any school they want to in Nebraska, that then they will come back to where they live. And I think that that will help the nursing shortage. I realize that 60 nurses is not very many, but it is a start. And if we can do 60

Schimek, do you care to close?

SENATOR SCHIMEK: No.

SENATOR HANNIBAL: Senator Schimek waives closing. The issue before you is the advancement of LB 1098. All those in favor vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

ASSISTANT CLERK: 25 ayes, 0 nays on the advancement of the bill.

SENATOR HANNIBAL: LB 1098 is advanced. Moving on to LB 852.

ASSISTANT CLERK: LB 852 was introduced by Senator Rogers. (Read title.) The bill was read for the first time on January 3rd, was referred to the Government Committee which reports the bill to General File.

SENATOR HANNIBAL: Senator...oh, Senator Baack, you're going to handle this?

SENATOR BAACK: Yes, Mr. Chairman and members, I guess I am. I wasn't aware of it, but I just noticed that Senator Rogers wasn't here, so I'll just go ahead and do it. It's a very simple bill. All it does is there has been some confusion in the statute that said that they have to advertise certain things ten days after they are passed, this says ten working days. Puts the word "working" in to clarify the number of days it has to be advertised. That's it. Thank you.

SENATOR HANNIBAL: Any discussion? No lights are on. Senator Baack, you care to close? Senator Baack waives closing. The issue before you is the advancement of LB 852. All those in favor vote aye, opposed nay. Please record, Mr. Clerk.

ASSISTANT CLERK: 26 ayes, 0 nays on the advancement of the bill.

SENATOR HANNIBAL: LB 852 is advanced. Moving on to LB 872.

ASSISTANT CLERK: LB 872 was introduced by Senator Peterson. (Read title.) The bill was read for the first time on January 3rd of this year, referred to the Government Committee which reports the bill to General File.

SENATOR HANNIBAL: Senator Peterson, please.

SENATOR PETERSON: Mr. Chairman and members, I introduced this bill on behalf of the Nebraska County Officials Association to eliminate the language in Section 23-1708 which provides for service of process by sheriffs and their deputies after expiration of their term of office. This is necessary to remove liability at the county level for individuals who are not technically employees of the county after their term as sheriff expires but yet are authorized by law to perform a governmental function. This change would just provide that in the case of a vacancy occurring the deputy or deputies shall be under obligation to execute the legal process until the vacancy is filled. It would just provide when a sheriff goes out of office, he or she shall deliver to his or her successor all responsibilities of the sheriff's office, and it just takes the county out of liability. I ask for the advancement.

SENATOR HANNIBAL: Any discussion? Senator Peterson, do you care to close? Senator Peterson waives closing. The issue before you is the advancement of LB 872. All those in favor vote aye, opposed nay. Please record, Mr. Clerk.

ASSISTANT CLERK: 25 ayes, 0 nays on the advancement of the bill.

SENATOR HANNIBAL: LB 872 is advanced. Moving on to LB 1022.

ASSISTANT CLERK: LB 1022 was introduced by Senator Byars. (Read title.) The bill was read for the first time on January 8th, referred to the Health and Human Services Committee which reports the bill to General File.

SENATOR HANNIBAL: Senator Byars, did you wish to adjourn us?

SENATOR BYARS: (Laughter.) No, thank you, Mr. Hannibal. Thank you, Senator Hannibal, but no. I have introduced this bill on behalf of the Department of Social Services. I think they would be clearly upset if I asked to adjourn at this point. What this bill does is clearly set in statute the authority of the Director of Social Services to set foster care payment rates for children with special needs who are wards of the state. The authority allows them to claim federal financial participation on eligible foster care cases. Funding was appropriated during

February 12, 1990

LB 399, 761, 821-829, 852, 869, 872, 1022
1063, 1066A, 1070, 1076, 1098
LR 252

LB 1076, LB 1098, LB 852, LB 872, LB 1022, LB 1063, and LB 1070. Some of those have Enrollment and Review amendments attached, Mr. President. (See pages 727-38 of the Legislative Journal.)

I have a new A bill, LB 1066A by Senator Wesely. (Read for the first time by title. See page 738 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read. Re: LB 399, LB 821, LB 822, LB 823, LB 824, LB 825, LB 826, LB 827, LB 828, and LB 829.) I have an Attorney General's Opinion to Senator Goodrich regarding LB 869. (See pages 739-40 of the Legislative Journal.)

Mr. President, received a report from the Middle Niobrara NRD regarding payment of attorney fees. That will be on file in my office. It is filed pursuant to statute. And, finally, Mr. President, a report from the Judiciary Committee. That is filed pursuant to Section 18 of LB 761. That report will be on file in the office as well.

SPEAKER BARRETT: Thank you. Members are very much aware of the fact that we do have a number of guests with us this morning. As a result of Vocational Education Week, we have Vocational Education students from various locations across the state who are visiting with us today and shadowing some of us through our activities. They are all in the balconies and I would appreciate it if you people would stand momentarily and take a bow and let your Legislature welcome you officially. Please stand. Thank you very much. We are pleased to have you with us. We hope you have a good day. Also the Chair makes note of the fact that Senator Scofield would like to recognize that the doctor of the day, Christine Johnson of Lincoln on behalf of the Nebraska Academy of Family Physicians. Please welcome Dr. Johnson. We are glad to have you with us, Doctor. Also an announcement of special note. (Gavel.) The Chair has been advised that a former member of this body passed away Saturday evening, Senator Maurice Kremer. The service will be held at 2:00 p.m., Wednesday afternoon in Aurora at the Pleasant View Bible Church; memorial service at two o'clock, Wednesday afternoon in Aurora, Pleasant View Bible Church. Thank you. Mr. Clerk, legislative resolutions, LR 252.

CLERK: Mr. President, LR 252 offered by Senators Conway, Warner, Korshoj, Nelson, and Beyer. It is found on page 710 of the Journal. (Read brief explanation.)

Opposed nay. They are adopted.

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

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1076 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 1098.

CLERK: LB 1098, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 1098 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 852.

CLERK: LB 852, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 852 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 872.

CLERK: LB 872, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 872 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 1022.

CLERK: LB 1022, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

February 15, 1990 LB 852, 872, 902A, 1022, 1043, 1044, 1063
1064A, 1070, 1076, 1098

bill.

PRESIDENT: Any further discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. I need a little help again, please. Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 1064A.

PRESIDENT: LB 1064A advances. We'll move back up to LB 902, please. Senator Hall, you're back.

CLERK: Mr. President, LB 902A was a bill introduced by Senator Hall. (Read title.)

SENATOR HALL: Thank you, Mr. President, members, 902A is approximately \$4,500 out of the General Fund in '90-91, \$1,000 in '91-92. This bill piggybacks with 902 which was a bill that dealt with the hearing impaired symbols. We, as you remember, the other day passed over it. It was on consent calendar. I had filed a kill motion on it because I had not yet had time to talk to the folks in the hearing impaired community. I would ask you to advance it so that it is at the same stage of debate with 902. The kill motion is on there. I have no intention of moving the bill should I not be able to come to consensus with the folks in the hearing impaired community. I would urge the advancement.

PRESIDENT: Any further discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Need a little help, please. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President on the advancement of 902A.

PRESIDENT: LB 902A is advanced. Anything for the good of the cause, Mr. Clerk?

CLERK: Mr. President, I do. Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 852 and find the same correctly engrossed, LB 872, LB 1022, LB 1043, LB 1044, LB 1063, LB 1070, LB 1076 and LB 1098, all of those reported correctly engrossed. (See page 821 of the Legislative Journal.)

February 27, 1990 LB 852, 872, 918, 924, 930

CLERK: (Read record vote. See page 1009 of the Legislative Journal.) 33 ayes, 0 nays, 16 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 852 passes. LB 872.

CLERK: (Read LB 872 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 872 pass? Those in favor vote aye, opposed nay. Record please.

CLERK: (Read record vote. See pages 1009-10 of the Legislative Journal.) 33 ayes, 0 nays, 16 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 872 passes. LB 918E.

CLERK: (Read LB 918 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 918 with the emergency clause attached pass? Those in favor vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: (Read record vote. See pages 1010-11 of the Legislative Journal.) 35 ayes, 0 nays, 14 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 918 with the emergency clause attached passes. LB 924.

CLERK: (Read LB 924 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 924 become law? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Read record vote. See pages 1011-12 of the Legislative Journal.) 36 ayes, 0 nays, 1 present and not voting, 12 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 924 passes. LB 930.

February 27, 1990

LB 852, 872, 918, 924, 930, 940, 962
970, 1017, 1070, 1076, 1098

SPEAKER BARRETT: LB 1017E passes. And while the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 852, LB 872, LB 918, LB 924, LB 930, LB 940, LB 962 and LB 970. Mr. Clerk, LB 1070.

ASSISTANT CLERK: (Read LB 1070 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1070 pass? Those in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Read record vote. See page 1018 of the Legislative Journal.) The vote is 39 ayes, 0 nays, 1 present and not voting, 9 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1070 passes. LB 1076 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 1076 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1076 with the emergency clause attached become law? Those in favor vote aye, opposed nay. Please record.

ASSISTANT CLERK: (Read record vote. See page 1019 of the Legislative Journal.) The vote is 40 ayes, 0 nays, 9 excused and not voting, 9 excused and not voting.

SPEAKER BARRETT: LB 1076E passes. LB 1098.

ASSISTANT CLERK: (Read LB 1098 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1098 become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Read record vote. See page 1020 of the Legislative Journal.) The vote is 39 ayes, 0 nays, 1 present and not voting, 9 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1098 passes. Before reading the last bill

February 27, 1990

LB 315, 852, 872, 918, 924, 930, 940
969, 970, 974, 1016, 1017, 1070, 1076
1098, 1118

SPEAKER BARRETT: Debate ceases. Senator Coordsen, would you care to close.

SENATOR COORDSEN: Thank you, Mr. Speaker, very briefly. I think the subject matter of the amendment to the amendment has been covered fairly well. I think it's a good amendment. There would...share with you that I haven't talked to the Department of Labor, nor to the labor interests, nor to the business interests. But, it appeared to me that if we're going to punish, we need also to extend a hand to help, even if it's a small finger, it is better than turning people out. So I would ask for the adoption of the amendment to the amendment.

SPEAKER BARRETT: Thank you. The question is the adoption of the Coordsen amendment to the Hefner amendment to LB 315. Those in favor vote aye, opposed nay. Record.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Coordsen's amendment to Senator Hefner's amendment.

SPEAKER BARRETT: The amendment to the amendment is adopted. Senator Hefner, back to your amendment.

SENATOR HEFNER: Mr. President, I move we adjourn until tomorrow morning at 9:00 a.m.

SPEAKER BARRETT: Anything for the record, Mr. Clerk?

CLERK: Mr. President, bills read on Final Reading have been presented to the Governor as of 3:30 p.m. (Re. LB 852, LB 872, LB 918, LB 924, LB 930, LB 940, LB 969, LB 970, LB 974, LB 1016, LB 1017, LB 1070, LB 1076, LB 1098, LB 1118.)

Mr. President, there will be an Executive Session of the Revenue Committee in your hearing room, Senator? In Room...wherever the Revenue Committee meets, 1520, 1520, Mr. President. And that's upon adjournment. Revenue, upon adjournment in Room 1520, in that room. That's all that I have, Mr. President.

March 2, 1990

LB 618A, 852, 872, 880A, 918, 924, 930
940, 969, 970, 974, 1016-1018, 1070, 1076
1098, 1109, 1118
LR 265

CLERK: Mr. President, a communication from the Governor to the Clerk. (Read communication. Re: LB 852, LB 872, LB 918, LB 924, LB 930, LB 940, LB 969, LB 970, LB 974, LB 1016, LB 1017, LB 1070, LB 1076, LB 1098, and LB 1118. See page 1127 of the Legislative Journal.)

Senator McFarland has amendments to LB 1109 to be printed. (See page 1127 of the Legislative Journal.)

New resolution, LR 265. (Read for the first time. See page 1126 of the Legislative Journal.)

Two new A bills. (Read LB 618A and LB 880A by title for the first time. See page 1127 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. You've heard the motion to recess until one-thirty. All in favor say aye. Opposed no. Ayes have it, motion carried, we're recessed.

RECESS

PRESIDENT NICHOL PRESIDING

PRESIDENT: Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. So I understand it, we were on LB 1018, and discussing an amendment by Senator Chambers. And it says up here that Senator Abboud is the next speaker.

SENATOR ABOUD: Mr. President, I would move the amendment.

PRESIDENT: Thank you. Any further discussion? Senator Chambers, would you like to close? The question is the adoption of the Chambers amendment. All in favor vote aye, opposed nay.

SENATOR ABOUD: Mr. President.

PRESIDENT: Senator Abboud.

SENATOR ABOUD: I'd request a call of the house. We need to