

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

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LB 369A, 880A

have a cash fund to be used to start it up and it has to do with the license plates, so with that, I would ask your adoption of the amendment.

SENATOR HANNIBAL: There are no further lights on. Senator Beyer, do you care to close? Senator Beyer waives closing. The issue before you is the advancement of LB 69A (sic), excuse me, LB 369A. All those in favor vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 369A.

SENATOR HANNIBAL: LB 369A is advanced. We'll be moving on to LB 880A, but before we do I'd like to take this opportunity to introduce, Senator Byars has a special guest under the south balcony. With him today is Superintendent M.L. Smith from Odell, Nebraska. He is the Superintendent of the Odell Public Schools. Would you please rise and be recognized by the Legislature. Thank you for joining us today. LB 880A, Mr. Clerk.

CLERK: Mr. President, 880A, introduced by Senator Chizek. (Read title.)

SENATOR HANNIBAL: Senator Chizek, please.

SENATOR CHIZEK: Yes, this LB 880 is the, the A bill, in regards to the bill on the district judges and the support staff that we dealt with last year and I would move advancement of the A bill.

SENATOR HANNIBAL: Senator Chambers, on 880A, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I didn't bother LB 42A which was, I think, a greater abomination than this one, so, Senator Chizek, I'm not going to bother this one either, but I am going to vote no against it as I did that other one.

SENATOR HANNIBAL: Thank you. There are no further lights on, Senator Chizek.

SENATOR CHIZEK: Move the advancement of the bill.

SENATOR HANNIBAL: The issue before you is the advancement of

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LB 880A, 923A, 1090A

LB 880A. All those in favor vote aye, opposed nay.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Record, Mr. Clerk.

CLERK: 25 ayes, 3 nays, Mr. President, on the adoption of the motion to advance LB 880A.

SPEAKER BARRETT: LB 880A is advanced. LB 923A.

CLERK: 923A, Mr. President, introduced by Senator Wesely. (Read title.)

SPEAKER BARRETT: Any discussion? Senator Wesely.

SENATOR WESELY: Yes, Mr. Speaker, this is an unusual A bill. It's a reverse A bill. It reduces the appropriation and reduces the revenue as a result of the reduction in licensure under the asbestos 923 bill, so I would move its advancement.

SPEAKER BARRETT: Thank you. Questions? Discussion? Seeing none, those in favor of the advancement of the A bill to E & R Initial please vote aye, opposed nay. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 923A.

SPEAKER BARRETT: LB 923A is advanced. The final A bill of the day, LB 1090A.

CLERK: 1090A, Mr. President, a bill offered by Senator Bernard-Stevens. (Read title.)

SPEAKER BARRETT: The Chair recognizes Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker. Members of the body, if you'll remember 1090 was a bill for an educational, Department of Education clean-up and it was attached...there were other bills that were attached that significantly changed the A bill from about zero to 350,000 and there are some concerns with that A bill. Senator Withem has graciously granted the use of his office and his services to give Senator Wehrbein who has some concerns from the appropriations standpoint, Senator Baack who has some concerns, myself who has

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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.

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LB 42A, 220A, 315, 369A, 880A, 1018

trying to do here and I applaud him for that. Thank you.

SPEAKER BARRETT: Thank you. The question before the body is the adoption of the Wehrbein amendment to LB 315. All in favor vote aye, opposed nay. Senator Wehrbein.

SENATOR WEHRBEIN: Mr. Speaker, I'd ask for a call of the house and a roll call vote please.

SPEAKER BARRETT: Shall the house go under call? All in favor vote aye, opposed nay. Record.

CLERK: 22 ayes, 0 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please return to your desks and record your presence. Unauthorized personnel, please leave the floor. Those outside the Chamber, please return. While waiting for members to return, there are about five bills on Select File that could perhaps be advanced yet this afternoon. If you'd care to make a note, LB 1018, LB 42A, LB 220A, LB 369A and LB 880A. Senator Wesely, the house is under call. Did you request a roll call, Senator Wehrbein? And you're suggesting we can go ahead? Thank you. On the adoption of the Wehrbein amendment, Mr. Clerk, proceed.

CLERK: (Read roll call vote. See pages 1443-44 of the Legislative Journal.) 22 ayes, 12 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: Motion failed. Mr. Clerk, I'd like to proceed to the bills which were identified earlier, starting with LB 1018.

CLERK: Mr. President, 1018, Senator Lindsay, I have E & R amendments, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 1018.

SPEAKER BARRETT: Any discussion? If not, shall the E & R amendments be adopted to 1018? All in favor say aye. Opposed no. Carried, they are adopted.

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LB 220A, 369A, 880A, 1018

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1018 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Seeing none, shall LB 1018 as amended be advanced? All in favor say aye. Opposed no. Carried. LB 42A. LB 220A.

CLERK: On 220A I have no amendments to the bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 220A be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Shall LB 220A be advanced? All in favor say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. LB 369A.

CLERK: 369A, Senator, I have no amendments to the bill. I'm sorry...no, no amendments to the bill, that's right.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 369A be advanced to E & R for engrossment.

SPEAKER BARRETT: Shall 369A be advanced? If there is no discussion, all in favor say aye. Opposed no. Carried, the bill is advanced. LB 880A.

CLERK: 880A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 880A be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? All in favor of the advancement of the bill please say aye. Opposed no. Carried, the bill is advanced. Anything for the record, Mr. Clerk?

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LB 220A, 348, 369A, 542, 571A, 594, 866
880A, 958, 965, 1032, 1059, 1094, 1141
1141A, 1146, 1222A, 1236
LR 382, 383

CLERK: 25 ayes, 2 nays to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please record your presence. Senator Schmit is the only one excused, so everyone else should be here. We're looking for Senator Wesely, Senator Lynch, Senator Schellpeper, Senator Pirsch, Senator Landis, Senator Emil Beyer. Senator Wesely and Senator Beyer are here now, so that is it, and there is a roll call vote. Oh, Senator Lynch is not here. I thought I saw him. Okay, we'll wait for Senator Lynch. Senator Lynch is here and the question is the advancement of the bill. Roll call vote in regular order. If you'll hold it down so the Clerk can hear your response. Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1547-48 of the Legislative Journal.) 34 ayes, 12 nays, Mr. President, on the advancement of LB 1059.

PRESIDENT: The bill is advanced. Anything for the record, Mr. Clerk, at this time.

CLERK: I do, Mr. President.

PRESIDENT: The call is raised.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 220A and find the same correctly engrossed, LB 369A correctly engrossed, LB 880A correctly engrossed and LB 1146 correctly engrossed, those signed by Senator Lindsay. Enrollment and Review reports LB 1141 to Select File with E & R amendments, LB 1141A, LB 958, LB 571A, LB 1222A to Select File. (See page 1548 of the Legislative Journal.)

A communication from the Governor to the Clerk. (Read communication. Re: LB 348, LB 542, LB 594, LB 965, LB 1032, LB 1236 and LB 1094. See page 1549 of the Legislative Journal.)

Two study resolutions, Mr. President, will be referred to the Exec Board. (Re: LR 382, LR 383. See pages 1549-50 of the Legislative Journal.)

Senator Lamb has amendments to be printed to LB 866. (See page 1551 of the Legislative Journal.) That's all that I have.

April 3, 1990

LB 880, 880A, 1004

Germany and their sponsor. Will you folks please stand and let us welcome you. Thank you. We appreciate your visiting us and we're honored by your presence here. Thank you again. Mr. Clerk, LB 880.

CLERK: (Read LB 880 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 880 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1827 of the Legislative Journal.) 37 ayes, 7 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 880 passes. LB 880A.

CLERK: (Read LB 880A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 880A pass? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1828 of the Legislative Journal.) 37 ayes, 3 nays, 6 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 880A passes. May I introduce some guests, please, of Senator Schimek. Under the south balcony, we have Andrew Zimmer and Mike West of Lincoln, and Jim Hergert of Omaha. Would you folks please stand and be recognized. Thank you. Mr. Clerk, LB 1004.

CLERK: (Read LB 1004 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1004 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1829 of the Legislative Journal.) 30 ayes, 11 nays, 5 present and not voting, 3 excused and not voting, Mr. President.

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LB 42, 42A, 642, 656, 799, 866, 880
880A, 953A, 1004, 1004A, 1019, 1019A, 1059
1059A, 1064, 1064A, 1080, 1080A, 1113, 1113A
1136, 1146, 1184, 1184A, 1222A
LR 418

CLERK: (Read LB 1222A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is shall LB 1222A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 1847 of Legislative Journal.) 44 ayes, 0 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 1222A passes. Do you have something for the record, Mr. Clerk?

CLERK: Mr. President, I do, a new resolution by the Judiciary Committee, (LR 418.) a study resolution. Enrollment and Review reports LB 1064 and LB 1064A as correctly engrossed, both signed by Senator Lindsay as Chair; and LB 1059 and LB 1059A is correctly enrolled. Enrollment and Review reports LB 1113 and LB 1113A to Select File, signed by Senator Lindsay. Amendments to be printed by Senator Hartnett to LB 953A, Senator Hall to LB 866. And, Mr. President, a confirmation report from Transportation Committee signed by Senator Lamb as Chair. That's all that I have, Mr. President. (See pages 1847-52 of the Legislative Journal.)

PRESIDENT: While the Legislature is in session, capable of transacting business, I propose to sign and do sign LB 880, LB 880A, LB 1004, LB 1004A, LB 1080, LB 1080A, LB 1184, LB 1184A, LB 656, LB 1146, LB 42, LB 42A, LB 799, LB 1019, LB 1019A, LB 1059A, LB 1059, LB 1136, LB 1122, correction, LB 1222, and LB 1222A. We're ready to go. Mr. Clerk, do you have something on the desk?

CLERK: Mr. President, motion pending from this morning was one offered by Senator Chambers and that motion was to overrule or change the Speaker's agenda to permit consideration of a suspension motion relating to LB 642.

PRESIDENT: (Gavel). Could we have your attention so we can hear the speaker? Senator Chambers, please.

SENATOR CHAMBERS: Thank you. Mr. Chairman and members of the Legislature, this is a continuation from what I was attempting

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LB 42, 42A, 571A, 834, 843, 843A, 855
855A, 880, 880A, 896A, 920, 1004, 1004A
1019, 1019A, 1043, 1059, 1059A, 1030A, 1090
1109, 1222, 1222A, 1241

Mr. President, I have received veto messages on the following bills: LB 1059, LB 1059A, LB 42, LB 42A, LB 880, LB 880A, LB 1004 and LB 1004A, LB 1019 and LB 1019A, LB 1080A, LB 1222 and LB 1222A, LB 571A, LB 834, LB 843 and LB 843A, LB 855 and LB 855A, LB 896A, LB 1043, LB 1090 has a line-item reduction, LB 920 has a line-item reduction, LB 1241 has a line-item reduction. (See Messages from the Governor as found on pages 1985-98 of the Legislative Journal.) All those, Mr. President, as I indicated, are available to the members on their desks. Have an Attorney General's Opinion addressed to Senator Schmit regarding LB 1059 and I believe that's all that I have, Mr. President.

PRESIDENT: Thank you. We have a motion from Speaker Barrett. Speaker Barrett.

SENATOR BARRETT: Thank you, Mr. President and members. I offer the motion to suspend Rule 6, Section 7, subsection (b), and Rule 5, Section 6, to permit these bills to be read on Final Reading this morning. The first part, of course is to waive the two-day limitation, and the second is to allow the A bills to be read. I would urge the body to adopt the motion. Thank you.

PRESIDENT: Thank you. Any discussion? If not, the question is the adoption of the suspension of the rules motion. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 32 ayes, no nays, Mr. President, on the suspension of the rules to permit reading of the bills this morning.

PRESIDENT: The rules are suspended and we'll begin Final Reading. If you will find your ways to your own desk, why, we would start Final Reading. (Gavel.) Please return to your desks so we can begin Final Reading. Senator Haberman, would you come home, please? Mr. Clerk, LB 1109, please.

CLERK: Mr. President, I had amendments from Senator McFarland.

PRESIDENT: Is anyone prepared to handle Senator McFarland's motion on this bill? Senator McFarland, you had a motion on this first bill.

SENATOR MCFARLAND: Mr. President, could you read the motion for me?