

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 881-957, 997-1010
LR 229

If I may, Mr. President, I have a Reference Report referring LBs 881-957, and LR 229. (See pages 175-77 of the Legislative Journal.) And, Mr. President, new bills. (Read LBs 997-1010 by title for the first time. See pages 177-80 of the Legislative Journal.) Mr. President, that's all that I have at this time.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Thank you. Proceeding to the next item on...from the Rules Committee. Chairman Lynch.

SENATOR LYNCH: Mr. President, members, the next one is number nine identified on your list. It specifies that a motion to suspend the rules is not divisible. The reason for this, without reading it all but putting it hopefully in laymen's terms so we can understand it, is that when a motion to suspend the rules is attempted it's intended to accomplish only one thing. You don't suspend the rules to accomplish three, four, five or six different things. But, if the amendment that would accomplish one thing would, for example, suspend Rule 1, Section 2, Rule 2, Section 3, Rule 3, Section 4, because it's necessary to do that to identify those sections of the rules that serve that single purpose, you cannot divide the question and take any one of those three rule changes independently. I think, Mr. President and members, that explains the purpose and intent of this rule change and would suggest that we support it.

SPEAKER BARRETT: Thank you, Senator Lynch. Discussion on the proposal...proposed change number nine? Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, let me tell you what the real purpose of this rule change is. There have been attempts at various times to suspend the rules so that there can be no debate or discussion or amendment on bills, and I have indicated that I would divide that question. So the purpose of the rule is to prevent that from happening. So however many things are put into a rule suspension will have to be taken as a package. In some instances you may have a situation where people will think and believe that you should be able to suspend the rules for the purpose of taking a vote without any additional debate, amendment and so forth. And maybe that is all right. Naturally, I'm opposed to it because

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.

to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Haberman, please.

SENATOR HABERMAN: Mr. President, members of the body, the bill is rather a simple bill regarding cabin trailers. According to the state patrol there is no central clearing house for identification numbers on cabin trailers and so there is no way to really check the numbers against any kind of a master list. Even in industry itself there is no uniformity as to the identification numbers. Nobody opposed the bill. It just addresses trailers. The state patrol was in favor of the bill. It says, it amends a section that the...exempts them from being inspected by the county sheriff. It says vehicles for salvage, titles being sought, vehicles who have surrendered ownership documents are a Nebraska Certificate of Title, manufacturers certificate of release of motor vehicles. It adds one more exemption to the title inspection requirements, cabin trailers. So it exempts cabin trailers from the title inspection requirement. I ask for the advancement of the bill.

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 875.

PRESIDENT: The bill is advanced. May I please introduce some guests in the south balcony. Senator Wehrbein has 40 fourth, seventh and eighth graders from St. John the Baptist School and their teacher in Plattsmouth, Nebraska. Would you folks please stand and be recognized. Thank you for visiting us today. LB 891, please.

CLERK: Mr. President, 891 was a bill that was introduced by Senator Lowell Johnson. (Read title.) The bill was introduced on January 3, referred to Transportation Committee for public hearing. The bill was advanced to General File. I have no amendments to the bill.

PRESIDENT: Senator Lowell Johnson, please.

SENATOR L. Johnson: Thank you, Mr. President and members of the Legislature, the purpose of LB 891 is to remove the restrictions currently in the statutes that limit the number of numerals that are placed or allowed to appear on the prestige license plates. Back in August of last year a constituent of mine complained that his application to obtain a prestige license plate was denied. What this constituent wanted to do was to purchase a license plate with his local V.F.W. number, however, he was informed by the Department of Motor Vehicles that the V.F.W. number had four numerals and, thus, was in conflict with state law which provides that no more than three numerals can appear on prestige plates. He asked me why there was such a restriction and, quite frankly, I could not answer him. I investigated the matter with the Department of Motor Vehicles and the state patrol and neither agency knew of a reason why such a limitation was put in the statutes, nor could they offer any practical or technical reason for the restriction. Both agreed that the removal of the restrictions would cause them no problems. In fact, the Department of Motor Vehicles indicated at the committee hearing that additional requests for prestige plates may be generated along with the increased revenue if the numeral restriction was deleted. LB 891 then simply amends current statute by deleting nine words pertaining to the numeral limitation. The effect of this bill would be that in the future a citizen applying for a prestige plate could choose any numeral or letter combination as long as it did not exceed the current maximum seven character limitation. Should be emphasized that the bill does nothing to change existing statutory language which prohibits obscene or objectionable material from appearing on such prestige plates, nor does it alter the restriction prohibiting duplication of phrases already in existence. To remedy a very simple problem, I suggest you advance LB 891 to Select.

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

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 891.

PRESIDENT: LB 891 is advanced. May I please introduce some more guests in the south balcony. Senator Conway has 25 guests who are counselling majors from Wayne State College and their

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 875, 891, 983, 1013

Opposed nay. It is advanced. LB 891.

CLERK: LB 891, Senator, I have no amendments to the bill.

PRESIDENT: Senator Chizek, please.

SENATOR CHIZEK: I move that LB 891 be advanced.

PRESIDENT: You have heard the motion. All in favor say aye.
Opposed nay. It is advanced. LB 1013.

CLERK: LB 1013, Senator, I have no amendments to the bill.

PRESIDENT: Senator Chizek, please.

SENATOR CHIZEK: I move LB 1013 to be advanced.

PRESIDENT: You have heard the motion. All in favor say aye.
Opposed nay. It is advanced. LB 983. Senator Barrett.
Speaker Barrett, may I have your attention a moment. It is my
understanding we do not take bills that have amendments on in
this list. Is that correct?

SPEAKER BARRETT: That's correct, Mr. President, yes.

PRESIDENT: Okay.

SPEAKER BARRETT: Any bills on Select File this morning with
pending amendments will be held until such time as we might be
talking about nonpriority Select File bills.

PRESIDENT: Okay, thank you very much. Okay, 983 does have
amendments on it so we'll pass over that, Senator Chizek, and
we'll go to 906.

SENATOR LANDIS: Mr. Speaker.

PRESIDENT: Oh, Senator Landis, please.

SENATOR LANDIS: I would, just as a point of order, ask the
Speaker to explain the purpose of the rule. And, in so doing,
let me just say that LB 983 is a measure to provide relief for
the elderly who have multiple demands or requests for
solicitations for Medicare supplement insurance. This is a
problem of old people who have five, six or seven policies that

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 875, 891, 893, 906, 907

PRESIDENT: LB 875 passes. LB 891, please.

ASSISTANT CLERK: (Read LB 891 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 891 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See pages 917-18 of the Legislative Journal.) The vote is 41 ayes, 0 nays, 2 present and not voting, 6 excused and not voting, Mr. President.

PRESIDENT: LB 891 passes. LB 893, please.

ASSISTANT CLERK: (Read LB 893 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 893 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Read record vote. See pages 918-19 of the Legislative Journal.) The vote is 38 ayes, 5 nays, 6 excused and not voting, Mr. President.

PRESIDENT: LB 893 passes. LB 906, please.

ASSISTANT CLERK: (Read LB 906 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 906 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See page 919 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 6 excused and not voting.

PRESIDENT: LB 906 passes. LB 907.

ASSISTANT CLERK: (Read LB 907 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having

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.