

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 11, 1990

LB 874, 893, 970, 1009, 1102-1111  
LR 8, 233

chance for justice in these courts, a perfect poor man's chance, which means no chance. We see that even with the present system. There are inequities and unfairnesses in the way the courts operate. We are going to build in an additional level that encourages unfairness and arbitrariness by the State Supreme Court. I am opposed to this bill. I think what would have been responsible would be to have public hearings...

SENATOR LABEDZ: Time is up, Senator Chambers. Senator Abboud. Mr. Clerk, do you have something to read in?

CLERK: Yes, Madam President, I do, new bills. (Read for the first time by title: LB 1102, LB 1103, LB 1104, LB 1105, LB 1106, LB 1107, LB 1108, LB 1109, LB 1110, LB 1111. See pages 279-82 of the Legislative Journal.)

Mr. President, I have notice of hearing from the Government Committee. That is signed by Senator Baack as Chair of the committee. (Re: LB 970, LB 1009, LB 893, LB 874, LR 233CA. See page 281 of the Legislative Journal.) That is all that I have, Madam President, at this time.

SENATOR LABEDZ: Thank you, Mr. Clerk. Senator Abboud. Senator Landis.

SENATOR LANDIS: Madam Speaker, members of the Legislature, if you could imagine a process by which we, as legislators, were asked not just to rule on the bills that we introduce but on every idea given to us by our constituents and every idea given to us at the behest of the citizens of the State of Nebraska, you'd approximate the situation that the Supreme Court finds itself in. Their work load is not of their own making. We, as the legislative branch make our own work load collectively by being able to say yes or no to the ideas our constituents bring to us. Every now and then we say, okay, fine, I will draft it and we'll introduce it. My guess is for everyone of those, you have got two or three bills that are suggested to you that you say I don't think it will work or I would rather not carry that. Best of luck, maybe you have got another avenue, but, in fact, we can't take that...I am not going to take that problem on. Maybe we don't do it enough but we do it. But imagine a Legislature in which any person in the State of Nebraska could provide us a bill idea that we would have to draft into bill form, hold a public hearing on, have a debate on this floor, and then write our decisions as a body, not just our own individual

January 22, 1990

LB 240, 567, 769, 799, 830, 842, 857  
874, 893, 918, 930, 933, 940, 941  
970

Mr. President, amendments to be printed. I have amendments to LB 240 by Senator Baack; Senator Haberman to LB 567; and Senator Emil Beyer to LB 799. (See pages 453-58 of the Legislative Journal.)

Mr. President, I have a confirmation hearing report from the Natural Resources Committee. That's signed by Senator Schmit. (See page 459 of the Legislative Journal.)

Government Committee reports LB 830 to General File; LB 857, General File; LB 874, General File; LB 893, General File; LB 918, General File; LB 930, General File; LB 933, General File; LB 970, General File. Those are all signed by Senator Baack.

Natural Resources Committee reports LB 842 to General File; LB 940 to General File and LB 941 to General File. Those are signed by Senator Schmit as Chair.

Finally, Mr. President, I have amendments to be printed from Senator Scofield to LB 769. (See pages 459-461 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: The motion is to adjourn and a machine vote has been requested. All those in favor vote aye, opposed nay. Until nine o'clock tomorrow morning. This will take a simple majority. Have you all voted? Record, Mr. Clerk, please.

CLERK: 21 ayes, 7 nays, Mr. President, on the motion to adjourn.

PRESIDENT: We are adjourned until nine o'clock tomorrow. And it's been a very enjoying morning. Thank you.

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Arleen McCrory

PRESIDENT: The bill is advanced. LB 893, please.

ASSISTANT CLERK: LB 893 was introduced by Senator Lynch. (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, Mr. President.

PRESIDENT: Thank you. Senator Lynch, please.

SENATOR LYNCH: Yes, Mr. President, members, this bill was brought to me by thousands of under-reimbursed county officials. (Laughter.) Thought I'd create a little excitement on the floor here. But I lie. I think there was one or two that mentioned it to me. What it...seriously what it does, the IRA, in case you're not concerned that's the Internal Revenue Service, has increased from whatever it was to 25.5 cents a mile their reimbursement. This provides that for county officials only, only county officials across the State of Nebraska, in the metropolitan and greater Nebraska areas (laugh) reimbursement to 24.5 cents a mile. I'd ask for your consideration and support.

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

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

PRESIDENT: The bill is advanced. LB 918, please.

ASSISTANT CLERK: LB 918 was introduced by Senator Hannibal and a number of other members. (Read title.) The bill was read for the first time on January 3rd, was referred to the Government Committee, which reports the bill back to General File, Mr. President.

PRESIDENT: Senator Coordsen, please. Senator Hannibal, excuse me.

SENATOR HANNIBAL: Thank you, Mr. President, members of the Legislature. LB 918 is a fairly simple bill. Has a substantial change in the...in law that allows for our rural and suburban fire districts that have been traditionally called volunteer, we're changing statutes to allow them to have paid employees as

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,

SENATOR LINDSAY: Mr. President, I move that LB 857, as amended, be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 874.

CLERK: LB 874 has E & R pending, Senator.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 874.

PRESIDENT: You have heard the motion. All in favor say aye. 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 874, as amended, be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 893.

CLERK: LB 893, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 893 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 918.

CLERK: LB 918, Senator, I have E & R amendments pending.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 918.

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

February 14, 1990      LB 42, 159, 313, 642, 851, 856, 857  
874, 893, 901A, 957, 960, 964-966, 984  
997, 1044, 1064, 1080, 1090, 1161, 1184  
1193, 1232  
LR 11

SPEAKER BARRETT: Thank you. Mr. Clerk, you have a motion?

CLERK: Mr. President, I have a priority motion by Senator Langford, that's to adjourn the body until February 15, 1990. I assume that's nine o'clock, Senator. I do have some items.

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

CLERK: Yes, I do, Mr. President. I have amendments to be printed to LB 42 by Senator Baack. (See pages 793-94 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 1064 to Select File with Enrollment and Review amendments. LB 851, LB 856, LB 857, LB 874, LB 893, LB 957, LB 964, LB 966, LB 984, and LB 997 are all reported correctly engrossed. Those are signed by Senator Lindsay as E & R Chair. Banking Committee reports LB 1161 to General File with amendments, and LB 1193 as indefinitely postponed, those signed by Senator Landis as Chair of the Banking Committee. (See pages 794-96 of the Legislative Journal.)

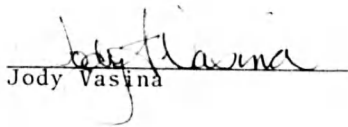
I have a new A bill, Mr. President. (Read LB 901A by title for the first time. See page 796 of the Legislative Journal.)

Mr. President, I have a confirmation report from the Health and Human Services Committee, that is signed by Senator Wesely as Chair. I have a series of priority bill designations. Senator Schellpeper selects LB 1080; Senator Crosby, LB 965; Senator Scofield, LB 1184; Senator Richard Peterson, LR 11CA; and Senator Withem, Education Committee priorities are LB 960 and LB 1090.

Mr. President, Senator Abboud would like to add his name to LB 1044, Senator Crosby and Chambers to LB 642, Senator Elmer and Peterson to LB 159 and AM2372, and Senator Morrissey to LB 1232. I believe that's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The motion before the house is one to adjourn until tomorrow morning at nine o'clock. All in favor say aye. Opposed no. Ayes have it, carried, we are adjourned. (Gavel.)

Proofed by:

  
Jody Vasina



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.