

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 17, 1990

LB 257, 871, 888, 890, 894, 909, 917  
924, 932, 946, 954, 978, 990, 992  
1018, 1028, 1046, 1047, 1079, 1080, 1085  
1104, 1107, 1115, 1118, 1162-1169  
LR 240

Services Committee, all signed by their respective chairs. (Re: LB 1104, LB 992, LB 894, LB 1028, LB 932, LB 909, LB 1079, LR236, LB 1115, LB 1107, LB 890, LB 924, LB 990, LB 1118, LB 978, LB 1018, LB 871, LB 1046, LB 1047, LB 917, LB 1085, LB 954, LB 946, LB 888, LB 1080. See pages 358-59 of the Legislative Journal.)

Mr. President, new bills. (Read LBs 1162-1169 by title for the first time. See pages 359-60 of the Legislative Journal.)

Mr. President, a new resolution by Senators Moore and Hall. (LR 240.) It would propose an amendment to Article VII, Section 10 of the State Constitution. That will be referred to Reference Committee, Mr. President. That's all that I have, Mr. President. (See pages 361-62 of the Legislative Journal.)

PRESIDENT: Thank you. We'll move on to Select File, number 2, LB 257. Mr. Clerk.

CLERK: Mr. President, 257 is on Select File. The first order of business are Enrollment and Review amendments, Mr. President.

PRESIDENT: Senator Baack, would you handle that, please.

SENATOR BAACK: Sure, I would move that the E & R amendments be adopted.

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

CLERK: Mr. President, the first amendment I have to the bill is by Senator Pirsch. I have a note that she wants to withdraw, Mr. President.

PRESIDENT: Senator Pirsch, are you present?

CLERK: She's excused, I believe, Mr. President, until she arrives.

PRESIDENT: Okay, she is present somewhere. We'll withdraw them and check to make sure that's correct.

CLERK: The next amendment, Mr. President, is by Senator Withem. Senator, your amendment is on page...well, it was printed last year.

January 30, 1990

LB 269, 520, 520A, 567, 567A, 888, 917  
946, 954, 1046, 1050, 1085  
LR 248

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Good morning, ladies and gentlemen. Welcome to this, the 18th day in the Second Session of the Ninety-first Legislature. The Chaplain of the day, Pastor Chris Anderson, from Glad Tidings Assembly of God, here in Lincoln. Pastor Anderson.

PASTOR ANDERSON: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Anderson. 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: I have no corrections, Mr. President.

SPEAKER BARRETT: Any messages, announcements, or reports?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 520 and recommend that same be placed on Select File, LB 520A Select File, LB 567, and LB 567A all on Select File, some having E & R amendments attached. (See pages 560-62 of the Legislative Journal.)

Health and Human Services Committee, whose Chair is Senator Wesely, reports LB 888 to General File, LB 917 to General File, LB 946 General File, LB 954 General File, LB 269 General File with amendments, LB 1046 General File with amendments, LB 1085 General File with amendments, those all signed by Senator Wesely as Chair. Mr. President, Education Committee reports LB 1050 to General File. That is offered by Senator Withem as Chair of the Education Committee. (See pages 562-63 of the Legislative Journal.)

I have appointment letters from the Governor that will be referred to Reference Committee for referral to Standing Committee for public hearing. An Attorney General's Opinion addressed to Senator Hartnett. (See pages 563-65 of the Legislative Journal.)

And, finally, Mr. President, LR 248 is ready for your signature,

LB 888 be advanced to E & R Initial. All in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of LB 888.

SPEAKER BARRETT: LB 888 is advanced. To LB 917.

CLERK: 917 offered by Senators Wesely and Lynch. (Read title.) The bill was introduced on January 3, referred to Health, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. Speaker, members, this legislation arises from a task force report chaired by Senator Lynch, caregivers task force, looking at a number of issues involving care giving. The particular program under discussion, the Disabled Persons Family Support Act, has been around a number of years. This program has provided respite care and other assistance to disabled, handicapped individuals, mentally retarded, so that they could stay home with their families or otherwise live independent lives. The program has had an expenditure limitation since its inception and from the study that was done by Senator Lynch, this limitation is causing some problems and so this bill would eliminate that expenditure limitation and allow us to move forward with the program. With that, I would move for the advancement of the bill.

SPEAKER BARRETT: Thank you. Discussion? Seeing none, shall LB 917 be advanced? Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 917.

SPEAKER BARRETT: LB 917 is advanced. LB 946.

CLERK: 946 offered by Senator Lynch, Mr. President. (Read title.) The bill was introduced on January 4, referred to Health, advanced to General File. I have no amendments to the bill.

SPEAKER BARRETT: The Chair recognizes Senator Lynch.

February 22, 1990      LB 313, 579, 688, 830, 831, 834, 888  
917, 923, 932, 938, 946, 954, 978  
987, 987A, 994, 994A, 1037, 1067, 1077  
1080, 1080A, 1094, 1102, 1109, 1165, 1178  
1217  
LR 259

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning for our invocation, Reverend Dr. Norman E. Leach who is the Executive Director of the Lincoln Interfaith Forum. Would you please rise for the invocation?

REVEREND LEACH: (Prayer offered.)

PRESIDENT: Thank you, Dr. Leach, we appreciate your being here this morning. Please come back. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, Enrollment and Review respectfully reports they have carefully examined and reviewed LB 1080 and recommend that same be placed on Select File, LB 1080A, LB 1094, LB 688, LB 579, LB 994, LB 994A, LB 830, LB 938, LB 834, LB 987, LB 987A, LB 978, LB 888, LB 917, LB 946, LB 954, LB 1077, LB 1037, LB 1067, LB 831, LB 932, LB 1178, LB 1102, LB 1109, LB 1165 and LB 1217, all reported to Select File, some have E & R amendments attached. (See pages 904-08 of the Legislative Journal.)

Mr. President, amendments to be printed, Senator Crosby to LB 923, Senator Coordsen to LB 313. (See page 908 of the Legislative Journal.)

New resolution by Speaker Barrett. (Read brief description of LR 259. See pages 908-09 of the Legislative Journal.) That will be laid over.

A series of appointment letters from the Governor. Those will be referred to the Reference Committee for confirmation hearing.

Finally, Mr. President, a report from the Board of Public Roads Classifications and Standards. That will be on file in my

February 28, 1990      LB 888, 917, 978, 987A

CLERK: LB 987A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 987A be advanced to E & R for engrossment.

SPEAKER BARRETT: Is there discussion? If not, those in favor of the advancement of the A bill please say aye. Opposed no. The ayes have it. Motion carried. The bill is advanced. LB 978.

CLERK: LB 978, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 978 be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? If not, those in favor of the advancement of LB 978 please say aye. Opposed no. Carried. The bill is advanced. LB 888.

CLERK: LB 888, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 888 be advanced to E & R for engrossment.

SPEAKER BARRETT: Thank you. Is there discussion? Senator Dierks.

SENATOR DIERKS: Yes, Mr. Speaker, I just want to bring something for the record. The intent of this bill is not to restrict the sale except for final use, it is not to restrict the sale between resale, wholesale, or veterinarian. So I just wanted that on the record, that we have no intent to restrict sale between distributor and wholesaler. Thank you.

SPEAKER BARRETT: Thank you, Senator Dierks. Any other discussion? If not, the question is the advancement of LB 888. Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 917.

February 28, 1990      LB 917, 946, 954, 1077

CLERK: LB 917, Senator, I have Enrollment and Review amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 917.

SPEAKER BARRETT: Discussion? Shall the E & R amendments be adopted? All in favor say aye. Opposed no. Carried. They are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 917 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? If not, shall LB 917 be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 946.

CLERK: LB 946, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 946 be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Hearing none, those in favor of the advancement of 946 please say aye. Opposed no. Carried. The bill is advanced. LB 954.

CLERK: LB 954, Senator, I have no amendments to the bill.

SPEAKER BARRETT: The gentleman from the 9th District.

SENATOR LINDSAY: Mr. President, I move that LB 954 be advanced to E & R for engrossment.

SPEAKER BARRETT: Discussion? Seeing none, those in favor of the adoption please say aye. Opposed no. Carried. LB 954 is advanced. LB 1077.



March 1, 1990

LB 163A, 579, 642, 830, 831, 834, 888  
917, 932, 938, 946, 954, 978, 987  
987A, 989, 994, 994A, 1037, 1067, 1077  
1102, 1178, 1222

PRESIDENT: Okay, Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President and members, there was some confusion about whether the A bill or at least Senator Schimek's amendment was necessary. But I think, with the adoption of my earlier amendment this morning, it clarifies a lot of those problems. And, in talking with my legal staff who has talked with the Fiscal Office, they seem to feel there is no need for any amendments to the A bill and the A bill should stay as it's currently written. So I would just move for the bill's advancement.

PRESIDENT: Thank you. Senator Morrissey, please. No. Did you wish a closing, Senator Rod Johnson? The question is the advancement of the A bill. All in favor vote aye...say aye. Opposed nay. It is advanced. Things for the record, Mr. Clerk?

CLERK: Mr. President, Enrollment and Review respectfully reports they have carefully examined and reviewed LB 579 and find the same correctly engrossed; LB 830; LB 831; LB 834; LB 888; LB 917; LB 932 and LB 938, LB 946; LB 954; LB 978, LB 987, LB 987A, LB 994, LB 994A, LB 1037, LB 1067, LB 1077, LB 1102 and LB 1178, those all reported correctly engrossed, Mr. President.

Senator Ashford has amendments to LB 642 to be printed; and Senator Smith to LB 1222. (See pages 1074-78 of the Legislative Journal.)

Government Committee reports LB 989 to General File, Mr. President. That's all that I have.

PRESIDENT: Senator Byars, please.

SENATOR BYARS: I would move we would recess until one thirty this afternoon.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. We are recessed until one-thirty.

RECESS

March 7, 1990

LB 888, 917, 932, 938

Journal.) 42 ayes, 0 nays, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 888 passes. LB 917.

CLERK: (Read LB 917 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 917 become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 1211-12 of the Legislative Journal.) 41 ayes, 0 nays, 3 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 917 passes. LB 932, Mr. Clerk.

CLERK: (Read LB 932 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 932 pass? All in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read. See page 1212 of the Legislative Journal.) 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 932 passes. LB 938.

CLERK: (Read LB 938 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 938 become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See page 1213 of the Legislative Journal.) 42 ayes, 0 nays, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 938 passes. We will be rolling over the next bill, 946E, and proceed on to LB 954. But before we do that, the Chair is pleased to note that Senator Lowell Johnson has some guests in our south balcony. We have 50 fourth graders

March 7, 1990

LB 315, 579, 830, 831, 888, 917, 922  
932, 938, 954, 978, 987, 987A, 1037  
1059, 1067, 1077, 1102, 1113, 1178, 1199  
LR 270

Legislative Journal.) The vote is 42 ayes, 0 nays, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1077 passes. LB 1102.

ASSISTANT CLERK: (Read LB 1102 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1102 pass? Those in favor vote aye, opposed nay. Record, Mr. Clerk.

ASSISTANT CLERK: (Record vote read. See pages 1219-20 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1102 passes. The final bill on Final Reading, LB 1178.

ASSISTANT CLERK: (Read LB 1178 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1178 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote read. See pages 1120-21 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1178 passes. The call is raised. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign 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, LB 1077. Mr. Clerk, have you matters for the record?

CLERK: I do, Mr. President, thank you. Amendments to be printed to LB 1059 by Senator McFarland; Senator Wesely to LB 1113 and LB 315. (See pages 1221-22 of the Legislative Journal.)

Mr. President, a new resolution, LR 270, offered by Senator Peterson. (Read brief description of LR 270. See pages 1222-23 of the Legislative Journal.) That will be laid over. That's all that I have, Mr. President.

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