

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 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.

Proofed by: Arleen McCrory
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

well as volunteer employees. Was brought to me by the Millard Suburban Fire District because of a lawsuit that was brought against them that challenged the existing statutes, and at the very least we found a lot of ambiguities in the statute as to whether you could, indeed, pay or not pay volunteer fire department employees or volunteers. The E clause has been attached to the bill. Because of the lawsuit there is a temporary restraining situation going on in the Millard area. This does affect the entire state. If you look at the committee statement, you'll see that we had wide support from all across the state from volunteers and fire fighters in general. One final thing that the bill does do is add that...developed the rescue as well as fire protection, rescue protection statutes are changed to allow for paid employees there as well. One final thing I'd like to say is that there was some concern in hearing by some of the proponents that were talking about the bill in support of the bill, but they were in, some ways, implying that maybe volunteer fire departments weren't doing a very good job, and that was never the intent of the bill, or that they weren't doing an adequate job. That wasn't the intent. I'd like to say for the record that the volunteer fire districts have been a very, very valuable service for the State of Nebraska and continues to be. This just augments it a little further and allows some districts, if they wish, to have a combination of volunteer and paid fire fighters. I would move for the advancement of LB 918.

PRESIDENT: Thank you. Senator Schellpeper, please.

SENATOR SCHELLPEPER: Thank you, Mr. President and members. I'd like to ask Senator Hannibal a question.

PRESIDENT: Senator Hannibal, will you respond, please.

SENATOR HANNIBAL: Yes.

SENATOR SCHELLPEPER: Does this bill make it so that they have to pay, or is it voluntary if they want to pay the small rural fire departments?

SENATOR HANNIBAL: This is a permissive bill, allows for you to have all volunteers, all paid, or a combination.

SENATOR SCHELLPEPER: What about, are there any other benefits that they can pay?

SENATOR HANNIBAL: Excuse me?

SENATOR SCHELLPEPER: Are there any other benefits that they could pay as far as the insurance for firemen and things like that?

SENATOR HANNIBAL: Well, yes. As a paid employee of a fire district, and you would be entitled to look at all areas of reimbursements, including those kinds of benefits.

SENATOR SCHELLPEPER: So, in other words, this could be expanded quite a ways, Senator.

SENATOR HANNIBAL: Essentially it could. We have been assured that the implications for liability are not there. But it essentially could be expanded so that you could continue to develop into a larger and a fully paid fire service, but this will all be it, this is all permissive as opposed to mandatory.

SENATOR SCHELLPEPER: Thank you.

PRESIDENT: Did you wish a closing, Senator Hannibal? Okay. If there is no further discussion, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk.

ASSISTANT CLERK: 27 ayes, 0 nays, on the advancement of the bill, Mr. President.

PRESIDENT: The bill advances. LB 930, please.

ASSISTANT CLERK: LB 930 was introduced by the Government Committee. (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: Senator Baack, please.

SENATOR BAACK: Yes, Mr. President and colleagues. I knew he was having trouble who was going to take this. This bill makes a number of very minor changes in the way that the National Guard is organized or the way they are able to call people into active service. What it says is in the past it has been that, if they call people into active service for disasters and

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 13, 1990 LB 918, 930, 940, 970

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

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 918, 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 930.

CLERK: LB 930, Senator, has E & R amendments, first of all.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 930.

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 930, 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 970.

CLERK: LB 970, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 970 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 940.

CLERK: LB 940, Senator, I have E & R, first of all.

PRESIDENT: Senator Lindsay, please.

February 15, 1990 LB 688, 855, 896, 918, 924, 930, 940
969, 970, 972, 974, 1016, 1017, 1055
1094, 1115, 1118, 1222

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning, as our Chaplain of the day, Pastor Sid Raymond of the Florence Presbyterian Church in Omaha. Would you please rise for the invocation.

PASTOR RAYMOND: (Prayer offered.)

PRESIDENT: Thank you, Pastor Raymond, we appreciate your being here and giving us the invocation this morning. Please come back. Roll call, please.

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

PRESIDENT: Mr. Clerk, any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 896 and find the same correctly engrossed, LB 918, LB 924, LB 930, LB 940, LB 969, LB 970, LB 974, LB 1016, LB 1017 and LB 1118 all reported correctly engrossed, those signed by Senator Lindsay as Chair. (See page 799 of the Legislative Journal.)

Mr. President, an Attorney General's Opinion addressed to Senator Elmer regarding LB 1115. (See pages 800-06 of the Legislative Journal.)

Priority bill designations. Senator Lindsay has selected LB 688, Senator Hartnett LB 1222, Senator Haberman LB 1094, and Agriculture Committee, chaired by Senator Johnson, has selected LB 855 and LB 972 and Senator Goodrich has selected LB 1055. (See page 806 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Very good, thank you. We'll go on to the confirmation report.

CLERK: Mr. President, the Health and Human Services Committee, chaired by Senator Wesely, reports on the series of appointments

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