

January 3, 1990

LB 346, 520, 707, 923-935
LR 8, 229-233

of LRs 229-233, some of which will be referred to the Reference Committee for referral to the appropriate Standing Committee, others laid over. See pages 123-28 of the Legislative Journal.)

Mr. President, I have amendments to be printed from Senator Hall to LB 346 and to LB 707. (See pages 128-29 of the Legislative Journal.)

Mr. President, I have a proposed rules change offered by Senator Wesely. That will be referred to the Rules Committee. (See page 129 of the Legislative Journal.)

Mr. President, Senator Lynch would like to remind the body that there will be a Rules Committee meeting at one-thirty in Room 1517. And, Mr. President, there will be an Executive Board meeting at two o'clock in Room 1520.

Finally, Mr. President, I have requests to add name to LR 8 by Senator Kristensen and to LB 520 by Senator Smith. (See pages 129-30 of the Legislative Journal.)

PRESIDENT: Ladies and gentlemen, if I could have your attention just a moment, please. We're about out of bills to enter, and if you have some, please bring them up quickly and soon so that we can do this before we adjourn. We're about ready to adjourn, but we don't want to shut anybody off that has one cooking. Incidentally, if you're about ready to introduce one, but not quite, please let the Clerk know that one is coming presently so that we may wind this up. Thank you. We'll not meet this afternoon, of course.

CLERK: (Read by title for the first time, LBs 923-929. See pages 130-31 of the Legislative Journal.)

Mr. President, a reminder, the Rules Committee will be meeting at one-thirty this afternoon in Room 1517 and Exec Board will be meeting at two o'clock in Room 1520, signed by Senators Lynch and Labedz, respectively.

PRESIDENT: Ladies and gentlemen, please get your bills in if you would like. We're about ready to wind this up. Thank you.

CLERK: (Read by title for the first time, LBs 930-935. See pages 131-33 of the Legislative Journal.)

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.

February 2, 1990

LB 42, 164, 632, 750, 794, 831, 841
843, 861, 881, 902A, 925, 932, 952
956, 1028, 1059, 1219
LR 250

CLERK: Mr. President, I do. Revenue Committee, whose Chair is Senator Hall, reports LB 831 to General File; LB 932, General File; LB 1219, General File; LB 952, General File with amendments; LB 1028, General File with amendments; LB 750, indefinitely postponed; LB 794, indefinitely postponed; LB 841, LB 861, LB 881, all indefinitely postponed. Signed by Senator Hall as Chair. (See pages 648-49 of the Legislative Journal.)

Amendments to be printed by Senator Hefner to LB 1059; Senator McFarland to LB 632; Senator Ashford to LB 164; Senator Withem to LB 843; Senator Moore to LB 925; Senator Wesely and Schmit to LB 956. (See pages 649-55 of the Legislative Journal.)

Mr. President, LR 250 offered by Senator Withem. (Read brief description of LR 250 as found on pages 655-56 of the Legislative Journal.) That will be referred to the Executive Board.

Mr. President, new A bill, LB 902A by Senator Hall. (Read by title for the first time as found on page 656 of the Legislative Journal.)

Mr. President, Senator Kristensen has designated LB 42 as his priority bill for the session.

And, finally, Mr. President, a report has been filed by the Appropriations Committee pursuant to Rule 8, Section 3, of our rules. I believe copies of the report have been distributed to the members. That's all that I have, Mr. President.

SENATOR HANNIBAL: You have before you a motion to adjourn until Monday morning at 9:00 a.m. All those in...excuse me. All those in favor say aye. Opposed nay. We are adjourned.

Proofed by:

La Vera Benischek
LaVera Benischek

Have you all voted? Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 831.

SPEAKER BARRETT: LB 831 advances. LB 932, Mr. Clerk.

CLERK: 932, Mr. President, introduced by Senators Scofield and Bernard-Stevens. (Read title.) The bill was introduced on January 3, referred to Revenue, advanced to General File. I have no amendments to the bill.

SPEAKER BARRETT: Senator Bernard-Stevens, please.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker. This is a bill introduced by Senator Scofield and myself which actually repeals what was done in 1988 in regards to the railroad lawsuit and that would be LB 1091 which many of us in the body fought very hard for in order to receive 7. million to reimburse the subdivisions as much as possible for the funds lost in the railroad lawsuit era. Since that time the railroads have, in fact, worked with the State of Nebraska on a settlement and they are, in fact, now paying 25 percent of their personal property tax to the subdivisions. This bill, 932, would simply take out the part of 1091 which would then imply that all the 25 percent would be able to go back to the subdivisions, and I ask that the bill be advanced to E & R Initial.

SPEAKER BARRETT: Thank you. Discussion? Questions? Seeing none, those in favor of the advancement of the bill vote aye, opposed nay. Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 932.

SPEAKER BARRETT: LB 932 advances. LB 1178.

CLERK: 1178, Mr. President, offered by the Business and Labor Committee and signed by its members. (Read title.) It was introduced on January 17 of this year, referred to Business and Labor, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: The Chairman of the Business and Labor Committee, Senator Coordsen.

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

pending.

SPEAKER BARRETT: Chairman Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 831.

SPEAKER BARRETT: Any discussion? The question is, shall LB 831 be advanced? Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 932.

CLERK: LB 932, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 932 be advanced to E & R for engrossment.

SPEAKER BARRETT: Discussion. If not, shall 932 be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 1178.

CLERK: LB 1178, Senator, I have no amendments to the bill.

SPEAKER BARRETT: The gentleman from the 9th Legislative District.

SENATOR LINDSAY: Mr. President, I move that LB 1178 be advanced to E & R for engrossment.

SPEAKER BARRETT: Discussion? The question is, shall LB 1178 be advanced? Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 1102.

CLERK: LB 1102, Senator, does have E & R amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I'd move the adoption of the E & R amendments to LB 1102.

SPEAKER BARRETT: Discussion? If not, shall the E & R amendments be adopted? All in favor say aye. Opposed no. Carried. They are adopted.

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