

January 4, 1990

LB 939-968  
LR 234

And that is not a valid, logical position. I don't think it is a reasonable legislative position and in order not to drag out the discussion on this resolution, that will be all I have to say except to reemphasize that I intend to vote against this resolution and I'll vote against others of similar stripe.

PRESIDENT: Senator Hannibal, would you like to close...Senator Lynch, your light came on. Senator Hannibal, would you like to close, please.

SENATOR HANNIBAL: Thank you, Mr. President. Senator Chambers, I also have many thoughts running through my head, but I will exercise some constraint as well. I appreciate you pointing up some facts about the issue of what days are Nebraska citizens days and which days are days for all the people that we are elected to serve, and I agree with you wholeheartedly. Senator Smith, I'm not sure I really needed that much support saying that this resolution wasn't near as bad as some of them that we have, but I guess I'll take a vote whenever I can get it. Yes, it is true that each day that we meet in session, as a matter of fact, each day that we serve in the Legislature, is for all the citizens in Nebraska. That is my philosophy as well. However, I would suggest that we have many days that are proclaimed to be special for certain kinds of occasions and, in fact, certain individuals and that to say that because this all day should be for Nebraska citizens and not have a day that we proclaim as a special recognition would be tantamount in my estimation to saying that we shouldn't have a veterans' day because that implies that every other day is not a day that should be recognized for veterans and their service to us or any number of things that we do have. I believe that this is a gesture of recognition that we are here because of the citizens and we are here to serve the citizens and it's not near as bad a resolution as some of them we've passed and I would urge its adoption.

PRESIDENT: The question is the adoption of the resolution. All in favor vote aye, opposed nay. Record, please.

CLERK: 15 ayes, 4 nays, Mr. President, on adoption of LR 234.

PRESIDENT: The resolution is adopted. We'll go on to number six, introduction of new bills.

CLERK: Mr. President, new bills. (Read by title for the first time, LBs 939-968. See pages 138-45 of the Legislative

January 8, 1990

LB 409, 958-1013, 1031, 1032  
LR 235

SPEAKER BARRETT: Let's stand at ease until eleven-fifteen, Mr. President.

PRESIDENT: Okay, thank you.

EASE

CLERK: Three quick announcements. Reference will meet underneath the south balcony now. Referencing Committee, underneath the south balcony right now.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: (Microphone not activated immediately.) ...return to the Legislative Chamber. The Legislature will reconvene and continue our discussion on the adoption of our permanent rules. Please return to the Legislative Chamber. Mr. Clerk, would you read in new bills, please.

CLERK: (Read LB 1031 and LB 1032 by title for the first time. See pages 198-99 of the Legislative Journal.)

Mr. President, in addition to those items, I have a new resolution. (Read brief summary of LR 235. See page 199 of the Journal.) That will be laid over.

I have amendments from Speaker Barrett to be printed to LE 409. Mr. President, I also have a Reference Report referring LBs 958-1013, as well as certain gubernatorial appointments received. That's all that I have, Mr. President. (See pages 199-201 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, Mr. Clerk. Have you a motion, Mr. Clerk, to reconsider action taken last week?

CLERK: Mr. President, Senator Chambers would move to reconsider the vote on the Wesely amendment to the rules, which I believe the Legislature discussed on Thursday afternoon.

SPEAKER BARRETT: Thank you. The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this motion is designed to reconsider the vote that was taken on

February 7, 1990

LB 551, 843, 901, 958, 1007, 1039, 1071  
1087, 1105, 1119, 1133, 1243  
LR 253

registered lobbyists for the present week. New bill. (Read LB 1243 by title for the first time.) New resolution. (Read brief summary of LR 253.) Your Committee on Retirement, whose Chairperson is Senator Haberman, reports LB 1105 to General File; LB 1039 to General File with amendments. Committee on Transportation reports LB 1119 to General File; LB 958, General File with amendments; LB 1007, indefinitely postponed; LB 1071, indefinitely postponed; LB 1087, indefinitely postponed; LB 1133, indefinitely postponed. Senator Baack would ask to name LB 843 as a priority bill. Senator Abboud offers explanation of vote on the bills that were read on Final Reading this morning. And unanimous consent request to add names, Senator Byars to LB 551, Senator Kristensen to LB 551 and Senator Chambers to LB 901. That's all that I have, Mr. President. (See pages 717-24 of the Legislative Journal.)

SENATOR HANNIBAL: Thank you. Senator Byars, for what purpose do you rise?

SENATOR BYARS: Mr. President, I would move that we adjourn until Monday, February 12, 1990, at 9:00 a.m.

SENATOR HANNIBAL: You've heard the motion. Those in favor say aye. Opposed same sign. We are adjourned.

Proofed by:

  
Marilyn Zank

February 16, 1990      LB 163, 164A, 226, 260, 457, 571, 838  
846, 866, 880, 958, 1003, 1019, 1028  
1039, 1062, 1103, 1106, 1113, 1184, 1205  
1215, 1229

Senator Hartnett.      (See pages 846-48 of the Legislative Journal.)

Judiciary reports LB 838 to General File; LB 880, General File; LB 846, indefinitely postponed; LB 1103 and LB 1205, indefinitely postponed.

I have amendments to be printed to LB 866 by Senators Lamb, Haberman, Rogers and Crosby. (See pages 848-50 of the Legislative Journal.)

Mr. President, priority bill designations. Senator Labeledz has selected LB 457. Senator Hartnett for Urban Affairs has selected LB 1106, LB 1229; Senator Conway, LB 260; Senator Bernard-Stevens, LB 1062; Senator Beck, LB 958; Senator Rod Johnson, LB 1019; Senator Haberman, LB 1039, as one of the Retirement Systems priority bills. Senator Hall's Revenue bills are LB 1028 and LB 1215; Senator McFarland, LB 226; Senator Hefner, LB 571; and Senator Chizek's personal priority, LB 880, and Judiciary Committee's, LB 1003 and LB 1113.

Mr. President, Revenue Committee gives notice of hearing. And one new A bill, LB 164A by Senator Ashford. (Read by title for the first time as found on page 850 of the Legislative Journal.)

And, finally, Senator Scofield has amendments to LB 1184 to be printed. (See page 851 of the Legislative Journal.) That's all that I have, Madam President.

Madam President, when we left LB 163, the Enrollment and Review amendments had been adopted. Senator Johnson had an amendment to the bill that had been adopted. Senator Morrissey had amendments. Senator Hefner had his first amendment adopted. The bill was bracketed, Madam President. I now have pending Senator Hefner's amendment. Senator, this amendment is on page 599 of the Journal. I believe...it's AM2141, Senator, the biodegradable. Right. Okay.

SENATOR LABEDZ: Senator Hefner, on the amendment.

SENATOR HEFNER: Mr. President and members of the body, you will find this amendment on page 599. And what this would do, this would add a tax or a fee on disposable diapers...on nondegradable disposable diapers at the rate of 10 cents per dozen. The tax would be collected by the Department of Revenue

March 16, 1990

LB 457, 958

SPEAKER BARRETT: Thank you. An amendment on the desk, Mr. Clerk.

CLERK: Mr. President, the first motion I have, Senator Conway had an amendment.

SENATOR CONWAY: I would like to withdraw that.

CLERK: Withdraw.

SPEAKER BARRETT: Withdraw it.

CLERK: Mr. President, the next motion I have on the bill is by Senator Moore. Senator Moore would move to indefinitely postpone the bill. Senator Schmit, as primary introducer, would have the option to lay the bill over, Mr. President.

SPEAKER BARRETT: Senator Schmit, your wishes.

SENATOR SCHMIT: Well, first I have a question of Senator Moore. Senator Moore, seeing as how we have a wall between us here, invisible as it may be, not having visited with you about this, is this a friendly kill and are you waiting to see if you get appointed out there or something? Can you explain to me...?

SENATOR MOORE: It's about as friendly as some of your no votes the last two days, Senator Schmit. No, it is not.

SENATOR SCHMIT: Mr. Speaker, based upon that answer, honest as it is, and probably one of the more honest statements you've made in the last couple of days, Scotty, I think I will lay it over while I regroup.

SPEAKER BARRETT: Thank you. LB 457 is laid over. The next bill, Mr. Clerk, LB 958.

CLERK: Mr. President, 958 was a bill originally introduced by Senator Ashford and by Senator Beck. (Read title.) The bill was introduced on January 4 of this year, referred to the Transportation Committee for public hearing. The bill was advanced to General File. I do have committee amendments pending by the Transportation Committee. (See page 723 of the Legislative Journal.)

SPEAKER BARRETT: Senator Emil Beyer, would you handle the committee amendments to 958, please.

SENATOR BEYER: Yes, sir. Mr. Speaker, and colleagues, this bill was heard by the Transportation Committee, discussed and was voted out with the one amendment. What the amendment does is on page 2, line 17 we strike "sixteen" and insert "five". What that does is just lower the age of having a person with a seat belt on that is not confined to the child restraint seat, lowers the age to five that they have to be in with the seat belt on rather than sixteen. So that is what the amendment does and I would urge your adoption.

SPEAKER BARRETT: Thank you. Discussion on the committee amendments? Senator Warner, followed by Senators Beck, Ashford. Senator Beck, would you like to discuss the committee amendments?

SENATOR BECK: Mr. Speaker, and members of the body, I think that perhaps some would perhaps express a fear about the amendments and I would just urge you to pass these amendments. I think without them it would endanger the life of the bill. It is an important bill, it is important to me and it is important to many, many people in this state. These committee amendments are a workable compromise. The age has been amended down to five. It wouldn't be a harbinger or a herald of any kind of mandatory seat belts again, even though we Nebraskans are an independent people. I just feel that this, though it might be upsetting, it will not indicate mandatory seat belts returning. It is, again, a workable compromise. I do not want to endanger the bill, believe me that we have a very weak law. We need this change, we need the amendments. I would just urge, beg, cajole, plead, and anything else that people would pass...the body would pass these amendments today to LB 958. Thank you.

SPEAKER BARRETT: Thank you. Senator Ashford, on the committee amendments.

SENATOR ASHFORD: Just very briefly, Mr. Speaker and colleagues, I just would rise to support the committee amendments. It makes this bill pretty much of a modest proposal. It significantly reduces the age requirements under the original bill that I introduced, but it does address, as Senator Beck suggests, the critical problem of very young children being exposed to a dangerous situation, first of all, and, secondly, the bill

continues to have in it the educational component which is I believe a very significant part of the bill. So with that, I would urge the adoption of the committee amendments. Thank you.

SPEAKER BARRETT: Senator Labedz. Thank you. Senator Crosby, would you care to discuss the amendments?

SENATOR CROSBY: Thank you, Mr. Speaker, and members. Yes, I guess since the rest of you who originated it and whose bill it is are supporting the amendments, I will support the amendments, but I am really saddened that they lowered the age to five years old. I cannot understand why it is that people do not want to protect their children. I am one of these people that I cannot drive down the street without my seat belt on, and I make everybody in my car put their seat belts on. If they don't want that, then they can just get out and walk because I am not going to drive with people sitting there not protected. The baby seats and so on have proven so effective from the very beginning and this does bother me that we cannot educate the public to protect their children. Little ones over five years old need that protection, too, and when I see people going around with their little ones in the back of a pickup, I shudder and faint because I have seen and read about accidents. You know that they get thrown out, even adults get thrown out of the back of a pickup, and I am sure if you had worked in an emergency room or with safety...in a safety capacity as a policeman or someone...anyone who goes to the accident scenes, they can tell you how much difference the seat belts and the restraints make. And little children cannot protect themselves. So, as I say, as long as Senator Ashford and Senator Beck are going to support this amendment, I will, too, but I still feel that one way or another we must educate people to, even though there is no law, to make their children put on the seat belts. Thank you.

SPEAKER BARRETT: Thank you. Senator Schellpeper, on the committee amendments.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker, and members. I just want to make a couple of comments for Senator Crosby. We debated this bill in the Transportation Committee and we held it there for awhile. There wasn't enough votes to move it. It was finally my motion that we lower it to five and then it moved out, Senator Crosby. And so rather than lose everything, we thought that five is better than nothing, so that is why we have it at five, and I think it is, like you say, it isn't

everything, but it is better than nothing. So that is why we did it. Thank you.

SPEAKER BARRETT: Any other discussion? Senator Beyer, would you like to close?

SENATOR BEYER: Thank you, Mr. President. Just to urge that we adopt the amendment and then proceed to the bill. Thank you.

SPEAKER BARRETT: Thank you. The question is the adoption of the committee amendments to LB 958. All in favor vote aye, opposed nay. Please record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

SPEAKER BARRETT: The committee amendments are adopted. Before recognizing Senator Ashford to open on the bill, the Chair is pleased to note that we have some special guests in our south balcony representing all members of this Legislature. We have visiting with us 25 freshmen students at Creighton University from Saitama, Japan, with their teachers from Creighton University and also their teachers from Japan, and their cultural coordinator. Would you people please stand and be recognized by the Nebraska Legislature. Thank you. We are very pleased to have you visiting with us today. Also, Senator Lynch has some guests under our north balcony, Marianne Lynch, his daughter, and friends, Mary Schutt, and Dave Stewart. Would you please stand and be recognized. Thank you. And welcome to the Unicameral. Senator Ashford, would you care to open on the bill?

SENATOR ASHFORD: Thank you, Mr. Speaker and colleagues. I am going to defer to Senator Beck for most of the introduction of this bill. She has done a considerable amount of work on it and has made it her priority. For that I am very much appreciative. Just some basic background, or a little background on the bill, this concept was brought to me by Diane Wolf of the Safety and Health Council, Greater Omaha, in the fall of last year, and she has done yeoman work in putting together a coalition in support of LB 958, which is really phenomenal and very impressive. It includes most of the major health insurance companies in Nebraska, the education groups, the medical groups, all of the medical groups in the state, the Bar Association, many businesses in Omaha and across the state, and it is really an



impressive job and makes our job I guess, or my job as introducer of this bill, quite easy that I can defer to Senator Beck and she can give us the background. And I know she has worked very hard on it, and then with the support of Diane Wolf and her coalition, I feel a little bit like, you know, the outfielder that never gets hit a fly ball. It really makes it quite easy for me. It is a wonderful proposal, and as Senator Schellpeper said, his committee and Senator Lamb's committee I think tried to put out a bill that they could support and I appreciate that. It is somewhat of a modest proposal, Senator Crosby, though I think it is a good start in the area of, certainly in the area of education of these in this area. And so with that...I am sure Senator Beck has her light on, and I would ask her to give the detailed background of the bill. Thank you.

SPEAKER BARRETT: The Chair recognizes Senator Beck.

SENATOR BECK: Thank you, Mr. President, and members of the body. I would just urge again that this bill be passed and I want to tell you why. Ours is a very weak law for our children, and what does it matter if we continue to agonize over the various kinds of funding for schools and for educational proposals and for gifted children and all of these other programs so that our children can have an equal educational opportunity, a better educational opportunity, when we deny, when we are denying the safest environment in our autos for our children? And this is a modest proposal but it would save a lot of children's injuries and give them an equal chance at life, because when a small child is in a car accident and is only belted, which is what our law does after one year, a child's body is built in such a way that it is heavier on the top. The top of the body flies forward, the child...

SPEAKER BARRETT: Senator Beck.

SENATOR BECK: Yes.

SPEAKER BARRETT: Please, (gavel).

SENATOR BECK: Okay, shall we go on. I will go fast. I can really talk fast, Senator Barrett, and I will because I know it is Friday afternoon, and all I am hoping for is that this bill, my priority bill and the priority bill of a number of organizations really in this state gets through. And I will do

anything and everything I can to do that. So at any rate, I will go just as quickly as I can, but our children, when they are in an accident, slide forward and the heaviest part of the body or the head, neck, and spinal cord area takes the brunt and the thrust of all of that injury. And we have had a lot of children, little children, injured in this manner. Now the bill as amended will improve our current law which was put into effect in 1983, and it only requires that, our current law only requires a child restraint passenger restraint system up to the first year of life. After that, a standard safety belt can be used to age four. Nebraska is one of only five states which allows the substitution of a safety belt for a child chair safety seat for a one-year old baby. Nebraska is one of only three states which has no passenger protection law for children when they reach age four. It is legal for a four-year old to stand on the front seat of a car traveling 65 miles an hour on the interstate, and I have seen it done. And it is a fearsome thing. One in every 17 Nebraska drivers will be in a crash this year. There will be lots of children in crashes this year. Since 1983, the 119 deaths and 14,000 injuries to children as a result of motor vehicle accidents in the State of Nebraska would have been drastically reduced had we had just this law that we want to put in today, the small improvement. Parents want their children safe. Oftentimes we just don't know or we just don't think about it. My children are all raised but I shudder when I think of how I used to hold them on my lap as my husband drove, or if I were driving, they were just loose in the car. And so the 1983 law was an improvement, and this is another step in improvement for the saving of precious lives. Most people are injured in areas up to 40 mile radius from their home. The law that we have now is inadequate. The belt for one-year old and up is to them more hazardous because of that body shape that I mentioned previously, the top part of the body is heavier and it changes the thrust. Additionally, a belt over the age of one on the baby slides up over a child's rounded hip bones, because their hip bones are not like adults, and that can cause a child significant internal injuries and has and does and will until we pass 958. Every child has a right to be protected and to be as safe as possible in a car. Every person who drives with children is responsible to protect their lives. I want to share the results of the Colorado effectiveness study of a bill very similar to ours that we will be putting into effect. They found that there was a 31 percent decrease in fatalities, birth through three, and a 13 percent decrease in injuries, birth through three. The leading cause of childhood death is motor

vehicle related injuries and that was in 1980 to 1985. And I would just like to go ahead and just mention a letter, a portion of a letter from a Dr. Paul Esposito who deals in pediatric surgery and so forth, and he says this. "I have seen many cases where severe head, face, chest, and skeletal injuries have been sustained by children that would have otherwise meant, at worse, just a bruise. I can only tell you that in my years of practice, I have never seen a child with a lethal injury who was in a child restraint, nor have I seen a child in the emergency room who has had more than isolated extremity injuries when involved in a motor vehicle accident if that child had been in one of the child restraint systems. I have seen children, however, who were injured while wearing the adult type of seat belt, which are, obviously, not fabricated or designed for children. Thus I think LB 958 is a first step in educating parents about the dangers inherent to not utilizing appropriate restraints or using only adult restraints. I strongly endorse 958 and I feel from a very educated and informed position, it has been devastating for me every time I have to see a child who has been flung from his parent's arms in the front seat directly into the windshield, sustaining lifelong injuries. It is tragic that such a simple device as a child seat could easily save these children from painful crippling muscular skeletal injuries and, even worse, from head and spinal injuries that literally snuff out the vitality and joy of a normal life. It is my hope that you will strongly support LB 958 and consider that this issue transcends any political concerns as it deals with our most precious joy and resource, and that is our children." I don't know if I need to read the 65 organizations statewide, the Nebraska PTA endorses this. All the medical people endorse it. The Board of County Commissioners of many, many counties in the state, I hesitate to take that time because I guess I believe that perhaps what we have already given you will just give you that added thrust to vote 958 onto Select File.

SPEAKER BARRETT: One minute.

SENATOR BECK: I think, too, that I have passed out some materials for you twice now. I hope that you will look through that material and be encouraged to vote green today in order that our children will be kept safer, and so I thank you very much.

SPEAKER BARRETT: Thank you, Senator Beck. And the gavel was by no means meant to speed up your opening but to remind our

colleagues that the noise level was entirely too high and that you were entitled to be heard. Discussion on the bill, Senator Labeledz followed by Senator Beck.

SENATOR LABEDZ: Thank you, Mr. Speaker. I rise in support of LB 958 and I would like to relate to you an incident that happened to me about a week ago tomorrow. About a block from my home, I was riding in the back seat of a car, and all of a sudden I saw a small child about two years old rolling across on my side of the car against the curb, and I screamed, naturally, thinking that my driver had hit the child. We were following a car, possibly two car lengths behind the car, going around the curve, and I jumped out of the car to go to the neighbor to call 911 because of the fact that the child, I could see, was bleeding and was not even moving. As I jumped out of the car, the mother also jumped out and said the child was sitting in the back seat of the car, was two years old, and as she turned around the curve, the door flew open and the child fell out, and it is very lucky that our car wasn't that close behind, other than the two lengths, because we could have run over the child. It was an experience that I had trouble sleeping that night and several nights since then, and I am so grateful that LB 958 is on a priority status because I think it is a very important bill, especially when you are involved in something like I was the other day. I not only think of my grandchildren, but I think of every little child across the state. My only regret is that the age is at five. It should be at least eight or ten because that child was two-years old and I did inquire of the parents the next day as to how the child was doing. It had several stitches on the face and badly, badly bruised, but the child was fortunate and the family was grateful that it wasn't any worse than that. But it is so sad to see a little child rolling across the street hitting a curb when you are right behind the car, and then see what the results of that accident. So I urge the members of the Legislature to vote for LB 958, and as I said, I am sorry it isn't a higher age. Thank you.

SPEAKER BARRETT: Thank you. Senator Lynch.

SENATOR LYNCH: Question.

SPEAKER BARRETT: Thank you. That won't be necessary. For closing on the advancement of the bill, Senator Ashford, please.

SENATOR ASHFORD: Thank you, Mr. Speaker, and colleagues.

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LB 958, 1229  
LR 11

Again, I think Senator Beck has outlined the bill in sufficient detail, and with that I would simply urge the advancement of LB 958. Thank you.

SPEAKER BARRETT: Thank you. The question is, shall LB 958 be advanced to E & R Initial. All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of LB 958.

SPEAKER BARRETT: LB 958 is advanced. Proceeding to LR 11CA.

CLERK: Mr. President, LR 11CA was introduced by Senators Scofield, Smith, Schellpeper, Peterson. (Read title.) The resolution was originally introduced on January 18 of last year. Mr. President, at that time, it was referred to the Urban Affairs Committee for hearing. The resolution was advanced to General File. I have no amendments at this time, Mr. President.

SPEAKER BARRETT: Senator Scofield, would you care to open.

SENATOR SCOFIELD: Thank you, Mr. Speaker. LR 11CA is essentially an outgrowth of an issue that has been before us before. You will recall that we dealt previously with LR 21CA, which was the debate on that started in 1987, and toward the end of that whole process, in 1938, we ran into some problems with an amendment and, subsequently, did not get anything passed to address this issue. Very simply what LR 11CA does is this is a constitutional amendment which, if it is adopted by the voters in November, would permit cities to appropriate money from local sources of revenue, at this point, sales tax, property tax, city lottery, city proprietary operations, and so on. If you look at the accompanying language in LB 1229, it tells you how this is going to be carried out. We sat on this bill last year in the Urban Affairs Committee with Senator Hartnett's cooperation and hard work, his staff has put together enabling legislation, which you can also refer to see how this is going to work. You can expect amendments I believe to come and further clarify what local sources of revenue are and I will leave that for Senator Hartnett to comment on when he gets to the bill. But the purpose of allowing this is to allow communities to fund economic or industrial development projects or proposals if they are approved by a vote of the residents of the city. It requires a simple majority of those voting at a special or

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LB 220A, 348, 369A, 542, 571A, 594, 866  
880A, 958, 965, 1032, 1059, 1094, 1141  
1141A, 1146, 1222A, 1236  
LR 382, 383

CLERK: 25 ayes, 2 nays to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please record your presence. Senator Schmit is the only one excused, so everyone else should be here. We're looking for Senator Wesely, Senator Lynch, Senator Schellpeper, Senator Pirsch, Senator Landis, Senator Emil Beyer. Senator Wesely and Senator Beyer are here now, so that is it, and there is a roll call vote. Oh, Senator Lynch is not here. I thought I saw him. Okay, we'll wait for Senator Lynch. Senator Lynch is here and the question is the advancement of the bill. Roll call vote in regular order. If you'll hold it down so the Clerk can hear your response. Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1547-48 of the Legislative Journal.) 34 ayes, 12 nays, Mr. President, on the advancement of LB 1059.

PRESIDENT: The bill is advanced. Anything for the record, Mr. Clerk, at this time.

CLERK: I do, Mr. President.

PRESIDENT: The call is raised.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 220A and find the same correctly engrossed, LB 369A correctly engrossed, LB 880A correctly engrossed and LB 1146 correctly engrossed, those signed by Senator Lindsay. Enrollment and Review reports LB 1141 to Select File with E & R amendments, LB 1141A, LB 958, LB 571A, LB 1222A to Select File. (See page 1548 of the Legislative Journal.)

A communication from the Governor to the Clerk. (Read communication. Re: LB 348, LB 542, LB 594, LB 965, LB 1032, LB 1236 and LB 1094. See page 1549 of the Legislative Journal.)

Two study resolutions, Mr. President, will be referred to the Exec Board. (Re: LR 382, LR 383. See pages 1549-50 of the Legislative Journal.)

Senator Lamb has amendments to be printed to LB 866. (See page 1551 of the Legislative Journal.) That's all that I have.

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LB 958, 1141, 1141A  
LR 239

again, the motion offered by Senator Hall. All in favor vote aye, opposed nay. Record.

CLERK: 30 ayes, 0 nays, Mr. President, on the motion to overrule the agenda and take up Select File bills as evidenced on yesterday's agenda.

SPEAKER BARRETT: The motion prevails and we do return to yesterday's agenda, Item 10, Select File, and LR 239CA. Mr. Clerk, can you bring us up to date on where we left off?

CLERK: Mr. President, LR 239 was discussed yesterday, E & R amendments were adopted as was an amendment by Senator Warner, a second amendment by Senator Warner and an amendment by Senator Chambers. Mr. President, the amendment I have pending is by Senator Chambers.

SPEAKER BARRETT: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I'm going to ask the Clerk if he would read that amendment.

SPEAKER BARRETT: Senator Chambers, excuse me. I would like to recognize the introducer of the bill at this point, Senator Withem, please, the primary introducer.

SENATOR WITHEM: Excuse me. I'm just asking a request that the bill be passed over at this time.

SPEAKER BARRETT: Thank you. If there are any objections, please so state. Seeing none, LR 239 is passed over. Senator Warner, question of the Chair, is LB 1141 necessary at this point, the implementing legislation or not?

SENATOR WARNER: Well, it certainly is necessary but I think we ought to pass over it.

SPEAKER BARRETT: Are there any objections? Seeing none, we'll pass over LB 1141 and presumably LB 1141A if there are no objections. Moving then to LB 958.

CLERK: Mr. President, on LB 958, I have no amendments pending to the bill.

SPEAKER BARRETT: Senator Lindsay.

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LB 571A, 958, 1246

SENATOR LINDSAY: Mr. President, I move that LB 958 be advanced to E & R for engrossment.

SPEAKER BARRETT: Are there objections? Discussion? Questions? Seeing none, the question is shall LB 958 be advanced to E & R? All in favor say aye. Opposed no. Ayes have it, motion carried. The bill is advanced. LB 571A.

CLERK: Mr. President, LB 571A, I have no amendments pending to that bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 571A be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Senator Landis, your light's on. Do you want to discuss?

SENATOR LANDIS: No, (inaudible).

SPEAKER BARRETT: Thank you. Those in favor of the advancement of the bill please say aye. Opposed no. Carried. The bill is advanced. LB 1246.

CLERK: Mr. President, LB 1246 I have Enrollment and Review amendments first of all, Senator.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 1246 be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Shall E & R amendments be adopted? All in favor say aye. Opposed no. Carried. They're adopted.

CLERK: Mr. President, Senator Wesely would move to amend the bill. Senator Wesely's amendment is on page 1579 of the Journal.

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, members. This is a



April 5, 1990

LB 220, 220A, 571A, 571, 843A, 843, 958  
1064A, 1064, 1241, 1244

All in favor vote aye, opposed nay. Have you all voted?  
Record.

CLERK: (Record vote read. See page 1979 of the Legislative Journal.) 29 ayes, 0 nays, 8 present and not voting, 12 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 843A passes. LB 958.

CLERK: (Read LB 958 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 958 pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See page 1980 of the Legislative Journal.) 31 ayes, 1 nay, 5 present and not voting, 12 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 958 passes. LB 1064E.

CLERK: (Read LB 1064 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1064 with the emergency clause attached pass? All in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: (Record vote read. See page 1981 of the Legislative Journal.) The vote is 36 ayes, 0 nays, 1 present and not voting, 12 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1064E passes. And while the Legislature is in session and capable of transacting business I propose to sign and I do sign, LB 571A, LB 571, LB 1241, LB 1244, LB 220, LB 220A, and LB 843. Mr. Clerk, would you read LB 1064A.

CLERK: (Read LB 1064A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1064A pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

April 5, 1990

LB 843A, 958, 1064A, 1064

CLERK: (Record vote read. See pages 1982-83 of the Legislative Journal.) 34 ayes, 0 nays, 3 present and not voting, 12 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1064A passes. Have you any messages on the President's desk?

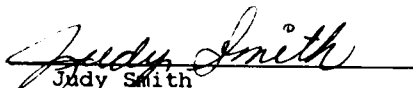
CLERK: I do not have any messages, Mr. President.

SPEAKER BARRETT: Nothing for the record. Senator Wehrbein. While the Legislature is in session and capable of transacting business, I propose and I do sign LB 843A, LB 958, LB 1064, and LB 1064A. Senator Wehrbein, would you be kind enough to adjourn us until Monday morning at eight o'clock.

SENATOR WEHRBEIN: Yes, Mr. Speaker, and members, I will be happy to adjourn us until Monday morning, at 8:00 a.m.

SPEAKER BARRETT: Thank you, sir. All in favor say aye. Opposed no. Carried. We are adjourned until...(recorder turned off).

Proofed by:

  
Judy Smith

April 9, 1990

LB 220, 220A, 315, 369, 369A, 551, 551A  
571, 56, 720, 720A, 799, 851, 896  
923, 953, 958, 960, 960A, 980, 980A  
994, 994A, 1018, 1063, 1063A, 1064, 1064A  
1080, 1090, 1136, 1146, 1184, 1184A, 1244

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber for the last day of the Second Session of the 91st Legislature. We're especially happy to have with us this morning our own Harland Johnson for our prayer of the morning. Would you please rise?

HARLAND JOHNSON: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Harland, and may I say, on behalf of all the members of the Legislature, we have truly appreciated your prayers during the session. They have been very meaningful because you understand us so well, so thank you again. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal?

CLERK: No corrections this morning, Mr. President.

PRESIDENT: Any messages, reports, or announcements today?

CLERK: Mr. President, a series of messages. First, communications from the Governor. Engrossed...well, before that, Mr. President, bills read on Final Reading as of late last Thursday were presented to the Governor on Thursday evening as of 8:15 p.m. Communications from the Governor, Mr. President, and I might indicate to the members that copies of messages I have received have been distributed and you should have a copy on your desk. Communications to the Clerk: Engrossed LB 1080, LB 1184, LB 1184A, LB 656, LB 1146, LB 799, and LB 1136 were received in my office on April 3 and signed by me on April 6 and delivered to the Secretary of State. Sincerely, Kay Orr, Governor. (See Message from the Governor as found on page 1985 of the Legislative Journal.) A second communication: Engrossed LB 220, LB 220A, LB 315, LB 369, LB 369A, LB 551, LB 551A, LB 571, LB 720, LB 720A, LB 851, LB 896, LB 923, LB 953, LB 958, LB 960, LB 960A, LB 980, LB 980A, LB 994, LB 994A, LB 1018, LB 1063, LB 1063A, LB 1064, LB 1064A, LB 1090, and LB 1244 were received in my office on April 3 and signed by me on April 7, delivered to the Secretary of the State. Sincerely, Kay Orr, Governor. (See Message from the Governor as found on page 1985 of the Legislative Journal.) In addition to those items,