

January 4, 1990

LB 259, 259A, 505, 678A, 720A, 969-996
LR 231

SENATOR CHAMBERS: I don't mind.

PRESIDENT: Thank you for being so cooperative. We'll take it up after lunch. Mr. Speaker.

SPEAKER BARRETT: Mr. President, I move that we recess until one-thirty.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. We are recessed until one-thirty. Senator Chambers, we'll take yours up...Senator Chambers, we'll take yours up right after...at one-thirty. Okay.

RECESS

PRESIDENT NICHOL PRESIDING

PRESIDENT: Members of the Legislature who are hiding out in their offices, appreciate it if you would come to the sanctuary so we can start the service. We already have three members here but we need a few more.

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

PRESIDENT: Senator Chambers will be here in a moment, and then we can begin on the...Mr. Clerk, do you want to read in new bills while we are waiting, please?

CLERK: Mr. President, yes, I do. Thank you, new bills. (Read for the first time by title: LB 969-996. See pages 150-57 of the Legislative Journal.)

Mr. President, I have a series of amendments to be printed, Senator Hefner to LR 231, Senator Wesely to LB 720A, LB 678A, Senator Withem to LB 259, LB 259A, and Senator Weihing to LB 505.

Mr. President, I will announce now that there will be a Reference Committee meeting at three o'clock in Room 2101, Reference Committee at three o'clock. 2102. That is all that I have, Mr. President.

PRESIDENT: Ladies and gentlemen, as you will recall, we are on

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

January 17, 1990

LB 259, 272A, 969, 987, 1041, 1114, 1170-1180
LR 241

CLERK: (Read roll call vote. See page 365 of the Legislative Journal.) 27 ayes, 13 nays, Mr. President, on the motion to suspend the rules.

PRESIDENT: The motion fails. The call is raised. Do you have anything for the record, Mr. Clerk?

CLERK: I do, Mr. President. Yes, I do, Mr. President. Mr. President, a notice of hearing from the Natural Resources Committee, signed by Senator Schmit as Chair. (Re: LB 969, LB 987, LB 1041. See page 365 of the Legislative Journal.)

I have amendments to be printed by Senator Haberman to LB 259. (See page 366 of the Legislative Journal.)

I have a motion from Senator Lamb regarding LB 1114. That will be laid over. (See page 366 of the Legislative Journal.)

Mr. President, new constitutional amendment, LR 241CA offered by Senator Hall. (Read brief description. See pages 366-67 of the Legislative Journal.)

Mr. President, new bills. (Read LBs 1170-1180 by title for the first time. See pages 367-70 of the Legislative Journal.) That is all that I have, Mr. President. Yes, sir. Mr. President, I guess a reminder, excuse me, Reference Committee at three-thirty. Reference Committee at three-thirty in Room 2102. That is all that I have, Mr. President.

PRESIDENT: Thank you. Senator Jacky Smith, would you like to adjourn us until nine o'clock tomorrow morning, please?

SENATOR SMITH: Mr. Speaker, I...I don't know what to say. Vote to stay here? I would like to ask that the body be adjourned until nine o'clock tomorrow morning.

PRESIDENT: Thank you. You've heard the motion. All in favor say aye. Opposed nay. We are adjourned until nine o'clock tomorrow. Thank you.

Proofed by:

Arleen McCrory
Arleen McCrory

PRESIDENT: Time.

SENATOR BERNARD-STEVENS: I respectfully withdraw my request and motion at this time.

PRESIDENT: Thank you. Let me make one suggestion here. As far as I was concerned, I did not ever hear of this being challenged before of a parliamentary inquiry and usually I understand that we, the Legislature, go back to Mason's Manual of Legislative Procedure when we don't have a specific rule for that. And this is what Mason says. An answer to a parliamentary inquiry is not a decision and, therefore, cannot be appealed. Now, apparently, I made a wrong decision on that and if such a situation...a motion is made on a parliamentary inquiry, I will not accept such a motion. Do I make myself clear? In other words, if you have questioned a ruling of our own rules and that answer is given to you, then you should not challenge the Chair on your own ruling. Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Would the Chair indulge at least a clarifying response at this point? If not, I will make another motion so that I can.

PRESIDENT: No, we're going to move on, Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Fine. At some other point, I will respond then, and, thank you.

PRESIDENT: Okay. Do you have something for the record, Mr. Clerk?

CLERK: Mr. President, very quickly, if I may. Natural Resources Committee, whose Chair is Senator Schmit, reports LB 969 to General File; LB 987 to General File. Those are signed by Senator Schmit as Chair.

Revenue Committee, Chaired by Senator Hall, reports LB 896 to General File, and LB 965, General File. Those are signed by Senator Hall.

Government Committee gives notice of hearing, as does Health and Human Services.

Mr. President, amendments to be printed. LB 369, Senator Lamb

savings...federal chartered credit unions, rather. I move that we advance the bill.

SENATOR HANNIBAL: Any discussion? No lights are on. Senator Goodrich, you care to close?

SENATOR GOODRICH: Nope.

SENATOR HANNIBAL: Senator Goodrich waives closing. The issue before you is LB 1017. All those in favor of advancement vote aye, opposed nay. Please record.

ASSISTANT CLERK: 26 ayes, 0 nays on the advancement of the bill, Mr. President.

SENATOR HANNIBAL: It is advanced. LB 969.

ASSISTANT CLERK: LB 969 was introduced by Senator Korshoj. (Read title.) It was read for the first time on January 4th, reported to...or referred to Natural Resources, which advanced the bill to General File, Mr. President.

SENATOR HANNIBAL: Senator Korshoj, please.

SENATOR KORSHOJ: Mr. President and members, he said everything the bill does. It was brought to me by the natural resources district. It would allow natural resource districts to establish improvement project areas within an adjoining district so long as there is written consent of the board of directors of the adjoining district. So many of these projects go into the next district, and they want to have it in law that they can legally do it. I think they've probably been doing it, and this just lets them go ahead and do it with the consent of both boards. That's it.

SENATOR HANNIBAL: There are no lights on. Senator Korshoj, would you care to close?

SENATOR KORSHOJ: No, sir.

SENATOR HANNIBAL: He waives closing. The issue before you is advancement of LB 969. All those in favor vote aye, opposed nay. Please record.

ASSISTANT CLERK: 26 ayes, 0 nays, Mr. President, on the

advancement of the bill.

SENATOR HANNIBAL: It is advanced. LB 896.

ASSISTANT CLERK: LB 896 was introduced by Senators Withem, Hartnett, Rogers and Lynch. (Read title.) The bill was read for the first time on January 3rd, referred to Revenue Committee which reports the bill to General File.

SENATOR HANNIBAL: Senator Hartnett, I understand you're going to handle this bill.

SENATOR HARTNETT: Yes.

SENATOR HANNIBAL: But before you do, I have been advised that we're going to try to get through the list, if we can, if you all stick around and also, if you do, there could be some refreshments waiting for you about twelve-thirty, twelve-twenty, excuse me. Senator Hartnett.

SENATOR HARTNETT: Mr. President, members of the body, what LB 896 does, it's simply allows the State Tax Commissioner to enter into an agreement with the federal government Office of Personnel to withhold state income tax from civil service annuity payments. Some people want to pay on a monthly basis rather than quarterly basis or at the end of the year. That was simply brought by a couple residents of Senator Withem's district, and I do also have some in my district, I think also Senator Rogers and Senator Lynch, and so that's the reason we introduced the bill. It simply allows the state government to enter into agreement with the Office of Personnel. With that, I'd ask for advancement of the bill.

SENATOR HANNIBAL: There are no other lights on. Would you care to close, Senator Hartnett?

SENATOR HARTNETT: No, thanks, Mr. President.

SENATOR HANNIBAL: Waives closing. The issue before you is the advancement of LB 896. All those in favor vote aye, opposed nay. Please record.

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

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,

Opposed nay. It is advanced. LB 1017.

CLERK: LB 1017, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 1017 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 969.

CLERK: LB 969, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 969 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 896.

CLERK: LB 896, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 896 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 924.

CLERK: LB 924, Senator, I have E & R amendments.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 924.

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, 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 930, 940, 969, 970

CLERK: (Read LB 930 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 930 pass? Those in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote. See pages 1012-13 of the Legislative Journal.) 37 ayes, 1 nay, 11 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 930 passes. LB 940.

ASSISTANT CLERK: (Read LB 940 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 940 pass? All in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: (Read record vote. See page 1013 of the Legislative Journal.) The vote is 38 ayes, 0 nays, 11 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 940 passes. LB 969.

ASSISTANT CLERK: (Read LB 969 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 969 pass? Those in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Read record vote. See page 1014 of the Legislative Journal.) The vote is 39 ayes, 0 nays, 10 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 969 passes. LB 970E.

ASSISTANT CLERK: (Read LB 970 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 970 with the emergency clause attached pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Read record vote. See pages 1014-15 of the

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