

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 24, 1990

LB 551, 769, 974, 975, 1192
LR 247

house and a roll call vote, please.

PRESIDENT: Okay. The question is, shall the house go under call? All those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 16 ayes, 0 nays, Mr. President, to go under call.

PRESIDENT: The house is under call. Please record your presence. Those not in the Chamber, please return to the Chamber and record your presence. Senator Haberman, would you record your presence, please. Thank you. Senator Ashford, would you record your presence, please. Thank you. Senator Nelson, would you record your presence, please. Thank you. We're looking for Senator Chizek, Senator Wesely and Senator Withem, and Senator Lamb. We're looking for Senator Withem and Senator Chizek. We're all here that are not excused. And the question, shall the Chair be overruled? Roll call vote has been requested. Please hold your conversation down so the Clerk may hear your answer.

CLERK: (Roll call vote taken. See pages 485-86 of the Legislative Journal.) 15 ayes, 25 nays, Mr. President, on the motion to overrule the Chair.

PRESIDENT: The motion fails. The call is raised. We have a priority motion, Mr. Clerk?

CLERK: May I read some items for the record, Mr. President?

PRESIDENT: Yes, please.

CLERK: Mr. President, I have a motion to withdraw LB 1192. It's offered by Senator Schmit as primary introducer. Judiciary Committee offers notice of hearing for January 31, February 1, February 2, those signed by Senator Chizek as Chair. Revenue Committee, chaired by Senator Hall offers notice of hearing. Business and Labor Committee reports LB 974 to General File, and LB 975 to General File with committee amendments attached. (See pages 487-88 of the Legislative Journal.)

Mr. President, Senator Byars has amendments to LB 551 to be printed. A new resolution, Mr. President, offered by Senator Haberman, (LR 247), asking the Legislature to express its condolences to the family of former Senator Clarence Jacobson.

people. And should they not be in support of the measure I will ask that the bill just lie on Select File, or kill the bill at that time. I guess I was misunderstood. The measure is in place in a couple other states. The letters that you have received show that it has neither helped nor hindered anything, but at this point in time I would at least ask that it be advanced. It is totally a voluntary measure. Thank you.

SENATOR HANNIBAL: Any discussion? Seeing none, Senator Hall, do you care to close? Senator Hall waives closing. The issue before you is the advancement of LB 902. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

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

SENATOR HANNIBAL: It is advanced. LB 974.

ASSISTANT CLERK: LB 974 was introduced by the Business and Labor Committee. (Read title.) The bill was read for the first time January 4th, was referred to the Business and Labor Committee which reports the bill to General File, Mr. President.

SENATOR HANNIBAL: Senator Coordsen, are you going to carry the bill?

SENATOR COORDSEN: Yeah, we're moving right along, aren't we, Mr. Speaker? Members of the body, 974 is a cleanup bill to put Nebraska statutes back into compliance with federal Department of Labor regulations. They have deleted the provision for...that provides for the taking of spousal support out of unemployment. We must, in order to be in compliance, follow along with them. That is 974. I would move its advancement.

SENATOR HANNIBAL: Have no lights on. Do you care to close? Senator Coordsen waives closing. The issue before you is the advancement of LB 974. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

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

SENATOR HANNIBAL: It is advanced. LB 1016.

ASSISTANT CLERK: LB 1016 was introduced by Senators Goodrich

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 the adoption of the E & R amendments to LB 940.

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.

SENATOR LINDSAY: Mr. President, I move that LB 940, 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 902. You have amendments on 902. We'll skip over 902 to LB 974.

CLERK: LB 974, Senator, I have E & R amendments pending.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 974.

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 974, 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 1016.

CLERK: LB 1016, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 1016 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye.

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 970, 974, 1016, 1017

Legislative Journal.) The vote is 39 ayes, 0 nays, 10 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 970 with the emergency clause attached passes. LB 974.

ASSISTANT CLERK: (Read LB 974 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 974 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Read record vote. See pages 1015-16 of the Legislative Journal.) The vote is 38 ayes, 0 nays, 1 present and not voting, 10 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 974 passes. LB 1016E.

ASSISTANT CLERK: (Read LB 1016 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1016 with the emergency clause attached become law? Those in favor vote aye, opposed nay. Have you all voted? Record please.

ASSISTANT CLERK: (Read record vote. See page 1016 of the Legislative Journal.) 38 ayes, 0 nays, 1 present and not voting, 10 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1016E passes. Before reading the next bill, another announcement. LB 1043 and 1063 as previously announced will not be read, as is the case with 1044. The next bills after 1017 will be rolled over. LB 1017E, Mr. Clerk.

ASSISTANT CLERK: (Read LB 1017 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1017 with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Read record vote. See page 1017 of the Legislative Journal.) The vote is 39 ayes, 0 nays 1 present and not voting, 9 excused, Mr. President.

February 27, 1990

LB 315, 974, 1016, 1017, 1070, 1076, 1098
1118

ran all 50 states, we're in probably the top ten of all of the states. The difference in Nebraska is in how high we go. We're good on the low end, we treat people extremely well by comparison. Whether we would increase by \$8, which are the committee amendments, whether we would increase by \$10 a week in each of the next two years, which is my amendment, or whether we would increase by \$20, as Senator Lindsay would have us do, Nebraska, for those covered wage earners, is still going to pay among the highest benefits for those people that are covered up to the extent of their wages of any state in the Union.

SPEAKER BARRETT: One minute.

SENATOR COORDSEN: We have \$127 million, or thereabouts, in the Unemployment Trust Fund. That belongs to the workers of the State of Nebraska and that is paid out in recessionary times. I think it is incumbent upon us to be sure that we protect those benefits for use when they really need it. If we increase too fast, if we increase too high, we do put, if we have another major recession and we will, those benefits in jeopardy.

SPEAKER BARRETT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 1017, LB 1016, LB 974, LB 1070, LB 1076, LB 1098 and LB 1118. The Chair recognizes Senator Morrissey.

SENATOR MORRISSEY: Thank you, Mr. Speaker and members, I would just like to remind you, first I rise in support of Senator Lindsay's amendment. I would like to remind you exactly what unemployment does and this is taken out of the unemployment, Highlights of State Unemployment Compensation Laws that the department gave us in the Business and Labor Committee and I believe you all got a copy of it. In the overview it says, unemployment compensation has also served the business community by getting money into circulation at the outset of a local or national economic turndown, downturn, thus, helping the slowdown recessionary pressures. And while we're not in a recession right now, this also applies...it also applies to businesses in regular economic times because these people on unemployment do not pad their savings account, they do not buy a new car, they do not drive to Nebraska Furniture Mart to get a new washer-drier, they spend their money on the basics. Again, just think, think back to when you were on unemployment and what it is you do with that money. So the cost to businesses, there is a cost, there is an increased cost, but the businesses, 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