

January 5, 1989

LB 81-160
LR 1-2

being here and thank you for your services. We also have guests of Senator Rod Johnson under the north balcony. We have Omer Troester of Hampton, Nebraska. With him is an exchange student, Alberto Porras of Costa Rica. Would you gentlemen please stand up and be recognized. Thank you for being here. We also have, over under the south balcony, a former member of this Legislature, Senator Tom Fitzgerald, would you please stand up and wave your hand. Thank you. Please welcome Senator Fitzgerald back. Thank you, Tommy. Mr. Clerk, back to the reading.

CLERK: (Read LB 81-98 by title of the first time. See pages 61-67 of the Legislative Journal.)

PRESIDENT: We'll stand at ease for some 15 minutes or half an hour while we get some of the work caught up up here in front. So be at ease, please, for a while. Thank you.

EASE

CLERK: Meeting of the Health Committee, under the north balcony, right now. Health Committee, north balcony right now.

SPEAKER BARRETT PRESIDING

SPEAKER BAPRETT: Additional bill introductions, Mr. Clerk.

ASSISTANT CLERK: (Read LB 99-150 by title for the first time. See pages 67-76 of the Legislative Journal.) That's all I have at this time, Mr. President.

SPEAKER BARRETT: More bill introductions, Mr. Clerk.

CLERK: (Read LB 151-160 by title for the first time. See pages 76-79 of the Legislative Journal.) Mr. President, in addition to those new bills I have new resolutions. (Read LR 1-2 for the first time. See pages 79-81 of the Legislative Journal.)

Mr. President, in addition to those items I have a series of announcements. Mr. President, there will be a meeting of the Executive Board today at three-fifteen for purposes of referencing. Executive Board, three-fifteen for referencing.

Mr. President, Senator Rod Johnson would like to have a meeting

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LB 58, 84, 98, 102, 140, 141, 241-266

CLERK: Mr. President, new bills. (Read titles for the first time to LBs 241-266. See pages 112-18 of the Legislative Journal.)

Mr. President, in addition to those items, the Rules Committee would like to announce that Senator Carson Rogers has been selected as Vice-Chair of the committee.

Mr. President, Revenue Committee will be or are...is conducting a meeting underneath the south balcony.

Mr. President, the Judiciary Committee will conduct an Executive Session upon recess on the south side of the Chamber; Judiciary upon recess. And Transportation will meet in the lounge upon recess...or, Senator...I'm sorry, Senator Lamb, do you want that this afternoon, Senator? I'm sorry, Transportation upon adjournment this afternoon in the Senators' Lounge; Transportation this afternoon.

Mr. President, Government Committee has selected Senator Bernard-Stevens as Vice-Chair.

Mr. President, Senator Conway would like to add his name to LB 140 as co-introducer; Senator Beck to LB 102 and to LB 141; Senators Smith and Hartnett to LB 58; Senator Hartnett to LB 98; Senator Rod Johnson to LB 84.

Mr. President, the last note is a Reference Committee meeting at two-thirty this afternoon in Room 2102; Reference Committee at two-thirty in Room 2102. That's all that I have.

PRESIDENT: Senator Emil Beyer, for what purpose do you rise?

SENATOR BEYER: Mr. Speaker, a point of personal privilege. I hope that the senators have noticed that we have a familiar face back in the Legislature and that's our Page Supervisor, Kitty Kearns. We're glad to have her back and we've missed her and we wish her good health from now on. (Applause.)

PRESIDENT: Thank you. Ladies and gentlemen, would you please listen as your Speaker speaks.

SPEAKER BARRETT: Thank you, Mr. President, and members, just a reminder to committee chairs, committee clerks, if you plan to have a hearing next week, I believe the first day would be the

some discussion of a political issue...campaign. I have a suspicion that the next campaign that there will be few who run on a platform that they are in favor of increasing sales or income tax to continue the property tax relief contained in LB 98, and I will predict that there will be fewer who do that will be elected. You know that's how it's going to be. It always is that way. There will be a handful of exceptions only. There was reference that there are some things in the main line bills, particularly capital construction, that could be eliminated. True, they can. There's one difference, they'll be back. Virtually all of them will be back until they're completed. So it's not an expense that will be done away with. It's an expense, at best, that will be deferred and probably deferred to a higher cost. So that really is not the alternative, although it's one that can temporarily be used. But it seems to me the bottom issue, the bottom line issue, is one on what money and how much should be returned to taxpayers, and there ought to be at least some relative relationship in that return to those who paid it in, and for those reasons I would urge the adoption of the bracket motion until LB 739 has been read on Final Reading so we know what its effect is. Hopefully, it could be read yet this week, in order that LB 84 could be amended, if necessary, to provide for the funding that would be lost by the passage of LB 739.

SPEAKER BARRETT: Senator Hannibal, would you care to discuss the motion to bracket?

SENATOR HANNIBAL: Yes, Mr. Speaker, I would. I'm going to support the bracket motion. I suppose that's fairly obvious. LB 739 is my priority bill. It's the Governor's introduction bill, but it is my priority bill. I would support this bracket motion even if that weren't the case because I feel that Senator Warner is making a very good argument and I happen to agree with it. I have voted for some of the amendments on LB 84 not because I am against issuing property tax relief; that I don't believe there is anybody on this floor that is really going to say that they are against reducing property taxes, the burdens on people. But rather I am very concerned about this budget fitting and I am extremely concerned about the prospect of reading LB 84 tonight. I realize that each of us have our own priorities, our own methods of trying to make this whole budget picture fit and where in a list of priorities certain items fall, and I think for many people obviously a majority of the people, the property tax addressing of that issue is high. It's

ask you to remember this is a sleeper bill. We gave an exemption last year. Let's be careful what we do this year, and let's wait awhile, and, therefore, I will support Senator Moore's bracket bill (sic). Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Further discussion on a motion to bracket until February 23rd, Senator Warner. Correction, 28th, thank you, sir. Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, I would rise to support the motion to bracket. I would like to make a couple of other comments though, too, in regard to legislation enacted last session, LB 84, which I did not vote for, which I voted against, to be more precise, because I felt the funding was at a level that could not be sustained. But I certainly would not stand on this floor and say there was \$98 million thrown away or, more accurately, 115 million thrown away. What did not happen, obviously, was that there was not 115 million of property tax reduction, and the reason there wasn't was because there was no lid. It is real simple, it is not hard to figure that out. I don't predict or tend to suggest that the money was wasted. I would have every reason to want to believe that every local board who enhanced their budget did so because they felt they had a need to do that. The problem rests solely with the fact that we didn't indicate that. We indicated it was property tax relief. That is what the public expected. This body sells promises. We don't sell anything other than promises. We pass bills and those promises are formulated in the way of bills, which we stand here and we believe very frequently, if not always, individually and certainly collectively that the passage of a certain act is going to address a problem in a certain way with a certain result. And when those promises are not fulfilled, the public gets upset as they should, and that is the problem which was contained in LB 98. So I cannot argue that it failed. It only failed to do what we advertised it to do as opposed to how it may or may not have been used, but I strongly support the motion to bracket for a variety of reasons. Reference has been made a number of times about receipts being softened and there is no doubt about that. As a matter of fact, most of the figures you have seen or hear talked about, at least, would clearly indicate, the receipts through December, that probably about the best you can anticipate in available revenue without a tax increase is about the number that this amendment will cost to fund for the next year, 40, 42 million, I would guess is about all there is going

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LB 96, 98, 118, 304, 307, 317, 428
430, 473, 518, 536, 675, 677, 735
770, 796, 797, 896, 898, 899, 905
920, 998, 999, 1018, 1019, 1031, 1125
1136, 1170, 1198, 1207, 1211, 1220, 1222

PRESIDENT: Okay, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

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

PRESIDENT: LB 1222 is advanced. Mr. Clerk, anything for the record?

ASSISTANT CLERK: Mr. President, I have a series of items. Your Committee on Appropriations, whose Chairperson is Senator Warner, to whom was referred LB 1031, reports the bill to the full Legislature with committee amendments; LB 1125, to General File; LB 920, to General File; LB 1170, to General File with amendments; LB 536, General File with amendments; LB 1220, to General File; LB 896, to General File; LB 898, to General File; LB 899, to General File; LB 96, indefinitely postponed; LB 98, indefinitely postponed; LB 118, indefinitely postponed; LB 304, indefinitely postponed; LB 307, indefinitely postponed; LB 317, indefinitely postponed; LB 428, indefinitely postponed; LB 430, indefinitely postponed; LB 473, LB 518, LB 675, LB 677, LB 735, LB 770, LB 796, LB 797, LB 998, LB 999, LB 1198, LB 1207, all indefinitely postponed; and LB 1211 and LB 905, advanced to General File with committee amendments. (See pages 1131-37 of the Legislative Journal.)

Senator Landis would ask to print amendments to LB 1136 in the Journal. (See pages 1137-38 of the Legislative Journal.) Senator Warner has asked to announce an Executive Session of the Appropriations Committee in Room 1003, upon adjournment today. And I have a request from Senator Ashford to add his name to LB 1018 and LB 1019.

PRESIDENT: No objections, so ordered.

ASSISTANT CLERK: Then, Mr. President, I have a priority motion. Senator Hannibal would move that we adjourn until March 5, 1990, at 9:00 a.m.