

January 25, 1990

LB 143, 769, 890, 908, 924, 962, 994A
1041, 1043, 1044, 1076, 1098, 1118, 1140
LR 247

know where I am in, in that scenario. I guess I am pleading, at some point, at the crowd watching both sides with all good intentions and sincerity, fighting to the end, and I'm asking you, the crowd, when will you finally have mercy at some point and say to the people of Nebraska, we have other things we have to do? Because I know, and so do you, that if you say, isn't this interesting, let's bring them back again, that the gladiators, as the paper this morning, I think, showed to pride, some ego and a lot of personal feelings will come back and perform for you again. And this time it's time for the body to take charge and it's time for you to lead and it's time for us to move. I move we adjourn.

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

CLERK: Mr. President, your Committee on Judiciary gives notice of hearing for February 1. That's signed by Senator Chizek as committee Chair.

New A bill, LB 994A, by Senator Schellpeper. (Read by title for the first time as found on page 508 of the Legislative Journal.)

Senator Baack has amendments to LB 143 to be printed. (See pages 508-12 of the Legislative Journal.)

Mr. President, Senator Hartnett would like to add his name to LB 1140.

Mr. President, Senator Haberman would ask unanimous consent to add the names of all members to LR 247. Mr. President, it was the resolution for Senator Jacobson that was considered this morning.

PRESIDENT: No objection, so ordered.

CLERK: Mr. President, the Appropriations Committee gives notice of hearings.

Government Committee reports LB 890, LB 924, LB 962, LB 1118, to General File.

Urban Affairs reports LB 908, LB 1043, LB 1044, LB 1076 to General File, and LB 1098 to General File.

And Natural Resources reports LB 1041 to General File with

everyone that testified, they tried to overkill it with loving it so much, so I think it's a bill that is probably wanted in rural Nebraska. So I would just move that we advance 994. Thank you.

SPEAKER BARRETT: Thank you. Discussion, Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President, I would add my voice of support to Senator Schellpeper's bill. I think it addresses what I consider to be one of the most significant areas of critical shortage with rural health, both in recruitment of doctors and health care professionals and also with helping manage some of the financial problems that many of our hospitals are facing in rural areas. And so I introduced a piece of legislation that was very similar to this that was heard by the Health Committee last week. I asked them to delete that portion of the bill that dealt with the rural health care area because of Senator Schellpeper's bill and I'd like to add my voice of support to his work in this area because we're hurting out there in the rural areas and we need some kind of support from this state to address what I see are some very critical problems confronting rural health care, so this may be one vehicle that will help us.

SPEAKER BARRETT: Thank you. Any other discussion? Any closing statement, Senator Schellpeper? Thank you. The question is, shall LB 994 be advanced to E & R? All in favor vote aye, opposed nay. While we're waiting, Senator Schellpeper, there is an A bill which I'd like to take up next on 994, if you'd be ready, please. Have you all voted? Please record.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to advance 994.

SPEAKER BARRETT: LB 994 is advanced. To the A bill, Mr. Clerk.

CLERK: LB 994A, Mr. President, offered by Senator Schellpeper appropriates funds to implement the provisions of LB 994.

SPEAKER BARRETT: Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker and members. The A bill is for \$54,185 in '90-91 and \$56,664 in '91-92. This is quite a bit less than what we had last year, as I said before,

because we are using the present Rural Health Manpower Commission, so I would just move the A bill. Thank you.

SPEAKER BARRETT: Thank you. Discussion? Seeing none, those in favor of the advancement of the A bill please vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of 994A.

SPEAKER BARRETT: The A bill does advance. To LB 830, Mr. Clerk.

CLERK: 830, Mr. President, introduced by Senators Peterson and Schellpeper. (Read title.) The bill was introduced on January 3 of this year, referred to the Government Committee for public hearing, advanced to General File. I have no amendments to the bill.

SPEAKER BARRETT: The Chair recognizes Senator Peterson.

SENATOR PETERSON: Mr. Speaker and members, this bill is, in essence, gives the state the power to sell land or buildings that are not being used to...so we don't, hopefully, would have to tear down some of these buildings that we can put them in use. There have been times when we've had purchasers in the last few years, couple years, that have showed interest in purchasing some land, parcels of land or buildings and because uncertainty in regards to the property and acquiring it, they...financing everything, they've lost interest. So all this bill does is allow the state to sell these buildings and some land. There is 60 plus buildings, some out of that 60 plus, there is some that cannot be renovated. There are some that could be. To those that have buildings and land in their districts, I've distributed that to you and the cost of tearing these buildings down is astronomical and if we can salvage, 10, 20 of these buildings and get rid of some of this land, I think it would be great that we could do so. I ask for advancement of the bill.

SPEAKER BARRETT: Is there discussion? Any questions? Seeing none, those in favor of the advancement of LB 830 please vote aye, opposed nay. Have you all voted? Please record.

CLERK: 29 ayes, 0 nays, Mr. President, on the advancement of

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

SPEAKER BARRETT: Senator Lindsay, please, on the E & R amendments.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 994.

SPEAKER BARRETT: Thank you. Is there discussion? Seeing none, all in favor of the adoption please say aye. Opposed no. Carried. They are adopted.

CLERK: I have nothing further on that bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move LB 994 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: The question is the advancement of LB 994. Those in favor say aye. Opposed no. Carried. The bill is advanced. The A bill, Mr. Clerk.

CLERK: LB 994A, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 994A be advanced to E & R for engrossment.

SPEAKER BARRETT: Discussion. The question is, shall LB 994A be advanced? All in favor say aye. Opposed no. The ayes have it. Carried. Mr. Clerk, LB 830.

CLERK: LB 830, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 830 be advanced to E & R for engrossment.

SPEAKER BARRETT: Is there discussion? If not, the question is the advancement of 830. All in favor say aye. Opposed no. The ayes have it. The motion carried. The bill is advanced. LB 938, Mr. Clerk.

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

April 5, 1990

LB 994, 994A, 1043

Journal.) 33 ayes, 0 nays, 1 present and not voting, 15 excused and not voting, Mr. President.

PRESIDENT: LB 994 passes. LB 994A, please.

CLERK: (Read LB 994A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 994A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 1944 of the Legislative Journal.) 33 ayes, 0 nays, 1 present and not voting, 15 excused and not voting, Mr. President.

PRESIDENT: LB 994A passes. May I introduce some guests, please, in the south balcony. Senator Carson Rogers has 22 students from the St. Libory Public School, seventh and eighth graders, mostly, and their Principal, and we have five adults with them. Would all of you folks please stand and be recognized by the Legislature. Thank you for visiting us today. LB 1043, please.

CLERK: Mr. President, Senator Lindsay and Chambers would move to return the bill for purposes of striking the enacting clause.

PRESIDENT: Senator Lindsay, are you handling this first?

SENATOR LINDSAY: Yes, Mr. President, thank you. We filed this amendment initially because there were some concerns about exactly what the bill did. I have had several discussions over the last, well, since yesterday concerning what exactly this bill does do. There was some concern about whether this could be used as a vehicle to fund a convention center in Omaha. I have been assured that that is not the intent and I guess I would rise, at least partially at this time, to get that intent into the record. In those assurances that I have been given, that there are no plans to do that. There is also...I think all of you received a copy of what the Public Building Commission has described what this bill would do. That's...from that, it just comes down to basically a policy decision. I think what it's apparently turned into, there is also a letter in there opposing the bill from the Mayor of Omaha. That opposition apparently just arose when a turf battle began within the last

April 5, 1990

LB 315, 369, 369A, 551, 551A, 577, 920
931, 953, 980, 980A, 994, 994A, 1018
1043, 1063, 1063A, 1090, 1090A, 1241

year. Senator Chambers and Senator Bernard-Stevens, no doubt, will fight that change in the rules but, hopefully, there will be enough of us here and, as far as I'm concerned, they can filibuster that till the end of the session starting in January, but that's exactly what should be done.

PRESIDENT: One minute.

SENATOR LABEDZ: Thank you, Mr. President.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 980, LB 980A, LB 994, LB 994A, LB 1043, LB 953, LB 369, LB 369A, LB 1018, LB 1090, LB 1090A, LB 315, LB 551, LB 551A, LB 920, LB 931, LB 1063 and LB 1063A. Senator Wesely, please, followed by Senator Langford.

SENATOR WESELY: Thank you, Mr. President and members, I would rise in opposition to the bracket motion and give you a little history on...that hasn't come out yet on this bill and let you know why I do support it. This bill came in after I had introduced a bill on venture capital last year, Venture Capital Company Act. We were looking at this concept of providing incentives for investment in the state across Nebraska at a 25 percent credit level and with a number of other restrictions with the idea that what we're having across the state is a need for capital, a need for venture capital in particular, and a number of studies have indicated that. The Banking Committee worked with me and we did put out LB 577 to accomplish that goal. Senator Chambers then came in with LB 1241 which was a bill that he worked with with the administration and it tied in conceptually with what that other bill was. So, originally, what we did in the Banking Committee was we merged, with Senator Chambers' cooperation, LB 577 and LB 1241 so that the whole State of Nebraska would be benefiting from venture capital initiative. And this compromise that was reached in the Banking Committee was one that I was very excited about and appreciated very much Senator Chambers' cooperation. But what's odd is that after we reached this compromise and the committee advanced the bill as amended, then Deb Thomas from the Governor's office came in after the deadline for picking priority bills and told Senator Chambers that the Governor could not tolerate the additional coverage of the whole state, that she wanted only north Omaha to be the focus of the bill. And, of course, I was not happy with that situation and felt that I had not been dealt

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,