

January 4, 1990

LB 881-957, 997-1010  
LR 229

If I may, Mr. President, I have a Reference Report referring LBs 881-957, and LR 229. (See pages 175-77 of the Legislative Journal.) And, Mr. President, new bills. (Read LBs 997-1010 by title for the first time. See pages 177-80 of the Legislative Journal.) Mr. President, that's all that I have at this time.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Thank you. Proceeding to the next item on...from the Rules Committee. Chairman Lynch.

SENATOR LYNCH: Mr. President, members, the next one is number nine identified on your list. It specifies that a motion to suspend the rules is not divisible. The reason for this, without reading it all but putting it hopefully in laymen's terms so we can understand it, is that when a motion to suspend the rules is attempted it's intended to accomplish only one thing. You don't suspend the rules to accomplish three, four, five or six different things. But, if the amendment that would accomplish one thing would, for example, suspend Rule 1, Section 2, Rule 2, Section 3, Rule 3, Section 4, because it's necessary to do that to identify those sections of the rules that serve that single purpose, you cannot divide the question and take any one of those three rule changes independently. I think, Mr. President and members, that explains the purpose and intent of this rule change and would suggest that we support it.

SPEAKER BARRETT: Thank you, Senator Lynch. Discussion on the proposal...proposed change number nine? Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, let me tell you what the real purpose of this rule change is. There have been attempts at various times to suspend the rules so that there can be no debate or discussion or amendment on bills, and I have indicated that I would divide that question. So the purpose of the rule is to prevent that from happening. So however many things are put into a rule suspension will have to be taken as a package. In some instances you may have a situation where people will think and believe that you should be able to suspend the rules for the purpose of taking a vote without any additional debate, amendment and so forth. And maybe that is all right. Naturally, I'm opposed to it because

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 19, 1990

LB 159, 567, 567A, 769, 851, 900, 915  
957, 964, 966, 968, 994, 997, 1010

PRESIDENT: Senator Conway.

SENATOR CONWAY: Given the nature of the dinner hour and the like, and I'm sure some people had commitments that are...they are waiting in the wings in their offices, I'd like to have a call of the house, please.

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

CLERK: 22 ayes, 3 nays, Mr. President, to go under call.

PRESIDENT: Okay. The house is under call. Please record your presence. Roll call vote has been requested in reverse order...in regular order, excuse me. So please look up to see if your light is lit, illuminated. Senator Haberman, would you record your presence, please. Thank you. We're looking for Senator Bernard-Stevens and Senator Dierks. Sergeant-at-Arms, how you coming with Senator...Well, there is Senator Bernard-Stevens. Senator Dierks. There he is. Ladies and gentlemen, the question is the advancement of the bill. Roll call vote has been requested in regular order. Will you please hold down the conversation so the Clerk can hear your response. Mr. Clerk.

CLERK: (Roll call vote taken. See page 438 of the Legislative Journal.) 25 ayes, 16 nays, Mr. President, on the advancement of the bill.

PRESIDENT: The bill is advanced. Mr. Clerk, do you have anything good for the cause?

CLERK: Mr. President, your Committee on Urban Affairs, whose Chair is Senator Hartnett, to whom was referred LB 851, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 957, General File; LB 964, General File; LB 966, General File; LB 968, General File. Health and Human Services Committee, whose Chair is Senator Wesely, reports LB 900 to General File; LB 915, General File; LB 994, General File; LB 997, General File; and LB 1010, General File. Senator Withem has amendments to LB 567 and LB 567A; Senator Smith to LB 769. And I have notice of hearing from Transportation Committee, Government Committee,

members, and it makes it totally unworkable for them when they have anyone absent. It takes everyone present to be able to vote to make anything move or to approve an ordinance, for instance. So what LB 966 does is to decrease the number of votes from a two-thirds majority, which is presently the way the law reads, and that comes out to be a 3.3 percent council members, and make it become instead a three-fifths majority vote. And I would ask, on behalf of Senator Wehrbein, that you would approve this piece of legislation and move it along. Thank you.

PRESIDENT: Thank you. If there is no further discussion, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

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

PRESIDENT: LB 964 (sic) advances, that was LB 966, excuse me. LB 997, please.

ASSISTANT CLERK: LB 997 was introduced by Senator Schellpeper. (Read title.) The bill was read for the first time on January 4th of this year, was referred to the Health and Human Services Committee. They report the bill back to General File, Mr. President.

PRESIDENT: Senator Schellpeper, please.

SENATOR SCHELLPEPER: Thank you, Mr. President and members. LB 997 extends the Rural Health Manpower for one year. It's been in operation since 1977, and it has had several extensions before, and this will extend it for one more year. This commission is what they use to put the rural doctors in the rural areas. And so it's very important to Nebraska. I would just move for the adoption. Thank you.

PRESIDENT: Thank you. If there's no further discussion, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

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

PRESIDENT: LB 997 advances. LB 857, please.

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,

CLERK: LB 966, Senator, I have E & R pending.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 966.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: I have nothing further on the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 966, 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 997.

CLERK: LB 997, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 997 be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 857.

CLERK: LB 857, Senator, I have E & R amendments, first of all.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 857.

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 14, 1990      LB 42, 159, 313, 642, 851, 856, 857  
874, 893, 901A, 957, 960, 964-966, 984  
997, 1044, 1064, 1080, 1090, 1161, 1184  
1193, 1232  
LR 11

SPEAKER BARRETT: Thank you. Mr. Clerk, you have a motion?

CLERK: Mr. President, I have a priority motion by Senator Langford, that's to adjourn the body until February 15, 1990. I assume that's nine o'clock, Senator. I do have some items.

SPEAKER BARRETT: Anything for the record, Mr. Clerk?

CLERK: Yes, I do, Mr. President. I have amendments to be printed to LB 42 by Senator Baack. (See pages 793-94 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 1064 to Select File with Enrollment and Review amendments. LB 851, LB 856, LB 857, LB 874, LB 893, LB 957, LB 964, LB 966, LB 984, and LB 997 are all reported correctly engrossed. Those are signed by Senator Lindsay as E & R Chair. Banking Committee reports LB 1161 to General File with amendments, and LB 1193 as indefinitely postponed, those signed by Senator Landis as Chair of the Banking Committee. (See pages 794-96 of the Legislative Journal.)

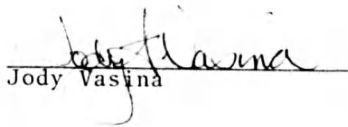
I have a new A bill, Mr. President. (Read LB 901A by title for the first time. See page 796 of the Legislative Journal.)

Mr. President, I have a confirmation report from the Health and Human Services Committee, that is signed by Senator Wesely as Chair. I have a series of priority bill designations. Senator Schellpeper selects LB 1080; Senator Crosby, LB 965; Senator Scofield, LB 1184; Senator Richard Peterson, LR 11CA; and Senator Withem, Education Committee priorities are LB 960 and LB 1090.

Mr. President, Senator Abboud would like to add his name to LB 1044, Senator Crosby and Chambers to LB 642, Senator Elmer and Peterson to LB 159 and AM2372, and Senator Morrissey to LB 1232. I believe that's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The motion before the house is one to adjourn until tomorrow morning at nine o'clock. All in favor say aye. Opposed no. Ayes have it, carried, we are adjourned. (Gavel.)

Proofed by:

  
Jody Vasina

and not voting.

PRESIDENT: LB 966 passes. LB 984, please.

ASSISTANT CLERK: (Read LB 984 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 984 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Read record vote. See pages 923-24 of the Legislative Journal.) 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 984 passes. LB 997 with the emergency clause attached.

CLERK: (Read LB 997 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 997 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 924 of the Legislative Journal.) 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

PRESIDENT: LB 997 passes with the emergency clause attached. LB 1013, please.

CLERK: (Read LB 1013 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1013 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 925 of the Legislative Journal.) 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

PRESIDENT: LB 1013 passes. I might introduce the doctor of the day to you at this time, he is Dr. Stuart Embury from



February 22, 1990

LB 602, 855, 856-858, 874, 875, 891, 893  
906, 907, 957, 964, 966, 984, 997  
1013  
LR 260

Holdrege, Nebraska. He is under the north balcony. Doctor, would you please stand up so we may see what you look like and welcome you to the body today. I guess he is in his office at the moment, so...while the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 602 with the emergency clause attached, LB 856, LB 857, LB 858, LB 874 with the emergency clause attached, LB 875, LB 891, LB 893, LB 906, LB 907, LB 957, LB 964, LB 966, LB 984, LB 997 with the emergency clause attached and LB 1013. (See page 925 of the Legislative Journal.) Mr. Clerk, anything for the record?

CLERK: One item, Mr. President, a new resolution, LR 260 offered by Senator Nelson and a number of members. (Read brief description of LR 260. See pages 925-26 of the Legislative Journal.) That will be referred to the Reference Committee, Mr. President. And that is all that I have, Mr. President.

PRESIDENT: We'll move on to LB 855, please.

CLERK: Mr. President, 855 was introduced by Senator Rod Johnson. (Read title.) The bill was introduced on January 3 of this year, referred to the Agriculture Committee for public hearing. The bill was advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Thank you. Senator Owen Elmer, please.

SENATOR ELMER: Thank you, Mr. President and members. Senator Johnson isn't here to present his bill and I'm proud to be able to present it for him. LB 855 is identical with the animal damage control bill that we passed through Final Reading and sent to the Governor last year and was a casualty in the funding crisis that we had sent to her desk. This particular program is one that is supported by the USDA Department of Agriculture, animal damage control people, that assist with funds to the state in controlling animals that are a nuisance and are predatory animals. Several western counties have been funding local programs in their counties independently of the state and receiving federal aid in their efforts. The livestock, sheep, poultry industry in the state are very interested in this bill. We heard it in Agriculture Committee January 23. We had nine different persons representing themselves and different agencies and units, such as the Nebraska Animal Damage Control Board of the USDA, Nebraska Farm Bureau, the Game and Parks Commission,

February 22, 1990      LB 315, 602, 856-858, 874, 875, 891, 893  
906, 907, 957, 964, 966, 984, 997  
1013, 1090, 1105, 1119, 1136, 1228, 1246

all voted? Have you all voted? We're voting on the advancement of LB 1090. Please vote. Have you all voted? Senator Withem.

SENATOR WITHEM: Yeah, it appears as though we need another four votes, so I would ask that we...the house be brought under call and I will accept call in votes.

SENATOR LABEDZ: Thank you, Senator. Shall the house go under call? All those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 14 ayes, 0 nays to go under call, Madam President.

SENATOR LABEDZ: The house is under call. All unauthorized personnel, please leave the floor. Senators in their offices, please return to the Chamber and record your presence. The house is under call. Please return to the Chamber and record your presence. Senator Withem has requested call ins.

CLERK: Senator Chizek voting yes. Senator Lindsay voting yes. Senator Smith voting yes. Senator Morrissey voting yes. Senator Byars, you had voted yes, Senator.

SENATOR LABEDZ: Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 2 nays, Madam President, on the advancement of LB 1090.

SENATOR LABEDZ: LB 1090 is advanced. Mr. Clerk, we'll go to the 1990 Speaker priority bills, LB 1032. The call is raised. Mr. Clerk, you have something to read in the record?

CLERK: Yes, Madam President. Your Committee on Enrollment and Review reports LB 1228 to Select File; LB 1105, Select File; LB 1119, Select File, those signed by Senator Lindsay. Banking, Commerce and Insurance Committee, whose Chair is Senator Landis, reports LB 1136 to General File with amendments attached, signed by Senator Landis as Chair. The Enrolling Clerk has presented to the Governor bills read on Final Reading this morning. (Re. LB 602, LB 856, LB 857, LB 858, LB 874, LB 875, LB 891, LB 893, LB 906, LB 907, LB 957, LB 964, LB 966, LB 984, LB 997, and LB 1013.) Reference report referring LB 1246 to Judiciary for public hearing, as well as certain gubernatorial appointments for confirmation hearing. Amendments to be printed to LB 315 by Senator Coordsen and Hefner; and Senator Conway has amendments

February 26, 1990      LB 260A, 602, 856, 857, 858, 874, 875  
891, 893, 906, 907, 957, 964, 966  
984, 997, 1013, 1039A, 1064A

this?

SENATOR CONWAY: Luckily, the world is round, yes, you will meet somewhere.

SENATOR CHAMBERS: And those...blessed are those who go in circles for they shall be called what?

SENATOR CONWAY: Ah...

SENATOR CHAMBERS: I will let it go.

SPEAKER BARRETT: Any other discussion? Anything further, Senator Conway, on the advancement of the bill?

SENATOR CONWAY: No, sir, I just request the advancement of the bill.

SPEAKER BARRETT: Thank you. Shall LB 260A be advanced? Those in favor vote aye, opposed nay. Voting on the advancement of 260A. Have you all voted? Record, Mr. Clerk.

CLERK: 25 ayes, 4 nays on the advancement, Mr. President.

SPEAKER BARRETT: The A bill is advanced. Have you matters for the record, Mr. Clerk?

CLERK: I do, Mr. President. Senator Peterson has amendments to be printed to LB 1064A. (See page 983 of the Legislative Journal.)

New A bill by Senator Haberman, LB 1039A. (Read by title for the first time. See page 983 of the Legislative Journal.)

I have a motion from Senator Hannibal involving a reconsideration. That will be laid over. (See page 983 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read communication regarding LB 602, LB 856, LB 857, LB 858, LB 874, LB 875, LB 891, LB 893, LB 906, LB 907, LB 957, LB 964, LB 966, LB 984, LB 997 and LB 1013. See page 984 of the Legislative Journal.)

That's all that I have, Mr. President.