

May 2, 1989

LB 182A, 769, 813
LR 102, 103

intent to withdraw the amendment, and, Senator Ashford, I would give him the remainder of the time.

PRESIDENT: Senator Ashford, please.

SENATOR ASHFORD: Thank you, Mr. President and members. I would concur that the amendment is most likely unconstitutional, as is probably every section of the bill as written now, too. But it seems silly to deal with an amendment that most likely is unconstitutional. I would suggest, as I have on a couple of occasions, that the 48-hour provision in the bill, as written, is under the Akron case clearly unconstitutional, no matter what the...and that is a U.S. Supreme Court case, no matter what the Eighth Circuit has said about it. But, given that, I would agree with Senator Lindsay and would concur with his withdrawal of this particular amendment.

PRESIDENT: It is withdrawn. Anything else, Mr. Clerk?

CLERK: I have nothing further on the bill, Mr. President.

PRESIDENT: We're on the advancement of the bill. Senator Labedz, please.

SENATOR LABEDZ: Thank you, Mr. President. Senator Ashford just said no matter what the Eighth District Court says, he believes it is unconstitutional. If there is a challenge to the constitutionality, I'm sure it will go back to the Eighth Circuit Court, and I'm not an attorney, but I would say their decision would be the same. This is a very important bill to many of us. There are 28 or 29 co-sponsors, I believe Senator Abboud made a motion today to add his name to the bill. And I will not go over the testimony or the statement that I gave on General File. It's getting late, so I urge the advancement to E & R Initial.

PRESIDENT: Mr. Clerk, do you have anything to read into the record?

CLERK: Mr. President, I have a new A bill, LB 182A, by Senator Coordsen. (Read by title for the first time.) Senator Schmit has amendments to be printed to LB 813; Senator Smith to LB 813. I have, Mr. President, an appointment letter from the Governor. New resolution LR 102 by Senator Lynch. (Read summary of resolution.) LR 103 is a resolution by Senator Lynch. (Read

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated) ...Legislative Chamber. We have with us this morning as our chaplain of the day Reverend John Dale who is interim Pastor for the Christian Churches of Nebraska and lives in Lincoln. Would you please rise for the invocation.

REVEREND DALE: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Reverend Dale. We appreciate it. 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: Do you have any messages, reports or announcements?

CLERK: Mr. President, I have no messages, reports or announcements this morning.

PRESIDENT: Thank you. We will move on to number 5, LR 103.

CLERK: Mr. President, LR 103 offered by Senator Lynch. It's found on page 2036. (Read LR 103.)

PRESIDENT: Senator Lynch, please.

SENATOR LYNCH: Mr. President and members, I want to preface this resolution by indicating I have no political ambitions to run for anything so I'm not doing this to try to garnish the farm vote in any way. Howard doesn't believe that but that's true. I will only read the first and last paragraphs. The Extension Services, when I was an old county commissioner, I know, from Douglas County, even in Douglas County were very important not only to people with rural backgrounds but to urban backgrounds as well. It reads, the Cooperative Extension Service has provided opportunities for Nebraskans to put knowledge to work in agriculture, families, and communities for the past twenty-five (sic) (seventy-five) years; and ends by saying, That the Legislature recognizes and commends all former and present Nebraska cooperative extension professionals, local

cooperative extension board members, 4-H club members (sic) (leaders), home extension club members, master gardeners, and other volunteer leaders and participants of various programs who have contributed to the progress of the Cooperative Extension Service as well as the State of Nebraska during the past twenty-five (sic) (seventy-five) years and we express our best wishes and success. And I move for its adoption.

PRESIDENT: Senator Beyer, please, Emil Beyer.

SENATOR BEYER: Well, Mr. Speaker and colleagues, Senator Lynch kind of upstaged me on this one because I think I have carried the extension resolution about every year I have been here but that's perfectly all right because we'll take all the support we can get. They do do a good job and I wholeheartedly support this resolution. Thank you.

PRESIDENT: Senator Lamb, please.

SENATOR LAMB: Mr. President and members, I'm happy to see that Senator Lynch is supporting agriculture and we're looking forward to a new era in the Legislature as a result. I would like to add my...my comments to the resolution. I'm highly supportive of it, have long been involved in extension activities on the local level and do appreciate the work that the people have done over the years.

PRESIDENT: Thank you. Senator Scofield, please.

SENATOR SCOFIELD: Mr. President and members, I, too, rise to echo Senator Lamb's pleasure at the sponsors of this particular measure. From time to time, some of the concerns raised about extension are it's only a rural program and, of course, it is not in this day and age. It's a good program that serves both rural and urban residents. So I'm pleased to see both Senator Lynch and Senator Beyer joining us with supporting this resolution. Thank you.

PRESIDENT: Thank you. Senator Lynch, would you have any closing remarks on your resolution?

SENATOR LYNCH: You know, we do, wherever we live in Nebraska we're grateful for this kind of service to everywhere...to everyone in Nebraska. I move for its adoption.

May 8, 1989

LB 182A, 769
LR 103

PRESIDENT: Thank you. The question is the adoption of LR 103. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of LR 103.

PRESIDENT: The resolution is adopted. LR 109 we'll pass over for the moment because I understand Senator Warner is having a little attention to his hand and we'll take that up as soon as he gets back. We will wait with LB 812 until Senator Warner gets back and we'll go to LB 182A.

CLERK: Mr. President, LB 182A was a bill introduced by Senator Coordsen. (Read title.) I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Coordsen, please.

SENATOR COORDSEN: Thank you, Mr. President, and members of the body, LB 182A is a neat little A bill. LB 182, in its original form, had a fiscal note that was approximately \$22 million. Through good negotiations and a sound approach to reevaluating the cost of the program, 182A has got that cost down to...and I forgot to add it up, you came on a little quickly to me this morning...with me this morning, but approximate cost of \$246,000 to fund the change in the relationship between the juvenile and county courts and the Department of Social Services. And I would urge the advancement of the bill.

PRESIDENT: Any further discussion? If not, the question is the advancement of LB 182A. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of 182A.

PRESIDENT: LB 182A is advanced. LB 769. Could you tell us where we were, Mr. Clerk, when we left it last time?

CLERK: Mr. President, LB 769 has been discussed by the Legislature. It's a bill introduced by Senator Labeledz and a number of the members. It's a bill for an act relating to abortion. When the bill was last discussed, Mr. President, there was pending to the bill an amendment by Senator Lindsay. The amendment had been divided. There had been an amendment

May 9, 1989

LR 103, 109, 157, 158, 159

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated) ...this morning Harland Johnson as our chaplain. Would you please rise.

HARLAND JOHNSON: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Mr. Johnson. We appreciate it. Roll call, please.

CLERK: (Microphone not activated) ...157 by Senators Crosby...I'm sorry, this is a regular resolution, LR 157 by Senators Crosby and Schimek. (Read brief description. See pages 2183-84 of the Legislative Journal.)

Two study resolutions, the first by Speaker Barrett, the second by Senators Schellpeper and Wesely. (See pages 2184-85 of the Legislative Journal regarding LR 158 and LR 159.)

Mr. President, LR 103 is ready for your signature. And that's all that I have this morning.

PRESIDENT: Thank you. We will move on to LR 109, please.

CLERK: Mr. President, LR 109 was introduced by Senator Warner. It's found on page 2077. (Read brief description.)

PRESIDENT: Senator Warner, please.

SENATOR WARNER: Mr. President and members of the Legislature, this resolution was brought to me by some members of the Latvian Association in Nebraska. But over the weekend they had an American Congress of Latvian Association which, obviously, is a group of American citizens who are from Latvia. And the resolution takes a couple of things. It encourages the expansion of freedom opportunities and more self-determination in Latvia. And then, secondly, it asks for the remains of the former President of Latvia, Dr. Karlis Ulmanis who was taken to a concentration camp during World War II and never heard from again. He was a graduate of the University of Nebraska. My interest contact comes from the fact that while he was attending the University of Nebraska and he graduated in 1909, he stayed at my home, that is with my father, along with some other students, and because of that long association...that long ago association, many years ago, from time to time, I have had the

privilege to participate in some of their activities and I would ask that the resolution be adopted.

PRESIDENT: Any further discussion? If not, the question is the adoption of the resolution. All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: 22 ayes, 0 nays, Mr. President, on adoption of LR 109.

PRESIDENT: The resolution is adopted. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 103. Move on to confirmation report, the one by Senator Withem.

CLERK: Mr. President, the Education Committee offers a report on the appointment of Brenda Council to the Coordinating Commission on Postsecondary Education. The report is on page 2070 of the Journal.

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Yes, Brenda Warren Council is currently a member of the Omaha Public School Board. She has served in that capacity for, oh, at least six years. She also has chaired a number of statewide commissions. She is an attorney working for Union Pacific Railroad. Governor Orr has appointed her to serve on the Postsecondary Coordinating Commission as one of the public members of that body. It is the sense of the Education Committee that Brenda would do an outstanding job on that commission and we urge that the Legislature act favorably upon this appointment.

PRESIDENT: Thank you. Any further discussion? If not, the question is the adoption of the report. All those in favor vote aye, opposed nay. This requires 25. This requires 25 votes. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the Education Committee confirmation report.

PRESIDENT: The Education Committee confirmation report is adopted.

CLERK: Mr. President, Senator Lamb, as Chair of the Transportation Committee, would report on the appointment of