

May 3, 1989

LB 303, 639, 640, 767, 813, 814
LR 105, 106

Senator McFarland. We're voting on the adoption of the Chambers amendment. Call in votes were authorized. Senator Labedz, would you check in please. Senator Warner, record your presence, please. Thank you.

CLERK: Senator Hefner voting no.

PRESIDENT: We're looking for Senator Nelson and Senator Ashford.

CLERK: Senator Lowell Johnson voting no. Senator Weihing voting yes.

PRESIDENT: Okay, a roll call vote has been requested. Are we all here, Mr. Clerk?

CLERK: No, sir.

PRESIDENT: Who are we looking for now?

CLERK: Senator Ashford.

PRESIDENT: Senator Ashford. Is that the only one? Okay. Shall we wait for Senator Ashford, Senator Chambers? All right. Okay, the question is the adoption of the Chambers amendment. A roll call vote has been requested. Please return to your seats so we may begin. (Gavel.) Mr. Clerk.

CLERK: (Read roll call vote. See pages 2053-54 of the Legislative Journal.) 22 ayes, 8 nays, Mr. President.

PRESIDENT: The motion fails. Do you have anything for the record, Mr. Clerk?

CLERK: Yes, Mr. President, I do. Mr. President, a resolution by Senator Baack. (Read brief explanations of LR 105 and LR 106. See pages 2054-55 of the Legislative Journal.)

Senator Baack has amendments to LB 639, to LB 640; Senator Schmit to LB 814; Senator Baack to LB 303; Senator Hefner to LB 767. (See pages 2055-64 of the Legislative Journal.)

Mr. President, Senator Landis would like to have an Executive Session of the Banking Committee today at two o'clock in the Senate Lounge, Banking Committee in the Senate Lounge at two

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LR 101, 105

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber and today's legislative proceedings. The opening prayer this morning by our chaplain, Pastor Stan Schrag of Grace Community Evangelical Church here in Lincoln. Pastor Schrag.

PASTOR SCHRAG: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Schrag. Please come back. Roll call.

CLERK: Quorum present, Mr. President.

SPEAKER BARRETT: Thank you. Corrections to the Journal?

CLERK: I have no corrections, Mr. President.

SPEAKER BARRETT: Announcements, messages or reports?

CLERK: Mr. President, LR 101, passed by the Legislature yesterday, is ready for your signature. That's all that I have.

SPEAKER BARRETT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 101. Proceeding to item 6 on the agenda, confirmation report. Mr. Clerk. Item 5, legislative resolution. Mr. Clerk.

CLERK: Mr. President, LR 105 was offered by Senator Baack. It's found on page 2054. (Read brief description.)

SPEAKER BARRETT: Senator Baack.

SENATOR BAACK: Yes, Mr. Speaker and members, I bring this resolution to you at the request of Stan Heng, the Adjutant General in Nebraska, because the annual spring conference for the Adjutant Generals' Association of the United States is going to have their conference here in Lincoln, May 12th to the 16th, and this is simply a resolution thanking them for choosing Lincoln and welcoming them to Lincoln for their spring conference. So, with that, I would urge the adoption of the resolution. Thank you.

SPEAKER BARRETT: Any discussion? If not, those in favor of the adoption of the resolution by Senator Baack please vote aye,

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LB 813
LR 105

opposed nay. Please record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the resolution.

SPEAKER BARRETT: The resolution is adopted. I believe, Mr. Clerk, we move to item 6 on the agenda, confirmation report.

CLERK: Mr. President, indeed we do, and the confirmation report is found on page 2071 and is offered by Senator Baack.

SPEAKER BARRETT: Senator Baack, please.

SENATOR BAACK: Yes, Mr. Speaker and colleagues, this is the confirmation report for Christine M. Harris for the State Personnel Board. The committee held a public hearing on her confirmation and voted unanimously to approve her for the State Personnel Board. So I would urge the adoption of the confirmation report. Thank you.

SPEAKER BARRETT: Thank you. Is there discussion? Seeing, none those in favor of the adoption of the confirmation report, as offered by Chairman Baack, please vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 31 ayes, 0 nays, Mr. President, on adoption of the confirmation report.

SPEAKER BARRETT: Thank you. The confirmation report is adopted. Proceeding to General File, Mr. Clerk, LB 813.

CLERK: Mr. President, LB 813 is the mainline appropriations bill. The first amendment I have to the bill is by Senator Haberman. I understand Senator Haberman wants to withdraw.

SPEAKER BARRETT: It's withdrawn.

CLERK: Mr. President, the next amendment I have pending is by Senator Hall. Senator Hall is excused until he arrives, Mr. President.

SPEAKER BARRETT: Let's proceed to the next amendment, Mr. Clerk.

CLERK: Mr. President, in that case, Senator Peterson and a

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LB 769
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of the problem and that is getting her out of an incestuous relationship or providing her the help that she needs to correct what is, I think everybody would agree, a big social problem and that being the...the rape or the incest. I think by having a mechanism available, it...it has the possibility of providing that help rather than allowing the girl to have an abortion and putting her right back into an incestuous relationship.

SENATOR BERNARD-STEVENS: Senator Lindsay, I will not, at this point, try to persuade you or argue with you whether or not...or what reason a woman will use in order to get an abortion. I, personally, think that the trauma will be so great, the mental and psychological stress will be so great that under certain circumstances the child or the woman will use whatever means are available in order to accomplish the goal. It would be a very Machiavellian approach. The ends will justify the means. If the means are simply that I can lie and get my goal, which is the abortion, accomplished and free me of what I wanted to be freed of regardless of the moral situation, I suspect what will happen is that counsel will be made available to suggest that option to them, that if they do lie, then two things will happen, the abortion will occur and there will be no punishments. But without arguing about what the reasons a woman will use for the abortion, would you agree that under the scenario that I have given out...

PRESIDENT: One minute.

SENATOR BERNARD-STEVENS: ...would you agree, Senator Lindsay, that if a child did lie and/or tell the truth, it makes no difference in this case, and an investigation proved to be that there was no truth to the declaration, that the abortion would be done, could be done and there would be no punishment regardless of whether your amendment is agreed to or not? Is that a fair assumption on that scenario?

SENATOR LINDSAY: I believe so, yes.

SENATOR BERNARD-STEVENS: Thank you.

PRESIDENT: Thank you. Senator Nelson, then Senator Chambers, then Senator Crosby, is the order. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 105. Senator Nelson, please.