

January 3, 1990

LB 346, 520, 707, 923-935
LR 8, 229-233

of LRs 229-233, some of which will be referred to the Reference Committee for referral to the appropriate Standing Committee, others laid over. See pages 123-28 of the Legislative Journal.)

Mr. President, I have amendments to be printed from Senator Hall to LB 346 and to LB 707. (See pages 128-29 of the Legislative Journal.)

Mr. President, I have a proposed rules change offered by Senator Wesely. That will be referred to the Rules Committee. (See page 129 of the Legislative Journal.)

Mr. President, Senator Lynch would like to remind the body that there will be a Rules Committee meeting at one-thirty in Room 1517. And, Mr. President, there will be an Executive Board meeting at two o'clock in Room 1520.

Finally, Mr. President, I have requests to add name to LR 8 by Senator Kristensen and to LB 520 by Senator Smith. (See pages 129-30 of the Legislative Journal.)

PRESIDENT: Ladies and gentlemen, if I could have your attention just a moment, please. We're about out of bills to enter, and if you have some, please bring them up quickly and soon so that we can do this before we adjourn. We're about ready to adjourn, but we don't want to shut anybody off that has one cooking. Incidentally, if you're about ready to introduce one, but not quite, please let the Clerk know that one is coming presently so that we may wind this up. Thank you. We'll not meet this afternoon, of course.

CLERK: (Read by title for the first time, LBs 923-929. See pages 130-31 of the Legislative Journal.)

Mr. President, a reminder, the Rules Committee will be meeting at one-thirty this afternoon in Room 1517 and Exec Board will be meeting at two o'clock in Room 1520, signed by Senators Lynch and Labeledz, respectively.

PRESIDENT: Ladies and gentlemen, please get your bills in if you would like. We're about ready to wind this up. Thank you.

CLERK: (Read by title for the first time, LBs 930-935. See pages 131-33 of the Legislative Journal.)

January 11, 1990

LB 874, 893, 970, 1009, 1102-1111
LR 8, 233

chance for justice in these courts, a perfect poor man's chance, which means no chance. We see that even with the present system. There are inequities and unfairnesses in the way the courts operate. We are going to build in an additional level that encourages unfairness and arbitrariness by the State Supreme Court. I am opposed to this bill. I think what would have been responsible would be to have public hearings...

SENATOR LABEDZ: Time is up, Senator Chambers. Senator Abboud. Mr. Clerk, do you have something to read in?

CLERK: Yes, Madam President, I do, new bills. (Read for the first time by title: LB 1102, LB 1103, LB 1104, LB 1105, LB 1106, LB 1107, LB 1108, LB 1109, LB 1110, LB 1111. See pages 279-82 of the Legislative Journal.)

Mr. President, I have notice of hearing from the Government Committee. That is signed by Senator Baack as Chair of the committee. (Re: LB 970, LB 1009, LB 893, LB 874, LR 233CA. See page 281 of the Legislative Journal.) That is all that I have, Madam President, at this time.

SENATOR LABEDZ: Thank you, Mr. Clerk. Senator Abboud. Senator Landis.

SENATOR LANDIS: Madam Speaker, members of the Legislature, if you could imagine a process by which we, as legislators, were asked not just to rule on the bills that we introduce but on every idea given to us by our constituents and every idea given to us at the behest of the citizens of the State of Nebraska, you'd approximate the situation that the Supreme Court finds itself in. Their work load is not of their own making. We, as the legislative branch make our own work load collectively by being able to say yes or no to the ideas our constituents bring to us. Every now and then we say, okay, fine, I will draft it and we'll introduce it. My guess is for everyone of those, you have got two or three bills that are suggested to you that you say I don't think it will work or I would rather not carry that. Best of luck, maybe you have got another avenue, but, in fact, we can't take that...I am not going to take that problem on. Maybe we don't do it enough but we do it. But imagine a Legislature in which any person in the State of Nebraska could provide us a bill idea that we would have to draft into bill form, hold a public hearing on, have a debate on this floor, and then write our decisions as a body, not just our own individual

February 7, 1990

LB 542, 1168, 1181, 1190
LR 233

Natural Resources reports LB 1168 as indefinitely postponed, LB 1181 indefinitely postponed, LB 1190 indefinitely postponed, those signed by Senator Schmit as Chair.

And Government Committee reports LR 233 to General File with committee amendments attached. That is signed by Senator Baack. (See page 699 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Proceeding then to item six on the agenda, General File, LB 542, Mr. Clerk.

CLERK: Mr. President, 542 was a bill introduced by Senators Lindsay, Ashford and Landis. (Read title.) The bill was introduced on January 18 of last year, Mr. President. At that time it was referred to the Banking Committee. The bill was advanced to General File. I have Banking, Commerce and Insurance Committee amendments pending, Mr. President.

SPEAKER BARRETT: Thank you. The Chair recognizes the Chairman of the Banking Committee, Senator Landis.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature, this measure, 542, was brought to us by Senator Lindsay and relates to the insurance practices basically at the Med Center in Omaha. And the reason this issue comes to us because we have a cap on the liability for medical malpractice losses. That cap is available to people who participate in the medical malpractice insurance mechanism and the Med School participates in that, so that their hospital and their personnel are covered by those caps. To participate in that program, however, you have to be able to provide, if you are in the situation of the Med School, clear evidence of a million dollars of insurance coverage of your own. Once you can show the million dollars of coverage, you can then participate in the program and then these caps on liability apply to you. Well needless to say, everybody wants the caps to apply to them and the Med Center has gone out searching for that million dollars of insurance. What they found is, that the insurance costs for getting that million dollars coverage was really quite exorbitant, far beyond the actual losses that they were experiencing to the tune of 300 to \$500,000 a year greater than the losses that they were accumulating. Instead, what the university would like to do is to create a risk-loss trust. Now

February 16, 1990 LB 42, 708, 923, 931, 1153, 1172, 1210
1211, 1244, 1245
LR 233

linear would be based on pipes, and we are talking about pipes, 260 feet of those or less would be exempted from the license, businesses working in those. For 160 square feet or fewer, you would be exempted from the license for those businesses doing those asbestos projects. And, in addition, we dealt with the committee amendment and the E clause has been added, and I'd ask very much for the advancement of the bill.

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

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 923.

PRESIDENT: LB 923 is advanced. Do you have anything for the record, Mr. Clerk?

CLERK: Yes, Mr. President, I do. Thank you. I have a Reference Report referring LB 1244 and LB 1245. That is offered by Senator Labedz as Chair of the Reference Committee.

Mr. President, priority bill designations, Appropriations Committee chaired by Senator Warner selected LB 1210, LB 1211; Senator Chambers has selected LB 708; Government Committee has designated LB 931 and LB 1172; Speaker Barrett has selected LB 1153; Senator Coordsen, LR 233CA.

Mr. President, committee hearing notices from Appropriations Committee and from the Business and Labor Committee, signed by their respective Chairs. That is all that I have, Mr. President.

SENATOR HANNIBAL PRESIDING

SENATOR HANNIBAL: Thank you, Mr. Clerk. Before we move on to General File, LB 82 (sic), I would like to take this opportunity to inform the body that Senator LaVon Crosby has in the south balcony 13 Girl Scouts and their leader from Calvert School in District 29. Would you girls all please rise and let us welcome you to the Legislature. Thank you for joining us today. Mr. Clerk, LB 42.

CLERK: Mr. President, LB 42 involves judicial salaries. The bill has been discussed on two occasions. I have pending,

February 27, 1990

LB 656
LR 233

committee amendments.

SPEAKER BARRETT: The committee amendments are adopted. On the bill, Senator Nelson, please.

SENATOR NELSON: I believe I have explained the bill enough and if you want more horror tales, I can tell them right down the list. There is a case that's in court right now, I think in Douglas County, and I won't speak to that because it's in court, of a young family being sued for membership. It's just simply that the method used to entice these people a free cheap gift and then a very high...one couple, an insurance salesman from Grand Island, again, Senator Korshoj's age or younger, said that he could see how young people would be enticed. The only way that they could get away from the salesman was simply to roll their car windows up, put the car in gear. He just hung onto the side of the car so he could see. I know the couple in Grand Island was so ashamed that they just would not even tell their kids what happened and eventually to pay the bank off in Omaha, I did, I tried to get legal fees, help on them with that and their income was a few dollars over and it just happened to be he did a little bit of small engine repair and put them \$700 over on their homestead exemption. You just can't believe it. And...but, as I say, they have taken their burial fund money and now they're paying a sister-in-law back by the month to try to get out of it. And I can go on and on. But there is need. We have gone over and over again, the Attorney General's Office, it's not something that I put together myself, but the bill is really needed. It's consumer protection.

SPEAKER BARRETT: Thank you. Any discussion on the advancement of 656? Seeing none, those in favor of the advancement of the bill please vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 656.

SPEAKER BARRETT: LB 656 is advanced to E & R. LR 233CA.

CLERK: Mr. President, LR 233CA was a resolution introduced by Senators Coordsen and Korshoj. It's a resolution to propose an amendment to Article III, Section 10 of the Nebraska Constitution. The resolution was introduced on January 3 of this year. At that time, it was referred to the Government, Military and Veterans Affairs Committee. The resolution was

advanced to General File. I do have committee amendments pending by the Government Committee, Mr. President.

SPEAKER BARRETT: The Chair recognizes Chairman Baack.

SENATOR BAACK: Yes, Mr. Speaker and colleagues, the committee amendments do three things on LR 233CA. The first thing they do is they say that the five-day organizational session that's called for in LR 233 would start on the first Monday in December of even numbered years. The bill originally had called for them to start on the 1st day of December and had some language saying, well, unless that day fell on a Saturday or Sunday. We just decided it would be much easier to say the first Monday of December of the even numbered years. The second change made by the committee amendments is in dealing with the terms of the newly elected or the reelected senators in the 1992 election. And it says that after the '92 election and the sessions, their terms would begin on the first day of the organizational session in December rather than on the beginning of the session in January. And that was done because otherwise you would have senators that had possibly been defeated in the election, possibly didn't run for reelection, would be participating in an organizational session that they would have nothing to do with starting in January. And it also contains some language that says that there is a reference to Article III, Section 7, of the Constitution which would automatically shorten the terms of the people who are in office at that point. They would actually have one month less in office than they would have had under the original Constitution. So this is to deal with that situation. The other thing that the committee did was that the original bill called for two 60-day sessions. The committee amended that to call for two 70-day sessions rather than 60-day sessions, plus the five-day organizational session. What this does in effect is it says that right now we have the 90 and the 60-day sessions, we have 150 days over the two years. This would say that we would have two 70-day sessions, 140 days, plus a five-day organizational session, which would mean we would have 145 days instead of the 150 days that we have now. The committee felt that the two 60-day sessions were possibly too short and that's why we amended it to 70-day sessions. We also felt that there is a better possibility of the voters passing an issue like this, if we would agree to lessen the number of days that the Legislature is in session. I know some people feel safer when we're out of session than when we're in session, so we thought we would lessen those number...the number of days

that we're in session by five. We also felt that, with the five-day organizational session in December, we would be able to be better organized to come back in January and would be able to get to business much more quickly and, therefore, the five-day loss would not make a whole lot of difference in the way we conducted business in here. So, with that, I would be glad to answer any questions about the committee amendments and would urge their adoption. Thank you.

SPEAKER BARRETT: Thank you. The committee amendments are under discussion. Senator Coordsen, followed by Senator Wesely.

SENATOR COORDSEN: Thank you, Mr. Speaker, and members of the body, I, of course, support the committee amendments, both as one of the introducers of this resolution and as a member of Government, Military and Veterans Affairs Committee, after the discussion that we had in that committee. As far as the timing of the organizational session, which could well be a matter for some discussion this morning, under the committee amendments, of course, the earliest it could possibly convene would be December 1st, and the latest it could possibly adjourn would be December 11th. So I think we're well outside of what is...might be considered the Christmas holidays. Most of the wording in the committee amendments addresses something that we did not address in the original bill and that is that situation that exists on the first year that this provision would become effective should it be adopted by the voters of the State of Nebraska, and makes the adjustment for the length of terms of half of the members of this body. The other thing, of course, I still have a personal affection for two 60-day sessions but two 70-days sessions would still help us, I think, be more able to transact the business of this Legislature in an orderly fashion in that as we all look at the end of the 60-day session looming quite closely in front of us and all of the measures that need to be addressed, the extra 10 legislative days on the 60-day session may well help us to wind up the business of a legislative session in a much better manner. As far as the conversion from 90 to 70, I think there is not a member in this body that is not aware of what happens to our attendance when as, I say rather facetiously, the greening of the greens begins to happen and after the 1st of May we have a difficult time in having enough members present on the floor to transact what needs to be done, what should be accomplished at the end of that particular session. I will push my light again. I will answer any questions. I will reserve the other comments that I might

have till we get to the bill.

SPEAKER BARRETT: Thank you. Senator Wesely, followed by Senator Moore.

SENATOR WESELY: Thank you, Mr. Speaker, and members, I would rise in support of the committee amendments as well and commend Senator Coordsen and Senator Korshoj for this legislation. It's based in part on legislation this Legislature passed a few years ago, if you recall, in the '86 election it was. We did, in that session, advance legislation similar to this where we did go to a December meet date to organize and it was, if you recall, it was advanced by this Legislature, put on the ballot and that was the time we had...662 was up, and seat belts were up that year, and had very controversial issues on the ballot, and this measure was ahead until the very last count the votes came in and it lost by less than like a half a percent of votes. So I think, in a different circumstance, a different vote without that sort of controversy on the ballot, I think this would easily pass and I think as time has gone on and people have thought about it some more, I think clearly if we put it on the ballot, I think the majority of people would vote for it. I think having the sort of compromise Senator Baack has worked out with the committee makes some sense as well. And so I am very encouraged by the initiative in this area again. I have long felt that early start organizational sessions would help. I think it would help this Legislature tremendously. The only question I have got is the 70-70-day thing. In an election year, that means we would run into late April in our sessions and the reason we have the 90-60-days is so in an election year the 60 days we would end approximately a month ahead of the vote in the primary and it may be wise to consider going to an 80-60 or some sort of combination. I won't suggest that at this time but I want people to think about that and perhaps on Select File we would want to amend it to that. But, at this point, I very much support the committee amendments and do support the measure.

SPEAKER BARRETT: Senator Moore.

SENATOR MOORE: Yes, Mr. Speaker and members, I guess I have a question that I want Senator Coordsen to comment something if he may.

SPEAKER BARRETT: Senator Coordsen.

SENATOR COORDSEN: Yes, Senator Moore.

SENATOR MOORE: I think with your resolution and with the proposal of the committee amendments we have a good bill that recognizes some of the concerns that the general public have in the way we do business in the length of days. But the one concern that this potentially makes even worse is the fact of the matter one of the largest criticisms we get is the number of bills we introduce. I know Senator Barrett does a good job of defending that we we're not as bad as everybody thinks we are but the fact of the matter is the way this is now written in conjunction with our legislative rules we actually have a total of 15 days to introduce bills now. Correct?

SENATOR COORDSEN: Senator Moore, should that happen, we still have to amend the rules. There is another change in statute relative to the canvassing board where some dates would have to be changed to change the date that the canvassing board meets. There are adjustments that would have to be made. For the record, I would tell you, Senator Moore, that it would be...it is my intent with this legislation to have five days to introduce legislation during the period of time we're going through the organizational session, and then to finish the remainder of our 10-day introduction system, after the beginning of the rest of that session. But that would take a rule change rather than be an article of law.

SENATOR MOORE: Yes, I understand. I guess...I guess I concur with you, Senator Coordsen. You would be interested in pursuing that providing this passes and so we can still say that if this is passed by the Legislature and passed on the ballot, the total number of days we have to introduce bills would be the same, we have five in December and five in January, instead of presently having 10 in January and you would introduce a rule to that effect.

SENATOR COORDSEN: But it would take a rule change to do that, yes.

SENATOR MOORE: And you would be willing to introduce that?

SENATOR COORDSEN: Yes.

SENATOR MOORE: Okay. That's all I have. Thank you.

SPEAKER BARRETT: Senator Johnson. Thank you. Senator Coordsen, followed by Senator Haberman. Senator Haberman, please.

SENATOR HABERMAN: Mr. President and members of the body, I rise to oppose the constitutional amendment and the committee amendment for many reasons, but now I would just mention one. We seem to be in a state of affairs where we're going to possibly raise the sales tax, raise the income tax, property taxes have gone up. The people are very, very concerned that taxes are going up. They're concerned with the cost of county government, city government, schools and state government. If we adopt the committee amendments and/or if we adopt 233CA, we're going to increase the cost of running this establishment. We're going to bring everyone in, plus the staff, for five days, then we're all going to go home and then we're all going to come back again. Now, I don't have the figure as to what this would cost. I believe that the propo...the people who are proponents of the bill should give us that figure as to what it's going to cost the citizens of Nebraska to run this establishment to more or less our convenience. Our convenience, because we're saying we want to come in here to reorganize and after we reorganize then we want to go home and then we want to come back again. I don't think the citizens are going to support the issue on a constitutional ballot. As the Chairman of the committee said, in his opening statement, the citizens feel better when we're not in session. So I don't think it's going to pass. I'm going to oppose it because of the additional cost, because it's to our convenience, not the citizens' convenience. And then we have the proposal also of the number of days to introduce bills. The introducer of the proposal said he will support cutting the time to introduce the bills from 10 to 5 days. There is no guarantee that that is going to pass. We could still end up with 15 days to introduce legislation and, quite frankly, if that happens, I, personally, don't want to go home because they're a little upset now by the number of bills that we introduce. So, with those remarks, Mr. President, the cost of calling us in here and sending us back and calling us in is considerable, so I oppose the amendment. Thank you.

SPEAKER BARRETT: Thank you. Senator Elmer, on the amendment, followed by Senators Smith, Crosby and Korshoj.

SENATOR ELMER: Thank you, Mr. Speaker. Would Senator Coordsen

yield to a question?

SENATOR COORDSEN: Yes, Senator Elmer.

SPEAKER BARRETT: Senator Coordsen, please.

SENATOR ELMER: Senator Coordsen, we all have had, in our experience, members of this body that have had very, very close elections and recounts have been necessary and many times those recounts aren't available until later in December, given the November general election. If a contested election was taking place during the period of organization and hadn't been completed, how would that be handled?

SENATOR COORDSEN: I don't know that it would take that long, quite frankly. We hadn't considered that to be an issue in doing that. Whether it would take another two weeks or not, you know, how long, in your particular field of expertise, does it take to accomplish a recount after the general election? I can't answer that question, quite frankly.

SENATOR ELMER: I couldn't either, of course, was why it was asked and I share some of the concerns about doing this that Senator Haberman has, and also since we have a biennial budget, having enough time to deal with a complete budget in less than the 90 days that we have allocated. Thank you, ladies and gentlemen.

SPEAKER BARRETT: Thank you. Senator Smith.

SENATOR SMITH: I rise, I guess I don't know how I want to...how I say I would be on this amendment. Part of the amendment is appealing to me. I rather support the idea of a five-day working session in which we could go through the process of revising the rules, for instance; perhaps introduction of bills. That would put us down here though...I think Senator Haberman has raised a point as far as staff and ourselves being down here. We would have to have all bills ready for introduction unless we could...of course, we would have so few days when the session began, in my understanding. Is that correct? But...and I like the idea of new senators taking over their new term of office at that time rather than waiting until January for that to happen. But one of the concerns that I have is that I don't believe that this is going to help us because the last provision of that, even though it has extended the 60 days which was the

original intent of the offering here to be extended to 70 days, I understand annually from then on, so that every session would be a 70-day session, I don't think that that really provides enough difference that it would help us to process the bills, because my understanding is that there is no restriction on the number of bills that would be introduced. And I would hate to find myself almost every year feeling as though we're in a 60-day session as the pressures that we're under in a 60-day session, I think, are different than in a 90-day work session. And we know that in a 60-day session we have to rely to a great degree on a number...a larger number of bills going through a consent calendar process. And I guess I don't like that pressure that it places us under or the commitment that we have that we can't deal with a bill on consent calendar if something surfaces with that bill, which presents a problem that we can't correct that problem, and so there's nothing to do then except to pull the bill off the calendar, even though that piece of legislation may be valuable and benefit the state. So I guess I don't see this as doing anything to solve very many problems for us. I just feel like we would be perpetually in a 60-day work session state if we would go to a 70-day working session. Unless someone can give me some other reasons why or to dispel my concerns, I think that I'm not supportive of this measure, just given those reasons. So if the introducers would like to spend a little time trying to reassure me or tell me that this is not going to be the case, I would be glad to listen to what you may have to say on this issue. Thank you.

SPEAKER BARRETT: Senator Crosby.

SENATOR CROSBY: Thank you, Mr. Speaker, and members, I...this particular concept concerns me in many ways and I like Senator Coordsen and Senator Korshoj so much I hate to stand up and be against something that they want. But I have some of the same concerns that Senator Haberman has about the cost of our coming in in December and then going home and then coming back and you have the staff come in and go home and come back. It all costs. I also have a concern about the one session being only 60 days or 70, whichever it would end up. That first 90-day session, it seems to me with the budget, the biennial budget that you need to work on and the committee meetings that you need to have, the committee hearings because of the influx of bills at the beginning of the first session of the term of the Legislature, is an overriding factor when you start talking about how many days you are going to work. Concerning the number of bills, I

know people complain about that, but again I will say something I said this morning in a meeting, most of these...so many of these bills come from local frustrations. They come from the constituency and trying to cut down on them is almost impossible, all of us know that. Whether or not they go...whether or not they are passed isn't the question. And I'm one of these people that don't think everything has to be passed, that's not true. A lot of ideas need to be looked at and the hearings need to be set so we will have time. In the 90-day session, you can recall how long our hearings went, even this session. Some committees are still having hearings this week which cuts into the time that you can spend on the floor debating the bills that are reported out. I am really quite concerned about coming in December because you talk about the end of the session when it's green, in December I think you're going to be missing a lot of people. I just have that feeling. If this ever comes into being and it happens that every single person is here for the five days, I will say I was wrong. But in May, when we come to April and May we are elected to be in Legislature and if we do not recognize that obligation and come and be here, then perhaps those people who do not want to be here should allow someone else to run and take the seat and be here. I do have a little frustration with that because I think when you're elected to the office you are supposed to be here. And, as far as people, I get letters from people saying we'd be all better off if you would all go home. Well, I say that we all say that about Congress too, wished they would all go home. They used to go home during the summer because they didn't have any air conditioning and that's why they went home. Now, when air conditioning came in they stay the year around, take a recess here and there. I doubt very much that Nebraska Legislature wants to meet year around and take a recess for two weeks and then come back. At the moment, unless I hear something to the contrary that makes me feel differently, I think I will vote against this. Thank you.

SPEAKER BARRETT: Thank you. Senator Coordsen, your light is still on, did you want to speak?

SENATOR COORDSEN: I think I will at this time if I may.

SPEAKER BARRETT: Followed by Senator Korshoj. Proceed.

SENATOR COORDSEN: You know, I can never follow Frank, so in this case it gives me a little lead time. The reason I had

waived off a little early was because I guess it goes back to the story of waiting until the congregation is gathered and the attention is directed to an issue before you start unloading all of the wagonload of hay. I would suggest that as we talk about this and as our concerns are focused on this particular issue that we think back to the first days of each 90-day session, when we come in, when we try to accomplish the organization of the Legislature when we have our various Committee on Committee hearings, when we select the Executive Board, when we vote on the various committee chairmen, when we begin the bill introduction period, when those newly elected chairmen try to begin organizing the committee hearings for that particular session, when we have a mountainous pile of newly introduced legislation, none of which or very little of which has been printed, is ready for use, is ready for reference, were we to utilize, were we to utilize an organizational session which, by the way, is part of the operating procedure of some 23 other states in the United States in various forms, prior to the beginning of a legislative full-time session, with the introduction of bills, would give us an orderly procedure of having the bills printed and ready for committee hearings to start almost immediately after the first of January. So many of the concerns we have about being short days or whatever could well be taken up by a far more precise beginning at the end of the first session of each biennial session. How many of us have went into committee hearings, saw the schedule but didn't see the bills until maybe that morning? Should we be doing that? I think it's something for us to discuss. We have had the current system certainly 16 years. Maybe it's time to revisit, to take another look, to be concerned as to whether we truly have a citizen Legislature under our current session. There is some movement afoot to try to encourage the Speaker to arrange an agenda with more four-day weeks to allow those members who have a business to run, who have a job to look after a little more time to do that. That was one of the major concerns in proposing the two 60-day sessions so that we could allow perhaps more of a citizen Legislature than what we have. I know there's an effort or a feeling on the body to go back to biennial sessions where we would only meet every other year. Maybe that's another issue that will come up for discussion. But it's my opinion that this particular measure is a good effort to bring a little more businesslike approach to the operation of this body. It would allow us to perhaps have the issue symposium concurrently with the organizational structure.

SPEAKER BARRETT: One minute.

SENATOR COORDSEN: That's a possibility. There are a number of options that would be available to us under this that currently are not. Thank you.

SPEAKER BARRETT: Senator Korshoj.

SENATOR KORSHOJ: Mr. Speaker and members, I want to give a little neutral testimony as a private citizen. I cannot understand how the cost would be greater to come in in December. We all get one trip a week. The staff is on line. Everybody is here getting paid, where's the extra cost? We're having less weeks so we're probably going to wind up getting one week less mileage, less pay, so it isn't like a special session. We're here, we're supposed to be on line. And, on the 90-day session, when you get down here in order to get organized, get bill introductions, get it announced when the hearings will be, we definitely kill 10 to 14 days and we would eliminate that. I can't believe we would be hiring anybody extra if we came down here, if you people come down here in December. It just doesn't make sense to me. It would give you a chance, as George Coordsen said, for more four-day weeks and still get out of here by the middle of April. And May is a bad, bad month to be in the Legislature. The golf courses get green and we need to get over and plow some of that same old ground we've plowed the last hundred years. As far as more pressure in a 70-day session, wrong, wrong, wrong. In a 60-day session, where we're at at the 50th day we're at that same place on the 80th day of a 90-day session. Somewhere in the middle of all these sessions we spin our tires to the point we wear our tires out. We always kill time in the first part of the session. I really believe it would make for a much, much more efficient beginning and ending. We would keep the senators happier to get out of here earlier. Senator Crosby said that she would be afraid in December there would be a lot of missing people on the floor. We don't do too good in the winter time so while we're in session I can't believe that that would be a problem. I think the problem coming in December is inconvenience to individual senators. But I would like to hear somebody show me where the cost would be more. Two 70-days sessions, the final cost would be less money. And so, with that, I shall remain neutral. Thank you.

SPEAKER BARRETT: Senator Johnson, please.

SENATOR R. JOHNSON: Mr. President and members, I...I don't know if I rise...I'm somewhat like Senator Coordsen (sic) somewhat neutral, because whatever happens here on this particular constitutional amendment won't probably affect me anyway. But I have often heard people complain about being here, that we're here too long and we're tired and wore out and shouldn't be here. And I guess my criticism of the system is that if you don't want to be here, why have you been running for the offices. I mean, we're elected by people that work here to make a commitment to those people to pass the laws, to help them with constituent services and it seems to me that, quite frankly, with the workload that we have more days, not less, it would seem to be more appropriate. There are a lot of problems facing this state and this country and it doesn't seem appropriate that we would try and frivolize the situation by saying the problems will go away if we just don't meet as many times or as many days. Well, I don't think that's going to be the case at all. I think that we're going to recognize that as more and problems, whether it's natural resource issues, whether it's tax issues, especially since this Legislature has the power to set the taxes of the state, that a lot of these issues are not going to go away just because we're not here. And it seems to me that it would be more appropriate to go in the opposite direction, not to lessen the number of days that we work but rather lengthen the number of days we work, especially in a 60-day session, because it just seems to me here we are less than...or a little over half-way through and we, quite frankly, have gotten very little done this session. And so, yes, Frank, you're right, we do have a tendency to procrastinate. We sit around and we think, well, we can handle those problems tomorrow. And especially with the public hearing process that we have in this body, only working three hours a day on the floor for half-way through the session, you don't get much done. And so either change that system or add some extra days to the session so that we can get some things in the afternoons other than public hearings would seem to be appropriate as well. I guess I...I guess going to 70-70 is not bad but, you know, I get a little frustrated hearing people complain about being here and I have often wondered why anyone would run if they don't want to serve.

SPEAKER BARRETT: Senator Kristensen.

SENATOR KRISTENSEN: Thank you, Mr. Speaker, and members, I have a little problem with the organizational period of time and I guess it sounds good that we could be more efficient and force

ourselves to get here earlier and spend those five days and kind of shake out the cobwebs and get our bills all introduced and get them printed. And the reason we would print them is so that we would have a period of time to look at them between sometime in December and when we begin in early January. Quite frankly, I just don't think that's going to work. I don't think that's going to happen because I know what I do during the month of December. I try to straighten up my personal affairs at the end of the year as well as try to do that with other people. I am busy with the holiday season. Quite frankly, think about what you do the end of December, those last two or three weeks of December are lost anyway. You're sitting here with family, with friends, with everything else and the reason you start off with a new year is you put all that behind you and you say, I've wasted enough time in December doing things for myself and my family, eating too much, and I'm going to make that vaunted New Year's resolution, it's a new year, it's a new start, let's get to work. And practically the reorganizational period of time for those five days, I think, would be cosmetic. I don't think we would get as much done anyway and you're always going to have that period of time. You know, as a legislative body, what we do is spend a lot of time doing what we're doing right now. Look around the floor, we spend our time dealing with each other, whether that's in fierce debate or whether that's sitting in the lounge trying to figure out what's important to Senator Nelson or Senator Labeledz or Senator Haberman. We do those things, it's the collegiality of this body. We're not a machine that you flip on in the beginning of January and we start to process legislation and all of a sudden you flip us off at the end of 60 days. The purpose for this body is to deliberate, is to debate and I am very frustrated with our public hearing system at the moment. I don't like maybe missing this afternoon some Final Reading votes, even if they're on noncontroversial bills, because we're still sitting down in committee hearings. The 60-day session is difficult primarily because we have got that push, we've got a deadline that's very, very short and I don't think that's conducive for good legislative debate. I'm not so sure that we should have a period of time, period. If we've got problems before the state, I think we ought to debate them, we ought to address them and not say, well, thank goodness, we're running out of time, that problem will go away, because it won't. We will be back here the next year with a problem that's even worse because we didn't take the time to look at it. And, sure, I don't want to sit here through the summertime because that, personally, hurts my business. That

probably would put my business in jeopardy, but that's a political and a business judgment that I've got to make as an individual as to whether I want to sacrifice that time and effort to do so. I think it's a good point of discussion. I'm glad Senator Coordsen has done this and there are other things that I think we can do. Before I got into this body, I thought one of the best things we could do is limit the number of bills. I'm not so sure that's true anymore. I don't think the problems of the state are going to go away by self-imposed numbers or dates and neither would the change in the sessions. Thank you.

SPEAKER BARRETT: Thank you. Senator Dierks is pleased to announce that he has a guest under our north balcony from O'Neill, Nebraska, Mike Hannon, a student at the University of Nebraska at Lincoln. Mike, would you please stand and be recognized. Thank you. We're glad to have you with us. Any other discussion on the adoption of the committee amendments? Seeing none, Senator Landis...excuse me, Senator Baack, would you handle the closing?

SENATOR BAACK: Yes, Mr. Speaker and colleagues, I think we have had a good discussion on this and I think that's why Senator Coordsen really named this as his priority bill because we do need to discuss this. I think one thing that Senator Kristensen said just a minute ago that the change here is going to be purely cosmetic, I don't think it's going to be just that, because I think that the five-day organizational session provides the public with more access to this body, because what happens is we introduce those bills for those five days and maybe Senator Kristensen is not going to look at those bills in December, I don't know what he's going to do in December, but I think it gives the public a chance to view some of these bills, gives them two or three weeks to look at the bills that we're going to start hearing in January and gives them an opportunity for more input I think when we do start sessions in January. I think it gets us off to a running start here also because then we can begin hearings immediately as we come in and I think we will get the hearings done a little bit sooner in the session. We will have a few more days to do that, to be on the session for...to be in session full days. So I think it does more than just some cosmetic changes. I think it makes some good changes that are worthy of our consideration. I think the voters are willing to look at that, as Senator Wesely said that just barely failed the last time it was on the ballot and it was on the ballot with a number of other major issues which I think had an

impact on that issue also. So I think it's something that we should, as a Legislature, vote to advance the bill today and to put this issue before the people of the State of Nebraska and allow them an opportunity to vote on this issue again. With that, I would urge the adoption of the committee amendments. Thank you.

SPEAKER BARRETT: Thank you. You have heard the close and the question is the adoption of the committee amendments to LR 233CA. All in favor vote aye, opposed nay. Voting on the committee amendments. Have you all voted? Senator Baack.

SENATOR BAACK: Mr. Speaker, I would ask for a call of the house and a roll call vote, please.

SPEAKER BARRETT: Thank you. A call of the house has been requested and the question is, shall the house go under call? All in favor vote aye, opposed nay. Record.

CLERK: 14 ayes, 1 nay to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please return to your desks and record your presence. Those members outside the Legislative Chamber, please return. The house is under call. Senators Ashford, Byars, McFarland, Peterson and Pirsch, the house is under call. Senator Pirsch, would you record your presence, please. Members, please return to your seats in anticipation of a roll call vote on the adoption of the committee amendments. Shall the committee amendments be adopted? Mr. Clerk, proceed with the roll call.

CLERK: (Roll call vote taken as found on pages 994-95 of the Legislative Journal.) 22 ayes, 19 nays, Mr. President.

SPEAKER BARRETT: Motion fails. The committee amendments are not adopted. The call is raised. Senator Coordsen, would you care to open on the resolution, please.

SENATOR COORDSEN: Thank you, Mr. Speaker and members of the body. Yes, we've always done business in the same way. No, we don't want to change. Oh, maybe once in a while. It's kind of interesting to me and Senator Korshoj because we basically generated this. To sit on the floor of this body for hours and hours, cumulative hours during a session, waiting for enough people, citizen legislators all that are interested enough in

representing their constituency to be present. Many the day, toward the end of the 90-day session, when we have had to adjourn because so many members were excused that we could no longer do the business of the State of Nebraska, and people say we don't have enough days. I would suggest to you that we could meet 300 days and we could never have enough days. I would suggest to you that we could follow the lead of the great State of Wyoming and have 40 and 20 days, and given those time lines we could accomplish the necessary business of the State of Nebraska. I'm not a great orator, not able to turn the smooth phrase that seems to delight the ears of so many people on the floor of this body, from time to time in unending nonsensical amendments to bills to prove a point, but we don't have enough time. But I would suggest to you, each and every one of us, myself included, that when we consider absenting ourself from the floor, unless that absence is a heart-felt, inner belief that what we're doing is to the best interest of the State of Nebraska, that we should never complain about not having enough days. LR 233, in its current form, without the committee amendment is probably not something that should be advanced to the floor of the legis...to the body of the electorate because it needed some changes. But when we talk about not enough days, consider what we, as individuals, have done over the past number of years. I would again urge you to consider the advancement of LR 233 to Select File, where we would again have the opportunity to put it in the proper form. Thank you, Mr. Speaker.

SPEAKER BARRETT: Thank you. Discussion? An amendment on the desk. Mr. Clerk.

CLERK: Mr. President, Senator Haberman and Senator Warner would move to amend. (Haberman-Warner amendment appears on pages 995-96 of the Legislative Journal.)

SPEAKER BARRETT: The Chair recognizes Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the body, my amendment and Senator Warner's amendment is so simply stated and understandable I didn't print it in the Journal. I have not passed out a copy either. The amendment states that starting in 1991, the Legislature shall meet biennially for 100 days. Every other year we meet for 100 days. Now as I understand it, this body represents the citizens of the State of Nebraska and as their representatives we should do what the majority of those folks would like to have done, as it's their state, they pay the

taxes, and in this case they should make the decision. I would like to see this body place on the ballot my amendment that we meet every other year for 100 days. If the citizens say no, then fine, we're doing great just the way we are. But, if they say yes, then naturally that's what we'll do. I feel that every year we have new bills, yet we have bills that are left over from the previous year, but the state still operates. We still go along and have life, everything happens without that new legislation. So I say to myself many times, how do we operate year after year after year without all this new legislation. But we do. So I believe that the state could survive, and do a better job of surviving if we met every other year for 100 days. With that, Mr. President, I will let somebody else express their wishes. Thank you.

SPEAKER BARRETT: Thank you. Senator Wesely, would you care to discuss the Haberman-Warner amendment?

SENATOR WESELY: Not the amendment, no.

SPEAKER BARRETT: Okay, thank you. Senator Nelson, on the amendment.

SENATOR NELSON: No, on the bill. Well, maybe I just as well and get it over with here. I probably will not be supporting this amendment, the 100 days. The only thing I can say is that I know there are a lot of bills introduced down here. But this particular session especially, and I'll just use it as an example, we get hung up on one or two bills. The public looks at us as ridiculous or fools of ourselves and so on and so forth. But I can name eight or ten very, very important bills this year, a couple in Judiciary, one the firemen, I can go right down the list, that people really, really need, desperately need. We have to say to them we don't have enough time. I know in each ones mind that maybe we waste time. But let's think of your own business, be it any business, be it farming, whatever it may be, things are more complicated, from financially to education, to our drug...it's not the same as we had 10, 15 or 20 years ago. So I think that we need to adjust to our time. I'm not criticizing anyone to say, well, if you don't like it, don't ask to serve down here. Maybe that's one of the reasons that we don't find a lot of candidates for this office, people realize what a drag and what it is to be able to serve down here. What we're doing is we're serving, but we're not calling it a session, but we are doing the same amount of

work. And I have no problem with that, if we accept that responsibility. But I think for us to cut down the days, we're cutting the public out, we're cutting out people, things are just that much more complicated. And we are down here to address those and help the people that we do represent. And so as to say....It's hard to say, George, but to compare us to Wyoming, that's almost an insult. What Wyoming does is kind of like I said on the floor the other day, we just as well adopt everything Minnesota does and just go home. So some states, Wisconsin I think is ten months out of the year, others are eight months. And I certainly feel that it is time to think of two 90-day sessions, closer to it. Thank you.

SPEAKER BARRETT: Senator Crosby, on the amendment. Thank you. Senator Baack, on the amendment.

SENATOR BAACK: Yes, Mr. Speaker and colleagues. I rise in opposition to the amendment. I don't know what Senator Haberman is trying to do. I guess he's trying to preclude all farmers from serving in the Legislature. This certainly would not work for farmers to have that long of a session, it adds too many days and it simply doesn't work. I know Rex said, well I can make it up in the years we don't...aren't in session, but you don't just farm every other year, you do have to farm every year, you can't just skip a year in there. I think if we wanted to make the public happy we probably should amend Senator Haberman's amendment and say instead that we meet 2 days every 100 years instead of 100 days every 2 years, and that probably would make them happy. We probably could get that past the public I would guess. Thank you, Mr. Speaker.

SPEAKER BARRETT: Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, I think Senator Coordsen identified the issue that really is the issue when he talked about the amount of time that we probably use not as productive as we can. And I don't really believe that any structural change, as a matter of fact, addresses the real issue. And the real issue is only ourselves as to how we want to proceed. And that's not being critical of how we do it now. I'm just suggesting that a change in structure is not going to change how a Legislature functions. I suppose the most believable thing I could say about not being particularly thrilled about December meetings would be to suggest to you that I obviously wouldn't be done picking corn in December. But that

would not be a reason for opposing it. I'm one of I guess two people who served in a biennial session that are still here. And the fact that it was unlimited in days didn't really affect the number of farmers. We had a lot more farmers in those days, as a matter of fact. But that was not the issue either, because Senator Rod Johnson certainly made the point correctly, that if you wish to serve, you serve whatever time it is, and it becomes a first precedent on everything you do. My reason for being supportive of going back to the biennial sessions has nothing to do with most of these reasons or issues. I simply don't believe that as a general rule there are public policy changes that need to be made every eight months. And, in effect, that's what we do. Occasionally, there are issues and as we have special session now, we had special sessions when there was a biennial Legislature when some issue needed to be addressed, and it was. And that will continue to be the case no matter what we do. I have no illusions that we'll ever go back to biennial sessions. There is no doubt in my mind that anything that reduces the time in which the Legislature is in session will probably be voted for affirmatively by the voters, because there is this perception that if the Legislature meets less that there are less changes in laws. I don't like the limitation on the number of days, but I know that is popular both within the body as well as within the public, generally. I do not support limiting the number of bills. We've had that process, and those of you who were here then probably did exactly as I did. I had a drawer full of amendments that I could attach to any bill, because I couldn't introduce and stay within the number. And, in fact, when you did that there were no public hearings. There were no opportunities to really know what was going to be done by the public ahead of time. And we did it all, at least most of us who were here did it, because that was the only way you could function. So limiting bills, limiting days doesn't do any of the things that cannot be corrected by self-discipline if we wish to enforce it, and if we don't, that's also part of the legislative process which I have no problem with. I do believe that limitations on days or how frequently we meet, in fact, does lend to the possibility of a citizen Legislature, however. And I do believe in the concept of a citizen legislator,...

SPEAKER BARRETT: One minute.

SENATOR WARNER: ...even though in many areas of the country that, essentially, is not the case anymore. But it seems to me that meeting less frequently still allows policy changes as they

need to be made. As I hear more and more talk about four day weekends, it's not going to make any difference about when we get out. If we have more and more four day weekends, we obviously are going to run into April or May...rather May easily in any event, and so that is...it does not resolve the issue at all as far as when we get out. And finally, I would say the reason I know this will never pass for biennial sessions is we all know there would be quite a force of people who will be opposed. And the people who will be opposed are those who now have full-time jobs year round, as lobbyists to work the Legislature. If we meet every other year that no longer is a full-time job. And they would be pretty strenuously opposed to that change. So I will vote for Senator Haberman's' amendment, which I co-signed with him, on the basis that I think policy changes could be made every two years adequately to meet those changes ought to occur,...

SPEAKER BARRETT: Time.

SENATOR WARNER: ...rather than run the same issues every year as we do now.

SPEAKER BARRETT: Thank you. Senator Korshoj, please, followed by Senator Coordsen.

SENATOR KORSHOJ: Mr. Speaker and members, I'm sure that if we put this on the ballot this bill will pass. So we've got to decide what we want before we put it on the ballot. I very much could support it. The thing I...one of the things I don't like about two years for one session, we keep getting the bills introduced that were killed the first half of the session, I don't think that's right. Then I think back to a conversation I had with Senator Warner during the last 60-day session. I went over and I said to him, if we could just get the deficit appropriation bill passed, we could go home, couldn't we. And Senator Warner said, well, we don't even have to pass it, there's no reason it cannot wait until next January. He said, there is nothing we have to do this year. I'd say if there is nothing you have to do in a short session, we probably shouldn't be here. And I've heard over and over in the 16th District that with the biennial budget we should have a biennial session. So I really think the people would support it. It would probably also require some rule changes. And I don't know, Senator Warner, you can just nod your head. If we had just a 100 day session, wouldn't we have to allow each individual senator maybe

two priority bills rather than one or something, so we could get 100 of the more important bills to the head of the list, but that could be done in the rules. It's really not a bad idea. It's not going to fly, but I think we should really take some...take this into consideration. It's a good idea. Thank you.

SPEAKER BARRETT: Thank you. Senator Coordsen, Senator Haberman next.

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body. I'm not going to vote for the Haberman amendment. But it tugs at my heartstrings just a little bit. Senator Warner in his wisdom created, in my mind, an image of something that I hadn't really considered, and that is that with the Haberman amendment we not only would have citizen legislators, but we might also have a citizen lobby. Now isn't that interesting. The problem with watching the snows come and go for a number of years is that you remember various things. And as I recall, and I would certainly stand corrected if Senator Warner would like to comment, if I have some time left, that one of the reasons the Legislature elected to go, to put on the ballot the biennial sessions with the limited days was the inability to complete two years business in one year, and that in the year that the Legislature did not meet,...

SPEAKER BARRETT: One minute.

SENATOR COORDSEN: ...there were a number of special sessions called to do the things that were viewed to be emergencies and needed to be taken care of before the next opportunity at the next biennial session. So I could not be right in my memory, but I think those are several of the reasons for the change, the 15 or 16 years ago. Thank you.

SPEAKER BARRETT: Senator Haberman, Senator Conway next.

SENATOR HABERMAN: Mr. President, members of the body, I sometimes wonder how the State of Arkansas runs, or how it works, because they have biennial sessions. I wonder how the State of Kentucky gets along, how they function. They have biennial sessions. Montana, oh and Nevada also has biennial sessions. North Dakota has them, the State of Oregon has them, and the State of Texas, the great State of Texas, mind you, meet every other year. All of these states that I mentioned have

farmers, they have representatives in their body that come from every group that we have represented in this body, but they do it every other year. So it's kind of hard for me to understand the opposition to this as it works in some of the biggest states. It works in states that are agriculture, it works in states that want to build up their economic development, it does work. We have been told on the floor the budget...deficit budget doesn't have to be passed. I would also like to have you take a look at the green sheet and look at the priority bills and see how many there don't have to be passed, the state could operate without them. Now we've made a lot of changes and we're asking for a lot of changes. We want to change the way we get our regents. We have the choice bill. We want to increase sales tax and income tax to finance schools. We want to change the state college system. Changes sometimes are for the good. This, in my opinion, is for the good of the citizens and the body to meet every other year. I will tell you this, when I tried this idea out on some of the people behind the glass, the lobbyists, they oppose it, they oppose meeting every other year because it will hurt them, possibly financially. They wouldn't have anything to do in that off year. And somebody might raise a fuss about paying the fees they're now paying. Doesn't that make you feel good? I mean isn't that enough reason right there to vote for this bill? You won't have all of those notes coming in, and the phone calls for a whole year. Wouldn't that be a blessing. Not that they don't do a good job, or not that they're needed. But it would be nice to have at least one year without them. Now Senator Warner says that this probably won't pass. I have a lot of faith that if we have enough members here, and if they stop to think that it does work in seven states,...

SPEAKER BARRETT: One minute.

SENATOR HABERMAN: ...then we could try it that it will pass. I hope it does. That's the end of my remarks at this time, Mr. President.

SPEAKER BARRETT: Senator Conway.

SENATOR CONWAY: Mr. Speaker, members, I think there is really only two real considerations that one should make when we start talking about the structure of the Legislature with respect to the days that we meet, when we meet, how often we meet, how long we meet in my mind, and those are two key factors. One is we

need to meet to conduct the business for the state, and the second is to develop a system that is open so that the diversity of the representation represents the people in the State of Nebraska. As I look at today's profile of this body, and I think back and my memory is not so long that I know all the profiles that we knew in years gone by, but I would say today we probably have one of the most diverse bodies that the Nebraska Legislature has ever known. We have young, we have old, we have retired, we have people still in the working environment, we have females, we have males, we have many, many different professions represented in this body under our current system. And I think that all, in part, has come about by virtue of a system that has limited days, and by having limited days then we ultimately meet every year, and by doing that we have farmers who can go back to farming, we have business people who can go back to their businesses. In today's society I would really be surprised to find out who, outside of the wealthy and/or retired, would be able to serve when you would serve for an extended period of time every other year, and how one would develop an economic support base to be able to survive in that particular kind of environment, and I think you very quickly lose some of the diversity we currently have in the body. Now that may be the motivation of Senator Haberman, who is both old and wealthy, because he would be thoroughly represented with his fellow man. But I think as we look at the body we currently have, we have a system and maybe an adjustment of calendar, adjust of number of days as originally was offered by Senator Coordsen, might better feed that system than even what we currently have. But I think as we look at Senator Haberman's amendment, on every other year basis of 100 days, I know a whole lot of people in this body that could no longer serve and still support their families and progress even in any meaningful fashion whatsoever economically, and try to pursue some other career of some sort. We talk about a citizens legislature being those people who walk from their occupations and able to give to the public this certain amount of time, which I know everyone in here is burdened by virtue of that much commitment. But as we make these kinds of changes, I think without question, that burden is going to fall hard enough on enough people that we will go back to a profile. Before I spoke I was going to take the time to run down stairs and walk the hall of all of the pictures of previous Legislatures. As you would walk those halls I don't think you saw the diversity you see in the more modern day body, of the people that are here. So I strongly am opposed to a situation that would actually limit the profile of

the diversity of the kinds of people that are able to serve. Thank you, Mr. Speaker.

SPEAKER BARRETT: Thank you. The Chair is pleased to note that Senator Beck has guests in our north balcony. Mr. and Mrs. Harry Wolstencroft. Mr. Wolstencroft is a Silver-Haired Senator from District 8 in Omaha. Would you folks please stand and be recognized. Thank you, we're pleased to have you with us. Mr. Clerk, you have an amendment?

CLERK: Mr. President, Senator Wehrbein would move to amend Senator Haberman and Warner's amendment by striking "100 days" and inserting "90 days".

SPEAKER BARRETT: The Chair recognizes Senator Wehrbein.

SENATOR WEHRBEIN: Mr. President, members, this is sim...I do not intend for this to be an auction. I simply got to thinking about this as I reflected on the fact that perhaps every other year isn't all that bad an idea, that many of the bills that we have in the 90-day session simply do come back in the 60-day session, and we do retrace many of our...much of our ground. This is kind of a selfish amendment because it does take...100 day session takes us well into June. And I simply think it's reasonable to be done by the first of June, Memorial Day, if you will. And it does...it probably is too biased toward those in agriculture because it does get you out earlier. But the 100 day session, I got to figuring it out, takes us almost into July, especially assuming that we would go to probably more recess days. It could easily run up to almost July 4th. I sense some support in here for the 100-day session every other year. And I simply feel that 90 probably would be more realistic and not....I really do believe that, if we go into the June sessions, we are going to see much more drop off in attendance, because not only the heat, there's more outside activities, the days are longer. It will just be a temptation not to come in. And I just think if we really are serious about going to a biennial session, 90 days would be more realistic in terms of serving.

SPEAKER BARRETT: Thank you. I have a number of lights on. Senator Wesely, we'll go back to you. Do you wish to speak on the amendment to the amendment? Senator Crosby. Thank you. I'm going to remove your light then for the moment. Senator Lynch, on the amendment to the amendment?

SENATOR LYNCH: Question.

SPEAKER BARRETT: We've had no discussion yet on the motion. Thank you. Senator Moore.

SENATOR MOORE: Yes, Mr. Speaker and members, I rise to oppose Senator Wehrbein's amendment as I do Senator Haberman's amendment. As we sit here and talk and it's one of those things, you know, we probably spend our time on more important things, but maybe not. Try and think about, you know, why you're elected and why we serve here is to represent the people of Nebraska. My concern is if you adopt either one of these amendments what you simply do is hand the agenda to the Governor's office, that's all you've done, you just simply...the Governor can write the agenda for special session, calls for the session on the things that he or she wants us to, and we have no control over them. You know, look at the worksheet, at the bills that we've dealt with this year, the ones that have already been approved by the Governor, the ones on Final Reading. You know how many of those could have waited until next year? A lot of them maybe could have. On the other hand, how many of them couldn't have, and how many people have access to you but don't have access to the Governor. Like Senator Robak's bioptic lense bill, you know, is the Governor going to call a special session to help that person out? No. With our present form of sessions every year we could deal with those problems. And a senator that has...it's not the most earth-shaking bill in the world, but it's very important to one particular person, and obviously that senator feels it's right or they wouldn't introduce it. Under our present system we can react in November or December of an odd numbered year, introduce a bill in the even numbered session, if it's relatively noncontroversial we can get it passed and we can help our constituents. If you adopt either one of these amendments you take away that. And, sure, that person maybe could wait two more years before they get their problem solved, maybe they're broke by then, maybe they can't get a drivers license, but what are we here for? We're here to try and help those people out. I think if your concern is meeting too many days, passing too many laws, I think you're a lot better off going...defeating both these amendments, maybe adopting LR 233 as is and you're changing the total number of days down to 120. But at least you can come in every year and react to those constituent concerns. Granted, some of them can wait two years, but some of them

can't. And I think of all those bills we've addressed this year, all those consent calendar bills that all of us want to get passed, a lot of those are problems that people in Nebraska are a lot better off if we pass them this year. If you adopt an amendment like this, you won't have time to do it. I think we...Senator Coordsen and Senator Korshoj recognize the problem, have brought us a reasonable solution. I think we can operate on fewer days, operate more efficiently if we pass LR 233 as is, or if you adopt either one of these amendments I think you've dealt a blow to our ability to serve the people who we're elected to represent. I'll give the balance of my time to Senator Nelson, if she wants it.

SENATOR NELSON: Thank you, Senator Moore.

SPEAKER BARRETT: Two minutes.

SENATOR NELSON: As an example, carrying on a little bit further Senator Moore, the bill that we had today, look how many more people may or may not be hurt by the fair trade or the unfair trade practice act. I just use that as an example. I didn't know Senator Moore was going to give me the time. But I use that as an example. There are just many, many bills out here. The firemen came to me the other day, a bill that they really need, protective jackets and so on. I think that we still need to meet every year. Thank you, Senator Moore.

SPEAKER BARRETT: Senator Haberman, please, followed by Senator Coordsen.

SENATOR HABERMAN: Mr. President, members of the body, in response to Senator Moore's statements, we're able to react to individual problems, we give the agenda to the Governor, it would limit our ability to serve the citizens. Those were three of his four points. So I'll ask you this, Arkansas meets every other year for 60 days, not 90; Kentucky meets for 60 days, not 90, Montana has 90, Nevada has 60 days, North Dakota goes 80. How do those states react to all of the concerns that were raised by Senator Moore? Not only that, but their legislation is more involved than ours as they have the two house system. They have the two house system. So how do these states operate? How do they do this? Are they wiser than we are, more intelligent than we are? No, they're not. I support the 90-day session as then this allows the farmers to farm. Evidently that extra 10 days was a burden, so I support the 90 instead of the

100 days, that 10 days makes a difference, so I will support the 90 days. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Senator Coordsen, Senator Schmit on deck.

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body. I, too, rise to support the Wehrbein amendment, although I do not support annual...or the biennial sessions, rather. The annual sessions, as I think was so aptly described, the value of them by other speakers in this matter. But if the will of the body is to go to biennial sessions, that 90 days may fit those people who serve perhaps better than the 100. Personally, although those of us whose profession is agriculture, certainly have a differing set of circumstances as individuals differ. The 90-day session is not a great burden to me. And I would share with you that my agricultural operation is accomplished without the aid of family members and without the aid of hired employees. My wife and myself are able to make a living in agriculture in Nebraska in addition to serving the 90 days. But perhaps that is more of a unique feature of my personal farming operation than might be representative of agriculture in general. But, if a biennial session is needed, and if we are going to allow people who are involved in our economic base to be participants in it, then we need to have a system that will allow them to serve, and the 90 days rather than the 100 would certainly accomplish that in a much better, more encouraging fashion. Thank you.

SPEAKER BARRETT: Thank you. Senator Schmit, further discussion on the amendment to the amendment. Any further discussion on the Wehrbein amendment? Senator Wehrbein, would you care to close?

SENATOR WEHRBEIN: Yes, Mr. President, just briefly. I am serious because as we talked about many of this, I think we do need to make a commitment to this, once we've elected to run. And I am concerned that, if we extend this into a 100 day biennial session, it easily could run into most of the summer, because I feel there would be a definite tendency to go to a four day week, probably more recess days. And I just don't think seriously that mid summer is a good time to make legislation, in Nebraska there are a lot of other activities, the weather isn't conducive to be inside, it's conducive to being outside. So I seriously am thinking from a practical

standpoint, if we were to do this, a 90-day would be more realistic than the 100. I don't know whether 100 days was arbitrary or whether it wasn't. But practically speaking, if we were really to go to this, I feel 90 days would be more realistic.

SPEAKER BARRETT: Thank you. You've heard the closing. The question is the adoption of the amendment to the amendment. All in favor vote aye, opposed nay. On the amendment to the amendment, have you all voted? A simple majority will carry the day. Senator Haberman has requested a record vote. Have you all voted? Please record, Mr. Clerk.

CLERK: (Read record vote as found on pages 996-97 of the Legislative Journal.) 16 ayes, 18 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: Motion fails. Back to the Haberman amendment. Discussion? Senator Schmit, your light is still on. Thank you. Any discussion on the adoption of the Haberman amendment? Seeing none, Senator Haberman, any closing statement?

SENATOR HABERMAN: Well, Mr. President, members of the body, I think we discussed about every aspect of this issue that we can. However, one more time I would like to call to your attention that there are seven states that now operate with biennial sessions, I'll name them again, Arkansas, Kentucky, Montana, Nevada, North Dakota, Oregon and the State of Texas. If they can do it, we can do it. I would like to see and give the citizens the opportunity to tell us how often they want their Legislature, their representatives to come down to Lincoln and pass laws and bills that affect their life every day. I'd like to see them tell us how often they want this done. They're intelligent, they know what they would be voting on. I would like to see that happen. I'll live by their choice. So, with those remarks, Mr. President, I will close and ask for a call of the house and a roll call vote.

SPEAKER BARRETT: Thank you. The question is, shall the house go under call? All in favor vote aye, opposed nay. Record.

CLERK: 16 ayes, 0 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please return to your seats and record your presence. Those members

outside the Legislative Chamber, please return and record your presence. Unauthorized personnel, please leave the floor. Senator Schellpeper is announcing the following guests in our south balcony, we have 21 people from Clarkson High School in Clarkson, Nebraska with their leader. Would you people please stand and be recognized by your Legislature. Thank you, we're glad to have you visiting with us this morning. Senator Conway, please check in. Senator Hefner, Senator Rod Johnson, Senator Robak, Senator Moore. Senator Johnson, the house is under call. Senator Haberman, there is only one absence, Senator Johnson, may we proceed? Thank you. Members, return to your seats for a roll call vote. The question is the adoption of the Haberman amendment to LR 233. Mr. Clerk, proceed with the roll call.

CLERK: (Roll call vote taken. See pages 997-98 of the Legislative Journal.) 11 ayes, 29 nays, Mr. President.

SPEAKER BARRETT: Motion fails and the call is raised.

CLERK: Mr. President, the next motion I have on the bill is by Senator Lamb. Senator Lamb would move to indefinitely postpone LR 233. Senator Coordsen has the option to lay it over, Mr. President.

SENATOR COORDSEN: Take it up.

SPEAKER BARRETT: Senator Coordsen, your wishes are to...

SENATOR COORDSEN: Take it up.

SPEAKER BARRETT: ...to take up the kill motion. Thank you. The Chair recognizes Senator Lamb.

SENATOR LAMB: Mr. President, members, I think I detect a certain weakness for this proposal in this body at this point. And I bring this kill motion because I don't believe we should spend a lot more time on it. I think there will be a lot of continuing debate. We've already spent more time on this issue than we should have, in my opinion. One of the arguments in support of this resolution is that it would provide for more efficiency early in the session, that we wouldn't waste so much time.

SPEAKER BARRETT: Senator Lamb, excuse me. (Gavel.)

SENATOR LAMB: Thank you. We would not waste so much time early in the session. There is a certain amount of validity to that, although I submit that we waste time, not only early in the first session, but all through the session, early in the second session, and we spend too much time on issues, debating them, far beyond what they really require. So, if we're really serious about being more efficient, we can do it without this proposal. I would also like to call your attention to a sig...what I consider a significant problem to this proposal. We're going to come back, I believe, in December for five days, is that the correct time at this point? And there are usually some significant issues facing the State of Nebraska, significant issues at least in the eyes of the Governor, whoever that Governor may be. So here the Governor has the Legislature in session for a few days, it's going to be really a temptation for the Governor to say, you people are already here, I have this issue and this issue and I, as Governor, have control of the agenda, to a great extent, during a special session. So we'll just have this little special session to tack right onto the end of your five days and get what I want done, done now. And so, instead of a five day session, we are going to be here considerably longer than that, in my opinion, on some years, at least there is a great chance of that. I think the system is working fairly well now. It's true that there is some slack time. But I remember when I came into this body as a new person, some years ago, I needed that time, I needed the time up until the first of January to familiarize myself with the system, to get acquainted with the people, to have a better idea of who I wanted to vote for for the various committee chairmen. We're going to be rushing that for the new people. And then, if we do have a special session right on the end of this short session, then what's going to happen? You know, you've got new people thrown into issues with which they should not be thrown into without some preparation. So I don't think, I don't think this is going to be an improvement. You know, Senator Coordsen and Senator Korshoj have a lot of good ideas that I support. However, this doesn't happen to be one of them, and I would (laughter) suggest that we kill this resolution at this point.

SPEAKER BARRETT: Thank you. For purposes of discussion on the motion to indefinitely postpone the resolution, Senators Wesely, Coordsen and Peterson. Senator Wesely.

SENATOR WESELY: Thank you. Mr. Speaker, members, I rise in opposition to the kill motion and very much in support of this

resolution. You may disagree with the days included, and you may disagree with some of that particular change that the committee proposed. We can work on that. We can work with Senator Coordsen and Senator Korshoj on that matter. But the basic, fundamental concept, to try and allow us to meet early, is a sound one. Senator Lamb opposed it when we last passed this, in 1986. The people of the state almost adopted it, by...within less than a percentage vote difference. And I'm telling you right now that, if we hadn't had 662 and the seat belt amendments up there, which brought out the "aginers" in our state, the ones that don't want to see government interference whatsoever in any shape or form, hadn't been out in droves, we would have seen this amendment adopted, passed and implemented four years ago. Now there are folks out there that have that attitude, and we've heard it expressed on the floor here today, that just believe the less government the better government. But there are others that believe that government ought to be efficient, it ought to be effective, it ought to do the job that we're assigned to do in the very best manner possible. And for those of us that believe government has a role to play in our society, and should play that role as efficiently and effectively as possible, this is the way to go. This proposal is not new, it's been passed by this Legislature in the past. I think the people will, in fact, support it, if placed on the ballot. And I think the reason they'll support it is they'll recognize, as many of us who have worked through this system before have, that meeting early, electing our leadership, selecting our committee assignments, introducing a few bills, we'll have everything on track so that the people, the general public, Nebraskans around us, not just within this Chamber, not within the lobbying corps, not within the press corps, not within the world we live in down in the Legislature, but that bigger world around the State of Nebraska will have a chance to know what the Legislature is about early on in the start of a long session, what used to be a long session, so that they will know whose on first, and who is doing what with what legislation. See, right now we do that in the start of January, we meet for ten days and introduce bills, we don't have bills printed, we have hearings. So how are the people going to know the bills and know whether they support or oppose legislation, not having seen it even in print. Secondly, you have committee assignments and chairmanships up in the air until that point. And so for two months it's uncertain about who's going to be leading the committees and who's on what committees, and you can't move forward on any agenda. It's a limbo, the two month

period we're in limbo or purgatory, depending on how you want to describe the situation. But, in any event, we can't move forward. By taking less time, by moving forward, electing our chairmen, introducing a few bills, cleaning up that organizational chaos that we have at the start of those sessions, we will move much more efficiently, much more effectively into this session. I strongly believe in this amendment. I believe Senator Coordsen is right, Senator Korshoj is right, and all of us that in the past have supported this, and that I hope you reject the kill motion, that we work on the details of this. But to move forward with it, because in moving forward with it we help the public. The public interest is served by this. And I hope, if you're concerned with the public interest, you, too, will see the benefits of this legislation.

SPEAKER BARRETT: Before proceeding to Senator Coordsen, Senator Johnson has 60 eighth graders from Central City Middle School in our north balcony with their teachers. Would you folks please stand and be recognized. Thank you, we're glad to have you with us. Chairman Coordsen, please.

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body. A friendly kill motion, (laugh) it sounds like...reminds me of some 20 years ago I had a dog that got to killing chickens. And it fell to my responsibility to help enable that particular dog to go wherever dogs go in the hereafter. And I may have been friendly, but it certainly was a permanent type of friendliness for that dog. (Laughter.) So, thank you, thank you, Senator Lamb. And by the way, Senator Lamb, I certainly would never conjecture that any senator priority bill was less than an important measure. Eleven states, including some of the states that were mentioned here with a shorter number of days than we have, have organizational sessions, and they get their work done. Fifteen years ago the people in the Legislature, at that time, discovered they were out of control, and they asked the populace of the State of Nebraska to please put a limit on us, put a limit on us, give us 90 days one year, 60 days another, in a session. Don't let us go on until August or whatever. No, I don't know what the intent of the body was, but as a young middle aged person, whatever that term means, that was the impression that I got, and I agreed with the Legislature that, by golly, we'll help you out. What are we afraid of today? You know there is a million, five hundred and some odd thousand people, perhaps some of them more odd than others, but nonetheless good folks, most of which are registered, that pass

judgment on each of us. What are we afraid of? Are we afraid to ask the electorate of the State of Nebraska, do you think we should meet so many days? As I recall ballot questions have a yes and a no. If it's not the will of the people of Nebraska to adjust the days that we officially transact business, and by the way I think we're all aware of the opportunity, should need arise, to extend the session with a four-fifths vote of the members of the body, we shouldn't be afraid of the people. The people, my goodness, were smart enough to elect us. Should we be afraid of what they might do on this issue? I would encourage the defeat of the kill motion and the advancement of the bill (sic). Thank you.

SPEAKER BARRETT: Thank you. Senator Peterson, followed by Senator Moore.

SENATOR PETERSON: Mr. Speaker and members, how do you follow an act like that, an eloquent speaker like Senator Coordsen? I have to agree with a lot of his comments. As some of you that have been here as long as I have and longer know that I've had several constitutional amendments to go to 60 days, and they was always killed in committee. My feeling has always been, and I stand to oppose the kill motion, the 90 days, I've always felt, were way too long. We have too much absenteeism, although I don't know, it's been several weeks since we've had 49 on the floor and we're just in February yet. But I think that, if we don't do something one of these years, John Q. Public is going to, because just this morning I had a constituent that I went to my office and had a long conversation with on a problem. And he said, when are you guys going to get out of there and go home? You keep passing some of these mandating programs and everything, and you just make things worse. And I said, well I have to agree with you on a lot of that. And I think, if we don't do something, that the day is going to come, because I keep hearing it more and more from people that somebody, a leader out there, is going to pick up this and design a 60, 70-day session and get it on the ballot. I'll bet any amount of money, and that's probably that anybody want to bet, that if it's something like a 60...60-day session gets on the ballot that it will pass, because John Q. Public out there will jump at something like this and say, and they're saying it constantly, and I say it, too, we're passing too many bills and we could do our more important bills in a shorter session and get out of here. It's amusing that a big state like Texas, that has a biennial...meets biennially and functions very well. I've been

to the State of Texas and the Capitol when they've been in session every other year, and talked to some of those people. And it does work. I just want to stress that I oppose the kill motion. Hopefully, we can work this out so we can have some kind of a constitutional amendment where we do come in maybe in December for five days, organize, go home, but cut down on the 90-day session some way. Thank you.

SPEAKER BARRETT: Thank you. Senator Moore, please.

SENATOR MOORE: Question.

SPEAKER BARRETT: Thank you, that won't be necessary; we have no other lights on. Senator Lamb, would you care to close on your motion to indefinitely postpone.

SENATOR LAMB: Yes, Mr. President and members. Senator Coordsen, I don't believe I said this was a friendly kill motion. This was, admittedly, an unfriendly kill motion, and I mean it for real. And the part I object to is the early start in December. I don't have a lot of objection to the 60-60 instead of the 90-60 proposal that you have in this bill. But I really think that the early start in December is not the way we should go. Of course, you have mentioned that many other states do have an organizational session, and that's true. However, I would point out that, what is it, 49 of the 50 states also have two house Legislatures. So, just because other states do things in a certain manner does not necessarily mean that we should follow, and that we may have a better system right now than those other states have. So, as I mentioned before, I think there is a real possibility that the five day session will not be a five day session, that the Governor may be able to take advantage of that, as long as we're in session, and call a special session and promote his or her own agenda, which I'm not sure we want that to happen at that time of year at least. So I would ask that the resolution be killed.

SPEAKER BARRETT: Thank you. You have heard the closing. The question is, shall LR 233CA be indefinitely postponed? Those in favor of that motion vote aye, opposed nay. Voting on the motion to indefinitely postpone the resolution. A simple majority will prevail. Senator Coordsen, please.

SENATOR COORDSEN: (Mike not activated immediately.) ...if we had a call of the house and a roll call vote.

February 27, 1990

LB 445, 662, 854, 923, 945, 976, 1023
1042, 1057, 1062, 1146, 1147, 1151, 1212
LR 233

SPEAKER BARRETT: Thank you. Shall the house go under call? All in favor vote aye, opposed nay. Record.

CLERK: 18 ayes, 1 nay to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, record your presence, please. Those outside the Chamber, please return. Senator Lynch, please. Senator Nelson, please. Senator Haberman. All members return to your seats for a roll call vote. The question again is the indefinite postponement of the resolution. Mr. Clerk, please call the roll.

CLERK: (Roll call vote taken. See pages 998-99 of the Legislative Journal.) 17 ayes, 19 nays, Mr. President.

SPEAKER BARRETT: The motion fails. The call is raised. Anything for the record, Mr. Clerk?

CLERK: Mr. President, I do. Your Committee on Urban Affairs reports LB 945 indefinitely postponed, and LB 1057 indefinitely postponed, those signed by Senator Hartnett. Judiciary Committee reports LB 445 to General File; LB 854 to General File; LB 976 to General File; LB 1023, General File; LB 1042, General File; LB 1147, General File; LB 1212, General File; LB 1062, indefinitely postponed; LB 1151, indefinitely postponed, those all signed by Senator Chizek as Chair of the Committee. (See pages 999-1003 of the Legislative Journal.)

Mr. President, I have a series of amendments to be printed. Senators Lynch and Wesely have amendments to LB 923, Senator Conway to LB 1146, and Senator Scofield to LB 662. (See pages 1003-07 of the Legislative Journal.)

Mr. President, Senator Hall would like to announce that the Revenue Committee will meet at one o'clock this afternoon for their hearings as opposed to one-thirty. Revenue Committee, one o'clock, as opposed to one-thirty. That's all that I have, Mr. President.

SPEAKER BARRETT: We are back to the motion to advance the bill or the resolution. I have only one light. Senator Landis, would you care to....

SENATOR LANDIS: If we wish to run over it, I will be happy to

speak, Mr. Chairman. I don't want to vote on this measure without at least saying why I voted for the kill motion, why I opposed the measure, and for us not to get in too friendly a mood right here at the end of the day, and to pass this measure on without thinking about it. The measure is satisfactory to me in that it has an organizational section, that I appreciate. The section I don't like is it cuts down the number of days, and that's not because each of those days isn't a burden to me like it is a burden to you. But what happened? I mean we don't have enough work to do? We can go home early. There's not enough demand for our time and attention? We're stretched to the breaking point as it is with people asking us to make changes, with people asking us to accommodate new phenomenon. And life, unfortunately, is not getting simpler, it's getting more complex. Issues are not getting simpler, they're getting more complex. All we do by cutting down on our amount of time to deliberate is to simply push all that amount of material through a smaller and smaller hole of the time and attention of this body. We do only a passable job now of attending to and deliberating on these issues. And the one resource that we have collectively to execute is our time. To reduce the amount of time we have is simply to reduce the amount of deliberation that we'll do. And we will do an inferior job, not a superior job, if we rob ourselves of that resource. I intend to vote against the advancement of this resolution.

SPEAKER BARRETT: Thank you. There are no other lights on. Senator Coordsen, would you care to close?

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body. I don't think that a lengthy closing is necessary. We've spent several hours debating this issue. The opinions are made up. I would simply, again, move for the advancement of the bill. I think given the lateness of the hour, a call of the house and a roll call vote.

SPEAKER BARRETT: Thank you. Shall the house go under call? Those in favor vote aye, opposed nay. Record.

CLERK: 20 ayes, 1 nay to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please check in. All members return to the Chamber and record your presence. The house is under call. Senators Conway, Beck, Chambers. Senator Labeledz. Senator Hannibal. Senators Beck,

February 27, 1990 LB 852
 LR 233

Chambers and Hannibal, the house is under call. Senator Beck, the house is under call. Senator Coordsen, may we proceed? Thank you. Members, please take your seats for a roll call vote. The question is the advancement of 233CA. Mr. Clerk, would you call the roll.

CLERK: (Roll call vote taken. See pages 1007-08 of the Legislative Journal.) 16 ayes, 23 nays, Mr. President.

SPEAKER BARRETT: Motion fails. The call is raised. Senator Lynch, would you recess us, please.

SENATOR LYNCH: Mr. President, members, I move we recess until one-thirty this afternoon.

SPEAKER BARRETT: You've heard the motion to recess until one-thirty. All in favor say aye. Opposed no. Ayes have it, motion carried, we are recessed.

RECESS

SPEAKER BARRETT PRESIDING

CLERK: There is a quorum present, Mr. President.

SPEAKER BARRETT: Any matters for the record?

CLERK: Not at this time, Mr. President.

SPEAKER BARRETT: We'll proceed then to Final Reading, if members will take their seats, please. An announcement before we start Final Reading. There are two bills that will be removed from the Final Reading agenda. 1043 and 1063 are coming off the agenda today. Mr. Clerk, would you start with LB 852, please.

CLERK: (Read LB 852 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 852 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.