

January 8, 1990

LB 409, 958-1013, 1031, 1032
LR 235

SPEAKER BARRETT: Let's stand at ease until eleven-fifteen, Mr. President.

PRESIDENT: Okay, thank you.

EASE

CLERK: Three quick announcements. Reference will meet underneath the south balcony now. Referencing Committee, underneath the south balcony right now.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: (Microphone not activated immediately.) ...return to the Legislative Chamber. The Legislature will reconvene and continue our discussion on the adoption of our permanent rules. Please return to the Legislative Chamber. Mr. Clerk, would you read in new bills, please.

CLERK: (Read LB 1031 and LB 1032 by title for the first time. See pages 198-99 of the Legislative Journal.)

Mr. President, in addition to those items, I have a new resolution. (Read brief summary of LR 235. See page 199 of the Journal.) That will be laid over.

I have amendments from Speaker Barrett to be printed to LE 409. Mr. President, I also have a Reference Report referring LBs 958-1013, as well as certain gubernatorial appointments received. That's all that I have, Mr. President. (See pages 199-201 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, Mr. Clerk. Have you a motion, Mr. Clerk, to reconsider action taken last week?

CLERK: Mr. President, Senator Chambers would move to reconsider the vote on the Wesely amendment to the rules, which I believe the Legislature discussed on Thursday afternoon.

SPEAKER BARRETT: Thank you. The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this motion is designed to reconsider the vote that was taken on

January 12, 1990

LB 419
LR 235

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber for this last day in the second week of the Second Session of the 91st Legislature. In recognition of Martin Luther King Day, we have, as our Chaplain of the day, Mr. Eugene Crump, an active church leader at the Newman United Methodist Church here in Lincoln. Mr. Crump.

MR. CRUMP: (Prayer offered.)

SPEAKER BARRETT: Thank you, Gene. We appreciate your being with us this morning, hope you can come back again. Roll call.

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

SPEAKER BARRETT: Thank you. Any messages, reports or announcements?

CLERK: Mr. President, I have a series of appointment letters from the Governor that will be referred to Reference Committee for referral to the appropriate Standing Committee. Attorney General's Opinion regarding LB 419, addressed to Senator Bernard-Stevens. And I have an NRD report from the Lower Platte North, Mr. President, regarding payment of attorney fees. That's filed pursuant to statute. That's all that I have, Mr. President. (See pages 296-99 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. A reminder that the Clerk is still accepting new bills. Moving to Item 5, legislative resolutions, LR 235, Mr. Clerk.

CLERK: Mr. President, 235, offered by Senator Warner, found on page 199 of the Journal, asks the Legislature to congratulate members and director of the Malcolm High School Marching Band for their participation in the Orange Bowl Parade.

SPEAKER BARRETT: (Gavel.) Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, as indicated by the Clerk, this resolution is commending the Malcolm High School Band which participated in the Orange Bowl Parades. As is customary of so many communities that have these kinds of opportunities, it was accomplished by a variety of fund raising projects and other united community effort in order for

that to happen. They took pride in the fact that they were the smallest school that was involved in that participation. They certainly did represent our state in a very admirable and commendable fashion and provided some coverage, through national TV, when those parades were followed. And this is simply then a resolution acknowledging the conduct and the activities of these young people. So I would move its adoption.

SPEAKER BARRETT: Thank you. Discussion? Seeing none, those in favor of the adoption of the resolution, offered by Senator Warner, please vote aye, opposed nay. Record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of LR 235.

SPEAKER BARRETT: LR 235 is adopted. LR 238, Mr. Clerk.

CLERK: Mr. President, 238, by Senator Chambers, is found on page 269 of the Journal, discusses the styrofoam cup issue.

SPEAKER BARRETT: (Gavel.)

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I have, from time to time, expressed my irritation at various resolutions that are brought before us. I haven't been able to impact at all on the introduction of such resolutions, so as I indicated the other day, since I can't beat them I'll join them. But this is a serious resolution which is in logical sequence to the one adopted the other day relative to a styrofoam cup ban. The resolution says the following: Whereas, on January 10, 1990, the Legislature, by a vote of less than a majority of the elected members, adopted LR 231; and, Whereas, LR 231 directs that the Legislature ban the use of styrofoam containers by Senators and staff of the Legislature; and, Whereas, blatant violation of this directive is possible, nay likely, ... Mr. Chairman, and Whereas, violations should not be ignored, Now, therefore, be it resolved by the members of the Ninety-First Legislature of Nebraska, Second Session: That the Executive Board of Legislature establish a corps of 100 confidential informants to ferret out and inform against suspected violators of the styrofoam ban. These are such important provisions that I think I ought to discuss each one. We don't have enough state troopers to look into the enforcement of this very important directive contained in LR 231, so since the Legislature undertook to do this by less than a majority which means that 22 are trying to tell 27 what to do and what

January 16, 1990

LB 1012, 1136-1139
LR 235

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. We have with us this morning, as our chaplain of the day, Pastor Gordon Patterson, of the Calvary United Methodist Church in Lincoln, Nebraska. Would you please rise for the invocation. Pastor Patterson.

REVEREND PATTERSON: (Prayer offered.)

PRESIDENT: Thank you, Reverend Patterson. We appreciate your giving us the invocation this morning. Please come back. Roll call, please.

CLERK: I have a quorum present, Mr. President.

PRESIDENT: Thank you. Do you have any messages, reports or announcements today?

CLERK: Mr. President, just one item. I have three reports from a variety of Natural Resource Districts regarding payment of attorney fees. Those reports are required by statute, will be on file for member review in my office. That's all that I have, Mr. President.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 235. Move on to introduction of new bills.

CLERK: Mr. President, new bills. (Read LBs 1136-1139 by title for the first time. See page 329 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Move on to the motion by Senator Wesely, please.

CLERK: Mr. President, Senator Wesely would move to withdraw LB 1012. That motion was filed on January 12. It's found on page 309 of the Legislative Journal.

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Thank you. Mr. President and members, I rise to ask the eternal question of what are we here for? I ask that question in light of this particular motion because it's clear that what we are here for in the Nebraska Legislature is to