

January 24, 1990

LB 551, 769, 974, 975, 1192  
LR 247

house and a roll call vote, please.

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

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

PRESIDENT: The house is under call. Please record your presence. Those not in the Chamber, please return to the Chamber and record your presence. Senator Haberman, would you record your presence, please. Thank you. Senator Ashford, would you record your presence, please. Thank you. Senator Nelson, would you record your presence, please. Thank you. We're looking for Senator Chizek, Senator Wesely and Senator Withem, and Senator Lamb. We're looking for Senator Withem and Senator Chizek. We're all here that are not excused. And the question, shall the Chair be overruled? Roll call vote has been requested. Please hold your conversation down so the Clerk may hear your answer.

CLERK: (Roll call vote taken. See pages 485-86 of the Legislative Journal.) 15 ayes, 25 nays, Mr. President, on the motion to overrule the Chair.

PRESIDENT: The motion fails. The call is raised. We have a priority motion, Mr. Clerk?

CLERK: May I read some items for the record, Mr. President?

PRESIDENT: Yes, please.

CLERK: Mr. President, I have a motion to withdraw LB 1192. It's offered by Senator Schmit as primary introducer. Judiciary Committee offers notice of hearing for January 31, February 1, February 2, those signed by Senator Chizek as Chair. Revenue Committee, chaired by Senator Hall offers notice of hearing. Business and Labor Committee reports LB 974 to General File, and LB 975 to General File with committee amendments attached. (See pages 487-88 of the Legislative Journal.)

Mr. President, Senator Byars has amendments to LB 551 to be printed. A new resolution, Mr. President, offered by Senator Haberman, (LR 247), asking the Legislature to express its condolences to the family of former Senator Clarence Jacobson.

certain inalienable rights not including me, the Constitution not including me for purposes other than to declare me to be a slave and worthy of nothing better, if that were not the case, then I would feel the same glow of patriotism and that the people on this floor feel when the flag is trotted out, when the Constitution is invoked, when the Supreme Court is lionized. But the fact is that different circumstances which must be faced cause in people different reactions.

PRESIDENT: Thank you. Senator Kristensen, would you like to close?

SENATOR KRISTENSEN: Thank you, Mr. President. I think that the Constitution, obviously, doesn't solve our problems but it allows us the freedom and opportunity to try to attempt to solve those problems, and with that, I would urge the passage of this resolution, and, again, remind the body and invite the body to the ceremony that will take place this afternoon at four-thirty in the Nebraska Supreme Court Chambers. Thank you.

PRESIDENT: Thank you. The question is the adoption of the resolution. All in favor vote aye, opposed nay. Record, Mr. Clerk, please. A record vote has been requested.

CLERK: (Record vote read. See pages 495-96 of the Legislative Journal.) 26 ayes, 1 nay, Mr. President, on adoption of LR 246.

PRESIDENT: The resolution is adopted. Move on to LR 247.

CLERK: Mr. President, 247 was introduced by Senators Smith and Haberman. It is found on page 488 and it asks the Legislature to express its condolences to the family of former Senator Clarence Jacobson.

PRESIDENT: Senator Smith, please.

SENATOR SMITH: Thank you, Mr. President. Members of the body, former Senator Clarence Jacobson was my predecessor representing District 33 from November of '82 through January of 1985. Senator Jacobson was involved in the community and the state until the time of his death in January, on the 17th of 1990. He loved and remained a part of government until that date and was actively involved until that time. In fact, he was raised in a family that was always involved in politics. His father served in the Legislature from 1917 to 1919 as a member from Lexington,

Nebraska, and Senator Jacobson was proud to follow in his father's footsteps. When he was appointed to office in 1982 by Governor Thone to complete the term of Senator Dick Marvel, he was a conscientious legislator who possessed a sincere desire to do his best in the office. Senator Jacobson was also a devoted family man and was delighted at becoming a grandfather for the first time last year. I know he will be missed by all who knew him, and I appreciate this opportunity through Legislative Resolution 247 to express sympathy to his family at their loss. I would ask you to join me in that expression. Thank you.

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

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of LR 247.

PRESIDENT: The resolution is adopted. May I introduce some guests, please, in the south balcony who are guests of Senator Carol Pirsch from the Omaha Public Schools. We have Tabitha Holston, Stacey Eckley, Nicole Grosse, and Sarah Fredstrom, and their sponsor is Linda Dutton. Would you folks please stand and be recognized by the Legislature. Thank you for visiting us today. Move on to number six, the motion, please.

CLERK: Mr. President, Senator Schmit would move to withdraw LB 1192. Senator Schmit offered his motion yesterday, Mr. President, and it laid over pursuant to our rules.

PRESIDENT: Senator Schmit, please.

SENATOR SCHMIT: Mr. President, and members, I introduced LB 1192 at the request of a constituent. The opponents and supporters of the bill are talking the bill, obviously, is not going to go anywhere this session, which is probably true of some of the rest of my bills, and probably ought to look at the rest of them, too, but, anyway, I move that the bill be withdrawn.

PRESIDENT: Is there any objection? All those in favor of the withdrawal vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to withdraw the bill.

January 25, 1990

LB 143, 769, 890, 908, 924, 962, 994A  
1041, 1043, 1044, 1076, 1098, 1118, 1140  
LR 247

know where I am in, in that scenario. I guess I am pleading, at some point, at the crowd watching both sides with all good intentions and sincerity, fighting to the end, and I'm asking you, the crowd, when will you finally have mercy at some point and say to the people of Nebraska, we have other things we have to do? Because I know, and so do you, that if you say, isn't this interesting, let's bring them back again, that the gladiators, as the paper this morning, I think, showed to pride, some ego and a lot of personal feelings will come back and perform for you again. And this time it's time for the body to take charge and it's time for you to lead and it's time for us to move. I move we adjourn.

PRESIDENT: Mr. Clerk, do you have something for the record?

CLERK: Mr. President, your Committee on Judiciary gives notice of hearing for February 1. That's signed by Senator Chizek as committee Chair.

New A bill, LB 994A, by Senator Schellpeper. (Read by title for the first time as found on page 508 of the Legislative Journal.)

Senator Baack has amendments to LB 143 to be printed. (See pages 508-12 of the Legislative Journal.)

Mr. President, Senator Hartnett would like to add his name to LB 1140.

Mr. President, Senator Haberman would ask unanimous consent to add the names of all members to LR 247. Mr. President, it was the resolution for Senator Jacobson that was considered this morning.

PRESIDENT: No objection, so ordered.

CLERK: Mr. President, the Appropriations Committee gives notice of hearings.

Government Committee reports LB 890, LB 924, LB 962, LB 1118, to General File.

Urban Affairs reports LB 908, LB 1043, LB 1044, LB 1076 to General File, and LB 1098 to General File.

And Natural Resources reports LB 1041 to General File with

January 26, 1990

LB 87, 843, 845  
LR 247

PRESIDENT NICHOL PRESIDING

PRESIDENT: We have with us this morning Pastor Doug Olsen as our chaplain of the day. He is with the Sheridan Lutheran Church in Lincoln. Would you please rise for the invocation.

PASTOR OLSEN: (Prayer offered.)

PRESIDENT: Thank you, Pastor Olsen, we appreciate your being here this morning. Please come back. Roll call, please.

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

PRESIDENT: Thank you. Any corrections this morning?

CLERK: No corrections, Mr. President.

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

CLERK: Mr. President, your Committee on Education, whose Chair is Senator Withem, to whom was referred LB 843, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with committee amendments attached; LB 845, General File with committee amendments attached, both signed by Senator Withem as Chair. (See pages 515-16 of the Legislative Journal.)

I have two appointment letters from the Governor. Those will be referred to Reference Committee for referral to Standing Committee for confirmation hearings. Received a report from the Department...Nebraska Energy Office and the Nebraska Investment Council, both will be on file in my office, Mr. President. That's all that I have, Mr. President.

PRESIDENT: Ladies and gentlemen, may I direct your attention to the north balcony. Our doctor of the day is Dr. Donald Larson of Lincoln. Would you please welcome him to our midst and thank him for his services today. Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 247. Would you please return to your seats, ladies and gentlemen, we're about to begin Final Reading. (Gavel.) Would you please return to your seats so we can begin Final Reading. Please return to your seats so we can begin. Mr. Clerk, LB 87.