

January 26, 1990

LB 87, 240, 257, 397, 486, 534, 567A
567, 601, 730, 756, 818-820, 960A
LR 248

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 567.

PRESIDENT: LB 567 is advanced. Do you have anything for the record, Mr. Clerk?

CLERK: Mr. President, I do. New A bill, LB 960A offered by Senator Withem. (Read by title for the first time. See page 536 of the Legislative Journal.)

Bills have been presented to the Governor that were read on Final Reading this morning, Mr. President, as of 10:50 a.m. (Re: LB 87, LB 257, LB 397, LB 486, LB 756, LB 534, LB 601, LB 730, LB 818, LB 819, and LB 820. See page 536 of the Legislative Journal.)

New resolution, LR 248, offered by Senators Rogers and Lamb. (Read brief description of resolution. See pages 636-37 of the Legislative Journal.) That will be laid over, Mr. President.

Senator Baack has amendments to be printed to LB 240 in the Journal. (See pages 537-41 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Thank you. We'll go on to LB 567A.

CLERK: Mr. President, 567A, (title read.) Senator, I have two amendments filed. I assume the latter in time is the one you prefer?

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Yeah, this reduces the appropriation bill by \$6,000, I believe, reflecting the amendment we made, taking the commission out and it also changes the years, would urge the support of the amendment.

PRESIDENT: Any further discussion on the Withem amendment? If not, the question is the adoption of the Withem amendment. All those in favor vote aye, opposed nay. We're voting on the adoption of the Withem amendment. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the amendment.

SENATOR LAMB: Yes, Mr. President, and members. The Committee on Natural Resources does wish to report favorably upon these two appointments. It is John A. Mason, to the Oil and Gas Commission, and Raymond Hajek of the Nebraska Power Review Board. The hearing was held last week. Both of these gentlemen appeared before the committee and the committee recommends that the full Legislature approve these appointments.

PRESIDENT: Any further discussion? If not, the question is the adoption of the confirmation report. All those in favor vote aye, opposed nay. We need a little help on the voting here, please. We are voting on the confirmation report. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the approval of the confirmation report.

PRESIDENT: The confirmation report is approved. We will move onto number six, a legislative resolution, LR 248.

CLERK: LR 248, Mr. President, offered by Senator Rogers and Senator Lamb, found on page 536. It asks the Legislature to recognize and applaud Marge Hardy for her selfless dedication to establishing and maintaining emergency medical services in the Seneca, Mullen, and Thedford areas.

PRESIDENT: Senator Rogers, please.

SENATOR ROGERS: Mr. President, and members, I don't know how many of you receive the Nebraska Farmer, but here a couple of weeks ago I opened it up and here was a two-page spread, and I thought, say, I know that lady, and I think maybe we should give her some recognition. As you are well aware, rural Nebraska, it is a long ways between hospitals, medical problems that affect a lot of them. The EMS teams are often the only medical help available in some of these areas trying to get a patient to a hospital. Marge, of Seneca, has been instrumental in establishing and maintaining these EMS teams in Seneca, Mullen, and Thedford and a large area of the Nebraska Sandhills. She is also a national recognized registered as an EM technician. In fact, she is the only teacher in the Sandhill area. I would guess maybe that Senator Lamb can tell you where Seneca is, so I will let him do that because, after all, it is in his district, and I just ask you for your adoption of this resolution.

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LB 143, 663, 678
LR 248

PRESIDENT: Thank you. Senator Lamb, please.

SENATOR LAMB: Yes, Mr. President, and members, I am pleased to endorse this resolution for Marge Hardy. She lives about a mile and a half east of Seneca. Seneca is between Thedford and Mullen, up in the sandhills, and, as Senator Rogers said, it is a long way from a hospital. Since the hospital in Mullen has closed, those people are in dire straits as far as medical care is concerned, and EMT are their only source of medical assistance in emergencies. It is 70 miles to the nearest hospital and Marge should certainly be commended for her part in trying her best to keep medical services in that area.

PRESIDENT: Thank you. The question is the adoption of resolution, LR 248. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of LR 248.

PRESIDENT: LR 248 is adopted. We are going to skip LB 663 and LB 143, pending the arrival of Senator Baack and go to LB 678.

CLERK: Mr. President, 678, the first item I have are Enrollment and Review amendments.

PRESIDENT: Senator Wesely, do you want to handle these E & R?

CLERK: E & R amendments, Senator.

PRESIDENT: Please.

SENATOR WESELY: I move the E & R amendments, please.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: Mr. President, Senator Smith would move to amend. Senator, I have your AM2188.

PRESIDENT: Senator Smith, please.

CLERK: It is on page 480 of the Journal. This is the one you gave me the other day, Senator, not this morning.

SENATOR SMITH: Yes, thank you. Mr. President, and members of

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LB 269, 520, 520A, 567, 567A, 888, 917
946, 954, 1046, 1050, 1085
LR 248

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Good morning, ladies and gentlemen. Welcome to this, the 18th day in the Second Session of the Ninety-first Legislature. The Chaplain of the day, Pastor Chris Anderson, from Glad Tidings Assembly of God, here in Lincoln. Pastor Anderson.

PASTOR ANDERSON: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Anderson. Roll call.

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

SPEAKER BARRETT: Thank you. With a quorum present, are there corrections to the Journal?

CLERK: I have no corrections, Mr. President.

SPEAKER BARRETT: Any messages, announcements, or reports?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 520 and recommend that same be placed on Select File, LB 520A Select File, LB 567, and LB 567A all on Select File, some having E & R amendments attached. (See pages 560-62 of the Legislative Journal.)

Health and Human Services Committee, whose Chair is Senator Wesely, reports LB 888 to General File, LB 917 to General File, LB 946 General File, LB 954 General File, LB 269 General File with amendments, LB 1046 General File with amendments, LB 1085 General File with amendments, those all signed by Senator Wesely as Chair. Mr. President, Education Committee reports LB 1050 to General File. That is offered by Senator Withem as Chair of the Education Committee. (See pages 562-63 of the Legislative Journal.)

I have appointment letters from the Governor that will be referred to Reference Committee for referral to Standing Committee for public hearing. An Attorney General's Opinion addressed to Senator Hartnett. (See pages 563-65 of the Legislative Journal.)

And, finally, Mr. President, LR 248 is ready for your signature,

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LB 956, 985
LR 248

and that is all I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 248. Proceeding to item five on the agenda, Mr. Clerk, General File, LB 956.

CLERK: Mr. President, LB 956 was a bill introduced by Senator Landis. (Read title.) The bill was introduced on January 4 of this year, Mr. President. At that time, it was referred to the Banking, Commerce, and insurance Committee for public hearing. The bill was advanced to General File. I do have committee amendments pending by the Banking, Commerce, and Insurance Committee, Mr. President.

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

SENATOR LANDIS: Thank you, Mr. Speaker, and members of the Legislature. I am grateful for the Speaker scheduling a bill that is a committee priority but with some timeliness since the S & L bailout federal provisions are running apace, and Nebraska law really ought to be brought into conformance with it so that we may take advantage of and participate in the S & L bailout to the extent that Nebraska institutions require it. The amendments that you see before you are, in fact, the portions of another bill that the Banking Committee put into 956, and the committee amendments that you see are suggestions brought to us by the Banking Department, itself, in their own bill, which was LB 985, if you want to look in your green copy of your books. What LB 985 generally does is to harmonize provisions between state and national banks, among other things. For example, the Section 2 of the amendments or of 985 provides an additional exception to the lending limits of state banks that are the same as the federal institutions, and there is also a proposal which requires free-standing trust companies to obtain a fidelity bond. This is another...in order, rather, to protect against potential loss. At one point, a very zealous Banking Department lawyer found that there should be a comma between the word "capital" and the word "investment" in their statutes because there is no such thing as capital investment in this section. It also amends the Securities Act to provide for notice, hearings and, orders, and then now that will be consistent throughout the Securities Act and will provide no diminution of