

February 13, 1990 LB 42, 159, 163, 520, 913, 1107, 1172
1184, 1201
LR 240, 254, 255

little slower than what the original bill proposed.

PRESIDENT: Thank you. Mr. Clerk, do you have something you'd like to read in at this time?

CLERK: I do, Mr. President. Very quickly, two new resolutions. (Read brief descriptions of LR 254 and LR 255. See pages 770-71 of the Legislative Journal.)

Mr. President, Government Committee reports LB 1107 to General File with amendments, LB 1172 General File with amendments, those signed by Senator Baack. Education reports LB 913 indefinitely postponed, LB 1201 indefinitely postponed, LR 240CA indefinitely postponed, those signed by Senator Withem. And Government reports LB 1184 to General File with amendments. Amendments to be printed to LB 520 by Senator Schellpeper, Senator Kristensen to LB 159 and Senator Beck to LB 163. That's all that I have, Mr. President. (See pages 773-77 of the Legislative Journal.)

PRESIDENT: Thank you. Senator Haberman, you are next followed by Senator Schmit.

SENATOR HABERMAN: Mr. President, members of the body, in my 12 years in the Legislature I have had very, very, very few occasions to agree and be on the same side as Senator Chambers, so this is a new for me. I do agree with Senator Chambers' amendment, cutting the 7 percent to 5 percent as this would still end up a 53 percent increase in 11 years. Although I do not subscribe to some of the other thoughts that Senator Chambers had about judges, I would like to put in the record that I do subscribe to his amendment in cutting the 7 percent to 5 percent as a 53 percent increase in 11 years is a considerable amount of increase and I do support that part of his amendment. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Schmit, please, followed by Senator Chambers.

SENATOR SCHMIT: Mr. President and members, you know I always wish some time that I could be on an issue that is riding the wave of popularity. It seems to me like I'm either ahead or behind of the power curve all the time. One of my concerns many years ago, and Senator Chambers addressed that concern with me, was the drug problem. You go back and check the record, it was

for supporting this resolution and honoring his memory, and I'd just remind the body, for those who would like to attend, his funeral is today. It is at the Pleasant View Bible Church in Aurora. It starts at two o'clock. I do believe there is a van that is taking some out, and I think there is still some room for those who would like to attend. Thank you.

PRESIDENT: Thank you. Senator Rod Johnson was closing. The question is the adoption of the resolution. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: 40 ayes, 0 nays, Mr. President, on adoption of LR 254.

PRESIDENT: The resolution is adopted. LR 255.

CLERK: LR 255, Mr. President, was offered by Senator Wehrbein. It is on page 770. (Read brief explanation.)

PRESIDENT: Senator Wehrbein, please.

SENATOR WEHRBEIN: Yes, Mr. President, and members, hopefully the Legislature would see...

PRESIDENT: Senator Wehrbein, excuse me. (Gavel.) Please let's hold it down so that we can hear the speaker. Thank you.

SENATOR WEHRBEIN: Thank you. Hopefully the Legislature would see fit to support this. There is a study going on to determine if AMTRAK service between Kansas City and Omaha would be feasible. Obviously, it goes up through Nebraska City. I mentioned the importance of the coming center that is going to be located in Nebraska City. I am meeting with Congressman Bereuter and others this afternoon in Nebraska City on this issue. I thought it would be appropriate for you not only to be aware of this study going on to possibly provide AMTRAK service once again between Kansas City and Omaha, but also that we'd be showing some support for this if this would, in fact, come to pass. So I would like to encourage you to support this resolution for that purpose.

PRESIDENT: Thank you. Mr. Clerk, do you have something?

CLERK: Very quickly, Senator, excuse me, but Transportation Committee has...they want to have an Executive Session in the

Senate Lounge right now; Transportation Committee in the Senate Lounge immediately.

PRESIDENT: Thank you. Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman, and members of the Legislature, I shouldn't read these resolutions but I read this one, and in the second resolve it says that the State of Nebraska, its political subdivisions, and other interested parties will work together to secure financial and political support to establish a terminal in Nebraska City. I don't know that the Legislature should put all the political subdivisions in the state on record as saying they will try to rally the political support and obtain financial backing. Maybe the language should be amended, if you expect anybody to read this resolution, to strike the word "will" and put "are encouraged to" work together. Then it is not the Legislature claiming more than it can deliver on. However, maybe nobody will read the resolution, it may not make any difference, but I just thought I would call that to Senator Wehrbein's attention.

PRESIDENT: Senator Wehrbein, did you wish to respond?

SENATOR WEHRBEIN: If that is a strong point, I have no problem with that, Senator Chambers. I understand what you are saying and I, too, don't want to bind someone to something that they are uncomfortable with. This is simply, and I will be honest, I don't know that there is going to be any financial consideration requests or a request for consideration in time but there may be, and I will be willing to cross that bridge when we get to it. At this time, we don't know that there will be a request. Obviously, Missouri is subsidizing AMTRAK across Missouri, but if you want "encourage" in there, I would accept that. Otherwise, I would I guess leave it alone. It depends how strong you feel.

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

CLERK: 24 ayes, 0 nays, Mr. President, on adoption of the resolution.

PRESIDENT: The resolution is adopted. Now we will move on to General File, Mr. Clerk.

February 14, 1990

LB 313, 313A, 602, 618, 662, 858, 875
891, 906, 907, 1013, 1051, 1059A
LR 254, 255

I can go to the hospital, even...and have them stick a knife in my body and work on it. I don't think people are going to do that. And, if they're injured, I don't think they're just going to be lapping up all this cream that we're so concerned about. There are times when you're drawing workmen's comp when you can be taxed by the federal government. In certain situations, if you are on a light duty status, where you can't make it on the existing workmen's comp, and the employer says, well, come back, we'll give you light duty and we'll give you a little bit of a wage, not your total wage, and then your workmen's comp makes up what your total wage would have been, then that is all balled into a wage, and that is taxed. You can check it out if you'd like. So there are times it is taxed on the federal level, when you can't make it and are forced to go back to work, often times after further aggravating your injuries, but you just can't make it. So that's what...that's how light duty came into existence, because of poor workmen's comp. We know you're injured but...and we know you can't make it, so come on back and we'll give you a little bit to do a little bit. It might further aggravate your injury, might make things worse in the long-run, but we know you can't make it, so come on back, you'll help us out at a cheap rate. And, oh, by the way, you will be taxed on your workmen's comp, too. They probably leave that part out. But I don't think we're going to have people, part-time employees, rushing out to injure themselves so they can draw this extra 20 bucks a week, or whatever it is. I don't think we have a big concern about that and I would support Senator Hall's amendment.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 254, and LR 255. Mr. Clerk, do you have something to read in?

CLERK: Mr. President, Education Committee reports LB 618 to General File; and LB 1051 to General File, those signed by Senator Withem. New A bills. (Read LB 1059A and LB 313A by title for the first time.) Senator Smith has amendments to LB 662. I have a motion for introduction of a new bill that will be laid over, that's offered by Senator Coordsen. And, Mr. President, LB 602, LB 858, LB 875, LB 891, LB 906, LB 907, and LB 1013 are reported correctly engrossed. That's all that I have, Mr. President. (See pages 788-91 of the Legislative Journal.)