

March 6, 1990

LB 1059, 1126
LR 267, 268

sincere with the citizens of the State of Nebraska. I would like to see this body say, yes, 1059 raises the sales tax for schools; yes, 1059 would raise the sales tax on motor vehicles and the money would go to highways, but, fellow citizens, highways don't have anything to do with 1059. That is a school bill, so I'll tell you what they're going to do, citizens of the State of Nebraska, the Legislature is going to look you straight in the eye and they're going to say, folks, it isn't fair, it's not fair to gouge you another 1 percent on your vehicle to go to highways when we're talking about schools, so, therefore, we're not going to raise the sales tax on motor vehicles to 5 percent, we're going to leave it at 1 percent. That's what the amendment does. Now, don't forget, some people and most cars are sold two and three times and every time they are sold that sales tax is collected, doesn't go to the schools, it goes to the highways. So in closing, Mr. President, I'd say to the members of this body, let's be fair, let's be upright, adopt the amendment which leaves the sales tax on motor vehicles at 4 percent instead of raising it to 5 percent. Thank you.

SPEAKER BARRETT: Thank you. And the question before the body is the adoption of the Haberman amendment to LB 1059. Those in favor of that motion please vote aye, opposed nay. Have you all voted? A record vote has been requested. Have you all voted? Record, Mr. Clerk.

CLERK: (Read record vote. See page 1177 of the Legislative Journal.) 13 ayes, 26 nays, Mr. President.

SPEAKER BARRETT: Motion failed. Items for the record, Mr. Clerk.

CLERK: Mr. President, yes, a few, if I may. Appropriations Committee reports LB 1126 to General File with committee amendments attached. That is signed by Senator Warner as Chair of the committee. (See page 1178 of the Legislative Journal.)

New resolutions. (Read brief descriptions of LR 267 and LR 268 for the first time. See pages 1178-79 of the Legislative Journal.)

Amendments to be printed by Senator Hall, Mr. President. (Re: LB 1059. See pages 1179-80 of the Legislative Journal.)

And, finally, your Committee on Enrollment and Review

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber. If you will please rise for the opening prayer. Our Chaplain of the day, Pastor Phillip Bede of the DeWitt United Methodist Church, from Senator Coordsen's district. Pastor Bede. (Gavel.)

PASTOR BEDE: (Prayer offered.)

SPEAKER BARRETT: (Gavel.) Thank you very much, Reverend Bede. We hope you can come back again. Roll call.

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

SPEAKER BARRETT: Thank you. Any corrections to the Journal, Mr. Clerk?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Are there messages, reports or announcements?

CLERK: Mr. President, at this time I have no messages, reports or announcements.

SPEAKER BARRETT: Thank you. Moving to item 5, Mr. Clerk, but prior to consideration of legislative resolutions, let me announce that the doctor of the day comes from Senator Langford's legislative district. Dr. H.R. Walker of Kearney, Nebraska is serving as our doctor of the day. Dr. Hi Walker, would you please be recognized by the Legislature. Under the north balcony. Thank you. We're glad to have you with us. Also, in our south balcony, we have 15 seniors from a Modern Problems class in Palmer, Nebraska, Senator Johnson's district, with their teacher. Would you please stand and be recognized. Welcome to the Legislature. We're glad to have you. Also, some very special guests under our south balcony this morning. We have the Grand Exalted Ruler of the Elks, Mr. Don Dapelo, and his wife, Nancy, from Colinga, California. Mr. Dapelo and Nancy, would you please rise and be recognized by the Legislature. Thank you. We are honored to have you with us. We thank Mr. Collura and members of your entourage for spending a few minutes with us this morning. Mr. Clerk, to LR 267.

CLERK: Mr. President, 267 offered by Senator Beyer is on

page 1178 of the Journal. (Read brief description of LR 267.)

SPEAKER BARRETT: The Chair recognizes Senator Beyer.

SENATOR BEYER: Mr. Speaker and colleagues, this is something a little unusual for most of the resolutions we have honoring the various schools for sports activities. This honors a school and a teacher that has, for the third year in a row, directed the Gretna one-act play that has won the Class B championship. What is really unique is that she uses cash of anywhere from forty to forty...or 35 to 45 kids in her productions, which involves quite a few students. And so I think that we ought to go ahead and recognize her and the school for their achievement and I would appreciate your vote. Thank you.

SPEAKER BARRETT: Thank you. Any discussion on the resolution offered by Senator Beyer? Seeing none, those in favor of its adoption, please vote aye, opposed nay. Record, please.

CLERK: 20 ayes, 0 nays, Mr. President, on adoption of LR 267.

SPEAKER BARRETT: LR 267 is adopted. LR 268, Mr. Clerk.

CLERK: LR 268, Mr. President, offered by Senator Beyer, found on page 1179 of the Journal. (Read brief description of LR 268.)

SPEAKER BARRETT: The Chair again recognizes the member from Gretna, Senator Beyer.

SENATOR BEYER: Mr. Speaker and colleagues, it's rarely and unusual to have a school place in two periods of academics in a school. I mean, they might do it in athletics but it's unusual in academics. Gretna was one of three schools that was...that was named by the Department of Education as a winner of excellence in art education award. So I would appreciate your consideration of this resolution also. Thank you.

SPEAKER BARRETT: Thank you. For discussion purposes, Senator Crosby.

SENATOR CROSBY: Thank you, Mr. Speaker, and members, it's such a pleasure to second and support LR 267 and 268 this morning and I thank Senator Beyer for bringing these resolutions to us. Athletics are very important in the scheme of things in

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session and capable of transacting business, I propose to sign and I do sign LR 267 and LR 268. Mr. Clerk, LB 579.

ASSISTANT CLERK: (Read LB 579 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 579 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See pages 1207-08 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 1 present and not voting, 6 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 579 passes. LB 830.

CLERK: Mr. President, I have a motion on the desk. Senator Wesely would move to return LB 830 to Select File for a specific amendment, the amendment being to strike the enacting clause.

SPEAKER BARRETT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, and members, I apologize to Senator Peterson. I haven't had a chance to run back on the Final Reading, having looked at some of these bills as they come up. The question...I have some questions of Senator Peterson. I was just trying to review this bill when it was on consent and it kind of moved before I really had a chance to look at it again off of Select File. And all I would like to know is, in looking at this, it says that from now on if you have excess land, state land, and it's not anticipated to be used for maybe two years or less, that instead of having the Legislature handle a bill to allow that land to be sold or leased, or whatever, it could all be handled now administratively by the Department of Administrative Services. And I guess I'm wondering, Senator Peterson, why we want to change that. Why does the Legislature not need to be involved in that? And is that the way we now handle buildings? I just am curious about the reasoning and I would like to hear from you what (interruption).

SPEAKER BARRETT: Senator Peterson.

SENATOR PETERSON: Senator Wesely, it's my understanding that...I guess you're referring to the fact that when we want to