

February 9, 1989

LB 74, 155, 238, 263, 338, 378, 391
398, 499
LR 29

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. We have with us today, as chaplain of the day, Reverend Jim McGaffin, who is with the Victory Outreach in Omaha, Nebraska. He is in Senator Lynch's district. Reverend McGaffin. Would you please rise for the invocation.

REVEREND MCGAFFIN: (Prayer offered.)

PRESIDENT: Senator Lynch, for what purpose do you rise?

SENATOR LYNCH: Request personal privilege, just for a private comment, if I could. I wanted to mention that Reverend McGaffin is the son of Jim McGaffin, who was WOW News Director for a long time, TV, in Omaha. And many of you knew Jim, and I thought I should mention that. So you might remember and recognize more of his mother than his father in Reverend McGaffin. We're sure pleased to have you here today, Reverend.

PRESIDENT: Okay, thank you. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 338 and recommend that same be placed on Select File with E & R amendments attached; LB 378, Select File with E & R; LB 391, Select File with E & R; LB 74, Select File; LB 398, Select File; LB 499, Select File with E & R amendments; LB 238, Select File with E & R; and LB 263, Select File. All signed by Senator Lindsay as Chair. (See pages 654-56 of the Legislative Journal.)

Mr. President, Senator Wehrbein would like to print amendments to LB 155 in the Journal. New resolution, LR 29, offered by Senator Langford. (Read brief summary of resolution. See pages 656-55 of the Journal.) That will be laid over,

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53, 60, 79, 110, 123, 140, 168
169, 189, 190, 207, 408, 607, 610
708, 775
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for the record, Mr. Clerk, at this time?

CLERK: I do, Mr. President. Mr. President, your Committee on Judiciary whose Chair is Senator Chizek reports LB 42 to General File; LB 44, General File; LB 708, General File; and LB 110 as indefinitely postponed. Those are signed by Senator Chizek.

Mr. President, Revenue committee whose Chair is Senator Hall reports LR 2CA to General File; LB 607, General File with amendments; LB 775, General File with amendments. Those are signed by Senator Hall. (See pages 690-91 of the Legislative Journal.)

Health and Human Services Committee whose Chair is Senator Wesely reports LB 610 to General File with amendments. (See page 691 of the Legislative Journal.)

Mr. President, Report of Registered Lobbyists for this past week as required by statute. (See page 692 of the Legislative Journal.)

I have amendments to be printed to LB 408 by Senator Barrett.

Mr. President, communication from the Governor to the Clerk. (Read communication regarding signing of LB 35, LB 36, LB 38, LB 53, LB 79, LB 123, LB 190, LB 51, LB 60, LB 189, LB 207, LB 45, LB 168 and LB 169. See page 693 of the Legislative Journal.)

Mr. President, your Committee on Enrollment and Review reports LB 140 to Select File with E & R amendments attached. (See page 693 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: We'll move on to LR 29, please.

CLERK: Mr. President, LR 29 was offered by Senator Langford. It's found on page 656. (Read resolution.)

PRESIDENT: Senator Langford, please.

SENATOR LANGFORD: Mr. President and colleagues, I offer this resolution with a great deal of joy because this gentleman plays cards and plays golf with Jack, my husband, every day, practically, in the summer. He has been instrumental in the

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fine development of the Business Department at Kearney State and he resigned as head of the department when he found a young man that he thought was very well qualified and since that time has gone back whenever he's been needed to teach classes. And, with great joy, I would ask your approval of this resolution.

PRESIDENT: Thank you. 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: 31 ayes, 0 nays, Mr. President, on adoption of LR 29.

PRESIDENT: The resolution is adopted. We will move on to Select File, please. Senator Lindsay, are you ready? Okay. Mr. Clerk.

CLERK: Mr. President, LB 221, the first bill, I have no E & R amendments. However, I do have an amendment to the bill from Senator Weihing. (The Weihing amendment appears on pages 694-95 of the Legislative Journal.)

PRESIDENT: Okay, Senator Weihing, please.

SENATOR WEIHING: Yes, the amendment is being handed out to you. LB 221 is a bill in which the investment of funds, excess funds, by municipalities or subdivisions of government was addressed. Back in 1961 they were...these were associated with the school lands funds and then subsequent legislation on through the years somehow sort of left this out and became unclear. A recent opinion by the Attorney General has left the cities, the municipalities and the subdivisions of government as to questioning as to just how they can or the legitimate areas that they can invest their funds. This bill clarifies that. We passed this bill from General File with one small amendment from the committee, and this amendment that has been passed to you was developed because of questions that occurred during the discussion of the bill. Senator Pirsch asked about if the subdivisions of government beyond the municipalities were included. I was...I thought so, but to make this absolutely clear this amendment does that. It includes it. Now the amendment starts on page 15 if you...of the green copy, the green copy. And it simply states that whenever any county, city, village or other governmental subdivision, other than a school district, of the State of Nebraska has accumulated a surplus of any fund in excess of its current needs or has

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LB 43, 195, 198, 209, 342
LR 25, 29

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning as our Chaplain of the day, Reverend Duane Voorman of the Trinity Lutheran Church of Lincoln. Would you please rise for the invocation.

REVEREND VOORMAN: (Prayer offered.)

PRESIDENT: Thank you, Reverend Voorman. We appreciate it. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Do you have any messages reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 195 and find the same correctly engrossed, LB 198 correctly engrossed, LB 209, LB 342, all correctly engrossed, that is signed by Senator Lindsay as Chair. (See pages 705-06 of the Legislative Journal.)

I have a report, Mr. President, from the...revenue distribution from the Highway User Fund from the Department of Roads. That will be filed by statute. That will be on file in my office, Mr. President. And last, Mr. President, LR 25 and LR 29 are ready for your signature. That is 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 25 and LR 29. We are about ready to begin on Final Reading, so if you will take your seats please, we will begin here in a moment. Final Reading on LB 43, Mr. Clerk.

CLERK: (Read LB 43 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 43 pass? All those in favor vote aye, opposed nay. Have you all voted?