

February 21, 1989      LB 298, 312  
LR 32

PRESIDENT: We're on the advancement of the...

SENATOR LANDIS: In that case let me just say, I didn't remember the vote on that one. I glad it got adopted. If you'll...now on the question of the advancement of the bill and you're listening to the argument, there are two or three questions to ask yourself. If you think that the law should force somebody to operate or sell a product at a loss, vote against the bill. If you think that there is no difference between the cost structure of printing a thousand newspapers and printing 100,000 newspapers, vote against the bill. But if you have some belief in the notion of the marketplace where a consumer comes to somebody who is selling a product and if the product's price is too high they can walk away, then I think you have every reason to think that 298 is going to work. What it says is, if a newspaper will not charge the legal rate but wants to charge more than the legal rate, whoever is doing business with them can walk away and publish their notice on the courthouse door, and that should suffice. That is what a consumer does when they are getting an extortionate price put on a product. It is what we normally believe in and that is that there is discipline in the marketplace that will work here, we allow the political subdivisions to walk away if the newspapers won't charge the legal rate. That is a reasonable method of discipline. I urge the advancement of the bill.

PRESIDENT: The question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 35 ayes, 0 nays, Mr. President, on the motion to advance LB 298.

PRESIDENT: LB 298 is advanced. LB 48.

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

PRESIDENT: Yes, sir, Mr. Clerk.

CLERK: Mr. President, new resolution, LR 32 offered by Senator Wesely. (Read brief explanation. See page 798 of the Legislative Journal.) That resolution will be laid over.

I have amendments to be printed to LB 312 by Senator Withem and

February 23, 1989

LB 177, 271, 527  
LR 32, 36

**SPEAKER BARRETT PRESIDING**

**SPEAKER BARRETT:** Welcome to this, the thirty-third legislative day in the First Session of the Ninety-first Legislature. Our chaplain of the day, Pastor Charles Richardson of the First United Methodist Church in North Platte. Pastor Richardson, please. (gavel.)

**PASTOR RICHARDSON:** (Prayer offered.)

**SPEAKER BARRETT:** Thank you, Reverend Richardson. We hope you're able to come back and be with us again. Roll call.

**CLERK:** There is a quorum present, Mr. President.

**SPEAKER BARRETT:** Thank you. Corrections to the Journal.

**CLERK:** I have none, Mr. President.

**SPEAKER BARRETT:** Messages, reports or announcements.

**CLERK:** Mr. President, your Committee on Natural Resources whose Chair is Senator Schmit to whom was referred LB 527 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 271 indefinitely postponed, both those signed by Senator Schmit. (See page 841 of the Legislative Journal.)

Attorney General's Opinion addressed to Senator Moore. (Re: LB 177. See pages 842-44 of the Legislative Journal.)

New resolution by Senator Abboud asking the Legislature to recognize and congratulate Mr. Todd Hauptman for his acts of bravery in rescuing accident victims Mr. President. That will be laid over. (LR 36. See page 844 of the Legislative Journal.) That is all that I have.

**SPEAKER BARRETT:** Thank you. Proceeding to item 5 on the agenda, Mr. Clerk, legislative resolution.

**CLERK:** Mr. President, LR 32 by Senator Wesely found on page 798 of the Journal asks the Legislature to encourage Nebraskans to give the gift of life by signing and carrying the Uniform Organ Donor Card which authorizes the use of one's kidneys and other organs after death.

SPEAKER BARRETT: (Gavel.) Senator Wesely, please, on your resolution.

SENATOR WESELY: Thank you, Mr. Speaker, members. This resolution is an annual one brought to me by the Kidney Foundation and it encourages Nebraskans to remember we do have a Uniform Donor Card program in this state. It is a very important program that allows individuals freedom of choice to let people know, if they should die unexpectedly, and have the ability to donate an organ that they can fill out this card and then that could take place and thus, individuals, for instance, are in need of a kidney or other different organs will have the chance to get that and save a life. This is a chance for us to share and help one another and obviously in a very difficult situation, but one in which we want to encourage that activity. Out of bad, sometimes good can emerge and this resolution tries to encourage people to recognize that gift. So with that, I'd ask for adoption of this resolution. Again, it does encourage Nebraskans to remember the Uniform Organ Donor Card program and encourage their use.

SPEAKER BARRETT: Thank you. Any discussion on the resolution offered by Senator Wesely? If not, excuse me, Senator Nelson.

SENATOR NELSON: (Mike not activated immediately.) ...body, naturally I support that as the main sponsor of the organ tissue donation bill and might I ask, I don't know, or might I mention that if the body knows that the Red Cross program, through the organ tissue donation, in the last year started a new procedure to use and promote bone marrow and so on and the donations for reconstructive surgery for hips and so on has increased 100 percent for our state for the American Red Cross program. So I would like to hope that we, as the Legislature, have been responsible for part of that and also the Lions Eye Bank has gone up over...well, let's see, I believe it was from 195 to 432 or over 100 percent donation too since we passed those bills. Thank you.

SPEAKER BARRETT: Thank you. Any other discussion? Any closing statement, Senator Wesely? Thank you. Those in favor of the adoption of LR 32 please vote aye, opposed nay. Record, please.

CLERK: 23 ayes, 0 nays, Mr. President, in the adoption of LR 32.

February 23, 1989      LB 114, 221, 342  
LR 32

SPEAKER BARRETT:      Thank you.      The resolution is adopted.  
Members, please return to your seats for Final Reading.  
Mr. Clerk, will you please proceed with the reading of LB 342E.

CLERK:      (Began reading of LB 342E on Final Reading.)

ASSISTANT CLERK:      (Continued reading of LB 342E on Final  
Reading.)

SPEAKER BARRETT:      All provisions relative to law having been  
complied with, the question is, shall LB 342 with the emergency  
clause attached become law? Those in favor vote aye, opposed  
nay. Record, please.

ASSISTANT CLERK:      (Record vote read.      See page 845 of the  
Legislative Journal.) The vote is 42 ayes, 0 nays, 7 excused  
and not voting, Mr. President.

SPEAKER BARRETT:      LB 342E passes.      LB 114E.

ASSISTANT CLERK:      (Read LB 114E on Final Reading.)

SPEAKER BARRETT:      All provisions of law relative to procedure  
having been complied with, the question is, shall LB 114 with  
the emergency clause attached become law? Those in favor vote  
aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK:      (Record vote read.      See page 846 of the  
Legislative Journal.) The vote is 42 ayes, 0 nays, 7 excused  
and not voting, Mr. President.

SPEAKER BARRETT:      LB 114E passes.      LB 221.

ASSISTANT CLERK:      (Read LB 221 on Final Reading.)

SPEAKER BARRETT:      All provisions of law relative to procedure  
having been complied with, the question is, shall LB 221 pass?  
Those in favor vote aye, opposed nay. Record, please.

CLERK:      (Record vote read.      See page 847 of the Legislative  
Journal.)      43 ayes,      0 nays,      6 excused and not voting,  
Mr. President.

SPEAKER BARRETT:      LB 221 passes.      And while the Legislature is

March 7, 1939

LB 775  
LR 32, 42, 43

That's all that I have, Mr. President.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 32 and LR 43. Move on to resolution LR 42.

CLERK: Mr. President, LR 42 offered by Senator Rod Johnson, found on page 971 of the Journal. (Read brief description of LR 42.)

PRESIDENT: Senator Rod Johnson, please.

SENATOR R. JOHNSON: Mr. Speaker and members of this distinguished body, it is with a great deal of pleasure that I take this time to sponsor this resolution on behalf of Nebraska Wesleyan University's men's basketball team. I think the resolution is fairly self-explanatory. The Nebraska Wesleyan team has made three appearances in the NCAA Division III Final Four in the past five years. Unfortunately, on Sunday they were beaten out of the opportunity to make a fourth appearance in California but, in any case, I wanted to take this opportunity, after we honored the Creighton basketball team, to honor another distinguished champion of Nebraska, the Nebraska Wesleyan basketball program for the fine job that they have done through the years. Having been a short power forward for the Nebraska Wesleyan team back in the late seventies, and slow, when it was nice to win four or five ball games, it's great to see the program turn around, since I played, and become a champion. And I guess at this particular time I would like to honor them and to congratulate Coach Schmutte and his players on a fine season and I think a legacy that will carry on in future years at the institution. Being a former alumni of that distinguished program, I think it's my honor to bring this resolution and honor the program and the institution. Thank you.

PRESIDENT: Thank you. The question is the adoption of the resolution. All in favor vote aye, opposed nay. We're voting on the Rod Johnson resolution. Have you all voted? Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of LR 42.

PRESIDENT: The resolution is adopted. We will move on to General File, LB 775. Senator Lindsay, are you prepared to