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LB 548, 11A, 146, 179, 316,
318, 322, 361, 366, 478A
545

vote nay.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Have you all voted on the advancement of 548? It takes 25 votes. Record the vote.

CLERK: 27 ayes, 11 nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: The bill is advanced. The Legislature having completed all its work that it is going to complete for today, we are now going to have a little reading in by the Clerk and then we will adjourn.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 11A and find the same correctly engrossed; 146 correctly engrossed; 316, 322, 361, 366, 545, all correctly engrossed, and those are signed by Senator Kilgarin as Chair.

A new A bill, 487A by Senator Wesely. (Title read.)

And finally, Mr. President, Senator Koch would like to print amendments to LB 318; and Senator Dworak would like to print amendments to LB 179.

SENATOR CLARK: Senator Stoney, would you adjourn us until nine o'clock tomorrow morning?

SENATOR STONEY: Mr. President, I would be pleased to. I move that we be in adjournment until May 12th at 9:00 a.m.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed nay. We are adjourned until nine o'clock tomorrow morning.

Edited by:


Mary A. Turner

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LB 346, 129A, 487A

SENATOR NICHOL: I so move, Mr. Chairman.

PRESIDENT: Motion to adopt the amendment, the Nichol amendment to LB 346. Any discussion? If not, that is your opening and your closing. The question is the adoption of the Nichol amendment on LB 346. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 27 ayes, 4 nays, Mr. President, on the motion to adopt the amendment.

PRESIDENT: Motion carries. The amendment is adopted. Senator Nichol, would you move the bill back to E & R? Senator Nichol, would you move the bill back?

SENATOR NICHOL: Mr. Chairman, I move that LB 346 be advanced to E & R engrossing.

PRESIDENT: Motion to advance LB 346 to E & R for engrossment. Any discussion? Hearing none, all those in favor of the motion to return to E & R for engrossment will signify by saying aye, opposed nay. LB 346 is advanced to E & R for engrossment. That will complete all of the Final Reading on today's agenda. We will now...do you have some things to read in, Mr. Clerk? Okay, we will go on then to agenda item #6, General File, commencing with LB 129A.

CLERK: Mr. President, LB 129A (read title). It was read on May 12, referred directly to General File.

PRESIDENT: The Chair recognizes Senator Nichol on LB 129A.

SENATOR NICHOL: I move that LB 129A be advanced from General File to E & R Initial.

PRESIDENT: If someone wants to ask a question, why put on your light? Okay, anything further, Senator Nichol. The question is the motion to advance LB 129A to E & R Initial. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 25 ayes, 6 nays, Mr. President.

PRESIDENT: Motion carried. LB 129A is advanced to E & R Initial. Next bill on General File is LB 487A.

CLERK: Mr. President, LB 487A (read title).

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LB 487A, 556A, 184

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. President, I move the advancement of 487A. It carries out the provisions of 487.

PRESIDENT: All right, any discussion? Hearing none, that is your opening and closing. The motion is to advance LB 487A. All those in favor vote aye, opposed nay. Have you all voted? Motion is to advance LB 487A. Record the vote.

CLERK: 27 ayes, 0 nays on the motion to advance the bill, Mr. President.

PRESIDENT: Motion carries and LB 487A is advanced to E & R Initial. The next bill is LB 556A, Mr. Clerk.

CLERK: Mr. President, LB 556A (read title).

PRESIDENT: The Chair recognizes Speaker Marvel.

SPEAKER MARVEL: I move that the bill be advanced to E & R.

PRESIDENT: The motion is to advance LB 556A to E & R Initial. Any discussion? That will be your opening and your closing, no one desiring debate. All those in favor then of advancing LB 556A to E & R Initial will vote aye, opposed nay. Have you all voted? The advance of LB 556A. Record the vote.

CLERK: 26 ayes, 0 nays to advance the A bill, Mr. President.

PRESIDENT: Motion carries and LB 556A is advanced to E & R Initial. At this time the Chair is pleased to be able to present to this Unicameral Legislature a distinguished guest from Seoul, South Korea. He is accompanied by Mr. Jack Hart from the Governor's Office. He is Mr. Kuan Wong Park (Phonetic) from Seoul, Korea. He is a former member of the National Assembly of South Korea, former Commanding General of the Second Republic of the Korean Army, the joint Chiefs of Staff of South Korea and our distinguished guest has held five cabinet posts in that country. We are proud and pleased to present Mr. Kuan Wong Park. Welcome to the Legislature. We will go on then to agenda item, continuing with agenda item #6 under General File, LB 184.

CLERK: Mr. President, LB 184 introduced by Senator Burrows. (Read title.) The bill was first read on January 14, referred to Ag and Environment for hearing. The bill was advanced to General File. The committee amendments were

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LR 129A, 376, 487A, 556

RECESS

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: While we are waiting for everyone to register your presence, the Chair would like to introduce to the Legislature from Senator Wagner's District, Ellen Partsch of St. Paul; and Sister Marge Zumzow and Mrs. Polly Partsch. They are the two sisters and the wife of Frank Partsch of the World Herald. Would you please stand up, under the South balcony, ladies? Welcome to the Nebraska Legislature. And we have from Senator Wiitala's District 50 fourth graders from Holling Heights, Millard, Nebraska; Debra Johnson and Linda Ohara, teachers, up here in the North balcony. I don't know if they just came in. Is that where you are? Wave to us. There you are. Welcome to the Nebraska Legislature. We also have under the North balcony Mr. & Mrs. Henry Beach of Sterling, Illinois, grandparents of Jil Scharfenberg, the Assistant Lobbyist Registration Clerk in the Legislative Clerk's Office. Would the Beaches stand up and be recognized? Welcome to the Nebraska Legislature. Register the presence, Mr. Clerk.

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

PRESIDENT: A quorum present, then, Mr. Clerk, is there any matter you want to read into the record before we proceed with LB 376?

CLERK: Mr. President, very quickly, your committee on Enrollment and Review respectfully reports they carefully examined and reviewed LB 129A and recommend that same be placed on Select File; 487A Select File; and 556A Select File. All signed by Senator Kilgarin, Chair.

PRESIDENT: We are ready then to proceed with LB 376.

CLERK: Mr. President, the next motion I have on LB 376 is an amendment by Senators Fitzgerald and DeCamp, I understand they wish to withdraw.

PRESIDENT: All right. Senator Fitzgerald, do you wish to withdraw that motion. All right, that motion is withdrawn.

CLERK: Mr. President, the next motion I have is offered by Senator DeCamp. It is found on page 1982 of the Journal.

PRESIDENT: The Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature,

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LB 487, 487A

PRESIDENT: The Wesely amendment is adopted to LB 487. Any further amendments?

CLERK: I have nothing further on the bill, Mr. President.

PRESIDENT: Senator Wesely, do you wish to move it on?

SENATOR WESELY: I move it be advanced.

PRESIDENT: Motion to advance LB 487 to E & R for engrossment. All those in favor signify by saying aye, opposed nay. LB 487 is advanced to E & R for engrossment. The next bill on Select File is LB 487A. Mr. Clerk, is there anything further on that?

CLERK: Mr. President, I have no E & R amendments. I do have, first of all, an amendment from Senator Wesely, Mr. President.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Yes, Mr. President, members of the Legislature, this amendment to the A bill reflects the savings that resulted from the amendments we just placed on LB 487. Essentially what we do is we shift over to cash funds a number of expenses in terms of the regulations that the Ag Department is doing for restaurants and cafes and the net savings from those changes is about \$146,000. Now we also have provisions that we have to have about \$46,000 some to do the inspections that the Health Department is going to pick up so there is a shift there, plus, I think that we want about \$50,000 for pseudorabies research or \$40,000 for that and that is included in there and essentially then the bottom line is that with the adoption of this amendment to the A bill, the state will be saved approximately \$50,000 some in general fund money. So I move the adoption of the amendment.

PRESIDENT: Anything further, any further discussion on the Wesely amendment to LB 487A? If not, again that is the opening and closing, all those in favor...Okay, Senator Warner has an amendment to the Wesely amendment. Do you want to read the amendment, Mr. Clerk?

CLERK: Mr. President, Senator Warner...well, Senator Warner would move to amend the Wesely amendment: (Read Warner amendment found on page 2310 of the Legislative Journal.)

SENATOR WARNER: Mr. President, members of the Legislature, I offer the amendment for two or three reasons. Number one,

the part that I am amending will reinstate the appropriation bill as it was enacted by the Legislature. The two items that I would be changing back to the way the appropriation bill was enacted is that there was \$50,000 of cash funds that were authorized or appropriated to the Department of Agriculture as part of their export program together with language that it was the intent of the Legislature that these various checkoff programs would contribute those funds between them. It doesn't mandate that they do it. They wouldn't have to do anything if they didn't choose to do so. Personally, however, I am of the strong conviction that as one who pays checkoff funds, by the way, as all farmers do, that I am of the strong conviction that a portion of that checkoff funds is appropriate to be used to coordinate these various export functions which is the primary responsibility of the Department of Agriculture, the various trade fairs, those kinds of activities. They are primarily set up by them and I think it is quite appropriate that the various checkoff programs contribute some small amount to the total cost of the program for that activity. You may recall it is \$550,000 of general fund money that was added this year in addition to what was already spent for export in some small amount. It is only \$50,000 and I think it ought to stay available from these checkoff programs to be utilized in the Department of Ag. The other portion of the amendment that is proposed for this A bill would set a part the wheat development agency commission which as a result of LB 11 was permissive to have their own budget separate from the Department of Ag. What this amendment does is return that to the way it is now or keep it the way it is now where the budget for that agency is administered through the Department of Agriculture. LB 11, as I recall, made it permissive for this action but it does not require it. Had it required it, it would have been an A bill on LB 11 itself doing the same thing. I have a real deep concern if we start utilizing A bills to make general appropriation adjustments throughout state government. It would be an extremely bad precedent. You could certainly read the rule very clearly that A bills are intended only for the purpose of funding the enabling legislation and are not to be utilized as general appropriations bills and the obvious adverse precedent that would be established if those two amendments were allowed to stand I think are obvious. What would remain in the bill is the two items that has already been indicated, both of which are involved in A bills back on General File, so I can see some logic for them to stay and that is the \$40,000 for the pseudorabies, and then in addition, there is a substantial reduction in general fund money of \$142,000 net because of the increase in fees through the laboratories, and obviously, that is related

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to the bill itself as it is amended and I think that portion ought to be adopted, but I would urge the adoption of the amendment returning the two items back into the A bill and there is no problem with doing this. It causes no harm to take this out and the precedent of amending A bills I hope for general appropriations I would hope the body would recognize the adverse effects you could well be generating in the future if that would become a daily practice.

PRESIDENT: The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, of course, I rise in opposition to Senator Warner's proposal. The reason is very clear. If you will...I happened to be in Chicago attending a conference the day that the bill came up on Select File and I guess I didn't listen closely when the bill, 559, was up on General File, and I came back and after on some of my sparetime reading, I discovered that this language was included in LB 559. And I will just read it briefly because I think it is important that you know what it is. It says, "There is included in the appropriation to this program \$50,000 cash funds for expansion of the Department's export marketing program. It is the intent of the Legislature that the various commodity checkoff programs under the Department of Agriculture allocate funds to the Department to assist in expanding their massive export marketing program." Now the Department of Agriculture has their own export marketing programs. Former Senator George is a part of that. There is nothing at all that prevents the Department or Senator George from coming to the checkoff programs and making an application for funds, just as everyone else does, but I believe it is a mistake to place into law language which says it's the intent of the Legislature that the checkoff growers contribute to the Department of Agriculture. The Department is basically a regulatory process. The fact that they are getting into the export business is always a matter of conjecture by the Governor who happens to be in charge at the time. This Governor chooses to expand that program and that is fine but there is no force behind this. It is merely some very confusing language. It is not my intention, and I want the record to show that, I do not think it is the intention of most of the members of the committee nor those individuals who have worked on the checkoff programs for a long time, Senator Maresh, Senator Kahle and others. I think that it is a mistake, as I said, if the Department has a program which they choose to have funded or would like to have funded by any of these checkoff programs, they can make application to those programs, and if they are worthy, they will

be considered. You want to remember one more thing. In some instances there may be competition between what the Department chooses to do and what the marketing board choose to do. We have provided for those boards. We have given them direction, we give them responsibility. I believe they should be allowed to exercise that judgment. Relative to the other portion of the amendment which Senator Warner wishes to delete. I think it is important under LB 11, and I read you the language. It says, "The Nebraska Wheat Development Utilization and Marketing Board shall be the agency of the State of Nebraska for such purpose." "Shall be", that is in LB 11. Now we say "may be". I think that we are rescinding the action we took a short time ago under LB 11 and I believe it is a mistake. I respect Senator Warner's judgment. I respect also the efforts of the farm community that will put about a million dollars into checkoff programs administered by boards appointed by the Governor. I think we ought to give them an opportunity to operate. I have talked to the Department, some of the personnel, about this. They see no reason, in fact, at the present time I have been told by Mr. Garvin that they have no need for the \$50,000 that is mentioned in this area. If they have a need for it, they are free to come before any of the boards and make application, as can any agency of government or any other individual program. You might recall, some of you who were here a few years ago, for example, the corn board came to me and I went to Senator Warner and they asked that the Appropriations Committee review some of the requests because there was getting to be a great amount of duplicate requests. People came before the Appropriations Committee for money. They came before the Corn Marketing Board for money, and it was felt there ought to be some sort of clearing house. I think it is important we do that, and keep that up. I have no objection whatsoever to those agencies or those individuals or those groups making direct application to the board but I object strenuously and vigorously and with all my persuasive (interruption)...

PRESIDENT: Half a minute, Senator.

SENATOR SCHMIT: ...to putting in the law language that it is the intent of the Legislature that we automatically support those programs. I would very much hope you would reject Senator Warner's suggestion.

PRESIDENT: The Chair recognizes Senator Kahle.

SENATOR KAHLE: Mr. President and members, I, too, would hesitate to write into the legislation any binding commitments for the checkoff program. I think they were started

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for a purpose. The boards are perfectly capable of conducting the business that should be under their jurisdiction. If they want to contribute or work with the Department of Agriculture or with any of the groups that are...The Old West Region, for instance, that you mentioned of Senator George...that is fine, but I don't think that they ought to be compelled to do this. I don't believe that was the intent when they were started and I think generally they are doing a good work, and while the corn program is relatively new and the milo program is certainly new, let's give them a chance to operate and see what they can do. I know it sounds good and it would be a way to get funding for the Department of Agriculture to do some of the things that they want to do but I oppose the amendment.

PRESIDENT: Senator Warner, you may close on your amendment to the amendment.

SENATOR WARNER: Mr. President, members of the Legislature, a couple of things, first, Senator George has been mentioned a couple of times.

PRESIDENT: (Gavel) We can hardly hear up here. I wish you would give Senator Warner a little attention.

SENATOR WARNER: I do, too. Thank you, Mr. President. Senator George has been mentioned. I would just for the record clear up that he is attached to the Department of Economic Development, not the Ag Department. It is a different program. I am, and also I am a little surprised to hear that they don't need additional funds for the export activity because the request was for \$715,000 and we only gave them \$550,000. I kind of wonder what the request was for all that money in the first place if now all of a sudden they say they have got more than they need for this activity throughout state government. But aside from those two issues, on the merit, I firmly believe that it is appropriate, that the Department of Ag is coordinating for much of this activity and I think that it is appropriate that the Legislature indicate that some of these checkoff programs may, it is not mandatory, may contribute. It is mandatory in the sense that the intent of the Legislature ought to be followed but we all know that it is not always done but I think it is very appropriate that a portion of those funds come from the checkoff programs. Secondly, LB 11 did say that the Wheat Development Board shall be the agency for the development but it does not say that they shall have their own budget outside...administer their own budget. That part is still permissive and that there is no reason to change at this time. So I think it is inappropriate to make the amendment

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here. My underlying reason, not only is the merit of the issue, however, is the extremely bad precedent of attempting to use an A bill for general amendments to appropriation bill and I have argued the point on a rule change because I think the rule is very clear that the A bill should not be used for this purpose, only to be used for the funding of the substantive legislation that accompanies the A bill, but I felt so strongly that the merit of my argument could prevail with 25 votes that I didn't need to resort to a rule basis which would have required 30 votes to adopt the amendment by suspending the rule. So I would urge the body to adopt the amendment because it will maintain the appropriation bill that was written and I think the merit of the case is there.

PRESIDENT: The motion before the House is the adoption of the Warner amendment to the Wesely amendment to LB 487A. All those in favor vote aye, opposed nay. Have you all voted? Only two excused. Senator Warner.

SENATOR WARNER: Mr. President, only because of the precedent of the A bill, I will ask for a Call of the House and a roll call vote because the issue may come up again.

PRESIDENT: All right, we will go for...the question is, shall the House go under Call? All those in favor vote aye, opposed nay. Did you want to vote over again? Vote over again on shall the House go under Call? Record the vote.

ASSISTANT CLERK: 18 ayes, 1 nay to go under Call, Mr. President.

PRESIDENT: Motion carried. The House is under Call. The Sergeant at Arms will see that all members are returned to the Chamber. All unauthorized personnel will leave the floor. Members will all register your presence immediately. And, Senator Warner, do you want to wait until we get them here? Senator Warner, did you want a roll call?

SENATOR WARNER: Mr. President, didn't I ask for a roll call vote?

PRESIDENT: Yes, Senator Warner, you did. I think you did. At least I assumed you did, so we will wait until we get a few more people here. Since we have only two excused, we have a great number to go yet. Senator Stoney.

SENATOR STONEY: There seems to be a little confusion on what the amendment is, and prior to reading the roll, could someone

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read the amendment and a slight explanation so that we can (interruption).

PRESIDENT: Yes, we will do that. Yes, we should have the amendment read because many people don't even know what the issue is. I can just tell you it is the Warner amendment to the Wesely amendment to LB 487A but beyond that I will let them read the amendment. We will do that just before we have a roll call. Senator Lowell Johnson, will you show us your presence? Senator Lamb, are you there? Senator Richard Peterson. Senator Goodrich is not there. Goodrich, Richard Peterson, Lamb, Haberman, Labeledz, those are the ones we are looking for. We are looking for Senator Haberman, Senator Labeledz, Senator Lamb, Senator Richard Peterson and Senator Goodrich, I believe, and Senator Koch. Senator Lamb is the only one we are waiting for. As soon as we have Senator Lamb here, we are ready. So Senator Lamb is excused, all right. Senator Lamb and Marvel are both excused, have left the building. Senator Warner, I guess they are all here. The Clerk will please advise the body as to the motion before the House.

ASSISTANT CLERK: Mr. President, we are considering the Warner amendment to the Wesely amendment and it reads as follows: Read Warner amendment found on page 2310, Legislative Journal.

PRESIDENT: We will proceed then with the roll call.

ASSISTANT CLERK: (Roll call vote taken. See pages 2310 and 2311, Legislative Journal.)

PRESIDENT: (Gavel) We can't even hear when they are calling the names out. Senator Burrows.

ASSISTANT CLERK: (Roll call vote continued.) 22 ayes, 17 nays on the Warner amendment to the Wesely amendment.

PRESIDENT: Motion fails. Any further amendments to LB 487A?

ASSISTANT CLERK: Mr. President, we now have the Wesely amendment to the bill.

PRESIDENT: Okay, we are back to the Wesely amendment. Okay. Any further discussion on the Wesely amendment now? Senator Wesely, I guess you are closing because I don't see any further discussion on the matter.

SENATOR WESELY: Okay, this again reflects the changes that we made in amending the bill and, essentially, what you are

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doing by adopting this amendment to the A bill is providing a net reduction in general fund expenditures in this area by about \$60,000 so you are saving the state about \$60,000. I urge your adoption of the amendment.

PRESIDENT: The motion is the adoption of the Wesely amendment to LB 487A. All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: 27 ayes, 9 nays on the Wesely amendment.

PRESIDENT: Motion carries. The Wesely amendment is adopted. Any further amendments now to 487A?

ASSISTANT CLERK: I have nothing further on the bill.

PRESIDENT: Senator Wesely, do you wish to move LB 487A forward.

SENATOR WESELY: I move it be advanced.

PRESIDENT: Motion to advance to E & R for engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 487 is advanced to E & R for engrossment. We will go to the next bill on Select File, LB 460.

CLERK: Mr. President, I have E & R amendments on LB 460.

PRESIDENT: Senator Kilgarin on 460.

SENATOR KILGARIN: I move the E & R amendments to LB 460.

PRESIDENT: Motion to adopt the E & R amendments to LB 460. Any discussion? All those in favor of adopting the E & R amendments to LB 460 signify by saying aye, opposed nay. The E & R amendments are adopted on LB 460.

CLERK: I have nothing further on the bill, Mr. President.

PRESIDENT: Do you want to move it forward, Senator Kilgarin. Senator Kilgarin moves to advance LB 460 to E & R for engrossment. Any discussion? Senator Beutler, did you wish to discuss the motion to advance?

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, you may recall that this is the bill that gives broad new powers to the State Investment Officer with regard to the investment of state funds and liberalizes to a considerable extent his ability to invest the funds in whatever type of investment a prudent man would invest them in and we had

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218, 385

lot of bankers in the rotunda lately. Maybe you could talk to them. And with that, I would move the bill be advanced and we would commit ourselves to providing more information before Final Reading.

PRESIDENT: The motion is to advance LB 460 to E & R for engrossment. All those in favor signify by saying aye, opposed nay. LB 460 is advanced to E & R for engrossment. Next bill on Select File is LB 218. Yes, Mr. Clerk, you may read in or do any announcements.

CLERK: Very quickly, Mr. President, Senator Schmit would like unanimous consent to add his name to 487 and 487A as cointroducer.

PRESIDENT: 487, any objections? If not, so ordered.

CLERK: Mr. President, then I move to 218. I have E & R amendments pending, Mr. President.

PRESIDENT: All right, E & R amendments. The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 218.

PRESIDENT: Motion to adopt the E & R amendments on LB 218. Any discussion? All those in favor of adopting the E & R amendments to LB 218 signify by saying aye, opposed nay. The E & R amendments are adopted. Anything further on LB 21, Mr. Clerk?

CLERK: Nothing further on the bill, Mr. President.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 218.

PRESIDENT: LB 218, motion is to advance to E & R for engrossment. Any discussion? All those in favor of advancing LB 218 to E & R for engrossment signify by saying aye, opposed nay. LB 218 is advanced to E & R for engrossment. The next bill is LB 385.

CLERK: Mr. President, there are E & R amendments to LB 385.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 385.

PRESIDENT: Motion to adopt the E & R amendments to LB 385.

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PRESIDENT: I have asked the Sergeant at Arms to enforce the rules, but, of course, when we have long bills we have always allowed people to take care of those matters.

SENATOR KOCH: Before the Clerk reads from now on, would he give us an estimate of how long it is going to be? Thank you.

PRESIDENT: Thank you, Senator. That helped a lot. Go ahead.

ASSISTANT CLERK: (Continued reading LB 487 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 487 pass? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 2414 of the Legislative Journal.) The vote is 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: All right, LB 487 passes. Mr. Clerk, you will now read on Final Reading, LB 487A.

ASSISTANT CLERK: (Read LB 487A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 487 pass with the emergency clause attached? It is 387A, yes. 487A, with the emergency clause attached though, right? It doesn't show that on the sheet but it is. All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 2415 of the Legislative Journal.) 42 ayes, 5 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 487A passes with the emergency clause attached. Speaker Marvel, now it comes to the one that I asked you about. Is that...as I understand it that bill was...isn't that right, Mr. Clerk, that bill was to be held over.

CLERK: Senator Goodrich requested it.

PRESIDENT: Senator Goodrich requested that it be held over the same as these other couple bills. Is that

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health when they reach there. I ask you to support the motion to reconsider the previous motion.

PRESIDENT: All right, motion is suspension of the rules, which will require 30 votes also. Those in favor of the Schmit motion on LB 561 vote aye, opposed nay. Sorry you can't do it. There is three excused. They are all back, okay, I'm sorry, they are all back. So you have all the people here now. Do you want a Call of the House?

SENATOR SCHMIT: Let's have a Call of the House and a roll call vote.

PRESIDENT: All right, erase the board, and all those in favor of a Call of the House vote aye, opposed nay. Record the vote.

CLERK: 19 ayes, 3 nays, Mr. President, to go under Call.

PRESIDENT: The motion carries. The House is under Call. Sergeant at Arms will see that all members are returned to the Chamber. All members will return to your desks. All members will register your presence. While we are waiting, while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 385, LB 552, LB 544, LB 494, LB 321, LB 396, LB 396A and LB 411, LB 460, LB 487 and LB 487A. Looking for Senator Cullan, Senator Kremer, Senator Lamb, Senator Sieck, Senator Nichol, Senator Labedz, Senator Higgins... oh, there she is. Senator Pirsch. Senator Kremer, Senator Lamb, Senator Pirsch, Senator Sieck. Do you want to wait until they arrive, Senator Schmit? All right, we will wait. Then do you wish a roll call vote? All right, sir. It will be done. Senator Kremer is here. Senator Lamb is on his way. All right. Senator Pirsch. Does anybody know where she is? Oh, okay. One more and we can go. Proceed, Senator Schmit. All right, proceed with the roll call, Mr. Clerk. The question is the suspension of the rules on LB 561 for purpose of the override.

CLERK: (Read the roll call vote as found on page 2419 of the Legislative Journal.) 22 ayes, 24 nays, Mr. President, on the motion to suspend the rules.

PRESIDENT: The motion fails, so therefore the second motion is not possible. What is the next motion on the desk, Mr. Clerk? Okay, the next motion.

CLERK: Mr. President, the next motion I have is offered