

January 5, 1989

LB 81-160  
LR 1-2

being here and thank you for your services. We also have guests of Senator Rod Johnson under the north balcony. We have Omer Troester of Hampton, Nebraska. With him is an exchange student, Alberto Porras of Costa Rica. Would you gentlemen please stand up and be recognized. Thank you for being here. We also have, over under the south balcony, a former member of this Legislature, Senator Tom Fitzgerald, would you please stand up and wave your hand. Thank you. Please welcome Senator Fitzgerald back. Thank you, Tommy. Mr. Clerk, back to the reading.

CLERK: (Read LB 81-98 by title of the first time. See pages 61-67 of the Legislative Journal.)

PRESIDENT: We'll stand at ease for some 15 minutes or half an hour while we get some of the work caught up up here in front. So be at ease, please, for a while. Thank you.

EASE

CLERK: Meeting of the Health Committee, under the north balcony, right now. Health Committee, north balcony right now.

SPEAKER BARRETT PRESIDING

SPEAKER BAPRETT: Additional bill introductions, Mr. Clerk.

ASSISTANT CLERK: (Read LB 99-150 by title for the first time. See pages 67-76 of the Legislative Journal.) That's all I have at this time, Mr. President.

SPEAKER BARRETT: More bill introductions, Mr. Clerk.

CLERK: (Read LB 151-160 by title for the first time. See pages 76-79 of the Legislative Journal.) Mr. President, in addition to those new bills I have new resolutions. (Read LR 1-2 for the first time. See pages 79-81 of the Legislative Journal.)

Mr. President, in addition to those items I have a series of announcements. Mr. President, there will be a meeting of the Executive Board today at three-fifteen for purposes of referencing. Executive Board, three-fifteen for referencing.

Mr. President, Senator Rod Johnson would like to have a meeting

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LB 135, 136, 246, 324, 402, 605, 698  
702, 775  
LR 46, 47, 48

SENATOR HABERMAN: Regular order.

SPEAKER BARRETT: Regular order. That is in order. Will members please sit in their seats in preparation for a roll call vote. Proceed, Mr. Clerk.

CLERK: (Roll call vote read. See pages 1006-07 of the Legislative Journal.) 25 ayes, 18 nays, Mr. President, on adoption of the committee amendments.

SPEAKER BARRETT: The committee amendments are adopted and the call is raised. Mr. Clerk, anything further on the bill?

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

SPEAKER BARRETT: That being the case, the Chair is pleased to take this opportunity to announce that Senator Rod Johnson has some very special guests. Under the south balcony, we have Yuki and Maki Machino and Eiko Sieto from Tokyo, Japan, with Mrs. Omer Troester of Hampton. Would you ladies please stand. Thank you. We're very pleased to have you as our guests this morning. For the record, Mr. Clerk.

CLERK: Mr. President, new resolutions, LR 46 by Senator Baack. (Read brief description of LR 46 as found on page 1007 of the Legislative Journal.) LR 47 by Senator Conway. (Read brief description of LR 47 as found on page 1008 of the Legislative Journal.) LR 48 by Senator Langford. (Read brief description of LR 48 as found on page 1008 of the Legislative Journal.)

Mr. President, Education offers notice of confirmation hearing. (See page 1009 of the Legislative Journal regarding appointment of J.L. Spray to the Coordinating Committee for Postsecondary Education.)

Your Committee on Business and Labor offers a corrected Standing Committee report to LB 605, and reports LB 698 as indefinitely postponed, both of those signed by Senator Coordsen.

Government Committee reports LB 135 to General File; LB 324, General File; LB 702, General File; LB 136, indefinitely postponed; LB 246, indefinitely postponed; LB 402, indefinitely postponed, all signed by Senator Baack as Chair. That's all that I have, Mr. President.

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LB 135, 605

different concept. That concept is when I'm 65 and I stop working, this is what I'm going to live on. It is conceptually unfair to eliminate somebody from unemployment compensation because they have some place a retirement program that they are not dipping into, not turning into income but that is there accumulating value for the day in which they are permanently unemployed and are genuinely retired. 605 recognizes that. It was reported out unanimously by the Business and Labor Committee. I urge for its advancement.

SENATOR LABEDZ: Senator Coordsen, on the advancement of LB 605.

SENATOR COORDSEN: Thank you, Madam Speaker, members of the body, I rise only to encourage the advancement of 605. It's a good bill, addresses a gap in our state law and I think will be useful to a few people who find themselves caught in the cracks in the future. With that I would encourage the advancement.

SENATOR LABEDZ: Thank you, Senator Coordsen. Any further discussion on LB 605? If not, Senator Landis, would you like to close? Thank you, Senator Landis. We're voting on the advancement of LB 605. All those in favor vote aye, opposed nay.

SENATOR LANDIS PRESIDING

SENATOR LANDIS: The Clerk will record.

ASSISTANT CLERK: 25 ayes, 0 nays on the advancement of the bill.

SENATOR LANDIS: Motion passes, the bill is advanced. We'll proceed to LB 135, Senator Elmer the principal introducer. Mr. Clerk.

ASSISTANT CLERK: LB 135 was introduced by Senators Elmer and Rogers. (Title read.) The bill was read for the first time on January 5, was referred to the Government Committee which reports the bill advanced to General File.

SENATOR LANDIS: Senator Elmer, to open on LB 135.

SENATOR ELMER: Thank you, Senator Landis, members, this bill was brought by rural county hospitals. Rural county hospitals were authorized in 1945 and the salaries allowed to be paid to

the members or trustees of the board that operate those hospitals was set at a maximum of \$100 at the discretion of the County Board of Supervisors or Commissioners and has not been changed since 44 years ago. This bill would allow those county boards in counties of population of 3,600 inhabitants or more to establish for county hospital trustees a salary of not less than \$100 per year, not to exceed \$1,200 per year nor to exceed \$100 per meeting and would allow the expenses to be paid for mileage as is already in statute. Many of the rural county hospitals have been going through financial difficulties over the past years and the boards have been required to meet many times, to travel to many seminars and informational meetings at their own expense, at the detriment of their jobs and salaries where they were employed or had their own businesses. This is a purely permissive bill and applies only to those counties who have a county hospital organized and operates it as a county hospital and would allow the county to establish a salary that is commensurate with the duties that these people are having to perform, for each member of that board, and I would ask you to advance this bill.

SENATOR LANDIS: Thank you, Senator Elmer. There are no...oh, Senator Smith does have her light on. Senator Smith.

SENATOR SMITH: Thank you, Mr. Chairman. I'd like to ask a couple of questions of Senator Elmer, if I might.

SENATOR LANDIS: Senator Elmer, will you yield to a question?

SENATOR ELMER: Certainly.

SENATOR SMITH: Senator Elmer, I have a kind of a problem with...you're saying that where there is...we're increasing from \$100 a year to \$1,200 a year and that's \$100 a trip for each board member?

SENATOR ELMER: Negative. This would...

SENATOR SMITH: That's what I understood you to say, and I would like to have that clarified.

SENATOR ELMER: This legislation would allow the County Board of Commissioners or Supervisors to set the salary of the members of a county board of, hospital board of trustees members at somewhere between \$1,000 and \$1,200 per year for all the duties

they perform as that county board of trustee member. Has nothing to do with how many trips they take, how many meetings they...(interruption)

SENATOR SMITH: Didn't you mention something about \$100 a trip.

SENATOR ELMER: No, \$100 per meeting is the maximum.

SENATOR SMITH: Well, then per meeting, isn't that about the same difference as a trip?

SENATOR ELMER: If they had four meetings a year, they would receive no more than \$400.

SENATOR SMITH: In other words, basically they meet, they get \$100 for coming to the meeting.

SENATOR ELMER: If they had only...you know, they could. If they had two meetings, they'd get \$200.

SENATOR SMITH: I guess my concern here is that we're talking on one hand about the little rural hospitals who can hardly survive and we're talking on the other hand about giving these people who are, who have...who are these board members? Are they county supervisors themselves?

SENATOR ELMER: No. They are individuals from the county or the community who have...

SENATOR SMITH: Volunteered to be a member of the board.

SENATOR ELMER: Well, have, you know, a lot of small towns people come around and twist your arm in order to serve on these various public bodies, and in the normal course of events, they are unable to find people who are willing to serve because of the hardships that it's causing to those people with the numerous things that they've had to do in...

SENATOR SMITH: Well, how many times are they meeting now, approximately, because you said on one hand \$100 a meeting, but then you said like four or two meetings a year. Now how many meetings are they averaging?

SENATOR ELMER: I can't answer that exactly but some of these boards are meeting every week and traveling and going to other

kinds of meetings, and other boards where they're not having these problems, they might meet once a quarter.

SENATOR SMITH: They are meeting as high as once a week for a county hospital board meeting?

SENATOR ELMER: In some areas where they're having financial difficulties.

SENATOR SMITH: Well, I'm trying to figure out how this is going to help the hospital survive and it's going to save dollars if we're talking here about giving them more money for doing it. Who is paying the cost of this? Who is going to stand the increased cost here, the county?

SENATOR ELMER: You have to understand that the maximum that member could be paid...

SENATOR SMITH: I know, is \$100.

SENATOR ELMER: Is \$1,200 per year.

SENATOR SMITH: It's a \$100 now.

SENATOR ELMER: It's \$100 per year now.

SENATOR SMITH: Right. And you're increasing it to \$1,200 a year.

SENATOR ELMER: If the county board approves the salary increase.

SENATOR SMITH: Yes. Who is paying for it? Who is going to pay this increase?

SENATOR ELMER: The county.

SENATOR SMITH: I have a problem with this bill and I wish I would have paid better attention to it beforehand because we all know that our county hospitals are having trouble surviving. I'm trying to figure out how this is going to help them survive if we're going to say, what we're going to do because they are having troubles is give more money to the people that are meeting in the board meetings. That doesn't make much sense to me and I think I'm going to have to vote against this unless you

can give me some other information that changes my mind on it. Thank you.

SENATOR LANDIS: Thank you, Senator Smith. There are two more lights on, Senator Baack, followed by Senator Haberman.

SENATOR BAACK: Yes, Senator Landis and members, I think there is a...what this is is purely enabling kind of legislation. The county board would still make the decision as to whether or not and the reason that it was brought to us was the fact that at \$100 a year a lot of the county hospital boards are having a very, very difficult time getting anyone to serve. If they are having that problem at \$100 a year getting them to serve, we are just going to enable them to pay a little bit more to try and get some more people to serve on that board, to try and get some good quality people serving on that board. That is what it does. It doesn't require anyone to increase anything. If they can get the people to serve at \$100, they can still serve at \$100. It does not require them to do anything. The county board will make that decision if they are having problems getting people to serve, maybe by an inducement of \$50, maybe at \$150 a year they can get somebody to do it, but they are not required to do that. It is going to be very localized I would think. I have a county hospital in mine too, and it would be...the thing of it is it's very difficult to get somebody to serve for \$100 a year. And that is why it's there, but it doesn't require anybody to be paid \$100 a meeting or anything like that. It doesn't require that. It's purely enabling legislation. Certainly, certainly, Senator Smith can have the rest of my time if she would like.

SENATOR LANDIS: All right. Senator Baack yields the remainder of his time to Senator Smith.

SENATOR SMITH: Thank you. I don't intend to try to hold the bill up if I can be satisfied by the questions that I have and that's why I thank you for giving me your time. But right now they are eligible for \$100 a year. How is that paid to them? How? How is it dispersed to them? Do they get it as a yearly, well, if you want to call it a salary or a stipend or something for being a board member, is that how it is now?

SENATOR BAACK: Well, that is how it is done in my county. Now I don't know if every county does it exactly the same.

SENATOR SMITH: Not so much per meeting.

SENATOR BAACK: No. No, they just...(interruption)

SENATOR SMITH: Okay, so what we're saying is that we're wanting to jump here all of a sudden from \$100 a year to serve on this board of the hospital to saying that we'll pay you \$100 every time you come to a meeting. You said that. You said up to \$1,200 a year or \$100 every time they meet.

SENATOR BAACK: That's the maximum that they...(interruption)

SENATOR SMITH: But they can be paid up to \$100 if the county decides to pay them that.

SENATOR BAACK: If the county decides to do that, yes.

SENATOR SMITH: Yes. Is that right because he is saying no?

SENATOR BAACK: Up to \$1,200 a year.

SENATOR LANDIS: Wait a second. Make sure that if you're asking a question, you indicate that you're asking somebody to yield for a question, address it to the Chair and the Chair will check to see whether that senator will, in fact, yield to a question if there is a question.

SENATOR SMITH: All right, then I'm going to ask...I will ask if Senator Elmer will yield to a question.

SENATOR LANDIS: Senator Elmer, will you yield to a question?

SENATOR ELMER: Certainly.

SENATOR SMITH: Now, Senator Elmer, did you say that or not a little bit ago?

SENATOR ELMER: What I said or intended to say, Senator Smith, was this. That the county may, if the county board would so choose...

SENATOR SMITH: Yes.

SENATOR ELMER: ...allow up to but no more than \$1,200 per year.

SENATOR SMITH: Right, you said that, but did you also say...

SENATOR ELMER: And also said that it could be no more than \$100 per meeting.

SENATOR SMITH: Right. Okay, now that is...

SENATOR ELMER: So if they had four meetings a year, the maximum the county could...(interruption)

SENATOR SMITH: But if they had 12 meetings a year, they could get the \$1,200. If they met anything over that, they wouldn't get reimbursed. Is that correct?

SENATOR ELMER: That is correct.

SENATOR SMITH: But it could go as high as \$1,200...how many board members do they have?

SENATOR ELMER: Usually I think it's five or seven, something like that, five.

SENATOR SMITH: Ten?

SENATOR ELMER: No. No, five...

SENATOR SMITH: Senator Nelson, would you yield to a question.

SENATOR LANDIS: Senator Nelson, will you yield to a question?

SENATOR NELSON: I'm sure that my hospital board has a lot more than five people on it. I'll have to go ten or twelve. I also have a question on liability, but on my time.

SENATOR LANDIS: It's not your dime right now, Senator Nelson, don't worry. Now it's going back to Senator Smith, the end of Senator Baack's time.

SENATOR SMITH: I'm sorry, but...it is the end of the time?

SENATOR LANDIS: No, you've got one more minute.

SENATOR SMITH: Okay, I still have questions because it's becoming more and more confusing. I still have a problem with saying our rural hospitals are having a time surviving so let's

give more money out of what we would otherwise be providing for the support of them which could be as high as, however many board members a year, an increase of \$10,000 that are taken away for helping them to survive. That doesn't make sense to me.

SENATOR LANDIS: Thank you, Senator Smith. We'll now move on to Senator Haberman. I'll tell you that 10 minutes have elapsed on the time on this bill. Senator Haberman.

SENATOR HABERMAN: How much time is, Mr. President, how much time is left?

SENATOR LANDIS: A little over 10 minutes have elapsed on the bill itself.

SENATOR HABERMAN: I think it's an insult to go up to somebody and say, we would like to have you serve on the county hospital board and we're going to give you a hundred bucks. That is an insult. I'd almost have to say to them, ask them to do it for free than to give them a \$100. So I don't think \$1,200 a year is too much. Now it doesn't say anything in there about mileage, it doesn't say anything about meals, doesn't say anything about the phone calls they are going to make at home. It doesn't say anything of the hassling they are going to get downtown, and as I read the bill and as it was explained to me, they get \$100 per meeting and if they only meet five times it could be \$500. As I understand it, they can't be paid more than \$1,200. As I read the bill if they met once they could be \$1,200. The bill is not clear. It's trying to be clear, however, I'm going to have the faith in the hospital boards and the county boards and everybody else that they are not going to pay that much for one meeting. So what we're doing here is we're kind of nitpicking a little bit. We're willing to pass bills that cost hundreds of thousands of dollars. We're willing to increase what voc-tech schools can pay or bond and build buildings so I wholly support LB 135. I hope there is time left.

SENATOR LANDIS: Thank you, Senator Haberman. There are four more lights on in this order: Senator Elmer, Senator Smith, Senator Pirsch and Senator Nelson. Senator Elmer is recognized.

SENATOR ELMER: I'd call the question.

SENATOR LANDIS: Senator Elmer calls the question. Do I see

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LB 135

five hands. There are five hands. The question is, shall we call the question on LB 135? Those in favor vote aye, opposed vote no. Members of the body, have you all voted? Senator Elmer, for what purpose do you rise?

SENATOR ELMER: Senator Landis, I'm not sure I can draw out the conversation in such a talented way as yourself to encourage the membership that remains to return to the Chamber or to cast their ballot. I think that the bill is a very simple little thing and we could all go on...

SENATOR LANDIS: I'm not sure that we get to characterize in a closing statement in the recognition of the Chair for the purposes of...

SENATOR ELMER: I'm going to have to very reluctantly ask for a call of the house.

SENATOR LANDIS: Thank you, Senator Elmer. Senator Elmer requests a call of the house.

SENATOR ELMER: Call in votes are okay on the question.

SENATOR LANDIS: Thank you. Call in votes are allowed. The question is, shall the house go under call? Those in favor vote aye, those opposed vote no. The Clerk will record.

ASSISTANT CLERK: 18 ayes, 1 nay to go under call.

SENATOR LANDIS: We are under call. Please return to your chairs, check in.

ASSISTANT CLERK: Senator Pirsch changing from no to yes.

SENATOR LANDIS: The question before the house is the calling of the question of LB 135. Call in votes are permitted.

ASSISTANT CLERK: Senator Nelson voting yes.

SENATOR LANDIS: Please record, Mr. Clerk.

ASSISTANT CLERK: 25 ayes, 0 nays, Mr. President.

SENATOR LANDIS: The question is called. We will return to Senator Elmer for the closing on the bill and the house is...the

call of the house is raised. Senator Elmer.

SENATOR ELMER: Thank you, Senator Landis. Some of the questions raised are interesting. First of all, this is a very permissive bill. The County Board of Trustees for county hospitals at 3,600 inhabitants or more has been set at a maximum of \$100 per year since 1945. County hospitals are having a very difficult time trying to recruit members for their boards. The maximum that we can...the maximum number of people on a board are three to five members by statute, no more than five. The county boards have the option to set this salary at an amount that is commensurate or necessary in order to procure members for these county hospital boards. I think it's only fair that we allow this permissive setting of salaries for these county boards to be allowed and I would ask your vote to advance this to Select File, and if further questions can be answered at that time or clarifications could be made, I would like very much to work with Senator Smith or Senator Nelson or Senator Pirsch or whoever has questions about it. I would ask for the advance of the bill.

SENATOR LANDIS: Thank you, Senator Elmer. All those in favor vote aye, those opposed vote no. The Clerk will record.

ASSISTANT CLERK: 25 ayes, 1 nay on the advancement of the bill, Mr. President.

SENATOR LANDIS: The bill is advanced. We'll move on to LB 324, principal introducer Jerry Conway. Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB 324 was introduced by Senator Chizek. (Title read.) The bill was read on January 11, referred to the Government Committee. They report the bill to General File.

SENATOR LANDIS: Senator Conway, opening on LB 324.

SENATOR CONWAY: Mr. Speaker, members, this is a very simple bill. It was brought to me by the county treasurers in recognition of some of the fees that they collect, that the forms themselves are actually costing more now than what the fee is they are allowed to attach to that particular item. There are three in question. The first two, they are currently under law allowed to charge 50 cents. One form is the issuance of distress warrants, the other one is deeds or certificates issued

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LB 77, 99, 135, 143, 206, 213, 228  
228A, 247, 323, 324, 371, 381, 423  
486, 487, 487A, 488, 488A, 508, 509  
566, 592, 605, 627, 643, 669, 714  
722, 756, 781, 793  
LR 70

PRESIDENT NICHOL PRESIDING

PRESIDENT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber. We have with us this morning as our Chaplain of the day Dr. Paul Lundell of the Dundee Presbyterian Church in Omaha. Would you please rise.

DR. LUNDELL: (Prayer offered.)

PRESIDENT: Thank you, Dr. Lundell. We appreciate your message this morning. Roll call, please. Record, please.

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

PRESIDENT: Thank you. Do we have any corrections to the Journal?

CLERK: No corrections, Mr. President.

PRESIDENT: Good. Any messages, reports or announcements?

CLERK: Mr. President, Enrollment and Review reports LB 77, LB 371, LB 592, LB 643, LB 714, and LB 781 as correctly Engrossed. Enrollment and Review also reports LB 99, LB 323, LB 143, LB 213, LB 381, LB 423, LB 509, LB 793, LB 605, LB 135, LB 324, LB 756, LB 206, LB 669, LB 486, LB 487, LB 487A, LB 488, LB 488A, LB 228, LB 228A, LB 627, LB 508, LB 722, and LB 566 to Select File, some of those having Enrollment and Review amendments attached. (See pages 1533-40 of the Legislative Journal.)

Mr. President, Senator Warner would like to print amendments to LB 247 in the Legislative Journal. That's all that I have, Mr. President. (See page 1540 of the Journal.)

PRESIDENT: Okay. We'll move on to LR 70.

CLERK: Mr. President, LR 70 has been offered by Senators Ashford and Moore. It's found on page 1476. (Read brief summary of resolution.)

PRESIDENT: Senator Ashford, please.

SENATOR ASHFORD: Thank you, Mr. President and members. Last year we passed legislation which authorized the profession of

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LB 135, 509, 605, 793

SENATOR LINDSAY: Mr. President, I would move that LB 509, as amended, be advanced to E & R for Engrossment.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 793.

CLERK: LB 793, Senator, has E & R pending.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move the adoption of the E & R amendments to LB 793.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: Nothing further on the bill, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 793, as amended, be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 605.

CLERK: LB 605, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 605 be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 135.

CLERK: Mr. President, I have no amendments to 135, I do have a request for a machine vote.

PRESIDENT: Okay, machine vote has been requested. The question is, shall the bill be advanced? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 6 nays, Mr. President, on the advancement of

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LB 135, 206, 324, 487, 669

LB 135.

PRESIDENT: LB 135 is advanced. LB 324.

CLERK: LB 324, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 324 be advanced to E & R for Engrcssment.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 206.

CLERK: LB 206, Senator, I have E & R amendments pending.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I would move the adoption of the E & R amendments.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: Nothing further, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I would move that LB 206, as amended, be advanced to E & R Final.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 669.

CLERK: LB 669, Senator, has no amendments to the bill.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the advancement of LB 669.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 487.

CLERK: LB 487, Senator, I have E & R amendments pending.

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LB 99, 135, 206, 228, 228A, 323-325, 381  
423, 487, 487A, 508, 509, 605, 627  
669, 722, 793

chemicals. There are other bills coming up this session that deal with solid waste disposal that I hope that we'll get to yet this session. So I think that there are people in this body who are committed to doing something in respect to the environment and I take some exception to the statements made by Senator Chambers on the fact that this body is not interested. I think we are interested and I think the message is beginning to come across to us that we need to begin to look at the environment, whether we come from the country or the city, it's just as important to all of us. So I support the bill and other bills. Hopefully, it will be forthcoming this session.

SPEAKER BARRETT: Thank you. There are no other lights. The question is the advancement of LB 325 to E & R Initial. Those in favor of that motion vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 37 ayes, 0 nays, Mr. President, on the advancement of LB 325.

SPEAKER BARRETT: LB 325 is advanced. Messages on the President's desk, Mr. Clerk.

CLERK: Mr. President, Enrollment and Review reports they have carefully examined and engrossed LB 99 and find the same correctly engrossed, LB 135, LB 206, LB 228, LB 228A, LB 323, LB 324, LB 381, LB 423, LB 487, LB 487A, LB 508, LB 509, LB 605, LB 627, LB 669, LB 722 and LB 793, all reported correctly engrossed. (See pages 1671-72 of the Legislative Journal.)

Senator Abboud would like to add his name to LB 325 as co-introducer, Mr. President. That's all that I have.

SPEAKER BARRETT: Thank you. Senator Schellpeper, would you care to adjourn us?

SENATOR SCHELLPEPER: I sure would. I would move we adjourn until April 13th at 9:00 a.m.

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LB 135, 206, 323, 324

SPEAKER BARRETT: You're concerned, Senator Kristensen, that my position affected the rights and the dignity and the integrity of this Legislature? Is that your point?

SENATOR KRISTENSEN: Most notably, the integrity, yes.

SPEAKER BARRETT: Your point is not well-taken. You're out of order. (laughter) An announcement with reference to Final Reading. We will roll over 323, LB 323 will not be read this morning. Members will please return to their seats for Final Reading. Senator Haberman, while we're waiting for people to get to their seats, do you have a point?

SENATOR HABERMAN: Yes, Mr. President. In regards to Senator Kristensen's remarks and your ruling, I would like to debate and make a motion to overrule the Chair.

SPEAKER BARRETT: I know your request is well-intentioned, but you're out of order, too. Please be seated for Final Reading. Mr. Clerk, LB 135.

CLERK: (Read LB 135 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 135 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Read record vote. See page 1770 of the Legislative Journal.) 37 ayes, 3 nays, 2 present and not voting, 7 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 135 passes. LB 206.

CLERK: (Read LB 206 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 206 pass? Those in favor vote aye, opposed nay. Record.

CLERK: (Read record vote. See page 1771 of the Legislative Journal.) 42 ayes, 0 nays, 1 present and not voting, 6 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 206 passes. LB 324.

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LB 89, 135, 206, 324, 381, 392, 482

CLERK: (Read record vote. See pages 1774-75 of the Legislative Journal.) 42 ayes, 1 nays, 2 present nays, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 482 passes. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign, LB 482, LB 392, LB 381, LB 324, LB 206 and LB 135. (See page 1775 of the Legislative Journal.) Matters for the record, Mr. Clerk.

CLERK: I have nothing at this time, Mr. President.

SPEAKER BARRETT: Thank you. Proceeding then to Select File, senator priority bills, LB 89. The call is raised.

CLERK: Mr. President, LB 89 was considered yesterday by the Legislature. At that time there were two amendments by Senator Lynch that were adopted. The first amendment I have to the bill this morning, Mr. President, is by Senator Moore. Senator, I have your amendment AM1130 found on page 1449.

SPEAKER BARRETT: Senator Scott Moore, on your amendment, please.

SENATOR MOORE: Well, it's one of those things where I'm probably going to sit here and talk for a while and tell you a little story about some things we talked about in the interim of last night and today. I think one thing, a few things that are important to point out that some of us, at least, have always had some problems with 89, one, because of the minimum salary language and, two, because of the sustainability of the dollar amount. And I know there were some of us back in January that said \$150 million you can do, maybe you can do 20 or 25 or something like that. And there were some of us that always said, well, it's bad policy to put in statute a minimum salary dollar amount because once you do that you have basically taken the local school board out of setting salary policy and making the State Legislature the state school board, and I think that's bad policy. But as people like myself always made those arguments, you always made it clear that, no, we're not against raising teachers' salaries and, as a matter of fact, I'm speaking for myself now, I am very concerned about beginning teachers' salaries because the fact of the matter is that I only graduated from college a few years ago myself. That is one of those things I sat there in my freshman and sophomore year in

that's who was invited to try to sort out this pile of amendments that we had on the desk and if Senator Lamb would have had his amendment up there, he would have been invited, I'm sure. I don't think there was anyone that was excluded for any particular reason other than the fact that those with amendments was who the Chairman invited in to try to sit down and not spend all day on this issue by running through a lot of amendments what were, in many cases, trying to accomplish some of the same things. With that, I think most people have developed at least, hopefully, a good understanding of what the attempt is. Primarily, again, this amendment it eliminates Phase I. It sets the level at 20 million which I incorporated in my amendment so that we could run them all together. That was not my particular proposal but that was going to follow in another amendment so I simply added it to mine. We changed the factor so that we can get some incentive going early on and we lowered that threshold from, the original bill was 18, down to 16 is when you can start participating. So it's basically fairly simple if you thoroughly understood the original bill. If you didn't have time to process the original bill, well, then this has to be...

SPEAKER BARRETT: One minute.

SENATOR CONWAY: ...incorporated and done that way. So, with that, Mr. Speaker, I urge the body to attach the Conway amendment to LB 89.

SPEAKER BARRETT: Thank you, sir. You have heard the closing and the question is the adoption of the Conway amendment to LB 89. Those in favor of that motion, please vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 33 ayes, 0 nays, Mr. President, on adoption of Senator Conway's amendment.

SPEAKER BARRETT: The amendment is adopted. For the record, Mr. Clerk.

CLERK: Mr. President, I have a reference report for gubernatorial appointees referring them to the appropriate Standing Committee for confirmation hearing. (See page 1778 of the Legislative Journal.)

Bills read on Final Reading have been referred to the Governor. (Re: LB 135, LB 206, LB 324, LB 381, LB 392 and LB 482.)

April 20, 1989

LB 47, 66, 99, 135, 206, 247, 247A  
324, 372, 381, 392, 395, 401, 482  
506, 546, 548, 582, 582A, 608, 611  
637, 777, 790  
LR 81, 82

advancement of LB 247.

SPEAKER BARRETT: LB 247 is advanced. Anything for the record? The call is raised. Senator Withem, would you like to handle the A bill at this point? (LB 247A)

CLERK: Senator, I have no amendments to the bill.

SENATOR WITHEM: Move the advancement of the A bill.

SPEAKER BARRETT: Thank you. Any discussion? If not, those in favor of the advancement of the A bill say aye. Opposed no. Carried. For the record.

CLERK: Mr. President, thank you. Communication from the Governor to the Clerk. (Read communications regarding LB 135, LB 206, LB 324, LB 381, LB 392, LB 482, LB 395, LB 47, LB 66, LB 372, LB 401, LB 506, LB 546, LB 548, LB 582, LB 582A, LB 608, LB 637, LB 777, LB 790, and LB 99 as found on pages 1809-10 of the Legislative Journal.)

Study resolution, Mr. President, by Senator Goodrich and some other members regarding a review of state institutions where there is a permanent residence population. That will be referred to Reference Committee. (LR 81.) LR 82 is a resolution by Senators Pirsch and Lindsay asking the Legislature to applaud the efforts of 120 students in the...for their academic achievement. That will be laid over. (See pages 1810-12 of the Journal.)

Mr. President, Government Committee gives notice of confirmation hearing for May 4. That is offered by Senator Baack as Chair. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Proceeding then to the next bill on Select File, LB 611.

CLERK: Mr. President, the first item on LB 611 are Enrollment and Review amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 611 be adopted.