

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

February 3, 1989

LB 48, 92A, 116, 157, 250, 289, 325  
340, 342, 344, 360, 520, 603, 732

Legislative Journal.) 26 ayes, 14 nays, Mr. President, on the advancement of LB 116.

PRESIDENT: The bill advances. The call is raised. Mr. Clerk, for the record.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 342 and recommend that same be placed on Select File with E & R amendments and LB 344 Select File with E & R amendments. Those are signed by Senator Lindsay as Chair. (See pages 593-95 of the Legislative Journal.)

Education Committee reports LB 250 to General File with amendments. That is signed by Senator Withem. (See page 595 of the Legislative Journal.)

Health and Human Services reports LB 157 to General File, LB 360 General File, LB 520 General File. Those are signed by Senator Wesely as Chair. (See page 595 of the Legislative Journal.)

Government Committee reports LB 340 to General File with amendments attached. That is signed by Senator Baack as Chair. (See pages 595-97 of the Legislative Journal.)

New A bill, LB 92A by Senator Landis. (Read by title for the first time. See page 597 of the Legislative Journal.)

And, Mr. President, Senator Coordsen would like to add his name to LB 603 and to LB 289; Mr. President, Senator Smith to LB 325 and Senator Byars to LB 732. (See page 597 of the Legislative Journal.)

In addition to those items, Mr. President, I have a series of amendments to be printed to LB 48 from Senator Moore. (See pages 597-600 of the Legislative Journal.) And that is all that I have, Mr. President.

PRESIDENT: Senator Beck, would you like to say something to us?

SENATOR BECK: Yes, Mr. President, I would. I move that we adjourn until next Monday morning at nine o'clock and that is February 6.

PRESIDENT: Thank you. You've heard the motion. All in favor

February 21, 1989      LB 157, 176, 183, 280, 416, 502, 567A

Opposed nay. It is advanced. LB 140. We'll skip that one since it has an amendment on it. Do we have anything on LB 502, Mr. Clerk?

CLERK: Senator, I have no amendments to LB 502.

PRESIDENT: Okay, Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 502 be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 416, please.

CLERK: 416, Senator, I have E & R amendments pending.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 416 be adopted.

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

CLERK: I have nothing further on that bill, Senator.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 416 as amended be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. We'll skip LB 443 since it also has amendments on it. Mr. Clerk, do you have anything for the good of the cause?

CLERK: Mr. President, thank you, I do. Senator Chizek has amendments to be printed to LB 157 and Senator Lamb has amendments...a series of amendments to LB 183. (See pages 808-15 of the Legislative Journal.)

Mr. President, new A bill, LB 567A by Senator Withem. (Read by title for the first time. See page 815 of the Legislative Journal.)

Transportation Committee to whom was referred LB 280 instructs

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

CLERK:    25 ayes, 0 nays, Mr. President, on the advancement of LB 441.

PRESIDENT:    LB 441 is advanced. We will take up LB 250 next, please.

CLERK:    Mr. President, LB 250 was a bill that was introduced by Senator Hall and Senator Withem. (Read title.) The bill was introduced on January 9.

PRESIDENT:    The Speaker has asked that we skip over 250. We will go on to LB 157. Is that correct, Mr. Clerk?

CLERK:    Yes, Mr. President, I believe it is.

PRESIDENT:    Okay.

CLERK:    Mr. President, 157 is a bill that was introduced by Senator Chizek. (Read title.) The bill was introduced on January 5, referred to the Health Committee. The bill was advanced to General File. Mr. President, I have no committee amendments but Senator Chizek would move to amend the bill and that amendment is on page 808 of the Journal.

PRESIDENT:    All right, Senator Chizek, do you wish to talk about your amendment first?

SENATOR CHIZEK:    Mr. President and colleagues, the amendment to LB 157 is on page 108 of the Journal and, in essence, becomes the bill. This bill was here last year and was on the floor and we have done substantial negotiations, if you would, with the interested parties. Basically, the intent was to provide notice to emergency medical service providers when they have been exposed to any of fifty some three infectious communicable diseases in the course of their duties. The amendment preserves that intent while taking care of some technical matters that were raised at the hearing. As I said, since the hearing all parties concerned have worked hard to reach meaningful accord. Statutes from other jurisdictions were examined. Specifically, the amendment before us proposes that the bill provide protection to emergency medical service providers,

confidentiality of patient identity and imposes certain duties on the EMS providers. We have done the amendment this way simply as a matter of convenience. In a nutshell, the EMS provider must request notification which is then provided to the physician designated by the provider within 48 hours. Only the fact of diagnosis is revealed, never the identity. Provisions are made in the bill for diagnostic testing. If there has been... a patient has the right to refuse the consent to testing. The bill is not a substitute in any way for positive action by the EMS provider. And I think it's important to emphasize that all health care facilities and providers are to adopt procedures addressing methods of preexposure safeguards and postexposure risk reduction. I would urge the body's adoption of the amendment. We passed out a summary of the bill and, as I said, I would urge the adoption.

PRESIDENT: Senator Wesely, did you wish to speak about the committee amendments?

SENATOR WESELY: Thank you. Mr. President and members, I would rise in support of the amendment and ask the body to adopt it and then I would also ask the body to advance the bill. I chaired the hearing on this legislation. If you look at LB 157, you will see a great number of individuals testified in support of it at the hearing. There were also a number of opponents to the bill. The opponents were very concerned about the original piece of legislation which was similar to a bill that Senator Chizek introduced last year. We did work toward compromise last year and did advance a bill at the end of the session. We went back to work once again and further compromised in trying to arrive at a consensus on this issue. Where we're at, essentially, is that the original bill that's before us, without the amendment, would be intrusive of personal confidentiality and I would object and I think the Health and Human Services Committee would object to it. But recognizing the integrity and honesty of Senator Chizek, we knew that he would come back with this amendment and work out the differences of different individuals. The different parties involved, the medical association and the hospital association, I understand, are agreed to this amendment. I am not yet certain of other potentially interested parties and I don't know if everybody has really had a chance to review the language in detail. I, personally, haven't but I think the thrust of it is fine. I think the intent is good and we're certainly better off with this amendment than the original bill. Currently, Senator

Chizek has identified an important issue and an important problem and so, with that, I would ask for the adoption of the Chizek amendment and support for it. I think it clearly improves this legislation and is necessary before we advance the bill.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Thank you. Senator Abboud, discussion on the amendment.

SENATOR ABOUD: Mr. President, colleagues, I rise to support the amendment as well. I feel that Senator Chizek has spent a great deal of time analyzing what I see as a very serious problem dealing with emergency personnel and I feel that this particular amendment provides protection for the emergency personnel as well as ensuring the privacy of those patients. And I think the body should commend Senator Chizek for all the time and effort he has put in in dealing with this very serious problem. Thank you.

SPEAKER BARRETT: Thank you. Any other discussion on the amendment? Senator Chizek, would you care to close? Thank you. The question before the body is the adoption of the Chizek amendment to 157. Those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 27 ayes, 0 nays, Mr. President, on the adoption of Senator Chizek's amendment.

SPEAKER BARRETT: The amendment is adopted. To the bill itself as amended, Senator Chizek, would you like to explain the bill?

SENATOR CHIZEK: Mr. Speaker, I think, basically, the amendments are now the bill and I would just simply say that we have taken a lot of pains over two years to try and deal with everybody's concerns and I would urge the adoption of the...or the advancement of the bill.

SPEAKER BARRETT: Thank you. Any discussion on the advancement of LB 157 to E & R Initial? Seeing none, those in favor of that motion please vote aye, opposed nay. Voting on the advancement of the bill. Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of

157.

SPEAKER BARRETT: LB 157 is advanced. LB 360.

CLERK: Mr. President, 360 by Senators Wesely and Smith. (Read title.) The bill was introduced on January 11, referred to the Health Committee, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, and members, just a brief explanation and then Senator Smith will follow in the opening. The bill deals with two subject matters. One deals with burial expenses allowed under Medicaid. Currently, that's \$3,000. This is the amount you retain in assets to cover your burial expenses when you go on Medicaid. The cost of burials have gone up dramatically and the \$3,000 now allowed is woefully inadequate. This bill would increase the 3,000 to \$4,000 this year and then in two years it would go to \$5,000 so that we could allow these individuals who do go on Medicaid adequate resources to have a proper burial. In addition, the bill deals with the subject of personal care allowance in care facilities. Right now we allow \$30.00 to individuals a month to retain in terms of income that they have. The rest of their income then goes toward the expense of their care. This bill would increase from \$30.00 to \$45.00 the amount of personal care allowance that we provide. That's a quick summary of the bill and I will give the rest of my time to Senator Smith.

SPEAKER BARRETT: Senator Smith, please.

SENATOR SMITH: Thank you, Senator Wesely. Mr. Chairman and members of the body, I will also be very brief. The bill is...and Don has already told you what the provisions of the bill would be and I would just use some examples. I'm in and out of the nursing home in Hastings a lot, and I will just tell you, very personally, I have had a father-in-law there. You've heard me mention about the fact that he was there for a period of time before he passed away, and now my mother-in-law is there. And so I do visit often, and I have a lot of contact with the other folks that reside in that nursing home and a lot of phone calls from them. And one of the biggest concerns that they have is that presently they're only allowed \$30 personal needs allowance for their...all the personal kinds of needs that

March 1, 1989

LB 143, 144, 155, 157, 265, 360, 360A  
397, 595, 616, 619, 623, 680  
LR 38

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. As our Chaplain of the day, today we have Reverend Tom Stebbins of the Christ Community Church in Omaha, which is in Senator Pirsch's District. Would you please rise for the invocation.

REVEREND TOM STEBBINS: (Prayer offered.)

PRESIDENT: Thank you, Reverend Stebbins, for your thoughtful prayer this morning, appreciate it. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Any corrections to the Journal today?

CLERK: Mr. President, I do. Oh, no corrections, no, sir. I am sorry. I have no corrections this morning, Mr. President.

PRESIDENT: Well, very good. Do you have any messages, reports, or announcements?

CLERK: Yes, sir, I do. Mr. President, your Committee on Enrollment and Review reports they have carefully examined and reviewed LB 157 and recommend that same be placed on Select File with E & R amendments; LB 360, LB 360A, LB 265, LB 397, LB 619, LB 623, LB 155, all of those on Select File, some have E & R amendments attached. Mr. President, Education Committee, whose Chair is Senator Withem, reports LB 143 to General File, LB 144 indefinitely postponed, LB 680 indefinitely postponed, those signed by Senator Withem. Mr. President, Natural Resources Committee, whose Chair is Senator Schmit, reports LB 616 to General File with committee amendments attached. (See pages 916-18 of the Legislative Journal.)

Mr. President, a new resolution, LR 38 by Senator Lindsay and Senator Hartnett. (Read brief explanation. See pages 918-19 of the Legislative Journal.) That will be laid over.

Mr. President, an Attorney General's Opinion addressed to Senator Lynch regarding LB 595. (See pages 919-21 of the Legislative Journal.) An announcement, Mr. President, Senator Hall has selected LB 262 as his priority bill for this



March 14, 1989

LB 50, 54, 157, 203, 330, 357A, 455  
496, 571, 583, 584-586, 597  
LR 8-10, 52, 53

may. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Nelson's amendment.

PRESIDENT: The Nelson amendment is advanced. Now...is adopted. Now we're on the advancement of the bill, Senator Nelson.

SENATOR NELSON: Just move for the advancement.

PRESIDENT: Thank you. The question is the advancement of the bill. All those in favor say aye. Opposed nay. It is advanced. LB 157.

CLERK: Mr. President, may I read some items?

PRESIDENT: Yes, please.

CLERK: Mr. President, your Committee on Judiciary, whose Chair is Senator Chizek, to whom was referred LR 8, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, LB 50 General File with amendments, LB 203 General File with amendment, LB 330 General File with amendments, LB 455 General File with amendments, LB 571 General File with amendments, LB 586 General file with amendments, LR 9 indefinitely postponed, LR 10 indefinitely postponed, LB 496 indefinitely postponed, LB 583 indefinitely postponed, LB 584 indefinitely postponed, LB 585 indefinitely postponed, all signed by Senator Chizek as Chair of the committee. (See pages 1129-38 of the Legislative Journal.)

Senator Morrissey offers LR 52 congratulating the Falls City Sacred Heart boys basketball team. That will be laid over. LR 53 is offered by Senators Chizek, Abboud and Beyer congratulating the Millard South boys basketball team. (See pages 1138-40 of the Legislative Journal.)

Mr. President, Senator Wehrbein has amendments to be printed to LB 54 and Senator Abboud to LB 597. (See pages 1140-41 of the Legislative Journal.)

Mr. President, on LB 157 which is on Select File, the first order of business are Enrollment and Review amendments.

PRESIDENT: Senator Lindsay, please.

March 14, 1989

LB 157

CLERK: Enrollment and Review amendments, Senator.

PRESIDENT: E & R.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 157 be adopted.

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

CLERK: Mr. President, Senator Kristensen would move to amend the bill. (Kristensen amendment appears on pages 1141-42 of the Legislative Journal.)

PRESIDENT: Thank you. Senator Kristensen, please.

SENATOR KRISTENSEN: Thank you, Mr. President. This is the first responder bill Senator Chizek spoke about earlier. I have some amendments basically to this bill which substitutes the health care or the hospital and substitutes for that the attending physicians. Under the bill, what happens is that the hospital is requested to make tests of the patient on the situations where the bill will come into effect. Hospitals really don't have patients, it is attending physicians. And so what my amendment, and they should be passed out right now, does is substitute patient's attending physicians for the health care facility and so on for those tests to be done and it's really to conform the bill to the normal course of the way a hospital operates and works and this bill...this is a cleanup. I still strongly believe in the bill. This is not made to gut the bill in any manner. It's basically to conform to the way that the procedures actually work in a hospital. Other things that the amendment does is allow for the doctor or the attending physician to be notified if there are any positive test results and so on. There has not been any opposition to these amendments that I know of and I would ask for its adoption.

PRESIDENT: Thank you. Senator Chizek, please.

SENATOR CHIZEK: I just...I support the amendments. I consider them friendly amendments and clarification.

PRESIDENT: Okay, thank you. The question is the adoption of the Kristensen amendment. All those in favor vote aye, opposed

March 14, 1989

LB 157, 265, 619

nay. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Kristensen's amendment.

PRESIDENT: The Kristensen amendment is adopted.

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

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that LB 157 as amended be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 265.

CLERK: Senator, on 265 I have E & R amendments.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 265 be adopted.

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

CLERK: I have nothing further on that bill, Senator.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 265 as amended be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 619.

CLERK: 619, Senator, I have no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 619 be advanced to E & R.

PRESIDENT: You've heard the motion. All in favor say aye.

March 16, 1989

LB 41, 49, 72, 89, 152, 157, 265  
285, 287, 357, 357A, 373, 421, 431  
431A, 480, 501, 513, 613, 619, 637  
649, 758, 767, 776, 803

Retirement Systems report LB 41 to General File with amendments. That is signed by Senator Haberman. And LB 287 to General File with amendments, signed by Senator Haberman. Banking Committee reports LB 758 to General File with amendments; LB 776, General File with amendments; LB 480, indefinitely postponed; LB 613, indefinitely postponed, and LB 803 indefinitely postponed, those signed by Senator Landis as Chair. Transportation reports LB 72 to General File with amendments; LB 373, General File with amendments; LB 501, General File with amendments; LB 152, indefinitely postponed; LB 513, indefinitely postponed; LB 649, indefinitely postponed, those signed by Senator Lamb as Chair. Select File, E & R reports LB 49 and LB 431 to Select File and LB 431A to Select File. Enrollment and Review reports LB 157 correctly engrossed, LB 265, LB 357, LB 357A and LB 619 all correctly engrossed. General Affairs Committee reports LB 767 to General File with amendments. That is signed by Senator Smith. A series of amendments to be printed, Senator Lamb to LB 285, Senator Withem to LB 637, and Senator Smith to LB 421. (See pages 1182-93 of the Legislative Journal.) That is all that I have, Mr. President.

PRESIDENT: May I please introduce some guests of Senator Schmit, please, in the...I don't know which balcony they are in. There are 41 seventh graders and their teacher from Aquinas School in David City. Are you folks in either balcony? Would you please rise and be recognized? Thank you for visiting us today. Senator Smith, did you wish to speak on Section 10 of the amendment? Senator Lynch, did you wish to speak on that?

SENATOR LYNCH: Only to save time, mention again, as Senator Warner and I discussed earlier, our agreement on this portion of the Scott Moore amendment, so we would ask for your support for this amendment.

PRESIDENT: Senator Moore, did you wish to close on the Section 10 portion of your amendment?

SENATOR MOORE: No, just ask that it be adopted.

PRESIDENT: All right, the question is the adoption of the second half of the Moore amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of Senator Moore's second amendment to the bill.

March 23, 1989

LB 157, 250, 250A, 340, 410

you.

SENATOR LABEDZ: Senator Hall, there are no further lights. Would you like to advance LB 250 to E & R?

SENATOR HALL: Madam President, I would just move to advance LB 250 to E & R for engrossing.

SENATOR LABEDZ: You heard the motion. All those in favor of advancing LB 250 to E & R vote aye. Opposed nay. The bill is advanced. Mr. Clerk.

CLERK: Madam President, on LB 250A, I have no amendments to the bill.

SENATOR LABEDZ: Senator Hall.

SENATOR HALL: Madam President, I would move that LB 250A be advanced to E & R for engrossing.

SENATOR LABEDZ: You have heard the motion. All those in favor say aye. Opposed. LB 250A is advanced. Mr. Clerk, LB 340.

CLERK: Madam President, may I read some items for the record?

SENATOR LABEDZ: Yes, sir.

CLERK: Senator Hall would like to print amendments to LB 410; and I have an Attorney General's Opinion addressed to Senator Wesely regarding LB 157. (See pages 1318-20 of the Legislative Journal.)

Madam President, Senators Bernard-Stevens and Chambers would like to add their name to LB 250 as co-introducers. That is all that I have.

SENATOR LABEDZ: Thank you. Mr. Clerk.

CLERK: Madam President, the next bill on Select File for consideration is LB 340. The first item are Enrollment and Review amendments.

SENATOR LABEDZ: Senator Chambers, Senator Lindsay is off the floor, would you like to move for the adoption of the amendments?

April 5, 1989

LB 157, 397, 486, 488, 506

SPEAKER BARRETT PRESIDING

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

SENATOR LOWELL JOHNSON PRESIDING

SENATOR L. JOHNSON: Are there any corrections to the Journal?

CLERK: I have no corrections, Mr. President.

SENATOR L. JOHNSON: Any messages, reports or announcements?

CLERK: Mr. President, Senator Withem has amendments to be printed to LB 506, to LB 488 and LB 486. (See pages 1502-07 of the Legislative Journal.)

I have an Attorney General's Opinion addressed to Senator Chambers regarding LB 397. (See pages 1507-10 of the Legislative Journal.)

Mr. President, I have a series of audit reports as filed with my office by the state auditor. Those reports will be on file in my office. That is all that I have, Mr. President.

PRESIDENT NICHOL PRESIDING

PRESIDENT: If you'll take your seats, please, we'll begin Final Reading. (Gavel.) If you'd return to your seats, please, we'll begin Final Reading. Read LB 157.

CLERK: (Read LB 157 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 157 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 1510-11 of the Legislative Journal.) 35 ayes, 0 nays, 1 present and not voting, 13 excused and not voting, Mr. President.

PRESIDENT: LB 157 passes. May I reintroduce to, introduce to you again some gentlemen from Austria that were introduced to you a few days ago, Dr. Erwin Proell who is the Deputy Governor of lower Austria. Would you please stand, Governor. And

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LB 46, 145, 157, 231A, 231, 237, 361  
379, 418, 651A, 678  
LR 72

ASSISTANT CLERK: (Record vote read. See pages 1515-16 of the Legislative Journal.) The vote is 35 ayes, 0 nays, 3 present and not voting, 11 excused and not voting, Mr. President.

PRESIDENT: LB 379 passes. LB 418, please.

ASSISTANT CLERK: (Read LB 418 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 418 pass? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 1516-17 of the Legislative Journal.) The vote is 36 ayes, 0 nays, 3 present and not voting, 10 excused and not voting, Mr. President.

PRESIDENT: LB 418 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 418, LB 379, LB 237, LB 231A, LB 231, LB 145, LB 46, LB 157 and LB 418. We'll move on to Select File and going to jump over LB 279 and take up LB 361.

CLERK: Mr. President, if I might right before that, new resolution, LR 72 by Senator Haberman. (Read brief description of resolution. See pages 1517-18 of the Legislative Journal.) That will be referred to the Executive Board. Senator Haberman has amendments to LB 678. New A bill, LB 651A by Senator Hall. (Read by title for the first time. See page 1518 of the Legislative Journal.) Yes, sir.

PRESIDENT: Okay, we'll move on to LB 361, please. Mr. Clerk.

CLERK: Mr. President, 361 is on Select File. The first order of business...Mr. President, I have E & R amendments first of all.

PRESIDENT: Senator Rod Johnson, please.

SENATOR R. JOHNSON: Yes, I would move that the E & R amendments be adopted.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted. Anything else on it, Mr. Clerk?

April 5, 1989

LB 46, 145, 157, 231, 231A, 237, 247  
325, 379, 397, 414, 418, 640, 651  
LR 73

way. I think if we still see a lot of recalls going on in this state, still seeing it being used as a harassment tool, we'll come back in and try and make it even more meaningful with maybe some stricter restrictions onto what the reasons can be for recall, but right now I think we've just got a very general statement of reasons. We've got something here that would be a very meaningful process. With that, I would just urge you to advance the bill. Thank you.

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

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to advance LB 640.

PRESIDENT: LB 640 advances. LB 651.

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

PRESIDENT: Yeah, please.

CLERK: Mr. President, new resolution, LR 73, by Senator Abboud. (Read brief description. See pages 1521-22 of the Legislative Journal.) That will be laid over.

I have a request...or bills read on Final Reading this afternoon have been presented to the Governor. (Re: LB 157, LB 46, LB 145, LB 231, LB 231A, LB 237, LB 379 and LB 418. See page 1522 of the Legislative Journal.)

Senator Chambers has amendments to LB 397, Senator Hall to LB 414, Senator Withem to LB 247. (See pages 1522-29 of the Legislative Journal.)

And Senator Schimek would like to add her name to LB 325 as co-introducer. (See page 1529 of the Legislative Journal.) That's all that I have, Mr. President.

Mr. President, the next bill, LB 651 is on General File. It is a bill originally introduced by Senator Hall. (Title read.) The bill was introduced on January 19, referred to the Education Committee for public hearing. The bill was advanced to General File. I have committee amendments pending by the Education Committee, Mr. President.



April 10, 1989

LB 46, 84, 145, 157, 231, 231A, 237  
356, 379, 410, 414, 418, 587, 588  
653, 733

CLERK: Mr. President, I have a reference report referring certain gubernatorial appointees to the appropriate committee for a confirmation hearing.

Senator Conway has amendments to LB 356 to be printed. Senator Conway would like to add his name to LB 84 as co-introducer. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. On Senator Withem's motion to adjourn, those in favor...recess, those in favor say aye. Opposed no. Carried, we are recessed until one-thirty.

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you. Back to LB 588. Mr. Clerk, could you bring us up to date as to our position just before recess.

CLERK: Mr. President, I will, if I may read some items for the record initially?

SPEAKER BARRETT: Certainly.

CLERK: Your committee...strike that. A communication to the Clerk from the Governor. (Read communications re: LB 410, LB 414, LB 587, LB 733, LB 157, LB 46, LB 145, LB 231, LB 231A, LB 237, LB 379 and LB 418. See page 1600 of the Legislative Journal.)

Senator Hall has amendments to LB 653 to be printed, Mr. President. (See page 1601 of the Legislative Journal.)

Mr. President, the Legislature left LB 588 this morning and at that time Senator Smith via Senator Chambers had moved to reconsider adoption of Senator Labedz's amendment to the committee amendments. That motion is pending.

SPEAKER BARRETT: Thank you. Back then to the motion to reconsider. Senator Withem, would you care to continue the discussion on the motion to reconsider, Senator Chambers next.