

January 9, 1989

LB 58, 84, 98, 102, 140, 141, 241-266

CLERK: Mr. President, new bills. (Read titles for the first time to LBs 241-266. See pages 112-18 of the Legislative Journal.)

Mr. President, in addition to those items, the Rules Committee would like to announce that Senator Carson Rogers has been selected as Vice-Chair of the committee.

Mr. President, Revenue Committee will be or are...is conducting a meeting underneath the south balcony.

Mr. President, the Judiciary Committee will conduct an Executive Session upon recess on the south side of the Chamber; Judiciary upon recess. And Transportation will meet in the lounge upon recess...or, Senator...I'm sorry, Senator Lamb, do you want that this afternoon, Senator? I'm sorry, Transportation upon adjournment this afternoon in the Senators' Lounge; Transportation this afternoon.

Mr. President, Government Committee has selected Senator Bernard-Stevens as Vice-Chair.

Mr. President, Senator Conway would like to add his name to LB 140 as co-introducer; Senator Beck to LB 102 and to LB 141; Senators Smith and Hartnett to LB 58; Senator Hartnett to LB 98; Senator Rod Johnson to LB 84.

Mr. President, the last note is a Reference Committee meeting at two-thirty this afternoon in Room 2102; Reference Committee at two-thirty in Room 2102. That's all that I have.

PRESIDENT: Senator Emil Beyer, for what purpose do you rise?

SENATOR BEYER: Mr. Speaker, a point of personal privilege. I hope that the senators have noticed that we have a familiar face back in the Legislature and that's our Page Supervisor, Kitty Kearns. We're glad to have her back and we've missed her and we wish her good health from now on. (Applause.)

PRESIDENT: Thank you. Ladies and gentlemen, would you please listen as your Speaker speaks.

SPEAKER BARRETT: Thank you, Mr. President, and members, just a reminder to committee chairs, committee clerks, if you plan to have a hearing next week, I believe the first day would be the

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

world.

PRESIDENT: Thank you, Senator Nelson. Senator Barrett, would you like to make a few remarks about our Statehood Day celebration at ten-thirty or eleven, whenever it is, please. If we could have your attention, ladies and gentlemen, so you will know what is going to happen. (Gavel.)

SPEAKER BARRETT: Thank you, Mr. President and members. For those of you who have been wondering, the agenda does show Statehood Day today at eleven o'clock, the ceremony is in the Rotunda at eleven o'clock. We do not plan to adjourn at eleven o'clock, nor do we even plan to recess at eleven o'clock. This is simply to identify the fact that this happens to be the 122nd birthday of the great State of Nebraska and I think the Legislature needs to know that. Furthermore, the ceremonies which will take place in the Rotunda starting at eleven o'clock will feature a Statehood birthday cake. The members of this body need to know that the Legislature is this year, and has always, purchased the Statehood cake for Statehood Day. Another quick announcement, Mr. President, while I have the floor, at this particular point in time, I plan to schedule LB 92 on the agenda for eight o'clock, Friday morning, Final Reading for LB 92, a bill in excess of 300 pages. I would hope that a vast and large majority of the members of this body will be on duty at eight o'clock Friday morning for the reading of LB 92. If there are no questions, and I am sure there are none, thank you very much.

PRESIDENT: Thank you, Speaker, and we will try to remind the body Thursday afternoon or Thursday noon when we adjourn that the meeting does start at eight o'clock this coming Friday instead of the usual nine o'clock. Okay, we will move on to General File, LB 250.

CLERK: Mr. President, LB 250 was a bill introduced by Senators Hall and Withem. (Read title.) The bill was introduced on January 9, referred to the Education Committee. The bill was advanced to General File. I do have committee amendments pending, Mr. President, by the Education Committee. I also have pending, do you want to handle Senator Hall's amendment now, Senator? Mr. President, Senator Hall would move to amend the committee amendments. (See page 923 of the Legislative Journal.)

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Am I introducing the Hall amendment to the committee amendment?

PRESIDENT: Yes, you are.

SENATOR WITHEM: Okay.

PRESIDENT: Yes, and you may take them as you choose.

SENATOR WITHEM: Okay. Yeah, I probably will do a little explanation of the bill, the committee amendments and the Hall amendment all at once. First of all, I would like to say what a pleasure it is to finally get to be able to discuss an education bill on the floor. We haven't had one here for 20 hours, at least, since we've...this, I think, will for awhile anyway slow down, as soon as we deal with this one will slow down some of the glut we have had with education bills being debated here on the floor. LB 250 is a bill whose primary sponsor is Senator Tim Hall, brought to him by a number of constituents in his district. I helped do some work on it last year and again this year and co-signed it. It deals with an awareness of human relations by teachers in our public schools. Dealing, primarily by human relations, we are talking about the ability to relate to understand the various ethnic groups that make up our society here in Nebraska. We are not a homogeneous society in Nebraska by any means. A number of our young people who go through teacher training get jobs teaching, are placed in an environment where they are dealing with people from many different cultures in their classrooms, maybe don't have the skills necessary to recognize cultural differences to be sensitive to the types of things that they are teaching in the manner in which they are presenting information, and it is Senator Hall's belief and my belief that teachers should have this training. The original bill, itself, indicated, talked about a competency in human relations. That, the committee decided, I think primarily through Senator Bernard-Stevens' help, that a test after they got out probably wasn't the best method, that this type of training needs to be integrated into the teacher training institutions. It is primarily what the committee amendments do. Senator Hall is bringing an amendment to the committee amendments to clarify on behalf of the teacher training institutions that this training can be and should be integrated into the existing teacher training program, that it does not

necessarily have to mean an additional class in this area of human relations. So specifically what you are voting on now is the Hall amendment to the committee amendments which would stipulate that the training that the perspective teachers would be receiving can be integrated into existing course work, does not have to be a separate class taught in and of itself. That is what the amendment to the committee amendments do. I will explain the committee amendments in greater detail as we get further into the bill. If there are any questions, I will attempt to answer them.

PRESIDENT: Senator Nelson, would you like to speak, please?.

SENATOR NELSON: No. I do support the bill and I support the amendments, but I do have an amendment coming up and I guess my light was on. I do want to speak to mine.

PRESIDENT: I turned it off so you may wish to turn it back on. Senator Withem, did you wish to close?

SENATOR WITHEM: If there are no questions, would appreciate the adoption of the Hall amendment to the committee amendments.

PRESIDENT: Okay. The question is the adoption of the committee amendments. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 22 ayes, 0 nays, Mr. President, on adoption of Senator Hall's amendment to the committee amendments.

PRESIDENT: The amendment to the committee amendments is adopted. Now back to the committee amendments. Senator Withem, please.

SENATOR WITHEM: Yes, Mr. President, members of the body, the committee amendments do as I previously indicated. They make the word...they take it away from a competency concept into a training concept and they do a couple of other things. They do a phase-in for existing teachers giving them additional time for having to meet this particular requirement to have their certificate renewed. Existing teachers would have until 1993 to demonstrate that they have taken training in the area of human relations. Those entering the profession will have until January 1 of 1990. One of the terms in the bill that was placed in was a, I wouldn't say, a drafting error but probably an

example of our insensitivity when we draft legislation. We had used the term "subgroups". The committee, it was pointed out to the committee the term "subgroups" in and of itself is probably, if not a racist term, at least a term implying a dominance and subservience, and that it is not a proper term to use to describe the groups we are talking about. The committee used the term "pluralistic groups", was the word we came up with. I understand from some people that even that word is causing some problems, but at this point, we are using the word pluralistic groups. If people have another word that they would like to use rather than pluralistic and would be willing to visit with Senator Hall or myself about that, we will deal with that, but at least at this point, the word "subgroups" is being stricken and we are using the word "pluralistic". So that is what the committee amendments do. If you have any questions, I will respond.

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

SENATOR NELSON: No, excepting I just...they are very fine, as far as I am concerned, no.

PRESIDENT: Very good, the question is the adoption of the committee amendments. All those in favor vote aye, opposed nay. We are voting on the adoption of the committee amendments. Ladies and gentlemen, I need a little help, please, voting on the committee amendments. Thank you. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of committee amendments.

PRESIDENT: The committee amendments are adopted. Now back to the bill, Senator Withem. Mr. Clerk, do you have something on the bill?

CLERK: Do you want to explain the bill, Senator, or should we...?

SENATOR WITHEM: Yeah, very briefly I will explain the bill maybe by way of a couple of examples of what it is that we are talking about. We have...two examples I guess I will use, the type of things we are talking about. One of those is a historical example. A friend of mine I went to college with

from a very small community in northeast Nebraska and coming from a very, very homogeneous community, some...most of the people in his area not only were white, Anglo-Saxon Protestants, they all had the same nation of national origin, either Norwegian or Swedish or one of the Scandinavian countries, had never had any experience dealing with members of minority cultures at all, left good old Wayne State College when Wayne State College was, by and large, a white population with no individuals of minority attending at the time I was there, got his first teaching job teaching at Tech Junior High School in Omaha. This has been some years ago. Most of you know Tech Junior High and Tech High School doesn't exist anymore. Teaching a class that was predominantly black in nature, he had tremendous problems learning how to adjust. The students did not have a particularly good experience with him as a teacher, and he would admit that. What this bill designs to do is to give our teachers some awareness, some sort of training, some sort of preparation for dealing with people that come from a culture somewhat other than their own. Point two I guess is the example we dealt with here on the floor of the Legislature, maybe the specific example that brought to the introduction of this bill, that was an Omaha, I believe it was a junior high school group of students put on a skit, the language club, even, I think, of all groups, put on a skit that was, you know, racially offensive, very racially offensive. Hopefully if that teacher would have had some training and understanding and sensitivity to this area of human relations would have not allowed that type of program to go on and it would not have been an issue. These are the types of things that it is we are talking about. I guess I should also like to point out, we are talking primarily here about the preparation of the teachers, so that they will have the sensitivity. Some people have read this bill, the Taxpayers for Quality Education here in Lincoln I know have sent out in their mailing that this is a horrible bill because it will force teachers to teach about subgroups and they think of subgroups such as, you know, homosexuals, group living, all of those kind of things. This bill has nothing to do with those types of situations. I just want to make that clear for the record also. With that, I know Senator Nelson has an amendment. We will deal with that amendment. Hopefully, we can then deal with the bill. Thank you, Mr. President.

PRESIDENT: Thank you. Mr. Clerk, we will go to the Nelson amendment now.

CLERK: Mr. President, Senator Nelson would move to amend the bill. (See page 923 of the Legislative Journal.)

PRESIDENT: Senator Nelson, please.

SENATOR NELSON: Mr. Speaker, I should have this as an amendment to the committee amendments, and my bill, one of them, one of my corrections is addressed in the committee amendments which I didn't have in front of me when I drafted this. It simply to me maybe makes the bill still a little better. I don't know quite the expression to use, a little kinder, or comes to the point that we are trying to achieve. My amendment on page 2, line 24, subsection (c) would read "The ability to translate knowledge of human relations into an appreciation and respect for our differences which result in favorable experiences for students." What I would be taking out are three words, "attitude, skills, and techniques". I spoke to Senator Hall about this a couple of days ago before I introduced it and asked if it was satisfactory with him, and he said, no problem at all. I would hate to, you know, say absolutely that he has not changed his mind. My other part, on page 3, and our committee amendments did change "various subgroups of society", mine would read on page 3, subsection (f) starting in line 6, "The ability to relate effectively to other individuals and to ethnic groups other than the teacher's own." Our committee amendments changed it to "pluralistic groups". This gets a little technical but it is not that big of a point with me. Again, Senator Hall said, no problem with the wording, and with that, any questions, it just simply to me, and it was brought to me, frankly, by I believe the League of Women Voters, and their other comments were very favorable on the bill but that is the reason for my amendment, that maybe it softens it up a little better or states what we want. I have the same problem as Senator Withem. I noted that some of the Lincoln school people said that "subgroups" we were talking about something that we certainly didn't intend to, so that was one of the reasons for my changing from "subgroups" to "ethnic groups".

PRESIDENT: Thank you. Senator Smith, please, followed by Senator Withem.

SENATOR SMITH: Thank you, Mr. President. When I put my light on, I didn't know about the Nelson amendment but it hit exactly perfectly for me because what I was going to do is ask Senator Withem a couple of questions. I didn't have my file completely

here when I came on the floor and my staff brought the rest of it to me, and I had this information in here evidently from the group that you are talking about, Senator Withem, but I am very pleased because I was going to ask you, tell you that after the fact when I voted for the committee amendments, what had we done with that word "ethnic", and now Senator Nelson's amendment is addressing that, and I will be very supportive of that as I am of the bill. Being a former educator and being, as you say, Senator Withem, raised in a community and actually being exactly what you said, white, Protestant, Scandinavian, partly. Anyway I was raised in the country with all those people that all we ever knew in my life, I taught school in the country for a number of years, and when I went into the city system, I was thrown for the first time, or I guess I should say I had the opportunity for the first time to teach children of other ethnic backgrounds, and that was a very learning experience for me, and I think that we should all be very supportive of this idea. Thank you.

PRESIDENT: Thank you. Senator Withem, please.

SENATOR WITHEM: Yeah, Mr. President. It is with pleasure I rise to support the Nelson amendment somewhat...I feel a little bit uncomfortable here handling somebody else's bill, but I understand though that Senator Nelson has talked to Senator Hall. It is pretty much a clarification amendment except for this word, we are changing the word from "subgroup" to "pluralistic", this will change it to "ethnic group". I guess, personally, I am more comfortable with the word "ethnic". The word "pluralistic", a member of the body who isn't here today came up to me and indicated that she had some problems with the word "pluralistic", so I don't think it makes a lot of difference but also understanding that words sometimes mean more to one person than to another. If the body is more comfortable with the word "ethnic" than "pluralistic", that is fine also. I guess I must also confess to a culture stereotype of my own, and that is until Senator Smith spoke, I did not realize that many Scandinavians had red hair, so this is helping us even further understand cultural differences maybe, so I appreciate that. Thank you very much.

PRESIDENT: Thank you. Senator Crosby, please.

SENATOR CROSBY: Thank you, Mr. President. I rise to...in the committee, I suggested the word "pluralistic". To me ethnic

narrows the group of people we are talking about because ethnic is our cultural or native background, and pluralistic includes a lot of different groups of people, and I understand some of the objections to that word, and I will tell you from my own experience, I am an Irish-Catholic and I grew up in a Masonic town. Let me tell you I know about insensitivity because I have heard people say things about those Catholics when they think children don't listen, I guess, that we can't hear when they say mean things about your church or your parents because they are Catholics and because they are mixed. All those words I grew up with, so to me, that is ethnic. I am Irish, that is an ethnic background. There are more things to society than just ethnic background, so I still like the word "pluralistic". I am going to vote against this amendment if it is the word "ethnic". I didn't quite catch what Senator Nelson said. Now I do understand it. So that is why I will vote against your amendment, Senator Nelson.

PRESIDENT: Thank you. Senator Nelson, would you like to close on your amendment?

SENATOR NELSON: I just move for the adoption. As I said, and I appreciate what Senator Crosby said, but we certainly do not want to leave the wrong impression that we are going to talk about religion necessarily in here or gays or so on and so forth. I, myself, am uncomfortable. I am as guilty as anyone else or probably more so and to find the correct words, and so we are just looking for that, and to me the different ethnic backgrounds is very suitable in what we...and I do want this as an amendment to the amendment because it has to be an amendment...can't do it?

PRESIDENT: No, Senator Nelson, no, this has to travel on its own. The committee amendments are adopted.

SENATOR NELSON: All right.

PRESIDENT: Okay.

SENATOR NELSON: With that, I move for its adoption.

PRESIDENT: All right. The question is the adoption of the Nelson amendment. All those in favor vote aye, opposed nay. Senator Nelson.

SENATOR NELSON: I hate to call for a call of the house on a simple amendment. Just let the folks go ahead and vote and whatever their desires are but I wish they would please vote. Otherwise, I will have to maybe call for a call of the house.

PRESIDENT: Please vote if you care to. Record, Mr. Clerk.

CLERK: 13 ayes, 10 nays, Mr. President, on the adoption of the amendment.

PRESIDENT: The amendment fails. Do you have anything further on it, Mr. Clerk?

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

PRESIDENT: Okay, Senator Withem, on the advancement of the bill.

SENATOR WITHEM: Yeah, Mr. President, just a comment, before actually moving the advancement of the bill. Senator LaVon Crosby made some excellent points I think about the word "ethnic", and that humans are insensitive to other human beings based on things other than ethnic origin. We still have unfortunately religious prejudice. We still have sexual prejudice where males are treated differently, sometimes more favorably, sometimes less favorably, than females based only on their sex. Things other than ethnicity lead to this. My earlier comments, before she convinced me otherwise about the word "ethnic" being a better word, were based on some concerns that somehow some people out there are thinking this bill does more than it actually does, that it mandates the teaching of certain things to our children, and that groups, such as those advancing homosexual rights might be coming in and demanding that their lifestyle be taught in the classroom. That is not what this bill is about. That is not what this bill does. Hopefully, that statement of intent is enough to clarify that. I think Senator Nelson had some other good things in her amendment. I am sorry the other things were not adopted, and they probably should be, so I would encourage her, Senator Crosby, Senator Hall and me, I guess, to talk between now and Select File to see if we can take the good things out of her amendment and, if the word "pluralistic" is the best word we can come up with, fine, and there may be another word out there that does the same thing that doesn't raise some red flags that other people unfortunately thought that it raised. With that, I think

through the amendments we have had a good discussion of the bill. I think you understand what it does. I would move the advancement of this bill to E & R Initial.

PRESIDENT: Thank you. Senator Elmer, please, followed by Senator Bernard-Stevens.

SENATOR ELMER: Thank you, Mr. President. These kind of bills trouble me a little bit in this aspect. We have in our country tremendous historical backgrounds of where people originated when they came to this country. However, now we are citizens of the United States, we are citizens of Nebraska. Why aren't we teaching citizenship, and equality as equal citizens, rather than to keep pointing out that we are and have come from different areas or different pasts? The past is gone. We need to teach progressively that we are members of this society, and not members of some other. Maintaining ethnic divisions within our schools seems to me something like teaching a religion in a school. We are all the same, we are all citizens, and that is how our government should be structured rather than to try to maintain these differences. So, just a matter of a little principle here, thanks.

PRESIDENT: Thank you. Senator Bernard-Stevens, followed by Senator Chambers, please.

SENATOR BERNARD-STEVENS: Thank you, Mr. President, members of the body, just a brief comment, bills like LB 250 bother me just a little bit, too, because it puts us in a position if we vote against something of this nature that we appear to be against human relations, we appear to be against teaching of equality and respect and the dignity of all peoples and all cultures, all ethnic groups, and so on, and I have the problems with the bill technically as it is, even though I did support to vote it out of committee, and that is, in my opinion, all areas of higher education, the institutions of higher education as defined by the bill, what they have to do is certify that the areas defined in the course of human relations that was specified in the original green copy of the bill, certify that at some place, at some point, within some course that would be taken by teachers, that those topics would be covered somewhere. So, in essence, in my opinion, what you will have if LB 250 passes is a law that will have good intentions but will not do anything because I can't imagine too many, in fact, I can't imagine any institution who will not be able to certify that those areas are not being

taught in some topic, some chapter, some unit in some course that teachers have to take. So, in essence, you will have a bill that says that we want human awareness, but a bill that technically will not change anything in the course of education. And I understand the reasons for the bill. I understand the difficulties in some events that happened previously within school systems, but I am not particularly comfortable that this bill will actually do anything along those lines, and I wanted to at least express those thoughts before we got to a vote on LB 250. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I would like to ask Senator Bernard-Stevens a question.

PRESIDENT: Senator Bernard-Stevens, would you reply?

SENATOR BERNARD-STEVENS: I would be delighted.

SENATOR CHAMBERS: Senator Bernard-Stevens, this bill will move, and when it gets to Select File, would you be willing to work on some language to make sure that it is not as open-ended and vague as currently the bill might make the subject, or are you opposed to a specific body of information being created or required to be created that would meet this requirement?

SENATOR BERNARD-STEVENS: On both of those questions, I think I can answer I would be delighted to work with you on that. My concern was in the beginning on the original writing of the bill on the green copy, I had two concerns; number one, a mandated course of three hours for human relations, though maybe that would be the best way to get the goals of the bill accomplished, would do a couple of other things unrelated to the bill, and that would be right now that educators going through teacher training, if everything goes well in many of the areas, in most of the areas, it takes them at least four years, obviously, if everything goes well. Many of those areas, now it is taking five years for people to get through. The more we mandate different course of 3-hours credit, it will begin to stretch very easily into six years, and I think that will have a detriment on the quality of teacher that we have within the system. So my intent was, Senator Chambers, in the committee, to find a way that we could get those issues and those topics discussed, because they are important, they need to be there, we

need to have the sensitivity, we need to have the training, but yet not, but not cause harm in another area of will we get the teachers through the teacher training because it takes so long at a cost of pay that is so little.

SENATOR CHAMBERS: Thank you, Senator Bernard-Stevens, and I have similar concerns because I don't like us to put legislation on the books which appears to do something when, in fact, it does not, and the purpose of the legislation is to alter the status quo but, in fact, not only does it fail to alter it but it entrenches it because it creates the impression that something is being done and those sensitive people in the society who feel that something needs to be done may be given the false impression that the job has been completed, they no longer need to monitor the situation, because there has been placed in statute a guarantee that these areas that are very important and need to be taught to those who are going to teach other people's children the feeling that that has been taken care of. With reference to what Senator Elmer said, maybe 500,000 years from now his statements will be appropriate for America, but the reality is, and this can be confirmed by the FBI, local law enforcement agencies throughout the country, that there has been a great outbreak, especially during the latter part of the Reagan administration, in racial physical attacks, the burning of crosses, the firing of people's homes, the burning of various establishments on campuses where black students are located. There has been an outbreak of anti-Semitism in the form of desecration of cemeteries, the marking of swastikas on synagogues, and other things of that sort. In Louisiana, a Ku Klux Klanner named David Duke was just elected, and I don't know why people are so alarmed because he went through the process that was established for putting people in the Legislature, and if there are enough people who support what he says to use the system of voting to vote him into office, then he should be allowed to stay there, and just as happens with me in this Legislature being unable by myself to get a bill through, he cannot by himself get any legislation through. So I think it is necessary that there be given serious considerations to things that occur in the society, that they be placed in proper perspective, and people understand what the nature of a problem is so that we can confront it. To pretend that there are not differences of a racial, religious, gender, nationality, ethnic, to pretend those differences don't exist in this country, I think is very naive and contributes to the continued misunderstanding that will aggravate the problems that

we have.

PRESIDENT: One minute.

SENATOR CHAMBERS: To learn about a person's origins, other people's culture is not to demean the culture of the one who is learning, but there can be a kind of ethnocentric arrogance, meaning that the dominant culture places itself above everybody else, becomes a standard by which all others are judged, and anything not in conformity with them and theirs is demeaned and placed at an inferior level. When you teach children that that which has been given to them by their parents, is taught to them in church and throughout their community, is inferior, that which they believe is a part of them, therefore, they are inferior, the way they speak is inferior, the things they believe mark them as inferior, and even their parents are the source of that inferiority, and I think all of these things, since they exist in this society, should be met through the expedient of education.

PRESIDENT: You are now on your second five minutes.

SENATOR CHAMBERS: Thank you. I turned on my light so people will know how I got another five minutes. Education, education to be effective must be left in the hands who themselves understand well what it is they are presenting. To give an example, when I am talking to younger people of my concept of education, the teacher knows something that those who are to be taught don't know. There is an inferiority in terms of what is known, so the purpose of the teacher is to erase that inferiority as much as possible and bring the one being taught up to the level of the teacher. So that when the instruction has completed itself, then the one being taught knows more than he or she knew before. We must be concerned about what is being taught and the education system today has not achieved that goal. Sometimes there are deliberate things done by teachers and administrators to harm the welfare of children who belong to other groups than the majority group. In other instances, there is ignorance and arrogance on the part of the teacher, and things may be done through inadvertence. We don't want our teachers doing negative things through inadvertence. We want them well prepared, well instructed, and able to shape the minds of the young in a way that is not going to narrow them, cripple them, or make them intolerant of others in those differences. So, I think we all need to know about as many cultures that

exist in this country as possible, as well as those that exist in other nations. Business persons have realized that unless American students are taught more about other countries, language, especially, then America is not going to be able to compete economically with the rest of the world. It is regrettable that businessmen must put a prod to the hind end of the education system to broaden the scope and that which is taught before the system will respond. There has been a greater response in terms of improving or broadening the scope of education in this country for the purpose of economic competition than there has been for the purpose of making better human beings and creating more understanding. So from whatever source the prodding comes, the ultimate goal is of value and worthy of being achieved. This bill is just a very small step in that direction, and, Senator Elmer, if we were going to play a card game, I don't play cards well, but there are 52 cards in the deck, and to play a card game, you do not change the nature of any of the cards. You do not say that a queen must become a jack, a jack must become an ace, an ace must become a ten, a king must become a three of clubs. They all retain their identity. They all have a relative value assigned to them, and for a game to occur, you need all of these cards. In this country, we don't want to assign relative values to people in terms of their intrinsic worth as human beings, but we don't want to make them feel that because they differ from that which is considered the majority standards that anything is wrong with them or that they are in any way inferior. There should be no attempt to make this country a melting pot. If there is to be something, let it be like a mixing bowl or a deck of cards where we all can maintain our identity and the integrity of our culture. A country is strong, not when it attempts to erase all differences, but when it attempts to bring about an understanding of those differences so that people can realize that to be different does not mean to be wrong, to be different does not mean to be inferior,...

PRESIDENT: One minute.

SENATOR CHAMBERS: ...to be different does not mean to be ignorant. I am in favor of the bill, and I would like to work with Senator Bernard-Stevens and whoever else may be interested in trying to see if we can come up with something that will ensure that the aim of the bill is achieved.

PRESIDENT: Thank you. Senator Elmer, please.

SENATOR ELMER: Thank you, Mr. President. Just a small response to Senator Chambers. If this bill is going to do as many good things for the education and to relieve some of the discriminatory things that happen here across the state and across the country, I am certainly a hundred percent for it. There are instances, of course, in a deck of cards, when some of those cards assume a different value or a different name, they are called the joker or a wild card, but that is only temporary, just like putting on a mask and going to a masquerade ball. When you are done, the mask comes off and it becomes a deuce or a trey or a joker again, and I will support this bill, and I will be looking forward to the things that are going to be done to it at Select File to make it a better bill. Thank you.

PRESIDENT: Thank you. Senator Withem, would you like to close on the advancement of the bill?

SENATOR WITHEM: Yes, I would be happy to, Mr. President, members of the body. First of all, in regard to the dialogue between Senator Chambers and Senator Bernard-Stevens, Senator Hall asked me to handle this bill for him so I am sure he would be delighted to hear me say that he will pledge all of the time that he has necessary to work with the two of you. I am sure he would be happy to sit down and visit with you folks about ways of improving the bill, if it does need to be improved. I guess with that, it has been discussed. There is some things I wanted to say in regard to the Chambers-Elmer dialogue. I think it was instructive but I guess I will just let it rest and I know people want to get on to visit about the next bill, so I just urge that you advance this piece of legislation.

PRESIDENT: The question is the advancement of LB 250. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to advance LB 250.

PRESIDENT: The bill is advanced. LB 250A, please.

CLERK: LB 250A, Mr. President, was a bill introduced by Senator Hall. (Read title.)

PRESIDENT: Senator Withem, please, on the A bill.

March 3, 1989

LB 78, 129A, 131, 183, 183A, 245, 250
250A, 340, 346A, 397, 408, 443, 447A
499, 509, 533, 538, 576
LR 43

advance the bill.

SPEAKER BARRETT: The motion fails. Messages on the President's desk.

CLERK: Mr. President, your Committee on Enrollment and Review reports LB 183 to Select File; LB 183A to Select File; LB 250, Select File; LB 250A, LB 340, all to Select File, all signed by Senator Lindsay as Chair of the E & R Committee. (See page 975 of the Legislative Journal.)

Transportation Committee reports LB 533 to General File and LB 245 indefinitely postponed. Those are signed by Senator Lamb. Transportation also reports LB 509 to General File; LB 78, General File with amendments; LB 131, General File with amendments; LB 538 indefinitely postponed and LB 576 indefinitely postponed, and also signed by Senator Lamb. (See pages 975-80 of the Legislative Journal.)

Senator Moore has amendments to be printed to LB 499. (See pages 980-82 of the Legislative Journal.)

Enrollment and Review reports LB 408 correctly engrossed and LB 443 correctly engrossed. Those are signed by Senator Lindsay. (See page 982 of the Legislative Journal.)

Mr. President, an announcement from Senator Smith that the General Affairs Committee will not meet in Exec Session at one o'clock. General Affairs will not have their regularly scheduled Exec Session.

Mr. President, a new resolution offered by Senator Coordsen and other members. (Briefly described LR 43 as found on pages 982-83 of the Legislative Journal.)

Mr. President, new A bills. (Read titles for the first time to LB 346A, LB 129A, LB 447A. See page 983 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Moore.

SENATOR MOORE: Mr. Speaker, I move we adjourn and, providing we can get here, I...we adjourn until Monday morning, March 6th.

SPEAKER BARRETT: Thank you. You have heard the motion to

March 15, 1989

LB 54, 105, 183, 222, 250, 340, 746
749
LR 56

would ask if the Clerk has any messages on the President's desk.

CLERK: Mr. President, Banking, Commerce and Insurance reports LB 222 to General File with amendments; LB 746, General File; LB 749, General File; and LB 105, indefinitely postponed, all signed by Senator Landis. New resolution, LR 56, by Senator Haberman congratulating the Perkins County High School basketball team. Transportation gives notice of confirmation hearing. Amendments to be printed from Senator Beck to LB 250, Senator Goodrich to LB 340, Senator Wesely to LB 340, and Senator Korshoj to LB 54. That's all that I have, Mr. President. (See pages 1165-70 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, Mr. Clerk. The question before the body is one of adjournment. Those in favor of adjourning please vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 12 ayes, 22 nays, Mr. President, on the motion to adjourn.

SPEAKER BARRETT: Motion fails. Back to discussion on the advancement of the bill. Senator Baack.

SENATOR BAACK: Are there others lights after mine?

SPEAKER BARRETT: I'm sorry, yes, there are. Senator Baack, I'm sorry, I overlooked one light. Senator Withem's light has been on.

SENATOR WITHEM: Yes, I was going to call the question.

SPEAKER BARRETT: The question has been called. Do I see five hands? I do. Those in favor of ceasing debate vote aye, opposed nay. Record.

CLERK: 25 ayes, 1 nay, Mr. President, to cease debate.

SPEAKER BARRETT: Debate closes. Senator Baack.

SENATOR BAACK: I think we've debated enough. I would just urge the advancement of the bill. Thank you.

SPEAKER BARRETT: Thank you. Shall LB 183 be advanced to E & R Engrossing? Those in favor vote aye, opposed nay. Have you all voted? Have you all voted, if you'd care to vote? Senator

March 21, 1989

LB 89, 224, 250, 335, 371, 811

presume we are ready to vote on the advancement of the bill. Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: 30 ayes, 2 nays, Mr. President, on adoption of the motion to advance LB 371.

SPFAKER BARRETT: LB 371 is advanced. Messages on the President's desk.

CLERK: Mr. President, an announcement that Revenue Committee will meet in executive session tomorrow at one-fifteen in Room 1520; Revenue Committee tomorrow, Room 1520 at one-fifteen.

Business and Labor gives notice of confirmation hearing, or a report on the confirmation hearing, I should say.

Amendments to LB 89 by Senator Chambers, LB 250 by Senator Schimek, LB 224 by Senator McFarland, LB 335 Senator Hall, LB 811 by Senator McFarland. (See pages 1269-71 of the Legislative Journal) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Senator Schellpeper, would you care to do the honors?

SENATOR SCHELLPEPER: Sure would. I would move that we adjourn until 9:00 a.m., tomorrow morning, March 22.

SPEAKER BARRETT: You've heard the motion to adjourn until tomorrow morning. Those in favor say aye. Opposed no. Carried we are adjourned.

Proofed by:

LaVera Benischek
LaVera Benischek

March 23, 1989

LB 154, 155, 250, 254, 265, 272, 281
421, 503A, 619, 623, 683

SPEAKER BARRETT: Thank you. Anyone else? A record vote has been requested. All in favor of the advancement of the bill please vote aye, opposed nay. Shall LB 281 be advanced, that is the question? Have you all voted? Have those who care to vote voted? Record, please.

CLERK: (Read record vote. See pages 1314-15 of the Legislative Journal.) 25 ayes, 18 nays, Mr. President, on the advancement of LB 281.

SPEAKER BARRETT: The bill is advanced. Anything for the record?

CLERK: Yes, Mr. President, I do. I have amendments to be printed to LB 272 by Senator Landis; and LB 683 by Senator Wehrbein. I have a new A bill, LB 503A by Senator Goodrich. (Read for the first time by title. See pages 1315-16 of the Legislative Journal.)

Mr. President, I have a lobby report for this past week; a confirmation report by the Judiciary Committee. It is signed by Senator Chizek. Notice of hearing by the Rules Committee for Thursday, April 6.

And, finally, Mr. President, bills read on Final Reading this morning have been presented to the Governor. (Re: LB 265, LB 619, LB 155, LB 623, LB 154, LB 254, LB 421. See page 1317 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The Chair is pleased to note that Senator Labedz has a very special guest under the south balcony, a friend of hers, Tom Kelly, who is a student at Westside Middle School. Tom, would you stand up and take a bow. We're glad to have you with us. Also observed under the south balcony is a former member of this body, Senator George Syas of Omaha. Senator Syas. Nice to have you back, George. LB 250, Mr. Clerk.

CLERK: Mr. President, Senator, I have E & R amendments on LB 250, first of all.

SPEAKER BARRETT: Senator Lindsay.

CLERK: E & R amendments, Senator.

SENATOR LINDSAY: Mr. President, I'd move the adoption of the E & R amendments to LB 250.

SPEAKER BARRETT: Question is the adoption of the E & R amendments. Those in favor say aye. Opposed no. Carried, they are adopted.

CLERK: Mr. President, Senator Beck would move to amend the bill. Her amendment is on page 1167 of the Journal.

SPEAKER BARRETT: Senator Beck, please.

SENATOR BECK: Thank you, Mr. Chairman and members of the body. I'd like to have you turn to 1167 and look at these amendments. They are friendly amendments, at least I certainly believe they are. They don't change the original intent of the bill at all. According to the committee hearing testimony and the Urban League, the intent of this bill is to eliminate ethnic and racial prejudice. And, if you'll look at my amendment, you'll see that I believe that the bill is somewhat ill-defined. Because if you look at page 1, line 20 of the amendments, or that is the bill, what is sexism, on page 1, line 19, what is dehumanizing bias or pluralism. These phrases, I think, I believe from my visit and from some mail that has been sent to me about the bill...feel that these phrases could alter the intent of the bill considerably. All mine do is just simply clean it up and return it to the original context of eliminating racial and ethnic prejudice. I think with this bill we need to do something and that is to send a clear and well-defined message that racism will not be tolerated in our schools. And let's not pass an open-ended bill that will require hours and hours of teaching and perhaps all sorts of topics which could include sexual preference, political party, social causes and the religious faiths. I think we get in real murky, sticky water when we get into something like that. And I just believe in and have from the beginning, and I mentioned it to the members of the committee that pluralism is just too broad a term. I'd like to share just a couple comments with you. In the committee hearing, I had just mentioned that Senator Hall was speaking and he said that I have a number of individuals that I represent who are Hispanic Americans and they are the reason that I introduced the bill. He wants to be careful that we don't have a racist outlook, that teachers don't have a racist outlook, and it's just that they have little or no

information with regard to the backgrounds that some of our minority students come from. I think we have to be careful. These are Senator Hall's quotes, the same race or ethnic group, where they grew up, or how they were educated. And then Dr. Don Benning came down and testified, and he mentions the fact that our state is rich in diversity with citizens of German, English, African-American, Native American, Asian, Hispanic as well as a multitude of other ethnic racial groups. And with the testimony that was concerned with minority population, and I received a letter from Mr. Rashad Byndon from the United Catholic Social Services, and he says that one thing with 250, we need to be careful about is that if students are going to enjoy and have effective learning in the classroom, their contact with educators from other racial groups should be positive. And so that's all I'm asking the body to do is to be careful about the words, and I guess that comes from having the background of an English teacher, and for that I am sorry, but I just feel that we need to be very careful here, and I would just ask the body to pass these amendments, to accept them, to pass them on. It will not hurt the intent of the bill. In fact, as I truly believe and the members of the Urban League, with whom I've visited, truly believe as well, that it will just simply define down the bill and make it really what they sought in the first place, and that is all I have.

SPEAKER BARRETT: Thank you, Senator Beck. Discussion on the Beck amendment, Senator Withem, followed by Senators Hall, Bernard-Stevens, and Nelson.

SENATOR WITHEM: Mr. Speaker, members of the body, the term in the bill was a relatively major subissue over this particular bill. We had the bill originally drafted using the word subgroup. When that was pointed out to us, we recognized that probably our bill drafting left a lot to be desired in terms of sensitivity to people that are not part of our white Anglo-Saxon culture here. The committee adopted the word "pluralistic". The debate now is whether we use the word "pluralism" or whether we use the word "ethnic and racial". Originally, I didn't think it made a whole lot of difference. I may have even said that on the floor in General File, but some comments that were made in debate on General File, primarily those from Senator LaVon Crosby, to be very frank, led me to believe that probably the word pluralism that is in the bill now is a more appropriate term. Let me tell you why I think that is, a couple of reasons why. First of all, some people have misread the intent of this

bill entirely I think. It doesn't have anything to do with the content of the curriculum in our schools. It doesn't say you have to teach children about such and such, such and such, such and such. What it says is the teachers that are teaching must have competencies in dealing with people who come from different backgrounds. In other words, to use three very crass examples, perhaps, this doesn't say you have to teach about black history. What it says is we want our teachers to know how to deal with situations when one student of one race uses a derogatory racial term to call...to refer to another group. It doesn't say we have to teach about the Mexican-American culture. It says we want teachers that are sensitive when children put on a play that is based on racial stereotypes, that the teacher can handle that sort of situation and recognize that that is something that probably should not go on. We are not going to teach about...dictating that we teach about Native American cultures, but that the teachers ought to have some sensitivity that they have Native American students in their classroom. Traditional Thanksgiving celebrations, traditional Columbus Day celebrations may not excite those Native Americans quite to the degree that they excite us. That is what we are talking about is competencies of teachers to deal with these. The next thing we get into, Senator Crosby gave an excellent speech on General File talking about some of the most cruel sorts of human treatment, one person to another, is based on religious stereotypes, religious sorts of discrimination, and I can recall some of these from my past experience. I came from one of the whitest communities. There were no minorities, whatsoever, in my community, one of the most Protestant communities. We had three churches in our community. We had a Methodist Church, a Reorganized Church of Latter-Day Saints, and a very, very small minority people were Catholic, very small minority. Ash Wednesday would roll around, the Catholic students were excused, they would go to their services, and they would come back with the ash on their forehead. It was not treated by, I have got to admit, by a number of my fellow students, was not treated as something we should understand as part of their religious cultures. Those students tended to be ostracized, made fun of. I am not proud of that fact, but that is the type of thing that has gone on. When I first started to teach school in Papillion, Nebraska, we were talking about the Mid-East situation. I asked students, is there anybody in here that happens to be Jewish? To a student they laughed, they thought that was funny that a teacher would ask, is there a Jewish student in this classroom,...

SPEAKER BARRETT: One minute.

SENATOR WITHEM: ...because then the term Jew was a pejorative sort of term, that those were different sorts of people. Some of the most cruel criticism and discrimination is based on religious differences. And I guess I should also point out that during the time I was teaching there, there were a number of students who came with very strong Fundamentalist beliefs, who carried Bibles with them, who used their time in free time to talk to other students about their religion. Again those students were ostracized, they were made fun of. We need teachers in our system that can deal with prejudice, not teach about religion, not teach about alternate lifestyles, not teach about ethnic groups, but can deal with students of all different backgrounds and knows how to deal, when these students from these various backgrounds come into their classroom, can deal with these differences, and have the human skills in dealing with the situation, particularly in this area of religion where we have more and more people from various religious backgrounds coming into our schools,...

SPEAKER BARRETT: Time.

SENATOR WITHEM: ...Asian backgrounds....

SPEAKER BARRETT: Time

SENATOR WITHEM: Thank you.

SPEAKER BARRETT: Thank you. Senator Hall.

SENATOR HALL: Thank you, Mr. President and members. I would just echo Senator Withem's comments. The issue here, and I would stand in opposition to Senator Beck's amendment, and I do appreciate the fact that it is offered in good faith on her part, but the issue here is a decision that was made by the Education Committee to use the term "pluralistic", and that term is more encompassing than the amendment that Senator Beck has before us that deals with the issue of strictly racial and ethnic groups. And I think Senator Withem's comments about first hand experience that he had lets you know clearly that we need to leave this I think as open and as far-reaching as possible because this bill deals with the training of teachers, and the misconception that he spoke of that I think most of the

comments have come from, and I think even some of the mail that I have gotten, some publications that I have seen in relation to this bill, have dealt with the misconception that this is going to be directed toward education in the classroom, education in the classroom at the elementary and secondary level. It deals with the training of teachers, an aspect of the curriculum that they are required to have prior to being sent out to teach our young people, so that they have as good an understanding of the different types of individuals, the different types of backgrounds, the different types of, yes, ethnic, racial, and religious types of backgrounds that they will encounter. Senator Withem spoke of the strictly white Anglo background that he taught in and the effects that injection of different types of religious beliefs, different types of racial groups into that, how they are treated. A teacher that is not trained to react to that, a teacher that does not have a background or an understanding of those ethnic groups could very well have an influence on these students that impacts their lives or their beliefs forever, and I think you clearly need to provide for training in this area for our teachers, that allows them an understanding, gives them the tools that they need to provide for the best education for those young people, and you start out allowing them to have the best education by making sure that your teacher is as well trained as possible. I mean if we are going to pay our teachers more, as we would in LB 89, I think that the least we can do is ask that they be trained in this area that is probably the most important area that a student ever carries with them beyond the halls of education, and that is the area and the issue of how they deal with others throughout their life. And I think that all LB 250 does, as it has been amended by the Education Committee amendments, is it allows for an understanding on the part of those teachers of every aspect of difference, I guess is one way to put it, that is out there or as best that they can be educated in that area, so that they have as good an understanding as they can before going into that classroom and dealing with some of these problems firsthand because it clearly is a problem in today's society. It has always been a problem, and it is going to continue to be a problem, but 250, LB 250, takes us I guess in the first step in the direction of getting at the problem when we deal with it at the level of educating our teachers so that they are fully prepared...

SPEAKER BARRETT: One minute.

SENATOR HALL: ...to deal with this issue. So I mean I would just like to reemphasize the fact that this deals with the education of our teachers, doesn't deal with anything that is going to take place in the classroom, but it gives them the tools to handle problems that will come up in this area and I think that I fully appreciate Senator Beck's concern, but I think it is misconceived and I would urge the body to reject the Beck amendment. Thank you.

SPEAKER BARRETT: Thank you. Senator Bernard-Stevens, additional discussion on the Beck amendment.

SENATOR BERNARD-STEVENS: Just very briefly, Mr. President, I, too, would rise in opposition though I understand the positive intent and nature of Senator Beck's amendment. I was just going to page 2 and 3 actually of the green copy that has not been changed by the committee amendments that were agreed to earlier to try to stress again that the intent of the bill is not to teach substantive content but rather skills in dealing with particular problems. And I'd draw anyone's attention, if they'd care, on the areas that needs to be looked at to make sure that these topics are covered within courses taught within the institutions of higher learning. It would be an awareness and understanding of values, of lifestyles, an awareness of that; an ability to recognize and deal with biases; the ability to translate knowledge into attitudes, skills, and techniques; the ability to recognize the ways of biases; and respect the human dignity. We are teaching teachers, if you wish, the skills needed in order to help students deal with and they, themselves, deal with human relations, and that is the intent, and I think others within the state have misinterpreted the intent to the bill thinking that we are going to get in particular content and that is not the nature of the bill nor the intent of the bill. So upon that, I would very kindly disagree with the amendment offered by Senator Beck. Thank you, Mr. President.

SPEAKER BARRETT: Senator Nelson, please.

SENATOR NELSON: Mr. Speaker, members of the body, I will make this very brief. I support Senator Beck. I visited with Senator Hall about this. I believe the day the bill came up on the floor before, he was absent, so we didn't get time. Senator Beck has a very good point. We are not trying to get into various religious aspects. When you open up that door, you again open up an area of very different opinions and so on.

What Senator Beck is trying to address and I, too, felt that in the original bill the wording was not good, various subgroups and so on, but that has been corrected, but we are talking about ethnic groups and so on. We are not talking about various religious outline. I agree that the bill does address the teachers training, but how much and how far can you go. The teachers training is fine so long as you train like I feel like you should be trained, and in my religion, and so on, and I very much agree with Senator Beck, and I know the amendment went down before but, again, I think that racial and ethnic groups is the right word. Pluralistic stretches it too far, and with that I do support Senator Beck.

SPEAKER BARRETT: Senator Abboud, followed by Senator Beck.

SENATOR ABOUD: Mr. President and colleagues, I am not sure how this amendment is going to go but I think we should probably establish a few things into the legislative record as to the intent of the language of LB 250. So with that, I request, Senator Hall, would you yield to a question.

SPEAKER BARRETT: Senator Hall, please.

SENATOR HALL: Yes, I would.

SENATOR ABOUD: On page 2 of the bill, on lines 25, the language which states "result in favorable experiences for students;" is it the intent of you, as introducer of the bill, that this should not be misconstrued to mean that this will result in the teaching of these different ideas by the teachers?

SENATOR HALL: That is correct, Senator Abboud. The issue here is the...deals with the training of the teachers so it will be done at the college or university level, and it will allow for them to have an understanding, a grasp of all the different aspects or the issues that surround different problems that individuals who come from varied backgrounds face, and the ability to translate knowledge of human relations into attitudes, skills, and techniques, which result in favorable experiences for students reflects on that teacher. So it deals...that would correlate directly to that teacher or that college student who is under, you know, taking classes in this area.

SENATOR ABOUD: Okay, thank you very much, Senator. I do think

that I will probably support the amendment because I think the term "pluralistic" is pretty broad, and I think that probably you could have some possible problems. I commend Senator Hall for introducing the bill. I think that it does deal with some very real problems that should not exist in society and I think that it is an excellent bill and should be enacted by the Legislature. Some of the language is a bit confusing, and with that I can understand Senator Beck's concerns. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Before recognizing Senator Beck on her amendment, I am pleased to announce that Senator Beyer has some very special guests in the north balcony. We have 65 fourth grade students from Gretna Public School with their teacher. Would you people please stand and be recognized. Thank you. We are pleased to have you visiting with us this morning. Senator Beck.

SENATOR BECK: Thank you, Mr. Chairman. I would just continue on and try to bring out a few more points here. I am particularly...I think Senator Abboud made a very good point with looking at the favorable experiences because that is classroom experience, and I don't know how you get classroom experience and make it favorable unless as a teacher you do something. And having been a teacher, and although Dave and I are on opposite sides on this one, and we both have been teachers, I feel that you may have to be put in the position of having to do something, and, again, I want to repeat my argument that with the many ethnic cultures that have their own, perhaps, religious affiliation, I just don't know how that can be translated into a favorable experience for the child because you are going to have many different kinds of religion in a classroom, and I think that as teachers we need to stay away from those kinds of things. And I think this bill ultimately, although its intent is to stop ethnic and racial prejudice and to teach teachers how to deal with that, they will have to do something in the classroom to deal with it, and so then if we open it up to pluralistic, we can end up with all kinds of things, social differences. Can you teach, you know, the Ku Klux Klan as a favorable experience? Hardly not, I don't think so. You can get into political differences, and I just think that, and several of the people who have spoken against my amendment say, well, you know, it could be misinterpreted. Well, that is the whole point of my amendment is that it is ill-defined. I think if we want to open up those kind of things

to teach our teachers, then that should be in another bill and not in this one because I've visited with the Urban League, who were proponents of the bill, I have given Dr. Benning's statements, who was also a proponent of the bill. I think we need to stick with ethnic and racial solely and that is again all I have to say about it.

SPEAKER BARRETT: Thank you. Senator Crosby on the Beck amendment, followed by Senators Pirsch and Chambers.

SENATOR CROSBY: Thank you, Mr. President. I won't repeat what I said before because Senator Withem brought that out very adequately, and I thank you for that. I am against this amendment and will continue to be. Pluralistic, I think, covers a lot of groups of people, a lot of questions that might come up in the classroom, and I know that the people who want this amendment don't really want to discuss certain issues. I will point out again, as others have, this is a course for teachers. The teachers are not going to be instructed to teach about the Ku Klux Klan. They are going to be able to meet these problems as they might come up in the classroom and teach them with some sensitivity. I was criticized yesterday by one of the people whom I know is behind this amendment, and she is not a state senator, a citizen. I was criticized by her for voting for LB 89, the teacher's bill. I think that was insensitive on her part because she is against the public education system. Our teachers simply must have training and the right kind of attitudes when they go into the classroom, and when you come to religion, I don't care if you are agnostic, atheist, whatever you are, this week in particular, I think it is ironic, perhaps, that we are talking about this issue in Holy Week, if we have any feeling for our human beings, for our human relationships with other people. They are afraid of the word "lifestyle" because it might be different than theirs. I don't criticize other people's lifestyle. If they do things I don't think they should do, I hate the sin, not the person. This is what we are talking about in the classroom, teachers simply must have the feeling and be able to cope with these questions when children bring them to them, and little ones will bring the questions up sometimes, too, because they hear the words and they don't understand what it is about. So, please, vote against this amendment.

SPEAKER BARRETT: Thank you. Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. President and members of the body. I rise to support Senator Beck's amendment. I think it must be very difficult to implement LB 250 but I sincerely hope that it would make a change in teacher training in relationships within the classroom. Many times teachers have to deal with what has gone on in the family and that includes a great many things, many things that they should not have to deal with in the classroom, and I have a question for Senator Hall, if he would yield. Senator Hall, to get to the mechanics of this, as I understand it, the Department of Education is going to write what, rules and regulations? How will this be implemented in our teachers colleges?

SENATOR HALL: It will be implemented, Senator Pirsch, by basically integrating course work into the current curriculum.

SENATOR PIRSCH: Do they recommend the particular courses or the particular books?

SENATOR HALL: Hopefully, so that there is no additional cost to the colleges or the universities, they will be able to, and they came in and supported the bill, and said that as long as we can incorporate it into our current teaching curriculum, teachers education curriculum, and they think that they can without any problem. There are currently colleges that offer this type, one in particular when my light comes on I will talk to about specifically, that they incorporate it without any problem and just require it as additional part of course work, or added to that.

SENATOR PIRSCH: So many times, of course, in teaching you learn more than your math, you learn more than your English, within those courses, and, in fact, in every minute of the school day, you are portraying some kind of learning activity, whether it is desired or not, and I sincerely hope that this would help our teachers be more sensitive and more understanding in many ways. In the classroom, Senator Hall, do you know how this would be judged or would a teacher have some kind of onus, if, indeed, they were not competent in this area?

SENATOR HALL: Senator Pirsch, I guess it would be like any other course that they take, it would be part of some course work. If they failed, it would show up as they failed that section of their requirement. Now it does require that, with the committee amendments which basically become the bill, they

do require that there has to be proof shown that they did complete this course work, so that requirement would be there.

SENATOR PIRSCH: So it would be a course or...

SENATOR HALL: Part of a course.

SENATOR PIRSCH: ...incorporated into a course...

SENATOR HALL: Right, into courses they are currently offered.

SENATOR PIRSCH: ...and that would be simply as the rest of their courses that they are required to take now?

SENATOR HALL: Exactly, correct.

SENATOR PIRSCH: So, really, the real initiator of these courses would be the individual schools and colleges when it came right down to it?

SENATOR HALL: Correct, many of which currently already provide these.

SENATOR PIRSCH: Okay, thank you very much. I do support the...

SPEAKER BARRETT: One minute.

SENATOR PIRSCH: ...Senator Beck's amendment because I feel the other is too broad but I do support the concept of the bill. Thank you.

SPEAKER BARRETT: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, the very discussion that we have this morning indicates I think why the bill is necessary, period. Now whether the language should be narrowed to just ethnic and racial is what we are discussing this morning because there are some, obviously, who feel that the term "pluralistic" would include things, ideas that they don't feel the teachers ought to be taught about while they are preparing to be teachers. But for my part, when I talk to various groups of youngsters, no matter how young they are or how old, I tell them the principle according to which they should guide their lives is to learn as much as they can about as many things as they can. That would include people,

cultures, religions, philosophy, politics, whatever is pertaining to the human condition is something that should not be beyond our range for study, inquiry, and learning. So when we are talking about those who are going to teach young people, the broader we can make their scope, the deeper we can make their understanding, the better off we will be as a society because those who are going to teach the children will be repositories, not only of specific course work, like biology, sociology, math, and so forth, but interrelationships among people that they have learned from their experiences, from their reading, from their coursework, seminars, or whatever. We should not fear having people teach who are very broad in their outlook on life. Anything that is an existing reality, anything that can become an existing reality is a matter that those who are going to be teachers should deal with. That doesn't mean one person is going to learn everything about all things about which some knowledge exists, but we have to make them understand that their specific background and upbringing is not all that there is to the world. Their point of view may be valid for them but it may not be valid for everybody, and until we can breakdown some of the stereotypes that the people who are going to be teachers would hold themselves, we cannot expect the teachers to become those who will breakdown stereotypes because they may not be aware that their thinking is stereotypical. If you have lived in one milieu all of your life, it is almost impossible not to see that point of view as the view that everybody in the world would hold, and when somebody disagrees with that or challenges it, then it is taken as a personal attack, not a discussion of ideas that may differ but a personal attack because it has become so ingrained in your own way of being that to attack it is to attack you and discussions that are not personal in any way become personal because of the way they are perceived. So if the word "pluralistic" is disturbing to people, that alone should not be enough to make us discard the word. I think the educational experience should be disturbing. It's purpose is to bring new ideas. It is to make us think and stretch the most unused but most powerful organ in our body and that is the brain. The human mind, the brain is capable of things that no computer, regardless of how sophisticated, can do. We should be doing all that we can when we talk about these kind of matters to encourage the total utilization of the mind, or utilization of as much of it as we can encourage people to go for. I am going to have to vote against Senator Beck's amendment. I can understand what the Urban League is interested in and concerned about. I understand

everybody's position today.

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: And maybe the breadth of my understanding is an argument in favor of us leaving the bill the way it is. We can differ very, very heatedly on this floor, but when the issue over which we have disagreed has been laid to rest, then that disagreeableness has to dissipate too. If there can be better understanding on the part of those who teach, there will be less likelihood that things will be injected into their classroom, when they become teachers, that can be divisive, that will be considered an official orthodoxy, and in short, the very things that those who advocate Senator Beck's amendment, the very things they fear are the things that are likely to happen in a classroom if we don't have proper training of teachers. And I think the wording of the bill will allow that.

SPEAKER BARRETT: Thank you. I would like to take a moment to introduce some special guests of Senator Wehrbein. Under the south balcony, we have Jim Beaird and his son, Doug, from Monmouth, Oregon, and Emma Beaird from Scottsbluff, Nebraska. Would you folks please wave and be recognized. Thank you. We are glad to have you with us. Senator Abboud.

SENATOR ABBODD: Yes, Mr. President, I would like to give two minutes of my time to Senator Hall and the next two minutes of my time to (mike off).

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Thank you, Mr. President. Thank you, Senator Abboud, I appreciate that. I guess the best argument for me is that, on this amendment, is that what Senator Beck does is limit what we are trying to do in LB 250, and I think that there are a number of things that fall under the term "pluralistic", that if you adopt her amendment and change it to "racial and ethnic groups", you keep those people from being affected, I guess, and I go to the...Hastings College has a program in their teachers college that is an outstanding program in this area. As a matter of fact, there was a three-part series on it by one of the television stations just a couple of months ago that showed how these teaching students are taken to St. Louis, East St. Louis, and they are injected into that area, which is a minority area, it is a poor area, and they spend a week down

there with these individuals learning about the different problems that they face. And the professor of this class says that it is the absolutely best experience that these young people who are going to be teachers face. The young people testify to that effect, because many of them have no experience with these types of backgrounds. Some of the things that you would be excluding by adopting Senator Beck's amendment are issues that deal with poor people. Poor people run the gambit, they are not either racially or ethnically divided. They fall in every category. Sick individuals fall in every category, and they are subject to misunderstanding, abuse, and all kinds of problems because of misinformation. Handicapped people, handicapped people would be excluded under this with regard to the Beck amendment when you limit it to racial and ethnic, and that is not the intent here. The intent of the bill is to give these young people, who are going to be teaching children,...

SPEAKER BARRETT: Two minutes have been reached.

SENATOR HALL: ...the tools that they need to provide those children with a good understanding of the problems that we all are going to face in some form or fashion down the road. I would urge the body to reject Senator Beck's amendment.

SPEAKER BARRETT: Senator Abboud, you have the balance of the time. Senator Beck, I am sorry.

SENATOR BECK: Thank you, Mr. Chairman, and thank you, Senator Abboud. I just want to enter something in the record to make certain that this is in there. First of all, I commend the Education Committee and I commend Senator Hall for developing legislation that would deal with a very severe problem of our time, and that is discrimination, racial and ethnic discrimination. This bill, this bill does not affect what teachers would be taught, and I don't want the impression left with the members of the body that I want to narrow what teachers learn. What I want to narrow is line 25 on page 2, "which results in favorable experiences to students." I think this bill opens up religious and political areas and, perhaps, social lifestyle areas outside of ethnic and racial, that to bring them into the classroom as a favorable experience is going to put the teacher at odds with some of the students. Believe me, I am for teachers taking as many courses and knowing as much as possible. I wouldn't have been a teacher if I didn't believe that. I wouldn't have a masters degree if I didn't believe that. That

is not the case here, that is not the intent. The line that probably makes the whole definition a problem is line 25 on page 2, how do you do something in the classroom to make children who come from diametrically opposed backgrounds to have a favorable experience. I just don't think it is possible. That is why I wanted to narrow it. I think that we do need it. I certainly despise racial prejudice and ethnic prejudice anywhere, and I am concerned about bringing it into a learning...this whole idea, that pluralistic...

SPEAKER BARRETT: One minute.

SENATOR BECK: ...does bring it into a favorable experience. Now I think that people who feel called or led to be teachers, one of the first lessons that they need to learn, of course, is compassion. This bill does not deal with the handicapped. I am not anti-handicapped. I have a feeling as if my simple desire to focus this bill, as I have been led to believe that they wanted it focused, has made me an anti-something, and that is not the case here at all. I am not...we need to have compassion. This bill does not deal with that, and I would like to remind the body that most teachers have to take about 27 hours of education courses and we deal with many of these same types of things in those courses, and compassion for those who are less advantaged and for those who have deficiencies, mental or physical, is taught to teachers. At least, I received it...

SPEAKER BARRETT: Time has expired.

SPEAKER BECK: ...and I would assume that the teachers college is still doing the same job as they have done before. I think the need for eliminating racial prejudice and ethnic prejudice in our schools is paramount, and I want to be on record as having emphasized that.

SPEAKER BARRETT: Senator Withem, please.

SENATOR WITHEM: I would call the question.

SPEAKER BARRETT: The question has been called. Do I see five hands? I do. Those in favor of ceasing debate please vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: 25 ayes, 0 nays to cease debate.

SPEAKER BARRETT: Debate ceases. Senator Beck, would you care to close on your amendment?

SENATOR BECK: Again, I just appeal to the body to limit the language, the fact that there has been so much misunderstanding about it tells me that the language should be eliminated and changed. I think that if someone wants to...is concerned about religious prejudice and so forth and so on, then they ought to define that and bring in a bill that we cover that. I don't know how we will handle it in our public schools because that is, again, I would say getting into the murky water of church and state delineation, and I would want to stay away from that. My intent here was a friendly amendment to narrow the bill's scope a bit so that there would not be any problem later on in the classroom, and that is all, and I would hope that the members of the body would look at it in that way and vote for the amendment.

SPEAKER BARRETT: Thank you. You have heard the closing, and the question is the adoption of the Beck amendment to LB 250. All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 6 ayes, 20 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: The motion fails.

CLERK: Mr. President, Senator Schimek would move to amend the bill. The amendment is on page 1270 of the Journal.

SPEAKER BARRETT: Before recognizing Senator Schimek, I am pleased to announce that Senator Crosby has some guests in our north balcony. We have 75 sixth grade students from Morley Elementary in Lincoln with their teacher. Would you people please stand and be recognized. Thank you for coming. Thank you for visiting with us this morning. Senator Schimek, please.

SENATOR SCHIMEK: Yes, Mr. Speaker, and members of the body, my amendment is a rather simple amendment and it would on line 4, or on page 4, line 20, after the word "board", would simply insert that the board may issue a temporary certificate to any teacher or administrator who is first employed in a Nebraska school after July 1st and who meets all other requirements but

has not had an opportunity to take the examinations. The temporary certificate shall be valid only for the ensuing school year and may not be renewed. The reason for the introduction of this is because the Education Committee somewhat indiscriminately and unceremoniously killed a bill that dealt with this issue, and I wanted to at least bring this part of that bill to your attention because, as it is right now, anybody coming into the state and wanting a certificate, wanting to teach for a school year, if they, after August, come in, it is impossible for them to take the test in order to get certification. And if you will notice on the sheet that I passed out regarding that calendar, these are the dates when the tests are given, when you can apply to take the test, and when the official score reports come back, and you will see that you have to register at least a month before the test is taken, and the scores are not available until nine weeks after the test is taken. So if you applied on August 25th, for instance, you were hired on August 25th, you couldn't receive your regular certificate until December because of the time lag between the time that you apply, the time that you take the test, and the time that the score reports come back, and then the time it takes the Department of Education to actually process these papers, also. So all this amendment is asking is that this certification process, that there is a period allowed in which a temporary certificate might be allowed, and this particularly affects I suppose school districts like Bellevue and others who have a lot of school teachers coming in towards the end of the year. That is all I really have to say. I would be happy to try to answer any questions.

SENATOR LABEDZ PRESIDING

SENATOR LABEDZ: Senator Withem, would you like to speak to the amendment to LB 250?

SENATOR WITHEM: Yes, Madam President, I would, just to clarify the procedures here in terms of the bill that Senator Schimek brought to the Education Committee versus this particular amendment. Senator Schimek did bring us a bill that dealt with various aspect of teaching certificates, this, a portion of it. Some of those other provisions the committee had problems with, like, I think it was teaching without a felony, or giving fraud...teaching without a certificate was going to be a Class II-W felony, I think, with a minimum of 50 years imprisonment and a maximum of 51 years imprisonment, I think,

was the terminology. There were a number of other things in the bill the committee thought might have been a little controversial and needed extra work. Rather, and what we probably should have done was amend those other things out of the bill and advance this portion. We didn't do that. We indefinitely postponed the bill thinking that we ought to deal with this certificate process next year. In doing so, we did kill a portion of the bill that probably does need to pass in this session, this dealing with this teacher test, the timing of it versus when the results are back probably does need to pass this session. For that reason, I am supporting Senator Schimek's amendment here and would urge the body to also support it.

SENATOR LABEDZ: Senator Hall, would you like to speak to the amendment?

SENATOR HALL: Thank you, Madam Chair, and members of the committee, I just would say that I support Senator Schimek's effort, because as Senator Withem stated, it is a portion of the bill that is noncontroversial and does need our attention this year, and I have no objection to it being added to LB 250.

SENATOR LABEDZ: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Senator Schimek, would you yield to a few questions on concerning your handout? Senator Schimek, I am just kind of curious, the PPST or the test, itself, that was taken, that is not...that test was organized and created and tested, if you wish, or graded by another entity, is that correct?

SENATOR SCHIMEK: That is correct. The test comes from New Jersey.

SENATOR BERNARD-STEVENS: Okay, and the amount of time it takes is, in essence, say three months before a teacher can take the test and before they can get final officials and the certificate, they are saying a minimum of three months, is that a reasonable time period to you? That we take a test, it takes three days to go in the mail, they have their, whatever, week, two weeks to go through it, computerize tested, they send it back, takes three days, so, in essence, are we saying the Department of Education takes two months or more in order to process something that may be very important to a school

district?

SENATOR SCHIMEK: I don't believe, Senator Bernard-Stevens, that it takes the Department of Education that long. I think it is the testing institution in New Jersey that takes that long, and I might also clarify a little bit for you that it depends on what part of the state you live in as to when you can get these different tests because Chadron gives the test, Creighton gives the test, Kearney State College gives the test, UN-L, and so on. There is a whole list of institutions that actually give the test, and they all do the testing at different times. So you would also have to, perhaps if you were at the end of the school year, or at the beginning of the school year and trying to get certified and you lived out in Scottsbluff, it is possible you might have to come down to Lincoln in that period of time, too, and take the test. It is sort of just an administrative problem more than anything.

SENATOR BERNARD-STEVENS: Also, Senator Schimek, you introduced this on behalf of the Department of Education, is that correct?

SENATOR SCHIMEK: That is correct.

SENATOR BERNARD-STEVENS: Did they indicate to you how many teachers actually this would affect if we would not pass this amendment?

SENATOR SCHIMEK: No, and I doubt that there would be any way to predict that because we don't know how many new teachers would be in any given school district at this particular time, nor do we know how many of those new teachers would be coming from out of state. I don't know if they have that kind of data at this point.

SENATOR BERNARD-STEVENS: So, Senator Schimek, I am just trying to play with the numbers here a little bit. If a person, and on your handout it says a person hired August 25th, they have their contract cancelled after 60 days and it takes 90 days for them to get the test back, that school district apparently then is incapable of hiring a substitute for a few weeks in order for waiting for the teacher to be certified? I mean if a school district really wants an instructor who fits in this very narrow category, they have no options available or no other teachers to be hired, no substitutes that they could hire to fill in while they wait for that one teacher that they want, is that not

possible?

SENATOR SCHIMEK: Well, Senator, of course, it would be possible to hire a substitute, but you are talking about a half a school year here, between the time that you can take the test and get the results back, this time frame. In actuality, you probably wouldn't need even more than a half of year temporary certificate, but just to make sure that there is a proper amount of time and that there aren't any snags in it, we put the entire school year into the bill, but you could probably cut it off after the first semester and allow a semester's time in which this testing could be done and the certificate could be obtained. But, yes, it would be possible to hire a substitute, but you'd probably have to do it for the first semester. I don't know if that is really a good situation.

SENATOR BERNARD-STEVENS: Thank you, Senator Schimek. Just on...

SENATOR LABEDZ: One minute, Senator.

SENATOR BERNARD-STEVENS: I am not going to raise a question of germaneness at this time because I think it is something that probably should be looked at as far as the amendment is concerned. Senator Schimek, I guess I had one other question, if I have any time remaining, and that is, are there any criminal penalties or any penalties in this particular section as was in the original bill that the Education Committee killed?

SENATOR SCHIMEK: No, Senator.

SENATOR BERNARD-STEVENS: Thank you.

SENATOR LABEDZ: Senator Schimek, there are no further lights on, would you like to close? Senator Schimek waives closing. All those in favor of the amendment to LB 250 vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

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

SENATOR LABEDZ: The amendment is adopted.

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

SENATOR LABEDZ: All those in favor of the advancement of LB 250...I am sorry. Senator Withem.

SENATOR WITHEM: Yes, I am sorry, Just wanted to put something into the record here, and I think Senator Hartnett does also. Senator Chambers had some concerns about the bill on General File and I understood where those concerns were, that is this just going to be a bill that the Legislature passes something saying they want something good to happen but there is nothing in it to make it happen? There has been kind of a dialogue here between...a delicate balance between adding new courses and new tests on teachers for this, trying to blend it into the existing curriculum, and the fear is, if we blend it into the existing curriculum, will there be anything left? It is my intent, as Chair of the Education Committee, to introduce a study resolution to, immediately following, prior to the implementation of the bill, even, to study what is being done in our teachers colleges, and, basically, to put them on notice that we expect them to take note of this statute and to actually put some things into their curriculum that carry out the intent of this, not necessarily new courses, new requirements, but things in existing curriculums. I think Senator Hartnett has some remarks about his experiences in teachers colleges on some of the things that are being done today.

SENATOR LABEDZ: Senator Bernard-Stevens, do you wish to speak on the advancement? Senator Hartnett.

SENATOR HARTNETT: Madam President, I think, and members, maybe ask Senator Hall a question, this does not require a new course, is that...?

SENATOR HALL: That is correct, Senator Hartnett.

SENATOR HARTNETT: Yeah, I guess that because I deal in this area, my, I call it my real job, but I think we do it, the institution that employs me the other part of the year tried to provide some experiences for students in this area of human relations by visiting schools and experiences out in the schools, so I guess I do not want to have to add more layers of things that we do. I think we probably do a pretty good job and many of our people like to be employed by the Omaha Public Schools in the Omaha area afterwards, even though they may come from different places across the country. So my concern was that we are going to add another course, and so forth, so thank

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?

March 28, 1989

LB 46, 49, 49A, 132, 145, 231A, 237
250, 250A, 281, 378A 379, 388, 408A
412A, 418, 449, 449A, 506

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the 54th day in the life of the First Session of the Ninety-first Legislature. Our opening prayer this morning by our chaplain, Pastor Allen Vomhaf of St. Johns Lutheran Church in Omaha, Senator Lynch's district. Pastor Vomhaf, please.

PASTOR VOMHAF: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Vomhaf. Hope you can come back again. Roll call.

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

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Reports, announcements or messages.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 46 and find the same correctly engrossed, LB 49, LB 49A, LB 132, LB 145, LB 231A, LB 237, LB 250, LB 250A, LB 281, LB 378A, LB 379, LB 388, LB 408A, LB 412A, LB 418, LB 449, LB 449A and LB 506, all reported correctly engrossed. (See page 1364 of the Legislative Journal.)

Mr. President, the last item I have is a report from the Job Training Director for the City of Omaha. That will be on file in my office. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. Before proceeding into General File, senator priority bills, an announcement of general interest to the body (gavel) for your advanced planning. On Thursday of this week, day after tomorrow, we will be on consent calendar, consent calendar beginning Thursday morning, running through the noon hour, working through the noon hour and hopefully adjourning again at the midafternoon point. It's my hope that we can dispose in one way or another of all of the bills that will be listed on consent calendar on Thursday. Those bills that will be a part of consent calendar will be available to you this afternoon at the same time the agendas for tomorrow are available. So you will be able to have a little

attitude because they could get the jobs. They would be treated fairly in school. They wouldn't go to the largest school system in the state where a national association investigated that school's practices and found out that there is racial discrimination practiced when they expel students, when they penalize them in every manner that by which the school penalizes, and they want to say, well, that's just a coincidence. No, my children have to be made aware of these things. I don't see, other than the effort in LB 250, strong concentrated efforts to make the education system responsive to the needs of the children who were there. While we were discussing giving teachers a salary increase, I didn't bring up any of these points because it is difficult for me to discuss them in a way that is low-key and laid back because so many children are hurt by them. When you are a member, as I am, of a group that is psychologically, politically, economically, every manner you can think of, educationally, at risk, then these matters that are not of great moment to others who are not so situated are very serious to us and we have an obligation to our children. Maybe we can't dress them like everybody else. We can't give them the quality or even quantity of food that others have. So our whole approach to this society is going to be different, and when we put into the statute that people outside the home can make a determination based on this psychological profile, they make that determination. It is based on their standards, their background, their mores, their position and then they impose that kind of judgment on those of us who are on the bottom rung of the ladder of society. And when we react in a hostile way as any people backed into a corner will react, that is taken as additional evidence of our unsuitability to rear our children, because when those who are trying to help us come to us and are going to explain to us and educate us in the ways of rearing children, we don't accept it like little birds with our mouths wide open to receive anything...

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: ...that the feeder is going to put into it. And our frustration grows and it grows and our children pick it up. So this kind of language in a homogeneous society might work and not pose problems, but I see some very serious ramifications because of what already is existing in this society without this kind of language. So when new words are added to the statute, they have to be taken to have some meaning and they are giving broader authority to these people to take

May 18, 1989

LB 247A, 250, 250A, 261

nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 2505 of the Legislative Journal.) 41 ayes, 7 nays, 1 excused and not voting, Mr. President.

PRESIDENT: LB 247A passes with the emergency clause attached. LB 250 please.

CLEPK: (Read LB 250 on Final Reading.)

PRESIDENT: Having complied with all provisions of law relative to procedure, the question is, shall LB 250 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 2506 of the Legislative Journal.) 38 ayes, 9 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 250 passes. LB 250A.

CLERK: (Read LB 250A on Final Reading.)

PRESIDENT: ...relative to procedure, the question is, shall LB 250A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as found on page 2507 of the Legislative Journal.) 39 ayes, 5 nays, 4 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 250A passes. LB 261 with the emergency clause attached.

CLERK: (Read LB 261E on Final Reading.)

PRESIDENT: Having complied with all the provisions of law relative to procedure, the question is, shall LB 261 will pass with the emergency clause attached? That is 261A with the emergency clause attached. Excuse me, right, 261 with the emergency clause attached. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as it appears on pages 2507-2508 in

May 18, 1989

LB 84, 95, 247, 247A, 250, 250A, 261
261A, 272A, 277, 277A, 290, 283, 303
303A, 312A, 312, 356

emergency clause attached.

CLERK: (Read LB 312A on Final Reading.)

PRESIDENT: Having complied with all provisions of law relative to procedure, the question is, shall LB 312A pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as it appears on page 2516 of the Legislative Journal.) 43 ayes, 0 nays, 4 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 312A passes with the emergency clause attached. May I introduce some guests in the north balcony, Senator Schmit has 30 third and fourth grade students from Dwight and their teachers. They are from the East Butler Elementary School. Will you folks please stand and be recognized. Thank you for visiting us today. Anything for the record, Mr. Clerk?

CLERK: Mr. President, I do. I have an Attorney General's Opinion. (Re: LB 356, found on pages 2516-2520 of the Legislative Journal.)

I also have an explanation of vote, Mr. President, by Senator Warner. (Re: LB 84, found on page 2520 of the Legislative Journal.) That is all that I have, Mr. President.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign, LB 95, LB 247, LB 247A, LB 250, LB 250A, LB 261, LB 261A, LB 277, LB 277A, LB 280, LB 283, LB 303, LB 303A, LB 312 and LB 312A. Are you ready to go on?

CLERK: Yes, I am, Mr. President.

PRESIDENT: We will go on to the General File, LB 272A.

CLERK: Mr. President, 272A is a bill introduced by Senator Landis, it's a bill for an act to appropriate funds to implement the provisions of LB 272.

PRESIDENT: Senator Landis, please.

SENATOR LANDIS: Thank you, Mr. Speaker. LB 272 is the Mortgage

May 18, 1989

LB 95, 247, 247A, 250, 250A, 261, 261A
272A, 277, 277A, 280, 283, 303, 303A
312, 312A
LR 216, 219

SENATOR LANGFORD: Mr. President and colleagues, I move we recess for lunch until one-thirty.

SPEAKER BARRETT: Anything to read in, Mr. Clerk?

CLERK: Mr. President, Enrollment and Review reports LB 272A to Select File. Bills read on Final Reading have been presented to the Governor, Mr. President. That's all that I have. (Re: LB 95, LB 247, LB 247A, LB 250, LB 250A, LB 261, LB 261A, LB 277, LB 277A, LB 280, LB 283, LB 303, LB 303A, LB 312 and LB 312A. See page 2522 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. You've heard the motion to recess until one-thirty. All in favor say aye. Opposed no. Ayes have it, carried, we are recessed.

RECESS

PRESIDENT NICHOL PRESIDING

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

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 216. I would like to introduce some guests in the north balcony if I might. We have Carl and Iona Taylor of Lincoln, and Mrs. Taylor is a cousin of my wife. Would you folks please stand so we can welcome you. Treat them kindly and don't tell us about them and don't tell them about us. Thank you for visiting us today, Mr. and Mrs. Taylor. Mr. Clerk, before lunch, we were where?

CLERK: Well, Mr. President, we were, well, let me...may I read one item for the record, Mr. President, before I...

PRESIDENT: Yes, please.

CLERK: Senator, I have a new resolution, Mr. President, LR 219 offered by Senator Abboud. (Read brief explanation. See pages 2523-24 of the Legislative Journal.) That will be laid over.

May 24, 1989

LB 44, 44A, 49, 49A, 162, 162A, 247
247A, 250, 250A, 277, 277A, 301, 308
813, 814
LR 115, 213, 214, 215, 217, 218, 220
221, 223

Mr. President, a series of veto messages. (Read. Re: LB 44, LB 44A, LB 162, LB 162A, LB 49, LB 49A, LB 277, LB 277A, LB 250, LB 250A, LB 247, LB 247A.) The last message, Mr. President. (Read. Re: LB 301, LB 308, LB 813, LB 814. See pages 2723-29 of the Legislative Journal.)

Mr. President, that completes the items that I have.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 115, LR 213, LR 214, LR 215, LR 217, LR 218, LR 220, LR 221. We will move on to number five, resolutions, Mr. Clerk, LR 223, please.

CLERK: LR 223 was introduced by the Appropriations Committee. It is found on page 2680 of the Journal. It asks the Legislature that pursuant to the provisions of Section 85-404 and LR 69 adopted by the Ninetieth Legislature to call for the issuance of bond anticipation notes and/or revenue bonds in the amount not to exceed \$4,925,000.

PRESIDENT: Senator Moore, please.

SENATOR MOORE: Yes, Mr. President, and members, I know we are all busy, a beehive of activity this morning, but this first thing out of the shoot is of some significance. You may or may not want to listen. What this is is the approval for the bond financing of Phase III of the rec center construction. Those of you that were around in 1987 will remember at that point in time when we approved the indoor practice facility, that was the first of three phases of activity in the total hyperfitness area, whatever it was called, I forget. And Phase I and Phase II have already been...Phase I and Phase II have already been either built or in the process of being built and paid for, and the university is coming down...coming back with LR 223, and if you remember back, LR 69 two years ago, it basically said...we basically said we approve Phase I and Phase II and Phase III; if on the chance that when you go to Phase III, and Phase III is rebuilding of the coliseum, which I would like to explain a little bit, if we get to Phase III, it is the university's choice to use bond financing, and they must come back to the Legislature for our approval. That is, indeed, what has occurred. That is what LR 223 is talking about. It grants the authority for the university to bond up to \$4.9 million for the UN-L recreation/athletic facility. Now as you remember, the indoor practice facility, you all remember, Phase II of that

four of those. I'll speak on LB 247A and explain why I am withdrawing it. This is the bill that appropriated \$250,000 for our study of higher education. The Governor, in her message, indicated that she felt that the study aspect of LB 247 was the strongest aspect of it. Expressed some concerns about signing the portion just bringing Kearney in prior to the study, but indicated the study was the most important aspect of it. Yet, she vetoed \$100,000 out. The rationale, as I understand it, was that we might have had a great deal of dollars or a great deal of data already collected on higher education; it may not take the full \$150,000. I tend to disagree, but because of the fact that the study is broken up into two phases over two years, the \$150,000 figure is certainly enough to get us through the phase one level and we have the opportunity to come back the next year and there probably is no point in appropriating more dollars than we actually need. And so, although my guess...my mind tells me we might need to override this, my heart's really not in the override at this point so I'm going to withdraw this motion. I'm also going to use this opportunity to speak on the other bill that I was going...that I'm going to withdraw the motion on. LB 277 and LB 277A were bills that were advanced from General File through Select File early, early in the session and they sat on Final Reading because of the A bill. It's a bill designed to allow Civil Service annuitants the option of having their income, state income tax, deducted from their pension checks. Many other federal retirees have this option. Those who worked under the office of Personnel Management do not. I wish I would have known that there were some concerns about this bill earlier because I had some ideas of how we could do things differently. I didn't hear about those and I guess that's really nobody's fault. The bill didn't come to the Governor's attention until the last couple of days. Have been given some assurances that we can at least visit about what those concerns are and see if there's some things we can do to help these 30,000 or so Nebraskans out there so that they can have their Social Security...their state income tax withheld. So I will be withdrawing that motion with the understanding that we'll be working on this issue over the summer. LB 250A is a \$5,000 A bill associated with LB 250 and I will not be running my motion on that. However, the next motion I will be running is on LB 250 and I will be very serious about running that motion because, as Senator Schimek will tell you in a few minutes, that is a bill that really does need to be passed this session. So, with that, I withdraw my motion on LB 247A.

SPEAKER BARRETT: Thank you. It is withdrawn.

CLERK: Senator, if I understand you correctly then, you will take up your motion on LB 250?

SENATOR WITHEM: Yes, Mr. Speaker, members, LB 250 is a bill that the Governor vetoed, and if you read her veto message, and I hope I can charitably paraphrase it, it sounded as though she was saying that she really agreed with everything that LB 250 said, she just preferred not to have it in the statute, which is a, you know, a philosophical position that I can respect. I think it's important to have it in the statute. Probably Senator Hall ought to be given part of the time to talk on this because it was originally his bill. He wasn't around yesterday when the message came down so I filed the override motion. It's a bill dealing with competencies in the area of human relations and that the teachers that teach our students ought to be competent in the areas of human relations. That was the main bill. The reason I'm insistent upon carrying the override motion, however, doesn't deal with the bill itself. It deals with an amendment that Senator Schimek was sneaky enough to get added to the bill on Select File. Was a bill that came to the Education Committee and the full bill did not get out of the committee, but her portion of it is a bill that really does need to pass because of the fact that we're going to be starting this new test for new teachers this fall and there are some quirks in that particular statute that need to be addressed this year and this is the bill that addressed those. So I am going to relinquish my time to Senator Schimek and I hope if she has some time left she will relinquish her time over to Senator Hall.

SPEAKER BARRETT: Senator Schimek, please.

SENATOR SCHIMEK: Mr. President and members of the body, I will be very brief. We have a requirement that teachers who are not already certified take what's called a preprofessional skills test and those tests are only given at certain times of the year. And if a school board hires a teacher in the summertime, particularly after July 1, there is a good chance that that teacher cannot receive certification as the statutes now stand because they haven't taken the test. And there is...there are several times during the year when the teacher can take the test, but if they're hired late enough in the session they cannot take it till August or October, and plus there's a waiting period after that then of anywhere from six weeks to

three months to get certified. So all this amendment did was to allow a temporary certification in those instances where that teacher is otherwise qualified but just hasn't taken the basic skills test, which then they would have to take within one year's period of time. So, Senator Hall, would you like to add anything? The rest of the time is yours.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Thank you, Mr. President, members, Senator Withem, Senator Schimek, LB 250 is a bill that's been around for I think at least three years, advanced out of the Education Committee. It deals with the issue of competency in teachers training with regard to the understanding of human relations and I think that it very much is an issue that should be in statute and affirmed in statute that our institutions of higher education with regard to those that train our teachers make sure that they have a good base in this area. The Governor's veto message said that they currently have that mission and that there is...if they're not doing it, that they should be and they should make adjustments to begin doing it. That's well and good and I appreciate that, but the fact of the matter is unless we pass LB 250, override the veto, there is no incentive there for them to do that and I think that by the passage of LB 250 we clearly stated that it was our intent for that to happen. It needs to. The issue of Senator Schimek's amendment that I voted for on Select File I think is also another key issue, another reason for this bill to be overridden at this time. So I would urge the body to override the Governor's veto with regard to LB 250.

SPEAKER BARRETT: Thank you. Senator Chambers, followed by Senators Conway and Langford.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I am strongly in favor of our overriding this veto just as I strongly favor the bill. When it originally passed, the people in my district who were aware of it had nothing but favorable comments to make because it was a message from the Legislature that our children are important and, that in the same way everybody else's history is taught in schools routinely, there has finally come a recognition that certain groups are not routinely included in the curriculum or the training that the teachers receive or those who are going to be teachers would receive. This statement by the Legislature indicated that that

gap is going to be filled. In a very reasonable, nononerous fashion, the Legislature is indicating that these schools that train the teachers should give attention to this kind of instruction. We had agreed that we would watch to see how well they implement it rather than put specific curriculum requirements, so I don't think we can be any more reasonable than that. The fact that the trainers, the teacher training schools are not doing this is why the Legislature, as a policy-making body, should undertake what we're doing here. The final vote was 38/4, so I hope that we can keep at least 30 of those votes. The article that I handed around to you underlines some of the problems that exist not only in Nebraska but throughout the country when it comes to the matters that we're trying to rectify here. Due to the fact that many of those who teach in urban areas, especially inner city areas, have no contact with the children or the parents who are in those areas. There is no cross-acculturation where those teachers know anything about the children, the culture, or the adults in the area where they would be teaching. As a result, they develop the stereotypes. One is based on the notion that if a person is of an ethnic minority or comes from a low-income area, regardless of ethnic or racial background, those children cannot achieve as can those children of other parents who are better off, as we call it. That is fallacious, but because many of the ones who come and teach believe that, they don't place the same requirements on the children, they don't look for the same level of achievement, and the children quickly realize that nothing is expected of them so very little is given. Even in the most educationally conducive environment, there is a tendency for children to avoid doing as much work as they ought to do. So if the education environment itself is one that encourages a child to feel that he or she cannot do anything, that nothing is expected of that child, then the child is going to fall even further behind. The types of tests that are administered, the significance attached to those tests will result in certain of the types of children I'm discussing being tracked, as they call it, based on the projected achievement level that those children will have throughout school. If they once get marked, they'll never get out of that track. More of these children wind up in classes for the mentally retarded, the educable mentally retarded, the trainable mentally retarded, not only because of a lack of concern for those children on the part of teachers but administrators can derive more aid from the state based on having a large number of these children in these classes. A greater number wind up being suspended and punished. National

studies have indicated this. So if we could get this bill in place, all that it's going to do is notify those schools that train those who are to be teachers that they must do a better job...

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: ...and be more sensitized to the needs of all the children that they teach. This bill was not vetoed because of money. The Governor emphasized that she is not out of sympathy with it. She said, in fact, her position on doing away with racism and so forth is demonstrated by a policy she implemented with reference to employees. Well she, as the Governor, had to step in and implement policies because her department heads were not. We, as the Legislature, analogize to the Governor this is not being done, it should be done, it should be the policy of the state and I hope that we will override this veto.

SPEAKER BARRETT: Senator Conway.

SENATOR CONWAY: Mr. Speaker and members, I rise in support of Senator Withem's motion and would like to take you back. I voted for the bill in its original form and I agree with what Senator Chambers is saying, but I think we also need to focus for a second again on this amendment that Senator Schimek had introduced that is included in the bill. Maybe being a senator who represents the very northeast corner I'm very sensitive to the multi-state environment that some of us live in. We all do to some extent, but I'm particularly sensitive to it with the tri-state region that I represent that one, the Nebraska side of. What basically without this we'll have come July 31st is any teacher who is recruited from another state in many cases have not met the specific and taken the specific competency test that was identified by the Department of Education and will be in force this July 31st. With the amendment that Senator Schimek had included, what it said is we could, if they met all other standards for certification, they could start teaching that year and then, during that school year, take that test, pass the test for the continuation of contract. Basically, what it's going to do is absolutely eliminate many, many candidates and a lot of those jobs are filled after July 31st and one of the questions for any applicant is going to be, have you taken that Nebraska designated test because if you've not there's no reason to even apply because we can't use you. And I think it's

going to very much cripple a lot of the communities for recruiting the teachers in if this little provision is not included in the bill. So, if for no other reason, this is a very important aspect and then, like I say, I also concur with Senator Chambers' position relative to other things that the bill was doing.

SPEAKER BARRETT: Thank you. Senator Langford.

SENATOR LANGFORD: Call the question.

SPEAKER BARRETT: The question has been called. Do I see five hands? I do. Shall debate cease? Those in favor vote aye, opposed nay. Please record.

CLERK: 26 ayes, no nays, to cease debate, Mr. President.

SPEAKER BARRETT: Debate ceases. Senator Withem, would you care to close?

SENATOR WITHEM: Yes, I would. I'll be brief in the closing. There are three good reasons to override this veto. Number one and most importantly today, we're not going to ask you to override the A bill, so there's no fiscal impact on this override. I guess the first one today that is merely a policy matter and will not be a fiscal matter. Secondly, the original LB 250 was a very good piece of legislation talking about competencies in human relations and the importance for those for teachers. Point three in the immediacy of needing to get this bill overridden is the amendment that Senator Schimek had added to this bill dealing with temporary certificates for those who have not necessarily been able to pass at this time. Not...excuse me, not being able to pass but have not had the opportunity to take this particular test, so that's the immediacy of it and, because of that, I'm going to give Senator Schimek part of the remainder of my time if she promises to give Senator Hall some time after she's finished. Do you promise to do that, Senator Schimek?

SPEAKER BARRETT: Senator Schimek.

SENATOR WITHEM: She promises.

SENATOR SCHIMEK: Mr. President and members of the body, I just wanted to reemphasize what Senator Conway mentioned about

out-of-state teachers. In addition to that, I would like to mention that new teachers would also be affected by this particular provision so if a school board was trying to hire somebody who had just graduated, they might also run into the same problem. And, thirdly, I'd like to mention that teachers in parochial schools often come from out of state too, so that might impact upon them more heavily than the public schools. With that, I turn the rest of the time over to Senator Hall.

SPEAKER BARRETT: Senator Hall waives off. You've heard the closing and the question is, shall the Governor's veto of LB 250 be overridden? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read as found on pages 2768-69 of the Legislative Journal.) 36 ayes, 2 nays, Mr. President.

SPEAKER BARRETT: Motion prevails and the veto is overridden on LB 250.

CLERK: Senator Withem, did I understand you do not want to do the A bill? Senator, is that correct?

SENATOR WITHEM: Withdraw the motion on the A bill.

SPEAKER BARRETT: Withdrawn.

CLERK: Mr. President, the next motion I have is by Senator Bernard-Stevens. He would move that LB 44 become law notwithstanding the objections of the Governor.

SPEAKER BARRETT: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker, members of the body. I believe this might...I believe this is the last bill up and I hope the body can stay with it just for a little bit longer 'cause I would uphold it if I felt as I did on the other things that I uphold. If I had felt that there is simply...it's simply another bill that we could come back again, try again, certainly I would do so. This is one that's been here before and it's one that I would like to very quickly explain. I think the body can be brought up-to-date on the bill and then we can do the body's will and be done with it. LB 44 came actually last year, last session. It passed somewhere around 46 to nothing. It went to the Governor and it was vetoed and, in

May 24, 1989

LB 44, 49, 49A, 247, 250

deemed mentally competent to stand trial and then the costs would shift back to the counties. It is important. It is a small county issue, there's no doubt about it. We need your help. Thank you.

SPEAKER BARRETT: Thank you. The question is the override of the Governor's veto on LB 44. All in favor vote aye, opposed nay. Voting on the motion to override. Have you all voted? Record, please.

CLERK: (Record vote read as found on page 2769 of the Legislative Journal.) 12 ayes, 23 nays, Mr. President.

SPEAKER BARRETT: Motion fails. Any other overrides filed with the Clerk? The Chair advises that certificate is being signed indicating that there has been an override on LB 250 and the same is true for LB 49 and LB 49A. (See Certificates as found on page 2772 of the Legislative Journal.) Matters for the record, Mr. Clerk?

CLERK: Mr. President, a series of communications addressed to the Secretary of State's Office regarding the Legislature's actions today on certain line item veto overrides, as well as certain other veto overrides. (See Communications as found on pages 2769-2772 of the Legislative Journal.)

Mr. President, I have a communication from Senator Labeledz appointing the membership to the LR 247 (sic)...LB 247 Committee that was passed into law this year. (See Executive Board Report as found on page 2773 of the Legislative Journal.)

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

SPEAKER BARRETT: No other unfinished business on the desk. Motions in preparation, Mr. Clerk, for sine die?

CLERK: Mr. President, Senator Wehrbein I believe has the first motion.

SPEAKER BARRETT: Senator Wehrbein, please.

SENATOR WEHRBEIN: Mr. Speaker and members, I move that a committee of five be appointed to advise the Governor that the 91st Legislature First Session of the Nebraska State Legislature is about to complete its work and to return with any message the