

January 9, 1989

LB 267-278  
LR 4

Transportation Committee will meet in Executive Session upon adjournment.

Reference Committee, now, in 2102.

SPEAKER BARRETT: Thank you. The Legislature will continue to stand at ease while the Referencing Committee meets. We are not adjourned.

EASE

SPEAKER BARRETT: Announcements, bill introduction.

CLERK: Mr. President, a series of announcements. First of all, Executive Board would like to announce the makeup of the Building Maintenance Committee. Senator Conway has been selected as Chair with membership consisting of Senator Beyer, Senator Korshoj, Senator Scofield and Senator Warner. And with respect to the Education Commission of the States, which is also an Executive Board appointment, Senators Baack, Dierks and Withem have been selected to serve.

Mr. President, announcement from the Speaker, and that is that there will be a Committee Chairpersons meeting on Wednesday morning at eight-fifteen in Room 1517; Committee Chairpersons meeting at eight-fifteen Wednesday morning in Room 1517, as offered by the Speaker.

Mr. President, I have received a Reference Report referring bills up through 237. (See pages 122-25.)

Mr. President, new bills. (Read LBs 267-278 by title for the first time as found on pages 125-28 of the Legislative Journal.)

Mr. President, I have a new resolution by Senator Bernard-Stevens, LR 4, asking the Legislature to approve a gift from the Nebraska Game and Parks Foundation to the Games and Parks Commission of certain real estate located in Lincoln County. That will be laid over, Mr. President. (See pages 128-29 of the Legislative Journal.)

Mr. President, I have a hearing notice from the Transportation Committee for Tuesday, January 17. That is signed by Senator Lamb as Chair of the Committee.

SPEAKER BARRETT: Senator Korshoj.

SENATOR KORSHOJ: Mr. Speaker and members, I totally agree that we need to save as many lives as we can. Tim has already alluded to the fact that it's too late after they get in the bar. I think you're going the wrong place. And, Jacky, I'll tell you how you can save lives and lots of them, and I'm serious about this, have Department of Revenue send out to every retail merchant in the State of Nebraska that sign when they send...they've got the sales tax list, mandate them to put it up, let them read about it before they get in the bar. You would do some good and I would support that. When they are in the bar you might save one life, and bless you, I'm all for that. But let's go, let's let the...let's let them read about it when they go to the grocery store. Mandate them to put that sign up. It's that important to me I would also support the appropriation for it. If every store you go in this sign is posted, like we have to post our sales tax certificate, people are going to see it and think about it. You're going to get damn little thinking going in a bar, some, but not much. If you are really serious and not trying to say it's your duty as a bartender to get this message across, after they are already in the bar, it's after the fact. And I would, if mandated, be glad to put one up in my place of business, but you'd cover the whole state and you would have awareness like you could never get any other place. I'm through, thank you.

SPEAKER BARRETT: Thank you. The question before the body is the indefinite postponement of LB 70. Those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 4 ayes, 26 nays, Mr. President, on the motion to indefinitely postpone.

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

CLERK: Mr. President, I do. Your Committee on Health and Human Services, whose Chair is Senator Wesely, reports LB 353 to General File; LB 48, General File with amendments; LB 231, General File with amendments; LB 273, General File with amendments; LB 366, General File with amendments. Those are all signed by Senator Wesely. (See pages 474-77 of the Legislative Journal.)

procedures and the court administrator had requested that we deal with that. And primarily, it was the point about a stepparent adoption a child as was earlier explained, so with that, as far as I know, all sides are in agreement on it. I would appreciate your support for advancing the bill.

PRESIDENT: Any further discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 231.

PRESIDENT: LB 231 advances. LB 273, please.

CLERK: LB 273, Mr. President, was a bill offered by Senator Rogers. (Title read.) The bill was introduced on January 9, referred to Health and Human Services. I do have committee amendments pending, Mr. President.

PRESIDENT: Senator Wesely, please, are you going to handle the committee amendments?

SENATOR WESELY: Yes, thank you. Mr. President, members, the bill was brought to the committee by Senator Rogers and deals with the question of who is able to participate in ambulance transportation. Currently, there are ambulance attendees, attendants, I should say, physicians, registered nurse and licensed practical nurse. This would add, under the original bill, physician surrogate. There is no such term defined in law right now and what they were really trying to accomplish under the bill was to allow physician assistants to participate in this function. So we have struck physician surrogate and referenced the certified physician assistant statutes to clarify what this bill accomplishes and I would ask that these committee amendments be adopted.

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

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of Health and Human Services Committee amendments.

PRESIDENT: The committee amendments are adopted. Senator

February 2, 1989

LB 273, 366  
LR 21

Rogers, please, we're on the bill.

SENATOR ROGERS: Mr. President and members, this bill was introduced by me on behalf of a group of ambulance volunteers in my district, basically just to clarify some things. There are many, probably, physician assistants, especially out in rural Nebraska. It would make better use of our hospital personnel if they could occasionally be assigned to transport patients. The Nebraska Academy of Physician Assistants supported the bill with the amendment. They have been providing citizens service for over 15 years and they are strictly functioning within their scope to the current list of physicians, registered nurses, licensed practical nurses who can aid in the transportation of patients as now, and I would simply encourage advancement of this bill.

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

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 273.

PRESIDENT: LB 273 advances. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 21. Moving on to LB 366.

CLERK: Mr. President, 366 was a bill introduced by Senator Lynch. (Title read.) The bill was introduced on January 11, referred to the Health Committee, advanced to General File. I have committee amendments by the Health and Human Services Committee, Mr. President.

PRESIDENT: Senator Wesely, please, the amendments.

SENATOR WESELY: Thank you, Mr. President, members, LB 366 is a bill brought to the committee by Senator Lynch. It deals with a current statute regarding group homes' zoning. Currently, the statute provides that you can't discriminate against group homes dealing with cerebral palsy, autism and mental retardation. The original bill would have added mental illness. At the hearing the Catholic Social Services and hearing impaired individuals came in and said, this discrimination ought not occur in any event for anybody with a mental or physical disability and asked that we broaden the bill to recognize that. And so the

February 3, 1989

LB 48, 56, 127, 167, 184, 185, 231  
273, 366, 804  
LR 22

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning as chaplain of the day, Pastor Wayne Hineman of the Rosemont Alliance, in Lincoln, Nebraska. Would you please rise for the morning prayer.

REVEREND HINEMAN: (Prayer offered.)

PRESIDENT: Thank you, Pastor Hineman. We appreciate your coming out on this cold morning to have our invocation. Thank you. Roll call, please.

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

PRESIDENT: Any corrections this morning?

CLERK: No corrections, Mr. President.

PRESIDENT: How about messages, reports, or announcements?

CLERK: Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 48 and recommend that same be placed on Select File; LB 231 Select File with amendments, LB 273 Select File with amendments; LB 366 Select File, LB 56 Select File, LB 127 Select File, LB 167 Select File, LB 184 Select File with amendments, LB 185 Select File; all those signed by Senator Lindsay as Chair of the E & R Committee. (See pages 577-78 of the Legislative Journal.)

I have an Attorney General's Opinion addressed to Senator Haberman regarding LB 804. That will be inserted. (See pages 578-59.)

Gubernatorial appointment to the Power Review Board. That will be referred to Reference Committee. A report, Mr. President, from the Nebraska Energy Office required by statute. That will be on file in my office.

Mr. President, LR 22 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 22.

CLERK: That is all that I have at this time, Mr. President.

February 7, 1989

LB 36, 38, 45, 46, 51, 53, 60  
79, 123, 145, 168, 159, 189, 190  
207, 237, 273, 308, 338, 410, 414  
418, 431, 449, 458, 506, 706, 733

LB 36, LB 38, LB 53, LB 79, LB 123, LB 190, LB 51, LB 60,  
LB 189, LB 207, LB 45, LB 168, and LB 169.)

Retirement Systems reports LB 46 to General File; LB 308,  
General File; LB 145, General File with amendments; LB 237,  
General File with amendments; LB 418, General File with  
amendments; LB 506, General File with amendments. Those are all  
signed by Senator Haberman as Chair. (See pages 635-40 of the  
Legislative Journal.)

Health Committee reports LB 449 to General File with amendments;  
LB 733, General File with amendments. Those are signed by  
Senator Wesely as Chair. Business and Labor reports LB 410 to  
General File; LB 414, General File. Those are signed by Senator  
Coordsen as Chair. Banking Committee reports LB 431 to General  
File; LB 706, General File. Those are signed by Senator Landis  
as Chair. (See page 637 of the Legislative Journal.)

Mr. President, Senator Rogers has amendments to be printed to  
LB 273; Senator Labedz to LB 338; Senator Smith to LB 338; and  
Senator Nelson to LB 458. That's all that I have,  
Mr. President. (See pages 637-38 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. The Chair recognizes Senator  
Conway. Would you care to adjourn us, Mr. Conway.

SENATOR CONWAY: Mr. Speaker, members, I move that we adjourn  
until 9:00 a.m., February 8th.

SPEAKER BARRETT: Thank you. You've heard the motion to adjourn  
until tomorrow morning at nine o'clock. Those in favor say aye.  
Opposed no. Carried, we are adjourned.

Proofed by: Arleen McCrory  
Arleen McCrory

get out of the politics and the emotion of it and look at what the Bernard-Stevens is trying to do, we can look them square in the eye and say, how could you, as dentists, support LB 48 when you had an option that would deal with all smoking in all areas of cancer. We can look them square in the eye and say, if you wanted to do something on cancer, then, by golly, you had a chance and you blew it because you had fun playing politics. But I believe in the wisdom of this body, and I believe we will get something done for cancer, for our children, and for our people in this worthy cause. So I ask you not to advance the bill and/or not vote. Thank you, Mr. President.

PRESIDENT: Thank you. I'd like to introduce a special guest of Senator Labedz, over under the south balcony. We have Sir Jeet of New Deli, India, who is Director of International Marketing. Would you please welcome Sir Jeet. Thank you for being with us. You came a long way to visit. We appreciate your being here. Thank you. Mr. Clerk, you have something on the desk?

CLERK: Mr. President, Senator Landis would move to indefinitely postpone LB 48. Senator Dierks would have the option to lay the bill over, Mr. President.

PRESIDENT: Senator Dierks, would you like to take it up, or wait?

SENATOR DIERKS: Mr. President, members of the body, I believe I'll take it...I'll lay it over.

PRESIDENT: Okay. It will be laid over. You can see the Speaker as to when it will be laid over until when. Okay, shall we move on, Mr. Clerk, to LB 273.

CLERK: Mr. President, LB 273 is on Select File. The first order of business are E & R amendments.

PRESIDENT: Senator Hall, would you like to help us out on that please?

SENATOR HALL: Mr. President, I would be glad to. Mr. President, I move the E & R amendments be adopted.

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

CLERK: Mr. President, Senator Rogers has an amendment to the bill, Mr. President. That amendment is on page 637 of the Journal.

PRESIDENT: Senator Rogers, please.

SENATOR ROGERS: Well, Mr. President and members, this amendment is one of these "do nothing" amendments. It is something that they brought up to correct some of the language to allow a PA to ride on an ambulance. If you want to read it, it is on page 638. I will just move for the amendment unless there is a question.

PRESIDENT: Did you have anything further, Senator Rogers?

SENATOR ROGERS: No, I just said I ask to move the amendment unless there is a question.

PRESIDENT: Okay, thank you. I have three lights on. I don't know if they are on for this or the previous. Senator Wesely, did you wish to speak to this? All right, Senator Wesely.

SENATOR WESELY: Mr. President and members, if Senator Rogers would just yield to a question. The intent of the bill, LB 273, was to provide for physician assistants to be able to provide care in an ambulance and the committee amendment clarified that it was physician assistant. This language, I assume, is coming to you from the bill drafting to better clarify exactly who we are referring to.

SENATOR ROGERS: Yes, basically, it doesn't change anything.

SENATOR WESELY: Okay, but you...okay, I just wanted to make clear that we are just better clarifying the situation, I appreciate that.

SENATOR ROGERS: Right.

PRESIDENT: Thank you. Anything further on the advancement of the bill, Senator Rogers?

SENATOR ROGERS: Got to go for the amendment...

PRESIDENT: Excuse me, on the Rogers amendment I meant.



SENATOR ROGERS: Right...no.

PRESIDENT: Okay, the question is the adoption of the Rogers amendment. All in favor vote aye, opposed nay. We are voting on the adoption of the Rogers amendment. Record, Mr. Clerk, please.

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

PRESIDENT: The Rogers amendment is adopted. Now the advancement of the bill. Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 273 as amended be advanced to E & R for Engrossment.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. It is advanced. LB 344.

CLERK: Mr. President, on LB 344, I have E & R amendments first of all.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the E & R amendments to LB 344 be adopted.

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

CLERK: Mr. President, Senator Kristensen would move to amend the bill.

PRESIDENT: Senator Kristensen, please.

SENATOR KRISTENSEN: Thank you, Mr. President. Members, this bill went through rather quickly through General File, and after having a chance to read through it, there are some things that concern me I think we should bring to the attention of the body and also to the Department of Health. If you will take out 344 and look at Section 1, this, basically, has to do with rules and regulations concerning things that we put on birth certificates, abortion certificates, marriage certificates, dissolution of marriage certificates, et cetera, and they ask for us to secure information about economic, educational, occupational, and

February 15, 1989      LB 57, 58, 70, 74, 94, 97, 115  
116, 126, 133, 142, 156, 175A, 177A  
208, 229, 230, 233, 251, 255, 256  
261A, 263, 267, 273, 281, 284A, 295  
338, 378, 391, 398, 416, 443, 458  
459, 499, 502

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT:      Welcome to the George W. Norris Legislative Chamber. Please rise for the opening prayer. Our Chaplain for the day is Father Daniel Sieker, of Blessed Sacrament in Lincoln. Father Sieker.

FATHER SIEKER:      (Prayer offered.)

SPEAKER BARRETT:      Thank you, Father Sieker. Please come back again. Roll call.

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

SPEAKER BARRETT:      Thank you. Corrections to the Journal.

CLERK:      I have no corrections, Mr. President.

SPEAKER BARRETT:      Any reports, messages, or announcements?

CLERK:      Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 502 and recommend that same be placed on Select File, LB 281 Select File, LB 416 Select File, LB 443 Select File, those signed by Senator Lindsay as Chair. Mr. President, your Committee on Enrollment and Review reports LB 74 as correctly engrossed; LB 116, LB 175A, LB 177A, LB 208, LB 261A, LB 263, LB 267, LB 273, LB 284A, LB 338, LB 378, LB 391, LB 398, LB 458, LB 459, and LB 499, all reported correctly engrossed, all signed by Senator Lindsay. (See pages 746-47 of the Legislative Journal.)

Mr. President, a communication from the Governor to the Clerk. (Read. Re: LB 57, LB 94, LB 97, LB 126, LB 133, LB 229, LB 230, LB 233, LB 251, LB 255, LB 295, LB 58, LB 70, LB 115, LB 142, LB 156, LB 256. See page 748 of the Legislative Journal.)

February 24, 1989      LB 208, 238, 263, 267, 273

Journal.)      39 ayes,      7 nays,      3 excused and not voting,  
Mr. President.

PRESIDENT: LB 208 passes. LB 238.

CLERK: (Read LB 238 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 238 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 866 of the Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting,  
Mr. President.

PRESIDENT: LB 238 passes. LB 263.

CLERK: (Read LB 263 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 263 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 866-67 of the Legislative Journal.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 263 passes. LB 267.

CLERK: (Read LB 267 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 267 pass? All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 867-68 of the Legislative Journal.) 43 ayes, 4 nays, 2 excused and not voting,  
Mr. President.

PRESIDENT: LB 267 passes. LB 273.

CLERK: (Read LB 273 on Final Reading.)

February 24, 1989

LB 74, 116, 208, 238, 263, 267, 273  
344, 781

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 273 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 868 of the Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

PRESIDENT: LB 273 passes. LB 344 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 344 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 44 (sic) pass with the emergency clause attached...excuse me, 344 with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read. See pages 869-70 of the Legislative Journal.) The vote is 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 344 passes with the emergency clause attached. This ends the Final Reading. Do you have anything for the record at this time? If not, we'll move on to special order, LB 781.

CLERK: Mr. President, LB 781...

PRESIDENT: Mr. Clerk, before you start, may I just say that while the Legislature is in order...in session and capable of transacting business, I propose to sign and do sign LB 74, LB 116, LB 208, LB 238, LB 263, LB 267, LB 273 and LB 344 with the emergency clause attached. Now on to LB 781.

CLERK: Mr. President, 781 was a bill that was introduced by the General Affairs Committee and signed by its members. (Read title.) The bill was introduced on January 19 of this year, Mr. President. At that time, it was referred to the General Affairs Committee for public hearing. The bill was advanced to General File. I do have committee amendments pending by the General Affairs Committee.

February 24, 1989

LB 74, 116, 208, 238, 263, 265, 267  
273, 344, 360A, 765

SPEAKER BARRETT: LB 360A is advanced. For the record, Mr. Clerk.

CLERK: Mr. President, Senator Smith would move to withdraw LB 765. That will be laid over. I have a notice of hearing from the Rules Committee, signed by Senator Lynch as Chair. Your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning, Mr. President. That's all that I have. (See page 875 of the Legislative Journal, re: LB 74, LB 116, LB 208, LB 238, LB 263, LB 267, LB 273, and LB 344.)

SPEAKER BARRETT: As a matter of general information, we will not be discussing 520 or 520A this morning. We will not be discussing LB 340, LB 147, or 147A. We are then at this point to LB 265. Mr. Clerk.

CLERK: Mr. President, 265, offered by Senator Chizek. (Read title.) The bill was introduced on January 9, referred to the Judiciary Committee. The bill was advanced to General File. I do have an amendment to the bill by Senator Chizek, Mr. President. That amendment is on page 739 of the Journal.

SPEAKER BARRETT: Senator Chizek, on your amendment.

SENATOR CHIZEK: Mr. President, colleagues, the amendment is on page 739. The amendment removes paternity matters from the expedited process required by federal law. The changes in the federal requirements permit the state to remove paternity matters from this expedited process. The judges and the Department of Social Services have excluded paternity because these actions don't lend themselves to the expedited process. Appointment of counsel, jury trial, discovery, blood tests, et cetera make paternity matters a poor candidate for the expedited process. LB 265 would, however, allow referees to handle paternity matters under direction of the district court. I would urge the adoption of the amendment.

SPEAKER BARRETT: Any discussion on the amendment to 265? If not, those in favor of the adoption of that amendment please vote aye, opposed nay. Voting on the amendment to LB 265. Please vote, if you'd care to vote. On the amendment to 265, please vote, if you'd care to vote. Record, please.

CLERK: 25 ayes, 0 nays on adoption of Senator Chizek's amendment to the bill, Mr. President.

March 3, 1989

LB 74, 91, 116, 208, 238, 263, 267  
273, 344, 471, 628  
LR 38-41

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: (Recorder not activated) ...hearty souls who are with us this morning as we convene this last day of the working week. Our opening prayer this morning by Chaplain Clarence Zwetzig of Bryan Memorial Hospital, here in Lincoln. Chaplain Zwetzig.

CHAPLAIN ZWETZIG: (Prayer offered.)

SPEAKER BARRETT: Thank you, Chaplain Zwetzig. We 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: Any messages, reports, or announcements?

CLERK: Mr. President, a communication from the Governor to the Clerk. (Read. Re: LB 74, LB 116, LB 208, LB 238, LB 263, LB 267, LB 273, LB 344. See page 960 of the Legislative Journal.)

Mr. President, resolutions LR 38 and LR 39 adopted yesterday are ready for your signature.

Mr. President, your Committee on Government, Military and Veterans Affairs, whose Chair is Senator Baack, to whom was referred LB 471 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, LB 628 General File with amendments, LB 91 indefinitely postponed, those signed by Senator Baack as Chair. (See pages 960-61 of the Legislative Journal.)

Mr. President, I have two study resolutions, both introduced by Senator Rod Johnson. (Read brief explanation of LR 40.) That will be referred to Reference. (Read brief explanation of LR 41.) That, too, will be referred to the Exec Board. (See pages 961-62 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. While the Legislature is in