

January 11, 1989

LB 341-372

LR 3, 5

able to assist other agencies, other investigating committees, other individuals who are involved. I have pledged my cooperation to some of them with whom I have visited. I know that Senator Chambers feels the same way. I know that other members of the committee feel the same way. I hope that we are all pursuing the same goals, same objectives and that we can work together. I want to say again that this committee will act with propriety, honesty and integrity. We intend to obtain the best counsel we possibly can and we intend to protect the rights of the innocent and to pursue those who might have been less than innocent. Mr. President and members, I ask for a positive vote on the resolution.

PRESIDENT: That was the closing. The question is the adoption of the resolution. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please. Record, Mr. Clerk, please.

CLERK: 32 ayes, 0 nays, Mr. President, on adoption of LR 5.

PRESIDENT: The resolution is adopted. You have some new bills, Mr. Clerk.

CLERK: Mr. President, I do. New bills. Mr. President, Senator Labedz would like to have a meeting of the Reference Committee now in the Senate Lounge. Referencing Committee in the Senate Lounge, Mr. President, right now. Senate Lounge for Referencing Committee. New bills. (Read by title for the first time LBs 341-355 as found on pages 183-87 of the Legislative Journal.)

PRESIDENT: We will be at ease for a few minutes for referencing and receiving a few more bills.

EASE

PRESIDENT: (Microphone not activated) and capable of transacting business. I propose to sign and do sign LR 3. Would you like to continue, Mr. Clerk, please.

CLERK: Yes, Mr. President, thank you. New bills. (Read by title for the first time LBs 356-372 as found on pages 187-91 of the Legislative Journal.)

Mr. President, I have a new resolution offered by Senator Hall.

February 2, 1989

LB 121, 183, 214, 320, 326, 334, 354
362, 473, 489

want to just...? I would move that we adjourn until tomorrow morning at nine o'clock.

SPEAKER BARRETT: You have heard the motion to adjourn. Mr. Clerk, do you have anything for the record?

CLERK: Mr. President, yes, I do, thank you. Your Committee on Banking, Commerce and Insurance, whose Chair is Senator Landis, to whom was referred LB 214, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 320, General File with amendments; LB 326, General File with amendments; LB 334, General File with amendments. Those are signed by Senator Landis as Chair. (See pages 566-71 of the Legislative Journal.)

Your Committee on Health and Human Services whose Chair is Senator Wesely, to whom was referred LB 354, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 362, General File; LB 489 to General File, all signed by Senator Wesely. (See page 571 of the Legislative Journal.)

I have a series of notices of hearings from the Appropriations Committee, Mr. President, all signed by Senator Warner as Chair of the committee. Mr. President, a series of unanimous consent requests. Senator Withem to add his name to LB 183; Senator Korshoj to LB 473, Senator Smith to LB 121. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The question is the adjournment of the body until tomorrow morning at nine o'clock. Those in favor say aye. Opposed nay. Carried. We are adjourned. (Gavel.)

Proofed by:


Sandy Ryan

without a reluctant trustee hitting them up for some money at the time. The winners in this case are the lenders because they get...basically, they get to make this transfer of trustee without being over the barrel. That's why you can see that the Nebraska Bankers Association and NBC are there. Why has it come about? Because there were some trustees asking for money. In the typical fashion, by the way, in which these kinds of businesses are done both of these people came in and testified about the bill in the most pristine manner that there was. I had to go outside and say, what's happening? Why do you need this bill? And they said, oh, well, David, the reason we need the bill is because the lawyers are asking us for some money for doing nothing and we think we ought to be able to substitute them. I said, why didn't you put that on the record? Why didn't you say that in the hearing so we all know what's going on? They said, well, maybe we'll do that next time. Anyway, I'm going to try to bring you back...that kind of stuff, that's the story of why this bill is here. And, on that basis, I intend to vote for the bill.

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

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

PRESIDENT: The committee amendments are adopted. Now on the advancement of the bill, Senator Ashford. Okay. Any further discussion? Senator Landis, on the advancement of the bill. 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 on the advancement of LB 334, Mr. President.

PRESIDENT: LB 334 is advanced. We'll move on to LB 354.

CLERK: Mr. President, 354 was a bill introduced by Senator Wesely. (Read title.) Introduced originally on January 11, referred to Health and Human Services, advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. President, and members, going back to last year and actually if you go back a few years before that an issue before this body has been the question of prenatal care for our poor women in this state. We did have, for a couple of years, initiatives to provide for a high risk pregnancy program in Nebraska. In the meantime, the federal government, the Congress adopted an option under the Medicaid program to provide a targeted program in this area. And so we dropped that other initiative and went last year to adopt the option to provide under our Medicaid program coverage for these poor women who have less than 100 percent of poverty and also for infants under one and three and under as well for children, to provide for in the case of the women prenatal care so they could bring their baby to term healthy and also for the kids, under a poor income household, to have adequate health care. We did adopt that last year but as we were adopting that legislation the Congress, recognizing the wisdom of this program, changed from 100 to 185 percent as to what they would allow the states under this option. So this bill would take us to that 185 percent of poverty level. What this would do is provide for approximately 3,000 more Nebraskans to have, in the case of women, prenatal care; in the case of children, adequate health care. Both are very targeted needs in Nebraska and elsewhere in the country. Pregnant women need prenatal care. It's important. It helps to bring babies to term healthy. It saves money in the long run as you don't have babies born with low birth weight, then at that stage they need excessive care, expensive care and this will help through prenatal care to keep that from happening as much as we can. In terms of kids, and we have talked a lot about children in this Legislature recently, I think we, obviously, see the need for children to have adequate health care and then when they're born to poverty and they're born to households of low income those children deserve adequate health care. It's important to them and it's important to us that our children have decent health care so they have healthy lives and can grow up strong and live to a...healthy lives. Now, in addition, we also provide aged, blind and disabled coverage going from 85 to 100 percent of coverage. Again, dealing with the aged, blind and disabled this would provide another 186 people with additional coverage. This is really, you know, simple in terms of what we did last year, just extends it beyond where we did last year. I want to emphasize a couple of points. Number one, it's targeted. It's targeted to aged, blind and disabled. It's targeted to kids in poverty settings and it's targeted to pregnant women who are poor, all very

important priorities, I think, to a healthy state and very good investments for us in health care. In addition, besides being targeted, it's matched. By having it as part of the Medicaid program, for every dollar we put in, for every million dollars in this case we put in, we get a million and a half of federal money. So for the million we put into this program, we will have about two and a half million to expend for these services. We did talk earlier about indigent care. This is a concept that blends in with it and complements quite well what we were talking about before. But the difference is that, again, it targets more narrowly and it has a match, federal match involved. So I would ask for support in advancing the bill and your support for this legislation. We appreciated very much the bill passing and being put into effect last year. We think we ought to take this additional step to help our pregnant women and our kids who are in poverty have adequate health care.

PRESIDENT: Thank you. Senator Nelson, then Senator Ashford.

SENATOR NELSON: Mr. Speaker and members of the body, I have some questions of Senator Wesely, please. Senator Wesely, I don't serve on your committee and I have not had an opportunity to get in on the basics of this bill. I, again, have some concerns and I suppose to speak against this is like speaking against mother and apple pie. But, last year, I know that we had some bills on high risk pregnancy and so on and I appreciate all of that. I think I understand. Are the provisions of this bill required by us by new federal Medicaid and Medicare legislation?

PRESIDENT: Senator Wesely, would you respond, please.

SENATOR WESELY: Yeah. No.

SENATOR NELSON: They are not. Okay, I guess I'm back to again the cost and what the doors that we're opening up on this bill. Right quick, I used a family of three, \$9,690, federal poverty guideline, and, incidentally, for a family of four we heard in Education Committee that it was considerably higher than this. I'm not saying who is right or wrong in that respect, but let's go back to my family of three, that brings the income up to \$17,926, 185 percent of \$9,690. Or let's go back to a family of two. A girl right now that has one child brings the income up to \$14,300. I have a little problem with continually subsidizing maybe in a way encouraging pregnancy or maybe not or

is there a point? How many children can we support from unwed mothers, and so on? And I'm not saying that the children under eight don't need the coverage and I have a lot of questions. A girl in high school can get pregnant, we pay for it. We go out and they can continue to receive benefits. I have a little problem with extending this to the 185 percent and, again, we taxpayers picking up the dollars. I'm not saying that the need is not there, that prenatal care is not needed but, again, my same illustration, someone that's out there trying to pay their own bills, they simply can't get this needed care because they don't have the money to slightly over your poverty guidelines; I will say the young farm family or the young business family that don't have insurance, a private employer, and then we're extending a bill to this extent. This is a considerable increase.

PRESIDENT: Thank you. Senator Wesely, please.

SENATOR WESELY: Yes, thank you. I would like to respond, Senator Nelson, so you understand what we're talking about. We're not talking about the ADC mothers here, we're talking about working mothers, talking about people out there having a living, trying to live with kids and have a pregnancy. Now, you're getting, I think, mixed up on that. The program that you talked about before, in effect, concerns about before was ADC and how much they got and the benefits under that program. This is not...this is a different situation. These are people with income. They're working. They're trying to make it out there. And, as you know, right now health insurance costs are incredibly expensive and they're going up every day. What we're providing here is not full medical coverage for the mothers involved. We're talking about prenatal care. That's it. For the kids, we do talk about full medical coverage and those kids deserve to have that ability to have adequate health care. But we don't go the whole nine yards. We go in a targeted fashion to help with the particular need that we have for prenatal care, for poor women and those people, I think, still are poor. The increase to 185 percent, you may feel that that's an excessive amount of money but if you follow health insurance costs, it's extremely expensive to have health insurance. And, in addition, many of these women are in jobs that just don't provide it. You can't get it. It's very difficult. They're in circumstances that make it almost impossible in many cases to have it. I know they would like to. They can't do it. So to meet the targeted need of prenatal care, this bill steps in to meet the need of

the kids involved to get them adequate health care, this steps in. It brings in federal match money. It's money well spent and...as most of us know from previous discussion on this issue, and I, personally, can't see the arguments you raise whatsoever. I think that proceeding on this legislation makes absolute sense and I would ask for everybody else's support in advancing the legislation.

PRESIDENT: Thank you. The question is the advancement of the bill. All those in favor vote aye, opposed nay. Please vote if you care to. Senator Wesely.

SENATOR WESELY: I would like to ask for a call of the house, Mr. Speaker.

PRESIDENT: Okay. The question is, shall the house go under call? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 13 ayes, 0 nays to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please return to your seats, record your presence. Those not in the Chamber, please return to the Chamber and record your presence. Unauthorized personnel, please leave the floor. We're looking for Senator Ashford, Senator Chambers, Senator McFarland, Senator Lynch, Senator Warner, Senator Pirsch. We're still looking for Senator Ashford, Senator Chambers, Senator Rod Johnson. We're looking for Senator McFarland and Senator Chambers. Senator Wesely, we can't find Senator McFarland nor Senator Chambers. What do you say?

SENATOR WESELY: Yeah, that's fine then, let's go ahead with the roll call.

PRESIDENT: You want a roll call vote? Ladies and gentlemen, please, to your seats and the question is the advancement of the bill. Mr. Clerk.

CLERK: (Roll call vote read. See pages 757-58 of the Legislative Journal.) 25 ayes, 14 nays, Mr. President, on the advancement of LB 354.

SPEAKER BARRETT PRESIDING

February 15, 1989 LB 92, 92A, 354, 354A

SPEAKER BARRETT: LB 354 is advanced. Ladies and gentlemen, we're still under call. We do have a A bill. I would like to process it if at all possible before we adjourn for the day. Mr. Clerk.

CLERK: Mr. President, LB 354A is a bill introduced by Senator Wesely. (Read title.) I do have an amendment to the bill by Senator Wesely, Mr. President.

SPEAKER BARRETT: Senator Wesely, amendment on the A bill, Senator.

CLERK: Amendment on the A bill, Senator. (The Wesely amendment appears on page 758 of the Legislative Journal.)

SENATOR WESELY: Okay, I guess the money is in the wrong program. This puts it in the right program. I move for the adoption of the amendment.

SPEAKER BARRETT: Discussion on the amendment. If not, those in favor of the adoption of the amendment vote aye, opposed nay. Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of Senator Wesely's amendment to 354A.

SPEAKER BARRETT: To the bill, Senator Wesely.

SENATOR WESELY: I move its advancement.

SPEAKER BARRETT: Any discussion? If not, all in favor of the advancement of the A bill as amended, please vote aye, opposed nay. Record, please.

CLERK: 27 ayes, 3 nays, Mr. President, on the advancement of the A bill.

SPEAKER BARRETT: The A bill is advanced. Messages on the President's desk.

CLERK: Mr. President, your Committee on Enrollment and Review reports LB 92 and LB 92A as correctly engrossed. Those are signed by Senator Lindsay as Chair. (See page 759 of the Legislative Journal.)

February 21, 1989 LB 320, 326, 334, 354, 354A, 362, 362A
365, 489

County senators supported it and some of them opposed it. So it was very difficult for me, being 150 miles from Douglas County, to know exactly what to do and this is why I held out for the amendment that it be brought up to a vote, both whether they would allow Douglas County to purchase Ak-Sar-Ben, and also if Douglas County had to issue bonds to do this, it would have to be brought up to a vote of Douglas County voters. So I just...and I'm going to support Senator Labedz in withdrawing this now.

PRESIDENT: Thank you. Senator Labedz, would this be your closing, Senator Labedz?

SENATOR LABEDZ: Yes.

PRESIDENT: All right.

SENATOR LABEDZ: Thank you, Mr. President. I failed to also thank the senators of the Ag Committee that supported the bill in the committee hearing and every time they had an exec session and I do appreciate that fact. And Senator Hefner is right, it did allow a vote of the people as the committee amended the bill and perhaps it may come back again. In fact, I know it will and I appreciate the fact that Senator Johnson has offered the county board an interim study on the issue, and as I say again, I appreciate the fact, the support that I got and the co-sponsors also of LB 365. I urge the affirmative vote on the withdrawal of LB 365.

PRESIDENT: Thank you. The question is, shall LB 365 be withdrawn? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 33 ayes, 0 nays, Mr. President, on the motion to withdraw LB 365.

PRESIDENT: LB 365 is withdrawn. Would you like to read in some things, Mr. Clerk, please?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 320 and recommend that same be placed on Select File with E & R amendments attached, LB 326 Select File E & R amendments, LB 334 Select File with E & R, LB 354 Select File, LB 354A Select File, LB 362 Select File, LB 362A Select File, LB 489

March 2, 1989

LB 48, 61, 161, 176, 298, 327, 334
349, 354, 354A, 391, 398, 416, 458
459, 502, 542

adopted...or, excuse me, as amended be advanced.

PRESIDENT: You've heard the motion. All in favor say aye.
Opposed nay. It is advanced. LB 354.

CLERK: LB 354, Senator, no amendments to the bill.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 354 be advanced.

PRESIDENT: You've heard the motion. All in favor say aye.
Opposed nay. It is advanced. LB 354A.

CLERK: On 354A, Senator, I have no amendments to the bill.

PRESIDENT: You've heard the motion...Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 354A be
advanced.

PRESIDENT: You've heard the motion. All in favor say aye.
Opposed nay. It is advanced. Mr. Speaker, did you wish to say
something about the time of the meeting tomorrow morning before
we adjourn?

SPEAKER BARRETT: Thank you, Mr. President, just a reminder that
we will convene at eight o'clock tomorrow morning for the
purpose of reading, I believe it is LB 92, the big bill. Thank
you. Eight o'clock, tomorrow morning.

PRESIDENT: Okay, Mr. Clerk, do you have something for the
record?

CLERK: Mr. President, I do. Senator Rod Johnson would move
that LB 161 be placed on General File pursuant to Rule 3,
Section 19, and that will be laid over.

Your Enrolling Clerk has presented to the Governor as of
eleven-o-five this morning bills read on Final Reading this
morning. (Re: LB 391, LB 398, LB 458, LB 459, LB 48, LB 61,
LB 176, LB 298, LB 327, LB 349, LB 416, LB 502. See page 956 of
the Legislative Journal.)

Banking Committee reports LB 542 to General File with amendments

March 6, 1989

LB 187, 187A, 214, 214A, 224, 320, 326
334, 354, 354A, 421, 516, 556, 638

PRESIDENT: The motion fails. Mr. Clerk, do you want to read in some things before we proceed?

ASSISTANT CLERK: Yes, Mr. President. I have priority bill designations from Transportation Committee and Senator Carson Rogers. Government Committee reports LB 638 to General File with committee amendments. Committee on Enrollment and Review reports the following bills correctly engrossed--LB 187, LB 187A, LB 214,...

PRESIDENT: The call is raised.

ASSISTANT CLERK: ...LB 214A, LB 320, LB 326, LB 334, LB 354, LB 354A, LB 421, LB 516, and LB 556. That is all that I have, Mr. President. (See pages 988-91 of the Legislative Journal.)

PRESIDENT: We're back on the advancement of the bill. Senator McFarland, on the advancement of the bill, followed by Senator Chambers and Senator Hefner.

SENATOR MCFARLAND: Yes, I'd like to address some of the concerns that Senator Chambers has raised because he's really overstated, he's misled and he had not apparently read the bill in detail, as he tries to convey to us. Let's just look at one thing. He's alleging that this is going to be a state enforcement procedure, an...

PRESIDENT: The call is raised.

SENATOR MCFARLAND: ...agent for the NCAA. And all it is to do is to protect eligibility of college athletes for the institutions. Well the fact of the matter is that in the part dealing with the noneligible student athlete we say that they cannot be contacted either, unless the sports agent registers with the Secretary of State. Earlier Senator Chambers said, well why should they have to be concerned, if they don't have eligibility, why should they have to be concerned about whether the sports agent registers with the Secretary of State. The reason is we're concerned about all athletes, eligible, noneligible, high school athletes, athletes who may be in professional school or graduate school or whatever. The goal of the bill is to protect athletes from being exploited by sports agents. If you read that particular provision that talks about noneligible student athletes they can be contacted, it's on page 4, they can be contacted if the sports agent is registered.

familiar with all the elements of the amendment, but I am familiar with the effort on the 7.2 million. I would rise in support of that. What Senator Lynch is trying to do is recognize, I think, the impacts of LB 525, which Senator Warner and the Appropriations Committee has put forward. The combination of that bill, along with LB 187 and the way it's now structured, will maximize federal funds. One of the things that we have to understand here, and I'll just run through it real quickly, is we are dealing with different populations. LB 525 puts \$4.8 million of state money in, which brings in another \$7.2 million in federal money because it's under the Medicaid program, and that covers individuals that qualify for Medicaid. Above that group, but below the poverty level, are the indigent. Those are the people Senator Lynch is trying to address their medical needs through LB 187, and in that area we don't have a federal program. So there is no federal monies to be maximized or leveraged or matched. And so every dollar we put in is the only dollar we'll be able to get because the federal government has yet to address the indigent care problem. So if we want to get money into the health care providers of the state to help with low income assistance, the sort of combination of directions that Senator Lynch and the Appropriations Committee is taking will maximize federal dollars and still attempt to address the problems of the indigent. So, you know, another example of that, just to give you another case history, was when we were looking at a high risk pregnancy program. Senator Vard Johnson and I passed a bill twice that had been vetoed twice, and then the federal government said, we are going to have a high risk pregnancy Medicaid option. So last year we came in and adopted that option. For every dollar we put in, we got \$1.50 additional money, federal money, so we were able to get more bang for the buck than we put into that program. There was another bill we have pending on Final Reading, LB 354, that would likewise try and maximize that federal money. So all I'm saying is every time we can to help the low income with their health care needs, trying to utilize our dollars to maximize federal dollars is the best way to help those people. And I think Senator Lynch is recognizing that with this amendment and, as a result, I would support it.

SPEAKER BARRETT: Thank you. Senator Ashford, on the motion to return. Thank you. Senator Warner, followed by Senator Moore.

SENATOR WARNER: Mr. President, members of the Legislature, as I understand what is proposed and the combination of the two

a bit ahead because of the federal match. See, the way the system works, just to run through it real quickly, is you've got Medicaid out there right now, state Medicaid, that's a federal-state program. Medicaid is 40 percent state, 60 percent federal. So for every dollar the state puts in, \$1.50 federal comes in. We have the flexibility, under Medicaid, to set a number of different provisions in our law, determining eligibility, for instance, and determining reimbursement rates. So we have a flexible situation. We have found, under the Medicaid program, that we had reimbursements that were too low for providers, they were rejecting Medicaid patients, the doctors, the hospitals, they were being reimbursed too much below their actual cost. So the Appropriations Committee saw that need and is increasing, under LB 525, the reimbursement rate, and for every extra dollar they put in, they get \$1.50 federal money. So this increases the amount of money going into the providers by a total of \$12 million, when you count both state and federal money. And this is being offered as an alternative to the \$12 million originally in LB 187, but LB 187 deals with a different population. Right now Medicaid, you have to be in a categorical area and under a certain income level, that means your family situation or disability and below an income level that is quite below the poverty level. If you don't fit in that, you don't get covered by Medicaid. And, if you don't fit in that, and you're below the medically needy level, which we've established, you're considered indigent and LB 187 would pick you up. Now the big concern that is out there isn't so much that this...the couple of concerns are, number one, who should pick up that responsibility right now. The counties have it in Nebraska. Counties are paying something like \$3.5 million statewide for this responsibility. Under the original 187, that 3.5 million would have gone to 12 million under the state. So that's quite a jump. This would bring it back down to 7.2 million, but still it's about double what they were getting in the past for this coverage. So the question is, should the county do it, should the state do it? If the state does it, how much, in fact, should they pay for this activity? But, in any event, they do target different populations but they mesh together. And I also want to mention another bill we might be voting on perhaps later this evening, LB 354 deals with a similar type of situation. That's for individuals that are pregnant women and children, aged, blind and disabled individuals. These are individuals now covered under a program we passed last year, again state-federal match under the Medicaid option program. And that bill will also target a

May 19, 1989

LB 44, 187A, 187, 354, 525

different group, a high need group, but will also bring in some federal monies and will be of assistance to help low income individuals with their medical needs. So you can...what I'm saying is you can combine three different elements that all kind of seem to tie in or be the same, but they're not. LB 525 targets one area, LB 187 targets a different area, LB 354, coming up later, will target another area. All attempt to address the need of low-income individuals to get medical care. A couple of them bring in federal monies, LB 187 does not because the federal government does not set up an indigent care match or program. Hopefully, some day they will but, nevertheless, there is a need and the counties, again, are meeting that responsibility at this time. I'm just trying to summarize as best I can the kind of interrelationship...

SPEAKER BARRETT: One minute.

SENATOR WESELY: ...of these issues and, again, I'd be happy to answer questions if you have any.

SPEAKER BARRETT: Thank you. Senator Schellpeper.

SENATOR SCHELLPEPER: I call the question.

SPEAKER BARRETT: The question has been called. Five hands? Yes, I do. Shall debate cease? All in favor vote aye, opposed nay. Please record.

ASSISTANT CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SPEAKER BARRETT: Debate ceases. Senator Lynch, for a closing statement.

SENATOR LYNCH: Mr. President and members, I also would apologize that, as I tried to run through this almost as quickly as I could, I probably or maybe confused some people regarding two subject matters in one bill because I mentioned LB 44. I only did that...anything that has to do with LB 44 is like any other bill that has to do with the same issues in other bills, sometimes needs explanation. And since LB 44 was a consideration of this year, I only mentioned that to make sure that you understood the difference and why, in fact, there was no conflict between the two. We've already discussed it. I think it has been explained. I think you all probably

May 22, 1989

LB 323, 354, 354A, 360

CLERK: (Record vote read. See pages 2617-18 of the Legislative Journal.) 45 ayes, 0 nays, 1 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 323 passes. As previously announced, we will jump 335 and 335A. I would like to momentarily run over 336E. We will come back to it momentarily. We have already handled 340 and 340AE. The next bill, Mr. Clerk, LB 354.

CLERK: (Read LB 354 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 354 pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See pages 2618-19 of the Legislative Journal.) 27 ayes, 17 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 354 passes. LB 354A.

CLERK: (Read LB 354 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 354A pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See pages 2619-20 of the Legislative Journal.) 31 ayes, 12 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 354A passes. LB 360.

ASSISTANT CLERK: (Read LB 360 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 360 become law? Those in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See page 2620 of the Legislative Journal.) The vote is 42 ayes, 0 nays, 3 present

May 22, 1989

LB 209, 319, 323, 354, 354A, 360, 360A
378, 378A, 388

and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 360 passes. LB 360A.

ASSISTANT CLERK: (Read LB 360A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 360A pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2621 of the Legislative Journal.) The vote is 41 ayes, 0 nays, 4 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 360A passes. LB 378, Mr. Clerk.

ASSISTANT CLERK: (Read LB 378 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 378 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2622 of the Legislative Journal.) The vote is 30 ayes, 11 nays, 4 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 378 passes. LB 378A.

ASSISTANT CLERK: (Read LB 378A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 378A pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2623 of the Legislative Journal.) The vote is 35 ayes, 5 nays, 5 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 378A passes. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 209, LB 319, LB 323, LB 354 and LB 354A, LB 360 and LB 360A. LB 388, please.

May 22, 1989

LB 209, 319, 323, 336, 354, 354A, 360
360A, 378, 378A, 388, 408, 408A, 412
412A, 423, 438, 438A, 444, 449, 449A
541, 569, 569A, 574, 575A, 575, 630
640
LR 219

While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 219. Mr. Clerk, where did we leave off?

CLERK: Mr. President, before we commence Final once again, I have an explanation of vote from Senator Conway. (Re. LB 209. See page 2648 of the Legislative Journal.)

Acknowledgement from your Enrolling Clerk, that bills read on Final Reading have been presented to the Governor. (Re. LB 209, LB 319, LB 323, LB 354, LB 354A, LB 360, LB 360A, LB 378, LB 378A, LB 388, LB 408, LB 408A, LB 412, LB 412A, LB 423, LB 336, LB 438, LB 438A, LB 444, LB 449, LB 449A, LB 541, LB 569, LB 569A, LB 574, LB 575A, and LB 575.)

Mr. President, the first bill on Final is LB 630, this afternoon.

PRESIDENT: If you'll take your seats, please, we'll begin Final Reading. (Gavel.) If you'll take your seats, please, we'll start Final Reading on LB 630, please. LB 630, Mr. Clerk.

CLERK: (Read LB 630 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 630 pass? All those in favor vote aye, opposed vote nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote as it appears on pages 2648-49 in the Legislative Journal.) 41 ayes, 1 nay, 3 present and not voting, 4 excused and not voting, Mr. President.

PRESIDENT: LB 630 passes. LB 640 with the emergency clause attached.

CLERK: (Read LB 640 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 640 pass with the emergency clause attached? All those in favor vote aye, opposed nay, and I am reminded again for the second time today that some of you are not remaining in your seats while Final Reading is being read. Have you all voted? Record, Mr. Clerk, please.