

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 28, 1989

LB 99, 183A, 227A, 260A, 278, 323, 329A
355, 357, 357A, 386, 437A, 441, 447
491, 511, 569, 678, 720, 724, 726
755, 781

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

CLERK: Mr. President, your Committee on Education, whose Chair is Senator Withem, to whom was referred LB 447, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; LB 386 indefinitely postponed, those signed by Senator Withem. Natural Resources Committee reports LB 755 to General File with amendments. That is signed by Senator Schmit as Chair. Banking Committee reports LB 99 to General File, LB 278 as indefinitely postponed, those signed by Senator Landis as Chair. Mr. President, Health and Human Services Committee reports LB 678 General File with amendments, LB 323 General File, LB 569 General File with amendments, LB 720 General File with amendments, LB 355 General File with amendments, LB 511 indefinitely postponed. Mr. President, Health and Human Services reports LB 491 to General File with amendments, LB 724 General File with amendments, LB 726 General File with amendments, those signed by Senator Wesely as Chair. Mr. President, Enrollment and Review reports LB 781 to Select File with E & R, LB 357 Select File with E & R, LB 357A Select File, LB 441 Select File with E & R amendments. (See pages 907-13 of the Legislative Journal.)

Mr. President, new A bills. (Read LB 329A, LB 260A, LB 437A and LB 227A by title for the first time. See pages 913-14 of the Legislative Journal.)

Mr. President, I have an appointment by the Governor to the Boiler Safety Code Advisory Board. That will be referred to Reference Committee.

Notice of hearing by the Revenue Committee; notice of room change by Health and Human Services Committee for hearings; and a cancellation of hearing by the Banking Committee, those three signed by the respective Chairs. That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. If the gentleman from Minden is so inclined, would he care to adjourn us?

SENATOR KRISTENSEN: Thank you, Mr. President, I'd move that we adjourn the body until tomorrow morning at nine o'clock.

April 4, 1989

LB 355

SENATOR HARTNETT: Mr. Speaker, I move that we adjourn until tomorrow morning at nine o'clock.

SPEAKER BARRETT: Anything for the record, Mr. Clerk?

CLERK: One item, Mr. President. Senator Wesely has amendments to be printed to LB 355. That is all that I have.

SPEAKER BARRETT: Thank you. Before taking the vote, just a reminder that tomorrow morning is our New Horizons legislative day, our body's strategic long-range planning process. Your attendance is expected at nine o'clock. There will be members of our citizens advisory group here during the day. Committee for the Humanities will be hopefully seated under the balconies. We will have a very large number of students from high schools around the area in attendance. We expect the balconies to be filled. This is Nebraska's next generation of leaders and they are here to observe. If those of you who thought last year's program was excellent, look at tomorrow's program, a dialogue between two humanities scholars. See you here at nine o'clock. It should be quite exciting and interesting. Those in favor of adjourning please say aye. Opposed no. Carried. We are adjourned.

Proofed by:

Marilyn Zank
Marilyn Zank

May 9, 1989

LB 352, 355

bill does is leave things exactly as they are. Except for the committee amendment which extended the appeal process or make uniform the appeal process from 20 to 30 days, the law is basically just as it is. The law doesn't change...this particular bill doesn't change anything. It leaves things as they are. I urge the advancement of LB 352, and I would be happy to answer any questions about it.

PRESIDENT: Is there 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: 25 ayes, 0 nays, Mr. President, on the advancement of 352.

PRESIDENT: LB 352 is advanced. LB 355, please.

CLERK: LB 355 was introduced by Senator Wesely. (Read title.) The bill was introduced on January 11, referred to the Health Committee for public hearing. The bill was advanced to General File. I have committee amendments. I also have amendments to the committee amendments. Senator, I have a note on the first, AM1143. You want to withdraw that amendment, Senator?

SENATOR WESELY: Yes.

CLERK: Mr. President, Senator Wesely would move to amend the committee amendments. I have AM1440 in front of me, Senator.

SENATOR WESELY: Yes.

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Thank you. Mr. President and members, I want to begin by thanking Speaker Barrett by special ordering this bill. This bill is a piece of legislation that has been before the body last year and again this year and it deals with a semicrisis that we're facing in the area of licensure of a number of different facilities in the state that utilize what are called medication assistants to disperse medications to their residents in their facilities. I will backtrack and go over the whole issue, I think, briefly and then get to the amendments that we need to adopt and then move forward with the bill as quickly as I can. The basic issue is that several years ago a bill was passed to deal with a problem that was identified

with the administration of medications in various facilities in the state. Those facilities include what are called domiciliary facilities, residential care facilities, mental health centers and centers for the developmentally disabled or CDDs. It was found that there was a need for statutory authority to allow individuals that are employed in these facilities to disperse medications to their residents because the Nursing Practice Act seemed to cover this type of activity. And so authorization was given in the statute that was passed a number of years ago but the training and standards to allow the implementation of that statute were never clarified until LB 355, hopefully, will pass this year to deal with that problem. And so we have gone on for some time now with a statute that has not been implementable because of Attorney General Opinions and the Department of Health has struggled to try and get this problem resolved and we have come to the conclusion between the Health Department and the Attorney General that some clarification has to be in order in order to actually implement that bill and allow these people, these assistants to administer these medications. Now the original bill called for 21 hours of training, initially, to authorize these assistants to administer these medications. And when I talk about these medications, I'm talking about prescriptions or what have you that a doctor prescribes and a pharmacist fills out and also topical applications of salve on a wound or whatever. They're...they're minor in...to a great extent. In any event, we have required 21 hours of training and opposition to the bill came from regional services regions for mentally retarded and they wanted that lowered to nine hours. The committee amendment does do that and also slightly changes the effective date from June 1 to July 1. But the other changes which I'm offering in this amendment, which has been distributed, would do the following. The fees that are collected under this would go to the Health Department Cash Fund. The severability clause would be added. Facilities that are now operated under an MR waiver would be included under this. The Health Department would approve training materials that would be developed by other state agencies. And the term "supervision" in the bill for the nurses providing oversight would be stricken and instead it would be "monitoring". The nurses would monitor this activity. These are amendments that come from the Health Department and so I would move these amendments to the committee amendments, Mr. President.

PRESIDENT: Senator Scofield, please.

SENATOR SCOFIELD: Mr. President and members, this is not the appropriate place to raise this, but at some point, Senator Wesely, I think you are aware of some concerns that at least one constituent of mine has raised on this bill. I'm going to support you on this bill but I just want to (No overlap between tapes. Some debate may be missing.) ...there is a question yet in my mind if we have taken care of his concerns or if we can take care of his concerns. Thank you.

PRESIDENT: Did you wish to close on your motion, Senator Wesely?

SENATOR WESELY: I need to address that. I think maybe the better course would be to adopt this amendment and then I can address her concerns on the committee amendments. So I move the adoption of these amendments to the committee amendments.

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

CLERK: 16 ayes, 0 nays, Mr. President, on adoption of the amendment to the committee amendments.

PRESIDENT: They are adopted. Now on the committee amendments, Senator Wesely, please.

SENATOR WESELY: Thank you. Mr. President and members, if I could address Senator Scofield's concern and Senator Weihsing had similarly come to me, out in the Panhandle, there is a mental retardation regional director who has had some concerns about this legislation. In fact, all the regional services directors have been concerned about this piece of legislation, and we have met and discussed and agreed to this bill. I am not quite sure if this one individual has yet agreed but the situation is the following: The statute in question has been on the books, had not been clarified, and the Attorney General is ready at this time, if this Legislature doesn't act this session, to, basically, throw it off the books as too vague to be implemented. If that statute is thrown off the books and not implemented, you have all of these different facilities that I went through earlier and there are a total of 208 of them who will have to have nurses distributing medications, rather than the staff that they now have in place. That alternative, of course, would be unreasonable. If you had only nurses able to

distribute the medications, you simply couldn't afford to provide the service and we would have to see either a closing down of these facilities or court action, which is probably the more likely course, that would involve the state in court with a number of these facilities and a lot of legal maneuvering trying to work around having these facilities close down. What we were facing, in other words, with this piece of legislation if it was not adopted and moved forward, which I hope it will be, is really a disaster I think for the state. Now there may be some alternatives to deal with some of the concerns that people have, but at this point, we haven't been able to identify how we can act on them and still have a constitutionally acceptable bill according to the Attorney General. The concerns that have been expressed by Mr. Patch, in particular, out in the Panhandle has been the nurse's supervision and the time required. That is Senator Scofield's concern. That is this other gentleman's concern. If you don't have the minimum nurse oversight on a quarterly basis, we have been told by the Attorney General, then you'd simply have an inadequate bill and it will not meet constitutional muster because that very question has been raised, and so we feel that we have lowered the standards in the committee with the adoption of the committee amendment as low as we can go and still have an acceptable piece of legislation to the Attorney General's Office, and so we have attempted as best we can to deal with these concerns, and this is, at this point, the best we can come up with. We do intend to continue to monitor the legislation. We also intend to have the Department of Health, which has agreed to cooperate with these regional services units, to make sure that they do cooperate, because if this doesn't happen, we could come back next session and, obviously, follow up and clarify and work further to refine this problem. The only thing is that if we don't act this session and this is the best we can come up with right now, we have chaos coming shortly after the session, and that is why we are moving and having the special order. I also need to, for the record, indicate that the committee did lower to nine hours the minimum requirement for training for CDDs, the Community Development Centers. These CDDs are separated out from the other facilities which I mentioned earlier, those being the domiciliary facilities, residential care facilities, and mental health centers and are lowered to nine hours because in the handout that I have distributed there is a lot of additional training that is already provided to the staff members of these facilities, and it is felt that their total training would be an equivalent of the 21 hour training under the other provisions of

the bill. So that we can lower it down to nine hours for this medication and still feel that we have an equivalency here. So for that...for purposes of constitutionality we think we have a clear and concise and arguable distinction being made under the committee amendments. With that, I would move for the adoption of the committee amendments. I'd be happy to answer questions and try and clarify further, but at this time, I think we do need the committee amendments and they do lower for CDDs the hours from 21 to nine hours that we would require for training. So, Mr. President, if you don't mind, we need to adopt the committee amendments.

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

CLERK: 26 ayes, 0 nays, Mr. President, on the adoption of committee amendments.

PRESIDENT: They are adopted. Before you start on the bill, Senator Wesely, may I introduce some guests, please, of Senator Wehrbein. In the north balcony, we have 15 first through seventh graders from Nebraska City with their teacher, District 37 in Otoe County. Would you folks please stand and be recognized by the Legislature. Thank you for visiting us today. Senator Wesely, did you wish to speak about the bill?

SENATOR WESELY: Real briefly, Mr. President...

PRESIDENT: You didn't have any other amendments, did you, Mr. Clerk? Senator Wesely.

SENATOR WESELY: Thank you, Mr. President. Real briefly, again we have lowered under the committee amendments to nine hours from 21 hours. The nurses would like to have it at 40 hours. We have an Attorney General that is telling us there are only certain options we can take, and we have taken every one we can at this point. The Health Department is, likewise, telling us that this is what we have to do. Our back is against the wall, essentially, with the potential of a lot of legal action that we don't want to see happen during the interim. So we are going to follow the advice of the Attorney General and the Health Department, we are going to proceed with this bill. We are going to hope that there is the cooperation that has been

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LB 355A, 355

promised and that everything will work out fine. I can assure you the Health and Human Services Committee will monitor and watch this situation very carefully, and that if there is further action we can take or need to take next session, we will want to cooperate with the different facilities involved and the different departments involved and try and get this resolved. But in any event, our back is against the wall. I think we need to adopt this bill and we need to proceed and then hope that it works, and if it doesn't work, we are going to be back and taking care of whatever problems come out of it, but I, frankly, don't see any alternative, and if we could do any more, we would, but I don't think we can, so I would move the advancement of the bill.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Senator Scofield, would you care to discuss the advancement of the bill? Any discussion on the advancement of LB 355? If not, those in support of the advancement of the bill vote aye, opposed nay. Have you all voted? Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 355.

SPEAKER BARRETT: LB 355 is advanced. To the A bill, please.

CLERK: LB 355A was introduced by Senator Wesely. (Read title.)

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker. As the result of the passage of this bill, there will be an additional reimbursement cost that we anticipate plus an implementation cost to cover the provisions of the bill. So those amount to about \$100,000 or so in the General Fund. With that, I would be happy to answer questions or move the advancement of the bill.

SPEAKER BARRETT: Are there questions of Senator Wesely on the advancement of the bill? Seeing none, those in favor of the advancement of LB 355A to E & R Initial vote aye, opposed nay. Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 355A.

some of the concerns we have with LB 187, except that as you all know 187 also provides a form of relief for some of those small, outstate counties as well, as all you folks should know, who are sharing some of the burden, and in fact an unfair burden for providing health care costs for the folks that come through their counties and get sick and would not help, would not be helped in any way by 525 and the Medicaid increases. They can only be helped, those hospitals that are now being hurt because of indigents coming through their counties, getting sick, and going to the county sponsored hospitals. Some of those will certainly not be helped by 525. I think we deserve to know the difference. So, with that, and assuming that that will all happen in good faith, from what I hear on the floor, Mr. Chairman, I respectfully withdraw my motion to bracket.

SPEAKER BARRETT: Thank you, Senator Lynch, it is withdrawn. And this might be a good time to again suggest, as Senator Lynch did, the conversation we had a few moments ago in bracketing a bill until Monday, despite the fact that I'm not generally in favor of bracketing, I repeat, bracketing a bill until Monday, with the pipeline as plugged as it is at the present time, might cause considerable problems. Monday will be the beginning of the countdown to Friday, five days left. The bill is on General File. It might have caused a considerable problem. Thank you, Senator Lynch, for your consideration. Mr. Clerk.

CLERK: Mr. President, if I might, some items for the record before we proceed.

SPEAKER BARRETT: Certainly.

CLERK: Your Committee on Enrollment and Review reports LB 352, LB 355, and LB 355A to Select File. I have amendments to be printed, by Senator Abboud, to LB 285; and Senator Withem to LB 813. (See pages 2276-78 of the Legislative Journal.)

Mr. President, we're back to committee amendments. And, pursuant to a ruling of the Chair, discussing Section 1 of the committee amendments.

SPEAKER BARRETT: Senator Landis, your light is on, would you care to discuss Section 1?

SENATOR LANDIS: Mr. Speaker, members of the Legislature, I'll use this time, since I'm up, although I won't be referring to

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LB 258, 352, 355

and Review amendments, Senator.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Senator Lindsay, please.

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

SPEAKER BARRETT: Shall the E & R amendments to LB 258 be adopted? Those in favor say aye. Opposed no. Carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the advancement of LB 258, as amended, to E & R for Engrossment.

SPEAKER BARRETT: Shall LB 258 be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. To Item 9 on the agenda, Mr. Clerk.

CLERK: LB 352, Mr. President?

SPEAKER BARRETT: Yes.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 352 be advanced to E & R Final.

SPEAKER BARRETT: Shall LB 352 be advanced? All in favor say aye. Opposed no. Ayes have it, carried, the bill is advanced. LB 355.

CLERK: Mr. President, on 355 I have E & R pending, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 355.

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LB 355A, 355

SPEAKER BARRETT: Shall the E & R amendments be adopted to the bill? Those in favor say aye. Opposed no. Carried, they are adopted.

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

SPEAKER BARRETT: Mr. Chairman.

SENATOR LINDSAY: Mr. President, I move that LB 355, as amended, be advanced to E & R Final.

SPEAKER BARRETT: The question is the advancement of 355 as amended. Those in favor say aye. Opposed no. Carried, the bill is advanced.

CLERK: Mr. President, LB 355A, I have no E & R. I do have an amendment to the bill by Senator Wesely. Senator Wesely's amendment is on page 2411, Mr. President.

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, members. If you remember, 355 did make some changes mandated by the Attorney General's Office to training legislation dealing with medication assistants. The A bill that was attached to the bill we thought included increased reimbursement for CDCs, those are Community Development Centers, and those are primarily for mentally retarded. It was an oversight, the Fiscal Analyst's Office, and we have been in conversation, so we need this amendment to fully cover the bill. This will increase the cost, about \$46,000 in General Funds and about 9,000 in federal funds, to cover the additional reimbursement required under the training provisions of the bill. So, with that, I'd move for the adoption of the amendment, Mr. Speaker.

SPEAKER BARRETT: Thank you. Discussion on the Wesely amendment to 355A? If not, those in favor...

SENATOR WESELY: Mr. Speaker, Mr. Speaker.

SPEAKER BARRETT: Excuse me.

SENATOR WESELY: I'm supposed to talk a couple of...are we...oh, now I'm not supposed to talk, so everything...

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LB 258, 279, 301, 302, 305, 308, 309
309A, 310, 355, 355A, 469, 588, 727
813, 814, 816, 816A

and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 816 passes. LB 816A.

ASSISTANT CLERK: (Read LB 816A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 816A become law? All in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See pages 2566-67 of the Legislative Journal.) The vote is 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 816A passes. Pursuant to the agenda that you have in front of you, we will proceed to Select File and then return to item 6, Select File, LB 525, which was bracketed at one-thirty. The call is raised. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 813E, LB 814E, LB 301, LB 302, LB 308E, LB 309E, LB 309AE, LB 469E, LB 727, LB 305, LB 310E, LB 816 and LB 816A. Mr. Clerk, proceed to LB 279.

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

SPEAKER BARRETT: Certainly.

CLERK: Mr. President, explanation of vote by Senator Beck. (See page 2567 of the Legislative Journal.)

I have a report of Registered Lobbyists for this week. (See page 2568 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 258, LB 355, LB 355A and LB 588 as correctly engrossed. (See pages 2567-68 of the Legislative Journal.) Those are offered by Senator Lindsay as Chair of Enrollment and Review.

Mr. President, LB 279 is on Select File. I have no E & R amendments to the bill. I do have other amendments, however. The first is by Senators Landis, Wesely and Hartnett. Senator, I have AM1192 in front of me. That was printed earlier this year. It's on page 1464.

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LB 213, 258, 272, 279, 289, 289A, 355
355A, 357

may recognize you. Thank you for visiting us today. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 213, LB 258, LB 272, LB 279, LB 289 and LB 289A. Move on to LB 355 with the emergency clause attached.

CLERK: (Read LB 355 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 355 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 2697-98 of the Legislative Journal.) 41 ayes, 0 nays, 7 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 355 passes with the emergency clause attached. May I introduce a couple of guests, under the north balcony, of Senator Scofield. We have Kathy Andersen and her son, Jason, from Lakeside, Nebraska. Will you folks please stand so that we may welcome you. Thank you for visiting us today. LB 355A with the emergency clause attached.

CLERK: (Read LB 355A on Final Reading.)

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 355A with the emergency clause attached pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See page 2698 of the Legislative Journal.) 44 ayes, 0 nays, 4 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 355AE passes. LB 357.

CLERK: (Read LB 357 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 357 become law? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

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LB 272A, 311, 355, 355A, 357, 357A, 362
362A, 377

where others have not a lack of priority or a responsibility for this issue, but a higher priority elsewhere which is endangered if this bill passes. In a Legislature of Timmy Hall's I'd run this bill in a minute, but that's not the situation today and, frankly, I need to live to fight another day and that's why I make this motion. I move to bracket 272 (sic) until next year.

SPEAKER BARRETT: Thank you. You've heard the motion to bracket the bill until January 3 of 1990. Those in favor of the bracketing motion vote yes, those opposed vote no. Have you all voted? Please record.

ASSISTANT CLERK: 25 ayes, 21 nays to bracket the bill until January 3, 1990, Mr. President.

SPEAKER BARRETT: The bracketing motion is adopted. The bill is bracketed. While the Legislature is in session and capable of transacting business, I propose and I do sign LB 355 and LB 355A, LB 357 and LB 357A, LB 362 and LB 362A, LB 311 and LB 377. (See page 2707 of the Legislative Journal.) Anything for the record, Mr. Clerk?

ASSISTANT CLERK: I have nothing for the record, Mr. President.

SPEAKER BARRETT: Senator Hefner, please.

SENATOR HEFNER: Mr. President, I move that we recess till one-thirty.

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

RECESS

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Microphone not activated.) ...balcony, Senator Wehrbein has some guests. We have 40 fourth graders from Nebraska City, and their teachers. Would you folks please stand so we may welcome you to the Legislature? All of you students, please stand. Thank you for visiting us today. If you would start making your way to your seats, please, we would begin

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LB 311, 355, 355A, 357, 357A, 362, 362A
377
LR 227

CLERK: Mr. President, items for the record. Your Enrolling Clerk has presented to the Governor some of the bills read on Final Reading this afternoon. (Re: LB 311, LB 355, LB 355A, LB 357, LB 357A, LB 362, LB 362A, LB 377.) Explanation...I'm sorry, Mr. President. There will be a meeting of Building Maintenance Committee underneath the south balcony, south balcony. Senator Conway's side, south balcony, Building Maintenance Committee.

Mr. President, I have Transportation Confirmation Hearing reports signed by Senator Lamb. (See Standing Committee Report as found on page 2716 of the Legislative Journal.) I have a new resolution to be printed, be laid over, be considered by the Legislature tomorrow. (See LR 227 as found on pages 2716-17 of the Legislative Journal.) That's all that I have at this time, Mr. President.

PRESIDENT: Senator Hall, your light is on. Did you wish recognition?

SENATOR HALL: Yes, Mr. President. At this point in time, I would like to take the opportunity of a point of personal privilege and point...

PRESIDENT: State your point.

SENATOR HALL: ...point out that Senator Chizek, throughout the year, has gone around pushing people's buttons and expecting them to stand up and not say anything about it. It's wrong, Senator Chizek. That's all I wanted to say.

PRESIDENT: I think you made your point. Senator Smith, did you want to.... Your light is on. Senator Lynch, you certainly want to talk.

SENATOR LYNCH: Mr. President, is this sine die now or is that tomorrow?

PRESIDENT: No, your light is on.

SENATOR LYNCH: Oh, no, Mr. President and members, I would move we adjourn until eight o'clock on the morning of May 24th.

PRESIDENT: May I...may I...