

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.

January 18, 1989

LB 18-34, 180, 190, 357

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us this morning, as our Chaplain of the day, Evangelist Tim Woodroof of the Church of Christ in Lincoln. Would you please rise.

REVEREND TIM WOODROOF: (Prayer offered.)

PRESIDENT: Thank you, Reverend Woodroof, appreciate it. Roll call, please.

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

PRESIDENT: Thank you. Do you have any corrections to the Journal?

CLERK: I have no corrections, Mr. President.

PRESIDENT: This would be a good day to have some. Do you have any messages, reports, or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 18 and find the same correctly Engrossed; LB 19, LB 20, LB 21, LB 22, LB 23, LB 24, LB 25, LB 26, LB 27, LB 28, LB 29, LB 30, LB 31, LB 32, LB 33, and LB 34, all reported correctly Engrossed, all signed by Senator Lindsay as Chair.

Mr. President, your Committee on Education, whose Chair is Senator Withem, to whom was referred LB 180, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 190 to General File, both signed by Senator Withem as Chair.

Mr. President, hearing notices from the Revenue Committee for Wednesday, January 25; Judiciary for January 27; Government Committee for Wednesday, January 25; and the Nebraska Retirement Systems Committee for Wednesday, January 25, all signed by their respective Chairs.

Mr. President, Senator Crosby would like to add her name to LB 357 as co-introducer.

PRESIDENT: No objections, so ordered. We will stand at ease

that this body cannot solve through legislation, though Senator Wesely would try. We have an amendment that I am proposing that can say we are concerned with our young. We do want to stop sampling to our young and we hope that we can get the message across to our young, please, do not smoke cigarettes, tobacco products and use smokeless tobacco.

SPEAKER BARRETT: Your time has expired.

SENATOR BERNARD-STEVENS: If we can get it across as a nation, as a society, if people in here can also put themselves to the same test, we might get somewhere. The bill will not get us any closer. My amendment will take us a small step and I will regrettably say, it is an unfortunate small step but a small step is better than none.

SPEAKER BARRETT: Time has expired.

SENATOR BERNARD-STEVENS: Thank you, Mr. President.

SPEAKER BARRETT: Thank you. The question before the body is the adoption of the Bernard-Stevens amendment to LB 48. Those in favor please vote aye, opposed nay. Have you all voted? Please record.

CLERK: 17 ayes, 23 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: The amendment is not adopted. Messages on the President's desk.

CLERK: Mr. President, unanimous consent request from Bernard-Stevens to add his name to LB 521; Senator Pirsch to LB 441.

Your Committee on Education, whose Chair is Senator Withem, reports LB 357 to General File with amendment. Notice of hearing from Natural Resources, signed by Senator Schmit. Senator Hefner has amendments to LB 127 to be printed; Senator Barrett to LB 283; Senator Chambers to LB 165; and Senator Hall to LB 48. (See pages 523-25 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Senator Goodrich, would you care to adjourn us.

February 2, 1989

LB 33, 34, 281, 357, 416, 417  
LR 22

PRESIDENT: The resolution is adopted. We'll now go to Final Reading. If you'll please return to your desks, we will begin. Senator Wesely, would you like to return to your seat, please. Thank you. Senator Pirsch, would you like to return to your seat so we can begin Final Reading, please. Thank you. Mr. Clerk, LB 33.

CLERK: (Read LB 33 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 33 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Read record vote. See page 557 of the Legislative Journal.) The vote is 12 ayes, 0 nays, 7 excused and not voting, Mr. President.

PRESIDENT: LB 33 passes. LB 34, please.

ASSISTANT CLERK: (Read LB 34 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 34 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 558 of the Legislative Journal.) 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

PRESIDENT: LB 34 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 34 and LB 33. Do you have something for the record, Mr. Clerk?

CLERK: Mr. President, I do. Your Committee on Transportation, whose Chair is Senator Lamb, to whom was referred LB 281, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 416 General File; and LB 417 indefinitely postponed, those signed by Senator Lamb. (See page 559 of the Legislative Journal.)

And Senator Nelson has amendments to be printed to LB 357. (See



February 8, 1989

LB 47, 75, 186, 357, 358, 359, 474  
499, 608, 697

wish for absolute clarity. School officials only recently discovered the potential conflict. They have always believed that 79-548.01 was a specific grant of authority. There have been many projects that Class VI schools have paid for with Construction Sinking Funds after only the vote of the school board to authorize the expenditure. LB 499 simply clarifies that such actions are absolutely legal and appropriate with only a vote of the school board. In addition, the bill repeals some obsolete language contained in Section 79-1103, the opened section, and that is it. Thank you.

PRESIDENT: Thank you. 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: 27 ayes, 0 nays, Mr. President, on the advancement of LB 499.

PRESIDENT: LB 499 is advanced. Mr. Clerk, you have something for the record?

CLERK: I do, Mr. President, thank you. Mr. President, your Committee on Transportation, whose Chair is Senator Lamb, reports LB 47 to General File, LB 75 General File, LB 608 General File, LB 186 indefinitely postponed, and LB 474 indefinitely postponed, all signed by Senator Lamb as Chair.

Banking Committee reports LB 359 to General File, and LB 358 indefinitely postponed, both signed by Senator Landis as Chair. (See page 464 of the Legislative Journal.)

I have notice of hearing from the Natural Resources Committee signed by Senator Schmit, and a motion from Senator Schmit to withdraw LB 697. Mr. President, that will be laid over pursuant to legislative rules. That is all that I have, Mr. President.

PRESIDENT: Thank you. We will move on to LB 357, please.

CLERK: Mr. President, LB 357 was a bill that was introduced by Senators Nelson, Smith, Schellpeper, Coordsen, and Crosby. (Read title.) The bill was introduced on January 11 of this year, referred to the Education Committee. The bill was advanced to General File, Mr. President. I do have committee amendments pending by the Education Committee.

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Yes, Mr. President and members of the body, the committee amendments, frankly, make no significant changes in the intent of the bill. They are clerical in nature and are very technical. With that, I could refer you to the explanation in the book if you don't necessarily go along with that. They correct language in the intent and purpose section. They remove a reference to bachelor of science degree, substitute the term bachelor's degree as opposed to bachelor of science. They clarify that the incentive that Senator Nelson will be explaining in a few minutes applies to associate degrees of nursing as well as others. They are highly technical in nature and do not change the intent of the bill, so I would move the adoption of the committee amendments.

PRESIDENT: Senator Smith, did you wish to speak about the committee amendments? Okay. Senator Nelson, on the committee amendments?

SENATOR NELSON: Mr. Speaker, members of the body, those are technical amendments that I believe that I brought to the committee, and I am in full support. I move for the adoption.

PRESIDENT: Okay, 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 committee amendments.

PRESIDENT: The committee amendments are adopted. Senator Nelson, would you like to talk just about the bill.

SENATOR NELSON: Yes, thank you, Mr. Speaker. LB 357 is a bill brought to you somewhat patterned after the bill that was introduced last year, 1185, and the things that I learned from that bill, and what this would do, and I would address the...try to help the nursing shortage that we are experiencing through Nebraska, in fact, nationwide, every place, the same problem. My bill would bring incentives to girls...both men and women, to enter first-time nursing, to entice them into the education and let...experience them to the field and then hope that they would continue their education and would be full-time nursing students in Nebraska. LB 357 has three parts to it. It would provide

first-time financial incentive to nurses entering the field the first time, and that is the essence of the bill, to entice them into nursing. And the second portion of it would be which has to do with an extended campus, off-campus courses, primarily offered by Bishop Clarkson and Creighton University in Hastings, out through the state. This part would give \$50 for credit hour towards the tuition on this off-campus course. I will explain that off-campus course a little bit more. It is designed to bring help in the rural areas and to improve the health care. The third portion of the bill is a financial incentive to those nurses that go back out and serve in the rural area, that is areas that are under 50,000 population. Those areas are not able to give the incentives to draw the nurses into training or to keep them there, and so that is the third part of the bill. In the past five years, some of this information, and as you know, most of you, that I had LB 890 a couple of years ago which adopted the associate nurse program in the community colleges, so there was a lot of work, and part of that bill was that a study commission, and they had a lot of hoops to go through, and so on, before any new nursing programs can be adopted or studied. So a lot of this information is very current. It was put together last summer and last fall, and there was a report made to the Education Committee about a month ago in their findings on new nursing programs, the shortages, and so on. The Nebraska Department of Health data shows that in the past five years approximately 50 percent of both RNs and LPNs take employment in the same counties that they take their training in, and another 11 percent of the RNs and 17 percent of the LPNs in an adjacent county. So the idea of the program is to entice them into training and entice them into the rural and outstate areas. I probably don't need to belabor the fact to any of you of the current nursing shortages that we have. I have a file here which was, incidentally, voluntary of nursing homes, hospitals, and so on, on the severe nursing shortage. If I have time, I will share with you a few excerpts from a few letters that explains the situations very, very careful. Nebraska has...the nursing vacancies have increased approximately 21 percent. A part of that is through new technology, the new need, people are sicker, and girls, primarily, and men are not going into nursing, primarily, the low wages, the long hours, and so on. I think of the meeting that we had last evening out at the Fairgrounds, LB 89, and the teachers pay. It is sad. This group of nurses that I am talking about and these beginning students still are drawing less money to start with, particularly the LPNs, than a lot of the teachers that are

teaching yet today, and that is changing quite rapid. In 1987, I think that we had only 287 RNs graduating in the state and about 300 LPNs, or a 55 percent drop from 1983 just to 1987. Another comment last evening from business is education, and education is important, and this is a tool for these associate nurses, RNs, to upgrade their education and to provide better rural health care. That is the second part of the bill. I won't go into a lot of those statistics, surveys, but the demand is there. It is very, very critical. The home health care, Pat Snyder said that we would give anything just to have a nurse, an RN, guarantee us one year's employment in our nursing homes, and through the new OBRA, which is the Office of Budget Reconciliations Act, they are going to place new demands on nursing. That is, by October 1st, 1990, all nursing homes must have licensure nurses on duty. Now that can be LPN for two shifts and an RN for one shift, but in the skilled, of course, it is registered nurses, and they, frankly, are saying they will probably have to ask for an extension of that or for some more time because the nurses simply are not out there for the nursing homes. The cost of nursing education is considerable. A few years ago Kearney State College told me in the budget cuts that if there was any program that they would have to probably reconsider would be their nursing program because it is such an expensive program, one on one, that maybe or maybe not they could afford to have it. The average full-time nursing RPN undergraduate programs in the state runs from about \$5,151 to \$12,972 per student. For LPNs, it runs from about 3,000 to \$4,700 per student. Of that, the tuition rate for the LPNs is from 1,095 to 6,600, tuition alone for the RNs. In the community college at home, it is approximately about \$3,000 a year, \$1,600 or 2,000 for tuition and then for uniforms, supplies, and so on is approximately the cost. Creighton has a program at Hastings College that is about \$8,000 a year. So it doesn't take too much of a mathematician to figure it out. If these LPNs are going out at the first starting level at 5.50 an hour to \$6, maximum of \$7, how in the world can you be enticed into nursing when the wages and the salaries and with that much of a cost in going to school. Seven states that I happened to check are known to have special nursing education grants and programs. Florida contracts with an individual institution independence. Illinois has a \$16 million program of health education student grants, which includes many health professions. Massachusetts, \$3,000, 300,000 student grant; New Jersey, student grants, and so on. I weighed this very much. I know there will be a concern and a concern on the floor, and I

will explain that, and I am willing to work with anyone that has another idea on a need base, but let me tell you everyone of these girls that are going into nursing, I would say that 95, 98 percent of them need the money or, otherwise, they are probably going into a profession. They are caring people, and they want to upgrade it. The extended credit program, that is for... I will explain that a little bit to you. The one from Bishop Clarkson, what that does, it was a trial program originally in the North Platte area.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: One minute.

SENATOR NELSON: It was very, very successful and this is an independent study directed by Clarkson faculty in the mode of extension or home study programs. It is not site bound as a typical off-campus program. They can take that program in Fullerton, Nebraska, Alliance, Nebraska, Broken Bow, Nebraska, and it offers the girls the opportunity to go from an associate RN up to a bachelor of science. The maximum that they can usually take is three to six hours per week because of the fact that they are working, they have families to support, most of them are the main wage earner, and it was tried in the North Platte area, worked out very, very satisfactory, and they have approximately 90 students enrolled in that now. Hastings Creighton has a program of about 12 or 14 enrolled in that same type program, and UN-L out in the Scottsbluff area of 10 or 12 students. And with that,...

SPEAKER BARRETT: Time.

SENATOR NELSON: ...I will answer any questions.

SPEAKER BARRETT: Thank you. An amendment on the desk, Mr. Clerk.

CLERK: Mr. President, Senator Nelson would move to amend the bill. Her amendment is on page 559 of the Journal.

SPEAKER BARRETT: Senator Nelson, on your amendment, please.

SENATOR NELSON: Yes, when you are working with nursing programs, you find out, I try to educate myself more and more, and I will guarantee you that there are a lot of technicalities,

and in so that I tightened up the bill more and that people were not drawing the incentive that may or may not or so that there is any question on the bill, the third page, line 2, after the word "period" insert : To be eligible for the incentive, the student shall have enrolled as a first-time nursing student during academic year 1989-1990, 1990-91, '91 and '92. If you will also notice by the bill that I only...I had a sunset or to be reconsidered at the end of three years. In other words, I am not trying to implement something...hopefully by that time maybe the nursing shortage will have eased, the working conditions, the wages, and so on and so forth. So that is a little technical amendment, again, that would state specifically those dates so there would be no question.

SPEAKER BARRETT: Discussion on the Nelson amendment? We will go through the order of lights that were on prior to the submission of the amendment. Senator Smith, would you care to discuss? Thank you. Senator Withem, on the amendment? Thank you. Senator Bernard-Stevens, on the amendment?

SENATOR BERNARD-STEVENS: Thank you, Mr. President. Senator Nelson, would you yield to a question at this point?

SENATOR NELSON: All right.

SENATOR BERNARD-STEVENS: I am kind of unclear on the amendment. Is this amendment tightening up the rural incentive?

SENATOR NELSON: No, it is not. What this amendment does is clarifies exactly, in other words, so that a student could not be in nursing now and draw the benefits of the bill. What this does is it simply spells it out. I think the bill stated it very clear. The bill stated nursing credits during academic years and so on, but this just still tightens it up tighter.

SENATOR BERNARD-STEVENS: Okay. Thank you, Senator Nelson, then I don't have any problem with the amendment. I will have some comments to make on the bill, but with that explanation, I would certainly want to be supportive of the amendment.

SPEAKER BARRETT: Senator Schimek, please? Thank you. Senator Moore, on the amendment? Thank you. Senator Schellpeper, on the amendment? Senator Schmit, on the amendment?

SENATOR SCHMIT: Just be very brief, Mr. President, and I do

have some questions on the bill. I just want to point out, however, that it is so much easier to start a program on this floor than it is to terminate it. I have a high regard for the nursing profession. Members of my family are involved in nursing and I think that they are some of the finest people that we could ever meet and work with, but not in any way, shape, or form to be speaking disparagingly of Senator Nelson's good intentions, three years down the road, if you give the normal turnover in this body, there will be quite a few of us who won't be here, and at that time, I am sure the program will be so permanently entrenched and so very, very laudatory that you probably are not going to be able to do anything except to continue to fund it. So, I just hope that when we get to discussing this bill that we look at the bill from the standpoint of what it is going to do, what impact it will have upon rural areas, what impact it will have upon cost in certain areas, what will it do to wage rates that are paid by various hospitals, will they, in effect, lower their wage rates, in effect, to take advantage of the contribution from the state. There are a multitude of questions which need to be raised here, but I want to say that I don't have any objection to Senator Nelson's amendment, but I think it is superfluous.

SPEAKER BARRETT: Thank you. There are no other lights on on the amendment. Senator Nelson, would you care to close?

SENATOR NELSON: I think it has been well explained and I just move for the adoption.

SPEAKER BARRETT: Thank you. The question before the body is the adoption of the Nelson amendment to LB 357. Those in favor vote aye, opposed nay. Voting on the Nelson amendment. Please record, Mr. Clerk.

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

SPEAKER BARRETT: The amendment is adopted. Mr. Clerk, you have another motion on the desk?

CLERK: Mr. President, Senator Withem would move to indefinitely postpone LB 357. Senator Nelson, as principal introducer, would have the option to lay the bill over, Mr. President.

SPEAKER BARRETT: Senator Nelson, please

SENATOR NELSON: Yes, we will take the bill up.

SPEAKER BARRETT: Continue discussion on the bill, thank you. Back to the order of speaking, Senator Smith, followed...I am sorry, Senator Withem. I am sorry.

SENATOR WITHEM: Thank you, Mr. Speaker, I know most of my motions are so well-thought-out that everybody understands them, but on this one I think I would like to speak just a little bit before we get into the debate on it. This is a motion that I am not making with a great deal of pleasure. This is a bill that was heard by the Education Committee, advanced from Education Committee on a 5 to 1 vote. I was the one no vote. I don't like making IPP motions on other senator's bills. I don't know if I, trying to remember if I ever have as a legislator filed an IPP motion which I continued to pursue to a vote with the desire of actually killing another senator's bill. But I have had a lot of concerns with this, and a lot of concerns that came up during the hearing, a lot of concerns I have had in discussions with people since the hearing. I think there are probably some things that could be done to improve this piece of legislation. As a matter of fact, I was under the impression that there were going to be some amendments offered to clarify some of the concerns that I have and some of the concerns that other people have. Unfortunately, we don't see those motions here. I think there is probably only one thing worse that we can do as a Legislature than ignore a problem in our society, and that is to pass a bill that claims to solve that problem that really has little or no impact on that problem, and I am afraid that is what we have here with LB 357. I agree that there is a problem. I have sat on the Education Committee and I have sat on the Health and Human Services Committee and I recognize the fact that we have a problem with a nursing shortage in this state. I have no problem with the Legislature using some of its money to target to help attempt to solve that problem, to attempt to get needy young people that have a desire to enter the nursing profession into the nursing profession, and we have done that with other professions. We have done it with math and science teachers. We have done it with doctors. We have done it in other situations. I have no philosophical problem with that. My problem with this particular bill, though, is that it doesn't necessarily do that. There are about three major problems that I have with this piece of legislation that I think if it passes in its current form it will be one of those little nice things



that we say we have done as a Legislature to address a problem, but, in effect, it is not going to impact upon that problem one iota. We will just be...have, depending on what fiscal note you believe, a million dollars less in our budget, half a million dollars less, or some dollars, some numbers in between. Why don't I think this bill will be effective? For three very basic reasons, number one, there is no need-based requirement in this bill at all. There is no requirement that the young person seeking to enter the nursing profession has to demonstrate that these dollars will make a difference in whether that person goes on to nursing school or doesn't. Everybody from the poorest family in the state to the wealthiest will receive this five hundred...or every student, from the poorest to the wealthiest, will receive \$500, meeting one of the particular requirements there, \$500 for having gone through this nursing program. Secondly, they won't receive the aid when they need it, when it is time to buy books, when it is time to pay tuition, when it is time to do other things. They get it after the fact. The analogy I use, and I don't think it is an inaccurate analogy, although it may be stretching the topic, it would be like this Legislature saying we want to attack the housing problem, the homeless problem in this state, that we are concerned because we have people out on the streets without a place to live. So to solve that problem, we are going to give \$500 to every person after they have moved into a new house, after they have already shown that they can build a new house and move into it, and we will give that \$500, not only to the poorest person in the state, but also to Willie Theisen to build his new house out in Regency and all those wealthy, wealthy people that Senator Hannibal builds houses for. We would not in the wildest stretch of our imagination think that we have solved the housing problem of the homeless by doing that, but that is what this bill does. It gives money after the fact based not on need at all. Third, the impact of the bill, I question whether it is going to have that much of an impact. We had one testifier for the bill use the figure, \$50,000, for nursing education. That may be high, it may not be high, I don't know but that was the number one of the people that runs a nursing education program used. I assume talking about not just tuition but books, room and board, everything else. That individual might qualify for \$1,500 worth of assistance, again, after the fact, after they have raised the money, under this particular program. The rural incentive, it is a nice incentive, and I am not an urbanite that thinks everybody in the state should come to Omaha and the Omaha area. We have got problems in rural Nebraska. We need to address

them. And an incentive for people that work to take their skills to rural Nebraska is a good concept, but, again, we were told in our committee hearing that an individual who would get a nursing job in Omaha would probably make \$4 an hour more than a person who would get that same type of nursing job in rural Nebraska. Four dollars an hour translates to I believe approximately \$4,000 a year, as I recall our quick calculations. We are giving that person a \$1,000 incentive to take those skills or to keep those skills in rural Nebraska. Instead of saying, he is only going to make \$4,000 a year more to go into the metropolitan area, you are going to make only \$3,000 more. I don't think we would have that much effect. There are other approaches that I could be convinced might be better approaches. I know Senator Schellpeper has a bill that came out of Health and Human Services Committee that frankly I may have some problems with also but not as great, because it does, in fact, have a need-base component to it. The people would have to genuinely demonstrate that they have a financial need to go into nursing school. There are other approaches. I would be much more comfortable carrying a bill or carrying an amendment or working with Senator Nelson or other people on a scholarship program, targeted to nurses, that individuals would actually get enough assistance to make a difference and would actually get...and it would actually go to those individuals that have the need. Now I know Senator Nelson will be talking to you about helping a large number of people as opposed to a small number of people. Though the type of dollars we are talking about, you spread those dollars out over a large group of people, they get to the point where they really don't have any impact on the decision of the person to enter the nursing profession or the ability of a person to pay their bills as they go through their nursing program. And I am sorry to do this because the bill has absolutely the highest motivation behind it. It deals with a serious problem. It is a problem that I don't know if the State of Nebraska through the state government is going to be able to attack that problem or not. I know we like to feel good about doing things. We like to feel as though we have solved the problem. We like to say we passed legislation to deal with these sorts of situations, but if we are going to do that, we have to look at the dollars we have in the state treasury, target those dollars to where they will do the most amount of good, and I don't think LB 357 does that.

SPEAKER BARRETT: For purposes of a response to the motion to kill, Senator Nelson.

SENATOR NELSON: Mr. Speaker and members of the body, I think that I can probably respond to a good share of those. First place is, and I think the Education Department was probably supportive of it, and I don't know whether Senator Withem was here when it was even started. I patterned this after the math and science program that was to address the shortage of math teachers. I don't know whether the perceived shortage was there or not but I will tell you that it didn't even touch the surface when the shortage of nurses that we are speaking today. I know Senator Withem had some problems with the bill. I tried to, when you work with all of the nursing professions, I will guarantee you there is a lot of little technical things that you have to address. First place, his statement that \$500 doesn't mean anything. That is not true. An LPN program, the tuition is approximately \$1,600 at the technical schools. Sure, I didn't have it after...I had it after the fact. The problem of student loans, students taking loans, going to school a few months, dropping out, then we have that problem of the loan, and what do you do with that, and that is purposely designed that way. It is purposely designed that when they go out into the rural areas to nurse, and the extended credit program, it couldn't be better on the rural area. So it was purposely designed this way. Pat Snyder of the home-health care, the nursing home, said you are not correct in that respect, that it doesn't help. They had a simple \$250 scholarship. They had over 100 applicants. Nearly every one of these, when we talk about need-base, there are other incentives that the nurses can get. It simply is to entice them into the nursing field, let them study for a year, and then decide if this is exactly what I want to do so that we are not wasting money, so that we know what we are doing, and it is need. Most people, I rather hate to say this, but I suppose if they came from a family of very high income that did not need any assistance and help, they probably would not choose the nursing profession. They would go on to other professions, and the nursing is usually that very caring person, that person that has grown up and sees the need for it. I visited and I put this bill together, Pat Perry of Bishop Clarkson in Omaha, Dr. Rosalee Yeaworth, Dr. Joe Preusser, the community colleges. Loans are not what the girls need. We found that out in LB 1185 last year, and, in fact, actually the LB 890 report, and I am not going to belabor that. One of the parts is, if Nebraska had an average student grant program for its students of the average size of other state grant programs adjusted for Nebraska's enrollment, the grant

program would amount to approximately \$6 million annually for independent institution students. At this level, nursing students at independent institutions should be expected to receive 15 to 20 percent of the total, or 9/10ths to 1.2 million. I mentioned LB 1185 last year, it was loans. It is not loans that you need when you are going out and earning 12 or 14 thousand dollars. You don't want to go in debt that much. It is rather ironic, also that same study says another bill drafted at the request of Senator Withem, but not introduced, involves the use of state credits to help students avoid excessive debt burdens and give graduates an extra incentive to remain in the state. Under the bill, college students obtain their own loans, if necessary, but are eligible for subsequent Nebraska income tax credits to help pay them off based on two factors, the tuition paid and their postgraduate income level. This bill was designed as an incentive to draw them into nursing. I know many of you received the correspondence. Many of you know hospitals simply can no longer get...can no longer get help. I can go right down the list. Here, for example, Cozad Nebraska, we do have LPNs that would be interested in going to be an RN, but with family obligations, financial limits, this is not possible. Therefore, some financial incentives and assistance would be really benefit rural Nebraska. We do understand this is going to take time and the shortage is here. Another problem that I surfaced as I gathered my information on the shortage of nursing aides is, of course, due to the rules and regulations of OBRA, which I mentioned, and it just goes on and on, and I can tell you on the extended credit, we feel it is critical. This is from Creighton, in the light of the nursing shortage, this would establish financial assistance for individuals on the first-time nursing programs or for a licensed LPN to further their education, bring higher quality care to rural areas and enable hospitals and nursing homes to meet current and future federal requirements. I could have brought in a bill for three or four million. I looked at in education, just yesterday I said, hey now, wait a minute. Let's slow down. We're putting out bills for restructuring education, we're talking about grants, we're talking about child care. We had this morning LB 338, a bill that carries originally a higher fiscal note than this bill. I will explain that fiscal note. I purposely tried to keep the cost down on this bill. I tried to tighten it up and I know it's not paying it, but to a girl that is going to an LPN, this is one-third of her tuition. Now, I could have tightened it up and said, well, they get a loan. Well, let me address this from the LB 890

studies. To offset the tuition charges many students seek financial aid. Although not all schools offering RN programs responded, the percentage of students on financial aid ranged from 39 to 79 percent. The average amount is 2,536 to 4,900. In LPN the percentage is 25 to 72 percent. For those students receiving financial aid the amount varied from 950 to \$1,600, but you've got to draw them in, you've got to entice them into the medical profession in the first place. I have worked with many, many professionals. I invite you to open up your bill book and read the number of people that were here to support that bill. I know Senator Withem didn't like my bill. He cut off debate. People drove in from Cozad, Nebraska, from Hastings, Holdrege and so on, were not given the opportunity to testify. I'm sure they turned in their written testimony on the bill. Larry Hall came in, a lot of outstate hospitals had contacted him, so I know the problem is there. It is very serious. The bill was purposely set up this way. Let me explain...I can explain the college grant programs to you. Just this morning we contacted the UN-O Medical Center. Grants and needs are set up on a complicated basis, congressional methodology volumes, comes in volumes and volumes. You push in enough buttons, and if it comes out to zero, that person gets financial aid. A lot of these people that I'm trying to reach are girls that have a family and that need to further their education particularly in the extended credit program. I am offering another amendment that still tightens up the bill further, and so that no one could abuse it, and I think that anything that is offered or anything to help to bring them into the nursing shortage and it really bothers me when I see these bills out here on the floor, and as I say, passing them out from education, 500,000 here, there, this doesn't mean anything. I don't know of a bill on this floor that addresses the need any more than this bill does right here, and with that, I will respond to any other questions.

SPEAKER BARRETT: Thank you. To the regular speaking order on the motion to kill the bill, Senator Smith, followed by Senators Withem, Schimek and Moore.

SENATOR SMITH: Thank you, Mr. Chairman, I'll be very brief. Senator Nelson is probably the best person in this body as far as facts are concerned. When she said she does her homework, she does her homework. Senator Withem, I'm sure, has his reasons for wanting to IPP this bill, but I think if he is saying that this does not address the problem, he is a little

bit off the track, because first of all, we're talking here about a lack of nurses in Nebraska. We're talking about a critical shortage in the rural areas in particular, but not only in the rural areas, in the urban centers as well. We're talking about the fact that this is an incentive for people to come into the profession and it is also an incentive for them to upgrade their professional degrees and their expertise, and you know why this is so important? I can...if I talk about only one thing, and I do talk about aging in here often, nursing homes now and even more so in the future are becoming filled more and more with people who are living longer, who are becoming more frail, more at risk and in much, much more need of skilled medical care. These people cannot provide the kind of care presently that these people are...that the aged or anyone else who is ill is needing. So as our society, and particularly in Nebraska, ages, we are going to see an increased need for more and more skill on the part of our professionals. And if we're talking about the fact that this does not provide for a need, and we're talking about people can afford to go in and pay for these...the increased...the level in their degrees and so on, we need to keep in mind that nurses as a whole are not those people that you would think of as affluent in society. They are people that are, from all the information we have gathered, usually older, they are people that are family people. Sometimes they are one parent providers for a family, but in a lot of cases, especially in rural Nebraska, they are a family member which is a working person along with the husband in order to support the needs of the family. They can't afford to move away from where they are at. That is why we have the expanded use of programs throughout the state. So those programs are now in place for these people to use. We talked about this before. This is not a new issue. Remember when we put in place the nursing program out in Scottsbluff. We have now the contract for other kinds of nursing programs at the technical community colleges and Hastings College is an example in my area. The programs are there. We knew there was a need. We've been talking about a nursing shortage for some time. Senator Nelson and I have been dealing with this issue of nursing degrees, nursing programs and the nursing shortage for a year. She has taken the lead, she has done a marvelous job in keeping on top of it. I'm here to support that fact, that there is indeed a need in rural Nebraska. We have programs that are now in place. We need to, first of all, provide incentive for those who can't afford to go back otherwise, who are working people, who can only go to school on a part-time basis to increase their skills because,

people, we're going to have a need that is not going to be met and it is going to grow worse and worse if we don't do this. I will not support the IPP motion and I hope that you have listened. I see a lot of people on the floor, but I do hope those of you that are here or even if you're somewhere else, are listening. This is critical. We just passed a bill from General Reading (sic) which deals with rural health in rural Nebraska. We've got to have nurses out there in order to facilitate this. Senator Nelson, would you like to have the rest of my time?

SENATOR NELSON: Thank you. I think one point that I can...explains it about as good as other. From a family at Mead, Nebraska, our daughter is a first-year student at Bryan Memorial School of Nursing. She loves the program, is doing very well and will make an excellent nurse. However, it is a very costly program. So far we have found it impossible to obtain money through any student loan program to assist with her education. We farm, and it seems that if we own anything you are found ineligible for any assistance. How many of you have been told that? Middle income people, you've either got to be very poor or very wealthy.

SPEAKER BARRETT: One minute.

SENATOR NELSON: They do not seem to realize that you can't sell off your assets to educate your children or soon you won't be farming. Given last year's drought and the possibility of another one this year makes financially her education a very serious matter. Any help that you can be approved will be greatly appreciated. Let me explain to you the student...the SSIG program, final characteristics of student nurses in the programs. Because of curriculum and clinical responsibilities, student nurses most often are unable to work. Nursing is an accelerated program. The tuition and fees for student nurses are higher than the fees for nonnursing students attended during an academic year. Clinical facilities for nurses are often located in a town other than the home town. Uniforms, a watch, student nurses are single parents with family financial responsibilities. Other student nurses are often expected to maintain at least one-half of financial responsibilities. This creates a financial burden while the student is enrolled and it limits ability to repay loans following graduation. I know...

SPEAKER BARRETT: Time has expired. Thank you. Senator Withem.



SENATOR WITHEM: Yeah, Mr. Speaker, I was going to waive and close, but there are about three points I'd like to make at this time. Number one, Senator Nelson, I'd like you to know I personally resent your characterization on the floor that I was unfair at the hearing for this bill, and I want that in the record. I have not at any time made any personal characterizations about you or the bill you're bringing in. I'm attempting to deal with the facts of the issue. I resent that characterization. If you recall, that day we laid out ahead of time how long we were going to take on each bill. You took half an hour to introduce the bill, that is your fault, not mine. I want that in the record. Secondly, Senator Smith talks about facts. She talks about the fact that there is a nursing shortage. Had she been listening, I'm sure she was but she may have forgotten, to my introduction. I granted all of the facts. I granted that Senator Nelson, Senator Smith, others that have worked on this problem have identified a real problem. My question of the bill was, will this bill solve that problem? Will it affect that problem? Will it improve that problem? In all of this testimony in the committee and here on the floor today, we have not heard of one example, of one student that would have made a career choice any different than what they are making now had they been told that they got \$500 at the end of a year of study. Bring in those people and maybe you'll convince me otherwise. Bring in two or 300 students that have said that would have made a difference. Nobody has convinced me yet that there is that difference. Third, facts, Senator Nelson says this bill is based on the math and science programs. Senator Nelson, the math and science program is a loan forgiveness program. It is not an after the fact grant. A student can get a \$500 per semester loan, it is then forgiven in \$500 increments for teaching math and science in our state. Again, another thing that hasn't been brought up, the \$500 is given to a person for studying in our state. Somebody jokingly said, I think they were joking, that what they might do with that \$500 is buy an airplane ticket to some other part of the nation in order to apply for a job. It is not based on the math and science loan forgiveness program. With that, thank you very much.

SPEAKER BARRETT: Thank you. Senator Schimek, please.

SENATOR SCHIMEK: Mr. Speaker and members of the body, I would like to rise in support of this bill and I'd like to just go to my own personal experience. When I was a child in elementary



school, my mother went back to school by correspondence and got her licensed practical nurse's license and she did it at sacrifice, I'm sure, because of the time that was entailed and because of the monetary expenditure for getting that license. I am wondering right now as I'm listening to this debate if perhaps such an incentive would have been available to her, if she would have been encouraged to go on and get her registered nurse's degree. I think that what we need to remember here is not everybody pays \$50,000 to get their nursing degree. Many of these women, and men I should mention, Senator Nelson, because we haven't mentioned men today and I think often that's kind of stereotypical thinking that everybody who goes into nursing is a woman, but I think that maybe we would encourage more to go on and to get those RN degrees if they had that reward or incentive. It isn't a perfect bill, Senator Withem, but I think it does...it's the only thing that we have on the floor in front of us right now to start talking about addressing this problem and I would hate to see it indefinitely postponed. Perhaps there are some amendments that could be made that more address the question of need and I think that's a legitimate question, but I think it's too early to postpone this bill and I would encourage us to move this forward to Select File. Thank you.

SPEAKER BARRETT: Thank you. Further discussion, Senator Moore, followed by Senator Schellpeper.

SENATOR MOORE: Mr. Speaker and members, if I have any time remaining I could give the balance of my time to Senator Bernard-Stevens. Senator Nelson, I hesitate to support this kill motion. I always agree, just like last week when we sparred, I agreed with your intent and today I agree with your intent but unfortunately I'm going to have to support Senator Withem's kill motion, probably for different reasons than Senator Withem does. The fact of the matter is that Nebraska, the State of Nebraska, ranks, if not dead last, almost last in total need-based tuition assistance for all students in Nebraska, all of them, and I have introduced a number of bills in the past and have tried to work on that and continue to try and work on that to get some more tuition assistance for any Nebraska resident that wants to attend a college in Nebraska, public or private, if nothing else, just getting some additional money for the public that I'd like to do, but last year we made a significant step forward when we appropriated \$750,000 in the SSIG overmatch which really about took us from a zero to a little bit and we still ranked about forty-eighth to forty-ninth

and that is to all students. Now the bill you have is a very laudable goal, spends...fiscal note was a million dollars, going to be less now with your amendment, I understand that. Maybe \$750,000, but...650 whichever it may be, whatever that number is, if it's a half a million or whatever it is, that's money that I would prefer to dump in the overall SSIG overmatch and show all students, regardless of whether or not they are nursing students, all students in Nebraska who I believe really...the state really needs to move ahead on doing something for the students in Nebraska. I guess...I understand why nurses need it, but I guess you mentioned to me you spent \$6 million to get nurses enough...to get, I mean, you need to spend a good deal of money to get nurses enough money in the SSIG overmatch, I agree with that, but I think we'd be better off spending our money so all Nebraska students, not just nurses, get some grants, and SSIG is grant, and I'll give you a little bit of time, 30 seconds, and the balance of my time I want to go to Bernard-Stevens.

SPEAKER BARRETT: Senator Nelson, please.

SENATOR NELSON: I hope that doesn't come off of my 30 seconds, maybe I can get it. May I address that? Student incentives, correct, I agree it was 750,000, a million next year, a million, two-fifty. That is for all students, for merchandising, accounting, journalism and so on and so forth. That is nothing but coffee cup money, less than that. I know the Governor made that remark to Pat Perry of Clarkson. Let me tell you why SSIG. SSIGs are awarded based on demonstrated greatest financial need, fine, but the award is funded 50 percent...

SPEAKER BARRETT: Time has expired.

SENATOR NELSON: ...by Nebraska state government and 50 percent by participating institutions. Some educational institutions cannot or elect not to participate because they don't have the 50 percent matching requirement. The method of distribution is determined by the educational institution. Other financial aid programs, work study, supplemental education are beginning to mandate a higher percentage of match education. This limits the available, the SSIG. That working woman does not qualify for SSIG loans, I know that. It just doesn't...it's not there and I know it sounds good, but that wouldn't even be postage stamp money to the nursing program.

SENATOR MOORE: I'm back.

SPEAKER BARRETT: Senator Moore.

SENATOR MOORE: The only response I have to that is that I...how about the student, the college student that wants to make a future in life that can't get any tuition assistance? I mean, that's what...that is my higher priority, unfortunately there, and if I can give the balance of my time to Senator Bernard-Stevens.

SPEAKER BARRETT: Senator Bernard-Stevens, approximately a minute and ten seconds.

SENATOR BERNARD-STEVENS: That might be enough to make a couple of points. Senator Jacky Smith made a couple of points that I kind of want to respond to. She said, a lot of us in the body aren't dealing with facts and only Senator Nelson is dealing with facts and I kind of want to refute that just a little bit. I sit on the committee and I agree with Senator Nelson's intent to the bill perfectly, that we do have a terrible nursing shortage and we need to do those things that are workable, doable and effective in order to solve this growing crisis, but one of the couple points that I'd like to make if I have time and hopefully later on I'll be able to make the points a little bit further, is the rural incentive, for example, part of the bill. I hear this fact that we need rural nurses out there and that is true, but I asked the question in the committee. I said, what is the difference, Senator Smith, I said what is the difference in salary and benefits between urban eastern Nebraska nurses and rural Nebraska nurses and it was a tremendous difference in salary. So the incentive in the bill was that if you were in a rural area for one year, they will give you one time a thousand dollars, and that was an incentive, and in doing so, they are going to sacrifice then an urban job where there is also a shortage, a job that would pay them more than \$1,000, better benefits, year after year after year.

SPEAKER BARRETT: Time.

SENATOR BERNARD-STEVENS: That is not an incentive and I'll speak to the other parts of the bill when I do have more time. Thank you, Mr. President.

SPEAKER BARRETT: Senator Schellpeper, please.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker and members. I think everybody probably agrees that we do have a problem in rural Nebraska with our nurses. We have hospitals, we have nursing homes that just cannot find any nurses. However, I do think that this bill needs to be studied a little further and I have told Senator Nelson that. I think we need to look at it and try to put something in the bill that has to do with actual need in order to keep them in these rural areas. And I don't think we need to kill it, but I think we need to study this thing a lot further. I have three problems with this bill and they are the \$500 a year. I don't think it is enough to really get them out into the rural areas, and I think we have to have a need. You can't just give it to somebody no matter what they are actually...if they can afford it or not, and I think we need to have it so they have to stay in Nebraska. We can't have...give them \$500 and have them go off to Hawaii or to some other town, we need to keep them in Nebraska. So if we can get these things narrowed down, I think the bill would be a good bill, but at the present time, I think we need to work on these things. Thank you. Bernard-Stevens wants the rest of my time.

SPEAKER BARRETT: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Senator Schellpeper. To continue on on a couple of other points in addition, in the committee we heard a tremendous amount of testimony from nurses and it was difficult testimony to listen to because it was such a hardship that they had to go through in order to get their nurse's degree, particularly in the RN. One of the nurses stated that she had to work a second job and she had children and it was very difficult and a time she was unable to get even much sleep trying to make all the ends meet and still get her nurse's degree training and it was a terrible hardship case. I asked a question of the nurse that testified. I said, if the bill passed, 357, and you received all the benefits that was possible under the bill, would that have made any difference on your lifestyle or what you would have had to have done in order to obtain your nurse's degree? And the answer came back clear and simply, no, it would not have changed anything. I still would have needed to take the extra job, I still would have had the problems and difficulties. So the money incentive in the bill, if people think that that is a great incentive to get people in, no, sir, it's not. It is not enough. The other questions that were asked in committee also disturbed me

somewhat. Part of the problem is not so much getting nurses into schooling, though that is a problem, part of the problem is keeping them in once they are in the profession because the hours are unsteady, the work is difficult and the pay is low, very similar to testimony we heard last night on LB 89 on teachers' salaries. Part of the problem in the nursing area and the medical area is we have to address the working conditions and the work load and the unusual schedules and pay, and this bill does nothing to help that along. It is a relatively high cost that will not change the matter of what people have to do to get the degree. It is not a rural incentive at all and, in fact, it would be a disincentive because I get a one-time cost and from then on I'm back on the low income where everybody else in the eastern part is getting higher incomes year after year after year, and it does not address the true problem of the industry. I wish it did, but it does not. And, Senator Nelson, I do agree with Senator Schellpeper, I would hate to see the bill killed because there is so many things we need to do. Unfortunately, as it is written now this bill does not do that and I know there are other bills that will be pending, I think Senator Schellpeper may have one of those, but there are other bills that we might be able to use with a little bit more thought and a little bit more study and a little bit more input that would have a truly lasting effect on things that we need...

SPEAKER BARRETT: One minute.

SENATOR BERNARD-STEVENS: ...in the nursing industry. And I thank Senator Schellpeper for the use of his last minutes.

SPEAKER BARRETT: Senator Nelson, followed by Senators Schmit and Hall.

SENATOR NELSON: Mr. Speaker, members of the body, if Senator Schellpeper would study the provisions of the bill, the rural incentive is given out by the State Department of Education. It is not going to out-of-state nurses. Technically, that is in the bill. I also have another suggestion to encourage nurses to seek continued employment in, and if we want to, people that can't read it, if we want to put Nebraska in, and I can, but the Nebraska Department of Education is not going to give that incentive to that nurse in Iowa or Louisiana. That is taken care of in the bill. People are going to stay. For example, the second part of the bill, very, very valuable in the North Platte community, given out by Bishop Clarkson Hospital in

Senator Stevens' own community out there, and that is to allow those girls that are working and to go from a two-year associate to the three year. This bill has been well thought out. I had the input and I can go down the list. Rosalee Yeaworth, Pat Perry particularly, are two of them have helped me, Dr. Andrews, Dr. Joe Preusser, I can go right down the list. This bill was thought out. I did agree to meet with Senator Schellpeper and meet and discuss the needs only. His bill is \$2,000 "forgiveness" of a loan to a simple 100 people. One hundred is nothing and that is for residents out in 15,000 and less. That takes away the Kearney, the Hastings, the Grand Island, the Sarpy Counties, the metropolitan areas. That was put in to satisfy the Department of Health because their regulations are a county 15,000 or less. That does not help enough people. It does not entice them in there. These \$2,000 loan "forgiveness" is available through the Pell grants and the SSIGs and so on and so forth if they want to do it. That is what is wrong with that bill. It's a loan. You don't need a loan for a \$12,000 or \$15,000 job. I know the wages have jumped tremendously in the Omaha area right now, but some of us are married to farmers. Some of us are married to Sutton, Nebraska. They are simply not going to jump in the car and run to Omaha and Lincoln to work. I've tried not to make this bill an urban versus a rural. I absolutely tried very hard to do that. The need is out there, \$300 is a terrible lot to those people that cannot afford it and I purposely did not make it where...I even am insulted here when someone takes a...has to laugh about a situation this serious, that we take the money, we skip the country and run. It's after the fact. That is the reason it is in that bill for that. About 85 percent of the nurses that take their training stay in Nebraska. Of course, we try to entice them here from Kansas. We try to entice them here from North Dakota. The Mid-Plains College in North Platte has a program in conjunction with South Dakota. Naturally we're going to find them moving around a little bit. There are provisions in this bill. I have worked with the professionals in this bill and not a one of them...two weeks ago on the weekend, I think, I made a number of calls. In fact, I had 18, not all in the nursing, and what would you do? How would you change the bill? I absolutely would not change it one bit, and I can give you those numbers, I can give you those names. This has been studied out. I called the University of Nebraska Medical Center this morning only to find out what their criteria is, the need for basis. Sue Gessner came in my office yesterday afternoon wishing me luck on this bill, telling me, she told me to call. I called Joe Preusser, he studied the bill

very late the other night. Arlene, I cannot find one thing wrong with that bill. He suggested, and as I said, and I will offer...and, incidentally, Senator Stevens, if you IPP it you won't be able to do all these changes...

SPEAKER BARRETT: One minute.

SENATOR NELSON: ...in the top of page 3, to tighten it up some more, if we have any concern about this I will change it, nursing credits, and after that, add "at a State Board of Nursing approved nursing program in the State of Nebraska". I will tighten it up that much more. I have tried to visit with different groups, different institutions, different colleges, it's not limited to the public institution. That girl can use that for St. Mary's, Creighton, wherever, program. We only have...really don't have an associate degree program, many of them, in the state right now. Metro has one, some in Omaha, North Platte is trying to get one started, and hopefully we'll have one at Central Platte and maybe Norfolk. The need is there. It is so severe. I can't even begin to think why someone would say this is not one of the most important and critical areas. I know, if you want, I can amend the bill to add \$1,000 if you think...

SPEAKER BARRETT: Time has expired.

SENATOR NELSON: ...this is not enough.

SPEAKER BARRETT: Thank you. Senator Schmit, please.

SENATOR SCHMIT: Mr. President and members, my sister is Director of the nursing program at Berkeley, California. You've heard of that little institution. Asked her some time ago, how do you get more people into the nursing profession and she answered in two words, pay them. I think that no matter what you do here you're not going to get people into the nursing profession unless the salaries improve. I believe it was mentioned here earlier there is a great disparity also between the urban and the rural pay scales and I think you have to do something about that. And we have the same problem in our rural areas and we've referred to it many times and that is that some of our small hospitals are struggling and they have an extremely difficult time to try to meet those payrolls so they have a tendency to pay much less out there than they do in the urban areas. The question that you're raising here is very simple and

I want to explain that this is not intended to be funny, but the plain facts are that the reason you have young ladies that come from the rural areas many times and remain in the cities of Omaha and Lincoln is because those farm girls and small town girls go down to the big city and they study nursing and what happens? Those city slickers, the lawyers and the doctors and the engineers marry them and keep them there. You can do more good, Senator Nelson, to bring people back to the rural areas and the small towns, and I don't suppose that Senator Warner would cooperate, but if you would find some way to finance a party once a week or once a month in the nursing schools and send a bunch of those farm lads and small town lads down there and meet those girls, they'd take them back...they'd marry them and take them back to Bellwood, and that's what my brother did, and that is how you get the nurses out there and that's why there are nurses at all there, otherwise there wouldn't be anyone there because the attraction of the city is so much greater. You'd have to question their wisdom to work in the small towns and the small town hospitals where the hours are not as flexible, the work load is heavy, the burden is greater, they just would not go back there unless the remuneration is substantially improved. I appreciate, and I have the highest respect for the people in the nursing profession. They need some help, but they are the forgotten people of the medical profession. Many years ago when I sponsored the bill that provided for the physician assistant program, again, my sister said we've had physicians assistants for 40, 50 years, but they called them nurses and paid them \$300 a month. The nursing profession is underpaid and overworked, we all know that. And we're going to be discussing some of those things probably one of these days when we discuss the health care costs and some other facts, but, ladies and gentlemen, you're not going to help the profession unless you find some way to improve the salaries. I believe Senator Nelson was right, you're not going to pay off a loan with a \$12,000 job. That isn't going to do it. And it doesn't make much sense for us to try to entice someone into a program with \$500 or \$1,000 and then think they are going to go back to Bellwood or Bruno or David City and work for four or five or maybe \$10,000 less than they can get in the large community, and the small hospital, the small doctor's office out there cannot afford to pay them comparably to what they can be paid in Lincoln and Omaha. I could go on here and blame that whole situation on the fact that for some reason or another we spend a lot more of the state revenues in those two towns and, therefore, the ability to pay is greatly enhanced but that isn't



the problem. The problem is that we all know rural Nebraska notwithstanding some valiant effort on the part of many people is in deep, deep trouble financially, geographically, physically in many different areas and I don't know what we're going to do about that problem. I'll tell you one more thing, whenever one of us needs an operation, what do we do? We hop on the bus and we head straight for Lincoln or Omaha and that's also normal, because we say, well, out in my territory the doctors and nurses don't have as much practice and, good old me, I need the very best so I'm going to go where they've got someone who does more of that kind of surgery. We're going to have to try to get those wages up out there in the rural areas. We're going to have to do something for the nursing profession in that regard, but unless we do...

PRESIDENT: One minute.

SENATOR SCHMIT: ...the shortage of nurses will continue to increase. It will become more critical in future years than it is today and so I don't think, Senator Nelson, in three years from now the need for your bill will be less, it will be more, but I don't think the bill is going to solve the problem and, therefore, I'm going to have to support the motion to indefinitely postpone.

PRESIDENT: Thank you. Senator Hall, please, followed by Senator Wesely.

SENATOR HALL: Thank you, Mr. President, members, I rise in support of Senator Withem's motion to indefinitely postpone this bill although I do believe that the bill does address a very important and very pressing need. The issue of lack of nurses is not just one of a lack of nurses in the rural area. My wife happens to be an RN, and there are every week in the paper, in the classified ads in Omaha, every weekend there are what I call bounties that are listed for those jobs. They are bonuses, so to speak, for a \$1,000 if you will come to work at a hospital in Omaha. Not only are there bonuses listed in the paper but they do it within their own ranks. They offer nurses who are on staff \$500 to bring one of their friends over to come to work at that hospital and they will pay their friend a \$1,000 bonus to move over. It is not just a problem that is in the rural area, it is a problem statewide, it is a problem nationwide if you follow some of the reports that have been out with regard to this. The issue is not one of...and the incentive that is in

LB 357, as Senator Nelson has brought to us, is not enough to get these individuals into the profession. You have the same problem with this profession as you do with the folks who were down here en masse last night. They don't get paid enough. It is not that they are not willing to go into the profession, but when they look at what the bottom line is when they come out, there is no way--Senator Bernard-Stevens is absolutely right when he says that the working conditions are poor, the hours are unregulated so to speak, and that there are no benefits with regard to advancement or salary. The wages that are paid for these people who basically substitute as doctors, because they do, they, in many cases, are oftentimes just as valuable if not more valuable than the doctors themselves, are much below what they deserve to be. I agree that the issue is an important issue that we need to address but we cannot address it in this fashion. Where do we stop? I guess my point is that this is bad public policy. Where do we stop? At what point do we say we need more engineers so we're going to provide incentives so we keep those engineers here in the State of Nebraska? We need more architects so we're going to provide for incentives to keep architects who graduate from school here in Nebraska. I don't think anyone will say we need more attorneys, but that, too, may come up. I don't know that we would want to pay them. We ought to charge them to practice here in the state. But the issue is a legitimate issue. Where does the laundry list end once we start down this path? And I just believe that this is bad public policy. I believe the intent is right on the mark. The problem is reaching the critical stage and Senator Nelson is absolutely right when she says, if we don't get some nurses out there, we are going to have serious problems with health care issues. Hopefully, the bill that was heard earlier this morning that dealt with the regional health centers will help alleviate some of that problem, but it is...I don't believe what we're doing here in LB 357, an incentive, whether it be 500 or whether it be 1,000, whether it be \$5,000 for that matter, is going to be enough to attract anyone to the profession.

PRESIDENT: One minute.

SENATOR HALL: The issue is one of raising their standard of living so that they are willing to take on the position, take on the career not for a year in the rural area, but for a lifetime because until you do that, there are not going to be enough people that pay attention to a \$500 incentive as laid out in LB 357 and I see us starting down the path of saying that in

order to keep people here, we don't create an environment that enables them to prosper. What we do is we try to pay them enough to stay and I don't think that is good public policy even though the intent is well and good. With that, I would encourage the indefinite postponement of LB 357. Thank you, Mr. Speaker.

PRESIDENT: Thank you. Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. President, members, just a...I know this may have been covered, but just briefly, the Health Committee has another piece of legislation, Senator Schellpeper's LB 520 that has been advanced, deals with this subject in a different fashion. You know, we did have a meeting set up with Senator Nelson to talk about different concerns, the need base, the desire to have these individuals stay in Nebraska. I really think that there are amendments needed to the piece of legislation and probably, you know, we could kill this bill and use the other bill as a vehicle because it is need based, it does require people to stay in Nebraska and, frankly, I'm kind of leaning in that direction right now, that we maybe don't need two pieces of legislation heading down a similar road but, obviously, at loggerheads in those basic fundamental concepts. So, unfortunately, I sense that maybe that may take care of our problem by indefinitely postponing this bill and dealing with the issue through Senator Schellpeper's bill. That is just...we have another option is what I am saying. I give the rest of my time to Senator Smith.

PRESIDENT: Senator Smith, please.

SENATOR SMITH: Thank you, Senator Wesely. I would just ask Senator Nelson, if you would respond to a question, please?

SENATOR NELSON: Yes.

SENATOR SMITH: Senator Nelson, I think I do agree with the concerns that have been expressed by some of the people here this morning. I think that you would have better success if you were willing to amend the bill so that it is based on need, and in all fairness, that is probably the best way to go. Would you be supportive of that?

SENATOR NELSON: Very much. I thought we tried to work on that. We had a meeting in Senator Wesely's office the night before

last and that was my reason for contacting the UN-O Medical Center, my reason for again contacting those people that I mentioned to see if we could come up with some criteria or some way of determining need. And Joe Preusser, head of Central Community College, the Platte nursing program and so on, spent a considerable amount of time. He says, I went over the bills and I went over the bills and trying to...he is the one that suggested the little place where I put licensed by the Nebraska...I very much am willing to work.

SENATOR SMITH: All right, with the need part of it though. You'll be willing to amend it so that it is based on need, just yes or no.

SENATOR NELSON: (Inaudible) yes.

SENATOR SMITH: All right, thank you. So that's something that I think everyone should keep in mind. This could still be done. This is on General File as we all know, and there is plenty of time to do that to the bill and I would support that. And I would...since we're all talking about what everyone else said here and correcting everyone, I thought maybe I would just like to respond to a remark made by Senator Bernard-Stevens this morning when he said we all, I have some facts, too. I would hope, Senator Bernard-Stevens, all of us have some facts, at least based on our own perspective when we stand up to speak and you did raise a fact by the very fact that you talked about the low pay in the rural areas. And I would remind you that that is the very reason that these people that are in the rural areas are not going to be able to move to Lincoln or Omaha just because they upgrade themselves from an LPN to the next higher degree. A lot of the people in rural Nebraska, and you're from rural Nebraska so you should be aware of this, your wife is a doctor. These people are very low paid. Many of them have not been able to afford to go on to increase their education and their expertise because of the low pay and they are usually set in that setting there and they are not going to be able to get out of there. They are in many cases married to someone else who lives in the community; they have children; they are working families. Those people are not going to pick up and leave the community after they have increased that one level for the difference in the pay that they are going to be able to receive. And I think that the heart of it is, these are the people that we're talking about and that is why I'm so very supportive of amending the bill so that it is based on need. With that, I

will just say, please don't support the IPP at this time. Please just let us work with the bill, we may be able to work Senator Schellpeper's concerns in with the bill, and at this point, I'd like to give the rest of my time to Senator Nelson since Senator Wesely gave it to me. Thank you.

PRESIDENT: You have one minute on...let's see, it is Senator Hall's time, isn't it? Just a moment...okay, you're on now.

SENATOR NELSON: All right. First place is, one of the problems in the rural area, and all of you know this starts on the federal level. The hospitals and the nursing homes, Medicaid does not pay them as much out in Red Cloud, Nebraska, as they do in Omaha. These nursing homes' hands are tied in the amount of money that they can pay. They can't automatically raise wages by \$3.00 an hour. And back to Senator Bernard-Stevens, they've got to be educated before they can move to Omaha or Lincoln. These are families. These are ladies that are 35, 40 years old. Senator Goodrich has a bill, 753, whatever it is. You talk about incentives not working. There is a \$5,000 medical doctor incentives for serving in the rural areas. His bill expands that to dental technicians, hospital x-ray technicians and so on and so forth. That bill is coming down the pipeline. So it apparently has worked and there is a \$5,000 incentive, as I say, for medical doctors. That is coming up it. My reason for three years is hopefully that the communities and the state can somehow or another address the nursing problem and the nursing shortage. I'm not out here to say I've got a quick fix. There is no way, but this is a situation that is serious and that we do need to adjust it. I am willing to work with Senator Schellpeper, I said the other night. I made those calls. No one has brought me in any amendments saying...

PRESIDENT: Time is up.

SENATOR NELSON: ...let's amend your bill, Arlene. I offered to amend his bill into mine because it's coming down the pipeline later. It may or may not be heard this year. I...

PRESIDENT: Time is up.

SENATOR NELSON: Is my time soon?

PRESIDENT: Yes, it's up, but you may finish your sentence.

SENATOR NELSON: All right. I definitely have offered to work and I asked them for amendments, bring me in something. They are not able to bring it in yet, so if we IPP the motion, the bill, no way can we address that. I have offered to do it, I've offered to direct the need and I've offered to direct the basis and I've tightened it up, it's Nebraska only, and I'm offering any amendments. I can increase the amount of the bill, too, if it's not enough.

PRESIDENT: Thank you. Senator Smith, you are next, followed by Senator Rod Johnson.

SENATOR SMITH: Senator Nelson, do you need my time?

SENATOR NELSON: I think they have heard enough from me this morning, but I hope that some of them are listening and the situation is serious and back again to explaining that wages. And when you're saying this is a pittance amount, it's not helping, I purposely tried to keep the cost of the bill down. I tried to narrow that bill as much as I could. By some of the bills that we're passing out in Education Committee and by the bill we heard last night and by some of the increased asking for salaries at institutions and so on, I shouldn't be ashamed to bring this bill in for two or three million dollars and it probably would help, and I'm open to an amendment to make it \$1,000 instead of 500. And I'm sure that it is going to entice some more and that rural family out there, they are not going to pick up and trot off to Omaha. There are other family obligations and we're not addressing...we're trying to beat around the bush on it. Everybody cannot go to Omaha, everybody cannot go to Lincoln and those little old people get just as sick in Sutton, Nebraska, or Cambridge, Nebraska, or North Platte as they do in Omaha or Lincoln. And I know there is a discrepancy in the wages. There was not that discrepancy there until about six months ago. It was only about a \$1.00 an hour difference and I can provide those figures to you from western Nebraska from the 890 study. In fact, maybe I ought to provide those to you. The figures that I have are not as current as they should be, but I will tell you that there isn't that much difference. There was about a dollar or two, but I know they have changed in just the last month or so, so I'm not disputing the three or \$4.00 an hour, maybe that there is a difference there, but if you kill this bill today, you have simply not given it the opportunity. I have offered and I offer yet today, and I've asked for amendments, I asked for help from Senator

Schellpeper to offer me something and so far, and I know he is working diligently on it and I think that we can work out something if someone can give us the expertise how to address that need, I'm very willing to do it. I'm not saying that this is perfect. I'm not saying that my ideas are perfect, but I will guarantee you, and if you look through the list of supporters in the book, how many opponents are there? Every one of these people are knowledgeable people and in the nursing profession. They know what the situation is and I have asked for their help so it is not something that I wildly dreamt up myself. And with that, I'll give my time...I don't know whose time I'm on now. Senator...

PRESIDENT: Thank you. Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President and members, I've been trying to follow the debate on this issue rather closely. I must admit, I'm not very qualified and usually do not participate in debate on health issues, but this is an interesting debate for me. I'm trying to follow how this will impact rural Nebraska and it appears it has a direct relationship to rural Nebraska. And while I'm concerned about the cost amount and I'm concerned about how the program will actually work, I see some deficiencies in this bill that I don't like, but I'm not going to support the kill motion. I believe at this particular time I'm going to vote against that. I'd like to hear the comments and the debate on Senator Schellpeper's bill as well so that I have a perspective on how these two bills might differ. So, that's the premise I'm working from. The point I'd like to make is that as I have listened to the debate I've heard an awful lot of discussion about maintaining, I assume, a quality of life in rural Nebraska that we'd all like to have. I'd also like to say that rural Nebraska is changing. There is no question about that. We can't go back to the way that rural Nebraska used to be. I think based upon technology, based upon telecommunication advancements, based upon transportation advancements, things are happening in rural Nebraska that really, I think, cause me to believe that things are not...services are not going to be delivered in the same way they used to be and I think many of our rural hospitals will not survive. It is not that they are not trying to do a good job in providing health care to rural Nebraskans, it's just that costwise it is not efficient and effective, many times, to preserve those hospitals. I've got little hospitals in my district that probably are not going to survive. I'd like to do whatever I can to help them survive,

but I also have to look at the broader perspective, the bigger picture here and recognize that things are not quite the way they used to be, and I think rather than look at what we used to have, I think the important thing is to look ahead and try and understand where we're going and how this program or other programs like it will move us forward. Throwing money at the problem will not solve the problem. We have to look at what has brought about these changes and how we might be able to make health care in this state better overall. I don't feel that I am any less served in rural Nebraska now than maybe someone who lives in Omaha or Lincoln. I may have to drive further to get that service. I may have to communicate with my doctor by telephone at times in order to receive services, but for me, I chose to live in rural Nebraska and I realize that there are some deficiencies in living in rural Nebraska that I have to accept and that's part of the reason that I'm concerned about this bill. But I guess I just would say as much as I'd like to have things the way they used to be, I recognize that they are not going to be that way in the future and that we have to move ahead. And I don't know how this bill fits into all of what I'm saying. As I said, I usually don't talk about health issues, but I think we have to recognize that some of these problems we can't solve simply by trying to provide more incentives whether it be math and science teachers or nurses or any other area of our society that has some deficiency in it that we necessarily can solve that problem. I just feel at this particular point that we have to maybe move ahead and look at how we might be able to deliver these services in a better way than what we're doing right now, and I don't know if that has been examined yet or not. Maybe that is in Senator Schellpeper's bill, I don't know, but with that, I'll sit down. Thank you.

PRESIDENT: Thank you. Senator Nelson, please, then followed by Senator Abboud.

SENATOR NELSON: Mr. Speaker, members of the body, I'm not quite sure Senator Johnson...whether I want to give him any of my time after this or not, I have a little reservations on that, but, again, I just honestly cannot tell you...the Governor talks about a rural renaissance program. What is that to do, four more offices outstate? We just passed this bill this morning, more regions for health care. That doesn't put that nurse in that nursing home in Grand Island, in Franklin, Nebraska. Those people don't want to be moved from their families from Grand Island to Omaha to spend their last years in ICF care or in



nursing home care. That is simply not right. The people are just as sick in North Platte, Nebraska, and you're forgetting the one main part of this bill and that is the extended outstate programs. May I explain that a little more. That is video. That nurse takes that over video television, she goes three to six hours and, incidentally, my fiscal note, I have asked the office to make it an extra amount. If some of the figures that they are using in there were true, we really wouldn't need the bill, but that's beside the point. We'll address that later. But this allows those two-year associate degree nurses to work, come in off of that farm at Dannebrog, Nebraska. She takes about 25 hours clinical and then 25 hours study and then upgrades it to a BSN. We are coming to BSNs, so it does help rural Nebraska and I will work with Senator Schellpeper any time I can and any other provisions. I think Senator Smith has a provision that will adopt an amendment for need. I'll give my time to her.

SENATOR SMITH: Well, here I am on Senator Nelson's speaker. I didn't intend to talk at this point in time but I will tell you that I am preparing an amendment to the bill which will make the bill become based on need, and so for that reason, I'd like to see if Senator Nelson would be willing to hold the bill and if the other folks will be willing to withdraw their IPP so that we can work on the bill.

PRESIDENT: Were you asking a question, first, of Senator Nelson? All right.

SENATOR NELSON: I guess I'll respond to it. I really don't even know whose time we are on now, but then, yes, I will certainly work with anyone...

PRESIDENT: We're on yours...

SENATOR NELSON: ...if the bill is not IPPed any way that...suggestions.

SENATOR SMITH: Could I...Senator Withem...

PRESIDENT: Senator Withem, would you respond to Senator Smith's question?

SENATOR WITHEM: Yes.

SENATOR SMITH: It's your IPP, would you be willing to withdraw the IPP if we held the bill up and tried to work on it?

SENATOR WITHEM: I would be happy to do that if we can do that, and procedurally, I don't know what the correct procedure is to do that. If we can make this bill a better bill, I would rather do that than see it killed actually.

PRESIDENT: Senator Withem, it's up to you to withdraw your IPP if you wish to.

SENATOR WITHEM: Okay, I will withdraw the IPP.

PRESIDENT: It is withdrawn. Do you have another amendment up there, Mr. Clerk? Okay, we're back on the bill. Mr. Clerk, we have a priority motion?

CLERK: Mr. President, Senator Withem would move to bracket the bill until Wednesday, February 22.

PRESIDENT: Senator Withem, please. What was that date again, Mr. Clerk?

CLERK: Wednesday, February 22, Mr. President.

PRESIDENT: Thank you.

SENATOR WITHEM: Yeah I'm not sure exactly what is happening here. It appeared...as I thought that the understanding was that the introducer of the bill was going to ask that it be passed over at this time. I didn't hear that. I kept what I thought was my part of the bargain by withdrawing the IPP motion, didn't know we'd have to file a formalized motion to do this. What I'm doing is filing a formalized motion to do what I thought we'd agreed informally to do on the floor, didn't want to file a formalized motion. I don't understand what is going on, but if we're going to pass this bill over and if we're going to withdraw the IPP in exchange for passing this bill over, I'm filing this motion to expedite that process.

PRESIDENT: You may do that. Senator Elmer, did you wish to speak about the bracketing? Okay. Senator Wesely, did you wish to speak about the bracketing?

SENATOR WESELY: I would just support that bracket motion.

February 8, 1989

LB 43, 80, 82, 92, 92A, 106, 113  
116, 158A, 165, 166, 171, 172, 175A  
177A, 177, 194, 200, 208, 238, 261A  
267, 277A, 284A, 296, 312A, 312, 321  
322, 353, 357, 369, 458, 459

PRESIDENT: Senator Nelson, would you object to the bracketing?

SENATOR NELSON: No. I just tried to get some attention on my mike. I didn't run up there at the front and no one asked me. I didn't say yes, I didn't say no, and it is all right with me to pass over the bill until February 22. As I've said many times, I'm willing to listen, I'm willing to learn, I'm willing to amend the bill as it is, but we're talking about a serious thing so I'm very willing.

PRESIDENT: May I ask, are there any objections to bracketing this bill until February 22? If so, now is the time to say so. If not, the bill is bracketed until February 22. Do you have anything for the record, Mr. Clerk?

CLERK: Mr. President, I do, thank you. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 92 and recommend that same be placed on Select File; LB 459 Select File; LB 458 Select File; LB 116 Select File; LB 267, LB 208, LB 92A, LB 158A, LB 175A, LB 177A, LB 261A, LB 277A, LB 284A, LB 312A, all on Select File. Those are signed by Senator Lindsay. (See pages 647-51 of the Legislative Journal.)

Mr. President, your committee on Transportation whose Chair is Senator Lamb reports LB 369 to General File with amendments. That is signed by Senator Lamb. Your Committee on Enrollment and Review reports LB 43, LB 80, LB 82, LB 106, LB 113, LB 165, LB 166, LB 171, LB 172, LB 177, LB 194, LB 200, LB 296, LB 312, LB 321, LB 322 and LB 353 all are reported correctly engrossed, Mr. President. That is all that I have at this time, Mr. President. (See page 651 of the Legislative Journal.)

PRESIDENT: Very good. We'll move on then LB 238.

CLERK: Mr. President, 238 was a bill that was introduced by Senator Hall. (Title read.) The bill was introduced on January 9, referred to Business and Labor, advanced to General File. I do have committee amendments pending by the Business and Labor Committee, Mr. President.

PRESIDENT: Senator Coordsen, are you going to handle those committee amendments?

February 22, 1989      LB 64, 339, 357, 361, 371, 416, 444  
482, 502, 559, 730, 782  
LR 34, 35

LB 416, LB 502, all correctly engrossed, all signed by Senator Lindsay as Chair. (See page 829 of the Legislative Journal.)

Senator Landis has amendments to LB 361; Senator Nelson to LB 357. (See pages 830-31 of the Legislative Journal.)

Mr. President, Senator Warner would like to announce the room changes for hearings scheduled for March 1 and March 3.

Mr. President, the Natural Resources Committee reports LB 339 to General File with amendments, LB 730 to General File with amendments; Urban Affairs Committee reports LB 444 to General File with amendments; Banking reports LB 482 to General File, LB 64 indefinitely postponed, LB 559 indefinitely postponed, LB 782 indefinitely postponed; and General Affairs reports LB 371 to General File with amendments; all signed by their respective Chairs. (See pages 831-34 of the Legislative Journal.)

Mr. President, new resolutions, LR 34 offered by Senator Weihing. (Read brief explanation.) LR 35 by Senator Rogers. (Read brief explanation. See pages 835-36 of the Legislative Journal) Both of those will be laid over, Mr. President.

Mr. President, Senator Schellpeper has amendments to LB 357 to be printed. (See pages 836-39 of the Legislative Journal.) That is all that I have, Mr. President.

PRESIDENT: Senator Robak, would you like to adjourn us until tomorrow at nine o'clock which is February 23rd.

SENATOR ROBAK: I move that we adjourn until tomorrow, February 23rd, at nine o'clock.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. You are adjourned until tomorrow at nine o'clock.

Proofed by:

  
Sandy Ryan

February 23, 1989      LB 114, 129, 183A, 221, 342, 357, 545  
577, 640, 695  
LR 37

General File with amendments, LB 577 General File with amendments, those signed by Senator Landis as Chair. (See pages 848-49 of the Legislative Journal.)

Government, Military and Veterans Affairs reports LB 545 to General File with amendments, LB 640 General File with amendments, those signed by Senator Baack as Chair. Transportation Committee reports LB 129 to General File, LB 695 to General File, those signed by Senator Lamb as Chair. (See pages 853-55 of the Legislative Journal.)

Mr. President, I have a report and a motion by the Appropriations Committee regarding the Nebraska Energy Settlement Fund. That report is filed pursuant to statute.

Mr. President, your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 10:00 a.m. (Re: LB 342, LB 114, LB 221.)

A new A bill, LB 183A by Senator Baack. (Read for the first time by title.) A new resolution, LR 37 by Senator Korshoj. (Read brief explanation.) That will be laid over, Mr. President. (See pages 857-58 of the Legislative Journal.) That is all that I have at this time, Mr. President.

SPEAKER BARRETT: Mr. Clerk, proceed to General File, LB 357.

CLERK: LB 357, Mr. President, introduced by Senators Nelson, Smith, Schellpeper, Coordsen. (Read title.) The bill was introduced on January 11, referred to the Education Committee. The bill was advanced to General File, Mr. President. The Legislature on February 8 considered the bill. At that time committee amendments were adopted. There was an amendment to the bill by Senator Nelson. That was adopted. Mr. President, Senator Withem then bracketed the motion until February 22. I do have amendments pending, Mr. President.

SPEAKER BARRETT: Senator Nelson, I wonder if perhaps we could go to you first for a very short refresher on the bill to bring us up to speed. Would you do that, please?

SENATOR NELSON: Thank you. I would be pleased to do so. As it was noted, LB 357 was bracketed when it was brought to us about a week ago, and we finally, I guess, got to it today. There were two main concerns. Actually, first, I will start and tell

you what the bill did. There are three parts of the bill, and the main concern and the main part and the main interest of the bill is to attract both male and female into the nursing profession, get them in there, get them accustomed and to become nurses. All of you are very, very familiar with the severe nursing shortage. I don't think I need to stand here and waste a lot of time on that. The new OBRA mandates, that will be effective in 1990, states that we will have two types of nursing homes. One will be the ICF one which is...has to be eight hours of a registered nurse on duty, and the other 16 hours a licensed nurse, and the other is a skilled nursing home care which is 24-hour RN nursing duty. The Nebraska Hospital Association is telling me, and the Nursing Home Association, that particularly the nursing home in order to reach that mandate may have to apply on the federal level to get an extension of that time because there simply are not enough nurses out there at this time to meet that mandate. My bill would give \$500 to first-time nursing students, not to students that are enrolled now because they are already enticed into nursing, for each academic year, or equivalent of 30 semester credit hours in accordance with the State Board of Nursing at an approved Nebraska nursing program in Nebraska for their training. That is associate diploma, a BSN or an LPN. The second part, a very, very important part of the bill is offered primarily by UN-L or the UN-O Medical Center and Bishop Clarkson Hospital. It is an off-campus study program. It was given two and one-half years ago on a trial basis in North Platte and about 90 students enrolled right now. What this does is it allows that working mother, very often a middle-aged lady, a single parent, to upgrade her education from an associate degree nursing, RN, or a diploma, to a BSN. As I said, there are about 90, actually, 92 students, Bishop Clarkson. UN-L has almost the same program that is offered all over the state, and it, in essence, will allow a girl or a lady to upgrade her education from like neonatal care or ICU care or so on. It is an off-campus course. They can take the bulk of it by home instruction video and then complete their clinical courses. This is a very, very important part of the bill. Every one tells me how great this has helped. The bill would give \$50 per hour credit. Bishop Clarkson charges 157, and UN-L, their charge for that is \$50 per credit hour. Keep in mind this reaches many, many times that single working mother that would like to upgrade her education and still has to work and support her family. The third part would be an incentive to serve in the rural areas. I know that when the bill was heard the first time, there was a criticism and a

concern on the bill that it didn't do any good to have a part in there that had an incentive for rural areas. The urban areas, they have more schools, and I don't think the nursing shortage is quite as critical. Of course, they feel like it couldn't get any worse than it is even in the Omaha and the Lincoln areas. But I would like for the body to particularly note this because I was criticized on the bill, and I think that someone did make the remark in the public hearing, but Senator Stevens particularly came down on me that I couldn't keep them down on the farm when they were paying so much money in Omaha or Lincoln. As of day before yesterday, I checked the Omaha and Lincoln hospitals and the Grand Island hospitals. That was simply not true. Two major hospitals in Omaha, their RN starting wage is \$9.50, and \$10.40, respectively, and two major hospitals outstate, the RN starting salary is \$9.35 and \$9.63. So there is not the discrepancy between outstate and urban. On the LPNs, in Omaha, the more expensive hospital, it is \$6.96 with a 10 percent shift differential, and outstate, it is \$5.98. So we are not seeing the \$4 an hour difference. I did amend my bill. I will speak to the amendment later. It simply is an incentive to try to entice people into nursing and help them with part of their cost because it is far more expensive to take a nursing course than an average journalism course.

SPEAKER BARRETT: Thank you. With that explanation, Senator Nelson, would you like to proceed to your amendment at this point?

SENATOR NELSON: Yes, I partially alluded it to you. The amendment has been passed out on your desk. Some in the body, and I guess that I really thought that anyone that went into nursing was dedicated, a caring and concerned person, and to take up the nursing profession, you probably never would think that you would get rich. So to me about everyone is needy that does, but there was a concern for need, and I did an extreme amount of work because you run into one problem or another. First I thought I would design it on unmet need. That doesn't work. You take a hospital, for example, Creighton in at Hastings, it is \$8,000 a year for a nursing course. Say, for example, they would get \$4,500 in other incentives, scholarships and loans, the unmet need would be \$3,500. You take a nursing course at Central Community College or I will say Union College, or I will just say Central Community College, which approximately the tuition is 1,600 but \$3,000 cost. Okay, if that girl gets loans and grants and so on, brings it down to

1,500, the unmet need in one case is \$3,500 and the other 1,500. So then the more wealthy student that may attend Creighton would be getting the money, and the really poor student that would be attending Central Community College may not. But if you go to unmet need, that wouldn't work. SSIG, the Governor says we are increasing that fund. That is all right. I would tell you that most of the time they do not qualify for SSIG. One of the reasons is is the institutions have to supplement that by 50 percent, and it is such an expensive course to produce, they won't do it. And the second place is is a good share of these outstate particularly are working women, mothers. I had the opportunity to speak to, let's see, four graduation classes this last spring, commencement addresses, and these were, a good share of them, nurses or nursing students, and they are more middle-age students. They are not the 19 or 20 or 21-year-old students that are necessarily taking nursing. So with my amendment, I tried to address the need. I assessed, I talked to Rosalee Yeaworth, at the Medical Center, Pat Perry, Central Community College, trying to arrive at some way to determine the best and most equitable means of describing need, so that the wealthy would not get it and that the needed would. We finally came upon the best solution which is in Nebraska statute, 85-990. My amendment is identical to that except in one place and that is that I took out the oversight from the Nebraska Coordinating Commission and it will be the State Department of Education. So other than that, the need is identical as found in your Journal, and as I passed out to you, that is in that statute. One other concern, and, of course, it is difficult to arrive at the fiscal note on this bill, and if the one that the Department of Education first came out with, if it was that high, we certainly wouldn't need the bill because we would have probably enough nurses, but the other portion of the bill puts a cap on the bill of \$500,000, and, in essence, that is my amendment. It addresses the need, and it puts a cap of \$500,000 a year, and if most of you remember from the bill in the first place, it does sunset or has to be reassessed in a three-year period of time. Thank you.

SPEAKER BARRETT: Thank you. Discussion on the amendment offered by Senator Nelson. Senator Schellpeper, with Senator Withem on deck.

SENATOR SCHELLPEPER: Thank you, Mr. President and members. Could I ask Senator Nelson a question please?



SPEAKER BARRETT: Would you respnd, Senator Nelson?

SENATOR NELSON: Certainly.

SENATOR SCHELLPEPER: When a nurse would get the \$500, could they then leave Nebraska without actually practicing in Nebraska?

SENATOR NELSON: No, my amendment the other day says, practicing in a nursing, accredited nursing school. I suppose...

SENATOR SCHELLPEPER: No, I mean after once they graduate, they could leave Nebraska right away then. They don't have to stay in Nebraska to practice nursing?

SENATOR NELSON: My bill would give them, after each year of study, after the first year, it is after the fact, it is not a loan, in other words, they have to go in and they have to stay, it would give them the five. I suppose, as you know, 90 some percent of the nurses stay in Nebraska, more than that at the LPN and the community colleges. I suppose there is no way that you can tie them down if they don't want to, or the same way if they accept a loan, they don't have to stay in Nebraska. They do have to get that to get the loans, but my bill just says, let's see, I will have to find the amendment, but it is they have to go to an accredited school to get it, and it is after the fact. To practice in Nebraska, I don't have a hammer on them (interruption) incentive.

SENATOR SCHELLPEPER: Would you look up and try to find that for me because I can't find it in the bill where they have to stay in Nebraska to actually practice. I think that the need is a very good thing in this bill. I think it is something that we really have to have, and the statement that Senator Nelson made that the rural are not having any harder time than what they are in the cities is really not right because I think if you will go out to any rural area and look what they are trying to do with the nursing home, the hospitals. They just cannot find nurses out there, and I think we need to do something to help them. The salaries in the cities is much higher than it is in the rural areas. We have figures to document that and I think we need to do something that will help the nursing outstate and also in the whole state, but, mainly, in these rural areas. And I do support the need because I think that we definitely have to have that need part and that's...the amendment will do that. So

I support the amendment but it just does not go quite far enough. Thank you.

SPEAKER BARRETT: Thank you. Senator Withem.

SENATOR WITHEM: Yes, Mr. Speaker, members of the body, if you recall when this bill was discussed a couple of weeks ago, I had a kill motion on the bill, a reluctant kill motion. It was a bill that came out of the Education Committee. My concerns were not with the need to attract more nurses into the nursing profession. That is a given, and I think you lawyers in here talked about stipulating certain facts, that we were prepared to do that and didn't need to discuss that any further. My concerns were whether this particular bill would, in fact, make any impact on that situation. The three concerns were that it was not need-based, 357 as originally written, number one. Number two, it was an after-the-fact type of reimbursement as opposed to an up front cost to help the student with his or her nursing costs, and, thirdly, I questioned whether it was enough of an impact, and those are the reasons I opposed the bill. Senator Nelson agreed to the bracketing, has worked on an amendment to it which I think improves the situation somewhat. I don't know if it will be enough to, if this is the only thing we do with the bill, I don't know if it will be enough to gain my support of the bill, but I do believe she has worked hard on an amendment that deals with at least the need factor, and also is capping the amount of the appropriation, which was not a terrible concern of mine, although I know at the end of the session it will be a concern. So with those two things, and because I also tend to believe that in most cases legislators ought to have the opportunity to get their bills into the type of shape that they want to have them, I am going to support this amendment at this time, and reserve judgment on how I will vote on the entire bill when we finally get around to voting on that.

SPEAKER BARRETT: Thank you. Senator Nelson.

SENATOR NELSON: Yes, I would like to respond to Senator Schellpeper's question, that when I amended it, AM0514, 2/22, it is in Section 3, "A person enrolled or accepted for enrollment in an accredited postsecondary nursing program in the State of Nebraska may be awarded a financial incentive up to five hundred dollars upon application to the institution in which the student is enrolled or accepted...." The State of Nebraska, the Department of Education is not going to give that to someone

then, it is after the fact, that goes to Iowa and continues their education.

SPEAKER BARRETT: Thank you. Senator Crosby.

SENATOR CROSBY: Thank you, Mr. Speaker. My question, Senator Nelson just answered my question about the Nebraska, I am concerned about that and the whole bill, so thank you very much for telling me.

SPEAKER BARRETT: Thank you. Senator Schellpeper.

SENATOR SCHELLPEPER: Yes, Mr. Speaker, and members, I think I would again ask Senator Nelson, I don't think that what you just read means that they have to stay in Nebraska to actually practice nursing. That means they have to go to school here, but not to actually practice nursing.

SENATOR NELSON: No, sir. I did not. They have to get...to qualify for the benefits of my bill, the incentive, is after they go to school and have completed a licensed school, I give incentives after the first year on an LPN, or associate degree, and stop at the three-year time for the period. Your question, whether or not they have to stay in Nebraska, no, I did not tie it to that. I don't think that a Pell grant, an SSIG grant, and so on, specifies that any nurse has to stay in Nebraska. I would find that rather difficult to even probably be able to enforce. If they decided not to, it couldn't be a provision of a loan or something. Mine is an outright grant. And to practice, part of the LPN or the associate degree nursing, they get these grants before they are ever practicing. They are practicing...they are going on to school, the BSN or the associate, and I find that that would probably be very difficult, the part that they serve in the rural area, that is easy to control.

SENATOR SCHELLPEPER: Well, actually, we have a doctor's program like that right now that if they go back to rural Nebraska and practice, but if they take this grant money, they have to stay in Nebraska to practice. I think that is what we need to have in this nursing program, because I can see us giving \$500, helping them through nursing. I realize it is going to help, eventually, the nurses in the whole United States but it isn't going to help us in Nebraska. We need to do something to keep them in Nebraska and I think this incentive will actually do

that. The amendment, like I said, is a step in the right direction. I think we need to have the need, but I have an amendment that will follow that will do some of the things that I would like to see done, and I think but this is a step in the right direction with Senator Nelson's amendment. Thank you.

SPEAKER BARRETT: Thank you. There are no other lights on. Senator Nelson, would you care to make a summarizing statement?

SENATOR NELSON: No, simply the fact that we need to entice people into nursing. I don't know whether Senator Schellpeper is aware of the fact that Bishop Clarkson, when it comes right down to it, after you get them in, there are a number of available loans. I think I have the figure from UN-O Medical Center, today, 70 percent, and they are not tied to whether or not that you stay in Nebraska and practice. The only thing I have to say to that is that girl down at Dannebrog, Nebraska or Grand Island, Nebraska, or wherever it is, we are enticing one back and forth, or North Platte, Nebraska, their program, they finish their studies in South Dakota and I don't think that...naturally, it is a national nursing shortage, and to shoot a good bill down because of a little supposedly 90...as I said, 94 percent of the LPNs stay in the State of Nebraska, and I don't anticipate for that to change at all. They are not going to take the farm out and move it to California, and these are mostly middle-aged ladies that have families to support.

SPEAKER BARRETT: Thank you. I pose the question, the adoption of the amendment to LB 357. Those in favor vote aye, opposed nay. Voting on the Nelson amendment to LB 357. Have you all voted? Have you all voted? Record, please.

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

SPEAKER BARRETT: The amendment is adopted. Anything further on the bill?

CLERK: Mr. President, yes, sir, Senator Schellpeper would move to amend the bill. (See page 836 of the Legislative Journal.)

SPEAKER BARRETT: Senator "Stosh", please.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker and members. As I stated before, this amendment will go a little bit further. In

fact, it takes bill 520, which is the bill we heard in the Health Committee, and puts it into 357. It does some of the same things that Senator Nelson tried to do except we do some things as far as rural senators, or rural nurses, not senators. Rural senators need help, too, but probably not as much as what the rural nurses need help. But this amendment would require that the nurses have to practice in the state in order to receive any payment. It shows, we have some figures that show that in the past year that about 69 percent of all the nurses that graduated left the state, and it used to be up to 85 percent. So they are going to where the money is, and I think we need to do some things to try to keep them in Nebraska. We put a \$2,000 maximum amount that they can receive for needy students, and I think that rather than try to put \$500 and trying to help 500 or 1,000 nurses, we are trying to help 100 nurses out there that are the most needy, and I think if we will do that, we will get the program turned around into the area that we need to have it turned to. There is actually three things that this amendment will really do. It will put the financial support for full-time and part-time students, it puts the reimbursement for the students that actually practice in Nebraska, and it increases the number of nurses with qualifications in order to teach nursing. We have that set at the present time at five nurses, and I think all of the schools have told us that if you want to have nurses, you have to have the teachers to teach the nurses. You can't just help the nurses without actually having the teachers, also. So that is why we decided to put in five teachers in there per year. We also put a maximum of \$400,000, and I think with this amendment, it will help the nurses, and it is an amendment I think that Senator Nelson may have a little problem with but it is an amendment I think that is very fair to the nursing industry. Thank you.

SPEAKER BARRETT: Thank you. Discussion on the Schellpeper amendment. Senator Smith, followed by Senators Nelson, Withem, Wesely, and Langford.

SENATOR SMITH: Thank you, Mr. Chairman. I would like to ask a couple of questions of Senator Schellpeper if I may.

SENATOR SCHELLPEPER: Okay.

SENATOR SMITH: Stan, can you give me, we just adopted Arlene's amendments to the original bill, LB 357, your intent in my

understanding is to strike what we just did?

SENATOR SCHELLPEPER: Actually, it would, yes, because this does the same thing.

SENATOR SMITH: Basically, it guts the bill.

SENATOR SCHELLPEPER: Basically, it guts the bill.

SENATOR SMITH: And puts LB 520 into the bill.

SENATOR SCHELLPEPER: Basically, it does that.

SENATOR SMITH: All right, now, what I would like to ask you to do is tell me the differences that you see between the two pieces of legislation, and I would like...you defined this one, and I am glad you did that, but I would like if you could compare with me the basic differences as you see them between what 357 now as amended will do versus what your intent is in 520.

SENATOR SCHELLPEPER: LB 357 at the present time would put \$500 to nurses that practice...or that study in Nebraska, do not have to practice in Nebraska. It does nothing to help the rural areas to give the extra incentives. LB 357 has a \$500,000 limit. This amendment would put a \$400,000 limit.

SENATOR SMITH: What was the difference in limits?

SENATOR SCHELLPEPER: Five hundred thousand, this would be a 400,000.

SENATOR SMITH: Per year.

SENATOR SCHELLPEPER: Yes.

SENATOR SMITH: Okay, all right, other differences?

SENATOR SCHELLPEPER: Mainly, on the...we do a lot fewer nurses here. We give a little more money to help them get through. It is strictly on a need basis. With the amendment, if you can prove that you need the help, you can go to nursing school, and if you stay in Nebraska and practice in a rural area, which would be a county under 50,000 population, then you get more reimbursement than you would...whereas you only get \$500 to help

your education with the way that 357 was.

SENATOR SMITH: All right, just a minute now, Stan, because that is what I am having a problem with, too, here. You are saying originally in part 3, upon completing their studies, full-time students who practice in the state are reimbursed for their expenses up to 2,000 per year.

SENATOR SCHELLPEPER: Right.

SENATOR SMITH: A full time, and 1,000 per year for part time. Then in the next, number 5, you said, nurses who practice in rural area, defined as counties with the 50,000 population or less receive a thousand per year, a full time...

SENATOR SCHELLPEPER: That is an additional 1,000.

SENATOR SMITH: That is an additional 1,000.

SENATOR SCHELLPEPER: Additional 1,000. You can receive up to \$3,000 if you practice in rural Nebraska, or any county under 50,000.

SENATOR SMITH: Is that 2,000 a year while they are taking their training?

SENATOR SCHELLPEPER: Yes.

SENATOR SMITH: So that could be 8,000 or more, couldn't it, plus if they then stay in the rural areas, then they get 1,000. Is that on a permanent basis?

SENATOR SCHELLPEPER: Yes.

SENATOR SMITH: So we are talking here now to eternity, I mean from the state funds to individual's salaries?

SENATOR SCHELLPEPER: No, no, you only receive it...you only receive it when you are going through school to help your school...

SENATOR SMITH: No, I am talking about point number five which you just told me is \$1,000 per year for (interruption)...

SENATOR SCHELLPEPER: You only receive it...

SENATOR SMITH: One time?

SENATOR SCHELLPEPER: Yes, one time.

SENATOR SMITH: Oh, one time.

SENATOR SCHELLPEPER: One time.

SENATOR SMITH: Okay, so there is a difference in what I was thinking you were saying. Then this is a \$1,000 service stipend or something like that which you receive for being (interruption)...

SENATOR SCHELLPEPER: Right, it is a one time, kind of...right now there is several different cities and things that are giving nurses some incentives. If you want to go down to Kansas City, you can get 2,500. If you want to go to Denver, you can get 5,000, nurses, just to go there to practice. This is a way to keep them in Nebraska.

SENATOR SMITH: Okay, now let me ask you one more question, Stan. Is there any time frame or any limitation placed on the length of time they must stay in rural Nebraska when they receive this \$1,000?

SENATOR SCHELLPEPER: We don't have that at the present time, no.

SENATOR SMITH: In this bill?

SENATOR SCHELLPEPER: No.

SENATOR SMITH: So, in other words, they get \$1,000, and they make take the \$1,000, work for a month in a hospital...

SENATOR SCHELLPEPER: Well, they have to stay one year.

SPEAKER BARRETT: One minute.

SENATOR SMITH: One year, okay. All right, so for a year they have to stay there.

SENATOR SCHELLPEPER: Yeah.



SENATOR SMITH: Okay, now what if they stay for the year there, and with the \$1,000 that they received after they'd already got the 2,000 per year to help them get their education, and then they, according to some people who say they are going to go to the big city, move to Kansas City or to Omaha or whatever, they can still get that additional new lump of money for sort of a, whatever you want to call it, plum, if you want to call it that, and go someplace else after a year and (inaudible)...

SENATOR SCHELLPEPER: After the first year they could.

SENATOR SMITH: So we could still lose them after a year, if we are concerned about the fact that they won't stay there.

SENATOR SCHELLPEPER: We are hoping that in the meantime they are going to find some nice young farmer out there and stay in the rural area.

SENATOR SMITH: Yeah, right. Besides that, remember, Stan, that many of these people already have their livelihoods there in the community. They are not necessarily "cute young things"...

SPEAKER BARRETT: Time has expired.

SENATOR SMITH: ...and that they may already have their life in the community.

SENATOR SCHELLPEPER: That is right.

SPEAKER BARRETT: Thank you. Senator Moore announces that he has some guests in the north balcony. We have 27 third and fourth grade students with their teacher from St. John's Lutheran School in Seward. Would you please stand and take a bow. Thank you. We are pleased to have you with us. Discussion on the Schellpeper amendment, Senator Nelson.

SENATOR NELSON: Yes, I think I can clarify maybe Senator Schellpeper's bill a little better as I understand it. In the first place, I was almost shocked that a senator would take my bill, I hope he is doing it in good interest and good faith, and gut a senator's bill and, in essence, use some of the same things, and, hey, I will move my bill up and use your bill. Might I add that on page 3, subsection (3), full-time practice shall mean being engaged in practicing nursing at least one thousand five hundred hours in a year. That is only 30 hours

per week. Senator Schellpeper's bill also allows for \$2,000 a year, and this is the problem with the bill. A good share of the nursing students do receive incentives financially, Pell grant, grants from the schools, and scholarships, but he is granting \$2,000. Now listen to these figures; \$2,000 up to four years of schooling for only 100 nurses. We need five and six hundred nurses out there. You are not going to entice people into nursing that were not already in there or going into nursing. That is what is wrong with that bill. It is giving too much to too few people. Senator Smith, you asked a very good question. This bill would allow \$2,000 per year, plus, if they practiced in a rural area for three years, it would allow \$11,000 to a simple 100 students, fifty students only to practice in a rural area. We have approximately, what, 85 rural counties, no, I see 11 to be exact, we have 82 counties that qualify under the \$50,000...the limit on the population. So this bill of his would only give that to 50 people. So think of it, it is the large amount given to such a very small number of people. My bill is an incentive into nursing. There are loans and grants. It is simply to help them, the books are very expensive, the tuition is very expensive. I explained it to you, the SIG. Another point, Senator Schellpeper said mine did not address the rural areas. Apparently, he hasn't read Section 5. It does address the rural areas. It gives them all a small incentive, a \$1,000 for a registered nurse, 600 for an LPN, or 400, excuse me, 400 for an associate, and 400 for an LPN. In a smaller community of 10,000-10,500, my bill starts at 600, 400, and 200. It gives a larger group of number of people, not so much to such a select very, very few. A hundred nurses is really nothing to help our need. It is giving way too much money to such a small, narrow group. My bill does, as I say, does address the rural nursing need. It has to serve...that they serve in a rural community. I don't know, I was going to put Nebraska in there and decided it is not necessary. Naturally, the Department of Education wouldn't pay them if they were serving in Iowa, so that part is addressed. His bill is up to \$8,000 for a simple 100 people over and above the other loans. It is a loan forgiveness, the same way as mine. Mine is after the fact. Mine is an incentive to try to help them to get them into nursing. The rural part of my bill would become effective immediately, and the LPN part takes a year, and I very carefully went through the dates, and again as I say, the big part of my bill is the off-campus course.

SPEAKER BARRETT: One minute.

SENATOR NELSON: I think I have a couple of other things on...oh, Senator Schellpeper said, and I don't know where they got their figures but I have the LB 890 study here that I don't know what was the figure, 60 to 90 percent of the nurses leave the area. On Table 21, which is the LB 890 nursing study, in Adams County, the number of nurses that took training, Adams, Buffalo, Dodge, out of state, 16.9 went out; in Buffalo County, 21.3; Hall County, 19.3; Lancaster, 20; Scotts Bluff, 21.4. It is not 60 or 90 percent of the students in Nebraska leave the state, and this is RNs. The LPNs are those nurses that are home down on the farm in Hastings, Nebraska and Dannebrog, Nebraska. I think there was another point of his bill that I didn't like. Only the 50 people in one year going out to the rural area...

SPEAKER BARRETT: Time has expired. Thank you. Senator Withem.

SENATOR WITHEM: Yes, Mr. Speaker, members of the body, what we have here is the battle of the bills, two different bills, attempting to accomplish the same thing, and we are, unfortunately, I think, involved in a pride of authorship sort of situation, and I would ask the body to pull itself out of that and look at the merits of the two concepts that are before you. I know it is legislative etiquette or policy or procedure that the chair of the committee is supposed to defend the bill that came through his or her committee. Unfortunately, I can't do this in this case because I do believe Senator Schellpeper has created a concept here that is probably a better concept. Frankly, I still have reservations about the whole general idea but it is one that I feel with the Schellpeper amendment adopted I could probably be supportive of the bill. Why do I think it is better? First of all, I believe both concepts now have a need base in it which was a major concern of mine, but the Schellpeper bill now requires these nurses to qualify for this credit to practice in the State of Nebraska, and that is a big difference. If we are going to give incentives to entice people into a profession because our state has a lack of those people, it is beside me why we should not put a qualification on their qualifying for this assistance that they stay in the state, and I think that is a good change. I also think that the amount of assistance to a smaller group of people is a good idea. To give \$500 to an individual is not going to change that person's behavior one iota I don't believe. True, you don't get as many people but I think it is better to use the dollars that we do have to target on a specific group of people. I guess the third

thing I would like to point out that Senator Nelson every time she speaks on LB 357 speaks with some pride, and she is justified in speaking with pride about the wide range of people that are supporting her bill. You will hear the names of Rosalee Yeaworth, Joe Preusser, Mrs. Perry from I believe it is Clarkson Hospital. In essence, if you have turned to your bill book on LB 520, you will notice some of those same names listed there. Joe Preusser was supporting LB 520, was the second speaker following Senator Schellpeper. Joan Westfall was there representing Rosalee Yeaworth of the University of Nebraska College of Nursing, and you will see a wide range of individuals that were there supporting 520. There are a wide range of people supporting LB 357, too, I will admit that, some of the same people, but to adopt this amendment is not turning the back on those supporters. Those people like this bill just as well, or in some cases maybe even a little bit better. So you are not gutting the bill, you are not throwing out the concept. You are just making the concept that Senator Nelson brought us a little, I think, more appropriate and will do a better job of serving the needs that both Senator Schellpeper and Senator Nelson think need to be met.

SPEAKER BARRETT: Thank you. Senator Wesely, followed by Senators Langford, Bernard-Stevens, and Smith. Senator Wesely.

SENATOR WESELY: Thank you. Very briefly, Mr. Speaker, I would echo the comments of Senator Withem and Senator Schellpeper. Having worked with Senator Schellpeper in the Health Committee handling this legislation, we do feel that there is a lot of support for Senator Schellpeper's approach. We do commend Senator Nelson on the work that she has done, but it seems as though if we are faced with the choice between one or the other, I, personally, would prefer the Schellpeper approach. It does recognize need. It does recognize the need to have individuals stay in the state if we provide assistance. In addition, it does target more in terms of help going in to a greater degree to maybe fewer people but still it will make a greater difference we think. Maybe there is still a lot of room for negotiation on this. We have tried to sit down and talk about it to some degree. I don't think enough but, nevertheless, I don't know if there is any real room for compromise at this point, and, so, just because of that, in my review of the situation, I prefer the Schellpeper amendment and would ask your support for it.

SPEAKER BARRETT: Thank you. Senator Langford.

SENATOR LANGFORD: Mr. President, colleagues, I would have to oppose the Schellpeper amendment, and for one reason. Both of my counties would be eliminated, Buffalo County and Hall County would be eliminated. I think you would find it very difficult for people in Ravenna to believe they weren't in a rural area, or Elm Creek. Those people need nurses also, but Buffalo County has more than 50,000 population. I am sure Lincoln County does, Adams County, Hall County, probably every county that has a city of any size in it would be eliminated. Therefore, I couldn't possibly support this amendment.

SPEAKER BARRETT: Thank you. Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker, members of the body. Maybe, I guess Senator Schellpeper is who I need to ask the question. I was going to do it to Senator Wesely but I don't see him in the Chamber at this time.

SPEAKER BARRETT: Senator Schellpeper, would you respond?

SENATOR BERNARD-STEVENS: Stan, just a couple of questions I have, if we went with your amendment, at the way it is worded now, there would be a total of 100 people that would receive the benefits, is that correct?

SENATOR SCHELLPEPER: That is correct, per year.

SENATOR BERNARD-STEVENS: Yes, correct, for four years or the number of years that they are within the program. My question is, I go back to the National Guard problem that we had last year where we had a limited number of people and a specified amount of dollars that could go to, and what happened if I remembered right is because there are so many different recruiters and the bureaucracy of the system that when they finally looked at the number of students that they accepted in the program that we ended up not having enough money to cover all those students, which then, Senator Goodrich, at the end of the session last time, had to come and we had to get additional appropriations to meet those students. And I guess I am wondering if we may have the same problem here, not that it can't be ironed out, but would we have a problem of, say, North Platte trying to get as many nurses under the program as possible, Lincoln, and their nursing school, trying to get as

many students as possible, and Hastings School, and if there is a new one at Norfolk or whatever, that by the time each school added up the number of people that applied, met the needs, and were told that they qualified for the program, that maybe we might end up with 150 people, and the problem we had with the National Guard, if I remember, is people were told they were accepted in the program, they went ahead and spent the money, they went ahead and paid the tuition, only to be told maybe a week before school started that they were not going to receive the funds that they thought they were going to receive in the first place. And is that a potential problem that we may have to work out on the amendment that we are now looking at, I guess that is my question?

SENATOR SCHELLPEPER: Yes, that could be a problem. If you had your need and several people met that need, more than 100 people met that need.

SENATOR BERNARD-STEVENS: Okay, and I am going to have another question, and then I will yield the rest of my time to Senator Nelson who is frantically trying to get a point across, I think, on some of the things I am saying. The other question, I guess, or statement I would have, if we would be able to work out a couple of possibilities here, one would be that if there were more students that were accepted that the total amount of money, the 400,000 that would be given out, or whether it be the 2,000 per year we are talking about, or the \$1,000 per year on the rural incentive, whether that then would have to be prorated with the total number received, that might be a possible way to go, so we still don't go over the 400,000 maximum. Another way to go would be to set up a percentage or some type of mechanism so that each area would be allowed so many students, and before they could be told that they qualified, the total number would have to be verified throughout the state so that we did not receive over 100, so that the people would not be told that they were accepted before we realized we were over 100. I think some of those mechanisms might be something that we will have to deal with later on if we pursue and go with your amendment. Senator Nelson, I will yield the rest of my time to you at this point.

SENATOR NELSON: Thank you, Senator Stevens. That was one of the problems to work out the fiscal note on the bill, and using the maximums and the students, as you will notice, my bill originally the first year was 522,000 and I feel that we added maybe a 100 or better new students on that, and the various

sections, it is broken down and using statistics, too, by the way, and 1991-92. Incidentally, I am very willing to amend my bill if somehow or another we can add to remain in Nebraska. Mine is after they go to school, so we don't have to worry about a student taking the amount...

SPEAKER BARRETT: One minute.

SENATOR NELSON: ...and defaulting on the loan. Mine is after the first year, of course, it is ready and available the next year. I still contend that it is just like the Hospital Association, they offered a simple \$250,000 scholarship and they had over 200 applicants. Two hundred dollars helps a lot, 300. I think it is so much better and particularly the outstate. I am very willing, if my bill isn't enough, we can control...my bill, by the way, when I put the cap for \$500,000 on there, then there is a portion that that is apportioned out on the \$500 if there are too many requests. I don't think there will be by the 500,000, but I will gladly put to stay in Nebraska. That is no problem with me at all. Is to entice them into nursing is all right, but I simply say either to amend Senator Schellpeper's down to a maximum of 500...

SPEAKER BARRETT: Time has expired.

SENATOR NELSON: ...for 200 students or something. It doesn't help enough, gives too much to the rich.

SPEAKER BARRETT: Senator Smith.

SENATOR SMITH: Thank you, Mr. Speaker. I have been sitting here and I have been trying to decide what in the heck to do, and I would just frankly say that there are some things about LB 520, which is the amendment which is being offered by Senator Schellpeper to this bill, which I like. I like particularly the part about the students must agree to practice in the state. I like the part about doing something that will provide an incentive for nurses to practice and stay in the rural areas. Those two things, particularly, I do like about it. I like in LB 357 the lower amount. I think that we are going just a little overboard here in the thousands of dollars that we are talking about to go people being educated. You know, you can start arguing about everyone needing to be educated in the state and they all should be paid to do that. I think that we do need to support, if our concern really is for the rural areas, which

we are all talking about here, that those incentives of the amendment as proposed to us by Senator Schellpeper in 520 would be good, but I also think that maybe what 357 has in it, which is a lower amount, I kind of like the idea of it being paid after they complete the training which shows that, in fact, they really were sincere about the fact that they were going to do this are good points in that bill. So as I was sitting here trying to decide what in the heck can we do about this, and I was getting my scratch pad out and trying to figure out ways to put some amendments in this, from the Schellpeper amendment into the amended version of 357, I decided I would do this instead. I want to ask a question of you, Senator Schellpeper.

SENATOR SCHELLPEPER: Yes.

SENATOR SMITH: I don't know how you are going to feel about this, but would you be supportive of bracketing LB 520, if Senator Nelson would be willing, again, to bracket 357, the two of you along with some other interested parties sit down together and iron this out once and for all.

SENATOR SCHELLPEPER: Definitely.

SENATOR SMITH: Because this is important, our main point here, and this is what Senator Schimek mentioned to me, was we want to get the best bill we can here. I don't have any pride of ownership in the fact that I have signed on that bill. I want, if we are all sincere, what we are really here for is to try to get the best bill for nursing and that will do some things for incentives in rural Nebraska.

SENATOR SCHELLPEPER: I would be glad to, if you would be the mediator, I would be glad to do this.

SENATOR SMITH: I would be glad to be the mediator but I first have to ask Senator Nelson how she feels about that.

SENATOR NELSON: Certainly, anything to provide a great need out there. I kind of laugh, I didn't know as we had to have a mediator on bills, but...

SENATOR SMITH: Yeah, you do need a...

SENATOR NELSON: ...I really respect you, Senator Smith.



SENATOR SMITH: You don't think I can mediate, do you?

SENATOR NELSON: If that is a need and practice. I do have to take one concern, I don't know really...

SENATOR SMITH: Wait a minute, wait a minute, Senator Nelson. Just tell me whether or not you think that you could be willing to sit down and try to work it out with Senator Schellpeper and come up with a bill?

SENATOR NELSON: I would hope to bring about the best bill.

SENATOR SMITH: Would you be willing to bracket this bill?

SENATOR NELSON: Not very long, though, because we are running on two days or three days, Senator.

SENATOR SMITH: I agree. Then I guess my next question, and I don't know if this is appropriate or not would be to ask the Clerk and the Speaker of the House if we could do that.

SPEAKER BARRETT: What was the request again?

SENATOR SMITH: The request is, and I have the support of both parties, Senator Schellpeper would be willing to bracket LB 520, which is not up but it is coming up near, right shortly after 357, as well as Senator Nelson saying she would be willing to one more time bracket LB 357 and we would sit down and try to see if we can amend together the two bills to come up with the best bill.

SPEAKER BARRETT: With no motion before the body, I will ignore it at this point.

SENATOR SMITH: You will ignore it, okay, I will put a motion up there, okay.

SPEAKER BARRETT: I would also proceed to the next speaker. This may solve the problem, Senator Smith.

SENATOR SMITH: All right, okay. Thank you.

SPEAKER BARRETT: Senator Schellpeper, yours if the next light.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker, and members. If

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Senator Smith would just wait a little bit, since it is noon, maybe we could work this out over the evening and we could just come back tomorrow with a different version. I would be willing to pull my amendment at the present time, if that would help, and then we could work something out and come back tomorrow.

SPEAKER BARRETT: Senator Schellpeper, I think the Chair at this point will leave the amendment as is.

SENATOR SCHELLPEPER: Okay.

SPEAKER BARRETT: And I would, after asking for messages on the President's desk, ask you to adjourn the body until tomorrow.

SENATOR SCHELLPEPER: I would be glad to do that.

SPEAKER BARRETT: Messages on the President's desk.

CLERK: Mr. President, your Committee on Banking, Commerce, and Insurance, whose Chair is Senator Landis, reports LB 452 to General File with amendments attached. That is signed by Senator Landis as Chair. Mr. President, Senator Withem has amendments to LB 312A. (See pages 859-860 of the Legislative Journal.)

Mr. President, a new bill, LB 809 introduced by the Speaker and a number of members at the request of the Governor. (Read for the first time by title. See page 860 of the Legislative Journal.)

Mr. President, I have a series of adds, Senator Scofield would like to add her name to LB 555 as co-introducer; Senator Scofield to LB 247; and Senator Hannibal to add his name to LR 35, Mr. President, as co-introducer.

The last item I have, Mr. President, are amendments to be printed from Senator Landis to LB 606. See page 859 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you, Mr. Clerk. Senator Schellpeper.

SENATOR SCHELLPEPER: I would move that we adjourn until February 24th at 9:00 a.m.

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

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Supreme Court. Thank you.

PRESIDENT: Senator Abboud, please, followed by Senator Smith. Senator Smith, please.

SENATOR SMITH: Are there any other lights on, Mr. President?

PRESIDENT: No, you're the last one.

SENATOR SMITH: Okay, then I won't speak at all on anything further about the bill unless someone has a question and evidently they don't. I would just ask for their support in advancing the bill.

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

CLERK: 30 ayes, 0 nays, Mr. President, on the motion to advance LB 781.

PRESIDENT: LB 781 passes. Mr. Clerk, something for the record?

CLERK: Mr. President, yes, thank you. Banking Committee reports LB 356 to General File with amendments. Transportation Committee reports LB 450 to General File with amendments. Those reports are signed by Senator Landis and Senator Lamb respectively. (See pages 870-71 of the Legislative Journal.)

Senator Schmit moves to withdraw LB 676. That will be laid over, Mr. President.

Report of lobbyists for this past week.

Mr. President, Senator Goodrich has amendments to be printed to LB 698. (See pages 872-73 of the Legislative Journal.)

And, Mr. President, I have a reference report referring LB 809 to the Revenue Committee. And that's all that I have, Mr. President.

PRESIDENT: We will move on to General File, LB 357.

CLERK: Mr. President, 357 is the bill that was introduced by

Senators Nelson, Smith, Schellpeper, Coordsen and Crosby. (Read title.) The bill had a public hearing conducted by the Education Committee. The committee amendments have been adopted, Mr. President. The bill has been considered on February 8 and again yesterday. When we left the bill yesterday, Mr. President, I had pending an amendment from Senator Schellpeper. Senator Schellpeper's amendment is on page 836 of the Journal.

PRESIDENT: Mr. Clerk, refresh my memory. Are we still on the Schellpeper amendment?

CLERK: Yes, sir, that is correct.

PRESIDENT: Okay, and, Senator Nelson, you are first to speak on it.

SENATOR NELSON: I don't see Senator Schellpeper. I don't see him on the floor, but I wish that he was here. We did have a meeting early this morning and we discussed both aspects of the bill and I am assuming that Senator Schellpeper will want to withdraw that amendment. And it would be my suggestion that...we're working on figures right now and I have the figures and the changed amendment but I don't have it in printed form. So I think it would be the best way to explain it to the body, ask the body to move the bill to Select File in essence of time now and then we will put the amendment that I am going to read to you what it will be. It would seem to me like the best way to handle it at this time.

PRESIDENT: Senator Nelson, we'll see if we can find Senator Schellpeper because we really shouldn't withdraw his amendment.

SENATOR NELSON: Correct, could I...

PRESIDENT: So if you will...

SENATOR NELSON: Could I explain it while we're waiting for him to get here?

PRESIDENT: He just walked in. He's just walking in so...Senator Schellpeper, did you hear what Senator Nelson was proposing? Senator Nelson, why don't you tell Senator Schellpeper what you just said, briefly, so that he will be apprised of it.

SENATOR NELSON: All right. Senator Schellpeper, it's your amendment and I'm assuming after our meeting this morning...and we're trying to fine-tune our figures and I believe that we have come up with the correct amount of figures and we did reach a compromise on the bill. And I stand to be corrected then by Senator Schellpeper if I'm wrong. We are going to try to pattern this after the math and science program that's been in effect for five years, which then is a little different. My program, originally, was after they were in the program it was a payment after the fact. This would be a loan and the loan would be forgiven. It has been very, very difficult to establish need. After we established the need and the criteria on my amendment yesterday, it was pointed out and I had that reservation, I spoke on the unmet need and how you would do that and the problems. So we came to the conclusion this morning that Senator Warner's bill, LB 468, which states the criteria for need for all higher education scholarships and so on, and that is found in LB 468, page 4, lines 9 through 14, and I will read that. "Criteria for determining substantial financial need shall be established by the commission and may be defined in terms of income, expected family contribution or relative need. The commission", and that's the Coordinating Commission, "may consult with the Nebraska Association of Student Financial Aid administrators in determining such criteria." And I do have that also in front of me. This is that form and so on. So what we agreed to today is that, as I say, it will be patterned after the math and the science. Also, we increased the amount of the BSN students to \$1,000 a year. If you remember, I had it 500. We also limited that to 75 students. We will have to work on Select File unless Ken has that...no, all right, we will work on Select File how to determine that, whether it's 10 percent of the enrollment, so that we have a cap of the 75. But we have not had time to work on that. All right, that will be limited to 75 BSN students and 75 ADN or LPN students. We're thinking that after the LB 890 becomes in effect and we get more LPNs out there that we will have a better supply of those. So...and the rural incentives, we left them almost the same as in my bill excepting we also increased those for a BSN. The BSN rural incentives will be for the first year, \$1,000; the second year they serve, \$750, and this will be a loan "forgiveness" now, it will be after the math and science program, and the third year will be 500; the ADN 750 for the first year, the second year, 500, and the third year, 300; The LPN, 500, 300, 200. Assuming, for example, that the rural incentive part of it, assuming that

the maximum would decide to participate in the program, it does set up then that we would need...these are the amounts bill. We left the off campus courses...

PRESIDENT: Senator Nelson, may I interrupt you a moment. We're talking on Senator Schellpeper's amendment and I was wondering...Senator Schellpeper, we're still talking about your amendment, now Senator Nelson suggests before you walk in that perhaps you would wish to withdraw your amendment. Is that true?

SENATOR SCHELLPEPER: I do, yes, I want to withdraw that amendment.

PRESIDENT: All right. What I'm trying to do is get so that we know what we're talking about. Is there any objection to Senator Schellpeper withdrawing? If so...if not, the Schellpeper amendment is withdrawn. Now we're back to the bill. Now if you're going to work on it between now and Select and wish to put this on Select, Senator Nelson, may I suggest only that perhaps you would want to work this and advance the bill and then take it up on Select. Now that's only a suggestion.

SENATOR NELSON: No, that's what I suggested a minute ago.

PRESIDENT: Yes.

SENATOR NELSON: But Senator Schellpeper wasn't in here to approve of that and I was just telling you so that while we were waiting for him to come in here...

PRESIDENT: Yes.

SENATOR NELSON: ...and that's real fine.

PRESIDENT: All right.

SENATOR NELSON: It extends the bill...well, so they know what they're voting on now, it would extend the life of the bill. Senator Schellpeper felt that if we help the BSN, that we should continue it through the life of their program. So it cuts it down considerably in the first few years and extends it then over a six-year period. The program ends in three but time the BSNs finish it would be then over a six-year period of time. And then the total amount, using maximum incentives, rural

incentives and the three programs...

PRESIDENT: One minute.

SENATOR NELSON: ...is \$1,829,250 over a six-year period. And, assuming if they're not all BSNs, as the rural incentive, it's \$1,430,000. But we do want to be absolutely positive on those figures. Or it comes out to \$166,500 in '89 and '90; '90 and '91, 429,000; '91 and '92, 566,500; '92 and '93, 41,500; '93-94, 190,250, and then drops off in '94 and '95, 46,500, so the body knows what they're voting on. And I would...one of us will offer that on Select File.

PRESIDENT: Senator Smith, please, and then Senator Schellpeper.

SENATOR SMITH: Mr. President and members of the body, I am just going to take a very, very short time to tell you that we...so that you understand because I have had a few people asking me what happened in the meeting that we had. I want to let everyone know that Senator Nelson and Senator Schellpeper met in my office this morning at seven o'clock and that they have worked out, so what we're going to end up with, in my thinking, is a better bill yet than either of the two bills would have been alone. And so I want you to all know that, sincerely, it has been worked out, that Stan is going to explain to you about withdrawing this amendment and that if you pass it on to Select and they will have time to do all of the amendments in the bill and I think they will explain that to you what the changes will be here, very briefly. So please realize that it has been compromised out and it's going to be a good piece of legislation now, the best one that we could have had, you know, better than either of the two bills individually would have been. And I will give the remainder of my time to Senator Schellpeper so he can explain what will now become the bill after we do all the things that we're going to do to make it become that.

PRESIDENT: Senator Schellpeper, please.

SENATOR SCHELLPEPER: Thank you, Mr. President, and members, I want to thank Senator Smith for helping us this morning and also some of the other people that were there. But I think we have everything worked out the way that the bill should be and I think it's going to help not only the rural people but the people in the cities also. We have a rural incentive in the bill. We have a need in the bill. We cut the amount of nurses

down. We cut it down to 75 a year. We thought that we would just as soon help the ones that need it rather than try to help them all. We extended it another two years. Once you're in the program, it's only a three-year program, but once you're in the program, you can finish out that program. So it actually will be a five-year program but it will cut it down on the fiscal basis for each year. And I think that will help an awful lot. We're down to about, we think, about \$200,000 the first year and about 400,000 the second year, but the total package of the whole five years is just a little over \$1 million for five years. But this is eventually going to help an awful lot of nurses in Nebraska. And I think that once we get through with the five...this three-year program or the five years, that we actually won't need it anymore. I think there will be enough nurses in the system then that it will help for all of the state. And there's also another part of the bill that they will pay them to stay in Nebraska. With this need and with staying in Nebraska, they will only get the money if they stay in Nebraska, which that is our...the way that we wanted to have the bill designed. So I think that will really help. And when all of the details and the fiscal note is worked out, which we will have before the next reading, I'm sure that there will be no more problem because we had them all worked out. They're up at the bill drafters right now and they just have not come down yet. So, with that, I think that the bill is in very good shape now. Thank you.

PRESIDENT: Thank you. Senator Goodrich, please.

SENATOR GOODRICH: Senator Schellpeper, would you respond to a question, please? Hello.

SENATOR SCHELLPEPER: Yes.

SENATOR GOODRICH: In your working out of the amendments that you're working on, I notice on page 3, Section 5 of the bill, you are defining...you are saying to encourage nurses to seek and continue employment in rural communities and then you refer to communities but you don't define communities. In other words, like, for example, in communities of less than 10,000, we'll say, does that mean the city that they're working in or does that mean the county that they're working in? What...what constitutes a community?

PRESIDENT: Senator Schellpeper, start over, would you, please.



SENATOR SCHELLPEPER: Oh, sorry. We have two different things in the bill right now. We have one with 10,000 and down and then also with 50,000 and that is counties, not cities, it's counties,...

SENATOR GOODRICH: But you don't say that in the bill.

SENATOR SCHELLPEPER: ...50,000 people in a county.

SENATOR GOODRICH: You better, in your amendments, you better designate those, that is counties.

SENATOR SCHELLPEPER: We do. The amendment does do that.

SENATOR GOODRICH: Oh, okay, thank you.

SENATOR SCHELLPEPER: That's in the amendment.

SENATOR GOODRICH: I would just caution the three senators that are working on this, Nelson, Smith and Schellpeper, that there are nursing shortages in the rest of the state as well, not just the rural communities. Granted, we have a few more nurses in a community like Omaha or Lincoln but, by the same token, we still have three and four pages of ads in the World-Herald every Sunday wanting nurses for the urban areas just as well. So I see where you're solving the problem...or I'll put it this way, you're not solving anything when it comes right down to it, but you are attempting to solve the problem for the rural communities but you're not doing a darn thing to solve the nursing shortage in urban areas. Nelson, would you like to respond.

SENATOR NELSON: Yes, we are. I tried very hard not to make this an urban-rural split. As you know, the shortage is not quite as great in the urban areas and one of the main reasons is Medicaid and Medicare allow a much higher payment for the metropolitan-urban hospitals than they do rural, allows them to pay a little more. That differential is only about a dollar an hour but, as I found out as I had the figures yesterday. But we do, we have the one rural incentive program but we have the educational incentive program which is the main portion of the bill and that is very much attune to urban areas as well as the rural areas, the BSN, the \$1,000 and the ADN and the LPN. The main portion of the bill is urban and rural, the educational

incentive portion, about two-thirds of the cost of the bill. And the off-campus is supplied by Bishop Clarkson and UN-L, mostly, and a little bit of Creighton. They are the ones that offer those courses so it is an incentive for the urban people also.

PRESIDENT: Senator Nelson, was that your closing? You have a right to close if you would like.

SENATOR NELSON: No other lights on?

PRESIDENT: That's right.

SENATOR NELSON: I guess so. We have spent enough time on the bill and let's get on the way with something else, unless someone else has any questions. I might...I don't want to deceive anyone and Senator Schellpeper did not have these amendments and it's down to the bill drafter now. It is a little bit more than a million dollars on the minimum side, it's about a million four thirty, and a million eight twenty-nine over a six-year period. And we hope, with the...with LB 890 last year, the associate nursing program, and the various programs that are being started that maybe the need will not be so great or that will work out. I think senator...I see Senator Moore here, I believe he visited with the home health nurses a few nights ago and Senator Kristensen, and I think they were made aware how badly the programs are needed. And I think every program that is proposed here is very worthwhile. I know in Education Committee we're seems to me like kicking out bills like you can't believe, I know Health and all of these, but I don't think that there is any need for any program or more critical than the nursing shortage and it fits in with the Governor's rural renaissance. It's very much needed. With that, I just move for the advancement of the bill.

PRESIDENT: Thank you. The question is the advancement of the bill. All those in favor vote aye, opposed nay. I need a little help, ladies and gentlemen. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the adoption of the motion to advance LB 357.

PRESIDENT: LB 357 is advanced to E & R Initial. May I introduce some guests, please. Senator Coordsen has a guest under the north balcony from Chester, Nebraska, Beverly George.

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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.

March 9, 1989

LB 54, 84, 140, 162A, 214, 214A, 254  
284, 284A, 318, 320, 357, 432, 443  
499, 588, 611, 652, 781  
LR 1, 7

General File; LB 432 is indefinitely postponed; LR 1 indefinitely postponed; LR 7 indefinitely postponed, and LB 588 advanced to General File with committee amendments. (See page 1049 of the Legislative Journal.)

Your Enrolling Clerk has presented the bills read earlier this morning to the Governor. (Re: LB 284, LB 284A, LB 499, LB 443, LB 214, LB 214A, LB 318 and LB 320. See page 1057 of the Legislative Journal.)

Priority bill designations: Government Committee is 640 and 639, Senator Abboud LB 592, Senator Hall LB 653, Senator Lindsay LB 681, Senator Elmer LB 429.

New A bill, Mr. President, LB 162A from Senator Rod Johnson. (Read by title for the first time as found on page 1057 of the Legislative Journal.)

I have amendments to be printed to LB 357 from Senator Schellpeper and Nelson, Senator Lindsay to LB 54, Senator Baack to LB 254, Senator Chizek to LB 140, Senator Hall to LB 781, Senator Withem to LB 652. (See pages 1049-57 of the Legislative Journal.)

Unanimous consent for addition of names as co-sponsors, LB 611 Senator Rod Johnson; and LB 84 from Senator Haberman. (See pages 1057-58 of the Legislative Journal.)

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

SPEAKER BARRETT: Thank you. The Chair recognizes the member from the 33rd District, Senator Jacklyn Smith.

SENATOR SMITH: Thank you, Mr. Speaker. I would like to make a motion to adjourn until Monday, March 13 at 9:00 a.m.

SPEAKER BARRETT: You've heard the motion to adjourn until nine o'clock Monday morning. Those in favor say aye. Opposed nay. Ayes have it, motion carried, we are adjourned.

Proofed by:

Arleen McCrory  
Arleen McCrory

March 13, 1989

LB 49A, 77, 161, 162, 183, 215, 226A  
258, 272, 279, 319, 325, 335A, 357  
377, 415, 431, 468, 477, 498, 537  
539, 541, 568, 569, 572, 575, 586  
591, 628, 630, 633, 646, 660, 662  
671, 678, 714, 720, 747, 766

LB 335A for the first time by title. That is offered by Senator Korshoj. Read LB 49A for the first time by title. Read LB 226A for the first time by title. See pages 1100-01 of the Legislative Journal.)

Mr. President, Business and Labor Committee reports LB 415 to General File with amendments, signed by Senator Coordsen as Chair of the committee. General Affairs reports LB 477 indefinitely postponed, LB 568 indefinitely postponed, LB 572 indefinitely postponed, LB 660 indefinitely postponed, LB 766 indefinitely postponed. Those are signed by Senator Smith as Chair. Urban Affairs reports LB 498 as indefinitely postponed, LB 633 indefinitely postponed, LB 671 indefinitely postponed. Those are signed by Senator Hartnett. (See page 1101 of the Legislative Journal.)

I have amendments to be printed, Senator Wesely to LB 279; and Senator Schellpeper to LB 357. Mr. President, Health and Human Services Committee reports LB 537 to General File with amendments, LB 645 to General File with amendments, LB 662 to General File with amendments, and LB 539 indefinitely postponed, those signed by Senator Wesely as Chair. (See pages 1102-07 of the Legislative Journal.)

Mr. President, priority bill designations; Senator Morrissey selects LB 569; Senator Kristensen, LB 586, Senator Chizek, LB 747 as his personal priority bill, and LB 215 and LB 377 as Judiciary Committee priorities; Senator Warner has LB 468 and LB 258 by Appropriations Committee; Banking, Commerce and Insurance offers LB 319 and LB 272 as priority bills; Senator Barrett has LB 575 as his personal priority bill; Senator Warner, LB 77 as his personal priority bill; Senator Coordsen offers LB 541 and LB 630 as Business and Labor priority bills; Senator Goodrich has selected LB 591 as his priority bill; Senator Rod Johnson has selected LB 161 and LB 162 as committee priority bills, and LR 2CA as his personal priority resolution; Senator Wesely selects LB 431 as his personal priority bill, and LB 678 and LB 720 as Health and Human Services priorities; Senator Hefner selects LB 325 as his personal priority bill; Senator Lowell Johnson selects LB 646 as his personal priority bill; Senator Robak, LB 628 as her priority bill; and Senator Conway, LB 714 as his priority bill.

And Senator Baack, Mr. President, has amendments to be printed to LB 183. (See pages 1109-10 of the Legislative Journal.) And

March 14, 1989

LB 311, 357

SENATOR LANDIS: ...balking kind of a morning hasn't it been.

PRESIDENT: Isn't it, though, I've noticed that.

SENATOR LANDIS: It's the kind of a day we just can't seem to get our work done as quickly as we should. Ah, well, that's all right. I'll talk about this another time.

PRESIDENT: It's been nice visiting with you. Record, Mr. Clerk, please. A record vote has been requested.

CLERK: (Read record vote as found on page 1127 of the Legislative Journal.) 26 ayes, 2 nays, Mr. President, on the advancement of LB 311.

PRESIDENT: The bill is advanced. May I introduce some guests, please, in the north balcony. Senator Chris Abboud and others have guests there. We have 20 American Association of University Women from Omaha, Lincoln, Peru and Osceola and they are here to visit us this morning. Would you please welcome them. Would you ladies please rise, so we can see who you are. Thank you for visiting us this morning. We'll move on to LB 357.

CLERK: Mr. President, the first item on 357 are Enrollment and Review amendments, Senator Lindsay.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 357 be adopted.

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

CLERK: Mr. President, Senators Schellpeper and Nelson would move to amend. Mr. President, the amendment is AM751, you'll find it in your bill book. (See page 1049 of the Legislative Journal.)

PRESIDENT: Senator Schellpeper, are you handling this?

SENATOR SCHELLPEPER: Thank you, Mr. President and members. Yes. This is an amendment that we discussed the last time that

it was on the floor. This has been worked out between Senator Nelson, myself and Senator Smith. I think everything is in workable order now. We do have a few technical amendments, but outside of that everything has been worked out. Let me just state a little bit what this really does. This is a tuition assistance program based on substantial financial need in order to enable eligible nursing students, who are residents of and attending an approved nursing program in this state, to receive a tuition assistance, in order to bring higher quality health care to rural areas and to enable hospitals and nursing homes in rural areas, in order to meet current and future federal requirements for Medicare and Medicaid by offering off campus courses, and to establish a program of financial incentives for nurses who practice in a rural area. Now I'm going to let Senator Nelson get into all of the details. I'll be able to answer some questions later on, if I need to. Thank you.

PRESIDENT: Thank you. Senator Nelson, please.

SENATOR NELSON: I thought Mr. Schellpeper was doing very good. He did pass out a memo which I think does a very good job of explaining what the benefits are. As most of you remember, my initial bill was strictly a flat out incentive to entice nurses into nursing. I, at that time, could foresee the problem in establishing need and so on. But the body was more comfortable in adopting Senator Schellpeper's version, so to speak, in regards to need. And I've had a good lesson, I think, on establishing need, because there is a big difference between colleges and how they establish that in the unmet need. So we have tried to address that to bring all interests together. Simply what the bill does, starting after the bill is signed in, starting this next year, it allows incentives for three years. And the nurses that have started, the BSN's and the ADN's and the diploma's are allowed to finish that training. So my original bill, I did have a provision in there that the Education Committee and the Legislature would again address the need or the continuing of the program. I don't believe that that is in amended version. What it does is it allows \$1,000 of loan forgiven, and the institutions establish their criteria to a BSN for their...up to their three years of training. Now we put in a maximum of three years on a BSN simply because of the fact that a good share of the hospitals, particularly in the Omaha-Lincoln area, do offer incentives and so on for that fourth year of nursing to entice them to stay in their institution. It's down for an associate degree in nursing to

\$500, and less for the LPN. In the rural incentives, this portion of the bill, and I will address the fiscal note on this, I don't know if I'll have enough time on this time at the mike. But there is an incentive to practice in the what we call the rural areas, it's any county under 60,000. And as most of you know or realize Medicaid and Medicare do not pay the same rates outstate as they do in the metropolitan hospitals, therefore it's very difficult for the nursing homes, particularly in some of the outstate hospitals, to be able to offer the same incentives to entice nursing to their areas. I do have in front of me, and this was effective the first week in March, some of the hospitals in the Lincoln area, and most of the new RN's, their starting wage is \$9.65, \$9.41, \$9.97, \$10.50, \$9.55, gives you an idea. Incidentally, the state is low, theirs is \$8.66. There is not the discrepancy between the rural wages as there is...it was first perceived here on the floor, and that was due to a testimony given in the Education Committee. Grand Island, Kearney, the starting wages are \$9.35 and \$9.63, so there is not that much difference. One Omaha hospital, for an LPN it's \$6.96 an hour, and outstate it's \$5.98. So there is not that big difference. I have in front of me, too, and I think all of you know exactly what the nursing shortage is. It's getting worse every day. This came from the University of Nebraska Medical Center, Rosalie Yeaworth, which I've had the opportunity to work with, and this is on the federal level from the American Association of Colleges of Nursing and some of their concerns. One of them I might say is exactly what we're talking about, development of nursing resources, financial assistance to undergraduate and graduate nursing students must be increased. The burden of providing this assistance shall be equitably shared among the federal and state governments, employers of nurses, philanthropic and voluntary organizations. The preferred method of providing this support is the use of service pay-back loans, as well as scholarship funding for those in financial need. If I have any more time I will address the fiscal note on the bill. But maybe I better do that later. I think that we have, oh one other very important part of the program is the extended off campus course. From what I have gathered this is one of the most valuable parts of it in the need. This is primarily offered by Bishop-Clarkson in Omaha, I think they have 90 or 92 students. UN-L offers some of these courses. What it is is a girl is an associate degree or a diploma nurse and she takes off campus courses, or he, to upgrade their education to a BSN. The nursing homes are very much in need, and the hospitals, in BSN's. The maximum that



they can take is six hours, and that's the most that any girl could possibly do and work. These are working mothers, single family mothers and part of it is offered through video and home study and then the clinical. It's about 50 hours of training altogether, 25 at home study and 25 in clinical study. This does improve the health care of rural areas or any area, and it is an opportunity to upgrade their education. That has to be an off campus course. Bishop-Clarkson tells me that this is very, very valuable to them. It's people that are working trying to support a family, or a girl working in the hospital now and simply wants to upgrade her education. So that is a very important part of the bill. With that, if anyone has any other questions I would be more than happy to try to answer them. Senator Schellpeper and I worked together on some...many of the provisions. How many minutes have I got left?

PRESIDENT: About one.

SENATOR NELSON: All right. I will explain the fiscal note, because there are some...a difference on that. But I will, if anyone has any questions right now, I would be glad to answer them. And Senator Schellpeper has another technical amendment. While I'm up here, I do support that, and that is simply to address...it could have either been 30 semester hours or academic hours of training. So we definitely wanted that as a full-time student, and I do support that amendment.

PRESIDENT: Thank you. Senator Schellpeper is next, followed by Senator Crosby. But may I first introduce some guests of Senator Wehrbein in the north balcony. We have 15 members of the Cullum Extension Club of Plattsmouth, Nebraska. Would you ladies please stand and be recognized. Thank you for visiting us today. Senator Schellpeper, please.

SENATOR SCHELLPEPER: Thank you, Mr. President and members. I want to say once again that what we're trying to do here, in 357, is we're trying to get more students into nursing and eventually trying to get more into the rural areas. We're having problems out there with the Medicare, Medicaid, we just cannot get enough nurses out there. So what we're really trying to do here is trying to get more students into nursing, we're trying to help them financially, and they will also have to stay in Nebraska. That's what we're really trying to do here. Thank you.

PRESIDENT: Thank you. Senator Crosby, please, followed by Senator Moore.

SENATOR CROSBY: Thank you, Mr. Chairman, Mr. President. I rise to support this bill and I'm not going to speak on the technical side of it. I'm simply going to say I went on it early because, and I have the feeling this morning with the Legislature not paying attention, and that is what happens to nurses, we take them from granted. Nurses have saved my life more than once. I would venture to say a lot of you have had that experience. We talk a lot in this Legislature and every hearing in Health and Human Services and in Education Committee's, which I am a member of those two, every hearing we hear there is a nursing shortage. So this is an opportunity for this Legislature to say to nurses we want to help you. It's an incentive for them to further their education, and incentive for students to go into nursing, which there is a real problem these days to get people to go into nurses training. So I urge you, this morning, take advantage of that and move this bill. It's a wonderful bill. I will yield now the rest of my time to Senator Korshoj. Thank you.

PRESIDENT: Thank you. Senator Korshoj, you have four minutes, not quite.

SENATOR KORSHOJ: Mr. President and members, I only have one question I want to ask Senator Schellpeper. I wasn't here the other day during debate. It says 150 students per year would be selected for this program, how are they selected? Is it a first come, first served basis, or how do you do that?

PRESIDENT: Senator Schellpeper, please.

SENATOR SCHELLPEPER: The institution gets so many positions based on the number of nursing students they have in their school. Then the institution selects the students based on the financial need. That's the way they're selected.

SENATOR KORSHOJ: That's all the time I need. Thank you.

PRESIDENT: Thank you. Senator Moore, please.

SENATOR MOORE: Yes. To further Senator Korshoj's line of questioning, the same issue. I'm concerned about, if Senator Schellpeper would yield, now this will be distributed on a

pro rata basis to the various nursing institutions? Is that the way it would work?

SENATOR SCHELLPEPER: I didn't hear that, sorry, Senator.

SENATOR MOORE: Would this be distributed in each...depending on the amount of nursing students each institution has, is that how you distribute how many (inaudible) they would have?

SENATOR SCHELLPEPER: That's right, that's right.

SENATOR MOORE: You have that available as far as what that would be, a rough estimate as to what that would be for the various nursing schools in the state?

SENATOR SCHELLPEPER: Well it depends on how many students they have there. You know I think one thing you need to realize, Senator Moore, is that this money is a loan, it will be repaid, you know. So it's in the form of a loan, but it will be forgiven if they stay in...they stay, but if they don't it will have to be repaid.

SENATOR MOORE: I understand that, I'm just concerned about how...you know what area of the state gets what is basically what I'd like to know. You mean...are you....You'll distribute two, three, four, five and six of these on the basis of how many nursing students are in an institution?

SENATOR SCHELLPEPER: Right, right.

SENATOR MOORE: Could you, between now and Final Reading I guess, give me a better idea where those...where it would go?

SENATOR SCHELLPEPER: You mean according to hospital...

SENATOR MOORE: Yeah.

SENATOR SCHELLPEPER: ...according to areas?

SENATOR MOORE: Yes.

SENATOR SCHELLPEPER: We'll get that for you.

SENATOR MOORE: Okay. Now, Senator Nelson, you mentioned you were going to discuss the fiscal note. I'm assuming you have a

new fiscal note, or something like that. I will give you the balance of my time to answer the question asked of Senator Schellpeper, as well as further explain the fiscal note, what the impact is now.

SENATOR NELSON: Certainly. Thank you, Senator Moore. We have a list of, Senator Moore, of the exact enrollment in the various nursing schools. And so say, for example, Clarkson, Bishop-Clarkson in the off campus course, and the fiscal office, they could dig out more nurses than you could ever imagine, to be honest with you, but as I had a real problem in coming up with what is the financial need. The financial need in an institution where it costs \$8,000 for a course, say for example that Pell Grants, student loans and so on may bring that down to \$4,000. The unmet need of that student is \$4,000. Then you take a community college or a private or another institution where it maybe costs \$4,000 to go, we will say they also get 50 percent scholarship, that leaves \$2,000 unmet need. Who gets the money? The one that is able to go to the institution that maybe is more expensive. We didn't want it that way, but you certainly... And, Senator Moore, I know you understand this. When it comes to establishing grants and so on it's very, very difficult. But nearly every institution has their... and this is, incidentally, based on as they use the federal financial incentive program. There are very, very few SSIG loans given because of the fact that the institutions have to subsidize 50 percent of that and they simply are almost nonexistent in the nursing education. So that we didn't run into the problem, and it was a real problem, I will tell you that, in establishing what is need, see. So that is the reason that we put in the bill the cap, it should be enough, but we wanted a cap in there. And the reason that we put in the bill a proportion to the amount of courses they offer, so that we're not cutting one of the higher cost institutions out and giving it all, or vice versa. So if they have 50 students enrolled, for example, Bryan Memorial, they have 13 students, ASN, and approximately 35, they have 47 students altogether in the diploma program. Say, for example, that we are able to give financial assistance to 25 percent,...

PRESIDENT: One minute.

SENATOR NELSON: Say they had... well, 48. They would be able to give 12 financial assistance, loans out. And so that is the way we did it so that we don't run into the problem of one taking

away from the other, trying to be fair. How much more time do I have...shall I...

PRESIDENT: Now, you may close. Did you wish this to be your closing? You're the last light that is on.

SENATOR NELSON: I can and then I'll explain the fiscal note on the next one, yes. With that, if there are no other questions, I just move for adoption of the bill.

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

ASSISTANT CLERK: 26 ayes, 0 nays on the adoption of the Schellpeper amendment, Mr. President.

PRESIDENT: The Schellpeper amendment is adopted. Do you have anything else on the bill, Mr. Clerk?

ASSISTANT CLERK: Yes, I do, Mr. President. The next amendment is from Senator Schellpeper and is found on page 1105 of the Journal.

PRESIDENT: Senator Schellpeper, please.

SENATOR SCHELLPEPER: Thank you, Mr. President and members. Now this amendment is just some technical amendments that we need to clean up some of the language. I will go down through them and kind of explain some of them. On page 3, line 6 we need to put in "semester", 30 semester credit hours. Right now it just says 30 credit hours. We need to say semester credit hours. On page 4, it just says the number of students, we need to say "full-time" students, that is in four different places. On page 5 we need to change the years. We had the wrong years in here. It needs to be '91-92, '92-93 and '93-94. We had it starting one year too late. And then in the last page there is some new language added that says, "Such awards shall be allocated pursuant to the ratio of the number of students in each such program to the total number of students in all such programs in the State of Nebraska." So these are just technical amendments to clean up some of the language. Thank you.

PRESIDENT: Thank you. The question is the adoption of the Schellpeper amendment. All those in favor vote aye, opposed

may. Need a little help. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the Schellpeper amendment.

PRESIDENT: The Schellpeper amendment is adopted. Mr. Clerk.

CLERK: Mr. President, Senator Wesely would move to amend the bill. (Wesely amendment appears on page 1128 of the Legislative Journal.)

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. President, members. This amendment merely transfers from the Department of Education to the Department of Health Administration of this nursing loan grant program. I think it's logical and I understand Senator Nelson and Senator Schellpeper support that. The amendment as adopted would have it in education. It's the Health Department's function right now to deal with medical student loans. They've been in that business for some time. They have a rural health orientation and Senator Schellpeper has a bill to have a rural health office that will tie into this effort as well as the other loan program. It just makes sense not to send this program over to education, so I'd like to ask that the program stay in the Health Department. That is where it ought to be.

PRESIDENT: Thank you. Senator Nelson, please.

SENATOR NELSON: I don't agree with Senator Wesely, which is not surprising on this. I did visit with the Health Department when my original bill, 357, was brought up as a concern and at that time they wanted an employee and a half, I believe, to implement it and that was a straight-out incentive very much. And I visited with the Education Department. At that time the Education Department felt that they could handle that for a quarter-time employee and that it could be used in the other areas and in conjunction. This bill is patterned somewhat after the math and science grant and program. This is an educational bill. This is not a health bill and so it does belong in education and where we have it. Also, I might tell you that the Education Department, this is so similar to the math and science program and something that they are already doing now and they are not implementing a new program over in the Education

Department. This would simply be a continuation of the same program that they are funding and handling now and the student loans are addressed in the Education Department. So I know that the physicians college loan and so on is held through the Health Department but this is an education bill, it is education assistance and the Education Department felt also, not that the small amount that the two different departments requested amounts to a lot of money, that they could handle this, I think for a...16,000 or so on, a short quarter-time and a half-time employee and since this does pattern after the math and science, it's already established and I would hope the body didn't see fit to move it over to the Health Department. It is education and that's where it belongs.

PRESIDENT: Thank you. Senator Schellpeper, please.

SENATOR SCHELLPEPER: Thank you, Mr. President and members, I do have some mixed feelings about this amendment but I, as I stated to Senator Wesely earlier, I guess I would go along with it because it is a health issue. It's also an educational issue, but I think the Health Department probably has more information on the nursing and things like that, so I guess I would not have that much problem with this amendment. But it is education, also a health issue, but I guess maybe the health people probably have a little more information on it. Thank you.

PRESIDENT: Thank you. Senator Withem, please.

SENATOR WITHEM: Yes, Mr. President, members of the body, I don't think this is a big issue and I hope the body could make policy choice and get on with the bill. I think that the work that Senator Nelson, Smith and Schellpeper have done with this bill with the previous amendments marks a great step forward and I hope we don't get bogged down with this. As the Chair of the Education Committee, the oversight committee, dealing with the Department of Education, Senator Nelson, I'm sorry to say I'm going to vote with Senator Wesely on this amendment. I kind of questioned when one of the minor concerns I had about the bill was it being with the Department of Education. The Department of Education in our state, with a few limited exceptions and maybe the scholarship program you mentioned is one of them, deals primarily with elementary-secondary types of education. The Department of Health, on the other hand, does a lot in the state dealing with health manpower needs and it would seem like the expertise on the health related program would be better

served over in the Health Department. I don't think...I'm not going to filibuster the bill if this amendment doesn't get adopted, I'm not going to dance in the streets if it does, but I think it's probably, the program would work a little more effectively maybe in the Health Department than in the Education Department, so I'm going to vote that way.

PRESIDENT: Thank you. Senator Wesely, would you like to close on your motion, please?

SENATOR WESELY: Thank you, Mr. President, I appreciate both Senator Withem and Senator Schellpeper's support for this. I think they do recognize the situation. The Health Department has in place a loan program very similar in concept to this. We now work with medical students. We have the loan program in place. We try and work with them in placement out in the rural areas. We handle the loan program. This is a very similar type concept only dealing with nurses and it's more complicated, but it's exactly the same purpose. We're trying to provide incentives to keep our medical professionals here in the state and that's what we're doing with the physicians, that's what we're trying to do now with the nurses. It meshes exactly and in addition, Senator Schellpeper is initiating a rural health office that would tie into this in trying to work with these people. It just makes absolutely no sense to me to send it over to education, so I would ask your support for this amendment.

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

CLERK: 25 ayes, 5 nays, Mr. President, on adoption of Senator Wesely's amendment.

PRESIDENT: The Wesely amendment is adopted. Now on the advancement of the bill. Do you have anything further on it?

CLERK: Nothing further, Mr. President.

PRESIDENT: Senator Nelson, on the advancement.

SENATOR NELSON: (Mike not activated immediately.) ...the advancement of the bill.

PRESIDENT: Okay the question is the advancement of the bill.



March 14, 1989

LB 357A, 357

All those in favor vote aye...all those in favor say aye.  
Opposed nay. It is advanced. LB 357A.

CLERK: 357A, Mr. President, I have no E & R. I have an amendment to the bill from Senator Nelson, however. (Nelson amendment appears on pages 1128-29 of the Legislative Journal.)

PRESIDENT: Senator Nelson, please.

SENATOR NELSON: Yes, I didn't get this printed into the Journal. It is an amendment to the original fiscal note and simply what it does is it addresses then the changes that we have made in the bill. I am suffering from the same problem that many of us have in the fiscal note. I certainly appreciate the work that they've done on the bill, and by the provisions of the bill we try to make a cap, we try to make hold the bill down under 500,000 for each and every year. If you will look at my passout on page 2, part 1, will address the total cost of the bill. There is one portion of it, the rural assistance. As I say, I have all due respect for the fiscal office and the fiscal analyst and so on, on this bill, but the number of students that they have used for the rural incentive is...let's see, 150 BSNs, 75 ADN or diploma the first year and 75 LPNs for example. Last year and by our LB 890 study, we have, I believe, 307 projected additional nurses all in Nebraska for 1989 and 1990, 368 new nurses in the State of Nebraska. Using the fiscal note that they are using, they are using a total of 300 nurses for the rural incentive program. I would say it would be a very, very successful program if we were to have that many nurses move to the rural area. If we could only get half or one-third of them I would be more than pleased. So, frankly, it is possible within the realm that if every nurse graduated and every nurse went to the rural area, but you and I know that that will not happen. So I, frankly, in due respect to the fiscal office and so on, I would cut those incentives down at least \$100,000 because we do not have that many nurses graduating and naturally they are not going to be, all of them are going to go in the rural areas. So I do want to mention that to the body. If...I asked them about this and as they explained if there is any money or financial aid left over in the fund, that goes back to the General Fund. It is hard on my bill to call...to have another \$100,000 each year in there that we don't anticipate spending, but again, they are correct. There are...it is possible, but the money will just go back to the General Fund, so with that, it has been amended then to use the higher or the

March 16, 1989

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

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

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

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

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

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

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

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

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LB 175, 228, 312, 312A, 319, 323, 336  
340A, 357, 423, 744, 761, 813, 814  
815

PRESIDENT: We're still on the machine. Record, Mr. Clerk, please.

CLERK: 26 ayes, 8 nays, Mr. President, on adoption of Senator Lamb's amendment.

PRESIDENT: The Lamb amendment is adopted. Do have another one, please?

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

PRESIDENT: Yes, please.

CLERK: Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 319 and find the same correctly engrossed, LB 175, LB 228, LB 312, LB 312A, LB 323, LB 336, LB 340A, LB 423 and LB 744, all reported correctly engrossed.

I have amendments by Senator Warner to LB 813, Senator Schimek to LB 814, Senator Nelson to LB 357, Senator Smith to LB 815, Senator Warner to LB 814 and LB 813. That's all that I have, Mr. President. (See pages 2379-87 of the Legislative Journal.)

PRESIDENT: Okay, another amendment, please.

CLERK: Mr. President, Senator Scofield would move to amend the bill. (The Scofield amendment appears on pages 2387-88 of the Legislative Journal.)

PRESIDENT: Senator Scofield, please.

SENATOR SCOFIELD: Thank you, Mr. President, and members, I think this is a non...one of those rare noncontroversial amendments on this issue. You have a handout that's been circulated a little bit earlier. The purpose of this amendment is to put us...to slightly change our definition of low-level radioactive waste so that it conforms with what the current federal language is. Currently, our definition in the State of Nebraska we define low-level waste primarily by what it is not and the particular amendment that is being offered here would...if you will take a look at the handout, if you can find that under your materials there, under the Low-Level Radioactive Waste Policy Amendments Act of 1985 it specifically spells out

LB 340 is intended to ensure that the remains and burial goods of deceased individuals who have some tangible connection to the present, either a tribal connection or a familial connection, are treated with respect and the dignity they deserve. LB 340 also talks about family and that contemplates existing individuals who are close enough in tie to a deceased person whose remains have been disinterred, that they would be likely to recognize and claim a family connection. And tribe, in the bill, again and again refers to American Indian tribe and that is very specifically the meaning that is intended. Does that answer your questions?

SENATOR WEHRBEIN: Right, I think so. The reason for this was, as with the amendments...several amendments that had been going on the floor both in General and Select File is felt in some areas of the bill may not have been as clear, at least it was intended by floor action. And I simply wanted to try to get this in the record as the intent of this, particularly concerning some of the traveling exhibits that may originate from other countries. As far as I am concerned, I think this clarifies the intent and I thank Senator Baack for this information. I don't see anything more to add. I will be...I did not intend to harass Senator Chambers' bill, I simply wanted to have a clear understanding of this. And I will withdraw this amendment at this time.

PRESIDENT: It is withdrawn. Do you have anything further on the bill, Mr. Clerk?

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

PRESIDENT: In that case, the bill will move on down to the next list when we will be reading it on Final Reading at a later time. We will move on to LB 357, please.

CLERK: Mr. President, LB 357, I have a motion. Senators Schellpeper and Nelson would move to return the bill for a specific amendment. The amendment... (Nelson-Schellpeper amendment can be found on page 2381 of the Journal.)

PRESIDENT: Senator Nelson, please.

SENATOR NELSON: Yes, I would like to return it to Select File for a very simple amendment found on page 8, which has to do with the default, if there should be. I think that most of you

remember my original proposal was somewhat after the fact. It was not alone, it was an outright incentive. What was brought to our attention by the Health Department, which now the bill has been amended, and they are the ones that will be administering the program, that naturally we all know occasionally there is a default on a loan. There are specific provisions in the bill that addresses the default, or if a student should move out of the state or should discontinue the program. It is the suggestion of the Health Department that in order to make it as difficult for the folks that receive the loans and may not...and may want to default on the loan, that we put some teeth into it. So, simply on page 8, line 19, where we have an interest rate of 8 percent compounded per annum shall accrue on the unpaid balance, we would like to change that to 12 percent, and that simply is what this simple amendment does, and if there are any other questions, I'll answer them, if not I would like to move it to Select File for this amendment.

PRESIDENT: Any further discussion? If not, the question is, shall the bill be returned? All those in favor vote aye, opposed nay. We're voting to return the bill from Select File. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to return the bill.

PRESIDENT: The bill is returned. Senator Nelson, please.

SENATOR NELSON: Ah...

PRESIDENT: The bill is returned, would you like to...

SENATOR NELSON: Move to return the bill back to Final Reading.

PRESIDENT: Yes, it is returned now.

SENATOR NELSON: All right. Okay, you're to the amendment.

CLERK: Yeah.

SENATOR NELSON: I just move, I guess, to approve the amendment. I wasn't paying too much attention. What else do I have to do?

PRESIDENT: You move the amendment you were talking about.

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LB 357A, 357

SENATOR NELSON: All right. I just move the amendment be moved.

PRESIDENT: Very good. Thank you. Any further discussion? If not, the question is the adoption of the Nelson amendment. All those in favor vote aye, opposed nay. We're voting on the adoption of the Nelson amendment. (Gavel.) Since several of you were absent, sure appreciate the...your help, if you're inclined to vote. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays on adoption of Senator Nelson's amendment.

PRESIDENT: The Nelson amendment is adopted. Senator Nelson, would you like to readvance your bill.

SENATOR NELSON: I just move for readvancement of the bill.

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

CLERK: Nothing on LB 357, Mr. President.

PRESIDENT: All right. LB 357A.

CLERK: Senators Nelson and Schellpeper would move to return the bill for a specific amendment.

PRESIDENT: Senator Nelson, please.

SENATOR NELSON: Yes, this is on the fiscal note of the bill. I think, if any of you want to turn back to the original discussion of the bill, at the time I did not really stand up here and oppose the fiscal note because it should, of course, carry anything to extremes in amount. But, if you will go back to my discussion on the floor, I said it was almost absolutely impossible for the fiscal note, for the first year, to be as great as it was originally brought down to me. It was originally \$470,072, and I said that it...I just couldn't see how it could possibly be that because there were not that many nurses in training now. And the provision of the bill, there could not be that many nurses move out and collect the incentive for serving in the rural area, because we didn't have that many in training. So they have reduced. And, incidentally, I didn't even ask them to do that for me, but I appreciate this. They have reduced the fiscal note down to \$249,175 this year, and for

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566

guess you can start reading LB 285. We'll not be holding you to the seats for this next half hour.

ASSISTANT CLERK: (Read LB 285 on Final Reading.)

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 285 become law? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Read record vote as found on pages 2589-90 of the Legislative Journal.) 36 ayes, 1 nay, 7 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 285 passes. Again, consistent with the announcements earlier today, we'll...yes, we'll go to the A bill next. We'll proceed, after the A bill, on Final Reading, bills with motions to return. Nine o'clock is the operative time, nine o'clock. I should hasten to advise that there have been three amendments filed under other motions filed with the Clerk. We have amendments to 209, 183, and 761A. You know what we have to continue, finish, under Item 9, three additional amendments. We stop at nine o'clock for Final Reading. Mr. Clerk, the A bill.

CLERK: (Read LB 285A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 285A, with the emergency clause attached, become law? All in favor vote aye, opposed nay. Have you all voted? Please record. We've got 33, um-huh. Yes. Record.

CLERK: (Read record vote as found on pages 2590-91 of the Legislative Journal.) 34 ayes, 0 nays, 9 present and not voting, 6 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 285AE passes. For the record, Mr. Clerk.

CLERK: Mr. President, Enrollment and Review reports LB 272A as correctly engrossed; LB 311 as correctly engrossed; LB 357 as correctly engrossed; LB 357A, LB 525, and LB 566 all reported correctly engrossed, all signed by Senator Lindsay as Chair of

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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 357, 357A, 362A, 362

CLERK: (Record vote read. See page 2699 of the Legislative Journal.) 33 ayes, 14 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 357 passes. LB 357AE.

CLERK: (Read LB 357A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 357A with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Please record. Correction, 33 votes are necessary. I'm sorry. Have you all voted? Record, please.

CLERK: (Record vote read. See page 2700 of the Legislative Journal.) 34 ayes, 13 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 357AE passes. LB 362.

CLERK: (Read LB 362 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 362 pass? Those in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read. See page 2701 of the Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 362 passes. LB 362A.

ASSISTANT CLERK: (Read LB 362A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 362A pass? Those in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Record vote read. See page 2702 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: Motion fails. Mr. Clerk.

CLERK: Mr. President, I have a second motion by Senator Landis to bracket LB 272A until January 3, 1990.

SPEAKER BARRETT: Senator Landis.

SENATOR LANDIS: Thank you, and I'll take this matter up briefly as well. Let me tell you my intentions and you'll be able to measure your own choices against them. I intend to offer this bracket motion. If it fails, I intend to have the bill read and rather than to make any request for a limitation of funds, we should read the bill straight up and see how it does. Now, having told you what my intentions are, let me tell you my reasons for this motion. I have since Select File had four, I would imagine four votes fall off the bill. It seems to me that I do not have 25 votes. I've got votes that want to vote for 272, want to vote for Commonwealth and believe it to be a priority, but not a higher priority than other important spending issues. And I can't disagree with them. A number of those priorities I voted for myself. I believe in them, I want to see them be law. I can understand why when they have to make a choice, if they are jeopardizing a higher spending priority by voting for this bill, that they create a problem for themselves, and frankly, you know that to be true and I know that to be true. And because that's the case, I want to live to fight another day. That's why I offer the motion. Thank you.

SPEAKER BARRETT: Thank you. For discussion, Senator McFarland, followed by Senators Warner, Moore and Hall.

SENATOR MCFARLAND: Thank you, Mr. Speaker. Ideally we should vote on bills not on the basis of what point we consider them in time or how are they, are listed on the agenda schedule or whether they come up during the middle of the session or in the last of the session. Ideally we should look at each bill on its own merits, vote on it whether we approve of it or disapprove of it and have those bills that are the most meritorious be the ones that pass. In my view, of course, this is one of the most if not the most meritorious bill that we had before us this session. The people of State Securities and Commonwealth and American Savings have been waiting years to be reimbursed on the guaranty that was provided to them when they deposited their savings, their life savings, their futures in the institutions only to find out that those savings were not protected and they

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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