

January 13, 1989

LB 30-34, 361, 410-460

CLERK: Mr. President, I do, thank you. I have a reference report referring LBs 374-409, signed by Senator Labedz as Chair of the Reference Committee.

In addition to that, Mr. President, I have received a communication from the Chair of the Reference Committee referring the communication received from the University Board of Regents regarding the University Health Care project. That has been referred to Appropriations Committee for public hearing.

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 30 and recommend that same be placed on Select File; LB 31, LB 32, LB 33 and LB 34, all on Select File, Mr. President, all with E & R amendments attached. (See pages 223-26 of the Legislative Journal.)

Mr. President, new bills. (Read LBs 410-449 by title for the first time as found on pages 226-49 of the Legislative Journal.)

Mr. President, in addition to those items I have notice of hearings from the Agriculture Committee offered by Senator Rod Johnson as Chair; from the Business and Labor Committee offered by Senator Coordsen as Chair; from the General Affairs Committee. That is offered by Senator Smith as Chair. And, Mr. President, a notice of hearing from Senator Warner as Chair of the Appropriations Committee.

SENATOR HANNIBAL: Mr. Clerk.

CLERK: Mr. President, new bills. (Read LBs 450-459 by title for the first time. See pages 236-38 of the Legislative Journal.)

Mr. President, finally, I have an announcement the Urban Affairs Committee has selected Senator Korshoj as Vice-Chair of the committee.

Senator Rod Johnson would like to add his name to LB 361 as co-introducer. (See page 238 of the Legislative Journal.)

(Read LB 460 by title for the first time. See page 238 of the Legislative Journal.)

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LB 303A, 309A, 356, 438, 473-495
LR 7

CLERK: 30 ayes, 0 nays, Mr. President, on the motion to suspend that particular rule and refer 303A and 309A to Appropriations Committee.

PRESIDENT: The motion is carried, the rules are suspended, and the bills are referred to the Appropriations Committee. What would you like to do now, Mr. Clerk?

CLERK: Mr. President, Reference Committee will meet in Room 2102 now for referring of bills; Reference Committee in Room 2102 now for referring of bills.

PRESIDENT: The Reference Committee or the Executive Board will adjourn, leave us for a while. We'll stand at ease for a little while until they come back. So, relax.

EASE

CLERK: Mr. President, new bills. (Read LB 473-492 by title for the first time. See pages 245-50 of the Legislative Journal.)

Mr. President, I have a new resolution, LR 7, by Senator Hall. (Read. See pages 250-52 of the Journal.)

Mr. President, Senator Morrissey would like to add his name to LBs 356 and 438. Finally, Mr. President, I have a Reference Report referring LBs 410 through 462. That is all that I have, Mr. President.

PRESIDENT: If I could direct your attention, please, over under the north balcony we have a special guest. Senator Stephanie Johannis, it looks like you. Would you step out so we can see you. Please welcome former Senator Johannis back to the Legislature. Do you have any words of wisdom for us now that you are out? Senator Lynch, you haven't done much today. Would you like to...just a moment. Don't go to work yet. Just a minute. Mr. Clerk.

CLERK: Mr. President, a couple of bills coming in. In addition, I have hearing notices for the Education Committee and one from the Judiciary Committee signed by Senators Withem and Chizek as Chairs.

Mr. President, new bill. (Read LB 493-495 by title for the first time. See pages 254-55 of the Legislative Journal.)

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LB 54, 78, 84, 137, 287, 335, 438
611
LR 51

Priority bill designation. Senator Lamb has selected LB 84; Senator Beyer, LB 78; Senator Haberman, as Chair of Retirement, LB 137 and LB 287; Senator Korshoj, LB 335; Senator Moore, LB 611; all of those designating priority bills.

Mr. President, new resolution, LR 51 by Senator McFarland. (Read brief description of LR 51 as found on page 1045 of the Legislative Journal.) That will be referred to Reference Committee.

Mr. President, your Committee on Education whose Chair is Senator Withem, to whom was referred LB 438, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File.

Mr. President, Natural Resources Committee will have an Executive Session today in Room 1517 at one-thirty. Natural Resources, one-thirty in Room 1517.

SPEAKER BARRETT: Thank you. Proceeding next to General File, priority bills. Mr. Clerk.

CLERK: Mr. President, LB 54 is scheduled for debate this morning. It was a bill introduced by Senator Weihsing. (Read title.) The bill was introduced on January 5. It was referred to the Agriculture Committee. The bill was advanced to General File. I do have committee amendments pending by the Agriculture Committee, Mr. President.

SPEAKER BARRETT: Thank you. (Cavel.) The house will come to order, please. Committee amendments to LB 54, Senator Johnson.

SENATOR R. JOHNSON: Mr. Speaker and members, as the Clerk has already identified, this bill requires food service establishments to post the type of cooking oils they use in preparation of the food served in that establishment. The committee made actually two changes to the bill, one is the more technical aspect of the committee amendments, simply changing the terminology in the bill as it relates to cholesterol content and changing that to percent of saturated fat. The more substantial committee change would go ahead and have the penalty section amended so that when a food establishment fails to post a sign as to what type of cooking oils are being used, the Department of Agriculture, which administers the Pure Food

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LB 95, 140, 257, 280, 289, 311, 330
336, 387, 395, 438, 444, 478, 561
588, 603, 606, 643, 683, 705, 710
721, 736, 739, 744, 761, 762, 767
769, 780, 807

indefinitely postponed; LB 478, indefinitely postponed; LB 561, indefinitely postponed; LB 387, indefinitely postponed, all those signed by Senator Chizek as Chair of the Judiciary Committee. (See pages 1081-82 of the Legislative Journal. Journal page 1082 shows LB 721 as indefinitely postponed.)

Mr. President, a series of priority bill designations. Senator Hall would like to designate LB 762 as a committee priority. Senator Hartnett designates LB 95 and LB 444 as Urban Affairs priority bills. Senator Hartnett chooses LB 603 as his personal priority bill. LB 739 has been selected by Senator Hannibal; LB 606 by Senator Schimek; LB 761 and LB 289 by the Natural Resources Committee, and LB 807 by Senator Schmit, personally. LB 769 by Senator Labedz; LB 705 by Senator Ashford; LB 438 by Senator Wehrbein; LB 710 by Senator Scofield; LB 643 by Senator Bernard-Stevens; LB 588 by Senator Chambers; LB 739 by Senator Hannibal; LB 330 by Senator Pirsch; LB 767 by Senator Smith; LB 736 and LB 780 by General Affairs Committee; LB 395 by Senator Peterson. Senator Lamb selected Transportation Committee's LB 280 as a priority bill. LB 311 has been selected by Senator Landis as his personal priority bill; LB 683 by Senator Schellpeper.

Mr. President, I have a series of amendments to be printed. LB 744 by Senator Withem; LB 336 and LB 257, those by Senator Withem. (See pages 1083-88 of the Legislative Journal.)

I have an Attorney General's Opinion addressed to Senator Haberman regarding an issue raised by Senator Haberman. (See pages 1088-90 of the Legislative Journal.)

Mr. President, Natural Resources Committee will have an Executive Session at eleven-fifteen in the senate lounge, and the Banking Committee will have an Executive Session at eleven o'clock in the senate lounge. Banking at eleven o'clock, Natural Resources at eleven-fifteen. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, Mr. Clerk. Proceeding then to Select File, LB 140.

CLERK: Mr. President, 140 is on Select File. Mr. President, the bill has been considered on Select File. On March 2nd the Enrollment and Review amendments were adopted. There was an amendment to the bill by Senator Chizek that was adopted.

directly to the Supreme Court?

SENATOR WARNER: No, no change.

SENATOR PIRSCH: Okay, so this really does not alleviate then any of the...a significant part of the Supreme Court burden?

SENATOR WARNER: Probably...well I'm sure it wouldn't, Senator Pirsch, because the bulk of these kinds of infractions that currently occur would never be of a nature that would get to the Supreme Court anyway, I don't think.

SENATOR PIRSCH: Right. So now instead of being appealed directly to the Supreme Court they will probably be satisfied in the lower court.

SENATOR WARNER: I would imagine in virtually every instance.

SENATOR PIRSCH: Thank you.

SPEAKER BARRETT: Any other discussion? If not, the question is the advancement of LB 78. Those in favor vote aye, opposed nay. Please record.

CLERK: 32 ayes, 0 nays, Mr. President, on the advancement of LB 78.

SPEAKER BARRETT: LB 78 is advanced. To LB 438.

CLERK: LB 438, Mr. President, was a bill introduced by Senators Wehrbein and Hall. (Read title.) The bill was introduced on January 13. It was referred to the Education Committee. The bill was advanced to General File. Mr. President, before we proceed, I do have a request from Senator Chambers to add his name as co-introducer to the bill.

SPEAKER BARRETT: If there are no objections, so ordered. Senator Wehrbein, would you care to explain LB 438.

SENATOR WEHRBEIN: Yes, I would, Mr. President, I thought Senator Baack was going to have an amendment on this.

SPEAKER BARRETT: May we ask for an explanation of the bill first, a brief explanation, then we will go to the amendment.

SENATOR WEHRBEIN: Oh, sure.

SPEAKER BARRETT: Thank you.

SENATOR WEHRBEIN: Mr. President and members, LB 438 is a bill affecting the Nebraska School for the Visually Handicapped and the Nebraska School for the Deaf. I sent out a sheet that's yellow so you can pick it out of your desk to understand the basic parts of this bill. This is the result of a...some bills passed in 19...a bill passed in '74 that inadvertently, in a way, put the...charged tuition to local school districts sending students to the Nebraska School for the Visually Handicapped at Nebraska City and the Nebraska School For The Deaf in Omaha. This is an attempt to change that and to make this entirely funded by the Department of Education by the State of Nebraska, make it directly funded and not have any local tuition be charged to local school districts to the...to the...from...as they come...originate from the local districts. I will let you read on that. I won't repeat it. Nebraska is one of only...is the only state that does not completely support its state schools and I feel that it's only appropriate that when these decisions are made at the local level for sending students that are eligible for these two schools that the costs should not be a factor as to whether it impacts upon the local school district or not and that this properly should be a function of the entire state. Those that need access to these two schools come from anywhere across the state and are a portion of our population that I think should be properly funded entirely across the state and not be dependent once again upon the local property tax support. So I would like to urge adoption of this bill to further the use of both of these schools. I will speak a little further to that in a little bit after Senator Baack offers his amendment.

SPEAKER BARRETT: Thank you. To the amendment, Mr. Clerk.

CLERK: Mr. President, Senator Baack would move to amend the bill. (The Baack amendment appears on pages 1391-93 of the Legislative Journal.)

SPEAKER BARRETT: Senator Baack.

SENATOR BAACK: Yes, Mr. Speaker and members, my amendment is being passed out right now. And what my amendment does is it tries to clarify in statute exactly the way that LB 438 is going

to work. And what it tries to do is it tries to lay the framework saying that we don't want school districts just automatically sending their kids to either of these schools without the appropriate filing of an individual education plan and going through the appropriate process before they are referred to this school. My amendment just spells some of that language out. The language is in several sections of statute. You will see some new language on page 1 of the amendment and the language reads, "who cannot receive an appropriate special education program in their resident school districts as provided for in Section 79-3320." This language is already in the statute. I am only putting this...I am taking this language, putting it in the purpose statute so that we know the school district will have to go through this proper process as they determine whether or not these students ought to go to either the School for the Deaf or the School for the Visually Impaired (sic). Another section of the bill...when you get on...of the amendment, I mean, when you get on page 3 it is dealing with transportation. Right now, Nebraska statutes say that parents are to furnish transportation to these schools. That is not the practice in the State of Nebraska. We have not been doing that. The school districts have been paying those costs. This simply deletes the responsibility of the transportation from the parents and puts it on the school district which is what we are doing now. And there is another...another, see, in Section 2, on page 3, it says you strike the words "acoustically handicapped" and insert the words "hearing impaired", and all that is to update and correct the terminology that is used now for the hearing impaired. And we also strike...in that section, we also strike the words "of good moral character" because they have never been able to use it. There is no definition for "of good moral character", therefore, it's unnecessary for the bill. The rest of it deals purely with the transportation issue in that it says that the state will be...or that the school district will be liable for the transportation to the district in case that the parents can't pay and the school district doesn't have the money then the state would have to...the state would have to use their money to do that. I think, with that, I would just urge the adoption of the amendment. I know that, I think, Senator Hall has some questions about the amendment. I will be glad to answer those.

SPEAKER BARRETT: Thank you. Senator Hall, on the Baack amendment, followed by Senators Nelson and Wehrbein.

SENATOR HALL: Thank you, Mr. President and members, I rise as a co-sponsor of LB 438 with Senator Wehrbein. This is an issue that I have been involved with for a number of years prior to Senator Wehrbein with Senator Wiley Remmers. And we sat, as many of you know, on a commission that dealt with the needs of the children who were students in both the school for the hearing impaired and the visually handicapped as well and did a two-year study on whether or not these schools should be merged either together, merged with schools of a like nature or whether or not regional schools should be developed. Came to the conclusion that these schools needed to be kept, at this point in time, separate and distinct and that there was one recommendation that the commission did make and that is what is embodied in LB 438, that the funding for these schools, at least the tuition for the children should be borne by the state. They are state schools and the issue of the ability...one problem should be taken out of the formula and that's the problem of whether or not the school district can afford to send their children if the residential facility is the facility best suited for that handicap of that individual. So I wholeheartedly again rise in support of this measure. Senator Baack, if you would yield to a question since we are dealing with your amendment to the bill.

SENATOR BAACK: Yes.

SENATOR HALL: The amendment...and I understand the second half and totally concur with the clean-up language that...basically the back half of the bill, but on the first two pages you deal with language that talks about an appropriate special education program and you are accurate when you say that this language is consistent with language that's found in other sections of the statute. But my question is, if this were to serve as a barrier so that possibly with the passage of this bill that we found out two years down the road, for example, that these young people, because of the language that we are placing in the bill right now, still did not have that opportunity to, even though the needs assessment showed that they're best suitable for this residential program, if this was a roadblock to them achieving that, would you be willing to come back and readdress this issue and look at modifying the language that we're currently placing with your amendment into the bill?

SENATOR BAACK: Absolutely, Senator Hall. It is not my intention to put up any roadblocks or anything. I just...my

intention with this and having worked with special education and been involved in the study of special education a couple of years ago is to just make sure that we follow the proper procedure as we deal with whether or not what individual education plan the child is going to have within the district or whether they're going to have residential placement. That's all that these...that's all that this language is for.

SENATOR HALL: Thank you, Senator Baack, I appreciate that. And I concur with that. I rise in support of the Baack amendment but I see that as a potential hazard down the road. Hopefully, Senator Baack is accurate and I think he is that this will not prove to be a barrier at any point but I just, for the record, wanted to lay out that the term "appropriate special education" is open to interpretation and I think that we can leave it in the hands of the special educators to determine what is most appropriate for the child and that is clearly the intent of, I think, Senator Baack's amendment and I know it's the intent of...

SPEAKER BARRETT: One minuce.

SENATOR HALL: ...Senator Wehrbein and myself with the introduction of LB 438. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Senator Nelson.

SENATOR NELSON: Mr. Speaker and members of the body, if you open your bill books, you will notice that I was one of the senators that did not vote for moving LB 438 out of committee. Not that I am against the idea or that there is anything particularly that we're giving away something free to someone or the \$349,000 expenditure to the state. These children are entitled to the best of education and the best of services possible. I will tell you what my reservations are and I do support Senator Baack's amendment which does clarify it some. My concern was...and I know that testimony in the committee brought this out too, is that these children will not be placed at home or kept at home if the services...I know in most cases, 90 percent of the cases, the services would not be of the same quality that they would be receiving down in the home. But, again, if districts would use this since all of the costs are being paid by the state, would use this to their gain financially and not to the gain or for the...I shouldn't say gain but for the betterment of the students and some of those

could be kept at home and some of them could be mainstreamed and some of the larger schools do have in their special ed programs. I, too, had the privilege of serving a few years back and working in depth on the special ed program, along with Senator Baack, and so I do see this as a red flag in the bill that we do have to think of the children and, as I say, 90 percent of the cases I am sure this would be probably better for them. But, again, I support Senator Baack's language on page 2 that who cannot receive an appropriate special education program in their resident school district, and that is my reason for hesitating to support the bill. I probably will or at least this time but I do see that red flag there that these...the districts simply will wash their hands of these students and they will, without a doubt, be sent there and not in their own residence. So I want to just bring it to your attention that there is that possibility and I do support Senator Baack's amendment then.

SPEAKER BARRETT: Thank you. Senator Wehrbein.

SENATOR WEHRBEIN: Yes, Mr. President and members, thank you. I, too, want to...I will indicate my support for Baack's amendment. I will be frankly...frank with you that I was a little apprehensive about it upon first reading it because, obviously, the key word in this is "appropriate" but my intent only in this bill, much as Senator Hall has stated, that I want to do what is best for the student based on their evaluation process, which is set up in statute as to what the process should be, their individual evaluation program...or performance or report and whatever that is indicated on there is what I think should be done for a student and this embodies these terms...is embodied in this word of "appropriate". And so I am comfortable on that basis, understanding the fact that whatever is in the best interest of the student that's where they should go. I will comment a little more on that because I think many students across the state may have many times perhaps not been placed appropriately or taken care of appropriately because of consideration of cost either from the local school district, distance or whatever reason and this should be...in this bill should contribute positively to an appropriate evaluation and an appropriate reaction, appropriate placement, appropriate program, appropriate educational program for a student by doing this. And I...I accept Senator Baack's amendment on that basis with the idea that if this does not work out in a couple years, I will be back to perhaps pass judgment on it again. But I accept that this is the proper wording at this time and will

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accept it. I might answer...well, I don't know whether you were going to close on it, Senator Baack, there might be question on the transportation issue toward the end that you may want to explain. Thank you.

SPEAKER BARRETT: Thank you. Senator Lindsay, would you care to discuss the Baack amendment, followed by Senators Smith and Pirsch.

SENATOR LINDSAY: Thank you, Mr. President. I would like to have a...I would have a question for Senator Baack.

SPEAKER BARRETT: Senator Baack.

SENATOR BAACK: Yes.

SENATOR LINDSAY: Senator, is there a method in statute already on how it's determined whether someone can receive an appropriate special education program in their home school district?

SENATOR BAACK: Well, it's not in statute necessarily but it's in Rule 53. That's the...that is the rule that deals with special education. That's in the rules and regs of the department.

SENATOR LINDSAY: There is a track record anyway to determine it?

SENATOR BAACK: Yes, there is certainly, yes, very long track record.

SENATOR LINDSAY: Okay, that's all I've got. Thanks.

SENATOR BAACK: Okay.

SPEAKER BARRETT: Senator Smith. Senator Pirsch.

SENATOR PIRSCH: Thank you, Mr. Speaker. I agree with the intent of the amendment but I did have a question for Senator Baack.

SENATOR BAACK: Yes.

SENATOR PIRSCH: On your amendment, Section 4, on page 3.

SENATOR BAACK: Yes.

SENATOR PIRSCH: The rest of it, of course, deals with the transportation and with the...and with the availability, of course, of the alternative. But Section 4 strikes the...on page 14 of the bill, "of good moral character". Is that passe? Are we at the point where now we do not require that?

SENATOR BAACK: My understanding of that, this came from, you know, in visiting with the department, that's something that they can't use anyway and it's something that's un...that you can't define. And they're saying that that's why it needs to be...there's a couple of sections where we strike that, up in number two up there on that same page we also strike that.

SENATOR PIRSCH: Uh-huh.

SENATOR BAACK: We strike that language. And they say it simply cannot be defined, therefore, it is unenforceable, therefore, it is unnecessary to the language of the bill.

SENATOR PIRSCH: We have done this in other educational sections too, haven't we?

SENATOR BAACK: I can't answer that. I don't know.

SENATOR PIRSCH: Okay. I guess I just wanted to call attention to that and say that while I don't agree with striking that, I will support your amendment because I realize that this seems to be a trend of the time.

SENATOR BAACK: Thank you.

SPEAKER BARRETT: Any other discussion on the amendment? Senator Baack, would you care to close?

SENATOR BAACK: Yes. Mr. Speaker and members, just a couple of short words in closing. I think that we've got the things on the record that we need, those things being that this is not intended to be any kind of a roadblock for this bill, just that we want to assure that the students involved are receiving the most appropriate education as far as special education goes, depending on their handicapping condition. That's all this is for. I think, with that, I would just urge the body to adopt

this amendment. Thank you.

SPEAKER BARRETT: Thank you. Shall the Baack amendment to LB 438 be adopted? Those in favor vote aye, opposed nay. Record, please.

CLERK: 28 ayes, 0 nays. Mr. President, on adoption of the Baack amendment.

SPEAKER BARRETT: The amendment is adopted.

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

SPEAKER BARRETT: Senator Wehrbein, on the bill as amended.

SENATOR WEHRBEIN: Yes, Mr. Speaker, members, thank you. I simply want to reiterate much of what has been said. This is an attempt to make this an entirely state supported school. It returns it to the status that it was prior to 1974 when it was inadvertently required tuition to be paid from local school districts to attend these two schools. Prior to that it had been a 100 percent supported by state funds. This is an effort to take the cost factor out of the equation, in many cases, where local school districts when they send a student to this local school...to one of these two schools, they have to pay tuition locally. In many the tuition varies based on where the local school district's per pupil cost is. For some of them it becomes quite an inordinate or a high cost, a high cost or a burdensome cost to send their children to these schools if it was called for in their plan. And so, as a result, many times perhaps the care...the care of the child is not at the...placed at the best interest of either the child or in many cases the parents' wish. This is an attempt to then perhaps make that a state supported function entirely that the child will get the best possible education. They may choose to go one year, two years, or many years. It's an option that will be available that they can be considered in their plan. I could give personal...or cite personal examples of what it has become. We had some very good testimony given in the committee, especially from the visually handicapped of the value that they receive from this school. And there is an outstanding example of a student that went 12 years to the school at Nebraska City and now is a student at the Oxford University in England, having gotten a very good, high quality education at the Nebraska School for the Visually Handicapped. Many of you are also

concerned about this being perhaps an anti-mainlining or mainstreaming issue. I do not consider it that. The options are there if they want to stay home and be a resident in their own school but it also offers them the option to go to one of these resident schools and particularly in the case of Nebraska City which they're more familiar with, they attend classes in the Nebraska City school system, partially or several or a few. They are in and out of the town. They are out and about. They gain confidence. They gain self-esteem. They gain the ability to handle themselves in situations that they might not otherwise learn. And I think that's a very valuable option that should be offered to students and I am sure the same option exists and should be there for those that go to the School for the Deaf. Another thing that has happened, many want to take advantage of this across the state and are not able to send their child to...are not able to send their child to Nebraska City, in this case. They have moved to Nebraska City in order to have their child go to the visually handicapped school and, as a result, it has been quite a large burden on the Nebraska City school district because, according to our present law, they must pay the tuition then and this has become an inordinate burden. And as what I was going...as I was going back to say what I said in my original statement, this I think should be...more fairly would be spread across the state as a state issue, as a state funding issue. And so, from that, I would urge adoption of this bill.

SPEAKER BARRETT: Thank you. Senator Baack, followed by Senator Hall.

SENATOR BAACK: Yes, Mr. Speaker and members, after adopting my amendment, it kind of feels kind of bad but I have to rise in opposition to the bill now, even with that amendment it doesn't make it a good bill, it makes it a better bill but it doesn't make it a good bill. I think that the only things that I want to bring out are some of the things, some of the precedents that we're setting here by doing this. We are setting a precedent here. We are saying that certain handicaps are going to be treated differently than others in the state. We're doing that because we're going to say that those two schools are going to be totally state funded. Right now, we fund other handicapping conditions at 90 percent of allowable excess cost. That does not mean that we fund them at the 90 percent level. That's a key factor and that is 90 percent of allowable excess cost. Right now we fund special education at a rate of about 60 to

65 percent, is what we fund. We do not fund them at a 90 percent level. So we're going to boost these handicapping conditions from a 60 to 65 percent level to a 100 percent level. We are going to do that when we do this bill. I think you are going to find that many schools are going to tend to be less innovative in trying to come up with programs to deal with these kinds of children in their district, because what we're doing here is we're saying to a school board, if you want to send them to the residential type system, they can go there for free. If you want to keep them in your own school district, we are going to fund them at a 65 percent level. So there is not much incentive there anymore for school boards to come up with the kinds of programs that may actually provide a more appropriate education for the child. It's going to stop there. I'm not saying that these schools don't provide appropriate education because they do, they serve a very, very useful function. But what I'm saying is we don't want to necessarily encourage school boards to put their children into this setting because of cost reasons and I think we're...and we're starting to do that with this bill. I think I mentioned before that we're starting...we're starting into a system where we're going to treat different students...different kind of handicaps differently and we're going to do that with this. I can imagine coming down the road we're going to have other handicapping conditions that are going to say, well, why don't we start up a residential kind of facility for us because then we can get 100 percent state funding rather than at the 60 to 65 percent level that you might have on the local level. That is a possibility coming down the road. So I think we should think very, very seriously about this bill as to whether or not we ought to do this. I know that most other states fund that but a lot of...most other states have different mechanisms and different ways of funding special education than Nebraska. Nebraska's is totally unique. I don't know if we should break that unique system by picking out a couple of handicapping conditions and saying, these are special, we're going to treat these in a very special way by funding them 100 percent. I think it also conflicts with many of the things that we talk about in here when we deal with family issues and trying to keep the children as close to the family as possible. If we don't have the local school districts coming up with the innovative kind of programs to try and keep those children close to the family setting rather than shipping them off to a residential facility because of the economic reasons. I hope that doesn't happen and I think in most cases it will not happen. But there

may...but we are providing an incentive to do that in case for school boards and for school administrators to do that very thing because we're going to fund it at a 100 percent rather than funding a local program at 60 to 65 percent. I think those are some of the things you should think about as we continue to talk about this bill. And if you have questions about that, I will be glad to answer those. Thank you, Mr. Speaker.

SPEAKER BARRETT: Thank you. Senator Hall.

SENATOR HALL: Thank you, Mr. President, and members, I rise to urge the body to advance LB 438. This is not an issue that is new to the body nor one that I think many members have not heard some debate on. The issue here is the students. It's not an issue of money and it's not an issue of territory or territorial rights with regard to what a school district should be able to do and what parents ought to be able to do. Senator Baack, it's probably a question of choice. And I guess do we allow funding to stand in the way of, you know, the ultimate choice with regard to what is available to students and to parents. And in the case of special education I think that the one barrier that we have seen for students who need the residential facility setting is that the cost for them to attend one of these two facilities is sometimes more than a school board is willing to fund. And that should not be a reason to take that choice away from that student because the idea for the schools is to provide the best setting for these students. The whole concept behind developing these schools over a 100 years ago, virtually, was that the students were the ones who were supposed to be taken care of and I think all we're doing through LB 438 is laying out that that is the duty and obligation of the state and we feel that if that is the most appropriate method of education, if that is the most appropriate care plan for these individuals, then it should be available to them and the state should fund it. The issue of multiple handicaps or other handicaps that are going to ask for residential facilities is not an issue at all because if you follow, and many of you do, the issues that revolve around the hearing impaired and the visually impaired, anymore they, clearly, are not just single handicaps that many of these students have. They tend to be multiple handicaps and we see each of these schools moving farther and farther into dealing with students who have more than just visual handicaps or hearing limitations. They are going farther and farther into expanding the type of student with these difficulties. And, yes, primarily, it's a visual handicap and, yes, primarily, it's

a hearing handicap but these are students that sometimes are wheelchair bound. These are students that have other types of physical handicaps but the facilities that we have at Nebraska City and in Omaha are facilities that are best suited for many of these students. And I think that the small amount that the A bill carries that would require the state to pick up funding so that this option or this choice is there for every school district should they determine, should they determine, as Senator Baack's language in his amendment said, the most appropriate care plan, the most appropriate education plan for those students, then this is an option that is there. And I don't think that funding...not funding, at least to the tune of I think the A bill is approximately \$350,000, should be a barrier for that choice with regard to a school that is, for some students, a residential setting. For others, it's a day school just like any other school that they would go to. But they have facilities that are tailored to their needs, they have the equipment and the teachers that are specifically trained in these areas. I think it's vital that Nebraska fund at a 100 percent, not continue to lag behind in this area but to be on the forefront because we do have, clearly, two of the best schools in the country in this area. When we...when I served on the commission with Senator Remmers...

SPEAKER BARRETT: One minute.

SENATOR HALL: ...we toured the schools in Iowa; we toured the schools in Kansas. We had interaction with the schools in Colorado, the states of South Dakota and North Dakota and Wyoming and Nebraska, clearly, was at least at the top and as good as...although we might have lacked some of the physical capabilities or some of the most latest technology, we, clearly, were at the top and could compete with any of those schools that other states offered. So I think to attach to that the funding that allows for these students the ability to make that choice for their school districts and their parents to have that is essential for us to do as a state. I would urge the body to advance LB 438 to E & R Initial. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Additional discussion on the advancement of the bill. Senator Nelson, followed by Senators Eeck and Morrissey.

SENATOR NELSON: Mr. Speaker and members of the body, I probably will be voting to move this bill at least one more time, but I

simply want to reiterate what Senator Baack said. He is exactly right and he has the same fears and we are setting a precedence here that is not as simple as it may seem on the surface. And what stops other handicapped children from coming in and saying, the multiple sclerosis or something, that you again have to fund a 100 percent and provide the facilities as you are for these handicapped. Senator Hall spoke about the multiple handicapped students which a good portion of these are. I had the same concerns about those students and we all know that when it comes to funding from 65 percent or in that neighborhood to 100 percent you know that the districts are not going to try to make facilities or to accommodate the child at home if possible. Also, on the other hand, I do realize in the Nebraska City area or close to these areas that families do move into these areas where the schools are available and it's not necessarily right for those particular counties to have to...or school districts, to assume more than their share of the charges. So I just, I guess, wanted to back up Senator Baack's statements which I agree that this is not a simple little issue and I want the body to know that what he said was about right on it. Thank you.

SPEAKER BARRETT: Senator Beck.

SENATOR BECK: Thank you, Mr. Chairman. I have a question for Senator Wehrbein, if he wouldn't mind.

SPEAKER BARRETT: Senator Wehrbein, will you respond?

SENATOR WEHRBEIN: Yes, I don't mind. Yes.

SENATOR BECK: Okay, could you give me some kind of an idea, just taking Nebraska City since that's your home district, how much money on the local level might it free up if the state takes over the entire cost?

SENATOR WEHRBEIN: Do you want an individual district or would you like the whole "schmeal"?

SENATOR BECK: Well, I guess, let's say, Nebraska City...let's say Plattsmouth and Nebraska City. I know those two schools should be in your district.

SENATOR WEHRBEIN: I have Otoe County, Syracuse and Nebraska City.

SENATOR BECK: Okay.

SENATOR WEHRBEIN: Nebraska City, in 1987 is the most current figure I have right here with me. Maybe I can find '88. I will give you...Nebraska City, in 1988, had \$67,000 that they contributed in 19...no, excuse me, 1986-87, contributed \$27,338...

SENATOR BECK: Okay.

SENATOR WEHRBEIN: ...in the case of Nebraska City. I could go to Nemaha, Auburn school, \$3,053. They evidently had one student.

SENATOR BECK: Okay.

SENATOR WEHRBEIN: Douglas County, Omaha Public Schools had 8,831. Nebraska City is, by far, the most because they tend to have several students that move there.

SENATOR BECK: All right.

SENATOR WEHRBEIN: The rest run from 5,000, Dakota County at South Sioux City had 4,891 in '86-87.

SENATOR BECK: Okay, thank you, Senator Wehrbein. That was a friendly question. I have just recently visited the Nebraska School for the Deaf in Omaha and it's a very nice place, as Senator Hall referred to. I think it would be very difficult to replicate that program in individual districts as we have probably been trying to do. I guess I just wanted to ask Senator Wehrbein how much it might free up in districts because that, again, could be used for something else there and, in essence, we are providing some small property tax relief by doing that. But I just wanted to note something that in the school of the deaf they are already serving youngsters that have multiple handicaps. They must be hearing impaired to begin with but many of them had multiple handicaps and they seemed to be doing a fine job and I would just think it would be terribly expensive to duplicate those programs in all of our school districts across the state, although I, too, like the idea of children being able to stay home with their families. But, again, I would support Senator Wehrbein in this bill certainly at this round to pass it on so that we might have even more discussion on it. I think it's a worthy concept and it's a

worthy idea for him to bring before the body. So I would urge the passage of LB 438.

SPEAKER BARRETT: Thank you. Senator Morrissey, please. (Gavel.)

SENATOR MORRISSEY: Mr. Chairman, thank you, and members, I rise to support LB 438 simply because of one reason. I think by passing 438 we are eliminating barriers or a possible barrier to quality education for these handicapped students. Without this bill, we will continue the chance of denying one of these students a full quality education simply because you do have the possibility of having a financially strapped school district out there somewhere who will simply refuse to send their student to these schools because they cannot afford it. And that, to me, is wrong. I think these students deserve the best opportunity they can get. When I sat down and talked to the visually handicapped group, to a person, to a person, the older handicapped people had wished they had this opportunity to go to a school such as this, to mingle with their peers and also to mingle with the public in the situations that the school provides in Nebraska City. To prevent one student from missing this opportunity, I would urge support for LB 438.

SPEAKER BARRETT: Thank you. Any other discussion? Seeing none, Senator Wehrbein, would you care to close on the advancement of the bill?

SENATOR WEHRBEIN: Yes, Mr. Speaker, briefly, I will close. I just want to say I don't think that we're necessarily setting a precedent here because we have got two established schools that have been in existence 120 years, or thereabouts. We just had a resolution this morning commemorating the 120th anniversary of the Nebraska School for the Deaf. So it is not new. It's something that we have had with us and has a proud legacy in both schools throughout the years in Nebraska so it is not something that is new. These are a different type of handicap, in my opinion, than some of the more serious handicaps that we have in our society today and these people that are involved in these two areas can be very useful citizens and these schools provide that type of background, that type of education that they can use. And I think that we should not shrink from this responsibility and we should give them every option that they should have, every option if that includes going to the residential school of either Omaha or Nebraska City, then that

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LB 438, 438A, 588

should be an option. The cost factor based on the local school district should not be a factor. And I, therefore, urge the advancement of LB 438.

SPEAKER BARRETT: Thank you. The question is the advancement of LB 438. Those in favor vote aye, opposed nay. Voting on the advancement of the bill. Have you all voted? Record, please.

ASSISTANT CLERK: 27 ayes, 2 nays on the advancement of the bill, Mr. President.

SPEAKER BARRETT: LB 438 is advanced. Mr. Clerk, we have an A bill, I believe.

ASSISTANT CLERK: Yes, Mr. President. LB 438A was introduced by Senators Wehrbein and Hall. (Read title.) The bill was read for the first time on March 15th and is placed on General File.

SPEAKER BARRETT: Senator Wehrbein, will you handle the A bill?

SENATOR WEHRBEIN: Yes, briefly, Mr. Speaker. It's there right in front of...140,000 from the General Fund July 1, 1989 to '90...290 from the fund, 1990 to 1991.

SPEAKER BARRETT: Any discussion? Any questions? If not, shall the A bill, 438A, be advanced? All in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: 28 ayes, 0 nays on the advancement of the A bill, Mr. President.

SPEAKER BARRETT: LB 438A is advanced. Anything to read in, Mr. Clerk? Thank you. Proceeding then to LB 588.

ASSISTANT CLERK: LB 588 was introduced by Senator Chambers. (Read.) The bill was read for the first time on January 18, was referred to the Government Committee. They report the bill back to General File with committee amendments, Mr. President.

SPEAKER BARRETT: On the committee amendments to 588, Senator Baack.

SENATOR BAACK: Yes, Mr. Speaker and members, the committee amendments do basically three things. I think that we're going to have several amendments to the committee amendments coming up

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LB 44, 44A, 47, 66, 75, 78, 87
220, 240, 262, 348, 372, 399, 401
431, 438, 438A, 546, 548, 569, 569A
582, 582A, 592, 606, 608, 628, 637
681, 706, 777, 790

the time Senator Abboud can have to finish his closing.

SPEAKER BARRETT: Thank you. The question is the advancement of the bill to E & R Engrossing. All in favor vote aye...thank you. Roll call vote has been requested in reverse order. So be it. Mr. Clerk.

CLERK: (Roll call vote read. See pages 1431-32 of the Legislative Journal.) 27 ayes, 10 nays, Mr. President, on the advancement 592.

SPEAKER BARRETT: LB 592 advances. Anything for the record, Mr. Clerk?

CLERK: I do, Mr. President, thank you. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 262 and recommend that same be placed on Select File; LB 569, LB 569A, LB 606, LB 628, LB 681, LB 78, LB 438, LB 438A, LB 706, LB 47, LB 75, LB 548, LB 582, LB 582A, LB 240, LB 790, LB 777, LB 44, LB 44A, LB 637, LB 66, LB 546, LB 87, LB 220, LB 372, LB 399, LB 401 and LB 608, some of which have E & R amendments attached, Mr. President. (See pages 1432-44 of the Legislative Journal.)

Mr. President, your Committee on Health whose Chair is Senator Wesely reports LB 348 to General file with committee amendments attached. That's signed by Senator Wesely as Chair. (See page 1444 of the Legislative Journal.)

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

SPEAKER BARRETT: Thank you. As announced before recess, we will move back to LB 431 and LB 431A. LB 431, Mr. Clerk.

CLERK: Mr. President, the first item I have on 431 are Enrollment and Review amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 431 be adopted.

SPEAKER BARRETT: The question is the adoption of the E & R amendments to LB 431. Those in favor say aye. Opposed no. Carried. They are adopted.

is that the voting control and all other indications of ownership of the transportation cooperative is vested in the member cooperative associations. By indications of ownership, it is intended that the member agricultural cooperatives have a definite responsibility, a per capita responsibility for the operations of transportation the transportation cooperative undertakes. That is, the member cooperative associations share the obligations for the cost of insurance, the rent, or cost of equipment, and buildings purchased and bear a share of any legal liabilities the transportation cooperative might face. A cooperative association, if it wishes to have the transportation advantages a transportation cooperative might bring, must also share in the responsibilities and burdens that go with the operation of a transportation cooperative or service. Basically, what the intent of this portion of the committee amendment is trying to accomplish is to stop the ability of a person or a business from paying a fee of 15 or 20 dollars or any other small amount, or any other amount, and obtaining the ability to become a member of a transportation cooperative and eligible to receive its service. Thank you.

SPEAKER BARRETT: Thank you. You have heard the motion to advance the bill. Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 438.

CLERK: Senator, I have Enrollment and Review amendments pending.

SPEAKER BARRETT: Senator John Lindsay.

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

SPEAKER BARRETT: You have heard the motion to adopt the E & R amendments. Those in favor say aye. Opposed no. Carried. They are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 438 as amended be advanced to E & R Final.

SPEAKER BARRETT: The question is the advancement of LB 438 as

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LB 247, 438, 438A, 591, 611

amended. Those in favor say aye. Opposed no. Carried. The bill is advanced. Anything for the record, Mr. Clerk? The A bill, I am sorry, proceed.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 438A be advanced to E & R Final.

SPEAKER BARRETT: You have heard the motion to advance the A bill. Those in favor say aye. Opposed no. The ayes have it. Carried. The bill is advanced. Messages on the President's desk.

CLERK: Mr. President, Enrollment and Review reports LB 591 to Select File with Enrollment and Review amendments attached.

Senator Wehrbein would like to print amendments to LB 247; and Senator Warner to LB 611. (See pages 1795-96 of the Legislative Journal.) That is all that I have, Mr. President.

SPEAKER BARRETT: Thank you, and let the record indicate that Senator Hefner had some guests in the north balcony from East Catholic Middle School in St. Helena, Nebraska, 23 eighth graders with their teacher. Senator Beyer, would you care to adjourn the body?

SENATOR BEYER: Mr. Speaker and members, I move that we adjourn until nine o'clock on April 20th.

SPEAKER BARRETT: Thank you. The motion is to adjourn until tomorrow morning at nine o'clock. Those in favor say aye. Opposed no. Carried. We are adjourned. (Gavel.)

Proofed by: Arleen McCrory
Arleen McCrory

April 25, 1989

LB 78, 438, 438A, 646, 710, 812

call? Those in favor vote aye, opposed nay. Record.

CLERK: 23 ayes, 1 nay to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please record your presence. Those outside the Chamber, please return. Senator Bernard-Stevens, please check in. Senator Warner, please record your presence. Senator Schimek, please. Senator Lindsay. Senator Peterson, the house is under call. Roll call in regular order has been requested. Senator Baack, Senator Haberman, Senator Wesely, the house is under call. While we're waiting, Senator Crosby announces the following guests in the north balcony, 20 second graders from Park Elementary here in Lincoln with their teachers. Would you folks please stand up and wave. Thank you. We're glad you could be with us. Senators Baack and Haberman, the house is under call. Senator Withem, may we proceed.

SENATOR WITHEM: Is there any knowledge of where Senator Haberman is?

SPEAKER BARRETT: Not at this point. The scouts are out looking.

SENATOR WITHEM: Maybe Senator Goodrich knows where he's hiding. He seems to be...I think Senator Goodrich. Go ahead and call the roll, please.

SPEAKER BARRETT: Apparently he is now on his way, Senator Withem.

CLERK: (Roll call vote read. See pages 1897-98 of the Legislative Journal.) 20 ayes. 22 nays, Mr. President, on adoption of the amendment.

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

CLERK: Mr. President, I do. Your Committee on Enrollment and Review...

SPEAKER BARRETT: The call is raised.

CLERK: ...has carefully examined and engrossed LB 78 and find the same correctly engrossed; LB 438; LB 438A; LB 646; LB 710,

May 22, 1989

LB 336, 412, 412A, 423, 438

CLERK: (Record vote read. See pages 2626-27 of the Legislative Journal.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 412E passes. LB 412AE.

CLERK: (Read LB 412A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 412A with the emergency clause attached pass? Those in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read. See pages 2627-28 of the Legislative Journal.) 45 ayes, 0 nays, 3 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 412AE passes. LB 423.

CLERK: (Read LB 423 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 423 pass? Those in favor vote aye, opposed nay. Record.

CLERK: (Record vote read. See page 2628 of the Legislative Journal.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 423 passes. I would like to return now to LB 336E.

ASSISTANT CLERK: (Read LB 336E on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 336 with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See pages 2628-29 of the Legislative Journal.) The vote is 43 ayes, 0 nays, 5 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 336E passes. LB 438.

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LB 378, 378A, 388, 408, 408A, 412, 412A
423, 438, 438A, 444, 449

ASSISTANT CLERK: (Read LB 438 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 438 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See page 2630 of the Legislative Journal.) The vote is 36 ayes, 10 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 438 passes. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 378, LB 378A, LB 388, LB 408 and LB 408A, LB 412 and LB 412A and LB 423. LB 438A.

ASSISTANT CLERK: (Read LB 438A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 438A pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: (Record vote read. See page 2631 of the Legislative Journal.) The vote is 37 ayes, 10 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 438A passes. LB 444.

ASSISTANT CLERK: (Read LB 444 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 444 become law? Those in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: (Record vote read. See page 2632 of the Legislative Journal.) The vote is 48 ayes, 0 nays, 1 excused and not voting.

SPEAKER BARRETT: LB 444 passes. LB 449.

ASSISTANT CLERK: (Read LB 449 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure

May 22, 1989

LB 336, 438, 438A, 444, 449, 449A, 541
569, 569A, 574, 574A, 575, 575A, 603
603A, 611

those in favor vote aye, opposed nay. Have you all voted?
Record, please.

CLERK: (Record vote read. See page 2643 of the Legislative Journal.) 45 ayes, 1 nay, 1 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 603 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 336, LB 438, LB 438A, LB 444, LB 449, LB 449A, LB 541, LB 569, LB 569A, LB 574, LB 574A, LB 575 and LB 575A. LB 603A, please.

CLERK: (Read LB 603A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 603A 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 2644-45 of the Legislative Journal.) 42 ayes, 1 nay, 3 present and not voting, 3 excused and not voting, Mr. President.

PRESIDENT: LB 603A passes. LB 611, please.

CLERK: Mr. President, Senator Abboud would move to bracket LB 611 until January 3, 1990.

PRESIDENT: Senator Abboud, please.

SENATOR ABOUD: Yes, Mr. President, colleagues, LB 611 is a bill that's been moving along through the process with little fanfare or some fanfare but not a lot of debate. The bill itself has been whittled down to...or at least certain portions have been whittled out and other portions have been left in. But there has been left with some confusion as to what this bill will provide for. It's my understanding that there is no immediate local option for income tax for the local school districts. What it provides for is a state identification to be able to implement a program like that in the future. And, most importantly, it takes away all local state aid options dealing with state aid to education which is a considerable amount of money for local school districts to put our feet to the fire. Now when this session started out I thought that Senator Moore

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

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

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

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

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

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

CLERK: (Read LB 630 on Final Reading.)

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

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

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

CLERK: (Read LB 640 on Final Reading.)

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