

January 18, 1989

LB 35, 36, 38, 79, 158, 496-536

while you bring in your bills. If you have some, please bring them up. Do you have an announcement for us?

CLERK: Mr. President, Reference Committee will meet in five minutes in Room 2102; Reference Committee in Room 2102 in five minutes.

PRESIDENT: Reference Committee, please heed the announcement just made.

EASE

PRESIDENT: If you don't have anything to do, there is some dry edible beans up in front here, if you would like to help yourself you may. John WeiHING knows all about them, so you can ask him if you want to know how to cook them or anything. (Gavel.) Senator WeiHING.

SENATOR WEIHING: Mr. President and members of the Legislature, this year Nebraska is number one in the production of dry edible beans. I thought that you should realize that we have a very high standing with the production in the nation.

PRESIDENT: Mr. Clerk, you have something to do.

CLERK: Mr. President, your Committee on Agriculture, whose Chair is Senator Rod Johnson, to whom was referred LB 35, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 36 and LB 38 to General File, all signed by Senator Johnson as Chair.

Mr. President, new bills. (LBs 496-536. Read for the first time by title. See pages 258-66 of the Legislative Journal.)

Mr. President, in addition to those items, I have the hearing notice from the Health and Human Service Committee. Mr. President, a Reference Report referring LBs 463 through 495.

Mr. President, Transportation Committee, whose Chair is Senator Lamb, to whom was referred LB 79, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with committee amendments attached, and LB 158 to General File, both of those signed by Senator Lamb (See pages 268 of the Legislative Journal.)

April 27, 1989

LB 303, 303A, 340A, 514, 813
LR 88-91

vote aye, opposed nay. Record, Mr. Clerk, please.

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

PRESIDENT: The amendment to the amendment is adopted. Would you like to put some things into the record, Mr. Clerk?

CLERK: Mr. President, very quickly if I may, thank you. Senator Chambers has amendments to be printed to LB 340A. (See page 1968 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 303 to Select File and LB 303A to Select File, signed by Senator Lindsay as Enrollment and Review Chair. (See page 1968 of the Legislative Journal.)

Mr. President, LR 88 is offered by Senator Schimek. (Read brief explanation.) LR 89 by Senators Hartnett and Schmit. (Read brief explanation.) LR 90 is an interim study resolution by Senators Hartnett and Withem. (Read brief explanation.) LR 91 by Senators Hartnett and Hall. (Read brief explanation. See pages 1969-72 of the Legislative Journal.) Those will all be referred to Reference, Mr. President.

I have a letter from Senator Labedz as Chair of the Board referring a communication the Legislature received regarding a bond issued by the University of Nebraska. That will be referred to the Appropriations Committee for public hearing.

Education Committee reports LB 514 to General File with committee amendments attached. That is signed by Senator Withem. (See page 1968 of the Legislative Journal.)

And the last item, Mr. President, a notice of confirmation hearing by the Government Committee. That is signed by Senator Baack as Chair of the committee.

Mr. President, we're now back to Senator Schmit's amendment as amended, found on page 1914.

PRESIDENT: Okay, may I introduce some guests, please, before we start on that, please. Senator Dennis Byars has 28 fourth graders with two teachers in the north balcony from Southern Elementary in Blue Springs, Nebraska. Would you please stand

January 9, 1990

LB 187, 514, 742, 851, 856, 908, 957
964, 966, 968, 1004, 1005, 1078, 1079
LR 8

Senator Robak, Moore, Schmit, Chizek, Elmer, Withem, Korshoj, Smith and Ashford and Labedz. (Read title.) The bill was introduced on January 19 of last year, at that time it was referred to the Transportation Committee for public hearing. The bill was advanced to General File. I have Transportation Committee amendments pending, Mr. President.

PRESIDENT: Senator Lamb, are you going to take those?

SENATOR LAMB: Mr. President, members, LB 742, a bill introduced by Senator Robak, and it has to do with changing the eyesight requirements for drivers licenses. The committee amendments are minor. There are two of them. On page 2, line 19, strike "or" and insert "and"; and then on page 3, line 7, strike "the applicant"...the words "the applicant has". These are merely...

PRESIDENT: Senator Lamb.

SENATOR LAMB: ...drafting errors that were...

PRESIDENT: (Gavel.) Senator Lamb, could I interrupt you?

SENATOR LAMB: Yes.

PRESIDENT: I hate to interrupt you in the line of thought, but I've just been notified there is a bomb threat and you're all supposed to evacuate the building. Okay.

SENATOR LAMB: What if we don't?

PRESIDENT: Mr. Speaker, Speaker Barrett. Would you like to read some things into the record while we're waiting for the bomb to go off?

CLERK: Mr. President, very quickly, I have a designation of priority bill by Senator Schimek for LB 514. I have notice of hearing for the Urban Affairs Committee. And notice of hearing from the Agriculture Committee. (Re: LB 851, LB 856, LB 908, LB 957, LB 964, LB 966, LB 968, LB 1004, and LB 1005.)

New bills. (Read LB 1078 and LB 1079 by title for the first time. See page 244 of the Legislative Journal.)

Mr. President, I have in addition to that amendments to printed by Senator Lynch to LB 187, and Senator Lindsay to LR 8CA;

solve problems. That's why we're elected, that's why we have a Legislature. That's why, as society, we form together into government. Our job down here is to solve problems and I see recently that the World-Herald has talked about the fact that we have too many bills. They misread the issue. The issue is not having too many bills, the issue is having too many problems, too many problems that people care about and want something done about. And this Legislature responds to that by introducing legislation to solve those problems. Well, we have too many problems and, as a result, the World-Herald says we have too many bills. Well, this is going to be one less bill because we have one less problem. And sometimes you introduce legislation and you pass it and you solve a problem and we all know that that's ultimately what we see in legislation, hopefully, dealing with issues. But sometimes you don't have to pass legislation to solve problems. I cite Senator Weihing's bill on cholesterol, that he recently sent a memo around that indicates on Final Reading the bill does not need to be passed because, through that legislation, without it passing we have seen voluntarily the issue addressed that Senator Weihing brought to this Legislature. Other times, the mere introduction of a bill will solve a problem. The introduction of this piece of legislation has solved a problem. Without a hearing, without a need for a vote, without a need to be passed, LB 1012 has solved the problem as introduced to address dealing with problems in judges' retirement and, as a result, I ask this Legislature to vote to withdraw the bill.

PRESIDENT: Any further discussion? If not, the question is, shall LB 1012 be withdrawn? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the withdrawal of LB 1012.

PRESIDENT: LB 1012 is withdrawn. Move on to General File, LB 514.

CLERK: Mr. President, LB 514 was a bill that was introduced by Senators Schimek and Baack. (Read title.) The bill was introduced on January 18 of last year. Mr. President, at that time it was referred to the Education Committee for public hearing. The bill was advanced to General File. I do have committee amendments pending by the Education Committee.

PRESIDENT: Senator Withem, please. Just a moment till we get you turned on here. Now try it.

SENATOR WITHEM: Yes, you missed my saying, Mr. President and members of the body. That was an important part of my...

PRESIDENT: We want to get in for sure.

SENATOR WITHEM: Yeah, make sure that gets into the record. LB 514 is a bill brought to us by Senators Schimek and Baack. It is a bill dealing with the health education curriculum of our state. Currently, health education is one of the very few things that is required of the state...required by the state to be in all curriculums around the state. There was a task force group of folks who dealt with this issue to bring about an update to that current statute. Senator Schimek will, I'm sure, just do an outstanding job explaining to you all of the ins and outs of what is being proposed here. The committee amendments do two fairly simple things. Number one, they correct a drafting error. In point 10 in the laundry list of things that need to be covered in a health education program, according to the bill, should be the concept of death and dying, teaching people about the mortality of man and all of those and dealing...being able to deal with grief and all of those things. When the bill got drafted, somehow the term "health and dying" appeared. What the committee amendments do is suggest replacing that with the language "death and dying", which was the original intent of the legislation. I know some people are going to want to argue whether or not that should be in a high school, junior high school, elementary school curriculum and it's fine to debate that topic. The committee amendments are an attempt just to get the bill back into the shape in which it was originally introduced. The second thing the committee amendments do is that they add back into the statutes awareness of the nature, causes and prevention of mental retardation and other developmental disabilities. That is in the current statute, it's my understanding. The original intent of the bill suggested deleting that language. A number of people appeared at the hearing thinking that it's important that all people have some awareness of the nature, causes and prevention of mental retardation and other developmental disabilities in any sort of health curriculum. The committee agreed with them and we're recommending in the committee amendments that that language be retained in our statute as we update our health education curriculum. So, with that, I will respond to any questions. If

there are none, I would suggest a support of the committee amendments.

PRESIDENT: Thank you. Senator Haberman, on the committee amendments.

SENATOR HABERMAN: Mr. President and members of the body, would Senator Withem yield to a question, please.

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Yes, I would.

SENATOR HABERMAN: Senator Withem, as you know, there is some legislation introduced that we put a lid on government subdivisions and in my fiscal note it states, requires that local school authorities provide such a program. Are we mandating a program to the schools that is going to cost them additional funds in their budget?

SENATOR WITHEM: It's really updating an existing mandate. The mandate to provide health education is there. This is mandating that the health education will be brought up-to-date. Whether or not it's going to cause additional expenses by local school districts, I would tend to doubt it but I can't answer it conclusively. Maybe you should address that to one of the sponsors of the bill.

SENATOR HABERMAN: Okay, I will wait and do that then. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Withem, did you wish to close on the committee amendments?

SENATOR WITHEM: If there are other questions, this corrects a bill drafting error and adds the information about the prevention and causes of mental retardation. So, with that, I would urge you to adopt the committee amendments.

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

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

PRESIDENT: The committee amendments are adopted. Do you have anything else on the bill, Mr. Clerk?

ASSISTANT CLERK: Yes, I do, Mr. President. Senator Schimek would amend her bill.

PRESIDENT: Senator Schimek, please.

SENATOR SCHIMEK: Mr. President and members of the body, this is a very simple amendment that would be inserted into line 18, on page 2; line 18, on page 2, and it would just insert "public" before the word "schools", and all public schools. This makes the language consistent with that that is on page 3 that also refers to all public schools. I just want that as a clarification amendment. Thank you.

PRESIDENT: Thank you. Any discussion on that? Okay. The question is the adoption of the Schimek amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

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

PRESIDENT: The Schimek amendment is adopted. Senator Schimek, would you like to discuss the bill?

SENATOR SCHIMEK: Yes. Mr. President and members of the body, LB 514, which is on your desk, is a bill which has had some good committee discussion but I think that we need to make everybody aware of what this bill actually does. The bill would expand the existing statute, 79-1270, which provides for learning experiences for substance abuse, abuse and misuse, and it would expand it into 10 other areas, the areas of personal health and physical fitness, mental and emotional health, prevention and control of disease, nutrition and weight control, accident prevention and safety, community and health...and environmental health, consumer health, family education, death and dying, and mental retardation. Now, in addition to expanding vertically into these different areas, the bill would also suggest that we teach health education in grades K through 12. One of the things that I found in reading about what students know and don't know, what students have learned and not learned in health education classes in schools where they already exist is that too many of them have health education just in junior high

school. By the time they have reached high school age, many of them are not as knowledgeable about health education issues as they were in junior high school. And, at the same time, a lot of evidence now points to the fact that we have health problems at a much earlier age than we used to; earlier cigarette smoking, earlier drug abuse, earlier alcohol abuse. So it is thought by many that we need to lower the ages when we begin discussing some of these health education issues. The bill very clearly says that the material must be appropriate for the age level being taught. Why do we need this? If you will look at the sheet that I passed out, LB 514, which is a two-sided sheet, down at the bottom of the front page, on the right-hand side, it talks about some statistics that have been gathered about Nebraska students. And you will notice that it says 60 percent of Nebraska high school students admit to being sexually active. Five percent of Nebraska high school students have injected illegal drugs. Sophomore girls have percent body fat which exceeds those calculations of sophomores in other states. Sixty percent of high school seniors, 60 percent have used alcohol. Suicide is now the second leading cause of death among young people 15 through 24 years of age. Over 30 percent of elementary children display at least one prime risk factor for heart disease; 25 percent display two or more risk factors. Fifty percent of girls ages 6 through 17 cannot run a mile in less than 10 minutes. I might mention that some over 40 cannot do that either. Over 30. Also, nearly 40 percent fewer seventh graders reported smoking after exposure to comprehensive health education in the fourth, fifth and sixth grades, and not just smoking education. If these results are extrapolated to all seventh grade's nationwide, that is, if every seventh grader is exposed to quality comprehensive school health education curriculum, nearly 150,000 seventh graders per year who would have started to smoke, would not. I think that each of us probably has evidence in our own families of young children who have been through these kind of classes and who really will not consider beginning starting smoking. Project Graduation or Live to See The Sunrise programs that have been adopted by many schools, even here in Lincoln, and others across Nebraska, which tries to decrease the number of automobile accidents among teens during graduation period have been very successful. In some communities, there have been broad-based community programs which have been started to reduce teen pregnancies and they have been very effective. I guess that what I am trying to explain here is that there is evidence, there are facts and figures by studies that have been done in Nebraska, as well as in many

other states, that a comprehensive health education can make a difference. In other words, we can't just teach children to say no to drugs. We can't just teach children to say no to alcohol. We can't just teach children abstinence about pregnancies. What we need to do is to teach the total health picture so that we will have healthier children and we need to build into this comprehensive health education a mechanism by which we can also help the individual child's self-esteem and growth patterns so that they will want to say no to drugs and all the other kinds of bad habits that we would like them to say no to. If you will look...I think you got a sheet, I'm not sure, about the comprehensive health education implementation plan. And this gives you a little bit of idea about how the health education bill would be implemented. First of all, let me reiterate that there is already in place a mandated health education plan in Nebraska and many districts have already implemented comprehensive health education programs. The State Department of Education tells me that there is a big demand for the curriculum and the kind of instruction that schools can use to implement this plan. What the plan would be to provide school districts with a check list in order that they might evaluate their current status on health education. It would also emphasize that the Nebraska Department of Education personnel is willing to help with any curriculum writing or revision process. And I might add that it is still up to the local school district to decide exactly how they want to implement this, so there would be no absolute as far as a written curriculum would be concerned. They have already convened a curriculum writing committee and have worked on a curriculum for our purposes. There would also be a review committee of constituents and the interested parties. And I might add that the Department of Education wants to bring in all points of view to this curriculum review and implementation process so that you have some of the concerns that this kind of legislation has raised in the past, so that you're able to address these concerns and bring in more of a community point of view. Five to seven staff development workshops would be...would be held and representatives of local school districts would be invited to an annual Good Life Conference which would reenforce and promote the concept. And then, finally, it would initiate an evaluation review process to determine that the teaching of comprehensive health education does make a difference in use knowledge skills and resultant behavior concerning healthy lifestyles. With that, I would conclude my initial remarks and say that I would be happy to answer any

questions that the body might have. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Haberman, please.

SENATOR HABERMAN: Mr. President and members of the body, I wonder if Senator Schimek would yield to a question, please.

PRESIDENT: Senator Schimek, please.

SENATOR SCHIMEK: Yes.

SENATOR HABERMAN: Senator Schimek, did you hear me ask this question of Senator Withem?

SENATOR SCHIMEK: Yes, I did, Senator Haberman.

SENATOR HABERMAN: Would you...the question was, are we mandating a new course and is this going to cost the schools any money?

SENATOR SCHIMEK: It's a good, fair question, Senator Haberman, and essentially I think Senator Withem answered it as I would answer it and that is that we already have a mandated health curriculum. This simply broadens that health curriculum. Secondly, there is no way of knowing fiscal impact on the individual schools. Many individual schools are already teaching comprehensive health education. Many will be able to incorporate it into their present curriculum without additional staff. So it would be kind of up to the individual school boards.

SENATOR HABERMAN: If a school would come forward, or schools would come forward and say that they had to add additional staff or another class or what have you, and it would cost them additional money, would you still be a strong supporter for the issue as you are now?

SENATOR SCHIMEK: Well,...

SENATOR HABERMAN: I don't have that information...

SENATOR SCHIMEK: ...yes, I would. Yes, I would, Senator Haberman.

SENATOR HABERMAN: How are we going to handle that if we put a

lid on the schools?

SENATOR SCHIMEK: Are we going to put a lid on the schools, Senator Haberman? Is that a foregone conclusion?

SENATOR HABERMAN: I say, if we put a lid on the schools, how are we going to handle that?

SENATOR SCHIMEK: Well, that's a good question and I'm not sure that I can answer it, but if that should occur, we would probably have to revisit this issue of paying for it then. If a school is not able to accomplish that without expanded staff, expanded costs. I can't answer that definitively, Senator Haberman, and perhaps somebody else on the floor who has had more experience with these fiscal matters than I could answer that.

SENATOR HABERMAN: Thank you, Senator Schimek. I will look into the matter and if I find that some school says that they're going to have to hire additional staff where it's going to cause additional expenses to the schools, Senator Schimek, be prepared that I will fuss with you a little bit. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Wesely, please, followed by Senator Crosby, Senator Smith and Senator Dierks.

SENATOR WESELY: Mr. President and members, I would rise in support of the bill and encourage all of you to support it as well. The origin of this legislation comes from a study in 1988 by the Health and Human Services Committee. Senator Morehead, Senator Bernard-Stevens and myself, as well as the committee, looked at the issue of teen pregnancy. We held hearings in Lincoln and North Platte and we also found out that the issue of teen pregnancy ties in directly with the issue of teen suicide and teen drugs, and they all tie in, back into the very issue that this bill addresses. What we found, from our study in 1988, was that...problems that we're having with our young people, with our teenagers, the difficulties that they're having that result in the sort of problems that we have just identified with youth having pregnancies, suicide, which has been a problem in this state, and the problem with drugs that we're all concerned about in the state, especially with our young people, all come back to self-imaging problems that these individuals have had troubled youths, have had difficulties sometimes

undetected by even their family members and that if we can early on have in place a support mechanism in our school system to help early on spotting these problems and dealing with these problems instead of ignoring them, allowing them to get worse and continue and fester and grow to a point where we have the sort of disasters that we know have existed in this state in years past. If we can do something early on, we can stop, in some cases, at least, these problems from ever developing to a point where we have the pregnancies and the suicides and the drugs that we're all concerned about with our young people. So I think, clearly, the intent here is to follow up on health education mandates we already have in place. We have required our schools to have health education but we haven't been real aggressive on what the focus was, on making sure that that health education was comprehensive and trying to make sure that the sort of things I just mentioned would be addressed by our schools. This bill takes the next step beyond where we're at today and addresses this very important issue. So I see the bill as an important bill. I see the bill as a good bill and I would encourage your support for it.

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

SENATOR CROSBY: Thank you, Mr. President, and members, it would be difficult for anyone to come to this microphone and say, I'm against this bill, because, as Senator Schimek so ably stated and Senator Withem ahead of her, the whole concept of the bill is to start early so our little ones, and as they grow up they understand what health is all about, and that health problems are related to almost everything you do in your life, I guess, would be everything. I have had some concerns about this bill simply because some of my constituents have concerns and it isn't just the people who testified against the bill. I want to assure Senator Schimek of that and Senator Withem. Others have a concern about how some of these things on the list would be brought to the students and the one in particular is on death and dying. So, as soon as I say a couple of things, I will ask Senator Schimek a couple of questions or Senator Withem, either one can answer the questions probably. When you start talking about death and dying, you definitely are getting into a philosophical and moral area and there are all kinds of beliefs, feelings, concerns about how we die, where we die, where we go when we die, and I understand that a lot of children...every...children always have questions about this

particular thing. Where did grandma go? Why did she go? Why doesn't she talk to me? And if there is a suicide or an accident death in school, then the counselors immediately go and try to help the young people deal with that kind of thing because it is a shock to them to think that one of their own, their own age could go so quickly and not be there anymore. But here are my questions. Senator Schimek, would you yield and answer a couple of things for me?

PRESIDENT: Senator Schimek, please.

SENATOR SCHIMEK: Yes, I will, or I will try.

SENATOR CROSBY: I guess what I would like to know is what do the educators tell you as to how they would deal with this particular question? Would they deal with it in a kind of a general way, or how are they...the philosophical side of it, I think, is very important and have they given you any ideas as to what they would teach?

SENATOR SCHIMEK: To a limited extent, yes, Senator Crosby. The idea is not to interject religious or moral tones into this discussion. The idea is to discuss with children the fact that there are...that we are not immortal, that we all...that sooner or later every living thing dies and that there are ways in which we can address the stages of grieving that a person goes through. And I think interjected into all of that is also the discussion about teen suicides and the prevalence of them and what a student can do who knows someone who may be thinking about it. I mean, there is a broad range of topics here. Something that I thought of that I think certainly should be covered, so many people that I have heard from at the committee hearing, and so forth, I haven't really heard from my own constituents too much, but so many people are afraid that we will mishandle the subject and that we will give children the wrong idea. I guess one of the things that I would like this to do is make children more sensitive to the issues of death and dying. When they...their sensibilities are assaulted night after night...

PRESIDENT: One minute.

SENATOR SCHIMEK: ...by the...by the television coverage of worldwide events and they see all the death and dying, I am afraid our children might become immune to thinking about it and

to being sensitive to these issues.

SENATOR CROSBY: I will come back to it, Senator, thanks, because we're running out of time, but, thank you. But, see, you used the word "immortal" and there, you see, I believe in immortal life because I believe in the spiritual immortal life after death, so there are some of the problems, I think, right there that we run into in this particular subject. So I will turn my light on again in case I have some more questions, but thank you very much.

PRESIDENT: Thank you. Senator Smith, please, followed by Senator Dierks.

SENATOR SMITH: Thank you, Mr. Chairman. I rise to...I think what I would like to do is, if I may, continue to discuss this issue with Senator Schimek. And I thank Senator Crosby for bringing this issue to us because this is one that I have had concern of, this one area particularly, Senator Schimek. You know, one of the things that I learned in working with aging programs for the number of years that I worked with the programs was that death and dying is a big issue as far as elderly people are concerned and it's not something that just anyone deals with, that it does take trained counselor-type people to deal with this issue and I think I have already expressed this to you in a meeting that we have had, you know, on this...on the bill, that my concern is since there are no standards, in my understanding of the bill, is that correct, that are set out by the Department of Education that they will follow as guidelines in establishing the curriculum at the local level?

SENATOR SCHIMEK: There are some...there are some suggested things that the department...some suggested guidelines that the Department of Education is developing but it will certainly be up to the individual local school district to implement that. And I might add that there will be some in depth training on some of these issues so that we don't...

SENATOR SMITH: Senator Schimek, a couple of weeks seminar is not going to train someone in depth about how you deal with, in detail, the kinds of concerns that we really...that are a part of the whole death and dying process. I guess the concern that I might have, and that's what I would be asking is, is there any way that we can assure, in the bill through an amendment, or whatever, that there is a review or something by, you know, the

planning that...I think it's a little vague in the fact that you're just saying that organized and planned instruction in these areas is, you know, going to go on, that you might not...that you have to have some kind...I would like to see more supervision over the fact that individual teachers are designing what they call death and dying part of the curriculum and that there is some oversight by someone as to what is going on in that classroom so that that teacher is not raising a lot of questions that she can't answer, and creating more problems than she is resolving through the process of dealing as a counselor in a role that I think should be left mainly to a counselor in this area. You know, the peripheral things that you talked about, that you summarized when you were talking about the whole death and dying area, I think should be dealt with in the classroom. I think it's a very good idea, but it goes a lot further than that, and we could be creating new problems is what I am concerned about. So what I would like to see is something that would be addressing this because most schools nowadays do have counselors. Is that correct? I know not all...

SENATOR SCHIMEK: Yes.

SENATOR SMITH: ...but most.

SENATOR SCHIMEK: That is correct and it's even more at the elementary level than previously, so we're getting them at all levels now.

SENATOR SMITH: So that the teacher does not think of herself as the answer to every question, that in her teaching process with this issue that she does exactly those kinds of things you're talking about that she doesn't try to delve into it in the psychological manner and analyze, etcetera, that that's turned over perhaps to a counselor if this child has specific problems that's been evidenced through the...you know, surfaced in the process of the daily instruction.

SENATOR SCHIMEK: Senator Smith, I couldn't agree with you more. I think that we do need to be very, very sensitive in this area and I would have no problems if we could develop some kind of an amendment like that. I think counselors, in most cases, in most cases anyway, probably would be the best people to deal with this subject. I'm not sure how much you want to write that into the legislation or how much you want to leave that up to the individual school district. But I think that there could be

ways that we could be more clear probably in that.

SENATOR SMITH: I would appreciate that, if it could be made more clearly defined as far as oversight and, you know, as far as the development of the curriculum and it's not just left to the discretion of any individual teacher who may not be competent in this area and create some new problems. And then the other thing that I would say is that I do join Senator Haberman, to a degree, in his concern about mandating, that this is construed as mandating another new layer of education, that instead what we might be doing is remapping the curriculum in the area of health education...

PRESIDENT: One minute.

SENATOR SMITH: ...and doing some of the things to meet the new needs that we now see evidenced, you know, to meet the future needs of our children in Nebraska so that it's not construed as saying, oh yeah, they told us we have to have another new course and so we have to put in place now a teacher to handle this issue. One of the things that I'm real concerned about that we have seen in departments, you know, in all areas, is that we end up with new ideas all the time but we never end up removing anything that's outdated or outmoded in the past so that we end up having new costs. And, you know, for instance, in the mental retardation programs, I was told by some staff recently that some of the things that they have been doing are not working anymore. Now I have a request that came to me from someone saying they had this great idea about how we address these issues, give us some new money. So what I'm saying is what we need to do maybe is look at the curriculum, revamp the educational curriculum at that level and not replace...or add this as another layer, because teachers are almost at the point where they can't add any more time in their day and neither can students.

SENATOR SCHIMEK: Yes, Senator Smith, and I probably didn't respond as fully as I should have to Senator Haberman, but part of the...part of this program would allow the State Department of Education to work with the schools in determining and doing a needs assessment and working with the schools that did not or could not hire more teachers to do this so that the science instructor would perhaps be able to work some of this into their curriculum. We're not necessarily talking adding layers, we are perhaps talking about incorporating some of this into existing

classrooms.

SENATOR SMITH: Good. That's what I...I'm...

PRESIDENT: Time.

SENATOR SMITH: ...glad to hear that and I'm glad that's in the record. Thank you.

PRESIDENT: Thank you. Senator Dierks, please, followed by Senator Withem .

SENATOR DIERKS: Mr. President and members of the body, I am not supporting this legislation. I didn't support it in committee and I have difficulty supporting it today. I don't really have a problem with Senator Schimek's intent, it's just that I believe that there are some things in this legislation that could cause us some problems down the road. I don't believe that we need to be expanding state authority in our schools again. I don't believe that the cost should be shared if we should have that cost increase. I think there are those who have some authority across this nation who...or would like to have, who would like to have complete control of our children. I think they would like to start at age three, we're finding that all the time. I think there are parents who object to that. I'm sure there are some parents who agree that that's all right, they would like to have the teachers taking care of their kids from then on. But, with me, it's a problem, I just don't believe this is what we need to do. I have another problem with the fact that we're going to be asking teachers to educate our children and we haven't even done a very good job of educating our educators. We can't be too proud of the fact that we have a functional illiteracy rate in the neighborhood of 16 percent in this state. We can't even get people to learn how to...that many people can't read or write beyond the fifth grade level. I think it shows us that we are pretty sadly lacking in certain areas and I wonder if we should be getting into this sort of a thing where at the kindergarten level we're going to be starting to talk about death and dying and about family planning, for crying out loud. These things just go against the grain with me. I guess my perception is that with this legislation we are providing school-based health clinics and I know that people don't like to hear that and I know that people will object to that, say that that isn't happening here but that, in my estimation, it's open-ended, it does allow that sort of a thing

to happen. And where we have these type school-based health clinics, we have actually given sex education courses where wherever they have existed there has been an increase in teen pregnancy rates and I still think that these are responsibilities that belong in the family, that mom and dad should take care of that and it shouldn't be in the hands of educators, especially when the educators need to learn so much about education yet. Thank you.

PRESIDENT: Thank you. Senator Withem, followed by Senator Crosby.

SENATOR WITHEM: Yes, Mr. President and members of the body, I have not spoken on the issue other than to introduce the committee amendments. This is a troubling type of bill, to me, because of the type of emotions that it brings out and I think it demonstrates...it may not be the inability of the school system or the inability of our children to deal with these issues, it demonstrates the inability of a group of 49 adults that are elected to the Nebraska Legislature to deal with these types of issues. We are not creating anything new with this bill. We are simply using some better language to define what it is that we expect our students to learn. We have a comprehensive health education program in our statutes today. That's existing language. All this does is spell out in more modernistic language what it is we expect that curriculum to cover. We are not mandating any new programs, already school districts are mandated to have comprehensive health education. If you're concerned about the school's ability to handle that, you probably ought to be coming in with legislation to repeal the whole language here. But we already have that. We already have comprehensive health education as one of the very few state mandated programs that exist within our statutes. All this really does is spell out what it is that we need to include within those particular programs. It's an update of the language. It's not something new. I had my light on before Senator Dierks spoke and wasn't going to mention this, but, beings he did, I think I need to. Senator Dierks, I think it's irresponsible to talk about school-based health clinics in here. There's absolutely nothing in here that talks about the treatment of any sorts of medical problems that young people have. That's what a school-based health clinic does. It provides health services. This doesn't talk about health services at all, one iota. It's irresponsible to be raising those kind of specters when we discuss this legislation. This

talks about the type of information that is going to be taught within the curriculum. My kindergarten son is taught to wash his hands after he goes to the bathroom. That's the type of stuff we're talking about here, the sort of thing, the prevention of diseases, proper nutrition. Drug abuse and abuse, we have a lot of talk here about drugs and the problems we have with drugs in our society. This is a drug abuse prevention bill. Talking about updating the sort of information we give people about drug abuse and misuse. How to prevent accidents and safety, all of these kind of things that we expect our schools to deal with, we're just updating this language, making it clearer what it is we expect schools to do. It's in our curriculum, it's not...we're not going to be substituting brand new classes in anything. The classes are already there, it's just updating the language so that we'll have more modernistic instruction in the sort of programs that our schools are already teaching. It's a good bill. I think the fact that we all want to look at what's hiding behind the language and the words in the statute demonstrates more our inability to cope with these issues that says anything about our schools or our students or our teachers or our education system. It's a good bill and I think you should support it.

PRESIDENT: Thank you. Senator Crosby, followed by Senator Beck and then Senator Bernard-Stevens. Senator Crosby, please.

SENATOR CROSBY: Thank you, Mr. President and members, I guess when Senator Withem uses the word modernistic, I think more of contemporary language and I think there is a lot of things in contemporary language that perhaps we take for granted these days but don't always see what's behind them. I can't say that I see a school-based clinic behind this but sometimes there is a foot in the door. Maybe that's what some of us are concerned about. The death and dying thing is still the one part of the bill that concerns me. I still feel that that has a moral and philosophical side to it that the average teacher...and this is nothing against their education, nor against the people, because all of you in this place know how I feel about teachers, they're wonderful people, but they are not...they are not educated to speak about moral and philosophical issues always. I'm sure they take very few philosophy classes when they take their education to be educators, to be teachers. So that's what I am concerned about, the particular thing about death and dying. And I think, as I said, I got more complaints about that than anything else, I really did. And when this comes along for a

vote, I may just not vote because I don't really want to vote against it but I don't really want to vote for it and maybe by Select File I will try and bring an amendment back that would take care of that particular part of it. But I think Senator Smith brought out some things about that particular thing too, is that the qualifications of someone to speak and educate about that subject. There are so many facets and so many parts of the death issue and the dying issues these days, for instance, the living will and so on. Well, I don't think that the average teacher even wants...even a health teacher doesn't necessarily want to go into those things. And I understand that it's local option and so on, but you're putting a burden on the local school boards and the local faculties, the local teachers when you enlarge the curriculum and enlarge the list of the things that they may or may not teach. So I guess the reason I wanted to speak the second time so, Senator Schimek, if I don't vote, you understand why. I just have some mixed feelings here today and by Select File I will try and get my act together. Thank you.

PRESIDENT: Thank you. Senator Beck, please, followed by Senator Bernard-Stevens.

SENATOR BECK: Thank you, Mr. President, and members of the body, this bill, the intent and the scope of it, the scope is tremendous and these are things...some of these things we do need and perhaps are, as Senator Withem said, are already happening in the local school district. But, like Senator Crosby and Senator Smith, I have a little question here for Senator Schimek and it's when...when in the paper here you mentioned that all things do die and we're not immortal. And I just have a question and it's this. Now...and I concur with Senator Crosby, looking at this as a classroom teacher, I think, you know, we...religion becomes...and dying is tied into that, and that becomes a personal thing. And a teacher may bring biases into the classroom that she can't help or he can't help and so, I guess, I'm just looking at it as the many recognized religions. I think this may be the one area of the bill that may cause us problems, Senator Schimek. And my question is this, there is many recognized religions, you know, we talked about that in the multicultural bill, and they believe that the body is mortal but that the body does have a soul and that that soul is immortal. Now, you know, Shirley MacLaine, I was just reading something from...of hers, and she believes that we simply die in a reincarnated state then and take on another

living form. And anyway since you mentioned that issue of the mortality, I'm kind of wondering how we're going to...how we are going to address these philosophies because there is always that shadow over the classroom, and you and I both know it as having been teachers, of the division of church and state. Now, see, I would almost be afraid if I were in the health curriculum and were to teach on some of these things that I could really bring something down on that local school district that might, you know, like our own Westside in Omaha, end up in the Supreme Court. And I just wonder what is your desire or I know you thought this bill through, it's very well done and I congratulate you on your intent and the scope, but what do you foresee as how we handle that? And that's...I just wanted to bring that question to you.

PRESIDENT: Senator Schimek.

SENATOR SCHIMEK: Did you want me to try to answer the question?

SENATOR BECK: Right. Yes, if you would, please.

SENATOR SCHIMEK: Thank you, Senator Beck, I do appreciate what you are conveying to me and, believe me, this is a concern of mine as well. But what I understand is happening is that school districts are already having to confront these issues of death and dying. Every time a child loses a pet, for instance, or when a classmate is killed in an automobile accident, or when another teenager takes his or her own life, these are things that schools are already being called upon to answer. And what this bill would attempt to do is to provide more resources for these classroom teachers and these guidance counselors and to better equip them. I mean, I wouldn't presume to teach a death and dying class unless I had had some kind of further instruction on how...I mean, I have already gotten myself into trouble here on this floor this morning. I would not presume to go ahead and go into a classroom. I think that we have to remember that the local school district will oversee all of this and that it will require a great deal of public and community involvement and I would like to speak to that issue at a later time, but I won't take any more of your time now.

SENATOR BECK: Thank you, Senator Schimek, I appreciate your answer. And I will have to say though that I do still have questions about how this then would be developed in the rules and regs and this kind of thing and it will be on my mind in

conjunction with LB 514 how that this would not be an undue burden on a classroom teacher or on the local school district or on the community itself. And this is something I really think we really need to work out and be satisfied with ourselves with the various...there's 49 senators here and we would all come into it with a different point of view and we would have to make certain that that would fit in with the local context. So, thank you very much for your fine answer.

PRESIDENT: Thank you, Senator Beck. Senator Bernard-Stevens, followed by Senator Schimek.

SENATOR BERNARD-STEVENS: Thank you, Mr. President, and members of the body, I have very much enjoyed the discussion this morning because the topic is a very far-reaching topic, particularly when we get into emotional issues, spiritual issues possibly that would affect our children. And there have been some very good questions here. I guess I would like to make just a general comment first. If there are portions of any particular bill that causes a senator some concern, I would hope that we would not vote against an entire bill on General File with the limited time that we have this particular session because of a particular section that we may disagree with. I would hope that those senators that are concerned with possibly the death and dying part or another particular section would say, I think the intent of the bill is good, I think overall the bill is good, I would like to move the bill on but I will have some specific amendments and specific changes I would like to make before we get to a Final Reading so I know exactly what we're going to have in the bill. I would hate for the bill to flounder because of a particular section if, in fact, there is no attempt to change that particular section at this time. And I kind of urge the body to at least consider that particular aspect of moving...of the movement of LB 514. On another more personal note, I had a really fun thing happen to me last night. About seven-thirty in the evening I had a...there was a knock on our door and I looked out and there were two young boys there. They were on roller skates and they came up to the house and rang the doorbell. And one was nine years old, and Cory wanted to know if I was the senator, and I said, well, yes, I am. And he said, I would like to talk to you, please. So here I am talking with these two young gentlemen. And he said, I want to talk to you about drugs. And so we proceeded to talk about drugs and he wanted everybody to come down harder on drug abusers and the criminals particularly. And I said...and he

told me that he had spoken to the Governor just recently when she was in North Platte. And I said, well, you will be glad to know that the Governor has come out with some very tough penalties on drug enforcement. And he said, good, she listened to me. And so, as far as he is concerned, he is a happy camper because when he speaks to the Governor things happen. But we got into some conversations and the essence of the conversation was that here I was talking to a nine-year-old and we were talking about drugs and we were talking about abuses and we were talking about things that were happening to his friends in elementary school. And it paused me...gave me pause to think about LB 514. Sometimes we, as adults, lose touch. We lose touch. We remember our children as they were. We remember situations and circumstances the way we would like to remember them to be and our children that we have had are grown, in many cases, and we remember the way it used to be, and we lose touch of what's happening there. And one thing I can tell you, when you get into a classroom in 1990 in the State of Nebraska, there is one group of people you should not sell short. I have heard people on the floor question about whether adults are capable. I have heard people question whether the faculty members would be capable and qualified to teach certain sections. But the one group of people that we neglect to talk about that we hold far too short in esteem and that is the students themselves. I will guarantee you that you put a set of facts in front of students and they're going to give you one heck of an intelligent evaluation on what's a good idea and what's a bad idea. And they're going to give you a pretty quick example of saying that was the most stupid thing I have ever heard.

PRESIDENT: One minute.

SENATOR BERNARD-STEVENS: Or they're going to say, that makes sense. And the one thing I think we need to keep in mind is that our children, in elementary particularly, are hurting more than we were, are hurting more than possibly your children were when they went through. So many things are happening so fast to them. And if we don't do something like 514 to augment what we already have there, I ask the body to ask themselves a question, when will we teach the students about these areas? When will we discuss these areas? How long will we postpone it? Till they're junior high? Till they're in college? Till they're an adult? And, in the meantime, they have, while we're debating when and how they should learn, believe me, people, they have already learned it in their own way. They will have learned it.

They will have suffered death. They will have suffered loss. They would have suffered death, suicides of their friends, and they will suffer the social enigma that goes on with health care and self-esteem and all that goes in. And I would also like to tie in some other issues with the 30 seconds or so I have left. Keep in mind that we're talking later on in this session about prisons and we're talking about expanding prisons. One of the things that we must do in this body is focus on the beginning of the process, the beginning of self-esteem, the beginning of learning about what life is truly about. And I am convinced that I may not be a teacher qualified to teach a topic on death and dying, but if I get the opportunity, I will meet with my community and I will find a way and will make it work because it has to work, because if we don't do it in the elementary...in the education system, somebody else will do it for us...

PRESIDENT: Time.

SENATOR BERNARD-STEVENS: ...and I don't think you want that. I urge the support of 514.

PRESIDENT: Thank you. Senator Schimek, your light...Senator Schimek, you're the last light, would you like this to be your closing?

SENATOR SCHIMEK: That would be perfectly fine with me, Mr. President.

PRESIDENT: All right.

SENATOR SCHIMEK: Mr. President and members of the body, I would like to address a couple of things that have been said on the floor and then have a few closing remarks. I think what Senator Bernard-Stevens was saying to us is that we really can't bury our heads in the sand, that there are a lot of issues out there that are not necessarily being addressed by the family or other institutions. Remember that a lot of these children do not even have churches that they go to that provide this kind of help to them. I read a letter recently to Ann Landers that indicated a grown woman who had finally, at last, sought psychological counseling because when she was young some relative had died and she had never been counseled on how to deal with her grief and as an adult she was trying to come to terms with that. Now I don't say that our schools can do everything for children and can help them through the grieving process but it can help them

understand perhaps and with some counseling perhaps make their lives a lot easier. And another thing that we should remember, I think, is that we are really talking about a bill here that would allow local control and a great deal of flexibility in that curriculum and that we would want it to be done in an appropriate manner for that community, not only appropriate for the community but appropriate for the age group. We're not going to come into a kindergarten class and teach about death and dying or about pregnancy or about drugs in a way that you would address it at a junior high school or senior high school level. You might have to, as I mentioned earlier, have to address the matter of a pet dying, or something of that nature, at the kindergarten level, but certainly you would make it age appropriate. Many of the issues that we're talking about here are issues that high risk kids have to face and the health issues perhaps are even what make them high risk kids. When we're talking about, as we will be talking about this year on this floor, about drug enforcement and how to cut down on the amount of drugs that are sold and bartered, we have to remember that the more that we can teach about that and prevent that kind of behavior the better. But just teaching about drugs is not going to solve the problem. You've got to build a whole healthy individual. The schools can't do it all but they can perhaps help. Five points I would like you to remember. One, that this is not a new piece of legislation. It is an expansion of what is already in place. The appropriation is small; 120,000 for the first year, 50,000 for the second year, and that is mainly to pay the lodging and the meals for the teachers and the guidance counselors and all who would come in to these training workshops. That this, in the long run, if we can...if we can encourage the kind of behavior that this bill would as far as eating habits and weight control and exercise and things, which a lot of our schools are already doing, but build it into this comprehensive plan, that ultimately, hopefully, we would have lower costs for medical treatment and insurance, and so forth. In fact, there is a statistic that was told to me lately that for every seven times...for every 10 times that we visit a doctor's office, seven of those times will be because of behavior that we, ourselves, have had and caused these symptoms to develop. Seven out of 10 visits to the doctor's office are related to our own behavior. And if we could learn to cut down on some of those behavioral problems, perhaps we could cut down on some of our medical costs. As I mentioned, it could be a part of a long-term solution to drug problems, certainly not the only thing but one which needs to be addressed. And, finally,

that this would be very much up to the local schools. What this envisions is that we would involve the physical education program, that we would try to see that there is healthful school living, that we have good nutrition in our lunchrooms that are based on the low salt, low fat kind of diets, that we have an awareness of...or awareness by and integration of our school personnel and that we have community involvement, that we involve the fire departments and the police departments and the churches and the medical personnel, game and parks, whatever we need to do to see that we are developing a healthy environment for our children. In conclusion, I would just like to give you a quote from the Greek philosopher, Herophilus, who said, "When health is absent, wisdom cannot reveal itself, art cannot be manifest, strength cannot be exerted, wealth becomes useless and reason is powerless." I would move the advancement of LB 514. Thank you.

PRESIDENT: Thank you. The question is the advancement of LB 514. All those in favor vote aye, opposed nay. Senator Schimek.

SENATOR SCHIMEK: Mr. President, can we have a call of the house and a roll call vote, please.

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

CLERK: 17 ayes, 1 nay, Mr. President, to go under call.

PRESIDENT: The house is under call. Will you please return to your desk and record your presence. Those not in the Chamber, please return to the Chamber so that we may continue. While we're waiting for those to return, may I introduce some guests, please, under the north balcony, who are guests of Senator Kristensen. We have Mr. Rod Ely and his son, John, who are both from Guide Rock, Nebraska. Would you folks step forward so we can see you and welcome you to the Legislature. Thank you for visiting us this morning. Senator Goodrich, would you record your presence, please. Thank you. Looking for Senator Scofield, Haberman. Senator Langford, would you record your presence, please. Thank you. We're waiting for Senator Haberman, please, and Senator Scofield. (Microphone not on)...is on his way. And the question is the advancement of LB 514. Roll call vote. Mr. Clerk.

January 16, 1990

LB 240, 514, 718, 855, 972, 1140-1147
LR 239

CLERK: (Roll call vote taken. See pages 330-31 of the Legislative Journal.) 16 ayes, 18 nays, Mr. President, on the advancement of the bill.

PRESIDENT: LB 514 fails to advance. Anything for the record, Mr. Clerk?

CLERK: Just one item, Mr. President.

PRESIDENT: The call is raised. Did you want to enter some bills, Mr. Clerk?

CLERK: Mr. President, I do. Thank you. Mr. President, new bills. (Read LBs 1140-1147 by title for the first time. See pages 331-33 of the Legislative Journal.)

Mr. President, in addition to those items, I have a new constitutional amendment, LR 239CA, offered by Senators Withem, Warner, Lindsay, Barrett and Weihsing. (Read brief summary of resolution. See pages 333-37 of the Legislative Journal.) That will be referred to Reference.

Finally, Mr. President, I have a notice of hearing from the Agriculture Committee, that's signed by Senator Rod Johnson as Chair of the committee. (Re: LB 855, LB 972, and LB 718.) That's all that I have, Mr. President.

PRESIDENT: Thank you. Senator Baack is not here at the moment, so we'll go to LB 240.

CLERK: Mr. President, LB 240 was a bill introduced by Senator Hall. It is on Select File.

PRESIDENT: Senator Hall, please.

CLERK: Mr. President, I do have an amendment. Senator, you want to take up your amendment, or you want to refresh the body as to the bill?

SENATOR HALL: Whatever you think is appropriate, Mr. Clerk.

PRESIDENT: Senator Hall, please.

SENATOR HALL: Thank you, Mr. President and members. If I could

PRESIDENT: Everybody? Oh, the Clerk tells me I'm not correct on that, so apparently I didn't remember correctly.

SENATOR CHAMBERS: (Microphone not activated) the Clerk.

PRESIDENT: That's okay...maybe that's what we should be doing. All are here that are not excused. We will have a roll call vote on ceasing debate. Mr. Clerk.

CLERK: (Roll call vote read. See page 507 of the Legislative Journal.) 31 ayes, 2 nays to cease debate, Mr. President.

PRESIDENT: Debate has ceased. Senator Chambers, would you like to close, please. Now we're on your amendment to the Schimek amendment...Schimek motion.

SENATOR CHAMBERS: Right. Mr. Chairman and members of the Legislature, so that it's clear where we are, Senator Schimek offered a motion to bracket and inserted a date with which I disagree so my amendment has a different date to establish when we would consider this bill, or before which we would not consider it. There are a lot of issues that we have talked about, some in greater depth than others. There are many issues we have just mentioned without going into depth on and all of them do have a part to play in this overall discussion. Senator Dierks had an interesting letter to the editor in last night's Journal, and a part that is particularly interesting to me is his last statement. It was on LB 514, I believe that was the number of the bill, that he had voted against and he felt that in writing an editorial about his remarks the paper had misquoted him. But he concluded with this paragraph. "I certainly do not trivialize the issue of teen pregnancy or view it as less than tragic, but", and this is remarkable to me, "I question the wisdom and the track record of involving the public schools in a very private matter." What we're doing is taking people with no training in medicine of any kind and involving them in the most private, intimate matter that can ever befall a woman, people who don't even know the woman, who have no regard for her, no concern for the circumstances in which she finds herself, no questions as to how she came to be pregnant, none of that. I have given Senator Labeledz pretty much of a free ride up to now, but she criticized Senator Bernard-Stevens the other day because, in talking about the rights of various groups, he did not mention the rights of what she termed the unborn. But what

any time for both sides, and it is an issue that when you are dealing on March 30th with a few days left in the session, it just makes it that much tougher but, so what?

PRESIDENT: Time.

SENATOR HALL: It is a tough issue. Let's deal with it.

PRESIDENT: Thank you. Senator Schimek, please, followed by Senator Nelson.

SENATOR SCHIMEK: Mr. President, and members of the body, Senator Hall, I am really pleased that you got up to talk because I think that this has been a rather one-sided, lopsided debate this morning and now into the afternoon, and you said some things that really I think were sincere and that I would like to respond to. You know, I think it is probably true that the majority of people in this Legislature are kind of in the middle, and believe it or not, I consider myself to be one of those who are kind of in the middle who, because of the debate, had to choose up sides, and it might surprise you to know, it might surprise some others on this floor to know that even though I am standing before you today speaking against the notification bill and probably will speak against the waiting period bill, there is no way that I probably would ever vote for funding for abortions because I believe that it is such a personal matter that government ought not to be involved in it in any way, shape or form. And I do think that many Nebraskans share that particular point of view and share that middle-of-the-road ambivalence, if you will, kind of stance on all these different issues that come down to the abortion issue. And you can't say you are one way on one thing, and one way on another, you are not supposed to be able to do that but, yet, many of us would like to do that. But you talked about something that is pretty near and dear to my heart, and you talked about the fact that we really should be looking at better ways to educate those young people. We ought to be looking at better ways to prevent these pregnancies in the first place, and I would agree with you 100 percent. And I don't know if you recall or not, but earlier on this floor this session, my priority bill, LB 514, went down in flames, you might say, upon first reading and that bill was maybe not perfect, maybe it could have been crafted in another way, maybe there was a section or two that should have been left out of it, but that bill was a comprehensive health education bill that would have

expanded the kinds of health issues that we talk about in our schools and would have begun those discussions in age appropriate sequences in the elementary school and gone through the 12th grade. And I don't believe that you can just talk about reproductive organs and how sex actually works without talking about a whole host of other kinds of issues. One of the issues in that comprehensive health education bill had to do with family life education, and many took this to be a family planning kind of section. It wasn't that at all. The kind of health...the curriculum that was envisioned by that was a curriculum which would talk about relationships between teenagers, would talk about how you go about deciding on a marriage partner, would talk about how you say no to sex until there is a level of responsibility there that would imply marriage vows and all of the other kinds of things that we would like to see. It would talk about other areas which impact on the whole pregnancy question. You can tie drug and alcohol abuse to the pregnancy question because it is often when young people are under the influence that pregnancies occur. You could talk about mental and emotional health. You could talk about self-esteem. You could talk about a whole host of health issues...

PRESIDENT: One minute.

SENATOR SCHIMEK: ...that would all be related to pregnancies and how to prevent them. We need to look at the whole child and not just talk about sex or about reproductive organs, but rather about the whole teenager. And I would suggest to you that if, by any chance, we should come to a vote on attaching LB 769 to LB 688, and it is successful, then I will attempt to revitalize LB 514, minus the death and dying provision which many of you objected to on the floor, and I will attempt to amend that onto this bill because I think, like you, that is an important part of the whole issue that we are trying to address here. Thank you.

PRESIDENT: Thank you. Senator Nelson, please, followed by Senator Landis.

SENATOR NELSON: Mr. Speaker, I hope that maybe the tone of the body is beginning to change and a little bit of common sense and respect can be regained from the public, and so on and so forth, and that somehow or other we can see the end of this and continue on with the important issues of the Legislature. And I