

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.)

March 2, 1990

LB 96, 98, 118, 304, 307, 317, 428
430, 473, 518, 536, 675, 677, 735
770, 796, 797, 896, 898, 899, 905
920, 998, 999, 1018, 1019, 1031, 1125
1136, 1170, 1198, 1207, 1211, 1220, 1222

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

ASSISTANT CLERK: 26 ayes, 0 nays on the advancement of the bill, Mr. President.

PRESIDENT: LB 1222 is advanced. Mr. Clerk, anything for the record?

ASSISTANT CLERK: Mr. President, I have a series of items. Your Committee on Appropriations, whose Chairperson is Senator Warner, to whom was referred LB 1031, reports the bill to the full Legislature with committee amendments; LB 1125, to General File; LB 920, to General File; LB 1170, to General File with amendments; LB 536, General File with amendments; LB 1220, to General File; LB 896, to General File; LB 898, to General File; LB 899, to General File; LB 96, indefinitely postponed; LB 98, indefinitely postponed; LB 118, indefinitely postponed; LB 304, indefinitely postponed; LB 307, indefinitely postponed; LB 317, indefinitely postponed; LB 428, indefinitely postponed; LB 430, indefinitely postponed; LB 473, LB 518, LB 675, LB 677, LB 735, LB 770, LB 796, LB 797, LB 998, LB 999, LB 1198, LB 1207, all indefinitely postponed; and LB 1211 and LB 905, advanced to General File with committee amendments. (See pages 1131-37 of the Legislative Journal.)

Senator Landis would ask to print amendments to LB 1136 in the Journal. (See pages 1137-38 of the Legislative Journal.) Senator Warner has asked to announce an Executive Session of the Appropriations Committee in Room 1003, upon adjournment today. And I have a request from Senator Ashford to add his name to LB 1018 and LB 1019.

PRESIDENT: No objections, so ordered.

ASSISTANT CLERK: Then, Mr. President, I have a priority motion. Senator Hannibal would move that we adjourn until March 5, 1990, at 9:00 a.m.

it's really tough when you make that transition from being on ADC and you finally find employment, you have all kinds of expenses and so on that simply cannot be covered and this would make that transition and also put an incentive there for people to get back on the work force. There is currently an estimated 2,050 families that are anticipated to leave ADC next year due to finding employment. The total cost of this additional grant is 281,000 General Funds in FY1991. LB 536 creates this program and it is part of the committee package. When that comes up, Senator Ashford will be going into that in more detail since that is one of the projects he has worked very diligently on. Moving into the Agency 47, which is the Educational Telecommunications Commission. Very briefly, the committee really made no changes in this with amendments, pretty much in line with what the Governor recommended other than simply intent language. The NEB*SAT operations, there is a General Fund expenditure of \$84,894 in '90-91 in the Governor's recommendations. Those funds are for power costs and equipment required to operate the networks one and two and for two FTEs to operate the master origination terminal. This is required to complete Phase I of the basic interconnection. You will recall that we switched over to that system last year to continue broadcasts from Educational Television. The only committee amendment, as I mentioned, is that intent language portion. We have had some good work being done by educational leaders all over the state to do some planning for the implementation of this entire new telecommunications system. The amendment, the intent language simply provides for establishing a process to provide for a coordinated statewide educational telecommunications system and services and that includes a coordinating council for educational telecommunications, makes provisions for its membership, outlines its responsibilities and outlines its reporting requirements. That coordinating council is made up of 14 members, two from the university, two from the state colleges, two from the technical community colleges, two from the independent colleges and universities, four from elementary and secondary schools, one person representing ETV and, finally, the Director of the Department of Administrative Services. That essentially...item 3 under the ETV budget, again, is consistent with the Governor's recommendations. Takes \$1,288,005 out of the State Building Fund and appropriates those funds for Nebraska Educational Telecommunications for the completion, as I mentioned earlier, of Phase I, a replacement of the existing land base system which allows us to deliver educational television services to people across the state and

March 15, 1990

LB 536, 1170

waives closing, so the question is the adoption of the committee amendments to LB 1170. Those in support vote aye, those opposed vote no. Have you all voted? Record, Mr. Clerk.

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

SENATOR LAMB: The committee amendments are adopted. Any further discussion on the bill? If not, Senator Scofield.

SENATOR SCOFIELD: Thank you, Mr. President. I will just clarify the amounts in this with the intent language that you just added. The appropriation itself is \$148,000 of General Funds in '89-90, and \$121,000 of General Funds in '90-91. That allows the 1,200 member statutory limit to be reached in both of these fiscal years. I would move the bill.

SENATOR LAMB: The motion is the advancement of LB 1170. Those in support vote aye, those opposed vote no. Have you all voted? Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on the advancement of LB 1170.

SENATOR LAMB: The bill is advanced. Next bill, Mr. Clerk.

CLERK: Mr. President, the next bill is LB 536 introduced by Senator Wehrbein. (Read title.) The bill was introduced on January 18 last year, at that time referred to the Appropriations Committee. The bill was advanced to General File. I do have committee amendments pending by the Appropriations Committee.

SENATOR LAMB: Senator Ashford, I understand you are handling the committee amendments.

SENATOR ASHFORD: Yes, thank you, Mr. President, and colleagues. This, the committee amendments, basically gut LB 536 and insert what was LB 1010. LB 1010 was a measure introduced by me this year in the Legislature to provide sort of the closing of the loop of the LB 518 program that we passed into law in 198...I believe 1987 which created a job incentive program for ADC recipients. And the purpose of the 518 program was to pay to ADC recipients who find work medical benefits and child care benefits for up to a year after they find employment, and the

idea behind the 518 program, which has been a very successful program, was to take away a disincentive which existed in the job support program that would...which was created when these women would find jobs that didn't provide adequate health care benefits and adequate child care benefits. So the 518 program has been in effect, and it is now really incorporated into the federal child...or federal law. So we have had a couple of years track record on it and it has been, I am told, a very successful program. One of the problems that remain to be solved was the problem that exists when a woman finds work under the program and is not paid for 30 days after she finds work. So she is effectively cut off benefits at a date, and then she receives no pay in her job for 30 days after that. So the idea behind LB 1010 which now is incorporated into the committee amendments in 536 is to pay what really is a job incentive grant to these individuals who find work, to give them the security, the feeling of security that they are going to have some income during that first 30 days of employment. The cost, first of all, LB 1010 requested a payment equal to one month of ADC benefits. We amended that down in the committee to two weeks of ADC benefits. The total cost is \$281,000 and is, in my opinion, an extremely important part of the 518 program. If we don't remove that insecurity or feeling of insecurity, there is created or remains a great fairly significant obstacle to these women in their efforts to find and to keep employment. You have been sent around or are being sent around a handout, somewhere, which details the story of, I think, one woman in Douglas County who gave her testimonial about her experiences in trying to find work, and then finally went to college at Bellevue College, and is doing extremely well in Business Administration, and has been helped by these programs. And each year, we have a poverty seminar that we run in Douglas County, and we listen to these women and they give us their concerns and their problems, and from those poverty seminars, we fashioned LB 518 and also LB 1010, and this problem of finding that security for that first 30 days of work was identified to us at the last summer's poverty luncheon, poverty luncheon, as being a very, very significant problem. We believe, and I think the department believes, and certainly these mothers believe, that if they are given this boost, or this incentive, or job incentive grant, as I call it, that it is going to have a significant impact on both their desire and their ability to take care of their families and to find work. Because, obviously, the whole idea of welfare should be getting people off of welfare, not keeping them on the welfare rolls, and that was the idea behind the LB 518 program,

and is clearly the idea behind this program, this 30-day...or two-week grant program. I, like many of you, have problems in simply increasing the grant from year to year, ADC grant, without some sort of incentive built into that grant to make sure that we are doing some good in bringing these individuals off the system and breaking the cycle, welfare cycle, which is really an onerous thing for many, many women, certainly in my district, and in Douglas County. And I know that this cycle, welfare cycle or cycle of poverty exists across the state, and I think when we can adopt these kinds of programs that have some cost involved, but the effect being as great as it is and the result being getting people off of the welfare system, I think that we are spending our money wisely. We are leveraging our money in a very effective way because these individuals become, obviously, taxpayers. They educate themselves and they become taxpayers and are in the labor force in a real way. So this is, as I say, the one little gap that was left in the 518 program. I encourage the body to adopt this, the committee amendments, and then to advance LB 536. Thank you.

SENATOR LAMB: The Chair recognizes Senator Warner and followed by Senator Crosby.

SENATOR WARNER: Mr. President, members of the Legislature, Senator Ashford may have even mentioned it, I am not sure if he did, but I just wanted to make one other clear that the cost for this particular proposal is included in LB 1031, as it stands, with the numbers that, you look on the green sheet, this does not add to the authorized amount above what was advanced just a few minutes ago, but there was a need for the legislation to permit this level of funding, and so that the body is aware of that. There are some other bills later on which the funding are like any other A bill. They are in competition for what available money, but this one is included in LB 1031.

SENATOR LAMB: Senator Crosby, to discuss the committee amendments.

SENATOR CROSBY: Thank you, Mr. President, and members. I just wanted to second what Senator Ashford said because yesterday here in Lincoln we had the same kind of lunch and meeting with some of the ADC mothers that they have in Omaha. And those senators that were there, I know, had a good interaction with the women that came and learned a lot about the kind of daily struggle it is to survive. So I stand in support of this

March 15, 1990

LB 536, 1220

amendment and hope that everyone else does. I thought it was included in LB 1031. I am glad to have Senator Warner confirm that. Thank you.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Thank you. Any other discussion? Senator Ashford, would you care to close?

SENATOR ASHFORD: I would just move the amendment, Mr. Speaker.

SPEAKER BARRETT: Thank you. The question is the adoption of the amendment. All in favor vote aye, opposed nay. Record, Mr. Clerk.

ASSISTANT CLERK: 28 ayes, 0 nays on the adoption of the committee amendments, Mr. President.

SPEAKER BARRETT: The committee amendments are adopted. To the bill, Senator Ashford, are you handling the bill?

SENATOR ASHFORD: I believe so, Mr. Speaker, and I think what has been said covers the issues, and I appreciate Senator Warner clearing up the LB 1031 issue, and with that I would just move the bill. Thank you.

SPEAKER BARRETT: Thank you. Is there discussion on the advancement of LB 536, as amended? If not, those in favor of that motion, please vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER BARRETT: LB 536 is advanced. Have you items for the record?

CLERK: Not at this time, Mr. President.

SPEAKER BARRETT: Proceeding then to LB 1220.

CLERK: Mr. President, LB 1220 was a bill introduced by Senator Hannibal and signed by a number of the members. (Read title.) The bill was introduced on January 18 of this year, referred to Appropriations, advanced to General File. I have no amendments to the bill.

March 19, 1990

LB 315, 536, 898, 899, 920, 1031, 1125
1126, 1170, 1220
LR 310, 311

all would want to be treated if we were in that same situation. If any of us were in a circumstance where we were in a drug and alcohol problem, lost our jobs and wanted to deal with that problem, hadn't the resources, and at that time faced with an inability to get unemployment benefits, out of work, no future, what kind of situation are these people going to be in? The problem that they have is only going to get worse. Let's try and make it better. Let's try and deal with that drug problem and getting them into treatment. I ask your support for this amendment.

SPEAKER BARRETT: Thank you. The question is the adoption of the Wesely amendment to LB 315. All in favor of that motion vote aye, opposed nay.

SENATOR WESELY: I'll take a record vote and that will be fine.

SPEAKER BARRETT: Thank you. Record, Mr. Clerk. A record vote has been requested.

CLERK: (Read record vote. See pages 1436-37 of the Legislative Journal.) 12 ayes, 19 nays, Mr. President, on the amendment.

SPEAKER BARRETT: Motion fails. Next item.

CLERK: Mr. President, may I read some items before we proceed?

SPEAKER BARRETT: Yes, proceed.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 1031 and recommend the same be placed on Select File; LB 1125, LB 920, LB 1170, LB 536, LB 1220, LB 1126, LB 898, LB 899, all of those to Select File, some of which have E & R amendments attached. (See pages 1437-40 of the Legislative Journal.)

And, Mr. President, study resolutions. (Read introduction of LR 310 and LR 311 by title for the first time. See pages 1440-41 of the Legislative Journal.) Both will be referred to the Executive Board.

Mr. President, the next amendment I have to the bill is by Senator Coordsen. Senator Coordsen's amendment is on page 1350 of the Journal.

March 21, 1990

LB 536, 1125, 1170

SENATOR LINDSAY: Mr. President, I move that LB 1125, as amended, be advanced to E & R for engrossment.

SPEAKER BARRETT: Shall 1125 be advanced? All in favor say aye. Opposed no. Carried. It is advanced. Mr. Clerk, LB 1170.

CLERK: Mr. President, on 1170, I have E & R amendments, first of all, Senator.

SPEAKER BARRETT: Chairman Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 1170 be adopted.

SPEAKER BARRETT: Any discussion? If not, shall the E & R amendments be adopted to 1170? All 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 1170, as amended, be advanced to E & R for engrossment.

SPEAKER BARRETT: Is there discussion? If not, those in favor of its advancement please say aye. Opposed no. Carried. The bill is advanced. LB 536.

CLERK: I have E & R on 536, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 536.

SPEAKER BARRETT: Any discussion? Shall the E & R amendments be adopted to 536? All in favor say aye. Opposed no. Carried. They are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

March 21, 1990

LB 536, 899, 1126, 1220

SENATOR LINDSAY: Mr. President, I move that LB 536, as amended, be advanced.

SPEAKER BARRETT: Any discussion? If not, shall 536 be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 1220.

CLERK: LB 1220, Senator, I have E & R amendments pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 1220.

SPEAKER BARRETT: Any discussion? Shall the E & R amendments be adopted to 1220? All 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 1220, as amended, be advanced to E & R for engrossment.

SPEAKER BARRETT: Questions or discussion? If not, shall LB 1220 be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 1126.

CLERK: LB 1126, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1126 be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Seeing none, shall LB 1126 be advanced? All in favor say aye. Opposed no. Carried. The bill is advanced. LB 899.

CLERK: LB 899, Senator, I have E & R pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the

March 27, 1990

LB 315, 536, 551, 551A, 799, 898, 899
920, 1019, 1019A, 1031, 1125, 1126, 1136
1170, 1220, 1246

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber. Please stand. The opening prayer of the day by Pastor Robert Bye of the First Presbyterian Church of Plattsmouth, Nebraska, Senator Wehrbein's district. Pastor Bye. (Gavel.)

PASTOR BYE: (Prayer offered.)

SPEAKER BARRETT: Thank you so much, Reverend Bye. Please come back again. Roll call.

PRESIDENT NICHOL PRESIDING

PRESIDENT: I understand we're about ready to start. Mr. Speaker, would you explain the progression we're going to follow, please.

SPEAKER BARRETT: Yes, thank you, Mr. President and members. Obviously we do have a problem with the electronic voting board this morning. Apparently everything else is working. The microphones and the panels on either side of the board are okay, so rather than waste some time waiting for repair people to arrive on the scene, I'd recommend we get started and when it comes to casting a vote, we'll have to either use hands, voice vote or, of course, a roll call. So if we can put up with the inconvenience for a short while, we should be back in business as soon as the repair people are on site. Mr. President, I'd suggest we go ahead with the first item on the agenda.

PRESIDENT: Okay, thank you. Have you any corrections, Mr. Clerk?

CLERK: I have no corrections this morning, Mr. President.

PRESIDENT: Do you have any messages, reports or announcements?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 1246 and recommend that same be placed on Select File with E & R amendments attached. Mr. President, Enrollment and Review also reports they have carefully engrossed LB 315 and find it correctly engrossed as well as LB 536, LB 551, LB 551A, LB 799, LB 898, LB 899, LB 920, LB 1019, LB 1019A, LB 1031, LB 1125, LB 1126, LB 1136, LB 1170 and LB 1220, all of those reported

March 29, 1990

LB 536, 1170

Journal.) 41 ayes, 0 nays, 2 present and not voting, 6 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1170E passes. LB 536.

CLERK: Mr. President, I have a motion on the desk. Senator Haberman would move to return the bill for a specific amendment, that amendment being to strike the enacting clause.

SPEAKER BARRETT: The Chair recognizes Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the body, I filed my motion so I could ask a couple of questions and I would like to ask a question, I believe, of Senator Warner.

SPEAKER BARRETT: Senator Warner, would you respond.

SENATOR HABERMAN: Senator Warner, the original bill calls for funding the Nebraska Council on Economic Education and the National Center for Research in Economic Development. The bill was completely, as we call, gutted and it added an additional aid to dependent children, payment in the amount of one-half of the previous month's aid to children's grants. I have two questions. My first question is, the A bill where is it or where is the funding for the bill in the form it is now? That will be my first question. Will you please answer that one, and how much is it?

SENATOR WARNER: The A bill, Senator Haberman, was, in effect, in the funding in LB 1031 that was just enacted. It was 281,000 General Fund plus the federal funds and as happens occasionally, there was a need in this case for substantive legislation to accompany the appropriation bill in order for this increase to be permitted because the statute did not permit it to go above that.

SENATOR HABERMAN: That's 281,000 a year or just one year?

SENATOR WARNER: First year.

SENATOR HABERMAN: Pardon?

SENATOR WARNER: Per year.

SENATOR HABERMAN: X number of years, we don't know how many

years.

SENATOR WARNER: This would be an ongoing program, yes.

SENATOR HABERMAN: Is this the usual manner in which we handle legislation like this that we completely gut a bill, leave the original title on the sheet and then take the A bill or take the funds and put them in 1031 or some other bill?

SENATOR WARNER: The...well, it's not unusual to gut a bill.

SENATOR HABERMAN: I know that, but what about putting the funding somewhere else?

SENATOR WARNER: The title was to be corrected. I think it was an oversight in the computer actually. One of the bills later on, the title does get changed. This one should have been, was missed, but that is just a simple oversight. What is your third question?

SENATOR HABERMAN: Well I noticed that some titles had been changed, Senator Warner...

SENATOR WARNER: Yes.

SENATOR HABERMAN: ...and I was going to ask you about that also. Your explanation is...(interruption)

SENATOR WARNER: (inaudible)

SENATOR HABERMAN: ...that the computer had a bug in it and that is why some of the titles weren't changed, is that correct?

SENATOR WARNER: I think it was an oversight.

SENATOR HABERMAN: Okay.

SENATOR WARNER: Now, in the translation of the...(interruption)

SENATOR HABERMAN: Well I have a question, I guess, I'm going to ask one more question.

SENATOR WARNER: ...intent of...but the other thing I wanted to say is that if you look on the back of those green sheets that lists the numbers by 536 it shows that the appropriation was in

1031.

SENATOR HABERMAN: Is it a common practice for the Appropriations Committee to gut a bill and then take the funding and put it in the master funding bill and not have an A bill?

SENATOR WARNER: Oh, it's...

SENATOR HABERMAN: It's convenient or the practice...(interruption)

SENATOR WARNER: It's common practice in terms, excuse me, Senator Haberman, it's a common practice in terms that there are usually one or two a year that way. There was, for example, another bill that was in Government Committee that, in fact, has already been passed that had to be passed, it was a consent calendar bill, in order for the funding to be effective in 1031 and so it does happen that there is substantive legislation that has to accompany a provision in the general appropriation bill. In this case the reason that the bill was introduced is...that was in order to increase the funding for this purpose, the statute required at least not less than a month in order to reduce the cost and be able to do it for two months, or two weeks, why, we needed legislation to, in effect, it would have been twice as much had we not had the enabling legislation that permitted the Legislature to appropriate for a shorter period of time.

SENATOR HABERMAN: Thank you, Senator Warner. With that explanation, Mr. President, I'll withdraw my motion.

SPEAKER BARRETT: Thank you, it is withdrawn. Mr. Clerk.

CLERK: (Read LB 536 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 536 pass? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Read record vote. See page 1687 of the Legislative Journal.) 43 ayes, 0 nays, 2 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 536 passes. LB 1220.

March 29, 1990

LB 163, 163A, 164, 164A, 187, 536, 898
899, 1031, 1125, 1126, 1170, 1220

us. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 1031, LB 1125, LB 1170, LB 536, LB 1220, LB 1126, LB 898, LB 899, LB 163, LB 163A, LB 164 and LB 164A. (See page 1695 of the Legislative Journal.) Senator Wesely, further discussion on the motion to return the bill.

SENATOR WESELY: Yes, Mr. Speaker, members, just very briefly, I rise to indicate for the record why it is I'm going to change position today on this bill. I have supported the concept of the state participating in the cost of indigent care. I have worked and led task forces and introduced legislation to this effect, but I've had conversations with the Nebraska Hospital Association about the two-way street we live on and then that two-way street, when additional public tax dollars go into any particular area, it seems to me that an amount of accountability is in order and unfortunately we have had a desire on the part of the hospitals in particular to ask and request for Medicaid increases, for this legislation on indigent care reimbursement and additional public monies, but when requested to participate in different health care cost containment initiatives they object and block every effort we make practically. For instance, I remember last year on certificate of need their efforts blocked my concerns about certificate of need and that process to contain costs was weakened dramatically as a result of legislation promoted by the Hospital Association last year. This year we have a health care cost data bill that has got the support of a number of different organizations and interests with the exception of the Hospital Association and they are working very hard, as you all know, to block that piece of legislation. If we were able to pass that, if we were able to work with them on the cost containment side of things, I very much support the work of Senator Lynch and those in support of LB 187. The concept is valid. The state should take a responsibility in this area, but before further monies get spent in this field or any other field that go into the hospitals in particular in this state it seems to me appropriate to ask those hospitals to work with us, the public, the taxpayers, the Legislature, to try and deal with the cost issue, the cost containment problem that we have across the State of Nebraska and across this country. And as long as the hand is out to receive the money but there is no assistance whatsoever to help us deal with the cost of this, I, for one, feel unable to support further funding in this manner. I would want to add that in some of the data, in some of the information we have

March 29, 1990

LB 163, 163A, 164, 164A, 187, 187A, 259
259A, 260, 260A, 272A, 313, 313A, 338
488, 488A, 503, 503A, 520, 520A, 536
567, 567A, 662, 898, 899, 1031, 1125
1126, 1170, 1220

morning visiting in the south balcony. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 520, LB 520A, LB 567, and LB 567A. Senator Lynch, please check in. Senator Byars. Senator Schimek, please. Senator Labedz. Members will return to your seats for a roll call vote. Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1713-14 of the Legislative Journal.) 14 ayes, 33 nays, Mr. President, on the motion to return the bill.

SPEAKER BARRETT: Motion fails. Mr. Clerk, have you a priority motion?

CLERK: I do, Mr. President. May I read some items?

SPEAKER BARRETT: Proceed.

CLERK: Mr. President, amendments to be printed to LB 338 by the Health and Human Services Committee. (See pages 1714-17 of the Legislative Journal.)

Messages that bills read on Final Reading this morning have been presented to the Governor. (Re: LB 1031, LB 1125, LB 1170, LB 536, LB 1220, LB 1126, LB 898, LB 899, LB 163, LB 163A, LB 164, LB 164A, LB 187, LB 187A, LB 259, LB 259A, LB 260, LB 260A, LB 272A, LB 313, LB 313A, LB 488, LB 488A, LB 503, LB 503A. See page 1714 of the Legislative Journal.)

And LB 272A has been reported correctly enrolled, Mr. President. That is all that I have.

SPEAKER BARRETT: To the motion.

CLERK: Mr. President, the first motion, Senator Hall would move to recess until one-thirty, Mr. President.

SPEAKER BARRETT: You have heard the motion to recess until one-thirty. All in favor say aye. Opposed no. Carried. We are recessed.

RECESS

April 5, 1990

LB 163, 163A, 164, 164A, 187, 187A, 503
503A, 520A, 536, 662, 662A, 678, 678A
898, 1031, 1126, 1170, 1220

PRESIDENT NICHOL PRESIDING

PRESIDENT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber. We have with us this morning as our Chaplain of the day, Pastor Jim McGaffin of the Victory Outreach in Omaha. You might be interested to know that his father was the Chairman of the Board of Nebraska Education TV at one time and he was also News Director of WOW-TV. Would you please rise for the invocation by Pastor McGaffin.

PASTOR MCGAFFIN: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Pastor McGaffin. We appreciate your being here. Roll call, please. Mr. Clerk, please.

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

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

CLERK: No corrections, Mr. President.

PRESIDENT: Do we have any messages, reports, or announcements?

CLERK: Mr. President, I have received a series of veto messages from the Governor, specifically a veto message on LB 163 and LB 163A, LB 164 and LB 164A, LB 187, LB 187A, LB 503, LB 503A, LB 520A, LB 536, LB 662, LB 662A, LB 678, LB 678A, LB 898, LB 1031, LB 1126, LB 1170, LB 1220. All of those messages will be placed in the Journal, Mr. President. (See pages 1912-25.) That is all that I have.

PRESIDENT: Thank you. How about the confirmation report, Transportation Committee.

CLERK: Mr. President, confirmation report offered by Senator Lamb is found on page 1852 of the Journal.

PRESIDENT: Senator Lamb, please.

SENATOR LAMB: Mr. President and members, the Committee on Transportation reports favorably on a number of appointments. We have three for the Board of Public Roads Classifications and Standards. They are Marvin Athey, William Lindholm, and Robert Stutzman. There were no negative votes for those appointments.

SENATOR KRISTENSEN: Mr. President, I would ask that everybody check in and have a roll call and...

PRESIDENT: All right.

SENATOR KRISTENSEN: ...regular order, please.

PRESIDENT: Did you say a roll call vote?

SENATOR KRISTENSEN: Yes, and regular order, please.

PRESIDENT: Regular order. All right. Senator Bernard-Stevens, will you check in, please. Thanks. Senator Schellpeper. Senator Nelson, would you check in, please. Thanks. Senator Schellpeper is here. And the question, ladies and gentlemen, is shall the veto on LB 42 be overridden? All those in favor vote aye, opposed nay. Roll call vote in regular order. Mr. Clerk, please.

CLERK: (Roll call vote taken. See pages 2039-40 of the Legislative Journal.) 30 ayes, 17 nays, Mr. President.

PRESIDENT: The veto is overridden. Shall we take LB 42A? Senator Kristensen, are you going to handle that?

SENATOR KRISTENSEN: Yes, Mr. President, I will do so. I would urge the body to also override LB 42A. Thank you.

PRESIDENT: Thank you. Any further discussion? If not, the question is, shall the veto on LB 42A be overridden? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 2040-41 of the Legislative Journal.) 36 ayes, 10 nays, Mr. President, on the override of LB 42A.

PRESIDENT: The veto on LB 42A is overridden. LB 536.

CLERK: Mr. President, Senator Ashford would move that LB 536 become law notwithstanding the objections of the Governor.

PRESIDENT: Senator Ashford, please.

SENATOR ASHFORD: Thank you, Mr. President, and members, LB 536

is the statutory intent language for the ADC money that we voted on earlier, that in order for the money to be spent this language must be adopted. So that's all this is and I would urge that the...that that be done. Thank you.

PRESIDENT: Senator Warner, please.

SENATOR WARNER: Well, Mr. President, I was just going to say the override on the funding has been...oh, hey, which bill are you on?

PRESIDENT: We're on 536.

SENATOR WARNER: Oh, okay, I was looked at the top board. The funding for 536 was...and 1031 was overridden earlier and there is really no reason to debate this. We should just vote and have it done because otherwise the money couldn't be used for the purpose it was overridden.

PRESIDENT: The question is, shall the veto on LB 536 be overridden? All in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 2041 of the Legislative Journal.) 40 ayes, 0 nays, Mr. President, on the motion to override LB 536.

PRESIDENT: The veto on LB 536 is overridden. LB 187.

CLERK: Mr. President, Senator Lynch would move that LB 187 become law notwithstanding the objections of the Governor.

PRESIDENT: Senator Lynch, please.

SENATOR LYNCH: Mr. Chairman and members, first of all, I think it's important to give you a report on what's happening with vetoes and to show how nonpartisan this group really is. So far, to date, there have been 24 Republicans and 23 Democrats who have suggested overrides of the Governor. And starting with that sense of obvious fair play and evenhandedness in this group, I thought I should also share with you, I passed out again, in case you forgot, a map of Nebraska by counties of the poverty guidelines of the people living within those counties and indicating those people who would need this kind of legislation. There are, in the 93 counties, 75 of those with

April 9, 1990

LB 42, 42A, 163, 163A, 164, 164A, 503
503A, 536, 834, 843, 843A, 1004, 1004A
1031, 1043, 1059, 1059A, 1126, 1170, 1222
1222A

employee is 21, State Patrol is 21, other school employees in Omaha, no age limit and the judges are no age limit. So, therefore, I would ask that you override the veto of 834. It doesn't cost any more money. It doesn't cost any money. It will keep young people in Nebraska. It will want them to help work for the state and do a good job for the state and I ask for your override. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Discussion? Senator Elmer, followed by Senator Schellpeper.

SENATOR ELMER: Thank you, Mr. Speaker. To be very brief, and Senator Haberman said it and said it well, all private businesses are required to allow their employees to participate when they're 19. I think the state should go at least as low as 20 to give consideration, allow these young people to accumulate a little more for retirement. It's not going to cost the state any money. I would urge your override. Thank you.

SPEAKER BARRETT: Thank you. Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker, and members, I also rise to support this override. We have some very dedicated employees in this state and I think this is just another thing we can do for the employees. So I think Senator Haberman said it all and I would just move for the override.

SPEAKER BARRETT: Thank you. Anything further, Senator Haberman? If not, the question is, shall LB 834 be overridden? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 2054-55 of the Legislative Journal.) 31 ayes, 0 nays, Mr. President, on the override of LB 834.

SPEAKER BARRETT: LB 834 is overridden. And let the record show that the Chair is certifying that the Legislature has overridden the following vetoes, notwithstanding the objections of the Governor, LB 834, LB 1043, LB 1222 and LB 1222A, LB 1170, LB 1004 and LB 1004A, LB 843 and LB 843A, LB 1059 and LB 1059A, LB 1126, LB 11...excuse me, LB 536, LB 42 and LB 42A, LB 164 and LB 164A, LB 1031, LB 503, and LB 503A, LB 163 and LB 163A, and LB 834. Anything for the record at all, Mr. Clerk?