

will meet for a brief Executive Session, in Room 1003, upon recess to select a Vice-Chair. Appropriations Committee upon recess in Room 1003 by the Appropriations Committee.

Mr. President, I also have the Committee on Committees report as offered by Senator Lowell Johnson and the Committee on Committees. Also an acknowledgment, Mr. President, that Senator Beyer has been selected...Senator Emil Beyer has been selected as Vice-Chair of the Committee on Committees.

PRESIDENT: The Chair recognizes Senator Lowell Johnson. Could we have your attention for just a moment, please. (Gavel.) Could we have your attention just a moment, ladies and gentlemen. If we could have your attention just a moment, we won't request your attention too long today, but Senator Lowell Johnson has an announcement.

SENATOR L. JOHNSON: Mr. President and members of the Legislature, your Committee on Committees met yesterday, and after careful deliberations completed the committee roster, which you find on your desks, which has been placed there by the Clerk. The report was unanimously adopted by the Committee on Committees, and I, therefore, move at this time that it be accepted and approved by the Legislature.

PRESIDENT: Is there any discussion? If not, the question is the adoption of the report. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of the Committee on Committees report.

PRESIDENT: The report is adopted. Back to you, Mr. Clerk. We're ready for the introduction of new bills. Mr. Clerk.

CLERK: Mr. President, new bills. (Read LB 1-80 by title for the first time. See pages 44-61 of the Legislative Journal.)

PRESIDENT: If I could have your attention just a moment, please, we'll introduce a couple of guests. Over under the north balcony, our first doctor of the day for this year is Dr. Dale Michaels of Lincoln, Nebraska. He's from Senator Warner's district. He's here to take care of us on behalf of the Nebraska Academy of Family Physicians. So would you welcome Dr. Michaels. Would you please stand, Doctor. Thank you for

January 11, 1989

LB 54, 58, 223, 277, 361, 373
LR 6

(Read explanation of LR 6 as found on pages 191-93 of the Legislative Journal.) That will be referred to the Reference Committee.

In addition to those items, Mr. President, I have notice of hearing from the Health and Human Services Committee for Wednesday, January 18; notice of hearing from Senator Hall as Chair of Revenue for January 19; notice of hearing from Revenue for Wednesday, January 18; from Government for January 18; and from Natural Resources for January 18, all signed by the respective Chairs. (See pages 193-94 of the Legislative Journal.)

Mr. President, I have a motion from Senator WeiHING. Senator WeiHING would move to rerefer LB 54 from the Agriculture Committee to the Health and Human Services Committee. That will be laid over, Mr. President.

Mr. President, Reference Report referring LBs 280-323, as well as certain gubernatorial appointees. (See pages 195-96 of the Legislative Journal.)

Mr. President, a series of unanimous consent requests. Senator Rogers would like to add his name to LB 277; Senator Ashford to LB 58; Senator Coordsen to LB 223; Senator Lynch to LB 277.

Mr. President, Senator Nelson has been selected as Vice-Chairperson of the Building Maintenance Committee. That is offered by Senator Conway as Chair.

Senator Landis and Wehrbein have amendments to be printed to LB 361. (See pages 196-97 of the Legislative Journal.)

Mr. President, the final item I have is a new bill, LB 373, by Senator Withem. (Read by title for the first time. See page 191 of the Legislative Journal.)

Mr. President, a reminder from Senator Rod Johnson that the Food Industry Association will be meeting in Room 1113 today at noon. Food Industry Association at Room 1113 at noon today. That is offered by Senator Johnson. And that's all that I have, Mr. President.

PRESIDENT: Ladies and gentlemen, I would like to introduce a guest we have over under the north balcony. We have with us

January 12, 1989

LB 18-29, 54, 374-388
LR 4

SPEAKER BARRETT: Thank you. You have heard the closing and the question is the adoption of LR 4 introduced by Senator Bernard-Stevens. Those in favor vote aye, opposed nay. Voting on the adoption of LR 4. Have you all voted? Record, please.

CLERK: 34 ayes, 0 nays, Mr. President, on the adoption of LR 4.

SPEAKER BARRETT: LR 4 is adopted. Further bill introductions, Mr. Clerk.

CLERK: Mr. President, new bills. (Read LBs 374-388 for the first time by title. See pages 200-203 of the Legislative Journal.)

Mr. President, in addition to those items, I have some Select File reports. Mr. President, your Committee on Enrollment and Review respectfully reports we have carefully examined and reviewed LB 18 and recommend that same be placed on Select File with E & R amendments attached, LB 19 Select File, LB 20 Select File, LB 21 Select File, LB 22 Select File with E & R amendments attached, LB 23 Select File, LB 24 Select File, LB 25 Select File with E & R amendments attached, LB 26 Select File with E & R amendments attached, LB 27 Select File, LB 28 and LB 29 to Select File, as well, Mr. President, all signed by Senator Lindsay as Chair of the Enrollment and Review Committee. (See pages 204-205 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, Mr. Clerk. Proceeding to item number six on today's agenda, a motion to rerefer. Mr. Clerk.

CLERK: Mr. President, Senator Weihing moves to rerefer LB 54 from the Agriculture Committee to the Health and Human Services Committee. Senator Weihing offered his motion yesterday. It is found on page 194.

SPEAKER BARRETT: For purposes of objecting to the referencing of a bill, the Chair recognizes Senator Weihing. (Gavel.)

SENATOR WEIHING: Mr. President and members of the Legislature, I request to move this bill because I feel it is much more in the medical area, the health area, and, therefore, it should be first heard, if it is heard at all, in the Health and Human Services Committee. This bill is one which deals with cholesterol. Cholesterol has become a daily word within our

language. It has become recognized as a key element in the heart attacks and many other circulatory problems that we have, and we know that many, many people are forced to have caution in the kinds of oils that they partake in because the oils vary greatly in the amount of cholesterol that they have. This bill would require that the restaurant industry post the kind of oil and the cholesterol content of that oil. This would then permit we, who have become a society of going to the restaurants, as you all know, we have increased yearly in the number of people that are eating within restaurants in the public places and would, therefore, those who have a problem or do not have a problem that do not wish to partake in the oils that have high cholesterol, and a dangerous product, and would know that. It is simply a matter of having it known. This is not something entirely new for the nation, and you will find that in many locations and in some states, they require this type of disclosure and, in fact, a much greater disclosure than the detail of this particular bill. I feel it being a health matter, it should go to Health and Human Services.

SPEAKER BARRETT: Thank you. Discussion on the motion found on page 194 in the Journal. Senator Rod Johnson, followed by Senator Wesely.

SENATOR R. JOHNSON: Mr. Speaker, members of the Legislature, this is a friendly battle between Senator Weihing and I. I do not personally object to his decision to come up and try and rereference the bill. I would, however, point out that I will vote against it. The statute area in which Senator Weihing's bill deals with is in the Nebraska Pure Food Act. That act is implemented and regulated by the Department of Agriculture. That is the reason that Dr. Jack Rodgers indicated to us that the bill was referenced to the Agriculture Committee, initially. I know that Senator Weihing feels very strongly this is a health issue but we have dealt with this issue in years past. Senator Jim Pappas, former Senator Jim Pappas had a bill in that dealt with this particular problem a couple of years ago. The Agriculture Committee heard that bill. The bill did not come out of committee, but it is an issue there is a precedent that has been set that this type of an issue does typically come to the Agriculture Committee, since we do regulate or have authority over the Department of Agriculture, and that is my only argument. I have no problem if this body chooses to rereference the bill, but I can assure you the bill will receive a fair and just hearing. We are not overloaded with bills so it

would not be as if it is an issue that we need to get rid of, but I think, personally, the bill probably was correctly referenced by the Executive Board originally, and I guess I will vote in that manner.

SPEAKER BARRETT: Thank you. Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, members. This is a friendly discussion going on and Senator Johnson and I have talked about this. I do recognize the previous legislation on this did go to the Ag Committee, and I remember at that time there was some concern about that, but there is an understanding of why it should go there but you could go either way on the issue and it would be right, I think. This is not a black and white situation. Senator Weihsing's position and one that I would share is that the cholesterol problem is a health problem. It is a serious problem the Health Committee has looked at. We have had national conferences on how we can deal with the cholesterol problem, how we can better inform people and help them to cut down on their cholesterol count. Understanding the regulatory function is under the Ag Department, and that is there, but at the same time, a sensitivity to why we are concerned about cholesterol is really a health perspective and I think that is why Senator Weihsing wants it in the Health Committee. Would be happy to have the bill and be willing to work with Senator Weihsing. If you choose not to send it to the committee, I am sure Senator Johnson will do an excellent job in the Ag Committee. So Senator Weihsing, I think, has a legitimate point and I would support him on his rereferencing.

SPEAKER BARRETT: Thank you. Senator Moore.

SENATOR MOORE: Question.

SPEAKER BARRETT: There is only one other light on, Senator Moore. It is Senator Weihsing. So we will move to Senator Weihsing for closing. Thank you.

SENATOR WEIHSING: It is entirely true this bill has...this type of bill has been presented before. It was presented by Senator Pappas. It did not pass through and come on to the floor. The issue as it was discussed at that time, my understanding is that the issue of its implementation, and that implementation, of course, is in the Department of Agriculture, but it was felt that it was too difficult to implement, apparently, to move on

out. I feel that this, the first part of this, the first issue is that of a the health matter, and the secondary is the implementation. If this body, if this body feels that cholesterol is an important factor to be monitored, to be exposed within our restaurants, this first should be determined. Then the implementation of it is the second step. So let us take the first step first, that of the health, and this is why I have requested that the bill be moved from the Agriculture Committee to Health and Human Services to be heard.

SPEAKER BARRETT: Thank you, Senator Weihing. You have heard the closing and the question is the rereferring of LB 54 from the Agriculture Committee to Health and Human Services. Those in favor of that motion please vote aye, opposed nay. Twenty-five votes necessary. Voting on the rereferring of LB 54. Senator Weihing.

SENATOR WEIHING: Mr. President, I feel that we may have to have a call of the house.

SPEAKER BARRETT: Senator Weihing requests a call of the house. Mr. Clerk, clear the board. Members will vote on placing themselves under call. Those in favor of going under call vote aye, opposed nay. Record.

CLERK: 15 ayes, 0 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please return to your seats and record your presence. The house is under call. Members are asked to return to their seats, please. Record your presence. (Gavel.) While the house is under call, members are to be in their seats, please. Senator Schmit, would you please check in. Senator Landis, please. Senator Kristensen, the house is under call. Senators Landis and Kristensen, please report to the Chamber. Senator Landis, would you please record your presence. Thank you. All present and accounted for. Senator Haberman has requested a roll call vote, and the question, again, is the rereferring of LB 54 from Agriculture to Health and Human Services. Mr. Clerk, proceed with the roll call vote.

CLERK: (Roll call vote taken. See page 205 of the Legislative Journal.)

SPEAKER BARRETT: Until the vote is announced and the call is

January 12, 1989

LB 54, 111, 209, 268, 271, 325, 335
389-408

raised, please stay in your seats.

CLERK: 20 ayes, 21 nays, Mr. President, on the motion to rerefer.

SPEAKER BARRETT: Motion fails. The call is raised. Mr. Clerk, continue with the introduction of bills.

CLERK: Mr. President, I might announce that the Reference Committee, the Reference Committee will meet in the Senate Lounge for referring of bills now; Reference Committee in the Senate Lounge now.

Mr. President, new bills. (Read LBs 389-406 for the first time by title. See pages 206-209 of the Legislative Journal.)

SPEAKER BARRETT: The body will stand at ease while the Referencing Committee handles some more bills.

EASE

CLERK: Mr. President, new bills. (Read LBs 407-408 for the first time by title. See page 210 of the Legislative Journal.)

Mr. President, in addition to those items, I have a notice of hearing from the Government Committee, that is offered by Senator Baack as Chair. Mr. President, I have received a reference report referring LBs 324 through 373.

Mr. President, in addition to those items, announcement that the Appropriations Committee....

Mr. President. some unanimous consent requests, Senator Schellpeper would like to add his name to LB 209; Senator Rod Johnson and Senator Morrissey would like to add their names to LB 325; Senator Dennis Byars to LB 111; Senator Haberman to LB 268, and Senator Haberman to LB 271 as well, and Senator Haberman to LB 335.

SPEAKER BARRETT: If there are no objections, so be it.

CLERK: Mr. President, I have a motion filed with respect to the investigating committee formed to review the Franklin Credit Union situation. That motion will be laid over, Mr. President. It involves the suspension of the rules. Those will be laid

March 1, 1989

LB 54, 162, 319, 380, 381, 423, 467
476, 562, 574, 589, 651, 759
LR 14

new bills. That will be laid over.

Education Committee reports LB 562 to General File with amendments attached. That is signed by Senator Withem. (See page 927 of the Legislative Journal.)

Agriculture Committee reports LB 162 to General File, LB 381 General File, LB 574 General File, LB 54 General File with amendments, LB 589 indefinitely postponed, LR 14CA indefinitely postponed, those all signed by Senator Johnson as Chair. (See pages 930-33 of the Legislative Journal.)

Banking Committee reports LB 423 to General File, LB 380 to General File with amendments, LB 467 indefinitely postponed, LB 476 indefinitely postponed, LB 759 indefinitely postponed, those signed by Senator Landis. (See pages 933-34 of the Legislative Journal.)

Education reports LB 651 to General File with amendments, signed by Senator Withem and Banking reports LB 319 to General File with amendments. That is signed by Senator Landis. (See page 935 of the Legislative Journal.) I believe that is all that I have, Mr. President.

PRESIDENT: Senator Chambers, you have an amendment coming up. Do you wish to take that up now, or... Okay, Senator Bernard-Stevens, you have one. Do you want to try that now? We're getting close to the end of time. What do you think?

SENATOR BERNARD-STEVENS: We're going to pick it up just for a couple of minutes here.

PRESIDENT: All right, go ahead. Mr. Clerk.

CLERK: Mr. President, Senator Bernard-Stevens would move to amend the bill.

SENATOR BERNARD-STEVENS: Mr. Speaker, or, Mr. President, what I'm going to do is I wanted to briefly explain what the bill (sic) is, and then I'm going to withdraw it because I do believe we can get a vote on the bill at this particular time and I'd hate for us to have this good discussion and not have the bill advance, and I'm hoping the bill will advance. What I'll be offering on Select File is an amendment, is this particular amendment that will put in a mechanism and a procedure in place

March 8, 1989

LB 54
LR 42, 44

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, Reverend James Cooke of the Fourth Presbyterian Church in Lincoln. Would you please rise for the invocation.

REVEREND COOKE: (Prayer offered.)

PRESIDENT: Thank you, Reverend Cooke. Roll call, please.

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

PRESIDENT: Thank you. Any corrections to the Journal this morning?

CLERK: I have no corrections, Mr. President.

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

CLERK: Two items. Senator Weihing would like to announce that LB 54 has been selected as his priority bill. And, Mr. President, LR 42 is ready for your signature. That is all that I have.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 42. May I introduce some guests, please, in the north balcony this morning. Senator Crosby has 46 students in grades 9 through 12 at the College View Academy in Lincoln and their teacher. Would you folks please stand and be recognized. Thank you for visiting us this morning. Moving on to the resolution, LR 44.

CLERK: Mr. President, LR 44 is offered by Senator Kristensen. It's found on page 997 in the Journal. It asks the members of the Legislature to extend their congratulations to the Lawrence High School basketball team for winning the Class D-2 state basketball title.

PRESIDENT: Senator Kristensen, please.

SENATOR KRISTENSEN: Thank you, Mr. President. I would like to offer this resolution and hearty congratulations to the Lawrence Lady Panthers who finished their season 22 and 2 and are the

March 9, 1989

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

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

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

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

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

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

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

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

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

Act, under the original bill would be able to take away their right to serve food. The committee felt that was too strong of a penalty and so the first offense would be punishable by a \$50.00 fine, whereas the second offense then would have the establishment's operation schedule altered for three days. We felt that was a more appropriate route to go to give some lead time at least to the establishments to know that if, in fact, there happens to be a failure to post a sign or to put the contents of saturated fat on a menu, for example, so that the customer knows what type of cooking oil is being used, they would be fined a monetary damage, to begin with, with a potential revocation of their license the second offense. We felt that was the more appropriate route to go. I think Senator Weihsing is in agreement with these amendments but I will let him speak to them if he wishes. With that, that is the committee amendments.

SPEAKER BARRETT: Thank you. Discussion on the committee amendments? Senator Weihsing.

SENATOR WEIHSING: The committee amendments are fine. This was sort of a necessary movement. I had the bill drafting people make this...put this bill together in the beginning. And as...with some new subject matter areas and since it has a regulatory factor to it, it has taken a while to get this into a form that is acceptable for its management. So they are very definitely acceptable.

SPEAKER BARRETT: Thank you, sir. Any other discussion on the amendments? If not, those in favor of the...excuse me, for closing, Senator Johnson.

SENATOR R. JOHNSON: Mr. Speaker, that's fine. I just wanted to clarify, at least to those who might be paying attention to this issue, that I misspoke. I commented that the second offense could possibly mean the revocation of the license. I meant to say suspension of their license for a three-day period. Of course, revocation of a license would be much more severe. That was not what the committee wished to do and if you look at the committee amendments, it does say suspension of the license. So I wish just to get that in the record as clarification.

SPEAKER BARRETT: Thank you. Those in favor of the adoption of the committee amendments to LB 54, please vote aye, opposed nay. On the committee amendments, have you all voted? Please vote if

you would care to vote on the committee amendments. Record, please.

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

SPEAKER BARRETT: The amendments are adopted. Senator WeiHING, would you care to explain the bill as amended?

SENATOR WEIHING: Mr. President and members of the Legislature, this bill is one in which the restaurants would disclose the cooking oil that they use in their kitchen. It is not that of the prepared foods that come from other areas, as you know, that...and when you go to the grocery store, there is a disclosure statement as to what is within the foods that are prepared. In recent years, in the last 15 years, we have become very much aware of the function of oils in our body besides that of giving us calories and energy and a storage unit. And one of the side effects...and it isn't a side effect, I shouldn't say that, one of the things that does happen and is very much a part of our own chemistry and that is the development of cholesterol and we are all aware that cholesterol is a major component in the coronary disease that we have had. I am wondering if we could have a little...little competition there with...

SPEAKER BARRETT: Thank you. (Gavel.)

SENATOR WEIHING: Now in the typical American diet, the saturated fat content is the strongest contributor to the rising blood cholesterol. Oftentimes, we think of eating just the cholesterol as a major component of causing cholesterol to rise, but that's not true, it is the saturated fats, the saturated fats and this relates then to the oils that we are ingesting. It is very important...when we go to a restaurant we know what our vegetable is but we don't always know what it's been cooked in. We know what meats we have ordered but we don't always know what oils they have been fried or cooked in. We know what carbohydrates we have, such as the bread, such as the cereals, such as the potato and the pastas, these are all fine, but the component that we don't know is the oil and it is a very, very important component within our foods. As you go to any restaurant, any food dispensing firm, the oils have been used and they are extremely important with regards to the development and the rise of cholesterol levels in our bodies and oftentimes to a point that it brings about coronary disease. Now it is a

keen concern, particularly to those...to those people who have what we call a cholesterol problem. At this very time, there are many areas of our society that have become highly concerned and involved. I have been noticing on Channel 10-11 that they are having cholesterol testing set up for the people because this is such an important one, it is a major and if not the most important killer that we presently have. It is important that we know the oils that are being used in the restaurants. It is not difficult to have that disclosed. It is not difficult and major firms have suddenly, in the last...within the last year have taken an awareness and are changing to those oils which are low in saturated and high in unsaturated fats. Those that are high in saturated fats cause an elevation and a rapid elevation in cholesterol in our bodies. So it is necessary that, as we go and as our society has transformed into a society that eats out, it is continuing to rise, that of having just the family unit eating always in the family home, this has evolved greatly and so we do have a need to have it known to us and particularly those who know that they have a high cholesterol level as to what oils are being used in the kitchens. The Marriott Corporation, our nation's largest food preparer, they disclose it. They realize the need and they want to help. And there are many food preparation corporations and companies, the General Mills, Pillsbury, Quaker Oats, Kellogg Company, Keebler, and, yes, Proctor and Gamble, which makes the Crisco, have all moved to those oils such as soybean oil, and corn oil, which are low in the saturated fats and higher in the unsaturated. If you will look, it has been distributed, a little graph that shows the content of a number of the oils and I assure you that those people who are concerned, they do want to know and they do know what oils are good and we can certainly furnish them. It is not a case of not being able for our restaurants to have the proper oil. The proper oil, such as soybean oil and corn oil, are readily available. Oftentimes, it's been, over the past, the buildup, the use in commercial restaurants certain kinds of oils such as palm oil and coconut oil and they have become the main sources simply because of the business set-up. But it can easily be changed to that which will be of a major, major help to us in our own diets as we go from...and become a society depending heavily on the prepared foods of restaurants.

SPEAKER BARRETT: Thank you. Thank you, Senator Weihing. An amendment on the desk.

CLERK: Mr. President, Senator Goodrich would move to amend the

bill. (The Goodrich amendment appears on page 1046 of the Legislative Journal.)

SPEAKER BARRETT: Senator Goodrich, please.

SENATOR GOODRICH: Mr. President and members of the body, the Restaurant Association has asked us to present this amendment for your consideration and that is it does nothing but say that if we're going to require the restaurants to post these signs, that the department shall furnish the uniform sign with which the restaurants can post their establishments. Very insignificant amendment and I would recommend you adopt it. I move the adoption.

SPEAKER BARRETT: Thank you. Discussion on the amendment? Senator Hefner, any discussion? Thank you. Senator Hall, on the amendment. Senator Rod Johnson, on the amendment.

SENATOR R. JOHNSON: Mr. President and members, I am not sure I follow the amendment. It says that the Department of Agriculture, which implements this law or this bill, would provide some signs, which I understand, but in a case where you have different establishments using different types of oil, how can they provide a sign unless it covers all the oils that possibly could be used in a restaurant? And that's the problem I have with the bill. As some of you have noted, I did not support the bill out of committee. My concern is that the bill calls for the posting of a sign in relationship to cooking oils but it does not give authority to the Department of Agriculture to make sure that what's posted on the sign is necessarily what's being used in the kitchen. So while we can require the department to check to see a sign is up on the wall, there is nothing in the bill right now that gives the department authority to inspect the kitchen to make sure that the oils they claim they're using are actually being used in the kitchen. So that's part of the objections that I've had with the bill. Now I don't know how this amendment ties in with the bill because, as I said, there could be several different types of cooking oils used and I don't know if it's just a matter of giving some kind of a sign and then you just draw in whatever type of oil you happen to have, but I don't see any particular reason for the department to give the signs out when a sign, as I understand it, could be just about anything that you make up and put up on the wall. So the bill, personally, has, to me at least, some problems but I am going to choose to pass on the

Goodrich amendment.

SPEAKER BARRETT: Thank you. Senator WeiHING, on the amendment.

SENATOR WEIHING: Well, I'm somewhat delighted with the amendment in the fact that the Restaurant Association is not opposing it by simply saying they are willing to put a sign up. I think that's a plus for it but I should speak directly to the amendment. I wonder if Senator Hefner is here. And the reason I'm calling for Senator Hefner, if he would come and rise to speak on this, in view of the fact that he actually has a personal interest in a restaurant. Could you answer with regards to...Senator Hefner.

SPEAKER BARRETT: Senator Hefner.

SENATOR HEFNER: Certainly, I will yield.

SENATOR WEIHING: What is your reaction to this amendment? The amendment is that the Department of Agriculture would furnish the sign.

SENATOR HEFNER: I don't really think that's necessary because this would just add cost to the Department of Agriculture's budget. I feel that the restaurant can prepare their own signs, maybe some of them would want to put it on their menus, others post other signs. In fact, some of the restaurants that I'm associated with are doing this at the present time. We're not listing all the oils and we're not listing the percentage of saturated fat but we are...we do post a poster or print it in our menus that we are using cooking oils or frying oils with a low saturated fat content. So I am going to vote against this amendment because I think the businesses could do this themselves.

SENATOR WEIHING: Thank you, Senator Hefner. I really have no further comment on that.

SPEAKER BARRETT: Thank you. Senator Goodrich, would you care to close on your amendment?

SENATOR GOODRICH: Yes, Mr. President. What this amendment really does is it follows the lead that was presented in the warning in the bars to the pregnant ladies that are going to be subject to drinking when they're in the tender condition. So,

in other words, we said we would furnish the signs to the bar operators. Well, in essence, in this case what we would be doing, we would be furnishing a sign that says this restaurant uses the blank oils to cook food with. The restaurant...each restaurant could then fill in the type of oils that they use in cooking and post that sign so that it would be a uniform sign in every restaurant and it would be something that would be furnished by the Ag Department so that the rural restaurants across the state did not have to make their own signs, they would just fill in on a form that is furnished to them by the Ag Department what oils they use. And it's for that reason, in other words, if we want them to do it, we ought to furnish the signs with the blank in it that they can just fill in one word as to if they use palm oil, they use corn oil, they use whatever oil they use, and stick that up and they are not bothered very much by having to do it. But if we're going to require that they use and have a sign, then let's furnish the sign for them to use. Thank you.

SPEAKER BARRETT: Thank you. You have heard the closing and the question is the adoption of the Goodrich amendment to LB 54. Those in favor vote aye, opposed nay. Voting on the Goodrich amendment. Please vote if you would care to vote. Have you all voted? On the Goodrich amendment. Record, please.

CLERK: 25 ayes, 4 nays, Mr. President, on adoption of Senator Goodrich's amendment.

SPEAKER BARRETT: The amendment is adopted. And Senator Scofield is pleased to announce that she has guests in the north balcony, 30 seventh and eighth graders from St. Agnes Academy in Alliance, with their teacher. Would you folks please stand and be recognized by your Legislature. We're glad to have you with us this morning. Thank you for coming. Anything further on the bill, Mr. Clerk?

CLERK: Nothing further, Mr. President.

SPEAKER BARRETT: Discussion then on the advancement of the bill, Senator Hefner, followed by Senators Hall, Rod Johnson and Ashford.

SENATOR HEFNER: Mr. President and members of the body, I rise to support the bill. This last amendment that we put on I guess is okay. I didn't vote for it but at least all the signs will

be uniform now. But I think this is a necessary bill because there is a lot of people that eat out anymore and it's growing...the numbers of those eating out is growing every year. And some of these restaurants, like I told you before, are posting these signs. They don't post the name of the oil or the percentage of saturated fats but they are posting signs that say that this establishment is using low cholesterol fat for the preparation of their foods in the cooking of it or the preparation of it, foods sold by this restaurant. When we purchase foods like in grocery stores or super markets or convenience stores, we can look on that label, we can look on that label and see what the ingredients are, also what percentage of cholesterol is in this food. And this is real helpful. I, myself, have a cholesterol problem and so I need to watch it. There are a lot of people in Nebraska that have high cholesterol levels and, of course, this leads to potential heart attacks. And so I want to commend Senator Weihing for bringing this bill to this body to discuss. I know that I have learned a lot more since this bill was introduced. The Agriculture did hold a hearing on it and we received a lot of information, a lot of good information, and I don't think this is going to put a hardship on these restaurants. So I would encourage you to support the bill.

SPEAKER BARRETT: Thank you. Senator Hall.

SENATOR HALL: Thank you, Mr. President, and members, I would ask Senator Johnson a question if he would respond.

SPEAKER BARRETT: Senator Rod Johnson, please.

SENATOR R. JOHNSON: Yes, sir.

SENATOR HALL: Senator Rod Johnson, the bill deals with nontemporary retail food service establishments. What is a nontemporary...what qualifies as nontemporary and what would be temporary?

SENATOR R. JOHNSON: I assume temporary food services...my legal counsel would indicate that I would assume that nontemporary would be any establishment such as a Godfather's, any establishment that serves food the year-round. Your county...yeah, nontemporary would be...or temporary would be your county fair food booths that you have at your county fairs, and so forth.

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LB 54

SENATOR HALL: So they can kill us with cholesterol but the...as long as it's an establishment that's in place like Senator Hefner's or...

SENATOR R. JOHNSON: Yeah.

SENATOR HALL: ...the restaurant in my district, they have to post.

SENATOR R. JOHNSON: Yeah.

SENATOR HALL: What about something like, say, these vendors that are on the street here in Lincoln or in Omaha, would they have to post or would they qualify as temporary?

SENATOR R. JOHNSON: A vendor?

SENATOR HALL: Yeah, you see the taco wagon or the guy with the...

SENATOR R. JOHNSON: Oh, yeah, they would post, I assume.

SENATOR HALL: They would have to be posted.

SENATOR R. JOHNSON: Sure.

SENATOR HALL: Those would not be considered temporary.

SENATOR R. JOHNSON: I wouldn't think so, no.

SENATOR HALL: Okay. All right. Thank you, Senator Johnson. Mr. President and members, I would like to just start by saying I appreciate Senator Weihing's effort here to educate the public with regard to the problems of cholesterol and the issue that has been addressed through this bill. I do believe though that the bill could prove to be a hardship at times on some establishments and I don't mean to attack the bill on that point because I think it's important that people understand what it is that they are eating. But I think the general population understands because of the education that has taken place on a national level and not only there but at the state and local here as well that the problem of cholesterol is one that is of concern. My problem with the bill as it's drafted is that it requires that the cholesterol content of the oil be listed in a

prominent place and I guess, you know, who determines what a prominent place is in that establishment and then I guess where do we go from here? Do we then require a...you know, the amount of sugar that is used, the amount of sodium that is used in different types of cooking to be also posted in a place that does business as a restaurant? I guess I just...if I could feel comfortable thinking that this would be the kind of thing that would only be...and we would stop at this point, I guess I would say, fine. But Senator Goodrich made the point about the sign that we had to post with regard to alcohol, earlier, and now we're dealing with the issue of cholesterol and I guess at some point in time I could see a whole laundry list of these signs that may very well be in a place of establishment as a restaurant. I think people should be made aware but at some point in time they, I think, need to be responsible for themselves. I am not going to vote for the bill...

SPEAKER BARRETT: One minute.

SENATOR HALL: ...with regard to advancement but I'm not going to vote against it either. I want to go back, I guess, and talk to some of the folks who operate restaurants in my district and see how they feel. One issue that some folks have raised is with regard to recipes that many people consider trade secrets, I guess, or near trade secrets, and would this then require, I guess, an explanation or an examination of what those ingredients are with that type of a food preparation, if that...if it does contain a certain kind of oil and then are we infringing on that establishment or those individuals' registration or whatever they may have with regard to that cooking recipe or that recipe for a certain type of food item? I would just like to, I guess, hear what some other folks have to say about this issue. As I said, I appreciate Senator Weihing's effort because I do believe that the issue of educating people with regard to what is good and what is not good for them is important. I know full well that I intake way too much salt and probably too much fried foods...

SPEAKER BARRETT: Sorry, Senator Hall, time is up.

SENATOR HALL: I didn't get a one-minute warning, Senator Barrett, but that's all right.

SPEAKER BARRETT: It was issued.

SENATOR HALL: Okay. Thank you.

SPEAKER BARRETT: Sorry. Thank you. Senator Rod Johnson, please, further discussion.

SENATOR R. JOHNSON: Mr. Speaker and members, I concur with the points that Senator Hall was making and that's been one of the first that I have done so far this year in respect to his comments. But part of the reason that I opposed the bill, as Senator Hall had indicated, that there are some deficiencies I see in the bill that I simply felt that I couldn't support it on those grounds. The major point I would like to make is...and Senator Hall was talking about particular menu items. This bill doesn't require that the restaurant post the sign that lists the type of oils that might be used in the preparation of each individual dish. All it has to basically do is list the various types of oils that are going to be used in that restaurant in the preparation of the food. So if I order a particular item off of the restaurant menu, I am not sure what type of oil was necessarily going to be used in that particular menu item without actually asking the waitress or waiter what type of oil is being used in preparation of this particular dish. So giving away trade secrets really is not part of this bill. All this bill really does is force the establishment to list the kinds of oils, not necessarily breaking them down into how they are used in each individual item listed on the menu. I commend Senator Hefner and restaurateurs, such as himself, who voluntarily do this. I think that that is the route that should be taken rather than passing state law to do this. I think that if there is a market niche out there for low cholesterol food, for low sodium type food, then I assume that free enterprise will begin filling that void if there is a void out there for that. Barring that, if I go into a restaurant, currently I can ask the waitress or waiter what type of oil is being used. Sometimes they are going to know, sometimes they are not. But I think that if I was concerned enough about my health that I wanted to know, I could probably take the time to find out right at this particular time and I think that those who are concerned will ask. And I guess that's the route I see us going. And, as I said, I think men and women who operate restaurants now probably are going to be doing more of that. You are seeing more of that listed on menus, in some cases, listed on posters in restaurants now, and that's being done voluntarily. So I really don't see the need for moving on the bill to force all of our restaurants and there are a lot of small restaurants in the State of

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LB 54, 214, 214A, 284, 284A, 318, 320
443, 499

Nebraska that probably are not too hep on complying with this law, along with some others. So I guess I just see it as an unnecessary regulation on the small businesses that really don't see a need to post at this time.

SPEAKER BARRETT: Thank you. Senator Wehrbein is announcing that he has guests in the north balcony. We have 15 members from District 2 school of Nebraska City, with their teacher. Would you folks please stand. Thank you. We're glad to have you with us. Also, Senator Ashford is announcing that his brother, County Judge Mark Ashford, is with us under the south balcony. Judge Ashford, would you please stand. Thank you. We're glad to have you with us. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 284, LB 284A, LB 214 and LB 214A, LB 443, LB 499, LB 318 and LB 320. Additional discussion on the advancement of the bill, Senator Ashford, followed by Senators Wehrbein and Coordsen.

SENATOR ASHFORD: Mr. Speaker and members, I appreciate the introduction of my brother, before I have an opportunity to speak so I can just prove to you that there was a relatively successful member of my family that...other than...anyway, Senator WeiHING, could I ask you a couple of questions?

SPEAKER BARRETT: Would you respond, Senator WeiHING.

SENATOR WEIHING: Certainly, most happy to do so.

SENATOR ASHFORD: I've had some concerns raised by individuals in my district, Senator, about the effect of this legislation. One of the concerns that was raised by a couple of older local restaurants, specifically I think Johnny's was one and there are some others, that the information that is being required to be posted would, in effect, be a...could infringe on a trade secret or a secret recipe that the particular restaurant had developed. Have you heard anything about that, or...

SENATOR WEIHING: Not specifically and it should not. It is not to divulge any recipes whatsoever. It is simply to make it known as to the kind of oils that they are utilizing in their cooking process. Much of the cooking is that of the preparation of meats and vegetables and on occasion they do have those with their recipes, so just stating as to the kind of oils that they use within their general food preparation, it would not have

anything to do with the divulgence of their recipes.

SENATOR ASHFORD: Would you have any objection, Senator Weihing, to an amendment that would exempt from this bill, a trade secret or recipe of the particular restaurant?

SENATOR WEIHING: Well, they should not...yes. I don't have any objection to saying that they cannot get into any trade secret or recipe, that is...but we do want to know what kind of oil that they are using. Are we communicating onto the point that you're trying to get to?

SENATOR ASHFORD: Well, I'm just voicing my concern to you and it's one that apparently wasn't raised and I just wanted to raise it and we can talk about it. I'm not...later. It's just a concern that was raised to me and I wanted to raise it on the record and I don't have any particular way of resolving it, but I just wanted to establish that some of these older restaurants in Omaha that had developed recipes over the years, that they wish to protect it in some way. This would affect their ability to maintain the secrecy of those records, so we can talk about it later. That's all I have.

SENATOR WEIHING: Yes, this bill does not bring about disclosure in that. It definitely should not. Those trade secrets, those recipes should be perfectly safe. That's my intent.

SENATOR ASHFORD: That's all I have. Thank you, Mr. Speaker.

SPEAKER BARRETT: Thank you. Senator Wehrbein, followed by Senator Coordsen.

SENATOR WEHRBEIN: Mr. President, members, I'm going to vote for this bill but I do have some concerns about the thing that we're putting on restaurants as we keep adding signs and I just want to relate that, but, Senator Weihing, I'd like to ask you a question. Is it possible under this that you might want to post a sign that would say, you use several oils so that you would be covered in case you were using probably several or a combination thereof, or I assume that many cases, day to day, you might use three or four different oils or different recipes. Can you cover yourself or could you write it on a menu instead of posting on...I know this does not say that you could put it on the menu, but that might be an option I would think.

SENATOR WEIHING: Yes, they certainly can put it on a menu. With regards to the amendment that went on, the concern that was expressed to me by the Ag Department was having some place it would at least be uniform, but it would be to the advantage of the restaurant if they simply had it on the menu. In that way the customer would know immediately what oils they are using. It wouldn't...the girl there answering and so forth wouldn't have to answer, but so that would be perfectly all right.

SENATOR WEHRBEIN: Is that allowed under this bill?

SENATOR WEIHING: Oh, sure.

SENATOR WEHRBEIN: Does that constitute...

SENATOR WEIHING: It's, at least in my...it's in my intent that they can do whatever they want. They can always put signs up wherever they want on that.

SENATOR WEHRBEIN: Or, what...

SENATOR WEIHING: If they had nothing, why then they would have to be complying with that of the Department of Agriculture.

SENATOR WEHRBEIN: Okay, thank you.

SPEAKER BARRETT: Senator Coordsen.

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body, I think all of us understand the reasons for the introduction of this bill and Senator Weihing is to be commended for bringing it before us. My problem with the bill is not the intent, but rather my perception that it would be nearly impossible for the average person out there in the restaurant business to comply with the letter of the law. As has been indicated by other speakers, there is a variety, wide variety of oils, whether you're talking about that that is used on the grill, that that is used in the deep fat fryer, that that is used in the process of cooking pastries, baking bread, that that might be used in the preparation of other types of food and it may or may not include those optional items that are on the table, the dairy, the nondairy creamers, the various types of spreads and, as our amendment says, the percentage of saturated fat in the oils that are used within this establishment. So we would establish a couple of criteria. One, it's my belief that we would establish

a listing by the restaurant owner of all of the various types of oils that are used in the different phases of preparation of food in the establishment and then we would place an additional onus on the restaurant owner, cafe owner, of changing that if for some reason or the other they change the type of oil. We might have, as a for instance, two low saturated fat oils. They might be using, which a lot of people prefer because it doesn't impart an odor to the food, is peanut oil which is 18 percent saturated fat, a low fat type of oil. And for reasons of price or availability or changing suppliers they might change to sunflower oil which is another low saturated fat oil and we would have a situation where if they did not change their notice, however, that notice was provided and there is a great deal of flexibility in the amendment for that, they would be out of compliance with statute and face an automatic fine. So I have a lot of concerns, not with the intent of the bill, but with the implementation and enforcement. So I think that is something perhaps we should consider a little bit in the debate on this issue this morning. Thank you.

SPEAKER BARRETT: Thank you. Senator Weihing, followed by Senator Wesely.

SENATOR WEIHING: Well really, Senator Coordsen, I think you're making it much more complicated than what we're thinking about and we're not going to the creameries and all these, the prepared ones are there. They normally have what is already on them. Pillsbury is going to have what it is. Quaker Oats have what they have. Kellogg Company now has it. General Mills has it. Proctor and Gamble has it. They all have that on there if those are prepared and they are packaged. And so what it is we're getting at is simply what are they using in that of the preparation...what are they frying their chicken in, their hamburgers. So it is simply a disclosure of what they are using within their kitchen. It is not what their recipe is going to be. I think we're making this far, far too complicated. It is what they basically use in their kitchen. Another thing that we're using here, we're using cholesterol, the term cholesterol. Actually we're not asking them to disclose cholesterol. We're asking them to disclose the cooking oil. The cooking oils, by the way, do not have cholesterol. Palm oil which is high in saturated fats does not have cholesterol, but it is far more dangerous than cholesterol itself as far as raising the cholesterol level in your blood. So I simply think that we're making this a little bit too complicated in its management. The

intent is, what are they using in there? They don't have 100 different oils back there in the kitchen, but they get the basic commercial products and they can select from those basic commercial products, those which are relatively low in saturated fats, or if they have them high in it and those that want to go ahead and use it, that's perfectly fine. It's just a disclosure statement that allows the public to know. We make the disclosure when we put a menu out. We have a disclosure of the food that we have. The one thing we have not been doing is that is disclosure of the oils and oils are a significant and common component of our diet and they are significant in the development of the cholesterol level of our bodies. So I just feel that we should know what we are purchasing. Why should we have a hidden area, an area that can be disclosed? Those are my comments.

SPEAKER BARRETT: Thank you. Senator Wesely.

SENATOR WESELY: Just very briefly, Mr. Speaker. As Chairman of the Health Committee and also as a member of that committee for eleven years now I have seen time and time again different issues and programs and proposals to deal with how we keep people healthy and how we try and deal with the after effects of illness. And clearly any time we can take a step, as Senator Weihing is trying to do here, to educate the public better about how they can care for their health needs, we're taking a positive step and one that will save money and save lives in the long run. One of the big keys is that once you educate people to watch out for cholesterol and I think finally we've asked people and got that message through to them that they need to be doing that. The next step is how, how can they identify the cholesterol levels, how can they find out the information they need to make a good judgment as to what is in their own best health interests and unless they have the information they can't make a valid judgment. If you take the attitude of the free marketplace and the idea of caveat emptor, let the buyer beware, no buyer can be aware of the situation if they don't have the information. As with many other issues in this body, I think providing the public with this sort of information is good public policy and I would support Senator Weihing's bill and encourage that the detail work that needs to be done yet on the bill be worked out on Select File.

SPEAKER BARRETT: Thank you. Senator Weihing, would you care to close on the advancement of the bill?

SENATOR WEIHING: Mr. Speaker and members of the Legislature, I'm going to read to you a statement that was made by the medical doctor from our own University of Nebraska Medical Center with regards to this, an expert in this area. He said it is important to remember that this is not a first step. I want to state that again. This is not a first step that the Marriott Corporation and a number of hotel chains, major chains in the country have provided, if any of you have traveled, a great deal of this information. Now, if you are wise enough to know about them, you can eat well on the road and in the restaurants. Those of you who have the problem, and they say about 50 percent or more of us actually have a problem with our cholesterol level and as those who grow older are ones who are more, usually more endangered, but I do want to point out that they have become concerned with the youth also and we've seen recently that we do need to have a concern with regards to the youth and the saturated fats. Now he says, I think that this bill, while it tends to target one substance a bit unduly, it is the group of substances in our diet, the oils that we eat that is power packed as far as calories is concerned and is malignant as far as elevating one's cholesterol if it is laden with saturated fat. You know, we are extremely careful with regards to many things and we say, you can only have one part per billion of this and one part per billion of that because it might cause cancer, but here we have something daily that you get up, you go to your breakfast in the Cornhusker Hotel, you have the eggs, the bacon and all of these things there. It has oils in it. They are fine as long as we are not utilizing those oils that are high in saturated fats in a great amount and it can be very disastrous to us through that of development of coronary disease. This is a health bill. It is one that is point targeted towards health and to the disease that is most common, it is the most common disease that we have here in our state and throughout our country. So the doctor says I support the principle of this bill very strongly. It's not an esoteric matter. I leave this with you. We have the opportunity, we have the opportunity to make a major step towards having the disclosure of the kinds of oils that are using for our own health and for the many people who are really very desirous and must know as to what the oils are in the general preparation, in the general preparation of the food in the eating establishment in which they may be in. I thank you.

SPEAKER BARRETT: Thank you. You've heard the closing and the

question is the advancement of LB 54 to E & R Initial. Those in favor of that motion vote aye, opposed nay. Voting on the advancement of the bill. Please vote if you'd care to vote. Senator Weihing.

SENATOR WEIHING: Call of the house.

SPEAKER BARRETT: A call of the house has been requested. Clear the board, Mr. Clerk. Members will vote on placing themselves under call. Those in favor vote aye, opposed nay. Record, please.

ASSISTANT CLERK: 12 ayes, 1 nay.

SPEAKER BARRETT: The house is under call. Members, please return to your seats and record your presence. Those members outside the Legislative Chamber, please return and record your presence. Unauthorized personnel please leave the floor. Senator Lynch, please. Senator Nelson, please. Senator Beck, record your presence, please. Members, please return to your seats. Make sure that you register your presence on the board. We have a request for a roll call vote in regular order. Senator Bernard-Stevens, the house is under call. Senator Byars, Senator Chambers. Senator Hall, please, Senator Crosby, the house is under call. Senator Firsch, would you check in, please. Senators Bernard-Stevens, Byars and Chambers, the house is under call. While waiting for members to return, the Chair is pleased to announce that we have two special guests under the north balcony, Mr. Don Kristensen and Mary Lou Kristensen of Minden, the parents of the Honorable Senator Douglas Kristensen. Thank you, we're glad to have you with us, Mr. and Mrs. Kristensen. Hope you can come back again. Senators Chambers, Byars and Bernard-Stevens. Roll call has been requested. We will go ahead. Mr. Clerk, please.

ASSISTANT CLERK: (Roll call vote taken. See page 1047 of the Legislative Journal.) 26 ayes, 8 nays on the motion to advance the bill, Mr. President.

SPEAKER BARRETT: The bill is advanced. The call is raised. Mr. Clerk, to committee priority bill, LB 285.

ASSISTANT CLERK: Mr. President, LB 285 was introduced by the Transportation Committee. (Title read.) The bill was referred to the Transportation Committee, after being read on January 10.

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

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

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

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

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

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

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

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

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

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

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

Proofed by:

Arleen McCrory
Arleen McCrory

March 13, 1989

LB 46, 54, 145, 182, 211, 237, 247
259, 288, 315, 316, 356, 379, 388
411, 418, 437, 447, 449, 449A, 506
587, 630, 651, 652, 809

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: (Microphone not activated) ...to a new week in this the life of the First Session of the Ninety-first Legislature. Our Chaplain this morning for the opening prayer, Pastor Jerry Carr of First Four-Square Church here in Lincoln. Pastor Carr, please.

PASTOR CARR: (Prayer offered.)

SPEAKER BARRETT: (Gavel.) Thank you, Pastor Carr. We hope you can come back again. Roll call.

CLERK: Quorum present, Mr. President.

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: I have no corrections, Mr. President.

SPEAKER BARRETT: Messages, announcements, reports?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 587 and recommend that same be placed on Select File; LB 379, LB 46, LB 388 and LB 145, LB 237, LB 418, LB 506, LB 449, LB 449A and LB 54, all placed on Select File, some of which have E & R amendments attached. (See pages 1059-66 of the Legislative Journal.)

Mr. President, Business and Labor Committee reports LB 630 to General File; LB 315 to General File with amendments; LB 288, indefinitely postponed; LB 316, indefinitely postponed, LB 411, indefinitely postponed, and LB 652, indefinitely postponed, those signed by Senator Coordsen as Chair of the Business and Labor Committee. (See pages 1067-69 of the Legislative Journal.)

Mr. President, a series of priority bill designations. Senator Withem, as Chair of Education, has selected LB 259 and LB 651. Mr. President, Senator Nelson has selected LB 447; Senator Langford, LB 211; Senator Coordsen, LB 182; Senator McFarland, LB 437; Senator Byars, LB 809; Senator Withem, LB 247; and Senator Crosby selected LB 356, Mr. President.

I have an Attorney General's Opinion addressed to Senator Hefner

March 14, 1989

LB 50, 54, 157, 203, 330, 357A, 455
496, 571, 583, 584-586, 597
LR 8-10, 52, 53

may. Record, Mr. Clerk, please.

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

PRESIDENT: The Nelson amendment is advanced. Now...is adopted. Now we're on the advancement of the bill, Senator Nelson.

SENATOR NELSON: Just move for the advancement.

PRESIDENT: Thank you. The question is the advancement of the bill. All those in favor say aye. Opposed nay. It is advanced. LB 157.

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

PRESIDENT: Yes, please.

CLERK: Mr. President, your Committee on Judiciary, whose Chair is Senator Chizek, to whom was referred LR 8, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, LB 50 General File with amendments, LB 203 General File with amendment, LB 330 General File with amendments, LB 455 General File with amendments, LB 571 General File with amendments, LB 586 General file with amendments, LR 9 indefinitely postponed, LR 10 indefinitely postponed, LB 496 indefinitely postponed, LB 583 indefinitely postponed, LB 584 indefinitely postponed, LB 585 indefinitely postponed, all signed by Senator Chizek as Chair of the committee. (See pages 1129-38 of the Legislative Journal.)

Senator Morrissey offers LR 52 congratulating the Falls City Sacred Heart boys basketball team. That will be laid over. LR 53 is offered by Senators Chizek, Abboud and Beyer congratulating the Millard South boys basketball team. (See pages 1138-40 of the Legislative Journal.)

Mr. President, Senator Wehrbein has amendments to be printed to LB 54 and Senator Abboud to LB 597. (See pages 1140-41 of the Legislative Journal.)

Mr. President, on LB 157 which is on Select File, the first order of business are Enrollment and Review amendments.

PRESIDENT: Senator Lindsay, please.

March 15, 1989

LB 54, 105, 183, 222, 250, 340, 746
749
LR 56

would ask if the Clerk has any messages on the President's desk.

CLERK: Mr. President, Banking, Commerce and Insurance reports LB 222 to General File with amendments; LB 746, General File; LB 749, General File; and LB 105, indefinitely postponed, all signed by Senator Landis. New resolution, LR 56, by Senator Haberman congratulating the Perkins County High School basketball team. Transportation gives notice of confirmation hearing. Amendments to be printed from Senator Beck to LB 250, Senator Goodrich to LB 340, Senator Wesely to LB 340, and Senator Korshoj to LB 54. That's all that I have, Mr. President. (See pages 1165-70 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, Mr. Clerk. The question before the body is one of adjournment. Those in favor of adjourning please vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 12 ayes, 22 nays, Mr. President, on the motion to adjourn.

SPEAKER BARRETT: Motion fails. Back to discussion on the advancement of the bill. Senator Baack.

SENATOR BAACK: Are there others lights after mine?

SPEAKER BARRETT: I'm sorry, yes, there are. Senator Baack, I'm sorry, I overlooked one light. Senator Withem's light has been on.

SENATOR WITHEM: Yes, I was going to call the question.

SPEAKER BARRETT: The question has been called. Do I see five hands? I do. Those in favor of ceasing debate vote aye, opposed nay. Record.

CLERK: 25 ayes, 1 nay, Mr. President, to cease debate.

SPEAKER BARRETT: Debate closes. Senator Baack.

SENATOR BAACK: I think we've debated enough. I would just urge the advancement of the bill. Thank you.

SPEAKER BARRETT: Thank you. Shall LB 183 be advanced to E & R Engrossing? Those in favor vote aye, opposed nay. Have you all voted? Have you all voted, if you'd care to vote? Senator

March 22, 1989

LB 54, 574A

SPEAKER BARRETT: Shall 574A be advanced? All in favor say aye. Opposed no. Carried, the bill is advanced. Next bill, Mr. Clerk.

CLERK: Senator, the first item I have on E & R...are E & R amendments to LB 54, excuse me.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 54 be adopted.

SPEAKER BARRETT: Shall the E & R amendments to LB 54 be adopted? All in favor say aye. Opposed no. Ayes have it, carried, they are adopted.

CLERK: Mr. President, I now have an amendment to the bill by Senator Wehrbein. Senator, this is your amendment on page 1140 of the Journal.

SPEAKER BARRETT: Senator Wehrbein.

SENATOR WEHRBEIN: Yes, I have an amendment that is being also passed out. Just a second. Mr. President, I have two parts to this, one is to take away the...actually the second part strikes the Goodrich amendment, which was put on the other day to require the Department of Agriculture to furnish the sign. And I feel that this turns out to be kind of an undue burden on the Department of Agriculture. It's not a bad idea to have a consistent sign policy. But, on the other hand, I'm going to go back to the first part of my amendment, and that is to say that it doesn't require just a posted sign to fulfill the requirements of this.

SPEAKER BARRETT: Excuse me, Senator Wehrbein. (Gavel.)

SENATOR WEHRBEIN: Thank you. I felt that this kind of put an undue burden on the restaurants in requiring that it be specifically a sign. The way I interpreted the bill, especially after the addition of Senator Goodrich's amendment requiring this sign, it became an undue burden to have another sign on the wall some place. It's my feeling that if we have a tent card, or a menu card, or something written in the menu, or maybe some other innovative ways to require the outline of what cooking...or the posting of the sign would suffice. In other

words it did not have to specifically be a posted sign, but could have some other ways to have the notice given in a restaurant as to what cooking oil was being...will be much more fair and not an undue burden, or at least less of a burden on a restaurant, because I think we are getting to the place where we could be requiring too much. On the other hand, I think it's only proper that consumers in restaurants, those that are partaking of...in restaurants ought to have an idea of what kind of oil is being used. Cholesterol is an issue today. Our diet and health issues are very important to all of us today. I think it is not unreasonable to have that outline in the restaurant. But let's not dictate that it has to be absolutely a sign. Let's not have it that it has to be done by the Department of Agriculture. Let's let them have the option. It's my understanding that many groups will furnish tent cards that will tell the kind of oil that is being used, or I again say it can be simply done using a menu card or a notice across the menu or other ways that would be reasonable, but not be an undue expense to anyone, and once again would not put an additional burden on the Department of Agriculture. So I would urge the adoption of this amendment for these reasons.

SPEAKER BARRETT: Senator Johnson, please, discussion.

SENATOR R. JOHNSON: Mr. Speaker, members, may I ask Senator Wehrbein a question, please?

SPEAKER BARRETT: I'm sorry?

SENATOR R. JOHNSON: May I ask Senator Wehrbein a question, please?

SPEAKER BARRETT: Senator Wehrbein, would you respond.

SENATOR R. JOHNSON: Roger, I've been a bit preoccupied here, but this amendment would strike the section in the bill that dealt with mandating the department to provide the signs?

SENATOR WEHRBEIN: Yes, that's part of it, yes.

SENATOR R. JOHNSON: Well, to tell you the truth I spoke with Senator Weihing, this morning, about the A bill that's been tacked onto this proposal because of the department asking, I think, \$50,000 for money to carry out this section of the bill. I told him, and I'll tell this body, I thought that was

excessive, that I did not support the original amendment to tack this on, but I will support Senator Wehrbein's motion here. I think that fee is way too high, or that appropriation was way too high in the A bill. I realize there might be some testing necessary to find out what cooking oils might be being used, but I don't necessarily support mandating the department actually providing the signs. I think, as Roger has indicated, restaurants can, across the state, provide their own signs in some fashion, whether it be on the tables or in the menu. So, with that, I will support Roger's amendment.

SPEAKER BARRETT: Thank you. Before proceeding to Senator Hall and Senator Weihsing for further discussion, I'm pleased to announce that Senator Korshoj has some guests in the north balcony. We have seven high school students from Winnebago with their teacher and sponsor. Would you folks please stand and be recognized. Thank you, we're glad to have you with us today. Senator Hall, further discussion.

SENATOR HALL: Thank you, Mr. President, members. Senator Wehrbein, would you yield to a question, please?

SENATOR WEHRBEIN: Yes.

SPEAKER BARRETT: Senator Wehrbein.

SENATOR HALL: With regard....Now the amendment that we're dealing with is an amendment that is found on 1140 of the Journal, is that correct?

SENATOR WEHRBEIN: Yes, and also it's been passed out, it's on your desk.

SENATOR HALL: Okay. They looked identical, and I wondered if they were the same. My question is, where you add noncompliance with this section shall be enforced as provided in the act for other violations. What are we talking about there? Can you refresh my memory?

SENATOR WEHRBEIN: I think maybe Senator Weihsing can answer that better, but that is simply taking out some redundancy we had in the bill. Is that right, Senator Weihsing?

SENATOR HALL: Senator Weihsing says that is correct. You don't...do you change, through your amendment, Senator Wehrbein,

the provisions that ask for the cholesterol ranking to be in the sign?

SENATOR WEHRBEIN: Cholesterol ranking?

SENATOR HALL: Yes, the....Let me ask Senator Weihing, he wants to answer the question. I think that is probably better posed to him. Senator Weihing, the amendment that Senator Wehrbein offers, how does that change the structure of the bill?

SENATOR WEIHING: What you're asking about is the saturated fat within the oils.

SENATOR HALL: Right.

SENATOR WEIHING: The cholesterol itself is...occurs because of the saturation.

SENATOR HALL: Right, right, right. Are they...is the saturated fat listing changed at all? Do we still have to list that on the sign?

SENATOR WEIHING: We list the saturated fat, we list the fats, the oils,...

SENATOR HALL: Okay,...

SENATOR WEIHING: ...and the percentage of saturation.

SENATOR HALL: And now with the...taking the Goodrich amendment off we are allowing for a sign to be posted as whatever the owner of the restaurant may choose to use in relation to a sign, is that correct? There is no guidelines or anything like that that's spelled out in the bill?

SENATOR WEIHING: That's right. It will be present, this will allow....In talking with the food and drug people in the Ag Department they felt that this would be the best way in that they pointed out that some of the restaurants could be very innovative with regards to having this displayed within their menu or elsewhere, say on the table. It would simply be that this information would be available and easily obtainable.

SENATOR HALL: Okay, thank you. So, in other words, there are no provisions for a standardized sign at all, at this time.

SENATOR WEIHING: That's correct.

SENATOR HALL: Okay, thank you very much. Thank you, Mr. President.

SPEAKER BARRETT: Senator Weihing, would you care to discuss the amendment?

SENATOR WEIHING: Much of what I was going to discuss has already been taken up. This was to simplify it and make it convenient on the part of restaurant owners and for them to be able to take innovation in displaying this and to be of a benefit to them.

SPEAKER BARRETT: Thank you, sir. Senator Goodrich, followed by Senator Hefner.

SENATOR GOODRICH: Mr. President, members of the body, I just wanted to point out that, number one, my amendment the other day did not require any sign at all. All my amendment did was say that if they're going to have to have a sign then the Department of Agriculture should furnish the sign, which we adopted, that's fine. Now, frankly the method that, as Wehrbein described it, assuming that's what it is, they can put it on the menu, they can put it wherever, discreetly at a table, a tent, that type of thing. I like that idea better. And if, for example, we are going to have flexibility like that I got no problem with it, and I'd be happy to wholeheartedly concur in the Wehrbein amendment. Thank you.

SPEAKER BARRETT: Senator Hefner, followed by Senator Wehrbein.

SENATOR HEFNER: Mr. President, members of the body, I rise to support the Wehrbein amendment. I think this makes the bill a little better bill. I was...I didn't support Senator Goodrich's amendment the other day because I didn't feel that it should be the duty of the Department of Agriculture to furnish the sign. Many restaurants display signs now. They display them in some of their menus, they display them on the counters, they display them on the wall. And in talking to some of these restaurant owners and managers they say it's a good business promotion because a lot of people are cholesterol-minded. I realize that Senator Hall and Senator Rod Johnson, probably some of the younger folks don't have that problem, but some of us old

duffers do. And so...and some of us eat out quite a little, so I commend Senator Wehrbein for bringing this bill to us. So I'm going to certainly support the Wehrbein amendment because I think this is the way to go. Thank you.

SPEAKER BARRETT: Senator Wehrbein.

SENATOR WEHRBEIN: I will wait until closing...this is it.

SPEAKER BARRETT: This is your closing.

SENATOR WEHRBEIN: I will just, if that's appropriate, I will just say that I think this just gives some flexibility in (inaudible), and that was my concern with Senator Goodrich, originally, that it might not have necessarily required a sign, but the implication was if the Department of Agriculture was to furnish it it seemed to suggest that we wanted a sign, this gives some flexibility in meeting the requirements that what we want should be less of a burden, especially a financial burden on a restaurant and still would get the information to the public and to the consumer is really what we want. So I would urge adoption of this amendment.

SPEAKER BARRETT: Thank you. The question is the adoption of the Wehrbein amendment to LB 54. All in favor vote aye, opposed nay. Record.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of Senator Wehrbein's amendment.

SPEAKER BARRETT: The amendment is adopted.

CLERK: Mr. President, Senator Korshoj would move to amend the bill. Senator, your amendment is on page 1169 of the Journal.

SPEAKER BARRETT: Senator Korshoj.

SENATOR KORSHOJ: Mr. Speaker and members, the reason I brought this amendment up was I had a constituent in the restaurant business who had been, he thought, harassed and treated unfairly, rudely by possibly an arrogant inspector, so I thought I'd bring this up and go over a little of that on the floor and adopt, try to adopt this amendment, which would give them ten days notice before he could close anybody down. But after talking to the Department of Agriculture they say that their

policy is really 20 days, I don't know if it's written or unwritten. So at this time I don't really see a need for this amendment. So, without any objection, I'll withdraw the amendment.

SPEAKER BARRETT: Thank you, it is withdrawn.

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

SPEAKER BARRETT: Thank you. To the bill, Senator Weihing.

SENATOR WEIHING: Mr. President and members of the Legislature, the National Restaurant Association estimates that more than 45 billion meals are eaten in restaurants and school and work cafeterias annually, and that on an average each person eats out about 192 times a year. Now this becomes a very, very important fact to us. We've changed from being around the home dining room table to that of being...of having much of our food intake, our nutrition within the restaurants. Now Dr. McManus, who is a professor at the University of Nebraska Medical Center, stated in the hearing on LB 54 that over half of the people in this country have a blood cholesterol level that is unhealthy. I don't know exactly what level he was using, but we have certainly become aware of this. The most important component in causing the rise of the cholesterol level, which in turn causes cardiac problems, the most important component is highly saturated oil, fats in oils. And within our food, and we go to the restaurants, the restaurants are very good to let us know what kinds of foods they have. They oftentimes let us know a considerable amount about the food and the nutrition value and where it fits into our diet. The one area that has been neglected, I shouldn't really maybe use that word, overlooked, perhaps I should say overlooked, have been the oils. This, I'm sure, is because we have become aware of the problem that certain oils present within our diet, the problem of development of cholesterol. This bill, LB 54, would simply require that the restaurants let us know what oils they use within their cooking. It certainly wouldn't divulge any of their recipes. Those proprietary recipes are theirs, it's just so that we know what kind of oils they are using within their kitchen, because we will be taking...having that intake from those particular oils. There are a considerable number of people who need to know that because they already have cholesterol levels that are much too high. It is the objective of this bill to make it known to the public the oils that are being used. We wish to have it in a

manner that is straightforward and simple, as has been mentioned can be on the menus, or on the table, and the waitresses can be informed so when people ask what kind of oils are being used....Simply the information is if it is soybean oil, and we know the approximate saturation of that oil, or corn oil, or palm oil, or coconut oil, whatever may be being used. In that way the individual, the same as being able to select whether they're eating steak, or they're eating pork chop, or chicken they know, and the kind of oils that are being used in the preparation and within those foods. With that I would request that the body move LB 54 on to Final Reading.

SPEAKER BARRETT: Thank you, sir. Any discussion on the advancement of 54? If not, we have had a request for a machine vote on the advancement of LB 54 to E & R Engrossing. Those in favor of the advancement of the bill please vote aye, opposed nay. Senator WeiHING.

SENATOR WEIHING: I think we're going to have to have a call of the house on this.

SPEAKER BARRETT: Should the house go under call? Those in favor vote aye, opposed nay. Record.

CLERK: 14 ayes, 0 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please check in. Return to your seats. Those outside the Chamber, please return. The house is under call. Senator Beyer, would you record your presence, please. Senators Ashford and McFarland, Senator Schmit, Senator Smith, Senator Korshoj. Senator Smith, the house is under call. Senator McFarland, the house is under call. Senator Labedz, the house is under call. Senators Labedz and Smith, the house is under call. (Microphone not activated.) ...Senator WeiHING, and one is apparently on her way. Do you want to continue to wait?

SENATOR WEIHING: Go ahead.

SPEAKER BARRETT: Are those your wishes, Senator WeiHING?

SENATOR WEIHING: The two are on their way?

SPEAKER BARRETT: That's the report.

SENATOR WEIHING: That's the report. On their way home. (Laugh.) I think the body has been very patient, and I think we should go ahead.

SPEAKER BARRETT: Thank you. Members, return to your seats. We have a request for a machine vote. The vote has been taken, I'm sorry. You want to take some call in votes? Are you asking for a roll call vote, what are your wishes?

SENATOR WEIHING: Let's make it a roll call vote.

SPEAKER BARRETT: Roll call vote has been requested. On the advancement of the bill, Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1300-01 of the Legislative Journal.) 25 ayes, 15 nays, Mr. President, on the motion to advance the bill.

SPEAKER BARRETT: LB 54 is advanced to E & R. The call is raised. I believe it's possible to handle LB 49 with a simple amendment, and then voice vote just a few bills across that are unamended and we conclude our business for the day. LB 49, Mr. Clerk.

CLERK: Mr. President, on LB 49 I have E & R amendments, first of all.

SPEAKER BARRETT: Senator Lindsay, E & R amendments.

SENATOR LINDSAY: Mr. President, I move the E & R amendments to LB 49.

SPEAKER BARRETT: Shall the E & R amendments be adopted? Those in favor vote aye. Opposed no. Carried, they're adopted.

CLERK: Mr. President, the next amendment I have to the bill is by Senator Dierks. Senator, this is your amendment on page 1263 of the Journal.

SPEAKER BARRETT: Senator Dierks.

SENATOR DIERKS: Yes, Mr. Speaker and members of the body, perhaps you remember on General File that Senator Elmer and I were having some difficulty getting our act together and we kind of promised that we'd do that on Select. I think this amendment

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and get them correct?

SENATOR WESELY: Yes. Yes.

SENATOR GOODRICH: Can't see what's wrong with it. What's the matter with it?

SENATOR WESELY: Nothing.

SENATOR GOODRICH: Oh, okay, thanks.

SPEAKER BARRETT: Any other discussion? If not, those in favor of the adoption of the Wesely amendment please vote aye, opposed nay. Voting on the Wesely amendment to 733. Have you all voted? Record, please.

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

SPEAKER BARRETT: The amendment is adopted.

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

SPEAKER BARRETT: On the bill, Senator Wesely, any comment?

SENATOR WESELY: No, I would just move its advancement, Mr. Speaker.

SPEAKER BARRETT: Any discussion? Shall LB 733 be advanced to E & R Engrossing? Those in favor say aye. Opposed no. Carried. The bill is advanced. For the record, Mr. Clerk.

CLERK: New A bill, LB 84A, by Senator Lamb. (Read by title for the first time as found on pages 1361-62 of the Legislative Journal.)

Your Committee on Enrollment and Review reports LB 54 as correctly engrossed, Mr. President. (See page 1362 of the Legislative Journal.) That's all that I have.

SPEAKER BARRETT: Thank you. Senator Hall, for what purpose do you rise?

SENATOR HALL: Mr. President, I would move that we adjourn until 9:00 a.m. tomorrow morning.

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remains constant. Oh, my time is up?

SPEAKER BARRETT: Time, yes. The question is the reconsideration motion. All in favor of that motion please vote aye, opposed nay. A record vote has been requested. Have you all voted? Record, please.

CLERK: (Record vote read. See page 1754 of the Legislative Journal.) 5 ayes, 25 nays, Mr. President, on the motion to reconsider the vote on overruling the Chair.

SPEAKER BARRETT: Motion fails. Next item.

CLERK: Mr. President, I believe that puts us back to the vote on the motion to cease debate on Senator Chambers motion to reconsider the motion to return. So the question I believe before the body is the motion to cease debate.

SPEAKER BARRETT: The question is, shall debate cease? We are technically under call. May we check in. Senator Byars, Senator Lynch, Senator Chizek. Senators Abboud, Schellpeper, Haberman. Senator Scofield. Senator Haberman. Senator Schellpeper. Senator Abboud. Mr. Clerk, any items to read in?

CLERK: Mr. President, I do, a Reference Report referring LR 406 and LB 1247. Senator Abboud has amendments to LB 54 to be printed. Bills read on Final Reading have been presented to the Governor. (Re: LB 662, LB 662A, LB 663, LB 663A, LB 678, LB 678A. See page 1755 of the Legislative Journal.)

New resolutions, LR 414 by Senator Withem, and LR 415 by Senator Langford. Both will be laid over and considered at another time, Mr. President. That is all that I have. (See pages 1756-57 of the Legislative Journal.)

SPEAKER BARRETT: Only one remaining, do you want to...thank you. Senator Chambers, members, return to your seats. The question is, shall debate cease and a roll call vote has been requested? Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1757-58 of the Legislative Journal.) 32 ayes, 8 nays to cease debate, Mr. President.

SPEAKER BARRETT: Debate ceases. On the motion to reconsider,