

January 18, 1989

LB 53, 57, 123, 537-597  
LR 8-12

Mr. President, new bill. (LBs 537-538. Read for the first time by title. See page 268 of the Legislative Journal.)

**SPEAKER BARRETT PRESIDING**

**SPEAKER BARRETT:** The Chair is pleased to announce that Senator Jacklyn Smith of Hastings has visiting the Legislature today Dr. Robert Schlock and 20 students from Hastings College, specifically, psychology and law class, in the east balcony, the rear balcony. Dr. Schlock, would you and your students please stand and be recognized by your Legislature. Thank you. We are pleased to have you visiting with us today. Also under the north balcony from David City High School, Senator Schmit announces the following guests, 8 students from David City High School with their teacher. Would you folks please stand and be recognized. Thank you for visiting. We are glad to have you. Mr. Clerk, more bill introductions, please.

**CLERK:** Mr. President, first of all, your Committee on Urban Affairs, whose Chair is Senator Hartnett, to whom was referred LB 53, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File; LB 57 General File; LB 123 General File, all signed by Senator Hartnett as Chair of the committee.

Mr. President, new bills. (LBs 539-557 read for the first time by title. See pages 269-72 the Legislative Journal.)

**SENATOR HEFNER PRESIDING**

**SENATOR HEFNER:** Mr. Clerk, do you have some more bills to introduce?

**ASSISTANT CLERK:** Yes, I do, Mr. President. (LBs 558-593 read for the first time by title. See pages 273-81 of the Legislative Journal.)

**SENATOR HEFNER:** Do you want to read the bills into the record?

**CLERK:** Yes, Mr. President, thank you. (LBs 594-597 read for the first time by title. See page 281 of the Legislative Journal.)

Mr. President, in addition to those items, I have new resolutions. (Read a brief explanation of LRs 8-12. See

February 8, 1989

LB 33, 34, 567  
LR 26

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. We have with us today as our Chaplain of the day, Reverend Curtis Lehman of the Berean Fundamental Church in Lincoln, Nebraska. Would you please stand for the morning prayer.

REVEREND CURTIS LEHMAN: (Prayer offered.)

PRESIDENT: Thank you, Pastor Lehman. We appreciate your being here this morning. Roll call, please. Record, Mr. Clerk, please.

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

PRESIDENT: Thank you. Any corrections to the Journal?

CLERK: (Read corrections as found on page 642 of the Legislative Journal.) That is all that I have, Mr. President.

PRESIDENT: Thank you. Any messages, reports, or announcements.

CLERK: Mr. President, I have two communications from the Speaker. Pursuant to his authority, he refers LB 27, I am sorry, LR 27 and LR 28 to the Reference Committee for referral to the appropriate Standing Committee for a public hearing, Mr. President.

Mr. President, communication from the Governor to the Clerk. (Read. Re: LB 33 and LB 34. See page 643 of the Legislative Journal.)

Mr. President, the last item is a report from the Education Committee. Senator Withem would report LB 567 to General File. That is signed by Senator Withem as Chair. That is all that I have, Mr. President.

PRESIDENT: Very good, thanks. Shall we move on to LR 26.

CLERK: Mr. President, LR 26 is a resolution offered by Senator Morrissey. It is found on page 632 of the Journal. (Read brief explanation.) The resolution, Mr. President, is found on page 632 of the Journal.

January 19, 1990

LB 159, 567, 567A, 769, 851, 900, 915  
957, 964, 966, 968, 994, 997, 1010

PRESIDENT: Senator Conway.

SENATOR CONWAY: Given the nature of the dinner hour and the like, and I'm sure some people had commitments that are...they are waiting in the wings in their offices, I'd like to have a call of the house, please.

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

CLERK: 22 ayes, 3 nays, Mr. President, to go under call.

PRESIDENT: Okay. The house is under call. Please record your presence. Roll call vote has been requested in reverse order...in regular order, excuse me. So please look up to see if your light is lit, illuminated. Senator Haberman, would you record your presence, please. Thank you. We're looking for Senator Bernard-Stevens and Senator Dierks. Sergeant-at-Arms, how you coming with Senator...Well, there is Senator Bernard-Stevens. Senator Dierks. There he is. Ladies and gentlemen, the question is the advancement of the bill. Roll call vote has been requested in regular order. Will you please hold down the conversation so the Clerk can hear your response. Mr. Clerk.

CLERK: (Roll call vote taken. See page 438 of the Legislative Journal.) 25 ayes, 16 nays, Mr. President, on the advancement of the bill.

PRESIDENT: The bill is advanced. Mr. Clerk, do you have anything good for the cause?

CLERK: Mr. President, your Committee on Urban Affairs, whose Chair is Senator Hartnett, to whom was referred LB 851, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 957, General File; LB 964, General File; LB 966, General File; LB 968, General File. Health and Human Services Committee, whose Chair is Senator Wesely, reports LB 900 to General File; LB 915, General File; LB 994, General File; LB 997, General File; and LB 1010, General File. Senator Withem has amendments to LB 567 and LB 567A; Senator Smith to LB 769. And I have notice of hearing from Transportation Committee, Government Committee,

January 22, 1990

LB 240, 567, 769, 799, 830, 842, 857  
874, 893, 918, 930, 933, 940, 941  
970

Mr. President, amendments to be printed. I have amendments to LB 240 by Senator Baack; Senator Haberman to LB 567; and Senator Emil Beyer to LB 799. (See pages 453-58 of the Legislative Journal.)

Mr. President, I have a confirmation hearing report from the Natural Resources Committee. That's signed by Senator Schmit. (See page 459 of the Legislative Journal.)

Government Committee reports LB 830 to General File; LB 857, General File; LB 874, General File; LB 893, General File; LB 918, General File; LB 930, General File; LB 933, General File; LB 970, General File. Those are all signed by Senator Baack.

Natural Resources Committee reports LB 842 to General File; LB 940 to General File and LB 941 to General File. Those are signed by Senator Schmit as Chair.

Finally, Mr. President, I have amendments to be printed from Senator Scofield to LB 769. (See pages 459-461 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: The motion is to adjourn and a machine vote has been requested. All those in favor vote aye, opposed nay. Until nine o'clock tomorrow morning. This will take a simple majority. Have you all voted? Record, Mr. Clerk, please.

CLERK: 21 ayes, 7 nays, Mr. President, on the motion to adjourn.

PRESIDENT: We are adjourned until nine o'clock tomorrow. And it's been a very enjoying morning. Thank you.

Proofed by: Arleen McCrory  
Arleen McCrory

McReynolds and T.J., Michaela and Sean, under the south balcony. Would you please welcome them to the Legislature. Senator Labedz, would you like to have a word?

SENATOR LABEDZ: Yes, point of personal privilege.

PRESIDENT: State your point.

SENATOR LABEDZ: Michaela is sitting here in my seat, it's her birthday.

PRESIDENT: Well, let's wish her a...

SENATOR LABEDZ: I'd like you all to wish her a happy birthday.

PRESIDENT: Sure. How old are you?

SENATOR LABEDZ: She's ten years old.

PRESIDENT: Ten years old, that's great. Thank you, Senator Labedz. Mr. Clerk, LB 567.

CLERK: LB 567, Mr. President, was a bill introduced by Senators Withem, Wesely, Ashford and Bernard-Stevens. (Read title.) The bill was introduced on January 18 of last year. At that time, it was referred to the Education Committee. The bill was advanced to General File, Mr. President.

PRESIDENT: Senator Withem.

SENATOR WITHEM: Yes, Mr. President, I will start off and if others have anything to say, they may. This is a bill that deals with early childhood education. Most people that study education and make recommendations on things we can do to do a better job of preparing our young people to become adults agree that the better education process, the best way to impact upon young people is at an early, early age. More and more school administrators and school boards around the state, as a matter of fact, that run kindergarten through third grade programs are beginning to focus more of their resources in those areas because those are the areas where if a child develops a learning problem, an inability to read, an inability to compute, a poor self-concept in compared with being able to achieve in school, all those problems, those problems are going to live with them forever. Most experts believe that the whole concept of early

childhood education does need to be expanded. They're finding that kindergarten classes many times are composed of young people, some of whom have been exposed to lots of good experiences at home where they already know the letters, the number, can read, know what computers are, compared with some individuals who enter school literally don't even know what their last name is. Don't know their address, have very poor language skills, are not able to communicate effectively and that those students who come to school without these skills are at a distinct disadvantage. That's the problem we're dealing with. Historically, all of the new or the great society programs of the mid-sixties, whether you agree with them or disagree with them, people that evaluate them will point to one that there is a fair degree of unanimity that worked and that is the Head Start Program, and that's what the Head Start Program did, take economically disadvantaged young people prior to the time that they enter kindergarten, not put them in homes, not put them in full day school programs but provide them some exposure to the socialization concepts and the early sort of learning concepts so that they will be ready for school when they entered school and that program seems to have worked. As I indicated, there seems to be a consensus in the profession that early childhood education is the place where we should be concentrating our efforts. Two ways, historically, legislatures can deal with things we would like to see public schools do more of. One of those is we could pass a bill in here that mandates that every school district in the state set up an early childhood program and mandate that all children in the state participate in that program. We found, historically,...and then we could also do the third thing that we do so well is tell them, find your own way to fund it, we don't have any money to fund it. We found that that way of dealing with education innovation probably doesn't work particularly well. We're using an alternate approach in 567, that approach is one of doing two things basically, creating in the Department of Education a training center to provide some technical assistance for school districts that wish to set up early childhood programs so we'll have some expertise that they can go to to help make these programs work well for them. The second thing we are doing in this bill is providing grants, pilot programs, four of them, for \$100,000 each to school districts that create early childhood programs that can serve as model programs. That will accomplish two things. Hopefully, it will get a lot of school districts in the state competing for these grants in such a way that they will be able to actually think through on a local level how they

want to do early childhood education, plus we'll have four programs that are considered to be exemplary that will...that will, hopefully, serve as models for other school districts in the state. That's basically what the bill does. The bill also, at this point, has a committee, a commission to formulate early childhood policy, as I understand, because that same commission basically exists in another bill that's finding its way through the Legislature. We have an amendment up that will strip that provision out of this bill, so I won't get too much into that. Basically, that's what the bill does. I see other individuals in here have their lights on so I probably won't speak that much more on the bill. I would just urge you to support it.

PRESIDENT: Mr. Clerk, you have an amendment.

CLERK: Mr. President, I do. Senator Withem, as primary introducer, has the first. Your amendment, Senator, is on page 439 of the Journal.

PRESIDENT: Senator Withem, please, on your amendment.

SENATOR WITHEM: Yeah, this amendment makes some date changes because this is a bill that was introduced last year and it also eliminates the commission that we made reference to out of this bill because it's already being established in another piece of legislation that's already moved forward. So that's basically all that the amendment does and I would urge you to support it.

PRESIDENT: Senator Ashford.

SENATOR ASHFORD: On the bill.

PRESIDENT: Okay. Senator Wesely, on this amendment? Senator Crosby, on this amendment? Senator Beck, on this amendment.

SENATOR BECK: Thank you, Mr. Chairman. I just have a question for Senator Withem if he would yield to a question on this particular amendment, please.

SENATOR WITHEM: Yes.

SENATOR BECK: Senator, is this amendment that you have that will take out the commission in 567, is that related to LB 678? Is that...

SENATOR WITHEM: You might check with Senator Wesely. That's my understanding that the commission is established in LB 678 and is not needed in this bill because it's a duplication. But you may want to check with Senator Wesely because I think his office drafted both of those bills.

SENATOR BECK: Okay, fine. Senator...Mr. Chairman, could I then check? Senator Wesely is shaking his head, yes, at me, but I would like maybe a little bit more, just to be sure, that's all.

PRESIDENT: Senator Wesely, would you respond, please.

SENATOR WESELY: Yeah. Senator Withem is right, LB 678 does include the same...

SENATOR BECK: The very same commission, the numbers, and so forth? I mean, I think it's very plain in 678 the people that are involved.

SENATOR WESELY: Yeah, I think it's not exactly the same. There is a slight difference but essentially they're the same.

SENATOR BECK: Okay, fine. Thank you very much. Thank you, Mr. Chairman.

PRESIDENT: Thank you. Senator Withem, did you wish to close on your amendment? All right. The question is the adoption of the Withem amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

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

PRESIDENT: The Withem is adopted. May I introduce a guest, please, of Senator Pirsch. Under the north balcony, we have Jackie Fatheree. Jackie, would you please rise so we may see you and welcome you. Thank you for visiting us today. Mr. Clerk, you have another amendment.

CLERK: Mr. President, I do. Senator Haberman, I understand, Senator, you had several printed. You want to withdraw those.

SENATOR HABERMAN: Yes, Mr. Clerk, I wish to withdraw those two, substitute, not divide, but substitute another amendment.



PRESIDENT: Any objection? If not, proceed, Senator Haberman.

SENATOR HABERMAN: I have been in contact with the Education Department who is going to handle this bill, or rather they have been in contact with me and they have persuaded me to offer this substitute amendment and the amendment is Section 3, page 5, line 15, and it adds a new subsection (4). One pilot project must be located in congressional district number one. One pilot project must be located in congressional district number two. And one pilot project must be located in congressional district number three. Each of the congressional districts shall receive one pilot project. The fourth pilot project shall be at large and shall be located according to the decision of the State Department of Education. They have agreed that this is a good amendment. It assures everyone of one project and a floater and I would ask the body to adopt my amendment. Thank you, Mr. President.

PRESIDENT: Thank you. We're speaking now on the Haberman amendment. Senator Ashford, did you wish to talk about the Haberman amendment? Senator Wesely, on the Haberman amendment. Senator Wesely, did you wish to...okay, Senator Crosby on the Haberman amendment. Senator Withem on the Haberman amendment.

SENATOR WITHEM: Yeah, just very briefly, Mr. President. The real purpose of this bill, of course, was to steal money from around the state and put it into my legislative district, but Senator Haberman has caught us here and beings he has caught us, I think we'll probably go along with the amendment. Seriously, it's probably a good idea on these types of things to assure that we do have a balance across the state and I plan on supporting Senator Haberman's amendment.

PRESIDENT: Senator Haberman, would you like to close, please.

SENATOR HABERMAN: With a ringing recommendation such as that from Senator Withem, I will just ask that the amendment be adopted.

PRESIDENT: Okay, the question is the adoption of the Withem amendment, the Haberman amendment, excuse me. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

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

PRESIDENT: The Haberman amendment is adopted. Do you have any other amendments?

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

PRESIDENT: Okay, Senator Withem. Senator Ashford, on the bill.

SENATOR ASHFORD: Thank you, Mr. President, and members, I'm going to only make a few brief remarks on the bill. Senator Withem adequately described it. I just would make a comment. It's interesting, I know I had my daughter, three-and-a-half-year-old daughter down here this week and Senator Labedz has her grandchildren here today, and Senator Haberman, and I have had my son here on a couple of occasions. And I think what's interesting, at least from the time I've been here, is the one thing that stops us cold and makes us smile is when we have our children here, and no matter what...or grandchildren, and no matter what we're discussing, whether it be the most controversial issue or not, there is something about, obviously, about children and their presence here that make us realize why we're here, actually. And we're here, really, for no other reason other than to make certain that we provide for our children so that as they develop and grow that the society that they will develop and grow and live in will be a society that is better than the one that we have grown up in. So whenever we get to these kinds of issues and when we think about why we're here, I think it's pretty difficult to find anything particularly wrong or negative about early childhood education, about these kinds of measures because it really gets at the essence of why we're here and so many of the other things that we do do, that industry brings in or labor brings in, or certain other special interest groups bring in here. We, as legislators, are bound to argue them and discuss them but once in a while we get things in here that seem to me to be really beyond real significant debate and one of these is early childhood education. One of the areas that I have been working in in the Legislature is the area of Aid to Dependent Children and it's been extremely gratifying for me to see some of the changes that we have been able to accomplish in the area of Aid to Dependent Children in the last couple of years and, hopefully, this year we will do more in that area. There are at-risk children in our society, we all know that. Many other states and the federal government have tried to deal with

at-risk children in many different ways and I think Nebraska is...it's time for us to develop a program that will really be meaningful in this area. Finally, I think one of the parts of the bill...of the program that's of great interest to me is that it stresses the family. Can I have a gavel, Madam Chairman?

SENATOR LABEDZ PRESIDING

SENATOR LABEDZ: (Gavel.) I'm sorry, Senator Ashford, requested that we have some attention. There is too much confusion on the floor.

SENATOR ASHFORD: I can't think with all that going on, as you all know, of course.

SENATOR LABEDZ: Senator Ashford, I have the same problem when I'm at the microphone, so don't worry.

SENATOR ASHFORD: Thank you, Madam President. My point really is that what is important to me about this bill is that it stresses programs that educate the family and help bring families together. It's really again, I think, the essence also of why we're here and that is to make for stronger families and stronger family ties and institutions that enhance that is important.

SENATOR LABEDZ: One minute, Senator Ashford.

SENATOR ASHFORD: So, with that, I would certainly urge that we follow Senator Withem's lead here and advance LB 567 to Select File. Thank you.

SENATOR LABEDZ: Thank you, Senator Ashford. Senator Wesely, on the advancement of LB 567.

SENATOR WESELY: Thank you, Madam President, members of the Legislature, I am a co-sponsor of the bill along with Senator Ashford, Senator Bernard-Steven and Senator Withem and want to thank everybody that's worked on this and especially point out that Senator LaVon Crosby served as a liaison between the Education Committee and the Health and Human Services Committee this last interim in looking at this issue and we did have a function up at Omaha where we had a great number of business leaders come to discuss this bill and this concept. And what we're finding is the issue of children and early childhood

education is gaining interest not only in the education community, not only in the health and human service community that I'm familiar with, but in the business community because they understand the need to help children and help them help themselves to develop their skills early on and to then go into schools and succeed in our school system and eventually be able to join our work force and have the sort of skills and abilities that we look for in the work force. And the business community is very interested in this legislation as well as a result of that long term perspective. And it seems like there may be some individuals, and I know I have gotten some letters and maybe you have as well, that are concerned about involvement in early childhood education that we're trying to see the schools and the state and the system reach out and grab children early on and take them away from their parents and families. And, as a parent of two young children, I can assure you that's definitely not my goal or intent or have any desire to see that happen. But the intent of this bill is to provide some incentives in four different pilot projects around the state to where a school district that so desires, and it would be optional, there would only be a few of those that want to pursue this and if they so desired, they would have the opportunity to receive this assistance on a competitive basis, and there they could set up model programs that, hopefully, might be duplicated by other schools around the state. And the idea would be to have this optional for the schools. They come in, they set up a model project. We see how it works and functions. And in this model project we're able to provide assistance to parents, to child care providers, to day care centers, to help them to do the best job possible with our children. And that's a goal I think all of us, despite whatever differences philosophically we have, we do come together, as Senator Ashford said, on the question of children. We all want, I think, the best for our children, and that's exactly what this bill is trying to do. By providing additional training to parents and providers of programs for our young children, we then enable them to do the very best they can. I think everybody tries to do that now but by having this assistance to the system, through these pilot programs, we will be able to do an even better job of helping these individuals. By doing so, I think we build a stronger future for everybody, giving all children an opportunity for the very best experience that they can have as they grow up through their early years and to school and beyond. And so, as a very strong supporter of children's initiatives, I very much support the bill and want to again commend all of those involved but also add that this

Legislature has done very good things for children this session and has in the past as well and very much look forward to seeing this body advance this legislation today.

PRESIDENT NICHOL PRESIDING

PRESIDENT: Thank you. Senator Crosby, please, followed by Senator Withem and Senator Beck.

SENATOR CROSBY: Thank you, Mr. President, and members, it's a real pleasure to speak on this bill this morning. And I was...I had to smile a little bit when Brad Ashford couldn't talk with everybody else talking because, see, if he was a mother, he would have no problem. The average mother can talk, cook, nurse the baby and kiss her husband as he comes through the door, all at one time. It works, let me tell you. I have passed around the Erma Bombeck column and one of the...and it's a very clever column. And I always speak from the point of view of the woman because this is what falls to us quite often is early childhood education and childhood education all the way through. One of the things I love in her column, if you haven't read it, is this paragraph. "Mothers who work outside of the home probably are the most misunderstood women in the world. All you have to do is to leaf through the rash of magazines designed to target their problems." Do I really need to know it's time to move away from big boards and start trading over the counter, or share my recipes with the great chefs of the world? No, that's not what it's all about and I think that she points out a lot of things in her usual written style that most of us can relate to. One of the things I want to say this morning is that the task force, headed by Pam Brown, worked very hard all year to bring this idea together and get the legislation together. And it is extremely important, one of the points that came out to me, very quickly, as Senator Ron Withem mentioned, is that the Head Start Program already has a track record. And, of course, that was geared to disadvantaged and minorities. But one of...here's three statistics that I would like to read to you. Twenty years later after the Head Start Program was begun, the children who had been involved in that program, a significant percentage had not dropped out of school. They went on to some form of higher education and they were not in jail. Those are really good statistics. So the need and the idea of it is...has already been proven. Some school districts in Nebraska already have day care centers for various reasons and this is what we're talking about. Day care, in the nineties, is a given. We cannot ignore

it. We cannot send the children to day care and say, sit over there in the corner or in the playpen and play. You need to have some programs and you need to have people who know what they're doing directing those programs. One of the points I want to make this morning is that here we heard a lot of rhetoric this week about the pro-lifers don't care about the children after they're born. That's not true. Here is a pro-lifer who...why, against abortion on demand, I want those children to be born, I also want them to be taken care of, and this is part of that care. The other thing I want to point out to you, to make very clear, this is not a compulsory program. We're not lining up two and three-year-olds and saying they have to go to school. This is for the mothers who work and, remember, most of them work because they have a necessity to work. They aren't these big glamorous people on L.A. Law and that kind of thing. That's not the working mother, that is an image that's projected in a fiction story. You must remember that. So most of them are out there working because they need to keep the family together. A lot of them are single mothers, heads of the households and they have children that have to be taken care of. So it's not a compulsory program, it's simply an opportunity for the state to help the education department...

PRESIDENT: One minute.

SENATOR CROSBY: ...to set up some model programs in four different locations, as we spelled out in the amendment, in order that our children do get a good beginning, those of the children who do not stay at home and who are in day care centers and who go to these areas where they spend most of the day, so they do get a good start socially and otherwise. So I urge you to vote for the bill, and thank you very much.

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

SENATOR BECK: Thank you very much. Mr. Chairman, and members of the body, I think this bill probably has a fine intent and I'm glad that it's going to be a pilot project. I just wanted just to sound a word of caution. At this point, I'm not certain how I'm going to go with this bill. I think that there are relationships with LB 678 and you heard me question the amendment and you notice that I voted for that amendment, so that there would only be one board. And I think both bills, there are relationships with both bills, and I guess what I

would do now is just maybe sound a word of caution. Certainly, I believe in training our children in early childhood. I believe, in fact, and I have testimony, you might say, not testimony but certainly word from experts and we look to our doctors, family practitioners, psychiatrists, pediatricians, and psychologists, and I visited with all of those from those various medical professions and many of them believe that not only does a child have early education from the time its born because we believe in the bonding concept today, very much so. When my grandchild was born, my son was there and because it was a caesarean birth, he held his baby first to bond with that child, because childhood education has a great deal to do with bonding. Every good teacher knows that, that you need to bond with your children. I believe that that unborn child in the womb of the mother knows her voice, because early babies, small babies turn to their mother's voice and seem to know that voice and I think...and those of us who have had the opportunity to be mothers, and I have four children, notice that babies are most often fussy in the evening and this is because there is a lot of activity in the evening and those children have seemed to pick that up as early as time they have spent in the womb. And many experts today recommend that we read to our children as we carry them. So I just though I would throw that in that early childhood education has a valid place. But I just wanted to mention a word of caution here on the fact that even though this is a wonderful concept and I certainly want to see children educated, I received a letter, and maybe some of the rest of you have as well, from some of the educators and they are concerned about it and I guess I wanted to do this just to point it out for the record and for Senator Withem and for Senator Wesely, and so forth, and Senator Ashford, to look into this. They are very, very concerned about the responsibility of child care services and I received this from the Auburn Public School superintendent, as perhaps some of the rest of you did. They are concerned about the relationship of LB 567, LB 678, LB 183, LR 183 and public law 99-457, because they're just very concerned about the funding. And I don't really understand all the funding apparatus yet either, and that's why I'm bringing this forth so that in this public forum we might either discuss it now or on Select File, how does the funding work for these bills that seem to be...to have a strong relationship? And he just has one question. And with our dealing with LB 1059, which is so important, and is going to take a major focus, I think, soon now in our legislative body, his question is, how shall we explain and justify to our taxpayers that in the future they



shall expect the public schools to be required to pick up costs via property tax for the following? And I don't see that to be negative at all. I'm not trying to put a "kabosh" on the bill. I'm just asking these questions because people are asking me and I wanted to bring it to the attention of the sponsors so that they might be able to fully explain it, because I don't think...you see, I've been chastised for my vote on LB 678. I believe in funding for Title XX and yet I was concerned about all the other things that LB 678 brings in, setting up a childhood...

PRESIDENT: One minute.

SENATOR BECK: ...area and this commission and all this. And so I feel strange sometimes when I like half of a bill and I'm a little bit afraid of the other half and I think there is other senators like myself, surely there are. So I just wanted to sound this note of caution and I just ask the...they may not want to explain it today but if they could explain it to me and to others later, these relationships and how the funding and so forth, because he asks again, I'm worried that any legislation that results in adding services to the responsibility of our school districts be required to provide full funding and not percentages. And perhaps that is our aim and our goal. And so I just wanted to sound that note of caution today and put it in the record and please do not...those of you who are sponsoring this, please do not take it as an anti-567 right off the bat. And those of you who love life, please do not take it as an anti-child bill because I'm...those are not the questions I am asking. So, thank you.

PRESIDENT: Thank you. Senator Wesely, please. The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. We're voting to cease debate. Record, Mr. Clerk, please.

ASSISTANT CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: Thank you. Senator Withem, would you like to close, please, on the advancement of the bill.

SENATOR WITHEM: Yes, Mr. President, all I would like to do in closing is recognize some of the other people that have worked on this legislation. My name happened to get first because it's



an education bill but I know Senator Wesely's office did the initial work on it. The people on the task force are the ones really responsible for it. Senator Crosby, this summer, did excellent work with kind of picking up the ball on this piece of legislation and certainly appreciate all the work she has done. It's a good...it is a good proposal for the Legislature to commit itself to working in this area of early childhood education. It was pointed out to me that among all of the concerns in education on a survey of Nebraska administrators, when you get into quality education types of issues, that early childhood education ranks among the top. I would urge you to advance the bill. And if Senator Crosby has some words she would like to offer in closing, I would relinquish the rest of my time.

PRESIDENT: Thank you. Senator Crosby, please.

SENATOR CROSBY: Thank you, Senator Withem. We were pleased to work with the task force this summer and this fall. And what I would like to point out again about that task force, there are several young mothers on the task force who have the knowledge needed in this day and age as to why we need early childhood education and care and development. So that is one of the points I want to make again to you. I also want to...I passed out some...a fact sheet this morning pointing out that good preschools for children of any circumstances are cost effective because of the net results in later life. And we don't...we end up...children who are not...who don't develop early and who don't get proper nutrition and every facet of good health practices, and so on, in later life maybe develop reading disabilities or other kind of needs, special education. That was another point that was made in the Head Start Programs, that a lot of those students did not need that kind of special education because they had developed early and had had good nutrition and learned good health practices. So I just urge you to vote for the bill. I know that we are all concerned about costs on all of these programs but, as far as I am concerned, education is the cornerstone of our society and our children are the ones that we should be educating and we owe that to them. So I think that the cost needs to be looked at but also we shouldn't be downgrading that cost too much. Thank you.

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

January 26, 1990

LB 87, 240, 257, 397, 486, 534, 567A  
567, 601, 730, 756, 818-820, 960A  
LR 248

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 567.

PRESIDENT: LB 567 is advanced. Do you have anything for the record, Mr. Clerk?

CLERK: Mr. President, I do. New A bill, LB 960A offered by Senator Withem. (Read by title for the first time. See page 536 of the Legislative Journal.)

Bills have been presented to the Governor that were read on Final Reading this morning, Mr. President, as of 10:50 a.m. (Re: LB 87, LB 257, LB 397, LB 486, LB 756, LB 534, LB 601, LB 730, LB 818, LB 819, and LB 820. See page 536 of the Legislative Journal.)

New resolution, LR 248, offered by Senators Rogers and Lamb. (Read brief description of resolution. See pages 636-37 of the Legislative Journal.) That will be laid over, Mr. President.

Senator Baack has amendments to be printed to LB 240 in the Journal. (See pages 537-41 of the Legislative Journal.) That's all that I have, Mr. President.

PRESIDENT: Thank you. We'll go on to LB 567A.

CLERK: Mr. President, 567A, (title read.) Senator, I have two amendments filed. I assume the latter in time is the one you prefer?

PRESIDENT: Senator Withem, please.

SENATOR WITHEM: Yeah, this reduces the appropriation bill by \$6,000, I believe, reflecting the amendment we made, taking the commission out and it also changes the years, would urge the support of the amendment.

PRESIDENT: Any further discussion on the Withem amendment? If not, the question is the adoption of the Withem amendment. All those in favor vote aye, opposed nay. We're voting on the adoption of the Withem amendment. Record, Mr. Clerk, please.

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

means that the appropriations for Title XX, to bring it up to market rate, as near as I can see, will never really come back to the Legislature, and that is a concern to me that we would not continue to look at the funds. I, personally, would rather appropriate a million, point three and a million, point four annually, rather than that kind of thing, letting it out of the hands of the Legislature, and perhaps Senator Wesely can address that in his closing. Then from pages 7 on up through page 18, 19, 20 here talks about what will happen then to the training funds and so forth, and not only are we giving out Title XX money, now we are setting up an entire new system of early childhood care. And I mentioned last week on LB 567 that I certainly am not against early childhood education, but to tie it in with Title XX funds, to me, is a real problem. And I just have a letter here from an educator, and I would like to just read part of this into the record because I think it is necessary that we see what's happening. And this educator, who is the Superintendent of Schools from Auburn, Nebraska, says, "Do you truly believe that the responsibility of child care services and preschool education should be placed upon the public schools of Nebraska? Nebraska now has proposed legislation," and they list LB 567, 678, and LB 183, all of which have good components and fine intent, "will lead to additional responsibilities for public schools. Now in 1990-91, the public schools are mandated by P.L. 99-457 to provide 'early intervention services and preschool programs for handicapped children from birth to age five, it seems most obvious that public schools are about to have additional and expensive responsibilities bestowed upon them.'" And that was the end of that quote, and may I add here that we are worried about the local property tax, and these programs undoubtedly will affect the local property tax because they will have to support them. Now the letter continues, "I would like to ask you to consider the following questions regarding the role, responsibilities, and financial impact early childhood services will have upon Nebraska's public schools. How do we justify adding additional obligations to the beleaguered schools already struggling to meet the multitude of responsibilities already overwhelming? How do we justify the continuing effort to require public schools to provide the current additional educational services without full funding, i.e., all state aid that provides less than 19 percent of the current needs for the Auburn Public Schools;...

PRESIDENT: One minute.

SENATOR BECK: ...special education funding is 90 percent or less than the cost of educating handicapped children? How do we justify developing effort to require additional educational services and new child care services for preschool children, and most probably without full funding? How shall we explain and justify to our complaining taxpayers that in the future they should expect the public schools to be required to pick up the costs via property taxes for the following: Transportation, parent and counseling services, transition, medical services for diagnostic purposes, health services, case management, qualified personnel to provide all services, services provided at no cost to parents." And all those are mandated under the bills that we have seen before and I have mentioned, LB 567, 678, LB 183, and 99-457. "What will happen to our communities and schools if we continue to do for parents and families that which they should do for their own." He says here, "I would suggest that any legislation that results in adding services to the responsibility of our school districts be required to provide full funding, and perhaps not percentage of cost." Now Senator Wesely and others may say, well, this does just that, and perhaps that will put his need at ease. I still go back to the one question of if we are going to fund Title XX, and I am not antifunding that because I voted for it, I've proved that I want to help those mothers who need the help the most, then let's have two separate sections. Let's have a bill for early childhood education, and a bill to mandate Title XX funds. I just think that it is too comprehensive and it covers too much. And, lastly...

PRESIDENT: Time.

SENATOR BECK: Okay, and that is lastly. Thank you.

PRESIDENT: There are no other lights on. Senator Wesely, would you like to close, please.

SENATOR WESELY: Thank you, Mr. President, members. I appreciate...

PRESIDENT: Excuse me, Senator Wesely. A light suddenly came on. May I interrupt you.

SENATOR WESELY: Oh, sure.

that I do not disagree. I don't want him to feel that I am picking on LB 678 because I understand the need that caused it. The problems that I have is the tying in of Title XX funds on page 6, and then going on for at least that many more pages up to page, well, twice that many, up to page 18 developing the early childhood and the training program and so forth. Now, I am not against the training program either. What I am looking at is that I wish that we could work together and divide this bill, because I am for these Title XX funds, and I might be for early education, as well, but I just don't feel the way that they have been crafted together, even though I know Senator Wesely had great intent here and great expertise, I just don't...I think it covers too much, and I really don't have any fears except for that. Now Senator Wesely didn't, when he answered my question, he didn't give me that you did have any documentation that this would not drive the market rates up. So if he'd have that documentation, I'd certainly like to see that. Another thing I would like to point out here is the combination of the Social Service Department and the Department of Education, both of which are very necessary to our government, but I would like to have the members of the body, whether you vote for this this morning or not, to look at the combination of LB 678 and LB 567 because last Friday we took off the coordinating committee on 567 because it would be in LB 678. That is one of the things that I am concerned about. None of these things are...do I look at them as bad or am I looking at them from a paranoid state of mind. I am just concerned about them. We are setting up something that is going to last ad infinitum, forever, and we need to look at it, be careful with it now. I am looking at the cost to local communities. Now we realize that ultimately the training program will be taken over by the Department of Education, but if you will look at your fiscal, if you will look at LB 678A, folks, and compare 678A with the bill, and there is on line 16, on page 3, you will see that no expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section, and I think that you really...I don't have time to explain all of it here, but I wish that you would compare those LB 678A with 678, and then 678 and LB 567 and see that we have a lot of overlapping here. Now what I am concerned about, too, and Senator Schmit or Senator Lamb or someone like this might want to mention this, we are going to develop this coordinating committee, and we are going to hold public hearings, and I, personally, don't know who is going to pay for that because it can't come out of the training fund, and

do that, and, never fear, rules and regulations are here. The true story on rules and regulations are that they can change the entire intent of a piece of legislation. They can change the intent of the legislation unknown to the people that it affects. They have the rules and regulations meeting in Lincoln. The people can't travel and spend three days to come and give their side of the story. In many, many of the cases, when they have a public hearing on rules and regulations and the people raise concerns, they are never changed. The rules and regulations are adopted just as they are proposed. So in many, many cases, there is really no need to have a rule and regulation public meeting because they don't change anything. Rules and regulations can be dangerous and they are dangerous in many, many cases. We have had legislation come before this body that rules and regulations should go back to the committee, where the legislation started, to see if the committee counsel or the committee, itself, feel that they change the intent of language. That legislation passed. The Governor vetoed it. The Governor vetoed it, Governor Kerrey, because it took power away from the Governor's Office, but it was a good piece of legislation. People are gun-shy about rules and regulations, so I would support Senator Lamb's amendment, and ask that you do the same thing. If it works out in the cities and the counties above fifteen thousand, fine, we can always adopt it later on, but, for the trial run, I think we should suggest...I would like to suggest you do adopt Senator Lamb's amendment. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Crosby, please, followed by Senator Wesely, and Senator Owen Elmer.

SENATOR CROSBY: Thank you, Mr. President, and members. I haven't spoken yet on this bill this morning. When we talked about this bill in committee, I have grave doubts about the amount of money. Senator Wesely knows that because we talk about it when we are getting ready to vote a bill out, and quite often I will say I will vote for it, but I know when it comes up on the floor that we may have to take a hard look at that money and, especially, at the end when it comes up on Final Reading and all these bills get in line for what money might be available. One thing I would like to say before I go on to the rest of 678, LB 567 that we moved last Friday is billed as a companion bill to this bill except there is a lot of bills in that one sentence. I may send in my Visa bill, too. The LB 567 sets up some pilot programs, four pilot programs, through the

January 30, 1990

LB 269, 520, 520A, 567, 567A, 888, 917  
946, 954, 1046, 1050, 1085  
LR 248

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Good morning, ladies and gentlemen. Welcome to this, the 18th day in the Second Session of the Ninety-first Legislature. The Chaplain of the day, Pastor Chris Anderson, from Glad Tidings Assembly of God, here in Lincoln. Pastor Anderson.

PASTOR ANDERSON: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Anderson. Roll call.

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

SPEAKER BARRETT: Thank you. With a quorum present, are there corrections to the Journal?

CLERK: I have no corrections, Mr. President.

SPEAKER BARRETT: Any messages, announcements, or reports?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 520 and recommend that same be placed on Select File, LB 520A Select File, LB 567, and LB 567A all on Select File, some having E & R amendments attached. (See pages 560-62 of the Legislative Journal.)

Health and Human Services Committee, whose Chair is Senator Wesely, reports LB 888 to General File, LB 917 to General File, LB 946 General File, LB 954 General File, LB 269 General File with amendments, LB 1046 General File with amendments, LB 1085 General File with amendments, those all signed by Senator Wesely as Chair. Mr. President, Education Committee reports LB 1050 to General File. That is offered by Senator Withem as Chair of the Education Committee. (See pages 562-63 of the Legislative Journal.)

I have appointment letters from the Governor that will be referred to Reference Committee for referral to Standing Committee for public hearing. An Attorney General's Opinion addressed to Senator Hartnett. (See pages 563-65 of the Legislative Journal.)

And, finally, Mr. President, LR 248 is ready for your signature,

be advanced to E & R for engrossment.

SPEAKER BARRETT: You've heard the motion to advance LB 742. Those in favor say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. LB 567.

CLERK: 567, Mr. President, I have E & R amendments.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 567 be adopted.

SPEAKER BARRETT: Any discussion? Seeing none, those in favor of the adoption of the E & R amendments please say aye. Opposed no. Carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 567 as amended be advanced to E & R for engrossment.

SPEAKER BARRETT: Is there discussion? If not, those in favor of the advancement of the bill say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. LB 567A.

CLERK: 567A, Senator, I have E & R pending.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 567A.

SPEAKER BARRETT: Shall the E & R amendments be adopted? All in favor say aye, opposed no. Carried, they are adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 567A as amended be advanced to E & R for engrossment.



February 12, 1990      LB 350, 350A, 542, 551, 567, 567A, 602  
663, 692, 742, 851, 856, 857, 858  
874, 875, 891, 893, 896, 902, 906  
907, 918, 924, 930, 940, 957, 964-966  
969, 970, 974, 983, 984, 997, 1013  
1016, 1017, 1043, 1044, 1118

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT:      Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber and a new day in the Second Session of the Ninety-first Legislature. Our Chaplain of the day is Father Mitch Lindeman of St. Matthews Episcopal here in Lincoln. Father Lindeman.

FATHER LINDEMAN:      (Prayer offered.)

SPEAKER BARRETT:      Thank you, Father Lindeman, pleased to have you with us. Roll call.

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

SPEAKER BARRETT:      Thank you. With a quorum present, are there corrections to the Journal?

CLERK:      Mr. President, I have no corrections to the Journal.

SPEAKER BARRETT:      Are there any reports, messages, or announcements?

CLERK:      Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 350 and find the same correctly engrossed, LB 350A, LB 567, LB 567A, LB 663, LB 692, and LB 742, all reported correctly engrossed, those signed by Senator Lindsay as Chairperson of the Enrollment and Review Committee. (See pages 726-27 of the Legislative Journal.)

Mr. President, Enrollment and Review reports LB 551 to Select File with E & R attached, LB 542, LB 602, LB 858, LB 875, LB 891, LB 1013, LB 983, LB 906, LB 907, LB 984, LB 856, LB 851, LB 957, LB 964, LB 966, LB 997, LB 857, LB 874, LB 893, LB 918, LB 930, LB 970, LB 940, LB 902, LB 974, LB 1016, LB 1017, LB 969, LB 896, LB 965, LB 924, LB 1118, LB 1043, LB 1044,

the lives of these children. But it's not a dollars and cents issue, it's a people issue, it's a children's issue. It's an attempt to recognize that children at-risk and low income children have to have assistance early on, and with that assistance can reach potentials that we never dreamed of. At the program I went to in Grand Island there was a young girl who had recently graduated from high school who was one of the early participants in the Head Start program, and you could see what a tremendous impact it had on her. And there are so many other thousands and thousands of examples like her, of children who have benefitted over the 25 years of this program. And, so in recognition of that achievement, we offer this resolution and hope that you will overwhelmingly, and hopefully unanimously support it.

PRESIDENT: Thank you. Senator Crosby, please.

SENATOR CROSBY: Thank you, Mr. President and members. Just a real pleasure this morning to support this resolution to celebrate the 25th anniversary of Head Start. I've had some personal experience with the program, and also it ties in with LB 567, which is early childhood education, because the statistics on the Head Start program prove that these little ones who start...who have these advantages to have the preschool education in later years the Head Start statistics show that they went on to higher education, and that they didn't have the problems that some of their peers might have. About 23 years ago, I guess it would be, a young woman came to me to be housekeeper for me when I was working full time, and she was very...it was at the time that my youngest child was three years old. He became very close to her. And later, after she married, and the circumstances, she ended up a divorced mother with her little girl, alone. The little girl started...began Head Start when she was the age that she could do that, and it made all the difference in the world to her mother and to the family unit that she had to establish. And the little girl, the Head Start programs gave her a feeling of being able to cope with not having a daddy at home and that kind of thing. So, again, I just want to say I think...I'm so pleased that they introduced this resolution. I'm a little jealous, they didn't ask me to be on it, but thank you.

PRESIDENT: Thank you. Senator Wesely, would you like to close? The question....Did you...okay.

March 29, 1990

LB 272A, 313, 313A, 488, 488A, 503, 503A  
567, 567A, 662

sign and I do sign, LB 272A, LB 313, LB 313A, LB 488, LB 488A, LB 503, and LB 503A. LB 567, Mr. Clerk.

ASSISTANT CLERK: (Read LB 567 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 567 become law? Those in favor vote aye, opposed nay. Have you all voted? Senator Withem.

SENATOR WITHEM: I would ask for everybody to check in and a roll call vote.

SPEAKER BARRETT: Thank you. Will members please record your presence. A roll call vote has been requested. Senator Hefner, Senator Lowell Johnson, Senator Byars. Senator Morrissey, would you check in, please. Senator Goodrich. A roll call vote has been requested and the question is, shall LB 567 pass?

CLERK: (Roll call vote taken. See page 1711-12 of the Legislative Journal.) 27 ayes, 20 nays, 2 excused and not voting, Mr. President, on adoption of or final passage of LB 567.

SPEAKER BARRETT: LB 567 passes. The A bill.

CLERK: (Read LB 567A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 567A pass? All in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote. See pages 1712-13 of the Legislative Journal.) 27 ayes, 20 nays, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 567A passes. LB 662.

CLERK: Mr. President, I have a motion on the desk. Senator Nelson would move to return the bill for a specific amendment.

SPEAKER BARRETT: The Chair recognizes Senator Nelson.

SENATOR NELSON: Mr. Speaker, and members of the body, I am not sure that all of you are aware or not, I had asked for an

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

March 29, 1990

LB 520, 520A, 567, 567A, 1246A, 1246

PRESIDENT NICHOL PRESIDING

PRESIDENT NICHOL: Record, Mr. Clerk, please.

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

PRESIDENT NICHOL: Anything for the record?

CLERK: Mr. President, I have received the reference report of interim study resolutions. That will be inserted in the Journal, Mr. President. That's all, and I also have the last notice with respect to the delivery of bills read on Final Reading of the Governor, Mr. President. (See page 1727 of the Legislative Journal regarding LB 520, LB 520A, LB 567, and LB 567A.) That's all that I have.

PRESIDENT NICHOL: Thank you. We'll move on to General File, then. LB 1246A.

CLERK: Mr. President, LB 1246A was a bill introduced by Senator Wesely. (Read title.)

PRESIDENT NICHOL: Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. President and members, this legislation supports the LB 1246 bill, which was a merger of several different pieces of legislation, as you recall, that deal with the Franklin Committee legislation, legislation I had in with Senator Schmit dealing with the Attorney General's Office and prosecution of crimes against children. We did reach a compromise and this is that compromise as part of the package to provide for 405,000 dollars this year, or 1990-91, and 396,000 the next year to do the following things: First, a Crimes Against Children Prosecution Unit in the Attorney General's Office would be established. There'd be three attorneys hired with speciality, expertise in prosecuting crimes against children. There would be a support staff as well and then other operational expenses that would cost around 250 or so thousand dollars. This unit would be available to assist county attorneys where necessary and if, in fact, individuals, including the county attorney, felt that they were not in a position to prosecute a case, the public or the county attorney or others could appeal to this unit and ask them to prosecute the case instead of the county attorney. And so this unit would be very valuable in assisting county attorneys and also, where

April 4, 1990

LB 260, 260A, 313, 313A, 488, 488A, 520  
567, 567A, 663, 663A, 854, 899, 1124  
1125, 1141  
LR 239

SENATOR BERNARD-STEVENS: It'd be a fascinating turn of events to have that happen. But the bottom line is all of this debate is about a bill that's unconstitutional. Bottom line is in some cases in western Nebraska, by the way the bill is, it may not be possible to get the kind of counseling that they need in order to get the permit signed on the informed consent. Bottom line is some people in western Nebraska who don't have a counselor or someone that fits the definition that's in LB 84 (sic), which I'll again bet that 90 percent of the people in this body still have no clue of what that definition is, nor care, that a lot of people in the rural part of our state have to go elsewhere to find somebody who fits the qualifications that are in the bill. I took the time to call counselors throughout western Nebraska and ask if they felt they qualified under the bill. They stated, the way the bill is written, probably not.

SPEAKER BARRETT: Time has expired.

SENATOR BERNARD-STEVENS: But if we'd a been allowed to make some (inaudible).. improve that situation. Thank you.

SPEAKER BARRETT: Thank you. Senator... excuse me, Mr. Clerk, you have a motion on the desk?

CLERK: Mr. President, Senator Chambers, I understand you want to offer a motion to adjourn until nine o'clock tomorrow morning, Thursday, April 5.

SPEAKER BARRETT: Have you anything to read in, Mr. Clerk?

CLERK: Mr. President, I do. I have your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LR 239CA and find the same correctly engrossed, LB 1141 and LB 1124. (See pages 1902-04 of the Legislative Journal.)

Mr. President, I also have three communications from the Governor regarding signed bills addressed to the Clerk: Engrossed LB 663, LB 663A, received in my office March 30 and signed by me on April 4. (See pages 1905-06 of the Legislative Journal.) A second communication: Engrossed LB 1125, LB 899, LB 260, LB 260A, LB 313, LB 313A, LB 488, LB 488A, LB 520, LB 567, LB 567A, received in my office on March 29 and signed by me on April 4 and delivered to the Secretary of State, Sincerely, Kay Orr, Governor. (See Page 1905 of the Legislative

SENATOR WESELY: Thank you, Mr. President, members. LB 678 is the omnibus child care bill, which I want to extend my appreciation to this body for passing last week. It was a major initiative to try and do a number of things to improve child care in the State of Nebraska and this Legislature took the action of passing it and sending it to the Governor. Unfortunately the Governor decided to veto the bill. As you know, we worked long and hard on that issue. And in general the issue of children in this state and different matters that concern children have been of high priority to this Legislature this session. We did pass LB 567, dealing with an early childhood training support center, and that was passed, and I thank the Governor for signing that bill. LB 662 was a bill that would have provided for different family support services across the state and the Legislature passed but had that bill vetoed by the Governor. That will be coming up later perhaps. LB 663 was passed in the Juvenile Services Act, that did get signed by the Governor. Again, appreciate it. And LB 720, a bill that increased caseloads for those caseworkers working with children in foster care and also for child abuse, was passed by this Legislature and signed by the Governor. Again, I extend my appreciation to this Legislature and the Governor for taking that action. So we did do some things and the Governor did sign some bills. So I feel good about that. Unfortunately one of the biggest pieces of the issue is the child care issue. There we have not seen the support of the Governor in signing the bill that we had hoped for. The Governor talked about, in her veto message, that the Lamb amendment, which I didn't particularly care for but did get adopted and provided an exclusion for those counties with 15,000 or fewer residents, was one of the concerns she had and raised constitutional questions with the bill. I agree, it raised constitutional questions. We have a severability clause. We could have dealt with that matter, and I had accepted that despite my reservations about it. So I think that's unfortunate. The other concern she expressed in her veto message, talked about coordination in the Department of Education. Clearly, that could have been done and done quite easily, and we expected it to be done. The Title XX day care rate increase, which is the big portion of the cost of the bill, the 1.2 million dollars, is a big ticket item, but we are talking about low income trying to move off of welfare, trying to get into the job...into jobs and trying to get training. These are the kind of folks we want to help. We want to provide them adequate child care to help them do that. But that costs money, and we need to do that. Unfortunately, this bill being