

your presence, please. Thank you. Senator Labedz, would you record your presence, please. Senator Robak, record your presence, please. Senator Bernard-Stevens. Senator Chambers, would you record your presence, please. Thanks. We're looking for Senator Lynch, Senator Owen Elmer, Senator Peterson, Senator Pirsch. Senator Kristensen, record your presence, please. Thank you. Okay, we're looking for Senator Bernard-Stevens is all. Senator McFarland, shall we go ahead with your roll call vote?

SENATOR MCFARLAND: That would be fine.

PRESIDENT: All right. The question is the advancement of the bill. Mr. Clerk, please.

CLERK: (Roll call vote taken. See page 297 of the Legislative Journal.) 21 ayes, 25 nays, Mr. President, on the advancement.

PRESIDENT: LB 180 fails to advance. Mr. Clerk, do you have anything for the record, please?

CLERK: Yes, Mr. President, I do.

PRESIDENT: The call is raised.

CLERK: Mr. President, new bills. (Read by title for the first time LBs 600-647. See pages 298-308 of the Legislative Journal.)

Mr. President, in addition to those items, I have hearing notice from the Natural Resources Committee, signed by Senator Schmit. Notice of hearing from the Revenue Committee. That is signed by Senator Hall. Notice of hearing from the Government Committee. That's signed by Senator Baack.

Mr. President, that's all that I have at this time.

PRESIDENT: We will progress on to LB 190.

CLERK: Mr. President, LB 190 was a bill that was introduced Senator Withem. (Read title.) The bill was introduced on January 9, referred to Education, advanced to General File. I have no amendments to the bill, Mr. President.

PRESIDENT: (Gavel.) Senator Withem, just a moment, maybe we

February 3, 1989

LB 48, 92A, 116, 157, 250, 289, 325
340, 342, 344, 360, 520, 603, 732

Legislative Journal.) 26 ayes, 14 nays, Mr. President, on the advancement of LB 116.

PRESIDENT: The bill advances. The call is raised. Mr. Clerk, for the record.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 342 and recommend that same be placed on Select File with E & R amendments and LB 344 Select File with E & R amendments. Those are signed by Senator Lindsay as Chair. (See pages 593-95 of the Legislative Journal.)

Education Committee reports LB 250 to General File with amendments. That is signed by Senator Withem. (See page 595 of the Legislative Journal.)

Health and Human Services reports LB 157 to General File, LB 360 General File, LB 520 General File. Those are signed by Senator Wesely as Chair. (See page 595 of the Legislative Journal.)

Government Committee reports LB 340 to General File with amendments attached. That is signed by Senator Baack as Chair. (See pages 595-97 of the Legislative Journal.)

New A bill, LB 92A by Senator Landis. (Read by title for the first time. See page 597 of the Legislative Journal.)

And, Mr. President, Senator Coordsen would like to add his name to LB 603 and to LB 289; Mr. President, Senator Smith to LB 325 and Senator Byars to LB 732. (See page 597 of the Legislative Journal.)

In addition to those items, Mr. President, I have a series of amendments to be printed to LB 48 from Senator Moore. (See pages 597-600 of the Legislative Journal.) And that is all that I have, Mr. President.

PRESIDENT: Senator Beck, would you like to say something to us?

SENATOR BECK: Yes, Mr. President, I would. I move that we adjourn until next Monday morning at nine o'clock and that is February 6.

PRESIDENT: Thank you. You've heard the motion. All in favor

March 13, 1989

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

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

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

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

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

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

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

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

March 15, 1989

LB 81, 89A, 163, 228, 270, 325, 339
427, 438A, 521, 543, 580, 603, 764
LR 2, 54, 55

CLERK: 29 ayes, 5 nays, Mr. President, on the advancement of LB...or LR 2, excuse me.

PRESIDENT: LR 2 is advanced. Do you have something for the record, Mr. Clerk, please.

CLERK: Mr. President, I do, thank you. New resolutions, LR 54, by Senator Bernard-Stevens. (Read brief description of LR 54 as found on pages 1153-54 of the Legislative Journal.) LR 55 by Senator Bernard-Stevens. (Read brief description of LR 55 as found on page 1154 of the Legislative Journal.)

Your Committee on Natural Resources reports LB 81 to General File with amendments; LB 163, General File with amendments; LB 270, General File with amendments; LB 325, General File with amendments; LB 764, General File with amendments. Those are signed by Senator Schmit as Chair. (See pages 1154-56 of the Legislative Journal.)

Education Committee reports LB 228 to General File; LB 543 to General File with amendments; LB 427, indefinitely postponed; LB 521, indefinitely postponed; LB 580, indefinitely postponed. (See pages 1156-57 of the Legislative Journal.)

Mr. President, Senator Coordsen would like to print amendments to LB 339 and Senator Lynch to LB 89A. (See pages 1160-61 of the Legislative Journal.)

Judiciary reports LB 603 to General File with amendments. Signed by Senator Chizek. (See pages 1157-60 of the Legislative Journal.)

New A bill, LB 438A, by Senators Wehrbein and Hall. (Read by title for the first time. See page 1161 of the Legislative Journal.)

Mr. President, an announcement. The Appropriations Committee will meet in Executive Session on Thursday, March 16, and Friday, March 17, at eight o'clock in Room 1003. Appropriations, eight o'clock next Thursday and Friday. That's all that I have, Mr. President.

PRESIDENT: (Gavel.) Senator Dierks, for what purpose do you rise?

April 13, 1989

LB 247A, 603, 651A

Withem motion to advance the A bill vote aye, opposed nay.
Record.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of
LB 247A.

SPEAKER BARRETT: The bill does advance. LB 651A.

CLERK: Mr. President, 651A offered by Senator Hall. (Read
title.)

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. President, it's the A bill for 651A...651. I
would move the advancement.

SPEAKER BARRETT: Discussion? If not, shall LB 651A be advanced
to E & R? All in favor vote aye, opposed nay. Record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of
651A.

SPEAKER BARRETT: The bill is advanced. LB 325, Mr. Clerk.
I'm sorry, my apologies. LB 603.

CLERK: Mr. President, 603 was a bill that was introduced by
Senator Hartnett and a number of the members. (Read title.)
The bill was introduced on January 19, referred to Judiciary,
advanced to General File. I have committee amendments pending
by the Judiciary Committee, Mr. President.

SPEAKER BARRETT: Chairman Chizek, please.

SENATOR CHIZEK: Mr. Speaker, your apology is accepted.

SPEAKER BARRETT: Thank you sir.

SENATOR CHIZEK: LB 603 allows the State Foster Care Review
Board standing in a party in certain juvenile proceedings.
Senator Hartnett will get into the mechanics of the bill
shortly. The amendments, however, begin on page 1157 of the
Journal and they were offered by the introducer as a result of
some of the testimony at the hearing. They are in two groups,
the committee amendments. The first group contains the more
technical amendments. They clarify the intent of 603 regarding

the interaction between the State Foster Care Review Board and the Department of Social Services. These amendments deal with the confidential records access to them and penalties for disclosure of such records. The second grouping contains the statistical changes in the bill. The first directs the Foster Care Review Board to ascertain the need for continued out-of-home placement. The second, in this group, addresses concerns regarding the immunity provisions in the original bill. The amendment grants identical immunity provisions to the State Foster Care Review Board to those currently in the statute for the Department of Social Services. And the final amendment allows the Foster Care Review Board to examine a case as soon as the child enters its care. Under current law, the review board must wait until a child has been in foster care for six months before reviewing the case. With that brief explanation, Mr. Speaker, I would urge adoption of the committee amendments.

SPEAKER BARRETT: Thank you. On the committee amendments to 603, Senator Hartnett, Senator Nelson on deck.

SENATOR HARTNETT: Mr. Speaker and members of the body, I simply concur with the committee amendments as adopted by the Judiciary Committee as I think it does...the first two parts, Section 1 and Section 2, as Senator Chizek explained, kind of clarifies the role that the Foster Review Board can have in dealing with different agencies. And I also think that the amendment, subsection 3 of page 3, kind of gives it the same immunity as the social service does now and the county attorneys. And also the...and Section 10 provides criminal penalties for Foster Care Review Board's members who violate the confidentiality rules and so forth. So I think the...I think we had a good bill that I introduced to the Judiciary Committee. I think with their work and the committee amendments, I think they have made it better. So, with that, I would move for the advancement of these committee amendments.

SPEAKER BARRETT: Thank you. Senator Nelson, with Senator Schmit on deck.

SENATOR NELSON: To the bill, please.

SPEAKER BARRETT: Thank you. Senator Schmit. On the bill itself, thank you. Any other discussion on the committee amendments? Senator Chizek, to close.

SENATOR CHIZEK: Just simply to ask the adoption of the committee amendments.

SPEAKER BARRETT: Thank you. Shall the committee amendments to LB 603 be adopted? All in favor vote aye, opposed nay. Record.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

SPEAKER BARRETT: The committee amendments are adopted. To the bill, Senator Hartnett.

SENATOR HARTNETT: (Microphone not on) ...to talk about 603 as it is amended. What it does, it provides the State Foster Review Board, the State Foster Review Board, not the individual local boards, that it has standing or legal authority to appear in courts while pleadings or motions can be granted relief consistent with the juvenile court in any proceedings involving a juvenile in foster care placement. The second part of it, in depth it defines what constitutes a foster replacement and expands it to include status offenders which are normally or we would know it in common language, layman's language as truants. It authorizes the state board to contract for services as well to employ individuals to hire private counsel as well as hiring staff attorneys. Requires the state board, and I think this is maybe the most important part, to adopt rules and regulations to specify the manners in which the board would determine the appropriate cases in which to enter an appearance in the court. And, as in the A bill, which will come, there is only...they're only asking for \$30,000 to hire attorneys which is not very much. The second part...the fourth part, Section 4, requires the...the fifth part, excuse me, gives the State Board...Foster Review Care Board the authority to exercise jurisdiction granted in Section 1 of the bill when it is determined that the interests of the child would be served by making appearance in the court on the child's behalf. And Section 6 provides that the State Foster Review Board shall be informed of judicial proceedings when they are involved in a child's foster care placement. I think it's an excellent bill. I think it expands, I think, the Foster Review Board from...maybe some of the state senators who have had a closer contact maybe through their wives working on local foster review boards know more about it than I do but I think it's simply a good oversight involving lay people. And I think the bill...the act has been in place in this state since 1982 and it seems to be working and this, I

think, is a little expansion of their authority, the State Review Board. I will try to answer any questions if there are, but I would ask for the advancement of this bill.

SPEAKER BARRETT: Thank you, Senator Hartnett. Discussion on the bill. Senator Nelson, with Senator Schmit on deck.

SENATOR NELSON: Mr. Speaker and members of the body, I do want to encourage you to support Senator Hartnett's bill. And, as he said, the amendments, I think, make it a better bill than it was to begin with. This thing goes back to our same discussion and so on that we had on LB 182 yesterday and some of the problems that we are encountering and the Foster Care Review Board also encountered the same prior to this or this legislation. They were not able to officially take part in the foster care review cases and it was felt that maybe we're giving another organization or another group some more power and someone else to intervene but I fully feel that they are capable and they need to have their input on these cases, particularly with foster care children. Also, the concern was brought up, the present administrator is, in the minds of most of us, exceptionally fine and what would happen if a new administrator came in and maybe he or she may not be so competent or he or she would not be as knowledgeable in the foster care review cases. I guess that we just have to take that chance and so on. But I, very much, approve of the bill and do support it and it is needed. Thank you.

SPEAKER BARRETT: Thank you. Senator Schmit, followed by Senator Hartnett.

SENATOR SCHMIT: Mr. President and members, I rise in support of LB 603. We are well aware of the work of the Foster Care Review Board. We are aware of some of the excellent work they have done and the fact that they are strong advocates for children. We know that they must appear from time to time in court and the county judges, I am told, according to one of the judges out at Platte County, rely upon them. And then, as I understand, there will not be very many occurrences when they will appear but when they do need to appear it's a very necessary instance. And so long as we are going to have this kind of an agency that is out looking at out-of-home placements and the Foster Care Review Board makes recommendations, I think they ought to be able to make them to the juvenile court judge. And so, therefore, I support the bill very strongly and support the work of the

Foster Care Review Board.

SPEAKER BARRETT: Thank you. Senator Lamb.

SENATOR LAMB: Yes, Mr. President, I rise to support this bill. I have been made aware of the work of the Foster Care Review Board and am favorably impressed. This bill does have a fiscal note attached to it and although you know that I am trying to save all the money I can for a certain other project I have, I think this is a worthwhile purpose and we should put the money in the bill.

SPEAKER BARRETT: Senator Moore. Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker, and members, I also rise to support this bill. My wife is a member of the Northeast Nebraska Foster Care and I think anything that we can do to help these here children we should do. And I think this is a step in the right way to go. I would also like to give Senator Coordsen some of my time. Thank you.

SPEAKER BARRETT: Senator Coordsen.

SENATOR COORDSEN: Thank you, Mr. President, and members of the body, I, too, rise to support LB 603. This fits in with the general concept that we debated yesterday on 182 in bringing into the process of making determinations all of those people who are involved with providing the care for people who are caught up in the system. So I would urge the advancement of the bill.

SPEAKER BARRETT: Thank you.

SENATOR LYNCH: Question.

SPEAKER BARRETT: Thank you, Senator Lynch, it won't be necessary. Any closing, Senator Hartnett?

SENATOR HARTNETT: Mr. Speaker and members of the body, I simply appreciate the wide support of it and I think...and as I said in my opening remarks is that I think some of the senators, like Senator Schellpeper and Senator Lamb and Senator Peterson, through their wives, have had a closer contact with the foster review board system. And so, with that, I think that it seems to be working and been in place, and also our Speaker Barrett, I

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LB 603, 603A, 767

think, is also. So I think that it has been working and I think this kind of gives another little tool that they can use for the betterment of the children in the state. Some of these children kind of fall through the cracks but this, I think, will help maybe better support these types of children. So, with that, I would ask for the advancement of the bill.

SPEAKER BARRETT: You've heard the closing and the question is the advancement of LB 603 to E & R Initial. Those in favor vote aye, opposed nay. Have you all voted? Record, please.

ASSISTANT CLERK: 36 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER BARRETT: LB 603 is advanced. To the A bill, Mr. Clerk.

ASSISTANT CLERK: Mr. President, LB 603A was introduced by Senator Hartnett. (Read title.)

SPEAKER BARRETT: Senator Hartnett.

SENATOR HARTNETT: Yeah, Mr. Speaker and members, be very brief on this fiscal note. I think I think I passed out a sheet, three-page sheet, and I think we...on the note, I think what's in the A bill is simply the low figures. There is three sets of figures, low, middle and high, and I think one of the things I want to point out in this is that their role will be very limited because there is only \$30,000 for a legal fee. And so, with that, I would ask for the advancement of the A bill which is 603A.

SPEAKER BARRETT: Any discussion? Any questions? If not, shall LB 603A be advanced? All in favor vote aye, opposed nay. Record, please.

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

SPEAKER BARRETT: LB 603A is advanced. LB 767.

CLERK: Mr. President, LB 767 was a bill that was introduced by Senators Smith, Rod Johnson and Elmer. (Read title.) The bill was introduced on January 19, referred to the General Affairs Committee. The bill was advanced to General File. There are

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LB 84, 84A, 89, 89A, 182, 247A, 325
603, 603A, 651A, 761
LR 2

this go on about the possibility down the road of some kind of discussion down the line of the two entities, namely, the local monitoring committee and DEC, under its rules and regs, getting into a dispute over was the money properly expended, and maybe we need a better agreement right up front on how that process is going to work. We are about out of time and we may want to come back to that. That is the question I want to raise and I think we have got, at least, some intent here into the record, and I would not want to see this unnecessarily tie the hands of a local monitoring committee that might have legitimate reasons to wish for more data or a different analysis of data. Thank you.

SPEAKER BARRETT: Time has expired. Any other discussion? Any closing, Senator Schmit?

SENATOR SCHMIT: I have no closing, Mr. President.

SPEAKER BARRETT: Thank you, sir. The question is the adoption of the Schmit amendment, AM1403. Those in favor vote aye, opposed nay. Record, please.

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

SPEAKER BARRETT: The amendment is adopted. Mr. Clerk, for the record.

CLERK: Mr. President, I have a reference report referring certain gubernatorial appointees to the appropriate Standing Committee for confirmation hearing. I have a series of appointment letters from the Governor. Those will be referred to the Reference Committee, Mr. President.

Enrollment and Review reports LB 182 to Select File, LB 325 Select File, LB 247A, LB 651A, LB 603, LB 603A, all to Select File. Enrollment and Review reports LR 2 as correctly engrossed, Mr. President. A series of amendments to be printed, Senator Coordsen to LB 89; Senator Lynch to LB 89, Senator Lynch to LB 89A; Senator Lamb to LB 84 and LB 84A. (See pages 1726-33 of the Legislative Journal.)

Mr. President, the next amendment I have is by Senator Schmit. Senator, I have AM1417 in front of me. (See page 1733 of the Legislative Journal.)

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LB 84, 429, 603, 683, 683A, 739, 767
LR 83

of total revision. Don't try to make up for mistakes you made in LB 775 and LB 773 by trying to compensate for it by passing this type of bill. Two wrongs do not make a right. If you make a mistake one place, correct that mistake. Don't make another mistake trying to rectify a mistake that you made previously.

PRESIDENT: Thank you. The question is the adoption of the McFarland amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 8 ayes, 23 nays, Mr. President, on the adoption of the amendment.

PRESIDENT: The amendment fails. Anything else on it, Mr. Clerk?

CLERK: Yes, Mr. President. May I read some items first, however.

PRESIDENT: Yes, please do.

CLERK: I have amendments to be printed to LB 739 by Senators McFarland and Wesely. (See pages 1814-17 of the Legislative Journal.) Mr. President, amendments to LB 603 to be printed. (See pages 1817-18 of the Legislative Journal.)

New resolution, LR 83 offered by Senator Lynch and a number of the members. (Read brief description of LR 83. See pages 1818-19 of the Legislative Journal.)

Enrollment and Review reports LB 429, LB 683, LB 683A and LB 767 to Select File. (See pages 1819-21 of the Legislative Journal.)

Mr. President, the next amendment I have is by Senator Landis.

SENATOR LANDIS: I'm going to withdraw that amendment.

PRESIDENT: Do you wish to withdraw that? It is withdrawn.

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

PRESIDENT: Okay, on the advancement of the bill. Senator Warner, did you wish to speak?

SENATOR WARNER: Yeah, Mr. President, I rise at this point to

April 21, 1989

LB 89, 89A, 262, 603, 739, 813
LR 84

SPEAKER BARRETT: Thank you. Senator Moore, you indicated earlier you wish to discuss the bill. We're on the advancement of LB 739.

SENATOR MOORE: I move we adjourn to Monday morning, April 24th.

SPEAKER BARRETT: Anything to read in, Mr. Clerk?

CLERK: Mr. President, amendments to be printed to LB 603 by Senator Wesely; Senator Rogers to LB 813. Study resolution by Senator Coordsen calling for a review of the feasibility cost of and issues related to allowing the courts to make an order committing all juveniles listed under 43-247 to the Department of Social Services. (LR 84.) Enrollment and Review reports LB 89, LB 89A, and LB 262 as correctly Engrossed. Those are signed by Senator Lindsay as Chair. That's all that I have, Mr. President. (See pages 1851-55 of the Legislative Journal.)

SPEAKER BARRETT: The question is adjourning until nine o'clock, Monday morning. Machine vote has been requested. Those in favor vote aye, opposed nay. Have you all voted? Record. A request for a call of the house. Shall the house go under call? Those in favor vote aye, opposed nay. Record.

CLERK: 10 ayes, 17 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is not under call.

CLERK: Mr. President, the vote on the motion to adjourn was 18 ayes, 14 nays.

SPEAKER BARRETT: Motion prevails, we are adjourned.

Proofed by:

Marilyn Zank
Marilyn Zank

personally. I'd just as soon have the bill on Final Reading. There are bills on Final Reading that need technical adjustment or they need a conceptual readjustment, such as Senator Scofield suggests with her language. I would profit by some time to analyze that as well. If they are successful, they take exactly the same amount of effort, 25 votes, to be accepted. In the event Senator Warner's amendment merely places state bonds and the MIRE bonds, the MIRE authority, on relatively equal and acceptable footing for the assumption of bonding obligations, I think we are going to have an easy time of it come Final Reading to adopt that language and I will be happy to share in that. On the question of the Scofield amendment, the time will be there for us to review her language. She has given us good notice now, and it will be available to do that as well on Final Reading, certainly at the same time the Warner amendment comes up for discussion. I do think that bills ought to come up, slog through them and move along because there is a refinement process here. I would just as soon not try to get to some state in which a bunch of bills on Select File are linked together, and I would just as soon break those free and let them rise or fall on their own merits. Thank you.

SPEAKER BARRETT: Senator Moore.

SENATOR MOORE: I move to adjourn.

SPEAKER BARRETT: A machine vote has been requested. Mr. Clerk, anything for the record?

CLERK: Mr. President, one item, amendments to be printed to LB 603, and that is all that I have. (See page 1882 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. The question is adjournment for the day. Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: 10 ayes, 15 nays, Mr. President, on the motion to adjourn.

SPEAKER BARRETT: Back to the discussion of the advancement of LB 683, Senator Scofield, followed by Senator Landis. Senator Scofield.

SENATOR SCOFIELD: Mr. President and members, I simply rise to

April 26, 1989

LB 603

RECESS

SPEAKER BARRETT PRESIDING

CLERK: There is a quorum present, Mr. President.

SPEAKER BARRETT: Thank you. Anything for the record?

CLERK: Not at this time, Mr. President.

SPEAKER BARRETT: Before proceeding to the first bill, the Chair is pleased to announce that Senators Pirsch and Hannibal have some guests in our north balcony, 32 members of the Maplewood Methodist Church, apparently a senior citizen group, with their president. Would you folks please stand and take a bow. Thank you. We're very glad you could spend some time with us this afternoon. The first bill on Select File, senator priorities, LB 603. Mr. Clerk.

CLERK: Mr. President, LB 603, the first item I have are Enrollment and Review amendments.

SPEAKER BARRETT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the amendments to LB 603.

SPEAKER BARRETT: The question is the adoption of the E & R amendments to LB 603. Those in favor say aye. Opposed no. Carried, they are adopted.

CLERK: Mr. President, Senator Wesely had an amendment. Senator, this is AM1466. It was my understanding you wanted to withdraw this one, Senator.

SENATOR WESELY: Yes, I do, yes.

SPEAKER BARRETT: It is withdrawn.

CLERK: Thank you, Senator. Next amendment I have, Mr. President, is by Senator Wesely. Your amendment 1499, Senator, found on page 1851 of the Journal.

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Page 1499, did you say?

CLERK: This one, no, that was the amendment number, the page is 1851, 1851.

SENATOR WESELY: Okay. Okay, I'm just going to take one second and withdraw this. This is an amendment that I offered earlier on LB 330. It deals with the problem, don't worry, Senator Chambers, (laugh). It deals with the problem of getting onto the school grounds and investigating child protective custody complaints. It was obvious there is a misconception and confusion about the amendment. I'd like to work with Senator Chambers and other people to try and deal with that, because clearly there is a problem on the part of the department and some schools, and we need to deal with it. But rather than take time and go into it right now, I'm just asking that the motion be withdrawn and hopefully we can come back next year and resolve this problem.

SPEAKER BARRETT: Thank you. It is withdrawn.

CLERK: Mr. President, the next motion I have is by Senator Korshoj.

SPEAKER BARRETT: Senator Korshoj, please.

CLERK: Senator, you have the next motion.

SENATOR KORSHOJ: Withdraw, please.

SPEAKER BARRETT: Thank you, it is withdrawn.

CLERK: Mr. President, the next motion I have is by Senator Abboud. Senator Abboud would move to suspend the germaneness rule so as to permit consideration of AM1530. The amendment itself, Mr. President, is found on page 1882 of the Journal.

SPEAKER BARRETT: Senator Abboud.

SENATOR ABOUD: Yes, Mr. President. This particular amendment provides, page 1882. What it provides for is at the current time when a child dies from sudden infant death syndrome, which

in Nebraska occurred 51 times last year, the county attorney or coroner passes on the information to the appropriate community mental health center in their particular county. What we've had in the past has always been that this information was then passed on to the Nebraska Sudden Infant Death Syndrome Foundation. Then at that time the foundation would contact the parents, and then they would talk to the parents, they would give them a packet, basically...I have one of the packets here at my desk, if anyone would care to look at it, basically consoling the parents and explaining to them that the death of the child was not their fault and trying to deal with their mourning process. At the current time this is the way the law has been since 1976. And the information has always gone to this foundation, they've gone out, strictly volunteers have gone out and contacted the parents. And what happened last year, or at the beginning of...at the end of 1988, was that some of the money from the SIDS foundation was block grant money from the federal government, and some of it came in through the state. At the current time they no longer receive this money, so some county attorneys are interpreting this to mean that this information cannot be passed on to the SIDS foundation because they are no longer a quasi governmental body, they are strictly a foundation. So most of the county attorneys and coroners are passing on information to this foundation anyway, but there is some confusion in the law. I think it's a good idea to continue to continue to send the information to this volunteer organization to help these parents. So, instead of attempting to amend Senator Hartnett's bill with a nongermane amendment, I'm requesting to suspend the rules. The amendment has the support of Senator Hartnett. And I'd be happy to answer any questions.

SPEAKER BARRETT: Thank you. Any discussion on Senator Abboud's motion to suspend the rules? Seeing none, those in favor of the motion to suspend Rule 7, Section 3, subsection (d), please vote aye, opposed nay. Have you all voted? Please record, Mr. Clerk.

CLERK: 30 ayes, 0 nays, Mr. President, on the motion to suspend the rules to permit consideration of the amendment.

SPEAKER BARRETT: The rules are suspended. Back to you, Senator Abboud, for your amendment. (Gavel.)

SENATOR ABOUD: Mr. President, colleagues, I believe I pretty

much explained what the amendment did when we were discussing the suspension motion. As I said, I'd be happy to answer any questions about it, if not, I'd just as soon proceed to the vote on the amendment and move on with the bill.

SPEAKER BARRETT: Any discussion? If not, those in favor of the adoption of the amendment please vote aye, opposed nay. Record, please.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of Senator Abboud's amendment.

SPEAKER BARRETT: The amendment is adopted.

CLERK: Mr. President, Senators Hartnett and Kristensen moved to amend the bill. (Hartnett-Kristensen amendment is on pages 1947-49 of the Legislative Journal.)

SPEAKER BARRETT: Senator Hartnett, will you handle it? Senator Kristensen, please.

SENATOR KRISTENSEN: Thank you, Mr. Speaker and members. As you will recall, 603 deals with the State Foster Care Review Board and their abilities and their authority to come into court on juvenile matters, particularly when we're dealing with the disposition of juveniles, in other words placements and what we're going to do with juveniles once they've been adjudicated under our statutes. One of the concerns that arose after General File, in looking at this, is the fact that the State Foster Care Review Board could file any pleadings or any motions. And what that allowed them to do was file things such as petitions and start whole new cases over, it would allow them to file things such as contempts or dismissals in juvenile cases, things that have always been restricted or placed in the discretion and authority of county attorneys, and perhaps even at times guardian ad litem, which would be in the best interest. That necessarily was not the intent of the State Foster Care Review Board. Through extensive discussions with the County Attorneys Association, and the State Foster Care Review Board they've come up with some compromise that I think really fits what both of them are trying to do. A bottom line that we'd like to do is to make sure the State Foster Care Review Board has some control and has the authority to come into court as an advocate for these children at hearings, and particularly dispositional hearings or review hearings. Now the

word dispositional is not going to show up in here, and that is not what this amendment does. It doesn't allow them to come in at the time of disposition, but allows them to come in at review hearings, and that is really the intent of what we're doing here. Through this amendment of Senator Hartnett and myself I think we've solved some of the problems of being too broad for the State Foster Care Review Board. You should have this amendment that has been passed out to you. It does not have a bill drafter's number on it or anything, but it's one that is just out with our initials on it. I want to go through briefly with you what it does. You can follow along in the original bill for these page numbers and so on, the green copy. We're going to replace the original language that is on page 3 and lines 5 to 11, and insert this new section. This would allow them to come in for review hearings only. And then the section that this deals with is in subsection (3) of our amendment. The things that we're going to add in here that the review hearings are going to be on the record, allow the State Foster Care Review Board to come in with their counsel and cross-examine people, call witnesses and get all of their reports and recommendations into the court. Up until this time there has been some real concerns and problems with making sure everything they had got into the record, in other words they could make a recommendation to the county attorney or to the court, but if they didn't have a lawyer there to introduce it into evidence, that stuff could just sit on the judges desk and never get into the record. What we want to make sure happens is that their recommendations are at least considered by the court, and that is the main brunt of these amendments in this bill, is to give these people the authority to participate in review hearings. The major changes occur on subsection 3 here of the amendment on the first page. The other parts just clean it up and make it consistent throughout. I'd be happy to answer any questions, but this is a compromise worked out between the County Attorneys Association and the State Foster Care Review Board. I've gone through it, I think it is what we really want to get to, and that is the authority of the Foster Care Review Board to come in and have their recommendations heard, considered and, if things are going wrong, they have the power to ask for a review hearing. That is something they've not had in the past. It's...Carol Stitt and her group does a fantastic job. One of the things that we look at, though, as an institution is some day the present individuals may not be there. And what are we going to do when someone else comes in? This narrows it down a little bit, but really gets to the heart of what the problem

was. And I think, Senator Hartnett, I'll give you the rest of my time, if your light isn't next on, to discuss, and I believe that he agrees also with the purpose of this amendment. And I'd ask for its adoption.

SENATOR HARTNETT: Mr. Speaker, members of the body, I concur with what Senator Kristensen said about this, because I think the Foster Care Review Board came into place to review children that may get caught through the cracks of our society. And I think that one of the things that has been in existence since, I believe, 1982, they really couldn't do much with the courts. And that was really the purpose that 603 was brought into place. What it does, it allows them to be, as Senator Kristensen said, to go on record to have some input into the court system. One of the points, I think major points is that they do it at least once every six months. I think the records show that the Foster Review Board system has worked. This is simply another tool to help working with these children that are placed in foster homes. With that, I would ask for the body...or ask the body to adopt this amendment to 603.

SPEAKER BARRETT: Thank you. Before proceeding to discussion on the Kristensen-Hartnett amendment, Senator Lynch is announcing some guests in our south balcony, 40 fourth graders from Florence Elementary in Omaha with their teacher. Would you folks please stand and take a bow. Thank you, we're pleased you could be with us. Senator Hartnett, your light is still on, would you care to make any other statements? Senator Kristensen, anything further? Any discussion? If not, those in favor of the adoption of the amendment please vote aye, opposed nay. Record, please.

ASSISTANT CLERK: 35 ayes, 0 nays on the adoption of Senator Hartnett's and Kristensen's amendment, Mr. President.

SPEAKER BARRETT: The amendment is adopted. Next item.

ASSISTANT CLERK: Mr. President, there is nothing further on the bill.

SPEAKER BARRETT: Thank you. Senator Hartnett, would you care to...

SENATOR HARTNETT: I would simply ask the bill be advanced to Final Reading.

April 26, 1989

LB 603A, 603

SPEAKER BARRETT: Senator Kristensen, any comments? Any discussion? Any discussion on the advancement of LB 603 to E & R? Any other comment, Senator Hartnett? Thank you. The question is the advancement of 603 to E & R engrossing. Those in favor say...vote aye, opposed nay. Record, please.

CLERK: 37 ayes, 0 nays on the advancement of the bill, Mr. President.

SPEAKER BARRETT: LB 603 is advanced. LB 603A.

CLERK: Mr. President, 603A, I have no E & R. I do have an amendment to the bill by Senator Hartnett. (Hartnett amendment is on page 1949 of the Legislative Journal.)

SPEAKER BARRETT: Senator Hartnett.

SENATOR HARTNETT: Mr. Speaker, members of the body, I think this...the A bill, to bring it up-to-date is simply something that the appropriation, I think Senator Scofield explained this morning when she was going through the appropriation part of it was that the Appropriation Committee added a satellite program in Omaha. There are some additional costs. Attorney fees still stay the same as...\$30,000, so I think Senator Scofield explained what the additional funds in this amendment is this morning. So, with that, if there are any...unless there are any questions, I simply would ask for adoption of this amendment.

SPEAKER BARRETT: Any questions? Any discussion on the A bill? If not, those in favor of the adoption of the Hartnett amendment to the A bill please vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 31 ayes, 0 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: The amendment is adopted.

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

SPEAKER BARRETT: Senator Hartnett.

SENATOR HARTNETT: I would just simply ask the A bill to be advanced to E & R engrossing.

April 27, 1989

LB 603, 727, 743, 769, 813, 817

Members, please record your presence. Those outside the Chamber, please return and check in. Senator Haberman, the house is under call. I have a request for a roll call vote. All members in their seats. Apparently Senator McFarland is the only one absent, Senator Chambers. Senator Haberman was excused. Do you want to proceed or do you want to wait? Proceed. All members in their seats, please. Proceed with the roll call, Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1985-86 of the Legislative Journal.) 17 ayes, 22 nays, Mr. President.

SPEAKER BARRETT: Motion fails. The call is raised. Mr. Clerk.

CLERK: Mr. President, the next amendment I have is by Senator Lynch.

SPEAKER BARRETT: Senator Lynch.

SENATOR LYNCH: Mr. President, I move we adjourn until Tuesday morning at nine o'clock.

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

CLERK: Mr. President, I have reference report referring LB 817 to the Government Committee. I have notice of hearing on LB 817.

Senator Schmit has amendments to LB 813; Senator Smith has amendments to LB 743; Senator Wesely to LB 727; Senator Wesely to LB 813. Senator Abboud would like to add his name to LB 603 as co-introducer, Mr. President. (See pages 1986-88 of the Legislative Journal.) That's all that I have.

SPEAKER BARRETT: Thank you, Mr. Clerk. Shall the body adjourn until Tuesday morning at nine o'clock? Those in favor say aye. Opposed no. Motion carried. We are adjourned.

Proofed by:

Marilyn Zank
Marilyn Zank

May 2, 1989

LB 84, 603, 603A

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the first working day in the new week. Our chaplain of the day, for the opening prayer, is Pastor Jerry Bauman of Bethel Baptist here in Lincoln. Pastor Bauman. (Gavel.)

PASTOR BAUMAN: (Prayer offered.)

SPEAKER BARRETT: Thank you very much, Pastor Bauman. Hope you can come back again. Roll call.

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

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

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Reports, messages or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports that have carefully examined engrossed LB 603 and find the same correctly Engrossed; LB 603A correctly Engrossed. (See pages 1990-91 of the Legislative Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator McFarland regarding LB 84. I have a report from the Policy Research Office regarding Municipal Natural Gas Regulation Act and a series of actuarial valuations received from the Public Employees Retirement System. Those will be on file in my office, Mr. President. That's all that I have. (See pages 1992-97 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Item 5, confirmation report, Mr. Clerk.

CLERK: Mr. President, Senator Coordsen, as Chair of Business and Labor, would report on the appointment of Gerald Stolze to the Boiler Safety Code Advisory Board. The report is on page 1984 of the Journal.

SPEAKER BARRETT: Senator Coordsen.

SENATOR COORDSEN: Mr. President, members of the body, Business and Labor Committee, on April 27th, heard the...had a hearing

May 22, 1989

LB 586, 586A, 603

aren't going to to that. That only happens in the Legislature when you lose your chairmanship and you lose two employees, then we boot them out. It doesn't happen in the courts or in the court system. They keep these employees. So I wanted to bring to your attention that this is an 18-months program. It's supposed to be a temporary program. I am not against the program but if we're going to put one into place, let's hear the whole program, what it's going to be, how they're going to handle it and have the total cost. So, Mr. President, thank you very much for your time. I withdraw the motion.

PRESIDENT: The motion is withdrawn. Would you read the bill, please, Mr. Clerk. Please return to your desks, ladies and gentlemen, so we can continue with Final Reading. Mr. Clerk.

CLERK: (Read LB 586 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 586 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 2641-42 of the Legislative Journal.) 37 ayes, 6 nays, 4 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 586 passes. LB 586A, please.

CLERK: (Read LB 586A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 586A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See page 2642 of the Legislative Journal.) 37 ayes, 7 nays, 3 present and not voting, 2 excused and not voting, Mr. President.

PRESIDENT: LB 586A passes. LB 603, please.

CLERK: (Read LB 603 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 603 pass? All

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

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

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

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

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

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 603A pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read. See pages 2644-45 of the Legislative Journal.) 42 ayes, 1 nay, 3 present and not voting, 3 excused and not voting, Mr. President.

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

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

PRESIDENT: Senator Abboud, please.

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

May 22, 1989

LB 586, 586A, 603A, 603, 611A, 611

LB 611A, please.

CLERK: (Read LB 611A on Final Reading.)

PRESIDENT: Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read as found on pages 2646-47 of the Legislative Journal.) 35 ayes, 10 nays, 3 present not voting, 1 excused not voting, Mr. President.

PRESIDENT: LB 611A passes. Senator Barrett, please.

SPEAKER BARRETT: Thank you, Mr. President and members. I would like to suggest that there are another dozen or so bills that are available to be read on Final. I'd like to add them to the list today and if you'd like to make a note of them we'll tack them on to the end of the current agenda on Final Reading. They start with LB 137 and LB 137A, LB 211, and LB 215, LB 228, and LB 352, LB 639, and LB 761, and LB 762, LB 762A, LB 815 and LB 815A, and LB 817 and LB 817A. Those we can read this afternoon with a suspension, and I would like to so suggest. Thank you.

PRESIDENT: Did you want to suggest something about recessing?

SPEAKER BARRETT: I would move we recess until one-thirty.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. We are recessed till one-thirty. Thank you.

RECESS

PRESIDENT NICHOL PRESIDING

CLERK: Quorum present, Mr. President.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign, LB 611, LB 611A, LB 603A, LB 586, LB 586A, LB 603. Let the record show please that Senator Coordsen had some guests in the north balcony. There were seven 9th grade students from Milligan High School in Milligan, Nebraska and the teacher.

May 22, 1989

LB 84, 84A, 586, 586A, 603, 603A, 611
611A, 739A, 744

CLERK: (Read LB 739A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 739A pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Read record vote as found on pages 2658-59 of the Legislative Journal.) 40 ayes, 7 nays, 2 present and not voting, Mr. President.

SPEAKER BARRETT: LB 739A passes. LB 744.

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

SPEAKER BARRETT: Proceed.

CLERK: Mr. President, communication from the Governor to the Clerk. (Read communication regarding LB 84 and LB 84A. See page 2659 of the Legislative Journal.)

Confirmation report from the General Affairs Committee. Your Enrolling Clerk has presented to the Governor bills read on Final Reading this afternoon, Mr. President. That's all that I have. (Re. LB 586, LB 586A, LB 603, LB 603A, LB 611, LB 611A.)

SPEAKER BARRETT: Thank you. Proceed then to the reading of LB 744.

CLERK: (Read LB 744 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 744 become law? All in favor vote aye, opposed nay. Have you all voted? Have you all voted? Senator Withem.

SENATOR WITHEM: Let's do a roll call vote, please.

SPEAKER BARRETT: Thank you. Roll call has been requested. Members, please check in. Senators Rod Johnson and Byars, please record your presence. Senator Lynch, please. Senator Warner, please record your presence. Senator Smith. Senator Byars. Senator Dennis Byars, please, record your presence. Proceed with the roll call. The question again is the...whether

Journal.) 34 ayes, 0 nays, Mr. President, on the override of 1004A.

SPEAKER BARRETT: LB 1004A becomes law notwithstanding the Governor's veto. Mr. Clerk, are we at LB 1222.

CLERK: Mr. President, Senator Hartnett would move that LB 1222 become law notwithstanding the objection of the Governor.

SPEAKER BARRETT: Senator Hartnett, please.

SENATOR HARTNETT: Mr. Speaker, members of the body, I introduced this bill, had this bill twice, last year as LB 603, this year as 1222. It was heard by two different committees, the Health Committee and the Judiciary Committee. The reason given for the Governor for vetoing the...the veto message is additional confrontation between (sic) the legal disputes between state agencies, but the A bill, as it is put in, only has little, around \$35,000 for this purpose. What it does, it allows the Foster Care Review Board to do the job it has been mandated to do, protect the interest of the foster children and see that they don't fall through the cracks in the system. It provides the Foster Care Review Board with access to child abuse records, requires written reports from guardianship...guardians ad litem at dispositional hearings, permits reports and recommendations of the board to be admitted into the evidence by...they can be considered by the judge, or a state board to have one member to be an attorney with legal expertise in child welfare, provide access to teachers and police officers so that the board can get better information on foster case. Requires review hearings to be conducted on the record, provides for additional training for foster parents. The bill does not attempt to broadly address the problem without a system deals with foster children. Children have become the responsibility of the state because of family problems. Finally, we need to keep the effectiveness of the child review board in serving (sic) money every time the child is removed from the system. Studies have shown that the board has saved the state over one-half million dollars every year, helps allow the Foster Review Board to expand their authority for the welfare of group children who are among the overlooked children in our system. With that, I would like to ask the body to overrule the veto.

SPEAKER BARRETT: Thank you. Discussion on that motion. Senator Smith, followed by Senator Moore.

SENATOR HARTNETT: No, no.

SENATOR WESELY: No, right? Well, that eases my concern. I guess I can understand now what is being attempted here but I am again fearful. You don't want to add responsibilities without staff to carry them out or you divert people from other responsibilities, but there sounds like there is some reasoning because there are some access issues in that bill, I recall now, so there may be some virtue to that, but I want to make sure it is clear in the record what we are trying to do here.

SPEAKER BARRETT: Senator Labedz, followed by Senator Schmit and Warner.

SENATOR LABEDZ: Thank you, Mr. President. I rise to support the override of LB 1222. If at any time there is any way that I can help the Foster Care Review Board in doing their job, I certainly will be standing at this microphone to help. I can't understand where Senator Hartnett says it will not require any funds because I understand that the bill would allow the State Foster Care Review Board under guidelines to petition the court for a review hearing and to hire an attorney to represent the board at that hearing. This is not the full legal standing that was originally part of LB 603 last year. The Franklin Committee, that I am a member of, as I have said over and over, really appreciates the hard work and the dedication of the Foster Care Review Board. LB 1222 will be able to give them a lot more authority and certainly a lot better system with the Nebraska foster care children. They would give the Foster Care Review Board access to Child Protective Services, the school and police records. The name of the person making the report would remain confidential, and this would allow the board to make more thorough recommendations. So as a member of the Franklin Committee, I urge you to override LB 1222. It is essential to give the board more authority and a procedure to work with that this will never happen again. Especially, I want to tell you this, too, that the whole Franklin Committee was formed strictly because of what the Foster Care Board people brought to us, and I've said this before and I will say it again and again, if it wasn't for them, we would not have the Franklin Committee and you would not be viewing the tapes tomorrow. Thank you.

SPEAKER BARRETT: Thank you. Senator Schmit.