

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

January 25, 1989

LB 13, 18, 19-32, 89, 114, 122, 165
168, 169, 177, 221, 254, 646, 742

SENATOR LINDSAY: Mr. President, I move that LB 168 be advanced as amended.

SPEAKER BARRETT: Shall 168 be advanced? Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 169.

CLERK: LB 169, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 169 be advanced.

SPEAKER BARRETT: You have heard the motion to advance 169. Those in favor say aye. Opposed no. Carried. The bill is advanced. Thank you. Messages on the President's desk.

CLERK: Mr. President, your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 11:11 a.m. (Re: LB 13, LB 18, LB 19, LB 20, LB 21, LB 22, LB 23, LB 24, LB 25, LB 26, LB 27, LB 28, LB 29, LB 30, LB 31, and LB 32. See page 445 of the Legislative Journal.)

Mr. President, your Committee on Government, Military and Veterans Affairs reports LB 165 to General File with amendments; LB 177 to General File with amendments; LB 254 General File with amendments, all signed by Senator Baack as Chair. Banking Committee reports LB 221 to General File with amendments, that is signed by Senator Landis. Transportation Committee reports LB 114 to General File with amendments; and LB 122 as indefinitely postponed. Those are all signed by Senator Lamb as Chair. (See pages 445-446 of the Legislative Journal.)

Mr. President, I have a hearing notice from the Government, Military and Veterans Affairs Committee. That is signed by Senator Baack.

Mr. President, Senator Hartnett would like to have an Executive Session I believe in the Senators Lounge upon adjournment; Urban Affairs Committee, Senators Lounge upon adjournment.

Mr. President, Senator Crosby would like to add her name to LB 89; Senator Smith to LB 646; and Senator Labeledz to LB 742. That is all that I have, Mr. President.

March 13, 1989

LB 49A, 77, 161, 162, 183, 215, 226A
258, 272, 279, 319, 325, 335A, 357
377, 415, 431, 468, 477, 498, 537
539, 541, 568, 569, 572, 575, 586
591, 628, 630, 633, 646, 660, 662
671, 678, 714, 720, 747, 766

LB 335A for the first time by title. That is offered by Senator Korshoj. Read LB 49A for the first time by title. Read LB 226A for the first time by title. See pages 1100-01 of the Legislative Journal.)

Mr. President, Business and Labor Committee reports LB 415 to General File with amendments, signed by Senator Coordsen as Chair of the committee. General Affairs reports LB 477 indefinitely postponed, LB 568 indefinitely postponed, LB 572 indefinitely postponed, LB 660 indefinitely postponed, LB 766 indefinitely postponed. Those are signed by Senator Smith as Chair. Urban Affairs reports LB 498 as indefinitely postponed, LB 633 indefinitely postponed, LB 671 indefinitely postponed. Those are signed by Senator Hartnett. (See page 1101 of the Legislative Journal.)

I have amendments to be printed, Senator Wesely to LB 279; and Senator Schellpeper to LB 357. Mr. President, Health and Human Services Committee reports LB 537 to General File with amendments, LB 645 to General File with amendments, LB 662 to General File with amendments, and LB 539 indefinitely postponed, those signed by Senator Wesely as Chair. (See pages 1102-07 of the Legislative Journal.)

Mr. President, priority bill designations; Senator Morrissey selects LB 569; Senator Kristensen, LB 586, Senator Chizek, LB 747 as his personal priority bill, and LB 215 and LB 377 as Judiciary Committee priorities; Senator Warner has LB 468 and LB 258 by Appropriations Committee; Banking, Commerce and Insurance offers LB 319 and LB 272 as priority bills; Senator Barrett has LB 575 as his personal priority bill; Senator Warner, LB 77 as his personal priority bill; Senator Coordsen offers LB 541 and LB 630 as Business and Labor priority bills; Senator Goodrich has selected LB 591 as his priority bill; Senator Rod Johnson has selected LB 161 and LB 162 as committee priority bills, and LR 2CA as his personal priority resolution; Senator Wesely selects LB 431 as his personal priority bill, and LB 678 and LB 720 as Health and Human Services priorities; Senator Hefner selects LB 325 as his personal priority bill; Senator Lowell Johnson selects LB 646 as his personal priority bill; Senator Robak, LB 628 as her priority bill; and Senator Conway, LB 714 as his priority bill.

And Senator Baack, Mr. President, has amendments to be printed to LB 183. (See pages 1109-10 of the Legislative Journal.) And

April 6, 1989

LB 646, 812

SPEAKER BARRETT: Thank you. On the Hannibal motion to recess until one-thirty, those in favor say aye. Opposed no. Carried. We are recessed. (Gavel.)

RECESS

PRESIDENT NICHOL PRESIDING

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

PRESIDENT: Thank you. May I introduce some guests before we get started from Senator Langford's district and Senator Kristensen's district. We have Kory Beyl from Lexington, Nebraska, Jim Bachman from Hay Springs, Nebraska and Jana Henry from Grant, Nebraska. Would you folks please stand and be recognized. Thank you. In the north balcony we have 22 fifth and sixth graders and two teachers from Elgin Public School in the 40th District which is Senator Dierks' district. Would you teachers and students please stand. Thank you for visiting us. Mr. Clerk, would you remind us where we were when we recessed before lunch.

CLERK: Yes, Mr. President, if I might right before that, however, I have amendments to be printed to LB 646 from Senator Schellpeper. (See page 1555 of the Legislative Journal.)

Mr. President, we are on LB 812. It is the deficiency appropriation bill. The bill had been discussed. There was an amendment pending to the bill offered by Senator Withem. That amendment would strike Section 11 of LB 812.

PRESIDENT: The lights that were left on were Senator Haberman and Senator Smith. I don't see Senator Haberman. Senator Smith, did you wish to discuss the...no, all right. Senator Withem, would you like to discuss your amendment further?

SENATOR WITHEM: (Mike not activated immediately.) ...you want to explain, refresh the memory of the body or are we in the middle of debating it? My light wasn't on and I know Senator Smith had some comments to make. Maybe just to refresh the memory of the body what striking Section 11 out of the deficiency appropriation bill would remove the language that reappropriates \$750,000 that was appropriated to the SSIG

water, I don't think we have fully explored all the avenues that we have, as a state, to protect what is one of our most important resources. And, in fact, I can appreciate the skepticism that I think Senator Elmer views this with a little bit, just because I think we're all a bit skeptical from time to time of studies. But the fact of the matter is we really didn't look at that whole interstate commerce clause question, we really didn't push that very far. In fact, Senator Lamb had a bill that I don't think came out of committee that also raised that whole issue. And I just think it would be irresponsible of us not to pursue this as far as possible so that we have as much information before us as legislators before we waded out into the whole issue of water policy, water transfer policy. You might be interested to know that just last weekend, at the NCSL conference that some of us attended, that this topic came up kind of as an aside in a meeting I was at that was attended by states all over the country. And I was surprised at how much interest there is on this issue. Many other states are grappling with this. Minnesota was one that commented specifically that day, as was Nevada, as was Arizona. I think we have some information here that once we figure out these things we're going to have some answers that some other states are going to want to have as well. In fact the College of Law, when I approached them about their interest in doing this, suggested to me that there are legitimate legal questions to pursue here, and in fact they think there is probably even an opportunity to leverage other funding to pursue this whole, broad policy area and related policy areas. So I think this may well put into our hands, as legislators, information that perhaps no one else in the country might have. Even the National Academy of Sciences is thinking about compiling, at least, what information states now have on the water transfer issue. So I think we really...we owe this to the citizens of Nebraska to make sure that we have thoroughly explored all of our options before we proceed with making policy. So, with that, I would ask you to advance the bill. Thank you.

SPEAKER BARRETT: Thank you. The question before the body is the advancement of LB 710. Those in favor vote aye, opposed nay. Voting on the advancement of the bill. Please record.

CLERK: 31 ayes, 0 nays, Mr. President, on the advancement of LB 710.

SPEAKER BARRETT: LB 710 is advanced. LB 646.

CLERK: 646, Mr. President, was introduced by Senators Schellpeper, Nelson and Baack. (Read.) The bill was introduced on January 19, referred to the Health Committee for hearing. The bill was advanced to General File. I have committee amendments to the...LB 646, Mr. President.

SPEAKER BARRETT: Chairman Wesely on the committee amendments.

SENATOR WESELY: Thank you, Mr. Speaker, members of the Legislature. LB 646 does become the committee amendments, with the adoption of them we do strike the original provisions of the bill. So these are important for you to follow. The original bill called for the mandate that all hospitals adopt rules and regulations that would allow for no discrimination between physicians and podiatrists for hospital privileges, that is that the bill provided that hospitals shall grant hospital and staff privileges to podiatrists. The hospitals and the physicians did not want to be forced to provide for hospital privileges for podiatrists, that's what the original bill called for. This is one bill that's an example of where long hearings provide some good results, because as a result of one of our longer hearings, and we didn't get to this bill until close to six o'clock, the podiatrists, the physicians and the hospitals were out in the hall waiting and had a chance to talk and in the communication between one another decided that maybe they could work this thing out, and had enough time to come back with an amendment. When we finally got to the hearing we had everybody in agreement. So sometimes forcing people together, whether it's in a room or in a hallway, can sometimes successfully deal with problems. So the committee amendments reflect a compromise struck between the hospitals, physicians and the podiatrists. Under the committee amendments the emphasis is on nondiscrimination between physicians and podiatrists, also osteopathic physicians and dentists. So none of those different areas would be discriminated against in terms of hospital privileges. It doesn't mandate that podiatrists have hospital privileges, but it does mandate that each hospital establish reasonable standards and procedures to consider when any of those individuals apply for medical staff membership and privileges. So the hospital sets up these standards, the application is made, they review the application based on those standards, and within 120 days give their recommendation regarding the membership or inclusion on the staff. This does set up a better system, a more reasonable nondiscriminatory

system, it doesn't mandate, particularly, that these individuals be included, but it does mandate that they be dealt with fairly and in a nondiscriminatory fashion. We'll see how the system works, but I think it's a good compromise, a good place that we can move forward on this issue. Right now there aren't very many podiatrists in the state, I think there is something slightly over 30, I think only one of them has hospital privileges. So they've been frustrated by this. This should end their frustration in a positive fashion in cooperation with the hospitals and physicians. So I would very definitely move for the committee amendments, Mr. Speaker.

SPEAKER BARRETT: An amendment on the desk.

CLERK: Mr. President, Senator Schellpeper would move to amend the committee amendments.

SPEAKER BARRETT: Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker and members. This is just a technical amendment. It just adds one word "initial" so that it would be before receiving initial recommendation. It's just a technical amendment that just really doesn't affect the bill that much. It's just that we thought it was something that would really put a little bit more clearer term for what the hospitals would have to do.

SPEAKER BARRETT: Thank you. Is there discussion to the Schellpeper amendment? I have three lights on. You're waiving off? Thank you, Senator Nelson. Senator Smith, on the... Okay, thank you. Senator Hefner. Thank you. And, Senator Wesely.

SENATOR WESELY: Yes. I'm not aware of this amendment. I'm a little leery. If you don't mind, Senator Schellpeper, can you tell me where this amendment is coming from and exactly what you're amending?

SENATOR SCHELLPEPER: What it is, it says that whenever they go to a hospital that this would be before the initial recommendation of the hospital board. It's been worked out with the podiatrists and the hospital boards and things. We were going to wait until Select File, and we decided just as well put it on here this afternoon rather than to wait until then.

SENATOR WESELY: Are you trying to get at the situation where

some individual applies for hospital privileges, they are denied, and this 120 day application would be for that initial review, if they reapply, then they wouldn't be under these provisions? Is that what you're trying to get at?

SENATOR SCHELLPEPER: Yeah, kind of that, I guess. Not really exactly, but this is...they wanted the word "initial" in there with the groups again. They thought it would be worked out better if they had that there, because when you make your initial application...

SENATOR WESELY: Okay. I just want to have an understanding. The committee amendments were adopted with a consensus, and one word change may not seem like much. But I'll go along with Senator Schellpeper because I trust in his judgment.

SENATOR SCHELLPEPER: Well, it was worked out by all of the parties.

SENATOR WESELY: But, if I hear differently, I may want to see that change but...because of the tenuous situation we're in. But I think it sounds okay and I'll support it.

SPEAKER BARRETT: Any other discussion on the amendment? Senator Schellpeper, anything further? Thank you. The question is the adoption of the Schellpeper amendment to the committee amendments. Those in favor vote aye, opposed nay. Record.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Schellpeper's amendment to the committee amendments.

SPEAKER BARRETT: The amendment is adopted. Back to the amendment. Senator Nelson, any discussion on the amendment, followed by Senator Smith?

SENATOR NELSON: No, I guess that really Senator Schellpeper's bill but, if the amendment becomes the bill, I guess I will take my opportunity now. I am a signer on the bill. And I realize that this was quite a point of contention and so on back in my area several years ago. I believe Senator Wesely said maybe only one podiatrist had medical staff members (sic). I have quite a few more, Fremont, Grand Island, Hastings, Kearney, Lincoln, Norfolk. And I know what we're talking about is more the Omaha area and Papillion. But we do have an aging population and podiatrists perform a very good service,

particularly to the elderly, the elderly women and so on. I know when my podiatrist received permission and on the medical staff at our hospital how much it saved, and he could also perform surgery along and use the same facilities and again save a considerable amount of money to the people needing those services. And in the hospitals that were requesting...responding to medical staff bylaws, which had to pertain to the podiatrists, 71 percent of them responded that they did have, and about 47 percent of the responding hospitals reported that they granted medical staff membership or privileges to doctors of podiatrists (sic). And I think that all of you know that it is a valuable service, they are very well trained. Maybe as we think back years ago maybe and maybe no. But I can only speak the highest in our area, and I know that it is a saving to the patient and to Medicare and Medicaid. I just would hope for the support of the amendment. Thank you.

SPEAKER BARRETT: Thank you. Senator Smith, followed by Senator Hefner.

SENATOR SMITH: Thank you, Mr. Speaker. I would just like to make a brief statement of support. I'm also a person who signed on the bill. I think that we need to just keep in mind that this is not...this is really nonthreatening legislation to other organizations, that it's not forcing the hospitals to do anything. What it is doing is just asking them, though, to put in place the rules and regulations that would allow the podiatrists to apply for status as hospital staff along with the same sort of requirement that they have for physicians. And I just would point out that as Senator Nelson mentioned, more than one hospital already does this in the state. I know that in Hastings our two podiatrists there already do have active staff status. So many hospitals are already allowing this, as do 38 other states allow this. So this would just be making legislation active statewide then. I ask for your support for this piece of legislation. Thank you.

SPEAKER BARRETT: Thank you. Senator Hefner, followed by Senator Schellpeper.

SENATOR HEFNER: Mr. President, members of the body, I have a question for Senator Nelson, if she'll yield.

SENATOR NELSON: Sure.

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LB 646

SENATOR HEFNER: Senator Nelson, you touched just briefly about the education of podiatrists. Do they have as much education as a physician, and do they go through an internship program and all of that?

SENATOR NELSON: I honestly cannot tell you. I can tell you on the chiropractors more than what you probably think. Could I refer you to Senator Schellpeper? I know his staff and Senator Schellpeper have worked on this more than I have. I know that in my own case, though, that they do have to have additional over and above the family physician, I know that. But Senator Schellpeper, could I refer you to him?

SPEAKER BARRETT: Senator Schellpeper, could you respond to that question?

SENATOR SCHELLPEPER: Yes, Senator Hefner. I guess from what they were telling us it's about the same training, except they don't have the internal medicine part of it. But it's about the same training as far as bones and things like that.

SENATOR HEFNER: Okay, could you tell me how many years of college they have and how many years of internship, or....

SENATOR SCHELLPEPER: I don't think they have an internship, if I remember right. I don't think they have an internship.

SENATOR HEFNER: Okay.

SENATOR SCHELLPEPER: And I don't know how many years...

SENATOR HEFNER: Okay, maybe we can find that answer out a little bit later.

SENATOR SCHELLPEPER: I sure could.

SENATOR HEFNER: Okay, one more...

SENATOR SCHELLPEPER: I'll get it for you.

SENATOR HEFNER: One more question. Now, why weren't they allowed to practice in hospitals before? Was that..weren't they allowed in the big hospitals or the little hospitals or no hospitals?

SENATOR SCHELLPEPER: They were allowed in all hospitals, except in Omaha, really is the only place that they were not allowed into. The hospitals they were just part of it. It was always part of the hospitals before, the hospital boards. Now this will be up...it will say that they really don't have to have them on the board, but that they should have them on the board.

SENATOR HEFNER: Okay, that leads me to another question. Will this allow them to do surgery in the hospital?

SENATOR SCHELLPEPER: They already do that.

SENATOR HEFNER: I thought you said they weren't allowed to...

SENATOR SCHELLPEPER: On the hospital staff.

SENATOR HEFNER: Oh, I see, they were allowed to do surgery in the hospital, but they were not a member of that particular hospital staff.

SENATOR SCHELLPEPER: That's...yes.

SENATOR HEFNER: Thank you.

SPEAKER BARRETT: Senator Schellpeper.

SENATOR SCHELLPEPER: Really, 646 is really, I guess, kind of a simple bill, if you're a podiatrist, but it's kind of hard to understand if you're not. But it would give the podiatrists staff privileges in a hospital. This is necessary for them to be able to properly treat their patients. The committee amendments are actually the bill. LB 646, in its current form, merely says that hospitals must use the same standards for determining privileges that are used for physicians and other medical practitioners who have these privileges. In other words, they cannot deny hospital privileges simply because the person is a podiatrist. The hospital would also be required to establish reasonable standards to determine medical staff privileges. They would have to notify the applicant within 120 days whether they will be granted or denied staff privileges. LB 646 is similar to the law currently in effect in Iowa. The bill was passed out of the hearing with everyone in support of it. And I think it would really help the podiatrists to better serve their patients. Thank you.

SPEAKER BARRETT: Thank you. Discussion continues on the committee amendments. Senator Lowell Johnson.

SENATOR L. JOHNSON: Mr. Speaker and members of the Legislature, I think I can partially respond to the question posed by Senator Hefner. In the experience that I've had in hospital affairs the podiatrists having been given staff privileges on hospital, and with respect to their surgery involved, in our case, they were allowed to perform surgery under supervision of a qualified surgeon who is on the staff already. So there would be coverage from that standpoint. And I would like to urge also acceptance of the bill, because hospital staff privileges generally are desirable for podiatrists which would include services to people, like diabetics and the senior citizen, as has already been indicated, but also those people who have been involved and are involved in active sports such as running and aerobics. Since they are qualified to perform surgery in their own office, the best place to perform in a more difficult surgery would be in a hospital, as opposed to the office setting. In this case then they would be, if there are complications involved, the privileges of the hospital would enable the podiatrist to have immediate attention admitted to the hospital to deal with any problems. Under this bill podiatrists would therefore become a part of the total health team in providing health care, not only to the diabetics, as we indicated, but the senior citizens and anyone who needs special treatment for their feet. Thank you, Mr. Speaker.

SPEAKER BARRETT: Thank you. Any other discussion on the committee amendments? Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker. In closing, again the committee amendments do become the bill. And in response to Senator Hefner's questions, again what we're providing for here is a nondiscriminatory situation, so that podiatrists now will have an equal opportunity, within their scope of practice, having the chance to utilize hospital facilities. There are 35, I believe, podiatrists in the state. I am aware of only one currently with hospital privileges. There has been discrimination in the past, I think it was unreasonable, and all have agreed to stop that discrimination and allow a reasonable process to proceed. I think we ought to adopt these amendments and advance the bill. I think it deals with a long-standing problem that clearly we've come to a time at which we're ready to address it, and appreciate your support for the committee

April 6, 1989

LB 247, 646

amendments.

SPEAKER BARRETT: Thank you. Those in favor of the adoption of the committee amendments to LB 646 vote aye, opposed nay. Please record.

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

SPEAKER BARRETT: The committee amendments are adopted. Senator Schellpeper, anything further on the bill as amended?

SENATOR SCHELLPEPER: Nothing else, except I just wanted to say that this is Senator Lowell Johnson's priority bill, and I want to thank him for that. I would just move the bill. Thank you.

SPEAKER BARRETT: Thank you. Any discussion? If not, those in favor of LB 646 advancing to E & R vote aye, opposed nay. Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on the advancement of 646.

SPEAKER BARRETT: LB 646 is advanced. Senator Lamb, your purpose in rising?

SENATOR LAMB: Mr. President, I'd move to adjourn until tomorrow morning, April 7th, at 9:00 a.m.

SPEAKER BARRETT: Thank you. You've heard the motion to adjourn. Mr. Clerk, any messages on the President's desk?

CLERK: Just one item, Mr. President. Senator Conway has amendments to LB 247 to be printed. That's all that I have. (See page 1563 of the Journal.)

SPEAKER BARRETT: Thank you. Those in favor of the motion to adjourn until tomorrow morning at nine o'clock say aye. Opposed no. Carried, we are adjourned.

Proofed by:


Marilyn Zank

April 10, 1989

LB 84, 319, 541, 611, 630, 640, 646
651, 653, 653A, 705, 710, 762, 811
812

now and Select File. I will try and answer your questions, but now I just ask that we advance the bill.

SPEAKER BARRETT: The question is the advancement of LB 611 to E & R Initial. All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: 36 ayes, 1 nay, Mr. President, on the advancement of LB 611.

SPEAKER BARRETT: LB 611 is advanced. Anything to read in, Mr. Clerk?

CLERK: Mr. President, Enrollment and Review reports LB 319 to Select File with E & Rs, LB 640, LB 651, LB 541, LB 653, LB 653A, LB 630, LB 811, LB 812, LB 710, and, LB 646, all to Select File, some have E & R amendments attached. (See pages 1615-22 of the Legislative Journal.)


Senator Conway has amendments to LB 84 to be printed; Senator Hall to LB 762. Senator Abboud would like to add his name to LB 705 as co-introducer. (See pages 1622-28 of the Legislative Journal.) Mr. President, that is all that I have.

SPEAKER BARRETT: Thank you, and the Chair would like to remind members of the briefing on the pharmacy school to be held at this hour in Room 1019. Senator Chizek, please.

SENATOR CHIZEK: Mr. Speaker, I would make a motion we adjourn until April 11th at 9:00 a.m.

SPEAKER BARRETT: You have heard the motion to adjourn until tomorrow morning at nine o'clock. Those in favor say aye. Opposed nay. The ayes have it. Motion carried. We are adjourned. (Gavel.)

Proofed by:


LaVera Benischek

April 20, 1989

LB 247, 279, 646, 710
LR 80

PRESIDENT: LB 710 is advanced. LB 646. Anything for the record, Mr. Clerk?

CLERK: Mr. President, new resolution, LR 80 by Senator Bernard-Stevens. (Read brief description. See pages 1799-1800 of the Legislative Journal.) Will be referred to the Executive Board.

Senator Chizek has amendments to LB 279 to be printed. (See pages 1800-01 of the Legislative Journal.) That is all that I have, Mr. President.

PRESIDENT: Okay, LB 646.

CLERK: Mr. President, 646, Senator, I have E & R amendments pending.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 646.

PRESIDENT: You've heard the motion, all in favor say aye. Opposed nay. They are adopted.

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

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 646 as amended be advanced to E & R Final.

PRESIDENT: You've heard the motion, all in favor say aye. Opposed nay. It is advanced. LB 247.

CLERK: Mr. President, LB 247, the first item I have, Senator, are E & R amendments.

PRESIDENT: Senator Lindsay, please.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 247 be adopted.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

April 25, 1989

LB 78, 438, 438A, 646, 710, 812

call? Those in favor vote aye, opposed nay. Record.

CLERK: 23 ayes, 1 nay to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Members, please record your presence. Those outside the Chamber, please return. Senator Bernard-Stevens, please check in. Senator Warner, please record your presence. Senator Schimek, please. Senator Lindsay. Senator Peterson, the house is under call. Roll call in regular order has been requested. Senator Baack, Senator Haberman, Senator Wesely, the house is under call. While we're waiting, Senator Crosby announces the following guests in the north balcony, 20 second graders from Park Elementary here in Lincoln with their teachers. Would you folks please stand up and wave. Thank you. We're glad you could be with us. Senators Baack and Haberman, the house is under call. Senator Withem, may we proceed.

SENATOR WITHEM: Is there any knowledge of where Senator Haberman is?

SPEAKER BARRETT: Not at this point. The scouts are out looking.

SENATOR WITHEM: Maybe Senator Goodrich knows where he's hiding. He seems to be...I think Senator Goodrich. Go ahead and call the roll, please.

SPEAKER BARRETT: Apparently he is now on his way, Senator Withem.

CLERK: (Roll call vote read. See pages 1897-98 of the Legislative Journal.) 20 ayes. 22 nays, Mr. President, on adoption of the amendment.

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

CLERK: Mr. President, I do. Your Committee on Enrollment and Review...

SPEAKER BARRETT: The call is raised.

CLERK: ...has carefully examined and engrossed LB 78 and find the same correctly engrossed; LB 438; LB 438A; LB 646; LB 710,

May 2, 1989

LB 78, 262, 646

and not voting, Mr. President.

SPEAKER BARRETT: LB 78 passes. Before proceeding to LB 646, Senator Ron Withem has some guests in the north balcony. We have some eighth graders and their teacher from St. Columbkille School in Papillion. Would you folks please stand and be welcomed. Thank you. We're glad to have you with us this afternoon. Next bill, Mr. Clerk.

ASSISTANT CLERK: (Read LB 646 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 646 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See page 2021 of the Legislative Journal.) The vote is 46 ayes, 0 nays, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 646 passes. LB 262.

ASSISTANT CLERK: (Read LB 262 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 262 become law? Those in favor vote aye, opposed nay. Have you all voted? Have you all voted if you'd care to vote? Record, please.

CLERK: (Record vote read. See page 2022 of the Legislative Journal.) 29 ayes, 15 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 262 passes. Senator Landis, for what purpose do you rise?

SENATOR LANDIS: Just a point of order, Mr. Speaker.

SPEAKER BARRETT: State your point.

SENATOR LANDIS: I was wondering if the Chair could consider since we're going to be moving to days of greater length, both in the morning and the afternoon, that the Chair pursue a policy that would see that the lights were turned off in the later afternoon. They are irritating and it's difficult to work under

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having been complied with, the question is, shall LB 591 with the emergency clause attached become law? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. (See page 2023 of the Legislative Journal.) 42 ayes, 2 nays, 2 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 591E passes. And let the record show that Senator Moore had guests in the north balcony. They are just leaving at the present time, 9 students and 2 sponsors from the seventh and eighth grades in Waco, from St. John's in Waco. Thank you, folks, for coming. We appreciate it. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 606, LB 681, LB 78, LB 646, and LB 262. (See page 2024 of the Legislative Journal.) The call is raised. I'm sorry, we have an A bill. The call is not raised, I'm sorry. Mr. Clerk.

CLERK: (Read LB 591A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 591A with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See page 2024 of the Legislative Journal.) 41 ayes, 2 nays, 3 present and not voting, 3 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 591AE passes. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign, LB 591 and LB 591A, and the call is raised. Anything for the record, Mr. Clerk?

CLERK: I have amendments to be printed by Senator Coordsen to LB 814, Senator McFarland to LB 175, Senator Conway to LB 767. That's all that I have, Mr. President. (See pages 2025-27 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Proceeding then to General File, senator priority bills, LB 588.

CLERK: Mr. President, 588 was a bill introduced by Senator Chambers. (Title read.) The bill was introduced on January 18.

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further on it? The call is raised.

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

PRESIDENT: Senator Labedz, please.

SENATOR LABEDZ: Withdraw.

PRESIDENT: Withdrawn.

CLERK: Mr. President, Senator Ashford would move to amend.

PRESIDENT: Senator Ashford. It is withdrawn.

CLERK: Mr. President, Senator Hall...kill motion, Senator?

SENATOR HALL: Withdraw.

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

PRESIDENT: Okay, we're on the advancement of the bill. Senator Chambers.

SENATOR CHAMBERS: In view of the...Mr. Chairman and members of the Legislature, I will just make the motion, then see if it's necessary to discuss it further, but I move that 588 be advanced to E & R Initial.

PRESIDENT: You've heard the motion. Any discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: 26 ayes, 8 nays, Mr. President, on the advancement of LB 588.

PRESIDENT: LB 588 is advanced. Do you have something for the record, Mr. Clerk?

CLERK: Mr. President, I do. Enrollment and Review reports LB 429 correctly engrossed.

Enrolling Clerk has presented to the Governor bills read on Final Reading today, Mr. President. (Re: LB 606, LB 681, LB 78, LB 646, LB 262, LB 591, LB 591A. See page 2028 of the

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LB 78, 182, 262, 591, 591A, 606, 646
681, 813
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amendment is adopted. Do you have anything else on it, Mr. Clerk?

CLERK: Mr. President, Senator Wesely would move to amend Senator Bernard-Stevens' amendment.

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Yeah, I move to recess till one-thirty.

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

RECESS

PRESIDENT NICHOL PRESIDING

PRESIDENT: Record, Mr. Clerk, please.

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

PRESIDENT: Do you have anything to read in, Mr. Clerk?

ASSISTANT CLERK: One item, Senator Coordsen would ask unanimous consent to print amendments to LB 182.

CLERK: Mr. President, I have a series of things, a communication from the Governor to the Clerk. (Re: LB 606, LB 681, LB 78, LB 646, LB 262, LB 591, LB 591A. See page 2089 of the Legislative Journal.)

A new study resolution by Senator Rod Johnson, LR 110. LR 111 by Senator Johnson. LR 112 by Senator Baack. LR 113 by Senator Barrett. LR 114 by Senator Hefner. LR 115 by Senator Baack. (Read brief explanation of each. See pages 2089-93 of the Legislative Journal.)

Mr. President, received a report from U S Ecology which is filed pursuant to rule and reg. Senator Wesely has amendments to LB 813, as does Senator Bernard-Stevens... Senator Bernard-Stevens has amendments to LB 813, Mr. President. (See pages 2093-94 of the Legislative Journal.)