

March 3, 1980

LB 725, 230

bill and I would read this joint statement by Senator Hoagland and Senator Kelly. "As part of the understanding of what we believe is happening in LB 725. For Senator Hoagland and I are jointly sponsoring this amendment to LB 725 which changes the bill so that the recapture provisions presently contained in the state certificate of need law are repealed. The bill as amended would do nothing more than that. When LB 172 1979, the certificate of need law passed this Legislature last year, it contained a recapture provision that was excessively detailed. Our amendment to LB 725 is done, not to demean or void any administrative recapture rules or regulations, but rather to remove from the certificate of need law, provisions that may be overly detailed. We do not intend by this amendment to encourage or to discourage any administrative action with respect to any present or future recapture provision. This body should remember that any administrative rule to be developed on this subject must first be heard at a public hearing where the affected industry can make its views known. We are confident that the nursing home industry or any other regulated industry can effectively advance their positions on recapture before any administrative agency takes actions in the area and we urge the body to support this amendment and let our pussycat just purr across the board." I move the adoption of the amendment.

SPEAKER MARVEL: All those in favor of the adoption of the Kelly amendment vote aye, opposed vote no. Record.

CLERK: 25 ayes, 0 nays on the adoption of Senator Kelly's amendment.

SPEAKER MARVEL: The motion is carried. Now do you want to advance the bill, Senator Kelly?

SENATOR KELLY: Mr. Speaker, I move we advance LB 725 to E & R initial.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. Record.

CLERK: 25 ayes, 0 nays on the motion to advance, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill, LB 230. Senator Fowler asked that we pass over this bill. We are still awaiting some figures. No objections, so ordered. We go to the top of