

the authority to make those determinations. If Senator Schmit and Senator DeCamp want different mechanisms within their area then let them go to their natural resources districts and make that plea to them. It's the same as I should have the right to do with my NRD but you're taking that right away from me and I think that is wrong. I think that is fundamentally wrong. Why don't we just do away with the NRDs and make all the decisions right here? We'll draw the lines, we'll do the whole works. We'll be the Natural Resources Board for the whole state. That is really what we are doing. Is that what we want to do?

SENATOR CLARK: The question before the House is the adoption of the Vickers amendment to the Kremer amendment on Section two. All those in favor vote aye, opposed vote nay. This also takes a simple majority. A record vote has been requested. Once again, have you all voted? Record the vote.

CLERK: (Read record vote as found on page 353 of the Legislative Journal.) 12 ayes, 21 nays, Mr. President, on adoption of the amendment.

SENATOR CLARK: The motion lost. Senator DeCamp, would you like to adjourn us until nine o'clock tomorrow morning after the Clerk reads in the rest of the bills.

SENATOR DeCAMP: Marvel was saying something about coming back at four-thirty or something. Is that out?

SENATOR CLARK: No, I don't think we need to.

SENATOR DeCAMP: Okay, we're going until nine o'clock tomorrow then.

SENATOR CLARK: No, let's wait until he reads the bills in.

SENATOR DeCAMP: Oh, okay.

SENATOR CLARK: He still has some bills to read in.

CLERK: Mr. President, new bills. (Read by title for the first time, LBs 915-955 as found on pages 354-366 of the Legislative Journal.)

Mr. President, Senator Marsh would like to print amendments to LB 69 in the Legislative Journal. (See page 369 of the Legislative Journal.)

Banking gives notice of cancellation and rescheduling of a hearing. (See page 369.)

March 8, 1982

LR 238, 239, 242, 243
LB 372A, 676A, 690, 800,
843, 873A, 924, 949

effective. He is a good manager and the Omaha Public Schools are better off for his service, and for that reason I urge this body to give Dr. Knutzen this kind of recognition for many long years of able and faithful service.

SENATOR CLARK: Senator Koch, do you have any closing?

SENATOR KOCH: None, Mr. Chairman.

SENATOR CLARK: All right, the question before the House is the adoption of the resolution. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted? Record the vote.

CLERK: 37 ayes, 1 nay, Mr. President, on adoption of the resolution.

SENATOR CLARK: The resolution is adopted. LR 239. Yes, read something in.

CLERK: Mr. President, a motion from Senator Chronister to place LB 924 on General File.

Mr. President, new A bills, LB 873A by Senator Schmit, (read title); LB 372A by Senator Koch, (read title); and LB 676A by Senator Beutler, (read title). (See pages 1037 and 1038, Legislative Journal.

Your committee on Business and Labor whose Chairman is Senator Barrett reports LB 690 indefinitely postponed; LB 800 indefinitely postponed; LB 843 and 949 all indefinitely postponed.

Mr. President, new resolutions, LR 242 by Senator Remmers. (Read) LR 243 offered by Senator Koch. (Read.) (See pages 1038 and 1039, Legislative Journal.) That, too, will be laid over, Mr. President.

Mr. President, LR 239 is offered by Senators Koch and Marsh, found on page 983 of the Journal. (Read.)

SENATOR CLARK: Senator Koch.

SENATOR KOCH: Thank you, Mr. Chairman. Fifteen years ago Mr. Prasch came into this position in Lincoln as Superintendent, a very low key administrator. Most people didn't realize the type of person he would be since he came from

your discussion lined up so that it will only take a few minutes. If we cannot convince the majority of this Legislature to operate that way, we just as well close up shop and go to the mountains today. So the Chair recognizes Senator Chronister.

SENATOR CHRONISTER: Thank you, Mr. Chairman, we intend to fully abide by your wishes in keeping this brief so we'll start out by asking what is LB 924? This is simply a bill to clarify with modern language the ancient 1915 law adopted when doctors of chiropractic were first licensed in Nebraska. Nearly seventy years, sixty-seven to be exact, have gone by since the original law and modern progress in the chiropractic profession makes the old law obsolete. Chiropractors now spend six years in college. They use modern x-ray equipment and modern techniques to protect the health of their patients. In the intervening years since 1915, the Nebraska Department of Health has informally approved of this modern progress in the chiropractic but the actual law still reads as it did in 1915. This causes confusion to the general public, to insurance companies and to other health professions concerning the question of what the doctors of chiropractic can do in their practice. Now why should LB 924 be passed this year? Why not just wait? Well it is in the public interest to solve a legitimate problem of the health and welfare of our state as soon as possible. That is why we are elected and thus, the bill has priority status so we can solve the problem this year. The confusion of the old law will not go away. Problems and more bills related to this outdated law will only get worse with the passage of time. The time to act is now and, thus, I hope you will support the placement of this bill on General File. Now is there a cost factor? No, this is not a money bill. There is no fiscal impact. The chiropractors are not asking for any appropriations for themselves or their chiropractic colleagues or students. They have never asked this Legislature for funds for the benefit of chiropractic education. All they ask is your help in solving the problem of modern practice under a horse and buggy law of 1915. Now what about the committee which heard the bill and why should we go ahead against their decision not to report this bill out this year? It is my understanding and I stand corrected if I am wrong, but nevertheless, the Public Health Committee had its hands full or at least was concerned with problems which may come up with other bills but not LB 924. Thus, in order to provide the Legislature with more time that is needed on some health bills, the committee decided to hold all bills. Now this may sound fair but I don't believe it is. Do you? Remember there are no serious problems with LB 924. It is a well drafted bill which was introduced by the Performance Audit and Review Committee after they held a public

hearing this fall. As the motion shows, the sunset committee has concurred with this motion to go ahead and place their bill on General File. What about amendments? Any bill can always be amended on General File. No bill is totally perfect but that is not the question today. It is not the issue today. The issue is whether we are going to give ourselves the opportunity to solve a pressing problem this session or duck the issue through procedural delay. Finally, the question comes down to why not? We are here to represent the people and to solve problems for them. LB 924 is the result of a problem which needs solving. It will help the people in understanding health care and health services. Let us solve the problem here today without delay. I urge placing LB 924 on General File. Thank you for your attention.

SPEAKER MARVEL: The Chair recognizes Senator Cullan. Senator Cullan, you are speaking to the opposite view of Senator Chronister.

SENATOR CULLAN: That is right. Mr. President, members of the Legislature, I think it is fine if we do keep debate very brief here this morning and I will try to lay out the rationale for opposing Senator Chronister's motion. Of course first of all, it is difficult to rise against Senator Chronister as it is his priority bill and we all like to have an opportunity on our priority bills but the Health and Welfare Committee, in light of the fact that we worked very well with Senator Chronister on many, many issues, felt compelled to keep LB 924 in committee as well as some other issues but the issues were not necessarily related. LB 924 was kept in committee for several reasons. I ask you to take a careful look at LB 924 and I would suggest to you that LB 924 is not a mere clarification of the statutes as they relate to the practice of chiropractic in the State of Nebraska. In fact, they are a dramatic expansion of the legally, irrespective of what is happening in the community. They are, in fact, a dramatic expansion of a health care provider and their scope of practice in the State of Nebraska and I think before we allow this dramatic expansion legally, in a scope of practice of this profession, that we ought to take a much more careful look at the profession, at their educational system and at many of the things which go along to expanding the scope of practice. I have distributed to you earlier and I would ask you to look at the letter which I just sent to you, a letter from Mosier Chiropractic Clinic here in Lincoln. This is a letter to the parents of a new born child and I will read it to you quickly. "Congratulations on your new baby boy! Children are the joy of life and we know how happy you must be with your new addition. Please accept this pamphlet on children and chiropractic. Many times

when a baby is being brought into the world their little spines become misaligned. It has been our privilege at the Mosier Chiropractic Clinic to realign many tiny spines. New mothers also need chiropractic care for spinal misalignment and remember, chiropractic is a natural way to better health. Congratulations again." This is a means used by this particular chiropractor to solicit and as I understand it is sent to many, many of the children born in the service area to urge the parents to bring these children in. This bill allows chiropractors legally to use x-rays. Now whether or not they are using them today, I do not think that they have the statutory authority to use x-ray machines and I'm not convinced nor can I tell you whether or not they have adequate training to use x-ray machines particularly on children because x-ray machines should not be used indiscriminately. When they are used indiscriminately, tumors can result, burns can result, and many other problems can develop from overexposure to x-rays. And I'm not familiar enough with the educational system of the chiropractics as chairman of the Health and Welfare Committee to tell you whether or not this new expansion of service, new expansion of their practice is justified. Let's take a look at LB 924. What does LB 924 allow chiropractors to do? Specifically it allows them to use any mode of treatment, "by any means or methods taught in any college of chiropractic." That means anything, anything they choose to teach in any chiropractic school in the country is legal in Nebraska if you pass LB 924 the way it is written. Now that is a good reason that the Health and Welfare Committee which had an opportunity to read the bill, that is one reason that they wouldn't send it out. There is some other language in the bill that I would ask you to look at and tell me what it means and see if this is the kind of statute we want to enact.

SPEAKER MARVEL: You have one minute left.

SENATOR CULLAN: It allows them...it defines the scope of practice of chiropractic for examination, analysis and diagnosis the use of x-ray for diagnostic purposes and the use of any other general method of examination for diagnosis and analysis taught in any college of chiropractic accredited, da, da, da, da. Again, it allows them to use almost any means of examination. Since I've been chairman of the Health and Welfare Committee we've dealt with the issue of acupuncture. An awful lot of controversy about acupuncture. One of the groups that came in and testified for acupuncture were chiropractors and I don't know whether ...and it is my interpretation under this bill that if some school somewhere in the United States that is associated with chiropractic that is accredited, has a course in acu-

puncture then that is okay in Nebraska. Now maybe it is a good deal and maybe it isn't but this bill is very broad, it is very vague and it is not the kind of bill that we should pass this session. The Health and Welfare Committee wants to study this issue. We want to look at their education. We want to look at how this is going to affect insurance rates and as you know we have an insurance bill in the State of Nebraska which forces insurance companies to pay for chiropractic services. So if we expand the scope of their services, all of us are going to be forced to pay for expanded chiropractic services including if it happens someday, acupuncture, whether or not it is taught well, whether or not it does any good and many of the other things. So there are health care cost issues raised by this bill. There are issues of discipline, how are we going to discipline chiropractors, their questions of their qualifications? The Health and Welfare Committee is not ready at this point in time to greatly expand the scope of practice for chiropractic. If we're going to do it and I think that we probably need to expand the scope of practice beyond what it is today, we ought to do it in a well defined, orderly manner, not just let them do whatever they want to do and that is what LB 924 does and we're holding other bills that relate to licensure for study. There is no reason, no reason that we should not have the interim for the Health and Welfare Committee to carefully look at this issue and send to you next year a good bill, setting out what chiropractors should and should not be able to do for the protection of the public in this state.

SPEAKER MARVEL: Senator Hefner, your light is on.

SENATOR HEFNER: Mr. President, members of the body, I have a question for Senator Chronister.

SENATOR CHRONISTER: Yes.

SENATOR HEFNER: Senator Chronister, I have been receiving some letters from family practitioners from my district concerning this chiropractors bill and their concern is, seems to be that we are opening up a whole new ball game and so the question I am posing to you this morning is, will this permit chiropractors to do things that they are not doing now?

SENATOR CHRONISTER: To the contrary, Senator Hefner, what 924 does is simply put into statutory language those modern procedures which the Nebraska Department of Health has as a practical matter authorized chiropractors to do but this was legally unclear due to this old fashioned 1915 law. Now chiropractors have six years of college and there are

many items such as x-ray, has always been used by chiropractors but not mentioned in the law. Other items have evolved over the years with the progress of this profession so it is not expanding on anything that they aren't doing now. It is just clarifying. There are those in combating this bill who have also assailed the doctors of chiropractors as using this as a method of obtaining admission to practice in hospitals. Let me assure you that this thought does not even lurk in the deepest recesses of their minds. It is no effort to expand their services, simply put into statutory language that they have been informally cleared to do to date.

SENATOR HEFNER: Senator Chronister, can they legally take x-rays now?

SENATOR CHRONISTER: They have been for years. It has never been spelled out in the archaic language and they have been informally cleared to do so by the Nebraska Department of Health.

SENATOR HEFNER: Thank you, Senator Chronister.

SPEAKER MARVEL: Senator Cope, do you wish to be recognized?

SENATOR COPE: Mr. President, members, a question of Senator Cullan.

SPEAKER MARVEL: Senator Cullan, do you yield?

SENATOR CULLAN: Yes, Senator Cope.

SENATOR COPE: Senator Cullan, I certainly have not had any legal experience in the writing of this bill but wouldn't, on line 11 where it says, "the practice of chiropractic is defined as being one or a combination of the following without the use of surgery," and then on farther down on line 22, "without the use of drugs or surgery." Now if they could not teach these two items in the college and go along with the law the way it is written here, is that correct?

SENATOR CULLAN: That is correct.

SENATOR COPE: Well then the statement that has been made and has been made to me by doctors that they can do anything they teach in the college but this absolutely limits surgery and the use of drugs by chiropractors. Right?

SENATOR CULLAN: It would not allow surgery or the use of drugs. That is correct.

SENATOR COPE: Well then I can see some reason for putting in the part about anything that is taught in the college. I'm sure there is changes in chiropractic treatment the same as there is in medicine. If we limited the medical

March 9, 1982

LB 924

profession to what they are doing now and no new methods, we'd be in a sorry state. Would you agree with that?

SENATOR CULLAN: Yes, I would agree with that.

SENATOR COPE: Thank you.

SPEAKER MARVEL: The Chair recognizes Senator Wesely. The question has been called for. Do I see five hands? I do. Shall debate cease? All those in favor of ceasing debate vote aye, opposed no. The motion is to cease debate. Record.

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

SPEAKER MARVEL: Debate has ceased. Senator Chronister, you are recognized to close.

SENATOR CHRONISTER: Thank you, Mr. Speaker. In my closing I want to mention that today's chiropractor is skilled and highly educated. All accredited chiropractic colleges require now a minimum of two to four years of preprofessional training in colleges or universities. Four years of chiropractic college training is then required and this professional training consists of not less than four thousand four hundred hours of study in all of the health sciences including chemistry, biochemistry, pathology, psychology, anatomy and x-ray. The student of chiropractic must then intern in the college clinic. He must then pass examinations to be licensed to practice. I urge your placing LB 924 on General File. Thank you.

SPEAKER MARVEL: The motion before the House is, it has to do with raising the bill. All those in favor of the motion vote aye, opposed vote no. Have you all voted?

SENATOR CHRONISTER: Mr. Speaker, may I request a Call of the House and a roll call vote, please?

SPEAKER MARVEL: Shall the House go under Call? All those in favor vote aye, opposed vote no. Record.

CLERK: 25 ayes and 0 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators return to your seats. Unauthorized personnel please leave the floor and record your presence. Senator Fowler, will you please record your presence. Senator DeCamp, will you record your presence. Senator Lamb. Senator Burrows, will you please record your presence. Okay, read the motion, Pat.

CLERK: Mr. President, the motion offered by Senator Chronister

March 9, 1982

LB 924

is to place LB 924 on General File pursuant to Rule 3, Section 18(b).

SPEAKER MARVEL: Accept call in votes?

SENATOR CHRONISTER: Yes.

SPEAKER MARVEL: Okay.

CLERK: Senator Vard Johnson voting yes. Senator Fowler voting yes.

SENATOR NICHOL PRESIDING

SENATOR NICHOL: For those coming in we are taking call in votes so please indicate your preference.

CLERK: Senator Hoagland voting no.

SENATOR NICHOL: Senator Chronister, there are seven excused. Senator Chronister, do you wish to record the vote or do you wish to go to a roll call?

SENATOR CHRONISTER: Roll call vote.

SENATOR NICHOL: Okay, please call the roll.

CLERK: (Read roll call vote as found on pages 1060-1061 of the Legislative Journal.) 25 ayes, 10 nays, Mr. President, on the motion to raise the bill.

March 17, 1982

LB 421, 924

SENATOR CLARK: Those in favor of the amendment will vote aye, opposed vote no. Record the vote.

CLERK: 28. . .Senator I can't take it, I'm sorry. 28 ayes, 0 nays, Mr. President, on the adoption of the amendment.

SENATOR CLARK: The amendment is adopted. Now return the bill.

SENATOR LANDIS: I move that LB 421 be returned to. . .

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. The bill is returned to Final Reading. That will complete Final Reading for today. Go ahead and read in.

CLERK: Mr. President, one item, Senator Chronister would like to print some amendments in the Legislative Journal to LB 924.

April 5, 1982

LR 293, 294, 295
LB 208, 428, 571, 633, 790, 924,
970, 520A, 970A,

CLERK: Mr. President, a few items. The Rules Committee offers a report regarding rule changes previously offered to the Rules Committee. (Page 1605 of the Journal).

I have a gubernatorial confirmation hearing from the Education Committee. (Page 1606 of the Journal).

Senator Vard Johnson would like to print amendments to LB 924. (Page 1606-07 of the Journal).

Attorney General's opinion addressed to Senator Chambers. (Page 1607-08 of the Journal).

A communication from the Governor addressed to the Clerk regarding LB 208, 633, 790, 428, and 571. (See page 1609-10 of the Legislative Journal).

Mr. President, your Committee on E & R respectfully reports we have carefully examined and engrossed LB 970 and find the same correctly engrossed. 970A correctly engrossed.

Mr. President a new resolution LR 293 (read title). LR 294 (read title). LR 295 (read title). All were laid over.

SENATOR LAMB: If I could have your attention for just a few minutes. As you probably know we have a number of priority bills that have not been considered at this point. We have a number of revenue bills and appropriation bills that need further work and so our time is pretty short. In order to consider this whole situation we are scheduling a meeting of the chairmen at noon today in Room 2102, so we can discuss the whole situation and come up with some possible solutions.

SENATOR CLARK PRESIDING

SENATOR CLARK: The first bill we are going to take up under item number four, General File, will be 520A.

CLERK: Mr. President 520A was a bill introduced by Senator Vard Johnson. (Read title). I have an amendment from Senator Johnson to the bill, Mr. President.

SENATOR CLARK: Senator Johnson.

SENATOR JOHNSON: Mr. Speaker, members of the body, LB 520 is a bill that deals with child care and licensing thereof. During the first round debate on LB 520 Senator Cope asked me what I thought this bill would ultimately cost. I indicated

this limitation on the use of the proceeds serves to protect the public on the one hand, it also places a serious restriction on the activities of the many small, legitimate public spirited organizations. These groups often get part or all of their prizes donated from the local businesses so that most of the money that they raise for the worthy causes they are supporting rather than for the purchase of the prizes to be awarded. Since these groups are not using 65% of the gross proceeds their fund raisers for awarding the prizes, these activities are illegal under the present law. I introduced LB 841 to attempt to solve this problem. The amendment I am proposing to LB 602A would make an important change in the statute authorizing raffles and lotteries for nonprofit organizations and represents the form of LB 841 that was advanced to the floor by the Miscellaneous Subjects Committee. My amendment would simply exempt lotteries whose gross proceeds are less than \$2,000 from the requirement that 65% of the gross proceeds be used for awarding prizes. This would allow the small local lotteries to continue to accept donated prizes while maintaining more strict requirements on larger lotteries and raffles. This is an important change as there are a number of organizations across the state ranging from the Velvet Spurs Riding Club in North Platte to Optimists clubs and other service organizations which depends upon raffles and lotteries to fund their activities. I appreciate your support for this amendment to LB 602A.

SENATOR CLARK: Senator Nichol. I think Senator Haberman first.

SENATOR HABERMAN: Mr. Chairman, 602 is the public health priority, Public Health and Welfare to require the Department of Public Health and Welfare to furnish medical services. I'd like to ask the germaneness of this to 602.

SENATOR CLARK: This is 602A. This bill was gutted the other day by Bernice Labeledz. If you want to ask the germaneness of it though, that bill deals with bingo in chapter 9 while he is going to the criminal statute to 28 and I would rule it not germane. If he would like to challenge that, that is up to him. We will go to 924. Senator Landis.

SENATOR LANDIS: Mr. Speaker, I would move to recess until such time as the E & R amendments are prepared for their reading into the record at which time I would then follow with a motion to adjourn.

SENATOR CLARK: This is a nondebatable motion. The Speaker could address it if he would like.

April 13, 1982

LB 924

SENATOR LAMB: Mr. President and members, I see no reason to recess at this point. We have another hour or so that we can continue.

SENATOR CLARK: All right, the motion is to recess. We will take a vote on it. All those that want to recess will vote aye, those that don't will vote nay. It only takes a simple majority.

CLERK: Senator Clark voting no.

SENATOR CLARK: Senator Landis, we would need a time frame on this as to...

SENATOR LANDIS: I understand the Clerk is having it sent to us about ten-thirty?

SENATOR CLARK: ...the time certain, eleven, eleven-thirty, whatever time you want. He says it takes two hours from the time we recess until we get the bills back.

SENATOR LANDIS: In that case I would make my motion to eleven-fifteen.

SENATOR CLARK: Have you all voted? Yes, Senator Lamb.

SENATOR LAMB: I would ask that...I assume we are under Call.

SENATOR CLARK: We're supposed to be under Call, yes.

SENATOR LAMB: I would ask everyone, check in and have a roll call.

SENATOR CLARK: All right. If everyone will check in, please. Senator Lowell Johnson and Lamb, Schmit, Kremer, Warner, Cullan. Senator Lamb, would you check in, please. Senator Labedz and Senator Higgins, would you both check in, please. Senator Labedz, Senator Newell, Senator Richard Peterson. Senator Newell. Senator Haberman, would you return to your seat, please. The Clerk will call the roll. What we are voting on is, shall we recess. The Clerk will call the roll.

CLERK: (Took roll call.) 18 ayes, 23 nays, Mr. President.

SENATOR CLARK: We are not recessed. We will now take up 924.

CLERK: The motion I have with respect to LB 924 is to suspend Rule 5, Section 6, Rule 6, Section 3, 4 and 5 and Rule 7, Section 3 for the specific purpose only of placing LB 924 as amended by the Chronister amendment printed on page 1224 of the Journal on E & R for engrossing.

SENATOR CLARK: This bill is on General File? Okay.
Senator Chronister.

SENATOR CHRONISTER: Mr. Speaker and members, this is a motion to suspend the rules and place LB 924, which is now on General File, as amended with the amendments on page 1224 of the Journal, on E & R for engrossing. Now this is an unusual move but it is an unusual circumstance that we are facing. In checking this motion out, I have gone to Emory Burnett, the legal counsel to the E & R Committee, and he has checked all of the details and assures us that the motion correctly covers the situation. Now my only purpose in speaking is to bring to your attention a situation which I believe fundamental fairness to our citizens requires us to act today. For nearly seventy years the Nebraska Doctors of Chiropractic have operated under an ancient 1915 licensing law which says nothing about diagnostic X-rays or any of the modern tools of health care which they have been using for decades and they have been using these techniques under the supervision of the Nebraska Department of Health. They had planned to revise their law in connection with the sunset review process and to quietly bring their old law up to date, but then along came LB 421. This is the law that we passed this session which says, "Any insurer having knowledge of any violation of any of the provisions of the Uniform Licensing Law shall report the facts of such violation as known to such insurer to the Department of Health." Now what this means is this, that if we do not pass LB 924 this year, for an entire year the Doctors of Chiropractic will be trapped within this ancient 1915 law and in jeopardy since any insurer may wonder and report just about anything they do as a violation of the Uniform Licensing Law. In other words, the chiropractors did not do this to themselves or to their patients. We did it to them by passing LB 421 and I am one of you who voted for LB 421. Now what is my point? It is not that LB 421 is a bad bill, since I believe it can be a useful law in the future since it legally applies to all doctors but the chiropractors are the group that the bill may have been originally aimed at and in fairness we should pass LB 924 to modernize their ancient law and bring it up to what they have been and are, in fact, doing now to help Nebraska citizens get well. Next, we should remember that the purpose of licensing bills is not to help the doctors who are licensed but the public they serve. There are thousands of Nebraskans across the state who have been helped by treatments from Doctors of Chiropractic who cannot understand why we cannot find time to simply revise an old law which will permit their doctors to continue doing what they have been doing for years to help these people. This is a question of freedom of choice. Of course we can never make anyone happy in the health community because there is healthy

competition and what is wrong with that. It is our purpose to guarantee that only one...rather, is it our purpose to guarantee that only one type of doctor can help make someone with a back injury or is it our purpose to provide the public with a free choice of doctors and let them decide, not us, as to what type of doctor they want to have help them? In this day and age of skyrocketing bills for surgery and hospitals, shouldn't we help our citizens who want to go to the Doctors of Chiropractic who only treat people in the office, never in the hospital? Now I want to say a few friendly words about the opponents of this bill. We have tried to meet the legitimate concern of the Nebraska medical community about the anything taught in chiropractic college language. That amendment is all struck from the bill by my amendment which is printed on page 1224 of the Journal and is part of my motion today. We have hidden nothing. For over a month this amendment and copies of LB 924 have been distributed to your offices for discussion. If they still have objections, then I can only cite states such as South Dakota, Kansas, Nevada, New Mexico, Colorado and California and on and on where, what the Nebraska chiropractors are asking for is just taken for granted in those states. You have all seen the comparison of hours of education in chiropractic colleges and medical colleges on one of the handouts you have just received. There is no question about the competency of Doctors of Chiropractic to do these things. Of course certain occupations wish to keep certain monopolies on certain health techniques since that way the public is forced to go their way. Again, only simple competition is the reason for the battle. Okay. Finally, the chiropractors are fair to us. They do not ask the State of Nebraska to build them chiropractic colleges or to subsidize their children to attend a chiropractic college. The chiropractors have paid their own way to chiropractic education while as good citizens they and their thousands of patients pay taxes to help our fine medical college in Nebraska. Now this is a time to be fair because the problem was created by LB 421 and the only fair solution is simply to pass LB 924. The merits of the bill deserve its passage as it is obvious that the 1915 chiropractic law should be written according to what chiropractors are doing today. These people did not come to the Legislature asking for money, they only come asking for fair treatment of their profession and understanding of their situation. Senators, we all know in our hearts how we feel about this bill. Why should we delay a whole year a decision that would save everyone, including us, an exact repeat of this year's campaign? We have all had disappointments with bills this year. LB 924 is not really my bill since it was introduced by a diverse committee of many senators. It is really our bill since each of us, 49 people from 49 different districts, were elected to solve problems just like this one today.

SENATOR CLARK: You have one minute left.

SENATOR CHRONISTER: Thank you. Please vote as you see fit on the merits of this bill. I hope you will vote for the motion to end this matter today and let the Legislature move on to something else next year. Thank you.

SENATOR CLARK: Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature, I hate to rise and oppose Senator Chronister for two reasons. First of all, I think he is one of the nicest guys in the Legislature and a good friend of mine and I hate to rise and disagree with him and the second reason is that when I do I always get beat. But this time I think maybe I shouldn't get beat. If I do, maybe it is not right. I would...you know I've heard of pulling bills from committee and that happens frequently in this Legislature and, in fact, that is what happened with this bill. So what Senator Chronister is doing is really a really unique move. It is pulling bills, not only from committee, but pulling them from committee to Final Reading in two motions and, Senator Chronister, I just don't think bills ought to go from committee to Final Reading. That is just a bit beyond what I think is tolerable in the legislative process. Seriously though, I don't think that LB 924 and Senator Chronister's motion should be adopted and I will tell you why. LB 924 in its current form is a major piece of legislation and it is also a piece of legislation that I do not understand and I've read Senator Chronister's minutes several times. I've also visited with the counsel or the representative for the Chiropractors Association and discussed them with him and, in fact, as I indicated to Senator Chronister earlier and have pledged to work with him. I asked Mr. Murphy from the chiropractors to help me define terms which I did not understand and which I thought should be defined and Mr. Murphy refused to help me in drafting definitions to words which I think should be defined and there are eight or nine terms and phrases, words of art in the world of science which may mean something to chiropractors but they don't mean much to me as a legislator. So I really haven't received, I don't think, the kind of cooperation from the lobby that I think is appropriate in assisting in drafting amendments to this bill so that we know what the scope of chiropractic services would be if this bill were adopted. All I can tell you is having read the bill and having discussed it with the representative of the industry, I don't understand it and I couldn't tell you what chiropractors can and cannot do as a result of these amendments. And so I don't think that is the kind of statute that we should enact in the State of Nebraska. I urge you to vote against Senator Chronister's motion. I think it is highly improper to pull a bill from committee that the committee

April 13, 1982

LB 924

voted to hold and then to pull the bill all the way from General File with no debate, Select File no debate and Final Reading with no debate. So the bill has had only ...the only exposure it's had is the committee which rejected it soundly and decided not to advance it and also the exposure on General File when we pulled the bill from committee. I urge you to vote against Senator Chronister's motion to pull LB 924 all the way from General File to Final Reading.

SENATOR CLARK: We have four minutes left on the bill. Senator Kahle.

SENATOR KAHLE: Question.

SENATOR CLARK: The question has been called for. Do I see five hands? I do. Shall debate now cease? All those in favor of the vote vote aye, opposed vote nay. Senator Koch, for what purpose do you arise?

SENATOR KOCH: A question, Mr. Chairman, of the Chair.

SENATOR CLARK: Yes.

SENATOR KOCH: Under the rule that Senator Chronister is quoting, is this appropriate or does it get back to an issue on how many days it takes legally to transgress the board?

SENATOR CLARK: Well there is nothing in the Constitution that says he can't do it. I've never seen it happen in fourteen years but there is nothing that says he can't do it.

SENATOR KOCH: Thank you.

SENATOR CLARK: Senator Chronister.

SENATOR CHRONISTER: I'd like a Call of the House, please and a roll call vote.

SENATOR CLARK: We're just voting on ceasing debate right now.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Record the vote.

CLERK: 26 ayes, 11 nays to cease debate, Mr. President.

SENATOR CLARK: Debate is ceased. There is three minutes left,

Senator Chronister. Do you wish to close?

SENATOR CHRONISTER: Yes, Mr. Speaker. I want to thank Senator Cullan for the kind words and I return the kind words to Sam. Sam is a good boy. I like him and I love him very much. However, when 924 first came up the only objection we encountered was the language. We took care of the language in the amendment and then things turned to be on the picayunish side and we encountered things such as blood tests and we've encountered and overcome that. This chiropractor law is no different than that in other states. The dire consequences that concern Senator Cullan really are no problem at all and I urge you to search down deep within yourself and vote for your constituents.

SENATOR CLARK: The question before the House is to suspend the rules so we can take the bill off of General File and put it on final E & R. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting no.

SENATOR CLARK: Senator Chronister.

SENATOR CHRONISTER: In saving time, could we have a Call of the House and a roll call vote?

SENATOR CLARK: The House is under Call but we'll clear the board and check everyone in. If everyone will check in, please. Senator Burrows and Senator Marvel are absent. The rest of them should be here. Everyone will be in their seats, please. Senator Chronister. Mr. Sergeant at Arms, if we could get everyone in their seats, please. Senator Goodrich, will you check in, please. Senator DeCamp. Senator Chambers. Do you want the roll call vote now? All right, what we're voting on is to suspend the rules so we can take LB 924 off of General File and put it on final E & R. All those that are in agreement with that will vote aye, opposed vote no. The Clerk will call the roll. Senator Koch, for what purpose do you arise?

SENATOR KOCH: Mr. Chairman, I need an explanation on what we are doing. We're going to move this bill from General File to Final and in the same process we're amending it and I don't know what the amendment is.

SENATOR CLARK: I don't either. The Clerk will call the roll.

CLERK: (Read roll call vote as found on page 1896 of the

April 13, 1982

LB 924, 255

Legislative Journal.) 20 ayes, 19 nays, Mr. President, on the motion to suspend the rules.

SENATOR CLARK: The motion lost. We will go to LB 255.

CLERK: Mr. President, Senator Warner would move to return LB 255 to Select File for a specific amendment.

SENATOR CLARK: Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, 255 as you know is the \$250 thousand for the veterans' fund and what the amendment would do is have that transfer take place April 1 rather than July 1. It is the same, does not change the dollar amount at that time. The only purpose is to again ease some of the cash flow problems through the summer. I'd point out that the earnings so far this year has amounted to \$714 thousand. Their expenditures have been \$629 thousand so it would appear that they would have ample earnings in any event but it does meet the conditions of the money being placed in that fund during this fiscal year but it gives us a little relief on the cash flow over the summer. I move the bill be returned to permit that and then the A bill will have to be amended likewise for an April 1 date for which it would take effect.

SENATOR CLARK: Senator Wagner.

SENATOR WAGNER: Mr. Speaker and members, I can appreciate the cash flow problem we're having here and I reluctantly go ahead and support this amendment but with kind of the understanding that very definitely that \$250 thousand will be put in there next year in April and also then the following in the next session come about for the other \$250 thousand and that was kind of guaranteed us this year. We split that up so as I say, reluctantly I do support the Warner amendment.

SENATOR CLARK: Senator Koch. Senator Vard Johnson. Senator Vickers, your light is on. Do you want to talk? Senator VonMinden.

SENATOR VONMINDEN: Mr. Chairman, members of the body, I'd also like to remind him, I'll go along with the amendment too but a year and a half ago we were promised a million dollars and last year we amended to a half a million dollars. This year we go to \$250 thousand and now we're asked again to delay it another eight months. I just want to remind you senators who will be around here next year that we would like it put in then. After all war does cost quite a bit of money. It costs a few lives and a few arms and a few legs and all we're asking is a few bucks. I'd like to say one