

January 6, 1982

LB 618 - 645

PRESIDENT: The Legislature will stand at Ease for about five minutes. We have a few more bills to get in and we would like to get them in at this point. So the Legislature will stand at Ease for five minutes.

EASE

PRESIDENT: The Clerk will proceed with the reading of new bills.

CLERK: Mr. President, new bills. LB 618 offered by Senator DeCamp. (Read title). LB 619 offered by Senator DeCamp. (Read title). LB 620 offered by Senator DeCamp. (Read title). LB 621 offered by Senator DeCamp. (Read title). LB 622 offered by Senator DeCamp. (Read title). LB 623 offered by Senator DeCamp. (Read title). LB 624 by Senator DeCamp. (Read title). LB 625 by Senator DeCamp. (Read title). LB 626 offered by Senator DeCamp. (Read title). LB 627 offered by Senators DeCamp and Kilgarin. (Read title). LB 628 offered by Senators DeCamp, Koch and Vickers. (Read title). LB 629 offered by Senator DeCamp. (Read title). LB 630 offered by Senator Newell. (Read title). LB 631 offered by Senators Von Minden, Hefner and Goll. (Read title). LB 632 offered by Senators Wesely, Remmers and Rumery. (Read title). LB 633 offered by Senator Clark. (Read title). LB 634 offered by Senator Newell. (Read title). LB 635 offered by Senator Kahle. (Read title). LB 636 offered by Senator Warner. (Read title). Mr. President, new bills. LB 637 offered by Senator Vickers. (Read title). LB 638 offered by Senator Koch. (Read title). LB 639 offered by Senator Wiitala. (Read title). LB 640 offered by Senator Wiitala. (Read title). LB 641 offered by Senator Wiitala. (Read title). LB 642 offered by Senator Wiitala. (Read title). LB 643 offered by Senator Wiitala. (Read title). LB 644 offered by Senator Vickers. (Read title). Mr. President, LB 645 introduced by Senator Kilgarin. (Read title). (See pages 95 through 100 of the Legislative Journal).

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The Chair recognizes Senator Wesely, Chairman of the Rules Committee, to proceed with item #10. I would respectfully remind the Legislature once again that we need to keep moving in order to remove some of the roadblocks, and if we don't they are going to be there as big as life itself. The Chair recognizes Senator Wesely.

SENATOR WESLEY: I move the adoption of permanent rules for this legislative session.

January 29, 1982

LB 183, 380, 442, 502,
510, 521, 533, 635,
- 667, 818, 858

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by Reverend Walter Walker, the Maranatha Ministries here in Lincoln.

WALTER WALKER: (Prayer offered.)

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Higgins, Carsten, Dworak, Cullan, Hoagland would like to be excused for the day; Senator Burrows until he arrives; Senator Kremer all day.

PRESIDENT: Senator Hefner, Senator Haberman, would you put on your lights and we can start business. Senator Haberman, would you do us the favor of getting us started by pushing that button? Thank you. Record the presence, Mr. Clerk.

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

PRESIDENT: A quorum being present, are there any corrections to the Journal?

CLERK: We don't have any corrections, Mr. President.

PRESIDENT: The Journal stands correct as published. Any other messages, reports or announcements?

CLERK: Mr. President, your committee on Public Health whose Chairman is Senator Cullan to whom was referred LB 183 instructs me to report the same back to the Legislature with the recommendation it be indefinitely postponed; LB 380 Indefinitely postponed; LB 442 Indefinitely postponed; LB 502 Indefinitely postponed; LB 510 Indefinitely postponed; LB 521 Indefinitely postponed; LB 533 Indefinitely postponed; LB 635 Indefinitely postponed; and LB 667 Indefinitely postponed. They are all signed by Senator Cullan as Chairman, Mr. President.

Mr. President, Senator Marsh would like to print amendments to LB 858 in the Legislative Journal.

Banking, Commerce and Insurance gives notice of public hearing for February 16 and 22nd; Public Health gives notice of public hearing for February 8, 16, 18, 22, 23.

I have an Attorney General's opinion addressed to Senator Sieck regarding LB 818.

LR 209
LB 229, 264, 309, 347, 403,
418, 423, 490, 492, 542, 563-66,
572, 600, 613, 635, 669

February 1, 1982

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain.

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call. Have you all recorded your presence? Record the presence, Mr. Clerk.

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

PRESIDENT: Quorum being present, are there any corrections to the Journal?

CLERK: Mr. President, on page 480, line 3, strike the word "approved" and insert the word "adopted".

PRESIDENT: All right, the Journal will stand as corrected. Any other messages, reports or announcements?

CLERK: Mr. President, your committee on Public Works whose Chairman is Senator Kremer to whom was referred LB 613 instructs me to report the same back to the Legislature with the recommendation it be indefinitely postponed; LB 600 indefinitely postponed; and LB 669 advanced to General File with committee amendments attached. That is signed by Senator Kremer. (See page 485 of the Legislative Journal).

Mr. President, Senator Kahle would move to place LB 635 on General File notwithstanding the action of the Public Health and Welfare Committee. That will be laid over.

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 229 and find the same correctly engrossed; 264, 309, 347, 403, 418, 423, 490, 492, 542, 563, 564, 565, 566, and 572 all correctly engrossed.

Mr. President, I have an Annual Report from the Nebraska State Board of Landscape Architects. That will be on file in my office.

Mr. President, LR 209 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LR 209.

CLERK: Mr. President, I have a report from Public Works

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LB 635, 654, 824, 829

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Prayer by the Reverend J. Dallas Gibson of the United Presbyterian Church. Reverend Gibson.

REVEREND GIBSON: (Prayer offered.)

SPEAKER MARVEL: Record your presence please. Okay, record.

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

SPEAKER MARVEL: The Clerk has some items to be read in.

CLERK: Mr. President, your committee on Banking, Commerce and Insurance whose Chairman is Senator DeCamp gives notice of confirmation hearing for Tuesday, February 9. Your committee on Judiciary gives notice of hearing for gubernatorial appointments for February 10. Committee on Banking gives notice of public hearing for Tuesday, February 16. That is offered by Senator DeCamp.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 654 and recommend that same be placed on Select File; 829 Select File with amendments, both signed by Senator Kilgarin.

Mr. President, Senator DeCamp asks unanimous consent to add his name to LB 824 as coinroducer.

SPEAKER MARVEL: No objection, so ordered. It is my privilege to introduce in the North balcony students from Omaha South High School with their teacher, Sally Fellows. Will you please hold up your hand so we can see where you are? The Senator is Karen Kilgarin. We are ready for item #4, motions.

CLERK: Mr. President, Senator Kahle pursuant to our rules moves to place LB 635 on General File notwithstanding the action of the Public Health and Welfare Committee. Senator Kahle's motion is found on page 486 of the Journal.

SPEAKER MARVEL: Senator Kahle, the Chair recognizes you.

SENATOR KAHLE: Mr. Speaker, members of this august body, we never know what is going to happen on Monday mornings and Friday afternoons so I am not sure that this is a good time to try this or not but I am attempting to bring LB 635 to the floor notwithstanding the action of the Public Health and Welfare Committee. This is the same bill that I introduced last year, last session, as LB 107 and the

Health and Welfare Committee killed that bill also. I believe the Chairman and some of the committee members at that time thought the closing of the Norfolk Regional Center was imminent and that the funding and the operation of the mental health programs should be taken over by the state. As you are aware, this did not happen. The Norfolk Regional Center is alive and still in operation with no signs of being closed at this time. I believe Chairman Cullan would still like to close Norfolk and feels that if legislation such as is in LB 635 is passed, it may hinder the efforts to accomplish this goal. I do not condemn Senator Cullan if this is the way he feels but I don't feel it is right for a committee vote of only four members of this 47 member body, and this is a seven member committee, to stop or cripple the progress of the mental health program in Nebraska. I also feel this is the only way to bring out the bill to the full Legislature that we will have a chance to discuss this issue and at least be made aware of the problems across the state. I believe the quickest and best way to do this is to read to you the statement of intent that was prepared by me and read as the bill was presented to the Public Health and Welfare Committee. I hope you will open your bill books to LB 635 and try to follow along with what the bill says along with what I say is in it. The bill retains the basic principles of seventy-five percent state funding and twenty-five percent local funding of the mental health regions. It allows fees, third-party payments and private donations to be considered part of the local share in addition to tax revenues. Under this legislation, those sources could constitute up to sixty percent of the local share with county and local taxes making up the remainder. I am proposing this legislation because I am very concerned that in the future the counties might not be able to meet their twenty-five percent obligation as it is currently defined. As it now stands, any future increases in state funding will thrust upon the counties an obligation that can only be met with tax revenues that could prove difficult or impossible given the seven percent lid they are operating under. Allowing the counties to consider fees, third-party payments and private donations as part of their twenty-five percent share is reasonable and consistent with similar funding statutes concerning, and get this, concerning alcoholism programs found in 71-5027 1980 Cumulative Supplement. I believe one of the keys to this approach is that private funds could also be used for this match. I believe that we are going to have to learn to help ourselves more, especially as federal funds dry up. This bill would allow private funds to make up part of the match money along with the fees that are collected by the agencies. If you will look at line 23, page 2, you will see that no county could reduce the funds it is now providing for this purpose and I can't stress that enough. It is

certainly not going to reduce the amount of money the counties are now paying. I realize that in the past not all counties participated. When this mental health program was started, a lot of federal grant money was available and counties received the service, whether they paid anything in or not. This was mandatory under the federal program. In other words if the county didn't see fit to contribute, they didn't have to. As the service progressed, more and more counties participated, especially as the governing boards were made up of county officials. In Area 3, our area, all counties participated. I would now like to call your attention to the testimony of Dr. Ralph Michener, Director of the Department of Institutions, and I believe each of you have one of these reports on your desk that was just handed out, and I will only read the third paragraph. "The regions and the amount of state funds that they did not match are shown in the Table which follows: The outlying map which is attached to my written testimony shows the makeup of each region. The nonmatching regions are Region II, the West Central Nebraska centering around North Platte; Region III, Mid-Nebraska centering around Kearney and Grand Island; and there is a mistake here, Region V, which is the Southeast, and I believe it says VI on Senator Michener's report, is in Southeast Nebraska centering around Lincoln." If it is not supported, the total load will be back on the regional centers. Now if we do not keep our health centers going in outstate Nebraska and all around, the load will be back on the regional centers at a much greater cost and we will be right back where we were perhaps about twenty years ago and we will have a vast decrease in services to those who need it, and if we wait too long to face the problem and the program is put out of existence from lack of funding, we will wake up to find our professional people gone, our centers closed, and what a shame that would be. So please help me bring out 635 to the floor of the Legislature. Even if you have doubts in your mind at this time, vote to bring it out before us and have a good look at the problem. Remember, this bill does not call for more funding from the state. I think in view of the federal programs more state money will eventually be needed but this bill does not in any way address this. And in closing I would like to read to you a letter I received from a constituent. "I recently discovered that I have a disability which won't enable me to continue in the career which I have chosen. The mental stress of all the pain and confusion is almost more than I can handle. To make a long story short, I finally set up some appointments for therapy at South Central Community Mental Health Center in Holdrege, Nebraska and in just a few sessions I feel more optimistic about my future. If I could not have gone to this center, I would probably have

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had to drive to Kearney or Hastings, at least, and that isn't always easy to do when you have a crippled right arm and you drive a manual transmission. I feel these places are very important to the well-being of rural Nebraskans. Please tell the voters on the committee to support LB 635." And with that, that is all I am going to say at this time. Thank you.

SPEAKER MARVEL: The Chair recognizes Senator Cullan.

SENATOR CULLAN: Mr. President, members of the Legislature, I rise to oppose Senator Kahle's motion to raise LB 635 from the Public Health and Welfare Committee to the floor of the Legislature. After a public hearing on this issue and after spending a good deal of time in the mental health... looking at the mental health structure in the State of Nebraska, both in this interim and the previous interims, the Public Health and Welfare Committee voted to indefinitely postpone LB 635. I think they did so for very good reasons after giving the matter much thought and consideration and having a good familiarity with the mental health system in the State of Nebraska, and I think it would be unwise of us to ignore the actions of the Health and Welfare Committee and bring this bill to the floor of the Legislature. I would like to visit a little bit about LB 635 and indicate to you a few of the many reasons that we have concerns about this bill. One of the concerns has to do with the precedent that we are setting in the way that we deal with federal funds. As many of you know there were in the past a great deal of federal funds involved in the mental health system. Many of the funds were specifically designed to get programs operating and running and then turn the funding and operation of those programs over to state and local governments. In the case of the mental health regions most of the regions had eight year grants. They were declining grants. The regions knew when these grants were awarded that the funds would be eliminated in eight years, that they were going to be phased out and completely eliminated after an eight year period of time. Some of the regions planned for the lapse or loss of federal funding very well by increasing local support for the mental health services in their regions as time went on. And I think that what we are doing with this particular bill is to tell those regions which did not plan for the loss of federal funds that that is okay, the State of Nebraska will set up a mechanism to take care of that, and I don't think that that is a good concept. I'd like you to look at a handout which I distributed to you earlier which is a sheet prepared by the Department of Institutions which is titled Local Tax Funds For Community Mental Health Regions. I circled on

that sheet two numbers, under Per Capita Local Tax Funds for Community Mental Health Regions. What that shows is the per capita local tax contributions for mental health in each of the regions. If you look at that you will see that the amount of contributions that each citizen makes towards mental health varies dramatically across the State of Nebraska. In Region I it is \$1.49 per capita. In Region III it is 74¢ per capita. In Region IV it is 72¢ per capita, about half of what it is in Region I. Well, what we are doing with Senator Kahle's bill by requiring a maintenance of effort clause is in effect to freeze those tax contributions at those levels. What Senator Kahle is asking us to do is to freeze an inequity in state law, to force people in some regions to pay twice as much for mental health services as they do in other regions and yet allow these individuals who do not want to raise this tax money to obtain more state funds. I don't think that is a good concept. I think if they want state funds they ought to make local tax contributions for those state funds and we should not be taxing residents in western Nebraska at \$1.49 per citizen and in other parts of the state at less than half of that. I think that is not a fair system and I am concerned about the maintenance of effort clause and locking in these inequities into state law. The other point I would raise is about the match. Now let's talk about the match and, Senator, in Region III which I believe is in Senator Kahle's area, in that area last year \$55,000 was left unmatched. This is a twenty-two county area. The match is 75-25. Now I have calculated that those twenty-two counties would have collectively had to raise about...between fifteen and twenty thousand dollars something. Now I don't think it is a big burden to ask twenty-two counties who want to maintain or improve mental health services to raise fifteen to twenty thousand dollars. I don't think that is unreasonable so I guess I would object to setting up this structure at this time. The last point I would like to make is that there are many problems in the current structure and delivery of mental health services in the State of Nebraska.

SPEAKER MARVEL: You have thirty seconds.

SENATOR CULLAN: LB 415 is one attempt to take a look at how to straighten out some of those problems but the Health and Welfare Committee has decided to lay that bill over until next year so that we can take another more careful look at how to deal with problems in this area. I don't think LB 635 solves anything. It simply allows a region of the state that hasn't been meeting...making a significant contribution to mental health to find another way to obtain

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state funds. I think if they want state funds they ought to make the commitment with tax dollars that every other region in the state makes. I don't think we ought to perpetuate a situation where one region of the state can contribute less than half of the per capita tax dollars for the support of this program than other parts of the state. I urge you not to raise LB 635 from committee. It was killed for good reasons. It should stay dead for good reasons.

SPEAKER MARVEL: The Chair recognizes Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I have a question for Senator Cullan, if he will respond.

SPEAKER MARVEL: Senator Cullan, do you yield?

SENATOR CULLAN: Yes, I will.

SENATOR HEFNER: Senator Cullan, how come there is so much difference in the cost per client in these various regions, like I see for...and I think you mentioned it, too...in Region I that for fiscal year 81-82 it would be \$1.49 and for Region III it would be 74¢, is that right, and Region IV 72¢?

SENATOR CULLAN: Senator Hefner, that is a good question. That is not actually cost per client. What that is is the amount of per capita local tax dollars which goes to support the regions, and you can see as you point out very clearly, it is more than twice, the taxpayers in western Nebraska contribute more than twice as much to the support of the mental health regions as they do in other parts of the state. And what Senator Kahle is attempting to do is freeze that by a maintenance of effort clause that is a part of LB 635.

SENATOR HEFNER: Okay, and then one more question, Senator Cullan, how much do you anticipate the fiscal impact to the state will be raised over the next several fiscal years?

SENATOR CULLAN: Well, LB 635 does not itself have a fiscal impact. The amount of money that the state appropriates to the mental health program is a function of the appropriations process but this would allow those regions that have not made a significant tax contribution in this area to obtain larger portions of funding. So if the people in western Nebraska, for example, who have been wanting to support mental health to the tune of \$1.49 a citizen, want to continue that same level of service, they are going to have to increase their taxes even more because some of those

funds are going to be shifted to the regions which have not been providing significant tax contributions. Incidentally, one of the reasons Region IV is so low is that they have not participated extensively in federal funding compared to other regions.

SENATOR HEFNER: Okay, thank you.

SPEAKER MARVEL: The Chair recognizes Senator Fowler.

SENATOR FOWLER: Mr. President, I would support Senator Kahle's effort to bring this bill to the floor. I think it is a series of legislation that we are going to have to be addressing this session with regards to the relationship of the state to these local regional programs and the funding relationship, and the reason we have to address it this year is that many of the premises upon which that was based, that is a certain amount of federal support, is now gone. If we are going to maintain the type of community programs, the community mental health, the community mental retardation, the community alcoholism programs in a successful manner in some way or another, we are going to have to address these funding questions. Perhaps Senator Kahle's, the bill he is dealing with does not solve all problems and may have some objections in certain parts but that is not a reason not to at least try and bring the bill before us for discussion. It would have been helpful, perhaps, if the committee would have been able to work out any of those small problems and brought the bill to us, but in any case, the community mental health program, I know that in the region in which I live, that there are major problems ahead for support and a very definite fear of reinstitutionalization of people who normally could have gotten mental health services in the community. The cost to the state will be far greater if we have to institutionalize people rather than provide community support. I think Senator Kahle is bringing before us an issue that must be addressed as part of this whole new federalism concept that we are supposed to be dealing with. So I certainly would support his effort.

SPEAKER MARVEL: Senator Vard Johnson.

SENATOR VARD JOHNSON: Mr. Speaker, members of the body, I rise in opposition to raising this bill from the Public Health and Welfare Committee. I make the objection for two reasons, the first reason is that I think that our bringing to the floor at this time a bill that basically is designed to deal with the federal cutbacks in funds is premature. As you and I well know, there are many federal cutbacks in funds occurring now. We have not yet seen all

the cutbacks take place and we have not yet fully worked out a mechanism for the orderly processing of various requests by public organizations as well as private organizations who do want us to provide some relief from the federal cutbacks, and it seems to me that if we tackle this on a piecemeal basis that we act unwisely and prematurely. Now it may well be in the last analysis that what Senator Kahle is attempting is a wise measure, though for reasons I am going to enunciate, I don't think that it is but I think it would be unwise at this time for us to take this one measure, to discuss it, and to use it to deal with one federal cutback problem. I think we need to put into place the mechanism to deal with the totality of federal losses. Now I don't think this particular measure is a terribly wise measure. The reason I don't think it is a wise measure is because of what it does to the state in relationship to what is truly a local function. The community mental health boards are mental health boards appointed by county commissioners pursuant to interlocal governmental agreements. Counties enter into interlocal governmental agreements and they establish the relationship of county to county and they also appoint those mental health boards. Under this particular measure the State of Nebraska will be picking up a greater and greater and greater share of the cost of funding what truly is a local mental health effort. While I am totally in sympathy with local mental health efforts, it strikes me that if we allow local control but have a substantial majority of the funds coming from the state that we, in effect, have improperly delegated too much control over what are state funds. Now the current state mix does not...the current state mix still funds the bulk of the local mental health effort, but under this particular measure, such a large chunk of the local mental health effort will be funded by the state, it really does begin to raise a serious question as to whether we should continue to allow local control and local authority over the community health effort. So I think it would be unwise for us to raise the bill. It is unwise because this is too early a look at a federal bailout. It is also unwise because I do think we begin to askew the balance of local control in relationship to what would be state funds.

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: Mr. President, I would rise to oppose raising the bill at this time as well, generally for the reasons that others have given, but in addition, I think we need to be looking at and there is legislation pending, perhaps more than one bill, which will deal with at least

three areas in which local county match is required, mental health, mental retardation, as well as alcohol and drug programs, and I think that to deal with those separately is probably not the best way to go, that the three of them need to be considered somewhat concurrently for any significant changes that might be made whether it be for reasons of more adequate programs or federal fund change or for that matter future impact on the state general fund. So I think it would be wise not to raise the bill at this time.

SPEAKER MARVEL: The Chair recognizes Senator Kahle for closing.

SENATOR KAHLE: Mr. Speaker and members, I am kind of surprised at some of the comments that are made because we certainly didn't bring this bill in because of the new federalism. It is the same bill that was introduced last year before we even knew who our next president was going to be. This has been a problem we have had for considerable time and I think we are being foolish if we don't allow donations, fees...I might say a little bit about fees. When we started this program, and first I might tell you that I guess I have a great amount of experience in this field because I was in county government when these programs were all started and served not only on the citizens committee in my own area but the southcentral part of our third area and also served for a number of years at the state level as an advisory committee member of the State Department of Institutions. This certainly is not going to change or lower the part that counties are now paying. That is right in the bill. It is stated very clearly, they cannot lower what they are paying, and most of them realize they are going to have to raise it, especially if they are going to have to match any kind of funds. So, and I guess I am real disappointed in what Senator Cullan says because the Scottsbluff area, western panhandle of Nebraska, had the very best mental health program there was outside of Omaha and Lincoln and I think still does. They started early. We went out there to see what theirs was operated like when we started ours and I am sure we have never reached the level that they have in that area and that is the reason perhaps that some of the fees are low or the amount per capita is low that some of the counties are collecting because we do not have that service. We do not have the service at that level. We are still working on it. And I could talk on and on and on about this because I have a real keen interest myself and I know that this is going to be a tough issue to get passed in this Legislature in this particular year but we are going to face up to it sooner or later, and if you want to cripple the mental health

programs that we have outstate and have them come home to roost in the regional centers is exactly what is going to happen, then you are going to pay for all of it at state level and it is going to be a much bigger bill than we have today. So I think we are being penny wise and pound foolish if we do not help these areas establish some sort of a system with the state and with the counties that is reasonable. With the counties seven percent lid, they are just not going to be able to fund them without help and you know that and I know that. So I guess it is a matter of what we want to do. If we could help these counties in these mental health areas stay in operation until we find out what the federalism program will do, we certainly would be helping ourselves. I am kind of surprised at Senator Johnson because he usually is in favor of all kinds of programs that help those less fortunate than we are and this is exactly what we are doing out in our counties, and the counties I think are trying very hard to maintain the mental health centers that we have and it is just going to be an impossible task unless we can give them some kind of help so the fees can be counted and that other money, donations, whatever it might be, fee money, can help them survive. So with that, I hope that we can see thirty green lights up there. I would ask the Speaker, well, go ahead and see what happens but I imagine we will have to have a Call of the House. With that I close and plead with you, you are not raising the taxes to the state with this bill. You are not exempting counties from paying what they are now paying. Thank you.

SPEAKER MARVEL: Senator Kahle was closing on LB 635 which places on General File the bill notwithstanding the action of the committee. This requires 30 votes. All those in favor of Senator Kahle's motion vote aye, opposed vote no. Senator Kahle, there are three excused.

SENATOR KAHLE: Mr. Chairman, rather than fool around here and wait, there are nineteen that haven't voted, I move for a Call of the House and a roll call vote. Let's get this settled and over with.

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

CLERK: 23 ayes, 0 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators please return to your seats, record your presence. Unauthorized personnel, please leave the floor. Senator Cope, will

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you please record your presence? Senator Von Minden, will
you please record your presence? Senator Haberman, will
you please record your presence? Senator Higgins, will
you please record your presence? Now the Clerk will read
some items in.

CLERK: Mr. President, while we are waiting, your committee
on Revenue gives notice of hearing in Room 1520 for
February 16, 17, 22, 23, and 24.

Your committee on Public Works whose Chairman is Senator
Kremer reports 644 to General File; 739 General File;
742 General File; 852 General File with amendments.

SPEAKER MARVEL: Senator Kahle, we are down to Senator
Beutler and he is on his way. Do you want to start the
roll call? If you will check with item #4 on the agenda,
you will find the motion. It has to do with LB 635.
Call the roll.

CLERK: (Roll call vote taken. See pages 583 and 584,
Legislative Journal.) 20 ayes, 24 nays, Mr. President.

SPEAKER MARVEL: The Call has been raised. Motion lost.

SENATOR CLARK PRESIDING

SENATOR CLARK: We are ready for item #5, General File,
LB 623.

CLERK: Mr. President, LB 623 (read title). The bill was
read on January 6th of the year, referred to the Banking
Committee for public hearing. The bill was advanced to
General File, Mr. President, with committee amendments
attached. I believe you will find the committee amendments
in your bill books. It is request #2565. The Legislature
considered the bill, Mr. President, on February 4 of this
year. At that time Senator Kilgarin had an amendment pending
to the committee amendments. Senator Kilgarin's amendment
is on page 559 and 560 of the Legislative Journal.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I yield to Senator DeCamp.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature,
over the weekend, I tried to get together everybody who
in any way remotely is affected by the legislation including,