

March 19, 1982

LR 258

LB 892 , 743, 626, 652,
522A, 970A

PRESIDENT: Senator Higgins, did you wish to discuss the motion to advance?

SENATOR HIGGINS: Mr. President, I want to ask Senator Haberman a question.

PRESIDENT: Senator Haberman, will you respond?

SENATOR HABERMAN: Yes.

SENATOR HIGGINS: Senator Haberman, who made the mistake?

SENATOR HABERMAN: This is an old, old law that made the mistake. I'd say to get this over with I made it.

SENATOR HIGGINS: All right, do you apologize?

SENATOR HABERMAN: I apologize.

PRESIDENT: Okay, anything further? The motion is the advancement of 892 to E & R Engrossment. All those in favor signify by saying aye, opposed nay. LB 892 is advanced to E & R for Engrossment. Now, anything to read in, Mr. Clerk.

CLERK: Mr. President, Senator Labedz would like to print amendments to LB 743.

New A bill, 522A by Senator Johnson and Cullan. (Read title of bill.)

970 A by Senator Warner. (Read title of bill.)

New Resolution offered by Senators Cullan, Wesely and Rumery. (Read LR 258.)

PRESIDENT: All right, anything further?

CLERK: Mr. President, Senator DeCamp, or V. Johnson would like to print amendments to 626 and Senator DeCamp to 652.

PRESIDENT: Anything further? Senator Lamb, do you wish to adjourn us until Monday?

SENATOR LAMB: Mr. President, I move we adjourn until Monday at 9:30 a.m.

PRESIDENT: Motion to adjourn until Monday, at 9:30 a.m. All those in favor signify by saying aye, opposed nay. We are adjourned until Monday at 9:30 a.m.

Edited by

L M Benischek

L. M. Benischek

9266

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LB 970, 970A

SENATOR WARNER: Yes. Someone indicated the credit report showed a lot of people in opposition and that happened to be to the amendment that we had printed in the Journal dealing primarily with the way of keeping local property taxes down by sharing the equity of the state employees salary with all public employees and that is no longer a part of the bill.

SENATOR KAHLE: Okay, I assume that is your closing, Senator Warner. So we are voting on LB 970. Those in favor vote aye, those opposed vote no. Record the vote.

CLERK: 31 ayes, 1 nay, Mr. President, on the motion to advance LB 970.

SENATOR KAHLE: The bill is advanced. Inadvertently 970A was left off of the agenda. Senator Lamb has asked that we go ahead and deal with LB 970A, if there are no objections? And, Senator Warner, seeing no objections, we will proceed with 970A. Do you have any comment?

SENATOR WARNER: Mr. President, I move the A bill be advanced. As I indicated earlier we did go back and adjust the general budget bill appropriations in order to free up this amount of money, that the A bill should be utilized so that the appropriate amount per agency is distributed which the A bill does. So I would move its advancement.

SENATOR KAHLE: Senator Wesely, do you wish to speak on this issue?

SENATOR WESELY: Yes. I apologize but, Mr. President, members of the Legislature, I didn't have a chance to follow the discussion of Senator Warner. I think this is a very important issue and I would like to ask Senator Warner again to please explain what steps we are taking at this time with LB 970 as opposed to what the Governor proposed, and as I understand it, we are picking up some of the costs that the Governor would have had the state employees pay for, is that correct?

SENATOR WARNER: No. There was some misunderstanding originally that the Governor had proposed for the state employees to pick up all of the increased cost in health insurance which is not what he proposed. The state will pick up the cost, the increased cost for health insurance just as we currently are for the minimum...the low option which is what the state currently fully pays. Now if the employee wants broader coverage than the low option, why they would pay that as they always have. I think what

the Governor said the day he was in here that the agencies could absorb this cost and some mistook that to assume that the employees were to assume the cost which was not his position. It was that the agency ought to do it. Well, we went in and adjusted agency total appropriations to free up the \$1.2 million General Fund and then the A bill needs to be passed because then we reallocate that money back to agencies in proportion to the number of employees and the actual cost of the increase in health insurance so it is done correctly. Had we just allowed each agency to absorb the cost without an A bill some agencies probably could do it easier than others and agencies that have a high number of employees in relation to total budget could have a difficult time and an agency that had a lot of operating money but not very many people could perhaps easily have done it. So to get equity, the A bill needs to be passed but there is no increase...we reduced the total budget in order to allow for the money so it can be done.

SENATOR WESELY: So what we are talking about is the policy of the committee and the Governor, evidently, that the increase in health insurance premiums that the state is going to have to be paying will be shared as the same proportion would be now except for the increase by that state employee and the state itself, is that correct? There is no shift then in that?

SENATOR WARNER: There is no shift from what is currently done and the state pays the low option as they always have.

SENATOR WESELY: And isn't there about a 25% increase. I saw the risk manager's...

SENATOR WARNER: 26.3, I believe.

SENATOR WESELY: Thank you. I guess that is a very fair approach by the committee. I hadn't realized that was the action this bill had. I think I would like to make one point, once again as when we discussed the medicaid question from the committee, the state can take so many steps to try and keep our cost down but the bottom line is this, health care costs are out of control. 26% increase in premiums we are paying for state employee health coverage indicates once again that we have a serious problem in the state with health care costs. We are paying for it through higher taxes. This is one example. We are paying for it through higher premiums. This is an example. We are paying for it through higher bills that we pay out of pocket at the hospitals and nursing homes we need to use. So it is clear in my mind that

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LB 970A

this should be taken again as another example of health care cost problems in the State of Nebraska. You should be shocked, I think, to see a 26% increase in premiums the state has to pay for coverage of our state employees, that is in a low benefit package. I think it is only fair that we share that cost proportionately with what the state employees have to pay and I know they are unhappy about that but I think everybody is unhappy about what health care costs have become. We have to do something about it.

SENATOR KAHLE: There are no other lights on. Senator Warner, do you wish to close?

SENATOR WARNER: I move the bill be advanced, Mr. President.

SENATOR KAHLE: The motion before us is the passage of LB 970. Those in favor vote aye, those opposed no. I am sorry, we are voting on 960...970 is correct, 970A is correct. Record the vote.

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

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LB 522A, 605, 714, 753,
754, 760, 761, 942,
966, 967, 970, 970A

SENATOR CLARK PRESIDING

SENATOR CLARK: The Legislature will come to order. The prayer this morning by Father Edmund Placek of the Sacred Heart Catholic Church, Burwell.

FATHER PLACEK: (Prayer offered.)

SENATOR CLARK: The state officers of the Knights of Columbus are here for the occasion of the centennial of the Knights of Columbus. I think they are going to see the Governor and have him declare it that. We also have three visitors from Australia. They are under the South balcony. David McConnell, Helen McConnell, and Marilyn Handley. Would you stand and be recognized please. Senator Lamb has 7 students from Newport, Nebraska grade school, Pam Peterson, the teacher, and they are in the North balcony. Would you stand and be recognized please? Welcome to the Legislature, all of you. Roll call. Could we all check in, please. We have the Benson Republican Women's Club in the North balcony. Would you stand and be recognized please? Welcome to you to the Legislature. The Clerk will record.

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

SENATOR CLARK: Are there any corrections to the Journal?

CLERK: I have no corrections, Mr. President.

SENATOR CLARK: Do you have any messages, reports, or announcements?

CLERK: Yes, sir, I do, a series of things. Mr. President, your committee on Enrollment and Review respectfully reports they have examined and reviewed LB 754 and recommend that same be placed on Select File; 522A Select File; LB 942 Select File with amendments; LB 966 Select File with amendments; LB 970 Select File; LB 970A Select File with amendments; LB 761 Select File with amendments; LB 967 Select File; LB 760 Select File; LB 753 Select File. Those are all signed by Senator Kilgarin as Chair, Mr. President.

Mr. President, your committee on Public Health and Welfare offers a report on gubernatorial confirmation hearing.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 605 and find the same correctly engrossed; and LB 714 correctly engrossed.

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LB 966, 970, 970A

that to a dollar but private ingenuity being what it is, apparently there is some company in the country which goes around and buys these tapes from the state and then turns around and sells the same information back to insurance companies that would cost less than what the state charges because it is in part a revenue measure. So what the amendment does, where these requests are made, the statutory authorization for the request require that a person requesting driver information shall furnish to the Department the name and date of birth of the person whose record is being requested, which is in fact, the way the insurance companies would acquire such a driver's record but by putting it in that motion that would prevent one of these companies coming in from out of state and buying a whole tape and then under-selling the state. So I would move adoption of both amendments.

SENATOR NICHOL: We are now voting on the second Warner amendment, both parts. All those in favor vote aye, opposed nay.

CLERK: Senator Nichol voting yes.

SENATOR NICHOL: Please vote. Record, please.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the Appropriations Committee amendment.

SENATOR NICHOL: The second Warner amendment is adopted. Do you have anything else on the bill?

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

SENATOR NICHOL: Senator Warner, did you wish to close on the bill? No closing, alright. All those in favor of advancing the bill please say aye, opposed nay. The bill is advanced. We will proceed to LB 970, Mr. Clerk.

CLERK: Mr. President, I have nothing on LB 970.

SENATOR NICHOL: Senator Warner, did you wish to speak on LB 970? The question is shall LB 970 be advanced. All those in favor say aye, opposed nay. The bill is advanced. We will move on to LB 970A.

CLERK: Mr. President, there are E & F amendments to LB 970A.

SENATOR NICHOL: Senator Warner. We are voting on the E & R amendments to LB 970A. All those in favor say aye, opposed nay. The amendments are adopted.

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

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LB 970A, 761

SENATOR NICHOL: Senator Warner, did you wish to speak to the bill?

SENATOR WARNER: Move to advance it.

SENATOR NICHOL: We are voting on the advancement of 970A. All those in favor signify by saying aye, opposed nay. It is advanced. We will move on to LB 761.

CLERK: Mr. President, 761, the first item is E & R amendments.

SENATOR NICHOL: Senator Warner.

SENATOR WARNER: Move adoption of the E & R amendments.

SENATOR NICHOL: The question is shall the E & R amendments be adopted. All those in favor signify by saying aye, opposed nay. The E & R amendments are adopted.

CLERK: The first amendments, Mr. President, I have is by Senator Fowler. It is found on page 1225 of the Legislative Journal.

SENATOR NICHOL: Senator Fowler.

SENATOR FOWLER: I think I'm withdrawing that one.

SENATOR NICHOL: Are there any objections. . .

SENATOR FOWLER: Is that the one that was on General File that. . .yes, pull it off.

SENATOR NICHOL: Any objection? The amendment is withdrawn.

CLERK: Mr. President, the next amendment I have is from Senator Hefner. I understand you want to withdraw that one Senator? It is the one he had printed in the Journal on 1452.

SENATOR HEFNER: I will introduce another amendment a little later on.

SENATOR NICHOL: Any objection? The amendment is withdrawn.

CLERK: Mr. President, the next amendment I have is offered by Senator Koch. That is on page 1459 of the Journal.

SENATOR NICHOL: Senator Koch.

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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

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LB 970, 970A, 531

SENATOR CLARK: Have you all voted? I will wait for you, Davy. Record the vote.

ASSISTANT CLERK: (Read record vote found on page 1818 and 1819, Legislative Journal.) The vote is 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read LB 970 with the emergency clause.

ASSISTANT CLERK: (Read LB 970 on Final Reading.)

SENATOR CLARK: All provisions of law relative to procedure having been complied with, the question is, shall the bill pass with the emergency clause attached? All those in favor vote aye, opposed vote nay.

ASSISTANT CLERK: Senator Clark voting yes.

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

ASSISTANT CLERK: (Record vote read. See pages 1819 and 1820, Legislative Journal.) The vote is 48 ayes, 0 nays, 1 excused and not voting, Mr. President.

SENATOR CLARK: LB 970 with the emergency clause is declared passed. The Clerk will now read 970A, the appropriation, with the emergency clause.

ASSISTANT CLERK: (Read LB 970A on Final Reading.) (Recorder turned off during reading.)

SENATOR CLARK: All provisions of law according to procedure having been complied with, the question is, shall the bill pass with the emergency clause attached? All those in favor vote aye, opposed vote nay. Have you all voted on the final passage of 970A? Record the vote. I voted yes.

CLERK: (Record vote read. See page 1820, Legislative Journal.) 47 ayes, 0 nays, 1 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: 970A is declared passed with the emergency clause. We will now go to item #5. I am sorry, we still have LB 531, constitutional amendment.

CLERK: (Read LB 531 on Final Reading.)

SENATOR CLARK: All provisions of law relative to procedure

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LB 531, 212-212A, 520, 754
761, 807, 942, 970-970A

having been complied with, the question is, shall the bill pass? It takes 30 votes. All those in favor vote aye, opposed nay.

CLERK: Senator Clark voting no.

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

CLERK: (Record vote read. See page 1822, Legislative Journal.) 36 ayes, 11 nays, 1 present and not voting, 1 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading. We will now go to item #5.

CLERK: Mr. President, a few items to read in. The bills that were read on Final Reading this morning are now ready for your signature, Mr. President.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 531, 970A, 970, 942, 807, 754, and 761.

CLERK: Mr. President, I have an explanation of vote offered by Senator Higgins.

And Senator Cullan would like to print amendments to LB 212 and 212A. (See page 1823, Legislative Journal.)

PRESIDENT: Okay, anything else, Mr. Clerk?

CLERK: Nothing further, Mr. President.

PRESIDENT: We are ready then for as Senator Clark said agenda item #5, Select File, and I believe we start with LB 759, is that correct, Mr. Clerk? 520, is it? Okay, we will take up 520.

CLERK: Mr. President, LB 520 was considered yesterday by the Legislature. At that time the E & R amendments were adopted. Senator Howard Peterson then made a motion to indefinitely postpone the bill. That is presently before us, Mr. President.

PRESIDENT: The Chair recognizes Senator Peterson.

SENATOR HOWARD PETERSON: Mr. Chairman, last evening I handed out to this body a number of letters from a number

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LB 761, 754, 807, 970,
970A, 531, 480, 591,
629, 629A

CLERK: Mr. President, your Enrolling Clerk has presented to the Governor the bills that were read on Final Reading this morning (LBs 761, 754, 807, 970, 970A and 531).

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 480 and find the same correctly engrossed, 591 correctly engrossed, 629 and 629A all correctly engrossed.

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LB 602, 602A, 520, 759,
799, 799A, 868, 605,
755, 756, 807, 970, 970A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by Senator Kremer.

SENATOR KREMER: Prayer offered.

PRESIDENT: Thank you, Senator Kremer. Roll call. While we're waiting for everyone to check in showing their presence, the Chair would like to announce that Senator Lamb has announced that on agenda item #6 there will be a fifteen minute limit on the motions today, fifteen minute limit on agenda #6. And Senator Lamb also wished me to announce that his plan calls for a recess from six to seven o'clock. Senator Sieck, would you do us the honor of allowing us to get started. If you would just push that little button why we can get started. 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: (Read Journal corrections as found on page 1844 of the Legislative Journal.)

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

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 868 and find the same correctly engrossed; 799, 799A correctly engrossed; 602, 602A correctly engrossed; and LB 520 and 759 all correctly engrossed. Those are signed by Senator Kilgarin as Chair.

Mr. President, I have a couple of letters from the Governor addressed to the Clerk. (Read messages from the Governor Re: LB 605, 755, 756, 807, 970 and 970A. See page 1847 of the Legislative Journal.)

Mr. President, I have a unanimous consent request from Senator Vickers to add his name to LR 275 as cointroducer.

PRESIDENT: Any objection? If not, so ordered.

CLERK: I have nothing further on the desk at this time, Mr. President.

PRESIDENT: The Sergeant at Arms would then clear the Chamber for Final Reading and see that all members are at their desks,