

March 9, 1976

has been debated. I don't know that there are any pending amendments to it and it should be moved on. So I move that the bill be unbracketed and advanced.

PRESIDENT: Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, I oppose the motion to unbracket LB 809. I believe that 703 deserves to be heard and to be heard right along with 809. I think it is very important. The bill was up, was scheduled to be heard on last Wednesday, and as a result of the fact that there were some problems with the bill, with the amendments, the Committee amendments, and the reprinting and Senator Cavanaugh's request, I believe, so that it would be more expeditious for the membership, that the bill was not heard. Now at this time, we find ourselves in the position of delay and delay and delay in this instance. The bill is an important bill. It is a vital part of our problem here in the state and I think it is important that we hear the bill and I do not want any illusions, granted, that if we pass LB 809 that we do not need 703. Now there are some conflicting statements in this area but I think that if we are honest with ourselves that we must recognize, as Senator Cavanaugh pointed out yesterday, that the two bills are very separate and distinct, that we do need LB 703 and I think it is imperative upon us to perform our responsibility here and carry out some of these duties and get to some of these bills that the public is waiting for us to act upon and I think it might be a little bit more persuasive if LB 809 is bracketed and, therefore, I would very vigorously oppose to unbracket. I do not want to impede that bill. I supported that bill. I intend to continue to support it but I do not want LB 703 sidetracked by virtue of LB 809 having become law and I would oppose the motion to unbracket.

PRESIDENT: Senator Murphy.

SENATOR MURPHY: I would have to support Senator Schmit in his opposition to this bill and I would remind this body that we spent a half a day deciding how these bills would be heard and it was agreed by an actual vote of this body that one Committee would hear all of the malpractice bills, be they insurance, health or whatever. However, at the request of Senator Cavanaugh, a member of the Executive and Reference Committee, one bill got shuffled off into another Committee just in case. Now the chicken has come home to roost, and instead of having this total consideration in one Committee, as this body specifically voted for, we have a split and now he would like to run with one while we wait for the other. I think Senator Schmit's argument is totally justified. This body should consider all facets of this malpractice issue at one time with the whole matter before this body. It would be unwarranted to advance one leg of this thing and let the others stand