

February 3, 1989

LB 153, 154, 209, 338A, 378A, 412A, 440
441, 459

Committee, on this bill and I certainly appreciate the support of Senator Schmit and Senator Schellpeper as co-sponsors of the bill. Again, we are simply clarifying the definition of gross receipts under these statutes and specifically stating that access charges shall not be subject to a sales tax. With that, Mr. Speaker and members, I would move the advancement of LB 209.

SPEAKER BARRETT: Thank you. You've heard the closing and the question is the advancement of LB 209 to E & R. All in favor vote aye, opposed nay. Record, please.

CLERK: 35 ayes, 0 nays, Mr. President, on the advancement of 209.

SPEAKER BARRETT: LB 209 is advanced. For the record, Mr. Clerk.

CLERK: Mr. President, your Committee on General Affairs, whose Chair is Senator Smith, to whom was referred LB 440, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 154 General File with amendments; LB 441 General File with amendments and LB 153 indefinitely postponed, those signed by Senator Smith as Chair of the committee. (See pages 589-90 of the Legislative Journal.)

I have gubernatorial appointments referring an individual to the Parole Board and to the Game and Parks Commission. That will be referred to Reference Committee.

New A bills, Mr. President. (Read LB 338A, LB 378A and LB 412A by title for the first time. See page 590 of the Legislative Journal.) And that is all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The next bill, LB 459.

CLERK: 459, Mr. President, was offered by the Revenue Committee and signed by its members. (Title read.) The bill was introduced on January 13, referred to Revenue, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Thank you. To the Chairman of the Revenue Committee, Senator Hall.

SENATOR HALL: Thank you, Mr. President, members. This, Senator

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LB 285A, 338A

(Read title.)

SPEAKER BARRETT: Senator Lamb.

SENATOR LAMB: Mr. President and members, you may remember this bill, LB 285, was advanced the other day without opposition. It's a bill that has to do with complying with the federal mandates in regard to licensing of truck drivers. And you will remember in the explanation that we did our best to keep the costs as low as possible, yet to comply with the federal mandate. As a result of our negotiations, under the terms of the bill the cost of a driver's license for these selected truck drivers would increase from the present \$10.00 to \$20.00 each four years and those provisions have been accepted by the industry. So this bill reflects the federal funds that will be coming as a result of this program which you can see the first year is \$336,580. Those are federal funds; \$78,000 from state funds. That's the additional \$10.00 per licensee, the estimate of the amount that will come, plus another \$3,000 from the self-inspection system. The subsequent years the state involvement is somewhat similar and I would ask that the A bill be advanced.

SPEAKER BARRETT: Any discussion? If not, those in favor of the advancement of the bill, please vote aye, opposed nay. Record, please.

CLERK: 28 ayes, 0 nays, Mr. President, on the advancement of 285A.

SPEAKER BARRETT: LB 285A is advanced. LB 338A.

CLERK: LB 338A. Mr. President, by Senator Wesely. (Read title.)

SPEAKER BARRETT: Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. Speaker. LB 338 is the Community Public Health Services Act. It's a bill introduced by the Health and Human Services Committee. It's on Final Reading. This A bill would fund that act and I think we have discussed it already on the floor on both General and Select File. I would move for the advancement of the bill.

SPEAKER BARRETT: Thank you. Discussion? Senator Haberman.

SENATOR HABERMAN: Mr. President and members of the body, I would like to call to your attention, first of all, LB 338 establishes the Community Public Health Services Act. That's almost about like apple pie and the American flag. How could anybody be against such a glorious and glamorous thing as the community Public Health Service Act? You know, it would be a terrible thing to oppose that. But I would like to call to your attention that this magnificent act is going to cost \$660,000 the first year, \$700,000 the second year and then a million bucks a year on into the future, a million dollars a year for this Community Health Services Act. Senator Wesely, you don't have to look at your fiscal note because I'm looking at it and if you round it off, that's what it's going to cost. So what we're doing here, what we're doing here is we're starting another bureaucracy, another agency within an agency that every year they're going to come forward in the Appropriations Committee and have 800,000, then they will go to 900,000, then it's going to grow to a million bucks a year due to salary increases, due to inflation, due to more side benefits, due to more retirement and you just better believe that's what you're doing if you vote to advance this bill, this A bill. You are voting to advance...when we come back in two or three years when Senator Warner puts out his little green sheet, it's going to show on there 900,000 to a million bucks and we are stuck with it. You're going to be stuck with it. So I would just like to call to the attention of this body that that's what you're doing when you're voting for 338A. Thank you, Mr. President.

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Am I closing?

SPEAKER BARRETT: You are closing.

SENATOR WESELY: Mr. Speaker and members, Senator Haberman missed an amendment on General File, by Senator Smith, that limited this bill to \$850,000, so, statutorily, we will limit the amount this program will ever cost. It also, as he indicated, has the A bill figures that he mentioned, so there is a gap on the bill. We dealt with the issue on General File. I would ask for your motion to advance the bill so it could catch up to the bill that's on Final Reading.

SPEAKER BARRETT: You have heard the closing and the question is

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LB 338A, 340A

the advancement of LB 338A. Those in favor vote aye, opposed nay. Voting on the advancement of the bill. Have you all voted? Have you all voted? Shall the bill be advanced? Senator Wesely.

SENATOR WESELY: Yes, I will ask for a call of the house, Mr. Speaker.

SPEAKER BARRETT: Call of the house has been requested. Shall the house go under call? All in favor vote aye, opposed nay. Record.

CLERK: 14 ayes, 1 nay to go under call, Mr. President.

SPEAKER BARRETT: The motion prevails. The house is under call. Members, please check in. Return to your seats and record your presence, please. Members outside the Chamber, please return and record your presence. Senator Schimek, please. Senator Schmit, the house is under call. Senator Abboud, the house is under call. Senator Peterson, the house is under call. Senator Schmit, the house is under call. We have a request for a roll call vote. Members, please return to your seats. Senator Wesely, only Senator Schmit is absent, do you want to wait or go ahead? We can wait for a while. The word is that Senator Schmit is excused, Senator Wesely. Apparently Senator Schmit is not excused, would you care to wait or proceed? I'm sorry, Senator Wesely.

SENATOR WESELY: Reverse order on the roll call.

SPEAKER BARRETT: Reverse order on the roll call. Thank you. Return to your seats for a roll call vote in reverse order. The question is the advancement of the bill. Mr. Clerk, proceed.

CLERK: (Roll call vote read. See pages 1232-33 of the Legislative Journal.) 23 ayes, 17 nays, Mr. President, on the advancement of LB 338A.

SPEAKER BARRETT: The bill fails to advance. The call is raised. LB 340A.

CLERK: Mr. President, 340A is a bill offered by Senator Chambers. (Read title.)

SPEAKER BARRETT: Senator Chambers.