

January 13, 1989

LB 30-34, 361, 410-460

CLERK: Mr. President, I do, thank you. I have a reference report referring LBs 374-409, signed by Senator Labedz as Chair of the Reference Committee.

In addition to that, Mr. President, I have received a communication from the Chair of the Reference Committee referring the communication received from the University Board of Regents regarding the University Health Care project. That has been referred to Appropriations Committee for public hearing.

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 30 and recommend that same be placed on Select File; LB 31, LB 32, LB 33 and LB 34, all on Select File, Mr. President, all with E & R amendments attached. (See pages 223-26 of the Legislative Journal.)

Mr. President, new bills. (Read LBs 410-449 by title for the first time as found on pages 226-49 of the Legislative Journal.)

Mr. President, in addition to those items I have notice of hearings from the Agriculture Committee offered by Senator Rod Johnson as Chair; from the Business and Labor Committee offered by Senator Coordsen as Chair; from the General Affairs Committee. That is offered by Senator Smith as Chair. And, Mr. President, a notice of hearing from Senator Warner as Chair of the Appropriations Committee.

SENATOR HANNIBAL: Mr. Clerk.

CLERK: Mr. President, new bills. (Read LBs 450-459 by title for the first time. See pages 236-38 of the Legislative Journal.)

Mr. President, finally, I have an announcement the Urban Affairs Committee has selected Senator Korshoj as Vice-Chair of the committee.

Senator Rod Johnson would like to add his name to LB 361 as co-introducer. (See page 238 of the Legislative Journal.)

(Read LB 460 by title for the first time. See page 238 of the Legislative Journal.)

March 20, 1989

LB 68, 262, 300, 437, 439, 573, 592
595, 614, 745, 754, 798

SENATOR HALL: Mr. President, I would lay the bill over at this time.

SPEAKER BARRETT: The bill is laid over. Thank you. Anything to read in, Mr. Clerk?

CLERK: Yes, sir, I do. Mr. President, your Committee on Health, whose Chair is Senator Wesely, to whom was referred LB 68 instructs me to report the same back to the Legislature with the recommendation that it be indefinitely postponed, LB 300, indefinitely postponed; LB 439, indefinitely postponed; LB 573, indefinitely postponed; LB 595, indefinitely postponed; LB 614, indefinitely postponed; LB 745, indefinitely postponed; LB 754, indefinitely postponed; LB 798, indefinitely postponed, those signed by Senator Wesely as Chair of the Health and Human Services Committee. Mr. President, I have amendments to be printed to LB 437, and that is all that I have, Mr. President. (See pages 1219-23 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, sir. To the next senator priority bill, LB 592.

CLERK: Mr. President, LB 592 was a bill introduced by Senators Abboud, Beck, and Moore. (Read title.) The bill was introduced on January 18, referred to Judiciary, advanced to General File. I have no amendments at this time, Mr. President.

SPEAKER BARRETT: Thank you. Senator Abboud, please. (Gavel.)

SENATOR ABOUD: Mr. President and colleagues, this is a relatively simple bill that was brought in on behalf of the Omaha police force and Douglas County Attorney's Office. The bill provides for a mandatory minimum sentence for individuals convicted of trafficking in cocaine and crack. The bill changes two provisions dealing with the law, LB 592 does, providing for a three-year and also a seven-year mandatory minimum sentence, or excuse me, three and five-year mandatory minimum sentence depending on the amount of cocaine and crack the person is arrested with. I think we are all aware of the serious problems that we have been having in this state dealing with these two particular drugs. It is the hope that, by providing for a mandatory minimum sentence for individuals involved in the selling of these types of drugs, it will send a clear signal to these individuals that these types of...the sale of these types

sooner or later you're going to be talking about rationing health care around here. You know you've got rich sick people and you've got poor sick people, you've got those in between who pay the bills, then you're going to have a serious problem. In another year or two from now you might have to seriously consider giving the limited dollars we have, who you're going to be able to treat or not. So keep that mind as you deregulate anything and in particular the health care industry.

SENATOR HANNIBAL PRESIDING

SENATOR HANNIBAL: Thank you, Senator Lynch. Senator Labeledz, please.

SENATOR LABEDZ: Thank you, Mr. President. Some time in January of 1989 I wrote a letter to the Federal Trade Commission in Washington, D.C., in regard to the certificate of need and they sent me back a 13-page reply. I'm not going to stand here and read you 13 pages, but there are some things that I would like to read to you in their reply and this is from the United States Federal Trade Commission. For the reasons discussed below, we believe that Nebraska's current CON regulatory process may unbalance, harm health care consumers. While we believe the outright repeal of CON regulation, health care consumers, we believe that passage of either of the other CON reform bills would likely also have significant positive effects on health care markets in Nebraska. I will go to the last page and read their conclusion. We believe that the continued existence of CON regulations would be contrary to the interests of health care consumers in Nebraska. Ongoing changes in the health care financing system, including prospective payment mechanism and increased consumer price, sensitivity fostered by private insurers are eliminating the principal concerns that prompted the certificate of need regulation. Moreover, the CON regulatory process does not appear to serve its intended purpose of controlling health care costs. Indeed, CON regulation may be counterproductive because it interferes with competitive market forces that would otherwise help contain costs. CON regulation tends to foster higher prices, lower quality and reduced innovation in health care markets. The elimination of such regulation as proposed in LB 745, and that was the repeal of CON and it was in committee and it was indefinitely postponed, or its substantial liberalization as proposed in LB 429, and to a lesser extent in 439, would be likely to benefit the Nebraska health care consumers. Thank you very much.

the indexing, if it's in there, the amendment.

SENATOR BAACK: It's in the amendment, so you...but you, and you're not striking any of those provisions...

SENATOR WESELY: We don't take it out, no, uh-huh.

SENATOR BAACK: ...as far as the indexing goes.

SENATOR WESELY: No.

SENATOR BAACK: Okay.

SENATOR WESELY: It's not my....I've got the amendment in front of me and it doesn't take it out, Senator Baack.

SENATOR BAACK: Okay. Well, Mr. Speaker and colleagues, I can't decide whether to accept this or not. We did have some negotiation sessions and we did talk about some of these numbers. It seems to me, though, that throughout these negotiating sessions that I was the one that was being asked to continue to go down, and I wasn't getting any agreement from the other side as to what they were going to do with this bill. My feeling is that right now I think I'm going to be in opposition to this amendment. I think that throughout the process we have tried to work and tried to work with Senator Wesely on this and come up with some compromise here. As far as I'm concerned, I could agree to this, if we would have had any kind of an agreement whereas the...Senator Wesely would not offer further amendments to the bill. He has not agreed to do that. I know that he cut it down from 30 to 7, or whatever it is. But my feeling is right now that I am going to rise in opposition to this amendment. I will be glad to hear from some of the other co-sponsors of the bill as we go along. But right now I'm going to rise in opposition to this amendment and stick with the numbers that are in the bill right now. Thank you.

SPEAKER BARRETT: Thank you. Senator Wesely.

SENATOR WESELY: Senator Baack, as we talked about before, I am trying to be reasonable. If you want to talk about compromise, the level of what I am willing to accept versus what I had in the bill I introduced, LB 439, this is clearly a reasonable effort on my part to accept threshold increases much beyond what I want. As for further amendments, after this amendment and