

January 19, 1989

LB 94, 247, 570, 576, 683-808

as yet, please contact Joanne immediately. If you don't have the bill that you are expecting, please contact the Bill Drafters Office immediately. Mr. Clerk.

CLERK: Mr. President, for the record, I have received a reference report referring LBs 496-599 including resolutions 8-12, all of which are constitutional amendments.

Mr. President, your Committee on Banking, Commerce and Insurance to whom we referred LB 94 instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with amendments attached. (See pages 320-21 of the Legislative Journal.)

Mr. President, I have hearing notices from the Judiciary Committee signed by Senator Chizek as Chair, and a second hearing notice from Judiciary as well as a third hearing notice from Judiciary, all signed by Senator Chizek.

Mr. President, new bills. (Read LBs 683-726 by title for the first time. See pages 321-30 of the Legislative Journal.)

Mr. President, a request to add names, Senator Korshoj to LB 570, Senator Smith to LB 576, Senator Baack to 570 and Senator Barrett to LB 247.

SPEAKER BARRETT: Stand at ease.

EASE

SPEAKER BARRETT: More bills, Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. (Read LBs 727-776 by title for the first time. See pages 331-42 of the Legislative Journal.)

EASE

SPEAKER BARRETT: More bill introductions.

ASSISTANT CLERK: Thank you, Mr. President. (Read LBs 777-808 by title for the first time. See pages 343-50 of the Legislative Journal.)

CLERK: Mr. President, I have reports. Your Committee on

April 21, 1989

LB 183, 289, 470, 508, 509, 602, 605
627, 669, 743, 772, 793

SENATOR KORSHOJ: Mr. Speaker and members, my question that I was interested in, Arlene Nelson brought up about farm tanks and private tanks so I have no more to say. Anybody wants my time, can have it. I was wanting to give it to Howard Lamb but he left so that's all I have. Thank you.

SPEAKER BARRETT: Thank you. Senator Lynch.

SENATOR LYNCH: Question.

SPEAKER BARRETT: Question has been called. Do I see five hands? I do. Shall debate cease? Those in favor vote aye, opposed nay. Please record.

CLERK: 26 ayes, 0 nays to cease debate, Mr. President.

SPEAKER BARRETT: Debate ceases. Senator Schmit, any closing comment? Anything further, Senator Schmit?

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

SPEAKER BARRETT: Thank you. The question is, shall LB 289 be advanced to E & R Initial? All in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 34 ayes, 1 nay, Mr. President, on the advancement of LB 289.

SPEAKER BARRETT: The bill is advanced. Anything for the record?

CLERK: Mr. President, your Committee on Appropriations whose Chair is Senator Warner reports LB 602 to General File, LB 470 to General File with amendments, LB 743 General File with amendments, those signed by Senator Warner.

Enrolling Clerk has presented to the Governor bills read on Final Reading. (Re: LB 508, LB 509, LB 605, LB 627, LB 669, LB 772 and LB 793.)

Senator Lamb has amendments to LB 183 to be printed and I have a lobby report for this past week, Mr. President. That's all that I have. (See pages 1843-44 of the Legislative Journal for above announcements.)

\$85,000 cash fund to match this \$652,916 federal funds. Agency 70 is the Foster Care Review Board. The committee recommendation provides additional General Funds to do two additional review specialists and another office in Omaha and an additional secretary for the office in Lincoln. There is also \$8,000 in there in fiscal year 1990-91 to do continuation of the good work that I think those folks do in terms of educational seminars. We recommend an increase in the executive director's salary and increase in personal services to cover the salary and benefits of existing staff positions. And my last agency is Agency 71 which is the Department of Aging. The committee recommends \$10,327 in fiscal year 1990 and 14,437 in 1991 for operating increases and, again, the typical salary increases. This is on page 85, I'll back up. Thank you, Senator Dierks. Beyond this, pretty much typical action in terms of increasing salary, workmen's comp and employee benefits in the Care Management Program which may catch Senator Smith's ear. There is funding in there for technical assistance, training and monitoring of the Care Management Program. That increase amounts to 32,714 and 34,519 in 1991. That's for the Care Management Program that Senator Smith has an interest in. There is also state aid funded at the current year level and although you don't see an increase in the mainline budget bill, LB 743 is out there and it has a 10 percent increase recommended each year. So that completes my agencies. Thank you.

PRESIDENT: Thank you. Senator Warner, I believe you wanted to make an announcement.

SENATOR WARNER: Yes, I was visiting with the Clerk and he indicated that if you're following the discussions in the light-colored blue book which really gives better detail, the Clerk said he could put the page number, it will say Legislative Journal, which obviously is not what it is, but it will give the page number if you miss the speakers indicating what page. It won't give the agency, but it will...and it will be printed up there and that perhaps would be a lot easier for us as far as...

PRESIDENT: Thank you. May I introduce some guests in the north balcony, please. Senator Peterson has 35 students, political science students from Northeast Community College in Norfolk with us and their instructor. Would you folks please stand and be recognized. Thank you for visiting. A news item has just been handed me that might interest you. Stage, screen and radio actress Lucille Ball just passed away so I pass that on to you.

April 27, 1989

LB 603, 727, 743, 769, 813, 817

Members, please record your presence. Those outside the Chamber, please return and check in. Senator Haberman, the house is under call. I have a request for a roll call vote. All members in their seats. Apparently Senator McFarland is the only one absent, Senator Chambers. Senator Haberman was excused. Do you want to proceed or do you want to wait? Proceed. All members in their seats, please. Proceed with the roll call, Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1985-86 of the Legislative Journal.) 17 ayes, 22 nays, Mr. President.

SPEAKER BARRETT: Motion fails. The call is raised. Mr. Clerk.

CLERK: Mr. President, the next amendment I have is by Senator Lynch.

SPEAKER BARRETT: Senator Lynch.

SENATOR LYNCH: Mr. President, I move we adjourn until Tuesday morning at nine o'clock.

SPEAKER BARRETT: Anything for the record, Mr. Clerk?

CLERK: Mr. President, I have reference report referring LB 817 to the Government Committee. I have notice of hearing on LB 817.

Senator Schmit has amendments to LB 813; Senator Smith has amendments to LB 743; Senator Wesely to LB 727; Senator Wesely to LB 813. Senator Abboud would like to add his name to LB 603 as co-introducer, Mr. President. (See pages 1986-88 of the Legislative Journal.) That's all that I have.

SPEAKER BARRETT: Thank you, Mr. Clerk. Shall the body adjourn until Tuesday morning at nine o'clock? Those in favor say aye. Opposed no. Motion carried. We are adjourned.

Proofed by:

Marilyn Zank
Marilyn Zank

not correct, Senator Smith? A third of it. Thank you. Thank you. I guess the only point that I would make here, and Senator Smith has talked about the increases in Medicaid to the extent that this might offset that, that is certainly a useful way to look at this kind of thing, but there are, as you will recall, a number of other amendments out there that are also in the place of human service increases, and I guess the difficult thing that we face when we are on the committee is with the long list of things, all of which are important human service kinds of activities, the committee tries to come out with some kind of balanced recommendation that maybe doesn't fulfill all the needs of everybody, which is always impossible, but to try to do as equitable a job as we can to solve what are basically seemingly insolvable human problems. So I think the committee did as best we thought we could this year in terms of the 10 percent increase without taking a position about this is our ability of going any higher. I would remind you that there are a number of other issues out there yet to be resolved, namely, Title XX for child care services. Senator Wesely has that amendment which he withdrew this morning which has to do with child protective service workers. The issue of additional aid for alcoholism and drug abuse was just raised to me once again not very long ago out here in the lobby, and the I guess the point I am trying to make here is we have an overwhelming level of demands for legitimate requests for money for human needs, and so it is extremely difficult to fund any one of them at the full level and still do any kind of justice by those other areas, and this is particularly true of when you look at aging programs, which I am not going to stand up here and say we shouldn't fund at the full level. We should. We should do everything at the full level if we weren't constrained by very realistic budget constraints, and so that is the rationale of the committee for the way we chose to, if you will, dole out the dollars with an attempt to have as positive an impact as we can on as many areas. So that is simply the committee's rationale for not going any higher than we went at this recommendation, but our recommendation is found, once again, in LB 743.

SPEAKER BARRETT: Thank you. Senator Warner.

SENATOR WARNER: Well, Mr. President, members of the Legislature, Senator Scofield has I think very adequately indicated what the rationale for the recommendation that was contained in 743 and, obviously, like any of these aid programs, they can be funded at a variety of level, and the higher the

millions that is being proposed or the brick and mortar, in some of the cases, over and above supporting some of the elderly and the truly needy people. With that, I hope you will support Senator Smith's amendment.

SPEAKER BARRETT: Thank you. There are no other lights on. Senator Smith, would you care to close on your amendment?

SENATOR SMITH: Thank you, Mr. Speaker, and thanks to those of you that support me on this issue, and I understand the concerns of those other people in the Appropriations Committee have. I would just simply state that the dollars appropriated were placed in LB 743. Where is LB 743? It is now dropped to the end of the line of General File. It will never come up this year. There is not an opportunity for me to address the issue except for to come with this proposal like this right now on 813. This is a choice, and Sandy Scofield brought this up, we have to make a choice. You are right, this is a choice. I think it should be a priority of this body because this money is being put into services for those that are going to be in need, those people that are in the home that need in-home care. Now you can talk about whether or not the people have money or whether they don't have money, but they are not going to get it unless they need it. That is a need-based program. Those that can afford will pay, those that can't will be supported by the additional funding through that sliding scale that they use in the Area Agencies, and speaking of policies, it is not good policy to pass bills like they did in 1982 before I came here, and still not ever have funded those bills. That isn't a good policy for this body. I guess I would say that if we are not going to fund some of these things that we have passed, then why do we pass them? Since 1982, these people have waited for the funding of this bill. We thought it was a good idea then, and now with what we know about aging populations in our state and in the nation, it is a better idea than it was then. Within this increase, only a third of my original request, we could begin to put in place a service system to show gradual gains in serving those that are truly in need of the services, to help them to stay in their homes, to be a viable part of the community, and that is important folks, because that means dollars for the economy of those communities they do reside in. If they can stay in their homes instead of going into an institution at a much higher cost, by the way, they reach a point of spend down, then they become Medicaid cases. That is why our Medicaid budget continues to zoom upward. We have got