

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

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.