

January 4, 1990

LB 259, 259A, 505, 678A, 720A, 969-996
LR 231

SENATOR CHAMBERS: I don't mind.

PRESIDENT: Thank you for being so cooperative. We'll take it up after lunch. Mr. Speaker.

SPEAKER BARRETT: Mr. President, I move that we recess until one-thirty.

PRESIDENT: You have heard the motion. All in favor say aye. Opposed nay. We are recessed until one-thirty. Senator Chambers, we'll take yours up...Senator Chambers, we'll take yours up right after...at one-thirty. Okay.

RECESS

PRESIDENT NICHOL PRESIDING

PRESIDENT: Members of the Legislature who are hiding out in their offices, appreciate it if you would come to the sanctuary so we can start the service. We already have three members here but we need a few more.

CLERK: I have a quorum present, Mr. President.

PRESIDENT: Senator Chambers will be here in a moment, and then we can begin on the...Mr. Clerk, do you want to read in new bills while we are waiting, please?

CLERK: Mr. President, yes, I do. Thank you, new bills. (Read for the first time by title: LB 969-996. See pages 150-57 of the Legislative Journal.)

Mr. President, I have a series of amendments to be printed, Senator Hefner to LR 231, Senator Wesely to LB 720A, LB 678A, Senator Withem to LB 259, LB 259A, and Senator Weihing to LB 505.

Mr. President, I will announce now that there will be a Reference Committee meeting at three o'clock in Room 2101, Reference Committee at three o'clock. 2102. That is all that I have, Mr. President.

PRESIDENT: Ladies and gentlemen, as you will recall, we are on

January 8, 1990

LB 409, 958-1013, 1031, 1032
LR 235

SPEAKER BARRETT: Let's stand at ease until eleven-fifteen, Mr. President.

PRESIDENT: Okay, thank you.

EASE

CLERK: Three quick announcements. Reference will meet underneath the south balcony now. Referencing Committee, underneath the south balcony right now.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: (Microphone not activated immediately.) ...return to the Legislative Chamber. The Legislature will reconvene and continue our discussion on the adoption of our permanent rules. Please return to the Legislative Chamber. Mr. Clerk, would you read in new bills, please.

CLERK: (Read LB 1031 and LB 1032 by title for the first time. See pages 198-99 of the Legislative Journal.)

Mr. President, in addition to those items, I have a new resolution. (Read brief summary of LR 235. See page 199 of the Journal.) That will be laid over.

I have amendments from Speaker Barrett to be printed to LE 409. Mr. President, I also have a Reference Report referring LBs 958-1013, as well as certain gubernatorial appointments received. That's all that I have, Mr. President. (See pages 199-201 of the Legislative Journal.)

SPEAKER BARRETT: Thank you, Mr. Clerk. Have you a motion, Mr. Clerk, to reconsider action taken last week?

CLERK: Mr. President, Senator Chambers would move to reconsider the vote on the Wesely amendment to the rules, which I believe the Legislature discussed on Thursday afternoon.

SPEAKER BARRETT: Thank you. The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, this motion is designed to reconsider the vote that was taken on

January 16. That is offered by Senator Landis as Chair. (Re: LBs 981-984 and LB 1008. See page 235 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. At this point in time, we will return to General File and pick up on LB 747, the bill which was being discussed at the time of our recess for lunch. The issue at that point in time was Senator Moore's bracketing motion. Going directly to the speaking order that we left when we recessed beginning with Senator Haberman, followed by Senators Warner, Nelson, Bernard-Stevens, and Moore. (Cavel.) Senator Haberman, discussion on the bracketing motion.

SENATOR HABERMAN: Well, Mr. President, and members of the body, I am sure that you have all heard of the proverb of the fox in the henhouse. Well, I would like to assure you folks that we are putting two foxes in that henhouse, not just one, but two. Now I would not want to allude to Senator Hall and Senator Chizek as being foxes, but if you would like to allude to that, you may do so but I would not say that. I am just saying we are putting two foxes in the henhouse. Now this is a 1989 bill, so we can also call this a sleeper bill. Well, what is a sleeper bill? Well, a sleeper bill is a bill that you put out of committee, just put it out on the floor to see what would happen, see what kind of input you get, and really we are not going to do too much with that bill this year, but let's just put it out in case. Well, I would not say that the committee did that, although there was one person who voted against it and all the rest of them voted for it. So here we are now in 1990, and we are faced with a bill that basically is a year old. Now, quite possibly, some people have forgotten what was in the bill or what the issue is or the cost of the bill. So, therefore, it is necessary, it is necessary, absolutely necessary to bring to the attention of the members of this body just exactly what that bill does. Now, Senator Chizek, you are sitting there smiling and I have nothing but admiration for you for the way that you brought this bill before the body and how you are handling this bill, that's...and Senator Hall, too. You gentlemen are very smooth. I appreciate that. In fact, I would like to have you work on some of my legislation sometime, but I would like to say to you that we are spending a considerable amount of money. We don't know where we are really financially yet this year. I would like to spend a little money, and I am kind of afraid that if we pass this bill, there won't be any money left for ole' Rex and, you know, that is not too good either. So I would rise and

January 18, 1990

LB 259, 981, 982, 983, 984, 1195-1219
LR 242-243

CLERK: Mr. President, I do, thank you. (Read LBs 1195-1219 by title for the first time. See pages 378-83 of the Legislative Journal.)

Mr. President, two new constitutional amendments. (Read LRs 242-243 by title for the first time. See pages 383-88 of the Legislative Journal.)

Mr. President, Government Committee gives notice of hearing for January 25, signed by Senator Baack. Banking Committee, whose Chair is Senator Landis reports LB 983 to General File, LB 984 to General File, LB 981 General File with amendments, LB 982 General File with amendments. (See pages 388-90 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, Mr. Clerk, proceeding to Select File, LB 259.

CLERK: Mr. President, the first order of business on 259 are Enrollment and Review amendments.

SPEAKER BARRETT: E & R amendments. Senator Withem, would you handle the E & R amendments on 259.

SENATOR WITHEM: Yes, beings our E & R Chairman is too busy at the moment, I'll be happy to move that the E & R amendments to 259 be approved.

SPEAKER BARRETT: Thank you, sir. Any objection? Any conversation? Seeing none, those in favor of the adoption of the E & R amendments to 259 please say aye. Opposed no. Ayes have it, carried, they are adopted.

CLERK: Mr. President, the first amendment I have to the bill is by Senator Haberman. (Haberman amendment appears on page 365 of the Legislative Journal.)

SPEAKER BARRETT: Senator Haberman. The Chair recognizes Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the body, my amendment addresses the dates that are on page 3. It says that the act would commence February 1, 1991, pertaining to the filing of a petition. The bill will possibly go into effect in July and that would be about six months to give people an

SENATOR HALL: Is there a reason that this wasn't part of the other amendments that you addressed on General File that were added to this provision?

SENATOR LANDIS: The other measures had all come out of committee and it was sort of like, I guess you would have to say, a failure of nerve on my part as to how much I was going to put into the bill.

SENATOR HALL: Five, six, seven...

SENATOR LANDIS: Something like that.

SENATOR HALL: ...How high did I want to go?

SENATOR LANDIS: Yeah, something like that. I will tell you this, we now have taken out the Medicare supplement (interruption).

SENATOR HALL: I understand that. I...I...and I understood that to be part of the amendment. My...my question is, you said the others had been advanced out of committee. Is this...I also understood you in your opening to say that the committee acted favorably upon this part of the amendment. Does that mean that this is in a bill form somewhere currently on General File?

SENATOR LANDIS: This is in LB 981. I believe the bill is still in committee. Oh, I'm sorry. "Senator" Marineau corrects me and informs me that it's on General File.

SENATOR HALL: And the reason I asked that is because you said it was acted on favorably and then you said the others were acted on and I just wanted to clarify that it had been advanced out of committee. Was there any opposition to the bill in committee when the hearing was held?

SENATOR LANDIS: Not that I recall, no.

SENATOR HALL: Okay. And, again, explain to me how this one provision deals with an operation, how does it work? Just what are we changing? What are the impacts that this statutory change would have on the operations of an insurance company?

SENATOR LANDIS: Well, right now an insurance company can hand