

January 19, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The prayer this morning will be given by Reverend Roe, the United Methodist Minister affiliated with the Trinity Methodist Church in Lincoln, Nebraska. Reverend Roe.

REVEREND ROE: Prayer offered.

SPEAKER MARVEL: Roll call. Item #3. Will you please record your presence if you haven't already. Record your vote.

CLERK: There is a quorum present, Mr. President.

SPEAKER MARVEL: Ready for item #3?

CLERK: Yes, sir. Mr. President, first of all, corrections to the Journal. (Read corrections to the Journal as found on page 220 of the Legislative Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Sieck regarding LB 58. (See pages 220 and 221 of the Legislative Journal.) I have a series of reports, the first from Frank Marsh, the State Treasurer, regarding the detailed statement of the condition of the State Treasury.

Mr. President, a communication from the Metropolitan Technical Community College regarding LB 1004; a communication from the State Department of Correctional Services regarding program evaluation of the therapeutic community at the Lincoln Correctional Center.

Mr. President, a deposit or communication from David O. Coolidge who is the Director-State Engineer of the Department of Roads pursuant to LB 722. Those will all be on file in my office, Mr. President.

Mr. President, your Committee on Constitutional Revision and Recreation gives notice of public hearing in Room 1019 for January 30, February 5 and February 6. (Signed) Senator Labeledz as Chairperson.

SPEAKER MARVEL: Okay, we now go to item #4, introduction of new bills.

CLERK: Mr. President, new bills: Read title to LB 284-309 as found on pages 223 through 228 of the Legislative Journal.

February 23, 1981

LR 20
LB 34, 38, 77, 197A,
290

CLERK: There are E & R amendments, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 77.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The E & R amendment is adopted.

SENATOR KILGARIN: I move LB 77 be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion carried. The bill is advanced. LB 38.

CLERK: There are E & R, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 38.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The E & R amendments are adopted.

SENATOR KILGARIN: I move LB 38 be advanced to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. Do you have anything else on the desk, Mr. Clerk?

CLERK: Yes, sir, I have several things to read.

Mr. President, first of all, a new A bill, LB 197A. (Read title.)

Mr. President, a new resolution, LR 20. (Read) That will be laid over, Mr. President.

Mr. President, Senator Wesely would like to have his name added to LB 34 as cointroducer.

Mr. President, Senator Burrows wants to remind the body that the tour of the Beatrice State Developmental Center is for tonight. Vans will leave the west door at 4:00 p.m. today for those planning to attend. Please let Senator Burrows' office know if you plan on going.

Mr. President, I have Committee on Committees confirmation reports from the Miscellaneous Subjects Committee and the Constitutional Revision and Recreation Committee.

I have an Attorney General's opinion addressed to Senator Clark regarding LB 290.

March 3, 1981

LB 21, 65, 67, 77, 80, 109,
110, 159, 186, 214, 221,
236, 260, 274A, 290, 459A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend William Pfeffer from the Panama Presbyterian, also at the Wesleyan University here in Lincoln.

REVEREND PFEFFER: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Hoagland would like to be excused until he arrives.

PRESIDENT: Have you all registered your presence? Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

PRESIDENT: Quorum being present, are there any corrections to the Journal, Mr. Clerk?

CLERK: I have no corrections, Mr. President.

PRESIDENT: All right, the Journal will stand correct as published. Are there any messages, reports or announcements?

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Newell and one to Senator Schmit regarding the Nebraska Corn Resources Act. (See pages 718-721 of the Legislative Journal.)

Mr. President, your committee on Appropriations whose chairman is Senator Warner refers LB 159 as indefinitely postponed, (Signed) Senator Warner.

Mr. President, LB 290 which was referred to Public Works reports the same to General File with amendments, (Signed) Senator Kremer as Chair. (See pages 721-722 of the Journal.)

Mr. President, LB 274A offered by Senator DeCamp. (Title read.) New A bill, LB 459A by Senator Fowler. (Title read.) (See page 722 of the Journal.)

Mr. President, your committee on Public Health and Welfare gives notice of cancellation and resetting of public hearing.

Mr. President, I have legislative bills ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and I do sign LB 110, LB 214, LB 65, LB 21, LB 67, LB 77, LB 80, LB 109, LB 186, LB 221, LB 236 and LB 260. Anything further, Mr. Clerk?

March 12, 1981

LB 290

SPEAKER MARVEL: Senator Nichol, would you check with the Clerk, please? The next item, Item #6, is LB 290. (Gavel).

CLERK: Mr. President, LB 290 was a bill introduced by Senator Robert Clark of the 47th. (Read title.) The bill was first read on January 19 of this year. It was referred to the Public Works Committee for hearing. The bill was advanced to General File. I do have committee amendments pending by the Public Works Committee, Mr. President.

SPEAKER MARVEL: Senator Kremer.

SENATOR KREMER: Mr. Chairman and members, may I have your attention. The amendments to LB 290 adopted by the committee are three in number. Number one, it does add the emergency clause. That is necessary because the plates will have to be manufactured. Number two, it strikes some obsolete language that is on the present license plates and that obsolete language is Bicentennial. It strikes that language. Number three, the most important of the committee amendments are found on page 722 of the Journal and it does set up certain standards and here they are. I will read the language that is on this page. "Such plate shall be visible under normal nighttime atmospheric conditions from a distance of at least five hundred feet, under illumination from head lamps approved by the Department of Motor Vehicles." Those are the amendments, Mr. Chairman. I move for their adoption.

SPEAKER MARVEL: (Gavel) May we have your attention, please. It is almost impossible to hear up here. The motion before the House is the adoption of the committee amendments to LB 290. Senator Clark, do you have any other comments on the committee amendments before we proceed with the...?

SENATOR CLARK: I fully agree with the committee amendments.

SPEAKER MARVEL: Okay, we have an amendment on the desk.

CLERK: Mr. President, Senator DeCamp moves to amend the committee amendments.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, every year down here in the Legislature there is always one or two bills that are kind of fun bills, kind of different and unique. I felt this one was because I noticed there was so much tension on both sides. His officials from 3M had come flying in and even bigger officials from some place

called Flex-O-Lite, high-powered lobbyists, and I have noticed it going on for about two years or so on this particular issue. So whenever I see this developing, I decide that is a bill that I want to take a particular interest in and try to learn more about and just almost anything so I can really understand what is behind it all and what is happening and so I did and I have offered some amendments. But first of all I would like to try to get in real clear perspective what the issue is, and if you will bear with me for a little while, I will play you a tape. It is about one minute, real easy to listen to, and it will kind of get things in perspective as to what the battle is, I hope. (Played tape.)*

"It has been six years since Nebraska last changed their license plate design and when you pick up plates for a new vehicle today you are still getting the Bicentennial version. Currently, the license plates are made of a polar reflecting material designed by the 3M Company but an effort is underway in the Legislature to change state specifications for plates and allow bids to be taken on a different type of plate to be used next year. Sidney Senator Robert Clark says many states are going to what is called a beads-on-plate which does not have a reflective background. The (inaudible) bad thing about these beads-on-plates is that they can't be seen very well in the dark but Clark says there is a very good point. It would be about two million dollars less using this plate over the next six years and he says money should be the biggest concern." (Senator Clark on tape.) "Colorado, Missouri, Arizona, this is where this plate is from, Iowa, Michigan, they all use this plate, this type of plate. I have talked to all of them. They are very, very happy with the system and they are very happy they are saving money on them. They are very happy that they are saving money."

SPEAKER MARVEL: The Chair will make this observation and that is that we have tried very carefully to keep any mechanical device out of the Legislature and I assume that this request will also be honored from now on. Thank you.

SENATOR DeCAMP: Well, Mr. President, the point there, as I understand it, the highlighted point are two things. It is a competition between reflectorization and beads-on-paint and the argument as I understand it very clearly, both in the committee and here, the primary argument is there is a two million dollar savings. Now, as I tried to follow this issue through I have seen four kind of major points raised. Number one, this 3M which provides the reflectorization method really have a monopoly, are they the big bad guy in the block? Two, is the processor, Flex-O-Lite, of the beads on paint process, are they really the innocent little guy with

*(Interviewer on tape identified as Douglas Parrott with KETV)

a better idea that we should be adopting? Three, is there going to be a \$2 million savings, and finally which way should we finally go? I have got a handout here I would like to pass out if I can get the cooperation of some Pages here. Competitive Bidding, Reflectorization. There are at least seven companies as you will read, seven companies that are bidding in the United States on reflectorization. Now another two have the capability. Flex-O-Lite, itself, as an additional one, gets us up to about ten.

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Are we not discussing an amendment to the committee amendment but I don't know what the amendment is. Could we have somebody state what the amendment is or have a copy of the amendment? I don't know what we are talking about.

SPEAKER MARVEL: The copies of the amendments, the Clerk informs me, are in the process of being passed out and Senator DeCamp is in the process of explaining the amendments.

SENATOR DeCAMP: Where was I? So there are about ten companies that can provide reflectorization but Nebraska statutes on the subject of reflectorization really, really are very poor. They aren't modern. They have standards that really are very poorly drawn dating back to 1941 conditions. So the amendments, Senator Lamb, the amendments set out specific standards for what reflectorization, whether it be 3M, and I don't know whether they can meet them or not, or any of the other seven, eight, nine companies, what they have to meet. The only absolute standard for reflectorization as certified by the federal government and various other safety groups is candle power and my amendment requires, for example, that it meet a 4.5 minimum candle power reflectorization ability after the full length of the license plate which is six years. Additionally the amendment changes from five hundred feet to eight hundred feet the distance at which that reflectorization has to be able to be reflected. Why? Five hundred feet has been in the statutes since about 1941. Five hundred feet has no bearing on anything with respect to modern times. The federal government and private safety groups have certified nine hundred feet as the minimum amount that should be used because that is the minimum stopping distance once you are going fifty-five or sixty miles an hour at night. A third thing, and maybe one of the most important things, is that it has the standard that it should be able to reflect under nighttime conditions, under wet or dry conditions. The current bill or the current committee amendments

just say, "under normal atmospheric conditions". Well, I don't know what that means. I do know when you want the reflectorization is under wet conditions and so this would say "under wet or dry conditions". Finally it puts a penalty clause in so that the Director who takes the bids, who gets the bids and relies on the people meeting these standards, have to have a liquidated damages clause if they say they are going to do something and they can't meet those standards. So that is what the amendments do. I urge the committee to adopt the committee amendments. We should have some absolute minimal standards. As long as we are going to be specifying things, we should have the standards.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: I don't think these are germane to the committee amendments. I am just asking a ruling, is this germane to the committee amendments?

SPEAKER MARVEL: The Legislature will be at ease for about five minutes.

EASE

SPEAKER MARVEL: The Legislature will come back to order.

SENATOR DeCAMP: Mr. President.

SPEAKER MARVEL: The Chair recognizes Senator DeCamp for a statement.

SENATOR DeCAMP: Mr. President, the amendments are about as super germane as you are going to get. However, to accommodate my good friend, Bobby Clark, I will wait until he gets his committee amendments dealt with and the reason is he, just like I, is concerned that with a simple majority I could adopt my amendments. I don't want to put him in any difficult position. Therefore, I will withdraw them until such time the rest are handled and go on from that standpoint.

SPEAKER MARVEL: Okay, the Chair will introduce three groups of visitors and then we will proceed to the committee amendments. Underneath the North balcony, Todd Russ from Senator Remmers District of Auburn, and he is also the grandson of the late Reverend Adrian Edgar who was recently recognized for his many accomplishments by the Nebraska Legislature, and his grandmother, Mrs. Edgar, is a close friend of the Mareshes. Would you please stand and hold up your hand so we can recognize you. Welcome to the Unicameral.

Underneath the South balcony is Sandy Peterson, the guest of Senator and Mrs. Richard Peterson. Where are you, Sandy? Welcome. And from Senator Koch's District, 49 students from Rockbrook District 66, Omaha, Mrs. Reid, Mr. Baxter and Mrs. Forsberg. Will you hold up your hands so we can see where you are? Now, Mr. Clerk. We are on the committee amendments. The motion before the House is the adoption of the committee amendments as read by Senator Kremer. I have about two, three, four, five lights on. Let me see...Senator Beutler, do you want to speak to the committee amendments? Senator Haberman, do you want to speak to the committee amendments? Senator Dworak, do you wish to speak to the committee amendments? Senator Vickers, do you wish to speak to the committee amendments? Senator Cope, do you wish to speak to the committee amendments? We are on the adoption of the committee amendments. Do you wish to speak to that motion?

SENATOR COPE: Mr. President, members, a question of Senator DeCamp.

SPEAKER MARVEL: Okay, we are dealing strictly with the motion on the committee amendments. Senator DeCamp.

SENATOR COPE: Well, now wait a minute, maybe I will wait then. Sorry.

SPEAKER MARVEL: Okay, Senator Kahle, do you...all right. The motion before the House is the adoption of the committee amendments to LB 290 as explained by Senator Kremer. All those in favor of the adoption of those amendments, vote aye, opposed vote no. We are voting on the committee amendments as explained by Senator Kremer. Have you all voted? Record the vote.

CLERK: 29 ayes, 0 nays on the adoption of the committee amendments, Mr. President.

SPEAKER MARVEL: The motion is carried. The committee amendments are adopted. Senator Clark, do you wish to explain your bill?

SENATOR CLARK: Thank you, Mr. Chairman. I didn't think I would ever get this chance. Really, LB 290, is a very simple bill. It provides the Department of Motor Vehicles shall take competitive bids on two types of systems for reflectorized license plates available on the market. The reflectorization of letters and numerals and the reflectorization of background. The reason I introduced LB 290 was because the Director of Motor Vehicle's hands are now tied

March 12, 1981

LB 290

and he indicated his only request for bids be on the current system with the 3M company. I asked the Attorney General for an opinion to determine if 290 was needed in order for the state to take competitive bids for both systems. And in the opinion of the Attorney General, the change in the language in the statutes is necessary. LB 290 and the committee amendments give the Director of Motor Vehicles the necessary authority and directs him to take bids on both systems. By opening up the competition for the large contract, the State of Nebraska could be able to save as much as \$2 million over the next six-years issue of the plates. LB 290 does not get into the elements of durability, legibility, visibility and so forth because the specifications that will be issued for the two systems of the Department of Motor Vehicles will cover these important elements. I can assure you after almost two years of study on license plates both systems are excellent. Both systems are durable, legible, visible at night and meet the state's visibility statutes. I chaired a subcommittee for the Public Works Committee last year and conducted extensive investigation on the independent studies of the two license plate system on reflectorization. I personally went with Pete Peterson, Director of Motor Vehicles, to the State of Michigan to review their studies and to see firsthand how they produced their system of license plates which reflectorize the letters and numerals at their State Penitentiary. Michigan has been using their system for over nine years and are saving almost nine million dollars every three years by going to a system of reflectorized letters and numerals. Their studies and investigation show how they have durability, legibility, and visibility necessary to provide proper vehicle identification and controlled motor vehicle registration. During the interim study, I contacted those states that are reflectorized with letters and numerals to find out their experience...what their experience was as a system, and to see if their system is durable, legible, and visible. All states reported that their systems are holding up extremely well, that they are not having any problem in production or with durability, and that there is no problem with keeping their plates clean. It is important to know that both Colorado and Connecticut have been using the system of numerals for five years and have extended the issue to six. I received a letter yesterday from Colorado that they are going from five to ten years on the same plate. We have talked to every state using the beads-on-paint system and there have been no problems. Our sister states of Colorado, Missouri and Iowa report no problem with beads-on-paint system and that they have saved millions of dollars by switching to this system after using the fully reflectorized system sheets for a number of years. The interim study clearly

shows that both types of plates are good systems. LB 290 simply states that both types of reflectorized plates should have specifications drawn and bids taken so that the lowest bid can be obtained. LB 290 was advanced to the floor of the Legislature after a hearing before the Public Works Committee with only one dissenting vote. The real issue here in 290 is whether the Legislature wants open, competitive bidding for 1982 license plate issue, and perhaps a saving of up to \$2 million of taxpayers money. The Department of Motor Vehicles is in the process of developing specifications for the 1982 issue. Without 290, Pete Peterson's hands are tied. Bids must be taken as soon as possible in order that the state can meet its production schedule for the 1982 issue. The Public Works Committee requested that the emergency clause be added so the specifications can be drawn as soon as possible and the bids awarded to the most competitive bidder. I feel strongly about 290. I feel so strongly that I have selected this bill as my priority bill. The taxpayers and citizens of Nebraska are asking the Legislature to be fiscally responsible. LB 290 can save the state up to \$2 million without hurting anyone. I urge your support of LB 290 with the committee amendments. Before I sit down, I want to address a concern that Senator Schmit and Senator DeCamp and others have had about the information I distributed about reflective sheeting systems currently being used in the State of Nebraska. I have said there is only one supplier of the current sheeting system and there is not competition. It is my understanding 3M representatives have stated that there is seven manufacturers that can produce the system. Reports we received during the LR study from the State of Tennessee, Department of Finance Administration on their research of 1975 was that there is not one company that can supply reflective sheeting for license plates besides 3M. I have a copy of the report here. I also checked with the State of Nebraska Purchasing Department to get a list of suppliers on graphic sheeting system used in the State of Nebraska specifications for '76. There was only one company according to that information that had graphic sheeting and that was 3M. When I heard the rumor that there were seven manufacturers that could bid on the system, I began contacting each of these companies by phone to see if they could provide sheeting material that meets the Nebraska specifications. I found out there were ten companies, not seven, that supply reflective sheeting materials. Some supply sheeting material for signs, others for validation stickers, and some supply reflective components for license plates but only one company, 3M, can supply the material for the Nebraska specifications for graphic sheeting. Two Japanese corporations, Kewei Lit and Mitsubishi, provide sheeting material in other countries but have not been able

March 12, 1981

LB 290

to compete in markets like Nebraska where the specifications call for graphic sheeting. I was appalled to learn that because of specifications that favor 3M we may not have competition in validation stickers, highway signs and numerous other areas where the state purchases supplies. I am passing out a list of companies we contacted along with their comments. These are the only companies we know of that produce reflective materials for license plates. We asked for names of other companies and we contacted them but could not come up with any other suppliers. If there are other companies, I would like to know who they are so that I can contact them personally. I have no reason to believe that the new specifications drawn for 1982 issue will not include graphic designs so that Nebraska will again be at the mercy of one supplier, 3M. The first thing I would like to see is that an American corporation have the bid but we need to have competition. We cannot have a situation where we have a monopoly. LB 290 will give the state the opportunity for competitive bidding and the lowest possible price. Now I would like to pass out around to everyone two license plates. These are both beads on glass and you will notice how much different these are than what 3M was around showing you, showing how glass beads come off the paint. At one time Missouri had a plate down there that they had a lot of trouble with the paint on and the glass beads were big and they came off very bad. Missouri tried to do it themselves without any professional help.

SPEAKER MARVEL: You have one minute.

SENATOR CLARK: And that is the ones that tried to do it. What these are are the new system of beads-on-paint system, and if you can tell me there is anything wrong with it, I would like to know. I would urge your support for the bill.

SPEAKER MARVEL: Senator DeCamp, you are recognized. You can talk to your amendment, yes.

SENATOR DeCAMP: Mr. President, the issue is two different systems, two different types of systems. One is the beads-on-paint and the other is full reflectorization and I think it is that simple. Which one do you choose? Full reflectorization had the support of law enforcement, of all types that testified at the hearing, and they criticized the beads-on-paint. I initially started out wanting not only to go with beads-on-paint but to go further, and that is what made me pursue things here. I contacted the Nebraska Department of Roads. I thought if we could save money on the license plates, think how much more money we could save on our road signs. Think how much more economical it would be long term

if we utilized this process much more extensively than the license plates. So I contacted our Department of Roads to find out what they had done and why they hadn't utilized this system. In the little packet of information you have, you have a letter of a couple of weeks ago from the Department of Roads and I would like you to read it with me, if you would, because it really highlights that we are talking about two different systems, and remember, if you are bidding on delivering ten hogs and I am bidding on delivering one hog, we are bidding on two different animals, two different types of things. It is not the same thing at all. "The first and most extensively used system is one that is generally referred to as 'reflective sheeting'", this is the Department of Roads and this explains the two things. "This consists of minute glass spheres embedded or encapsulated in plastic on a sheeting or film that is then adhered to the basic sign background material such as aluminum, wood or steel. The second system consists of a painted surface on which a very thin film of glass spheres is spread." That is the beaded system. "After the paint dries, the glass spheres form a reflective surface. There is a third reflectorizing system using unit plastic reflectors which are encapsulated in the numerals and letters used on large highway signs to reflectorize the sign message. Reflective sheeting", in other words system #1, if you want to call it, the one that 3M and half a dozen other companies apparently provide, "is used much more extensively than beaded signs, primarily because of its durability and cleaning characteristics. The flat top or smooth surface of the material facilitates putting the message on the sign and it also enhances considerably the cleaning of the signs. A beaded surface", we are talking about the other system now, "is not a smooth surface. There are small interstices between the beads which has a tendency to fill up with a very fine colloidal material, air-borne from road spray. When this film gets into these spaces between the beads, it is virtually impossible to clean the surface. A dirty beaded surface has little, if any, reflectivity so that its nighttime effectiveness is very adversely decreased." Now it goes on to discuss why the beads come apart but I am going to get to the heart of this. "On recurring occasions during the past thirty years the Highway Department has experimented with a variety of sign fabricating techniques including repeated attempts with the beaded system, but because it lacked the quality of appearance, durability, maintenance problem, and effectiveness, we've always felt that it wasn't a wise use of tax funds for that particular purpose." So our state has experimented. Twelve other states, as you see from the handout have had beads and have switched because of those problems.

You can read the statements. What I am providing with these amendments is very specific, clear cut national standards for reflectorization that it has to meet. 4.5 candle power, 800 feet and so on. If we are going to have competitive bidding, then bid against a specific standard. Do that and we will continue to maintain a pretty good license plate I think. I urge you to adopt the amendment and I will give Senator Clark one better option. I will drop my amendments, drop any opposition to the bill, if he can clearly prove to me the \$2 million saving because this was the thing I was seeking to support. However, the study I have done indicates that we are not talking about \$2 million, we are not talking about \$1 million, we may be talking about additional money but the most that could ever be proved would be very minimal. In the Governor's budget message in the Journal, you can look this up, Sixth Day, January 14, 1981, "Replacement of our current Bicentennial issue of state motor vehicle license plates is necessary. I recommend a \$280,000 deficit appropriation in this fiscal year and 2 million dollars next fiscal year. This will permit the start of production so new license plates can be issued beginning January 1, 1982, as currently provided by law." Now you say you are going to save \$2 million. The total cost that the Governor has put in here for reflectorization and everything is about what, \$2,880,000. I don't know how you are going to save the \$2 million. The information I get you are going to have to go to an aluminum license plate and I think some people here in the room may have some additional information on that. All my amendments do, I repeat, is put standards. Why any bidder, if you want competitive bidding, would be afraid of specific standards that they have to meet, I can't imagine. I urge you to adopt the amendment.

SPEAKER MARVEL: The names that we have here are those who wish to speak to the DeCamp amendment and the first one is Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I would urge you to reject the DeCamp amendments. The overall effect of the DeCamp amendments would be simply to go back to the old system of requiring bids on fully reflectorized plates only. That is the sum and substance of the amendment. The first part of his amendment has to do with candle power per plate which has to do with brightness. Well, brightness is only part of the question. The real question in part is legibility. Can you identify the numbers? Can the State Patrol identify the numbers? Not just how bright it is. In fact the brightness, the bright background of the fully reflectorized plates causes them to be less legible than the beads-on-paint because the numbers and the letters do not stand out. So requiring high candle power or high

brightness, while it might have an advantage in terms of being able to see the plate itself from a further distance, has the disadvantage of making the numerals and the letters less legible. With regard to the brightness and the ability to see it from a greater distance, while that is an advantage, on the other hand it is not much of an advantage in the sense that the taillights of the car are visible under normal circumstances from a much greater distance than anybody's license plate. So what I am saying is that the safety you get out of additional brightness is not worth the loss of legibility, or in any event, it is an extremely close question. The requirement that eight hundred feet when illuminated by lawful low beam lights, the requirement of eight hundred feet visibility is about two hundred feet beyond current federal standards and it is about three hundred feet beyond the standard that is now set into LB 290. The point is what price safety or what price do we want to see these plates from way out. Taillights are visible beyond that distance. So the only point as far as I can see of a requirement that goes beyond reasonable federal standards, beyond reasonable state standards and is less than the distance that you can see taillights, the only reason to have that is to again cut down on the bidding. Let me back up for a minute, let me back up for a minute and try to identify for the Legislature the factors we should be looking at. We are talking about durability. We are talking about legibility. We are talking about safety and we are talking about registration. Registration is not an issue. Both can be equally easily registered obviously. Durability, we are talking about a plate that has to last....

SPEAKER MARVEL: Please cut the noise down so that those who are speaking to the issue can make their points. We are running in a time bind among other things and this has to be finished by eleven thirty. Okay, Senator Beutler.

SENATOR BEUTLER: Durability, what are we talking about? We are talking about making a license plate that lasts for six years. That is the Nebraska requirement. Six years. The experience with the beads-on-paint has been that they do last six years. Colorado and one other state is now extending their experience...their experience has been so good with this particular type, they are extending it to six years. There is no problem with the durability in either case of six years. The durability is there. Now, Senator DeCamp can talk about highway signs that we intend to last for much, much longer periods of time, and in that case the argument for durability has some relevance, but when you are talking about a license plate that has to last for six years, the durability argument just doesn't make sense in my opinion.

Legibility, I have already talked about the fact that the beads-on-paint tend to be more legible than the fully reflectorized plates and I think there were some tests done out at Central Nebraska Tech with police and sheriffs and a representative from the State Patrol this summer. The purpose of the test was to see if the plates could be seen at six hundred feet to determine which system could be read at the greatest distance. The responses were that at distances greater than six hundred feet the first thing the officers noticed was the reflectorized taillights. Both reflectorized plates were visible at six hundred feet. The reflectorization of letters on numerals could be read at greater distances than the other plate. The sheeting plate fully reflectorized was brighter and could be seen at a greater distance. The brightness of the sheeting plate fully reflectorized interfered with the identification process for law enforcement purposes. There have been a lot of tests done on these two types of reflectorization and for my own part I can't honestly say that the totality of it all is very convincing in one direction or another but that kind of leads me to the conclusion that if the case is so close, and if there are substantial possible monetary savings from using beads-on-paint....

SPEAKER MARVEL: You have twenty seconds.

SENATOR BEUTLER: ...then perhaps it makes some sense to allow the Department of Motor Vehicles to take bids on beads-on-paint as well as the other type. I would also point out just in closing that we are going into a period of hard times where we need money for a lot of purposes. The \$500,000, the million dollars, the million and a half dollars, the two million dollars, whatever it is we would save using this system, I would argue very strongly could be much better spent on a number of other things. The additional safety that you would get out of the brightness of a fully reflectorized plate just is not worth the price that the 3M Company is suggesting we spend on it. Thank you.

SPEAKER MARVEL: Senator Haberman. We are all speaking to the DeCamp amendment now.

SENATOR HABERMAN: Mr. President, members of the Unicameral, I believe that the issue here is the taking of bids, allowing two companies to bid, allowing two processes to be offered, and then letting the people who decide this to purchase, make the decision. The Legislature does not set the size of the automobile license plate, Senator DeCamp. The Legislature does not set the size of the automobiles the state shall buy to travel around. So why should the Legislature try and set

the standards for license plates? One of the reasons could be is maybe because only one company that has reflective sheeting and that company is Minnesota Mining, they have patents on that item. 3M is the only one that has it. So who is in here pushing it and pushing these specifications? 3M. What is wrong with having bids taken? There must be something wrong or they wouldn't be fighting it so hard because this is free enterprise. The state takes bids on everything else. Why write specifications that will exclude a process or a firm? That isn't the way to do things but there must be a reason besides dollars. That is one reason. The other is that somebody is afraid they are going to lose a contract. So they say, boy, we are going to write this so that nobody else can bid. Tomorrow I will bring you a license plate and show you what happens to reflective plates in one year if you want to argue the quality of reflective plates over beaded plates, which I said a few minutes ago is not the issue. The issue is taking bids and then let the State Motor Vehicle Department set the standards like other states do. They don't do it on the legislative floor. They do it in the proper department. All right, so bring up the money issue if you want to. So you save \$500,000. Since when is that a drop in the bucket? But I say let's don't argue the savings. Let's argue taking the bids and then letting the people who are more knowledgeable than anybody on this floor as to the specifications and let them decide which plate is the best. I don't think it is up to the Legislature at all to set the standards or we should start to set them in all instances, on all things that the state takes bids on.

SPEAKER MARVEL: You have one minute.

SENATOR HABERMAN: Thank you. I think we are sticking our nose into something that isn't any of our business. Thank you, Mr. President.

SPEAKER MARVEL: Senator Vickers.

SENATOR VICKERS: Mr. Speaker and members, I, too, rise to oppose the DeCamp amendment for many of the same reasons put forth by Senator Beutler and Senator Haberman. I was on the committee when this issue first came up and quite honestly I didn't even realize until the issue came before the committee that we had reflectorized plates in the State of Nebraska. When you live out there where you are off the pavement or off the gravel roads in the State of Nebraska where the dust gets a little bit deep and hopefully we have a little mud once in awhile, it isn't long before that plate

is covered up with dust film and you can't tell it is reflectorized anyway. I think the whole issue of reflectorized plates is rather dumb, personally. That is what we have got reflectors on the backs of vehicles for. There are laws that say they have to be there. Taillights have to be there. Since when do we depend on the license plate to tell whether a vehicle is parked along the road or not. Out in rural Nebraska you certainly can't because it doesn't reflectorize that much. I certainly agree with Senator Haberman. The issue we are talking about here is competitive bidding. If we are going to have reflectorized plates, which as I say I am not that great a fan of, then for goodness sakes, let's let everybody bid on it. Let's make them as cheap as possible. I didn't realize the taxpayers of this state had an unlimited source of funds. Senator DeCamp wants to extend the distance from five hundred foot to eight hundred foot. That is rather strange. Are we going to increase the speed limit then enough so that it takes that extra three hundred foot to get stopped? No. No, we are not going to do that. So what is the reason for raising that? Well, obviously, there is one reason and that is to make the standards so that certain individuals cannot meet them, therefore won't be able to bid. I think another thing is rather strange in the handout that Senator DeCamp handed out. They say the total cost of savings is not two million dollars, it is much less. It is only about 3¢ per plate. It is only \$384,000 for a six year period or \$60,000 per year. If it is such a little amount, then why are these people afraid of bidding on the open competition with the other companies? If it is only 3¢ per plate, can't they eat it up? Can't they go ahead and bid if they really want the bid? That is not the issue. The issue is they don't want competitive bidding. They want bidding when they are the only ones that can meet it. They also list a whole list of people that manufacture this equipment, reflectorized sheeting. I seriously doubt that. If that is the case, why aren't some of these other companies in here lobbying? How's come it is only 3M? I oppose the DeCamp amendment in case you couldn't tell.

SPEAKER MARVEL: Senator Kahle.

SENATOR KAHLE: Mr. Speaker, members, I only have a short presentation to make. I am not an expert on the reflectorization or which is the best process for license plates. I am going to leave that up to the experts but the sheriffs from my community or the community of Buffalo County participated in the tests that were made at the Central Technical Community College at Hastings and was quite impressed, very impressed, in fact, with the reflectorized letters and numerals process which he and his deputy, Neil Miller, this is Sheriff Frank Dineen who served on the Safety Patrol of Nebraska for some 28 years and is now the Sheriff of Buffalo County. This man I consider an expert. He has been at it a

March 12, 1981

LB 290

long time. He, I am sure, knows what he is talking about and has no interest in 3M or anybody else. So I am sure that did not come into his thinking when he made this statement. But they feel, Sheriff Dineen and his deputy, Neil Miller, of Buffalo County both preferred the plates with reflectorized letters and numerals for law enforcement purposes. Now these people are experts in the field and I think they know what they are talking about. Thank you.

SPEAKER MARVEL: Senator Hoagland.

SENATOR HOAGLAND: I would like to call the question, Mr. Speaker.

SPEAKER MARVEL: The question has been called for. Do I see five hands? The question is shall debate cease. Those in favor vote aye, opposed vote no. Record the vote.

CLERK: 26 ayes, 4 nays to cease debate, Mr. President.

SPEAKER MARVEL: Debate is ceased. Senator DeCamp, you are recognized to close on your amendment.

SENATOR DeCAMP: Mr. President, members of the Legislature, I have won on this floor more than a time or two when probably I was wrong. It looks like it could go the other way and I think I can tell you I am right. Let's just kind of go through the arguments. You are babbling about competitive bidding. Competitive bidding, competitive bidding, have you ever seen any state office building or any state project where you have everybody, one bidding on an outhouse, one bidding on something else, one bidding on this. We have specs. They have been issued. They are out now. They were sent out right from the Department of Motor Vehicles. They are out there now. It has nothing to do with one firm. Flex-O-Lite can bid on this as was testified at the hearing. They have the same process, by the way, as do a number of other companies but they make more money on this other process. I could bid on it. Do you know why, Senator Haberman? Because you were totally wrong, which is not that unusual, on your patent argument. That patent expired in 1963. You could take your farm, mortgage it, go out and start making that stuff tomorrow and peddle it to the State of Nebraska, and, Senator Vickers, five hundred feet, why five hundred feet? Well, I will tell you why five hundred feet because a recent study by the Federal Highway Administration has concluded that eight hundred feet is the absolute minimum required for a motorist to stop their auto after seeing an obstruction in the roadway at 55 miles an hour. Five hundred feet which is in the statutes now was from 1941. The feds are saying nine

hundred feet. I am suggesting eight hundred as a compromise. 4.5 candle power. Why 4.5 candle power? It is a minimum, a reasonable minimum. You want specs or standards, I am offering just national federal standards. 4.5 candle power has been determined to be the minimum, minimum, brightness required to qualify as a safety plate, and supposedly that is what we are doing, safety plates. This is from the Society of Automotive Engineers. But anyway to the bottom line, the bottom line. I told Senator Clark, and I repeat it, I told him you prove you can save two million dollars, I will support your bill immediately because I don't believe it can be done. I haven't seen one single figure to document even one penny savings, not one. I have heard everybody ranting and raving we are going to save money. Prove it to me. I give you at least statistical evidence or something, national standards, and all you do is scream about 3M having a monopoly when anybody can bid on this who wants. It is an emotional thing, and as you know, both sides have been heavily lobbied and I think some of it is a reaction to individuals, some of it is a reaction to they think they are getting the big guy, some of it is a reaction to Senators. All I am suggesting is you look at the evidence, bid on one set of specifications, whatever they may be, and have them reasonable according to national standards. I doubt that these very minimum national standards could be met by the plate that we will get, that we are going to call a safety plate. I doubt that they would meet one-third of it. I urge you to adopt the amendment.

SPEAKER MARVEL: The motion before the House, Senator DeCamp has closed on his amendment, the motion before the House is the adoption of the DeCamp amendment to LB 290. All those in favor vote aye, opposed vote no. Have you all voted? One last time, have you all voted? Record the vote.

CLERK: 13 ayes, 23 nays on the motion to adopt the DeCamp amendment, Mr. President.

SPEAKER MARVEL: Motion lost.

CLERK: I have nothing further on the bill, Mr. President.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: I move that LB 290 be advanced to E & R Initial. They have had their day in court here. They cannot set their own standards. I think the Legislature has spoken that they do not want one company to set a standard. You talk about apples and oranges. I am not talking about apples and oranges bidding at all. They can set up the standard

that 3M has on one side and they can set up the beads-on-paint on the other side. That is all I am asking, for competitive bid on the two systems, and I would move the bill to E & R.

SPEAKER MARVEL: We are speaking on the motion to advance the bill to E & R for review. Senator Labedz, do you wish to speak on that motion?

SENATOR LABEDZ: Only very shortly. I had my name down for Senator DeCamp's amendment but evidently I didn't get to speak but I am in opposition to changing from the product the state has used for fifteen years to do something that is not effective and a system that has been discarded by our own Department of Roads for safety signs. The Highway Department has experimented with beads-on-plates but because it lacked the quality of appearance, durability and effectiveness, they felt it wasn't a wise use of tax funds, and I believe that when you have a system that is working, why change to another. And Senator Kahle, I appreciated your remarks on Senator DeCamp's amendment because I neither am an expert on plates but in reading the handout that Senator DeCamp gave I want to again emphasize that they state it isn't unusual for the freezing and thawing action of wet film on beaded surface signs to break the beads loose from the sign surface. The wind borne material such as sand especially in the western part of the state can completely denude a beaded sign surface. It goes on to say that the beaded surfacing system is a bit cheaper than the reflective sheet in terms of durability, and hence shorter length of service, it is probably more costly than the sheeting material in the long run and, therefore, I oppose LB 290.

SPEAKER MARVEL: Senator Johnson, Vard Johnson, do you have a session underneath the balcony now? Senator Kremer, did you wish to be recognized?

SENATOR KREMER: Mr. Chairman and members, I rise in support of LB 290 and I would like to give you a little background as to what has happened up to this point. The Public Works Committee has generally had the responsibility of dealing with motor vehicles and everything that went on them, the roads and so on. The issues of new license plates come up a number of times. Senator Warner on two different years came to the committee with a bill that would lengthen the life of our license plates for another year. That has happened for two years now. Now it is about time we have a new plate. Consequently, we began to looking at plates. What type of plate do we need? What is the purpose of the plate? So due to other responsibilities, I as Chairman of the committee divided the committee into subcommittees. Serving on this

committee dealing with license plates was appointed Senator Clark and Senator Beutler. They put a lot of work on this. And they came back to the committee and made reports of all kinds on what they'd seen and what they had heard. We finally arrived at the bill that we have now in committee, and I would like to ask the question that has been asked many times. What is the purpose of a license plate? The purpose of a license plate is to identify the person that owns the automobile, to identify the automobile. However, the license plate can be a method of seeing whether there is an automobile ahead at the nighttime but that is not really the purpose of it. Now then having to do with the ability to see a license plate in the distance, we had a good look at that. I was invited to go to Iowa and visit the prison there where the plates were being manufactured for other states and I was quite impressed. I was told that this company manufacturing the plates there in Iowa did have the ability to put out a plate with five candle power that would last for six years and I assume they are back in it. Now then we are going to a bid system to save money, and how much? Frankly I don't know. Maybe it is \$500,000, maybe it is a million, maybe it is two million. But all we are talking about, give everybody a chance. We don't know how much it is going to save. It could be three or four million, maybe more, but I have found that everytime you put something out for a bid, as a consequence, you can save money by bidding so that is what we are talking about here. We are talking about bidding. How much money we will save? I don't know and Senator DeCamp raised that question. Can you prove...I don't know. When I went out to Iowa prison, we specifically discussed the production rates of both systems. Mr. Richardson that was with us that day informed me that Iowa had no trouble with producing either system and that their production rates are equal. As a matter of fact, the two systems go through the oven side by side and at the same rate. One system hangs the plate vertically and the other one holds the plates horizontally but there were not any problems with producing either system. Now Senator Clark's interim study, the specifications ask the states, and give the name, Colorado, Missouri, Arizona and Connecticut, if they had loss of production based on the experience that they have had in producing the beads-on-paint system, and it is my understanding that one state was having a problem producing the same number of plates using the beads-on-paint system. No state reported having a problem with the beads-on-paint. I support taking competitive bids for both license plate systems and then using the lowest acceptable bid. I believe that LB 290 gives the Department of Motor Vehicles the proper direction and authority to take bids on both systems and I think we are going to save some money. Thank you very much.

March 12, 1981

LB 290

SPEAKER MARVEL: Senator Beutler, we are speaking to the bill as a whole.

SENATOR BEUTLER: I call the question, Mr. Speaker.

SPEAKER MARVEL: The question has been called for. Do I see five hands? All those in favor of closing debate vote aye, opposed vote no. Record the vote.

CLERK: 25 ayes, 4 nays to cease debate, Mr. President.

SPEAKER MARVEL: Debate is ceased. Senator Clark, do you wish to close on your motion to advance?

SENATOR CLARK: There is really no closing. I think the bill has been debated probably way too long now. And all I want you to know is all you are doing in this particular bill is allowing the Motor Vehicle Department to bid on both systems. Now if you want sheeting...if they want sheeting, they put up a bid for the sheeting. They also put one up for the beads-on-paint. Anyone can bid on the sheeting. That is right. Now I am very anxious to find out how many are going to bid on that because all of the information I have they will not bid on it, they cannot bid on it, because it will be graphic sheeting. They cannot do it. They cannot compete. They don't have it even. He says Flex-O-Lite has the full sheeting. They do not have full sheeting. They are working on full sheeting but they do not have it and all the other companies and Flex-O-Lite has the beads-on-paint, but I want to tell you this, so does 3M and 3M bid on it down in Arizona and I got the stuff from Arizona showing that they bid on it but they did not get the bid because they would not guarantee the product, and so all I am asking you is that the state be allowed to bid on both systems and that is all. I am setting no standards. So I would ask that 290 be over to E & R.

SPEAKER MARVEL: The motion is to advance the bill to E & R for review. All those in favor vote aye, opposed vote no. Record.

CLERK: 27 ayes, 7 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Underneath the South balcony as guests of Senator Wagner, it is my privilege to introduce first of all former Senator Rudy Kokes and also Henry Lange from Ord. Will you gentlemen please hold up your hand so we can...okay?

March 16, 1981

LB 83, 136, 138, 290, 310,
325, 354, 440, 457

SPEAKER MARVEL PRESIDING

DR. ROBERT PALMER: (Prayer offered.)

SPEAKER MARVEL: Record your presence.

CLERK: Mr. President, Senators Clark, Nichol and Hoagland would like to be excused for the day. Senators Newell, Cullan and Beutler...Beutler is here, Senators Newell, Cullan and Wesely...Wesely is here, too.

SPEAKER MARVEL: Record.

CLERK: A quorum present, Mr. President.

SPEAKER MARVEL: Have you got some items to read?

CLERK: Yes, sir. Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 290 and recommend that same be placed on Select File with amendments; LB 138 Select File. (Signed) Senator Kilgarin, Chair.

Mr. President, your committee on Education whose Chairman is Senator Koch reports LB 440 to General File with amendments. (Signed) Senator Koch.

Your committee on Government whose Chairman is Senator Kahle reports LB 310 to General File with amendments. That is signed by Senator Kahle.

Mr. President, I have reports from the Department of Health, Bureau of Examining Boards pursuant to statutory section; and one from the Department of Administrative Services, State Building Division, both offered in compliance with statutory provisions. They will be on file in my office.

Mr. President, Public Works Committee will meet in executive session at one thirty on March 18, 1981 in Room 1517. That is signed by Senator Kremer.

Mr. President, LBs 83, 136, 325, 354, and 457 are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 83, LB 136, LB 325, LB 354, LB 457. Okay, let's go to item #4.

CLERK: Mr. President, the first item under gubernatorial

March 19, 1981

LB 47, 290

ordinances and deal with this whole question of towing in their own peculiar unique sort of way. Senator Rumery is in concurrence with this. I think it would be beneficial. What happens right now is that alternating years different communities bring in different bills trying to deal with the same problem in a different way and this allows for a little more flexibility in the state. With that, I urge the adoption of the amendment.

PRESIDENT: The Chair recognizes Senator Rumery.

SENATOR RUMERY: Mr. President, members of the Legislature, you will recall that Senator Newell and I had a little discussion on this bill a few days ago and we agreed that we would try to work out an amendment that would be favorable to Lincoln and Omaha and we have done that and I fully support the amendment.

PRESIDENT: Anything further? Any other discussion on the Newell amendment to LB 47? Senator Newell, do you have any closing? All right, the motion then is the adoption of the Newell amendment to LB 47. All those in favor vote aye, opposed nay. Have you all voted on the Newell amendment on LB 47? Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President.

PRESIDENT: The motion carries. The amendment is adopted. Any further amendments?

CLERK: Nothing further on the bill, Mr. President.

PRESIDENT: Senator Kilgarin, ready to move forward.

SENATOR KILGARIN: I move LB 47 be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 47 to E & R for engrossment. Any discussion? All those in favor of advancing LB 47 to E & R for engrossment signify by saying aye, opposed nay. LB 47 is advanced to E & R for engrossment. The next bill will be LB 290, Mr. Clerk.

CLERK: Mr. President, there are E & R amendments to LB 290.

SENATOR KILGARIN: I move the E & R amendments to LB 290.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Kilgarin, the E & R amendments to LB 290. Do you so move? All those in favor of that motion say aye, opposed no. The motion is carried. The E & R amendment is adopted.

CLERK: Mr. President, I now have several amendments. The first is offered by Senator DeCamp. Do you want me to read it, Senator? Would that be helpful? (Read DeCamp amendment as found on page 1025 of the Legislative Journal.)

SENATOR DeCAMP: Mr. President, could you clobber the gavel? I really want people to listen. Bobby is the only one that is going to pay attention. Mr. President, members of the Legislature, there is an old saying about if you can't beat them, maybe you should join them and that is about what the amendment does. It joins Bobby Clark, Senator Clark, in the three things he stated on the floor and that Senator Haberman and the others stated they wanted. What did they say they wanted? They said they wanted competitive bidding. They said they wanted to end a monopoly of 3M on license plates and as I understood it, they wanted to get the Legislature out of sitting here writing special specifications that were tailored to only one company or whatever. I think from my conversation with Dave Kunz this morning and others, that for sure the first part of this amendment should have no objection whatsoever. The first part changes one word. It strikes the word "background" and says "entire surface" and I think if you don't adopt that amendment for sure, you are going to be guilty of doing precisely what was done before which is tailoring a bill through specifications so that only one company, Flex-O-Lite, can get it. So this clears that up because if the bill passes the way it is, as I read it, and I think you can read the same thing the way it was amended, we are saying the reflective sheeting is only on the background. In other words, you could not cover the numbers. Well reflective sheeting covers the entire plate. That is the whole idea so I urge you to adopt that amendment for sure. The balance of the amendment has to do with exactly what they said they wanted, competitive bidding and letting, not the Legislature, but competent people deciding what the standards for license plates should be. In this case it would be Department of Administrative Services since they oversee our money. They are our treasurer so to speak. The Department of Motor Vehicles, they would be represented among this group. Why? Because they are vested by statute with the responsibility. The prison, corrections officials, they are the ones that make the doggone things. State Patrol, they have been involved in this from the

very beginning from their safety aspect, identification aspect. The head of the Patrol should have some involvement. Finally, the Attorney General, he is the one that says that what they are doing is legal or illegal and the proper way to do it. So, the amendment does the two things I mentioned. It corrects what I think is a technical error which makes a monopoly for Flex-O-Lite which I am sure Senator Clark did not intend and I'm sure it was an error, number one, and number two says there shall be competitive bidding and these people will draw the specifications. Now let me get to the heart of the matter. I decided after the debate last time when I kind of got whipped good, that possibly I wasn't getting the right information from either side. So I went to some people that have been involved in the past and tried to find out whether there really was a monopoly, and do you know what I found out? I found out there was but it is not for any of the reasons anybody ever thought or any of the reasons given. Bobby Clark with his bill does correct that. Now let me show you what the problem was. Back when we decided to design the license plates for the bicentennial, Senator Richendifer and a group that were on the Exec Board at that time, decided they were going to have the greatest license plates, Senator Carpenter was involved, that ever was. Now if you will read your bill you will see starting at line 23, they describe how this license plate has got to be. It has got to have a particular color. It has got to have all these things, the Indian on it, the lettering. The reason 3M ended up with a monopoly, if you want to use that word, wasn't because the reflectorized sheeting such as everybody has stated. The reason was they were the only company that had the graphic system that could print these particular things. Bobby Clark is eliminating those things. That ends any question of a monopoly. You are going to have a lot of people bidding on the reflectorized sheeting. So you are taking care of that. That was the real problem contrary to what we were all screaming at each other about, they were the only ones that produced reflectorized sheeting, not true. It was the graphics involved and I had to find this out by going back to some people who were involved at the time and delving into some things. With the bill, if you adopt this amendment, you are saying, the basic thing, goal, the Legislature is saying is what is in the statute, what he has got. You have got to have it last six years. That is the main goal and you can take your bids on beads or reflectorized sheeting, paper, cardboard, whatever, but it has got to last six years. So that pretty limits what you can do. And then it says, okay, Department of Motor Vehicles, okay, State Patrol, all you people that are

involved in this, you get those specifications out. You take bids, all the bids you can get and then you come up and you get this doggone thing implemented and quit letting it be a play game in the Legislature. All I am suggesting you do, and read that amendment, all I am suggesting is that if we are all sincere about wanting competitive bidding like we have stated, our Senator Habermans and our Senator Vickers, if that is what we want and if we do want both systems bid or any dozen systems and if we do want it out of the Legislature's hands, adopt the amendment. Forget your Dave Kunzs, forget your Jimmy Ryans, forget your 3Ms, forget your Flex-O-Lites. Just use your heads and decide what will get us this problem solved and solved quickly if we are going to get license plates for next year. I urge you to adopt the amendment.

SPEAKER MARVEL: Senator Cullan, do you wish to speak to the DeCamp amendment to LB 290?

SENATOR CULLAN: Mr. President, members of the Legislature, I simply rise to support the DeCamp amendment. I think it is a good suggestion for us to leave this discretion with those officials who are enumerated in the DeCamp amendment, rather than set the standards here ourselves, particularly in light of the fact that we are not all aware of what the impact of setting those standards might be as far as bids and so forth are concerned. I have confidence in the individuals enumerated in the DeCamp amendment and I would urge you to support it.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: Mr. President and members, I think this is a real good 3M amendment. I think it is a fine thing, you know. You thought I was going to oppose it? Oh, no, not if I am going to go with 3M. I think it is a wonderful thing. So what he is saying here, I'm sure he wouldn't explain it to you, little Johnny DeCamp, you know, he says "reflective background material." It just guts the whole bill. This is one against the people of the state. The people have a right to save two and a half million dollars, two and three quarters million dollars, whatever they can save. The bill that I have it now, and I have an amendment here too because you do not bid on license plates. What you bid on is the systems and the one I have is to bid on a system of reflectorizing the numerals and the letters or the other way that you can bid on the full reflectorized plate. You can bid both systems. Now don't let someone tell you that Flex-O-Lite or someone else is going to bid on that full

reflectorized system. We had the full reflectorized system before and of course they put graphic sheeting in there and no one else has it, but Kiwi Light has bid against 3M four different times. Three times they were low and never did get the bid. No one is going to get it except 3M. Now I realize 3M has been working the dickens out of this bill. They've got a lot of money and there is no doubt about it. They have called in their big guns to beat the people of Nebraska. For goodness sakes, let's let the people have a right to bid. Now he wants the five departments to do it. I don't know whether he has got those set up or what. The Motor Vehicles Department now writes the specifications. There is no reason why they shouldn't write the specifications. I am not trying to write out 3M. Let them bid both systems. Maybe 3M will come in half priced to the others, fine. I don't care who gets the bid. I just think that if we can save 2.3 million dollars, we ought to do it but what he is doing here is just gutting the bill. That is all it amounts to. I certainly urge you to vote against this.

SPEAKER MARVEL: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, it makes me nervous when Senator DeCamp gets up and all of a sudden when you know he is on one side, 100% on one side, then when he gets up and proposes a compromise and I...it just kind of makes me nervous. So, because...I have a lot of respect for Senator DeCamp and I know that when he starts out to get something done he will get her done. So, not having enough time to really go into this as evidently Senator DeCamp says he has and knowing which side he was on, would be enough for me to oppose it but as I do read it, it says, "entire surface" and as I understand it, we have been discussing and the beaded people put the beads just on the numbers and I don't know whether they have ever put their beads on an entire plate. I don't even know if they can bid this or not and if they can't bid their process, then we are cutting them out and Senator DeCamp didn't say that they could bid this new way. We know that both companies can bid the way it reads now. We know that because both sides have said that they can and when both sides say they can do something it comes down to dollars. But now one side is trying to change the rules in the ballgame and they haven't told us whether the other side can perform. So, I would say, first, let's reject the amendment, the first part, and I am going to ask for a division, Mr. President, of the amendments.

SPEAKER MARVEL: Senator Haberman.

SENATOR HABERMAN: Yes, I would like to ask for a division of the amendments so that we can vote on them separately.

SPEAKER MARVEL: It appears that it is divisible. There is point number one and point number two.

SENATOR HABERMAN: All right, now we are going to ther... we are talking about point number one, right?

SPEAKER MARVEL: All right, fine.

SENATOR HABERMAN: Now that it is divided I will say that I will agree with the second part but the first part I am disagreeing with because I think it puts the clamps back on that only one firm can bid and be a successful bidder. So I would ask that this body reject the number one amendment that we are going to vote on first and then support the number two. Thank you, Mr. President.

SPEAKER MARVEL: Senator Dworak.

SENATOR DWORAK: Mr. Speaker and colleagues, I am opposed to both parts of this amendment. I was really surprised at my good friend Senator Cullan, getting up asking for another committee decision with his big arguments on the Department of Health is we need to get rid of this decision making process through committee functions and we need to put it under a strong accountable executive. Now he supports an amendment of a mish mash of four or five department heads which is rightfully one department head's job. I seem to sense an inconsistency there. I think if this is a good idea, all decisions that these various department heads rightfully have should be made by a committee of five of the various department heads. I think when the State Patrol takes bids on new cars I think the Attorney General ought to be a part of it. I think DAS ought to be a part of it. I certainly think the Department of Motor Vehicles ought to be a part of it. I don't think the Colonel, the State Patrol can make that decision just as Senator DeCamp doesn't think DAS or the Department of Motor Vehicles can make this decision. It doesn't make a lot of sense to me. This is, you know, if you do not succeed the first time, try, try again and that is what Ryan and Company are throwing before us again on Select File now. The point of the matter is, is Senator Clark has a bill before us today that calls for bids, not stack specifications. It gives the authority to the Department of Motor Vehicles to make the decision that rightfully is theirs. I am sure they will consult with all of these agencies in the decision making process but the buck stops with the Department of Motor Vehicles and that is where it should stop. That is where

the authority rests. That is where this body has given the authority. Let's not take it away from them now.

SPEAKER MARVEL: The Clerk will read the first amendment to LB 290 and this is what we are speaking to.

CLERK: Mr. President, the divided question calls for the first amendment which would read as follows: "In the committee amendment found on page 721 of the Journal, page 1, line 2, strike the word "background" and insert the words "entire surface." I have distributed copies to the membership, Mr. President.

SPEAKER MARVEL: Okay, we are now ready for... Senator Beutler, do you want to address amendment number one?

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, as I understand it now, the question has been divided and we are talking about at this point in time, the first part of the DeCamp amendments. Let me read to you the entire sentence as it would be in the bill if the DeCamp amendment is adopted, so that you can put it all together in one sentence. It would basically read like this: "Each such plate shall be treated with a reflective material on either the entire surface of the plate or on the letters and numerals of the plate which shall provide effective and dependable reflective brightness during the service period required of the license plate." It appears that different people had different perspectives on these amendments so far but in my opinion the first amendment is a fair amendment and is technically...makes it more correct. So I am not going to be objecting to the first amendment. The second amendment, however, has a very different effect and I will speak to that at that time but I did want to clarify exactly how it would read if, in fact, it were adopted. Thank you.

SPEAKER MARVEL: Before I recognize Senator Koch I have this announcement, that in celebration of Agriculture Day the Nebraska Cowbells are serving delicious tidbits featuring beef in the rotunda at eleven o'clock. Senator Koch, do you want to speak to the first amendment?

SENATOR KOCH: Yes, I can do that, Mr. Speaker. First of all, I have a question of Senator Clark. Where is he, lobbying with "Reflector Light" or someone?

SPEAKER MARVEL: He is coming.

SENATOR KOCH: Okay. I mean Flex-O-Lite. Senator Clark, you conducted a study on this, didn't you?

SENATOR CLARK: Pardon?

SENATOR KOCH: You conducted a study on this with a special committee of the Legislature?

SENATOR CLARK: Yes.

SENATOR KOCH: Now when you were doing this study, what section of the private sector did you invite for consultation in regards to license plates and materials to be used? Who was invited?

SENATOR CLARK: Who was invited?

SENATOR KOCH: Yes.

SENATOR CLARK: Well we went to different states that have the plates.

SENATOR KOCH: But at any time did Flex-O-Lite talk to you?

SENATOR CLARK: Oh, yes, you bet.

SENATOR KOCH: Did 3M have the same privilege?

SENATOR CLARK: As far as I know.

SENATOR KOCH: Did you invite them?

SENATOR CLARK: I didn't invite anyone.

SENATOR KOCH: How did you get in contact with Flex-O-Lite then?

SENATOR CLARK: They came to me.

SENATOR KOCH: Pardon?

SENATOR CLARK: They came to me.

SENATOR KOCH: Oh, they came to you.

SENATOR CLARK: Yes.

SENATOR KOCH: Okay.

SENATOR CLARK: Well what I was interested in...

SENATOR KOCH: But the point is, did you invite others you know are in the business?

SENATOR CLARK: Pardon?

SENATOR KOCH: Did you invite others that you know are in the business?

SENATOR CLARK: I have contacted everyone that has license plates or systems of license plates. Every company that I know of. There is ten of them.

SENATOR KOCH: They were all contacted.

SENATOR CLARK: They were all contacted.

SENATOR KOCH: And the only people that really visited with you is Flex-O-Lite.

SENATOR CLARK: I don't know about that. I mean I contacted the people to find out if they could bid on the plates.

SENATOR KOCH: All right, thank you, Senator Clark. Mr. Speaker and members of the body, I serve on Public Works and I will never forget that day when that hearing was held. You talk about a stacked deck of cards, that was stacked. There were three people paraded in there like, man, alive, we are going to overwhelm this committee and they virtually did with their media and everything else, great pictures. It was interesting last night when I was driving home at dusk, going to the same place most of you were but your bus was a little late. There was a car right ahead of me as I was heading into L Street where I turn off most of the time. It was a Michigan license plate and I see in Senator Clark's recent handout he uses Michigan as one of the examples. I turned my headlights on. I could hardly read those numbers until I got almost to within twenty feet of that in the car. That is Michigan. Now to get to the amendment. We need this first amendment regardless of what Senator Haberman says because Senator Clark just passed around another one. What is wrong with adopting the first part of the DeCamp amendments? Nothing. Nothing at all. But there again, see, there is some people so violently opposed to discussing 290 they just want to divide the question right now, which is all right, but for us to oppose that first section of this amendment is not reasonable. Secondly, before I complete my remarks here, Hruska said at one time, there is hardly anything that some man cannot produce and make cheaper and those individuals who seek price only or cost are his lawful prey. I happen to believe when you get in the business of license plates we ought to design the best license plates available in terms of durability, in terms of being able to see it as some device to put you on hold and our license plates are good. I was advised the license

plate we've got presently was designed for a four year life and again, I have been watching our licenses the last few days and I can't believe the durability of those licenses for only a four year life. They are absolutely excellent and I am getting a little tired of people beating 3M around the head here because I don't think it is very fair. In our state they have two large businesses. They employ a considerable number of people. We, here, always talk about what is wrong with rewarding a bid to a domestic company, a company that does business in Nebraska. What is wrong with that? But let's make it fair. Let's make sure we get the right parameters if we are going to do this and make sure that whoever gets that bid we are going to have a license that is going to stand the test of time because I know we are going to keep them another six years at least.

SPEAKER MARVEL: You have one minute.

SENATOR KOCH: So we talk about a million or two dollars, that boils down to a few cents a year. I don't think any taxpayer is going to go on revolt over that when they know they are going to get quality along with some safety factors and other things that I think are important in terms of licensing. If it weren't true why would the State Patrol and police and others say they believe reflectorize is the best way to go. Now we get into the argument, beads, and all that kind of stuff. I still believe we should adopt DeCamp's amendment totally, establish a group of people with integrity to establish the guidelines on how we are going to go all about this and the Legislature should go on with our other business. Thank you.

SPEAKER MARVEL: Senator Higgins, we are speaking to amendment number one.

SENATOR HIGGINS: Mr. President, I would like to yield my five minutes to Senator John DeCamp, who is coming forward now. As long as Senator DeCamp does not want to take my five minutes, I just want to say that I rise to support Senator DeCamp's amendments and I also have a telegram here from the Omaha Police Department's Union saying that they would like to kill LB 290 without the amendments but with the amendments they would be acceptable to them, too. Thank you.

SPEAKER MARVEL: Senator Wesely. We are speaking to the first, the amendment number one of LB 290.

SENATOR WESELY: Mr. Speaker, members of the Legislature, I do support the DeCamp amendment and I do think that it is a reasonable attempt to try and deal with this problem but let me give you a little background as we are still considering this issue because I think that spending the time that

we have on this issue is just abominable. I just can't believe that we are taking the time that we are at this time. We have looked at this license plate issue now for this is the third year. Every year I have been down here we have looked at the license plate question and every year we can't seem to resolve it. I had thought perhaps a solution to this problem was let's delay for another year and the new license plates but that never seems to deal with the issue. We have had before us a question of two plates versus one plate. That was a couple years ago. The alpha numeric system was looked at as a change. The question came up this year about keeping old license plate numbers. We have talked now about the design of plates. We have talked about material of plates. Every imaginable issue involved with license plates has been brought to this body in the last three years and we spend innumerable amount of time trying to decide what we are going to do with an issue that really shouldn't take this sort of time but it has and it is just appalling to me that we are spending the time. I think the changes that Senator Clark has proposed are not necessary, that we could have easily gone ahead with the whole system as we have it. We had everything in place to let the bids and finally go ahead and take care of this and move ahead and now this has come up and we are spending the time we are on it. The study that was so carefully done in Senator Clark's estimation by the Public Works Committee is a farce. I was on that subcommittee. That subcommittee never met that I know of. We never decided anything in terms of favoring this bill or any proposal that I know of. The efforts to go to other states, although invited, I don't know of anybody who went other than Senator Clark and maybe a staff person and quite frankly, I think it was not a very unbiased study. I think it was a study based on Flex-O-Lite's ideas and if you are basing your decision on that study, you are basing it on some pretty faulty information I believe. So the whole affair at this time is a joke, I think and I am just concerned that we are spending the time and that you are getting information that I am not sure is very fair and I feel very upset with the fact that as a subcommittee member on that study I have been part of a recommendation to this body to do what this bill would entail and, in fact, I had nothing to do whatsoever in making that recommendation and I think that is not a very fair situation to put somebody in. So, my concern is I think we ought to kill the Clark bill but if we have to go ahead with something, Senator DeCamp has a compromise that seems reasonable.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, most of what I would have said I think has been said by Senator Koch. I would just like to add that there are no secrets in business. If you accept bids upon equal quality of work you are going to find that competing companies are going to give pretty close bids. I don't think there is any problem of saving two million or four million or two and a half million. I don't think you are going to do it. I have been involved in that sort of process and I can tell you very frankly that it is like bidding on a bushel of oats, you know. If you buy high quality oats you are going to find that the bids are going to be pretty close. If you want to buy other kind of oats, why the bids will vary some and I am going to tell you what can determine the quality oats. But insofar as the bill is concerned, I think that as Senator Koch has pointed out, if you get a quality product and it will last four, five or six years, you are going to find that the public is not going to be raising a lot of Cain but if you buy a product which does not stand up, which causes problems for law enforcement, which causes problems of identification, you are going to find out that it was very faulty economy. I agree with Senator Koch and Senator Wesely. I support the DeCamp amendment. I would have preferred to kill the bill but in the absence of killing the bill, I support the DeCamp amendment and I believe that the public will back us up on it.

SPEAKER MARVEL: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, I was rather taken, I won't say amused, but taken by Senator Koch's remarks about the public hearing because you know what? The records says he wasn't there and then also if you look at who appeared, Flex-O people were there. 3M people had the same rights but they weren't there. It doesn't show on the record. Does it show that they testified? Then I take it back. But if you look in your book, were you there, Senator Koch? Question, were you there, Senator Koch? A question of Senator Koch. May I ask him a question please?

SPEAKER MARVEL: Senator Koch, do you yield?

SENATOR HABERMAN: Were you at the public hearing, Senator Koch?

SENATOR KOCH: I would be very pleased. How much do you want to wager on it? You've got all the money. I'm just a poor boy. I was there. I wasn't there when they acted on the bill and sent it to the floor. You better read it correctly.

March 19, 1981

LB 290

SENATOR HABERMAN: You answered my question. I apologize.

SENATOR KOCH: You better.

SENATOR HABERMAN: Well, then I have to say this. How accurate are the rest of the records we are getting up here? Thank you, Mr. President.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: Mr. President, now that the question has been divided I would be glad to accept the first amendment if there is any discussion on that. I would be glad to accept that.

SPEAKER MARVEL: Senator Vickers.

SENATOR VICKERS: Mr. President, I call the question.

SPEAKER MARVEL: The question has been called for. Do I see five hands. All those in favor of ceasing debate vote aye, opposed no. Would you like to cease debate or would you like to go on with the debate? Record.

CLERK: 26 ayes, 0 nays to cease debate on the first question.

SPEAKER MARVEL: Debate ceases. Senator DeCamp, do you wish to close on amendment number one of LB 290?

SENATOR DeCAMP: Mr. President, members of the Legislature, this is really all kind of fun, isn't it? I am going to do something I have never done before. I am going to reveal to Rex Haberman the secret of passing bills. Right here and now, in front of everybody I am going to tell him that....

SPEAKER MARVEL: It is all right as long as you confine your remarks to amendment number one of LB 290.

SENATOR DeCAMP: Oh, I am. Mr. President, you know better than that. You know I always do. Mr. President, thirty minutes ago, thirty minutes ago Senator Clark leaped up, "I'm gutting the bill, you are destroying it, everything is coming to an end, you're killing the bill, you're gutting it." Senator Haberman leaped up screaming as eagerly that I was doing these terrible things. Everybody else was armed because Davie Kunz and whoever had said, okay, "mobilize, fight the little rascal. Tear into him." You see, Rex, here is the secret, the trick I used on you and it is a trick. I admit it. Hell, it

is the cleverest trick of all. I simply did the thing I have always tried to do on the floor. I told you the truth but you were so ready to fight, you couldn't handle the truth. And you will find that time and time again in here. You get so armed and so ready to come out and wage a war, you don't even listen. Do you remember what I said when I started? I said, all I am asking you to do is forget your Ryans and your Kunzs and your Flex-O-Lites and your 3Ms. I said there is a technical flaw in the bill, a major flaw. And Bobby Clark, I said, won't even want it if he knew it was there. I said, all I am going to do with the first part of the amendment is correct something because the way the bill reads now it guarantees that you won't have even bids from reflectorize which he said he was after, which all you said you wanted. Finally Chrissy, Chrissy took enough time to read it. Chrissy took it, even though he is opposed to anything I do, Chrissy read the bill. Did you see and hear him stand up? He said, now I've read it and he explained it to you and nobody was paying attention. He said, yes, you have got to have that. Go on and do that first part. Remember that is what I told you on the first part. It is necessary or you are going to have the exact opposite. You are going to give a monopoly to one company. Okay? The trick, Rex, was the same trick I have used a hundred times on you. I told you the truth in advance and you came out fighting and weren't listening, weren't thinking. You are so interested in fighting, you won't listen. I urge you to adopt the first amendment and then listen carefully to the second one.

SPEAKER MARVEL: The motion is the adoption of amendment number one to LB 290. All those in favor of that motion to adopt amendment number one vote aye, opposed vote no. Record the vote.

CLERK: 32 ayes, 0 nays on adoption of the first DeCamp amendment.

SPEAKER MARVEL: The motion is carried. The first amendment is adopted. We now move to amendment number 2. Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, now I passed out the amendment. Why don't you just read it with me and see the plotting, the evils, the sin and sinister tricks that lurk in this amendment? Senator Clark, Senator Haberman, Senator Vickers, Senator Barrett and Senator DeCamp would all agree as follows: Number one, with the bill the way it is now we have two systems, beads-on-paint, reflectorized that bids can be taken on. I think everyone would agree

with that concept at this time. That is in the bill, the way we have changed it and adopted it and amended it. Number two, I think all five or six of us who are pretty close to this would agree on this thing, that the monopoly aspect has been taken out, if you want to call it a monopoly, because we have removed all the graphics. Remember, Bobby Clark explained the same as I did, yes, that is how it is done. You had a painted Indian and a cream colored this and so on and so forth, that is removed. So you've got ten companies at least by Senator Clark's statement that can bid on a reflectorized. I don't know how many beads-on-paint there are, I really don't care. I'm kind of having fun doing this from here on because I can see the direction. I think they will get bids on both systems and I think one will run into trouble because they won't have time, so on and so forth, but I think you would all agree then on the third thing. There are going to have to be some specifications written. We have given the general order in the statute in the law here, that they have got to last six years and we've got laws that say the Director of Motor Vehicles has to come up with specifications. So now here is the evil, the trick, the bad thing I am going to suggest. I am going to suggest that when they take their bids, they make every reasonable effort to secure qualified bids for such license plates in accordance with specifications prepared by a committee consisting of the Director of Motor Vehicles, Superintendent of the Nebraska State Patrol, the Attorney General, the Director of Correctional Services, the Director of Administrative Services. Now isn't that pretty evil? I have picked five people that we trust to run our whole finances, to run our whole highest law enforcement official, to be head of our State Patrol and the Department of Motor Vehicles is vested with the responsibility of handling the procedural parts and I said, look, you guys get together and decide what the specific things are you want to make sure they all comply with and take bids. That is a pretty clever plot, isn't it, getting information from all of the people that are involved, all the people that have testified? Now I know that my good friend Chris is going to suggest, DeCamp, it sounds okay but really it is a plot. What you really are doing is you are shifting the war, so to speak, kind of to a new front. You lost here so you are figuring and you get it over there and those people will redo it or something. Maybe, maybe that is the plot. All I am doing though is saying, get it out of the Legislature and let the people that we are paying forty and fifty and sixty thousand dollars a year to handle, let them handle it and let's forget jacking around here on it every year.

SPEAKER MARVEL: Before we go to the next speaker I wish to

introduce, first of all in the North balcony from Senator Sieck's district, 16 fourth grade students and five adults from York Emanuel Lutheran School, York, Nebraska; Mrs. Patricia Jones, teacher; Mr. and Mrs. Allen Coates, parents; Mrs. Lois Maple, parent; Mrs. Chloeann Stare, parent, in the North balcony. Would you hold up your hands so we can wish you good morning. And under the North balcony as a guest of Senator Wagner is Dr. Dale Karre of Ord, Nebraska, underneath the North balcony. Where are you, sir? Okay. Senator Beutler, do you wish to speak to amendment number two of LB 290?

SENATOR BEUTLER: Yes. Mr. Speaker, members of the Legislature, I am very much opposed to this part of the amendment and let me try to tell you why. First of all, notice that what we are doing, that the main change in the amendment, whether we have Senator Clark's bill without the amendment or whether we have this amendment we are going to have specifications, we are going to have competitive bidding now. The question is, the question that is posed, the issue in this particular amendment is whether we are going to use our regular bidding procedures or whether we are going to have this new committee composed of the heads of several departments that are going to make this decision with regard to our license plates. Now let me ask you just to think about that for a minute. The State of Nebraska must procure literally thousands of different items year in and year out and do you think that it is possible to have a committee for each type of item that we purchase? What if we had a committee for marbles and a committee for pencils and a committee for this and a committee for that, not only is it a committee but it is the heads of all these departments. From a procurement point of view, this is absolutely ludicrous. So, I hope just from the point of view of the administration and the point of view of the precedent that you are setting with this kind of amendment, that you will reject it on that basis. Now, Senator DeCamp has pulled one of the oldest lawyer's tricks on me. He came up to me before we began discussing this and said, "What is wrong with this, Chrissy?" And I said, "But, John, you want to play a new game. You don't want to play in the Legislature any more. You want to play in the Administrative Agency." He said, "Well, yes, that's right." Then he goes to the speaker and he says, "Now, Chrissy is going to say that we want to play a new game." Then when Chrissy stands up to say it, everybody thinks, "Well, Johnny said Chrissy was going to say that, so, it must not be right." Please, don't let Johnny DeCamp manipulate you like this. Do you know what is happening? It is as simple as this. It is like Johnny came in with Jim Ryan and the boys and said, "We'll see who is champion and we will play a chess game

to determine who is champion." Then we get to playing the chess game and we play and we play and we play and we get down and Johnny and Jim are almost checkmated and then they say, "Nope, it wasn't a chess game we were going to play to decide who is champion, it is another kind of game. We are going to play checkers instead." So, what this is is a checkers amendment. They are beaten on one floor but now they want to play it in another game. They have got some new players here they can talk to. I don't know how they feel about this particular issue, the Superintendent of the Nebraska State Patrol and the Attorney General, hmmm, I didn't know Paul was so interested in license plates. That is all that is happening here. Stick with the bill in its original form. You will have competitive bidding. You will have it done by the agency and the people who normally do it without creating this new system and everything is going to be all right, I assure you. Thank you.

SPEAKER MARVEL: Senator Clark, amendment number two.

SENATOR CLARK: I really don't know, Mr. President....

SPEAKER MARVEL: Excuse me, I made a mistake. There is an amendment on the desk to the DeCamp amendment. Mr. Clerk.

CLERK: Mr. President, Senator Dworak moves to amend the DeCamp amendment: On line 11 by adding the Appropriations Committee.

SPEAKER MARVEL: Senator Dworak.

SENATOR DWORAK: Well, Mr. President and colleagues, since we are getting all the interested parties involved in this thing I thought maybe we ought to include the people that have to appropriate the money. They may be a very significant factor in this decision also. We have the Attorney General and what particular role he plays, I find it difficult to determine. We have DAS in there. We have the State Patrol. I thought we may as well put the group in there that is going to have to take the heat for appropriating the money ultimately. In fact, I had reservations when I wrote the amendment because I thought maybe we ought to include twenty-five or thirty people on the floor of the Legislature also but since we want to, we think these collective decisions are so superior over to the legitimate decision making authority, we may as well really muddy the water. I would ask for consent to withdraw the amendment.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: Mr. President, members, I don't know why

five people would have to do this when last time the Motor Vehicles Department did it. I could understand it is a stalling motion. I think John gave away the whole thing when he said if you stall them long enough they won't have time to get the bids anyway and one company can't perform. Now I think that is probably his whole trick but you know, to really get John's tricks you got to go to Senator Beutler to get it because he really calls a spade a spade is what he is doing. I can understand his payoffs here, you know, trying to get my bill killed but I wish he would use a direct approach and just kill it. It would be a lot easier. Can you imagine trying to get five department heads together and even getting a consensus of anything? Why, that is impossible and then if you put Jerry Warner in there with them, you can imagine what would happen then. It just wouldn't work. They were supposed to have a committee set up originally and I never could find the committee. No one ever knew who was on it and no one would know this one either or when they were going to meet. It would be absolutely asinine. The only way to leave this is with the Motor Vehicle Department. They are the ones that do it. If it is that tough, let's get a new Motor Vehicle Director if he can't write specifications. The specifications are there for him anytime he wants them. I would say reject this one. Thank you.

SPEAKER MARVEL: Senator Barrett.

SENATOR BARRETT: Mr. Speaker and members, I, too, rise in opposition to the second DeCamp amendment. For goodness sakes, we are simply creating a License Fee Committee. I agree with previous speakers. It is ridiculous. I appreciate the facetious nature of Senator Dworak's comment and that is ridiculous as it really is. I truly believe that if this body were considering the Ten Commandments on this floor, Senator DeCamp would find a way to either amend them or compromise them or both. I urge you to reject this amendment. Thank you.

SPEAKER MARVEL: Senator Schmit,

SENATOR SCHMIT: Mr. President, members of the Legislature, when the facts fall you, then you begin to pick on the man who has an amendment I guess and I have done that myself a time or two and John lends himself well to that sort of an attack. His own frivolous nature invites that sort of indictment and he encourages it and he thrives upon it and you can never tell, those of us who have served with Senator Carpenter and Senator Clark, he used to always give that annual, the snow is going out on mountain pantomime of

Senator Carpenter's. We haven't had that this year, Senator Clark, because we are slow on the mountains this morning but in any case, I would just like to point out to you that this isn't the first time we have heard this discussion. It is not the last time. There aren't ten people on this floor who are going to understand any more about the issue when we get through with it than when we started. I am going to caution you as I have cautioned you in the past several times, that you ought to look at who supported the bill and who opposed the bill. Law enforcement happens to like the DeCamp version and as the high point man of this Legislature I guess I ought to go for those plates that are the least readable because it would probably serve to extend my credibility a little bit as far as driving down the highway is concerned. I am going to make you a little wager, ladies and gentlemen, that two or three years from now you are going to have to go back and explain again why you went for an item which seemed to save some money at the time but in the long run didn't do it and you are going to be called upon to explain why the license plates aren't readable, why they don't last and contrary to what Senator Koch outlined, the plates that we will have as you go by sure low price are not going to be the ones that are going to be the least costly in the long run. You can print them on cardboard if you like and it will probably last for a week or two and if the weather stays dry, they will last a long time but you are picking on John DeCamp and John, as I said, deserves it more than anybody that I can think of, but the issue is being clouded. I think we ought to support the DeCamp amendment. I think it is a good one. I think it deserves to be adopted and I want to point out once more that unless you get the emergency clause on this bill you are not going to have a darn thing anyway. So, Senator Clark, if you get the thing rolling without the DeCamp amendment, then you've got to count up thirty-three votes because without the emergency clause you are dead in the water anyway. I ask you to support the DeCamp amendment and advance the bill.

SPEAKER MARVEL: Senator Marsh.

SENATOR MARSH: Mr. Speaker and members of the Legislature, I support the proposed amendment and I would like to discuss with you for just a few minutes, why this is a reasonable thing to do. Several persons have made "jokes" about getting the committee together as if they had to meet every other week. When license plates are required to last us six years, the committee is not going to be meeting during the interval. It is certainly not mandated to meet by law but who are these persons on the committee? The Superintendent of the Nebraska

March 19, 1981

LB 290

State Patrol should have input for your lives, their lives, our lives depend on having something which is as functional useful as possible. What about the Director of Correctional Services? Who makes the license plates in our state? Should not the equipment which is used be a consideration? These persons listed in the legislative proposal are persons who have expertise, who have the ability to bring a contribution to a discussion ultimately still the responsibility of our motor vehicles. I think it is a good compromise. I shall support it.

SPEAKER MARVEL: Do you have an amendment on the desk?

CLERK: Mr. President, Senator Koch moves to amend the DeCamp amendment. (Read the Koch amendment as found on page 1026 of the Legislative Journal.)

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Mr. Speaker and members, a moment ago Senator Clark was talking about who was going to provide direction for this committee. We ought to clarify it right now. The Motor Vehicles will be the department that will be responsible for carrying out the intent of the Legislature, and that is to provide the specifications for the kinds of licenses which we will go to bid for. So that should clarify that problem. I am certain that Mr. Peterson can handle that and will do it in good faith and that will remove some of the objections that some of you might have. I ask for the adoption of this amendment.

SPEAKER MARVEL: Senator Cope, do you wish to speak to the Koch amendment?

SENATOR COPE: Mr. President, I call for the question.

SPEAKER MARVEL: The question has been called. Do I see five hands? If you wish to cease debate, all those in favor vote aye, opposed no. Shall debate cease? Record.

ASSISTANT CLERK: 28 ayes, 0 nays, to cease debate, Mr. President.

SPEAKER MARVEL: Debate is ceased. Senator Koch, you are recognized to close on your amendment.

SENATOR KOCH: Thank you, Mr. Speaker. For those of you who were busy doing other things I will merely explain it one more time. It was brought up in debate a moment

March 19, 1981

LB 290

ago that there appeared to be no one who was going to give direction to this committee which might be indifferent. Since the Motor Vehicles Department is charged with this responsibility, I think it is only appropriate that we do spell out, say very definitively the Director of Motor Vehicles shall be responsible for getting this committee together, develop the specifications for the purpose of going to bid for license plates. I ask for the adoption of the amendment to the amendment.

SPEAKER MARVEL: The motion is the adoption of the Koch amendment. All those in favor of that motion vote aye, opposed vote no. Record the vote.

ASSISTANT CLERK: 30 ayes, 0 nays on the Koch amendment to the DeCamp amendment.

SPEAKER MARVEL: The motion is carried. The Koch amendment is adopted. Now we have another amendment on the desk. I would like to announce the fact that the Chair intends to continue until this bill is voted up or down. Do you want to read the next amendment?

ASSISTANT CLERK: Mr. President, Senator Haberman now moves to amend the DeCamp amendment...(Read the Haberman amendment as found on page 1026 of the Legislative Journal.)

SPEAKER MARVEL: Senator Haberman.

SENATOR HABERMAN: Mr. President and members of the Legislature, we have in here the committee will be the Director of Motor Vehicles. I agree with that as I doubt if many of you know that we have seven different sizes of license plates in the State of Nebraska. So if anybody should be on that committee, he should because he is directly involved with license plates. Now it is logical to have the Superintendent of the Nebraska State Patrol on the committee. I can understand that and I will buy that. I can understand having the Attorney General to see that everything is done legal, the bid is written legal and the procedure is legal, and I can understand having him on there, and I can understand having the Director of Administrative Services because they handle most of the state's business now and he is very familiar with the procedure. But I guess what I don't understand and Squeaky from Neligh will probably be able to point out to me why I don't understand it, is why we need the Director of Correctional Services. His job is to make the plates, not to set the standards, the

March 19, 1981

LB 290

size, how many, how often, but his is to make the plates with his labor that he has and that is it. So, I see no reason to have the Director of Correctional Services on the committee and I would ask that we remove the Director of Correctional Services and go ahead with the bill. Thank you, Mr. President.

SPEAKER MARVEL: Senator Schmit, do you wish to speak on the Haberman amendment? Senator Koch, do you wish to speak? Your light is on. Do you wish to speak to the Haberman amendment. Okay. Senator Cope, do you wish to speak to the Haberman amendment?

SENATOR COPE: Mr. President, I was going to call for the question.

SPEAKER MARVEL: The question has been called for. Do I see five hands? I do. All those in favor of ceasing debate vote aye, opposed vote no. Have you all voted? Have you all voted? The Chair would once more make the point that if you want debate to cease, it would be helpful if you would vote first before something else comes up. Record the vote.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SPEAKER MARVEL: Debate is ceased. Senator Haberman, do you wish to speak to your amendment?

SENATOR HABERMAN: You all know the issue. There is no need going any further. So, vote.

SPEAKER MARVEL: Are you withdrawing your amendment?

SENATOR HABERMAN: The amendment is to withdraw the Director of Institutional Services. I don't feel he should be on there. It is in a body you don't need. We've got the four people we do need and either the people are going to agree with that statement or they aren't, so, I said, that is my closing.

SPEAKER MARVEL: Okay, Senator Haberman has closed on his amendment. All those in favor of that amendment vote aye, opposed vote no. Have you all voted? Have you all voted? Okay, record the vote.

CLERK: 10 ayes, 15 nays, Mr. President.

SPEAKER MARVEL: The motion lost. Okay, we are on DeCamp amendment number two. Senator Beutler, do you wish to speak to that motion? Your light is on.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I would just like to urge you briefly, one more time, to reject the amendment. In addition to the bad precedent it would set up for setting up individual committees for procuring individual items, it leaves three additional possibilities that we don't really know the implications of. First of all, it should be understood and everybody knows that the timing on this particular bill is absolutely crucial. The bids, the specifications for the bids, they have to be made up and they have to go out shortly. If this bill passes and we get the emergency clause attached, the agreement is that that will be sufficiently timely to get competitive bidding on both types of plates. But I think a question arises if we adopt this amendment and we have a committee, when are they going to meet? How is this going to work? There is nothing set up in this amendment with regard to time schedule. We don't know when and if things are actually going to happen at this particular time with the committee. A second factor you should keep in mind, how likely is it that the Governor would support a bill with this kind of amendment? I am sure that the people on his procurement department are going to come to him in a rage about this new precedent that is going to be set on procurement matters. How are the budget people, how are they all going to feel about all of a sudden a new system being created for procurement? It is going to be a precedent that I don't think they are going to be able to live with and I think they are going to lobby the Governor very heavily not to pass a bill with this kind of precedence setting procedure inbuilt into it. Let's work with something that is within the normal standard procedures that we have worked with for decades and decades and that we have a fairly good, reasonable guess that the Governor will approve and not adopt something that will jeopardize the entire bill in that respect. Thank you.

SPEAKER MARVEL: Senator Clark, do you wish to speak to....?

SENATOR CLARK: I would have to reiterate what Senator Beutler has said. I talked to the Governor about this bill and he said, just give us a direction that we are supposed to go and we will do it. There will be no trouble with him signing the bill. I really can see no reason, you know, if you're going to bid on typewriters. You are going to have one of the secretaries, you are going to have... who is going to make up the typewriter bids. It is just stupid to do it. The Motor Vehicles Department has always done it, are very capable of doing it. There is no reason why they shouldn't continue to do it and there is no reason in this particular instance, outside of maybe 3M wanting someone else to do it. I don't know or I don't know why

they would want that to happen. I really havne't any idea. I have nothing against 3M. I have nothing against their plate. The only thing I have against 3M plates is the cost of them. When you talk to Michigan, that is the only thing they have against them, it is the cost of them. When you can say we put out six million license plates in six years and you can save forty cents a plate according to the Iowa figures, the recent figures they have it is forty cents a plate cheaper. That is \$2,400,000 and that is the ones that Iowa gave us. I don't know whether they are correct or not but that is what Iowa says. So, the only thing I can say is, let's let the Motor Vehicle Department put out the specs the way they have put them out. They are qualified to do it, they will get them out right away and, as Senator Beutler said, I think maybe my trouble was that I found a way to save two million, three or four hundred thousand dollars. I should have found a way to spend that much money and probably have gotten forty votes. But I just happened to find a way to save that money and the way we are spending money and the crunch we are going to have on money, I think it is imperative that the people are allowed to save this kind of money. Now you talk about qualified license plates lasting. The specs say they have to last six years. I have seen them nine years old in Michigan. Colorado is five years now going to ten with the same plates. There is nothing wrong with the plates, nothing at all. You talk about plates being readable. I'll show you a lot of plates out in my country that certainly are not readable and I'll bet Senator Kahle could tell you the same thing where you have gravel out there, that you will see a lot of plates that are not readable today and that is legally not a fault of the 3M Company. It is the fact that they have been out there too long and have been exposed to gravel and weather. I am not castigating their plate. I am not trying to read them out of even bidding. I just want both systems' bid so we can save the money if it is possible to save the money. You are not going to know until you bid it. So I would certainly reject this particular amendment and let the Motor Vehicles Department go ahead and do the job. Thank you.

SENATOR NICHOL PRESIDING

SENATOR NICHOL: Senator Koch, you are next.

SENATOR KOCH: Well, here we go again back to the great cost we are going to make based upon Iowa's estimate. This is Nebraska. Senator Clark hasn't told you what all the Motor Vehicles Department estimated. They say it depends what kind of material you are going to use, whether it is going to be aluminum or whether it is going to be steel and aluminum is a little more expensive and there is only one way you

can use it and use that with the reflectorized I suppose. Now then, if you go to beads you use something else or you can get a cheaper material but I am advised the Department of Motor Vehicles has recommended that it would be no more than fourteen cents a plate when you amortize it across the issue. Now that is what we are talking about. We are talking about durability. We are talking about safety. We are talking about quality, therefore, I think that we oftentimes get down to talking about pennies, we will be pound wise, penny foolish and too often we are willing to buy the cheapest product trying to say to the people we are really going to save you a lot of money out here. In the end it is not going to save the money at all. It is sort of like the lid bill. You can defer it until a later time but in the end you are going to have to pay for it at a higher price and you are not going to get anything from it. I am a little concerned that I have never seen a copy of the study that I can look at to see to what degree we went through consulting all the people in this business in terms of quality, in terms of safety, in terms of durability and after all six years may not seem too long to many of us who are somewhat aged but it is quite some time and I submit to you if Iowa and Michigan is the license plate being held up today, I don't like Iowa's even though they are our neighbors and I don't like Michigan's. They are not what I consider to be quality plates and I want to remind Senator Haberman when I first knew him I hired him to take pictures at Franklin High School but I didn't go through all the bids. I knew quality. He took good pictures because if I had done that I would have gone to National Studios and get them for two bits but the quality of pictures Haberman took I still have at home and that was something like twenty some years ago. So we get down to the business of quality. Now, Senator Haberman, you can reply to that, find out do we go to bid or do I pick you for quality. Thank you.

SENATOR KAHLE: Senator Vickers, you are next.

SENATOR VICKERS: Mr. Speaker, I call the question.

SENATOR KAHLE: The question has been called. Do I see five hands? I do. The question is, shall debate cease. All those in favor push the green button. Record.

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

SENATOR KAHLE: Senator DeCamp, would you like to close on your amendment?

SENATOR DeCAMP: Mr. President, members of the Legislature,

the first minute and a half there is going to be addressing the arguments raised against me. The arguments raised against me, so even though Senator Marvel might tend to say, well you are not talking about the amendment, I will be addressing the arguments for one minute. The first clear-cut argument I heard was from Senator Barrett and he said, well we all know Senator DeCamp would try to compromise the Ten Commandments. Answer: let he or she in the room who has never compromised any of the Ten Commandments in their life to be the first to cast a stone. And Senator Beutler, Senator Beutler's argument went something like this: Johnny DeCamp is changing from chess to checkers. Well as another fellow in this same vein said once, keep attacking me like that and you won't have me to kick around anymore because I will leave. Senator Clark called me and Jimmy Ryan names, basically. Well Ryan has called me names before and so on and sticks and stones may break my bones but blah, blah, blah. Okay? Then of course, we got to my good friend...friend? Senator Schmit, who explained how frivolous, incompetent and everything else I was but you should still support my amendment. To Senator Clark I would simply say, my frivolity sometimes I use rather than being angry because, what is that other old saying? Something about getting more flies with honey than vinegar. Now I have addressed the arguments you have raised against the amendment. Those are the arguments against it. Right? Would you like to talk about the amendment itself for a minute though, as long as we are here? The amendment simply says that you are going to have some input in these specifications from, from who? The head of the Department of Correctional Services. Now why would we want the Department of Correctional Services head to be involved at all? Well the fact that they make the plates, that they know how many they can make per month, that they know what factors contribute to problems that they can provide input in that way. They know more about the actual mechanics of doing this and what is involved than just about anybody else. I think they should have some input because the word I get, and this is one on the record kind of like, the word I get is that if we go to beads-on-plate, which I think they will do quite frankly, beads-on-paint, whatever it is called, I think they are going to do her. I think Bobby is going to win but I also think that in January you are going to be here with a crisis because I think you are going to learn they can't manufacture enough plates quick enough from some information I have got. They have to shift over and they can only manufacture maybe ten or twelve thousand a month. I just want it on the record and I want that input there for the specs in case they have a way to get her done faster. How about the head of the Patrol? Well, every kind of law enforcement official possible, I think I am disturbing Vard, every kind of law enforcement official possible has come and

testified, by golly, we are interested in this subject and we are concerned about the safety aspect, so on and so forth. They have all been there. I think the head of the Patrol which represents law enforcement should at least be able to offer their input and say, look, we want to make sure that this works or that you have this. Department of Administrative Services, and to Senator Beutler and to Senator Clark, I want to finally throw out the answer to the only argument raised. The only argument raised was let's not make this system different than all the rest for license plates. Right? You heard Chris say it. You heard Senator Clark say it. Let's not make this license plate bidding system different. I've got news for you, fellows. It is the only one that is different and I am making it basically the same. Who do you think, Senator Beutler, prepares the basic standards for procurement? It is DAS. I am just involving them. We've had the aberration in the law. I am making it uniform, not the opposite. I do believe the amendment is reasonable. It gets input from the heads of the people that we trust and I will remind you of one more thing and ask a special favor. I will remind you, there has never been in the history of the country, a six year beads-on-paint license plate. The nine years that Senator Clark talks about, they have changed three times in Michigan. I have got the letter. I will show all of you. Colorado for the first time is up to a little over four years, approaching five. If you go to six years I think you are going to be surprised. I think you are going to find you are going to have an aluminum plate. That is why I want to make sure...oh, Senator Haberman, when did you ever talk on the amendment, that is why I suggest you have specifications and input from all the people involved. I do want to do one final thing. I want to ask unanimous consent to enter into the record the sheet passed out showing the savings, just so it will be on record there for next year. I stood at this microphone when we were talking about railroads and what was really going to happen and who was going to lose money and that things weren't going to come out like everybody said. At that time there were all kinds of handouts. I just want this time to have a record, to have one little piece of paper entered into the official Journal rather than just passed out on the desk. We all might want to have a second look next year. I urge you to adopt the amendment and I ask unanimous consent to enter this into the Journal.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Is there any objection to the literature being put in the Journal? If not, so ordered. Now the motion is the adoption of the DeCamp amendment. All those in favor vote aye, opposed vote no. Adoption of the amendment

LB 19, 76, 102, 103, 107, 146,
147, 200, 284, 290, 305, 306,
316, 318, 326, 338, 371, 374,
389, 398, 441, 487

March 19, 1981

to LB 290. Have you all voted? One more time, have you all voted? Four. Have you all voted? Okay, record the vote.

CLERK: 16 ayes, 23 nays on the adoption of the DeCamp amendment.

SPEAKER MARVEL: The motion fails.

CLERK: Mr. President, a series of materials to read in: Senator Schmit would like to print amendments to LB 284. (Amendments printed separate and on file in the Clerk's office. Request No. 2118.)

I have an Attorney General's opinion addressed to Senator DeCamp regarding LB 76. (See pages 1026-1028 of the Journal.)

Senator Koch asks to be excused Monday and Tuesday of next week; Senator Fitzgerald excused next Monday.

Your committee on Public Works whose chairman is Senator Kremer reports LB 200 to General File; 326 to General File; 146 to General File with amendments; 147 as indefinitely postponed; 398 as indefinitely postponed, (Signed) Senator Kremer as Chair. (See pages 1028-1029 of the Journal.)

Your committee on Public Health reports LB 389 to General File with amendments and 107 as indefinitely postponed, (Signed) Senator Cullan. (See pages 1030-1032 of the Legislative Journal.)

Senator Chambers would like to print amendments to LB 76. (See pages 1032-1036 of the Legislative Journal.)

Senator Cullan reports LB 487 to General File with amendments, (Signed) Senator Cullan. (See pages 1036-1040.)

Education reports LB 305 to General File; 316 to General File with amendments; 318 to General File with amendments; 338 to General File with amendments; 371 to General File; 441 to General File with amendments, (Signed) Senator Koch. (See pages 1040-1042.)

Mr. President, your committee on Revenue reports LB 19, 102, 103, 306, 374 all indefinitely postponed, (Signed) Senator Carsten, Chair.

SPEAKER MARVEL: Is that it?

CLERK: Yes.

SPEAKER MARVEL: We need to advance the bill.

CLERK: No, Mr. President, the next amendment to the bill is offered by Senator Haberman.

SPEAKER MARVEL: We are on LB 290 and about ready to advance the bill.

SENATOR HABERMAN: Mr. President.

SPEAKER MARVEL: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, I am handing out and having handed out a sheet that shows that regardless of which plate we choose, reflectorized or beaded, on the reflectorized plate we can save \$2,387,000 and on the Flex-O-Lite plate, using the same figures provided me by the Correctional Services and DAS we can save \$1,785,000 over the six years by having one license plate. There are nineteen states at the present time that have one license plate. Now if you will remember when you are driving down the interstate and you are in the right hand lane, there is no way you can see the license plate on the front of the car to read it or even to see the color in the lane across the median and two more lanes. When they check for parking tickets they check the back plate. When the State Patrol comes up and crosses the median and comes up to check you out they come up and they check the back plate. When you are driving down the highway in slush and snow and ice and mud, the front plate gets covered up, the back plate stays clean. I have talked to the Governor about this and he has no objections to us having one license plate. So I feel that in the crunch that we are in for dollars, and it is working in nineteen states and we can save a minimum of \$2,380,000 on one plate and \$1,785,000 on another plate. Let's try it. Let's go with the other nineteen states and let's have one plate. Now the figures that show the money, if our new methods of plates cost us more, which they could, then we are going to save more over the six years. We save in metal, we save in freight, we save in handling, we save in manufacturing, we save everywhere we go by having one plate. We are going to save hundreds and hundreds of thousands of dollars. And I say to you today, if it is working for nineteen states, more states are considering it than that, and I won't bring that into the argument or the issue. Let's take bids under the same conditions we are for two but let's do it and have one license plate in the State of Nebraska. If you have any questions I will be glad to answer them. I gave you a simple sheet to look at today because it is awfully complicated but it shows the money we save on the stickers,

the money we save on the plates and regardless, if the cost goes up we save more money. So I would ask that you adopt my amendment. Thank you, Mr. President.

SPEAKER MARVEL: Before we proceed, underneath the South balcony it is my privilege to introduce former Senator Chet Paxton and Mrs. Paxton of Thedford, Nebraska. Where are you folks? Welcome to the Unicameral. From Senator Wiitala's district, I think most of those students have gone but there were a hundred twenty students from Millard School in Omaha and they were accompanied by Sue Steckelberg, Connie Brown who is Ray Wilson's niece, Ruth Hiatt, Miss Blanchard, Miss Lavinsky and they were in the South balcony. Now, Mr. Clerk, next. Senator Kahle.

SENATOR KAHLE: Mr. Speaker and members, I oppose this amendment. I think if we are only going to put license plates on every five or six years or even longer maybe, that we can afford to put two on. We talk about advertising our state and for one part of that issue, immediately when you see a car with the plate on the front you can identify the state it is from even though you may not care about the numbers that are on there. If you are a law enforcement official you probably will. I think that is false economy. I think if we are getting that poor in Nebraska maybe we ought to go back to the mules and wagon and forget about having a car in the first place but I do feel that it does identify you immediately and I do not like, when I see a car with no plate in the front and haven't any idea where that car might be from or whether they are illegal or what, if they are from Nebraska they are illegal. So it is confusing but I don't see why we should change. I think it is a good idea and that we should go ahead and kill this amendment and try to move this bill. Thank you.

SPEAKER MARVEL: The motion is the Haberman amendment to LB 290. Senator Beutler.

SENATOR BEUTLER: The question has been called for. Do I see five hands? All those in favor of ceasing debate vote aye, opposed vote no. Cease debate. Record.

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

SPEAKER MARVEL: Okay, debate has ceased. Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature.

SPEAKER MARVEL: You are closing on your amendment.

SENATOR HABERMAN: Thank you. Senator Kahle, when you are going down the interstate how do you meet these cars to see whether they have a plate on the front or not? And for \$2,750,000 if you want to advertise the State of Nebraska, you give it to the Department of...Irv Chesen's department and they will take that \$2,750,000 and really advertise the State of Nebraska. I think that is one of the poorest excuses I have ever had, we should have two plates just because it says on the front we are from Nebraska. And I think those other nineteen states that have one plate, they are just as proud of their state as we are and I am sure they are. I am not going to deluge you with a lot of material and I know it is late but this is very, very serious. Whenever you can save the taxpayers of the State of Nebraska \$2,700,000, I think you ought to do it. Now who are the states? Alabama, Arkansas, Delaware, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Massachusetts, Mississippi, New Mexico, North Carolina, Oklahoma, Pennsylvania, South Carolina, Tennessee and West Virginia. There are the nineteen states. They pride in their state. That is safety factors. They have the same highways, the rain and everything in their states and it is working well, so it will work in Nebraska. So the only thing I am saying to you is this. Think of the taxpayers, \$2,750,000 minimum savings and everything is still legal and nineteen other states say fine. So I say to you, show the citizens of the State of Nebraska that you are serious about saving money. We are known as the big spenders. Let's for a change say, fine, we are going to save the money for the taxpayers and we are going to go with one license plate and I ask you to support my amendment and, Mr. President, I will ask for a...I'll wait and see how the vote comes out first before what I want to ask for.

SPEAKER MARVEL: The motion is the adoption of the Haberman amendment to LB 290. All those in favor of that amendment vote aye, opposed vote no. Have you all voted? Senator Haberman. Okay, a record vote has been requested. Record the vote.

CLERK: (Read record vote as found on pages 1042-1043 of the Legislative Journal.) 14 ayes, 21 nays, Mr. President.

SPEAKER MARVEL: The motion lost. What is the next motion?

CLERK: Mr. President, Senator Koch now moves to indefinitely postpone the bill. Pursuant to our rules, that would lay the bill over.

SPEAKER MARVEL: Senator Koch, you have been excused for two days. Is it your intention to lay this over, in effect, for four days?

SENATOR KOCH: Yes.

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: I would object to that. I don't think there is any provision in our rules for that kind of a layover.

SPEAKER MARVEL: The rules provide that you can pose the question to indefinitely postpone and that holds unless there is a suspension of the rules, as the Chair understands. Senator Lamb. Senator Landis, sorry.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, I would like to move that we suspend the rules. We have debated this all morning long. We have a full body here. I think we are ready to act on this bill one way or the other. I would move to suspend the rules and to take up the kill motion at this time.

SPEAKER MARVEL: Okay, the motion is the suspension of the rules to take up... All those in favor of the Landis motion vote aye, opposed vote no. Have you all voted? Have you all voted?

SENATOR LANDIS: (Mike not activated.) ...call for a roll call vote and a Call of the House if necessary if people aren't going to get on the record on this thing beforehand by call in votes.

SPEAKER MARVEL: Senator Koch, for what purpose do you arise?

SENATOR KOCH: Is that suspending the rules debateable? It is not? You can't debate the suspension of rules? I thought Senator Beutler would be up there opposing it. He never likes to suspend rules.

SPEAKER MARVEL: You can't debate in the middle of a vote, Senator Koch.

SENATOR KOCH: But you didn't ask for debate and my button was on after Senator Landis made the motion. You went immediately with suspending the rules.

SPEAKER MARVEL: Senator Koch, do you wish to debate?

SENATOR KOCH: Yes.

SPEAKER MARVEL: Okay. The Clerk will clear the board.

SENATOR KOCH: Mr. Speaker and members of the body, seldom

do I try to drag down a bill down on IP but there are other ways we can handle this and I am going to speak to it. It is obvious that this body has considerable disagreement over what kinds of license plates we are going to have. I would be willing to offer an amendment to this bill that we lay this over until next year and that we extend the life of our present license for one additional year. So at that time when they come back to a decent kind of study, the quality of plates we are looking for, how we are going to number them and a lot of other factors should be considered since we are going into a six year program. We could also save a million point three hundred dollars, Senator Haberman, if that is what you are interested in by extending the life of this plate one more year. At that time this body could make a determination based upon sound judgement and what is the best interest of the public, one license, two, a little more advertising for the State of Nebraska on those license plates, reflectorized, beads. By that time many of us can go home and make beads and we can come back and probably make our own, do away with the cost totally, have each of us have our own license approved and have our own personal designs and that would save a lot of money. So, I am saying if I move to indefinitely postpone and it lays over until Monday, even in my absence, that would be fine. That would give me ample time then to prepare an amendment which I want to place on this bill to try to make it sensible, extend the life of our present plates one year, appoint a committee of this body and several others noted in the field and come back with a piece of legislation that we can put in 290 next year and I am sure that most of us would then agree that was proper and appropriate. That is my discussion on the suspension of the rules. I ask that they not be approved.

SPEAKER MARVEL: Senator Beutler, do you wish to speak to the Landis motion? The Landis motion was to suspend the rules.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I am not going to vote in favor of suspending the rules. However, I assume that this will come back up Monday and that the Speaker will not allow a bad faith effort to delay the bill longer than that, but I did wish to say one thing, that this illustrates once again a rule change that we suggested last year and which I am going to put through the Rules Committee later this year. The motion to indefinitely postpone on Select File lays it over for a day but the reason for that rule as best I could ever determine was to be fair to the introducer of the bill and to give him a chance to prepare to defend against the motion to

indefinitely postpone. It has never properly been used as a delaying tactic and I would like to mention that at this time that what we should do is change that rule so that at the request of the introducer the motion to indefinitely postpone can be taken up immediately, because without that provision then it is used as being used today as a delaying tactic. Thank you.

SPEAKER MARVEL: Senator Landis, do you wish to close on your motion?

SENATOR LANDIS: I have thirty seconds of rebuttal. We have been here for two hours. Anyone of us on this floor could have drafted the amendment suggested by Senator Koch in that time. We also have Final Reading in which a bill can be drawn back and amended at that time. We have ample opportunity to react as the process moves ahead. We start a bad precedent when at the end of two hours of discussion in which every little amendment has been issued, to then throw up a kill motion at the very end of that time which delays us, not one, but probably several days because the maker of the motion will not be here. I think that is not a gesture of good faith. I think we had adequate chance to amend in the line that Senator Koch offered or we have another chance at the next standard of debate on Final Reading to make that amendment. I think the process has to be timely and orderly and that means we should draw this issue to a close at the time at the end of the discussion and that has been two and a half hours. We should come to the end of LB 290 and that is why I still ask for a suspension of the rules and to take up the kill motion now so we can determine what the fate of LB 290 is on Select File.

SPEAKER MARVEL: Okay, the motion is the suspension of the rules to take up the kill motion. All those in favor of suspending the rules vote aye....Senator Higgins. No, no. All those in favor vote aye, opposed vote no. We are voting on the suspension of the rules. Have you all voted? Have you all voted? Senator Landis, I am going to call for the vote. Record the vote.

CLERK: 25 ayes, 11 nays, Mr. President, to suspend the rule.

SPEAKER MARVEL: The motion lost. Okay, the bill is laid over. Are there any other items on the Clerk's desk?

CLERK: Yes, sir, there is. Mr. President, several items. Mr. President, Senator Koch would like to print amendments to LB 290 in the Legislative Journal. (See page 1048.)

March 25, 1981

LB 290

RECESS

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The Legislature will come to order. Will you please record your presence. Have you all recorded your presence? It is our privilege to welcome two groups of students. One group of eight students, sixth, seventh and eighth grades from Oak Valley School, Lancaster County. Included in those students is great grand children of Governor Burney, Mrs. Spitz teacher, Mrs. George Bool, Mrs. Travis Burney, mothers in the north balcony. Would you hold up your hands so we can welcome you to the Unicameral. Also in the north balcony from Senator Wagner's district 42 students and ten adults from the St. Paul Northeast Public School, Tom Wilnerd, Tom Aspergren, teachers and where are you located so we can. . .there we are. Okay. Record.

CLERK: Quorum present Mr. President.

Mr. President, Senator Koch would like to print amendments to LB 290 in the Legislative Journal.

March 26, 1981

LB 290

SPEAKER MARVEL: The next item of business is LB 290.

CLERK: Mr. President, LB 290 was last considered by the membership on March 19. On March 19 the E & R Amendments were adopted. There was an amendment from Senator DeCamp that was adopted. There was an amendment from Senator Koch that was adopted. I am sorry, that was defeated. I now have pending, Mr. President, a motion from Senator Koch to indefinitely postpone LB 290.

SENATOR NICHOL PRESIDING

SENATOR NICHOL: Senator Koch.

SENATOR KOCH: Mr. Chairman and members of the body, sometimes you offer this position to clarify the position of this body in terms of what I think to be one of the most important bills in the Legislature right now, because it covers a span of time that we are all interested in, that is the license plate, the quality of it and the kinds we are going to have. We have been offering a great number of amendments and I think there are still some amendments that might have some feasibility. So to clarify this body's position and find out where we are in terms of our philosophies, I offer the proposal to indefinitely postpone LB 290. If we indefinitely postpone 290, we can go back to the drawing board and put forth to this body next year legislation that would probably satisfy the greatest numbers of us. As you know, I stand on the side of if we are going to adopt a license plate and we are going to ask it to endure in its longevity for six years, that we better take quality and not always look at quantity and the few pennies that might be utilized over that period of time. For one, I am extremely happy with the license plate we adopted six years ago which had a life expectancy of four years and since that time we extended it two years, and contrary to what people say if you look at the quality of that license it still shows considerable durability and, in fact, we could use it another year without any problems. I know that some of you live in rural country and gravel roads and I understand some of that problem because that, indeed, does diminish the quality of a license plate and it would any kind. But if you look at those vehicles that have that license plate that we adopted back then, those license plates today in many cases look as good as the ones you presently get if you buy a new car and never had a license plate. So when we start to expend the state's dollars for the purpose of license plates, then I think that we ought to be certain that we are getting quality, that we

can be assured of some safety because of reflectorization, and that that license will stand the test of time. And I don't think 290 does that. All we are concerned about is license plates and we are arguing about to some degree what kind of materials we are going to use. As I told you here in a previous debate, there is hardly anything some man cannot make himself cheaper and those of us who are that kind of person looking for price only are the lawful prey of this kind of individual. I have a motto I have lived by a long time. It only takes a little more to go first class and it might take you a little longer to pay but I found out that quality always is better than that kind of substance that we buy that we may be back rebuying and in the end we are a loser and not using our money in the best interest. Therefore, I ask for this body to indefinitely postpone LB 290. We can continue with our present plate and then we can go back with the Task Force to study the kind of license plate we want based upon the latest information available from the experts, everyone gets a fair chance to help us develop it, the kind of plate we want. And as I look at...for instance, I can give you an example, one plate that strikes me as a very good plate, very attractive, is the State of Kansas, particularly when I see those heads of wheat up there in the corner. I think that is absolutely a very striking license plate and I think that many of us would like to come back with specifications, the kind of license plate if we are going to have some kind of design to promote the State of Nebraska that features one of our most outstanding endeavors, whether it be in agriculture or whatever it might be, then that is what we should come back to this body with, and by indefinitely postponing LB 290 we will have the plan. We will present it to you next January. It will be adopted with some degree of consensus of all of us, and then we will have a plate that will last us for another six years and we'll not have to get back to this issue again. Thank you very much.

SENATOR NICHOL: Senator Beutler. Is Senator Beutler in the room? Did you wish to speak to this, Senator Beutler?

SENATOR BEUTLER: I would like to allow Senator Clark to speak.

SENATOR NICHOL: Senator Clark, would you like to speak?

SENATOR CLARK: Mr. President and members, now why he wants to kill this bill is probably something only he

knows and 3M. I don't know who else would know it. The statutes now say that if you do not do anything, you just kill this bill, you are going to have a new issue of license plates with 3M. That is what you are going to have. I would like to find out some place in that bill where it says you have to take inferior material. It says nothing about material. The only thing that bill says is that you have a right to vote, the state has a right to vote to bid on two different systems of license plates. That is all it says. Now, if you are against that, or if you think they are going to take inferior materials, then you better get a new department head. It has nothing to do with that at all. All it has to do with is to bid on the plates. You can go first class, second class or third class, and it says nothing about classes or anything else. It is a merely a right to bid on both ways. That's all it does. I get a little tired of Senator Koch standing up here trying to kill people's bills like he did yesterday, taking a lot of time for it for nothing, and surely it can't be for anyone except 3M because it doesn't do anyone else any good. It doesn't do the citizens of the State of Nebraska any good, I'll tell you that, when you do not let them bid and get the best deals they can get on anything. I would certainly tell you not to vote to kill this bill. Thank you.

SENATOR NICHOL: Senator Kahle, you will be next, but before you speak, I would like to introduce some guests in the north balcony of Senator Maresh, and these are twenty-four 9th Grade students from Friend High School, and with them is their teacher, I suppose, Mrs. Shirley Gautreaux. Would you please stand so we may recognize you? Thank you for attending our Legislature today. Senator Kahle.

SENATOR KAHLE: Mr. President and members, I am sorry to hear that we want to postpone or indefinitely postpone this bill because I think it is high time that we need new license plates. I am not really so interested in the fight over what material we use as I am over the fact that I think we need new plates. I realize that people like Senator Koch who drive on highways and probably don't own too many trucks, farm equipment, farm trucks, I...we on our farm we have pieced together our license plates with sheet metal to keep them at least in some semblance of looking like a license plate on some of our trucks. We are out of compliance I believe right now because it is very hard to read them. The paint is gone and we are debating now whether to break the law with them the way they are now or whether to have new

March 26, 1981

LB 290

plates issued. Of course, this would require a different number which may or may not be all right, but I would guess there is going to have to be the manufacture of a considerable number of new plates anyhow in the state if we decide not to completely renew our license plates, because many of them are not legible anymore and are hung... I think somebody said the other day his license plate was about six inches square now. So you know about how much is left of it. So I think it is high time we have some new plates in Nebraska. I am sure that many of us, many of you especially in this room where you don't drive out in the country and are not subject to the wind and the gravel and what have you, some grasshoppers perhaps, do not realize what does happen to license plates. I have license plates on one of my cars that you can't read, and on our trucks, as I said before, all you can tell is that there once was a license plate there. So I think it is high time that we get new plates and I am against the kill motion. Thank you.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Vickers.

SENATOR VICKERS: Mr. Speaker and members, I rise to oppose the kill motion on LB 290. I was a member of the Public Works Committee that dealt with this issue over the last interim and I think I have mentioned this before but when this subject first came up, I was astounded that the State of Nebraska spent as much money as it spends to make reflective license plates to start with because out in our part of the country when you get dust and dirt on them, you can't tell they are reflective anyway. It seems to me that the requirements that we have that reflectors, tail lights, reflective material, and various other things on vehicles are there for safety purposes, I am not sure that the license plates being reflective is that much of a safety benefit. I don't think that is the purpose of the license plates. The license plates are for identification. Therefore, I support Senator Clark's original intention to allow the reflective materials. If we are going to make them reflective, then I will go along with that although I am, as I say, I am not the greatest fan of it. If we are going to make them reflective, let's make sure that we allow the bidding procedures to process in such a manner that the cheapest possible method can be used whether it is fully reflectorized plates, whether it's beads on paint, or whatever, I don't think it makes any difference, and I think that is the intention of Senator Clark and I think that is the intention

March 26, 1981

LB 290

of LB 290, and I fully support that. I urge this body's rejection of the kill motion on LB 290.

SPEAKER MARVEL: Senator Beutler. The question has been called for. Do I see five hands? All those in favor of ceasing debate vote aye, opposed vote no. Record.

CLERK: 28 ayes, 2 nays, Mr. President, on the motion to cease debate.

SPEAKER MARVEL: Debate has ceased. The Chair recognizes Senator Koch to close on his motion.

SENATOR KOCH: Thank you, Mr. Speaker. In reply to my good friend from Sidney, Nebraska, I did not put a kill motion on the bill yesterday. I tried to amend the bill and it was germane because the subject was appropriate. I withdrew it after I had an opportunity to speak to this body on what I felt was a discriminatory practice on the part of the Legislature in terms of in lieu of taxes, but that is another subject. Seldom do I ever use the IP in this body since I have been here in six years. No, but I have seen studies go by the road before. Our committee has conducted a number of studies. We get all the facts before us. We either try to advance legislation to prove something or we decide it wasn't necessary. So I don't think that the study is necessarily a sacred body of some kind of determination necessarily logical or illogical. The other day Senator DeCamp and myself tried to offer to you an amendment to LB 290 which would try to prescribe how we are going to proceed with the business of license plates, and basically we were saying that we were going to establish a committee of those who are directly involved with the issue, the Motor Vehicles Department, the Superintendent of the Safety Patrol, the Attorney General, the Director of Correctional Services, Director of Administrative Services and they would describe the specifications before you went to bid. However, this body did not see fit to do that. I think that we made a mistake. If you are really going to place this issue on bid, then I think there should be certain specifications that should be defined, and appropriately that committee would have been the one to do it. However, we did not see fit to do it, and I don't want to argue with Senator Clark, but he used the name of the corporation again this morning that I think is unfair, because I sat in that hearing and you talk about a stacked one, I thought that was stacked. And you talk about something being stacked and something that might be written in the interest

March 26, 1981

LB 290

of a certain industry, that is a pretty good indication. And I sometimes say that when you start making accusations about who someone represents on this floor, it takes one to know one. I am not representing any industry. I am representing what I think is in the best interests of the people to prescribe a way in which we are going to get the best license plates at the best price with safety factors, with durability, and something that we can be proud of. That is what I am talking about. When you get right down to it, they flash big figures on you in here and immediately that always helps, well we can save money. But sometimes you may save a penny but in the end it may cost you a pound. And I am saying the same thing with the 7 percent lids, we are seeing that, people defer things and tomorrow it isn't any cheaper, it's higher, and the highway, roads, I sit in Public Works, we deferred highway maintenance and building of highways, under previous administrations in this body and today those highways are five or six times higher than they were then. Now we have got a tremendous amount of money before us as to how we are going to repair them and replace them. We are talking about the same thing here. Until we get 290 in a position where we can establish specifications, quality, then I cannot support LB 290 and I am doing this in good faith, and I hope that you vote in good faith when you vote to indefinitely postpone LB 290, not based upon some commitment you might have made prior to the discussion of this issue. I remind you when a bill gets on the floor it is no longer just the bill of an individual. It becomes legislation that we all can play a role in, and mine here is sincerely to try to bring about the best license plate that we can obtain, particularly when you look at the period of time we are asking to have it in position. I ask for the indefinite postponement of LB 290.

SPEAKER MARVEL: The motion is the indefinite postponement of LB 290. All those in favor vote aye, opposed vote no. Have you all voted? Senator Koch. Okay, record the vote.

CLERK: 12 ayes, 30 nays on the motion to indefinitely postpone, Mr. President.

SPEAKER MARVEL: The motion fails. What is the next...?

CLERK: Mr. President, I now have an amendment from Senator Clark. (Read the Clark amendment as found on page 1142 of the Legislative Journal.) That is offered by Senator Clark.

March 26, 1981

LB 290

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: This is an amendment that the Attorney General wanted on there so they know what they are bidding on. They are going to bid on two different systems. You don't bid on license plates, you just bid on the systems, and it is up to the Department of Motor Vehicles which they want to take. That is all the amendment does, it says material systems that reflectorize letters and numerals and material systems that reflectorize the entire surface. I would urge the amendment be passed.

SPEAKER MARVEL: Senator Beutler, do you wish to speak to the Clark amendment? Pardon?

SENATOR BEUTLER: I call the question.

SPEAKER MARVEL: The question has been called for. Do I see five hands? I do. All those in favor of ceasing debate vote aye, opposed vote no. We are voting on ceasing debate. Have you all voted? Record the vote.

CLERK: 27 ayes, 0 nays to cease debate, Mr. President.

SPEAKER MARVEL: Debate has ceased. Senator Clark, do you wish to close on your motion?

SENATOR CLARK: No, there is no close.

SPEAKER MARVEL: Okay, no closing. Okay, the motion now is the adoption of the Clark amendment. All those in favor vote aye, opposed vote no. Record.

CLERK: 26 ayes, 0 nays, on the adoption of Senator Clark's amendment.

SPEAKER MARVEL: The motion is carried. The amendment is adopted.

CLERK: Mr. President, Senator Koch now moves to amend the bill and the amendment is found on page 1048 of the Journal and would read as follows: (Read the Koch amendment.)

SENATOR KOCH: Mr. Speaker, does Senator Warner have a bill up there that corrects that amendment? Well, then...

CLERK: I do have a Warner amendment, yes. Yes, sir.

March 26, 1981

LB 290

SENATOR KOCH: I would like to substitute the Warner amendment for the Koch amendment because that merely corrects the problem that I had in that amendment there.

CLERK: So you will withdraw yours.

SENATOR KOCH: I will withdraw it and Senator Warner's amendment is more appropriate.

CLERK: Senator Warner's is the next amendment, Mr. President. It would read as follows: (Read the Warner amendment as found on page 1142 of the Legislative Journal.) That is offered by Senator Warner.

SENATOR WARNER: Mr. President and members of the Legislature, what the amendment does as you heard the Clerk read, it extends the plates one more year for a number of reasons and this is all it does. But first, there seems to be at least some disagreement, to say the least, as to what the cost would be of different kind of processes. With the deferral for one year it does provide the opportunity to clarify exactly what that might be, which seems reasonable. Secondly, we still have really not figured out a way to issue plates with the staggered issuing dates that seems to be acceptable to a lot of people and I think we may make a mistake to not recognize that there are problems under the existing system. I also think that the time for which this legislation could be enacted and it has been suggested earlier on the floor that we could be in a real time bind for the ordering, bidding process and the making of plates soon enough to begin issuance in January of '82, and with all of those conditions it seems to me as reluctant as I might be, it seems to me that it is only prudent to delay the issuance of new plates one year and then with the clear understanding that we have got to address over the interim how those plates ought to be structured for meeting staggered issuing dates and then we can deal with a more clear figure as to what kind of cost comparisons are involved. As you know, we are talking about savings or costs, it is a couple million dollar investment initially however we do it, and I think that to delay one more year to come in with a firm figure is the appropriate thing to do, and I would urge the body to adopt it.

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I would just make one short comment in opposition to the amendment. First of all, we have already had

long, long studies for two years running now on this issue, and I don't think that more studies are called for. There has been a lot of talk about stacked committee hearings and let me just say that in my opinion in the two year period it has been equally stacked both ways. All the big companies have made their pitches, have shown their movies and their slick slides, and the Public Works Committee has tried to deal with both sides fairly. Both sides obviously have given it their best shot for us to see it their way. So there has been a lot of stacking, but we have tried to sort through it and Senator Clark's bill was the conclusion that we came to. If, and I might say while we were working on the studies the assumption was that we were all talking about a six year license plate. To change now to a seven year license plate effectively gives it back to those who make the fully reflectorized plates because so far as I know right now, those who make the beads on a glass type plate, although that is much, much cheaper, are not in a position to guarantee that for seven years. So if the specifications are going to go out with a seven year requirement, then the effect of this amendment is to effectively kill the bill and hand it back to, if it went back to the old contractor, hand it back to 3M again, and effectively do away with all the studies that the Public Works Committee did and the conclusions that we came to. So this is no small amendment. This is not just a year's delay. This is far, far more than that. Changing from six to seven years has a profound influence on the ability of companies to compete and would have the effect, as I said, I think of effectively killing the bill. Thank you.

SPEAKER MARVEL: Senator Kahle. We're speaking to the Warner amendment.

SENATOR KAHLE: Mr. Speaker and members, I certainly will speak to the Warner amendment and for the same reasons I mentioned a while ago. We have plates that are ready to...well, you can't read them. They are useless. And since I have been in the Legislature I think we have talked about license plates every year, especially the last two or three years, with the assumption I thought we were going to have new plates this year and we moved it off until...I think actually it was last year we were supposed to get new plates, and we moved it to this year and now we are talking about next year, and now you are trying to move it another year. I really don't know... maybe we don't need any plates. Maybe we should just paint our own, put on beads, or whatever we want to do, just be

assigned a number. You can put a great big sign on your vehicle or a little bitty one. But if the State of Nebraska is going to furnish the plates, I think it is about time they furnished them because everybody doesn't leave their car in the garage five days a week and drive to town on...like we used to on Saturday to buy our groceries and then go to church on Sunday. Those vehicles go over some rough terrain and their license plates have been beat up for a couple of years already. We are out of compliance right now. I wish I would have brought some of our plates. I don't know whether they could get by a week without driving a vehicle or not, to see what shape they are really in. I don't think you understand what you are talking about. If Nebraska is going to have license plates that are legible, we surely can afford to provide new ones every five or six years. As big as the automobile and the truck industry is, and as important as it is to the state, and of all the people we pay for law enforcement in this whole State of Nebraska and we are quibbling over a couple million dollars, that's a lot of money, but compared to what we spend for the automotive industry and the truck industry and the law enforcement throughout the State of Nebraska it looks to me like the least we could do is provide some plates that they can read. Thank you.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: Mr. President and members, I would certainly urge you to vote against this one. We have done this twice before, and Senator Kahle put it very nicely. Of course, a lot of you people don't know what gravel is. We have 1400 miles of gravel in my one county, and I am telling you we have got licence plates that you couldn't read under any conditions on the front of these vehicles. The people expect license plates. They have been told that they will get new license plates in 1982. We are charging them the same amount of money whether they get license plates or get a sticker. People are sick of it. They are tired of it. They want a change on those license plates. We have got the oldest Bicentennial plates in the country. It's nice to be number one in football but we ought to at least keep up with the rest of the country when it comes to license plates. Some of these plates are just absolutely illegible out there today. The patrol complains about this type of plate but there is nothing you can do with it. There is not a thing you can do with it. If you are trying to save money, that is what this bill was brought up for originally. We put out about 600,000 license plates a year. You're talking about money, you are talking about

March 26, 1981

LB 290

using the old system of a dollar a plate against 40 cents a plate, it is going to make quite a difference in it. So I would certainly urge you to reject this amendment. Thank you.

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Mr. Speaker and members of the body, to correct Senator Beutler, I think that he was somewhat wrong in his remarks. All we are doing is extending the life of the present plate for another year. We are not talking about the next plate in terms of number of years. We are saying extend one more year, that will give us ample opportunity to consult certain individuals directly related to the business of safety, quality, type of plate, specifications, design, numbering system, etcetera. That is all we are doing, and I don't think that is unreasonable. We have done that on two other occasions, and obviously there is no reason why we can't defer for one more year and make certain that next January that 290 could then be put in place and we proceed with the business of getting license plates to the citizens of the State of Nebraska, and we would hope that this body then would be strongly in favor of the procedure, and there would be minimum amount of discussion. And I agree with Senator Wesely the remarks he made some time ago that it is really sort of a waste of our time to sit here and become a committee to try to design a licence plate when there are agencies presently available to us that could have done it for us for our approval or for disapproval. I support Senator Warner's amendment to extend the life of the present plate for one more year.

SPEAKER MARVEL: Senator Beutler, for what purpose do you arise?

SENATOR BEUTLER: Point of personal privilege.

SPEAKER MARVEL: State your point to the Chair.

SENATOR BEUTLER: Senator Koch indicated that I had incorrectly stated what the amendment said, and I would like that clarified that the amendment did say that it would be extended to seven years on all license plates, and Senator Koch is incorrect in stating that I incorrectly stated what the amendment did.

SPEAKER MARVEL: Okay. Senator Warner.

SENATOR WARNER: A point of order. I would like to state

that I incorrectly stated what I correctly thought that the amendment does correctly now extend the plates for one year and it was incorrect to have the word "seven" after "1982 plates to be issued every seven years". It was the intent that the language was every "six", and if all the corrections are made, I stand corrected.

SPEAKER MARVEL: The coincidence was, Senator Warner, we were just ready to call on you to explain your amendment which was changed and I thank you for your comments. Who is next? Senator Fowler. Senator Koch, for what purpose do you arise?

SENATOR KOCH: Mr. Speaker, I wish to apologize to the brilliant Senator Beutler. I did not mean to defame his character or his ability.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: Mr. President, I would support the corrected amendment. I think that the question before us now is simply an appropriations question and that is, how do we want to spend \$1.3 million in the next year, which is about what it would cost in terms of the replacement of the plates. Now it seems to me that Senator Clark is talking about we must have the finest quality license plate in the State of Nebraska. That is a noble goal. That is something that certainly would be nice. But I think, as we are going to be reminded several times on this floor, funds are not unlimited, and that perhaps if we want to relieve counties of their cost of Medicaid at \$4 million, we may need \$1.3 million to do that. If we want to have a gymnasium at Chadron, we are going to need some money to do that. If we want to try and provide money for the Resource Development Fund, we are going to need \$1.3 million to do that. If we want to provide continued programs at Peru State College, we are going to need \$1.3 million to do that. The question is a question of priorities, and if we put a million dollars in license plates, then we are not going to be able to put that money some place else, unless perhaps that it is to be added onto the Governor's budget beyond what the level of appropriation is. Priorities are going to have to be set, and for myself I am afraid that license plates, new license plates, are not the highest priority. As this bill comes up every year, I find myself in parking lots looking at license plates...a strange thing to do perhaps, but the idea is simply to find out what is the quality of the plates currently in Nebraska. And I honestly do not think on any sort of science, not a

scientific survey but any sort of look that you would take on any group of license plates across the state, that it is not worth a million dollars right now to replace those plates. It is money we can save. It is money that can go to higher priorities. I support Senator Warner's amendment.

SPEAKER MARVEL: Senator Vickers, do you wish to speak to the amendment?

SENATOR VICKERS: Mr. Speaker, I call the question.

SPEAKER MARVEL: The question has been called for. Do I see five hands? I see five hands. All those in favor of ceasing debate vote aye, opposed vote no. The motion before the House is, shall debate cease? Have you all voted? Record.

CLERK: 29 ayes, 0 nays to cease debate, Mr. President.

SPEAKER MARVEL: Debate has ceased. The Chair recognizes Senator Warner to close on his amendment.

SENATOR WARNER: All right, Mr. President, the amendment now only extends the required issuance for 19...to begin January, 1983, and the reason again, there are three or four things. It is correct to state that the required appropriation would be a million three if it is done now and we normally do around six to seven hundred thousand a year, every year, regardless, for new plates and for replacement and so the normal replacement cost. So you do avoid the million three. But I am, while that is important, I really think that we have got to accept the fact that when we once decided to go to a staggered issuance for license plates that you cannot continue the old system without some real problems and we have been grappling with it, I well know. I am not delaying anything. That's not the purpose of it. It's not the purpose to kill the bill. The purpose is solely to understand that we have got to make some adjustment in the issuance of plates to fit with staggered plates and meet all the problems that have been raised, and I agree with those who have suggested earlier on the floor that if we just proceed with this as it is, by next fall we could have some real problems either in time, problems in time of having the plates issued, manufacturing time. We are going to have problems with people being unhappy with the system. And I think it would be wise to extend it to '83 when we can be dealing with some known cost figures and get this other problem of what number you

March 26, 1981

LB 290

are going to get ironed out.

SPEAKER MARVEL: The motion is the adoption of the Warner amendment to LB 290. All those in favor of that motion vote aye, opposed vote no. Have you all voted? We are voting on the Warner amendment. Have you all voted? Senator Warner.

SENATOR WARNER: I guess the committee was out....I would ask for a Call of the House, Mr. President, if you want to do that or if you want to hold the board open. I would take call in votes as close as it is.

SPEAKER MARVEL: Shall the Legislature go under Call? All those in favor of that motion vote aye, opposed vote no. Record.

CLERK: 19 ayes, 0 nays, Mr. President, to go under Call.

SPEAKER MARVEL: Okay, the Legislature is under Call. All legislators please return to your seats, unauthorized personnel leave the floor. Record your presence. Senator Fenger, Senator Cullan, Senator Burrows, Senator Kilgarin, Senator DeCamp, Senator Richard Peterson, please record your presence. Senator Chambers, Senator Von Minden, Senator Nichol, Senator Haberman, Senator Labedz. There is only one excused so everybody else should have recorded their presence. Senator Warner, do you want to accept call in votes? Okay.

CLERK: (Read the roll call vote as found on page 1143 of the Legislative Journal.)

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: Mr. President, I will have to ask for a roll call, I lost count.

SPEAKER MARVEL: Okay. All legislators remain in your seats, we are going to call the roll. We can't call the roll until you are in your seats. Okay, call the roll.

CLERK: (Read the roll call vote.)

SPEAKER MARVEL: (Gavel).....(Microphone not on).... difficult hearing your answers. We need your cooperation. This just extends what we are trying to do and you have done very well today. So let's don't ruin the activities of the morning. Go ahead.

CLERK: (Continued reading the roll call vote.)

March 26, 1981

LB 290

SPEAKER MARVEL: We are still under Call.

CLERK: (Continued reading the roll call vote.) 28 ayes, 18 noes, Mr. President, on the motion.

SPEAKER MARVEL: The motion carried. The amendment is adopted. Before we proceed to the next amendment, in the north balcony from Senator Beyers' District we welcome 22 students from St. Columbkille, Papillion, Nebraska, Father Buse, Instructor; Sister Agnes Marie, teacher. Will you hold up your hands so we can see where you are? Okay.

CLERK: Mr. President, Senator Cullan wants the Public Health and Welfare Committee to resume their Executive Session in the West Lounge.

Mr. President, the next amendment I have is from Senator Haberman. It is Request 2228, a long one, Senator.

SENATOR HABERMAN: Mr. President and members of the Legislature, my amendment merely states that the State of Nebraska will switch from the two plates to the one license plate. Placed on your desk were three pass-outs. I will read one of them dated March the 24th. "Dear Senator Haberman: Thank you for your letter suggesting that state law be amended to require only one license plate rather than two on vehicles registered in Nebraska. Your arguments that 18 states already require only one license plate and your indication that the savings to Nebraska taxpayers could exceed \$2 million are persuasive. The time may well have come for Nebraska to move to printing only one license plate for vehicles. In the interest of fiscal restraint and economy in government, you may be assured that your proposal has my support. With kind regards. Sincerely, Charles Thone, Governor". Also I passed out a handout that shows at the present time there are 100,000 vehicles that we are now only issuing one plate to. So if we have 100,000 vehicles that have only one plate, isn't it reasonable that we go ahead and try it with the whole ball of wax? I also passed out a third passing, a note from the fiscal office that shows the amount of money that can be saved and it amounts to 45 percent. We can save 45 percent of the bid by going with one plate over two over a six year period. We argued this the other day. You all know what the issue is. I won't belabor you with a lot of talk. And Mr. President, I ask that... oh I can't, can I.....the amendment be adopted.

SPEAKER MARVEL: Okay, Senator Vickers, do you want to speak to the Haberman amendment?

SENATOR VICKERS: Mr. Speaker and members, I rise to oppose the Haberman amendment. It seems to me that, well, first of all, in order to take the points that Senator Haberman raised one at a time, we dealt with an issue yesterday where there was a statement read as a proponent's point of view from the Governor's State of the State Message for a particular bill that we were dealing with. Senator Haberman just got through reading from a letter that he got from the Governor. I would remind this body that we have a separation of powers in the government of the United States of America and in particular the government of Nebraska. The executive branch has their job to do and the legislative branch has their job to do and the judicial branch has their job to do, and for me, at least, I am getting a little bit tired of hearing what Senator Thone wants done in this Chamber. I think it is our job to make that decision and it is his job to decide what he wants to do with it once that bill gets to his desk. That's as it should be. I don't particularly care whether the Governor likes this idea or not, I don't. Some of the reasons I don't. First of all, we give the law enforcement officials of this state a job to do, and then we start taking away from them their abilities to do that job, slowly one at a time. This is one of those areas. There are times to be fiscally responsible. That is true. But I think we need to weigh the benefits against fiscal responsibility, and I think this is one of those issues where the benefits would not be anywhere near enough to make up for the fiscal gains of the state if we only printed one plate. A couple of questions, if I may, Mr. Speaker, of Senator Haberman if he would respond, please.

SENATOR NICHOL PRESIDING

SENATOR NICHOL: Senator Haberman, would you respond, please?

SENATOR HABERMAN: To a fine gentleman like Senator Vickers, absolutely.

SENATOR VICKERS: Senator Haberman, you put out a handout that indicated that there is 101,000 plates in the State of Nebraska now, or vehicles in the State of Nebraska now with only one plate. The bottom one of those and one of the larger numbers is 30,000 government and miscellaneous.

March 26, 1981

LB 290

Could you tell me what those government and miscellaneous plates are, or vehicles are?

SENATOR HABERMAN: All state vehicles.

SENATOR VICKERS: State vehicles with state plates?

SENATOR HABERMAN: Yes.

SENATOR VICKERS: Come on, Senator Haberman, state vehicles with state plates have two plates. I just got through calling Motor Vehicles and they told me that.

SENATOR HABERMAN: Well, I got this from the Motor Vehicle Department and from the Fiscal Department, and I will give you the list, Senator, so you will see what they are in just a moment.

SENATOR VICKERS: Well, I walk across the parking lot out here about every morning and the state vehicles out there have plates on both ends, so I am a little bit at a loss as to where that 30,000 figure comes from. Another question, Senator Haberman, the one plate that you are proposing would go on the rear. Is that correct?

SENATOR HABERMAN: I am still attempting to answer your first question, but the answer to that is yes.

SENATOR VICKERS: Okay, well, you can answer my first question later on, or in your closing, perhaps, that would be fine. I thank you for your response, Senator Haberman. When we talk about law enforcement, if we are going to put just a plate on the rear, let's think for a minute about the vehicles out there on the highways.

SENATOR NICHOL: One minute.

SENATOR VICKERS: Let's say that my pickup is stolen, pickup and trailer. I have got a stock trailer that I pull with it a lot of the time. The pickup is stolen, they may or may not use my trailer, they might hook onto another trailer. How many vehicles do you see on the roads pulling trailers nowadays? How can you see the license plate? Think about it a minute. You can't see the front plate because it is not there. How are they going to see that back plate on that car or that vehicle pulling the trailer? They are not. Sure other states do it. Talk to our law enforcement people. You will find out how well they like that too. I think this is wrong. I think it is a bad precedent. I think it would be a bad step and I urge the body's rejection of the

March 26, 1981

LB 290

Haberman amendment.

SENATOR NICHOL: Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I rise to oppose this amendment, and, Senator Haberman, the reason I do is because I feel that we need two plates on each vehicle. Several years ago it was only necessary to put one license plate on trucks that we had running up and down the road in Nebraska, and I happen to have a fleet of trucks. If we put the license plates on the back, they were muddy, the law enforcement people couldn't see the number of the plate or the tonnage license, or such. So they decided that we should put them in the front. So we put them in the front and we still had problems. I realize that you are trying to save several million dollars here and I think we should consider that. But more important, I think that our law enforcement people need to have the use of two plates, both on the front and the rear of a vehicle. Senator Haberman, would you yield to a question?

SENATOR NICHOL: Senator Haberman, would you respond to a question, please?

SENATOR HABERMAN: Yes.

SENATOR HEFNER: Okay, if we just had one license plate, would we put it on the front or on the rear?

SENATOR HABERMAN: I am pretty sure we would probably put it on the rear, Senator.

SENATOR HEFNER: Does your amendment say this?

SENATOR HABERMAN: I think it does.

SENATOR HEFNER: Okay.

SENATOR HABERMAN: And if not, it would be a decision of the Motor Vehicle Department where to place it.

SENATOR HEFNER: Okay, I think Senator Vickers mentioned a number of cars pulling trailers, but even if a car isn't pulling a trailer, a lot of times the trailer hitch knob will extend up far enough on the bumper so that you cannot identify the license number on this. How would we handle this?

SENATOR HABERMAN: Well, because the trailer has a

March 26, 1981

LB 290

license number, Senator Hefner.

SENATOR HEFNER: Yes, but say that this car wasn't pulling a trailer, but still...(interruption).

SENATOR HABERMAN: If it wasn't pulling a trailer then what is the question? You see the rear plate.

SENATOR HEFNER: Because the knob that the trailer is hooked to extends up a little bit and covers part of the license plate.

SENATOR HABERMAN: I don't think I have ever seen that, Senator Hefner.

SENATOR HEFNER: Okay, thank you for your answer.

SENATOR HABERMAN: Unless it's an awful big knob, you must have an awful big trailer.

SENATOR NICHOL: Senator Hefner, has your question been answered?

SENATOR HEFNER: Yes.

SENATOR NICHOL: Okay, thank you, Senator Hefner.

SENATOR HEFNER: Okay, I still oppose the amendment and would urge you to vote against it.

SENATOR NICHOL: Senator Cope, would you like to speak to the amendment, please?

SENATOR COPE: Mr. President and members, a question of Senator Haberman.

SENATOR NICHOL: Senator Haberman, would you respond, please?

SENATOR HABERMAN: Yes, I will respond to a question.

SENATOR COPE: Senator Haberman, what does law enforcement....State Patrol, various county, state enforcement?

SENATOR HABERMAN: I don't know. I didn't ask them, did you?

SENATOR COPE: No, but I want....I would certainly make a....(interruption).

SENATOR HABERMAN: Well, Senator Cope, I think 18 states

March 26, 1981

LB 290

are getting along just fine and if their people couldn't arrest people and do their job with only one plate, I am sure they would change. States have tried to change but they like the one plate.

SENATOR COPE: That is enough. I will take my time now. Thank you.

SENATOR HABERMAN: That's all right, Senator Cope, I am glad to talk to you any time.

SENATOR COPE: Well, I think that is the decision right there. If I knew that it had the full approval of law enforcement, I would vote for it in a second. I voted a few minutes ago to save a million dollars by extending the life of the plate. I am glad I did and I would vote to save another million dollars or two, whatever it is, if law enforcement approved it. But that is the name of the game. We don't even need reflectorized plates, so I have been told by people in law enforcement. They are for identification, but if we need two for identification, I think we would be very foolish to settle for one plate.

SENATOR NICHOL: Senator Kahle, would you like to speak to the amendment?

SENATOR KAHLE: Mr. President and members, this seems to be the morning to talk about license plates. Maybe it's well. I am still a little bit disappointed that we didn't settle this two years ago. But I am strongly in favor of having two plates, and I think the law enforcement officials I have talked to agree that it is a help to them, and as I said a bit ago in my little talk that we are trying to save a few bucks on license plates and then we...I don't know what the total budget is for the Safety Patrol in Nebraska, but it's enormous. You add to that every city in the state and their police force, every county and the sheriff's departments, if law enforcement can get any good from two plates, it looks to me like we are sure not saving any money. And if we aren't going to support these people and give them the tools they need, as I believe Senator Hefner said, we have already handicapped them to the point where sometimes they throw up their hands in despair and wonder what they are trying to do when they don't get backed by the public or by the courts or by the state. So, one thing I would like to say while I have the floor and what I am afraid is going to happen, we are going to argue this bill to death and then we are going to decide

that next year we are going to make the decisions that we are now trying to make, and I just want to make this point, I don't...I guess it has been passed now that we're not going to have new plates next year, but for heaven's sake let's get some bills passed so that we can, at least, start the production of license plates this year, because the argument that you have had is that, well, we can't get them done now, it's too late. Well, what's the use of putting it off another year and then saying we are too late again? And those of you that want to save a couple or a million or two dollars, I hope you remember that on some of the other bills that are coming before us that aren't half as important as keeping track of our automobiles and trucks and helping our peace officers. Thank you.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Chambers.

SENATOR CHAMBERS: Okay. Mr. Chairman and members of the Legislature, I do support Senator Haberman's motion. I have supported propositions like this in the past. I think when we consider why a thing was done originally it might help us to determine whether we ought to continue along that path. I have never had it brought to my attention that automobiles were licensed for the purpose of law enforcement. When I get a license, it is as a result of having paid a certain amount of money, and if I don't have a sticker that indicates I paid the amount every year, then I get a ticket for not having the little sticker. So I think the license is to indicate that your vehicle has met the requirements in terms of payment of fees to be on the road legally. If you are talking about law enforcement, I think that is a ridiculous argument. It has nothing to do with the issue before us, and for Senator Hefner, Senator Cope, and even Senator Vickers, who usually is more accurate in his comments, if you want to help law enforcement, then you ought to require every car to have a license plate on top also. The State Patrol and various sheriffs and some local police agencies have access to helicopters and airplanes. So if we license cars for law enforcement, you should put license plates on top. In addition to that, you might find an officer taking coffee or beside the road helping a person whose car has a flat tire and a vehicle of a suspected criminal is going by. There ought to be a license number on the side too. That should be required. And under the unlikely circumstance of an officer being run over by a car, or a citizen being run

over by a car, or a car flipping all the way over then coming back on the wheels, we ought to have a license plate on the bottom too. We ought to cover the water front. I think the argument about law enforcement is totally misplaced in this instance. How many in here who talk about the law enforcement angle can give any kind of statistic relative to the percentage of crimes that are automobile related? How many can point out instances where serious crimes have been solved because a license number was taken? That is such a rarity that it is the cause for a story or an article in the newspaper whenever it occurs. The make and the model of the vehicle usually helps the most. There is a vehicle identification number to identify the specific vehicle in the case of a stolen car, and in many instances if a vehicle is stolen by a professional thief, the license plate might be changed immediately but usually the cars are taken someplace and cut up and converted into parts that are used on other vehicles. I think you ought to give Senator Haberman's motion more serious consideration than it has been given thus far. And if money is what you are trying to save, this is a proposition which will do it and it will not alter in any way the purpose that an automobile license plate is supposed to serve. I am wondering if any of the Senators who talk about the law enforcement connection have investigated in the 18 states where they have one license plate to see if they are victimized by crime waves that can be directly related to the fact that there is only one plate on a car. Are we to assume that people who have one license plate commit more crimes than those who have two? That is ridiculous. And if you are not going to have a license plate on a car for the purpose of showing that fees and what not have been paid and that the car is properly on the road legally but is for the purpose of identification in case of a crime, you ought to make citizens wear tags too. I would like to see old Bill Nichol there walking down the aisle of the Legislature with a number on the front and a number on the back, then I would know who he is. And if we see somebody running from a bank robbery, then he has got his tags on the front and the back and we can chase him on down. The only problem is somebody might steal his coat and frame him just like somebody may steal one person's license plates and put them on his or her car. If you will listen to the arguments that Senator Haberman gave, if you will listen to the comments that I am offering you now, and you weigh the facts that ought to bear on your decision, you will see that having one license plate or two will not make any difference whatsoever in the number of crimes that are solved. If law enforcement made an argument like

March 26, 1981

LB 290

that, it would indicate that they do have the police mentality and that they need more education. The reason they can't find the killers of those children in Atlanta, Georgia, is because police officers too often are used to using a club to hit somebody on the side of the head, and they will put handcuffs on them and don't know anything about scientific investigation and detection. So when we offer these phony arguments in trying to speak of them as aids for law enforcement, we degrade and demean the whole profession of law enforcement. I think you ought to accept...

SPEAKER MARVEL: You have one minute.

SENATOR CHAMBERS: How much time, Mr. Chairman?

SPEAKER MARVEL: One minute.

SENATOR CHAMBERS: I think you ought to accept Senator Haberman's amendment, and you will see that law enforcement is not hurt at all. Now I could expect that kind of argument from Omaha because we have a Mayor with not much education. We have a Public Safety Director with probably a high school education. That's why they have so many problems. The people who know things are not in position to make the proper decisions. You can't expect more from somebody than they are able to give. If they have got a thimble full of brains, you can't expect a quart of intelligence, and that is why we have so many problems in Omaha. So let's not inflict on law enforcement throughout the state the low opinion we may have developed for law enforcement as a result of certain things that happen in Omaha. I support Senator Haberman's motion.

SPEAKER MARVEL: Before we proceed to Senator Hoagland, who is the next speaker, in Senator Landis' District in the north balcony are 50 students from Norwood Park, Lincoln, Nebraska. Teachers, Mrs. D. Simpson and Mrs. Gen Broman. They are in the north balcony. Will you hold up your hands so we can see where you are. Good morning. Senator Hoagland, we are speaking to the Haberman amendment.

SENATOR HOAGLAND: Mr. Speaker and colleagues, as I understand Senator Haberman's amendment, it would make the decision for us so we are only going to have one license plate. Now I think that is premature. What we have here is a bidding statute that handles the bidding procedure for putting bids out on new license plates. Now I don't

think I would object to the concept of let's receive bids on a one license plate system while we receive bids on a two license plate system, and let's receive bids on two different kinds of one license plate systems of beaded on paint and the total reflectorized. But I think it really is wrenching this whole bill out of context to use this as a vehicle to make the substantive decision we should only have one plate. We haven't had a hearing on that idea. I don't think we are prepared to make that decision. If we are interested in a one plate system, let's amend 290 to get the bids in on a one plate system along with the bids on a two plate system, and then when the bids come in we can make that decision. But let's don't make a decision today that is going to exclude the possibility of having a two plate system. I don't think any of us are interested in doing that or feel we are in a position to do that. Thank you.

SPEAKER MARVEL: Senator Wagner.

SENATOR WAGNER: Mr. Speaker, I call the question.

SPEAKER MARVEL: The question has been called for. Do I see five hands? Okay. The issue before the House is, shall debate cease? All those in favor vote aye, opposed vote no. Do you wish to have debate cease or do you want to continue debate is the issue. Record.

CLERK: 27 ayes, 0 nays, to cease debate, Mr. President.

SPEAKER MARVEL: Debate has ceased. The Chair recognizes Senator Haberman to close on his amendment.

SENATOR HABERMAN: Mr. President, members of the Legislature, I have a question of Senator Clark, please.

SPEAKER MARVEL: Do you yield, Senator Clark?

SENATOR CLARK: Yes, I will yield.

SENATOR HABERMAN: Senator Clark, is your purpose of introducing LB 290 to save money?

SENATOR CLARK: That was the original purpose.

SENATOR HABERMAN: Thank you, Senator Clark. Up there in the corner, fellow Senators, is a total of \$76,425,000 not accounting the appropriation fund. All of those A bills amount to \$74,425,000 and that isn't including

the appropriation fund. Now I ask you, where are you going to get the money? Here we have a chance to save over \$2 million. Now, let's talk about law enforcement. I stood up on the floor last year and I had the support of the State Patrol, the county sheriffs, all the police officers, I had the support of every law enforcement officer in the State of Nebraska for a bill. And what did the Legislature tell them? You don't get that bill, we know what is best. But this year for some reason some of the Senators have done a hundred and eighty degrees in saying, this year is different, the law enforcements know what is best. Well, another state just joined having one plate. Connecticut decided this year due to the financial crunch they went to one plate. So that makes over a third of the states that are getting along fine and their law enforcements are doing fine. I do have a correction to make. It isn't 100,000 vehicles. It is only 70,000 that have one plate. Senator Vickers is right. The government cars do have two plates. So I say....

SPEAKER MARVEL: You have one minute.

SENATOR HABERMAN: This is the opportune time...oh, public hearing, shame on you, Senator Hoagland, there are so many bills that have been gutted and amended up here that change the meanings that we haven't had public hearings on. I am surprised you even bring that up, because some of them are yours, and I think I will make a list and call them to your attention everytime one of your bills come up, Senator Hoagland. Haven't had a public hearing, goodness gracious, what about the bill that you changed. So that isn't the issue. Senator Cope, why didn't you ask the police officers about one license plate? You asked them about reflectorized plates. Maybe you would be afraid of the answer. Maybe he is afraid of the answer. So I say to you, fellow Senators, now is the time to save over \$2 million. We have an economy crunch and I don't know how any easier you can do it. Mr. President, I ask for a Call of the House and a roll call vote.

SPEAKER MARVEL: Shall the House go under Call? All those in favor of placing the House under Call vote aye, opposed vote no. The issue is, shall the House go under Call? Record.

CLERK: 13 ayes, 9 nays, Mr. President, to go under Call.

SPEAKER MARVEL: The Legislature is under Call. All

March 26, 1981

LB 290

legislators return to their seats, record your presence. Unauthorized personnel, please leave the floor. Senator Fenger, Senator Burrows, Senator Koch, Senator Warner, Senator Beutler, Senator Rumery, Senator Schmit, Senator Vard Johnson, Senator Beyer, Senator Goodrich, Senator Fitzgerald, Senator Vickers, Senator Landis, Senator Marsh. Senator Vickers, Senator Marsh, Senator Goodrich. Do you want to go ahead? Senator Vickers, Senator Marsh, Senator Goodrich. Okay. Will all legislators please take your seats, we are ready to proceed with the roll call vote. All legislators please take your seats so we can proceed. Okay, call the roll. We are voting on the adoption of the Haberman amendment to 290. Go ahead.

CLERK: (Read the roll call vote as found on page 1144 of the Legislative Journal.) 26 ayes, 21 nays, Mr. President.

SPEAKER MARVEL: The motion carried. The amendment is adopted.

CLERK: Mr. President, the next amendment I have is offered by Senator Haberman. Senator Haberman moves to amend....(Read the Haberman amendment.) This is the other amendment, Senator. Senator Haberman wishes to withdraw. Mr. President, Senator Koch moves to amend the bill, and the amendment is on page....Senator Koch wishes to withdraw. I have nothing further...I am sorry, Senator Maresh moves that LB 290 be returned to Public Works Committee for another hearing.

SPEAKER MARVEL: Senator Maresh.

SENATOR MARESH: Mr. Speaker and members of the Legislature, this is a different bill now. It has a provision in there that didn't have a hearing so I think to be fair with the public we should send this back to the committee and have another hearing on this bill. I so move.

SPEAKER MARVEL: Senator Wesely, your light is on.

SENATOR WESELY: I will pass at this point.

SPEAKER MARVEL: Senator Beutler, do you wish to speak on the Maresh amendment?

SENATOR BEUTLER: Call the question.

SPEAKER MARVEL: The question has been called for. Do I

March 26, 1981

LB 290

see five hands? All those in favor of ceasing debate vote aye, opposed vote no. The motion is to cease debate. Record the vote.

CLERK: 26 ayes, 3 nays, Mr. President, to cease debate.

SPEAKER MARVEL: Debate has ceased. All legislators.... Senator Maresh, you are recognized to close on your motion.

SENATOR MARESH: Yes, Mr. Speaker....(interruption)

SPEAKER MARVEL: May we have your attention, please. Go ahead.

SENATOR MARESH: With our Unicameral system we always are real proud of having public hearings on all issues and I think by amending this bill with a major amendment like this we are not functioning like we should to allow the public to be heard on this major change in licensing of automobiles and trucks and other vehicles, so I think we should have another hearing on this bill.

SPEAKER MARVEL: Okay, Senator Maresh closed. The motion before the House is...will you read the motion again, Mr. Clerk?

CLERK: Mr. President, Senator Maresh moves that LB 290 be returned to the Public Works Committee for another public hearing.

SPEAKER MARVEL: Senator Maresh has closed on that motion. All those in favor vote aye, opposed vote no. Have you all voted? We are voting on the Maresh motion. Have you all voted? Senator Maresh. Record the vote.

CLERK: 18 ayes, 23 nays, on the motion to return to committee, Mr. President.

SPEAKER MARVEL: The motion lost.

CLERK: I have nothing further on the bill, Mr. President.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: I move that this emasculated piece of legislation be sent to Engrossing.

SPEAKER MARVEL: The motion is to advance the bill. All those in favor vote aye, opposed vote no. I don't even

March 26, 1981

LB 290, 351, 245

know what those words mean. Record the vote.

CLERK: 29 ayes, 8 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. Do you have some items to read? We are going to go to 138 next.

CLERK: Mr. President, Senator DeCamp requests consent to print amendments to LB 245. (See page 1145 of the Legislative Journal.)

SPEAKER MARVEL: The Legislature will be at ease for a couple minutes.

EASE

SPEAKER MARVEL: Okay, we are ready to go back on Select File and the first bill is LB 351.

CLERK: Mr. President, LB 351, there are E & R amendments to LB 351, Mr. President.

SPEAKER MARVEL: Senator Wesely, do you want to move the E & R amendments?

SENATOR WESELY: Mr. Speaker, I move the E & R amendments to LB 351.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The E & R amendment is adopted.

CLERK: Mr. President, I now have an amendment from Senator Wesely, found on page 984 of the Journal.

SPEAKER MARVEL: Senator Wesely.

SENATOR WESELY: Thank you, Mr. Speaker, the amendment which is found in the Journal is something that I was proposing to bring the bill back into the original form of the statutes but allow for the exception of naming for the veterans' home in Douglas County for Senator Fitzgerald. I wanted to make sure that that was done and I totally support that but I also wanted it to express a concern about making that a standard policy to name buildings for living persons. However, in discussions with Senator Wagner and Senator Koch and several other individuals I think it would be best to not amend the bill at this time and rather to look forward to a year or two from now coming in with legislation that would deal with

March 31, 1981

LB 197, 197A, 266A, 290,
LB 245, 291, 311, 355

things going for you. Number one, the fact that the industry itself is willing to put some money into it. Now if at this time when we have been guaranteed that the 2 million will be there provided by the industry, is going to be a signal to our people at the federal level that we have lost our interest, we are pulling back. The second thing she said you have got going for you, that under the present attempt to put some state money into it is going to be of great help for me if you expect me to do something for you. I think it is unwise at this point to say we are not going to put that in and I think that it is something that is positive that will be used if we expect to get any federal funds. I do oppose your amendment, Senator Koch, at this time.

SPEAKER MARVEL: If there is no objection we will stop here and come back after one-thirty and wind up the discussion because we are not going to get it done before noon. So, if there is no objection we will recess. Senator VonMinden, will you recess us until one-thirty? While we are waiting for that the Clerk has some things to read in.

CLERK: Mr. President, new A bill, 266A by Senator Wesely. (Read title as found on page 1220 of the Journal.)

Your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 197 and find the same correctly engrossed, 197A, 291, 290, 311, 355 all correctly engrossed, (Signed) Senator Kilgarin, Chair. (see pages 1220-1221 of the Journal.)

SPEAKER MARVEL: Senator Von Minden.

SENATOR VON MINDEN: Yes, Mr. Chairman, I move we recess until one-thirty.

SPEAKER MARVEL: Okay, the motion is to recess until one-thirty. All those in favor say aye, opposed no. The motion is carried. We are recessed until one-thirty.

Edited by:

Marilyn Zank
Marilyn Zank

April 6, 1981

LR 49

LB 290

a junior at Kearney State College majoring in public relations with a minor in advertising and speech communications. She didn't have no idea that she was going to be picked as a winner. Out of 38 contestants she was the winner because of her scholastic ability and of her beauty. I'm very proud to have her come from Seward and to compete in the national contest at Biloxi, Mississippi. With this, I would ask everyone to support her and hear her when she is on CBS in the national beauty contest. I ask for your support of this Resolution.

SPEAKER MARVEL: Motion is the adoption of LR 49. All those in favor.....Senator Cope, your light is on.

SENATOR COPE: Mr. President, members, anybody from Kearney State has to be good. I certainly support.

SPEAKER MARVEL: All those in favor of the adoption of LR 49 vote aye. Opposed vote no. LR 49. Have you all voted? Record the vote.

CLERK: Mr. President, 41 ayes, 0 nays on the adoption of LR 49.

SPEAKER MARVEL: The motion is carried, the Resolution is adopted. Okay we are ready for Final Reading. All Legislators please be in your seats and unauthorized personnel please leave the floor. The first bill is LB 290.

CLERK: Mr. President, I have a motion on the desk.

SPEAKER MARVEL: Read the motion.

CLERK: Mr. President, Senator Maresh moves to return LB 290 to Select File for specific amendment. That amendment being to strike the "HABERMAN AMENDMENT" previously adopted. It is offered by Senator Maresh.

SENATOR MARESH: Mr. Speaker, members of the Legislature, I think we made a mistake when we adopted the Haberman amendment to save some money and we won't help the police to be able to identify cars and trucks. I think we should reconsider our action on this and bring this back and strike the Haberman amendment which we will be going only to one license plate on all of our vehicles. I move that this amendment be adopted.....the bill be returned first.

April 6, 1981

LB 379, 494, 290, 327

CLERK: I have nothing further on the bill, Mr. President.

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move LB 379 be advanced to E & R for Engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced.

CLERK: Mr. President, I have. . . Senator Labeledz would like to print amendments to 494. Senator Chambers would like to print a motion to LB 290 in the Journal. Senator Landis prints amendments to LB 327. Again, Mr. President, a reminder to the Government Committee will meet under the north balcony upon recess this morning.

SPEAKER MARVEL: Senator Pirsch, will you recess us until 1:15 p.m. please.

SENATOR PIRSCH: I would be happy to, Mr. Speaker. I move we recess until 1:30 p.m. this afternoon.

SPEAKER MARVEL: 1:15.

SENATOR PIRSCH: 1:15? Excuse me. 1:15 this afternoon.

SPEAKER MARVEL: The motion is to recess until 1:15 p.m. All those in favor say aye, opposed no. (Gong) All those in favor vote aye, opposed vote no to recessing until 1:15. Have you all voted? Record.

CLERK: 16 ayes, 6 nays to recess till 1:15 p.m., Mr. President.

SPEAKER MARVEL: Motion carries. We are recessed till 1:15 p.m.

Edited by

Lavera M. Benischek
Lavera M. Benischek

April 30, 1981

LB 284A, 290

amendments, Mr. President, but we really need to do it for the very simple reason that if we left it as is the money that is provided for in 284 would not be there to be sent out and I think it is our desire that the \$70 million be distributed. With that explanation of the technical amendment, I move for 284A to be returned for that amendment.

PRESIDENT: Any further discussion on the Carsten motion to return LB 284A? Seeing none, Senator Carsten, I guess that again constitutes your opening and closing. The question is the return of LB 284A for the specific Carsten amendment. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 32 ayes, 0 nays on the motion to return the bill, Mr. President.

PRESIDENT: Motion carries. The bill is returned. Senator Carsten, do you wish to move the adoption of the amendment?

SENATOR CARSTEN: Now, Mr. President, I move for the adoption of the technical amendment as explained.

PRESIDENT: All right, motion is to...opening and closing. Any further discussion? Motion is the adoption of the Carsten amendment to LB 284A. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 32 ayes, 0 nays, Mr. President, on the motion to adopt the amendment.

PRESIDENT: Motion carries. The amendment is adopted. Senator Carsten, do you want to move to E & R?

SENATOR CARSTEN: Now, Mr. President and members of the Legislature, I move 284A as amended be advanced to E & R engrossing.

PRESIDENT: The Carsten motion is to advance LB 284A to E & R for engrossment as amended. Any discussion? All those in favor signify by saying aye, opposed nay. LB 284A is advanced to E & R for engrossment. Anything further on LB 284?

CLERK: Nothing further on 284A, Mr. President.

PRESIDENT: We are then ready for LB 290, Mr. Clerk.

CLERK: Mr. President, the first motion I had on 290 was from Senator Chambers. I do have a note that he wishes to withdraw.

April 30, 1981

LB 290

PRESIDENT: All right, why don't we come back to that one. Give the next motion.

CLERK: Mr. President, I then had one from Senator Haberman but I understand that he wishes to withdraw that.

PRESIDENT: Is that correct, Senator Haberman? Motion is withdrawn.

CLERK: Mr. President, the next I have is from Senator Koch. Senator Koch moves to return LB 290 to Select File for specific amendment. The amendment would read as follows: (Read first Koch amendment offered on page 1658, Legislative Journal.)

PRESIDENT: The Chair recognizes Senator Koch.

SENATOR KOCH: Mr. Speaker, this amendment was adopted in the previous discussion of 290. I think it will meet with no resistance. What we are doing is a technical amendment to make certain that when we order this license plate, it would clarify what we mean by reflectorized surface and I ask you to return to Select File for this amendment.

PRESIDENT: Is there any discussion? The Chair recognizes Senator Clark.

SENATOR CLARK: Could I have a question of Senator Koch, please?

PRESIDENT: Senator Koch, will you respond to a question from Senator Clark?

SENATOR KOCH: Yes, I will.

SENATOR CLARK: Are you trying to return the plates to fully reflectorized background?

SENATOR KOCH: Pardon?

SENATOR CLARK: Are you trying to return the fully reflectorized background on the plates?

SENATOR KOCH: Yes.

SENATOR CLARK: Thank you. This is one thing I object to. That is not what the bill does in the first place. What this does in the first place is to have a competitive bidding between two systems and that is all it does. The type of plate is going to be determined by the Motor Vehicle Department and I certainly object to this amendment. This would

April 30, 1981

LB 290

ruin the whole bill. Thank you.

PRESIDENT: The Chair recognizes Senator Nichol.

SENATOR NICHOL: Mr. Chairman, I object for the same reason. I don't think that is what the bill is about. I don't think this is a reason to have the bill brought back. I think we should go ahead and read it. I object to the motion.

PRESIDENT: Any further discussion? Senator Koch, you may close.

SENATOR KOCH: Mr. Chairman and members of the body, we have extended the lifetime of the license plate for one additional year and it appears to me that since we have done that and since the Motor Vehicles Department is the individual agency that is going to handle this that when we send this bill to the Motor Vehicle Department that we should be certain that we are clear in our intent, and it is my intent to make certain that when we have that new license plate in 1983 that we are reflectorizing the surface and that is it. And you've had significant correspondence as I have had from law enforcement agencies advising us that there is indeed a reason for this in terms of safety and in terms of other factors that they use in trying to enforce laws. Now I think that this body it is our obligation, even though we sometimes speak safety and oftentimes ignore it, it is time we come to grips with this issue and put it in proper position. This I do not believe would impinge upon the Motor Vehicle Department in terms of describing specifications for bid purposes for whatever industry might be eligible for that type of endeavor. I am asking that the body return LB 290 for Select File to make certain that we do have a very clear and specific language of what type of plate it shall be when the Motor Vehicles Department goes after the position of determining specifications for bid purposes.

PRESIDENT: The motion before the House then is the Koch motion to return to Select File for the Koch specific amendment. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 8 ayes, 27 nays, Mr. President, on the motion to return.

PRESIDENT: The motion fails. The bill is not returned. Any other motions?

CLERK: Mr. President, Senator Koch moves to return LB 290

April 20, 1981

LB 290

to Select File for a specific amendment. (Read second Koch amendment offered on page 1658, Legislative Journal.)

PRESIDENT: Before we call on you, Senator Koch, I would like to introduce where some of the classes are leaving before we get them introduced. We have from Senator Marvel's District some 28 students, 3 adults from Morton School in Hastings with Ms. Leona Anderson and Ms. Leone Sommerfeld, teachers, and Jamie Jaycox from the Student Press Conference is here. Are they still with us up here in the North balcony? Yes, hold up your hands. Welcome to the group from Hastings. Welcome to your Legislature. Now we have some sixteen first to eighth graders and two adults from the Adventist Elementary School in Grand Island, Ms. Burdette Millard, Principal, Ms. Ruth Gerst, teacher. Are they still here? Evidently they are in the group that just left. We also have 10 ninth grade students and one adult from the Milligan High School in Senator Maresh's District, Mr. Stan Meyer, teacher. Would they indicate their presence up there? Welcome, Milligan, to your Legislature. Now, Senator Koch, you may proceed on your motion to return.

SENATOR KOCH: Mr. President, members of the body, again since this body decided in its normal debate that we are going to extend the life of our present plates another year, and since those new license plates are not going to be forthcoming until 1983, and since the Motor Vehicles Department again is the agency that is going to make determinations in terms of specifications of what kinds of license plates this state will adopt and carry forward for an additional six years, I think that this language is not needed. That is why I have asked you to return it to strike the language, that the Motor Vehicles Department establish the specifications that they think will meet the requirements for the lifetime of the license plate, particularly if we are going to ask that they serve us for six years in the future. That is the reason I am asking to return the bill to Select File to strike that language and merely allow the Motor Vehicle Department from now until that time to establish such specifications for bidding purposes that they deem necessary for safety and for durability and for other factors that are considered. I ask for the return of LB 290 to Select File for the specific amendment as explained.

PRESIDENT: The Chair recognizes Senator Clark.

SENATOR CLARK: Mr. President and members, I wish Senator Koch would just come out and kill the bill. I mean it would be more fair and you would get a direct vote on it.

This is the heart of the whole bill, this competitive bid part of the bill. That is what the bill does, allows them to have competitive bidding on reflectorization of either the numerals or the back, both ways. 3M can bid it either way so I ask you certainly not to accept this either. Let's go ahead and read the bill. Thank you.

PRESIDENT: Any further discussion on the Koch motion to return? Senator Koch, you may close. Senator Haberman, did you have your light on before...Senator Haberman.

SENATOR HABERMAN: Mr. President and members of the Legislature, we have debated and debated and debated and mickey-moused this bill for hours and hours and hours and hours and I ask you to reject these amendments and we go ahead with the Final Reading of the bill. Thank you, Mr. President.

PRESIDENT: All right, Senator Koch, you may close.

SENATOR KOCH: Mr. President, members of the body, it is interesting now that suddenly we want to really expedite our efforts when yesterday we spent six hours on a piece of legislation that probably should have been held a half hour and this morning we spent a great deal of time on Final Reading on 76 and now when we are getting into the business of license plates immediately Senator Clark brings up the name of an industry that has been kicked around this floor far too much. I didn't know industries and I think that is a matter of the Motor Vehicle Department to make determinations on specifications, and if you read that language that was put in there, I think that it pretty well provides a rather narrow type of definition of what the specs shall be. The Motor Vehicle Department, we charge them with certain responsibilities, and as a legislative body, it is our responsibility to provide them with oversight but yet not to restrict them to the point where again bidding may not be fair to all who have an interest in developing license plates for the State of Nebraska and its citizens. I think there is no need to have that language in here since we extend the license plate one more year. Let the Motor Vehicle Department define how that license shall be numerically prescribed, what kind of materials there shall be, and the distances that you have to be able to observe that license plate. You will notice in here we have five hundred feet. That may not necessarily be the magic number. I believe that this body should leave it to the Motor Vehicle Department and you know I have argued against some of this position since its very beginning and this is not a last moment effort in spite of what some of you may think. I believe that this body since we are at least are going to have license plates for six

April 30, 1981

LB 290

years should get the best plate available for the money in the interest of the taxpayer and in the interest of safety and quality of materials and that is the only reason I am asking to strike this and hopefully you would return this bill to Select File for this specific amendment.

PRESIDENT: Motion is the Koch motion to return LB 290 for his specific amendment. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 5 ayes, 25 nays, Mr. President, on the motion to return the bill.

PRESIDENT: Motion fails. Are there any further motions on LB 290?

CLERK: I have nothing further on the bill, Mr. President.

PRESIDENT: That means we can finally get a bill to read on Final Reading today. At 11:00 a.m. we are ready to have a bill read on Final Reading. Mr. Clerk, will you proceed quickly before anything else happens to read LB 290.

ASSISTANT CLERK: (Read LB 290 on Final Reading.)

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 1659, Legislative Journal.) 40 ayes, 3 nays, 3 excused and not voting, 3 present and not voting, Mr. President.

May 1, 1981

LR 66
LB 76, 284A, 284, 290, 536

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Ralph Sturdy, Pastor of the First Evangelical Covenant Church here in Lincoln.

REVEREND RALPH STURDY: Prayer offered.

PRESIDENT: Roll call. Have you all registered your presence? Has everyone registered your presence? Record the presence, Mr. Clerk.

CLERK: There is a quorum present, Mr. President.

PRESIDENT: Quorum being present, are there any corrections to the Journal?

CLERK: Mr. President on page 1066 we should strike the word "lost" and insert "adopted".

PRESIDENT: All right, the Journal will stand as corrected. Any messages, reports or announcements?

CLERK: Mr. President, I have a Report of Registered Lobbyists for the week of April 24 through April 30.

Mr. President, it seems like there is an echo in this. Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 284A and find the same correctly engrossed, and LB 76 correctly reengrossed.

Mr. President, I have an Attorney General's Opinion addressed to Senator Vard Johnson regarding 284. (See pages 1675 through 1677 of the Legislative Journal.)

Mr. President, LBs 290 and 536 are ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LB 290. We are ready for agenda item #4, Mr. Clerk, resolutions, and LR 66 is the first resolution, and I guess the only one.

CLERK: Mr. President, LR 66 was introduced by Senators Pirsch, Goodrich, Kilgarin, Labedz, Higgins, Vard Johnson, Koch, Witala and Hoagland, and it is found on page 1622 of the Journal. (Read LR 66.)

PRESIDENT: Before I call on Senator Pirsch, just to announce that while the Legislature is in session I also have signed LB 536. And now the Chair recognizes Senator Pirsch.

May 4, 1981

LB 11, 249, 290, 298,
478, 531, 536

PRESIDENT LUEDTKE PRESIDING

DR. ROBERT PALMER: (Prayer offered.)

PRESIDENT: Roll call. Have you all registered your presence? Record the presence, Mr. Clerk.

CLERK: A quorum present, Mr. President.

PRESIDENT: A quorum being present, are there any corrections to the Journal.

CLERK: I have no corrections, Mr. President.

PRESIDENT: The Journal will stand correct as published. Any messages, reports or announcements.

CLERK: Mr. President, I have an all-party pamphlet of the address to the Governor regarding LB 11. That will be inserted in the Journal. (See page 1700, Legislative Journal.)

Mr. President, your modeling clerk Margaret Kelly reports that she has on this day at 1:00 p.m., May 1, presented to the Governor LB 290 and 536.

A communication from the Governor addressed to the Clerk. (Read. Re: LB 249, 298, 536, 290, 478. See page 1700, Legislative Journal.)

Mr. President, I have a gubernatorial appointment, appoint Mr. Ray Young to the Advisory Committee to the Department of Public Welfare, Institution and Corrections.

Mr. President, I have a series of audit reports from the State Auditor: (Read. See page 1701, Legislative Journal.) Those audit reports will be on file in my office, Mr. President.

PRESIDENT: We are ready then for agenda item #4, Final Reading. The Sergeant at Arms will clear the aisles, see that all unauthorized personnel are off the floor. All members will return to your desks and when everybody is there we will commence with the day's Final Reading.

CLERK: Mr. President, while we are waiting, Senator DeCamp would like to print amendments to LB 531 in the Legislative Journal.

PRESIDENT: All right. Anything further?

CLERK: No, sir.