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LR 244
LB 458, 520, 568, 605, 892,
629, 714, 799, 809, 817, 852

allowed to us by law. I move the advancement of 817.

SENATOR CLARK: The question before the House is the advancement of 817 to E & R. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Have you all voted on the advancement of the bill? Have you all voted, one more time. Record the vote.

CLERK: Mr. President, Senator Cullan requesting record vote. (Read the record vote as found on pages 1049 and 1050 of the Legislative Journal.) 26 ayes, 15 nays, Mr. President.

SENATOR CLARK: The bill is advanced. The next bill is 852. The Clerk wants to read some things in.

CLERK: Mr. President, a series of items to read in. New resolution, LR 244 offered by Senator Chambers. (Read LR 244 as found on page 1050 of the Legislative Journal.) That will be laid over, Mr. President. Mr. President, Senator Fenger would like to print amendments to LB 714; Senator Vard Johnson to print amendments to LB 520; Senator Koch to 629; Senator Koch to 892; Senator Koch to 799; Senator Koch to 605; Senator Haberman to 568; Senator Fowler to 458; Senator Stoney to 809. (See pages 1051 through 1055 of the Legislative Journal.)

Mr. President, LB 852 was a bill introduced by the Public Works Committee and signed by its members. (Read title.) The bill was read on January 18th of this year. It was referred to Public Works for hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending. In addition, I have an amendment to the committee amendments that is offered by Senator Kremer that is found on page 717 of the Legislative Journal.

SENATOR CLARK: Senator Kremer on the committee amendments.

SENATOR KREMER: Thank you, Mr. Chairman and members of the Legislature, I think I should first of all very briefly explain the bill and then you will understand the amendments. This is a bill submitted by the Public Works Committee and brought to us by the rural power people that would provide for joint financing simply because financing as in the past is being discouraged. The need for electrical energy in the rural areas continues to increase greatly and

CLERK: Mr. President, LR 244 offered by Senator Chambers found on page 1050. (Read.)

SENATOR CLARK: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, there is a singer called Fats Domino and he had a song and it started "Yes, it is me and I am in love again." Yes, it is me and the Freeway again. Perseverance sometimes accomplishes things, and in line with that, there is a little poem that I will tell you that I learned in school although it contains some inconsistencies if you analyze it. "If a task is once begun, never leave it until it is done. For be the labor great or small, do it well or not at all." Now it is kind of appropriate for me to offer this resolution which is attempting to push the Freeway forward because I started this session with a bill designed to stop the Freeway. So if I started with an attempt to stop, it is appropriate that I stop the session with an attempt to start the Freeway. Now to give you a brief background on the efforts that I put forth, all of which have been rebuffed by the Legislature, I offered a bill to kill the Freeway. That was knocked down. The second attempt was a resolution to say that the state would guarantee funding for this Freeway if the federal government would not provide funding. That was defeated by the Legislature. So then I offered a resolution saying that if the federal government will not guarantee funding and the state is not going to guarantee funding, then no construction should start without a guarantee of federal funds. That was also abolished by the Legislature. I then read to you and gave you copies of a letter from the Federal Highway Administration stating specifically and expressly that they will not guarantee any funds for this or any other projects. That had no impact on you. So the last effort that I could undertake beside this resolution was an attempt to amend the budget bill to have the state appropriate some money for this Freeway. I gave you two alternatives, each of which was soundly and roundly rejected. The first was to earmark some money from the Department of Roads budget for the Freeway. The second alternative was not to earmark the Department's present budget money but to require an increase in the gas tax to provide the money for it. That was defeated. I have no way of knowing what in the world is on the Legislature's mind if anything. So this final resolution is an opportunity to give the Legislature a chance to have said every possible contradictory thing on this Freeway: Start it but don't pay for it. You don't have the money but don't say you won't start it. So what I am saying now is this, that the construction of the Freeway will be commenced despite the fact that there is no guarantee

of funds and there is not much likelihood of its completion. That is the last thing I can offer you and I also think that since we have inconvenienced the poor citizens in the area who live near the path of the Freeway by tearing down their houses and uprooting them and disrupting their community, a bit of discomfort ought to be put on the utilities by requiring them to commence the relocation of utilities. Then the resolution should be sent where it ought to be sent, based on my opinion not yours. A copy should be sent to the Secretary of Transportation, Drew Lewis, Federal Highway Administrator, R. A. Barnhart, and to the television program, That's Incredible, because that is exactly the description of what the Legislature's activities on this matter have been. I will not be too distressed no matter what kind of vote you give me because you outvoted Senator Burrows on a motion a minute ago five to one. You destroyed his amendment, 15 against, 3 for, and I think the 2 in addition to himself were sympathy votes. I don't care if I don't get any votes in support of this resolution because I am putting into the record the information that I need to pursue this issue with the federal government all summer, fall and winter. I am going to show them the unwillingness of this state to do anything to assure the citizens who have been disrupted by this program that the project will be completed. Such being the case, I can show that the federal government is being suckered by the State of Nebraska by trying to use federal funds to pay for projects that the state itself ought to pay for. My concluding comment, the money that the state gets from the interstate fund is like money or a bird in the hand. They get that. There was a provision written into the interstate funding law that said any state having completed its interstate will always get one-half of one percent of the total amount of money in the interstate trust fund at the federal level. Well, they had that money so they decided to double-dip. They would take the North Freeway which was a part of the interstate off the interstate system, put it in the interstate transfer program. That way they could keep getting their interstate money without having to spend it on the Freeway and the Freeway would make it possible for them to dip into a second fund. Well, by giving up the bird in the hand to reach for the one in the bush Nebraska has lost both because of a definition of interstate highway completion adopted by Congress in December of last year, and you all may as well not listen to this because you won't understand it anyway, it is too deep for you. This is deep. Nebraska has completed their interstate, and because they have no live or viable interstate projects going now, they cannot use about \$12 million they have already been given

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given and the interstate transfer program is not going to be funded by Congress. As a matter of fact, it is one of those the President wants to return to the state. So not only do you not get the interstate transfer money, the bird in the bush, but you lose the \$12 million interstate money because you have no interstate project. Now if you want to talk about something being "la-de-de-da-da dumb-dumb", that is precisely what this has been. I have enjoyed my activities with reference to the North Freeway this session. You will hear no more from me on this issue for the rest of this session I guarantee you but I hope as a boon to me to show your great friendship, your compassion, your appreciation for all that I have contributed to the session this year by adopting this very innocuous little resolution. Thank you very much.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Mr. President, we spent all session talking about the North Freeway. I guarantee you one thing, the last thing Senator Chambers wants is the adoption of this resolution. Read the last three paragraphs. The resolution after all the things says that the North Freeway should begin, that you can't know that it is absolutely going to be completed and there is little likelihood maybe, that relocation of utilities should begin, and that you should notify the Department of Transportation. You should vote for the resolution before he withdraws it.

SENATOR CLARK: Senator Newell.

SENATOR NEWELL: If I had my choice, I would rather have him withdraw it. Mr. President, members of the body, Senator Chambers has offered us another resolution in favor of the North Freeway. Now I always get a little suspicious when he does that and I am going to urge this Legislature not to adopt this resolution even though it is positively worded. I don't understand what is the That's Incredible but that is part of the resolution. Now Senator Chambers did make a couple of points which I greatly appreciate. I appreciate the very generous nature of my colleague, Senator Chambers from North Omaha, when he said that he would not bother us any more the rest of this session. We appreciate the last day's reprieve, Ernie. It is about time. In regards to the resolution, I don't believe it is going to add anything and I think that at this point in time it would be preferable that Senator Chambers' resolution not be adopted by this body. Thank you.

SENATOR CLARK: Senator Goodrich. All right, Senator Chambers, do you wish to close?

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SENATOR CHAMBERS: Mr. Chairman, I will not take any time to close but I would like to Call the House and get a vote of as many as possible.

SENATOR CLARK: A Call of the House has been requested. All those in favor of a Call of the House vote aye, opposed vote nay. While we are waiting for that, I would like to announce 3 eighth graders from Christ Lutheran School in Columbus, Nebraska. I don't know whether that is all of the kids in the class or whether they are on a short budget, Senator Dworak, one of the two. There is 32 fourth graders from Prescott Grade School in Lincoln. Would you all stand and be recognized please? Welcome to the Legislature. Record the vote.

ASSISTANT CLERK: 18 ayes, 0 nays to go under Call, Mr. President.

SENATOR CLARK: The House is under Call. All legislators will take their seats. All unauthorized personnel will leave the floor. I would hope that everyone would check in as soon as possible. Could we get everyone checked in please. Senator Newell, Senator Fowler, Senator Goll. Senator Cullan, Senator Fenger, Senator Landis, Senator Beutler, Senator Labedz, Senator Higgins. All right, we will have a machine vote. We will have a machine vote on the adoption of the resolution. All those in favor of the resolution vote aye, opposed vote nay. Voting aye.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted? Once more, have you all voted? Do you want a roll call vote, Senator Chambers? You don't want it passed that badly. All right, record the vote. Senator.

SENATOR NEWELL: Is this going to be a record vote?

SENATOR CLARK: Yes.

SENATOR NEWELL: In that case let's do have a roll call on whether this resolution should pass?

SENATOR CLARK: A roll call has been requested. When we get everyone here, we will have a roll call. Will you all check in please so we know who is here? Senator Newell, for what purpose do you rise?

SENATOR NEWELL: Everybody has checked in that is here, isn't that...I didn't ask for a Call of the House. We were just going to have a record vote, wasn't that correct?

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I mean a roll call vote.

SENATOR CLARK: (Interruption) a record vote and a roll call vote.

SENATOR NEWELL: You know, I have changed my mind. I would like to have people vote for this resolution. The more I think about it, Senator Chambers has a good point.

SENATOR CLARK: Well, we are talking about a roll call vote. The Clerk will call the roll if he don't want anyone else in here.

CLERK: (Roll call vote taken. See page 1937, Legislative Journal.)

SENATOR CLARK: We can't hear anything up here at all, gentlemen, please. I just say gentlemen because the ladies are not talking. When you quiet down, then we will go ahead and call the roll. (Gavel) That helped some. Go ahead and call the roll.

CLERK: (Roll call vote continued.) 16 ayes, 12 nays, Mr. President.

SENATOR CLARK: The motion lost.

CLERK: Mr. President, the bills read on Final Reading this morning are now ready for your signature.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 89, 714, 714A, 669, 669A, 609, 609A, 604, 604A, 278, 629, 629A, 480, 568, 909, 854, 854A, 835, 757, 753, 708, 688, and 966.