

April 7, 1981

LR 51, 52, 53  
LB 284, 331, 179,  
366, 296

SENATOR CLARK PRESIDING

SENATOR CLARK: Have you all registered in please. Will everyone check in please. Record.

CLERK: Quorum present, Mr. President.

SENATOR CLARK: We are going to go to number seven. Clerk has some things to read in.

CLERK: Mr. President, new Resolutions, LR 51. Read LR 51. Read LR 52. Read LR 53. All three resolutions were laid over.

Senator DeCamp would like to print amendments to 284. Senator Schmit to 331. Senator Marsh to 179 and Senator Landis to 366.

SENATOR CLARK: LB 296.

CLERK: Mr. President, LB 296 was introduced by Senator Ron Cope of the 36th District. Read title of bill. The bill was originally read on January 19th, referred to Public Health and Welfare. The bill was advanced to General File. There are committee amendments pending by the Public Health and Welfare Committee Mr. President.

SENATOR CLARK: Senator Cullan, committee amendments.

SENATOR CULLAN: Mr. President and members of the legislature, I would ask for your attention briefly as we review the committee amendments to LB 296. Let me say initially before I get into the committee amendments that Senator Ron Cope from Kearney again has brought to the Legislature, I think, a very important issue in LB 296. He has...it has been his record in the past several years making another strong effort to do what he can to effect the safety and welfare of the citizens of the State of Nebraska. I commend him for bringing LB 296 to us and for presenting the solution, hopefully, to a problem that we have had in the State of Nebraska in recent times as far as so many people dieing in fires, very tragic fires in the State of Nebraska. Senator Cope will explain LB 296 to you in detail in a few minutes. I will tell you that I support it and the members of the Public Health and Welfare Committee support the concept of requiring smoke detecting devices in various facilities throughout the State of Nebraska and we would

April 13, 1981

LR 52

and Nancy Regier, of Lincoln Mayor's Committee of International Friendship. They are seated under the South balcony. Would all of you stand up? Welcome to the Nebraska Unicameral Legislature. And as Frank just reminded me, Costa Rica does have a Unicameral Legislature. So we are very pleased to have them with us. We are now ready for agenda item #4, resolutions, and we will commence with the first resolution, LR 52. You may read it, Mr. Clerk.

CLERK: Mr. President, LR 52. (Read) It is found on page 1329 of the Journal.

PRESIDENT: The Chair recognizes Speaker Marvel.

SPEAKER MARVEL: Mr. President, members of the Legislature, there are about four items that will help explain this particular resolution and the first one states that in accordance with the provisions of 95-441 the United States Secretary of Agriculture issued an order on December 17th, 1980 relinquishing exclusive federal jurisdiction over the Fort Robinson Wood Reserve. That is the first point. The second point, acceptance of jurisdiction would allow civil and criminal laws of the State of Nebraska to apply to this area. An example of this is that poaching of deer on the Fort Robinson Wood Reserve is a federal crime. With acceptance of limited...

PRESIDENT: Would you please give some attention to the Speaker?

SPEAKER MARVEL: I was trying to pitch my voice a little louder.

PRESIDENT: I noticed it was getting louder and louder but I still couldn't hear you. Go ahead.

SPEAKER MARVEL: ...acceptance of jurisdiction would allow civil and criminal laws of the State of Nebraska to apply to this area. An example of this is that poaching of deer on the Fort Robinson Wood Reserve is a federal crime. With acceptance of limited jurisdiction, poaching of deer on the Wood Reserve would be a violation of state law and could be enforced by state officers. That is the second point. The third point is that the U.S. Forest Service would continue to maintain responsibility for the administration and management of the Fort Rob Wood Reserve, and then, finally, when we talk about cost, the cost according to those who have researched this will be minimal, if any, fiscal impact to the state. Now, Mr. President, Senator

April 13, 1981

LR 52, 53

Labeledz, do you wish to speak to it?

SENATOR LABEDZ: Thank you, Mr. Speaker.

PRESIDENT: Yes, Senator Labeledz.

SENATOR LABEDZ: Thank you. The resolution introduced by Senator Marvel and myself, and I would like to in addition to Senator Marvel's remarks add a few others. The exclusive state jurisdiction of the Fort Robinson Wood Reserve was given up in 1887 when the Wood Reserve as a part of the Fort Robinson Military Reservation was deeded to the United States. Governor Thone has been asked on behalf of the State of Nebraska to accept the relinquishment of exclusive federal jurisdiction over the Fort Robinson Wood Reserve. He has also been asked that this resolution be introduced on his behalf and adopted so that he may accept the relinquishment of the exclusive federal jurisdiction. This method of adopting a resolution to authorize the Governor to accept the federal jurisdiction over land in Nebraska has been used at least two times in the last ten years, including in 1971 when LR 53 which authorized the Governor to accept the retrocession of the Omaha Quartermaster Depot. I urge the acceptance of the resolution, LR 52.

PRESIDENT: Any further discussion on LR 52? Hearing none, Speaker Marvel, would you wish to close on the resolution?

SPEAKER MARVEL: I think it has been covered fairly well so I waive closing.

PRESIDENT: All right, closing is waived. The question is the adoption of LR 52. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 34 ayes, 0 nays on adoption of LR 52, Mr. President.

PRESIDENT: Motion carries. LR 52 is adopted. We will go then to LR 53, Mr. Clerk.

CLERK: Mr. President, LR 53. (Read) The resolution, Mr. President, is found on page 1330 of the Journal.

PRESIDENT: The Chair recognizes Senator Stoney.

SENATOR STONEY: Mr. President, members of the Legislature, the resolution speaks for itself. It recognizes and acknowledges the positive contribution that the secretaries have made to the nation and it proclaims the week of April 19th to the 25th, the Professional Secretaries Week, and Wednesday,

April 14, 1981

LR 12, 52, 53, 54, 55  
LB 134, 181, 200, 280, 330,  
371, 407, 437.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Carl Godwin, Pastor of the Bible Baptist Church here in Lincoln.

REVEREND CARL GODWIN: Prayer offered.

PRESIDENT: Roll call. Record the presence.

CLERK: Quorum present, Mr. President.

PRESIDENT: Are there any corrections to the Journal?

CLERK: I have no corrections, Mr. President.

PRESIDENT: The Journal stands correct as published. Any other messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 134 and recommend that same be placed on Select File.

Mr. President, I have an Attorney General's Opinion addressed to Senator Vickers regarding LB 181. (See pages 1448 and 1449 of the Legislative Journal.) And Senator Sieck would like to print amendments to 298. (See page 1450 of the Legislative Journal.)

Mr. President, LRs 52, 53, 54, 55, and LB 200, 280, 330, 371, and 407 and 437 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 LR 52, LR 53, LR 54, LR 55, LB 200, LB 280, LB 330, LB 371, LB 407, and LB 437. Ready then for agenda item #4, resolutions, commencing, Mr. Clerk, with LR 12.

CLERK: Mr. President, LR 12 was introduced by Senator Don Wesely. (Read LR 12). Mr. President, the resolution is found on page 388. It was considered by the membership on February 2 and on February 3 it was....I'm sorry, it was considered on February 3. It was referred to the Banking Committee for public hearing. The matter has been referred back to the Legislature for their consideration.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Mr. President and members of the Legislature,