

January 12, 1981

LB 104-113

RECESS

SPEAKER MARVEL: The Legislature is called to order. Will you please record your presence. Clerk, record the vote.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: The Clerk has some business on his desk. He will read whatever the correspondence is, or whatever the....

CLERK: Mr. President, Senator Von Minden would like to have his name added as co-introducer to LB 32 and 35.

SPEAKER MARVEL: Hearing no objection, so ordered.

CLERK: Mr. President, the Retirement Committee would like to announce that Senator Goodrich has been selected as Vice Chairman.

Mr. President, I have in my possession reports to the Legislature from the Little Blue Natural Resources District and the Lower Platte North NRD regarding payment of attorney fees. Those will be on file in my office. (See pages 119 and 120 of the Legislative Journal.)

Mr. President, new bills. LB 104 (Title read). LB 105 (Title read). LB 106 (Title read). LB 107 (Title read). LB 108 (Title read). LB 109 (Title read). LB 110 (Title read). LB 111 (Title read). LB 112 (Title read). LB 113 (Title read). (See pages 120 through 122 of the Legislative Journal.)

SPEAKER MARVEL: We will now proceed with the discussion on Rules and the Chair will recognize the Chairman of the Rules Committee, Senator Wesely.

SENATOR WESELY: Mr. Speaker, I move to suspend Rule 2, Section 2 of the temporary rules which we adopted this morning so as to proceed with the adoption of the permanent rules this afternoon.

SPEAKER MARVEL: Is there any discussion on the motion? Okay, the motion is the suspension of the Rules and we need 30 votes. All those in favor of the motion to suspend the Rules as per Senator Wesely's request vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 32 ayes, 0 nays on the suspension of Rule 2, Section 2, Mr. President, of the temporary rules.

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LB 110, 234A

CLERK: Mr. President, LB 234 A offered by Senator Maresh. (Read title).

SPEAKER MARVEL: All those in favor of advancing the A bill, 234A, vote aye, opposed vote no. Record the vote.

CLERK: 32 ayes, 0 nays on the motion to advance 234A, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The next bill, 110.

CLERK: Mr. President, LB 110 is offered by Senator Don Wagner. (Read title). The bill was read on January 12. It was referred to the Public Works Committee. It was advanced to General File, Mr. President.

SPEAKER MARVEL: Senator Wagner, (microphone not on)... the bill.

SENATOR WAGNER: I think Senator Beutler.....

SPEAKER MARVEL: Senator Wagner, do you want to explain the bill and then I think Senator Beutler has an amendment.

SENATOR WAGNER: Mr. Speaker and members, the bill basically the only thing it really does is strike some language in there that takes out the piece that prohibits an NRD district from building a headquarters building or administration building. If you go back to the NRD law, it was started back in about 1968-'69, and the bill then at that time was 1357 and the purpose of the bill was to consolidate the various SWCDs, advisory groups. There was approximately 500 of them. It really brought into a consolidation a number of these units like this and then we came up with 24 NRD districts. Some of the senators here were here at that time and going back to the testimony, it was a pretty lengthy debate, there was a lot of work that was put in on it. Senator Kremer was here. Senator Warner, and many of the others, Senator Carsten and so forth. But as the bill passed across from committee hearings and came here on the floor there was considerable debate upon it, and in the last moments of that bill's passage there was a concern about NRDs and building maybe, so to speak, castles. The amendment was put in there to eliminate anything like this. Since that time there has been approximately ten years that have passed. The NRDs are

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basically well established. We are putting more.... looking to them more for regulations in the form that we are looking at our various soil, water, planting trees, things in this area. I think that it is time that we do allow the NRDs to go ahead and either purchase or build a building. I think that very definitely when I speak for my NRD, there are 21 members there, I think basically these are very conservative members. They have had ten years of experience. I think that it is time that we give them a chance to go ahead and build a building, and I think within the state there are only two that are looking at the possibility of building a building and I guess I would move the bill at this point.

SPEAKER MARVEL: Senator Beutler, do you have an amendment to the bill?

SENATOR BEUTLER: I do, Mr. Speaker.

SPEAKER MARVEL: Do you want to speak to the amendment?

SENATOR BEUTLER: Members of the Legislature, the amendment essentially does one thing. It provides for a vote of the people in order to build this administration building or headquarters building that is provided for in the bill. I might give you a little bit of history on this. The original bill ten years ago did have a vote of the people provision, an election provision, and that was deleted, but in its place was put in the provision that no funds may be used for construction or purchasing of headquarters or administration building, and Senator Nore said this, I have second thoughts on NRDs and one of them was, are we going to begin building mahogany castles for these conservationists? I thought that was interesting. At any rate, the amendment does provide for a vote of the people. The question could be put to the people at a general or primary election and there is a provision for a public notice of the election for three consecutive weeks. It is pretty much the standard election procedure that is in place for school districts and other public entities. As you are aware, school districts and many other public entities have the requirement for an election before they can construct buildings of this type or that type. Other types of public entities do not have the election requirement. The philosophy of the Legislature so far as I can see has never been entirely consistent on this question. But for myself, I prefer to have the election

process especially when you are building something like headquarters buildings or administration buildings where those who make the decisions about whether to build are going to be sitting and working and enjoying themselves. So I wanted to at least give the Legislature the opportunity to put in the election requirement and I think in this time when voters are upset generally with spending that they would appreciate having the power to vote on a question like this on expenditures like this. So with that introduction, I would ask you to consider the amendment.

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

SENATOR WAGNER: Yes, I do. Mr. Speaker and members, I would oppose the Beutler amendment and let me kind of give you some examples. First of all, there are other public subdivisions that are allowed to build buildings, warehouses, and these are public power districts and public power and irrigation districts, ESUs and some of the others. But I think probably that more of the thing I would like to point out is the fact that the other day in a committee hearing Nebraska City held a special election. This is a town of 7400 and they spent \$2000 in this special election. The Lower Loup District is one of the biggest in the State of Nebraska and it is about one-tenth of the state. There are approximately 70,000 people in there and it is estimated that there are probably about 15 to 18 thousand people vote in election. Also had some figures provided to me that it would run about \$15 per vote to hold a special election. Now the Lower Big Blue in 1976 had the opportunity to go ahead and purchase a building for \$25,000. Today they have spent over \$29,000 in rent. Now that 20....they could have purchased the building and had it and saved a few dollars besides. But if we go to a special election and chances are there would be, you could also go to a general, but I think we could really probably expend more dollars in holding a special election than like in the case of the Lower Big Blue. You probably would spend about as much for the special election as you would the building, and therefore I would oppose the amendment.

SENATOR CLARK PRESIDING

SENATOR CLARK: Senator Kremer.

SENATOR KREMER: Mr. Chairman, members, I rise to oppose the Beutler amendment. I did in committee. Here again.

we are taking away authority from the local people who are people just like we are that probably are as conservative as we are, probably more so. I would like to make several points. When the amendment to LB 1357 took away the authority to build a building came before the floor for discussion, I make reference to a former senator, Senator Rudy Kokes strongly supported this amendment, and I believe now Senator Wagner has the letter from former Senator Kokes in his file saying that he now supports the authority for a resource district to build their own building. The second point I would like to make is this, that when the Natural Resource Districts were formed they inherited in most cases property in the way of buildings that...and as I understand those that are not planning to build buildings, that own buildings, would sell this property and convert those dollars into their own buildings, and there would be no tax funds involved in it, it would just be an exchange of property. For those several reasons and the fact that I have always been such a strong supporter of local control administered by local people, and I know there are those that have said and are saying that local control is a farce, it isn't anything, I maintain it is and it is a sensible direction to go in taking care of the problems that we have and I continue to have full confidence in our local elected people. Therefore, I oppose the Beutler amendment and support the bill without the amendment.

SENATOR HABERMAN: Mr. President and members of the Unicameral, I rise to support Senator Beutler. There are many, many, many NEDs due to the increase in valuation have so much money they don't know what to do with it, so they are going to go out and they are going to buy buildings and build buildings. Also, Senator Kremer, my good friend, Senator Kremer, I hate to take an issue with you, sir, but it does not take away local control because school boards presently have to have an election before they can build a new school building. So we are not doing anything here that is so drastic that other government entities don't have to do. So I would like to support Senator Beutler's amendment. Thank you.

SPEAKER MARVEL: Senator Sieck.

SENATOR SIECK: Mr. President and members of the body, I stand opposed to Senator Beutler's amendment. I feel that we will have very much difficulty in building a building if we have to go to the vote of the people, and for such a small item which in most cases it will be

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because the people will be coming to the board of directors if they build too expensive a building and I can see people in my district not supporting our NRDs for a building, and it will be very difficult for them to build a building, and they do need one. So I have to stand opposed to the Beutler amendment.

SPEAKER MARVEL: Senator Clark.

SENATOR CLARK: Mr. President and members, I would certainly support Senator Beutler, as you can notice on there that Senator Beutler and I voted against this bill being advanced. All the taxpayers pay this tax. All the taxpayers should have a right to vote on whether they are going to have capital construction on a building. I heard the figures that we are going to have a 2,000 foot building. Well, that's about \$50 a square foot is about the least you are going to build a building for and it runs from that to \$100. It will take them 200 years for what they are paying for the rent now to pay for that building and that does not include the maintenance. As far as the special election is concerned, you don't have to hold a special election, you can go on the regular ballot. If they are going to have difficulty building a building because the taxpayers don't want them to build one, that is tough. I think the taxpayers are the ones that should say so. I just hate to open this up to every NRD in the State of Nebraska to build a building. Now I realize that Senator Wagner has a little different problem, but you cannot make this just for Senator Wagner's District. This opens it up entirely to the 24 districts across the state, and I would hate to think that they would have the right to build a building without the people having a say-so. So I am certainly in favor of Senator Beutler's amendment.

SPEAKER MARVEL: Senator Wagner. We are still debating the Beutler amendment.

SENATOR WAGNER: Right. Yes, Mr. Speaker, I would like to point out that the Lower Loup up there is...Senator Haberman talked about a lot of money and so forth, I think it is probably one of the most conservative possibly NRDs in the state, and their mill levy is .37 which is very low. But in addition, Senator Kremer did allude to the fact about selling buildings. The Lower Loup as they were formed wound up with a number of buildings. These buildings could be sold. There are five of them and in turn they would bring in approximately \$180,000.

This may vary from like 160, 70 up to maybe 200. It is basically this money then that would be used, and once they sell those buildings you would actually be putting those buildings back upon the tax rolls again. So, again I would oppose Senator Beutler's amendment.

SPEAKER MARVEL: Senator DeCamp.

SENATOR DeCAMP: Mr. President and my good friend, Chris, I am completely baffled by you, Chris. Now let me explain why. Throughout the last couple of years it is you who has proposed almost unlimited powers to NRDs to control the other guy's water, the other guy's land, the other guy's taxes, and you argue these people are local elected officials, they have got to have this responsibility. Now they can control billions... billions of dollars with a single decision, but now, as I understand it, you are claiming they ain't bright enough to build a building so they can put their typewriter and their desk in without having that decision submitted to the vote of the people. Now if we are going to give the NRDs all the other powers of supervision and control, which in many cases exceed legislative powers we almost exercise in here, if we are going to give them all these blanket powers and authorities to handle our water problems, I should think we would be willing to give them the authority to build a building so they sit in and make the decisions, and that is all the bill does. It doesn't say they are going to build hotels, motels, warehouses, whatever. It is a place where they are going to operate out of, and I have always opposed giving them this power over the years. Yes, I said they should have no capital construction power. Well, I found that when you don't give it to them, they go and they go and they lease and you have a higher cost anyway and they are going to have to have a place to operate out of. So I am opposing your amendment by saying if you think the NRDs are the place we are going to have to solve our water problems, then let's let them have a place to do it out of without having a comedy of votes of the people and everything else on a rather minor decision if we are giving them responsibility for major decisions without that same vote.

SPEAKER MARVEL: We have two more lights on, Senator Kahle and Senator Cullan. Senator Kahle.

SENATOR KAHLE: Mr. Speaker and members, Senator DeCamp stole my speech, but I think we are going to have the

NRDs control our destiny in the State of Nebraska on our water issues which is the way we are leaning at the present time and which I support and we certainly ought to give them the authority to get the equipment and the building that they need to function out of. They are going to need certain equipment if this thing develops the way it looks like it will in testing meters and a whole lot of other things, and they need a certain amount of facility to do that. The other thing is that in some cases it is cheaper to own your own building than it would be to rent. I realize that some of our rural areas you can rent buildings. There are plenty of them around in some of our towns, but if you have to pay the regular rent for a building that is close to what the city rent would be, with the tax exempt status they would have, I am sure that you could own your own cheaper. So I think this is a piddly thing to be arguing about when we want to completely pull destiny in the hands of our NRDs in the State of Nebraska. If we are going to let them make those tough decisions of whether we have control areas and whether one man can pump and another cannot, I certainly would have faith enough in them to use their judgment if it comes to building a building. Thank you.

SPEAKER MARVEL: Senator Cullan.

SENATOR CULLAN: Mr. President and members of the Legislature, I think Senator DeCamp raised some very interesting arguments that because we give the Natural Resource Districts the power to make some very important water decisions in the State of Nebraska we should also give them the power to build a palace in which they should make those decisions. So, I don't know, I am not sure that there is a great deal of connection between making water decisions and making decisions upon what kind of a facility you are going to operate out of. I guess I have to think a little bit about the technical community colleges when I think about bond issues, and when I think about giving people capital construction authority, and you don't have to look at the technical community colleges in the state very... with any great deal of depth to find out that we sure have a heck of a lot of buildings around the state now, and certainly in a heck of a lot of different locations, and they sure spring up pretty quickly. I guess I don't want the same kind of abuse to occur with Natural Resource Districts and in my opinion there has been some abuse as far as capital construction is concerned, and if you have to go to the voters and if

you have to explain to them why you need a facility, maybe you won't get it, but I guess I would rather have them operating out of a cheap, poor rundown facility than I would have the other extreme, and so I really want to leave capital construction on the local and especially on the regional level in the hands of the voters. Now the Natural Resource Districts like the technical community colleges often encompass multi-county districts and so they are not very closely monitored by local voters and local citizens, not nearly to the extent that the county would be or the local school district would be or the other political subdivisions of government. So bond issues are probably considerably more important with these multi-county districts than they are with the local political subdivisions, and so I really urge you to take a careful look at what Senator Beutler is doing and let's ensure that there are some checks and balances and that the voters are involved in this entire process.

SPEAKER MARVEL: Senator Maresh, you have an amendment.

CLERK: Mr. President, Senator Maresh moves to amend the Beutler amendment. On line 10....I assume that is on the first page, isn't it, Senator?

SENATOR MARESH: Yes.

CLERK: (Read the Maresh amendment as found on page 502 of the Legislative Journal.)

SENATOR MARESH: Mr. Speaker and members of the Legislature, this would allow these people to build a building or buy one if it is less than \$40,000, and I think this would buy a pretty fancy building at \$40,000 in the rural area, so this would place it on the ballot only if it exceeded \$40,000. I move that the amendment be adopted.

SPEAKER MARVEL: The motion is the adoption of the Maresh amendment. All those in favor vote aye, opposed vote no. Have you all voted? We are voting on the Maresh amendment to LB 110. Have you all voted? Senator Maresh. Have you all voted? We are going to record the vote in a minute. Record the vote.

CLERK: 15 ayes, 22 nays, on adoption of Senator Maresh's amendment.

SPEAKER MARVEL: The motion lost. Senator Koch.

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LB 110

SENATOR KOCH: Mr. Speaker, are we on the Beutler amendment now?

SPEAKER MARVEL: Yes, sir.

SENATOR KOCH: I move the previous question.

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

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

SPEAKER MARVEL: Debate is ceased. We are voting on the Beutler amendment. The Chair recognizes Senator Beutler to close.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I don't want to take a lot of time on this. Let me just respond to a couple of points. First of all, any time you have a requirement for a vote, of course you have less flexibility in the hands of the administration, and so the question is weighing that decrease in flexibility against the precaution you have...the protection you have when you have an election. Senator Wagner may have a peculiar situation in his district, but don't forget that the law we are passing applies to every NRD across the state. I think that is an important point to be made. Secondly, let me make it clear that you can have this election either at a special election or at a general or primary election, so the cost of the election will not be significant if you choose to have it at a general or primary election. So I don't think the cost argument is a significant argument. With regard to paying rent as opposed to building buildings, I would presume that if the economics are so clear that it will be easy to convince the people that they should be building instead of renting and that is a question that should be put to the people.

SPEAKER MARVEL: The motion is the adoption of the Beutler amendment to LB 110. All those in favor.... Senator Beutler had closed. All those in favor of the Beutler amendment vote aye, opposed vote no. Have you all voted? We are voting on the Beutler amendment to LB 110. Have you all voted? Senator Beutler.

SENATOR BEUTLER: How many are missing, Mr. Speaker?

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LB 54, 110, 154, 205,
275, 288, 409, 459.

SPEAKER MARVEL: Four excused. Have you all voted?
Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, I guess numerically it
is possible so I will ask for a Call of the House and
a roll call vote, unless a couple of people would like
to.....okay, I give up.

SPEAKER MARVEL: Okay, record the vote.

CLERK: 17 ayes, 22 nays, Mr. President. I have nothing
further on the bill, Mr. President.

SPEAKER MARVEL: Senator Schmit. Senator Schmit, we
are about to close up shop for noon. Your light is on.
Senator Wagner, do you wish to close on your bill?

SENATOR WAGNER: Mr. Speaker, I think enough has been
said. I would just kind of like to move the bill and
make it go on. Thank you.

SPEAKER MARVEL: Senator Schmit, did you wish the floor?
The motion is the adoption of the Wagner...let's see,
LB 110 as amended. All those in favor of that motion
vote aye, opposed vote no. This is the advancement of
the bill. Have you all voted? Record the vote.

CLERK: 29 ayes, 5 nays, Mr. President, on the motion
to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is
advanced. Do you have some items to read in?

CLERK: Yes, sir. Mr. President, your committee on
Retirement Systems whose Chairman is Senator Fowler
instructs me to report LB 288 to General File with
amendments. (Signed) Senator Fowler. (See pages 503
and 504 of the Legislative Journal.)

Your Committee on Banking whose Chairman is Senator
DeCamp instructs me to report 275 to General File.
Retirement reports 459 to General File with amendments.
Banking, 154 to General File with amendments. Banking,
409 to General File with amendments. Judiciary, LB 54
to General File with amendments, and Judiciary, 205
to General File with amendments. Signed by the res-
pective Chairs. (See pages 504 through 507 of the
Legislative Journal.)

Mr. President, Senator Warner wants to note that the

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LR 16
LB 24, 109, 110, 114, 143, 188,
188A, 207, 207A, 234, 234A, 246,
325, 388.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Paster Rodney Hinrichs from the Rejoice Lutheran Church here at Lincoln.

PASTOR RODNEY HINRICHS: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Higgins would like to be excused. Senator Labeledz and Chronister until....

PRESIDENT: Record the presence.

CLERK: Quorum present, Mr. President.

PRESIDENT: 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, your Enrollment and Review Committee respectfully reports they have carefully examined and reviewed LB 207 and recommend that same be placed on Select File; 207A; 188; 188A; 234; 234A; 110; 143 and 109 all placed on Select File. (See pages 525 and 526 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 24 and find the same correctly engrossed.

Mr. President, your committee on Public Works whose Chairman is Senator Kremer to whom was referred LB 114 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 246 General File with amendments; 325 General File with amendments; 388 General File with amendments. (Signed) Senator Kremer, Chair. (See pages 526 and 527 of the Legislative Journal.)

Mr. President, I have a unanimous consent request to have Senator Clark add his name to LR 16.

PRESIDENT: Any objections? If not, so ordered.

CLERK: Mr. President, LR 16 is ready for your signature.

LB 14, 18, 20, 27, 28, 29, 30
37, 41, 42, 43, 45, 46, 81
110, 121, 125, 130, 140,
143, 155, 164, 188, 188A,
207, 207A, 214, 234, 82, 64
234A

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SENATOR DWORAK: I wish to close, Mr. President. I just reiterate that LB 125 be advanced to E & R initial.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. Okay, record.

CLERK: 33 ayes, 9 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. The Clerk has some items on the desk before we adjourn.

CLERK: Mr. President, before we leave Senator Kremer would like to remind the Public Works Committee that they have a hearing at noon today in Room 1517 on Gubernatorial appointments for the public roads classification for motor vehicle licensing board. That is in Room 1517.

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

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and I do sign LB 121, LB 64, LB 41, LB 18, LB 14 and engrossed LB 140, engrossed LB 130 and engrossed LB 82, engrossed LB 81, engrossed LB 46 and engrossed LB 45. Okay, Mr. Clerk.

CLERK: Mr. President, I have an Attorney General's opinion addressed to Senator Goodrich. It will be inserted in the Journal. (See pages 608-610.)

Your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 110 and find the same correctly engrossed; 188, 188A, 207, 207A, 214, 234 and 234A, all correctly engrossed.

Mr. President, your Enrolling Clerk respectfully reports she has at 10:37 a.m. presented to the Governor for his approval the following bills: 28, 42, 156, 20, 27, 29, 30, 37 and 43.

Mr. President, Senator Chambers moves to reconsider the action in voting to indefinitely postpone LB 143. That will be laid over.

I have explanation of votes from Senator Haberman and Senator Sieck. (See page 611 of the Journal.)

I have a report of registered lobbyists for February 12

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LB 9, 34, 110, 124, 178,
214, 345, 547

opposed nay. Record the vote.

CLERK: 31 ayes, 1 nay, Mr. President, on the motion to introduce the bill.

PRESIDENT: The motion carries. The bill may be introduced. Read the bill.

CLERK: Mr. President, LB 547 introduced by the Ag and Environment Committee. (Read LB 547 for the first time.)

PRESIDENT: Senator Landis, did you wish to....thank you. I thought you might want to speak. Ready for agenda item #5, Final Reading. The Sergeant at Arms will see that all unauthorized personnel are off the floor of the Legislature. All legislators are to be at their desks. We are ready to proceed with Final Reading. As soon as everyone is at your desk we will commence with LB 110.

CLERK: Mr. President, while we are waiting, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 9 and find the same correctly engrossed; 34 correctly engrossed; 124 correctly engrossed; 178 correctly engrossed, and 345 all correctly engrossed. (Signed) Senator Kilgarin, Chair.

PRESIDENT: All right, we are ready to proceed then with Final Reading. Mr. Clerk will proceed with the Final Reading of LB 110.

CLERK: (Read LB 110 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 110 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 704 of the Legislative Journal.) 35 ayes, 8 nays, 5 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 110 passes. The next bill on Final Reading is LB 214.

CLERK: (Read LB 214 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 214 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

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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?

LB 21, 24, 38, 44, 54, 65, 67,
77, 80, 104, 109, 110, 154,
186, 214, 221, 236, 260, 264,
275, 288, 459

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File with amendments; 264 to General File, (Signed)
Senator Cullan, Chair.

Mr. President, your committee on Judiciary reports LB 44
to General File with amendments.

Mr. President, new resolution offered by Senator Fowler,
LR 27. (Read.) That will be laid over pursuant to our
rules, Mr. President.

Mr. President, your committee on Enrollment and Review
respectfully reports we have carefully examined and en-
grossed LB 24 and find the same correctly engrossed, 38,
54, 104, 154 and 275 and 288 all correctly engrossed,
(Signed) Senator Kilgarin, Chair.

Mr. President, your Enrolling Clerk reports that she has
presented to the Governor for his approval LBs 110, 214,
65, 21, 67, 77, 80, 109, 186, 221, 236 and 260.

SPEAKER MARVEL: The next bill on Select File is LB 459.

CLERK: Mr. President, there are E & R amendments to LB 459.

SPEAKER MARVEL: Senator Kilgarin, E & R amendments to 459.

SENATOR KILGARIN: Mr. Speaker, I move the E & R amendments
to LB 459.

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 a motion from Senator
Fowler. (Read Fowler amendment as found on page 733 of
the Legislative Journal.)

SPEAKER MARVEL: The Chair recognizes Senator Fowler.

SENATOR FOWLER: Mr. President, this bill changes the
contribution rates with regards to certain aspects of
retirement. In working with the legislative fiscal staff
we felt that rather than have the bill take effect on what-
ever day, ninety days after the session which may be in the
middle of a pay period, that we would try and pick a date
for it to take effect so as to ease implementation. So
this is for October 1. This really is an amendment to
help with the mechanical aspects of adjusting the payroll
to reflect the new contribution rates for the retirement
plan. I would move for its adoption.

SPEAKER MARVEL: All those in favor of the Fowler amendment