

March 11, 1981

LB 5, 24, 38, 54, 72, 73,  
LB 154, 144A, 198, 245A,  
LB 273, 275, 288, 417, 459A

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

CLERK: (Record vote read. See page 856, Legislative Journal.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. We will now go to #5, General File, priority bill, Senator Cullan's LB 56.

CLERK: Mr. President, may I read some things in.

SENATOR CLARK: Read some things in if you have to.

CLERK: Mr. President, first of all, your Enrolling Clerk respectfully reports that she has on this day at 10:40 a.m. presented to the Governor for his approval LBs 24, 38, 54, 275, and 288.

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 5 and find the same correctly engrossed; LB 459A correctly engrossed; LB 144A correctly engrossed; LB 72 correctly engrossed. (Signed) Senator Kilgarin, Chair. LB 73 correctly engrossed.

Mr. President, Senator DeCamp would like to print amendments to LB 273 in the Legislative Journal.

Senator Koch offers explanation of vote.

Mr. President, your committee on Public Works whose Chairman is Senator Kremer reports LB 417 to General File with amendments.

I have an announcement of priority bills designation by the Government Committee.

Senator Warner would like to print amendments to LB 198.

Senator Carsten would like to be excused Thursday, March 12 all day.

A new A bill, LB 245A by Senator Schmit. (Title read.)

Your committee on Banking, Commerce and Insurance reports on certain gubernatorial appointments.

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LB 245, 245A

visiting students from Westside High School, Jim Tappero, Shelley Peters, Mary Clayson, Vickie Thomas, the teacher is Sheryl Wiitala and they are here for the Foreign Language Fair at UNL. Where are you located? Will you hold up your hand so we say, "Good afternoon". Okay, the motion is to advance the bill to E & R for review. Okay, all those in favor of advancing the bill vote aye, opposed vote no. Have you all voted? Senator Schmit, what is your pleasure?

SENATOR SCHMIT: I ask for a Call of the House and a roll call vote. We just as well get it over.

SPEAKER MARVEL: Shall the House go under Call is the first motion? All those in favor vote aye, opposed vote no. Record.

CLERK: 27 ayes, 0 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators should be in their seats. Some unauthorized personnel should be off of the floor. Do you want a roll call vote? Record your presence. Senator Wiitala, will you record your presence? Senator Koch, would you record your presence? Senator Sieck, Senator Landis, Senator Newell, Senator Pirsch, Senator Labedz. Mr. Sergeant at Arms, oh, Senator Newell is here. Senator Pirsch. She is on her way. Senator Nichol, Senator Chronister, Senator Goodrich and Senator Barrett all are excused. Senator Schmit, everybody is here but one. There she is. Okay.

CLERK: (Roll call vote taken. See pages 983 and 984, Legislative Journal.) 26 ayes, 18 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: The motion carried. The bill is advanced.

CLERK: Mr. President, LB 245A. (Title read.)

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President, I move that LB 245A be advanced.

SPEAKER MARVEL: Senator Chambers, your light is on.

SENATOR CHAMBERS: Mr. Chairman, members of the Legislature, I have a question and it relates not just to this bill but every other priority bill. Now according to my understanding of that rule, and I could be mistaken, at every stage of consideration a priority bill will be given favorite treatment

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LB 245A

over nonpriority bills at the same stage, is that correct?

SPEAKER MARVEL: That is my understanding, yes, sir.

SENATOR CHAMBERS: So that would mean that any motion adopted saying that A bills will be held up until after budget bills would have no effect in face of this rule, isn't that correct? A priority bill would have priority over the budget bills. They haven't been labeled priority bills to my knowledge.

SPEAKER MARVEL: Senator Chambers, it is my understanding that the appropriation measures, and Senator Warner may want to react to this, have precedent even over the priority bills.

SENATOR CHAMBERS: But here is what I want to know, if an A bill which is somebody's priority bill gets to Final Reading and an appropriations measure is not at that stage, which means at Final Reading, how can it be given precedence at that stage when it hasn't reached that stage but the priority bill is there?

SPEAKER MARVEL: Senator Warner, do you understand the question?

SENATOR WARNER: I understand the question very well but what I do not know, Mr. President, is what the limitation is on the rule for priorities. I really don't know. I thought it had an exception relative to appropriation bills but I am not that familiar with the wording. There is no question that the amendment that was adopted, let me put it this way, the motion that was adopted would preclude the reading of a bill on Final Reading that carries an A bill appropriation for 81-82 until the appropriation bills are passed. Now if there is something in the rule that changes that, I am not aware of it. Senator Wesely I understand knows.

SPEAKER MARVEL: The Chair recognizes Senator Wesely. You are responding to Senator Chambers' questions.

SENATOR WESELY: Senator Chambers, if you will look on page 31 of the new rule book, that is the yellow book, you will find under Section (h) on page 31, "Priority bills shall generally be considered ahead of all other bills at each stage of debate except that priority bills requiring the expenditure of appropriated funds may be held on Final Reading until such time as the annual appropriations bills have been passed." I think that answers the question quite clearly.

SENATOR CHAMBERS: Thank you. I couldn't find the yellow copy

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LB 245A, 351

of the book and that is why I wanted the question answered before we proceeded. Thank you.

SENATOR WESELY: Thank you.

SPEAKER MARVEL: The motion before the House is to advance the A bill. All those in favor of that motion vote aye, opposed vote no. Record the vote.

CLERK: 25 ayes, 6 nays on the motion to advance the A bill, Mr. President.

SPEAKER MARVEL: The motion is carried. The A bill is advanced. Okay, the Chair recognizes Senator Von Minden.

CLERK: Mr. President, if I may, LB 351. (Title read.) The bill was read on January 19. It was referred to Government. The bill was advanced to General File.

SPEAKER MARVEL: Senator Wagner.

SENATOR WAGNER: Mr. Speaker and members...

SPEAKER MARVEL: I caution you that we are in a time bind so we have to keep moving.

SENATOR WAGNER: I will make it very short, Mr. Speaker, and I know what you are talking about. LB 351 was introduced and cosigned by a number of Senators here in the State Legislature and, basically, what it does is to rename the Douglas County Veterans Home after Thomas Fitzgerald. Only the leprechauns could bring this bill up at this particular time to try to get it through today. So I will make my comments short. I think Senator Fitzgerald is a very unique person. It is very unusual that we have this many Senators cosign a bill and at this time I will yield the rest of my time to Senator Von Minden.

SPEAKER MARVEL: The Chair recognizes Senator Von Minden.

SENATOR VON MINDEN: Mr. Chairman, fellow Senators, just a couple words about Senator Fitzgerald. As you know, right after Pearl Harbor he enlisted in the Army, was a foot soldier in the infantry, therefore, he went to Italy and he served in the ski patrol. And on getting out of the Army, he immediately joined the VFW, the American Legion, and the Veterans of Foreign Wars and he has been working ever since for the veterans. I will yield the rest of my time to John DeCamp.

SPEAKER MARVEL: Senator DeCamp.

March 19, 1981

LR 26, 28, 30 - 32, 35 - 39  
LB 116, 230, 245, 245A, 248, 351,  
367, 381, 424, 463, 484, 511

PRESIDENT LUETDKKE PRESIDING

PRESIDENT: Prayer by Dr. Randall Sailors, First United Methodist Church, Waverly, Nebraska.

DR. RANDALL SAILORS: (Prayer offered.)

PRESIDENT: Roll call. Record the presence, Mr. Clerk.

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

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

CLERK: There are no corrections to the Journal, Mr. President.

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

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 245 and recommend that same be placed on Select File with amendments; 245A Select File; 351 Select File with amendments. Signed Senator Kilgarin as Chair.

Mr. President, your committee on Nebraska Retirement Systems whose Chairman is Senator Fowler reports 424 to General File; 248 to General File with amendments; 463 to General File with amendments; 367 Indefinitely postponed. All signed by Senator Fowler as Chair.

Mr. President, your committee on Appropriations whose Chairman is Senator Warner reports LB 381 to General File with amendments; 116 as indefinitely postponed; 484 as indefinitely postponed. All signed by Senator Warner as Chair.

Your committee on Public Works whose Chairman is Senator Kremer reports LB 230 to General File with amendments; and LB 511 to General File with amendments. Signed Senator Kremer as Chair.

I have an Attorney General's opinion addressed to Senator DeCamp regarding LB 245. That will be inserted in the Journal. (See page 1015.)

I have a series of resolutions ready for your signature, Mr. President, LRs 26, 28, 30, 31, 32, 35, 36, 37, 38, and 39.

March 31, 1981

LB 245, 245A

SENATOR SCHMIT: Mr. President, I move the bill be advanced as amended.

SPEAKER MARVEL: The motion is to advance LB 245E. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: 27 ayes, 7 nays on the motion to advance LB 245, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced.

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

SPEAKER MARVEL: Okay, advance the A bill. Who else is on this bill? Senator Hefner, you are the second in command. Would you move the advancement of the A bill, 245A?

SENATOR HEFNER: Mr. President, members of the body, I move LB 245 A to E & R engrossing.

SPEAKER MARVEL: (mike not activated)...that motion vote aye, say aye I guess, opposed no. Machine vote. All those in favor of advancing the A bill vote aye, opposed vote no. Record the vote.

CLERK: 28 ayes, 9 nays on the motion to advance 245A, Mr. President.

SPEAKER MARVEL: The motion is carried. The bill is advanced. What is the next item?

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LB 17, 40, 47, 84, 151, 220,  
245, 245A, 313, 478

particular bill. I will get another shot on Select. But I hope you mark well what you are doing this morning, and I hope the impact of it will not be lost on you. So, Mr. Chairman, I am making that request for a Call of the House and a roll call vote.

SPEAKER MARVEL: Shall the House go under Call? All those in favor vote aye, opposed no. Okay, record.

CLERK: 17 ayes, 11 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators please take your seats. Record your presence. Senator Beutler, Senator Newell, Senator Schmit, Senator Hoagland. Mr. Sergeant at Arms, will you see if you can find Senator Schmit, please?

CLERK: Mr. President, while we are waiting for Senator Schmit, I have an Attorney General's Opinion that is addressed to Senator Carsten and one addressed to Senator Haberman. (See pages 1247 through 1252 of the Legislative Journal.) Senator Pirsch would like to print amendments to LB 17, and Senator Landis and Howard Peterson to LB 478, and your Enrolling Clerk respectfully reports that she has presented to the Governor for his approval the following bills: 47, 84, 151, 220, and 313.) (See pages 1252 through 1256 for amendments to LB 17 and 478 in the Legislative Journal.) And your Committee on Enrollment and Review respectfully report that they have carefully examined and engrossed LB 245 and find the same correctly engrossed, and 245A correctly engrossed.

SENATOR CLARK PRESIDING

SENATOR CLARK: Do you want to continue, Senator Chambers, or do you want to wait for Senator Schmit? Call the roll.

CLERK: (Read the roll call vote as found on page 1246 of the Legislative Journal.)

SENATOR CARSTEN: Mr. President, may we have the motion restated. I am not quite sure that anybody knows....

SENATOR CLARK: The Clerk will restate the motion.

CLERK: Mr. President, the motion is to overrule the Speaker's agenda by removing LB 40.

SENATOR CLARK: If you want to support the Chair, you vote no.

April 9, 1981

LB 22A, 245A, 284A

CLERK: I don't have an E & R to the A bill, Mr. President. I do have a motion from Senator Carsten to strike original section 4 from 284A.

SPEAKER MARVEL: Senator Carsten.

SENATOR CARSTEN: Mr. President, this section in the A bill was the \$6 million that was in the original bill that is now not a part of 284, so it needs to be stricken. I move for the adoption of the amendment. It changes nothing else in the bill. It's still the same fund, \$70 million.

SPEAKER MARVEL: The motion is the Carsten amendment as explained. All those in favor vote aye, opposed vote no. Have you all voted? Record.

CLERK: 28 ayes, 1 nay, Mr. President, on the motion to adopt the Carsten amendment to the A bill.

SPEAKER MARVEL: The motion is carried. The amendment.... excuse me.

SENATOR CARSTEN: I move the advancement of the bill as amended.

SPEAKER MARVEL: The motion is the advancement of the A bill as amended by Senator Carsten. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 33 ayes, 2 nays on the motion to advance 284A, Mr. President.

SPEAKER MARVEL: The motion is carried. Are there any other items?

CLERK: Mr. President, Senator Hoagland would like to print amendments to LB 245A. (See page 1388 of the Legislative Journal.)

The Appropriations Committee will meet for an Executive Session upon adjournment in Room 1003. The Appropriations Committee for Executive Session in Room 1003 upon adjournment, Mr. President.

SPEAKER MARVEL: Senator Kilgarin. We are on Select File and we are talking about 22A.

SENATOR KILGARIN: I move we advance LB 22A to E & R for Engrossment.



April 27, 1981

LB 3, 245A, 284

RECESS

SPEAKER MARVEL: A quorum is...do you want to record the vote.

CLERK: A quorum present, Mr. President.

SPEAKER MARVEL: Do you have something to read in?

CLERK: Yes, sir, I do. Mr. President, Senator Kahle would like to have a meeting of the Government, Military and Veterans Affairs Committee upon adjournment Tuesday, at noon, Senator? Okay, underneath the North balcony, subject, interim study proposals.

Mr. President, Senator Higgins offers explanation of vote.

Mr. President, study resolution, LR 63 offered by Senator Chambers. (Read LR 63 as found on page 1592 of the Legislative Journal.)

Mr. President, Senator Hoagland would like to print amendments to LB 245A and Senator Schmit setting a public hearing for confirmation hearings on gubernatorial appointments and finally, Mr. President, Senator Clark would like to print amendments to LB 3 in the Journal. (See pages 1592-1593 of the Journal.)

SPEAKER MARVEL: This afternoon it is my privilege to introduce in the North balcony 44 students from 5th grade, Oakland Iowa Community School, teachers, Mrs. Joan Cleary and Mrs. Ann Strobel. Will you raise your hands so we can welcome you to the Unicameral.

We just ran a list of bills that will confront you between now and when the session is over. We have nine on special order, eleven priority bills, eleven plus, sixteen priority bills and between seventy and eighty on a consent calendar. Now according to present planning we will try to set up a consent calendar for Friday and this should help relieve some of the load. Okay, we are ready for 284 and the Chair recognizes Senator DeCamp.

SENATOR DeCAMP: Mr. President, I assume this is the closing or are there other speakers?

SPEAKER MARVEL: No, there are two other speakers, two lights on.

SENATOR DeCAMP: Then I will make one half of one minute of

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LB 245A, 369, 494, 561

to LB 494. Record.

CLERK: 27 ayes, 0 nays, Mr. President, on the advance.... no, on the adoption of the committee amendments. Excuse me.

SENATOR DWORAK: The Chair recognizes Senator Maresh to explain LB 494.

SENATOR MARESH: Now, as amended, the bill provides that those elevators who do not have the automatic shutoffs, shall have the manual shutoff, and this will clarify the objection that the person had that appeared against the bill. So I move that the bill be advanced as amended.

SENATOR DWORAK: Motion is to advance LB 494, as amended.

CLERK: Senator Dworak voting aye.

SENATOR DWORAK: Please vote on LB 494. Record.

CLERK: 27 ayes, 0 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: LB 369.

CLERK: Mr. President, if I may, right before that, Senator Chambers would like to print amendments to LB 561 and Senator Vickers to 245A. (See pages 1686 and 1687 of the Legislative Journal.)

Mr. President, LB 369 was introduced by Senator Bill Burrows. (Read title.) The bill was read on January 19 and referred to Retirement. It was advanced to General File. There are committee amendments pending by the Retirement Committee, Mr. President.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: The Retirement Committee amendments are technical in nature, clarify a couple aspects of this bill. The bill allows credit for leaves of absence to be credits to the retirement system for teachers on leave of absence but the teacher is required not only to pay their own share but to pay the school district's share of those retirement benefits as well. The committee amendments just clarify what will be the salary used in determining benefits and that salary would be the salary received immediately prior to the leave of absence and it puts a limit on the length

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LB 245, 245A

only one excused as of this time, so do you want to go ahead? Okay, record the vote.

CLERK: 19 ayes, 25 nays on a motion to return Mr. President.

PRESIDENT: Motion fails. Now we have a situation will the Speaker want to make a statement about it? Mr. Speaker, we have a problem, as I understand, that there are several motions on the A bill and they must...they should be read together. Do you want to take up the motions on the A bill before we read either one of them or how do you wish to proceed? We can...right now we are ready to read LB....all right. We will take up the motions on the A bill because obviously if that can't be read, neither one of them should be read because they should be read together. So we will take up the motions on the A bill Mr. Clerk. LB 245A

CLERK: Mr. President, first of all Senator Hoagland had amendments printed on 1387 that he wishes to withdraw.

PRESIDENT: They are withdrawn Senator Hoagland.

CLERK: In that case Mr. President, Senator Hoagland now has a motion to return LB 245A to Select File for a specific amendment and that is on page 1592 of the Journal.

PRESIDENT: Chair recognizes Senator Hoagland.

SENATOR HOAGLAND: Mr. President and colleagues, what this amendment does quite simply is strike section one of the bill which appropriates 1.3 million dollars for this next fiscal year. Now I would encourage you to open up your bill books and take a look at the bill because I want to say just a couple of words about it. First of all section one of LB 245A, as I indicated, appropriates 1.3 million dollars, section two of LB 245A appropriates for the same next fiscal year a \$119,000 and then section seven of LB 245A indicates that none of the appropriations in Sections three through six shall be reaffirmed unless three conditions are met. Number one, 13 million dollars in federal funds are forth coming. Secondly, an agreement is entered into with two or more states by the Board of Regents and third, 1.5 million dollars in private funds, private donations to the University of Nebraska foundation are forth coming. Now we have heard representations on the floor as recently as this morning by Senator Schmit that this 1.3 million dollars that were appropriating in Section one is not going to be spent by the Board of Regents unless those three conditions are met, principally unless the 13 million dollars is appropriated by the federal government. Now it strikes me

as not making a lot of sense for us to appropriate 1.3 million dollars without limiting that in the statutory language itself if we in fact don't intend to spend that money unless certain conditions take place. What I would like to do is address questions to some of the co-sponsors of the measure beginning with Senator Kahle, if I might, with respect to what the intent of the sponsor of this measure are. Senator Kahle, would you yield to a couple of brief questions?

PRESIDENT: Senator Kahle, will you respond?

SENATOR KAHLE: Certainly, I will be glad to.

SENATOR HOAGLAND: Senator Kahle as a co-sponsor of the measure, am I correct that it is your intention that the money appropriated in Section one, the 1.3 million dollars is not to be spent unless the 13 million dollars in federal funds is forthcoming, is that right?

SENATOR KAHLE: That is correct.

SENATOR HOAGLAND: Now Senator Kahle, I wonder what the reason, what reason you have for not putting limiting language in the A bill itself. In other words, not having a limiting language of section seven apply to section one as well as sections three through six, if in fact it is not your intention to spend the money unless the federal money is forthcoming.

SENATOR KAHLE: Well the main reason I can think of right now is that we don't know how long it is going to take or if we will get the federal money. But it is entirely possible that the federal money will come through before the deadline that we have in the bill of December 31, 1983. If all the criteria are met we will be full steam ahead with the vet school. There would be no reason not to spend the money.

SENATOR HOAGLAND: Would there be any reason then in not stating that in the A bill, in other words, not saying in the A bill that we are not going to spend that 1.3 million dollars unless the federal funds are forthcoming?

SENATOR KAHLE: Well we need, we that are sponsoring the bill and are supporting it feel that we need the assurance that the State of Nebraska is going to be sincere about this whole thing. We are not going to be able to convince other states to sign a contract with us, or perhaps to get the federal government to give us money until we have established that Nebraska is sincere. This is earnest money that we are talking

about, this 1.3 million. Without that we will have a rough time getting other states to sign with us and also to probably get the federal money. We have never done anything yet that really would establish that Nebraska is sincere about this, but talk about it. This would make a sincere effort by us that we are earnest and that is the reason we want this 1.3 unencumbered in the bill.

SENATOR HOAGLAND: Senator Kahle, can't we demonstrate our earnestness by putting in section one that that 1.3 million we are appropriating is not going to be spent unless the 13 million is forthcoming? I mean, as I understand it, the co-sponsors have stated that that is the policy on the floor, so why don't we go ahead and put that in the bill as well. Because otherwise we have no guarantees that the University of Nebraska might go ahead and spend the money even in spite of what has been said here on the floor. I means, isn't that just as. . . .

SENATOR KAHLE: Let me put it this way. Do you want those of us that are sponsoring the bill to sign a note for 1.3 million dollars to guarantee that that money....if that is what you want I think we can do it.

SENATOR HOAGLAND: What I would like you to do is consent to an amendment that would put that condition into the A bill because if you are stating the condition on the floor publicly, what is the difference in putting it in the A bill and having us state that in the A bill?

SENATOR KAHLE: There is a lot of difference because we don't know how fast the project is going to move. We don't know exactly what will happen with the federal money and things that we have in the bill and there is no reason to take it out. If you can't take our word for it you wouldn't be satisfied if it was in the bill.

SENATOR HOAGLAND: Thank you Senator Kahle. I wonder if I could address a question to Senator Hefner. Senator Hefner would you yield for a question?

PRESIDENT: Senator Hefner, will you respond?

SENATOR HEFNER: Certainly, Mr. President.

SENATOR HOAGLAND: Now Senator Hefner, is it also your intent as a co-sponsor that this 1.3 million dollars is not to be spent by the Board of Regents unless the 13 million dollars in federal funds is forthcoming?

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SENATOR HEFNER: That is correct.

SENATOR HOAGLAND: Now do you have any objection to our stating that in the bill itself that the 1.3 million can not be spend unless the 13 million is forthcoming?

SENATOR HEFNER: I don't think it is necessary.

SENATOR HOAGLAND: But as we are appropriating the money now, it is going to be under the discretion of the Board of Regents to spend it, if they want, is it not?

SENATOR HEFNER: They probably could, but I really don't think that they will because they are responsible people.

SENATOR HOAGLAND: Thank you Senator Hefner. I wonder if Senator Howard Peterson would yield as a co-sponsor, would you yield to a question?

PRESIDENT: Senator Peterson, will you respond?

SENATOR H. PETERSON: Yes.

SENATOR HOAGLAND: Senator Peterson, as a co-sponsor of this bill is it also your intent that that 1.3 million dollars that we are appropriating in section one is not to be spent by the University unless the federal funds are forthcoming?

SENATOR H. PETERSON: I don't think there is any question but all of us that are sponsoring feel that way.

SENATOR HOAGLAND: Well now is there any reason we shouldn't state that in the A bill? I don't understand. Senator Schmit is willing to say that on the floor and you are willing to say that on the floor, why don't we write that into the law as well?

SENATOR H. PETERSON: I honestly believe that we have the letter from the University indicating what will happen and I believe as far as I am concerned I believe what the university has written us. So I see no reason to put it in the A bill.

SENATOR HOAGLAND: But you concede the University would have the discretion to spend this money anyway.

SENATOR H. PETERSON: I would concede that they would have the discretion but I don't believe that they will.

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SENATOR HOAGLAND: Thank you Senator Peterson. And, finally, I wonder if Senator Maresh would yield to just a brief question or two.

SENATOR MARESH: Yes, Senator Hoagland.

SENATOR HOAGLAND: Senator Maresh, as a co-sponsor is it also you intent that this money that we are appropriating in section one, the 1.3 million dollars not be spent unless the 12 or 13 million dollars in federal funds is forthcoming?

SENATOR MARESH: That is what the agreement says from the Board of Regents, yes.

SENATOR HOAGLAND: Senator Maresh do you have a reason for stating that in the A bill? I mean for not having section seven of the A bill apply to section one and two as well?

SENATOR MARESH: I guess if we can't trust our Board of Regents that there is very little trust between the Legislature and the Board of Regents if we can't do it on this amount of money. We allow them to use the discretion on millions and millions of dollars and we don't have everything in writing so here we have it in writing and I think we should trust them.

SENATOR HOAGLAND: Thank you Senator Maresh. Mr. Speaker, Senator Lamb has indicated that he would like to respond to those questions and I would be happy to ask him the same question. Senator Lamb.

SENATOR LAMB: Okay, Senator Hoagland, I think you and I both recognize and a number of other people that it is going to be tough to get all things coordinated in order to establish a regional veterinary college in Nebraska. When you have to have the cooperation of at least two other states, you have to have the cooperation of the federal government and you have a sunset provision in there which is the end of 1983, we have built in all of these safeguards. Now, what we have to do, we have to have that 1.3 million dollars there poised to show all these people that we are really operating in good faith. These other states are not going to say that we are going to join with you, you know on a flimflam promise of maybe we will have a veterinary college. We have to indicate to those states, to the federal government that we are absolutely sincere. Senator Barrett has read the letter from the University that they are not going to spend this 1.3 million until all these conditions are met. You have heard from numerous senators on the floor

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who are sponsors of the bill that that in fact is the way it is going to be. I think you can rest assured on that.

SENATOR HOAGLAND: Thank you Senator.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Senator Hoagland, your time...you have about fifteen seconds.

SENATOR HOAGLAND: All right, let me just say Mr. Speaker that I really don't understand why these conditions shouldn't be written into law to protect the people of the State of Nebraska and the tax payers if in fact that is the understanding. It is written into law with respect to section three through six. I see no reason not to write it into the law with respect to the funds that are being appropriated in section one. With that, Mr. Speaker, I would ask for support of this amendment.

SPEAKER MARVEL: Before we continue, underneath the...well there are four students from the Political Behavior Class of Papillion, Kelly Dial, Bridgett Wadington, Robin Wadington and Nicky Vodness with Senator Beyer. Are you still underneath the balcony? Will you raise your hands? Okay, welcome. Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, I was disappointed that Senator Hoagland didn't ask me the question. He hopped, skipped and jumped all over the floor. I'll tell him very bluntly, and he knows very well why we don't put it into the law. If you place it in the law then that puts the federal government in the business of initiating or triggering the construction of the school of veterinary medicine. Because we have placed that one condition in there in the statute, that states emphatically that until the federal money comes we don't move. In this case the reverse is true. This Legislature will appropriate \$1,300,000 for the construction of the school. That is appropriated money, it is there and there needs to be no further action by anyone or anywhere for the federal government to move. Now we also know that the prospects of funds from the federal government are not exactly the best we can see, but I want to say this. The federal government moves in strange ways as does this body from time to time and there is no reason for us to believe that at some point and time something could occur which could trigger that federal money. We have had the word of Congresswoman Smith that she will continue to work on it. We know the chances for this year are slim



but the chance is always there. I can guarantee you Senator Hoagland if we place that condition in the statute the funds are gone, you know it, I know it and everyone on this floor knows that you know it. You should not, unless you have a better reason other than to just delay the bill, continue to beat the same bag of bones. I think the time has come, you are an attorney, you understand it far better than this farmer does, but I understand it and if you don't understand it then you have got me fooled because I know you are an intelligent person and you know what you are doing. You know Senator Hoagland that if we place that language in the law it means the death and the end of the school of veterinary medicine period. It is just that simple. You can stand up here and protest and argue and everything else but you are signaling the death now of the school of veterinary medicine if you place that language into law. I hate to repeat myself again but it is an absolute negative indication that this state is not serious. We are serious and I would like to say once more, this is a precedent, when they built the school of law we did not solicit the lawyers in town, we did not solicit the judges in the state we build it. We laid the money on the line and built the blooming school. I don't know if we needed it or not but this farmer supported it as did most other farmers in this body. We have built many other capital construction projects which have, in my opinion, limited reason for their ever having existed, but we built them. We have done what we can to contribute to a great university and a great system of education. This would, in my opinion, compliment that university in a manner in which nothing else could be achieved. I appreciate Senator Warner's efforts to try to build a school of animal science, I did not think it was a terribly bad idea. But my colleagues here and myself agreed we would pursue it in this manner and that is what we are going to do. If you don't like it, vote against it. That is your prerogative. That is the manner in which you do it, but to delay and to continually interrupt a process which is going to at one point or another mean that some of your bills and some of my bills will not be discussed this morning or this afternoon or this session is I believe irresponsible. You either have the votes or you don't have the votes. If you have the votes, kill the bill. If you don't have the votes then I suggest we sit down and shut up and get on with the work.

SENATOR CLARK PRESIDING

SENATOR CLARK: I would like to announce a guest of Senator Marsh. Under the south balcony Mrs. Sue Wood from Auckland, New Zealand, vice president of the National Party of the

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governing party of New Zealand. I suppose this is nothing new to her to see a Unicameral. They have one there also. Welcome to the Legislature. Senator Koch is next.

SENATOR KOCH: Mr. Chairman, I have a question of Senator Schmit if he would yield.

SENATOR SCHMIT: I yield Senator Koch.

SENATOR KOCH: Senator Schmit you have been in this body for quite some time and you have observed the Regents and their actions. The most recent one I recall was a little incident called the "chiller". Do you recall that?

SENATOR SCHMIT: I recall that Senator Koch.

SENATOR KOCH: They already gone to bid and purchased the chiller before we ever appropriated the money.

SENATOR SCHMIT: Would you repeat the question?

SENATOR KOCH: Well if I recall that incident correctly, the Board of Regents already had the chiller in place on the East Campus and then came to us and said, guess what! You are going to have to pay about \$600,000 for that chiller and that was prior to the time we ever appropriated the money. What I am getting to is the integrity of the Board of Regents and obviously this morning we really believe that they have that integrity they won't spend one penny until those dollars are forthcoming, is that what you are saying?

SENATOR SCHMIT: I'm saying Mr. President, Senator Koch and members of this body I have confidence in the integrity of the Board of Regents as I have confidence in this body. But lets give a direct signal for a change and not louse it all up. We have done that time after time after time with bill after bill after bill including some of yours. The time has come for clear plain language that anyone can understand, that is what I am saying.

SENATOR KOCH: One part of the question Senator Schmit. You are aware of the program at UNO the Board of Regents is going to sunset in July 1, aren't you?

SENATOR SCHMIT: Which program?

SENATOR KOCH: The pre-engineering program.

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SENATOR SCHMIT: I have heard of that yes.

SENATOR KOCH: The other day I tried to get a \$145,000 back in the budget for the Regents, yet I was advised there is money there that they can do it anytime they want to. Are you aware of this?

SENATOR SCHMIT: I would guess Senator Koch, that in a budget of 146 million dollars there is some flexibility.

SENATOR KOCH: And would you make certain that the Board of Regents put that program back in in July for the interest of about 250 students?

SENATOR SCHMIT: That is not my interest, Senator Koch. I think the Department of Engineering is capable of taking care of themselves. I'm sure that you are much more affluent and effective in that area than I am and I would leave that to you.

SENATOR KOCH: One further question Senator Schmit. The Board of Regents is on record as saying that we will not take a position on the vet college, we will under certain conditions, that is that no program and the other standing colleges will be diminished in terms of quality or in terms of offerings, are you aware of that statement by the Board of Regents?

SENATOR SCHMIT: I think the University is a growing living institution and that all programs need to be reassessed at all...every year because of the changing times and the need for the program might change.

SENATOR KOCH: Would you admit though that engineering is a rather important technology in this day and age?

SENATOR SCHMIT: I can remember Senator Koch in 1950 when I graduated my advisor in engineering college said there would never be enough jobs for all the engineers. He said it was a waste of time to be educating all of these engineers. Now they are beating down the doors for them. That is the market system. Today they need a lot of engineers, maybe five years from now they won't. Ten years ago engineers couldn't find a job when they were out of school.

SENATOR KOCH: But in other words you are saying to us without a doubt that the Board of Regents, their integrity

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is above and beyond approach.

SENATOR SCHMIT: I'm saying the Board of Regents are honorable people and they will do the best job they can in the light of the conditions under which they work.

SENATOR KOCH: And you are going to assure us that they will not spend one dollar until thirteen million dollars are forthcoming.

SENATOR SCHMIT: You have from the University a letter Senator Koch which states that they will not spend that money until those conditions are met which they have outlined which includes the thirteen million dollars from the federal government and the agreements with adjoining states. I believe that agreement speaks for itself. I take it at their word, I refuse absolutely to place that language in the statutes.

SENATOR KOCH: Thank you Senator Schmit. One final comment. As I read the letter directed to Senator Barrett what bothers me is it says "We would expect that those funds appropriated from the capital construction would not be expended." "We would expect they would not be expended." That doesn't sound totally positive to me.

SENATOR CLARK: You have one minute left.

SENATOR KOCH: I would have preferred it to say, we will not expend one dollar until those funds are forthcoming. But when we say "we would expect" that sounds rather questionable. Thank you.

SENATOR CLARK: Senator Kremer.

SENATOR KREMER: Mr. Chairman and members I'm certainly not going to take a lot of time. I want to repeat a statement I made several weeks ago when we were discussing this same issue. It is in part, at least in answer to Senator Hoagland's question that was directed to a number of those that are supporting the bill. I made a telephone call to our...to my representative in Washington and I asked a question. I said, do you feel that federal funds, there is a possibility would be available to the building of this college. The answer I got was this. She said, let me give you an example. There was a request for federal funds for a different kind of an issue, a different kind of a program. This request was before us and before us and nothing moved, nothing moved until

one day we were given the assurance that local state money was there without any strings attached. Once that assurance was given the votes were there, there was an appropriation and the funds, the federal funds were extended and the project went on. She said I feel the same way about this. If you can commit by the appropriation of a certain amount of money that the state will have the money there, I have assurance and I believe that the funds will be there. Now if we put into the statutes that we are going to pull these funds back at a certain date I really believe that it is a signal to Washington that we don't mean business. We are putting strings on it and my representative said, no strings attached and this is the way the bill now reads. If we adopt this amendment Senator Hoagland I believe we are saying we are putting some strings on to those funds and I think it is going to be a death blow to the bill. Therefore I oppose the amendment. I feel strong about this. I believe if we leave it there we can put it on interest, it isn't all lost. The money will be there and I have complete confidence, maybe not complete but I have confidence that federal funds will be available. I think that we will have other states that will go along with us and we can have this thing that is going to mean so much to us, not only in agriculture but the entire university complex and by all means to the consumer in the long run.

SENATOR CLARK: Senator Hoagland, do you wish to close on your amendment.

SENATOR HOAGLAND: Let me just say briefly in closing, ladies and gentlemen, that here we have a bill that appropriates 1.4 million dollars in the two sections to a veterinary college subject.....the college itself of which is subject to three conditions. Number one, 13 million dollars in federal funds. Number two, agreements from two or more states and number three, at least one and a half million dollars in private donation. Furthermore, furthermore the whole concept to the vet college bill was sunsetted on December 31, 1983. Now maybe I am simple minded but I just can't understand how it is going to mean the death nail of the school of veterinary medicine, as Senator Schmit indicates, if we put those conditions into the A bill itself which are evidentially stated in this letter from President Roskins although I concur with Senator Koch, this language we would expect that those funds won't be expended is a little too soft for me. Secondly, strings which have been stated by Senator Schmit and Senator Kahle and Senator Maresh and others on the floor of this legislature that in fact the money is not going to be spent unless these conditions are

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met. Now how more public can we make these statements? Senator Kremer talks about attaching strings. Well the strings have been attached. They have been attached by public pronouncements on the floor of this legislature. They have been attached by this letter why in the world not put it in the bill. Now, I don't want to be personally responsible for 1.3 million dollars of tax moneys being spent and then are winding up with no vet college because these conditions are not met or because the sunset bill the sunset provision of the bill takes effect. Now if Senator Schmit is willing to personally guarantee to the Nebraska capital construction fund that he will make up that 1.3 million dollars in the event that it is spent, without these conditions being met I would feel better about it. But, I haven't heard Senator Schmit say that he personally guarantee returning of the Nebraska capital construction fund those funds if they are spent by the Board of Regents when those conditions are not met. Now, let me say again in closing, I don't understand why putting these conditions into the statute would mean the death nail of the vet college because we have said it here on the floor and we are saying it in letters and we are saying it everywhere else. So what I will do at this time is withdraw this amendment, which strikes Section one in favor of a subsequent amendment that is going to be offered by other legislators which will indeed put those conditions into law where I think they ought to be. So I would ask to withdraw the amendment Mr. President.

SENATOR CLARK: The amendment is withdrawn. Anything further on the bill?

ASSISTANT CLERK: Mr. President, I now have a motion from Senator Vickers. His motion would return LB 245A to Select File for the specific amendment that is found on page 1686 of the Journal.

SENATOR CLARK: Senator Vickers.

SENATOR VICKERS: Mr. President, members, those of you that might be interested again the amendment that I am offering to LB 245A is on page 1687 or 1686 and 1687 in the Journal. The arguments have just been made for and against this particular amendment but what I am attempting to do is I think help the proponents of LB 245 and 245A and at the outset let me say that I intend to vote for LB 245. With this amendment I will vote for 245A. Without this amendment I will not. I think that there are other

members of this body who feel the same way. I think that the proponents need to realize that they need 30 votes for 245A. They also need to satisfy the Governor's objections, remember the letter we got from the Governor a few weeks ago. What I am attempting to do is put in the statutes that the 1.3 million dollars will not be expended but will be appropriated, will be appropriated and its investment officer is to put these funds out for investment and that the 1.3 million dollars plus the interest on that investment be available when the other criteria are met. So, actually I am giving them more money than the 1.3. Let me use an analogy. It seems to me that if you were going to build a \$100,000 house and you had \$10,000 of your own money but were going to apply for a \$90,000 loan from Farm and Home or some other lending institution, now let's say that while you were still going through application process for that loan would you take that \$10,000 out of the bank and hire a contractor, give him the \$10,000 and then ask a promise from the contractor that he is not going to spend it or start doing any building until you get the loan. Or, would you instead put the \$10,000 in a savings account where it could be safe and at the same time draw interest while you were waiting for your loan to come through? In either case the money is there. It was mentioned a little while ago by Senator Kremer about putting strings on the money. There is no strings on the money under this amendment. There are absolutely no strings other than the criteria that the proponents of this legislation have already stated on this floor that they feel need to be met first, that the letter from the Board of Regents indicated needed to be met before they were expended. So I fail to see where there are any additional strings whatsoever on either the original investment or the interest. Now, it also seems to me that we as elected representatives of the people when we pass legislation our legislation should say in it exactly what we mean. Exactly what we expect. Now we get in a lot of trouble occasionally when we pass legislation that is interpreted later on by various courts to mean something other than what we had intended. But I think that it is incumbent upon us and I think that most of us try very hard to write in our legislation exactly what our thoughts are. I can not see any difference here. And, particularly when we are talking about 1.3 million dollars and whether or not we are going to spend those funds or not and based upon what might happen in the future. The language in the bill, the language that many people have used on this floor and the intention, the language that the Board of Regents has indicated to us would indicate that we do not want to expend those so I don't see anything wrong

with saying so in the bill. One final point. I think it is rather strange that a legislature that puts a lid on local government that does not trust local school boards, does not trust any of the other political subdivisions of this state, as far as their budgets are concerned, suddenly trust the Board of Regents to do anything they want to with 1.3 million dollars. We trust them because they say they are not going to. Well if that is the way we want to operate then we should revise the way we operate with many, many other political subdivisions. I know members of this body that don't trust NRD's. I know members of this body that don't trust technical colleges. They are all operated by elected officials. What is so magical about the Board of Regents? I do not understand that. I urge the body's adoption of this amendment. I think that it will be a big help in the end to 245 and 245A.

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I have to again rise to oppose the Vickers amendment for the same reason that I gave in the opposition to Senator Hoagland's amendment. I think that it is extremely unfortunate that we wasted a long period of time debating Senator Hoagland's amendment and then he withdrew the blooming thing without a vote, so we have no idea what the feeling of the body is. I don't think Senator Vickers will do that. I think it is just as well that we vote on these issues and as I have said before, we have discussed this issue at length, back and forth, up and down. We have talked to people inside and outside the body. I don't think there is a person on the this floor who has not made up their mind how they are going to vote. I think the issue is clear. I believe the lines are drawn. I think those of us who support the concept will not change, those who oppose it will not change. I believe we should take a vote. I think Senator Vickers refers to how we don't trust local government. I think that same lack of trust is probably reciprocated towards this body. Any indication that this body would come along a year from now or two years from now and graciously take some of the requirements away would be a presumption that could not be based upon fact. We need to do in this instance as we have done many other times, appropriate the money and let it ride. I just want to say one other thing. I wish that all of the other hundreds of millions of dollars that have been appropriated and will be expended by the State of Nebraska and the various institutions were placed under the



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same scrutiny as is this 1.3 for this school of veterinary medicine. I can assure you that if you will scrounge around a little bit you can find 1.3 you can probably find 13 million in that budget which could be taken out of there and saved, if you really wanted to do it without hurting any institution in the State of Nebraska. I have said it before and I'll say in again, that the delaying tactics in this instance are designed for that purpose and that purpose only and I think the members of the body ought to begin to resent it. It is now 10:36 and we have been on this bill a long while. The sponsors of the bill graciously accepted the idea that we would debate the issues on the A bill prior to reading the principle bill. We did that because we did not see any reason to take the time to read the original bill if the A bill failed or was not in position that we could support it. We would like to take these issues and deal with them, deal with them one by one, and vote them up or down and then proceed. There are a number of bills that have been hassled around this session to the point where no one recognizes what they have got any more and it is a disservice to this body and it is a disservice to the people of the State of Nebraska. I can issue, and if you want it too, I'll give you a list of them because it is a disgrace and it is even worse than that when people who know they either have the votes or don't have the votes continue to drag the thing around. There are many bills that have passed this body this year that I don't approve of. I have cast my vote and let it go. I expressed my opinion and let it go. I do not and I will not stand and offer amendment after amendment for just the purpose of eating up the clock and then withdrawing the amendment and sitting down after having had my say.

SENATOR CLARK: Senator Haberman.

SENATOR HABERMAN: Call the question.

SENATOR CLARK: The question has been called for. Do I see five hands? I do. All those wishing to cease debate vote aye, all opposed vote no.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Voting on ceasing debate. Record the vote.

CLERK: 28 ayes, 0 nays on ceasing debate Mr. President.

SENATOR CLARK; Debate is ceased. Senator Vickers, do you wish to close.

SENATOR VICKERS: Thank you Mr. President. Mr. President and members, first of all let me tell you that this is not a delaying tactic on my part. Let me also tell you I think that that is part of our job is to be here and debate these issues that are important to the State of Nebraska. I can assure you that this issue is important, it is important to the entire state, it is important to where I come from, it is important to the business that I am in. I'll remind you again as I have reminded you before, I'm not exactly an outsider on this issue. But I can tell Senator Schmit that I am not doing this in order to delay the passage of 245 or 245A. I think that I am helping you out but it is strange how some people don't even want to help. I'm trying to give you interest plus the original investment. I'm trying to get you some extra votes, but there are people outside these glass doors and there are people inside this body that say this is a negative signal. If it is a negative signal to have money in the bank then I wish I had a lot more negative signals. I can assure you I don't see where that is so negative to appropriate the money, put it in the bank, let it draw interest and say, here it is. Now I don't see how Virginia Smith or anybody else in Washington, Lincoln or anyplace else in the United States can think that is negative. If this is the way we want to operate, if we want to operate on promises, then I would suggest to you that we debated a long time at the beginning of this session the speed limit in the State of Nebraska and what the speed laws should be. Why don't we simply ask for a promise of everybody when they apply for their drivers license that they will not exceed the speed limit. If they tell us in writing that they will not exceed the speed limit, then fine, give them a drivers license and not even have any laws in that regard. If all it takes is promises we certainly don't need any laws. If we all could go back to the Ten Commandments we could do away with all 90 chapters of the statute, it would be a great idea. We wouldn't need us. That would probably be even a greater idea. But the fact of the matter is that it doesn't work that way. But there are members of this body that are going to sit and vote for a bill simply because somebody has promised that they are going to do a certain thing or not do a certain thing. Now I think that is a heck of a way for a legislative body to operate. But I guess that is the way this body has decided to operate this year. Without dragging it out any further and again I'm not doing this to delay the passage of the bill. I'm doing it to help it out. I urge the body's adoption of this amendment.

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LB 245A, 245

SENATOR CLARK: The question before the House is the adoption of the Vickers amendment to 245A. The motion is to return the bill. All those in favor vote aye, all those opposed vote nay. Have you all voted? Record the vote.

CLERK: 15 ayes, 24 nays Mr. President on the motion to return the bill.

SENATOR CLARK: Motion fails. Do you have any other motions on the bill?

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

SENATOR CLARK: The Clerk will read LB 245. Everyone will be in their seats on Final Reading please.

CLERK: Read LB 245.

SENATOR CLARK: All provisions of law according to procedure having been complied with, the question is, shall the bill pass with the emergency clause attached. It takes 33 votes. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted? Record the vote.

CLERK: 35 ayes, 14 nays, 0 not voting. Vote appears on page 1940 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read 245A with the emergency clause attached.

CLERK: Read LB 245A.

SENATOR CLARK: All provisions of law having been complied with, the question is, shall the bill pass with the emergency clause attached. It takes 33 votes. All in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted? Record the vote.

CLERK: 34 ayes, 15 nays, 0 nays. Vote appears on page 1941 of the Legislative Journal.

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LB 22, 22A, 157, 157A, 158, 158A,  
168, 168A, 197, 197A, 245, 245A,  
253, 253A, 292, 292A, 317, 317A,  
427, 427A, 529

RECESS

SPEAKER MARVEL PRESIDING

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

SPEAKER MARVEL: The Clerk has some items on the desk that need to be read in for the record.

CLERK: Mr. President, I have for your signature LBs 197, 197A, 245 and 245A, LBs 168, 168A, LB 157 and 157A, LB 427 and 427A, LB 292, 292A, LB 317 and 317A, LB 22 and 22A, and LB 158, 158A, and 253 and 253A, Mr. President.

Mr. President, Senator Chronister would like to print amendments to LB 529 in the Journal. (See page 1963 of the Legislative Journal.)

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign engrossed LB 197, engrossed LB 197A, engrossed LB 245, engrossed LB 245A, engrossed LB 168, engrossed LB 168A, engrossed LB 157, engrossed LB 157A, engrossed LB 427, engrossed LB 427A, engrossed LB 292, engrossed LB 292A, engrossed LB 317, engrossed LB 317A, engrossed LB 22, engrossed LB 22A, engrossed LB 158, engrossed LB 158A, engrossed LB 253, engrossed LB 253A. Before we begin with some other bills, it is my privilege to introduce a number of visitors from Senator Cope and Kahle's Districts, ten students, 1st to 10th Grade, First Church of God Christian Academy, Kearney, Pastor Larry Lautaret, Jane Perry, teacher and Chester Trew, sponsor. In the north balcony. Will you hold up your hands so we can see where you are? Okay. From Senator Howard Peterson's District, eight students K through 12th Grade, Calvary Academy, Grand Island, Nebraska, Agnes Rich, Louise Bonne and Bonnie Skala, teachers. Where are you located? Okay. From Senator Chronister's District, eleven students from District 9, District 43, Wisner, Nebraska. Miss Koester and Miss Kansier, teachers. North balcony. Where are you located? Okay. From Senator Dworak's District five students, 3rd and 7th Grade from Christian Liberty Academy, Leigh, Nebraska, Susan Turvy, teacher, also Barbara Hall, in the south balcony. Are you in the south or north? From Senator Beutler's District sixteen 4th Graders, Hawthorne Elementary School, Lincoln, Nebraska, Mrs. Stephenson and Mrs. Anderson, teachers, in the north balcony. Where are you located? From Howard Peterson's District seven students K through 12th Grade, York Christian Academy, York, Nebraska, Edward Moray, Irene Moray, teachers. Where are you located? Okay. From

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LB 22, 22A, 144, 144A, 157, 157A, 158,  
158A, 168, 168A, 188, 188A, 197, 197A,  
204, 204A, 207, 207A, 243, 245, 245A,  
317, 317A, 253, 253A, 292, 292A, 427, 427A

Mr. President, your committee on Enrollment and Review respectfully reports....your Enrolling Clerk reports that she has presented to the Governor those bills that were read this morning on Final Reading. (See page 1977 regarding LBs 207, 207A, 188, 188A, 144, 144A, 204, 204A, 197, 197A, 245, 245A, 168, 168A, 157, 157A, 427, 427A, 292, 292A, 317, 317A, 22, 22A, 158, 158A, 253, 253A, in the Legislative Journal.)

SENATOR CLARK: I would like to announce the guests of Phyllis Todd from Senator Beutler's District, Mr. Kim, Mrs. Kim and Mrs. Bae-Pusan from Seoul, Korea. They are under the south balcony. Will you stand and be recognized, please? They are in the south balcony. Welcome to the Legislature. LB 243.

CLERK: Mr. President, LB 243 was a bill introduced by Senator Schmit. (Read title.) The bill was first read on January 16, referred to Ag and Environment. The bill was considered by the body on April 10, Mr. President. At that time the committee amendments were adopted. There was an amendment from Senator Schmit that was adopted. The bill failed to advance on that date, Mr. President. I have nothing further on the bill.

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, I am going to ask you once again to consider LB 243. The bill was heard and discussed and debated at length. The previous time it was up it received 23 votes to advance on a Friday afternoon with about 27 or 8 people on the floor. I think that the fact that we have discussed the bill should perhaps wipe out any reason for a lot of lengthy debate. I know there are a lot of other bills that you want to get to today. I just want to say in reply to a piece of material that is lying on your desk, two and a half pages in length, which casts serious doubts about the problems that LB 243 can cause, I want to say this. You will recall that Senator Kremer and myself and along with several...at least 23 others in this body successfully added about \$2 million to the water development fund. There are rumors now that they may want to cut that back in the Executive Office to \$3 million from 4. That means that we will have about an additional \$800,000 in the water development fund, 50 cents per capita. Not exactly an overwhelming amount of public support I would guess for water development. My concern as I have indicated many times on this floor is this, if we are going to use funds that have been generated by a subdivision of government for

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LB 158, 158A, 197, 197A,  
LB 352, 204, 204A, 245,  
245A, 292, 292A, 383, 512

take your seats and the Sergeant at Arms please get those who are not in the Chamber. There are none excused. I take it back, Senator Higgins is excused. Senator Koch and Senator Fowler, would you punch in please? Senator Maresh, Senator Wiitala, Senator Warner, Senator Lamb, Senator Hefner, Senator Newell, Senator Landis, Senator Hoagland, Senator Pirsch. Senator Koch, did you ask for a roll call vote? Okay.

CLERK: Mr. President, while we are waiting, your committee on Public Works reports LB 383 to General File with amendments.

Senators Peterson, Nichol, Burrows, Lowell Johnson, and Sieck would like to print amendments to 512; Senators Beutler and DeCamp to LB 352.

Mr. President, a communication from the Governor addressed to the Clerk. (Read. Re: LBs 158, 158A, 197, 197A, 204, 204A, 245, 245A, 292, 292A. See page 2090, Legislative Journal.)

SENATOR NICHOL: Senator Lamb and Senator Carsten are the two that are not here yet. Senator Koch.

SENATOR KOCH: Mr. Chairman, can we take call in votes and speed this up?

SENATOR NICHOL: If you would like.

CLERK: Senator Chronister voting yes. Senator Hefner voting yes. Senator Hoagland voting yes.

SENATOR NICHOL: Record, Mr. Clerk.

CLERK: 26 ayes, 19 nays, Mr. President, on the motion to advance the bill.

SENATOR NICHOL: The bill is advanced.

CLERK: Mr. President, finally, the last item I am going to read in is a new resolution offered by Senators Kremer, Haberman and Rumery. (Read. See page 2092, Legislative Journal.) That will be laid over, Mr. President.

And, Mr. President, I have notice of hearing from Senator Warner regarding a meeting of the special committee regarding Federal-State-Local Fiscal and Program Policy.

SENATOR NICHOL: You will recall that Speaker Marvel announced