

January 19, 1981

LR 6
LB 311-356

read some bills in now, we will recess until 3:30 and come back and hopefully there will be more bills to process and then I would like to have a meeting with the chairmen in Room 1520 at 9:00 tomorrow morning. The Clerk now will....Senator Carsten.

SENATOR CARSTEN: Mr. President, I am hopeful to have a meeting of the Revenue Committee at 3:00. We may be a little late getting back in Exec Session, so I just wanted to alert you of that.

SPEAKER MARVEL: Okay. Senator Carsten is calling a meeting of the Revenue Committee for three o'clock this afternoon. In which room? 1520. Okay, Mr. Clerk, go ahead.

CLERK: Mr. President, first of all, Senator Marsh has an explanation of vote to be inserted in the Journal. (See page 244 of the Legislative Journal.)

New bills, Mr. President. Read by title LB 311-355 as found on pages 244 through 255 of the Legislative Journal.

Mr. President, new resolution. (Read LR 6 as found on pages 255 and 256 of the Legislative Journal.)

Mr. President, Senator DeCamp asks unanimous consent to have the names of all the members added as co-introducers to LR 6.

SPEAKER MARVEL: Okay, the motion before the House is the unanimous consent request that all names be added to the resolution which was just read. Is there objection to that motion? If not, the motion is so ordered.

CLERK: Mr. President, pursuant to our rules....

SPEAKER MARVEL: It will be in the Journal?

CLERK: Yes, sir, it will be taken up some time later.

Mr. President, LB 356. (Read title to LB 356 as found on pages 256 and 257 of the Legislative Journal.)

SPEAKER MARVEL: Okay, the motion by Senator Marsh to recess until 3:30 p.m. All those in favor of that motion say aye. Opposed no. We are recessed until 3:30 this afternoon.

Edited by:


Marilyn Zark

March 23, 1981

LB 167, 216, 322

SPEAKER MARVEL: The House once more is under Call. All legislators please take your seats, record your presence, encourage those who are not to be on the floor to move. We are under Call. If you have not recorded your presence, would you please do so? Senator Wiitala. Senator Fowler, is he excused? Senator Lamb, Senator Maresh, Senator Kahle, Senator Hefner, Senator Sieck, Senator DeCamp, Senator Hoagland, Senator Chambers, Senator Clark. Senator Clark, Senator Dworak, Senator Kahle, Senator Lamb, Senator Maresh.

CLERK: Mr. President, while we are waiting, I have a report from the Agriculture and Environment Committee regarding gubernatorial appointments; and LB 216 is reported to General File with amendments; and LB 322 to General File with amendments. (Signed) Senator Schmit.

SPEAKER MARVEL: Senator Clark, Senator Lamb, Senator Kahle. Will all legislators please return to your seats, since we have had a Call of the House, as per your instruction. We are seeking Senator Clark now. If anybody can find him, please let us know. Are you ready for a roll call vote then? Senator Burrows, do you want a roll call vote now?

SENATOR BURROWS: How many are missing now?

SPEAKER MARVEL: Everybody who is not here is excused. There are eight missing or there are eight excused.

SENATOR BURROWS: Go ahead, let's get it over with then.

SPEAKER MARVEL: Call the roll. All legislators are to be in their chair and we cannot continue with any call until everybody is seated. That is your rules, not ours. Call the roll.

CLERK: (Roll call vote taken: See Pages 1069 and 1070, Legislative Journal.) 10 ayes, 28 nays, Mr. President.

SPEAKER MARVEL: Motion lost. Do you have another item?

CLERK: Mr. President, Senator Schmit moves to amend the bill.

SENATOR SCHMIT: Mr. President.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, I will explain the amendment. It is very brief and very simple. It is in line with what I was speaking to this morning. As

April 7, 1981

LB 3, 56, 58, 87,
LB 283, 284, 322, 330,
LB 35, 437, 491

SENATOR VICKERS: Well I guess we will have to have a roll call vote then.

SENATOR CLARK: Call the roll. We are still short two. Is that all right with you?

SENATOR VICKERS: Who are missing?

SENATOR CLARK: Senator Goodrich and Senator Schmit.

SENATOR VICKERS: No, I want to wait until they get here.

SENATOR CLARK: We are required to stay in our seats under the Call of the House. Is the Sergrant at Arms looking for those two? Senator Schmit, we are voting on the advancement of LB 35. Call the roll. Senator Goodrich is not in the building that we can find. Here he comes. Now we don't have to find him. Senator Goodrich, we are voting on the advancement of LB 35. Senator Goodrich, we are voting on the advancement of LB 35. Do you want a call-in vote? Call the roll.

CLERK: (Read roll call vote as found on page 1339 of the Legislative Journal.) 25 ayes, 21 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The bill is advanced. Senator DeCamp, would you like the honor of adjourning us until tomorrow morning at nine o'clock?

SENATOR DeCAMP: Yes.

SENATOR CLARK: We have a few things to read in first.

CLERK: Mr. President, your Appropriations Committee will meet tonight upon adjournment in Room 1003. The Public Works Committee will meet in executive session in their regular hearing room immediately upon adjournment. All members are encouraged to attend. Senator Higgins offers explanation of vote, Senator Nichol to print amendments to LB 87. (See page 1343 of the Journal.)

I have a communication from the Governor. (Read same regarding LB 311 and 56. See page 1343 of the Journal.)

Mr. President, Senator Goodrich would like to print amendments to LB 3; Senator DeCamp to LB 284. (See pages 1340-1342 of the Journal.)

Your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 58; 283 engrossed; 330 engrossed; 437 engrossed and 491 engrossed.

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LB 322

CLERK: Mr. President, LB 322 introduced by Senator Burrows and Senator Schmit. (Read title.) The bill was read on January 19. It was advanced to General File with Agriculture and Environment Committee amendments attached, Mr. President.

SENATOR CLARK: On the committee amendments, Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, Senator Burrows and I introduced LB 322, the idea being that we would provide the information that could be published relative to the actual prices being received for various agricultural commodities in relation to parity. There is some concern by individuals that there was some cost involved, so the committee amendments struck all of the material that would have required any expenditure of funds and instead we provide for the gathering of the material, the evidence, and the information and making it available for publishing in the various elements of the media. That is what the amendments do and there should be no fiscal impact.

SENATOR CLARK: Is there any discussion on the committee amendments as explained by Senator Schmit? If not, all those in favor vote aye. All those opposed vote nay. Voting aye.

CLERK: Senator Clark voting aye.

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

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

SENATOR CLARK: The committee amendments are adopted. On the bill itself, 322, Senator Schmit.

SENATOR SCHMIT: I want to repeat again, the committee amendments struck all the material that would have required any fiscal impact. The committee amendments are the bill. There is no fiscal impact to the bill. And the bill at the present time only provides that information shall be gathered and made available, and the Department of Agriculture is doing that now and are willing to continue it, and to emphasize that information to the press. That is what the bill does in its amended form. I move the advancement of the bill.

SENATOR CLARK: Is there any discussion on the advancement of 322? If not, all those in favor vote aye. All those

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LB 192, 322

opposed vote nay.

CLERK: Senator Clark voting aye.

SENATOR CLARK: Have you all voted on the advancement of 322? Have you all voted on the advancement of 322? Record the vote.

CLERK: 25 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The bill is advanced. The next bill is LB 192.

CLERK: Mr. President, LB 192 introduced by Senators Maresh and Remmers. (Read title.) The bill was read on January 14 of this year. It was referred to the Judiciary Committee. The bill was advanced to General File with Judiciary Committee amendments attached, Mr. President.

SENATOR CLARK: On the committee amendments, Senator Nichol. LB 192.

SENATOR NICHOL: Mr. Chairman and members of the Legislature, the committee adopted three amendments to LB 192. These amendments are clarifying in nature and do not change the intent or substance of the bill, also add the severability clause in 192. I ask for the adoption of the committee amendments.

SENATOR CLARK: Is there any discussion on the committee amendments to LB 192? We have an amendment to the committee amendments.

CLERK: Mr. President, Senators Kilgarrin, Hoagland and Vickers move to amend the committee amendments by striking the word "shall" on page 1, line 15, and inserting "in its discretion"...is it discretion, Senator..."in its discretion, may"; striking the word "except" in line 16 on page 1, and striking all of line 17 through 19.

SENATOR CLARK: Senator Hoagland, do you want to take this amendment?

SENATOR HOAGLAND: Yes, if I can make some initial comments. The other cosponsors may want to address this too, Mr. President, but let me give you all the background. We have been confabbing for the last 15 minutes over here underneath the balcony and what this amendment does essentially is insert a finding that the court must grant attorney

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LR 116
LB 172, 216, 303, 322, 344,
411, 529, 529A, 559, 160, 161

of the Chamber. That's the big thing. All right, we will proceed then, Mr. Clerk, with the reading of LB 559.

CLERK: (Read LB 559 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 559 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1813 of the Legislative Journal.) 42 ayes, 1 nay, 6 excused and not voting, Mr. President.

PRESIDENT: LB 559 passes with the emergency clause attached. You may read some things in, Mr. Clerk.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined LB 303 and recommend that same be placed on Select File; LB 216, Select File; LB 322, Select File with amendments; 411, Select File with amendments; 344, Select File with amendments; 172, Select File with amendments; LB 529, Select File, with amendments; LB 529A, Select File with amendments. (See pages 1815 through 1817 of the Legislative Journal.) Mr. President, new resolution, LR 116, offered by Senator Rumery. (Read LR 116 as found on page 1815 of the Legislative Journal.) Mr. President, that will be laid over pursuant to our rules. That's all that I have, Mr. President.

PRESIDENT: We will proceed then, Mr. Clerk, with LB 160.

CLERK: (Read LB 160 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 160 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on page 1814 of the Legislative Journal.) 43 ayes, 1 nay, 5 excused and not voting, Mr. President.

PRESIDENT: LB 160 passes with the emergency clause attached. The next bill on Final Reading is LB 161.

CLERK: (Read LB 161 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure

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LB 303, 322, 411,
529, 529A

SENATOR KILGARIN: I move we advance LB 303 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. The bill is advanced. LB 216? Okay, 322, Senator.

SENATOR KILGARIN: I move the E & R amendments to LB 322.

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

SENATOR KILGARIN: I move we advance LB 322 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. LB 411.

SENATOR KILGARIN: I move the E & R amendment to LB 411.

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

SENATOR KILGARIN: I move we advance LB 411 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. 529.

SENATOR KILGARIN: I move the E & R amendments to LB 529.

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

SENATOR KILGARIN: I move we advance LB 529 to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. LB 329A.

SENATOR KILGARIN: 529A, sir?

SPEAKER MARVEL: I am sorry, 529A, right.

SENATOR KILGARIN: I move we advance LB 529A to E & R for engrossment.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. The bill is advanced. Thank you, Senator Kilgarin. Now the Clerk has some items to read

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LB 548, 11A, 146, 179, 316,
318, 322, 361, 366, 478A
545

vote nay.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Have you all voted on the advancement of 548? It takes 25 votes. Record the vote.

CLERK: 27 ayes, 11 nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: The bill is advanced. The Legislature having completed all its work that it is going to complete for today, we are now going to have a little reading in by the Clerk and then we will adjourn.

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 11A and find the same correctly engrossed; 146 correctly engrossed; 316, 322, 361, 366, 545, all correctly engrossed, and those are signed by Senator Kilgarin as Chair.

A new A bill, 487A by Senator Wesely. (Title read.)

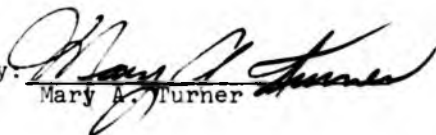
And finally, Mr. President, Senator Koch would like to print amendments to LB 318; and Senator Dworak would like to print amendments to LB 179.

SENATOR CLARK: Senator Stoney, would you adjourn us until nine o'clock tomorrow morning?

SENATOR STONEY: Mr. President, I would be pleased to. I move that we be in adjournment until May 12th at 9:00 a.m.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed nay. We are adjourned until nine o'clock tomorrow morning.

Edited by:


Mary A. Turner

May 14, 1981

LB 316, 322

talking about new language which is inserted and that is taken care of so we only need this amendment, that is all. Thank you.

SPEAKER MARVEL: Okay, the motion is to return the bill to Select File. All those in favor vote aye, opposed vote no. Okay, record.

CLERK: 30 ayes, 0 nays on the motion to return, Mr. President.

SPEAKER MARVEL: The bill has been returned. The motion is the adoption of the amendment as explained by Senator Koch. All those in favor vote aye, opposed vote no. Record.

CLERK: 31 ayes, 0 nays, Mr. President, on adoption of the Koch amendment.

SPEAKER MARVEL: The motion is carried. The amendment is adopted. The motion is to return the bill to E & R for engrossment. All those in favor say aye, opposed no. Motion is carried. The bill is returned. Okay, the Clerk will now read on Final Reading LB 322.

CLERK: Mr. President, Senator Schmit would move to return LB 322 to Select File for specific amendment. (Read Schmit amendment as found on page 2042, Legislative Journal.) It is offered by Senator Schmit.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, believe it or not, they tell us in the Statistic Department that they cannot report median figures, they can report mean figures so we need to return the bill to change the word from "median" to "mean". If Senator Haberman doesn't object, I hope the bill will come back.

SPEAKER MARVEL: Okay, the motion is to return the bill to Select File. All those in favor of that motion vote aye, opposed vote no. Record.

CLERK: 31 ayes, 0 nays, Mr. President, on the motion to return.

SPEAKER MARVEL: Motion now is...

SENATOR SCHMIT: I move adoption to the bill.

SPEAKER MARVEL: Okay, the motion is to adopt the amendment. Was that your motion, Senator Schmit?

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LB 322, 328, 328A, 361

SENATOR SCHMIT: Yes, it is.

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

CLERK: 34 ayes, 0 nays on the adoption of the Schmit amendment, Mr. President.

SPEAKER MARVEL: Okay, Senator Schmit.

SENATOR SCHMIT: I move the bill be readvanced, Mr. President.

SPEAKER MARVEL: All those in favor of advancing the bill say aye, opposed no. Motion carried. The bill is readvanced. The next bill on Final Reading, LB 328E.

CLERK: (Read LB 328E on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass, 328, with the emergency clause attached? All those in favor vote aye, opposed vote no. Record.

CLERK: (Record vote read. See pages 2042 and 2043, Legislative Journal.) 42 ayes, 0 nays, 3 excused and not voting, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. The Clerk will now read on Final Reading LB 328A with the emergency clause.

CLERK: (Read LB 328A on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass with the emergency clause attached? All in favor vote aye, opposed vote no. Record.

CLERK: (Record vote read. See pages 2043 and 2044, Legislative Journal.) 40 ayes, 0 nays, 3 excused and not voting, 6 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed with the emergency clause attached. The Clerk will now read on Final Reading LB 361 with the emergency clause.

CLERK: (Read LB 361 on Final Reading.)

SPEAKER MARVEL: All provisions of law having been complied with, the question is, shall the bill pass with the emergency clause attached? Those in favor vote aye, opposed

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LB 243, 165A, 181, 316, 485
322, 336, 336A, 352, 303
412, 459, 459A, 523

they would prefer that it were more restrictive. All I am asking is that we give some kind of a guideline, some kind of direction and that we do it in a manner which is not going to be, I'm sure, restrictive to the operations of the Natural Resource Districts. I would hope that you would advance the bill. Mr. President, again I ask for a Call of the House and a roll call vote.

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

CLERK: 15 ayes, 0 nays to go under Call, Mr. President.

SPEAKER MARVEL: The House is under Call. All legislators return to your seats, record your presence. Unauthorized personnel please leave the floor. Sergeant at Arms, we are looking for Senator Newell, Senator Lamb, Senator Haberman, Senator Marsh. We have one excused. Senator Newell and Senator Marsh. Senator Schmit, okay, call the roll.

CLERK: Roll call vote. 27 ayes, 13 nays, 6 present and not voting, 1 excused and not voting, 2 absent and not voting. Vote appears on page 2111 of the Legislative Journal.

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

CLERK: Mr. President, some items to read in. Senator Hefner wants a meeting of the Miscellaneous Subjects Committee in Room 2102 at noon.

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 412 and recommend the same be placed on Select File, 352 Select File, 523 Select File with amendments all signed by Senator Kilgarin.

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed 316 and find the same correct engrossed and 322 correctly engrossed, (Signed) Senator Kilgarin.

Mr. President, the bills that were read on Final Reading this morning are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business I am about to sign and do sign Engrossed LB 181, 165A, 303, re-engrossed LB 336, Engrossed 336A, 459, re-engrossed legislative bill 459A, Engrossed Legislative Bill 485.

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LB 316, 322

SPEAKER MARVEL: The bill is declared passed on Final Reading. Next bill, LB 322.

CLERK: Mr. President, I have a motion. Senator Beutler would move to return LB 322 to Select File for specific amendment and the amendment would be, Mr. President, (Read Beutler amendment found on page 2211, Legislative Journal).

SPEAKER MARVEL: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I will be quick about this but it is one of the things I wanted to bring up because I think my original idea was to file a kill motion on the bill but I would at least like to amend it to make the sending out of this information by the Department of Agriculture at...to be done only if the newspapers request the information. The reason that I am bringing this small bill up is because I think that although it is a small bill it involves a new principle that I don't think we want to get into the business of enacting. It is requiring the Department of Agriculture to send out on a monthly basis to each newspaper in the state certain information about a certain subject. Now we have required in our law in the past that certain agencies compile certain types of information and make it available, but to my knowledge, I don't know of anywhere in the law that we have to date required that a department send out information on a monthly basis to every newspaper in the state. And there are two hundred and some newspapers in the state and we are having this information compiled and sent out on a monthly basis, regular basis, and we don't even know how many of those newspapers will even bother to print it. So we are getting into the business of printing information that somebody may or may not use and which is being sent to over two hundred different places. This is a cost to government and the benefit of it is dubious at best I think and the precedent of starting this type of procedure I think is something we should be very careful about and obviously we could get into many agencies putting out many different kinds of information that different ones of us are interested in and increasing the cost of government significantly for a purpose that I don't really think is a legitimate purpose of government. But rather than asking you to kill the bill, all I am asking you to do is to allow the Department of Agriculture to do it when a newspaper request that it be done, when they want the information, and not necessarily sending that information out mandatorily every month whether they want it or not, but let's see if Mikey likes it first. Thank you.

SPEAKER MARVEL: Senator Burrows and then Senter Nichol.

SENATOR BURROWS: Mr. Speaker, members of the Legislature, I certainly feel this would approximately kill the bill. They could publish this information right now but they don't do it and the general public in the State of Nebraska does not understand at all the importance of agriculture and what a price structure would do for it. In January when we threw the figures together for these few major commodities we picked out to have published, on an annual basis a parody price for agriculture would have put approximately \$4 billion, \$3,999,000,000 additional with the quick figures we put together on these few major commodities, if the major raw material source of this state was priced at a par with other businesses and other labor. Now if you put a five to one multiplier on that, that would be nearly \$20 billion. We wouldn't have the tax problems we are dealing with in the State of Nebraska. The problem is the underpriced agriculture, the major industry of the state, is being underpriced and I think the citizens of the state are entitled to know what an impact this cheap raw material policy that we have had in the United States for so many years, what the real impact is on a state whose major industry is agriculture. If we received \$20 billion, with the five to one multiplier, many of the universities have done this for the farm dollar, if you had that \$20 billion of economic activity going on in the state, an average tax take, and I think at existing rates with sales-income tax and other miscellaneous tax, that would be a fair guestimate, it would have produced approximately \$800 billion additional revenue with just existing miscellaneous sales-income and all the tax structures we would have to fit on that additional economic activity. We are spending considerable money every year looking for new industry and industrial development in this state and the major industry of this state now, a bill that has an insignificant impact, to try to get an understanding of the people of the State of Nebraska as to the advantages to this state with a fair and adequate price structure under agriculture, now we have a motion to make it permissive. I really find it extremely difficult to find someone disinterested in spending the few trivial dollars it will take to provide this information to the newspapers. Our university and our Ag Department have not chosen to do it. We are asking that they do it and show what the impact of a real price structure that was fair to agriculture would produce in this state and the dollar amounts of it. I urge the body to reject this motion and pass this bill on Final Reading. Thank you.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, as the previous owner of a very small farm newspaper, there is

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LB 322

no problem in getting all the information you want. The Department of Agriculture, the University of Nebraska, the Agriculture Department of the University, the research organizations, and especially your local markets are very happy to give you all the information that you want and that you will print. Now the next step, and I very much support Senator Beutler's amendment, the next step is to make them print it and then is when you really get into the difficult and expensive part of this. I really think Senator Beutler has a good amendment and I support it.

SPEAKER MARVEL: Senator Vickers.

SENATOR VICKERS: Mr. President and members, I, too, support Senator Beutler's amendment. As an individual that has been losing money in livestock for the last year, I can understand very well the financial situation of agriculture that Senator Burrows is pointing out. However, I don't think requiring the Department of Agriculture to publish this information that there is no way in the world that we can require each individual newspaper to publish, first of all, and even if we did, I don't think that is going to cause any difference as far as the price of agricultural products are concerned. So in the end it is going to simply mean that we are going to be paying more taxes to pay the Department of Agriculture to send out these reports that maybe these small newspapers won't publish anyway. If the newspaper wants to publish it, then having the information available as Senator Beutler suggests is a good idea. It seems to me to cut down on the cost of government as much as we can which is what I think we really should be doing. Thank you, Mr. President.

SPEAKER MARVEL: Senator Schmit.

SENATOR SCHMIT: Well, Mr. President, I would join Senator Burrows in opposing the amendment and I understand Senator Beutler's concern and that of Senator Nichol and Vickers. I recognize they have a very legitimate argument. I think that Senator Burrows has expressed in perhaps better language than I could why he feels it ought to be done in this manner. I would just like to say, for example, that we have a lot of news...I have the newspapers here, borrowed from Senator Rumery this morning. There is all kinds of news in the paper this morning. If you have checked the commodity reports, they are on the back page of the paper in fine print, and when you get to be my age you can't hardly read them unless you have got your reading glasses, but the point I want to make is the commodity prices in Nebraska dropped yesterday enough to probably cost this economy around \$75 million. One day, and of course we rejected an amendment to put \$20

million into the school aid and we fight long and hard here for \$100,000. We rejected Senator Chambers amendment to put \$1,700,000 into the ADC. While we are doing that the economy on commodities alone drops \$75 million and here is an article in here on the rejection of the school aid amendment. There is an article in here on rejection of the ADC amendment but nowhere does it say that Nebraskans yesterday lost in purchasing power \$75 million or \$80 million because of the drop in commodity prices. I recognize Senator Syas used to always accuse me of only reporting when prices went down and not when they went up and he is probably true but the point I want to make is that it is news and it ought to be reported I believe in the manner so that people would understand and they would understand that the reason some of us, Senator Warner, Senator Kremer and myself, those of us in agriculture, Senator Kahle, are concerned about budgetary matters are because we recognize the dramatic impact of commodity prices, of livestock prices, upon the available funds for the State of Nebraska. When those dollars stop flowing into farmers' pockets, they stop flowing into Senator Higgins pocket in Omaha, Nebraska, and I think that goes for all the rest of us. I don't think that the Burrows objections are inconsistent. That is the reason for the bill. I don't think it is going to be the total destruction of the bill if you adopt the amendment but I think it is a serious admission that perhaps information to the public is not being adequately determined and delivered. So I would hope you would oppose and not vote for the Beutler amendment.

SPEAKER MARVEL: Senator Cope.

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

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

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

SPEAKER MARVEL: Debate is ceased. Senator Beutler, you are recognized to close.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I don't want to belabor the point although it is a point worth belaboring since as I mentioned it is a terrible precedent so I would just ask that you consider again allowing the Department of Agriculture to send the information to the newspapers but not requiring them, and let the newspapers

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LB 322

at least request it so that we know they want the information and that we are not beginning the process of sending out information that people won't use and incurring unnecessary expenses. Thank you.

SPEAKER MARVEL: Okay, the motion is to return the bill to Select File for specific amendment. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Senator Beutler.

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

SPEAKER MARVEL: Five excused.

SENATOR BEUTLER: Five excused?

SPEAKER MARVEL: Yes, sir, and I would caution you without picking on you that if you look at the agenda we have to get special order item #6 off of the agenda today even if we have to stay until midnight. Go ahead.

CLERK: 19 ayes, 24 nays, Mr. President.

SPEAKER MARVEL: Motion lost.

CLERK: Mr. President, Senator Schmit moves to return LB 322 to Select File for specific amendment.

SPEAKER MARVEL: The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, the amendment I offer here refers to the requirement that the Director of Agriculture sign the vouchers for the Wheat Marketing Division. They used to have to do that when it was a division of the Department. We have now made them a Board and they did not at the time remove that requirement which was an oversight. I have discussed it with Department people. They have agreed that it ought to be taken out of there and, therefore, I agreed to offer the amendment and I would ask that the bill be returned.

SPEAKER MARVEL: Okay, the motion is the return of LB 322. All those in favor of the motion to return vote aye, opposed vote no. Record.

CLERK: 26 ayes, 1 nay, Mr. President, on the motion to return.

SPEAKER MARVEL: The bill is returned. Senator Schmit.

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LB 322, 506

SENATOR SCHMIT: Mr. President, I move the adoption of the amendment.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. President, it is the only chance I will get to say have a look at this bill before you vote on it.

SPEAKER MARVEL: Okay, Senator Schmit, do you want to close on your motion?

SENATOR SCHMIT: I move the bill be readvanced.

SPEAKER MARVEL: Approve the amendment first. Okay, the motion is the adoption of the amendment which has been presented by Senator Schmit. All those in favor of that motion vote aye, opposed vote no. Record the vote.

CLERK: 27 ayes, 2 nays, Mr. President.

SPEAKER MARVEL: All those in favor of the readvancement of the bill say aye, opposed no. All in favor of the advancement of the bill vote aye...say aye, opposed no. Machine vote. This is on the readvancement of the bill. Have you all voted? Record.

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

SPEAKER MARVEL: The motion is carried. The bill is readvanced. We are now on for Final Reading LB 506.

CLERK: Mr. President, I have a motion to return on LB 506. It is offered by Senator Lamb. Senator Lamb would move to return the bill and the purpose being to strike the enacting clause.

SPEAKER MARVEL: The Chair recognizes Senator Lamb.

SENATOR LAMB: Mr. President, members of the Legislature, on your desk is a copy of the Attorney General's opinion along with a little note from me which outlines my reasons for opposing the bill. The Attorney General's opinion says the bill is...Section 2 is unconstitutional. That is the section which deals with awarding the grants to medical schools in the state and, of course, one of the medical schools is a private institution, Creighton. Of course, I am like everybody else. I get these Attorney General opinions to substantiate what I think in regard to a bill. I really don't think the bill is

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LR 188
LB 179, 181, 252, 273, 273A, 303, 322,
346, 376, 381, 384, 389, 441, 451, 470, 472A
485, 497, 501, 543, 512, 552, 545, 553, 554.

Senator DeCamp. All those in favor vote aye. All those opposed vote nay. It takes 30 votes.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Once more, have you all voted? Senator DeCamp.

SENATOR DeCAMP: How many are excused? Eleven?

SENATOR CLARK: Two.

SENATOR DeCAMP: Two? Okay, we still stand a shot, so I would ask for a Call of the House and take call in votes if that would be okay. But I would ask for a Call of the House first.

SENATOR CLARK: Call of the House has been requested. All those in favor of a Call of the House vote aye, opposed vote nay. Record the vote.

CLERK: 19 ayes, 3 nays to go under Call, Mr. President.

SENATOR CLARK: The House is under Call. All Senators will return to their seats, and if all Senators will check in, please. The Clerk would like to read some things while we are trying to get everyone registered in here.

CLERK: Mr. President, while we are recording our presence, I have a communique from the Governor addressed to the Clerk. Engrossed LBs 181, 252, 303, 381, 441, 451, 470, 485, 497, 543, 179, 346 and 384, 273, 273A, 501 and 545 were signed by me May 22 and delivered to the Secretary of State. Sincerely, Charles Thone, Governor.

Mr. President, I have an Attorney General's Opinion addressed to Senator Barrett on 376; one to Senator Hefner on 552. (See pages 2228 through 2233 of the Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined 406 and recommend that the same be placed on Select File with amendments; 551 Select File; 552, 553, 554 all on Select File with amendments. (See pages 2233 through 2234 of the Journal.)

Your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 322 and find the same correctly engrossed; 376, 389 and 512 all correctly engrossed.

Mr. President, new resolution, LR 188 by Senator Wagner.

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LB 213, 318, 322,
LB 412, 389, 389A

afraid of what might happen if it was passed anyway, so, I will go along.

SENATOR WARNER: Thank you, Senator Newell.

SENATOR CLARK: All right, that bill will be laid over. The motion is now to suspend the rules. The motion is right now, to suspend the rules to read the following bills: 213, 318, 822, 389 and 389A. That is the only bills we can read. The motion before the House is suspension of the rules. Is there anyone who wants to talk on that? Senator DeCamp, did you want to talk on the suspension of the rules? All right. All those in favor of suspending the rules vote aye. All those opposed vote nay. Senator Goodrich, did you want to talk on it?

SENATOR GOODRICH: Mr. President, you had said when you were quoting those numbers, 822. I think you mean 322. Would you have the Clerk read ...

SENATOR CLARK: No, I said 322, I thought, pardon me. 213, 318, 322, 389 and 389A.

SENATOR GOODRICH: Okay, no problem.

SENATOR CLARK: All those in favor of suspending the rules vote aye, opposed vote nay. It takes 30 votes. Voting aye.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted on suspending the rules to read those five bills? Record the vote.

CLERK: 34 ayes, 2 nays, Mr. President, on the motion to suspend the rules and read those five bills.

SENATOR CLARK: The rules are suspended. The Clerk will now read LB 213 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 213 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall 213 pass with the emergency clause attached. All those in favor vote aye. All opposed vote nay.

ASSISTANT CLERK: Senator Clark voting no.

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

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LB 213, 318, 322

ASSISTANT CLERK: (Read record vote as found on page 2345 of the Legislative Journal.) The vote is 40 ayes, 4 nays, 5 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed with the emergency clause attached. The Clerk will now read 318.

ASSISTANT CLERK: (Read LB 318 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall LB 318 pass. All those in favor vote aye. All those opposed vote nay. Have you all voted? Record the vote.

ASSISTANT CLERK: (Read record vote as found on page 2346 of the Legislative Journal.) The vote is 40 ayes, 3 nays, 5 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. The Clerk will now read LB 322 with the emergency clause.

ASSISTANT CLERK: (Read LB 322 on Final Reading.)

SENATOR CLARK: All provisions of law having been complied with, the question is, shall LB 322 pass with the emergency clause attached. All those in favor vote aye, against no.

ASSISTANT CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Once more, have you all voted? Record the vote.

CLERK: (Read record vote as found on page 2347 of the Legislative Journal.) 27 ayes, 15 nays, 5 excused and not voting, Mr. President, 1 present and not voting.

SENATOR CLARK: The bill having failed to receive the constitutional majority has failed to pass on Final Reading with the emergency clause attached. The question is now, shall the bill pass without the emergency clause attached. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? There is really no reason to hold it open. If you are all sitting at your desks, why vote. Have you all voted? Record the vote.

CLERK: (Read record vote as found on page 2348 of the Legislative Journal.) 25 ayes, 18 nays, 5 excused and not voting, 1 present and not voting, Mr. President.

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LR 192
LB 111, 118, 129, 129A, 213, 318, 322,
389, 389A, 472A, 523, 540, 548, 556, 556A

PRESIDENT LUEDTKE PRESIDING

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Would you all register your presence? We would like to get started. Senator Carsten, would you give us a green light and then we will start. Thank you, you got us under way. Record the presence, Mr. Clerk.

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 as published. Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined LB 540 and find the same correctly enrolled; 322 correctly enrolled.

Mr. President, your enrolling clerk has presented to the Governor for his approval the bills that were read on Final Reading yesterday. (See page 2356 of the Journal regarding LBs 111, 118, 129, 129A, 523, 556, 556A, 213, 318, 389, and 389A.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Beutler regarding LB 472A. (See pages 2356 through 2358 of the Journal.)

Mr. President, I have a report from the Department of Administrative Services regarding lease approval.

Mr. President, new resolution, LR 192, offered by Senator Rumery. (Read LR 192 as found on pages 2358 and 2359 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, LB 548 and 322 are ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LB 548 and LB 322. Before we get started with today's activities, the Chair would like to introduce fifteen students from across the whole State of Nebraska,

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LB 322, 412, 512, 548

CLERK: 10 ayes, 25 nays on the motion to return the bill, Mr. President.

PRESIDENT: The motion fails. Any further motions?

CLERK: Nothing further, Mr. President.

PRESIDENT: Everybody be at his or her desk, we are ready to read on Final Reading LB 512. Mr. Clerk, you may proceed.

CLERK: (Read LB 512 on Final Reading.)

PRESIDENT: All provisions of law relative to law having been complied with, the question is, shall LB 512 pass? All those in favor vote aye, opposed nay. Record the vote.

CLERK: (Read the record vote as found on pages 2364 and 2365 of the Legislative Journal.) 41 ayes, 7 nays, 1 present and not voting, Mr. President.

PRESIDENT: LB 512 passes. Before we take up the next bill, there are some guests of Senator Nichol in the north balcony, Clint Morrison, Joe Huckfelt, Fred Masek and Bill Cannon, all from Gering and Scottsbluff. Would you welcome these gentlemen to the Nebraska Unicameral Legislature. Welcome, gentlemen. The next bill on Final Reading, Mr. Clerk, is LB 412.

CLERK: Mr. President, if I may read a couple of items.

PRESIDENT: Yes, you may.

CLERK: Your enrolling clerk has presented to the Governor for his approval, Mr. President, LB 322 and 548. I have a report from the Rules Committee regarding the proposed rule changed offered earlier. (See page 2365 of the Legislative Journal.) Mr. President, Senator Newell, offers a proposed rule change. That will be referred to the Rules Committee. (See page 2366 of the Legislative Journal.)

Mr. President, explanation of vote offered from Senators Kilgarin and Koch. (See page 2366 of the Journal.)

PRESIDENT: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President, I have a motion to return 412 pending but I would ask unanimous consent to pass over

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LB 129, 129A, 322, 376, 466

CLERK: (Read the roll call vote as found on pages 2420 and 2421 of the Legislative Journal.) 30 ayes, 14 ayes on the motion to override 129A, Mr. President.

PRESIDENT: Motion carries and LB 129A has become law notwithstanding the action of the Governor. Now, some matters to be read in, Mr. Clerk.

CLERK: Yes, sir. Mr. President, before we proceed with the next motion, I must read the veto message on the bill.

PRESIDENT: All right, proceed.

CLERK: At the same time, Mr. President, I would advise you that your enrolling clerk has presented to the Governor for his approval the bills that were read today on Final Reading. (See page 2421 of the Journal.)

Mr. President, letter from the Governor addressed to the Clerk. (Read letter regarding LB 466 as found on page 2421 of the Legislative Journal.) (Read letter regarding LB 129 as found on page 2421 and 2422 of the Legislative Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Nichol and Clark and Marvel. (See pages 2422 through 2424 of the Legislative Journal regarding LB 376.)

Mr. President, veto message on LB 322 addressed to Dear Mr. President and Senators. (Read message from the Governor as found on page 2422 of the Legislative Journal.)

Mr. President, I have a motion from Senator Schmit that LB 322 become law notwithstanding the objections of the Governor.

PRESIDENT: Senator Schmit on the motion that LB 322 become law notwithstanding the action of the Governor. Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, LB 322 was a bill which was enacted several days ago when I was absent. It was passed into law. It was refused to be signed by the Governor. The bill is a very simple bill but it does have in it the objections. The Governor objected to the bill because there was an amendment placed on the bill which provided that the Director of Agriculture did not have to sign

the vouchers issued by the Wheat Board. Now we changed the Wheat Commission, or the Wheat Division of the Department of Agriculture to a board, made them an independent agency. At the same time we recognized that the autonomy of the board allows that board to enter into contracts without the approval of the Director of Agriculture. They may enter into contracts, for example, for research. They may enter into contracts to promote the foreign sales of wheat. And there is nothing that the Director of Agriculture can do to stop that. The requirement that the Director of Agriculture sign those vouchers is merely a rubber stamp action. The Director has no authority to negate those contracts. He must sign them. So we are asking for a ridiculous action on the part of the Director of Agriculture. The Director does not have to sign or approve action by the Board and he cannot negate it. He just simply rubber stamps it. Now the present Governor seems to feel that that useless action is necessary. I think there is enough useless action in government without requiring additional useless action. Therefore, I ask that the Governor's veto be overridden.

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, for the very purpose that Senator Schmit has indicated of avoiding useless action, I would suggest that the Governor's veto be upheld. Let me remind you that 322 is a bill that requires...that requires on a monthly basis that the Department of Agriculture send out reports to the two hundred and some newspapers in this state whether they want them or not. Now if that isn't useless action, I don't know what is. So although I don't have the same problem with the bill that the Governor has, I hope you will uphold his veto because this is the bill that sets the bad precedent of requiring state agencies to send out information to newspapers even when they don't want or request the information. Thank you.

PRESIDENT: The Chair recognizes Senator Warner.

SENATOR WARNER: Mr. President and members of the Legislature, I would rise to oppose the motion to override the same argument that I would have made or did make rather the other day on LB 487, where the funding was changed, and I, personally, would believe that it is desirable that the Director of the Department of Agriculture does have a responsibility for supervision to approve those warrants as they are presented by the

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LB 322

Commission, and not only do I think it should be done for that Commission, I think it ought to be true of all check-offs, but I think it is better because of control of the funds and I would hope the body would sustain the veto.

PRESIDENT: The Chair recognizes Senator Burrows.

SENATOR BURROWS: Mr. Chairman and members of the Legislature, I would urge the body to override this veto. The original intent of this bill was to have the Department of Agriculture provide information to the newspapers as to the parity, the price structure that would be commensurate with other occupations in the state. What, to publish the impact it would have on the economy of the State of Nebraska. We have the Department of Agriculture and the University furnishing all kinds of information reporting all the time, most of them really insignificant as to the dollar amounts to the state. Yesterday, I believe, I looked at the Lincoln Star and on the front page they had a \$50 million loss because of wheat damage. Fifty million... well that sounds pretty big. Currently this year we are losing about \$4 billion dollars of economic activity because of the pricing and the price structures that are basically laid onto us by actions of the United States Department of Agriculture. It has come through several administrations and our state is an agriculture state. The major thing we can do to correct its economy is have a price structure supported in the U.S. that gives our major commodities a price structure that is fair, that is fair and equitable with other occupations and other businesses, and at least to provide an information program so maybe this body and Senator Beutler and others can realize the important economic impact the State of Nebraska would have if we had a price structure that was commensurate with other occupations and other industries. That is all we are asking for. We got a cooperative effort with the Department of Agriculture where they would not even ask for an A bill by putting out the figures, putting together simple figures that are available to them, but that they have not bothered to release, and I think it is extremely important that this state understand its major industry is agriculture. And as long as it is exploited, we are going to have economic problems and worry about vetoes on A bills. If you took that \$4 billion additional income into the raw material production of this state and put just a five to one multiplier as the various universities have used, it would have provided \$20 billion economic activity for the state. \$20 billion if you took

four percent of it, would have given this state about \$800 million tax revenues to work with. Two percent, \$400 million. It is the basic problem of this state since this state's major industry is agriculture. The basic problem we have in taxes and everything else that is related comes from the fact that our agriculture segment is underpriced, and most of this comes from Washington and at least we should provide information to the newspapers so they can explain this to the citizens of this state so they understand what the basic problem is. I urge you to override the veto. It does not have an A bill with it. Thank you.

PRESIDENT: The Chair recognizes Senator Newell.

SENATOR NEWELL: Mr. President and members of the body, I sense we have two different issues here, one in which the Governor vetoed it and that was the question about the check-off of the Wheat Board, and the other is the question of reports. I guess I would like to ask somebody, probably Senator Schmit or Senator Burrows, either Senator Schmit or Senator Burrows....maybe my vote isn't worth very much...(interruption).

PRESIDENT: Which one of you gentlemen want to answer or respond? Senator Burrows.

SENATOR NEWELL: Anybody could answer.

PRESIDENT: Go ahead, ask the question.

SENATOR NEWELL: Yes, I am trying to decide the efficacy on the Governor's veto and I would like to have somebody discuss a little more, Bill, about why the Wheat Board, you know, whether or not other check-offs have the same sorts of problems, or do they have the same provisions etcetera. I would like to hear about the Governor's objections more than the bill. I voted against the bill for reasons of mandating the reports, but I think we now ought to be addressing more the Governor's veto, and I am just curious, if you can enlighten us about the merits of the Governor's arguments.

SENATOR BURROWS: I would really rather let Senator Schmit address this. However, I can say I see no reason for requiring the head of the Department of Agriculture to sign these reports the way we set it up. There are things that I don't care about in check-off programs, as you know, but I think to set up obstacles to running of the programs, potential obstacles, is rather ridiculous, and

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I have no problem with Senator Schmit's amendment....

SENATOR NEWELL: All right.

SENATOR BURROWS:on the bill, and I would refer it to Senator Schmit to further answer the question.

SENATOR NEWELL: Yes. Senator Schmit, now that I have got your attention, and I do have both....

SENATOR SCHMIT: You always have my attention.

SENATOR NEWELL:and it's good that you would give me some attention. I would like to hear you discuss the merits of the Governor's objections a little more, or the....(interruption).

SENATOR SCHMIT: Lack of merits you mean.

SENATOR NEWELL: Well, either case. I would like to understand that part of the issue a little better whether or not this applies to other check-offs, whether or not this is a major objection of great significance. I really need to understand that before I will be able to vote on this issue.

SENATOR SCHMIT: Well, Senator Newell, when the Governor called and informed me that he would veto LB 322, he did not focus his objection upon the same objections that were stressed by Senator Beutler. He focused his objections upon those that were outlined by Senator Warner. Senator Warner and I have had a long standing disagreement about this and he has one point of view and I have another, and that point of view is shared by a number of us who support check-off programs. The check-off program is a program financed by the individual producers. Once the money is checked off it goes into the...it's called tax money, it goes into the General Fund, and is called tax money. Now, we choose to tax ourselves for various programs. The boards are appointed by the Governor. The boards are appointed by the Governor, and the Governor has strict control over that. We rubber stamp approval of them but that is it. If the Governor has any complaint about that, I am sure all he has to do is to convey that to those individuals and he can express his concern and that concern will be remedied. But there isn't any real reason at all, because as I pointed out earlier, Senator, once the board entered into a contract, the Director of Agriculture has no choice except to sign those vouchers.

SENATOR NEWELL: Okay, one question. How about the other

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boards, the other check-off systems? Is this unusual? Is this done with everyone? Is this an exception? Can you tell me about the consistency argument?

SENATOR SCHMIT: We took the....we made the division, the Wheat Check-off Division, which has formerly been in existence for many years, similar to the Corn Check-off Board, the Sorghum Check-off Board, and the Soybean Check-off Board, they were independent agencies. We made the wheat the same way.

SENATOR NEWELL: So, basically, this would create consistency throughout the....now is that correct? Now, that's....(interruption).

SENATOR SCHMIT: That's what we are trying to do, yes.

PRESIDENT: About half a minute, Senator Newell.

SENATOR NEWELL: Yes, I am just trying to get at this one point and that would mean that if....with this we would have consistency in the way this is handled throughout all the check-off systems?

SENATOR SCHMIT: That is what we are trying to do.

SENATOR NEWELL: All right, thank you, sir.

PRESIDENT: All right, the Chair recognizes Senator Cope.

SENATOR COPE: Mr. President and members, I call the question.

PRESIDENT: All right, the question has been called for. Do I see five hands? I do. All those in favor of ceasing debate will vote aye, opposed nay. Record the vote.

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

PRESIDENT: Debate ceases. Senator Schmit, you may close.

SENATOR SCHMIT: Again, Mr. President and members of the Legislature, I hope you will listen very carefully. Once again, we are expending a great deal of time and energy arguing over whether or not someone should do... perform a useless task. The money is farmer money. It is contributed by farmers for the purpose of promotion. The Board is appointed by the Governor. The Governor has absolute control over the appointment of the Board,

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and at this point in time the Governor is saying, we believe that the Director of Agriculture should sign those vouchers even though he has no control over how the money is spent. He must put his signature on top of that expenditure. I guess I am concerned again why, you know, we can spend a lot of time arguing over how we perform this unnecessary function. In the supervision of a total of a half a million dollars, we can spend three-quarters of a million dollars without ever looking at it. We roll those bills across the board and pay very little attention to them. We selected out and we took our lumps at a million seven hundred thousand of Aid to Dependent Children. That is easy to fight. This is a thing that is easy to fight, but we spend three-quarters of a billion dollars and nobody knows... I shouldn't say nobody, but very few people really understand where all the money went. I believe this money is properly handled in this manner. I believe the majority of the members of the Ag Committee agree with me. I see no further reason to accommodate the Governor in this one instance. The Governor had no objection to the points that Senator Beutler raised. His objections were directed toward, as Senator Warner pointed out, that supervisory authority by the Director of Agriculture. I think the Director of Agriculture has plenty of things to supervise without worrying about how we spend a half a million dollars of wheat check-off money. He can look at it, but I don't think it's necessary. He can't do a darn thing about it anyway. He can scream and holler and shout, but he is going to have to sign it because otherwise we can't operate. Thank you very much.

PRESIDENT: All right, that is the closing, so all those in favor of LB 322 becoming law notwithstanding the action of the Governor vote aye, opposed nay. Senator Schmit, I am going to call the question. I don't think there is any way you can make it. Senator Schmit, I am going to let it go. There is no....okay, record the vote.

CLERK: (Read the record vote as found on page 2425 of the Legislative Journal.) 20 ayes, 23 nays, Mr. President, on the motion to override the Governor's veto.

PRESIDENT: The motion fails. Any further motions on the desk?

CLERK: Yes, Mr. President, I do.

PRESIDENT: Read the motion.

CLERK: Mr. President, first of all, if I may, I have

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LR 106, 171, 126, 137
LR 119, 322, 506A, 561

Certificate regarding the line-item override of LB 561 ready for your signature. (See page 2431 of the Journal.)

PRESIDENT: While the Legislature is in session and capable of transacting business I propose to sign and I do sign Certificates certifying the passage of certain line-item vetoes in Section 11 on LB 561, particularly. Okay, Mr. Clerk, we are ready then for the....Senator Beutler, for what purpose do you arise?

SENATOR BEUTLER: Mr. Speaker, I was just wondering if there would be time to discuss three or four rule changes.

PRESIDENT: Would somebody like to borrow this? (Microphone not on)....to say that about the 28th legislative District, Senator Beutler.

CLERK: Mr. President...

PRESIDENT: Go ahead, Mr. Clerk.

CLERK: Mr. President, I have a series of unanimous consent requests to add names to resolutions. The first is by Senator Goodrich to add his name to LR 171.

PRESIDENT: All right. No objection, so ordered.

CLERK: Mr. President, then I have one from Senators Labeledz and Marsh, Pirsch, Kilgarin, DeCamp, to add their name to 106.

PRESIDENT: All right, are there any objections? If not, so ordered.

CLERK: Mr. President, I have one from Senators Goll and Wesely to add their names to LB 119.

PRESIDENT: 119. Any objections? If not, so ordered.

CLERK: Mr. President, a unanimous consent request from Senator Lowell Johnson to add his name to 126, 137....

PRESIDENT: If not any objection, so ordered.

CLERK: Just a second. Mr. President, finally I have letters that will be forwarded on to the Secretary of State regarding the Legislature's failure to override vetoes of LB 322 and 506A. (See page 2432 of the Legislative Journal.)