

April 14, 1981

LB 557, 558, 559, 560,
561, 562.

introduction of Request #935 by the committee.

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: I so move, Mr. President.

SPEAKER MARVEL: The motion is the introduction of the bill. All those in favor of that motion vote aye, opposed vote no. Record.

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

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

CLERK: Mr. President, Senator Warner moves for the introduction of Request #950 by the Appropriations Committee.

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: Mr. President, I move the introduction of the bill.

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

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

SPEAKER MARVEL: The motion is carried. The bill is introduced. The Clerk is going to read the titles and then we will have a motion to put the bills on General File.

CLERK: Mr. President, new bills. LB 557 by the Appropriations Committee. (Read the title to LB 557 for the first time.) LB 558 introduced by the Appropriations Committee and signed by its members. (Read title to LB 558 for the first time.) LB 559 by the Appropriations Committee. (Read title to LB 559 for the first time.) LB 560 introduced by the Appropriations Committee and signed by its members. (Read title to LB 560 for the first time.) LB 561 signed by the Appropriations Committee. (Read title to LB 561 for the first time.) And finally, Mr. President, LB 562 offered by the Appropriations Committee. (Read title to LB 562 for the first time.)

Mr. President, Senator Warner now moves for suspension of rules, Rule 3, Sections 4 and 12, and Rule 6, Section 1, so as to place LB 557, 558, 559, 560, 561 and 562 directly

April 23, 1981

LB 557, 558

allowance in dollar amount of nine percent increase in salaries. It is allocation in essence of nine percent for those employees who are eligible for overtime. A range of six to twelve but the average shall be nine for those not eligible for overtime which is essentially supervisory, management, administrative personnel and this is what we have traditionally done now for the last two or three years. In addition the appropriation language for the salaries also has language relative to a pay plan conversion that you may recall was included in the Governor's message. Also when he appeared before the Legislature, in addition to these adjustments, there will be a bill coming along that reflects increased health insurance costs for those state employees covered by the health insurance and the A bill, of course, will provide the funding for that portion of the adjustment for the cost of those operations. The only general fund increase in this bill deals with the Department of Aeronautics where there is a...I take it back. That is in the A bill so I don't have to touch on it here. I will pick that up in the A bill. I would be glad to answer any questions on any one of the agencies, Mr. President, if there are any.

SPEAKER MARVEL: The motion is to advance the bill, 557. All those in favor of advancing the bill to E & R for Review vote aye, opposed vote no. Record the vote.

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

SPEAKER MARVEL: The motion is carried. The bill is advanced. Now we go to 558.

CLERK: Mr. President, LB 558 (read title). The bill was read on April 14. It was referred directly to General File, Mr. President.

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: Mr. President, I move LB 558 be advanced to E & R Initial. This is the appropriations required by the various constitutional officers including the Legislative Council, Supreme Court, District Courts, Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Attorney General, State Treasurer, Public Service Commission and the Board of Pardons. The same general policies were used for these agencies as previously discussed on others. Again in the interest of time, and recognizing the number of Senators that heard the discussions

in the evenings, I would be glad to respond to questions.

SPEAKER MARVEL: There is an amendment on the desk.

CLERK: Mr. President, Senator Wesely moves to amend the bill. (Read Wesely amendment found on pages 1542 and 1543, Legislative Journal.)

SPEAKER MARVEL: Senator Lamb, your light is on. Senator Wesely, do you want to?

SENATOR WESELY: Mr. Speaker, members of the Legislature, this amendment expresses a concern I have had now for three years in the Legislature. My first year down here I was fortunate enough to get a full time student intern through this program who was paid for the session and I did find that to be helpful but I also felt that perhaps some more could have been done in that area so I expressed a concern at that time that maybe we could do a better job of supervising these interns, get more work from them, and also at the same time provide them with more supervision that could help them learn more about the process. I think that we tried to look at that situation in 1979 and came to some changes in the system that ended up having committees using these student interns the next year, which was last year, so last year I did not have a student intern through this program. I can't speak to how it worked last year. This year again it was with committees. I got a half time person as Rules Committee Chairman and found that again it was very helpful but I was a bit concerned about the supervision side of it. In both cases of experiences I had, the question was who was in charge? Who is supervising the interns? Well, I think almost all of you have had some experience with one of these interns. They have been now lately been used only for committees. I think that in the past they were used for individual Senators. Sometimes they were used full time for a Senator, sometimes part time, but in any event, I think if you look at your own experiences you may find some that were positive and some that maybe weren't so positive. In any event, I think you can find that overall the program has not been as good as it could have been. There have been problems with supervision. I think that we are not getting as good a quality of work out of these individuals as we could. We are costing the State of Nebraska 42,000 and some dollars with these programs and I am not sure we are getting our dollar's value for that program. The program was started in 1974. It was an attempt at that time to provide some special assistance to Senators during the session when we really didn't have research aides which we now most

of us do have so it was a very necessary program and I think a good one. However, now most of us do have an administrative assistant, a research aide, and these are supplemental type of assistance that we can get through these interns and I am not so sure that the function that they serve is the same as when they started and so I think a reevaluation is necessary. I think my own experience I have had twenty-eight different interns in my office over the past three sessions in three years. I have had them working voluntarily in my office and they have put in time from maybe five to ten hours a week, up to even twenty and more hours a week, and they have volunteered their time. They have gotten some credit from school and that is about it, and aside from that, that is really their compensation and they have put in time that I thought was outstanding without any sort of monetary gain at all. And I have been so impressed with them to then see that these other interns come into the offices, and I have watched them, and I have watched the fact that they aren't getting the supervision they should have because they are sitting around their Senator's office and they are reading the paper and they are going to other Senator's office and they are trying to find something to do. They aren't supervised. They aren't given the work that they should. They should be doing something for the money that we are paying them, and they should in that process be learning more as a result. And so I think that we are wasting money at this point with the program as it is presently structured and I was just concerned about the fact that I have tried to see it changed and I have tried to do something about it and I haven't seen that change and I am ready to cut the money out, the \$42,000 taxpayers are paying for this program that I don't think they are getting their money's worth for. However, as a result of the amendment that is before you, I have had a chance to talk to Senator Lamb, with Senator Marvel and Senator DeCamp and Senator Fowler have all talked to me about this amendment and their concern is that the program is one that was started with a worthy purpose, that the goals involved are not some that we should abandon at this time without due consideration, and so they have expressed an interest in working with me, to meet with Jack Rodgers and the Research Office to try and work out some of these problems. Now what I see as the changes we need is to provide more supervision for these individuals. We should have clear authority over what they do and what they do not do. We should not have a split amongst several people who they have to answer to. I think we definitely can improve this process and I know Senator Lamb has done some things that sound to me like they are the answer, that he has

total authority and supervision over his interns. Well, that seems to be the best solution at this time and the splitting of supervision and authority only leads to fragmentation that confuses the interns and leads them to not know what to do and how to do it, and they don't learn as much from it, and we don't get the work we should from it. So I am definitely concerned about the program and I definitely think that we can improve it. I think perhaps the step of eliminating the program at this time through this amendment may be a bit too far-reaching at this stage but what I am suggesting is I am going to in a minute take the amendment off and perhaps resubmit it on Select File if a suitable solution can't be reached but I doubt that that will be necessary because I think there is a commitment again from some of the Senators I have talked to to try to work out the problems. And so at this time, if you also have seen a problem in this area, if you have had some difficulties with this program, I would like to talk to you about it and see what your situation is and what you would like to suggest. And so with that, I am going to ask permission to withdraw the amendment and to ask that we work on this further and proceed with the bill, Mr. Speaker.

SPEAKER MARVEL: Any objection? Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, I don't know that I will object to withdrawing the amendment but since this has been started I would like to know what the purpose is, Senator Wesely? Do you want to do away with the program? Do you want to pay everybody a certain amount that does work on this program? Do you want to have them replace other administrative aides? Just what are you hoping to accomplish by this? Now, so far, it has been with the Executive Board, I guess, and I would like to know what you are attempting, your purpose in presenting this amendment, and what you hope to accomplish by presenting it.

SENATOR WESELY: Okay, I guess my first intent was just to get rid of it because I didn't see it as being valuable. However, since that time in talking to other Senators, it has become clear that if properly supervised these students can provide assistance during the session that we need, that the extra workload of committees and extra workload of some of the Senators demands some extra help, and so perhaps these students are the best people on a part time, I mean, on a temporary basis to come in and help. I guess what I am looking for more than anything is to have a program that provides the help that they need but with the supervision that we need to make sure that we get our money's worth and the job is done right.

April 23, 1981

LR 558

SENATOR NICHOL: Okay, thank you. I think what you are actually driving at is to increase the program and increase the money payable to this program, is that not correct?

SENATOR WESELY: I think if the program was working properly that may be okay. I wouldn't want to increase any funding until we make it work properly. That is certainly the case.

SENATOR NICHOL: Okay, thank you. Mr. Chairman, I would just say that if we are going to dismiss this, this is one thing, but if we intend to bring it back at Select File or another time, perhaps we should be discussing this so that we really find out what we are driving at rather than just talking about it.

SPEAKER MARVEL: Do you object then to the withdrawal of the...okay? Senator Lamb.

SENATOR LAMB: Mr. President, members, I might just comment a little bit on Senator Wesely's amendment. I think this is a good program. I would agree that there may need some supervisory changes. The program is a lot better than it was a number of years ago when the interns did not receive any training at all. However, Ron Bowmaster has given those young people training and up until this year, every year I have been here I have had one of those persons directly under my control, and in that situation, the benefits received were considerable. I would agree that we do need to strengthen the lines of authority but I am happy to see Senator Wesely withdraw his amendment.

SPEAKER MARVEL: Senator Dworak.

SENATOR DWORAK: Mr. Speaker, before I withhold an objection to the amendment, I had several questions to ask Senator Wesely. Senator Wesely, you indicated in your remarks that over the past several years you had as many as twenty-eight of these interns working for you, is that correct? Did I understand you correctly, Senator Wesely?

SENATOR WESELY: Senator Dworak, I have had twenty-eight volunteer interns.

SENATOR DWORAK: And do you think it is better that these students do this on a voluntary basis than pay them a small amount for the work they are doing? Is that your point? Is that what you are trying to espouse here, that we eliminate the salaries and make it all volunteer?

SENATOR WESELY: Well, I think we already have that in place to a degree but what I am saying is I have seen from volunteer interns more work and a greater commitment, I think more gain from it by themselves than I have seen with these paid interns.

SENATOR DWORAK: Then you are saying, Senator Wesely, in your office you are able to provide the supervision that 48 Senators or other Senators have not had the expertise or have not been able to provide this supervision because you have seen a lot of abuses in the 48 Senators' offices, is that correct?

SENATOR WESELY: No. I have seen other Senators...I have to admit I have had some difficulties with some of the paid interns as well but I think that what I am saying is we could probably work out a system...if we eliminated this, if the whole point of the internship program was to provide them with experience in the Legislature, they can get that experience on a volunteer basis and I think get as much from it and we gain as much from it as through this paid program as it is presently structured but I am saying a restructuring and change in supervision may end up making it a more beneficial, but I don't see the benefits of the program unless it is improved because, like I am saying, on a volunteer basis I have seen more out of that than I have through this paid program.

SENATOR DWORAK: Well, thank you, Senator Wesely. Rather than a meat axe approach to a program that you believe in and support, I would suggest that you draw up intent language for Select File directing the Legislature or the Exec Board into that proper supervisory role. Thank you. I have no (mike turned off).

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Mr. Speaker and members of the body, I would like to speak to this for a moment and ask Senator Wesely how he gets all these volunteers? Were they committed to you in your campaign and they suddenly are working for you or how does that happen?

SENATOR WESELY: As a young Senator, I think that they know that they can relate to me fairly closely so they just come to my office and volunteer to work during this semester.

SENATOR KOCH: Do you have a PhD in the supervision of personnel?

April 23, 1981

LB 558, 559

SENATOR WESELY: I would think from experience down here I am getting close to it anyway.

SENATOR KOCH: Well, I just want you to know that I have had two of these young men, one of them as far away as Hastings, and I admire their integrity and their ability to do certain things and there is no person that works for you, under you, that can be any better than what you want to provide them with in terms of direction and help, and so I don't think you ought to chastise all of us because you made some observations and have no proof. Now observations are different than proof but I will defend the two young people I have had working for the Education Committee the last couple of years. In fact one of them is now employed by Senator Hefner. Obviously he got some pretty good guidance working for the Education Department as an intern. So I would oppose your wanting to do away with the internship because not all of us live in Lincoln where we can grab from the university system either those who promoted our candidacy or some other way we get them to come into our offices and work for us. So I object to Senator Wesely withdrawing. I would just as soon kill it right now.

SPEAKER MARVEL: The motion is the advancement of LB 558 to E & R for review. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER MARVEL: The motion is carried. The bill is advanced. We will now go to LB 559.

CLERK: Mr. President, LB 559 (read title). The bill was read on April 14. It was referred directly to General File, Mr. President.

SPEAKER MARVEL: Senator Haberman, your light is on. Excuse me, we will have Senator Warner explain the bill and then I will recognize you. Senator Warner.

SENATOR WARNER: Mr. President, members of the Legislature, this is the operational budget for the general agencies of state government and I should point out that I would again be glad to respond to any questions on any agency but I might also mention, however, that there is some language in the bill that properly should have your attention called to. If you are looking at the bill itself, 559, on page 5 is some language affecting the Department of Education

April 27, 1981

LB 160, 161, 163, 232, 241,
252, 326, 557-562

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend Dwayne Lueck from Trinity Lutheran Church, Martinsburg, Nebraska. This is Senator VonMinden's pastor.

REV. LUECK: Prayer offered.

PRESIDENT: Roll call. Has everybody registered your presence? 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: Mr. President, correction, page 1577, line 7, add Senator Hefner's name after Sieck.

PRESIDENT: Correction so ordered. Any messages, reports or announcements, Mr. Clerk?

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 252 and recommend that same be placed on Select File with amendments; LB 326 Select File with amendments; LB 232 Select File with amendments; LB 160 Select File; LB 161 Select File; LB 557 Select File; LB 558 Select File; LB 559 Select File with amendments; LB 560 Select File; LB 561 Select File; LB 163 Select File with amendments; LB 562 Select File, all signed by Senator Kilgarin as Chair.

Mr. President, LR 60 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LR 60. We are ready then for agenda item #4. The Sergeant at Arms will see that all members are at their desks and clear the aisles for Final Reading. We are ready for Final Reading as soon as everyone takes their places. We are about ready for Final Reading. As soon as everyone is in their place we will commence Final Reading. All right, we will commence. The first bill on Final Reading, Mr. Clerk, is LB 241.

CLERK: (Read LB 241 on Final Reading.)

PRESIDENT: (Interrupts reading.) Pardon me, Mr. Clerk, will you stop please. Senator Koch, for what purpose do you arise?

April 30, 1981

LB 160, 161, 557, 558

SENATOR WARNER: I move the bill be advanced, Mr. President.

SPEAKER MARVEL: The motion is to advance the bill, 160. Is there any discussion? All those in favor of that motion vote aye, opposed vote no. Okay, all in favor of advancing the bill say aye. Opposed no. The motion is carried. The bill is advanced. Next, Mr. Clerk.

CLERK: Mr. President, 161 has nothing on it.

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 161.

SPEAKER MARVEL: All in favor of that motion say aye. Opposed no. The motion is carried. The bill is advanced.

CLERK: Mr. President, LB 557. I have nothing on the bill.

SPEAKER MARVEL: Do you want to move the E & R amendments?

SENATOR KILGARIN: There aren't any.

CLERK: No, just the advancement, Senator.

SPEAKER MARVEL: Do you want to advance the bill?

SENATOR KILGARIN: I move we advance LB 557.

SPEAKER MARVEL: The motion is to advance 557. All those in favor of that motion say aye. Opposed no. The motion is carried. The bill is advanced.

CLERK: Mr. President, 558, I have no E & R amendments. I do have an amendment from Senator Beutler. The purpose is to provide \$25,000.....Senator Beutler, Mr. President, moves to amend 558....(Read the Beutler amendment as found on page 1664 of the Legislative Journal.) That is offered by Senator Beutler.

SPEAKER MARVEL: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, let me give you a little bit of history on this particular amendment. As most of you will recall, the whole redistricting discussion really came up in the Legislature a couple years ago when Senator Cullan came in and we had some redistricting out in Alliance, and we had some redistricting done in Columbus. And the process that was begun at that point in time probably began before that,

but it began then as far as my knowledge was concerned, was that we took this set of judicial statistics that the judges gave us and when any particular district came to the top of the list, we gave them a new judge, and we did this without really looking as close as I think we should have at redistricting as opposed to simply adding another judge. This year in Lancaster County, my very own Lancaster County, we are about to add a third judge now in the last two years. That has increased the number of judges in the state by three, even though for the past five years the overall workload in the judicial districts in this state has not increased. What is happening is that the population in the state is shifting, and what we need now is some redistricting. The Supreme Court and the Judges Association is now in a position where they are very eager to go forward with some redistricting. They have agreed to some....to a study of redistricting. They have agreed to coming back to the Legislature with a plan by next November for redistricting. And what they have requested and what we would like to see done is for an independent group of people from the National Law Center in Washington, who do this kind of work, to come in and assist them with principles of redistricting and with an outside unprejudiced viewpoint as to the proper way to redistrict. Adding one judge cost us some place in the neighborhood of \$100,000. If we do not redistrict, Omaha will be in next year or the year after for sure. Sarpy County will be in shortly. And we will be adding more judges without an overall workload. So what we need to do is anticipate increased workloads in Omaha and Sarpy County by redistricting now and saving the state in the next few years I think several hundred thousand dollars. So the request is for \$25,000 to have a redistricting study done this next summer and fall for the State of Nebraska District Courts and County Courts. Thank you. I would be glad to answer any questions that I may have left in your minds.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Mr. Chairman and members of the Legislature, the purpose of this as stated by Senator Beutler is for the purpose of having hearings and studies to redistrict the District judges in the state. We thought that perhaps there was some money in the Supreme Court Justice's budget that we could borrow from him or transfer from their budget to ours. But, Senator Warner, is it true that that money was not there? Senator Warner, was it true that that \$25,000 was not in the Supreme Court Justice budget so that it could be transferred?

SENATOR WARNER: I didn't catch the first part of it, Senator, I'm sorry.

SENATOR NICHOL: Okay, we are talking about \$25,000 for the study to redistrict the District Judges, and if you recall I visited with you a few days ago about \$25,000 that may have been in the Supreme Court Justice budget. Is it true that that money was not there?

SENATOR WARNER: What I understand....well, the \$25,000 is not there for the '81-'82 fiscal year, the one coming up. I believe, and I was not at the Exec Board meeting, I understood that the Supreme Court indicated they had... might have \$25,000...they would otherwise lapse, as I understood it, that could be used for this purpose. So presuming that they meant they were going to lapse it, and then it is appropriated here, it's whichever dollar you take the pocket out of, but that would come out the same. I think the issue that Senator Beutler is raising is whether the money ought to be under the control of the Legislature, or under the Supreme Court to make the study, I assume would be the basic issue.

SENATOR NICHOL: Yes, that's right. Thank you, Senator Warner. So what we are saying to you, whether the money is there or whether it is transferrable or not, it should be budgeted in this way so the money is there if we need it. I really don't think we will need this much but I do suggest that you go along with this on it. Thank you.

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Mr. President and members of the Legislature, without taking a position on this study, I would say that if this study is necessary that this is the proper way to approach it. We did have a request, the Executive Board of the Legislative Council did have a request from the Judiciary Committee requesting that the Executive Council budget finance this as an interim study of the Judiciary Committee. The problem with that approach is that we do not have that kind of money for these studies and it needs to be budgeted through the regular budgeting process, and this would be the proper way to approach the problem.

SPEAKER MARVEL: Senator Marsh. The motion is the Beutler amendment to LB 558. Senator Beutler, do you wish to close?

SENATOR BEUTLER: I would just like to say, Mr. Speaker, that I have never felt more comfortable with requesting money because I feel very confident that the money spent here will return savings many times over for the state in the next three or four years. And you can be assured that I am personally going to stay on top of the redistricting,

April 30, 1981

LB 558

and I will do the best I can to see that it, in fact, gets done. Thank you.

SPEAKER MARVEL: The motion is the Beutler amendment to LB 558. All those in favor of that amendment vote aye, opposed vote no. No, this is the vote on the Beutler amendment to LB 558. Have you all voted? Record.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to adopt the Beutler amendment.

SPEAKER MARVEL: The motion is carried and the amendment is adopted.

CLERK: Mr. President, Senators Wesely and Beutler now move to amend the bill. (Read the Wesely-Beutler amendment as found on page 1665 of the Legislative Journal.)

SPEAKER MARVEL: Senator Wesely.

SENATOR WESELY: Mr. Speaker and members of the Legislature, this issue was brought to the Appropriations Committee and originally what, the amendment which is before you now was adopted, then the committee changed its mind and went back to splitting the Natural Resources Coordinator position amongst two agencies in addition to the Governor's office. And so what we would like to do is to ask the Legislature to amend the Appropriations bill, LB 558, to return to that original committee position, which I think was the best policy position we could take. Essentially what we are asking for in this amendment is to have direct accountability for an individual's staff, salary and position and authority. I think that we have seen through a number of examples that have come to light that it is very important that we have direct lines of responsibility and that it is very important that we hold people accountable for expenditures of tax dollars. I think what we are trying to do is to identify quite clearly that the Natural Resources Coordinator works for the Governor. He is serving the Governor in a coordinating position in the Natural Resources area and that as a result of that position he should be working out of the Governor's office. He does have supervisory, or in a sense, almost supervisory authority over a number of different agencies involved in Natural Resources, two of those, the Department of Water Resources and Department of Environmental Control, however, are going to be paying for part of his salary under the present appropriations bill. That really doesn't seem to be...well, it doesn't make a whole lot of sense when you think about it, to have an individual whose position is to work for the Governor as his right arm, in a sense, in the Natural Resources area, to oversee that area,

and to coordinate activities between different agencies. I think that probably the wise thing to do is to have him in the Governor's office working directly under the Governor and accountable to the Governor and the Legislature in that capacity. So I think when we talk about policy, I think this is the right policy position to take for the Legislature. I think that I was especially convinced of this position when I talked to the Fiscal Office and asked them for some ideas on whether or not this is a common practice or not in state government. At this point, you know, it wasn't a look across the board, but at least an initial look found very, very few examples of cases where an individual was paid his salary through a number of different agencies. It is just not a very common practice in state government, and it shouldn't be. It is not a very wise policy position to take, I think. So because of the fact that this is a rather unique situation and that it really makes more sense for this position to be directly under the Governor, this amendment would take away half of the salary which is now paid for through the Department of Water Resources and a quarter of the salary paid for from the Department of Environmental Control, and place that money in the Governor's office and pay for the total hundred percent salary and benefits of this position through the Governor's office. Again, I think it is unusual for us to be in a situation where an individual is paid from a number of different agency sources. I think that it is clear that his lines of responsibility are directly with the Governor, so it only makes sense in my mind to place him in the Governor's office and to pay for him through the Governor's office. And that is what this amendment would accomplish.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: Mr. President, I rise to support the amendment. It adds really no extra money in the Appropriations Committee. I was one who supported the clean accountability with regards to this expenditure, the fact that rather than split a salary over multiple agencies where the true impact of this Coordinator would be lost, that we would put it together, identify it as a \$45,000 expenditure that it is so that people would really see the fiscal impact of adding this Coordinator and then in turn could judge the value in terms of improvement of a situation of natural resources in the State of Nebraska for having that Coordinator. Now there are some who indicated that perhaps this person's title is Resource Coordinator and Press Secretary, and some cynics say, Press Secretary should be first and Resource Coordinator second. I wouldn't want to make that judgment until we have seen more of the work product.

April 30, 1981

LB 558

But I do think that when the Governor's Task Force on Reorganization proposed Coordinators, that really what they were trying to do was get some greater accountability within state government, and by distributing this salary over agencies and forcing certain agencies to accept this salary when, in fact, they had not requested the position, I think diminishes those clean lines of authority and kind of discredits the efforts of the Task Force on Governmental Reorganization. I think it further confuses the lines within state government. We really don't know if this person is an employee of the Department of Environmental Control, or if, in fact, they are the Supervisor of the Department of Environmental Control. By consolidating the salary in one budget, I think we do provide clean lines of authority so that everybody knows where within the hierarchy this position stands. So I would support Senator Beutler and Wesely in their effort for good fiscal management.

SPEAKER MARVEL: Senator Beutler. We are on the Wesely amendment. Okay. Senator Dworak.

SENATOR DWORAK: Mr. President and colleagues, I oppose the Wesely-Beutler amendment. Senator Wesely and Senator Beutler are trying to indicate some new type of allocation system that has not been practiced before and that's absolutely not so. We have always tried to proportionately charge those agencies where the work and the responsibility is and where the work is being conducted. And if this individual appropriately is working for several agencies, I don't think it is right, I don't think it is good accounting, I don't think it is good fiscal policy to put the total amount or the total appropriation on either one agency or the other if, in fact, two agencies are sharing this individual's time and talents. That is what the appropriation has intended to do by keeping this split so that we can assess, so that we can properly account for the amount of time the individual spends in the area of his endeavor, and to me that is accountability in its fullest. I think Senator Fowler makes a good point in that it is a new position and we certainly conclusively don't know exactly how much time will be spent in which agency, but that can be adjusted next year. The percentages might be arbitrary this year because of the new position, but if we find out, in fact, that the percentages are off, we can make that adjustment when the jury is in. So I think the arguments used are, that he will work exclusively in one area or another, I think, are unfounded. I think it is speculation, and I don't think that we have been given the reasons to change the proportionate accounting as they exist now in LB 558.

SPEAKER MARVEL: Senator Lamb.

April 30, 1981

LB 558

SENATOR LAMB: Mr. President and colleagues, the amendments come under various guises, you know. There are some amendments which are designed to love the bill to death. Of course, this one does not fit in that category because the bill is going to pass. And then there are "muddy the water" amendments which get everyone so confused they don't know whether to vote for or against the bill or the amendment. But this is known as the "embarrass the Governor" amendment. I don't think that the sponsors of the amendment have demonstrated the real need for the amendment, and so I suggest that it be defeated.

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: Mr. President, I would briefly arise to defend the committee's recommendation. It was an issue that was discussed at least on two occasions that I recall, and it may have been more than that. I think the final decision on the majority of that committee would rest on two or three things, one was that the agencies involved are code departments which in a very broad sense is always part of a Governor's cabin, if you want to look at it that way...at least agencies that are directly responsible to the Governor with the exception of the Natural Resource Commission which has some separate distinction there. The other brought up philosophical issue that this body, or at least as the Appropriations Committee has talked about and this body as well for some years is what do you properly identify as a part of the cost of the operation of the office of Governor. And I think you can attach a number of definitions if you choose to in arriving at what that cost ought to be. We even discussed that issue a couple...three years ago on sunset legislation where the office of Program and Planning ought to be just put as a part of the Governor's office, or a separate agency. So discussion frequently has come up. I think the final basis, at least some of the committee felt that maybe it is appropriate from a philosophical and academic argument to rearrange the assignment of different costs of state government to a variety of agencies any number of which, I suppose, could be defended. But if we are talking about a major change in the identifiable or the appearing...the occurrence of the cost of one of the statewide elected offices, it is probably more appropriate that those substantive policy changes be made at a time when it is clearly a policy change and not one that someone would attempt to suggest was being brought about for the political reasons which I know is not the case here. But I think that if the timing for this change was made at say the end of a Governor's term, whatever, that a different kind of accountability for costs than we now have would probably

April 30, 1981

LB 558

be more appropriate time to do it and I think on that basis I would oppose the amendment as it has been offered.

SPEAKER MARVEL: Senator Beutler, do you wish to close on your amendment?

SENATOR BEUTLER: Yes. Mr. Speaker, members of the Legislature, I know this is probably going to be impossible, but I wish we could strip the subject down from its partisan aspects, because if you really take a look at this question, if you are not willing to accept the amendment, then what you are saying, in effect, is that you are in favor of establishing a new precedent in how we handle fiscal accounting in state government. This amendment is expressing a conservative point of view. It is expressing the traditional point of view, the way we have done things in the past in the State of Nebraska. Contrary to the impression that Senator Dworak might have left you, there is not, to my knowledge or the knowledge of the fiscal staff, any split budgeting between code agencies on any employees. The only situation where I am aware of where money is split or that the fiscal staff is aware of, was the situation where there is an attorney some place sharing...that is budgeted partly to a code agency and partly to the Liquor Commission which is not a code agency. That practice then is not one that I think we want to encourage. If we get into this, there are literally hundreds and hundreds of positions in state government where an individual in one agency does some work for another agency on this project or another project from time to time, and will get into the horrendous business of trying to budget portions of salaries for different employees, which is utterly ridiculous. So it is basically on the basis of that precedent which I do not think is wise, that I signed my name to this amendment. I think if you were listening to Senator Warner, if I understood him correctly, his bottom line was simply this, that in concept the amendment is correct, but that politically it is not the right time to do it. Well, I don't think the politics of it should be either here nor there. If it is the right concept, we should continue with the right concept as we have for a hundred and some years up until the present time. It seems to me that fiscally speaking as far as accounting is concerned, that the better policy is to require one code agency or another to account for each individual employee, and that is what this amendment asks you to do. It does not ask you to incur any additional costs, but to maintain our traditional system of accounting. Thank you. And Senator Wesely wanted to take the remaining time, Mr. Speaker.

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

again on Senator Warner's point and following up on what Senator Beutler just said, the timing is a big key here, and I think it is quite agreeable. I think the policy decision we are making and it is proposed in this amendment is correct, but the time is not right. Well let me tell you, I think the time is right at this point because if we wait what we are seeing is with this reorganization effort a number of these coordinator positions being filled I think in the near future. We have got one now. I think some more on the way, and I don't know in the end how many there will be. But I think the policy decision has to be made now with this amendment saying whether or not these coordinator positions should be split amongst all the different agencies involved, or whether or not they should be responsible to the Governor. And I think that is an important choice to make. I don't see any problem with the Governor increasing his staff if he feels it will help him in coordinating the functions of state government, hopefully will help him in efficiency in state government and effectiveness of his office in helping him to do a better job. And it seems to me that that is nothing to be ashamed of. And so if that staff will help him do that job, then I don't see any problem with it. But the problem that Senator Beutler talked about, about the fact that we are fragmenting this situation I think runs counter to what the Governor is trying to accomplish with his reorganization effort. And I think the political concerns are the key here because of the fact that, you know, the increase in the budget will perhaps have an adverse political reaction. That shouldn't be a concern I don't think at this point if the results of that increased cost are born by the Governor and are shown to be a worthwhile expenditure of money. So I think what we should say here today is that we are about to take a step in these coordinator positions and that step should indicate that the Governor should pay for those positions out of his office because he will be directly in charge of them and they are to serve him in attempting to improve the effectiveness of government. And I see no problem with that policy choice. But if on the other hand we follow the Appropriations Committee choice and these other positions come along, you can probably bet that they will all be split amongst different agencies and again will lead the fragmentation that I thought we were trying to run against and change with the reorganization effort. I urge your adoption of the amendment to the Appropriations bill.

SPEAKER MARVEL: The motion is the adoption of the Beutler-Wesely amendment to LB 558. All those in favor of that motion vote aye, opposed vote no. Have you all voted? Senator Wesely. Okay, record the vote.

April 30, 1981

LB 558

CLERK: 6 ayes, 23 nays, Mr. President, on adoption of the amendment.

SPEAKER MARVEL: The motion is carried....I'm sorry, the motion lost.

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

SPEAKER MARVEL: Senator Warner.

SENATOR WARNER: I move the bill be advanced, Mr. President.

SPEAKER MARVEL: While we are waiting for this amendment, in the north balcony from Senator Dworak's District we welcome twenty-one 8th Grade students and three adults from Fullerton Public School, Fullerton, Nebraska. Lyle Caspar is the Principal. Will you hold up your hands so we can see where you are and welcome you to the Unicameral. Okay.

CLERK: Mr. President, I now have an amendment from Senator Schmit to the bill.

SENATOR SCHMIT: (Microphone not on)....members of the Legislature, Senator Kremer had originally introduced this amendment or offered this amendment. Because he was unable to be here this afternoon, I have added my name to it because I agree with it entirely, and I agreed with Senator Kremer that I would offer it rather than to wait for the bill on Final Reading. The amendment adds about \$3 million to the Water Development Fund. Now on this floor we have heard many, many times about the necessity for making a major contribution to the area of water development. Mr. President, could I ask the Clerk if this was to be added to 561 or 558? I thought it was 561 but....

CLERK: Well, Senator, I honestly don't know. I would.... just conferring with the Fiscal Analyst, 561 I think would be the appropriate place to do it, Senator.

SENATOR SCHMIT: Is this amendment...I am sorry, excuse me. I will shift gears. This is an amendment for the Parole Board. It adds about \$100,000 to the funds for Parole Officers. Some of you have been visited, I am sure, by the people who are responsible for the administration of that system. The facts are that if we can put on parole about three or four individuals, you can save this amount of money. Now the case load is very heavy in a number of your legislative districts, and in my own district it averages around a hundred and....I believe there are about 111 individuals

per Parole Officer. In some instances the case load per officer is as much as 150 or 60 individuals. I think you will find that it is impossible for any individual to supervise that number of persons. We have been faced with the necessity of looking at the crowded conditions in our Penal Complex, and only yesterday I believe it was the courts have ordered the neighboring State of Iowa to reduce their prison population. This amendment will do a little bit of good in that area. I would hope that you would view it in the context which is offered. It is offered in good faith. I do not think that the present system can function with the reduced staff. They need to have additional staff. I have agreed with the administration for some time on this, and I know that there are a variety of opinions, but I want to say that at this time, in my opinion, the amendment is a valid one and one which deserves your support. I want to say again, it costs about \$128 per individual to supervise a person who is on parole. It costs many, many times that to have an individual confined in the Penal Complex. There is very little rehabilitation that takes place in the Penal Complex. If rehabilitation occurs, it takes place outside of that complex. But rehabilitation will not occur unless proper supervision is given. It is absolutely impossible to parole an individual and not give that person the proper supervision. So, Mr. President, members of the Legislature, I ask your support of the amendment.

SPEAKER MARVEL: Senator Warner, do you wish to discuss the matter?

SENATOR WARNER: Yes, Mr. President and members of the Legislature, briefly to rise to oppose the amendment and explain the committee's action and the reasons for it. It's quite obvious, Senator Schmit, that there has been increase in case load, and that is correct. The statistics that we looked at and were furnished also would indicate that. In the process of reviewing this, the request for five additional probation officers and three clerks was included on our sheets of what we call priority 1, the first time going through the total budgets. This particular amount was finally eliminated, however, at about one of the subsequent times going through trying to get a budget that was within the goals for total recommended level of expenditures that the committee was going to submit to the Legislature. To give you a couple of other things that would have been factors that we considered, one would be the fact that these additional officers were not in the Governor's budget. It was true that last year we added two which were subsequently vetoed out. Then we did move as a committee at that time to override that veto and add them back in which was not successful, as I recall. Then there is another factor that

April 30, 1981

LB 558

really needs to be looked at that has not been done in detail this year, has been done other years, and that is when you are looking at these probation officers there is a variety of types of cases that they, of course, work with, and there are some that require a great deal of time and other types require very minimal amount of time, and there is a great variance. So to really make an analysis, I think, of the work load, we probably should do or need to do over the summer a study like we did two or three years ago now...three or four I guess, in which those types of cases are analyzed as well as numbers, because you can really get a lot better handle as to what is an appropriate number. So I would rise to oppose the amendment for the reasons that I have given to you which pretty much reflects the majority opinion of the Appropriations Committee when this was discussed.

SENATOR NICHOL PRESIDING

SENATOR NICHOL: Senator Kahle.

SENATOR KAHLE: Mr. Speaker and members, I want to support Senator Schmit. I know that we don't want to blow this budget clear out of sight this afternoon and there are many, many requests going to come in the way it sounds. But as he said, a penny saved is a penny earned, I am sure, and we shouldn't be dollar wise and pound foolish. But I think the probation people do a terrific job in Nebraska and if you can just save a few of those young people from getting into the institutions, why we are going to be much better off than we are now. So I can't quite understand the rationale of the Appropriations Committee for cutting this particular program. It is not a big one, and so I support the Schmit amendment.

SENATOR NICHOL: Senator Schmit, did you wish to close, please?

SENATOR SCHMIT: Yes, Mr. President. I would like to ask a question of Senator Warner, if he would yield, please.

SENATOR NICHOL: Senator Warner, would you respond, please.

SENATOR SCHMIT: Senator Warner, how often is a probation officer supposed to visit one of his responsibilities, or is there a special recommended time?

SENATOR WARNER: By statute, do you mean?

SENATOR SCHMIT: Yes, or does the...do they as a policy have a recommendation as to how often they are supposed to be in

contact with an individual?

SENATOR WARNER: I am sure there is, Senator Schmit, but it does not...the number doesn't come to my mind right off the top of my head. I know the statutes require that there shall be a sufficient number that no officer has to have a case load larger than...or something at least that is compatible with adequate probation investigation and supervision and I am not sure what that standard is, but the real overlying issue it seems to me is not the number of cases but also the types of cases because the two have to be looked at together. And as I indicated, we did not this year make that kind of division. We did that two or three years ago.

SENATOR SCHMIT: I'm sure that is true, but if a probation officer had 110 persons he was responsible for, would you say that he would have to see them at least once a month?

SENATOR WARNER: I would imagine, yes.

SENATOR SCHMIT: Would there be any reason to see them oftener than that, or do you know?

SENATOR WARNER: I think it depends totally on the type of case, Senator Schmit. Some I am sure are very minimal, others are going to require more supervision depending upon their own personal problems.

SENATOR SCHMIT: Well, do you think that, for example, if you were to see 110 people once a month even, given the time necessary for filling out reports and traveling, etcetera, it would look to me like they could easily be limited to one hour per month per individual. I would just like to say this, that it seems to me that when you have an individual who has had the problem of being out in the...of being involved in a crime and that individual is then paroled on the premise that they are not going to get into trouble any more, the parole officer must have some kind of supervision. Now I agree that some of those cases are what might be considered minimal. But they are minimal only to this extent, that the individual who was in trouble once has felt sufficiently in need of help that they were acted upon in a court case and they were placed under supervision. Now if you don't give that individual adequate protection, you are going to have him back in the penal system and you are going to find that instead of spending \$128 per individual, you are going to be spending \$10,850 if they go out to the Penitentiary. You are going to be spending \$20,462 if they go to the Nebraska Center for Women. For the time they spend

April 30, 1981

LB 558

in the diagnostic and evaluation center, you will spend over \$18,000. The Youth Development Center at Geneva, \$22,000 a year. The Youth Development Center at Kearney, \$14,000, a little over that. I think you realize that we have got to recognize that under those conditions the amount of money we spend, around a thousand dollars, or a little over, for an adult parolee, \$2800 for a juvenile parolee, is money well spent.

SENATOR NICHOL: One minute.

SENATOR SCHMIT: I would hope that we would remember one more thing. It's not just a matter of dollars and cents, ladies and gentlemen, it is a matter of an individual getting back into society and becoming a useful taxpaying citizen, or a wasted life, a life which may be spent in the Penal Complex or in the Corrections Center, and certainly when you look at it in that context, I think that this is not the right place to be saving the few dollars we are asking for here. I ask that you support the amendment, ladies and gentlemen. I do not think you will regret it.

SENATOR NICHOL: We are voting on the Schmit amendment. All those in favor signify by voting aye, opposed nay.

CLERK: Senator Nichol voting aye.

SENATOR NICHOL: Have you all voted, please. Senator Schmit, there are four excused.

SENATOR SCHMIT: I hesitate to do this, but I think it is important that more than a mere 33 people vote on these bills. I have expressed my concern before and I am going to ask for a Call of the House.

SENATOR NICHOL: The question is, shall the House go under Call? All those in favor vote aye, opposed nay.

CLERK: Senator Nichol voting aye.

SENATOR NICHOL: Record, Mr. Clerk.

CLERK: 20 ayes, 0 nays, to go under Call, Mr. President.

SENATOR NICHOL: The House is under Call. Will you all please take your seat, and the Sergeant at Arms please collect those who are not in the House. All unauthorized personnel please leave the floor. Would you please record your presence when you come in. The four excused are Senators Clark, Hefner, Kremer and Chambers. Senator Schmit, do you

April 30, 1981

LB 558

want to take call ins? The Clerk will accept call in votes.

CLERK: Senator Lamb voting yes.

SENATOR NICHOL: Would you please record your presence if you are in your seat, please. We are waiting for Senator Beutler and Senator Von Minden. Senator Schmit, we are waiting for two Senators. Do you wish to proceed, or do you want to wait for...here is Senator Von Minden. We are waiting for Senator Beutler....he's the only one.

SENATOR SCHMIT: Have you asked for call in votes, Mr. President?

SENATOR NICHOL: Yes, we did. Senator Warner, for what reason do you rise?

SENATOR WARNER: I will ask for a roll call so we get it over with.

SENATOR NICHOL: Roll call vote is asked for. Please proceed. Senator Fitzgerald has asked for a reading of the motion.

CLERK: Mr. President, the amendment reads as follows: (Read the Schmit amendment as found on page 1665 of the Legislative Journal.)

(Read the roll call vote as found on pages 1665 and 1666 of the Legislative Journal.)

SENATOR NICHOL: The Clerk is having trouble hearing your voting, would you please curb your conversation a little, please.

CLERK: (Continued reading the roll call vote.) 25 ayes, 19 nays, Mr. President.

SENATOR NICHOL: The motion is adopted.

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

SENATOR NICHOL: Senator Warner.

SENATOR WARNER: Mr. President, I move that 558 be advanced.

SENATOR NICHOL: The question is, shall 558 be advanced? All those in favor vote aye, opposed nay. Oh, let's just say aye if you are wanting to advance it. Opposed. It is advanced.

May 5, 1981

LB 209, 557-562

CLERK: 14 ayes, 17 nays, Mr. President, on adoption of the Hoagland amendment.

SENATOR CLARK: The amendment failed. Senator Haberman, would you like to recess us until one-thirty right after the Clerk reads something in.

CLERK: Senator, excuse me, if I may. Mr. President, I have amendments from Senator DeCamp to LB 557, 558, 559, 560, 561 and 562 to be printed in the Journal. (See pages 1756-1757 of the Legislative Journal.)

Urban Affairs Committee will have an executive session at 11:00 a.m. underneath the North balcony on Thursday, Mr. President.

Mr. President, the Miscellaneous Subjects Committee will meet in executive session in Room 2102 at noon today. Public Works Committee will meet underneath the North balcony right after recess at noon. That is signed by Senator Kremer. That is all that I have, Mr. President.

SENATOR CLARK: Senator Haberman.

SENATOR HABERMAN: Mr. President, I move to recess until one-thirty this afternoon.

SENATOR CLARK: You have all heard the motion. All those in favor say aye, opposed no. We are recessed until one-thirty.

Edited by Arleen McCrory
Arleen McCrory

May 5, 1981

LB 70, 163, 172, 184, 242, 250,
285, 302, 310, 324, 369, 375, 494,
497, 527, 557, 558, 559, 560, 561, 562.

aye, opposed vote no. Have you all voted? Senator Burrows.

SENATOR BURROWS: I would like a Call of the House and a roll call vote.

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

CLERK: 16 ayes, 1 nay to go under Call, Mr. President.

SPEAKER MARVEL: The Legislature is under Call. Please return to your seats. Record your presence. Senator Burrows, do you want to record....Senator Kahle, Senator Hefner, Senator Goodrich, Senator Wagner, Senator Landis, Senator Newell, Senator Chambers, Senator Pirsch, Senator Labedz, Senator Higgins. While we are waiting, under the north balcony Mr. Jack Fletcher and his son, Monte, Jack is a former resident of Lincoln County, Nebraska, and now lives in Upland, California, and they are guests and friends of Myron Rumery. And from Senator Remmers' District, 14 students from Tablerock, Nebraska, Mrs. Griffith, teacher. Should be in the north balcony. Are they?

CLERK: Mr. President, while we are waiting, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 163 and find the same correctly engrossed, 557, 558, 559 and 560, 561, 562, all correctly engrossed. (Signed) Senator Kilgarin. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 242 and recommend that same be placed on Select File, 494 Select File with amendments, 369 Select File, 310 Select File with amendments, 497 Select File with amendments, 250 Select File, 302 Select File with amendments, 70 Select File with amendments, 285 Select File with amendments, 324 Select File with amendments. (See pages 1771 through 1773 of the Legislative Journal.) Mr. President, Senator Schmit, Kremer, Chronister and VonMinden move to place LB 375 and 377 on General File pursuant to Rule 3, Section 18(b). Senator Carsten would like to print amendments to LB 172, and Senator Lamb to LB 285. (See pages 1769 through 1771 of the Legislative Journal.)

SPEAKER MARVEL: Senator Labedz, Senator Higgins, Senator Chambers, Senator Goodrich. Senator Burrows, do you want to start the roll call? We have four that still are unaccounted for.

May 6, 1981

LB 557

is philosophy. But I do believe the Legislature as a whole has a right and an obligation maybe to have a little more participation in the spending of almost a billion dollars than we have had over the years. This is a chance to get involved to say the priorities we have established have just as much merit as the core budget and just because we happen to think slightly different 25 of us or 30, slightly different on a priority than maybe the Appropriations Committee doesn't mean that we are all crazy out here or we are all wild eyed spenders or, Senator Dworak, that we are all shenanigan pullers and just playing political games. I do believe the vetoes that will be coming won't be able to be overridden. Then those priorities that we have established have once again gone down the tube. Urge you to adopt the amendment and of course I know what is going to happen.

PRESIDENT: The question before the House then is the motion to return LB 557 to Select File for the DeCamp specific amendment. All those in favor vote aye, opposed nay. Have you all voted? Senator DeCamp, do you want me to call the vote or do you want to. . . .

SENATOR DeCAMP: Mr. President, I pride myself in being a slight realist. I'm not going to pressure the body, or have roll calls or anything else. You know what it is.

PRESIDENT: Senator Dworak.

SENATOR DWORAK: (inaudible).

PRESIDENT: What is that? I didn't hear you.

SENATOR DWORAK: Request a record vote.

PRESIDENT: All right, a record vote has been requested. So, have a record vote, Mr. Clerk. Record the vote.

CLERK: Record vote. 12 ayes, 24 nays, 12 present and not voting, and 1 excused and not voting. Vote appears on page 1782 of the Legislative Journal.

PRESIDENT: Motion fails. The next bill is, do you have one on 558?

CLERK: I have one from Senator DeCamp, Mr. President.

May 6, 1981

LB 558

SENATOR DeCAMP: Mr. President, in accordance with my promise, in order to implement this plan you would have had to adopt an amendment on each of the appropriations bills cutting it 2½%. Then of course the ten million we talked about off of state aid. That obviously is not likely nor probable so I will ask unanimous consent to withdraw that amendment and the balance. I would urge you though to consider in the future the right of the Legislature as a whole to participate in the budget process, maybe more actively than we have in the past, to express our priorities without always having them be the subject of wild eyed spending or have to get them only through veto overrides.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Hearing no objections so ordered. LB 559.

May 7, 1981

LB 557, 558, 560, 561

PRESIDENT: LB 557 passes with the emergency clause attached. The next bill on Final Reading will be LB 558, Mr. Clerk.

CLERK: (Read LB 558 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 558 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on page 1820 of the Legislative Journal.) The vote is 47 ayes, 1 nay, 1 excused and not voting, Mr. President.

PRESIDENT: LB 558 passes with the emergency clause attached. The next bill on Final Reading, Mr. Clerk, is LB 560.

ASSISTANT CLERK: (Read LB 560 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 560 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Record the vote.

ASSISTANT CLERK: (Read the record vote as found on pages 1860 and 1861 of the Legislative Journal.) The vote is 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President.

PRESIDENT: LB 560 passes with the emergency clause attached. Before we go on to LB 561, the Chair takes pleasure in introducing some guests, first of all some guests of Senator Beyer, five students from the American Political Behavior Class of Papillion High School, Steve McIntosh, Jim Hungerford, Rick Scherer, Aaron Schramm and Greg Noll. Would they be recognized, and welcome to your Legislature....greetings, welcome to your Legislature. We also have up here in the north balcony from Senator DeCamp's District, nine 8th Grade students and two adults from Inman Public Schools, Inman, Nebraska, Mr. Chuck Dziowgo (phonetic), teacher. Would they just stand and be recognized, or welcome to your Legislature. We also have from Senator Hoagland's District seven Seniors and two children and one teacher from Duchesne Academy in Omaha, Mrs. Ann Kemmy, teacher. They are up here in the north balcony. Would they wave to us and show us where they are. Back in that end. Welcome to your Legislature. And last but not least, we have from Senator Chronister's District eleven 12th Grade students and two adults from Snyder High School, Snyder, Nebraska, Mr. Alan

May 7, 1981

LR 117, 118
LB 160, 161, 163, 232, 557,
LB 389, 558, 559, 560, 561,
562

be reviewed before anybody would receive any assistance under this program to ensure that some existing program can't take care of their needs. So all it is is an amendment to add educational programs to that other list to make sure that we don't provide assistance that can't otherwise be provided.

SPEAKER MARVEL: All those in favor of the adoption of the Wesely amendment, or the...yes, it's the Wesely amendment, isn't it....Wesely-Schmit amendment vote aye, opposed vote no. While we are waiting for your vote, from Senator Lowell Johnson's area it is my privilege to recognize thirty-five 7th and 8th Graders from Trinity Lutheran School, Fremont, Nebraska, four teachers and Harold Bergt, in the north balcony. Will you hold up your hands so we can see where you are and welcome you to the Unicameral. From Senator Fenger's District ninety-seven 4th Graders, Belleaire School, Bellevue, Nebraska, Myrtle Bailey, Marge Mosier, Connie Franklin and Ray Nesbitt teachers, in the north balcony. Where are you located, please? Welcome to the Unicameral. And from Senator Beyer's District four Sophomores from Papillion High School, Corey Swanson, Laurie Thompson, Kathy Gothier and Michelle Buchard, all from Papillion, and they are a part of the American Political Behavior Class. Are you still up there? Okay. The record will indicate they were here. Record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the Wesely-Schmit amendment.

Mr. President, if I may before we proceed to the next amendments, Senator Dworak would like to offer explanation of votes. I have study resolutions from Senator Vickers, LR 117. The purpose of this study is to examine irrigation development in the Sandhills region of Nebraska. (See page 1824 of the Legislative Journal.) LR 118, by Senator Hoagland. The purpose of the resolution is to study the adequacy of existing laws in Nebraska regulating the sale and possession on handguns. (See page 1825 of the Legislative Journal.) That will be...both referred to the Executive Board, Mr. President.

Mr. President, budget bills 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 LB 160, 161, 163, 232, 557, 558, 559, 560, 561 and 562.

CLERK: Mr. President, the next amendment I have to LB 389 is offered by Senator Maresh. (Read the Maresh amendment

May 13, 1981

LB 412, 160, 161, 163, 232,
557, 558, 559, 560, 562

are related and as the interest rate goes up, unless you are going to drive up the price of land even higher, the interest rate goes up then the period of time which is set necessarily must be reduced. For that reason I move the three year provision.

SENATOR CLARK: Being that I was told to close at four o'clock, it is now eight minutes after four, we still have to read the Governor's message, we are going to break off right here and read the Governor's message. Then we will adjourn for the day.

CLERK: Mr. President, I have a series of things. The first obviously is the Message from the Governor addressed to Dear Mr. President and Senators: (Read letter as it appears on pages 2006-2008 of the Legislative Journal).

Mr. President, in conjunction with that I have a letter addressed to the Clerk, from the Governor, Engrossed Legislative Bills 160, 161, 163, 232, 557, 558, 559, 560 and 562 were received in my office on May 7th. These bills were signed by me on May 13th and delivered to the Secretary of State. Sincerely, (signed) Charles Thone, Governor.

Mr. President, Senator Wagner would like to print amendments to LB 302 in the Legislative Journal.

Your Enrolling Clerk has presented for the Governor his approval of bills that were read on Final Reading today, Mr. President.

SENATOR CLARK: Senator Remmers, would you like to adjourn us until 9:00 a.m., tomorrow morning.

SENATOR REMMERS: Mr. Speaker, I move we adjourn until 9:00 a.m. Thursday morning.

SENATOR CLARK: You heard the motion. All in favor say aye, opposed, we are adjourned until 9:00 a.m., tomorrow morning.

Edited by L. M. Benischek
L. M. Benischek