

January 6, 1982

LB 192, 665-676

clear what was in the bill and easier for the public to follow. Germaneness is the same concept that you have one issue, one subject area and you stick to that and don't start spreading all over the place with what is in the bill. So this would attempt to clarify and make sure that that is the case in this legislative body.

SPEAKER MARVEL: Senator Nichol. Number 15. The motion before the House is the adoption of item #15 on germaneness. All those in favor of that motion vote aye, opposed vote no. Twenty-five. Have you all voted? Have you all voted? Senator Wesely.

SENATOR WESELY: I think we're giving up.

SPEAKER MARVEL: Okay, record the vote.

CLERK: 19 ayes, 21 ayes, Mr. President.

SPEAKER MARVEL: The motion lost.

CLERK: Mr. President, if I may I would like to read some items. New bills, Mr. President. LB 665 offered by Senator DeCamp, Labedz, Wesely and Kilgarin. (Read by title for the first time, LB 665-677 as found on pages 124-126 of the Legislative Journal.)

Mr. President, Senator Johnson asks unanimous consent to be excused tomorrow, Senator Vard Johnson.

The Retirement Systems Committee gives notice of public hearing for next Tuesday.

Mr. President, Senator Vickers asks unanimous consent to add his name to LB 192 as cointroducer.

SPEAKER MARVEL: Hearing no objections, so ordered.

CLERK: Mr. President, I have a new resolution, LR 202 offered by Senator DeCamp. (Read LR 202 as found on page 127 of the Legislative Journal.) Mr. President, I have a request from Senator DeCamp to refer that, LR 202 to the Reference Committee for purposes of referencing it to committee for a public hearing.

SPEAKER MARVEL: No objections, so ordered. Senator Warner, are you ready to take up item #16? Oh, I'm sorry, Senator Wesely. It's #16, appropriations process.

SENATOR WESELY: Yes, Mr. Speaker, members of the Legislature there has been a great deal of discussion the last

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LR 210
LB 239, 212, 585, 657, 662,
669, 729, 758, 448

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

SENATOR CLARK: Senator Kilgarin, do you wish to move the bill?

SENATOR KILGARIN: I move we advance LB 239.

SENATOR CLARK: The motion is to advance 239. All those in favor say aye, opposed. The bill is advanced. LB 410. We want to pass over that bill.

CLERK: Mr. President, if I may, right before we get to that, Senator Johnson would like to print amendments to LB 212 in the Legislative Journal.

I have a new resolution, Mr. President, LR 210. (Read. See page 482, Legislative Journal.) That will be laid over, Mr. President.

Mr. President, your committee on Government, Military and Veterans Affairs whose Chairman is Senator Kahle reports LB 585 indefinitely postpone; LB 662 advanced to General File; LB 729 advanced to General File, all signed by Senator Kahle, as Chairman.

Mr. Chairman, your committee on Appropriations whose Chairman is Senator Warner to whom we referred LB 657 instructs me to report the same back to the Legislature with the recommendation it be indefinitely postponed; 669 indefinitely postponed; and 758 indefinitely postponed, all signed by Senator Warner as Chairman.

SENATOR CLARK: LB 278. We will pass over 278. It has a Goodrich-Beutler amendment on it and they are both excused. We will go to 126. That has Beutler amendments on it. Go to 448.

CLERK: Mr. President, LB 448, there are E & R amendments pending.

SENATOR CLARK: Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 448.

SENATOR CLARK: You heard the motion. All those in favor say aye, opposed. The E & R amendments are adopted. Next amendment please.

CLERK: Mr. President, the next amendment is offered by Senator Warner. It is found on page 462 of the Journal.

LR 209
LB 229, 264, 309, 347, 403,
418, 423, 490, 492, 542, 563-66,
572, 600, 613, 635, 669

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PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain.

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call. Have you all recorded your presence? Record the presence, Mr. Clerk.

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

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

CLERK: Mr. President, on page 480, line 3, strike the word "approved" and insert the word "adopted".

PRESIDENT: All right, the Journal will stand as corrected. Any other messages, reports or announcements?

CLERK: Mr. President, your committee on Public Works whose Chairman is Senator Kremer to whom was referred LB 613 instructs me to report the same back to the Legislature with the recommendation it be indefinitely postponed; LB 600 indefinitely postponed; and LB 669 advanced to General File with committee amendments attached. That is signed by Senator Kremer. (See page 485 of the Legislative Journal).

Mr. President, Senator Kahle would move to place LB 635 on General File notwithstanding the action of the Public Health and Welfare Committee. That will be laid over.

Your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 229 and find the same correctly engrossed; 264, 309, 347, 403, 418, 423, 490, 492, 542, 563, 564, 565, 566, and 572 all correctly engrossed.

Mr. President, I have an Annual Report from the Nebraska State Board of Landscape Architects. That will be on file in my office.

Mr. President, LR 209 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 209.

CLERK: Mr. President, I have a report from Public Works

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LB 669

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

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

SENATOR CLARK: The bill is advanced. LB 669.

CLERK: Mr. President, LB 669 offered by the Public Works Committee and signed by its members. (Read title.) The bill was first read on January 6th of this year, referred to the Public Works Committee for hearing. The bill was advanced to General File, Mr. President. There are committee amendments pending.

SENATOR CLARK: Senator Kremer, on the committee amendments. Senator Kremer, do you have the committee amendments?

SENATOR KREMER: Just a moment, you caught me off guard.

SENATOR CLARK: I will give you time to find it.

SENATOR KREMER: Mr. Chairman, would you pass over that bill momentarily? Okay, Mr. Chairman, I am ready to explain the amendments. As LB 669 was written, it was unclear as to who on the proposed commission would have the authority to chair the commission and would office the staff that it would need and so on, and the committee amendment would authorize the Governor or his...anyone that would substitute for him to be that person. He would chair the committee. He would call the meetings. He would distribute any funds that are appropriated for the use of the commission and see to it that the commission had the clerical help and the office space and the equipment needed. It does clear the bill up that it would say who would have these responsibilities. I move the adoption of the committee amendments. Without them, it was unclear how the commission would be organized.

SENATOR CLARK: Is there any discussion on the committee amendments? If not, all those in favor vote aye, opposed vote nay. I would like to announce the guests of Senator Hefner, his brother, Franklin Hefner, wife Janice and daughter, Dianna, Arlo Wirth from Hartington and Art Anderson and his son, Greg, from Bloomfield. They are under the north balcony. Would you stand and be recognized, please. Welcome to the Legislature. Have you all voted on the committee amendments? The committee amendments on 669. Our action is slowing down, it must be getting cold outside. Would you rather have a Call of

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the House? Senator Kremer, I imagine not everyone has voted who is here and I think we are going to have to have a Call of the House to get enough people in.

SENATOR KREMER: We need one more.

SENATOR CLARK: Record the vote.

SENATOR KREMER: Got it? Okay.

SENATOR CLARK: We have got it.

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

SENATOR CLARK: The committee amendments are adopted. Now on the bill itself, Senator Kremer.

SENATOR KREMER: Mr. Chairman and members, up until now the Nebraska Boundary Commission has been kind of a hit and miss thing. There were no funds to pay the expenses of the commissioners as they were required to meet from time to time. I said before that Al Pirsch being in Omaha and Chairman of the commission has spent a lot of his own money. That is one thing. Another thing the commission seemed to be unwieldy in that there were too many members on the commission and the committee thought fit to introduce legislation that would require less people and probably would be more effective. I know that Senator Carsten and probably Senator Remmers will have something to add. There are people that are their constituents that have had a lot of trouble with especially the State of Iowa, and we were required to meet with the Iowa Commission. We never did get very far, and we may not be very far there yet, and it may take a Supreme Court action to resolve some of the problems that exist. So we did introduce this bill. Now what the bill does, it does four things. First it states that the Boundary Commission shall be made up of these people: The Governor or his assignee, the State Surveyor, the Attorney General or their assignees, as well as one State Senator and two members from the general public. Currently, the Boundary Commission statute gives no guidance as to who or how many will serve on the commission and this bill will do that. The bill provides for payment to the commissioners of actual expenses only incurred in the business of the commission. Expenses have never been paid in the past. The Legislature would also direct the commission to negotiate with these border states along our Missouri River boundary, namely South Dakota, Iowa and

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Missouri. And this provision also reemphasizes the intent of the Legislature that the commission set the boundaries instead of going into lawsuits like we have been doing in the past. And finally the bill provides for a dissolution of the Boundary Commission at such times that negotiations have been agreed upon and the boundaries have been established. So that, Mr. Chairman and members of the Legislature, is the content and the intent of the bill and I move that it be advanced to E & R Initial as amended.

SENATOR CLARK: Do we have an amendment on the bill?

CLERK: Mr. President, Senator Remmers would move to amend the bill. (Read the Remmers amendment as found on page 668 of the Legislative Journal.)

SENATOR REMMERS: Mr. Chairman and members of the Legislature, I would like to amend this bill. It is a very good bill. It is a necessary bill. We have a problem along the Missouri River and the Iowa-Nebraska boundary that is weighing very heavily on a few citizens from Nebraska, and I think it behooves us to do something about this. And the bill that Senator Kremer is offering here is a very good bill. But I would like to suggest that we change the two lay people to three. We have... the Missouri River bounds Nebraska on three states, Missouri, Iowa and South Dakota, and I think it would be well to have three members. I don't want to designate just where they would be selected, but I think it would be logical that probably they would be selected from the areas that are represented. In other words, one maybe down on the Missouri River boundary, one maybe bounding Iowa and another one South Dakota. I think this way if there are any problems in a particular area, I believe the areas would be better represented. So I urge you to support the amendment to raise the number "two" to "three" lay members to be appointed by the Governor.

SENATOR CLARK: Senator Carsten, did you want to talk on the amendment?

SENATOR CARSTEN: Mr. President and members of the Legislature, I support the amendment, but I believe we could also...Senator Remmers, and I wanted to ask you a question. Inasmuch as our three Congressional Districts border the states that we are so involved with, I am wondering if we couldn't designate one lay person from each Congressional District, inasmuch...would you give that any consideration in your amendment?

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SENATOR REMMERS: I would see no problem. Does the 3rd Congressional District border up on the top end of it? Yes, it does. Well, that sounds like a logical proposal. I would certainly accept that.

SENATOR CARSTEN: Mr. President, if I may, I would like to ask Senator Kremer the same question and if he is receptive to the amendment as proposed and if he would see anything wrong with a member from each one of the Congressional Districts.

SENATOR KREMER: Well, not necessarily, only the thinking of the committee was this, that perhaps the people who would be the most effective and the most knowledgeable would be those lay people that are close to the problem, and if you go to each Congressional District, you know, it would scatter them clear over the state. Secondly, when you increase the size of the commission, now remember it is going to increase the cost. We tried to hold the cost down. There was a great deal of apprehension as to what this thing may cost again. The Governor was concerned. So we did hold the A bill down to \$2500 for the first year thinking that probably will pay for the expenses now, but if you enlarge the commission, we are getting right back where we were and the cost is going to be greater, and especially if you bring them in from a distance like you will if you go to the Congressional Districts.

SENATOR CARSTEN: Well, Mr. President and members of the Legislature, I fully accept the presentation that Senator Kremer has made and think that it is worthwhile and we have, or they have cut down the size of the commission considerably, and with that I heartily agree. The only thing was, I felt inasmuch as we do have the 3rd Congressional District that does border on the Missouri River up on the South Dakota area that perhaps there should be a representative in that Congressional District if it was so selected from that northern area that that Congressional District borders in addition to the 2nd and the 1st that are literally in the southeast corner. I would amend the Remmers amendment to make that 3 lay persons, one from each Congressional District, and I do not have it prepared but, thank you, Pat.

SENATOR CLARK: Now we are talking on the amendment to the amendment. Senator Lamb.

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

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a question of Senator Carsten, please.

SENATOR CLARK: Senator Carsten.

SENATOR CARSTEN: Yes.

SENATOR LAMB: Senator Carsten, is it your purpose in having a member from the 3rd Congressional District, would this person be primarily concerned with dealing whether or not the Panhandle seceded from the state?

SENATOR CLARK: I think that question was decided yesterday in the Wyoming Legislature.

SENATOR CARSTEN: I think that is a little bit moot at the moment, Senator Lamb.

SENATOR CLARK: Senator Kremer, did you want to talk on the amendment? This is the amendment to the amendment. All those in favor of the amendment to the amendment vote aye, opposed vote nay. It takes a simple majority. Record the vote.

CLERK: 15 ayes, 1 nay on adoption of Senator Carsten's amendment to Senator Remmers' amendment.

SENATOR CLARK: Senator Carsten's amendment to the Remmers amendment is adopted. Now we are back on the Remmers amendment. Is there any further discussion on the Remmers amendment as amended? Senator Carsten.

SENATOR CARSTEN: Mr. Chairman....Mr. President and members of the Legislature, I want to speak in support of the amendment to the bill. I think that we are now in a position that is really going to be solidified and have an operation that is really going to get the job done. And our problem has been over the years that a compact that was signed back in 1943 has been violated and we do have to have some action to get this enforced, enforced. And I believe by doing this, getting a few less members on, a more cooperative closely knit organization is going to get the job done, and with this amendment that Senator Remmers has put on the bill and the bill itself then is certainly going to be a solid piece of legislation that we desperately need and have needed for a long time. Thank you, Mr. President.

SENATOR CLARK: Senator Remmers, do you wish to close on your amendment?

SENATOR REMMERS: No.

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SENATOR CLARK: The question before the House is the adoption of the Remmers amendment. All those in favor vote aye, opposed vote nay. It takes 25 votes.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted on the Remmers amendment? While we are waiting for that, I would like to introduce Gary Thompson from Red Cloud, Nebraska, underneath the south balcony, and also Jack Marlatt from Minden, Nebraska. They are guests of Senator Kahle. Would you both stand and be recognized, please? Welcome to the Nebraska Legislature. Record the vote.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of the Remmers amendment.

SENATOR CLARK: The amendment is adopted. Senator Kremer, on the bill.

SENATOR KREMER: Mr. Chairman and members, I move LB 669 as amended be moved to E & R Initial. I don't know if it's necessary to go into any more details of what our problems are. I think...I don't know what the procedure is. We probably should follow up with the A bill. We hardly know how to go about suggesting how much money should be put into the cost of this bill. I will say this that for this next year at least it appears that about the most the commission would have to do is to carry out their agreement with the Iowa Commission to get together and sit around a table and see if we could not resolve our problems. I am not sure it will work. Now there are those lawsuits that are on file today, there are those individuals living along the Missouri that have lost a considerable amount of land in that Iowans grabbed it when the river changed its course and we may have to go to court, and so it is going to cost if we do, it is going to cost to provide money for the Attorney General if he is going to defend these people, we do not know, but we put in the A bill, I suggested the A bill should not be more than \$2500 for this first year where we can sit down with Iowa or whoever is on the commission, and see if we can't negotiate some agreements. Now if that doesn't work, it may take more money if our Attorney General is going to carry out his responsibility of defending these people. We don't know where we are at on that. Next year we looked at around \$4000 because there will be more activity, but this first year we can see only meeting with Iowa, especially Iowa, and maybe

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South Dakota later on to try to establish some permanent lines. So I think it would be sufficient. So with that explanation, I move the bill be advanced as amended, and then I would like, Mr. Chairman, to discuss the A bill, and perhaps we should at this time.

SENATOR CLARK: Senator Remmers, on the advancement.

SENATOR REMMERS: Was that the closing?

SENATOR CLARK: No, he wasn't closing. It is just on the advancement.

SENATOR REMMERS: Mr. Chairman and members of the Legislature, I want to encourage you to support this bill. We do have a serious problem on the boundary line especially with Iowa. There are some unresolved problems with Missouri and South Dakota. In the Iowa case we have had some citizens that have taken their case to the United States Supreme Court. It took them a long time to get it to the United States Supreme Court. In the United States Supreme Court they ruled in favor of the Nebraska landholders, those that had title to the land in Iowa. It seems though at the present time that Iowa is again ignoring the United States Supreme Court decision, and I think it is very necessary that we have an active commission that can pursue this thing perhaps as Senator Kremer suggested to sit down with Iowa and say, now wait a minute, let's have a look at this situation, are you abiding by the United States Supreme Court? And if we can't reach some decision there, then as Senator Kremer suggested, I think that there probably will need some more money to see that the Supreme Court decision is followed. But at the present time we sorely need this commission. We need an active commission that can pursue the problems along the entire Missouri River boundary line with Nebraska.

SENATOR CLARK: Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I heartily endorse this bill. I probably come from a different area and I want to speak to you just a little bit about northeast Nebraska. And, of course, from time to time we do have problems with the South Dakota Boundary Commission. I feel that by passing this bill we would have a more active Nebraska Boundary Commission, and, of course, I feel that we need to appropriate a little money, perhaps not too much but a little money so that the commission can have a secretary to keep minutes of the

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meeting so that we would be able to refer back to these minutes. I have met with the Nebraska Boundary Commission several times and I think they are doing a good job, but what this bill would do is revamp them a little and help them along with some of their financial obligations. I think that the Nebraska Boundary Commission needs to work with our bordering states and their boundary commission and, therefore, I would think it would be beneficial to everyone concerned. I urge you to support this measure.

SENATOR CLARK: Senator Carsten. Senator Carsten, did you want to talk on the advancement of the bill?

SENATOR CARSTEN: Yes, Mr. President and members of the Legislature, I have just visited with Senator Warner relative to the A bill and there is going to need to be some money put into it for the Attorney General to defend before the courts this infringement that has taken place on Nebraska, but the proper procedure would not be through an A bill attached to this one. According to Senator Warner, there is a fund that has been in the appropriation process and it will be through that process that we will make a request to assist the Attorney General in getting this job done in the courts. I do support this bill wholeheartedly and we desperately need it to keep the improper seizure of what is rightfully Nebraska land from continuing. I urge you to support this bill. Thank you.

SENATOR CLARK: The question before the House is the advancement of 669. All those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Everyone on the Missouri River wants to be recorded on this one. Have you all voted? Record the vote.

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

SENATOR CLARK: The bill is advanced. The Clerk wants to read some things in.

CLERK: Mr. President, your committee on Appropriations gives notice of public hearing commencing Friday, February 19. (See pages 668-670 of the Legislative Journal.)

February 16, 1982

LB 69, 604, 604A, 662, 651,
669, 684, 729, 782

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer this morning by the Reverend Chris Brekke, Our Savior Lutheran Church, here in Lincoln.

REVEREND CHRIS BREKKE: (Prayer offered.)

PRESIDENT: Roll call. While we are waiting for all of you to register your presence this morning, the Chair takes pleasure in introducing some guests of Senator Goll from Burt and Washington Counties. They are up here in the South balcony, from the 16th Legislative District. Would you recognize about 30 of these guests of Senator Goll's, up here in the balcony. Welcome to your Legislature. Record the attendance, Mr. Clerk.

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

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

CLERK: (Read corrections as found on page 681, Legislative Journal.)

PRESIDENT: The Journal will stand corrected. 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 662 and recommend that same be placed on Select File; 729 Select File; 669 Select File with amendments; 782 Select File with amendments; 604 Select File; and 604A Select File. All signed by Senator Kilgarin.

Mr. President, your committee on Banking, Commerce and Insurance gives notice of a rehearing for Monday, February 22.

Your committee on Education whose Chairman is Senator Koch instructs me to report LB 651 advanced to General File.

Senator Marsh would like to print amendments to LB 69 in the Legislative Journal.

I have an Attorney General's opinion addressed to Senator Cullan regarding LB 684. (See page 683, Journal.)

Mr. President, I have received reports from the Department of Energy as well as the State Risk Management Program. Those will be on file in my office.

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LB 662, 729, 669, 669A, 782

SPEAKER MARVEL: The motion is to advance LB 662. All those in favor of the advancement of the bill vote aye, opposed vote no...say aye, opposed no. Motion is carried. The bill is advanced. The next one is LB 729. Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 729.

SPEAKER MARVEL: Favor of the motion say aye, opposed no. Motion is carried. The bill is advanced. Senator Kilgarin, LB 669.

SENATOR KILGARIN: I move the E & R amendments to LB 669.

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

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

SPEAKER MARVEL: Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 669.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. Motion is carried. Bill is advanced. 669A.

CLERK: I have nothing on the bill, Senator.

SPEAKER MARVEL: The motion is to advance. All in favor of advancing 669A say aye, opposed no. Motion is carried. Bill is advanced. 782, Senator Kilgarin.

CLERK: E & R, Senator.

SENATOR KILGARIN: I move the E & R amendment to LB 782.

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

CLERK: Mr. President, Senator Kilgarin would now move to amend the bill.

SPEAKER MARVEL: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: Thank you, Mr. President. This is essentially Senator Marvel's bill that I'm cosponsoring and the amendment would simply change the composition of the commission from one deputy sheriff who is elected by the deputy sheriffs to two deputy sheriffs. So we are just increasing it from one to two, and after that takes effect, we will also be deleting from that commission the

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LB 628, 631, 669, 669A,
722, 782, 827, 870

SENATOR CLARK PRESIDING

SENATOR CLARK: You will check in, please. Record the presence, please.

CLERK: Quorum present, Mr. President.

SENATOR CLARK: Senator Stoney. We have another motion on the bill right now.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LB 628 and find the same correctly engrossed; 631, 669, 669A, 722, 782 and 827 all correctly engrossed.

Mr. President, on LB 870, Senator Chambers would move to indefinitely postpone the bill.

SENATOR CLARK: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I feel that this is a motion that can bring the whole subject of this particular bill to a head. Now one of my major concerns, it should be clear, is the provision about mandatory sentencing, mandatory jail time. I am sending another handout around to you to show you in documentation in the newspapers about the type of overcrowding that is occurring not just around the country but in Nebraska. We have, on the second page the headline says: "Penal complex is sorely overcrowded." This is a statement from the people who run the Penitentiary here. Another statement from Judge Krivosha that there is no evidence that putting people in jail for longer periods of time prevents others from committing crimes. Jail alone is not a way to handle problems. Then for those from Lancaster County and surrounding areas, dangerous overcrowding is jail's worst. Their head of their Department of Corrections has pointed out that they are facing the worst overcrowding in the history of their twelve-year jail. Then the following page talks about a judge in Albuquerque, New Mexico who was faced with the law requiring mandatory sentences. Rather than sentence a young man in accord with the law, this judge stunned everybody in the court room by resigning on the spot from his judgeship, and he had a philosophy of sentencing, a philosophy of justice both of which were violated by the provisions of the mandatory sentencing law, so he resigned on the spot. It shows that people do have convictions, that they will follow them to what some people might consider unreasonable extremes. The next page will tell about a judge in Philadelphia who ordered the release of over a hundred prisoners because of

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LB 609A, 669, 669A, 714

SENATOR CLARK: That is right. I am merely following the rules of the Legislature and the Chairman of the Appropriations Committee brings me up the information which takes 25 and which takes 30. That is all up there.

SENATOR V. JOHNSON: I understand.

SENATOR CLARK: The Clerk will now read LB 669 with the emergency clause.

ASSISTANT CLERK: (Read LB 669 on Final Reading.)

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

ASSISTANT CLERK: Senator Clark voting yes.

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

ASSISTANT CLERK: (Record vote read. See page 1927, Legislative Journal.) The vote is 46 ayes, 0 nays, 3 excused and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading with the emergency clause attached. The Clerk will now read LB 669A.

ASSISTANT CLERK: (Read LB 669A on Final Reading.)

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

ASSISTANT CLERK: Senator Clark voting yes.

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

ASSISTANT CLERK: (Record vote read. See page 1928, Legislative Journal.) The vote is 45 ayes, 0 nays, 3 excused and not voting, 1 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed on Final Reading with the emergency clause attached. The Clerk will now read LB 714.

ASSISTANT CLERK: (Read LB 714 on Final Reading.)

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I mean a roll call vote.

SENATOR CLARK: (Interruption) a record vote and a roll call vote.

SENATOR NEWELL: You know, I have changed my mind. I would like to have people vote for this resolution. The more I think about it, Senator Chambers has a good point.

SENATOR CLARK: Well, we are talking about a roll call vote. The Clerk will call the roll if he don't want anyone else in here.

CLERK: (Roll call vote taken. See page 1937, Legislative Journal.)

SENATOR CLARK: We can't hear anything up here at all, gentlemen, please. I just say gentlemen because the ladies are not talking. When you quiet down, then we will go ahead and call the roll. (Gavel) That helped some. Go ahead and call the roll.

CLERK: (Roll call vote continued.) 16 ayes, 12 nays, Mr. President.

SENATOR CLARK: The motion lost.

CLERK: Mr. President, the bills read on Final Reading this morning are now ready for your signature.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 89, 714, 714A, 669, 669A, 609, 609A, 604, 604A, 278, 629, 629A, 480, 568, 909, 854, 854A, 835, 757, 753, 708, 688, and 966.