

January 8, 1982

LR 201
LB 704 - 708

that Oklahoma beat Nebraska. I take my lumps. Nebraska beat Oklahoma, but Oklahoma this year, as you know, based on their prior standards was a toothless paper tiger. Clemson Tigers on the other hand were a different story.

PRESIDENT: Thank you, Senator Chambers. Okay, who else wants to...Senator....I guess we are ready for closing. Which one of you wants to close, Senator Wagner or Senator Kilgarin? Senator Kilgarin, will you close?

SENATOR KILGARIN: All I want to say now is that Senator Fenger just corrected me that it shouldn't be myself saying I am a South High graduate but there is a lot more South High graduates in this body than I guess I admitted, and George is one of them. So we would really appreciate your vote and I know all Nebraskans appreciate your vote to commend the football team. Thanks.

PRESIDENT: Okay, the motion is the adoption of LR 201. All those in favor vote aye, opposed nay. For this one you have got to go up Big Green rather than Big Red. Record the vote.

CLERK: 36 ayes, 0 nays on adoption of the resolution, Mr. President.

PRESIDENT: Motion carries and LR 201 is adopted. Before we go on to General File, I suppose you have some other things to read in, Mr. Clerk. Before we do that, is Senator Duda down here? I think that we should take due recognition of Duda today. Tomorrow is Senator Duda's birthday. Shall we tell them how many, or would you like to let them ask you? Okay, 61. So he beats us...some of us, so we want to say, Happy Birthday to Senator Duda. There will be some cake I guess a little later. Happy returns of the day, Walt. Do you want to say something to this august body at this point?

SENATOR DUDA: Thank you, no. At this point birthdays don't come as a surprise but the cake did. But anyhow I thank you kindly.

PRESIDENT: Okay, thank you. All right, we will proceed then with some reading of matters into the record, Mr. Clerk.

CLERK: Mr. President, new bills. LB 704 offered by the Telecommunications Committee and signed by its members. (Read title). LB 705 offered by Senator Nichol. (Read title). LB 706 offered by Senator Landis. (Read title). LB 707 offered by Senator Landis. (Read title). LB 708 offered by Senator DeCamp. (Read title). (See pages 165 and 166 of the Journal).

February 11, 1982

LR 12
LB 623, 655, 701, 708, 751

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Prayer by Father Sam Boman, St. David's Episcopal Church, Lincoln, Nebraska.

FATHER BOMAN: Prayer offered.

SPEAKER MARVEL: Roll call. Please record your presence. Record.

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

SPEAKER MARVEL: Number 3.

CLERK: Yes, sir. Mr. President, your committee on Banking gives notice of hearing on LR 12 for Monday, February 22.

Mr. President, I have a report from the Department of Roads pursuant to statutory section. That will be filed in my office.

I have gubernatorial appointment letters from the Governor. Those will be referred to the Reference Committee. (See pages 640 and 641 of the Legislative Journal).

Mr. President, your committee on Government whose Chairman is Senator Kahle to whom was referred LB 701 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with committee amendments attached. That is signed by Senator Kahle). (See pages 641 through 644 of the Journal).

Your committee on Banking whose Chairman is Senator DeCamp to whom was referred LB 708 instructs me to report LB 708 advanced to General File with committee amendments attached, and LB 751 advanced to General File with committee amendments attached. (See pages 645 and 646 of the Journal). Those are signed by Senator DeCamp.

Your committee on Public Works whose Chairman is Senator Kremer to whom was referred LB 655 instructs me to report that bill as advanced to General File with committee amendments attached. That is signed by Senator Kremer. (See page 647 of the Journal).

Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 623 and recommend that same be placed on

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LB 668, 708

is going to continue to move west and I think maybe in some ways this bill may try to hinder that movement in spite of the fact that those people would have some tremendous advantages in selling their feedlots in terms of dollars and cents. I just believe at the moment that I can't support the bill.

PRESIDENT: The Chair recognizes Senator Higgins. Senator Higgins does call for the question. Do I see five hands? do. The question is, shall debate cease? All those in favor vote aye, opposed nay. Record the vote.

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

PRESIDENT: The motion carries. Debate ceases. Senator Barrett, you may now close. I believe there is about five minutes left if you want to take it.

SENATOR BARRETT: I would simply waive closing, Mr. President, and move the bill.

PRESIDENT: Okay, the question then is the advance of LB 668 to E & R initial. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 30 ayes, 2 nays, Mr. President, on advancement of the bill.

PRESIDENT: The motion carries and LB 668 is advanced to E & R initial. The next bill up is LB 708.

CLERK: Mr. President, LB 708 offered by Senator DeCamp. (Read title.) The bill was read on January 8 of this year, referred to the Banking Committee for a hearing. The bill was advanced to General File, Mr. President. There are Banking, Commerce and Insurance Committee amendments pending.

PRESIDENT: And before we get to the Banking and Insurance Committee amendments, the committee amendments, the Chair takes great pleasure in introducing from Senator Warner's district some 28 senior citizens from Louisville, Nebraska, Mr. Jim Keyser, member of the Senior Citizens Board. They are up here in the North balcony and we welcome all of you to your Unicameral Legislature. Welcome. Now the Chair recognizes Senator DeCamp for purposes of discussing the committee amendments.

SENATOR DeCAMP: Mr. President, members of the Legislature, the committee amendments gut the bill and they do become the bill so everybody is aware of that. This is kind of a major subject. Every 10, 20, 30, 50 years something that existed

there all the time is discovered to have a very beneficial use if it can be developed. In the case of oil it was there for millions of years but until man found a way to use it, it was just laying there. Coal, the same way. Nebraska has potentially one of the greatest natural resources energy sources just laying there that would accommodate about one-third in area size of the State of Nebraska, the western one-third of the state. Geothermal. Geothermal simply means that the earth, every foot you go down in the earth becomes warmer and if there is something down there that you can take out of very deep in the earth where it is warm, that has been heated up, in this case, a fluid called water, and you can use that, then you've got an energy source that you can use to heat homes, to heat businesses, do the very same things that you're using gas and oil, that you're importing from Saudi Arabia or Canada. But you've got it right here in Nebraska and it is pollution free. What we hope with this legislation is to establish for the first time, the fact that, hey, we finally recognized the source is down there. We're going to use it. We're going to use it. It is pollution free and would cost, hopefully, a fraction of what imported sources of energy are costing us now. We import 95% of all of our energy in this state, the most energy importing state in the United States. This for the first time gives us one source that will start developing that energy independence that a number of us have talked about and what the bill does is set up a system of giving rights for the use of this and that is what the whole amendment is. It comes from the Council of State Governments. A similar type of amendment or legislation has been now introduced and passed in a number of states and we learned some super interesting news over the weekend and it goes something like this. The question has been whether there is going to be water warm enough and in sufficient quantity to actually ever make this useable. Well some testing was done on a well and we found that they could get 15 hundred gallons a minute, they were worried about getting a hundred, at a temperature of about 186° which is more than enough. So the potential appears to be unlimited, far more than anybody ever dreamed possible and by comparison, these numbers I'm giving you, the famous development up in, I think it's South Dakota, the water is 156° compared with us at 186° and the quantity there was 350 gallons a minute. Here we're talking about a well that shows it could produce 15 hundred gallons a minute. So that is what the amendment does. It becomes the bill, sets the outline for developing our geothermal resources in this state and hopefully we will get some additional legislation to put some money into this program and hopefully we will for the first time in Nebraska start developing one of our major native natural resources, geothermal energy. Now let me address one thing that might be brought up. Senator

Kremer brought it up and it is sure a legitimate question. It has to do with the use of the by-product and the by-product of course would be cooled down water. Under this proposal you could use it for a variety of things and you could move it. What we are going to do on Select File, we talked to some people, is to put some additional restrictions in there so that we're certain that the by-product is used only in that immediate area so that there isn't any question of changing Nebraska water law and transportation of water. So I would urge your adoption of the amendment and advancement of the bill. For western Nebraska and particularly, ladies and gentlemen, for the Panhandle this is the energy source of the future. I can see entire towns being heated. I can see businesses paying a Southern heat or a twentieth of what they are paying now in heating bills. The gentlemen, Senator Remmers, a number of senators, Wiitala went up to South Dakota and they talked to I think a Ford dealer up there who had cut his energy bill so dramatically it is just astounding with their use and development of geothermal. We have that potential here and maybe we have the potential to see major business developments as a result of this new energy source if we get going on it. This legislation is the cornerstone for development of that new resource. I urge you to adopt the amendment.

PRESIDENT: The Chair recognizes Senator Vickers.

SENATOR VICKERS: Mr. President and members, I was happy to hear Senator DeCamp explain the committee amendments do affect the way that we transport water in this state. I was... I just would simply point out to this body that Section 5 of the amendments to LB 708 which become the bill do seem to me to make some major changes in the way that we deal with groundwater in this state. Now I know that various members of this body have raised that issue before. I have talked about it before. I know Senator Schmit has talked about it before, about the fact that ground water at the present time cannot be taken from the overlying land. Now that may or may not be a reasonable use of that ground water depending on your perspective, depending on the way that we look at it. Personally I think that we should look at that situation but I just want to raise the issue that we are making some major changes about the reasonable use of ground water as it relates to the use of the overlying land simply because we are talking about in this case, hot water, and I would hope that this wouldn't be applied across the board for all uses of ground water simply by an amendment out here on the floor. I think we need to talk about this a little bit more and need to understand exactly what we are doing. And I understand from other people, and I think Senator DeCamp mentioned it, that there will be some clarifying language on Select File

and I guess I just would be interested to see what that clarifying language is, Senator DeCamp, and I don't intend to hold the bill up at this point in time but would suggest that we do have some discussions about that issue over on Select File. Thank you, Mr. President.

PRESIDENT: The Chair recognizes Senator Kremer.

SENATOR KREMER: Thank you, Mr. Chairman, I...Senator DeCamp...

PRESIDENT: Senator DeCamp, will you respond?

SENATOR KREMER: I think Senator Vickers expressed my concern and also in Section 2, subsection 3 we read, "Geothermal occurrence shall mean an underground geologic formation in temperature higher than the normal gradient." How much higher? 2°, 3°? I think I'm a little concerned about that. I think we need to specify that you cannot use that, you know, as a vehicle to get water just because it is a little bit warmer than the normal and use it for another purpose in the long run but I think what you're proposing may take care of that but I am a little concerned about the language there when you say "higher than normal." What do you mean, 2°, 3°, 10 or what?

PRESIDENT: Senator DeCamp, will you respond?

SENATOR KREMER: Will you respond to that, please?

SENATOR DeCAMP: Senator, the geothermal expert we had there at the committee hearing flew in from, I think it was Colorado or somewhere, and...Yellowstone Park...we specifically wanted to put some language in there about a certain number of degrees and he gave a rather complicated explanation as to why this becomes a certain, a very complex and difficult thing and let me try to explain it this way, as I understand it. At different levels you have normal gradient, different automatic temperatures of water. We obtain this additional heat because this water has gone down and come up and we're getting the benefit of having gone down and come up and, therefore, it's that kind of water that stands out so substantially in temperature range that there is no question that it is "geothermal" but if you want to get additional language or clarification I can get with you and at least give you all the information that they brought to us as to why a specific temperature can cause you problems but if you feel that is necessary I'll sure be willing to get some information together and get with you, if that is okay.

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SENATOR KREMER: Well the proposal you're making in the way of an amendment to your amendment may take care of that in that when the by-product is taken more than maybe a mile away then it can't be used for anything except for heating purpose only.

SENATOR DeCAMP: Yes, I think a mile and a half is the maximum transportation that is effective for geothermal at this time.

SENATOR KREMER: Thank you, Senator.

PRESIDENT: The Chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President, members of the Legislature, I apologize I was not present when the bill was heard nor was I present when the committee voted to advance the bill to the floor. I want to caution you that it is not only Section 5 that is of interest to you but Section 4 contains some items of extreme interest. The implication is that the water used for geothermal purpose is a mineral right and as such can be bought and sold and it has implications which may or may not be agreeable to the members of this body but I believe you should recognize that. I do not know at this time just what Senator DeCamp has in mind on Select File but I believe that when we refer to high temperature water we can also recognize that temperature of a lower temperature, water of a lower temperature can also be used for various purposes and under such conditions has a marketable value. Whether or not the use of that product should determine how we handle it in this instance should be discussed by this body so I would caution you to take a good look at both Section 4 and 5.

PRESIDENT: The Chair recognizes Senator Carsten.

SENATOR CARSTEN: Mr. President, I'd like to ask Senator DeCamp a question. If I understand this correctly....

PRESIDENT: Senator DeCamp, will you respond.

SENATOR CARSTEN: Senator DeCamp, I'm sure you're aware that we've had some problems out in western Nebraska with mineral rights and the taxation thereof.

SENATOR DeCAMP: Right.

SENATOR CARSTEN: I'm wondering if this bill is putting geothermal product into that same category as oil and gas and so forth and if there is going to have to be a determination of value to that mineral or if it's in that same class. Would you answer that for me?

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SENATOR DeCAMP: Okay, Senator Carsten, good question. It is not a regulatory bill but a giving of a rights bill, identifying a right so, yes, indeed, this comes into question or brings into play the question of mineral rights and values and so on and so forth. Until we finally even establish that the concept exists, that the right exists, we can't really develop it or do anything with it.

SENATOR CARSTEN: But in the event that does occur, does happen, actually, then there will have to be a determination of the value of that and that would be regarded as a mineral right the same as others?

SENATOR DeCAMP: Yes, sir.

SENATOR CARSTEN: Thank you, sir.

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Senator DeCamp, could you just tell us briefly where these resources are? What areas of the state we're talking about with regard to the use of the water for this purpose?

SENATOR DeCAMP: Okay. The western one-third geographically of Nebraska. In other words, it would include the entire panhandle and would go east from there, depending upon what the geological studies show, would go east from there. As I understand, maybe even another...it could go up to within forty or fifty miles of Grand Island. That is how far east it theoretically could go, but basically they're talking absolutely about the western one-third of the state where they do have wells, evidence that it could be used, geothermal energy.

SENATOR BEUTLER: Thank you.

PRESIDENT: You have about a minute left on the whole bill, just for your information. Senator Remmers wants to speak yet.

SENATOR REMMERS: I wanted to make a few comments, Mr. Speaker, but I don't want to hold up the bill and so I'll forego those comments.

PRESIDENT: Okay, thank you. Senator DeCamp, do you want to take a vote then on the committee amendment?

SENATOR DeCAMP: Mr. President, if we don't take a vote, if we don't get it moved we're going to delay geothermal development another year. We've already delayed it one.

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PRESIDENT: Okay, so the motion is the adoption of the committee amendments which as you said are the bill. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of the committee amendments.

PRESIDENT: All right, now we're on the bill itself. Senator DeCamp, do you have anything further? Senator Vickers, do you want to speak to the bill? No. Senator Schmit, anything? Senator Schmit, you don't wish to speak any further on the bill, do you? All right, Senator DeCamp, I guess we're ready for a vote then on the advance of LB 708. All those in favor of advancing LB 708 to E & R initial vote aye, opposed nay. Record the vote.

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

PRESIDENT: The motion carries. LB 708 is advanced to E & R initial. The next bill is LB 751, Mr. Clerk.

CLERK: Mr. President, LB 751 offered by Senator Goodrich. (Read title.) The bill was read on January 11, referred to Banking, Commerce and Insurance. The bill was advanced to General File, Mr. President. There are committee amendments pending by the Banking Committee.

PRESIDENT: Senator DeCamp, the Chair recognizes you for purposes of discussing the committee amendments to LB 751.

SENATOR DeCAMP: Oh, Mr. President, as I recall this is the loan broker thing which we've had more than a little trouble in this state on, people saying they're going to find somebody money and charging them piles of dollars. We had one scandal after another that the Attorney General has been dealing with. We think we've got legislation put together to correct it. The Wesely amendment on this bill simply says that it would fall under the Consumer Protection Act which we've got an Attorney General's opinion #208 saying unless we put this amendment, unless we specifically say it, it won't fall under that so the amendment makes it specifically fall under the Consumer Protection Act. I urge you to adopt it.

PRESIDENT: Any further discussion? Senator Schmit? Senator Wesely first and then Senator Schmit. Senator Wesely, on the committee amendments.

SENATOR WESELY: Yes. Mr. President, members of the Legislature, the Attorney General's office was contacted. They did

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LB 573, 633, 668, 708, 751,
875, 714, 790, 766, 890A,
579, 662, 677

SENATOR CLARK PRESIDING

SENATOR CLARK: The prayer will be given this morning by Monsignor Charles Keenan, Blessed Sacrament Church, from Lincoln.

MONSIGNOR KEENAN: Prayer.

SENATOR CLARK: Roll call.

RECORDER MALFUNCTION - (Inaudible)

The following information was taken from the Legislative Journal dated March 17, 1982.

LB 573 placed on Select File as amended. LB 633 placed on Select File as amended. LB 688 placed on Select File. LB 768 Placed on Select File as amended. LB 751 placed on Select File as amended. LB 875 placed on Select File as amended. LB 714 Placed on Select File as amended. LBs 790, 766, 890 All placed on Select File.

LB 579 was passed with the emergency clause. Vote appears on page 1211 of the Legislative Journal. 39 ayes, 0 nays, 3 present and not voting, 7 excused and not voting.

RECORDER NOW OPERATING

CLERK: Read LB 662.

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

CLERK: Senator Clark voting yes.

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

CLERK: 43 ayes, 1 nay, 5 excused and not voting. Vote appears on page 1212 of the Legislative Journal.

SENATOR CLARK: The bill is declared passed on Final Reading. The Clerk will read LB 677.

aye, opposed nay. LB 573 is advanced to E & R for Engrossment. We are ready, Senator Nichol, are you ready yet? No? We will go on to the next bill then, LB 633.

CLERK: Mr. President, LB 633, there are E & R amendments.

PRESIDENT: Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move we adopt the E & R amendments to LB 633.

PRESIDENT: Motion is to adopt the E & R amendments to 633. Is there any discussion? If not, all those in favor of adopting the E & R amendments to 633 signify by saying aye, opposed nay. The E & R amendment to 633 are adopted. Any further amendments?

CLERK: Nothing further on the bill, Mr. President.

PRESIDENT: Senator Kilgarin, would you wish to advance the bill?

SENATOR KILGARIN: I move we advance LB 633.

PRESIDENT: Motion is to advance 633. Any discussion? All those in favor of advancing 633 to E & R for Engrossment signify by saying aye, opposed nay. LB 633 is advanced to E & R for Engrossment. Next bill is 668.

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

PRESIDENT: All right, Senator Kilgarin.

SENATOR KILGARIN: I move we advance LB 668.

PRESIDENT: Motion is to advance LB 668 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye, opposed nay. LB 668 is advanced to E & R for Engrossment. Senator Nichol.

SENATOR NICHOL: Mr. Chairman, LB 708, instead of taking the time of the body to work out amendments, we are doing this on the side and I think that we have it worked out but they won't be printed and we will have to pass over this today.

PRESIDENT: So you are asking that it be passed over. All right, 708 will be passed over. We will go on to LB 751, Mr. Clerk.

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LB 761, 708, 753, 757, 928,
933

able to pass a number of bills yet this evening. I intend to make that motion in a little while, but if you want to discuss it, I don't want to foreclose that by making the motion now since a motion to recess is nondebatable.

SENATOR CLARK: All right, next motion. He has got some things to read in first.

CLERK: Mr. President, Senator Warner would like to print amendments to LB 753, LB 757, LB 933.

Mr. President, a series of study resolutions, LR 362 by Senator Wesely calls for examination of the possible establishment of uniform licensing, taxes, and weight/size restrictions. LR 363 by Senator Wesely calls for the Department of Roads base the design life of roads on the amount of heavy truck traffic. LR 364 by Senator Fowler calls for a study of the quality of education offered by the University of Nebraska. LR 365 by Senator Wesely calls for a study of the feasibility of developing a waste rubber processing plant. LR 366 offered by Senators Wesely, Landis, Fowler, and Beutler, a study of the feasibility of providing authority for the Nebraska Public Service Commission to regulate natural gas rates. (See pages 1727 - 1731, Legislative Journal.)

Senator Nichol and DeCamp would like to print amendments to LB 708; Senator Warner to LB 928; and Senator Warner to 928, second set, Mr. President.

Mr. President, Senator Chambers would move to return the bill to Select File for a specific amendment.

SENATOR CLARK: Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, I can state what this amendment would do. It is to restore the renovation money for the Legislative hearing rooms. I am not going to repeat all of the things that I have said several times but I have got to make a generalized statement about why I am doing this. It will benefit the building as I said before but what I would like to see us do just one time this session, and if we don't do it again next year, I will have had what I think the Legislature should give me as a member of the Legislature, that is to see it one time over the opposition of what you might feel the public's inclination is take a vote for something in behalf of the Legislative branch. Don't think of it in terms of your colleagues. Look at the Legislature, what I am trying...

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operation of a proper low level radioactive waste disposal facility. LR 370 by Ag Committee to examine the financial and tax problems confronting the horse racing industry. LR 371 by Senators Higgins, the purpose being to study the laws regulating investment of money placed in pension plans. LR 372 by Senators Wesely, Beutler, Kahle, to study the rules of the Nebraska Unicameral. LR 373 offered by Senators Wiitala and others calls for an interim study regarding the economic conditions of Nebraska women. LR 374 offered by Senators DeCamp, Wesely and Schmit would call for a study regarding increased health care costs. LR 375 offered by Senators Higgins, Labedz, Schmit and Wesely, the purpose being to consider the containment of health care costs. (See pages 1736 through 1743 of the Legislative Journal.)

SENATOR CLARK: We will take up 708 first.

CLERK: I have a series of motions on 708. The first thing that we need to do is to adopt the E & R amendments, Mr. President.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Mr. President, I move the E & R amendments to LB 708 be adopted.

SENATOR CLARK: You heard the motion. All those in favor say aye. Opposed. The amendments are adopted.

CLERK: Mr. President, Senator DeCamp....Mr. President, the first amendment I have is offered by Senators Nichol and DeCamp.

SENATOR CLARK: Does Senator DeCamp want it?

SENATOR DeCAMP: Mr. President, we will be super simple and brief. What we tried to do is get everybody together that had any interest in geothermal at all, tried to get with experts in the field from other states and come up with something that will allow us in Nebraska to go ahead with geothermal and make sure that any concerns anybody has are taken care of. That is what that amendment does. I think and believe that any legitimate objections of anybody have been taken care of. I urge adoption. And we have also agreed to take an amendment from I think Senator Beutler and a couple of technical ones that Senator Kremer has to make sure on a couple of problems no objection to any of those.

SENATOR CLARK: Senator Koch, your light is on. All right,

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is there any further discussion on the amendment? If not, all those in favor vote aye, opposed vote....a question, go ahead. Senator Koch.

SENATOR KOCH: Mr. Chairman, I do have one question.

SENATOR CLARK: Yes.

SENATOR KOCH: The amendment we are talking about, is the bill the white copy in the present bill book?

SENATOR CLARK: Mr. Clerk, do you know?

SENATOR KOCH: Does that become the bill, the amendment we just.....?

CLERK: No, Senator, I don't believe so.

SENATOR CLARK: Senator Nichol, has that been distributed?

SENATOR NICHOL: Mr. Chairman, Request 2926 was distributed to the group yesterday to their desks, and we thought we were going to take it up yesterday. It is the white copy. It should be on your desks.

SENATOR CLARK: You should have one on your desk. Is there any further discussion? If not, all those in favor of the amendment vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

SENATOR CLARK: If it takes us this long to vote on every one we won't get anything done tonight, believe me. Have you all voted? We have got 14 absent that we know of. Have you all voted on adoption of the amendment? It takes 25 votes. Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of the amendment.

SENATOR CLARK: The amendment is adopted. The next amendment.

CLERK: Mr. President, the next amendment I have is offered by Senator Kremer who is excused.

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Yes, what his amendment does on Request 2926 is on page 1 it strikes "resources requires the use of groundwater as a transfer medium for the utilization of

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geothermal", and inserts, "requires the utilization of geothermal resources", so that the sentence reads particularly...we're talking about the Legislature further finds and declares that a permit system is necessary to protect Nebraska's ground and surfacewater resources and existing water users, particularly where the development of geothermal energy requires the utilization of geothermal resources at a location other than the well site. The other thing that it does is, on page 3 strikes "from aquifers located" so that the sentence reads as follows: "Any person who desires to withdraw groundwater within the State of Nebraska for geothermal resource development shall prior to commencing construction of any wells obtain from the Director of Water Resources a permit to authorize the withdrawal". And we have no objection to that amendment.

SENATOR CLARK: Is there any discussion on the Kremer amendment? If not, all those in favor vote aye, opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of Senator Kremer's amendment.

SENATOR CLARK: The amendment is adopted. The next amendment.

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

SENATOR CLARK: Senator Beutler.

SENATOR BEUTLER: Pat, could you read the amendment? My file is upstairs.

CLERK: Mr. President, the amendment would read as follows: (Read the Beutler amendment.)

SENATOR CLARK: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, the first line in Section 3 basically says that the property right to the development and production of geothermal resources is an incident of ownership in the estate in land, and I am deleting that sentence because it is not the law of Nebraska that water is an incident to the ownership of land as such, and the definition of

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geothermal resources when you get down to what it means actually includes some water. So as I understand it, Senator DeCamp and Senator Nichol and the sponsors of the bill have no objection to deleting that, and for purposes of continuity and clarity in the Nebraska water law I think it should be deleted so as to be consistent. Thank you.

SENATOR CLARK: Is there any discussion on the Beutler amendment? If not, all those in favor vote aye, opposed vote nay. Have you all voted? Record the vote.

CLERK: 26 ayes, 1 nay, Mr. President, on adoption of Senator Beutler's amendment.

SENATOR CLARK: The Beutler amendment is adopted. The next amendment.

CLERK: Mr. President, Senator Beutler would move to amend the bill. Would you like me to read it, Senator?

SENATOR BEUTLER: That's fine, Pat. Do you have objections to this, John? Okay, this amendment, Mr. Speaker and members of the Legislature, attempts to address a second problem that I perceive with the bill, and that is that it basically states that the ownership and right to develop geothermal resources belongs to the subsurface or mineral estate. Now up until this point in time in Nebraska there have been an awful lot of farmers and ranchers who have severed the mineral rights or given the mineral rights to an oil company or to somebody else, and the mineral estate exists separate from the fee estate or the ownership of the land as such. Now it seems to me that by and large that when those people gave those mineral rights, they did not anticipate and they did not foresee and they did not specifically designate or know that they were giving away the rights to geothermal resources which includes water rights. So the point of my amendment is to say that henceforward that may be the case, but with regard to mineral rights that have already been severed, that those mineral rights do not include the right to geothermal resources. So the point to the amendment is that we do not interfere in relationships that existed prior to the passage of this law and say as a matter of law that they gave away the geothermal resources or the rights to the geothermal resources when they gave away the mineral rights because I think by and large that was not the intention of the farmers and ranchers who severed the mineral rights. So that is the purpose of this amendment.

SENATOR CLARK: Senator DeCamp.

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SENATOR DeCAMP: Mr. President, I have no objection to the amendment. It is a good amendment.

SENATOR CLARK: Is there any further debate on the amendment? If not, all those in favor vote aye, opposed vote nay. Record the vote.

CLERK: 26 ayes, 0 nays, on adoption of the second Beutler amendment, Mr. President.

SENATOR CLARK: The amendment is adopted. Do you have any more amendments on the bill?

CLERK: Mr. President, Senator Vickers would move to indefinitely postpone the bill. That would lay it over unless the introducer agrees to take it up at this time.

SENATOR CLARK: Do you want to take it up at this time, Senator Vickers? All right, take it up.

SENATOR VICKERS: Mr. President and members, I believe the issue of LB 708 has very broad implications and it is much broader than the narrow issue of geothermal development. The material that we are talking about...and let's not lose sight of that fact, is water. It might be of a higher temperature than normal. It might be from a deeper or a different aquifer than the normal use of underground water but nevertheless it is water. And what we are saying if I understand the amendments, or Request 2926, that what we are saying with that is that in Section 4 is that we are going to treat this resource as a mineral and it is going to be severed from the overlying surface estate and it is going to give this resource a different aspect as we look at underground water in the State of Nebraska than we have dealt with underground water previously by far. Right now there is a case in the United States Supreme Court to uphold a state Supreme Court decision that indicated that underground water was owned by the public in the State of Nebraska. And now we are in the process right here of passing a law that says, yes but water from certain aquifers, water of certain temperatures are going to be treated differently, and I suggest to you that that is a dangerous precedent that we are setting. I suggest to you that we should study and think about this issue quite a while before we pass this type of legislation. You know, when we look at the potential for using water as a medium changing or for energy purposes, you know, the use of water heat pumps and various other things, I think we might have in the future demands for the use of this resource and the ability to call it a mineral and

separate from the overlying surface land that might have very far-reaching impacts on the Natural Resource Districts and on our abilities to implement certain controls on the overuse of this resource. So I would suggest that we do not pass LB 708, that instead we have a...and Senator Nichol I know has introduced a study resolution to the effect that we allow the Public Works Committee of this Legislature or the appropriate committee and I assume it is Public Works, whoever, to study this issue thoroughly and examine the issue of calling water of certain aquifers minerals or the issue of perhaps calling...dealing with the idea of transporting water for certain purposes off of the overlying land, and I would suggest that that is probably the direction that we perhaps should go, that for certain purposes of water it is all right to transfer it off the overlying land and reinject if that seems to be appropriate or whatever other use of the medium could be put to good beneficial use. The beneficial use, the other laws that we have at the present time in dealing with underground water I think should be taken into consideration as we look at this issue. It seems to me that, and I understand from Senator Nichol, that out in that area they would like to develop some of these wells now. I think we do have the mechanisms through the Department of Water Resources right now for them to go ahead and develop some wells and I would rather they would do that without specific new regulations. I would rather they would do that with the regulations we have in place and then let us look at that afterwards over this next interim and deal with it in a reasonable fashion than to pass a bill today, in the next five days, that might have far-reaching impacts into the future as we look at this most precious natural resource we have in the State of Nebraska. So I urge the body's support in indefinite postponement of LB 708 and instead to seriously study this issue and deal with it next session. Thank you, Mr. President.

SENATOR CLARK: Senator DeCamp.

SENATOR DeCAMP: Mr. President, members of the Legislature, I would vigorously oppose the kill motion and say about four things, three of which correct hopeless inaccuracies by Senator Vickers, and the other one that deals with the fact that what we are doing is simply setting up a system to develop one major energy resource we have in this state. We import 95 percent of our energy. Anything we can do to develop native energy should be done. Okay, where were the inaccuracies? Senator Vickers would have you believe there is a whole new set of laws, a whole new set of water laws, ownership of water, so on and so forth. Absolutely, totally,

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one hundred percent false. What we are doing is maintaining exactly the same groundwater laws and this falls under it as existing law, number one. Number two, all you are granting is the right to take the heat from that water that comes from the Dakota sandstone in this case about four to five thousand feet down in the ground. You have to return the water. You have to return it uncontaminated and unpolluted. You can't go transporting it away and on and on and on. I really sincerely question what Senator Vickers' motives are in attempting to kill Nebraska's one native resource that could provide energy pollution free to about a third of the state at a fraction of the cost, not even allowing us to develop it. Now why do you need some protections, some system, some controls? Because you are going to spend 200 to \$500,000 to drill one of these wells. Somebody isn't going to risk that kind of money unless they know there are some protections, some rules, some rights, some controls, and that is all it does, exactly what has been done in the other states that have developed geothermal. And, indeed, we will continue to study it, but using the study excuse in this case is nothing more than saying, you don't want to even utilize this resource and whatever the motives are they are not proper. I urge you to reject the kill motion. This is important for Nebraska. If you care about our energy and if you care about our finances for the future, this is at least one thing this session this Legislature can do other than add somebody another tax. This is something you can give the people to develop with the free "enterprise system" our native resources. I urge you to reject the kill motion and advance the bill.

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Mr. Chairman and members of the Legislature, I also rise to oppose the kill motion. This isn't a haphazardly slung together bill. To secure the services of Mr. Ken Wonstolen who is the senior project manager of Energy, Science and Technology and Natural Resources Program for the National Conference of State Legislators, he was brought here because he has written geothermal laws for several states and is proclaimed to be one of the leading people knowledgeable in this area. The reason we are anxious to have this law passed is so that the State of Nebraska has some control over what is done. When you go to diddling around with water from one aquifer bringing it through another, using it and reinjecting it back into the ground, there ought to be some legislation to control that. Now to reinject or not to reinject this would require the permission of the Department of Water Resources to use it

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and keep it outside the ground, otherwise you must return it to the aquifer from whence it came. So really unless you want nothing at all and have people do as they darn well please in this area, then you should just kill the bill and let everybody do as they darn well please until the Legislature gets around to doing something. We are not saying this does everything. We are not saying it is perfect, but it is pretty darn good and we would urge you to support the bill and pass it and to reject the kill motion.

SENATOR CLARK: Senator Beutler.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, I am sure everybody would like to get on the books in the next, this year maybe or at least if not this year next year a good piece of legislation on this subject, but despite the atmosphere that Senators DeCamp and Nichol would like to create, I have some serious doubts as to whether this is a very well drafted bill. I might ask you to look at the green sheet...the green copy of the bill which was the original bill that went through the Banking Committee and came out of the Banking Committee. It is one little measly paragraph that was the bill and was going to be our first geothermal bill. Then that was completely stricken and the standing committee amendments introduced a whole new bill which was then expanded to six or seven paragraphs. Then that was stricken completely and now we have Request 2926 which has added a few more paragraphs, all of which is fine, but all of which I think indicates to you as it indicates to me that we were thinking about this as we went along. It wasn't very well thought out to begin with. And there are some serious problems I think with the bill as it exists. For example, it says that the Department of Water Resources shall adopt and promulgate rules and regulations governing the issuance of permits, and when you get this permit then you can go ahead and develop these geothermal resources. But it doesn't say on what basis that they will grant these permits. I mean when do you grant a permit and when don't you. It says they can promulgate rules and regulations determining when they are going to grant them and when they are not, but the bill itself says absolutely nothing, absolutely nothing about what standards will be used by the department in deciding whether to issue these permits. Now that in and of itself indicates to me that there may be some constitutional problems with regard to the delegation of powers. But beyond that it seems to me as good public policy you should at least set forth some standards with regard to how these permits are granted, otherwise the department in all probability

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will develop a very broad rule on the basis that it probably has no basis whatsoever for distinguishing between permits. So that is one major flaw that remains in the bill and which I suppose I would attempt to address on Final Reading should this bill advance that far. Now I have some other questions with regard to the introducers' intent and perhaps I should ask Senator DeCamp if he would respond to a question or two. John, I guess one question I have, how does this permit system fit in with our groundwater...with our concept of groundwater control areas and management areas? That is if these people go through the process of getting a permit and they have, in fact, a permit to inject some 200 feet per second or 200 feet per minute amount of water into a well and recycle it out, however they go through the process, and then if a management area is established in a particular area or a control area, do they have to abide by the conditions established within the control area or the management area? Or by virtue of this permit are they separate and aside and have their own special rights with regard to the use of water?

SENATOR DeCAMP: Absolutely not. Water Resources will decide this doesn't give them any exemptions from existing groundwater law. I would assume the Department of Water Resources who in your legislation, 726 and other bills....

SENATOR CLARK: You have one minute.

SENATOR DeCAMP:you have proposed has these controls, that is where we have put it here, identical. And the intent is to do that and I think it is done clearly.

SENATOR BEUTLER: Okay, in a management area, for example, John, the NRD has absolute control over what kinds of tools will be used, what kind of controls will be established. Are you saying it is your intent that whatever the local NRD sets up as its controls that these people must abide by those controls?

SENATOR DeCAMP: That is correct.

SENATOR BEUTLER: Okay, and with regard to control areas the same is true?

SENATOR DeCAMP: That is correct.

SENATOR BEUTLER: Thank you, Mr. Chairman.

SENATOR CLARK: Senator Koch.

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SENATOR KOCH: Thank you, Mr. Chairman and members of the body, Senator DeCamp or Senator Nichol, either one of you could answer, but on page 2 of the Request 2926 you state the Board of Educational Land and Funds shall have the authority to lease the state owned geothermal resources under the procedures contained in Chapter 72, Article III. Now will the Educational Lands and Funds then also receive a lease fee from this?

SENATOR DeCAMP: Mr. President, the answer to the question is, yes, and that is done because of the constitutional provision about the monies and rights coming from school lands going to the permanent school fund and this is done to make sure there is no constitutional problem on any school land, to make sure that the money gets...any funds coming would go to the proper place from the school fund. That is done for your protection, Gerry.

SENATOR KOCH: One final question, Senator DeCamp. There is no money involved presently under the Board of Educational Lands and Funds though?

SENATOR DeCAMP: At the present time there are some funds involved. You may remember the severance tax. They made special provisions there. So, yes, those funds are involved from oil severance tax.

SENATOR KOCH: I understand, but I am talking about cost to that particular trust right now. For the purpose of this bill, would there be any cost associated with that where there would be costs that would be expended for the purpose of accomplishing the intent of this bill?

SENATOR DeCAMP: No.

SENATOR KOCH: Very well, then as strictly as you say it then under Section 4, paragraph 2, is just exactly what you are saying, right?

SENATOR DeCAMP: That is correct.

SENATOR KOCH: Thank you.

SENATOR CLARK: Senator Howard Peterson.

SENATOR H. PETERSON: Mr. Chairman, I would call the question.

SENATOR CLARK: The question has been called for. Do I see five hands? I do. Shall debate now cease? That is

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the question. All those in favor vote aye, opposed vote no.

CLERK: Senator Clark voting yes.

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

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

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

SENATOR VICKERS: Thank you, Mr. President. Mr. President and members, I think the points have been well made and well discussed. I believe there are some serious questions as to the policy decision that we are making with this piece of legislation and I want it made perfectly clear that I am not in any way attempting to discourage development of a natural resource, meaning geothermal energy that we have in this state that could be used for a very good purpose. My only concern is that we do not adversely affect the water statutes that we have on the books right now as to the way we deal with underground water. I believe as I indicated that the points have been made and rather than drag this out any further, Mr. President, I would ask unanimous consent to withdraw this motion.

SENATOR CLARK: It is withdrawn. Is there anything further on the bill?

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

SENATOR CLARK: Do you wish to move the bill, Senator Nichol?

SENATOR NICHOL: Mr. Chairman, I move to advance the bill.

SENATOR CLARK: You have heard the motion. All those in favor say aye. Yes, all right go ahead and talk on the advancement of the bill.

SENATOR BEUTLER: Mr. Speaker and members of the Legislature, Senator DeCamp, one more question if I may just to be sure legislative intent is fairly clear on these things. The bill as has been mentioned would allow the Board of Educational Lands and Funds to have the authority to lease state owned geothermal resources. The term "geothermal resources" includes water and I assume by that paragraph you mean that they are to have the authority to lease geothermal resources for the purposes...for the sole purpose

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of producing geothermal energy. Is that correct?

SENATOR DeCAMP: That is correct, and remember, don't confuse the geothermal resource with the water itself. The geothermal resource is the heat.

SENATOR BEUTLER: Well, the geothermal resource as you have defined is the heat and it is also the material medium containing that energy.

SENATOR DeCAMP: The medium is the water.

SENATOR BEUTLER: That's right.

SENATOR DeCAMP: The medium is returned.

SENATOR BEUTLER: That's part of...the medium is part of the definition of geothermal resources. That is why I am asking you the question.

SENATOR DeCAMP: But in the definition it has to be re-injected...in the bill, I mean.

SENATOR BEUTLER: In the bill. Okay, thank you.

SENATOR CLARK: Senator Wiitala, did you want to talk on the advancement? No further discussion? No further discussion, all right. The question before the House is the advancement of 708. All those in favor say aye. Opposed. Machine vote is requested. All those in favor vote aye. All those opposed vote nay.

CLERK: Senator Clark voting yes.

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

CLERK: 28 ayes, 0 nays on the motion to advance the bill, Mr. President.

SENATOR CLARK: The motion carried. The bill is advanced. LB 854. Do you want to read some things in first.

CLERK: Mr. President, study resolutions. LR 376 by Senator Wesely. The study is to examine Nebraska's higher education system and the overall funding thereof. LR 377 by Senator Wesely calls for a study of the possibility of establishing a research liaison with the University of Nebraska to supplement the research capabilities of the legislative staff. LR 378 by Senator Wesely would call for undertaking the study of the problems associated with small power producers and cogenerators and their integration into

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LB 688, 708, 753, 757,
835, 854, 854A, 933, 568

SENATOR LAMB PRESIDING

SENATOR LAMB: Record your presence. Have you all recorded your presence? Record.

CLERK: Mr. President, we have a quorum. Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 568 and find the same correctly engrossed; 688; 708; 753; 757; 835; 854; 854A and 933, all correctly engrossed.

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LB 688, 708

I stood on this floor, Senator Koch, Senator Dworak, and we had said Senator So-And-So is not here, they are late in coming, and we have gone right ahead. We haven't extended that courtesy on every issue so don't you stand there and say we have. Now this is an important bill. We are running out of time. These have both been tried before so there is nothing wrong with me doing exactly what they have done, and if you want to show courtesy, show courtesy. I just moved that we move the bill down. That is all. I will withdraw the motion.

SENATOR CLARK: All right, the motion is withdrawn. The Clerk will read 688. If we are going to play games, let's find out who is on second, and what is on third. You are advanced, Senator Koch.

CLERK: (Commenced reading LB 688 on Final Reading.)

SENATOR CLARK: One moment, Senator Vickers. Go ahead, Pat.

CLERK: (Continued reading LB 688 on Final Reading.)

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

CLERK: Senator Clark voting no.

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

CLERK: (Record vote read. See pages 1910 and 1911, Legislative Journal.) 27 ayes, 15 nays, 4 excused and not voting, 2 present and not voting, Mr. President.

SENATOR CLARK: The bill is declared passed. The Clerk will now read LB 708.

CLERK: (Read LB 708 on Final Reading.)

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

CLERK: Senator Clark voting yes.

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

CLERK: (Record vote read. See page 1911, Legislative Journal.) 40 ayes, 2 nays, 3 excused and not voting, 5 present and not voting, Mr. President.

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LB 708, 753, 757

SENATOR CLARK: The bill is declared passed on Final Reading. The Clerk will now read 753. Senator Nichol, for what purpose do you arise?

SENATOR NICHOL: I don't have some of these bills in my bill book and I wonder if anybody else is short of them too. I haven't had the last two. I just wondered if anybody knows about this. If I am the only one...

SENATOR CLARK: Does everyone have them? Does anyone else not have them?

SENATOR NICHOL: Okay, thank you.

SENATOR CLARK: We will get a copy for anyone who doesn't have it. Sometimes they make a mistake putting them in. They put them in the wrong location. The Clerk will continue reading.

CLERK: (Read LB 753 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. Have you all voted? Once more, have you all voted? Record the vote. Senator Stoney. A roll call vote has been requested. The Clerk will call the roll. We must have quiet. There is no way to hear up here.

CLERK: (Roll call vote taken. See page 1912, Legislative Journal.) 34 ayes, 12 nays, Mr. President.

SENATOR CLARK: The bill passes with the emergency clause attached. LB 757E please. I guess it has been too long.

CLERK: (Read LB 757 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.

CLERK: Senator Clark voting yes.

SENATOR CLARK: Have you all voted? Senator Warner.

SENATOR WARNER: Mr. President, I guess I would ask for a roll call vote on this one, too.

SENATOR CLARK: A roll call vote has been requested. The Clerk will call the roll.

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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.

LR 212, 266, 268, 269, 272, 274, 277,
278, 287, 292, 293, 295, 298, 304,
313, 316, 331, 359, 380, 388, 389
LB 278, 378, 378A, 480, 568, 602A,
604, 629, 629A, 669A, 688, 693, 708, 760,
835, 909, 967, 522, 212, 212A, 255, 255A

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PRESIDENT LUEDTKI PRESIDING

PRESIDENT: Has everybody recorded your presence?
Record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President. Mr. President, I have a reference report from the Executive Board referring a gubernatorial appointment. (Page 1971 of the Legislative Journal.)

Mr. President, new resolutions. LR 388 offered by Senators Cullan and Newell. (Read LR 388 as found on pages 1973 and 1974 of the Legislative Journal.) Mr. President, 389 offered by Senator Wesely. (Read LR 389 as found on page 1974 of the Legislative Journal.)

Mr. President, I have an Attorney General's Opinion addressed to Senator Koch. That will be inserted in the Journal. (See pages 1974 through 1976 of the Legislative Journal regarding LB 602A.) That is on LB....Bingo, that is right, senator.

Mr. President, I have a message from the Governor addressed to the Legislature. (Read message. Pages 1976-77 of the Journal regarding LB 669A.)

Mr. President, two other communications from the Governor addressed to the Clerk. (Read communications regarding LBs 278, 378, 378A, 480, 568, 604, 629, 629A, 688, 693, 708, 760, 835, 909, 967. Page 1977 of the Journal.) A second letter to the Clerk, Mr. President. (Read letter regarding LBs 609, 609A, 669, 714, 714A, 854, 854A. Page 177 of the Journal.)

Mr. President, I have a gubernatorial appointment of Mr. Robert Borgmann to the Motor Vehicle Industry Licensing Board. (See page 1978 of the Journal.)

Mr. President, the bills that we have read on Final Reading this morning are now ready for your signature as well as the resolutions that were passed Wednesday of this week by the Legislature.

PRESIDENT: While the Legislature is in session and capable of transacting business I propose to sign and I do sign LR 212, LR 266 and LR 268, 269, 272, 274, 277, 278, 287, 292, 293, 295, 298, 304, 313, 316, 331, 359, and 380. And the LBs are engrossed legislative bills 522, 212, 212A, 255, and 255A. Okay, as I understand it we