

January 12, 1981

LB 81-91

since the death of one such as this, a certain amount of time must elapse before a commemorative stamp can be issued. It is also my understanding that this time has now passed and I would urge that the Nebraska Legislature immediately proceed with whatever action is necessary for the issuance of a commemorative postal stamp. Thank you.

PRESIDENT: Senator DeCamp, do you wish to speak on your resolution?

SENATOR DeCAMP: Mr. President, I think Senator Goll has said everything that needs to be said and I urge you to support the resolution.

PRESIDENT: Any further discussion on LR 2? Senator Goll, is there any closing then?

SENATOR GOLL: No, there is none, sir.

PRESIDENT: All right, the matter before the House is the adoption of LR 2 found on page 96 of the Journal. All those in favor signify by voting aye, opposed nay. Has everyone voted? Record the vote.

CLERK: 39 ayes, 0 nays on adoption of LR 2, Mr. President.

PRESIDENT: Motion carries and LR 2 is adopted. We are ready for agenda item #6, introduction of new bills and those of you who have not brought the bills up to the Clerk's desk might do so now so again we can process as many today as possible so, Mr. Clerk, you may proceed with the reading of the new bills.

CLERK: Mr. President, new bills: Read LB 81-86 by title for the first time as found on pages 113-114 of the Legislative Journal.

Mr. President, while we are waiting for bills, I have a new resolution, LR 3. Read LR 3 as found on pages 114-115 of the Legislative Journal. Mr. President, it is offered by Senator Beutler and that will be laid over.

Mr. President, Senator Fowler would like to have a meeting of the Retirement Committee upon adjournment underneath the North balcony, Retirement Committee underneath the North balcony, upon adjournment.

Read LB 87-91 by title for the first time as found on pages 115-116 of the Legislative Journal.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: The prayer this morning is by Reverend Simon Long of the St. Mark Episcopal Church on the UNL campus. Reverend Long.

REVEREND LONG: Prayer offered.

SPEAKER MARVEL: Record your presence.

CLERK: Mr. President, Senators Sieck, Maresh and Chambers would like to be excused until they arrive.

SPEAKER MARVEL: Have you all recorded your presence? Mr. Clerk, record the vote.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Mr. Clerk, are there corrections to the Journal?

CLERK: Mr. President, I have one. (Read correction as found on page 125 of the Legislative Journal.) That is the only correction I have, Mr. President.

SPEAKER MARVEL: The Chair recognizes Senator Wesely, chairman of the Rules Committee for item #3 in the agenda.

SENATOR WESELY: Mr. Speaker, I move that the rules in effect for the 60th Legislative Day of the Eighty-Sixth Legislature, 2nd Session, except for Rule 2, Section 2, be adopted for today only, January 13, 1981.

SPEAKER MARVEL: Is there any further discussion? All those in favor of that motion vote aye, opposed vote no. Have you all voted? Mr. Clerk.

CLERK: 32 ayes, 0 nays on adoption of temporary rules, Mr. President.

SPEAKER MARVEL: The motion is carried. We will now move to item #4 on the agenda.

CLERK: Mr. President, first of all, I have a reference report from the Executive Board referring LB 50, 52-80. It is signed by Senator Lamb as Chairman.

Mr. President, Senator Beyer would like to have his name added to LB 85 as co-introducer.

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LB 31, 85, 170, 199

LB 199 are adopted. Senator Kilgarin.

SENATOR KILGARIN: I move LB 199 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 199 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 199 is advanced to E & R for Engrossment. LB 170.

CLERK: There are E & R amendments, Senator.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 170 be adopted.

PRESIDENT: Motion to adopt the E & R amendments to LB 170. Any discussion? If not, all those in favor signify by saying aye. Opposed nay. The E & R amendments on 170 are adopted. Senator Kilgarin.

SENATOR KILGARIN: I move LB 170 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 170 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 170 is advanced to E & R for Engrossment.

CLERK: Yes, sir, I do. Mr. President.....

PRESIDENT: We will proceed then with General File, agenda item #6. Proceed with LB 167.

CLERK: Mr. President, Senator Hoagland...oh, I'm...may I read something.

PRESIDENT: Yes, you may read some matters into the record and then we will take up 167.

CLERK: Mr. President, Senator Hoagland would offer an explanation of vote. (See page 456 of the Legislative Journal.)

Mr. President, your Committee on Urban Affairs whose Chairman is Senator Landis to whom was referred LB 31 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments, and LB 85 to General File with

February 10, 1981

LB 120, 85

law they can come back to this body and change it. So I see personally no significant increase in lawsuits but possibly a significant increase of public officials and subdivisions following the law. Thank you.

SENATOR CLARK: Senator Cope.

SENATOR COPE: Mr. President and members a question of Senator Burrows.

SENATOR BURROWS: Yes.

SENATOR COPE: Senator Burrows, will a judge make the decision as to the amount of attorney fees?

SENATOR BURROWS: Yes, the judge will decide what is reasonable. Ordinarily the judge will ask the attorney, he will present a log of phone calls, correspondence, and time involved and then the judge will make the decision as to what is paid and in the final analysis "reasonable" will be what the judge decides.

SENATOR COPE: Thank you.

SENATOR CLARK: Senator Burrows, do you wish to close?

SENATOR BURROWS: I will waive closing.

SENATOR CLARK: The question before the House is the advancement of 120. All those in favor vote aye, those opposed vote nay. Record the vote.

CLERK: 35 ayes, no nays, Mr. President, on the motion to advance the bill.

SENATOR CLARK: The motion passed and the bill is advanced. We will now take up LB 85.

CLERK: Mr. President, LB 85 was offered by Senator Steve Fowler and Senator Emil Beyer. (Read title.) The bill was read on January 12. It was referred to the Urban Affairs Committee. The bill was advanced to General File. There are committee amendments pending by the Urban Affairs Committee, Mr. President.

SENATOR CLARK: Senator Landis, do you want to take the committee amendments?

SENATOR LANDIS: Yes, I will. I have indicated to Senator Haberman that I would defer to him but let me just go through them quickly and then ask if he had any things to add to that

because, in fact, these amendments were offered by Senator Haberman. But quickly, LB 85 was designed to allow schools, if they chose to, to open up the use of their buses to transportation for the elderly, however, that there would be a contract and that any maintenance, operation, insurance costs or other kinds of operational costs would be transferred to the contracting party so that the school did not incur any cost by allowing these organizations to utilize their buses. The committee offered...Senator Haberman offered and the committee accepted three amendments which actually are now in one amendment on the back of your committee statement note. It indicates that the buses can only be used other than at times of the normal school day or when the school is not in session. Secondly it indicates that the school shall not be liable for any costs or damages to any person riding in the school bus pursuant to this section unless it is caused by the gross negligence of the school district. In other words, if the bus is kept in absolutely terrible repair and the school knows about and should know about it and doesn't give notice of that to the contracting party, that might be gross negligence. But otherwise, there is no damages that can be secured from the school district for allowing these buses to be used by another organization. Lastly, it indicates that no school shall be forced to modify their bus because of a contract entered into. For example the contract is entered into and then the contracting party comes back and says, "You have got to modify your bus for handicapped access, and now that you have made the contract, you have got to make the changes in your bus." Those are the terms of the committee amendments and I would defer the rest of my time of explanation to Senator Haberman who, in fact, sponsored the amendments. Senator Haberman.

SENATOR CLARK: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, I am not opposed to the use of these buses by the elderly. In fact I think it is an excellent idea. However, I did poll my schools and it was two to one against this as one of the reasons was that it would be an administrative nightmare for the schools to try to keep track of where is their bus or where are their buses. Also the problem came up is this, the problem is that the bus is gone and it is filled with the elderly and it has to be back out in my particular part of the country on a tight schedule to get these kids back out into the country. So if someone on the bus becomes ill, they are going to take that person to the hospital or to the doctor. Thereby the bus could miss the schedule and not be back at the school. Then this is going to throw the entire scheduling of the bus system out of whack and put everybody

late and they are not going to meet their schedule. So by not using them during the school hours, Saturdays and Sundays and when school isn't in session, at the present time Chase County High School uses their buses during the summer for the migrant school that they put on and there is no problem, then I wholeheartedly support this bill. The permissive part of it is pretty rough in a small town. For example, there is a school board that I know of that said, "All right, no more are the school buses going to go up the lane to the house and pick up the rural children. The rural children are going to have to come to the highway." That was published in the paper on the front page because it is a new policy. The next school board meeting there were eighteen very, very angry farm families at that school board meeting and the school board reversed itself. In a small community local pressure, it is your aunts and uncles and your brothers and your cousins and your neighbor that you are saying no or yes to. And I called some people around Gretna where this bus bill really comes from and I explained to the one lady the problems we have in western Nebraska, the distance we have to travel with these buses and she said, "Well, I really didn't understand all of that." She said, "I feel like you do. Let's try it with us using them during the summertime and not during school hours and see how it works out." And under those conditions, I feel it would be a very, very good bill and I would like to see the Legislature go forward with it. On the other one, I was afraid that if a handicapped person tried to use the bus, they can't. Then they could look at the school and they could say, "You have to change the configuration of your bus so I can use it." So I put that in there to protect the schools so that they don't have to change the configuration of their bus.

SENATOR CLARK: You have a half a minute.

SENATOR HABERMAN: Thank you. So I would say that I am not opposing this bill but we have got to have these amendments and then it will be a smooth bill and everybody can use it and I think things are going to be fine. Thank you.

SENATOR CLARK: Senator Lamb.

SENATOR LAMB: I will speak on the bill.

SENATOR CLARK: Senator Marsh, do you want to speak on the amendment? No, Senator Mares.

SENATOR MARESH: Mr. Speaker....

SENATOR CLARK: You are up next, Senator Marsh.

SENATOR MARESH: ...probably this isn't germane to this bill but I would like to ask a question of Senator Koch. He is Chairman of the Education Committee.

SENATOR CLARK: Senator Koch, will you yield to a question from Senator Mareshe?

SENATOR MARESH: Senator Koch, are school buses allowed to transport school children to, say, swimming classes or something like that during the summer? I had a school superintendent when I visited with him about this bill, he wondered if we could allow the children to use these buses in summer to transfer them from a smaller town to a bigger town for swimming lessons.

SENATOR KOCH: Yes, the school board can. It is a decision at their level.

SENATOR MARESH: Very good. Thank you.

SENATOR CLARK: Senator Marsh.

SENATOR MARSH: Mr. President and members of the Legislature, I take strong exception to the first part of the proposed amendment. I do not know anywhere in the state where congregate meals are being held after school hours. As a matter of fact, they are always held at noon in our state currently, and since we are only funding one congregate meal during the school day, it would be a waste of energy to not make use of the vehicles at the noon hour. I know that Senator...Senator, could I have your attention, Senator Haberman, for just a moment. Senator Haberman, if one of the children would go into a diabetic coma on the school bus, you would take that school bus to the hospital the same way you would if an elderly person would have something major go wrong but that would not be an everyday occurrence and it would not be happening five days a week but congregate meals which are planned at noon are meeting five days a week and this is something that would assist those who are more than just walking distance from one of the centers for congregate meals. So I will ask to amend the amendment to the point that we would strike the first part through "federal or state funds." and then only adopt the second section which starts in line 22.

SENATOR CLARK: Will you write the amendment out and bring it up please? We have an amendment to the amendment. Does anyone wish to speak to the amendment to the amendment?

SENATOR MARSH: I am separating the question, yes. As I explained before, one of the very fine programs in many,

many areas of our state are congregate meals planned for the elderly. One of the advantages to making use of the school bus would be that persons who live farther than walking distance to a congregate meal center could use the school buses in that area. I think the example used by Senator Haberman that someone might become ill on a bus is a possibility but it is also a possibility that the person riding that bus could well be a school child who may have diabetes and go into a diabetic coma. That, too, is possible in a twenty minute bus ride. So the emergency would not be an everyday occurrence but would be a true emergency. Do not make it impossible for groups to go to the congregate meals through this vehicle by adding this very restrictive amendment to the proposal. For that reason I am requesting that this be stricken from the amendment so that each section will be voted on separately.

SENATOR CLARK: Senator Remmers, did you want to speak to the amendment to the amendment?

SENATOR REMMERS: Mr. President, members of the Legislature, I voted to bring the bill out of committee rather reluctantly because I do not support the idea of using the school buses in that manner because there are a lot of problems involved. I did do some checking. We have thirteen schools in my legislative district that run buses. One of the schools contracts with a firm out of Kansas City so they are not involved and I did not contact the two very smallest ones. Of the other ten, seven said they opposed using school buses. One supported it and two were neutral. Besides that I have visited with other superintendents and they were very much opposed, and I particularly want to refer to a letter that I got from Gene Lavender, Superintendent of Schools, Norfolk, and he was very much opposed to the idea of using school buses in this way because there are many, many problems involved. I have had quite a bit of experience in this area myself and I know that there are problems and I don't think it is necessary to go into them but I cannot support the bill if the amendment to the amendment is adopted. Thank you.

SENATOR CLARK: Senator Vickers, do you want to talk to the amendment to the amendment?

SENATOR VICKERS: Mr. President, members, I understand the concerns that Senator Remmers brings up but I would simply point out to the body the way that the bill is drafted is permissive and not mandatory. The language on page 7, line 11, says, "The school board or board of education of any public school district may enter into a contract..." I would suggest that if the school boards that Senator Remmers had talked to

that are not in favor of this won't enter into a contract, as a matter of fact, because it is their decision. I think Senator Marsh pointed out very eloquently some of the problems involved on the local level. I would just point out how it affects 110 in my district. Alma, Nebraska has a senior citizens center where they provide lunch to the senior citizens in that area five days a week. Alma is a relatively small town with about 1100 population. There is a hospital in the town as a matter of fact, and it seems to me that there would be nothing wrong if the Alma School District and the county which runs the senior citizens center in Alma would choose to enter into a contract or an agreement to use those school buses rather than purchase a van or other form of transportation to pick up those people to take them back and forth to dinner. Now I don't see anything wrong with that. I don't see anything wrong with us allowing the local people that decision as long as it is permissive. I would certainly object if we had the word "shall" in there instead of "may", but since it is "may", it seems to me that we should pass this amendment as Senator Marsh has indicated and allow those people to do it.

SENATOR CLARK: Senator Fowler, did you wish to speak on the amendment to the amendment?

SENATOR FOWLER: Mr. President, as one of the cosponsors of the bill I guess I decided maybe I should talk about the amendment and the bill. The reason the bill is before this Legislature, the reason that the concept of, and I think Senator Vickers pointed out, we are talking just permissive legislation, the reason that this is before the Legislature to allow school districts to make their buses available for senior citizen programs is because there has not been adequate funding for other types of transportation for senior citizens, that the handibus programs that are established are not distributed across the state, that there are not the resources provided to local or state level to provide that sort of system. So what this bill provides is an option for local transportation because we have not provided enough funds for a separate senior citizen program. But I think at issue with regards to the committee amendments and Senator Marsh's amendment is whether or not these school buses should be used for just intermediate transportation or summer only transportation or whether they should be available year around. I think that that is the choice that is before you. I think if we go with the committee amendments we have severely limited the use of this bill and essentially indicated that transportation could only probably be available to senior dining sites during the summer months when the weather is good and transportation may not be as large a need or in fact that probably the

transportation wouldn't be used for senior dining sites but simply perhaps for excursions and that type of thing. So the committee amendment severely restricts the bill. I think that is why Senator Marsh raises these objections. Now the reason the committee adopted that amendment is, I think, they wanted to severely restrict the bill, that they conjure up numerous fears and problems and hypothetical situations that might occur, and maybe there could be some of those problems but I think they are rare occurrences, and in any case, it is strictly a local matter. It is strictly permissive. If the school superintendent does not wish to do this, all they have to do is convince the school board not to allow it. That seems fairly simple but Senator Remmers indicates that there is one school superintendent that doesn't think it is a bad idea. Well, with this bill, if the school board concurs with that superintendent, the program could be started. That would be one group of senior citizens in the State of Nebraska that could have transportation that don't now have it. I think that the bill provides for efficient use of existing resources. I think that Senator Marsh was pointing out that the committee amendment does severely restrict the bill. I realize that the committee amendments jeopardize that some people like Senator Haberman may rise up in wrath and oppose the whole concept. I would hope that would not be the case. But I think that we have to look at the question of senior citizen transportation. If we do not adopt this bill, there is certainly other alternatives but I would point out they are far more expensive and that is establishing separate senior citizens transportation systems.

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

SENATOR HABERMAN: Yes, Mr. President, members of the Legislature, in answer to Senator Fowler, we did not do this to harm the bill, Senator Fowler. In all honesty and in all sincerity, we did not do that but you must realize that people from our area have different problems than those that live in the cities. And in answer to Senator Marsh, if a child becomes ill, Senator Marsh, the bus is usually maybe on the way to school so they can take the child to the hospital and the doctor. It is not in some town fifty or sixty miles away. If the child becomes ill on the bus on the way home, the driver picks up his radio, he radios the school. The school calls the parent. The parent meets the bus and takes the child into town. We have another bill, LB 144, that is a transportation bill for the elderly. It has over a million dollars in it to provide transportation for the elderly and it is even asking for

another \$250,000 from state funds. I intend to support this bill as I believe in transportation for the elderly, Senator Fowler and Senator Marsh. So what we are doing here is we are duplicating, we are overlapping but I still will favor the duplication and the overlapping if it is restricted to the summer time and not during school hours. The schools are having a hard time with finances. They are short of teachers, they tell us. They can't live with the lid. And they are short of administrators. Yet here we are adding another burden, another mandate on the schools to administer another program because somebody is going to have to schedule these buses, somebody is going to have to see that the driver is qualified, somebody is going to have to see that the bus has gas, somebody is going to have to see that the bus is ready to go. This all has to be done during school time. Now I am not against transportation for the elderly. I am looking at this as going to cause problems, permissive or not. Are the school people to run a school or are they to be running a public transportation system? So I oppose the amendment to the amendment. Let's try this the way the committee brought it to the floor. Let's see what happens to the other bill, and let's go on from there. Thank you, Mr. President.

SENATOR CLARK: Senator Koch, did you want to speak to the amendment to the amendment?

SENATOR KOCH: Mr. Chairman, I wish to speak to the bill.

SENATOR CLARK: Thank you. Senator Rumery, we are talking on the amendment to the amendment.

SENATOR RUMERY: Mr. President, members of the Legislature, I would like to ask Senator Remmers a question or two if I could. Senator, maybe you don't want to go into details on this but what are the problems to which you refer?

SENATOR REMMERS: The problems that I refer to are some that Senator Haberman has already mentioned as a matter of are the buses ready to go when it is time to use them for school purposes. The accounting for various expenses, to break down what or who pays for what insurance. Generally the school people shy away from that. I know that in the past we have said, "No, we won't use the buses for other activities because it does interfere with the school day." I don't think that we have any assurance if those buses leave at noon that they will be there at 3:15 or 3:00 o'clock or whenever they are supposed to be there. And I agree with Senator Haberman, it is permissive but permissiveness in a small district there is an awful lot of pressure on a school board and I know that

the superintendents that I talked to would rather not have that burden.

SENATOR RUMERY: Thank you very much.

SENATOR CLARK: Senator Goll.

SENATOR GOLL: Yes, I would like to know what the amendment to the amendment is. It has been so long I have forgot.

SENATOR CLARK: The Clerk will read it.

CLERK: Senator, Senator Marsh moves to amend the committee amendments: (Read Marsh amendment found on page 487, Legislative Journal.)

SENATOR CLARK: Did you wish to speak to that, Senator Goll?

SENATOR GOLL: Not yet, sir.

SENATOR CLARK: Is there any further discussion? If not, Senator Marsh, do you wish to close on your amendment?

SENATOR MARSH: Thank you, sir. I am delighted to have Senator Haberman tell me about the radio that is available because in his part of the country that same radio could be used to call for emergency transportation for the senior citizen so the bus would not be tied up an overlength of time. Senator Remmers mentioned that schools were having a hard time financing and so this might help solve some of their problems with the cost of their buses. And, Senator Haberman, we do not mandate, as you stated on the floor, but the opposite is true in LB 85. It is permissive legislation. Your school district is not mandated to do it. Your school district has the option to do it. On page 2 of the bill, line 17, it very clearly states that it is permissive legislation. I would like to point out that the buses we are talking about to transport elderly citizens, whether they be separate buses for the elderly only or school buses, are owned by whom. They are owned by the public and that includes us in the Legislature. We are footing the bill. This is a way, a management tool, to make our state dollars go farther with wise expenditures, and in times of tight money, this is a wise management decision. I urge your adoption of this amendment.

SENATOR CLARK: The question before the House is the adoption of the amendment to the amendment. It takes a simple majority of those voting. All those in favor vote aye, all those opposed vote nay.

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LB 85

CLERK: Senator Clark voting no.

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

CLERK: 14 ayes, 20 nays, Mr. President, on the adoption of the amendments to the committee amendments.

SENATOR CLARK: Motion lost. The amendment failed. Now the amendment. Senator Landis, do you wish to move the committee amendment?

SENATOR LANDIS: Mr. Chairman, members of the Legislature, I move the adoption of the committee amendments to LB 85.

SENATOR CLARK: You have all heard the motion. Is there any discussion? I have two lights on. Senator Koch and Senator Lamb. Do either one of you want to talk to the amendment? You want to talk to the bill. Now you have heard the motion, the motion is the adoption of the committee amendment. All those in favor vote aye. All those opposed vote nay. It takes 25 votes. Have you all voted? Committee amendments. Record the vote.

CLERK: 25 ayes, 1 nay, Mr. President, on the adoption of the committee amendments.

SENATOR CLARK: The motion passed. The committee amendments are adopted. Senator Fowler on the bill.

SENATOR FOWLER: Mr. Chairman, members of the Legislature, I think in discussing the amendments the bill was pretty well explained. With the amendments it is limited considerably from the original concept. Essentially now what we have is an option where a school board may, if it so chooses, allow the school buses to be used to transport senior citizens for senior citizens' services. This will primarily be used, I guess, now in the summer and perhaps on weekends. It is far less, I guess, than I had originally hoped to see but it certainly is something we can start with and see how the program goes. As I indicated, this bill was never intended or proposed to solve senior citizen transportation problems across the state. It would just allow another option and a little flexibility. When Senator Haberman brings his million dollar bill out on the legislative floor, that may be in fact something that we should adopt as well. But I think this is at least an option. It is permissive. Other states have adopted it. They do use it in states such as Tennessee. It does not have all the problems that I think have been conjured up in peoples' imagination. It is something that is workable and I think it is something that we

ought to give a try in the State of Nebraska. So I would move that the bill be advanced.

SPEAKER MARVEL: Senator Lamb.

SENATOR LAMB: Mr. Speaker and members of the Legislature, I have serious reservations about this bill. I realize it is permissive but on the other hand I think those school districts out there have enough problems without adding to their problems, and there is going to be a lot of pressure if this bill passes, a lot of pressure on school boards, on administrators, to allow the buses to be used for other functions, and as I see it, this is just the camel's nose under the tent. From here where does it go? It goes on and on and on and I submit that we should not, we should not submit the school boards and the administrators to the additional problems that this sort of thing is going to cause and we all know that they have plenty of problems out there at this time. I urge that you defeat this bill.

SPEAKER MARVEL: Senator Koch.

SENATOR KOCH: Mr. Speaker and members of the body, it is with reluctance that I rise to oppose this legislation. Senator Lamb stated it pretty well. We all know that schools live with seven percent lids, and when you contract with someone, you generate additional revenue which immediately has some effect upon that budget. In my mind, the transportation of elderly is not the responsibility of the school system even though you say "may". In the smaller communities it is difficult for the word "may" to stay in place. It becomes "shall" because most people empathize with problems of those who are older and have difficult times in terms of transportation. This properly should be the responsibility of cities and counties. That is where the responsibility rests and that is where it should be taken care of but it is always easy to pawn something off on schools again because we are the great social catalyst and so the problems of many become the problems of the schools and oftentimes we curse the schools for high expenditures. Some of the same people who wish this will also vote against school bonds, will vote for severe limitations, will do a number of things that thwart the endeavors of the public schools. If the need is recognized in the community, then that city council and government should recognize and provide the service and many times they can avail themselves of a used bus and modify it to the needs of those they wish to serve. And let those people then administer the program, let them apply for the funds which are available, but in many cases, those subdivisions of government do not wish to avail themselves of certain funds available

to provide for those individuals, particularly senior citizens, who need this service. This bill has been before this body on any number of occasions. When I sat on Urban Affairs, it was an annual piece of legislation and I have to admire the persistence of the senior citizens who now have Senators from each of our districts, that is good strategy. However, for us to make this determination today is not in the best interest of the public school system. They already have problems that they are unable to solve and I am fearful that we are going to add another problem which will add to the difficult times that public schools are having today. As much as I would like to recruit the senior citizens on the side of the public schools, I don't know that this is the way to do it. I guess if I were a superintendent of schools out there I would provide a hot lunch program, then invite senior citizens to partake of that at noon, charge them a little bit for it, help them out, possibly provide them transportation if available but some of these schools, their buses are limited and the time they use them becomes extremely difficult. In the summertime, the schools then have one more problem. They are going to have to have the drivers and they are going to have to provide the contractual arrangements, and in addition, as I said before, with seven percent lids, this additional revenue which immediately would become vulnerable in terms of how that school functions in its total program. Therefore, it is with reluctance that I oppose LB 85.

SPEAKER MARVEL: Is there a motion on the desk?

CLERK: Mr. President, Senator Remmers moves to amend LB 85. On page 4, line 25, add a new subsection (e) which would read as follows: "Any other group who contracts with the school district for purposes of providing public transportation."

SPEAKER MARVEL: Senator Remmers.

SENATOR REMMER: Mr. President, I would like to withdraw that amendment.

SPEAKER MARVEL: Hearing no objection, so ordered. Senator Beyer, do you wish to speak to the bill as a whole?

SENATOR BEYER: Yes. Mr. President and members of the Legislature, we have been talking about energy at several different times during this session. Now in my particular instance in the area that I am in, they are contracting with buses out of Omaha, same configuration and everything, and the federal government is paying for those buses to go out there

and back and to transport the senior citizens and this is just one federal funds being paid out to private contractors which might as well go to the local school and save the energy that it takes to go back and forth on all these trips. And also on this bill, the Nebraska School Boards Association, if I remember right, we had a letter of support as long as this stayed permissive. So I think they kind of fell behind the idea of the legislation. This will require no extra expenditure of funds which under LB 144 that was in the committee that day is quite an expenditure of funds to provide probably part of the services this bill will provide so I support this bill.

SPEAKER MARVEL: Senator Goll.

SENATOR GOLL: Mr. Speaker and members of the Legislature, I rise to support the views of Senator Lamb and Senator Koch. I feel all we are doing in this matter is passing the buck to the school boards and to the administration. Even though this legislation is of a permissive nature, I think it is an area that we don't have any business being in and I would oppose the entire bill. Thank you.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: Is this closing?

SPEAKER MARVEL: We have got a motion on the desk now.

SENATOR FOWLER: I thought I was closing. That is okay.

CLERK: Mr. President, Senator Lamb moves to indefinitely postpone LB 85.

SPEAKER MARVEL: The Chair recognizes Senator Lamb.

SENATOR LAMB: Mr. Chairman and members, I think the issue has been pretty well discussed. I think that we are putting the school boards in an untenable position and I would just ask that the bill be killed at this point.

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: I obviously oppose the kill motion. I think that what we are talking about is whether or not we want to finance in communities two fleets of buses, one for school transportation and one for senior citizen transportation, and whether or not we want to absorb that cost either at the state or local level. What the bill is trying to provide is

a certain efficiency in the use of tax resources so that the investment in these types of transportation services can be shared and used more efficiently. Now perhaps Senator Lamb and some others don't envision two fleets of buses because they don't expect to provide any transportation for senior citizens. But I would hope that is not the case. When we talk about an untenable position for the school board, I think we should consider the untenable position of those who we by law deny driver's license to through a testing system that says they shall not drive unless they pass that test, force them not to have transportation by our law, and then turn around and say, "We will not provide you any alternative." To me that is a more untenable position than allowing a school board to decide if they want to share their resources that they have gotten with tax dollars with other people in the community. As I have said, other states have used this program. It does not provide all the troubles, and unless the State of Nebraska wants to invest large amounts of money in building duplicate fleets of buses, I would suggest that LB 85 can provide a cost realistic alternative for transportation. I would hope that this bill would not be killed. It is in a very amended and limited form. I think it is something that we ought to try. I don't think that we are asking that schools move into a new area. All we are asking is that resources that are paid with tax dollars be shared. Just like we allow a community group to use a school auditorium, what we are saying is we will allow a community group to use the school buses. It seems to me that the bill just makes good fiscal sense.

SPEAKER MARVEL: We are discussing the Lamb amendment. Senator Vickers.

SENATOR VICKERS: Mr. President and members, I rise to oppose Senator Lamb's motion to indefinitely postpone LB 85 much for the same reasons that Senator Fowler just pointed out. But I would remind the body that LB 85 is permissive, and in that instance I don't think that we can use the argument that school districts are going to be put in a untenable position. If they do, they do so at their own discretion. I am a little bit surprised that our good conservative members are in a position where they would encourage duplication of facilities paid for with tax dollars, and from my perspective, that is what will happen with the killing of LB 85. I will repeat again the situation as it now exists in at least one community in my district, Alma, Nebraska, with the senior citizens center there that provides lunch to the senior citizens in that area, many of them unable to drive, many of them having to take advantage of a minibus or a handibus or something of that nature to get them down to their senior

citizens center. It seems to me that allowing through permissive legislation the county that, in this case it would be Harlan County, they are the ones that are providing the funds, the county supervisors in that area, to enter into an agreement with the school district if both of them so desire to not have a duplication of these buses, thus not having a duplication of spending of taxpayer dollars. I think it makes good sense and would be reasonable to allow LB 85 to become law and allow these people to share their and pool their resources, if you will, rather than have them duplicated. I oppose the kill motion.

SPEAKER MARVEL: Senator DeCamp and then Senator Cope.

SENATOR DeCAMP: Mr. President, I am in trouble on the bill because I kind of expected I would find Senator Lamb sponsoring it and Senator Fowler opposing it because this is about the most conservative bill you can dredge up. What it basically says is, "Hey! We have got limited government resources and the taxpayer doesn't like to buy two things when he can buy one", and so just the same thing we set up at the state level, car pooling where we have a central manager of some equipment, and then we say if this agency wants to use it, they pay and so on and so forth. What we are saying is we have a resource at the local level, that resource being a big heck of an investment in automotive equipment, buses, we have a system for maintaining them and now to make that more efficient for the school, more cost effective, more efficient for the taxpayer who is financing both the schools and the towns and the cities and so on and so forth, we simply set up a system much like the car pool where the county or whoever it is can contract and pay a portion of that and utilize this one main resource. And as I say, I could think Stevie would get up and he would say, "Well, we should have a separate bus, a nice bright yellow bus for the old folks", and Howard would say, "No, by golly, they both can use the same bus and we can be cost efficient and that is the way to do it because the taxpayer deserves a break". But here we have got Howard saying, "Now, let's kill that bill to be cost effective" and Steve saying, "Golly, we ought to be cost effective", so I am baffled. I don't know what to do. So I am going to vote to keep the bill alive on the hopes that Steve and Howard can both get back in the right track with Howard supporting and Steve opposing.

SPEAKER MARVEL: Before we continue, underneath the South balcony as a guest of Senator Barrett, Mr. Terry Currey who is the City Administrator at the City of Holdrege. Will you stand so we can welcome you? Senator Cope.

SENATOR COPE: Mr. President, members, I have a question of Senator Vickers.

SPEAKER MARVEL: Senator Vickers, do you yield?

SENATOR VICKERS: Yes, Senator Cope.

SENATOR COPE: Senator Vickers, you gave an example a bit ago where a town in your district was using the buses for taking the senior citizens to a noon meal or something to that extent, is that correct?

SENATOR VICKERS: Yes, that is right.

SENATOR COPE: All right, then they can contract with the schools at the present time?

SENATOR VICKERS: No, they are not using school buses right now. They have got a minibus or a handibus, of that nature, not a van.

SENATOR COPE: I see. Do you know before I ask someone else if schools or if senior citizens organizations can contract with schools now without this legislation?

SENATOR VICKERS: I don't believe so but probably somebody else in this body could answer your question better, Senator Cope.

SENATOR COPE: I will ask Senator Koch. This is a...it is a tough decision, there is no doubt about it. The thing that bothers me, and I probably will support the kill motion, is this. If, the way the bill stands now, the senior citizens can use the buses only in the summertime...anybody disagree with that...or at night, all right, in other words this is going to satisfy the senior citizens that they will use them only this time, they won't use them during the day, during the week then. That is the thing that I just can't understand that they can be satisfied or will be because if they are used to using them during the summer and evenings, there is going to be probably more functions going on during the day than in the evening in the wintertime, and somewhere we are going to have to have extra buses for the senior citizens or they are going to use the buses other than the time specified. Sure, it is permissive but we are putting the responsibility on the school districts. We are putting some pressure on that we may ourselves be shouldering. I am going to oppose the kill motion or I mean I am going to support the kill motion.

SPEAKER MARVEL: Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I rise reluctantly to support my good friend and colleague, Senator Lamb, and I don't have anything against the senior citizens. I get along fine with them and I realize that at times they do need transportation, but to take a school bus, to take a school bus, and most of the senior citizens like to go in the daytime, take the school bus during the day, I just don't think it will work. Several years ago we passed a bill that said that all these school children were going to have to receive shots for a certain disease and we put that burden onto the schools, and when it came down to the final doing to see that it was accomplished, why it caused the schools a lot of problems. If they didn't do this, they would not be able to attend schools and this put a lot of pressure on the school boards and administrators, and I think if we passed this bill, it would do the same thing. The pressure on the school boards and the administrators would be tremendous and so I would just say why don't we go ahead and do away with this bill and we won't have to worry about it this session.

SPEAKER MARVEL: Senator Haberman. We are speaking to the kill motion.

SENATOR HABERMAN: I move the previous question.

SPEAKER MARVEL: Do I see five seconds? I do. Shall debate cease? All those in favor vote aye, opposed no. Have you all voted? Record.

CLERK: 26 ayes, 5 nays to cease debate, Mr. President.

SPEAKER MARVEL: Debate has ceased. The Chair recognizes Senator Lamb to close.

SENATOR LAMB: Mr. Speaker and members of the Legislature, I want to assure you that I offer this kill motion not through a lack of concern for our elderly citizens. I do believe they should be cared for but this, I don't think this situation will work. As Senator Cope pointed out, these elderly people will not be able to use these buses in the daytime so we are still going to be faced with the problem of how to transport those people at other times when the school buses are not available. And, Senator DeCamp, if I thought this was a workable solution, I think you realize that my conservative nature would make me support this bill wholeheartedly, but under the circumstances, I see it as a measure that will not do the job. It will cause problems for the school districts and, in general, is the sort of the thing that starts out small but then grows and

grows. So I sincerely ask that this bill be indefinitely postponed.

SPEAKER MARVEL: The motion is the indefinite postponement of LB 85. All those in favor of killing the bill vote aye, opposed vote no. Have you all voted? Okay, record the vote.

CLERK: Mr. President, Senator Haberman has requested a record vote. (Read record vote as found on pages 487 and 488, Legislative Journal.) 13 ayes, 23 nays on the motion to indefinitely postpone.

SPEAKER MARVEL: Motion lost.

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

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: Mr. President, I would move that the bill be advanced. I think as indicated this is one cost efficient way to provide senior citizen transportation. It is not the total solution. Senator Haberman has promised to bring in a million dollar bill to provide a little more coverage, but for those communities that are not able to afford that price tag, I would suggest that we advance LB 85 as an alternative.

SPEAKER MARVEL: All those in favor of that motion vote aye, opposed vote no. The motion is the advancement of the bill. Have you all voted? Have you all voted? Record the vote.

CLERK: 26 ayes, 12 nays on the motion to advance the bill, Mr. President.

SPEAKER MARVEL: Motion is carried. The bill is advanced. Do you have some items that pertain to LB 29 that we could bring up at this time?

CLERK: Yes, sir. Mr. President, Senator Beutler and Fitzgerald move that LB 29 be returned to Select File for a specific amendment. The specific amendment is found on Page 482 of the Journal. It reads as follows: (Read.)

SPEAKER MARVEL: The motion first is to bring back LB 29 and it needs 25 votes. Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, we would like to attach three amendments to accommodate two floor comments from the last debate we had on the bill, to accommodate commerce and industry on one final amendment

February 12, 1981

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Monsignor Charles J. Keenan of the Blessed Sacrament Parish, Lincoln, Nebraska.

MONSIGNOR KEENAN: Prayer offered.

SPEAKER MARVEL: Roll call. Will you please record your presence. Have you all recorded your presence? Record the vote.

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

SPEAKER MARVEL: Do you have some items to read into the record?

CLERK: Yes, sir, I do. Mr. President, your committee on Enrollment and Review respectfully reports that we have carefully examined and reviewed LB 336 and recommend that same be placed on Select File with amendments; 336A Select File; 33 Select File; 96 Select File; 31 Select File, 214 Select File, 120 Select File and 85 Select File with amendments, (Signed) Senator Kilgarin, Chair. (See pages 512-513 of the Legislative Journal.)

Mr. President, your committee on Banking, Commerce and Insurance whose chairman is Senator DeCamp to whom is referred LB 195 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendments; 272 General File with amendments; 273 General File with amendments and 355 General File with amendments, (Signed) Senator DeCamp, Chair. (See pages 512-514 of the Legislative Journal.)

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined and engrossed LB 14 and find the same correctly engrossed; 18, 41, 51, 64, 65 and 121 all correctly engrossed.

And finally, Mr. President, I have a lobby registration report covering the week of February 6 through February 11, 1981. (See page 515 of the Journal.)

SPEAKER MARVEL: Okay, we will go to item #4, introduction of new bills.

CLERK: Mr. President, Senator Nichol moves to suspend Rule 5, Section 5 so as to permit the introduction of Request 889 by himself.

SPEAKER MARVEL: Senator Nichol.

February 17, 1981

LB 15, 85, 120

CLERK: There is nothing on the bill, Senator.

PRESIDENT: Senator Kilgarin. 120.

SENATOR KILGARIN: I move LB 120 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 120 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 120 is advanced to E & R for Engrossment. LB 85.

CLERK: Nothing, Senator.

PRESIDENT: Senator Kilgarin.

SENATOR KILGARIN: I move LB 85 be advanced to E & R for Engrossment.

PRESIDENT: Motion to advance LB 85 to E & R for Engrossment. Any discussion? All those in favor signify by saying aye. Opposed nay. LB 85 is advanced to E & R for Engrossment. Anything further, Mr. Clerk

CLERK: No, sir.

PRESIDENT: All right. Ready for agenda item #7, Final Reading. Everybody...the Sergeant at Arms will see to it that all members are at their desks and all personnel are off the floor. We shall proceed with Final Reading when we have everybody at their places. As soon as everyone gets to his or her desk why we shall commence with Final Reading. We have almost an hour of it, so it probably would be well to get started. Are we about ready? While we are waiting, the Chair will note that Senator Fenger had a birthday on Sunday. He didn't say how old he was but there is fudge being distributed so as to make your Final Reading hour a little bit more acceptable. So, Happy Birthday, Senator Fenger, whatever the year is, Happy Birthday to you. All right, I guess....if all the members will get to their desks we will start with Final Reading. There are a couple of Senators on the floor if the Sergeant at Arms would... yes, sir, if you would. Thank you. Thank you. All right, we will commence with Final Reading. The first bill on Final Reading is LB 15. Mr. Clerk, proceed.

CLERK: (Read 15 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure

February 18, 1981

LR 15
LB 31, 33, 85, 96, 120, 336,
336A

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by the Reverend Rex Bevins, St. Paul Methodist Church.

REVEREND REX BEVINS: Prayer offered.

PRESIDENT: Roll call.

CLERK: Mr. President, Senator Kremer would like to be excused until he arrives; Senator Sieck until he arrives. Mr. President, Senator Labedz and Senator Burrows until they arrive.

PRESIDENT: Senator Lowell Johnson, do you want to press your button showing you are here, please. Senator DeCamp, will you push your button so we can start out. Thank you. 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: I have no corrections, Mr. President.

PRESIDENT: All right, the Journal stands correct as published. Are there any other messages, reports or announcements?

CLERK: Mr. President, first of all Senator Maresh would like to have a meeting of the Business and Labor Committee now underneath the north balcony for just a few minutes. Senator Maresh would like to have a Business and Labor meeting underneath the north balcony now for just a few minutes.

Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 31 and find the same correctly engrossed; 33, 85, 96, 120, 336, 336A, all correctly engrossed.

Mr. President, LR 15 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business I propose to sign and do sign LR 15.

CLERK: Mr. President, I have a report from the Accounting and Budgeting Office regarding session employees.

Mr. President, I have an Attorney General's Opinion

February 23, 1981

LB 31, 33, 85, 96

Will all legislators please return to your seats and we are ready to proceed with LB 31 on Final Reading but we have to have everybody in their seats first. All legislators must be in their seats before we can proceed with Final Reading. Would you please find your seats? The Clerk will read LB 31 on Final Reading.

CLERK: (Read LB 31 on Final Reading.)

SPEAKER MARVEL: All procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Record the vote.

CLERK: (Read record vote. See pages 621 and 622, Legislative Journal.) 46 ayes, 2 nays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. We will now proceed on Final Reading to LB 33.

CLERK: (Read LB 33 on Final Reading.)

SPEAKER MARVEL: All procedures relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Record the vote.

CLERK: (Record vote read. See page 622, Legislative Journal.) 47 ayes, 0 nays, 2 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 85.

CLERK: (Read LB 85 on Final Reading.)

SPEAKER MARVEL: All procedures relative to procedure having been complied with, the question is, shall the bill pass? Those in favor vote aye, opposed vote no. Have you all voted? Have you all voted? The Clerk will record.

CLERK: (Record vote read. See page 623, Legislative Journal.) 29 ayes, 19 nays, 1 present and not voting, Mr. President.

SPEAKER MARVEL: The bill is declared passed on Final Reading. The Clerk will now read on Final Reading LB 96.

CLERK: (Read LB 96 on Final Reading.)

SPEAKER MARVEL: All provisions of law relative to procedure having been complied with, the question is, shall the bill

February 23, 1981

LB 31, 33, 85, 96,
120, 178

Mr. President, your committee on Ag will have an Executive Session at 8:50 a.m., tomorrow morning underneath the North balcony. Your committee on Ag tomorrow morning at 8:50 a.m.

Mr. President, some bills are ready for your signature.

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LB 31, LB 33, LB 85, LB 96, LB 120. It is my privilege to present underneath the North balcony four guests of Senator Cope, Mr. and Mrs. Melvin Thiemann of Pawnee City; Mrs. Rollie Ayres, Wilma Klein and Mrs. Art Schrepel. Will you please stand so that you and we may wish Senator Cope "Happy Birthday". There is a notation here that underneath the South balcony there will be Cope cakes on the table. I am only reading what is written here. Senator Cope, "Happy Birthday" to you. Underneath the North balcony, it is my privilege to present the former Senator Arnold Ruhnke and Mrs. Ruhnke. Where are you folks? We now proceed to item #6, Select File, LB 178. Mr. Clerk.

CLERK: Mr. President, LB 178 was considered by the body on February 17. At that time the E & R amendments were adopted. There was an amendment by Senator Beutler that was adopted. Pursuant or subsequent to that, Senator Beutler made a motion to indefinitely postpone the bill. I understand, Mr. President, he wishes to temporarily withdraw that motion and offer instead amendments that I believe have been distributed or are being distributed right now, the amendments by Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, again LB 178 is the bill that was submitted by the Department of Revenue having to do with collection procedures. It was amended once on General File or Select File, and subsequent to that time the staff of the Revenue Committee got together with the Department of Revenue and also with representatives from commerce and industry and the banking association to take care of an additional series of technical problems and there were a couple of substantive changes but all the changes, as I understand it, had to do with making the provisions applicable to all different types of taxes, that is, making them uniform, making the notice provisions uniform, for example, and also to require the state prior to selling property at a sale to give notice to other lien holders that the property is about to get sold so that other lien holders would have knowledge of the sale and have an opportunity to protect their rights. There is some cleanup language and some inconsistencies cleared up and I think that is about the sum and substance of what is in the committee's. Basically these are Department of Revenue suggestions. Thank you.

February 24, 1981

LB 14, 24, 31, 33, 41,
45, 46, 64, 81, 82,
85, 96, 120, 121,
130, 14, 158, 213

SPEAKER MARVEL PRESIDING

REV. JOSEPH A. MROCZKOWSKI: Prayer offered.

SPEAKER MARVEL: Will you please record your presence?
Record.

CLERK: Quorum present, Mr. President.

SPEAKER MARVEL: Underneath the North balcony, it is my privilege to present visitors to Nebraska sponsored by Partners of the Americas and the sponsors are Mrs. Ben Schulze and Gilbert Erickson and the visitors are coordinated with Dr. Fortes and his wife Maranna and the technical title is the Coordinator of Congressional Affairs for the Ministry of Education and Cultural Affairs from Brazil. Would you folks please stand so we can welcome you to the Unicameral. Okay, there is some items on the Clerk's desk and we will start with those.

CLERK: Mr. President, a communication from the Governor addressed to the Clerk regarding signing of LBs 14, 18, 41, 45, 46, 64, 81, 82, 121, 130 and 140. (See page 639 of the Legislative Journal.)

Your Enrolling Clerk respectfully reports that she has on February 23 at 2:37 p.m. presented to the Governor the following bills: 31, 33, 85, 96 and 120.

Mr. President, your committee on Enrollment and Review respectfully reports we have carefully examined LB 24 and find the same correctly engrossed.

Your committee on Appropriations whose chairman is Senator Warner to whom is referred LB 158 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File with amendment, (Signed) Senator Warner, Chair.

Mr. President, I have a report from the State Employment and Training Council. It will be on file in my office.

Mr. President, Senator Cullan asks unanimous consent to add his name to LB 213 as coinroducer.

SPEAKER MARVEL: Do you have any other items?

CLERK: No, sir.

SPEAKER MARVEL: Okay, item #4, resolutions.

March 2, 1981

LB 31, 33, 85, 96,
120, 434, 547.

PRESIDENT LUEDTKE PRESIDING

PRESIDENT: (Microphone not on.)

DR. ROBERT PALMER: Prayer offered.

PRESIDENT: Roll call. Senator Cope, will you push your button. Thank you. Now we're....record the presence, Mr. Clerk.

CLERK: Quorum present, Mr. President.

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

CLERK: I have no corrections, Mr. President.

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

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 434 and recommend that same be placed on Select File. (Signed) Senator Kilgarin, Chair.

Mr. President, communication from the Governor addressed to the Clerk. Engrossed LB 31, 33, 85, 96 and 120 were signed by me on February 27 and delivered to the Secretary of State. Sincerely, Charles Thone, Governor.

Mr. President, I have an Attorney General's Opinion addressed to Senator Vard Johnson. (See pages 701 and 702 of the Legislative Journal.)

PRESIDENT: We are waiting for someone from the Agriculture Committee, Senator Schmit or someone to take care of Agenda Item #3, Motions, motion to introduce a new bill. The Legislature will be at Ease until Senator Schmit gets here to handle the first item on the agenda.

EASE

PRESIDENT: The Chair recognizes Senator Schmit for purpose of introduction of a new bill.

SENATOR SCHMIT: Mr. President and members of the Legislature, I ask the body to consider the introduction of this bill by the Committee on Agriculture and Environment. The bill was introduced last session. It was heard. It was, I believe, four bills down on the worksheet for about