

May 19, 1981

LB 243
LR 187

SENATOR CLARK: All right. We will then go to. . .the Clerk has to read some things in first.

CLERK: Mr. President, a new resolution, LR 187. Read LR 187. Pursuant to our rules, Mr. President, that will be laid over.

Mr. President, I have an explanation of vote offered by Senator Koch. (See page 2109 of the Legislative Journal).

SENATOR CLARK: We are now ready for item number five, LB 243.

CLERK: Mr. President, LB 243 was a bill introduced by Senator Schmit, (Read title of LB 243). The bill was first read on January 16th, referred to Ag and Environment hearing. The committee amendments were adopted by the body, Mr. President, on April 10th. At that time there was an amendment from Senator Schmit that was adopted. On a motion to advance the bill failed to advance on April 10th. The bill was again considered by the body on May 12th, at that time on a motion to advance the bill failed to advance. I now have pending amendments offered by Senator Schmit that are found on page 2083 of the Journal, Mr. President.

SENATOR CLARK: Senator Schmit.

SENATOR SCHMIT: Mr. President and members of the Legislature, these are the same amendments which I offered to LB 146 which we then withdrew. I would like to explain them briefly. There was objection to the original bill because of the fact that it seemed to be difficult to determine what percentage of a project might be beneficial as to the recreational benefits and what portion would be attributed to other benefits. So, the amendments that I have offered are number one, that it shall be the duty of the Board of Directors of the Natural Resource District to make a determination of the percentage of project benefits assessed to each of the purposes listed in Section 2-3229 prior to initiation of eminent domain proceedings, then this is the critical part, such determinations shall be prima facie evidence and any subsequent litigation in which the exercise of the power of eminent domain is at issue. What we are saying is that this should remove the objection that was stated upon a number of occasions that it would be difficult to determine which percentage of benefits could accurately be assessed to the various areas. I would hope that this would calm some of those fears. The second portion of the amendment provides that in the event the Board of Directors of the Natural Resource Districts finds that it is important to an area to construct

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LB 98, 134, 224, 326, 360
LR 186, 187

I can assure you that next year there is going to be legislation, whether or not this agreement is reached by May 30th.

SPEAKER MARVEL: Senator Kremer, do you wish to close on the resolution? Okay. All those in favor of the adoption of LR 186 vote aye, opposed vote no. Have you all voted? Record.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the resolution.

SPEAKER MARVEL: The motion is carried. The resolution is adopted. Now we go to LR 187.

CLERK: Mr. President, LR 187 offered by Senators Fowler, Wesely, Vard Johnson, DeCamp, Wagner, VonMinden and Fitzgerald is found on page 2109. (Read.)

SPEAKER MARVEL: Senator Fowler.

SENATOR FOWLER: This resolution was brought to me and the other legislators by a Vietnam veteran's organization that is working across the state to gain attention for the issues that are raised in this resolution. This resolution would be a statement of support for the issues of concern indicating that the Legislature finds these to be important and significant public issues that Congress should review. The Vietnam veteran has often been called the forgotten veteran. I think that more attention now is being focused on the needs, the issues that surround the Vietnam veteran and their families. With that, I would move for adoption of the resolution.

SPEAKER MARVEL: The motion is the adoption of LR 187. All those in favor vote aye, opposed vote no. Record the vote.

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of LR 187.

SPEAKER MARVEL: The motion is carried. The resolution is adopted.

CLERK: Mr. President, while we are waiting, your committee on Enrollment and Review respectfully reports they have carefully examined and engrossed LB 134 and find the same correctly engrossed; 224 correctly engrossed; 326 correctly engrossed and 360 correctly engrossed, all signed by Senator Kilgarin, Chair.

Mr. President, one other item, I have a request from Senator Wesely to add his name to LB 98 as coinroducer.

SPEAKER MARVEL: No objections, so ordered. Will the Legislature please, will you return to your seats so that we can

May 21, 1981

LR 181, 182, 185, 186, 187
LB 12, 273, 404

SPEAKER MARVEL PRESIDING

REV. MYRON J. PLESKAC: (Prayer offered.)

SENATOR NICHOL PRESIDING

SENATOR NICHOL: Would you record in please so we can get on with the show? Record please.

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

SENATOR NICHOL: Let's go to item #3 please.

CLERK: Mr. President, I have a Rules Committee report offered by Senator Wesely for the Legislature's consideration.

Mr. President, Senator Schmit would like to print amendments to LB 404.

Mr. President, I have a message from the Governor. (Read. See pages 2166 and 2167, Legislative Journal. Re: LB 12.)

SENATOR NICHOL: We are ready for #4 and we will go into Final Reading, LB 273 with the emergency clause.

CLERK: Mr. President, Legislative Resolutions 181, 182, 185, 186 and 187 are ready for your signature.

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: While the Legislature is in session and capable of transacting business, I am about to sign and do sign LR 181, LR 182, LR 185, LR 187. Okay we are ready for item #4, Final Reading. The Clerk will read LB 273 with the emergency clause attached.

CLERK: Mr. President, I have a motion on the desk. Mr. President, Senator Vickers moves to return LB 273 to Select File for specific amendment. The amendment reads as follows: (Read Vickers amendment found on page 2167, Legislative Journal.)

SPEAKER MARVEL: Senator Vickers.

SENATOR VICKERS: Yes, would you read that again, Pat. I want to make sure I have got the right lines here.

CLERK: (Reread amendment.)