

January 7, 1982

LR 203
LB 32, 127, 359, 693

RECESS

SPEAKER MARVEL PRESIDING

SPEAKER MARVEL: Record your presence, please. Senator Dworak, would you like to record your presence. Thank you. Senator Beutler, would you record your presence please. Pat, we have a quorum. Record.

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

SPEAKER MARVEL: Do you have items to read in?

CLERK: Mr. President, just a few brief items. I have a new bill, LB 693 (Read title). (See page 151, Journal.)

Mr. President, Committee on Urban Affairs gives notice of hearing in Room 2230 for consideration of amendments to LB 359.

Mr. President, I have reports to the Legislature from two Natural Resource Districts regarding payment of attorney fees.

Mr. President, your committee on Government, Military and Veterans Affairs whose Chairman is Senator Kahle to whom we referred LB 127 reports same back to the Legislature as advanced to General File and that is signed by Senator Kahle as Chairman.

Mr. President, I have a new resolution, LR 203 offered by Senator Landis and Senator Chambers. (Read. See pages 152 and 153, Legislative Journal.) Mr. President, under our rules that will be laid over. No, sir, I do not. That is all that I have.

SPEAKER MARVEL: Senator Nichol, for what purpose do you arise? We have a distinguished guest in the Chamber underneath the North balcony. It is my privilege to say "hello" to Senator Ed Zorinsky. Ed, we are glad to see you. Okay, LB 32.

CLERK: Mr. President, LB 32 introduced by Senator Tom Vickers and Senator Von Minden. (Read title). The bill was introduced on January 8 of last year. At that time it was referred to the Judiciary Committee for public hearing. The bill was advanced to General File. Mr. President, there are committee amendments pending by the Judiciary Committee.

SPEAKER MARVEL: The Chair recognizes Senator Nichol.

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LR 203

PRESIDENT: We are ready for LR 203.

CLERK: Mr. President, the first request I have on LR 203 is by Senator Newell to add his name as cointruder.

PRESIDENT: Is there any objection to the addition of Senator Newell's name to LR 203? Hearing none, so ordered.

CLERK: Mr. President, LR 203, offered by Senator Landis, Chambers and Newell is found on page 152 of the Journal. (Read LR 203.) Mr. President, the resolution once again is found on page 152 of the Journal.

PRESIDENT: The Chair recognizes Senator Landis.

SENATOR LANDIS: Mr. Speaker, members of the Legislature, how fitting it is that on the day we celebrate the completion of this architectural tribute to the spirit of our people are also called upon to pay tribute to a fine American, Martin Luther King, Jr. and to pay tribute to a life that is, I think, an example to all of us, black and white, for compassion and commitment, for purpose and for dignity. Reverend Martin Luther King was a well educated man, supporting himself through school for the most part, arriving at a Ph.D. from Boston University in 1955. He began the Southern Christian Leadership Conference in 1957 to teach the ways of nonviolence and to prepare most specially black Americans for struggling for and fighting for their rights in a nation that had deprived them of those rights for so terribly long. The struggle for those rights continued on for the rest of his life and ended frankly without every seeing their complete vindication. However, there were great milestones along the way for which he was in large measure, responsible. The 1963 march on Washington, the Voting Rights Act and the Civil Rights Acts of 1964 and 1965 are achievements that I hope will live on far beyond our memory and our own lifetimes as well. Martin Luther King was a man who in life seemed to have the commitment of those around him in a near adoring way because of his ability to be such a fine example and yet in death we find those who would tarnish that legacy and I think we need to continue to understand that phenomenon of his life and his teachings which this state has recognized and has passed into statute by recognizing Martin Luther King Day as a holiday which is January 15. The resolution calls on Nebraskans to understand and to participate if they wish in those celebrations. I would remind the body this is not a state holiday by a paid vacation nor does it seek to require employers to release employees as a working day, questions that were raised last year. However, it remains on our

statute books, a day of celebration and a day of thoughtful reflection and deliberation and I think that is worthy of us and our time today to call the attention of the state to that law and to that life. I would like to read one brief paragraph in an impromptu speech that Martin Luther King gave and it is not the famous "I have a dream" speech. Simply an off the cuff remark that King was making at the very end of his life prior to the time that he was assassinated. And in answer to a question, talking about what he believed in he just simply said, "And so I say to you today that I still stand by nonviolence and I am still convinced that the most potent weapon available to the Negro is the struggle for justice in this country and the other thing is that I am concerned about is a better world. I am concerned about justice. I am concerned about brotherhood. I am concerned about truth and when one is concerned about these he can never advocate violence for through violence you may murder a murderer but you can't murder murder. Through violence you can murder a liar but you can't establish the truth. Through violence you can murder a hater but you can't murder hate. Darkness cannot end darkness, only light can do that." And Martin Luther King's life was a light and that is why I move the adoption of this resolution.

PRESIDENT: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I want to commend Senator Landis for offering this resolution again this year as he has done in the past and for the very, I would call them potent words that he utters. This is one of those times when I think people may feel for various reasons, a bit of discomfort because we know that the conditions that Martin Luther King gave his life to try to rectify are still with us. But as Senator Landis pointed out, if Martin Luther King's birthday can be a day for reflection when we'll think not only of the fact that a man gave his life for the things that he believed in but that the conditions that led to the losing of his life in the way that he lost it are still with us and we who still remain have an obligation to correct those conditions, then I think the day is of value. Personally as a black man, as Martin Luther King was, we probably had identical goals but our method of attaining those goals would be absolutely different. I have to be aware of any effort that would take away from his significance as a man who had enough courage, enough conviction to die as he lived. Probably had Martin Luther King seen the individual who was going to take his life he would not have lifted his hand to commit an act of violence to save his own life which is more than what I can say for myself. When a person will go to the mat for his or

her beliefs then they are due a profound amount of credit because the conviction was genuine. All we can judge a person by is what they do and what they say when there is a price to pay for saying and doing it. There is a man named Lenin, some might pronounce it "La - nane", who stated that, "individuals who try to bring about changes in society are fought every step of the way by those forces that are opposed to change but after the individual has died and no longer appears to be a threat, the very society which led to the creation of conditions that took his life will then try to coop that individual, make him or her into an icon as a type of sop to the oppressed group that he or she represented and by so doing, distract those people's attention from the importance of trying to continue the struggle for freedom and justice for which the individual in question gave his or her life." I could not stand on this floor and say that I could carry myself in the way that Martin Luther King carried himself. I know I couldn't allow somebody to spit on me. I know I couldn't be in the presence of women and children whose legs and arms are broken with chains and axe handles and I say what we must do is pray for the ones who are perpetrating this violence. I could not say as Martin Luther King said that in these confrontations between unarmed, black and white people, trying to protest peacefully and nonviolently to make realities of the promises of America, I could not say as he said, "That when these bloody confrontations occur, if blood must flow in the streets let it be our blood and not that of our oppressors." That is not the attitude of America as a nation. It is not the attitude of the National Rifle Association. It is not the attitude of the American military but here is a man in a world of violence in a country that thrives on violence, in a country whose heroes are violent individuals, Bonnie and Clyde, Jesse James, "Legs" Diamond, Al Capone, folk heroes, standing up against every bit of rationality as I perceive it and saying, in all of this violence the way to bring it to an end is to be nonviolent. A man like that certainly is worthy of a resolution such as the one being offered today and I'll be honest with you. There are times when despite the disposition that I have when I wonder if his way could possibly work for those people who believe in it. If somebody genuinely believes that way I would not tell them that they are wrong but in total honesty I would have to say it is wrong for me. My disposition will not allow me to do what this man did and perhaps that is why he got the Nobel Peace Prize but I can assure you of this. Martin Luther King was not a man of violence. Martin Luther King did not seek the overthrow of this country. As a matter of fact, during the period of time when he lived and was functioning he represented and symbolized the best that this country could produce and stood for what this country is trying

to produce. So if what he did was an effort to undermine the country I would have to say that the opposite is the way we would make the country strong which would mean, we resort to violence and do everything he said we shouldn't do. I also speak in behalf of this resolution.

PRESIDENT: The Chair recognizes Senator Beutler.

SENATOR BEUTLER: Mr. Speaker, members of the Legislature, I just want to make one quick comment. I've probably had in my past a privilege that not a whole lot of people in here have had, the privilege of having lived overseas in a country called Turkey and a country called Thailand for periods of time and I have observed in those countries and in the surrounding countries what the situation has been with regard to the accommodation of different racial types and different racial mixtures and how their system has been able or has not been able to accommodate the just demands of different minority groups. And let me tell you that nothing makes you more of an American than going out and seeing what is happening in the rest of the world and then coming back to America and seeing the progress that we are making. We are doing better here, I think, than in any place else in the world and America is, in fact, setting an example in that regard for the whole world. Part of the reason, perhaps the main reason that we are able to do that has been in part the patience of certain of the minority groups. It has been because of men like Martin Luther King and because of men, reasonable men, who have responded in a reasonable manner to the requests, to the reasonable demands of people like Martin Luther King. The violence that is rampant in the world that shows up every few years in countries like Bangladesh and Thailand and all over Africa we are avoiding here and I think we should do everything possible to encourage people like Martin Luther King and that type of demand making because if for no other reason, in a very selfish sense, it is in our best interests. So for that reason I am very pleased that Senator Landis has brought this back and I hope that the resolution will pass unanimously. Thank you.

PRESIDENT: We are ready then, Senator Landis, for your close on LR 203. Closing is waived. The question before the House is the adoption of LR 203. All those in favor vote aye, opposed nay. Have you all voted? Record the vote.

CLERK: 37 ayes, 0 nays, Mr. President, on adoption of LR 203.

PRESIDENT: The motion carries and LR 203 is adopted. Do you have some matters to read into the record? Go ahead, Mr. Clerk.

January 13, 1982

SENATOR SCHMIT: Because we know if you include the incorporated area the rural people will be outvoted ten to one most times and we don't like that and so as a result we exclude them. Ladies and gentlemen, it won't work and as Senator DeCamp has said, we will be coming back here next year and try to bail ourselves out quietly, peacefully and piecemeal. Rather than to get ourselves out of a trap, let's stay out of the trap.

SPEAKER MARVEL: I think we need to recess now. Let me indicate the order after the recess. Senator Koch, Senator Lamb, Senator Beutler and Senator Haberman. Do you have something to read in?

CLERK: Mr. President, new bills. (Read by title for the first time, LBs 814-819 as found on pages 266-267 of the Legislative Journal.)

Mr. President, a new resolution, LR 206 by Senator Chambers. (Read as found on pages 267-268 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, Senator Richard Peterson would like to print amendments to LB 267. (See page 268 of the Journal.)

And, finally, LR 203, 200 and 197 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 LR 203, 200 and 197. Senator Vickers, do you want to recess us until one-thirty, please?

SENATOR VICKERS: Mr. President, I move that we recess until one-thirty this afternoon.

SPEAKER MARVEL: All in favor of that motion say aye, opposed no. The motion is carried. We are recessed until one-thirty.

Edited by

L. M. Benischek
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