

March 19, 1982

LR 257  
LB 852

inspection. This is something that Senator Wesely also wanted. And last of all, on page 26, line 26, we strike the word "conducting" and insert "consulting" which is the proper word. And then it also...let's see, we got the emergency clause. That, Mr. Chairman and members, explains the amendments to LB 852 and I move their adoption.

PRESIDENT: All right, any discussion on the Kremer amendment as he has discussed completely? I guess none, Senator Kremer, so we are ready to vote. All those in favor of adopting the Kremer amendment vote aye, opposed nay. Record the vote.

CLERK: 28 ayes, 1 nay, Mr. President, on adoption of Senator Kremer's amendment.

PRESIDENT: The motion carries. The Kremer amendment is adopted. Any further amendments?

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

PRESIDENT: Senator Kremer, do you wish to move to advance the bill? Motion to advance. Any further....

SENATOR KREMER: Mr. Chairman, I move to advance the bill as amended.

PRESIDENT: Any further discussion? If not, all those in favor of advancing LB 852 signify by saying aye, opposed nay. LB 852 is advanced to E & R for Engrossment. Do you want to read some matters in, Mr. Clerk, at this time, and then we are ready to recess for lunch.

CLERK: Mr. President, two items. Your Enrolling Clerk has presented to the Governor bills that were read on Final Reading this morning.

Mr. President, new resolution, LR 257 offered by Senator VonMinden. (Read LR 257 as found on page 1309 of the Legislative Journal.) That will be laid over, Mr. President.

PRESIDENT: All right, Senator Lamb, do you want to move to recess until what...until 1:30. Senator Lamb.

SENATOR LAMB: I move to recess until 1:30 this afternoon.

PRESIDENT: Motion to recess until 1:30. All those in favor signify by saying aye, opposed nay. We are in recess until 1:30.

Edited by:

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dams as point sources of pollution. The court decision came after many years of a lawsuit by the National Wildlife Federation to force the federal government to treat dams as point sources of pollution. If this order is allowed to stand, a great many beneficial water projects in Nebraska and Wyoming that provide irrigation water and hydroelectric generation for Nebraska could be jeopardized. Again, I point out that EPA, the government agency that is charged with the federal programs to clean up our streams, does not consider dams as a point source of pollution. It is clear that the federal government and the Congress did not intend dams to be considered as point sources of pollution. Because of the additional paper work, licensing, permits and other requirements that could be involved and because of the litigation that would be possible and the interference of operation of beneficial water projects we have today it is important that the Nebraska Legislature indicate our support of the federal government to appeal the court's decision and for the Congress to enact legislation that has been discussed to specifically exempt dams as point sources of pollution and thereby clarify the intent of the Congress. I ask for LR 256 to be approved.

PRESIDENT: The Chair recognizes Senator Sieck.

SENATOR SIECK: Mr. President and members of the body, I, too, would like to add my name on that list. I know there are 40 senators on there and I don't know how I came to be left out, but I did, because I'm one of the members down here that really highly endorses water projects and yet this particular issue I am quite interested in and I know that we need to do something. So I am asking for unanimous consent to allow my name to be placed on the resolution.

PRESIDENT: All right, Senator Sieck, I don't know that there is any...is there any objection? So ordered. Your name is added, Senator Sieck. Anything further on the LR 256? Senator Nichol, any closing? No closing, so the question before the House is the adoption of LR 256. All those in favor vote aye, opposed nay. I don't know if there is going to be anybody...anyone else want to vote? Record the vote.

CLERK: 27 ayes, 0 nays, Mr. President.

PRESIDENT: The motion carries and LR 256 is adopted. We will next go to LR 257.

CLERK: Mr. President, LR 257...first of all, Mr. President, Senator Apking would like to add her name as co-introducer to that resolution. Mr. President, 257 was offered by Senators

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VonMinden and Apking. It is found on page 1309. (Read LR 257.)

PRESIDENT: The Chair recognizes Senator VonMinden.

SENATOR VON MINDEN: Mr. President and members of the body, I introduced this resolution because I feel that it is appropriate for this body to recognize the many years of dedicated service which Dr. Seymour has given to Wayne State College. In one capacity or another he has served Wayne State College for 30 years. After serving nine years as President of Wayne State, Dr. Seymour is resigning in order to take a position with the Wayne State Foundation where he will continue to work for the betterment of the college. During his tenure as President, Dr. Seymour has gained respect and admiration of the citizens of northeast Nebraska for his accomplishments in making Wayne State College the excellent educational institution that it is today. By the way, my son graduated from Wayne State and my aide graduated from Wayne State in '78. I urge everyone to join with me in voting for this resolution to honor Dr. Seymour. Thank you.

PRESIDENT: Anything further on LR 257? Senator Hefner.

SENATOR HEFNER: Mr. President, I would like to ask the Clerk to add my name to this resolution.

PRESIDENT: You want to add your name. Any objections? So ordered. Senator VonMinden, do you want to close? The question then is the adoption of LR 257. All those in favor vote aye, opposed nay. Record the vote.

CLERK: 32 ayes, 0 nays, Mr. President.

PRESIDENT: The motion carries and LB 257 is adopted. The next resolution is LB 258, Mr. Clerk.

CLERK: Mr. President, LR 258 offered by Senators Cullan, Wesely and Rumery. (Read LR 258.) Mr. President, that resolution is on page 1322 of the Journal.

PRESIDENT: The Chair recognizes Senator Wesely.

SENATOR WESELY: Thank you, Mr. President, and members of the Legislature. This resolution was introduced by myself, Senator Cullan and Senator Rumery because of the concern that was shared with us by many constituents who are railroad retirees who are aware of the proposed changes in the retirement system that is now in effect for railroad retirees.

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LB 720, 796, 383, 421, 677  
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PRESIDENT LUEDTKE PRESIDING

PRESIDENT: Prayer by Chaplain Palmer.

CHAPLAIN PALMER: Oh God, we pray as we look at the calendar and realize how much has been done but how much more needs doing. We ask for your contentment in this day that we may not waste what time is ours, desiring more than is likely but learn to use and enjoy that which is ours. We may not know everything but we do know Thee and Your will. We may not be rich but we can be generous. We do not have to have all wisdom to be understanding. We do not have to win every vote in order to be a good Senator. Our influence may not always be great but it can be good. Our speech may not always be eloquent but it can be truthful. We cannot all have good looks but we can have good conscience, and having that we shall have peace of mind and need fear no one. So this day may we be kind to one another, tenderhearted and forgiving as if each person's heart might be breaking, because it probably is. Amen.

PRESIDENT: Roll call. Have you all registered your presence? Has everyone registered his or her presence? Please do so so we can get underway. Record the presence Mr. Clerk.

CLERK: There is a quorum present Mr. President.

PRESIDENT: Quorum being present are there any messages, reports or announcements?

CLERK: Mr. President, yes sir there are. LR 256, 257, 258, 259 and 260 are ready for your signature, Mr. President.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LB 256, 257, 258, and 259 and 260.

CLERK: Mr. President, Senator DeCamp would like to print amendments to LB 619 in the Legislative Journal. And, a communication from the Governor to the Clerk. (Letter appears on page 1462 of the Legislative Journal regarding LB 720, 796, 383, 421, 677).

PRESIDENT: Before we go on to Final Reading the Chair would like to recognize Senator Lamb, as acting Speaker, I think he has some announcements.