

LR 270

LB 127, 259, 601, 611, 623, 642, 644,
647, 651-2, 659, 678, 696-7, 700,
716, 724, 757, 767-7A, 774-776,
779, 784, 792, 816, 828, 839, 845,
877, 931, 941, 951, 961-2, 705

March 29, 1982

Mr. President, three communications from the Governor addressed to the Clerk. (Read. Re: LBs 775, 776, 601, 623, 651, 659, 697, 705, 716, 724, 774, 779, 784, 792, 839, 877, 931, 941, 951, 961, 962, 259, 642, 644, 678, 696, 828, 845, 767, 767A. See pages 1415 and 1416, Legislative Journal.)

Mr. President, I have a series of Attorney General's opinions. The first is to Senator Vickers regarding LB 647; one to Senator Wesely regarding LB 700; a third to Senator Hefner regarding LB 611; a fourth to Senator Haberman regarding LB 127; and a fifth to Senator Carsten regarding LB 816. All of those will be inserted in the Legislative Journal.

Mr. President, a new resolution, LR 270 offered by Senator Newell. (Read. See pages 1424 and 1425, Legislative Journal.) That will be laid over pursuant to our rules, Mr. President.

Finally, Mr. President, Senator Wiitala asks unanimous consent to remove his name as cosponsor from an amendment to LB 652, Request 2652.

SENATOR CLARK: Is there any objection? So ordered.

CLERK: That is all that I have, Mr. President.

SENATOR CLARK: All right, is Senator Koch here? I think we will go ahead and pass over Senator Koch's request here until he arrives. We will go to item #5 on General File, the priority bills, the revenue priorities, 757 is the first bill.

CLERK: Mr. President, LB 757 introduced by the Speaker at the request of the Governor. (Read title.) The bill was read on January 11 of this year, referred to the Revenue Committee for public hearing. The bill was advanced to General File, Mr. President.

SENATOR CLARK: Senator Carsten.

SENATOR CARSTEN: Mr. President and members of the Legislature, in the absence of Senator Marvel I suspect that I should take the bill. The bill is very straightforward. There is no committee amendment. It is in its original form to reduce the minimum of the overlevy or cushion from 3% to 2%. It was a recommendation from the Governor in a bill that he had introduced by Senator Marvel and I would move that it be moved from General File to E & R Initial.

SENATOR CLARK: We have a motion on the desk.

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CERLK: Mr. President, right before that if I may, Senator Landis asks unanimous consent to add his name as co-introducer to 269.

SENATOR CLARK: No objection? So ordered.

CLERK: Mr. President, Legislative Resolution 270, on page 1424 of the Journal, it is offered by Senator Newell.

SENATOR CLARK: Senator Newell.

SENATOR NEWELL: Mr. President, members of the body, LR 270 is a resolution that was brought to my attention from some friends of mine who was reading the Federal Register and found that a number of forest areas in Nebraska, which there are not very many forest areas, were being opened up by the Secretary of Agriculture for some exploration and mining. Now basically the resolution is self-explanatory, it talks about public land owner...1653 which established the sandhills, the former Secretary of Interior Fred Seaton established that. Basically the McKelvie Forest is part of this overall large package of lands that were being opened up. I singled out the McKelvie Forest because I felt that it was not only a manmade forest but that the fact that the Department of Interior indicated that they did not expect to find any minerals in that area. Now it is a manmade forest as many forests in Nebraska are, or we are the tree planting state, and the fact is that that this is a manmade forest and it is a forest on very fragile soil, sandhills soil, which I'm sure the people are familiar with. Now I think at this point and time since it is the Department's belief that there is not any mineral of any great merit to be found in this area and since there does not seem to be any great interest in opening up this land I think it would be wrong for us to encourage the kind of exploration in the McKelvie National Forest which is right now set aside for grazing and grassland. So I have asked that this Legislature go on record encouraging Secretary Watt to change that policy. We are not asking him to change the policy throughout the many acres that the Department of Interior is proposed to be opened up but in regards to the McKelvie National Forest because of its unique nature, so I would urge this legislature to consider this amendment, that is consider this resolution to adopt it, to urge Secretary Watt and the Department which feels that this land is not likely to be used and not likely to have any great mineral resource to disallow or to disallow any use of this area for that purpose.

SENATOR CLARK: Senator Schmit.

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SENATOR SCHMIT: (no response).

SENATOR CLARK: Is there any discussion? If not, those in favor of adopting the resolution will vote aye, opposed vote nay.

ASSISTANT CLERK: Senator Clark voting no.

SENATOR CLARK: Have you all voted? Once more, have you all voted? All those that wish to vote. Record the vote. Senator Newell.

SENATOR NEWELL: Mr. President, there is no opposition but there are not a lot of people voting. If we could have a roll call. . . .well lets have a Call of the House.

SENATOR CLARK: Well the House is still under Call. I never raised the Call.

SENATOR NEWELL: We could have people check in.

SENATOR CLARK: We will have them check in, yes. Everyone will check in please. Will everyone check in please.

SENATOR NEWELL: Mr. President, could we take call in votes? We have only got four more to get and there is not that many...

SENATOR CLARK: Senator Warner voting no. Senator Schmit voting. . .

ASSISTANT CLERK: Senator Warner voting no. Senator Chambers voting yes. Senator DeCamp voting aye.

SENATOR CLARK: Senator Schmit.

ASSISTANT CLERK: Senator Lamb voting no. Senator Howard Peterson voting no.

SENATOR CLARK: Did you get Senator Schmit voting no?

ASSISTANT CLERK: Senator Schmit voting no. Senator Nichol voting no. Senator Chronister voting no. Senator Chronister changing from yes to no. Senator Koch voting yes. Senator Remmers voting no. Senator Von Minden voting no. Yes.

SENATOR NEWELL: For a non-controversial resolution all of a sudden it became controversial. I would like to have a roll call after we get everybody checked in. Let everybody have a chance to be on record on this.

SENATOR CLARK: How about you checking in. I think everyone is here but one. The Clerk will call the roll if we can get it quiet please. Call the roll. Please keep it quiet so he can hear the response.

CLERK: Roll call vote taken. 21 ayes, 17 nays, 3 present and not voting, and 8 excused and not voting. Vote appears on pages 1939-40 of the Legislative Journal.

SENATOR CLARK: The motion lost and the resolution is not adopted. Next resolution is 271. Call is raised.

CLERK: Mr. President, 271 is offered by Senator Kilgarin and others it is on page 1443 of the Journal.

SENATOR CLARK: Do you want to withdraw that? Oh, all right, go ahead.

SENATOR KILGARIN: Yes, Senator Clark and colleagues, I would just like to say that the resolution was introduced to encourage the Commission on Aging to release the funds that they impounded for the senior citizen programs. They have subsequently, after the introduction of this resolution, done that so I respectfully ask unanimous consent to withdraw the resolution. Thank you.

SENATOR CLARK: It is withdrawn. LB 272.

CLERK: Mr. President, LR 272 offered by Senator Koch and Haberman, it is on page 1473 of the Journal.

SENATOR CLARK: Senator Haberman.

SENATOR HABERMAN: Mr. President, members of the Legislature, this is a resolution for superintendent E. Lee Todd who has been superintendent of Perkins County Highschool at Grant, Nebraska for thirty-six years. Now, that in itself is quite an achievement but he has quite a background. Back in 1932 while a student at Max Highschool E. Lee Todd won the group IV state track meet. He was Max's one man track team. He won four first place's and one second place. He also placed second in the National AAU finals in preparation for the world olympics and would have gone to the world olympics from Nebraska but they were cancelled due to World War II. Mr. E. Lee Todd is a fine gentleman and a good school man and an excellent administrator and I feel it an honor to introduce this resolution and Senator Koch knows him personally and I will give Senator Koch the rest of my time.