

March 18, 1981

SPEAKER MARVEL: No objection, so ordered.

CLERK: Mr. President, Senator Koch to print amendments to LB 311; Senator Wesely to LB 361; Senator Koch to LB 245; Senator Chambers to LB 273; Senator Newell to LB 47 and Senator Koch and Burrows to LB 190. (See pages 997-1002 of the Legislative Journal.)

Mr. President, Senator Kilgarin offers explanation of vote. Finally, Mr. President, two new resolutions, LR 43 by Senator Marvel as Speaker: (Read.) That will be laid over. LR 44 by Senator Koch: (Read. See pages 1002-1003.) That too will be laid over, Mr. President.

SPEAKER MARVEL: Now before we proceed to LR 26 which is on the agenda, today is the celebration of Agriculture Day. There will be a signing of a proclamation in the rotunda and the members of the Legislature are invited. The celebration begins around eleven-thirty and I assume those of you who want can check on the rotunda. Meanwhile we will continue with LR 26.

CLERK: Mr. President, LR 26 is found on page 673 of the Journal. It is offered by the Public Works Committee and signed by its members. (Read.)

SPEAKER MARVEL: Senator Kremer.

SENATOR KREMER: Mr. Chairman and members of the Legislature, LR 26 was brought to the Public Works Committee by some of the subdivisions of government in the southwestern part of the state, namely tri-county interests and some of the NRDs in that area of the state. The resolution was signed by a number of the members of the Public Works Committee and then was held up for several days in order to learn if we could, how this project would be of benefit to Nebraska and if there were any disadvantages, what they would be. You have heard the resolution read and I have had the Pages lay a map on your desk, on each one of your desks, to show you where this proposed project is as related to Nebraska. You will note on the map that the dam would be close to Ft. Morgan, Colorado, and it would provide irrigation waters on and along the South Platte River almost to or to the Nebraska state line. Now I am trying to explain to you what the advantage would be to the State of Nebraska. I would like to make five important points why I think Nebraska should support this resolution. Some ask the question, why should Nebraska get involved in a project that is not in the state itself and it is a good question and I will try to answer that as I make these several points. First of all, if Nebraska does take a positive action on the

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LR 43
LB 151

Senator Fowler, is Senator Fowler here? Senator Koch, will you show your presence. Senator Rumery, will you show your presence. Senator Rumery. Senators Clark and Chambers, Sergeant at Arms. Here comes Senator Chambers. Senator Clark, if you will push your button we will be ready to go. You are here? All right, we are ready then, Senator Johnson, for a roll call vote. The question is the advance of LB 151 to E & R for engrossment. Roll call vote, proceed, Mr. Clerk.

CLERK: (Read roll call vote as found on pages 1016-1017 of the Legislative Journal.)

PRESIDENT: The Clerk is going to verify the vote. Go ahead, clarify the vote, Mr. Clerk.

CLERK: Mr. President, listen so I make sure I have recorded it properly if you would please. (Read record vote.) 25 ayes, 20 nays, Mr. President.

PRESIDENT: The motion carries. LB 151 is advanced to E & R for engrossment. Senator Beyer, you wish to raise the Call. The Call is raised. Speaker Marvel, do you wish to take up the resolution at this time? Mr. Clerk, will you read the resolution.

CLERK: Mr. President, first of all, Senator Marsh asked to have her name added as cointroducer to LR 43.

PRESIDENT: Senator Marsh wishes to add her name to the resolution 43. No objections? So ordered.

CLERK: Mr. Clerk, LR 43 is offered by Senators Marvel and Marsh. It is found on page 1002 of the Journal. (Read LR 43.) It is found on page 1002, Mr. President.

PRESIDENT: 1002, LR 43. The Chair recognizes Speaker Marvel.

SPEAKER MARVEL: First of all I would like to read a couple paragraphs and then I would like to make some personal observations. "This morning we welcome nine members of Nigeria's 105 State Legislatures who are spending three days in Nebraska to observe and study the Unicameral. The group is composed of speakers, chairmen and members of the legislatures representing nine different states. Their visit is sponsored by the Nigerian government and the State Legislative Foundation." So that is the formal welcome to the representatives from Nigeria from our particular vantage point and I want to say this in conclusion, that this is one of the better, more interesting missions that is given the Speaker, at least at this time, to visit with those

who also are experiencing difficulties and challenges as far as their particular Legislature is concerned. It is interesting to compare notes and to meet those who also find the problems connected with a Unicameral Legislature and we don't find too many representatives of that type of Legislature in the United States. So I want to say formally to the members from Nigeria that we do appreciate you coming to visit us to compare notes with us, to give us some new ideas on how a Unicameral Legislature should operate and we hope that you profit from this visit as much as we do and that you will come back and see us again. I want to indicate to you, Mr. Speaker, that we spent quite a little time talking about you and your particular position, so if you are interested in those comments, and you may already have experienced them, they have some interesting observations to make. So I thank the Legislature for the opportunity we had to visit with these fine people and I hope they will come back again.

PRESIDENT: The Chair would like to at this time ask our distinguished guests, the visitors, the legislators from Nigeria, to stand under the North balcony, would you gentlemen stand and be recognized. We welcome you to the Unicameral of the United States, the only one, the Nebraska Legislature. Welcome, gentlemen. I might just say, personally, I have spent the last three days in Denver meeting with the Nigerian legislators and it has been a very wonderful experience as I have done before and it is a great pleasure to welcome them to our body. Speaker Marvel, would you continue then on LR 43?

SPEAKER MARVEL: I think we have covered the language. I think technically now I would ask that LR 43, which is on page 1002 of the Journal, be adopted.

PRESIDENT: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I am very pleased that the resolution was offered. I support it one hundred percent, and I would like to note what just occurred to me, it is quite significant. A couple of years ago the Legislature enacted a resolution with the exact same number which would restrict the investment. It recommended a restriction of investment of state funds in corporations that deal with South Africa. So I think it is kind of ironic that almost two years, or at least that long, later a resolution of this kind with the same number is offered and I support this one as I did the other one.

PRESIDENT: Thank you, Senator Chambers. Any further discussion on LR 43? Senator Marvel, do you wish to close?

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LR 43
LB 179, 350, 420

The motion then is the adoption of LR 43. All those in favor vote aye, opposed nay. Has everyone voted? Record the vote.

CLERK: 36 ayes, 0 nays on the adoption of the resolution, Mr. President.

PRESIDENT: Motion carries and LR 43 is adopted. Do you want to read some matters in?

CLERK: If I may, Mr. President. Urban Affairs Committee whose Chairman is Senator Landis reports LB 350 as indefinitely postponed; and LB 420 as indefinitely postponed. (Signed) Senator Landis.

I have a reference report from the Executive Board regarding certain gubernatorial appointments.

PRESIDENT: The next bill then on Select File will be LB 179.

CLERK: Mr. President, there are E & R amendments to LB 179.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 179.

PRESIDENT: Motion to adopt the E & R amendments on LB 179. Any discussion? All those in favor of adopting the E & R amendments on LB 179 signify by saying aye, opposed nay. The E & R amendments are adopted on LB 179.

CLERK: Mr. President, I now have an amendment offered by Senator Lamb found on page 976 of the Journal.

PRESIDENT: The Chair recognizes Senator Lamb.

SENATOR LAMB: Mr. President and members of the Legislature, I would refer you to page 976 for the amendment to the bill. This amendment is designed to undo the harm which was enacted with LB 120, Senator Burrows' bill, in regard to the attorney fees for people that are unhappy with local subdivisions of government. The amendment to LB 179 retains the allowance of LB 120 in the award of attorney fees but relieves the public officer or the employee of personal liability for the payment of the civil penalty and attorney fees if the employee or officer acted reasonably and in good faith in the performance of the public duty. It would remain with the governing body to determine what constitutes a reasonable and good faith action. The payment of any monetary awards would be made by the political subdivision in compliance with Section 77-1619. I move the

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LB 204, 204A

seventh through eleventh graders and two adults from Weeping Water Junior and Senior High School, Mrs. Heidi Goodenkauf and Mrs. Elizabeth Domingo, teachers. They are in the North balcony. Would they be recognized and welcome to your Legislature, Weeping Water.

CLERK: Mr. President, LR 43 is ready for your signature.

PRESIDENT: While the Legislature is in session and capable of doing business, I propose to sign and I do sign LR 43. Mr. Clerk, we will proceed then with the next bill on Select File, LB 204.

CLERK: There are E & R amendments, Senator.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move the E & R amendments to LB 204.

PRESIDENT: Motion to adopt the E & R amendments on LB 204. Any discussion? All those in favor of adopting the E & R amendments on LB 204 signify by saying aye, opposed nay. The E & R amendments on LB 204 are adopted. Anything further?

CLERK: I have nothing further on the bill.

PRESIDENT: The Chair recognizes Senator Kilgarin.

SENATOR KILGARIN: I move that LB 204 with the amendments be advanced to E & R for engrossment.

PRESIDENT: Motion to advance LB 204 to E & R for engrossment. Any discussion? Hearing none, all those in favor of advancing LB 204 to E & R for engrossment signify by saying aye, opposed nay. It is hard to hear up here, but the motion carries and LB 204 is advanced to E & R for engrossment. The next bill is LB 204A, Mr. Clerk.

CLERK: Mr. President, Senator Wagner has an amendment to LB 204A found on page 899 of the Journal.

PRESIDENT: The Chair recognizes Senator Wagner.

SENATOR WAGNER: Mr. Speaker and members, the other day we amended 204 and we did not amend 204A and 204A just takes the Section two out of there which was \$19,000 for the brand inspector and that coordinates it with LB 204. I move the adoption of the amendment.

PRESIDENT: Any further discussion on the amendment, on the Wagner amendment to LB 204A? I guess, Senator Wagner, that