

LEGISLATIVE JOURNAL—SEVENTIETH SESSION

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska

Tuesday, August 9, 1960

Pursuant to adjournment, the Legislature met at 8:00 a.m., President Burney presiding.

Prayer was offered by the Chaplain.

The roll was called and all members were present except Messrs. Donner and Erlewine who were excused.

The Journal for the Sixth Day was approved.

SUSPEND RULES—Final Reading

Mr. President: I move that the Rules be suspended and we consider bills on Final Reading immediately. (Signed) J. W. Burbach

The motion prevailed with 37 ayes, 0 nays, and 6 not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 3. With emergency.

A BILL FOR AN ACT to provide for the compensation of employees, mileage of members, and for supplies and other incidental expenses incurred during the Seventieth (Extraordinary) Session of the Legislature of the State of Nebraska; to appropriate the sum of eight thousand dollars therefor; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 38:

Adams	Burbach	Diers	Jensen
Aufenkamp	Carpenter	Fenske	Klaver
Bowen	Claussen	Fulton	Liebers
Bridenbaugh	Cooper	Gerdes	Marvel

McHugh	Otto	Simmons	Tews
Moulton	Peck	Skarda	Thompson
Munnelly	Pizer	Stryker	Vosoba
Nelson	Portsche	Swanson	Webb
Olinger	Ruhnke	Syas	Williams
Orme	Russillo		

Voting in the negative, 3:

Hollenbeck	Lautenschlager	Romans
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Not voting, 2:

Donner	Erlewine
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 2. With emergency.

A BILL FOR AN ACT to appropriate the sum of thirty-five thousand dollars to aid in defraying the expense of salaries, wages, and maintenance of the Division of Nebraska Resources for the biennium ending June 30, 1961; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?'"

Voting in the affirmative, 29:

Adams	Jensen	Orme	Skarda
Bowen	Klaver	Otto	Swanson
Burbach	Liebers	Peck	Syas
Carpenter	Marvel	Pizer	Tews
Claussen	McHugh	Portsche	Thompson
Diers	Munnelly	Ruhnke	Vosoba
Fenske	Olinger	Simmons	Webb
Gerdes			

Voting in the negative, 12:

Aufenkamp	Fulton	Moulton	Russillo
Bridenbaugh	Hollenbeck	Nelson	Stryker
Cooper	Lautenschlager	Romans	Williams

Not voting, 2:

Donner	Erlewine
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1. By Joe T. Vosoba, 23rd District; Arnold Ruhnke, 22nd District, upon recommendation of the Governor.

A BILL FOR AN ACT for submission to the electors of an amendment to Article XV of the Constitution of Nebraska, relating to counties, cities and villages; to provide for the development of Nebraska agricultural and industrial resources; to provide that the Legislature may authorize counties, cities and villages to acquire, own, develop, and lease real and personal property to private enterprises, the cost thereof to be defrayed by revenue bonds secured by a pledge of the lease and revenues therefrom and by mortgage upon such property; to provide that the acquiring, owning, developing, and leasing of any such property shall be deemed a public use; to provide for taxation; to provide for the submission of the proposed amendment to the electors at the general election in November, 1960; to provide for the manner of submission and form of ballot; and to provide the effective date thereof.

Be it enacted by the people of the State of Nebraska,

Section 1. That at the general election in November, 1960, there shall be submitted to the electors of the State of Nebraska for approval the following amendment to Article XV of the Constitution of Nebraska, which is hereby proposed by the Legislature:

"Sec. 16. Notwithstanding any other provision in the Constitution, the Legislature may authorize any county, incorporated city or village, including cities operating under home rule charters, to acquire, own, develop, and lease real and personal property to manufacturing and industrial enterprises and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued. Any such real or personal property so acquired, owned, developed or used by any such county, city or village, shall be subject to taxation to the same extent as private property during the time it is leased to or held by private interests, notwithstanding the provisions of Article VIII, section 2, of the Constitution. The acquiring, owning, developing, and leasing of such property shall be deemed for a public purpose, but the governmental subdivision shall not have the right to acquire such property by condemnation. The provisions of Article XIII, section 2, of the Constitution, shall not apply to the issuance of revenue bonds herein provided for. The principal of and interest on any bonds issued

may be secured by a pledge of the lease and the revenues therefrom and by mortgage upon such property. No such governmental subdivision shall have the power to operate any such property as a business or in any manner except as the lessor thereof."

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by Article XVI, section 1, of the Constitution of Nebraska. The proposition for the submission of the proposed amendment shall be placed upon the ballot in the following form:

"Constitutional amendment to authorize the Legislature to permit counties, cities and villages to acquire, develop and own real and personal property to be leased to private enterprises for manufacturing and industrial use, and to issue revenue bonds to defray the cost thereof, which bonds shall not be a general obligation of the governmental subdivisions issuing such bonds; such real and personal property to be taxed when leased to private enterprises.

- For
 Against"

Sec. 3. That the proposed amendment, if adopted, shall be in force and take effect immediately upon the completion of the canvass of the votes, at which time it shall be the duty of the Governor to proclaim it as a part of the Constitution of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?'"

Voting in the affirmative, 39:

Adams	Fulton	Nelson	Simmons
Aufenkamp	Gerdes	Olinger	Skarda
Bowen	Hollenbeck	Orme	Stryker
Bridenbaugh	Jensen	Otto	Swanson
Burbach	Klaver	Peck	Tews
Carpenter	Lautenschlager	Pizer	Thompson
Claussen	Liebers	Portsche	Vosoba
Cooper	Marvel	Romans	Webb
Diers	McHugh	Ruhnke	Williams
Fenske	Munnelly	Russillo	

Voting in the negative, 2:

Moulton Syas

Not voting, 2:

Donner Erlewine

A constitutional three-fifths majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Visitors

Mr. Gørdes introduced R. L. Patterson, Chairman, Kansas Wheat Commission; Orville Wolf, Chairman, Oklahoma Research Foundation; Frank Zeman, Chairman, Oklahoma Wheat Growers; Jim Johnson, Director, Oklahoma State Legislative Council; Roy Suttles, Executive Secretary, Oklahoma Wheat Growers; Leo Gilbert, Vice Chairman, Clyde Cooperative; and the following Representatives who are members of the Oklahoma Sub-committee on Agriculture: A. E. Green, Chairman, John Howe, Bert Larason, Frank Reneaue, and Frank Patterson.

UNANIMOUS CONSENT—Withdraw LR 1

Mr. Carpenter requested unanimous consent to withdraw LR 1. No objections. So ordered.

LIST OF LEGISLATIVE EMPLOYEES

Paid from Special Legislative Funds

Francis V. Robinson	Assistant Clerk of the Legislature
George Santo	Sergeant-at-arms
Max Baskins	Assistant Sergeant-at-arms
Ruby Nelson	Postmaster
Rev. Martin Schroeder	Chaplain
Theba Lubken	Journal Clerk
Sherrill Niebuhr	Office Secretary
Elsye Firestone	Docket Clerk, Stencil Typist
Eunice V. Bradley	Supervisor, Secretarial Pool
Miriam Gabelman	Committee Clerk
Marjory Hines	Committee Clerk
Jane Lemon	Stenographer
Ruth Theobald	Dictaphone Stenographer
Gertrude Tyler	Telephone Operator
Marc Borchers	Page
Jim Van Riper	Page
Phyllis Daniels	Page
Martha Hedge	Page
C. A. Mohrman	Chief Clerk, Bill Room
Everett Hall	Custodian

Joseph E. Eickmeier	Assistant Custodian
Elizabeth Reger	Proof Reader
Helen Petersen	Proof Reader

(Signed) Hugo F. Srb
Clerk of the Legislature

STANDING COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 3. Correctly enrolled.

LEGISLATIVE BILL 2. Correctly enrolled.

LEGISLATIVE BILL 1. Correctly enrolled.

(Signed) Joe T. Vosoba, Chairman

President Signs

While the Legislature was in session and capable of transacting business, the President signed: LB 3 LB 2 LB 1

Visitors

Mr. Gerdes introduced Mr. Carl Bruns, National Wheat Growers President of Chappell, Nebraska, and Messrs. Elvey Lassitor, Max Berry, and Earl W. Nelson of Oklahoma.

UNANIMOUS CONSENT—Print Prayer

Mr. Adams requested unanimous consent that the prayer given by the Chaplain today be printed in the Journal. No objections. So ordered.

Prayer

Eternal God, in these declining moments of our special session, nearing its goal, having weighed facts against facts and making decisions that are meant to help the people who sent us here, in all humility, we give thanks to Thee, Oh Lord, for the privilege and honor that attaches to our office as representatives of the people of this state.

Greatly concerned about the consequences of our decisions, we shall now be open to Thy judgment.

May our sincerity never be questioned in striving to bring honor and glory to Thy Holy Name.

Amen

Presented to the Governor

Presented to the Governor for approval on August 9, 1960, at
8:32 a.m.: LB 1 LB 2 LB 3

(Signed) Francis V. Robinson
Assistant Clerk of the Legislature

MOTION—Employees' Salaries

Mr. President: I move that in the figuring of the salaries of the employees of this session, the schedule of wages for the 1959 session be used. (Signed) Stanley L. Portsche

The motion prevailed.

MOTION—Printing

Mr. President: I move that we approve the printing of the legislative bills and Session Laws by Capitol Printing Company, and the daily journals and permanent Legislative Journal by Joe Christensen. (Signed) Fern Hubbard Orme

The motion prevailed.

MOTION—Journals, Session Laws

Mr. President: I move that the Clerk of the Legislature be instructed to send to each member of the Legislature, to the Lieutenant Governor, and to each authorized member of the Press, assigned to the Legislature of the Seventieth (Extraordinary) Session, a copy of the permanent Legislative Journal of said session, and a copy of the Session Laws passed thereat. (Signed) Hal Bridenbaugh

The motion prevailed.

MOTION—Approve Journal

Mr. President: I move that the Legislative Journal for the Seventh Day be approved as prepared by the Clerk. (Signed) John Adams, Sr.

MOTION—Retain Help

Mr. President: I move that the Clerk of the Legislature be directed to retain such help as may be required to complete the business of the office for the Seventieth (Extraordinary) Session of the Legislature. (Signed) George Syas

The motion prevailed.

MOTION—Notify Governor

Mr. President: I move that a committee of five be appointed to wait upon the Governor to advise him that the Legislature has completed its work and is ready to adjourn and ask him if he has any further message for the Legislature. (Signed) Norman A. Otto

The motion prevailed and the President appointed the following to wait upon the Governor: Otto, Pizer, Williams, Liebers, and Aufenkamp.

The committee escorted Governor Ralph G. Brooks to the rostrum.

The Governor expressed appreciation and thanks for the expeditious manner in which the Legislature performed.

The committee escorted the Governor from the rostrum.

MOTION—Appreciation to Press

Mr. President: I move that a standing vote of thanks be given to the newspapers and the press associations for their accuracy and fairness in reporting to the people of our State the activities of this Session of the Legislature. (Signed) Terry Carpenter

The motion prevailed.

MESSAGE FROM THE GOVERNOR

August 9, 1960

The President, the Speaker
and Members of the Legislature

Gentlemen and Mrs. Orme:

Governor Brooks has requested me to inform your Honorable Body that on August 9, 1960, he approved LB 1, LB 2, and LB 3.

Respectfully submitted,

(Signed) Robert B. Conrad
ROBERT B. CONRAD
ADMINISTRATIVE ASSISTANT

RBC:e

MOTION—Adjourn

Mr. President: The Seventieth (Extraordinary) Session of the Legislature of Nebraska having finished all business before it, I move that it now adjourn sine die. (Signed) Arthur W. Swanson

The motion prevailed, and at 8:48 a.m., the Legislature adjourned.

Hugo F. Srb
Clerk of the Legislature

CERTIFICATE

I, Hugo F. Srb, Clerk of the Legislature, hereby certify that the foregoing is a true and correct copy of the Legislative Journal of the Seventieth (Extraordinary) Session of the Legislature of the State of Nebraska, convened and held in the City of Lincoln, State of Nebraska, August 1, 1960 to August 9, 1960.

(Signed) Hugo F. Srb
Clerk of the Legislature

August 11, 1960
Lincoln, Nebraska