

April 7, 1978

LB 407 A, 435, 964

SENATOR CULLAN: Mr. President, members of the Legislature, I move the E & R amendments to LB 964 be adopted.

PRESIDENT: All in favor say aye. Contrary say nay. They are adopted.

SENATOR CULLAN: Mr. President, members of the Legislature, I move that LB 964 as amended by advanced to E & R for Engrossment.

PRESIDENT: All in favor say aye. Contrary say nay. The bill is advanced. Senator Labeledz.

CLERK: Senator, we had an indefinitely postpone motion on 407 A, but I understand that you wish to withdraw it. Is that right?

SENATOR LABEDZ: Yes.

PRESIDENT: All right, Senator Labeledz has withdrawn her motion to indefinitely postpone 407 A.

CLERK: Mr. President, I now have amendments offered by Senator Koch. Mr. President, Senator Koch moves to suspend all rules and adopt request number 2917 which previously was an amendment to LB 435 as an amendment to 407 A and to strike the original contents of 407 A. That's offered by Senator Koch.

SENATOR KOCH: Mr. President, the purpose of the amendment, and I'll be very succinct in this. Some forty years ago Jonathan Lydick gave to the school lands and funds two hundred and forty acres of land in Burt County with the understanding that the net proceeds of the property would accede to the surviving member, in this case, the wife, of the family. It appears though there has been some misunderstanding or at least a problem with the law. The lease has been renegotiated and now Mrs. Lydick who is ninety years of age obviously will be without that profit that would have been coming to her. What we're attempting to do in this legislation is to clarify law to allow these school lands, educational lands, the Board of Educational lands, to pay to Jessie Lydick, the spouse, the widow, for the remainder of her lifetime that net proceeds. After that time the bill states that those proceeds then shall be transferred to the temporary fund and used exclusively then for the support and maintenance of the common schools. As you can see from this, as I understand it and Senator George knows the case as well, Mrs. Lydick is ninety years of age. Her health is not necessarily all that good, but I believe that this state owes to her at least for the longevity of her life, the agreement of the trust as was originally intended. The records when you go back and look at them are not very clear. That time on the School Lands Board was such people as Dwight Griswold and others and so you know that that was a long time ago. So what I'm asking to do is the permission of the body to take 407 and Senator Labeledz has agreed to this, and place this body of law into that bill for that purpose so that Mrs. Lydick will be able to receive the benefits of that estate until it becomes a trust of the state for school lands. I ask for the adoption of the law to 407 A. Thank you.

PRESIDENT: Senator George.

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