

January 5, 1989

LB 48, 52, 84, 161-189

the Executive Board will meet in...the Reference Committee will meet in Room 2102 at three-fifteen today for purposes of referencing bills, Reference Committee at three-fifteen.

Mr. President, new bills. (Read LBs 161-189 by title for the first time. See pages 82-88 of the Legislative Journal.)

Mr. President, in addition to those items, I have requests from Senators Chambers, Nelson, Schellpeper, Hefner, Lamb, Crosby and Hartnett to add their name to LB 48 as co-introducer; Senator McFarland and Schellpeper to LB 52 as co-introducer and Senator Carson Rogers to LB 84 as co-introducer. (See page 88 of the Legislative Journal.)

PRESIDENT: No objections, so ordered.

CLERK: Mr. President, an announcement from the Agriculture Committee and signed by Senator Rod Johnson, the Ag Committee has selected Senator Owen Elmer as its Vice-Chairperson. Mr. President, I believe that is all that I have.

PRESIDENT: Ladies and gentlemen, we're about to start the proceedings for the afternoon, and we're very grateful to have with us Father Dawson this afternoon for our invocation. Would you please rise for Father Dawson.

FATHER DAWSON: (Prayer offered.)

PRESIDENT: Thank you, Father Dawson. Please feel free to stay with us as long as you like. We're privileged to have with us this afternoon the Nebraska National Guard who will present colors. Would you please rise.

PRESENTATION OF COLORS

PRESIDENT: Ladies and gentlemen of the National Guard, we appreciate your being with us and presenting the colors today. If I might say a word to those who will be escorting the folks in today, it will be necessary that we do it a little bit different than we usually do it. When one group of ushers brings in their group, please bring them up onto the stage and then retire back to your seats until the inauguration proceedings are over with and then I will call you back one group at a time to take your group back, because if we should all come in and all stay up here on the podium, we wouldn't have

January 25, 1989

LB 13, 18, 19-32, 89, 114, 122, 165
168, 169, 177, 221, 254, 646, 742

SENATOR LINDSAY: Mr. President, I move that LB 168 be advanced as amended.

SPEAKER BARRETT: Shall 168 be advanced? Those in favor say aye. Opposed no. Carried. The bill is advanced. LB 169.

CLERK: LB 169, Senator, I have no amendments to the bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 169 be advanced.

SPEAKER BARRETT: You have heard the motion to advance 169. Those in favor say aye. Opposed no. Carried. The bill is advanced. Thank you. Messages on the President's desk.

CLERK: Mr. President, your Enrolling Clerk has presented to the Governor bills read on Final Reading this morning as of 11:11 a.m. (Re: LB 13, LB 18, LB 19, LB 20, LB 21, LB 22, LB 23, LB 24, LB 25, LB 26, LB 27, LB 28, LB 29, LB 30, LB 31, and LB 32. See page 445 of the Legislative Journal.)

Mr. President, your Committee on Government, Military and Veterans Affairs reports LB 165 to General File with amendments; LB 177 to General File with amendments; LB 254 General File with amendments, all signed by Senator Baack as Chair. Banking Committee reports LB 221 to General File with amendments, that is signed by Senator Landis. Transportation Committee reports LB 114 to General File with amendments; and LB 122 as indefinitely postponed. Those are all signed by Senator Lamb as Chair. (See pages 445-446 of the Legislative Journal.)

Mr. President, I have a hearing notice from the Government, Military and Veterans Affairs Committee. That is signed by Senator Baack.

Mr. President, Senator Hartnett would like to have an Executive Session I believe in the Senators Lounge upon adjournment; Urban Affairs Committee, Senators Lounge upon adjournment.

Mr. President, Senator Crosby would like to add her name to LB 89; Senator Smith to LB 646; and Senator Labeledz to LB 742. That is all that I have, Mr. President.

vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 33 ayes, 0 nays, Mr. President, on the advancement of 165.

PRESIDENT: LB 155 advances to E & R Initial. LB 177, please.

CLERK: Mr. President, 177 was a bill introduced by Senator McFarland. (Read title.) The bill was introduced on January 5, referred to the Government Committee for public hearing. It was advanced to General File. I do have committee amendments pending by the Government, Military and Veterans Affairs Committee, Mr. President.

PRESIDENT: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Members of the body, the committee amendments, again, I love this phrase, are technical in nature. They truly are. They were introduced or suggested by the introducer of the bill. The first amendment the committee has clarifies that the Advisory Board terms of four years apply only to the appointed members of the board and not the public official members. The public official members would be on the board as long as they hold the specified public office. The second amendment, again, is somewhat technical in nature but it's very clear and to the point. It would strike the emergency clause and the July 1, 1989 effective date which would make the bill just as a normal bill without the emergency clause. And those would be the amendments and I move the amendments.

PRESIDENT: Any further discussion on the amendments? If not, Senator Rod Johnson.

SENATOR R. JOHNSON: I'll speak to the bill.

PRESIDENT: Okay. The question is the adoption of the committee amendments. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of Government Committee amendments.

PRESIDENT: The committee amendments are adopted. Senator McFarland, please, on the bill.

SENATOR MCFARLAND: Thank you, Mr. President. LB 177 is designated as the Protocol Act for the State of Nebraska. You may recall that this act was passed last year by a majority of the members of this legislative body late in the session. It was passed at the urging of Senator Vard Johnson who has, as you know, resigned and is not present with us today. But it was vetoed, I believe, even vetoed after the session was over so there was no chance for reconsideration on the bill. As a result of that, I had become interested in this particular area of our state courtesy and hospitality because I have hosted foreign visitors to our state, primarily through the Mayor's office. They have a program for international friendship and, as a result of that, many of the foreign visitors are interested in visiting the Legislature to find out about our Unicameral form of government and I have participated in that program and I voted in favor of the Protocol Act last year and, for that reason, I have reintroduced the same thing this year again to be considered by this body. I have passed out a number of handouts for you to consider. I trust that you have had the chance to survey Secretary of State Allen Beermann's memorandum. It is rather lengthy so you may not have read all of it. But if you are interested in all the various problems that have occurred because we do not have a protocol office in this state, you can read his memorandum. I can tell you that almost all of the states in our country have a protocol office established to host foreign visitors and I can tell you also that there are approximately 20 to 30 of the largest cities in our country have a protocol officer as well. Our state does not have a protocol officer, has never had a protocol officer and I think we have suffered for that. You might read Secretary of State Beermann's memo for that explanation. Basically, this LB 177 would promote international exchanges between foreign countries and the State of Nebraska. The exportation of Nebraska products is critical to the health of the state's economy and to successfully promote Nebraska products in international markets the state must pursue an aggressive policy in international exchanges between foreign dignitaries and state officials. This bill, as I said, would create a protocol office for the state to coordinate visits between state officials and foreign visitors. Historically, such visits have been planned on an ad hoc basis with little coordinations between the agency and offices involved. There have also been problems encountered with payment for entertaining foreign dignitaries and the purchase of appropriate gifts or mementos for the state visits and this bill would attempt to alleviate this problem since successful visits are

important to any subsequent foreign trade relations. This bill was heard by the Government Committee a few weeks ago. We had an excellent hearing. There were no opponents to this bill whatsoever. The proponents of the bill, if you look in your Bill Book, were...in addition to myself, were Secretary of State Beermann, State Treasurer Frank Marsh, a Mr. Ottoson, who has been active in the hosting of foreign visitors to our state, and also, although he could not appear, there was written testimony of support for the Protocol Act by former Mayor and former Lieutenant Governor Roland Luedtke. All of these individuals have talked with me. All of them have expressed the mandatory nature of having a protocol office in our state if we are going to promote foreign trade, if we are going to promote businesses that are operated or, in part, owned by foreign dignitaries to locate here in Nebraska, such as the Kawasaki plant and other such plants to try to get some type of economic development in the state. I would urge the passage of this bill. You might take a look at the larger sheet that I have passed out because it contains some appropriate comments, I think, from Secretary of State Beermann and from State Treasurer Marsh. Secretary of State Beermann says that he has supported the bill and cited examples of how lack of coordination has resulted in shuffled, unanswered correspondence and embarrassing breaches in customs or language. He said, we're in a global economy now, we are getting a lot of visitors who come to Nebraska for many reasons. Except for volunteers who give a lot of time and money and effort, we end up many times embarrassed. Take a look at his memo. There are a number of examples and references to where because we do not know the customs and the way to host foreign visitors we made egregious errors in the type of hosting that we do in the State of Nebraska. If we had a protocol office, this wouldn't happen. Secretary of State Marsh emphasized the importance of Nebraska business...to Nebraska business of establishing good foreign relations. He said, we didn't step out of Lincoln today, we step out in the world; let's not forget that governors come and go but global involvement goes on forever. Frankly, this bill carries a fiscal note of \$80,000. I think that's the maximum amount that this bill would cost. That was Senator Johnson's estimate last year and I have a note if you would like to see it where he said this would be the most that this program would cost. Eighty thousands dollars, to me, is the best money that this state could invest in the type of economic development and promotion of good relationships with foreign countries and with foreign dignitaries. Senator Moore, I understand, has a motion that will be following to kill this

bill. I would ask you to consider that kill motion very seriously and to reject it very seriously as well. Other than the fiscal note attached, I have not heard from Senator Moore of why he has any objection to this bill. My understanding is that he has suggested that maybe this could be handled through the executive department or some other administrative process. I would ask Senator Moore, when he talks about his motion to kill, to respond to all of the items raised by Senator...or by Secretary of State Beermann in that memorandum. I would like to see how any type of informal type of arrangement through an administrative office is going to handle those particular problems that Secretary of State Beermann addresses in his memorandum. I think they are numerous. I don't think that there is any way to do it. If you look at the veto message that came back last year from the Governor's office, I think I passed out copies to you, the message generally was that the bill was vetoed for the reason that it could be handled administratively through her offices. And I will read it to you. It says LB...this was LB 295A. It said it establishes a state protocol office and establishes the Protocol Advisory Board. The message dated April 13th of 1988 is, "These services could be provided more effectively and efficiently administratively rather than through the creation of a new separate bureaucracy. I will be working with the Legislature to facilitate such an arrangement." Take a look at Secretary of State Beermann's note, you will note...or memorandum, you will note that he refers to a letter written August 5, 1988 by Senator Vard Johnson to inquire about how the executive offices were administratively handling this protocol matter. It is my understanding that Senator Johnson had not received any response whatsoever from the executive department about how these things were going to be administered and that was after the passage of, what, six months, between April and August; four months between the time of April and August. Then you will also note that in the interim, to my knowledge, nothing else has happened as far as administrative procedures to handle this problem with the protocol of the State of Nebraska. But, nevertheless, on January 18 you will see a memo that arrived before the Government Committee and it was presented before the Government Committee. That just happened to be the same date that this bill came up for hearing and the memorandum dated January 18 says that...

PRESIDENT: One minute.

SENATOR MCFARLAND: ...the executive department had designated

the Lieutenant Governor as the focal point of coordinating the state government's efforts with international visitors. To my knowledge, between April of last year and January of this year, this is the first positive action that has been taken to try and implement this program. I think if you read all of the comments by Secretary of State Beermann, by State Treasurer Marsh, if you are aware of the comments that former Lieutenant Governor Roland Luedtke has made on this matter, you will see that there is no way to handle this type of protocol responsibility without establishing a separate protocol office. I think the \$80,000 that would be appropriated for this purpose is a worthy investment for the future of our state and the future of economic development in Nebraska. I would ask you to deny the motion to kill that Senator Moore is going to propose and then I would ask you respectfully to advance the bill.

PRESIDENT: Thank you. Mr. Clerk, you have something on your desk.

CLERK: Mr. President, Senator Moore would move to indefinitely postpone LB 177. Senator McFarland would have the option to lay the bill over at this time if he were so inclined.

PRESIDENT: Senator McFarland.

SENATOR MCFARLAND: Take it up, Mr. President.

PRESIDENT: Okay, Senator McFarland says to take it up. Senator Moore, please.

SENATOR MOORE: Mr. President and members of the body, just like Jason from the Friday The 13th movie, it's back. This one is back. Last year we amended it to an A bill on the third to the last day of the session, LB 295A, and the Governor had the common sense to veto it. This bill somehow made it out of Government Committee on a unanimous vote which I think was a mistake. And some people mentioned with my new shortly cropped conservative haircut maybe I had a, you know, I had a conservative attitude today. But I filed this kill motion last week, the first time I saw it, and I'm dead serious about it, because the fact of the matter is if you do look at the A bill on this, you're talking about creating a new state agency, a new division of government that, under this A bill, costs \$80,000 but it's just a matter of time before it increases. I mean, in something that the "Dean" of the Legislature always says, I'm

not meaning to say anything about this particular bill, but they always say the only way you can stop an agency from growing is never starting it. I think we would be wise today never to start this protocol office. I'm not saying it's bad because exactly the things that Secretary of State Beermann and others mentioned this state does need to do. But the fact of the matter is that, you know, we can...there's got to be some way we can do this without spending \$80,000 of new money and eventually spending hundreds of thousands of dollars of new money for a protocol office. There are simply better things that we can spend our money on in this state. And, you know, the fact every year...two years ago when I ran for election, the 27, 28, those here today that ran for election, I know you went out there and you said, I am against excessive spending in state government. I promise to do what I can to bring common sense to spending in state government. And you sit there and you say, I will do all I can to make sure state government doesn't grow unnecessarily. Well, if you mean any of those things you said, you should vote to kill this bill, because if you don't, and if you vote this LB 177 and eventually pass it, it's going to grow and there will be further unnecessary expenditures by the state. Now, Senator McFarland asked me to respond how could we do all the things that Secretary of State Beermann mentioned and I granted that some of those are...you know, may take a little work but I think with a little effort it could be done. As Lieutenant Governor Nichol came in when he came in in a neutral capacity for this bill, you know, last year after the Governor vetoed LB 295A, she came back and said with a little bit of time this could be done in the Lieutenant Governor's office. I know there has been some people that say this...you know, when people...when these high-powered people come to the State of Nebraska, the thing they want to see usually is the Unicameral. That's what they want to see because we're a little odd here in Nebraska. I mean, however you want to say that, we're the oddballs, they want to come and see the Unicameral. And, because of that, the protocol officer should not be underneath the Governor's arm, it should be underneath the legislative arm. Well, if you put it underneath the Lieutenant Governor, he is the President of the Unicameral Legislature, so what a more obvious place to put it. Now, regardless of what you think of Bill Nichol or Don McGinley or Roland Luedtke, or whoever it is, that's the way it should be handled. I mean, if the Governor makes this a priority, I mean, if you're coming from a different state and you have the second person in command welcoming you, what else do you want? He's the Lieutenant Governor of the state. That's the logical place

it should go. Well, it seems like, I mean, I think we need to debate this. If you remember last year, this bill passed on a 25 to 23 vote. The Governor vetoed it. I should think we want to take a good, hard look before we advance this bill further. And I hope that all of you out there that...I know some of you didn't but those of you who did, you talked about controlling increase in government spending, hold those promises to heart and vote to kill this bill.

PRESIDENT: Thank you. Senator McFarland, you may respond so that you do get to respond.

SENATOR MCFARLAND: Thank you, Mr. President. I would be delighted to respond. I will try to respond and keep a straight face. I wonder about the priority of this bill with the executive office. If it was a priority, why has nothing occurred between April of last year and January 18th of this year when this bill came up for hearing in the Government Committee? Now, my understanding is that the memorandum was supposedly a coincidence that it came out on that same day. I guess I can accept that. It may have been a coincidence that it happened to be on the same day as the committee hearing. However, I don't think that that fact counters the obvious result that there has not been any action of any substance taken between April and January of...April of last year and January of this year. Almost nine months have gone by and I can tell you I have hosted a number of foreign visitors to our state between that time and nothing, to my knowledge, has been coordinated through the executive offices. And it's very interesting, I wish that everyone could have been at the committee hearing to hear the testimony of Secretary of State Beermann and State Treasurer Marsh and Mr. Ottoson. They gave three varied perspectives on the thing. They are people that have been involved with this situation for 10, 15, 20 years. They have hosted these guests. They are aware of the problems and the lack of courtesy we provide under the current system. And you will notice that the people that did hear this testimony for the committee...before the committee, the Government Affairs Committee, all voted unanimously to advance this bill to the floor. There was not one dissenting vote. There was not one person who did not vote on this matter. All eight people in the Government Committee voted to advance. They all heard the testimony. There were no opponents to the bill. As a matter of fact, I just visited with Senator Korshoj and Senator Weihing. My under...Senator Weihing has expressed his strong support of

this bill. He says it's obviously necessary. I talked with Senator Korshoj and he said that he was one of the persons who voted against this last year, but after hearing the testimony before the Government Committee, after hearing all of the horror stories and the problems that have occurred because we don't have a protocol office in our state, he is voting in favor of it, he supports it very strongly. I think if you individual members had been present in that committee, you would not be even considering this motion to kill. If Senator Moore had been before that committee and heard the testimony, he may not have even filed this motion to kill the bill. I think it is a worthy bill and I think it is worthy of your support and I would ask for your advancement of this bill after we do away with this kill motion. Thank you.

PRESIDENT: Thank you. Senator Rod Johnson, please, then Senator Coordsen, then Senator Weihing.

SENATOR R. JOHNSON: Mr. President and members, I have given this speech in years past in support of the bill or the concept of a protocol officer and I guess I will reiterate the same thoughts that I had on this for the new members who might be following the debate on this issue. I have consistently had an opportunity to meet a number of foreign exchange visitors to the State of Nebraska through the Mayor's Committee on International Exchange, of course, our commodity organizations that bring foreign visitors to Nebraska to learn more about Nebraska agriculture and, of course, the University of Nebraska. It's been a good opportunity for me to get to better know those individuals from other countries and their interest in this state and it has opened my eyes to the fact that we are living in a global society and especially in the area of agriculture. And I think it would be a mistake for us to kill this bill at this time. I believe that Senator McFarland and his predecessor on this particular issue, Senator Vard Johnson, really have hit upon an idea that's been long overdue, something that we need to do and I am going to vote against the kill motion and vote for the advancement of the bill. The only concern I have with this issue happens to be that the appointment of the protocol officer is made by the Governor, not that I have any problem with our current administration. My only concern is as you change administrations will you have a change in the focus of this program every time a new administration takes office. And so I would like to see more consistency in the program than that, but that's a technical problem that could be worked out in the bill

later. At this particular point though I adamantly oppose the kill motion. I think that we have to recognize Nebraska is not isolated in the center of this country, that the world is watching what we do here in this state, in particular because of our advancements in agriculture. And, as I said, I have just had a number of opportunities to meet dignitaries visiting this state and I think it's a shame that we cannot show them more courtesy and a better understanding of their customs and their needs when they visit this state and I think this would be one way to address that problem.

PRESIDENT: Thank you. Senator Coordsen, please, then Senator Weihing, then Senator Barrett.

SENATOR COORDSEN: Thank you, Mr. President, and members of the body, before I begin, I would point out to my friend from Stromsburg that I have even a more conservative hair style if that's judged by the length of one's hair. I rise to oppose the kill motion and won't say anything more on the bill, but to support the bill. There is probably nobody in Nebraska that is more aware of the need for protocol. The proper way of doing things in this body is we debate at length on our procedural rules. We debate on all things, trying to decide what the proper protocol is. The matter of international relations, that shouldn't be an issue for debate. For five years I chaired the Nebraska Grain Sorghum Board and I will assure you that from time to time with visitors coming into the State of Nebraska that the proper protocol, the proper good manners was indeed a cause for debate. Why was it? Because, with the exception of the services provided by the United States Department of State through the auspices of the U.S. Feed Grains Council, we were placed under very difficult circumstances in determining how we should proceed, what the good manners were in providing for guests to our state. The protocol office, as provided for in this bill, is basically directed toward visitors of the State of Nebraska, those of some eminence in their own country. And there is proper procedures for doing that in who receives the guests, depending upon the level. And, as mentioned in some of the material we got, the food, the religious problems, the accommodations are all a problem. The protocol office would provide these things for the State of Nebraska, but even better than that, it would provide for private industry who, in our era of international business, host many, many teams of visitors from a different land. In the interest of trying to further the economy of the State of Nebraska, the protocol office would

provide them with one good, quick, sound, reliable source of information as to how to receive their visitors. I think it's an issue that's long overdue, that we should have had it. We should not have had to put it into law. It's something that should have been provided in the course of good government by all administrations in the past. In the absence of that, I think we need to put this in place. And, with that in mind, I would urge the rejection of the kill motion. Thank you.

PRESIDENT: Thank you. Senator Weihing, please, then Senator Barrett.

SENATOR WEIHING: Mr. President and members of the Legislature, I, too, rise in opposition to indefinitely postpone LB 177. I commend Senator Coordsen's remarks. They were direct. They were right. They were expressed very well. I just want to make one comment with regards to those coming to Nebraska, the Unicameral is not number one in being sought to be seen or to be heard. What is normally being sought are the resources that we are selling. I'm certain that many, and many, and many a delegation came here because of our production of wheat, our production of corn, our production of soybeans and even sugar beet pulp, all of which goes to Japan. We have been negligent not to have an office of the protocol. Any of those of you who have traveled abroad, who have been a part of official delegation, who have worked within foreign countries and in foreign environments have come to know the desirability of having a protocol office, a person who can handle the uniqueness of any country. We have our uniqueness. We have our uniqueness in the way our crops are sold and sold abroad. There is the uniqueness that exists in all countries and there is also the culture which has to be dealt with. Not only do we have our products which, by the way, I want to point out that the economy of our state would essentially collapse if we suddenly had our foreign markets shut off. I just want to point it out, that great importance, we are international and we became international beginning in the 1950s as our wheat began to be sent abroad and subsequently our corn and our soybeans and our livestock and today one of the most prominent headlines is that of livestock going to the European economic area of the world. We are...must recognize that we are international, and in handling international affairs, we should have a person who is capable, one who can direct delegations coming or individuals coming to the proper person. We say \$80,000 for the cost of this. That is truly peanuts as to what we have invested in

foreign markets and also in foreign education. Our University of Nebraska right now has a number of people throughout the world, in China, Morocco, and I wouldn't know where else...I know in Africa, on every continent there are University of Nebraska and Nebraskans. We must recognize that we need to drop our provincialism and the quicker we become international, become cosmopolitan, the better we will be and the greater attraction that we will have. And, occasionally, some people may come and look at the Unicameral and say that's a unique body, but they really don't know what it is. You know, when I was campaigning, I found citizens of Nebraska didn't know we had a Unicameral. That's how broad and how well known it is.

PRESIDENT: One minute.

SENATOR WEIHING: I strongly...I'm strongly against indefinite postponement and just as strong in passing this legislation.

PRESIDENT: Thank you. Senator Barrett, then Senator Korshoj, then Senator Ashford. Senator Barrett, please.

SPEAKER BARRETT: Thank you, Mr. President, and members, I, too, rise in opposition to the motion to indefinitely postpone this bill. I was a co-sponsor a year ago of LB 347 with Senator Vard Johnson, the bill that was vetoed the last day or two of the session and time did not allow us to override the veto, as I recall. I felt the need for this type of legislation for several years but, more importantly, in just the last couple of years because of the office...the nature of the office of Speaker, because I have had an opportunity to become exposed to visitors and also to be a visitor in foreign countries. Protocol, to me, is nothing more than good manners and Nebraska has been somewhat negligent at times in providing the good manners that our visitors are entitled to. As a matter of fact, Nebraska is light years behind in this area. There have been times when I have actually been embarrassed not only as a receiver of guests but also a guest in other parts of the world. A majority of the states in this union do have protocol offices, have trade offices, we have none. Our sister states are way ahead of us in this area. It's time that we wake up and do something and become citizens of a little larger world. A global economy has been mentioned time and time again and it is a fact. Also, many of the previous speakers have touched on the fact that we receive so many guests and we really don't do a very good job of taking care of them. Senator Coordsen said

that he failed to mention the fact that we don't have much in the way of planning when we go abroad and that is, in fact, true. Nebraska has no policy, no procedures, no guidelines or manuals covering international travel, and in cases in which I am very much aware, that, too, has been embarrassing. As far as the matter of whether or not this belongs in the legislative branch or not, my prime concern is that we have a protocol office. But, secondarily, I would suggest to you that perhaps a majority of people that visit this Capitol come because of our unique Legislature, as Senator Moore has already suggested, of coming to see the Legislature. That says to me that perhaps the legislative branch should be primary in terms of a protocol office. I am also concerned that if the protocol officer in the state is to be a gubernatorial appointee, that that person will serve at the pleasure of the governor. Governors do change every four years and I am concerned about the continuity or the lack of continuity if this protocol office is placed in the executive branch of government. The Legislature, on the other hand, is an institution which continues like a river forever and ever and ever. I firmly believe that the protocol office belongs in the executive branch of government, but if it does end up in the executive branch of government, let's have one no matter what. But I think it belongs here. If it ends up in the Governor's office, at least we will have a protocol office and a protocol officer which we badly need. I would urge the body to reject the motion to kill. Thank you.

PRESIDENT: Thank you. Senator Korshoj, then Senator Ashford, then Senator Withem. Senator Korshoj.

SENATOR KORSHOJ: Mr. President and members, this is one of the few bills I've changed my mind on after one year's time in the Legislature or one year time on the bill. And I would be against a kill motion. After the hearing, Senator Moore, it was such a good hearing I thought it would be on consent calendar. I thought it would just zip right on through. But what we did hear was a very good hearing, pointed out the need for this office. We are now in a global economy and I suppose I will be repeating about what everybody has already said, and if we just messed up on one deal, it would cost us way more than this 80,000. I'm afraid that it would get bigger yearly, this appropriation, but that's up to us to keep our eye on that. The way we're doing it now it's very, very haphazard and I'm not saying anything against my good friend, the Lieutenant Governor, he is doing all he can do, but since he won that hog calling

contest out at the State Fair, he might be out calling hogs when he need him in the office here. So I think we've got it set up as part of the way we do business because the big potential that we have is going to be outside of this state. And I see much, much more economic development with this 80,000 than I do with that major bill we passed a couple years ago that's going to cost us projected 20 to 30 million a year through the year 2005. That was LB 775. And I think we'll get a big return very, very rapid with this. And so I am going to support the legislation and not the kill motion. Thank you, Mr. President.

PRESIDENT: Thank you. Senator Ashford, please, then Senator Withem. The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: Debate has ceased. Senator Moore, would you like to close, please.

SENATOR MOORE: Yes, Mr. President and members of the body, you know, LBJ always said if you can't walk into a room full of people and know who is for you and who is against you, you've got no business being in politics. Well, after all that line-up of speakers, I think I can hear the winds blowing and I know what's going to happen. I want to go through with my kill motion because I want to see how the 21 people who voted against advancing this bill last year vote on the kill motion, because last year when we voted on this there was 23 no votes, 21 of which, I guess, are still in the body today, it was the third to the last day of the session, we knew exactly what \$80,000 meant. Whereas, today, in this, the 13th or 14th day of the session, 17th day of the session, excuse me, everybody says, well, we have that great cash surplus, \$80,000 doesn't mean nothing and we can do all these great things that all these speakers just talked about. And I think, you know, that's not a...it's easier to vote...a lot easier to vote for spending money on the 17th day than it is the 57th day or the 87th day, and I want to see how those votes compare. Now, we all talked about the great good this would do. Senator Weihsing, Senator Rod Johnson, Senator Coordsen, all talked about the tremendous impact this \$80,000 could have on economic development in the State of Nebraska. Well, does anybody remember that we have a Department of Economic Development? Does anybody remember that we already

spend \$5 million in that department; that it is supposed to bring business to the state and it's supposed to know how to wine and dine these people? I mean, if you don't...if you kill this bill, Secretary of State Beermann can still take world visitors out to lunch or dinner, so can State Treasurer Frank Marsh. But the thing about it is you don't need to spend another \$80,000. I mean, both State Treasurer's Office and the Secretary of State's, their budgets both are well over half a million dollars. That money can come from there. The Legislative Council budget is millions of dollars already. The money can come from someplace else. Now, as far as the continuity, if you kill this bill and leave it on the Lieutenant Governor's Office, well, I mean, there is a certain amount of argument to that, but, once again, that old adage that we've had for too many years in this body and in government in general, if you just throw a little money at the problem, you'll get a return on your investment and it will be a wise investment. Well, I don't buy all that. Like I said, I mean, if you want to entertain people, if you want to fly people into the State of Nebraska, I mean \$80,000 isn't going to buy you too many plane tickets. Maybe that \$5 million in DED might, but the \$80,000 in this bill isn't going to entertain that many people. I think, you know, I have said enough. I am anxious to see what the kill motion does. I would like to see this bill be killed right here and now, and so this form of unnecessary spending will be stopped with right here, and with that, I'd just hopefully see the vote that we indefinitely postpone this bill.

PRESIDENT: The question is, shall LB 177 be indefinitely postponed? All those in favor vote aye, opposed nay. A record vote has been called for. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Read record vote. See page 488 of the Legislative Journal.) 11 ayes, 25 nays, Mr. President, on the motion to indefinitely postpone.

PRESIDENT: The motion fails. Do you have something on the desk, Mr. Clerk?

CLERK: Mr. President, Senator Warner would move to amend the bill. (See page 488 of the Legislative Journal.)

PRESIDENT: Senator Warner, please.

SENATOR WARNER: Mr. President and members of the Legislature, I have a second amendment also up there which, not up there, but I may put up there, this amendment would strike all of Section 4. Section 4 is the section that sets up a Protocol Advisory Board. In addition, the amendment would strike the lines on page 2, the last sentence on that page, part of line 23, 24, and 25, and on the top of page 3 which is the completion of that sentence, which designates the Chairperson of the Protocol Advisory Board to serve as the unpaid officer until a replacement is appointed. The basis for striking the Section 4, which is the basis...guts of the amendment, are three things. Number one, I fail to see the necessity for an advisory commission in any event. We tend to set them up, sometimes rather indiscriminately. In lieu of that, the amendment as drafted up there would authorize the protocol officer to select such individuals as appropriate to assist in carrying out the functions. Now the reason for doing that is obviously there may be, as has been mentioned, a trade group that is only interested in the exporting or importing to that country, let me choose beef, as I have some partiality and bias toward that. It would be appropriate it would seem to me that if a group was coming to this country to consider the importation of our beef that the advisory group to that protocol officer in that particular instance ought to be people who'd be particularly knowledgeable in that area, which might include somebody at the university, or could include somebody at the new Lexington plant, or whatever, but that would be an advisable thing to do rather than designating some people. I have a more fundamental problem with that whole section, however, and that is that portion that designates three places to be appointed by the Executive Board of the Legislative Council. You may recall, those of you that were here when the advisory, and this is an advisory group, clearly if this was a commission, if it was not advisory, why it would be without any question unconstitutional for the Legislature to appoint. But even as an advisory group, if you, those of you who will recall LB 271 in 1985 session, which established an advisory board for ag land values, originally that bill carried a provision which would have placed the chairperson of the Revenue Committee at that time as a member of this advisory board, in fact as chairman, and a member of this agricultural land valuations advisory board, which at that time the Attorney General indicated it would be unconstitutional and, subsequently, the Legislature struck that portion of 271, which was enacted, from the provisions. So since the section provides a method of appointing people which I think would question the constitutionality of the act,

obviously, those of you who might have a concern of the Governor vetoing this, retaining this language in there gives you a ready-made guaranteed valid reason to veto the act because there is, obviously, past Attorney Generals opinions and/or court decisions that would clearly indicate a questionable constitutionality if, in fact, not a constitutional problem. If you do not want to strike the entire provisions, I have a subsequent amendment which is not filed which would just merely strike that portion authorizing the Legislature to make three appointments, and make it five for the Governor to appoint which clearly would be constitutional. But I would prefer the route of striking this in entirety so that there is greater flexibility on the part of a protocol officer to seek guidance as to specific needs for a particular visitation that was occurring. I see little reason to establish another commission to be appointed which probably only adds to the expense of the operation, frequently would not be designated toward the specifics of a visit that might occur, and it would seem to me it would be a better structure for those who are interested in such an office as proposed by the bill.

PRESIDENT: Thank you. Senator Moore, please. Senator McFarland.

SENATOR MCFARLAND: Thank you, Mr. President. I, really I really don't see any real problem with this amendment that I can discern right now. I think the people listed in Section 4 were listed because those are the people who have often participated in the protocol function, particularly since we have so many visitors to our state, for example, who want to see representatives of the University of Nebraska, and so on. My thought is just to ask you to go ahead and support this amendment. I think Senator Warner may have some very valid points here. If there are any problems with it between now and the time this comes up for Select File, I will certainly work with Senator Warner to draft any necessary amendments that may be needed, but right now, as the way he has got it, it makes it a simpler process, and if it does resolve any constitutional problems, I am all for that. So I plan to support the amendment, and as I say, if there are any problems that I, in further study discloses arise because of this amendment, that I will be able to bring those amendments to you on Select File. Thank you.

PRESIDENT: Yes, thank you. Senator Hannibal, please.

SENATOR HANNIBAL: Thank you, Mr. President and members. I rise, basically, on the bill. However, since the Warner amendment is up, I will speak to the amendment as well. I would rise in support of the amendment for a very simple reason, and I think that reason is that the amendment would make a bad bill a little better. I am concerned, as Senator Moore is concerned, that we have a lot of votes in favor of this bill it appears from the kill motion. I am hoping that is not necessarily true, but it appears that that is the case. I am also opposed to the bill. I was opposed to the bill last year and I was pleased that Senator Moore offered the kill motion so that we could have a good debate on it. However, I didn't see too much debate on the negative side and so I am going to take this opportunity to speak on the bill in general. What Senator Moore was trying to point out to the body I believe, and I think he did an excellent job of doing so, was not as to whether or not the State of Nebraska needs to have good international relations with people coming to the state from across the world, or that we don't need to have good relations with business groups or organizations that are coming to try to work out trade agreements, work out contracts, so that we can export some of our products, especially in the production crops and livestock area. I don't believe that Senator Moore said, and I am sure that he did not mean it, if he did, that these are not good things to happen. What Senator Moore is trying to say, what he has said, is two things; one, we don't need the protocol office to achieve these things, and, two, we don't need a new agency of government that is likely, and there isn't any question in my mind that it would be this way, that would grow. Senator Moore pointed out that we do have a Department of Economic Development with quite a substantial budget whose only goal is to promote economic development in the State of Nebraska. To me, the goal of that agency is at extreme close goals with what this bill is trying to do, if, indeed, the issue is international marketing, international cooperation. We don't need a separate office for that. If the office is going to be created so that we can show off Nebraska for purposes of the Unicameral or for just purposes of tourism, we have those mechanisms in place already. We don't need a separate office for that. Another thing that concerns me is this is an appropriation of General Funds, state taxpayers General Funds. We have many agencies of government that are already in this business to certain degrees, one of which Senator Moore did not point out, I don't believe anyway, is all the checkoff boards that we have, wheat, corn, potato, beef,

poultry. I think there is probably about seven to nine boards that have large sums of money in those budgets for one purpose and one purpose only, and that is to promote the product that they serve, and most of that promotion is international, much of it is interstate, but that is their goal. If we are going to create an office, if we are going to have something being funded, why not have these boards submit some of their funds for that purpose. It is ideally suited for the types of things they are trying to do. The idea of creating a new agency of government that is going to grow, the idea of having a bureaucracy that is going to grow is not necessary. I don't see the need for this as a solution. If there is a problem, let's work towards having the Governor become more involved in handling the situation, but you don't have to have this as your solution. It is an unnecessary expenditure of funds. It is an unnecessary enlargement of state government, and as Senator Moore said, these do not need to be done. I will support the amendment because it makes a bad bill better, but I will not support the bill.

PRESIDENT: Thank you. Senator McFarland, please.

SENATOR MCFARLAND: I would call the question, Mr. President.

PRESIDENT: You are the last one, but thank you anyway. Senator Warner, would you like to close? The question is the adoption of the Warner amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of Senator Warner's amendment.

PRESIDENT: The Warner amendments are adopted.

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

PRESIDENT: Senator McFarland, on the advancement of the bill.

SENATOR MCFARLAND: Thank you, Mr. President. I just would like to speak briefly and thank many of the members of this body for their thoughtful comments of support for this bill. It is, indeed, an important bill. As a matter of fact, talking about people getting a different perspective on this bill, I, initially, voted against this amendment when it came up last year and was urged upon us by Senator Johnson. My initial

reaction was the same as some of the people who have opposed this bill on the floor today and that was I was already involved in hosting foreign visitors to our state, why don't we go ahead and just do it informally like we have been doing. But I can tell you, I got quite a reaction from Senator Marsh who was seated behind me, and I got quite a reaction from former Lieutenant Governor Luedtke who called me, and as I talked with them and talked with Secretary of State Beermann and State Treasurer Marsh, I found that there were, indeed, problems and that the informal arrangement that I had been involved in, while it may work on occasion, that often that informal arrangement results in real embarrassment to our state because of the way that foreign dignitaries are mistreated and the discourtesy that is sometimes inadvertently shown to them. So that is why I changed my position on the bill. I voted for it. I was one of the people that supported its passage last year when it came up for vote again, and it is the primary reason that I have introduced this bill again this session, and I think that if any of the people who are opposing this bill would actually listen to the testimony, talk to Secretary of State Beermann, talk to State Treasurer Marsh, talk to former Lieutenant Governor Luedtke about this, I think they would change their minds, too. I think it is time for the State of Nebraska to advance into the twentieth century as far as our matters of protocol are concerned. I will close with just reading the comment from Secretary of State Beermann's memo because I think he states the case very succinctly. He says, it is no longer a secret that international trade, international exchange, international economics, and international visits are moving to the state or local level. More and more countries and governments are seeking to deal directly with states for a variety of reasons. It is no longer a secret that the international balance of trade is not in our favor. Recent studies and the Governor's recent economic summit very clearly highlight and recommended that Nebraska get involved in the international arena. In that regard, we must begin to plan, coordinate, and establish the mechanics, machinery, and budget for international travel, hosting of international delegation and officials, and we must design an office and officers or establish a protocol office to handle international exchange. This cannot be done on a "default basis or in a haphazard way." We have to become professional and understand the rules of international diplomacy. While Nebraska is poor, we are not cheap. The way we are doing things now, we are cheap and we don't know what we are doing in the international arena. I would ask you to

rectify that very bad situation and I would ask you to advance this bill and eventually pass it. Thank you.

PRESIDENT: Mr. Clerk, I hear you have something on the desk.

CLERK: Mr. President, Senator Hefner would move to amend by adding a new section. Senator, would you like me to read. (Read Hefner amendment found on page 488 of the Legislative Journal.)

PRESIDENT: Senator Hefner, please.

SENATOR HEFNER: Mr. President and members of the body, what I have done here, I have put a sunset on the bill. I am supporting the bill. I supported it last year and I think we need it, but I also feel that we need to have control of it, and this is why I put a new section to the bill and called for the sunset of it in 1993. Another reason that I did it, I don't want the cost of this to get out of control. It is true, the first year we say, well, we will spend approximately 80,000 bucks. Where does it go next year? Next year, it will probably be up to 160,000, the following year maybe three or four hundred thousand, but this would call our attention to it. This way it just wouldn't go through automatically. It will call attention to, not only to this body, but also those that have been chosen to implement it, and so at this time, I think Senator Korshoj wanted to co-sponsor that amendment with me, and I couldn't find you and I had to get it up there fairly quickly, so... Okay, okay, if you have any questions, why I would be happy to try and answer them for you.

PRESIDENT: Thank you. Senator Pirsch, your light is on. Did you wish to speak to the Hefner amendment? No. Senator McFarland, your light is on. Did you wish to speak to the Hefner amendment? You will be followed by Senator Coordsen and Senator Warner.

SENATOR MCFARLAND: Mr. President, I rise to oppose the amendment, not that I don't disagree with some of the concerns expressed by Senator Hefner, but I rise to oppose it for this reason. The argument was made in the Government Committee hearing, or at least the question was asked, why can't the Governor's Office handle this protocol responsibility informally, have the Lieutenant Governor or have a designated staff member operate this thing through the office, and,

therefore, in effect, show that there was no need for this type of act to be passed. The response by Secretary of State Beermann and State Treasurer Marsh I thought was excellent. Their response was to the effect that some Governors in the past have done a fairly good job with the protocol responsibility. Other Governors, because of lack of time or responsibilities on other matters, have let this protocol responsibility become a low priority for them. It is my feeling that it is a low priority right now as evidenced by the lack of action by the present Executive Department in that area. That may change and, in fact, I hope it does, but the problem that was addressed is that if it changes from Governor to Governor, it becomes a real problem as to who is Governor whether this responsibility will be carried out. For that reason, you need a statute, you need a protocol office to be established. Other states have done this type of and have established this type of office in their states. I mentioned that 20 or 30 cities in the United States have even established a protocol office because it is an important function. If you establish it in statute, then it becomes a continuous type of responsibility that will be addressed no matter who the Governor is, because the office is established, it is in place, it is operational. If you put a sunset clause on it, then you are, in effect, risking the possibility that somehow it won't be renewed. Then we will be back to the current situation we have with the protocol responsibility up to the discretion of the Executive Department, and as past history shows, that has not always worked well. With regard to some of Senator Hefner's concern, there is a very easy way to limit spending if, in fact, it would get out of hand, and that is for the Legislature to introduce a bill that would, in fact, eliminate the office. I mean you can introduce a bill at any time. I don't know why we necessarily have sunset provisions on every bill. My experience, at least in the Education Committee and some of the other committees, has been that any time a sunset clause is added, we just, if the statute is working well, we just automatically extend the statute or extend the agency or the commission or whatever we have established. I think a sunset clause is really unnecessary. If it becomes a problem, if there is some situation that arises of which we are not contemplating at this time with respect to the operation of a protocol office, then a future legislator or another state senator, or Senator Hefner will probably still be here at that time, can introduce legislation to terminate it. That seems a logical response and the effect will be much, much better. I just don't think it is needed. I would like to make

one final comment. This bill has been pending for several days here.

PRESIDENT: One minute.

SENATOR MCFARLAND: One minute, thank you. I have sent a note around explaining the purpose of the act and everything. If there were amendments to be added, I think there has been plenty of time to do it. This bill I hope will advance on General File. If people have concerns about the bill, the way it is phrased, gosh, bring the amendments to me between now and Select File. I will be glad to respond to them, to look them over, to address them, and then on Select File, we can debate those amendments, but I think we are just wasting entirely too much time trying to amend this bill on the floor of the Legislature, and these amendments have not ever been entered in the Journal or anything else, and if they are being hand drafted, I think some of them are valid concerns, but I am wondering as far as drafting them right now today might lead to some problems with the bill as far as how it is phrased and how it is written. So I would just ask that any amendments be delayed until Select File and I will be glad to work with any senator that wants to introduce an amendment at that time. Thank you.

PRESIDENT: Thank you. Senator Moore, then Senator Coordsen, then Senator Warner.

SENATOR MOORE: Mr. President and members, I wasn't going to speak on this amendment until I heard Senator McFarland's reasons for not voting for it. I guess I assume that he'd just confirm my fears on why we shouldn't vote for the bill. I mean if Senator McFarland has, basically, said that we should not take a look at his program, even though it seems like it may be the will of the body to begin it, he is concerned about us taking an automatic look at it in four years. He is concerned that the budget may grow, we may not be so wild about in 1993, in four years, and I guess I assume that Senator Hefner's amendment, as we said with the last one, simply makes a bad bill better, but I would hope the body would first listen closely to what McFarland said and then vote against advancement in the end, but in the meantime vote for Senator Hefner's amendment and at least, like I said, make a bad bill better.

PRESIDENT: Thank you. Senator Coordsen, please.

SENATOR COORDSEN: Thank you, Mr. President and members of the body, in spite of the rapid passage of time this morning, I feel it is necessary for me also to rise in opposition to the current amendment from Senator Hefner. What Senator Hefner's amendment, basically, says to me is that there is a time limit on good manners, that the things that we should be doing perhaps are what we shouldn't be doing at the "fill in the blank" date in the future, in this particular case, 1993. I think there is a good deal of confusion that exists on the floor at this point in time on the purpose of the bill, the real meaning of it. I don't think that this bill was ever intended to provide financial support for private industry in the State of Nebraska. It was more directed to and perhaps in the flurry of amendments we have that we need an amendment to change the word "dignitary" to "foreign government official" because that is essentially the intent of the bill, to provide a method whereby the State of Nebraska can form a cohesive, coherent program to host foreign dignitary, foreign government officials and provide a clearinghouse for information for other people in the State of Nebraska, who, through the course of their business, are either receiving foreign guests or are traveling to a land in the pursuit of their business or, for that matter, for pleasure. I don't think that there is ever a time line in good behavior. I don't think that we should put a time line in this bill. Thank you.

PRESIDENT: Thank you. Senator Warner, then Senator Korshoj, then Senator Hartnett. Senator Warner.

SENATOR WARNER: Mr. President, I would rise to oppose adding the sunset, too, but for another totally different reason. It seems to me that in the past I can recall where we have added sunset which then became the alibi, the excuse for voting for the bill because it was just something to try. There ought to be a clearly established need that you are convinced ought to be at least a permanent part of the law barring a bill to repeal it. I don't think sunsets effectively work. The only...there may be one or two times that they have but the only one I can recall off the top of my head was the sunset that covered a whole lot of things, that we abolished a board that hadn't met for 15 years, as I recall, and even then we didn't abolish it, we combined it with another existing one. I have very little faith in the concept that a sunset provision causes review by this body at some time in the future, and I would suggest that the responsibility ought to be on us on the assumption that this

is a permanent part of the law, there is justification for it, and that it should be maintained, and the burden to repeal it, then, ought to be on those at some subsequent session to prove that it has not worked rather than the automatic assumption that somehow or other sunset will cause a program to go away. I would add that final line, the only effective way I know to abolish a program is to not start it.

PRESIDENT: Thank you. Senator Korshoj, then Senator Hartnett.

SENATOR KORSHOJ: Question.

PRESIDENT: Question has been called, do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: Debate has ceased. Senator Hefner, would you like to close, please?

SENATOR HEFNER: Mr. President and members of the body, I didn't want to stall the bill or I don't want to take too much time but I did think that it was necessary to put the sunset provision on this bill. I am very concerned about the cost of this bill because I have seen in a lot of other legislation that we have passed during the 12 years that I have been here, it seems like we pass a bill and we kind of forget about it. And the next time you look at it, well, the amount of money that you have appropriated for this function has grown tremendously. I don't know how long Senator McFarland is going to be here, but I understand that he does have aspirations to run for Governor or for the Senate or for the House, and he may not be here very long if he decides to do that. I don't know how long I am going to be here, but I may not be here too long either anymore, and I don't know how long Senator Warner is going to be here. We are all getting older, and so this would just call it to the Legislature's attention. It would also say to the Governor, we are serious about this but we do have some reservations. We don't want the cost to get out of line, and so I think it would be appropriate that we would add this section to this bill. And so I would urge your vote on this.

PRESIDENT: The question is the adoption of the Hefner amendment. All those in favor vote aye, opposed nay. Have you

all voted? Have you all voted? Record, Mr. Clerk, please.

CLERK: 15 ayes, 20 nays, Mr. President, on the motion to adopt.

PRESIDENT: The motion fails. Now we are back to the bill, Senator Pirsch is next, then Senator Schellpeper.

SENATOR PIRSCH: Thank you, Mr. President. I have a question for Senator McFarland, if he would yield.

PRESIDENT: Senator McFarland, please.

SENATOR MCFARLAND: I am always dubious of questions but I will be glad to respond as best I can, Senator Pirsch.

SENATOR PIRSCH: Senator McFarland, the 80,000, soon to be 81,500 next year, was given to us in the fiscal note, and identified as \$40,000 for the protocol officer. Do you know how that amount was arrived at or who projected that cost?

SENATOR MCFARLAND: Yes, I can show you a memo. I don't have it right with me. I probably have it in my file that I can look up, that was Senator Johnson's estimate when he introduced the bill last year. I suspect the \$40,000 was primarily salary because it would be a salaried position. I don't know. I am sure there would have to be staff and other things as far as a protocol officer is concerned.

SENATOR PIRSCH: It does cover a half-time clerical position.

SENATOR MCFARLAND: Yes.

SENATOR PIRSCH: And that is the 9,000.

SENATOR MCFARLAND: That is right, and my understanding, too, is that according to Secretary of State Beermann, there are at least two people who could serve in that capacity admirably, have done this type of work in the past, that he can suggest right away. So I can show you the memo from Senator Johnson. As I recall, the memo stated that this was the maximum amount that would be used. He gave it every benefit of the doubt, said this is the maximum, we could probably get by with much less, and I notice the advisory board expenses would not be necessary now.

SENATOR PIRSCH: Right. Now if this is made by appointment of the Governor, the Governor could appoint this to one of the positions that is already in the Executive Branch, is that not right? Such as the Lieutenant Governor?

SENATOR McFARLAND: Oh, gosh, I would hope not.

SENATOR PIRSCH: Okay, that is fine.

SENATOR McFARLAND: Not any disrespect (interruption)...

SENATOR PIRSCH: I didn't want any editorializing. I just wanted to see if that would be a possibility. I am concerned about starting another bureaucracy. Not only do you have salaries, but you have benefits that are paid to state employees. You have an ever-expanding turf that we all are familiar with as growing and growing, and many things get involved beside just the stated salary. And I am afraid that I am still in opposition to LB 177. However, I do think it is a good idea and I hope that the Governor does go forward with this kind of plan but not with that kind of expense.

PRESIDENT: Thank you. Senator Schellpeper, then Senator Scofield. The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: Debate has ceased. Senator McFarland, would you like to close on the advancement of the bill.

SENATOR McFARLAND: Thank you, Mr. President, I certainly would. I would like to respond a little bit further to Senator Pirsch's question about assigning these duties to another officer in the government. The Office of Lieutenant Governor and the Secretary of the State and the State Treasurer, those are all full-time jobs, I mean we pay probably an inadequate amount to these people to have enormous duties that they have to fulfill, and I think it is just unfair to ask the Secretary of State or the State Treasurer or the Lieutenant Governor to try to do...to serve the function of a full-time...of a protocol officer, which is really a full-time job. We have a lot of visitors to our state and I wish that people would get a chance to meet some of these people when we are not in session and see how many people

we have here. So I really think it needs a separate position. I think we need to have a full-time designated protocol officer for the State of Nebraska. I would like to comment regarding Senator Warner's comments and Senator Hefner's amendment to put a sunset provision, I suppose if I were devious, I would have supported the sunset provision, because as Senator Warner says, it sometimes gives people an excuse to vote for a bill that they may be a little bit uncomfortable with, but I have to say in all honesty, I am not uncomfortable with this bill at all. I think on the merits it is an excellent bill. It is an excellent opportunity for us to establish a protocol office that has long been needed in the State of Nebraska, and with regard to any problems that may arise, I really don't think that there will be any problems at all. What I had said previously was that if there were problems or something, that all these concerns did become validated in some way in the future, then, of course, the Legislature at any time could go in and amend or repeal the statute. In my honest opinion, I don't foresee any problems at all. I think the small amount that is required to fund this protocol office will pay back benefits many times over to our state and I think it is a meritorious bill for economic development in Nebraska and I would ask your support. Thank you.

PRESIDENT: The question is the advancement of the bill. All those in favor vote aye, opposed nay. Have you all voted? Senator McFarland.

SENATOR MCFARLAND: We are very close. I would respectfully ask for a call of the house and accept call in votes.

PRESIDENT: The question is, shall the house go under call? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 16 ayes, 1 nay to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please record your presence. Roll call vote had been asked for. Please look up to see if your light has been lit, and if not, please record your presence. Looking for Senator Chambers, Senator Goodrich, Senator Haberman, Senator Kristensen, Senator Nelson. Senator Kristensen, would you light your light up, please. Thank you. All right, we are looking for Senator Landis, Senator Goodrich, Senator Haberman, and Senator Chambers, and Senator Nelson.

Senator McFarland, who we are looking for is Senator Goodrich, Chambers and Haberman and Senator Nelson. Now would you like to go ahead without them, or would you prefer to wait?

SENATOR MCFARLAND: There were four people?

PRESIDENT: Yes, but Senator Nelson I understand is coming now.

SENATOR MCFARLAND: What about, are the other three on their way or are they just out of the building?

PRESIDENT: They are still looking for them, I understand.

SENATOR MCFARLAND: If we could wait a few more minutes for them.

PRESIDENT: Okay.

SENATOR MCFARLAND: I think there are a couple of them that voted in favor of this before.

PRESIDENT: Okay. Senator McFarland, Sergeant at Arms says they can't find Senator Goodrich and Senator Chambers. That is right. Thank you. The question is the advancement of the bill. Roll call vote has been requested. Would you please be in your seat and quiet as possible so the Clerk can hear your response. Thank you.

CLERK: (Roll call vote taken. See pages 489-90 of the Legislative Journal.) 27 ayes, 16 nays, Mr. President, on the advancement of LB 177.

PRESIDENT: LB 177 advances. Do you have something to put in, Mr. Clerk?

CLERK: I do, Mr. President.

PRESIDENT: While you are looking there, Mr. Clerk, may I call on, Senator Rod Johnson, please, for what purpose do you rise?

SENATOR R. JOHNSON: Mr. President, I would ask for a point of personal privilege.

PRESIDENT: State your point, please.

January 31, 1989

LB 165, 177, 221, 279, 296, 312, 321
322

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We have with us today as the chaplain of the day Reverend Carl Godwin of the Bible Baptist Church in Lincoln, Nebraska. Would you please rise for the invocation.

REVEREND GODWIN: (Prayer offered.)

PRESIDENT: Thank you, Reverend Godwin. Please come back to see us again. Roll call, please.

CLERK: I have a quorum present, Mr. President.

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 312 and recommend that same be placed on Select File; LB 279, LB 296, LB 321, LB 165, LB 177 and LB 221, all placed on Select File, some having E & R amendments attached. (The Journal also shows LB 322 placed on Select File. See pages 515-16 of the Legislative Journal.)

PRESIDENT: May I just say that I do appreciate many of you coming, showing up for the convocation this morning. The prayer this morning was much nicer than yesterday when no one was here when we were ready for the morning prayer. Thank you for doing that. Also, under the south balcony we have a distinguished guest this morning. We have a former member of this legislative body, Mr. Lester Harsh from southwest Nebraska. Senator Harsh, would you please stand up so that we can see you and recognize you. Thank you for visiting us today, Senator Harsh. We will move on to motions, number 5, Credentials Committee by Senator Warner. Mr. Clerk.

CLERK: Mr. President, I have a report from the Credentials Committee. The motion is found on page 502 of the Journal. I might indicate, Mr. President, the report of the committee is actually found on page...starting on 502 and the pages thereafter. The motion would read as follows: (Read the Warner

February 6, 1989

LB 70, 155, 177, 195, 198, 209, 238
254, 338, 357A, 773
LR 25

CLERK: 5 ayes, 23 nays, Mr. President, on the motion to indefinitely postpone.

PRESIDENT: The motion fails. Do you have anything for the record, Mr. Clerk?

CLERK: I do, Mr. President. Notice of hearings from the Agriculture Committee. That's signed by Senator Rod Johnson as Chair.

New A bill, LB 357A, by Senator Nelson. (Read by title for the first time. See page 605 of the Legislative Journal.)

Enrollment and Review reports LB 195, LB 198, and LB 209 to Select File with E & R amendments attached on each. Those are signed by Senator Lindsay. (See page 606 of the Legislative Journal.)

Transportation Committee would offer LB 155 to General File with amendments. That's signed by Senator Lamb. (See page 608 of the Legislative Journal.)

LR 25, Mr. President, is offered by the Appropriations Committee. (Read brief description of the resolution. See pages 607-08 of the Legislative Journal.) That will be laid over.

I have amendments to be printed to LB 70 from Senator Hall; Senator Moore to LB 177; Senator Coordsen to LB 238, and Senator Baack to LB 254. That's all that I have, Mr. President. (See pages 609-10 of the Legislative Journal.)

PRESIDENT: Senator Dennis Byars, would you step to your microphone and say something about adjourning tomorrow, February 7th, until nine o'clock, but wait just a minute, the Clerk has something.

CLERK: Excuse me, Senator. Mr. President, I have amendments to be printed to LB 773. That's offered by Senator Korshoj.

PRESIDENT: Are you ready to adjourn now? Now, Senator Byars.

SENATOR BYARS: I would move that we adjourn this body until nine o'clock on February the 7th, 1989.

SENATOR CHAMBERS: I'll ask for a call of the house and I'll take call in votes.

PRESIDENT: The question is, shall the house go under call? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 10 ayes, 0 nays to go under call, Mr. President.

PRESIDENT: Will you please record your presence and return to your desks and Senator Chambers has requested call in votes. And the question is the advancement of the bill. Please record your presence if you're here. Senator Warner, would you record your presence, please. Senator Kristensen, would you record your presence, please. You did? All right, thanks. The question is the advancement of the bill and Senator Chambers has authorized call in votes.

CLERK: Senator Landis voting yes. Senator Rod Johnson voting yes. Senator Korshoj voting yes. Senator Dierks voting yes. Senator Langford voting yes. Senator Coordsen voting yes.

PRESIDENT: Record, Mr. Clerk, please.

CLERK: 28 ayes, 3 nays, Mr. President, on the advancement of LB 165.

PRESIDENT: The bill is advanced. The call is raised. May I please introduce some guests of Senator Landis. In the north balcony, we have 16 sixth grade students and their teacher from Sacred Heart Elementary School in Lincoln. Would you folks please stand and be recognized by your Legislature. Thank you for visiting us today. Move on to LB 177.

CLERK: Mr. President, the first item on 177 are E & R amendments.

PRESIDENT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that the E & R amendments to LB 177 be advanced.

PRESIDENT: You've heard the motion. All in favor say aye. Opposed nay. They are adopted.

CLERK: Mr. President, Senator McFarland...I had a note to pass over the bill at one time. It is dated. I assume you no longer want that or am I incorrect?

SENATOR MCFARLAND: That's correct. We can take it up.

CLERK: Mr. President, Senator Moore would move to amend the bill.

PRESIDENT: Senator Moore, please.

SENATOR MOORE: Mr. President and members, earlier this morning we had a vote on the A bill on LB 177 and even though I did vote no on that A bill, the proper place to fight this battle is on this bill here and if, indeed, the bill is going to pass, we are wise to, obviously, have the funding to do that. But the amendment that I brought forth this morning, I kind of, I guess, after the debate on General File, I came to the point where, you know, if indeed we do need to have such office, there is possibly some ways that we could fund it within existing funds without appropriating an additional \$80,000. As I said on General File debate, the only way you keep a program from growing in its expenditures is to keep it from starting. That's exactly what I'm trying to do here in some ways, but what I have tried to do with my amendment, quite simply, is set up the Protocol Office Cash Fund, the thought being that there is a variety of state agencies and areas of state government that are already doing something in this area. Instead of appropriating \$80,000 in new money, let's just take the money that present government is spending and put it into this office. Now what this amendment does, it sets up the Cash Fund and it also goes into a variety of the commodity checkoff boards and grants them the authority, statutorily, to award grants to the protocol office without being a mind...last year when we debated this bill and this year when we debated this bill, Senator Coorsen and some other people that are very in tune with what the commodity checkoff boards do, saying how desperately we need to have some sort of central location to do all this work when we have foreign dignitaries that are coming over primarily to look at our agricultural goods. Well, I guess my attitude is that if those commodity checkoff boards think it's such a good deal, then let's have them pay for it and you can tell from the actual...the budgets that I've listed there, they could probably afford to do that. And what those, the six boards that I'm

talking about, that this amendment sets up the Cash Fund and then gives the Grain Sorghum Board, the Corn Board, the Soybean Board, the Dry Bean Board, the Wheat Board and the Ethanol Authority the statutory authority to give grants to the Protocol Office. And also I wanted to mention that when you set up this Cash Fund it would then become a possibility that the Department of Economic Development could contract with the Protocol Office and use some of its funding for this very worthwhile project in the Protocol Office which, as we described in General File debate, is just one more avenue of spending money on economic development. Well, the gist of my amendment, and I am quite serious in this, this is not an amendment just to give McFarland a hard time. I'm saying if you really want to do this, there is a way you can do it within existing funds, not appropriate a new \$80,000. I want to point out on the bottom there, as I am saying, we're spending a lot of money in these areas right now. Those budgets that we're talking about, the Sorghum Board, \$604,000, their actual budget in '88-89; the Corn Board is 1.6 million; the Soybean Board is 999,000; the Dry Bean Board is \$258,000; the Wheat Board is 879,000; the Ethanol Authority is 257,000; Economic Development in their actual budget this year is \$4.5 million. You know, I listed about eight or \$9 million where we're spending money for this type of work, why do we have to create a new program and spend a new \$80,000? If it is that good, these checkoff boards can give \$5,000 or \$10,000 grants to the program. If it is that good and if it does that much for economic development, I'm sure the Department of Economic Development would be more than happy to spend 30, \$40,000 of it's \$4.5 million budget to fund this program. And one thing I do want to mention, that Ethanol Authority there is that \$17 million figure there in that Ethanol Authority, that, of course, is the Ethanol Authority, the 18-month checkoff, either we had to fund that that has now gone away but it is still sitting there. I want to make it clear that this amendment would allow the Ethanol Authority, if they so...if the board members of all of these so desired, they could give some of their money to the Protocol Office. And so what I am doing with this amendment is saying, okay, okay, Protocol Office is necessary but that doesn't mean we have to spend \$80,000 of additional money. We can use some of our existing funds through the corn boards, I mean through the variety of the commodity checkoff boards or through the Department of Economic Development to do this worthwhile program. I want to apologize, the amendment was introduced yesterday, but it was not printed. I have handed the amendment out now and I apologize that it

wasn't printed, I mean it wasn't simply...it was not back up from the print shop nor was it in the Journal. It was my intention to have that on your desk this morning. It wasn't so I did have it copied and handed out and I have also included a summary that says what the amendment does as well as outlining the fund, the budgets of all those affected commodity boards and the budget of the Department of Economic Development. With that, I urge the adoption of this amendment and then the eventual adoption of the bill.

PRESIDENT: Thank you. Senator McFarland is next, but may I introduce a couple of guests, please, of Senator Kristensen. Under the north balcony, we have Doris Thompson of Minden, Nebraska and Ken Meyer of Wilcox, Nebraska. Would you please stand. Thank you for visiting us today. Senator McFarland, followed by Senator Coordsen.

SENATOR MCFARLAND: Thank you, Mr. President, fellow senators. It's nice that Senator Moore has taken such an interest in my bill. I appreciate his attention to this. Gives me a chance to speak on it more often. I'd like to say that the bill is a good bill. It advanced on General File and I think enough of you are familiar with it to know that the Protocol Office is something that is desperately needed in our state. It is something that has been lacking for years. It is something that almost every other state has and even many of our larger cities in our country has. With regard to the amendment, I appreciate Senator Moore's fiscal restraint, but I am concerned about placing the burden or the cost, particularly on the grain boards. I think that is particularly inappropriate to place it on them exclusively, because the idea of the Protocol Office is that we will host foreign dignitaries and foreign businessmen. Now, granted, many of those dignitaries and many of those business persons will be here because we're an agricultural state and because they are interested in trading grain, they are buying our grain or doing that type of business with us, but they will also be here on other types of business in addition to agriculture. They are here to...they have visited our state for the purpose of other industrial businesses and other sales businesses and other types of enterprises. It is not just limited to ag related or to grain board related businesses. So I think it is extremely inappropriate to try to shift the cost exclusively to the grain board checkoff programs. I think this is the type of program that should be provided for through the General Fund just like the other states in our country provide

for their Protocol Offices and that is how they are primarily funded. So with that, I will make it brief and close and ask you to vote against the amendment and advance the bill. Thank you.

PRESIDENT: Thank you. Senator Coordsen is next, but we do have some more guests that we should be recognizing. Senator Robak has some guests under the south balcony, Steve Jahn of Columbus and Diana Rich of Columbus. Would you folks please stand. Senator Peterson also has some guests under the south balcony, Mr. and Mrs. Ed Lindsay of Norfolk and Laura Nelson of Newman Grove. Would you folks please stand. And Senator Elmer has some guests under the south balcony, Ron Barger of Culbertson, Charles Coleman of McCook and Doug Martin of McCook. Would you folks please stand. Thank all of you for being with us today. Senator Coordsen, followed by Senator Rod Johnson.

SENATOR COORDSEN: Thank you, Mr. President. Members of the body, oh, Scotty, Scotty, Scotty, Scotty, Scotty, what a tangled web we weave. The grain boards are supported by farmer checkoffs and in all of the statutes that create these, their funds are delegated toward the development, utilization and marketing of a product. Within, within those responsibilities has traditionally fell the hosting of foreign trade teams visiting our state in the area that concerns their particular area of responsibility. LB 177 doesn't change the responsibility of the boards in any way in supporting their part of the developing of markets for Nebraska products. The only part of LB 77 (sic) 177, that addresses that is on page 3, where the Protocol Officer would maintain a clearing house of information on foreign governments, foreign officials and the customs of foreign government which would help the commodity boards in a small way in making sure that their efforts were right. To ask the farmers of the State of Nebraska to take their money which has been dedicated toward the marketing of specific products to use to benefit the general population, which is what LB 177 does, is plain simply wrong. The impetus behind 177 is to enable the State of Nebraska to have a cohesive plan for visitors, state visitors of the state. I think that while I understand the reasoning behind this, this is probably the poorest source of funding that we could come up with if we worked all week on it. So I would urge the lack of adoption of this amendment. Thank you, sir.

PRESIDENT: Thank you. Senator Rod Johnson, then Senator

Rogers.

SENATOR R. JOHNSON: Mr. President, members, I guess I will not be quite as kind in my comments to Senator Moore as Senator Coordsen was, but it never ceases to amaze me as we stand and sit on this floor that we talk about bills that are of importance and this bill, quite frankly, in the order of importance to the State of Nebraska and to the work that we have to do here today and this session, is limited, granted. But you know, we lose our perspective at times on issues like this because, quite honestly, a couple of days ago we advanced a bill, LB 209, that was dealing with access charges that the State of Nebraska is going to lose some 15, \$20 million. We're talking about \$80,000 here. Now if you don't like the program or you don't think that the program is necessary then I agree, don't vote for the program. But to try and maneuver the program into an area that...or to ruin the program on the basis of amendments, to me, is ludicrous. And, you know, we'll spend probably more time arguing this particular proposal of \$80,000 than we spent with a \$20 million proposal on LB 209. And it is, like I said, we lose perspective, but, to me, we live in a global society, we have to communicate in that society and this individual would be something that a person or an agency that would help us work with visitors from across the country and around the world. Now whether we want to move ahead in this state and recognize the importance of something along this line, then I suggest the body vote for the bill. If you don't want to, that's fine. If you feel it is an unnecessary program, another layer of bureaucracy that the State of Nebraska cannot afford \$80,000, then vote against the bill. I can accept that argument, but our visitors that come to this state are not solely coming here for the purpose of agricultural commodities. We have visitors that visit us for our education, for our technology, for a number of other reasons and to lay the burden of paying for a Protocol Officer on fees or funds or contributions from other sources, again, is ludicrous and I guess I would prefer if you like the bill, vote for it; if you don't like the bill, don't vote for it. But, as I said, this is probably not something that is going to go down in the annals of history that we passed an \$80,000 proposal to set up a Protocol Officer in this state, but, in any case, I support the bill. I oppose Senator Moore's attempt to amend the bill and I hope that the body will move on with other work to do today.

PRESIDENT: Thank you. Senator Rogers, please, followed by

Senator Ashford. Senator Rogers, please.

SENATOR ROGERS: I'm sorry. Mr. President, members, I stand to oppose this. I think a lot of the reasons have already been stated, but I think something like this is going to benefit the whole state. I see no reason why some of my corn checkoff money or my sorghum checkoff money should go to support this. And then I guess I have another concern, I wonder when he'll be coming after some of the pork checkoff and some of the beef checkoff to fund this program also. Thank you.

PRESIDENT: Thank you. Senator Ashford, please, followed by Senator Weihing.

SENATOR ASHFORD: Thank you, Mr. President and members, I just had an opportunity to...and I appreciate Senator Johnson's point about the fact that there are other bills of great importance, and I agree with him and I don't want to belabor this but I've just had an opportunity to read this amendment and I don't particularly see the evil in it that others are seeing. I think that Senator McFarland has raised an excellent point by his bill and I support it and what he is doing, but I think funding is an issue. This is an additional \$80,000 of new money in this A bill and I think that we need to encourage, in state government, the private-public partnership that this amendment seems to foster. Number one, the grain boards are not required to make the contribution to the fund, number one, and, number two, the part about it that I like is the section that refers to donations, gifts, bequests, grants and other contributions. I think if we run this thing correctly, we could probably fund it at a greater level than \$80,000 with contributions from the...could I get a gavel, Mr. President?

PRESIDENT: (Gavel.) Let's hold it down so we can hear the speaker, please. Thank you.

SENATOR ASHFORD: I think that we could probably turn this into a...really a going operation by funding it with gifts and donations from the business community and others who are going to directly benefit from this type of fund and I really am appreciative of Senator McFarland in bringing this bill to us. I totally accept his premise and think it's very much needed, but I really do think that those organizations which are directly benefitting from the services provided need to be involved directly in the funding and I think a lot of this

depends upon personalities. If we get the right person heading up this board, I think that person can go out into the business community and make a good case for direct donations and gifts to this fund. I think this is a very logical amendment and, quite frankly, why take the \$80,000 out of other programs that may have direct benefit to greater Nebraska when we can, in fact, fund this in other ways that seem just extremely logical? I will support this amendment, not at all because I don't support the bill, I do support the bill, but I think it is an imaginative funding source. I think we need to do more of this type of funding in these creative imaginative avenues, so I will support Senator Moore's amendment.

PRESIDENT: Thank you. Senator Weihing, please, followed by Senator Crosby.

SENATOR WEIHING: Mr. President and members of the Legislature, I fully support the bill. I would like to ask a question of Senator Moore if he would yield.

PRESIDENT: Senator Moore, please.

SENATOR WEIHING: Are you ready?

SENATOR MOORE: Yes.

SENATOR WEIHING: In your amendment, are you having it that the commodity boards would voluntarily give to this fund?

SENATOR MOORE: The magic word "may" is in there. They can do whatever they want.

SENATOR WEIHING: And you really think that they may give enough money that would cover this office?

SENATOR MOORE: Well, if it does as good a job as the commodity people in this body have me to believe, I would think they would more than be happy to give money to this if it is that good a deal.

SENATOR WEIHING: I really don't think that they may do that. Do you, really?

SENATOR MOORE: Well, honestly, I mean one of the big things they do is entertain foreign guests. I would think for a

nominal fee, \$5,000 checkoff board, they could have a Protocol Office and know exactly what they're doing. So I think it is within the realm of possibility, yes, Senator.

SENATOR WEIHING: If you were a person your age and looking for a position such as this and it was advertised and you were told that the commodity boards may fund it, this puts it on a pretty soft area, doesn't it?

SENATOR MOORE: Yes, it does. It all depends on how a young man like me would sell himself to those commodity boards.

SENATOR WEIHING: Thank you very much. I want to point out that agriculture, true, that's true, is the very dominant force in this state at the moment, but not everybody that comes to the State of Nebraska is involved in agriculture per se. Senator Ashford, I imagine that there are quite a few people involved in law that come to the State of Nebraska from other parts of the world, attorneys and judges. That is an example. The University of Nebraska State Colleges attract a great many foreign personages. They are not directly involved in agriculture and what is being suggested here is that one segment foot the bill exclusive of the others. I really cannot support this amendment. I feel that this should be on solid, hard money with the full State of Nebraska backing it because the people that come to this sovereign state are coming to the State of Nebraska to see some citizen or citizens or an organization or a business here in this state. I oppose this amendment.

PRESIDENT: Thank you. Senator Crosby, followed by Senator Moore.

SENATOR CROSBY: Thank you, Mr. Chairman and members. I cannot let LB 177 slide through without voicing my opposition to the...I understand the concept and perhaps the need, but setting up a separate office for a Protocol Officer goes against the grain with me and, incidentally, I watched you on EduCable last year when you were debating this same issue so don't think I just came in off of the street on this problem. I can't believe, to start with, that it couldn't be implemented through other agencies, Department of Economic Development, and along with that I don't really think that people in Russia, Japan and other countries are sitting over there thinking, well, if those Cornhuskers don't get with it pretty soon and learn how to treat us, we aren't going to go there anymore. Those arguments do not

impress me. The other thing that has been said, when we were talking about it in General File to move it ahead, it was stated that there were two people who were qualified to take this job. What happened to affirmative action? It seems to me this bill is an effort to tailor make a job. I have the feeling that somebody is standing out there behind those columns waiting for us to pass this bill so that person can have that job. I think \$80,000 is a lot of money for this particular thing, \$40,000 for the person who does the job. So there are a lot of \$80,000 bills in and when you add up 10 of them, there is \$800,000. I will speak further when the bill itself comes. Senator Moore's amendments make it a little more palatable even though I understand what Senator Weihsing and Senator Coordsen are saying about those funds and what Senator Rogers voiced his feelings about them, so thank you. I hope that eventually we will get rid of this bill and kill it. Thank you.

PRESIDENT: Thank you. Senator Moore, followed by Senator Barrett.

SENATOR MOORE: Thank you, Mr. President and members. I guess I'm sitting here kind of enjoying the debate on this. Remember in General File debate, if you remember last year when we debated this bill, there was a variety of senators from the agriculture sector that got up and said, this is a tremendously good idea. It will have millions of dollars of impact on Nebraska if we have this Protocol Office and I know this is good because all my work with the commodity checkoff boards are with the agriculture sector. Now I have an amendment that says that if it's such a good idea, why don't we have the agriculture commodity boards share, the key word, share, in the funding of that? And they all stand up and say, well, n-n-n-n-n-no, it's a good idea but it is not such a good idea if we have to pay for it. Well, I think that's only...I mean, if it would really do all the things in marketing, you know, if grain utilization and marketing is the title of all those checkoff boards, this Protocol Office would have a direct effect on the marketing of these grains to foreign countries. I think it only makes sense and I'm not making them do anything. Every one of those statutes, every one of those commodity boards, it's that board "may" award a grant to the Protocol Office, it is may, it is not shall. I'm not forcing this upon any commodity board that does not think it is worthwhile. These commodity boards, I have said, they all have, several of them have, well, a couple of them have more than a million dollars in those funds. You know

a five, \$10,000 grant for the Protocol Office which would do a variety to things in our marketing, I would think it would be a wise investment on their part and this amendment simply gives them the option, makes that option available that they could, if they so choose, give some money to the Protocol Office. And as far as Senator McFarland has said, he doesn't think it's fair that this bill would benefit all of Nebraska. He doesn't think it's fair that we just burden just the ag sector and the commodity boards. Well, this amendment does not do that. As I said, it's just an option for the commodity boards and also it's...also it would allow the Department of Economic Development to award contracts to this board. So, you know, it's all permissive legislation. The funds could go from there but the fact of the matter is people are saying...what they are saying this morning is, this is a good idea. But it's not such a good idea that we can go out and get funding for anything other than just General Fund tax dollars. Well, if it's such a good idea, you can get funding from the commodity boards, from the Department of Economic Development, and this is a well worthwhile project to be funded with existing tax dollars or existing commodity check-off funds, instead of appropriating new money for it.

PRESIDENT: Thank you. Senator McFarland, then Senator Schellpeper.

SENATOR MCFARLAND: I'll pass, Mr. President.

PRESIDENT: Okay. Senator Schellpeper, please.

SENATOR SCHELLPEPER: I call the question.

PRESIDENT: You're the last one, but thank you. Senator Moore, would you like to close?

SENATOR MOORE: Yes, I'll briefly close. As I've said, the arguments, I find this interesting that this is a really good bill, but it's only a good bill if the commodity boards don't have to pay for it, or it's only a good bill if we appropriate new money to it. That defies sense, I think. If the Protocol Office is worthwhile, let's set up a cash fund and let the commodity boards contribute to it, at their leisure, if they want to, and let the Department...if the Protocol Office will do such a great amount of work for economic development in the state, it makes perfect sense to me the Department of Economic

Development would and should contribute money to it. So, with that, I would ask for a vote on this amendment to see how we do.

PRESIDENT: The question is the adoption of the Moore amendment. All those in favor vote aye, opposed nay. Record vote has been called for. Record, Mr. Clerk, please.

CLERK: (Read record vote as found on pages 628-29 of the of the Legislative Journal.) 12 ayes, 12 nays, Mr. President, on adoption of the amendment.

PRESIDENT: The motion fails. Do you have something else on it, Mr. Clerk?

CLERK: Mr. President, Senator Crosby would move to indefinitely postpone the bill. Senator McFarland would have the option to lay the bill over, if he were so inclined.

PRESIDENT: Senator McFarland, what do you say?

SENATOR MCFARLAND: I'm almost inclined. I'm tired of the fight, but I will take it up. That would be fine.

PRESIDENT: All right. In that case, Senator Crosby, please.

SENATOR CROSBY: Mr. Chairman and members, I again voice my opposition to this bill based on several feelings about the fact that I don't think we need an \$80,000 boondoggle, if you want to call it that, to give a job to someone for a function that can be handled through other departments and that could be done very easily. Scotty Moore was more creative than I was in trying to find some places that this could be handled. I recognize the need, but I really feel protocol is only good manners. And I think most of us do have good manners and we try very hard to be nice to the people that come to our state, wherever they might come from, from another state or from another country. I voice again my concern about what was said originally, that two people, I don't know who those people are that were spoken of that were qualified for this job, that is not legal, in my estimation. You cannot pass a bill in the Legislature to tailor-make a job for somebody that wants that job. Affirmative action, as far as I know, is still in place, it has to be advertised. And I note that it's supposed to be an appointment from the Governor, but you still have to go through certain procedures. Again, I say \$80,000, to me, is a lot of money. I

come from the thirties, and \$80,000 sounds like a fortune to me for one office that would have one person getting \$40,000 of it, and \$9,000 for the typist who would probably be doing a tremendous lot of the work. So, I hear a lot of you talk about your concerns about the elderly, the poor, the teachers, everyone out there who needs our help. And when you talk about \$80,000, and just shove this through for this kind of thing then I don't think that your concerns, about where the money is going to come from for these other things, is realistic. A friend of mine called me the other night and said, because she had read this in the paper, and she said, who asked them down there to send in the clowns? Now, that really hurt because I think most of you realize in this state the Legislature's image, quite often, is not good. So, when you take \$40,000 and put it in a bill to give this to one person for a job that a lot of people could do and are doing now, it's being done without \$80,000, then you do look like a bunch of clowns and I don't want to be...I don't want to look like that. So, I hope that you will think about this again and vote for the indefinite postpone measure...motion, and let's get on with the business of the state, the real business. Thank you.

PRESIDENT: Thank you. Senator McFarland, please.

SENATOR MCFARLAND: Thank you, Mr. President. I'd like to comment on the job issue, since it's been mentioned. I think Secretary of State Beermann mentioned to me that there were two people that served in these kind of capacities who would, just as examples, would be persons who could fulfill this function. It is certainly not designated for them. The Secretary of State has no appointment power in the process. I think one of the persons, I don't know either of them, one of them was a person who was kind of the host at SAC Air Force Base. And I think Secretary of State Beermann mentioned him. I don't know who the other one was, I don't recall. I'm sure there are others. And, if you take a look at the process of who...of how that job is appointed, you'll see that the Governor, who vetoed this bill last year, would have the appointment power of appointing the Protocol Officer. So, to allege that somehow this is creating a job for a specific person is just a spurious type of argument and doesn't have any merit whatsoever. If we talk about good manners and how simple good manners are, let me give you a few examples of the problems that have arisen in the past with respect to foreign guests in our country. I'm told that there was a delegation of Chinese dignitaries who were here to visit

our state, and they were being hosted and they were having a large dinner. And the host of that dinner had some presents for the Chinese delegation. And Secretary of State Beermann asked him what the presents were, because he noticed all these big boxes around. And the host said, well, I bought all these hats for these Chinese guests, I'm going to award them these hats, or I'm going to give them these hats after the dinner is over. And Senator (sic) Beermann opened up one of the box...or Secretary of State Beermann opened up one of the boxes and the hats were green. Now green hats, to us, may not mean very much, you know, it might not be very significant at all, they're just another color. But in China I'm told that the color green is like the scarlet letter. The color green is something that you do not wear, it's a...and, if it is worn by someone, it is a mark of condemnation. And here we were, here was the host going to give out green caps to the Chinese delegation because he was not aware and had not been made aware of what the customs and the culture of China was like. That would be something that would never happen, if we had a Protocol Office. Other things, I'm told that we've received gifts from various countries. There is a large vase, Secretary of State Beermann had in his office, and he said that the Governor has a vase just like that, it was given a few years ago before this Governor was in office, beautiful vase as a gift. There has never been a thank you note sent back to the delegation that gave that gift to the Governor. No one has ever returned the favor or returned the gift or sent a thank you for it. Other things, I guess I'm told that the Irish flag, for example, if you put it up one way, it stands for the country of Ireland. If you reverse it, by accident, it's the flag of another country. If you hang it from top to bottom, that is done only at funerals. And, if you are not aware of these things, if you don't have a Protocol Officer or a Protocol Office being aware of these things, you make these kind of mistakes, embarrassments that just are inappropriate for people that are visiting our state. When we talk about \$80,000 I'm always curious about the funding. This has become symbolic, I guess, because it's the first A bill. We are passing along lots of bills. As Senator Johnson mentioned, we're forgiving a \$37 million tax that could have been collected on the access charges on the phone companies. I believe that is a good bill. I plan on voting for it. But, if you are talking about funding, how about that? We just passed a bill the other day that allowed...or advanced a bill, I should say, that allows newspapers to charge a fee for public notices, a higher fee. It's a good bill. It's going to cost our state, I think, in the

neighborhood of \$50,000. The political subdivisions are going to have to pay a lot of money for this kind of increased cost of publication notices, cities, counties, school districts and what have you. As a matter of fact, I understand at the committee hearing no one even knew what the total cost to the state and to the political subdivisions would be. But yet that bill passes without any objection, without any question of the cost. Senator Moore is one of the persons who votes in favor of it. No mention of how much that is going to cost. If you look at the fiscal report on it, I think at least it's...at a minimum with the Secretary of State's Office it's going to cost \$25,000 a year in additional fees, in the election years, I should say. These kind of things...

PRESIDENT: Time has expired.

SENATOR MCFARLAND: Excuse me. Did you give me a minute warning?

PRESIDENT: No, I didn't, but I'll give you a minute anyway.

SENATOR MCFARLAND: All right. I don't need it, thank you. I'll speak later, Mr. President.

PRESIDENT: Thank you. Senator Moore, please, then Senator Coordsen.

SENATOR MOORE: Mr. President, members, Senator McFarland, the difference between those things you just listed off and this bill is the fact that those are all status quo. I mean one, that 209 is money that we've never had. We're not really giving it back. We're just not going to collect it in years to come. Two, you talk about the Press Association, that's the way it already is. We are adding some costs to some county governments, that's true. But those are not new programs, like this bill is. That's the difference between those two things. This is a new program, it begins with an \$80,000 cost. I am afraid it's going to increase in cost and eventually cost us more. These are things...the manners that you talked about, I mean, how to hang the flag or what color of gifts to give, that seems pretty basic to me. I would think that...I don't know where you received that information from? Chances are you probably received it from Secretary of State Beermann or maybe State Treasurer Frank Marsh, either one of those people. Well, if they already know that, why do we need to spend \$80,000 to

tell people that? Simple as that. I also want to mention that I have another, you know, I'm in support of the kill motion. I would wish we'd do that. If the kill motion fails, I have one more amendment that I'm going to run and then let the body do its will on this measure.

PRESIDENT: Thank you. Senator Coordsen, then Senator McFarland.

SENATOR COORDSEN: Thank you, Mr. President, members of the body. I suppose it comes as no surprise that I do oppose the kill motion. I think that we have come to the time in the development of the State of Nebraska, and this has been said so many, many times on this bill over the probably several hours that it's been talked about, but it's come to the time when we should put Nebraska in a position that is at least equal to many of the surrounding states. Would the state disappear if 177 failed to advance? No, but we would have the continuing confusion that exists, that has existed in the past. We spend a lot more money than this on many, many issues. I think that this particular bill is a simple bill, a well thought out bill. It's a bill that perhaps could have been handled in some other fashion, but it was not, it has not been. And if these things are not going to be taken care of, then it is up to the resp...it's the responsibility of the Legislature that we direct that this be created. So I would certainly urge the defeat of the indefinite postpone motion. Thank you.

PRESIDENT: Thank you. Senator McFarland, please, then Senator Weihing.

SENATOR MCFARLAND: Just a couple comments in response. One, there were situations where problems were not caught. There were situations where people were embarrassed. As I recall, there was one situation where one of our state representatives was given a gift by a foreign dignitary, opened the package in front of the foreign dignitary not knowing that that was a grievous violation of good manners, was an embarrassment, it left a bad aura about the whole meeting, it was at the end of the visit of that foreign dignitary. Those kind of things just should not happen. The fact about the green hats, for example, if Secretary of State Beermann hadn't happened to have attended that dinner that evening, those hats would have been given to the Chinese delegation. He just happened to catch it. There are lots and lots of errors in judgment, errors in manners that

just are totally inappropriate, and they are things that when you are dealing with people that are representing foreign governments that should not happen at all. They shouldn't even be something we would worry about. I heard another story I'll relate to you that earlier this year the Australian basketball team, I think, visited our country to play the University of Nebraska. And suddenly people realized, the day of the game, that they didn't have the flag for the country of Australia, that they didn't have the music for the Australian national anthem, that they didn't know whether to raise the flag of Australia first, then play the national anthem of Australia, or to play the national anthem of Australia, then raise the flag, or whether the flag of Australia should be raised before the United States flag, or after. These kind of things just shouldn't...should not be something where we're trying to handle on a catch as catch can basis. These are things that should be handled well in advance. These are things that should be handled with courtesy and dignity, with a degree of planning and a degree of commitment from our state. And, for that reason, I would urge you to oppose the kill motion. As I recall, we had a kill motion on General File that failed. I would ask you to oppose this kill motion and advance the bill. Thank you.

PRESIDENT: Thank you. Senator Weihing, followed by Senator Schellpeper.

SENATOR WEIHING: Mr. President and members of the Legislature, much of this has dwelled on custom, custom of the foreign. I look upon that as very minor as to what this position would do. Our culture is one, but the system that we have, the way by which we live is the major thing. A person coming in from another part of the world oftentimes needs to be guided to the right and proper area of people. I don't have an example on the tip of my tongue at this time, but an individual coming into the educational area, we have our set-up within this state. A person coming from a foreign country may have a completely different kind of system. True, education is education, but the organizational structure may be such that they are not going to be getting to the point that they need to get. And they would be very, very thankful that they are guided to that. The same is true of agriculture. Our agriculture is so much different...and if someone is being guided to that. We have a great many things. I hesitate to bring this up, but I...having been in foreign countries and simple little things, as Senator McFarland has been talking about, I'm going to use a symbol here

and ask what this means. No, Senator Moore isn't here. Yes, what does that symbol mean? have you ever seen it? (Interruption.)

SENATOR MOORE: What symbol are you talking about?

SENATOR WEIHING: Oh, in say, when I was...I'm in World War II and things were going right, we'd hit the target, we'd give this signal. What is....Senator Wesely, you ever seen that signal? Yeah.

SENATOR MOORE: A-Okay is the only thing I can think of.

SENATOR WEIHING: A-Okay, great, great. Well, after a couple of months in Erzurum, Turkey one of my staff, Turkey staff persons came to me and said, and he was very, very embarrassed about this, he says, I've been in your country and I know that this means, like you say, A-Okay. He said, but that's the signal that the homosexual's use between themselves. Now, that's an embarrassing thing, that here you are, boom, boom, boom. So, I wondered, that is just a simple thing. But what I really want to get at is the importance of this position, the importance of this position is much beyond just customs. It is an infrastructure that we have in this state, and being able to guide people within that infrastructure to the proper source, plus the courtesies that we have that we should always exhibit and recognize the cultures of the other parts of the world. I'm against the indefinite postponement of this bill.

PRESIDENT: Thank you. Senator Schellpeper, please.

SENATOR SCHELLPEPER: Call the question.

PRESIDENT: Question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: Debate has ceased. Senator Crosby, would you like to close on your motion?

SENATOR CROSBY: Thank you. I will close very quickly. I respect all the motives of the people who are before this bill. I want to make that clear. I know that you feel strongly about

it and that you have different feelings than I do. I think the thank you note could have been written. There has been a lot said about the vase and that we didn't thank them. It seems to me Secretary Beermann could have corrected that easily and sat down and written the note himself. As far as the Australian basketball team is concerned, they could slip into town and maybe not...the protocol officer wouldn't even be advised. I don't know how all those things work. But I do feel that we are putting too much money, too much authority, too much everything into one person and a \$40,000 a year job which will not stay that way. It will grow, grow, grow; that's what happens to this kind of thing. So I respectfully ask that you vote for the indefinitely postpone motion. Thank you.

PRESIDENT: Thank you. The question is, shall the bill be indefinitely postponed? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: 14 ayes, 15 nays on the motion to indefinitely postpone, Mr. President.

PRESIDENT: The motion fails. Do you have anything else on the bill, Mr. Clerk?

CLERK: Mr. President, Senator Moore would move to amend the bill. (Moore amendment appears on page 629 of the Journal.)

PRESIDENT: Senator Moore, please.

SENATOR MOORE: Mr. President and members, this is my final amendment on this bill. And...I promise, my final amendment on Select File. (Laughter.) What this amendment will do...the amendment that I passed out earlier, this amendment would just be Section 6, on page 1, and the final 2 and 3 on page 14. So this is the amendment, the first amendment absent on the language dealing with the commodity check-off boards. Once again, I find that interesting. Senator Coorsen gets up again and says we need this and what a great thing this is. Once again, he wasn't willing to have the commodity check-off boards pay for it. Well, regardless of the fact that it seems like there is many members of this body that think this is a great idea, it's only a good enough idea if tax dollars, new tax dollars are appropriated, and I guess I have a problem with that. But, nevertheless, this amendment would still create the Protocol Office Cash Fund. And it would also, on page 5 of the

bill, line 13, strike the words "The Legislature shall appropriate money", and change the language to "The Legislature may appropriate money from the Protocol Office Cash Fund." What this will do is if in, for whatever reason the body would choose to pass LB 177, and then in its infinite wisdom, in between the vote on LB 177 and the vote on LB 177A, if LB 177A, you can still create the office. The Department of Economic Development could still fund the office. The Legislature could, you know, if they chose at a later date, still appropriate money. But you are actually, if you adopt this amendment, you would create a Cash Fund, DED could put money into that to pay for this. If the Governor, you know, the way the bill now reads, the Governor shall appropriate a protocol officer, now she could, underneath the language in the bill the Governor can appropriate that Bill Nichol be that protocol officer. And Bill Nichol could go over to DED and say, you know, according to Senator Coordsen and Senator Rogers and Senator Johnson, I'm going to do so much for economic development on this issue, you need to give me \$50,000. And then he can get there, if indeed he will do that much, I'm sure they'll be glad to give him the money. Also he can go to FirstTier, Ameritus, he can go to Mutual of Omaha, and he can even go to ConAgra and Mike Harper to give him money to promote Nebraska through the Protocol Office. That only makes sense to me. But you got to create the Cash Fund before Bill Nichol, or if the protocol officer is Allen Beermann or Frank Marsh, you've got to give them the Cash Fund before they can do that. And I want to mention the changes, that little word "The Legislature shall appropriate money" to "The Legislature may appropriate money" will give us some flexibility on the A bill. And, as I said, those of you that...my first amendment, the only problem you had was including the check-off boards, the check-off boards are no longer in this. All you're doing is creating a Cash Fund and allowing the Legislature some flexibility on how they want to fund this agency. And, with that, I would...as I said, this is my last amendment. I think it is fairly self-explanatory. I would just urge an up or down vote on this amendment.

PRESIDENT: Thank you. Senator McFarland, please, then Senator Baack.

SENATOR MCFARLAND: I'd just call the question, Mr. President.

PRESIDENT: The question is, shall debate cease? All those in favor vote aye, opposed nay.

SENATOR MOORE: Point of order.

PRESIDENT: Well, you are hardly the one to call that, because you've had your say. If the other side wants to call the question, I think that you shouldn't object. But, if you do, I'll recognize you.

SENATOR MOORE: You know, there has to be two sides of debate, and there was not two sides of debate on that one.

PRESIDENT: Well, I guess I learn something every day. Senator McFarland. You must talk.

SENATOR MCFARLAND: Thank you, Mr. President. I'm enjoying speaking on this. I thought I heard Senator Moore say he just wanted this voted up or down. I was going to accommodate him, but apparently, apparently he wants to talk on on this. As it might not surprise you, I oppose the amendment. And I will oppose other amendments, unless I have a chance to look at them and review them before. I don't think this is appropriate, I think for some of the same reasons that the previous amendment was not appropriate. Believe it or not, good programs, if they are going to be good programs, are going to cost some money. This will cost \$80,000 the first year, I think we said that before. I think it is a very modest amount. If you look at the amount...that amount and compare it with other funding programs or other expenditures, I think you'll see it is almost insignificant. I think my...the Cornhusker Hotel, for example, they obtained over \$80,000 a year just in the money they received from foreign visitors who stay at the hotel in just one year. I am told that we had recently a 100 visitor delegation of people from all over Europe who visited Lincoln for purposes of looking at the Cushman Motor Plant. And they stayed here three days. My understanding is that they spent approximately \$250,000 in three days here in Lincoln, because they had dinners, they had lodging, they had all kinds of events, all kinds of gifts they brought with them. These are the type of things we need to promote. To mention a figure like 80,000 is rather insignificant and a very modest investment to promote these kind of exchanges, to promote the kind of good manners and activities that we should have as a state. Other states in this country do the same thing, believe it or not, they spend money to do it, and they do it efficiently. I'm a...my concern is that these type of amendments, trying to combine responsibilities of, for example, the Lieutenant Governor's

Office with the Protocol Office, combine responsibilities of a State Treasurer or Secretary of State with the Protocol Office are totally inappropriate. If you're going...it is an important function that needs to be handled through one central office. And then all of the other people can help out. Then the Secretary of State and the Governor and the Lieutenant Governor can be...coordinate their activities through the Protocol Office, and we can do a good job of hosting foreign dignitaries and businessmen and businesswomen and visitors to our state. I think it's something that is needed, it's overdue. We lag far behind other states and even other cities in our country in this common courtesy. So, for that reason, I urge you to reject the amendment and when the amendment...and when, and assuming the amendment is rejected then I would urge you to vote in favor of passage of the bill. Thank you.

PRESIDENT: Thank you. Senator Moore, would you like to close on your motion, please.

SENATOR MOORE: Just so people understand what they're voting on. If you adopt this amendment, you can still pass the bill, you can still pass the A bill, you can do anything you want. But by creating a Cash Fund you would allow...if 80,000...if we only appropriate \$80,000 after this program has grown quickly, like it's already...it's going to eventually, before we have a chance to appropriate more money they could go to the Department of Economic Development and contract with them. Now, I'd like for you to pass the first amendment, they could go to the commodity boards that they're going to help so much, and if they could convince the board they could have given them money. But, with all the problems with that, that is not included in this. It simply...it creates the Cash Fund, it changes the word that the "Legislature shall appropriate money" to they "may appropriate money" from the Protocol Office Cash Fund. It allows this body more flexibility, would allow us to pass the bill. It would allow us, if the A bill fails, Senator McFarland and Senator Coordsen and others that think this Protocol Office would be such a great thing, could still occur, it could still be funded, so things would still happen. I probably would agree that we need to do some things differently. But I think this amendment would be wise for the...I want to make it clear, I will vote against the bill, even with this amendment on. But I think those of you that are for the amendment, it will give you more flexibility down the way, and I'd think you'd want it on there, too. But, with that, I'll just ask for the adoption of

the amendment.

PRESIDENT: Thank you. The question is the adoption of the Moore amendment. All those in favor vote aye, opposed nay. Senator Moore.

SENATOR MOORE: This time, I guess, I'm going to ask for a call of the house and a roll call vote, so we get some votes on the board on this one.

PRESIDENT: Okay. The question is, shall the house go under call? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 13 ayes, 0 nays to go under call, Mr. President.

PRESIDENT: The house is under call. Will you please return to your seats and record your presence. Those not in the Chamber, please return so that we may continue. We're looking for Bernard-Stevens, Senator Chambers, Senator Coordsen, Senator Haberman. Senator Lynch, Senator McFarland, will you light up, please. Thanks. We're still looking for Senator Bernard-Stevens, Senator Chambers, and Senator Schmit. Senator Moore, we're lacking only Senator Schmit. Shall we proceed with the roll call vote? Ladies and gentlemen, the question is the adoption of the Moore amendment. Roll call vote has been asked. Mr. Clerk.

CLERK: (Roll call vote taken. See page 630 of the Legislative Journal.) 22 ayes, 16 nays, Mr. President, on adoption of the amendment.

PRESIDENT: The motion fails. Do you have anything further on it, Mr. Clerk?

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

PRESIDENT: Okay, we're back on the bill itself. Senator McFarland.

SENATOR MCFARLAND: Thank you, Mr. President. I want to thank the entire body for their patience and courtesy in listening to all the amendments and the motions to kill and the debate on this bill. I think it is a good bill. I think it should be advanced. I think we've...enough members of this body expressed

support of it on General File, and other people have come up to me afterwards and expressed their support of the bill, that I hope and trust that it will pass. It is something that we need to enact in our state just to make us in step with all the other states in our country as far as the way we host and treat visitors and...

PRESIDENT: Excuse me, Senator McFarland. The call is raised. Thank you, Senator.

SENATOR MCFARLAND: ...business people in our state. I think I'll just read a couple notes about the reasons for the Protocol Office. We need to become more globally aware of the export needs of Nebraska products, that's one thing the Protocol Office could help. We need for official contact with these foreign visitors. We need it to be in an organized and structured fashion and not the haphazard way it has been done in the past. We need to eliminate the confusion and the embarrassment when we have foreign visitors and dignitaries in our state. And I think many foreign visitors...many foreign countries are much more hospitable to their visitors and I think Senator Barrett talking about his trip to Germany was an excellent example of that. We need to compile files and records and information on foreign visitors, familiarity with their customs and language. We need to provide for a system of expenses and gifts. Currently, many of these gifts are provided on an ad hoc basis. I'm told, for example, that when this Russian delegation visited here just recently that what's...what State Treasurer Marsh was wearing, as far as a hat and a coat and a shawl, or whatever it was, was a gift from them. He wore that because they had brought that with them. And I am told that the gift in exchange that was given to the visitors from Russia who visited our state, they gave them a plastic lapel pin with the State of Nebraska on it. These are the kind of things that just should not happen. A Protocol Office would ensure that these things do not happen and I would urge for your advancement of the bill.

PRESIDENT: Thank you. Senator Moore, please.

SENATOR MOORE: Mr. President and members, I, obviously, rise to oppose the advancement of this bill. This morning I think the body said a couple of things. First off, on the first amendment that I offered, well, you know, we said on General File this was going to be a great thing for agriculture, but it's not such a good enough idea that the commodity boards and agriculture

should help pay for it, has to come from someplace else, everybody should pay for it. Then the second amendment that would have allowed the Department of Economic Development or the Cornhusker Hotel or Ameritus or FirstTier to give money to this program to make it work, we said, no, no, no, we don't even want that money. We want this program, it's such a good idea, the only way it should be funded is through new General Fund appropriations and that, you know, I am not against the intent of this bill. I think we're right, we do need to give those people some gifts when they come. We do need to dress right when they come. But I don't think we have to spend new money to make it work. As I've said, those commodity boards have about three or four million dollars. The Department of Economic Development has 4.5 million dollars in its budget. But this body says, no, no, no, we're not going to spend any of that existing money that the state collects. The only way...this is a good idea, but it's not good enough for either one of those to pay for. It's only a good enough idea if some new tax dollars are appropriated for it, and I guess I just don't buy that. I don't think that we have to spend new dollars on this, \$80,000 this year. It's going to grow. I mean, I don't know what Senator McFarland has in mind to give these people, and I don't know how many visitors come to the state every year, but if you're going to give them anything of value, as many people that do come, I think it's just a matter of time that that \$80,000 figure grows. For making a mistake by starting to fund this, I think we were...I presented some legitimate options where you could accomplish all the good things this bill was intended to do. But you could do it with existing fund sources. This body has said no to that, unfortunately. I would hope that now they'd have the good sense to vote this bill...keep this bill from advancing. As the Governor mentioned...when we heard this bill the Governor's office, this Governor is going to do something in this area, whether or not we pass this bill, and we don't need this bill to do it, and we sure don't need to spend \$80,000 to do it. With that, I'd urge for the body to decline advancing this bill.

PRESIDENT: Thank you. Senator Dierks, please.

SENATOR DIERKS: (Response inaudible.)

PRESIDENT: The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye, opposed nay.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Record, Mr. Clerk.

CLERK: 29 ayes, 1 nay to cease debate, Mr. President.

SPEAKER BARRETT: Debate ceases. Senator McFarland, would you care to close on the advancement?

SENATOR MCFARLAND: Yes, Mr. Speaker, thank you. Fellow senators, once again I appreciate your attention. I appreciate your waiting, and I appreciate some of you are like Senator Baack, who need to get somewhere, but he's going to stay here and vote for this bill anyway. So I'll make my closing short. Senator Moore brought up an interesting point about the Governor's office saying that they would handle it through their department. The fact of the matter is that when this bill passed in April of last year the veto message said that they would handle this matter through the executive office and that mechanisms would be put in place to handle this in an administrative manner without necessarily creating a protocol act...Protocol Office. The fact of the matter is that from April of last year until January of this year nothing, to my knowledge, was done in the Governor's office to effect an administrative procedure to handle the protocol function. This bill was heard before the Government Affairs Committee on January 18. It was voted unanimously out of committee. On that same day is the first time we heard from the executive department in the form of a memo saying that action had been taken to designate the Lieutenant Governor as the person to organize the protocol function. From April to January, to my knowledge, nothing has been done. The bill came up on General File, it was subjected to a motion to kill, which failed. It's been on Select File. We have today a 14-page amendment that no one had ever seen before until it was plopped on our desk, wasn't discussed with me. We have another motion to kill that fails. We have another amendment that is added on. I think it's time that we vote on whether we are in favor of this concept or not. And I trust that you will be in favor of it, just as most of you were last year and again this year. I would close by just reading one quote from Francis Bacon. He says, "If a man be gracious and courteous to stranger, it shows he is a citizen of the world, and that his heart is no island cut off from other lands but a continent that joins to them." With

that, I would ask you advance the bill. Thank you, Mr. Speaker.

SPEAKER BARRETT: Thank you. And the question before the body is the advancement of LB 177 to E & R Engrossing. Those in favor of that motion vote aye, opposed nay. Voting on the advancement of the bill. Have you all voted? Shall the bill be advanced? Have you all voted? Senator....

SENATOR McFARLAND: Maybe just to expedite things, let's have a call of the house and a roll call vote.

SPEAKER BARRETT: Clear the board, Mr. Clerk. The question is, shall the house go under call? Those in favor vote aye, opposed nay. Record, please.

CLERK: 13 ayes, 0 nays to go under call, Mr. President.

SPEAKER BARRETT: The house is now under call. Members, please return to your seats. Unauthorized personnel, please leave the floor. Those outside the Legislative Chambers, please return. The house is under call. Members, please record your presence. Please check in. Senator Byars, please record your presence. Senator Kristensen. Senator Korshoj, please. Senator Schmit, the house is under call. Only Senator Schmit is missing, Senator McFarland.

SENATOR McFARLAND: We can proceed, Mr. Speaker.

SPEAKER BARRETT: Did you ask for a roll call?

SENATOR McFARLAND: Yes, I did.

SPEAKER BARRETT: A roll call has been requested. Members, please return to your seats. The question is the advancement of the bill. Mr. Clerk.

CLERK: (Roll call vote taken. See page 631 of the Legislative Journal.)

SPEAKER BARRETT: The call is not raised until the vote has been announced.

CLERK: 26 ayes, 18 nays, Mr. President.

SPEAKER BARRETT: LB 177 advances. The call is raised.

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LB 43, 80, 82, 92, 92A, 106, 113
116, 158A, 165, 166, 171, 172, 175A
177A, 177, 194, 200, 208, 238, 261A
267, 277A, 284A, 296, 312A, 312, 321
322, 353, 357, 369, 458, 459

PRESIDENT: Senator Nelson, would you object to the bracketing?

SENATOR NELSON: No. I just tried to get some attention on my mike. I didn't run up there at the front and no one asked me. I didn't say yes, I didn't say no, and it is all right with me to pass over the bill until February 22. As I've said many times, I'm willing to listen, I'm willing to learn, I'm willing to amend the bill as it is, but we're talking about a serious thing so I'm very willing.

PRESIDENT: May I ask, are there any objections to bracketing this bill until February 22? If so, now is the time to say so. If not, the bill is bracketed until February 22. Do you have anything for the record, Mr. Clerk?

CLERK: Mr. President, I do, thank you. Your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 92 and recommend that same be placed on Select File; LB 459 Select File; LB 458 Select File; LB 116 Select File; LB 267, LB 208, LB 92A, LB 158A, LB 175A, LB 177A, LB 261A, LB 277A, LB 284A, LB 312A, all on Select File. Those are signed by Senator Lindsay. (See pages 647-51 of the Legislative Journal.)

Mr. President, your committee on Transportation whose Chair is Senator Lamb reports LB 369 to General File with amendments. That is signed by Senator Lamb. Your Committee on Enrollment and Review reports LB 43, LB 80, LB 82, LB 106, LB 113, LB 165, LB 166, LB 171, LB 172, LB 177, LB 194, LB 200, LB 296, LB 312, LB 321, LB 322 and LB 353 all are reported correctly engrossed, Mr. President. That is all that I have at this time, Mr. President. (See page 651 of the Legislative Journal.)

PRESIDENT: Very good. We'll move on then LB 238.

CLERK: Mr. President, 238 was a bill that was introduced by Senator Hall. (Title read.) The bill was introduced on January 9, referred to Business and Labor, advanced to General File. I do have committee amendments pending by the Business and Labor Committee, Mr. President.

PRESIDENT: Senator Coordsen, are you going to handle those committee amendments?

February 23, 1989

LB 177, 271, 527
LR 32, 36

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to this, the thirty-third legislative day in the First Session of the Ninety-first Legislature. Our chaplain of the day, Pastor Charles Richardson of the First United Methodist Church in North Platte. Pastor Richardson, please. (gavel.)

PASTOR RICHARDSON: (Prayer offered.)

SPEAKER BARRETT: Thank you, Reverend Richardson. We hope you're able to come back and be with us again. Roll call.

CLERK: There is a quorum present, Mr. President.

SPEAKER BARRETT: Thank you. Corrections to the Journal.

CLERK: I have none, Mr. President.

SPEAKER BARRETT: Messages, reports or announcements.

CLERK: Mr. President, your Committee on Natural Resources whose Chair is Senator Schmit to whom was referred LB 527 instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 271 indefinitely postponed, both those signed by Senator Schmit. (See page 841 of the Legislative Journal.)

Attorney General's Opinion addressed to Senator Moore. (Re: LB 177. See pages 842-44 of the Legislative Journal.)

New resolution by Senator Abboud asking the Legislature to recognize and congratulate Mr. Todd Hauptman for his acts of bravery in rescuing accident victims Mr. President. That will be laid over. (LR 36. See page 844 of the Legislative Journal.) That is all that I have.

SPEAKER BARRETT: Thank you. Proceeding to item 5 on the agenda, Mr. Clerk, legislative resolution.

CLERK: Mr. President, LR 32 by Senator Wesely found on page 798 of the Journal asks the Legislature to encourage Nebraskans to give the gift of life by signing and carrying the Uniform Organ Donor Card which authorizes the use of one's kidneys and other organs after death.

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LB 177, 739, 781

CLERK: (Read record vote as found on page 2596 of the Legislative Journal.) 22 ayes, 21 nays, Mr. President.

SPEAKER BARRETT: The motion fails. To the next bill, Mr. Clerk, LB 739.

CLERK: Mr. President, 739, the first motion I have is by Senator Nelson to return the bill for a specific amendment. I have a note, Senator, you'd like to withdraw that amendment. Is that correct?

SENATOR NELSON: That's correct.

SPEAKER BARRETT: Thank you, it is withdrawn.

CLERK: Mr. President, the next motion I have on the bill is by Senators McFarland and Hall, and that would be to return to strike the enacting clause.

SPEAKER BARRETT: Senator McFarland.

SENATOR MCFARLAND: Senator Hall is not here. We would move to withdraw that amendment as well.

SPEAKER BARRETT: Thank you, it is withdrawn.

CLERK: Mr. President, same for the next, Senator?

SPEAKER BARRETT: It is withdrawn. We'll move on to the next bill under consideration. Obviously, LB 89 has been handled and LB 132. We'll move to LB 177. Mr. Clerk.

CLERK: Mr. President, 177, the first motion I have is by Senator McFarland. He would move to return the bill for a specific amendment. (McFarland amendment can be found on page 2597 of the Legislative Journal.)

SPEAKER BARRETT: Senator McFarland.

SENATOR MCFARLAND: Thank you, Mr. Speaker and fellow senators. This LB 177 is a protocol act, it establishes a protocol officer for the State of Nebraska. We debated it much earlier in the session. It had passed last year and been vetoed, and then it...we brought it back again this year because nothing had

really been done to improve the quality of our hosting of foreign dignitaries and representatives of state from other countries. It came out of the Government Committee on a unanimous vote. During debate on the General and Select File a few people expressed concerns with what, at that time, was an \$80,000 appropriation. There was concern that that was too much, that was, I feel, somewhat I guess foolish when we're passing millions of dollars of bills now and hundreds of thousands of dollars with the modesty of this expenditure. But nevertheless one of the things that came out in the discussion was the fact that a lot of private corporations and a lot of private companies, individuals have given gifts to foreign guests and dignitaries and have expressed a desire to contribute to help the program of hosting these people and visitors to our state. So this amendment that I passed out just establishes a cash fund to allow private corporations, companies to contribute to the cash fund for the purpose of providing some of the expense for this program. And I'll just read it quickly. It just says, "There is hereby created a Protocol Office Cash Fund. The fund shall be administered by the Protocol Officer and shall contain such funds as the Legislature shall appropriate, and any other funds as may be remitted to the State Treasurer for credit to the fund". Then it continues. I think it's...I trust it is relatively noncontroversial. I would ask that you return the bill to Select File for purposes of this one amendment that would allow private companies and corporations and individuals to contribute to the cash fund for purposes of the Protocol Office. Thank you.

SPEAKER BARRETT: I'm sorry, your concluding remark, Senator McFarland, was what?

SENATOR MCFARLAND: To return the bill to Select File for purpose of this amendment.

SPEAKER BARRETT: Thank you, sir. Discussion? Senator Moore.

SENATOR MOORE: Yes, Mr. Speaker and members. Very briefly, obviously, I'm one of the people kind of leading the opposition to this bill and the amendment that Senator McFarland brings forth now is partially included in an amendment I introduced to this bill way back in February on Select File. Regardless of your feelings on the bill, if indeed it is going to pass, which I hope it won't, but if it is going to pass, it probably would make perfect sense to have this amendment on. For that reason,

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LB 177, 187A

I'll support it and hope the body goes along with it.

SPEAKER BARRETT: Senator Rod Johnson, please.

SENATOR R. JOHNSON: I'll pass on this amendment.

SPEAKER BARRETT: Thank you. Any other discussion? If not, any closing, Senator McFarland?

SENATOR McFARLAND: I'd just move to return the bill for purpose of the amendment.

SPEAKER BARRETT: Thank you. Those in favor of that motion vote aye, opposed nay. Record, please.

CLERK: 25 ayes, 0 nays, Mr. President, on the motion to return the bill.

SPEAKER BARRETT: The bill is returned. Senator McFarland.

SENATOR McFARLAND: I'd just move that we adopt the amendment.

SPEAKER BARRETT: Thank you. Any discussion? Seeing none, those in favor vote aye, opposed nay. Please record.

CLERK: 27 ayes, 0 nays, Mr. President, on adoption of Senator McFarland's amendment.

SPEAKER BARRETT: The amendment is adopted. Senator McFarland.

SENATOR McFARLAND: I'd move to advance the bill...readvance the bill.

SPEAKER BARRETT: Thank you. Machine vote has been requested. Those in favor of the readvancement of the bill vote aye, opposed nay. Have you all voted? Please record.

CLERK: 25 ayes, 7 nays on the readvancement of LB 177, Mr. President.

SPEAKER BARRETT: The bill is readvanced. LB 187A.

CLERK: Mr. President, on 187A, I have a motion from Senator Lynch. Senator, I have two amendments. The first, I understand, AM1890 you want to withdraw, is that correct,

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LB 177, 187A, 209, 279, 285, 285A, 289A
362, 362A, 651A, 761A, 781

question is the striking of the enacting clause. Those in favor vote aye, opposed nay. Record.

CLERK: 35 ayes, 0 nays, Mr. President, to strike the enacting clause.

SPEAKER BARRETT: Thank you. Motion is adopted. The amendment is adopted. The enacting clause is stricken.

CLERK: Mr. President, if I may, your Committee on Enrollment and Review respectfully reports that they have carefully examined and engrossed Legislative Bill 177 and fine the same correctly engrossed LB 187A, LB 279, LB 289A, LB 362, LB 362A, LB 651A, and LB 781, all signed by Senator Lindsay as Chair.

Mr. President, the Enrollment Clerk has presented to the Governor LB 285 and LB 285A read earlier this evening on Final Reading.

SPEAKER BARRETT: Mr. Clerk.

CLERK: Mr. President, I have one final item. I have a unanimous consent request to unbracket LB 209, which has been pending on Final Reading.

SPEAKER BARRETT: Thank you. If there are no objections, so ordered. I have just been advised that E & R, the Bill Drafters, have done an amazingly good job and they are to be congratulated. They've been working hard on all of the bills. They've been processed and have been returned to the floor in order that adjournment might be possible should it be the will of the body. With that announcement, we can proceed into Final Reading now if that is the body's desire. We can adjourn until Monday morning at nine o'clock. Monday will be dedicated to Final Reading in its entirety, Final Reading all day. I think we need to say thank you to the Bill Drafters for the work that they have done. It is up to the body. Senator Hall.

SENATOR HALL: Mr. President, I would move that we adjourn until Monday morning at 9:00 a.m..

SPEAKER BARRETT: You've heard the motion to adjourn until Monday morning at nine o'clock. Those in favor please vote aye, opposed nay. Record, please. Members take your seats for Final Reading. Motion fails. (See vote of 7 ayes, 31 nays, as found

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LB 75, 89, 89A, 177

the rules.

PRESIDENT: The rules are suspended. Mr. Clerk, would you please read LB 75, please.

CLERK: (Read LB 75 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 75 pass? All those in favor vote aye, opposed nay. Record, please.

CLERK: (Record vote read as found on page 2685 of the Legislative Journal.) 49 ayes, 0 nays, Mr. President, on the passage of LB 75.

PRESIDENT: LB 75 passes. LB 89, please.

CLERK: (Read LB 89 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 89 pass? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read as found on pages 2685-86 of the Legislative Journal.) 37 ayes, 12 nays, Mr. President, on the passage of LB 89.

PRESIDENT: LB 89 passes. LB 89A, please.

CLERK: (Read LB 89A on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 89A pass? All those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read as found on page 2686 of the Legislative Journal.) 41 ayes, 2 nays, 6 present and not voting, Mr. President.

PRESIDENT: LB 89A passes. LB 177, please.

CLERK: Mr. President, Senator Moore would move to return the bill for purposes of striking the enacting clause.

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LB 177A, 177

PRESIDENT: Senator Moore, please.

SENATOR MOORE: (Microphone not immediately activated.)..in about 30 seconds. Since it's been about three months since we debated this bill, I was hope...just want to remind the body of this Protocol Act, a bill that was around last year the Governor vetoed. Just simply encourage the body to oppose this bill as was said on General and Select File by a quote I'm not going to take credit for, I think Senator Warner said it, on the other programs many times the only way you keep a program from growing is not to start it. Though \$80,000 is indeed a minuscule amount given the hundreds of millions that we're spending this year, I think this protocol position is something that I think is unnecessary. It can be done with an existing state statute and can be done with existing officers of state government, and for those reasons I simply rise to oppose the bill if the body will vote against it's advancement. And now, that the body has been duly reminded of the lack of wisdom if they would pass this bill, I withdraw the amendment.

PRESIDENT: Read the bill, Mr. Clerk, please.

CLERK: (Read LB 177 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 177 pass? All those in favor vote aye, opposed nay. Have you all voted? Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read as found on page 2687 of the Legislative Journal.) 25 ayes, 20 nays, 4 present and not voting, Mr. President.

PRESIDENT: LB 177 passes. LB 177A.

CLERK: Mr. President, Senator Moore would move to return the bill to strike the enacting clause.

PRESIDENT: Senator Moore, please.

SENATOR MOORE: Yes, Mr. President, just to...on the A bill. This is one of those few occasions where, at least in my opinion, given the amendment we adopted on Friday night that created the Cash Fund, if Senator McFarland would yield to a

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LB 75, 89, 89A, 147, 177, 177A, 272
279, 289A, 289, 487, 487A

ASSISTANT CLERK: (Read LB 272 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 272 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read as found on page 2691 of the Legislative Journal.) Vote is 47 ayes, 0 nays, 2 present not voting, Mr. President.

PRESIDENT: LB 272 passes with the emergency clause attached. I understand we're going to skip LB 272A for the moment and continue on with LB 279 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 279 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 279 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

ASSISTANT CLERK: (Record vote read as found on page 2692 of the Legislative Journal.) Vote is 44 ayes, 0 nays, 5 present and not voting, Mr. President.

PRESIDENT: LB 279 passes with the emergency clause attached. While the Legislature's in session and capable of transacting business, I propose to sign and do sign LB 147, LB 487, LB 487A, LB 75, LB 89, LB 89A, LB 177, and LB 177A. Continue on with LB 289 with the emergency clause attached.

ASSISTANT CLERK: (Read LB 289 on Final Reading.)

PRESIDENT: All provisions of law relative to procedure having been complied with, the question is, shall LB 289 pass with the emergency clause attached? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote read as found on page 2693 of the Legislative Journal.) 44 ayes, 0 nays, 2 present not voting, 3 excused not voting, Mr. President.

PRESIDENT: LB 289 passes with the emergency clause attached. LB 289A with the emergency clause attached.

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LB 75, 89, 89A, 147, 177, 177A, 272A
311, 362A, 377, 487, 487A
LR 224, 225, 226

SPEAKER BARRETT: LB 362A passes. LB 377.

ASSISTANT CLERK: (Read LB 377 on Final reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 377 become law? Those in favor vote aye, opposed nay. Have you all voted? Please record.

ASSISTANT CLERK: (Record vote read. See pages 2702-03 of the Legislative Journal.) The vote is: 48 ayes, 0 nays, 1 present and not voting, Mr. President.

SPEAKER BARRETT: LB 377 passes. Matters for the record, Mr. Clerk.

CLERK: Mr. President, your Enrolling Clerk has presented to the Governor bills read...some of the bills read on Final Reading this morning. (See page 2703 regarding LB 147, LB 487, LB 487A, LB 75, LB 89, LB 89A, LB 177 and LB 177A.)

Mr. President, LB 311 is reported correctly enrolled.

Mr. President, new resolutions. LB 224 by Senator Conway. (Read brief description of LR 224 as found on pages 2703-04 of the Legislative Journal.) LR 225 by Senator...by the Appropriations Committee. (Read brief description of LR 225 as found on pages 2704-06 of the Legislative Journal.) That will be laid over, Mr. President. LR 226 offered by Senators Pirsch, Beck, Hannibal, Ashford, Chizek, Hall, Labedz, Lynch, Abboud and Chambers. (Read brief description of LR 226 as found on pages 2706-07 of the Legislative Journal.) That, as well, will be laid over. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Directing your attention now to the agenda to LB 272AE which we moved over earlier in the day. Mr. Clerk.

CLERK: Mr. President, I have a motion to bracket LB 272A until May 24. That is offered by Senator Landis.

SPEAKER BARRETT: Senator Landis, please.

SENATOR LANDIS: Thank you, Mr. Speaker, members of the Legislature, this is the American Savings, State Securities,