

January 11, 1989

LB 341-372

LR 3, 5

able to assist other agencies, other investigating committees, other individuals who are involved. I have pledged my cooperation to some of them with whom I have visited. I know that Senator Chambers feels the same way. I know that other members of the committee feel the same way. I hope that we are all pursuing the same goals, same objectives and that we can work together. I want to say again that this committee will act with propriety, honesty and integrity. We intend to obtain the best counsel we possibly can and we intend to protect the rights of the innocent and to pursue those who might have been less than innocent. Mr. President and members, I ask for a positive vote on the resolution.

PRESIDENT: That was the closing. The question is the adoption of the resolution. All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please. Record, Mr. Clerk, please.

CLERK: 32 ayes, 0 nays, Mr. President, on adoption of LR 5.

PRESIDENT: The resolution is adopted. You have some new bills, Mr. Clerk.

CLERK: Mr. President, I do. New bills. Mr. President, Senator Labedz would like to have a meeting of the Reference Committee now in the Senate Lounge. Referencing Committee in the Senate Lounge, Mr. President, right now. Senate Lounge for Referencing Committee. New bills. (Read by title for the first time LBs 341-355 as found on pages 183-87 of the Legislative Journal.)

PRESIDENT: We will be at ease for a few minutes for referencing and receiving a few more bills.

EASE

PRESIDENT: (Microphone not activated) and capable of transacting business. I propose to sign and do sign LR 3. Would you like to continue, Mr. Clerk, please.

CLERK: Yes, Mr. President, thank you. New bills. (Read by title for the first time LBs 356-372 as found on pages 187-91 of the Legislative Journal.)

Mr. President, I have a new resolution offered by Senator Hall.

statutes. We did that in 1988. It has to do in not for profit organizations and, therefore I would ask that the bill be withdrawn.

PRESIDENT: Any further discussion? If not, the question is, shall LB 368 be withdrawn? All in...if you will bear with us, ladies and gentlemen, we have a machine problem at the moment, so we're going to hold up your voting on this. Senator Lamb, maybe we'll remember what you told us a little later.

EASE

Ladies and gentlemen, we'll go back into session and start up. We're still having some problems here, but we'll try to work around them. The Clerk is getting a printout of sorts and we may have to check each vote, so bear with us until such time as the technician can get here to correct whatever is wrong. So we were on Senator Lamb's motion to withdraw LB 368 as I recall and Senator Lamb had made his presentation as to why it should be withdrawn. There were no other speakers, so the question at the moment is, shall LB 368 be withdrawn? All those in favor vote aye, opposed nay. We need 25 votes on this. Record, Mr. Clerk, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the motion to withdraw LB 368.

PRESIDENT: LB 368 is withdrawn. Move on to the withdrawing of LB 365.

CLERK: Mr. President, Senator Labedz would move to withdraw LB 365.

PRESIDENT: Senator Labedz, please.

SENATOR LABEDZ: Thank you, Mr. President. It is with great reluctance that I do withdraw 365. I thought it was a good bill and it was a bill worth discussing and debating on the floor, but as you probably read in the newspapers, it was the decision of the Chairman of the County Board that LB 365 be withdrawn at this time. I ask the approval of the members of the Legislature in withdrawing LB 365.

PRESIDENT: Thank you. Senator Rod Johnson, please.

SENATOR R. JOHNSON: Mr. President, members, as most of you in this room know, the Agriculture Committee did hear this bill. It has generated a great deal of controversy within Douglas County and the City of Omaha, and as Senator Labedz has pointed out, I think there have been a lot of factors that have shown themselves in this issue that carried over to LB 365, most importantly the decision of the county to purchase Ak-Sar-Ben, if that, in fact, will take place. Secondly, the taxing authority that would be given to the county if they took over the affairs of the county fair board and, third, and unfortunately maybe the most controversial part which was thrown into this issue was the discussion of where to locate a city auditorium or to deal with that particular issue of a convention center. I think that most people would agree that there is a great deal of controversy in that aspect within the City of Omaha, but the committee was evenly split over what to do. I think many of us had misgivings about the direction we were headed. I suggested to a reporter not long ago that what we need to do on this issue is continue to be a partner in the discussion of this issue. I think that it is important that the Legislature be a participant in the discussion of whether or not Douglas County should assume the county fair board's authority and taxing authority, and it is my intention to introduce a resolution at the conclusion of this session for the committee to look into this issue as a study resolution if, in fact, the members from Douglas County would approve of that. So with that, I just wanted to explain the fact that the committee was split over what direction to go on this issue and I think there were some merits in the bill. There were some drawbacks that were drawn into this issue that were rather unfortunate, but at this time, I'll...I think with other members would adhere to Senator Labedz's motion to withdraw.

PRESIDENT: Thank you. Senator Hefner, please.

SENATOR HEFNER: Mr. President, members of the body, I'm a member of the Ag Committee and I just want to explain my position on this bill. I did support the bill. I voted to advance it to General File, however, that vote failed several different times. The reason that I supported it was because I felt that at least it should be debated on the floor. However, I didn't support it until we were able to get several amendments on and one of the amendments says that the people of Douglas County would have to vote before we would allow them to do this. It was heavily lobbied by both sides and some of the Douglas

February 21, 1989 LB 320, 326, 334, 354, 354A, 362, 362A
365, 489

County senators supported it and some of them opposed it. So it was very difficult for me, being 150 miles from Douglas County, to know exactly what to do and this is why I held out for the amendment that it be brought up to a vote, both whether they would allow Douglas County to purchase Ak-Sar-Ben, and also if Douglas County had to issue bonds to do this, it would have to be brought up to a vote of Douglas County voters. So I just...and I'm going to support Senator Labedz in withdrawing this now.

PRESIDENT: Thank you. Senator Labedz, would this be your closing, Senator Labedz?

SENATOR LABEDZ: Yes.

PRESIDENT: All right.

SENATOR LABEDZ: Thank you, Mr. President. I failed to also thank the senators of the Ag Committee that supported the bill in the committee hearing and every time they had an exec session and I do appreciate that fact. And Senator Hefner is right, it did allow a vote of the people as the committee amended the bill and perhaps it may come back again. In fact, I know it will and I appreciate the fact that Senator Johnson has offered the county board an interim study on the issue, and as I say again, I appreciate the fact, the support that I got and the co-sponsors also of LB 365. I urge the affirmative vote on the withdrawal of LB 365.

PRESIDENT: Thank you. The question is, shall LB 365 be withdrawn? All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 33 ayes, 0 nays, Mr. President, on the motion to withdraw LB 365.

PRESIDENT: LB 365 is withdrawn. Would you like to read in some things, Mr. Clerk, please?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 320 and recommend that same be placed on Select File with E & R amendments attached, LB 326 Select File E & R amendments, LB 334 Select File with E & R, LB 354 Select File, LB 354A Select File, LB 362 Select File, LB 362A Select File, LB 489