

January 18, 1989

LB 35, 36, 38, 79, 158, 496-536

while you bring in your bills. If you have some, please bring them up. Do you have an announcement for us?

CLERK: Mr. President, Reference Committee will meet in five minutes in Room 2102; Reference Committee in Room 2102 in five minutes.

PRESIDENT: Reference Committee, please heed the announcement just made.

EASE

PRESIDENT: If you don't have anything to do, there is some dry edible beans up in front here, if you would like to help yourself you may. John Weihsing knows all about them, so you can ask him if you want to know how to cook them or anything. (Gavel.) Senator Weihsing.

SENATOR WEIHSING: Mr. President and members of the Legislature, this year Nebraska is number one in the production of dry edible beans. I thought that you should realize that we have a very high standing with the production in the nation.

PRESIDENT: Mr. Clerk, you have something to do.

CLERK: Mr. President, your Committee on Agriculture, whose Chair is Senator Rod Johnson, to whom was referred LB 35, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File; LB 36 and LB 38 to General File, all signed by Senator Johnson as Chair.

Mr. President, new bills. (LBs 496-536. Read for the first time by title. See pages 258-66 of the Legislative Journal.)

Mr. President, in addition to those items, I have the hearing notice from the Health and Human Service Committee. Mr. President, a Reference Report referring LBs 463 through 495.

Mr. President, Transportation Committee, whose Chair is Senator Lamb, to whom was referred LB 79, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with committee amendments attached, and LB 158 to General File, both of those signed by Senator Lamb (See pages 268 of the Legislative Journal.)

March 16, 1989

LB 89, 164, 212, 266, 276, 503, 693

SPEAKER BARRETT: Thank you, sir. You've heard the closing and the question is the adoption of the Withem amendment to the Schmit amendment to LB 89. Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: 33 ayes, 0 nays, Mr. President, on adoption of Senator Withem's amendment to the Schmit amendment.

SPEAKER BARRETT: The amendment is adopted. Mr. President (sic), have you anything, messages on the President's desk?

CLERK: Mr. President, your Committee on Government whose Chair is Senator Baack reports LB 212 to General File with amendments; LB 266, General File with amendments; LB 276, General File with amendments; LB 503, General File with amendments; and LB 693, General File with amendments, all signed by Senator Baack. (See pages 1193-94 of the Legislative Journal.)

I have a confirmation report from the Education Committee, Mr. President, and Senator Lindsay would like to add his name to LB 164 as co-introducer. (See page 1195 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you, sir. The Chair recognizes Senator Scofield.

SENATOR SCOFIELD: Mr. Speaker, I move we adjourn until tomorrow morning at 9:00 a.m.

SPEAKER BARRETT: You've heard the motion to adjourn until tomorrow morning at nine o'clock. Those in favor say aye. Opposed no. Ayes have it, motion carried, we are adjourned.

Proofed by: Arleen McCrory
Arleen McCrory

January 8, 1990

LB 503, 720A, 943, 945, 1043-1048
LR 236

SENATOR WESELY: Yes, Mr. Speaker, I move the advancement of the bill. It's a four-year phase-in to bring our caseworkers up to the standards and move the advancement of the bill.

SPEAKER BARRETT: Any discussion? Seeing none, those in favor of the advancement of the bill please vote aye, opposed nay. Please record.

CLERK: 29 ayes, 0 nays, Mr. President, on the motion to advance the bill.

SPEAKER BARRETT: LB 720A is advanced. New bills, Mr. Clerk.

CLERK: Mr. President, new bills: (Read LBs 1043-1048 by title for the first time.) LR 236, Mr. President, is a proposed amendment to Article VIII, Section 1, of the Nebraska State Constitution. That is offered by Senator Withem. (See pages 209-12 of the Legislative Journal.)

Mr. President, I have requests from Senator Lynch to add his name to LB 503; Senator Pirsch to LB 945 and Senator Pirsch to LB 943. That's all that I have, Mr. President. (See page 212 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Senator Withem, for what purpose do you rise?

SENATOR WITHEM: Mr. Speaker, I would move that we adjourn until Tuesday morning, January 9, at 9:00 a.m.

SPEAKER BARRETT: Thank you. You've heard the motion to adjourn until tomorrow morning at 9:00 a.m. All in favor say aye. Opposed no. Ayes have it, motion carries, we are adjourned until nine tomorrow morning.

Proofed by:


LaVera Benischek

is the bill requests submitted to the bill drafters, bill drafting staff by noon Tuesday, January 16 will be guaranteed to be ready for introduction before adjournment on the 10th legislative day, Tuesday, January 16 at noon is the cutoff for bill introduction on the 10th day.

Mr. President, a hearing notice from the Appropriations Committee, signed by Senator Warner as Chair.

And a new A bill, LB 723A by Senator Wesely. (Read by title for the first time. See page 311 of the Legislative Journal.) That's all that I have, Mr. President.

SENATOR LANDIS: Thank you, Mr. Clerk. Senator Weihing, since you are there at the microphone, perhaps you would make a motion to recess the body.

SENATOR WEIHING: Mr. Speaker, members of the Legislature, I make a motion that we recess until one-thirty this afternoon.

SENATOR LANDIS: You've heard the motion. All in favor say aye. Opposed nay. We are in recess.

RECESS

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Record, Mr. Clerk.

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

SPEAKER BARRETT: Thank you. With a quorum present, anything to read into the record?

ASSISTANT CLERK: Two items, Mr. President, Banking Committee gives announcement of hearings, and new bills. (Read for the first time by title: LB 1126. See pages 312-13 of the Legislative Journal.) That is all that I have.

SPEAKER BARRETT: Thank you. We will retreat on General File to LB 503 and 503A, the bills that were passed over this morning. Senator Goodrich is back with us. Mr. Clerk.

ASSISTANT CLERK: LB 503 was introduced by Senator Goodrich. (Read title.) The bill was introduced on January 18 of last year. It was referred to the Government Committee. They report that bill to General File with committee amendments, Mr. President. (See page 1194 of the Legislative Journal, First Session.)

SPEAKER BARRETT: Thank you, sir. Senator Bernard-Stevens, would you handle the committee amendments, please, on 503?

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker, I would be delighted to. The committee amendments, first of all, to give the body a brief history of the bill, it was presented to the Government Committee last session, and to be quite honest with you, the Government Committee felt that there wasn't a lot of thought, forethought into particular salaries and the levels that were set. The committee certainly did not agree that we needed to make an adjustment, there should be an adjustment, but we wanted a little bit more thought behind the particular adjustments being made. So the committee killed the bill originally with the idea that we needed to come back...the committee was not going to sit and rewrite pieces of legislation, we had other things we had to do, but if there was a rethinking and they came before the committee again, we would certainly look at it, and we did so. So 503 was resurrected and the committee amendments that you have before you are what the committee felt to be a solid proposal to bring before the body. In essence, the salaries are set as you see in the handout in front of you, but I will tell you that, basically, we have taken the midrange of most of the salaries that our surrounding states from Nebraska, with the exclusion of Illinois, and Illinois, quite honestly, is far, far beyond any state in what they pay their constitutional officers, and simply was out of the question and threw everything out of balance, so Illinois was not included in that. So I can't tell you that it takes the midrange, in fact, it is actually a little bit below the midrange. In a handout that hopefully that you may have, for the example, the Governor, will be no change in the 65,000 that is proposed in the bill. Lieutenant Governor, it would be 47,000, the original bill had 50,000. So we have reduced that a tad bit and I know some of the candidates...some of the, excuse me, senators in here that are considering Lieutenant Governor may be a little nervous about that, but we felt 47,000 to be adequate for the position. And we move on down to where you can see the adjustments from what was in 503, which would be about a

midrange, and in some cases, they were decreased; in some cases, they were increased depending upon what the committee felt the work load of the office was. And I know all the constitutional offices work very hard, and I know we need to make the salaries commensurate, particularly when we get into Attorney Generals or State Auditors or the State Treasurer, and so on. That is the nature of the committee amendments. The committee amendments would, in essence, become the majority of the bill starting with the Governor's 65,000. And with that, that concludes my remarks on the committee amendments and I urge their passage, if there be no further discussion at this point.

SPEAKER BARRETT: Thank you. Discussion purposes on the committee amendments, Senators Chambers, Wesely, Goodrich, and Schimek. Senator Chambers:

SENATOR CHAMBERS: Mr. Chairman, and members of the Legislature, I will go ahead and make my comments now since the committee amendments are likely to be adopted and will become the bill. I think that whenever there is a bill before us to raise the salaries of various state officers, we should support those efforts. Never have we been extravagant in the amount of money that we would accord these various positions, and I hope that today, as I have indicated in the past when we were on these bills, we will not consider the personality or the politics of whoever happens to be sitting in the office. This salary increase may or may not redound to the benefit of whoever is in office now. It will not take effect until four years from now, whatever that date is. So the person currently in office should not be a basis for us voting against these increases. If that is the reason for voting for the increases, I have no problem since I am in favor of the increases regardless of the motive. If I, personally, were the one to establish salaries that I felt were appropriate for these various offices, I would probably raise the amounts for at least some of them. I would certainly raise the salary of the Governor. I just have a feeling that the highest elected official in the state should probably have the highest salary, even when it comes to those individuals who are appointed. Now I would never say that the Governor's salary should be equal to that of the football coach because we all know nobody would pay anything to see the...pay anything to see the Governor do anything except maybe be burned at the stake whereas many people pay large amounts regularly each weekend during the season just to see the team that the football coach coaches. So with the exception of people associated with the

Athletic Department, some people in the university system who are not elected persons, I think the Governor's salary should have...there should be a gap between the salary paid the Governor and the next highest. Right now there is one, but I think that the salary should be higher than the \$65,000. However, something is better than nothing, and for now, I will vote to accept the committee amendments because that might be the only way we will have a bill before us.

SPEAKER BARRETT: Senator Wesely, please.

SENATOR WESELY: Yes, Mr. Speaker, members, I would echo Senator Chambers remarks. I think for whatever we may feel about certain officeholders, the office itself is what we are talking about here. And I do recall one of the reasons, for instance, the State Treasurer and State Auditor salaries are so low at 35,000 is some disenchantment with some of the performances in those offices held those salaries so low and that will raise them to forty-nine, five, I think is appropriate, despite my personal view, the State Auditor should be under the Legislature and not an independently elected office. I did talk to Senator Bernard-Stevens about this and I think it is probably correct that even with the raise in the salary for the Governor to 65,000, I think we would still be on the low end nationally. I remember a survey done of governors salaries and at 58,000 our Governor was one of the lower four or five in the whole country. I am sure going to 65 would still be low. That is a lot of money. Most Nebraskans, 99 percent of us probably would be happy to have that kind of salary, but on a comparative basis, it isn't out of range. So I, too, would rise in support of the committee amendments and to the bill and encourage consideration, perhaps, to even further amendment to the bill later on to make sure we are, in fact, adequately compensating people for these important positions.

SPEAKER BARRETT: Thank you. Senator Goodrich, please.

SENATOR GOODRICH: Just a short word that as introducer of the bill I do concur with the committee amendments and would, wholeheartedly, suggest we adopt those. Thank you.

SPEAKER BARRETT: Senator Schimek, followed by Senator Nelson.

SENATOR SCHIMEK: Mr. President, and members of the body, I would just like to say if the voters had been a little smarter

in 1986, I wouldn't be standing here today asking for you to support this measure. I would be one of the happy recipients of this measure, but the public has spoken and I would like to speak and say that I don't think these are out of line at all. I would just...in fact, I would echo what both Senators Wesely and Chambers said that, perhaps, the Governor's salary does need to be adjusted somewhat upward. But I would like to ask Senator, what is your name, Bernard-Stevens, Pete, could you tell me in other states, do they have these same kind of disparities in salaries or was there some subjective judgment used here in allocating those kinds of figures for the different offices?

SENATOR BERNARD-STEVENS: That is a good question, Senator Schimek. In fact, there was a wide range of differences at times. What the committee wanted to try to do is to not necessarily go into an order of rank and say we are going to start at a ceiling and then, by rank, go down and each one be lower because the committee realized that though the Secretary of State may, in fact, be higher on the list than State Auditor, vice versa, we tried to not only look at the various states average salaries but also we tried to look at Nebraska as to what we felt was an area that had more of a work load. Now understand I said not more of an importance, necessarily, but more of a work load and more responsibility to do more things. And we tried to take that into consideration when we began looking at how we were going to apply salaries below the ceiling of 65.

SENATOR SCHIMEK: Thank you, Senator.

SPEAKER BARRETT: The Chair recognizes Senator Nelson.

SENATOR NELSON: Mr. Speaker, and members of the body, I guess I have to echo what the other senators have said and particularly as you can obviously see our Governor's salary and so on, but just a couple of years ago in the Legislature, I remember Senator Remmers and I and I am not quite sure who else, I think Senator Landis, we did extensive work on these constitutional officers' salaries and I will tell you it was not necessarily too easy to get the raise that we affected at that time. And I think the Public Service Commission Officers entered into the picture, and so on, so I somewhat sense I think the salaries were only raised a couple of years ago. I don't know whether we are treading on the right ground or not, but with that, I will

just withhold, but for some of the new senators, and I know we certainly did a lot of work on it at that time.

SPEAKER BARRETT: Thank you. Any other discussion on the adoption of the committee amendments? Senator Bernard-Stevens, excuse me, Senator Chambers, further discussion?

SENATOR CHAMBERS: Mr. Chairman, and members of the Legislature, just to serve notice on what I intend to do. I know I could amend the committee amendments with less than a majority vote, but I don't just want to amend the committee amendments and not have a chance of success at what I want to do. So I am not going to offer an amendment at this time, but after the committee amendments have been adopted, then I may try to amend one or two of these additional salaries.

SPEAKER BARRETT: Thank you. For purposes of closing, Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Just a quick comment, actually to Senator Schimek from myself, Senator What's-his-name, and that would be that she commented that the voters, if they had been a little wiser, may have voted differently, and I suggest to her that the voters were very wise in what they did because they wanted her here, so that we could have her input here in the body, and that we appreciate. With those comments, I would move the committee amendments.

SPEAKER BARRETT: Thank you. The question is the adoption of the committee amendments to LB 503. All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of committee amendments.

SPEAKER BARRETT: The amendments are adopted. To the bill as amended, Senator Goodrich.

SENATOR GOODRICH: Mr. President, and members of the body, just to...one note of reference to Senator Nelson's comments, we did, the last time we changed the salaries of the constitutional officers was back in '86. This one will not become effective until '91, middle of '91, the reason for that being that, as most of you know, the salary of a constitutional officer cannot, or a judge, either one, as far as that goes, cannot change while

they are in office. So unless there is a certain unusual set of circumstances that happens to happen, which is highly unusual, but in other words, you have to do this kind of legislation while they are in their current session of office to be effective after the elections, and, consequently, that is why we do it in this particular kind of a year. Since the committee amendments are now the bill, they have been explained. On the material that I had passed out, you will notice that the front page of it shows what we are currently paying each one of them, and what, on the right hand column, it shows what the committee amendments recommends, and then in the very next to the last page of that handout is a comparison of the various jobs with the surrounding states around us, and that is on the next to the last page. There is also an indication as Senator Schimek was asking as to is there that much disparity between the positions that is reflected in that next to the last page also. So in essence, we are being very conservative about these raises. They are not in effect...will not go into effect even if we pass them until after the elections. We also, and a very important point that we all should keep in mind, we must have this particular bill passed prior to the filing of the new candidates or the current candidates, whichever, so that the filing fees will be determined based on the next salaries as opposed to this salary, that sort of thing. We just need to know before the elections what the filing fee should be, and then, in essence, the salaries will have been set for the next term of each of these before we even know who is going to occupy the job. So, consequently, I would advance...I would move, rather, to advance LB 503 to Select File.

SPEAKER BARRETT: Thank you. Discussion. Mr. Clerk, you have an amendment on the desk.

CLERK: Mr. President, Senator Chambers would move to amend the bill by raising...would you like me to read, Senator,...

SPEAKER BARRETT: Senator Chambers.

CLERK: ...by raising the Governor's salary by \$10,000 and each of the other constitutional officers salaries by \$5,000.

SENATOR CHAMBERS: Mr. Speaker, you didn't know I was such a good ventriloquist, did you? That was me speaking and you thought it was the Clerk, but, anyway, what I am trying to do is establish that gap between the Governor's salary and the next

highest, which would be the Attorney General. If you would like to divide the question so that we deal only with the Governor's salary, and then make the remaining salaries a separate issue, I wouldn't have any objection to that. But if you accept the amendment as I have offered it, the Governor would then be making \$75,000 a year, which is not really that large an amount of money for the position that the Governor holds. I think a point has to be reached where as a Legislature establishing policy we must show by the votes that we cast what we think of the significance of some of these offices and the work that they do, the responsibilities that go along with the office, and I say, again, that we should look beyond the individuals who sit in the office because now we are doing something that relates to the office, itself. When you consider that the Governor is the highest elected official in this state, that the Governor symbolizes what the state is, and will go various places around the country representing the state, \$75,000 is really not an exorbitant amount of money. Even if the Governor were somewhat ceremonial as in some cases a President has been, the salary that attached to the office was not based on the individual who happened to sit there. As a matter of fact, there is a period during the early 1900's and you might even say the late 1890's, or the late 1800's, when you had a series of presidents who probably were as honorable or no more dishonorable than anybody else who sat in that office, but it is difficult to remember who they are, and which order they occurred in, but simply because they were so nondescript, they didn't...their presence did not result in a diminution of the accoutrements of the office. So I hope that we can get enough votes to raise the Governor's salary by \$10,000, and these others by five. If you are in favor of raising the Governor but want to discuss the others individually, then I wish anybody who feels that way would divide the question so that the Governor is taken and then the rest will be taken as a group.

SPEAKER BARRETT: Thank you. Discussion on the Chambers amendment? Senator Hefner, followed by Senators Goodrich and Bernard-Stevens.

SENATOR HEFNER: Mr. President, and members of the body, Senator Chambers, could I have your attention, please. Okay, you are going to raise the Governor's salary to 75,000. You say that is a \$10,000 increase from what?

SENATOR CHAMBERS: From what is in the committee amendments.

SENATOR HEFNER: Okay, and now the Governor is getting 60,000.

SENATOR CHAMBERS: Fifty-eight.

SENATOR HEFNER: Fifty-eight, okay. Okay, what percentage increase is that?

SENATOR CHAMBERS: Senator Hefner, I am not that good in mathematics but it is about a 3 percent increase.

SENATOR HEFNER: Okay. (Laughter) I thought maybe you would say revenue neutral.

SENATOR CHAMBERS: Oh, okay, I will buy that.

SENATOR HEFNER: Okay, but I would like to ask you a question, why should we raise these constitutional officers of a more percentage increase than the ordinary state employee is getting? Why shouldn't we use a schedule for them, too?

SENATOR CHAMBERS: First of all, we can raise state employees salaries yearly, which we do, and we can throw in fringe benefits and other things, but what happens here is that you can do it only after an election. I mean they cannot receive a raise during the term of their election, so for four years, or whatever the period of that term of office is, there can be no increase for them. And there has been a time...let me see what Senator Goodrich is offering here to confuse me.

SENATOR HEFNER: Okay, Senator Chambers, we are using my time.

SENATOR CHAMBERS: Oh, one thing, the average for Governors right now is \$77,000 so I would still have us below that.

SENATOR HEFNER: Okay, that is okay but have we been that far off the mark for the last four years?

SENATOR CHAMBERS: Uh-huh.

SENATOR HEFNER: Okay.

SENATOR CHAMBERS: Okay, well, Glenn said it is 30 but I am trying to be gentle and kind to us.

SENATOR HEFNER: Okay, what kind of bothers me is that we are going to raise the constitutional officers' salaries more of a percentage than what we are raising the state employees. If we have raised the state employees, say, 6 percent a year for the last four years, that would be 24 percent. Now why would we want to raise the constitutional officers' salaries more than that? So I am going to urge you to defeat the Chambers amendment because I think we are going a little bit too far here. I realize that we need to set these salaries four years in advance, but even at that, I think we should stay pretty close to what we are paying the other people, or what percentage increase we are using. So I would just like to have your consideration on that.

SPEAKER BARRETT: Senator Goodrich.

SENATOR GOODRICH: The point I was going to make is what I just pointed out to Senator Chambers so he could make it in response to Senator Hefner's question relative to what we should be paying the Governor. The average, as I said, is 77,200 right now. That is the average of all of the states added together and averaged out, the average Governor's salary is 77,000 right now. Senator Chamber's proposal would be 2,000 even below that. However, the other thing is that if you take, for example, the Governor's salary, the amount of increase, for example, is \$17,000, including the committee amendment and the Chambers amendment would be \$17,000 which is, in essence, about 28 percent. Dividing that by the four years, you get about 6, no, 7 percent average increase. So it isn't too far from what we are doing for the rest of the state employees. It is just that we don't do this for the constitutional officers and we can't do it except every four years or longer.

SPEAKER BARRETT: Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: The comments I was going to make have, in essence, been said but I would like at least to clarify for the body that it really...the committee is not and certainly I am not going to sit here and say whether this should be that amount or this particular constitutional officer should have another. That is simply for the floor to decide. However, I would point out that Senator Chambers' amendment, at least for the Legislature's information, putting it up to \$75,000, the average for the United States or in this particular area, at least, is 77,000. So it would not put us in the upper end. It

would simply put us a tad bit below the average, and as I have been trying to figure in my head and on paper, what the \$5,000 would do to the other constitutional officers, we have, in essence, the same effect. So what I said before still holds true. The committee amendments that were agreed upon, and now the bill that we have it, with the ceiling at 65,000, the numbers that we have within the proposal now are on the low side of average. Senator Chambers' amendment would simply put us to the average. Now all of us have always difficult times when we talk about salary increases. Certainly, we always get a little nervous when we were talking about our own salary increases a year or so ago, and we are getting nervous about this one, too, particularly when we have issues out there such as lids, and control spending, and property taxes unfairness, and all of a sudden now we come out with a pay increase, and I think the body as best as possible needs to try to separate themselves from those issues, and as we can, every four years simply say what do we need to do to attract the best type of person, what can we do that would pay the constitutional officers an adequate salary that would be commensurate with other people? And I think as we get to state employees, we will be making that decision based on the information at that time, Senator Hefner. And I agree with Senator Chambers that we can give state employees every year a change, if we want, and what I think would be good to do, Senator Hefner, and others, and I, too, am concerned about comparisons to other people, like State Patrol and other areas, that we are doing, but I think what we need to do is say if we gave a 4 percent this year, a 3 percent next year, a 4 percent or maybe go back four years, and add up the total percentages that we have given in four years, how would that, then, compare to the one percentage increase we are giving for a four-year period. And I think that would probably be a fair computation and comparison. Thank you.

SPEAKER BARRETT: Thank you. Before recognizing Senator Chambers, the Chair is pleased to note another very, very happy occasion. Would the Legislature please recognize the birthday of the housemother of our Pages, Kitty Kearns. Kitty, would you stand up and take a bow. Happy Birthday, Kitty. Senator Chambers, please.

SENATOR CHAMBERS: Mr. Speaker, and members of the Legislature, I am going to ask for a division of the question, and I would divide it in the following manner. The Governor, and then the rest of the offices taken as a group, and I was recognized just

for the purpose of dividing the question.

SPEAKER BARRETT: Yes, thank you. Senator Chambers, you are dividing out the Governor from the remaining constitutional officers?

SENATOR CHAMBERS: Yes, will stay a group, right.

SPEAKER BARRETT: That is certainly divisible. No question about it. Which section would you prefer to talk about first?

SENATOR CHAMBERS: The Governor.

SPEAKER BARRETT: The Governor.

SENATOR CHAMBERS: Yes.

SPEAKER BARRETT: The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman, and members of the Legislature, Senator Hefner, I was being somewhat facetious in saying 3 percent, but as pointed out, this is going to cover a period of four years, so if you did average it out, it might come out to what, seven, or six, or something like that? But it is less than if it were for one year, and then that increase will occur yearly. If we started out with these salaries at an equitable level, then we could build in the increments that we figure state employees might get, and then each four years total them up and give that amount. But as has happened in so many other areas, these salaries have lagged behind what they should be. This is an opportunity to place them at a respectable and fair, somewhat fair level, and from this point on, we could make smaller increases. What the Legislature did last session and the Governor agreed with it, and I am appreciative of the fact that it was done although it didn't put a nickel in my pocket, is that we raised the salary of the members of the Board of Parole to a level that was more commensurate with what it should be. It was not as high as I would have liked it to be, but it was much better than we had been doing. So this that I am talking about now is only the Governor's salary, and I doubt that there is anybody who could honestly say that a \$75,000 salary for the Governor, when certain lawyers for public agencies or political subdivisions make almost that much, \$75,000 is not unreasonable at all. Somebody is always going to say you get what you pay for. If you don't pay anything, you

are not going to get anything. And that reminds me of something that Armand Hammer said as a rationale for paying extraordinarily high salaries to his employees. He said he had a number of reasons: One was that if you paid people an adequate salary, they would be willing to do the work that you require of them without feeling they are being set upon and a type of loyalty would develop. Number two, the salary is so attractive that if the person did not do the work, he or she would realize that there would be plenty of capable people willing to take their job, which is an additional incentive to earn what is being paid. But, finally, he said if you pay peanuts, and this is a quote from Armand Hammer, the Chief Executive Officer of Occidental Petroleum, the man who even during the coldest era of the Cold War could fly his jets into Russia or any of its satellites. Armand Hammer said, "If you pay peanuts, you get monkeys." And we don't want that to happen in this state. So I am asking that you consider the reasonableness of \$75,000 as a salary for the Governor, and I hope you will support this amendment.

SPEAKER BARRETT: Thank you. Discussion on the first part of the divided question. Senator Wesely, would you care to discuss it?

SENATOR WESELY: Thank you, Mr. Speaker, members. I would rise in support of this amendment by Senator Chambers. For those of you who followed the interaction between myself and the Governor in the last few years, you probably wonder why I would rise in support of a salary increase for anybody in the Governor's Office, but I think, appropriately, the office deserves higher compensation, and I recall some years ago talking to some individuals interested in running for that position, not being able to because of the salary level, and I simply think for the most important position in state government, though some I think have argued that the Game and Parks Commission position was more important, but I would argue the Governor's position is the most important in state government, and it ought to pay commensurate with that responsibility. Also in looking at the university president salaries that we have had some discussion with of late, they are well over \$100,000. I think you could find comparisons to other offices even within state government that pay more than the \$75,000 we would be talking about here. I think the Governor's position deserves a better compensation so I would support this increase as proposed by Senator Chambers.

SPEAKER BARRETT: Thank you. Any other discussion? Senator Chambers, any closing statement on the first part of the divided question?

SENATOR CHAMBERS: Mr. Chairman, and members of the Legislature, I really hope we will vote in favor of this amendment.

SPEAKER BARRETT: The question before the body is the adoption of the first part of the question which was divided by Senator Chambers. Those in favor vote aye, opposed nay.

SENATOR CHAMBERS: Mr. Chairman, I am going to ask for a call of the house and a roll call vote.

SPEAKER BARRETT: Thank you. The question is, shall the house go under call? Those in favor vote aye, opposed nay. Record.

CLERK: 17 ayes, 3 nays, Mr. President, to go under call.

SPEAKER BARRETT: The house is under call. Members, please return to your seats and record your presence. The house is under call. Members outside the Chamber, please return. Senator Labedz, the house is under call. Members, please return to your seats for a roll call vote. Senator Labedz, please check in. Members, please go to your seats for a roll call vote. (Gavel.) Proceed with the roll call, Mr. Clerk.

CLERK: (Roll call vote taken. See pages 313-14 of the Legislative Journal.) 22 ayes, 16 nays, Mr. President, on the amendment.

SPEAKER BARRETT: Motion fails. The call is raised. Senator Chambers, would you care to discuss the second part of the divided question?

SENATOR CHAMBERS: Mr. Chairman, in order not to prolong the discussion, and we are so short in terms of numbers, and we have taken a vote, I will not discuss but I will have to go on and take a vote on it.

SPEAKER BARRETT: The matter is debatable. Senator Bernard-Stevens, would you care to discuss the matter?

SENATOR BERNARD-STEVENS: Just briefly, I, also, do not want to take any more time particularly on this issue, but it is

somewhat discouraging. I have a feeling that if 49 senators were here, that amendment would go. It is always interesting on the floor to hear a lot of discussion why we need to do something and have no discussion, whatsoever, from people who are opposed. No discussion took place on those that were opposed. I don't know if they are afraid to state their reasons on the floor because they are afraid of what repercussions would be, but it would always be interesting for people who were opposed to that if they'd have the courage to come up and say this is why I don't want that particular proposal. This is why it is not good to set salaries at the average level of the states around us. This is why it is not good to encourage good people to run for political office so we can have the best quality as possible. I would love to hear the arguments, particularly since, if I remember correctly, if you set it at 75,000 and you are afraid the Governor might veto it, which I don't believe that she would, but if there is feelings out there, I seem to remember that we might be able to line-item certain things down, and it would certainly give the Governor some discretion. I would love to hear some discussion on that other side. Fortunately, we do have another level on Select File when more senators will have a little bit more courage and we will have a few more people here to do what needs to be done. Thank you.

SPEAKER BARRETT: Any other discussion? Any close, Senator Chambers?

SENATOR CHAMBERS: Mr. Chairman, and members of the Legislature, to demonstrate the wisdom of our changing the rules, I will now ask unanimous consent to withdraw the remainder of that motion.

SPEAKER BARRETT: Is there objection? Seeing none, so ordered. Thank you. Back to the bill, Senator Goodrich.

SENATOR GOODRICH: Just move that we advance the bill, LB 503, to Select File.

SPEAKER BARRETT: Thank you. Any discussion? Seeing none, those in favor of that motion to advance the bill please vote aye, opposed nay. Have you all voted? Please record.

CLERK: 30 ayes, 3 nays, Mr. President, on the advancement of LB 503.

January 12, 1990

LB 465, 503, 503A

SPEAKER BARRETT: LB 503 is advanced. LB 503A.

CLERK: LB 503A, Mr. President, offered by Senator Goodrich. (Read title.)

SPEAKER BARRETT: The Chair recognizes Senator Goodrich.

SENATOR GOODRICH: Mr. President, and members of the body, I would move that we advance 503A. There will be an amendment coming on Select File, that we can put on Select File, in other words, to get the last minute figure of it now that we know what the figures are that are being considered by the body. We will have the amendment drafted and put it on on Select File, so I would move we'd just advance 503A to Select File as it is right now, and we will change it on Select File.

SPEAKER BARRETT: Is there debate? If not, those in favor of the advancement of the A bill vote yes, opposed no. Have you all voted? Please record.

CLERK: 30 ayes, 0 nays, Mr. President, on the advancement of 503A.

SPEAKER BARRETT: LB 503A is advanced. To LB 465, Mr. Clerk.

CLERK: Mr. President, 465 was a bill that was introduced by Senator Chambers. (Read title.) The bill was introduced on January 17 of last year. At that time, it was referred to the Judiciary Committee. The bill was advanced to General File.

SPEAKER BARRETT: Senator Chambers, would you care to explain your bill?

SENATOR CHAMBERS: Yes, Mr. Chairman, and members of the Legislature, this is a bill that would prohibit discrimination against people with the HIV, which is the human immunodeficiency virus, and AIDS, which is the acquired immunodeficiency syndrome. What this bill is designed to do is to protect people in the areas of housing, employment, education, school attendance, and public accommodations. It had a hearing before the Judiciary Committee and emerged from the committee without a dissenting vote. What I wish is that all of the members of this Legislature and the public at large could have sat in on that hearing because we had representatives from a number of health agencies, which would include the Health Department, the

January 18, 1990

LB 37, 50, 159, 259A, 409, 422, 465
503, 503A, 543, 662, 742, 953, 1220-1242
LR 8, 244, 245

not, the question is the advancement of the A bill. All those in favor vote aye...say aye. Opposed nay. It is advanced. Mr. Clerk, do you have anything for the good of the cause?

CLERK: Mr. President, I do. Mr. President, your Committee on Retirement Systems, whose Chairperson is Senator Haberman, to whom was referred LB 953, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File. That is signed by Senator Haberman. (See page 397 of the Journal.)

Mr. President, I have a series of hearing notices from Judiciary Committee, Appropriations Committee, Health and Human Services and Revenue, all signed by the respective chairs.

Mr. President, Senator Kristensen has amendments to LB 159 to be printed. Enrollment and Review respectfully reports they have carefully examined and reviewed LB 37 and recommend that same be placed on Select File; LB 742, LB 662, LR 8CA, LB 50, LB 543, LB 422, LB 409, LB 503, LB 503A, and LB 465 all to Select File, some of which have Enrollment and Review amendments attached. (See pages 398-408 of the Legislative Journal.)

Mr. President, new bills. First of all, Mr. President, two constitutional amendments, LR 244, offered by Senator Schmit. And LR 245 offered by Senator Hefner. (Read brief summary of resolutions. See pages 408-11 of the Journal.)

Mr. President, new bills. (Read LBs 1220-1242 by title for the first time. See pages 411-17 of the Legislative Journal.)

Mr. President, reminder, Reference Committee will meet at three-thirty today in Room 2102, Reference Committee at three-thirty in 2102. A final reminder, Mr. President. Chairmen's meeting tomorrow morning at nine...I'm sorry, at eight-fifteen in Room 2102, Chairmen's meeting, eight-fifteen, in 2102. That's called by the Speaker. That is all that I have, Mr. President.

PRESIDENT: I understand that we have 434 new bills introduced this year. This is the last day, of course. So you might be interested in that. Senator Baack, you're close to your microphone, would you like to adjourn us until nine o'clock tomorrow morning, please.

January 31, 1990

LB 50, 503A, 503

SENATOR LINDSAY: Mr. President, I move that LB 50, as amended, be advanced to E & R for engrossment.

SPEAKER BARRETT: Thank you. Discussion? Seeing none, those in favor of the advancement of the bill say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. To LB 503, Mr. Clerk.

CLERK: Mr. President, 503, I have Enrollment and Review amendments pending, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: I move adoption of the E & R amendments to LB 503.

SPEAKER BARRETT: Discussion? Shall the E & R amendments be adopted? Those in favor say aye. Opposed no. They are adopted, carried.

CLERK: I have nothing further on that bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 503, as amended, be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? Seeing none, those in favor of the motion to advance the bill please say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. The A bill, Mr. Clerk.

CLERK: (LB 503A.) Senator, I have E & R amendments, first of all, to the A bill.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 503A.

SPEAKER BARRETT: Is there discussion? If not, those in favor of the adoption please say aye. Opposed no. Carried, they are adopted.

CLERK: Mr. President, Senator Goodrich would now move to amend

February 2, 1990

LB 50, 143, 369, 503, 503A, 720, 720A
821
LR 8

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber. Our opening prayer this morning by Pastor Harry Wallles of the Faith United Methodist Church here in Lincoln. Pastor Wallles.

PASTOR WALLE: (Prayer offered.)

SPEAKER BARRETT: Thank you, Pastor Wallles. Please come back and be with us again. Roll call.

CLERK: Quorum present, Mr. President.

SPEAKER BARRETT: Thank you. With a quorum present, are there corrections to the Journal?

CLERK: I have no corrections to the Journal.

SPEAKER BARRETT: Any messages, reports or announcements?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined engrossed LR 8 and find the same correctly engrossed; LB 50, LB 143, LB 503, LB 503A, LB 720, LB 720A all reported correctly engrossed, those signed by Senator Lindsay as Chair of the Enrollment and Review Committee. (See pages 630-32 of the Legislative Journal.)

Mr. President, Senator Elmer would like to print amendments to LB 369 in Journal. I have hearing notice from Senator Smith as Chair of the General Affairs Committee. (See pages 632-33 of the Legislative Journal.)

Mr. President, report of registered lobbyists for this past week. And the last item, Mr. President, is a report from the Department of Social Services filed pursuant to statute. That report will be available in my office. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Chair is announcing that we will begin Final Reading with LB 821, followed by 822, and then come back to LB 399. We'll begin Final Reading with LB 821. Will members please return to their seats for Final Reading. Those unauthorized persons please leave the floor. Proceed with the reading of LB 821, Mr. Clerk.

March 29, 1990

LB 313A, 488, 488A, 503

CLERK: (Read record vote. See page 1705 of the Legislative Journal.) 44 ayes, 0 nays, 4 present and not voting, 1 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 313A passes. Senator Johnson is announcing the presence of some elementary students from Hampton, Nebraska, 63 of them in our south balcony with their teacher. Would you folks stand and be recognized by your Legislature. Thank you. We are glad to have you with us. Mr. Clerk, LB 488.

CLERK: (Read LB 488 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 488 pass? All in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Read record vote. See page 1706 of the Legislative Journal.) 44 ayes, 0 nays, 3 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 488 passes. LB 488A.

CLERK: (Read LB 488A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 488A pass? Those in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: (Read record vote. See page 1707 of the Legislative Journal.) 45 ayes, 0 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 488A passes. LB 503.

CLERK: (Read LB 503 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 503 pass? All in favor vote aye, opposed nay. Have you all voted? Please record. Please record.

March 29, 1990

LB 503, 503A, 520, 520A

CLERK: (Read record vote. See page 1708 of the Legislative Journal.) 34 ayes, 12 nays, 1 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 503 passes. The A bill.

CLERK: (Read LB 503A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 503A pass? All in favor vote aye, opposed nay. Have you all voted? Record.

CLERK: (Read record vote. See pages 1708-09 of the Legislative Journal.) 33 ayes, 10 nays, 4 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 503A passes. LB 520E.

ASSISTANT CLERK: (Read LB 520 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 520 with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Read record vote. See pages 1709-10 of the Legislative Journal.) The vote is 41 ayes, 4 nays, 2 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 520E passes. LB 520AE.

ASSISTANT CLERK: (Read LB 520A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 520A with the emergency clause attached pass? All in favor vote aye, opposed nay. Have you all voted? Record.

ASSISTANT CLERK: (Read record vote. See pages 1710-11 of the Legislative Journal.) The vote is 42 ayes, 1 nay, 4 present and not voting, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 520AE passes. And while the Legislature is in session and capable of transacting business, I propose to

March 29, 1990

LB 272A, 313, 313A, 488, 488A, 503, 503A
567, 567A, 662

sign and I do sign, LB 272A, LB 313, LB 313A, LB 488, LB 488A, LB 503, and LB 503A. LB 567, Mr. Clerk.

ASSISTANT CLERK: (Read LB 567 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 567 become law? Those in favor vote aye, opposed nay. Have you all voted? Senator Withem.

SENATOR WITHEM: I would ask for everybody to check in and a roll call vote.

SPEAKER BARRETT: Thank you. Will members please record your presence. A roll call vote has been requested. Senator Hefner, Senator Lowell Johnson, Senator Byars. Senator Morrissey, would you check in, please. Senator Goodrich. A roll call vote has been requested and the question is, shall LB 567 pass?

CLERK: (Roll call vote taken. See page 1711-12 of the Legislative Journal.) 27 ayes, 20 nays, 2 excused and not voting, Mr. President, on adoption of or final passage of LB 567.

SPEAKER BARRETT: LB 567 passes. The A bill.

CLERK: (Read LB 567A on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 567A pass? All in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote. See pages 1712-13 of the Legislative Journal.) 27 ayes, 20 nays, 2 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 567A passes. LB 662.

CLERK: Mr. President, I have a motion on the desk. Senator Nelson would move to return the bill for a specific amendment.

SPEAKER BARRETT: The Chair recognizes Senator Nelson.

SENATOR NELSON: Mr. Speaker, and members of the body, I am not sure that all of you are aware or not, I had asked for an

March 29, 1990

LB 163, 163A, 164, 164A, 187, 187A, 259
259A, 260, 260A, 272A, 313, 313A, 338
488, 488A, 503, 503A, 520, 520A, 536
567, 567A, 662, 898, 899, 1031, 1125
1126, 1170, 1220

morning visiting in the south balcony. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 520, LB 520A, LB 567, and LB 567A. Senator Lynch, please check in. Senator Byars. Senator Schimek, please. Senator Labedz. Members will return to your seats for a roll call vote. Mr. Clerk.

CLERK: (Roll call vote taken. See pages 1713-14 of the Legislative Journal.) 14 ayes, 33 nays, Mr. President, on the motion to return the bill.

SPEAKER BARRETT: Motion fails. Mr. Clerk, have you a priority motion?

CLERK: I do, Mr. President. May I read some items?

SPEAKER BARRETT: Proceed.

CLERK: Mr. President, amendments to be printed to LB 338 by the Health and Human Services Committee. (See pages 1714-17 of the Legislative Journal.)

Messages that bills read on Final Reading this morning have been presented to the Governor. (Re: LB 1031, LB 1125, LB 1170, LB 536, LB 1220, LB 1126, LB 898, LB 899, LB 163, LB 163A, LB 164, LB 164A, LB 187, LB 187A, LB 259, LB 259A, LB 260, LB 260A, LB 272A, LB 313, LB 313A, LB 488, LB 488A, LB 503, LB 503A. See page 1714 of the Legislative Journal.)

And LB 272A has been reported correctly enrolled, Mr. President. That is all that I have.

SPEAKER BARRETT: To the motion.

CLERK: Mr. President, the first motion, Senator Hall would move to recess until one-thirty, Mr. President.

SPEAKER BARRETT: You have heard the motion to recess until one-thirty. All in favor say aye. Opposed no. Carried. We are recessed.

RECESS

April 5, 1990

LB 163, 163A, 164, 164A, 187, 187A, 503
503A, 520A, 536, 662, 662A, 678, 678A
898, 1031, 1126, 1170, 1220

PRESIDENT NICHOL PRESIDING

PRESIDENT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber. We have with us this morning as our Chaplain of the day, Pastor Jim McGaffin of the Victory Outreach in Omaha. You might be interested to know that his father was the Chairman of the Board of Nebraska Education TV at one time and he was also News Director of WOW-TV. Would you please rise for the invocation by Pastor McGaffin.

PASTOR MCGAFFIN: (Prayer offered.)

PRESIDENT: (Gavel.) Thank you, Pastor McGaffin. We appreciate your being here. Roll call, please. Mr. Clerk, please.

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

PRESIDENT: Thank you. Do we have any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Do we have any messages, reports, or announcements?

CLERK: Mr. President, I have received a series of veto messages from the Governor, specifically a veto message on LB 163 and LB 163A, LB 164 and LB 164A, LB 187, LB 187A, LB 503, LB 503A, LB 520A, LB 536, LB 662, LB 662A, LB 678, LB 678A, LB 898, LB 1031, LB 1126, LB 1170, LB 1220. All of those messages will be placed in the Journal, Mr. President. (See pages 1912-25.) That is all that I have.

PRESIDENT: Thank you. How about the confirmation report, Transportation Committee.

CLERK: Mr. President, confirmation report offered by Senator Lamb is found on page 1852 of the Journal.

PRESIDENT: Senator Lamb, please.

SENATOR LAMB: Mr. President and members, the Committee on Transportation reports favorably on a number of appointments. We have three for the Board of Public Roads Classifications and Standards. They are Marvin Athey, William Lindholm, and Robert Stutzman. There were no negative votes for those appointments.

pointed out, we have a very limited staff at DED, very limited attention focused on this particular area within DED. And here we are promoting ourselves as an economic development state, and yet we're doing nothing to promote ourselves outside of the state on the international level where opportunities abound, I think. We're one of five, or six, or seven states that don't have any, any presence world wide, and I think this bill would have had...helped build on that. So I will, I will ask for your favorable vote on this override.

PRESIDENT: Thank you. The question is, shall the veto of LB 1019 be overridden? All in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: (Record vote read as found on pages 2034-35 of the Legislative Journal.) 12 ayes, 31 nays, Mr. President, on the override.

PRESIDENT: Motion fails. LB 503.

CLERK: Mr. President, LB...Senators Kristensen, Baack, Chambers, Bernard-Stevens and Goodrich would move that LB 503 become law notwithstanding the objections of the Governor.

PRESIDENT: Senator Kristensen, please.

SENATOR KRISTENSEN: Thank you, Mr. President, members of the body. LB 503 is not one of those politically sensitive bills, it's certainly not one that's controversial, no matter which side of the fence you're on, but it's one that we probably should do. It's the raise of the constitutional officers. Senator Baack will go through with you and try to give you some idea, since it's out of the Government Committee, what those raises are exactly, it will give him something to do when I give him some of my time. Seriously, this is one of those issues that I don't understand why they get vetoed, but they do. And I think previous Governor's have vetoed these bills for a variety of reasons because they fear political reprisals, they fear adverse reaction. Somewhere we've got to stand up and say, look, the people who are going to be the chief executive officer of this state, not only the Governor, but the Attorney General, the Auditor, the Secretary of State and so on deserve to be fairly compensated, they lack poorly. They are far behind their colleagues in every other state in this country. I assume that you remember our discussion about where they rank, particularly

I believe the Governor in the State of Nebraska is near the bottom. I think there are only three or four Governor's below the Governor of the State of Nebraska in terms of compensation. The raises that we propose are small. I think it's only about 55,000 dollars this year. If I could give you two words to do or two items, if you believe that the Governor is going to get re-elected, I would vote to override this. For those of you that believe the Governor is not going to be re-elected and there is going to be a new Governor, I also would vote for this. So, if you're in either one of those camps, I think this is a bill that you ought to vote to override. And, with that, I would urge you to do so. Thank you.

PRESIDENT: Thank you. Senator Peterson, please.

SENATOR PETERSON: (Response inaudible.)

PRESIDENT: Okay, Senator Baack, about three minutes, approximately.

SENATOR BAACK: Yes, Mr. President and colleagues. I know he said I was going to tell you how much these salaries increase, I can't even remember. We add some to this one, a little more to that one, and I don't remember the exact numbers that we increased those. It adds up to about \$55,000 a year. But this is one of those issues that an incumbent Governor who is running for re-election is naturally going to veto, and I think at that point it becomes incumbent upon us as a body to take the lead in this and say, yes, we are going to increase those salaries, because, if we don't do it today, these salaries cannot be increased for these people until 1995, that is going on way too long for having salaries that are way below the average in this country. And this is something that we absolutely need to do today. And I would urge you to vote for the override. Thank you.

PRESIDENT: Thank you. Senator Peterson, please, followed by Senator Chambers.

SENATOR PETERSON: Mr. President and members, I haven't spoken all day, and I've got to stand up and talk for just a couple minutes here. I probably got more lobbying on this issue than some of the others. It's kind of interesting. What do you do when you go back and tell your constituents, when you're spending on a lot of these items that we're doing, and I know a

lot of my constituents would love to be making a salary that our constitutional officers are. And it's kind of amusing that even constitutional officers are lobbying pretty strong for this. I find it real amusing, and I think John Q. Public needs to know that that's going on. Where do we continue to get the money to keep funding all the things that we're passing? We spend more and more every year, and we create more programs, and we create more bureaucracy with raising people's salaries. I'd like to get more money, too, but that's not possible. It's getting unbelievable how we spend in here and then the Governor, whoever they are, has to veto out millions of dollars. And what would you do, if you was Governor sitting over there, in either political party? We are spend, spend, spend. You know I got a little saying that I'd like to give you, government spends what government receives, plus whatever they can get away with. I'd like to repeat that. Government spends what government receives, plus whatever they can get away with. And we're getting away with way too much. I ask you to sustain the Governor's veto.

PRESIDENT: Thank you. Senator Chambers, please, followed by Senator Withem.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, these salaries can only be increased once every four years. And at the rate we find them now an increase is justified. For Senator Peterson and others who are queasy about raising salaries, there is another bill coming up where a salary increase that was put in some time ago has not even been realized yet, and they're trying to get some additional increases. So, if you're going to take out after that kind of activity, wait for that bill. They don't have to wait every four years as these constitutional officers do. And these constitutional officers do not have the lobbyists, Senator Peterson, that that other group does. So I think it would be fair to override, in this instance. And I strongly support the override. Senator Peterson asked what would we do if we were Governor. Were I Governor, Senator Peterson, this bill would have been signed and I would have been speaking directly in favor of increases for the people in these various offices. As Senator, Senator, ah, my seatmate, Senator, Senator, what's that man's name? Senator "Carton", Senator "Carton", oh, Senator Boxes, (laugh) I'm sorry. As Senator Boxes said, we should do this, and I agree with him 100 percent.

PRESIDENT: Thank you. Senator Withem, please.

SENATOR WITHEM: Yes, Mr. President, members of the body, this is the type of veto that's really tempting to sustain, to have a Governor veto her own salary and say, let her live with it. There are some of us that wonder how long she's going to be living with this particular salary. But that gets into the partisan aspect of this sort of thing. A couple of years ago we, on this floor of the Legislature, spent an awful lot of our time and an awful lot of our energy raising our salaries. I don't know if Senator Peterson has turned back his pay increase because it's too much, or donated it to salary, or what he's done. But we looked at statistics on where we compare with other states on legislative salaries, and we indicated that we felt that we needed an increase. And we did it. And it wasn't all that popular among a lot of constituents. Yeah, we did get people to vote for it, but we had some fingers pointed at us. And we did it because we knew it was the right thing to do, that, if you don't make public service worthwhile, you're not going to get worthwhile people to serve the public. And that's all there is to it. Constitutional officers salaries can only be raised once every four years. Four years ago they did receive a raise. It was a tough issue at that time. If we don't pass 503 over the Governor's veto, it will be another four years. And, no, nobody is going to starve to death, but we're going to get further behind in Nebraska. And good, quality individuals, not for Governor, there is always somebody that wants to be Governor, but there is not always somebody that wants to be State Auditor, or somebody that wants to be State Treasurer, Senator Schimek, or some of those other sorts of issues. (Laughter.) You know, I guess there is always somebody that will take on those jobs (laugh). But we really do need to, in all seriousness, we really do need to make these positions worthwhile. I wish the Governor had not vetoed this particular measure. I don't think anybody would have said anything about it had she allowed a reasonable pay increase to go into effect. I think we should sustain the Kristensen veto.

PRESIDENT: Thank you. Senator Korshoj, please.

SENATOR KORSHOJ: Question.

PRESIDENT: Question has been called. Do I see five hands? I do, and the question is, shall debate cease? All those in favor

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

CLERK: 28 ayes, 0 nays to cease debate, Mr. President.

PRESIDENT: Thank you. Senator Kristensen, to close, please.

SENATOR KRISTENSEN: Thank you, Mr. President. I would, not knowing whether he's speaking for me or against me, but I will yield Senator Warner part of my closing.

PRESIDENT: Senator Warner, please.

SENATOR WARNER: Thank you, Senator Kristensen. I just want to make a brief comment. It is a modest change, a modest increase, which I think we ought to do. And one of the main reasons that I think we ought to do it, when you make the adjustments every eight years, then inevitably we get into the argument that the percentage increase is too much at one time, even though you ought to average it out over a period of time. And I think this modest adjustment, which cannot be changed again for four years, is an appropriate thing to do. With that, I will relinquish my time of Senator Kristensen's time back to him as he makes his way back to the mike.

SENATOR KRISTENSEN: Thank you, Senator Warner. In closing, something that is never pleasant to do is to come in and say, look, these people aren't paid enough and we need to increase their salaries. But I think it's almost unthinkable that, if we're going to have the chief executive officer of this state only making \$58,000 in comparison to other salaries that are earned in other jobs for a billion dollar budget that you're in charge at some time or another, the salary needs to be increased. The salary for the Governor, for example, is only going to go up to \$65,000. It is a modest increase. And, with that, I think we ought to do what the right thing is and increase the constitutional officers and it will be something we won't see for at least another four years. With that, I would urge the override of this veto. Thank you.

PRESIDENT: Thank you. The question is, shall the override of LB 503 be overridden? All those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk, please.

CLERK: (Record vote taken. See pages 2035-36 of the Legislative Journal.) 35 ayes, 8 nays, Mr. President, on the

April 9, 1990

LB 164, 503, 503A

motion that LB 503 become law notwithstanding the objections of the Governor.

PRESIDENT: The veto is overridden on LB 503. LB 503A.

CLERK: Mr. President, Senator Kristensen would move that LB 503A become law notwithstanding the objections of the Governor.

PRESIDENT: Senator Kristensen, please.

SENATOR KRISTENSEN: Thank you. In the interest of time, I would just urge the body to override LB 503A. Thank you.

PRESIDENT: Did you wish to close?

SENATOR KRISTENSEN: No.

PRESIDENT: Okay, the question is, shall the veto of LB 503A be overridden? All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: (Record vote taken. See page 2036 of the Legislative Journal.) 38 ayes, 6 nays, Mr. President.

PRESIDENT: The veto on LB 503A is overridden. LB 164, please.

CLERK: Mr. President, Senator Ashford would move that 164 become law notwithstanding the objections of the Governor.

PRESIDENT: Senator Ashford, please.

SENATOR ASHFORD: Thank you, Mr. President, members. Briefly, I would like to go back to last year and just use my time to bring you up-to-date on what has happened at Joslyn Castle since February of 1989. At that point, as you recall, the school district in Omaha or the school board decided that it wanted to sell, or was going to sell Joslyn Castle, and a bidding process was undertaken, decision was made to sell for, at that time, for commercial purposes. It was at that point that I got involved, Senator Lindsay got involved and others to attempt to try to find other alternatives for this...for the castle. And we went through various alternatives. The body has been extremely patient and cooperative and supportive of our efforts throughout

April 9, 1990

LB 42, 42A, 163, 163A, 164, 164A, 503
503A, 536, 834, 843, 843A, 1004, 1004A
1031, 1043, 1059, 1059A, 1126, 1170, 1222
1222A

employee is 21, State Patrol is 21, other school employees in Omaha, no age limit and the judges are no age limit. So, therefore, I would ask that you override the veto of 834. It doesn't cost any more money. It doesn't cost any money. It will keep young people in Nebraska. It will want them to help work for the state and do a good job for the state and I ask for your override. Thank you, Mr. President.

SPEAKER BARRETT: Thank you. Discussion? Senator Elmer, followed by Senator Schellpeper.

SENATOR ELMER: Thank you, Mr. Speaker. To be very brief, and Senator Haberman said it and said it well, all private businesses are required to allow their employees to participate when they're 19. I think the state should go at least as low as 20 to give consideration, allow these young people to accumulate a little more for retirement. It's not going to cost the state any money. I would urge your override. Thank you.

SPEAKER BARRETT: Thank you. Senator Schellpeper.

SENATOR SCHELLPEPER: Thank you, Mr. Speaker, and members, I also rise to support this override. We have some very dedicated employees in this state and I think this is just another thing we can do for the employees. So I think Senator Haberman said it all and I would just move for the override.

SPEAKER BARRETT: Thank you. Anything further, Senator Haberman? If not, the question is, shall LB 834 be overridden? All in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See pages 2054-55 of the Legislative Journal.) 31 ayes, 0 nays, Mr. President, on the override of LB 834.

SPEAKER BARRETT: LB 834 is overridden. And let the record show that the Chair is certifying that the Legislature has overridden the following vetoes, notwithstanding the objections of the Governor, LB 834, LB 1043, LB 1222 and LB 1222A, LB 1170, LB 1004 and LB 1004A, LB 843 and LB 843A, LB 1059 and LB 1059A, LB 1126, LB 11...excuse me, LB 536, LB 42 and LB 42A, LB 164 and LB 164A, LB 1031, LB 503, and LB 503A, LB 163 and LB 163A, and LB 834. Anything for the record at all, Mr. Clerk?