

January 5, 1989

LB 81-160
LR 1-2

being here and thank you for your services. We also have guests of Senator Rod Johnson under the north balcony. We have Omer Troester of Hampton, Nebraska. With him is an exchange student, Alberto Porras of Costa Rica. Would you gentlemen please stand up and be recognized. Thank you for being here. We also have, over under the south balcony, a former member of this Legislature, Senator Tom Fitzgerald, would you please stand up and wave your hand. Thank you. Please welcome Senator Fitzgerald back. Thank you, Tommy. Mr. Clerk, back to the reading.

CLERK: (Read LB 81-98 by title of the first time. See pages 61-67 of the Legislative Journal.)

PRESIDENT: We'll stand at ease for some 15 minutes or half an hour while we get some of the work caught up up here in front. So be at ease, please, for a while. Thank you.

EASE

CLERK: Meeting of the Health Committee, under the north balcony, right now. Health Committee, north balcony right now.

SPEAKER BARRETT PRESIDING

SPEAKER BAPRETT: Additional bill introductions, Mr. Clerk.

ASSISTANT CLERK: (Read LB 99-150 by title for the first time. See pages 67-76 of the Legislative Journal.) That's all I have at this time, Mr. President.

SPEAKER BARRETT: More bill introductions, Mr. Clerk.

CLERK: (Read LB 151-160 by title for the first time. See pages 76-79 of the Legislative Journal.) Mr. President, in addition to those new bills I have new resolutions. (Read LR 1-2 for the first time. See pages 79-81 of the Legislative Journal.)

Mr. President, in addition to those items I have a series of announcements. Mr. President, there will be a meeting of the Executive Board today at three-fifteen for purposes of referencing. Executive Board, three-fifteen for referencing.

Mr. President, Senator Rod Johnson would like to have a meeting

March 15, 1989

LB 81, 89A, 163, 228, 270, 325, 339
427, 438A, 521, 543, 580, 603, 764
LR 2, 54, 55

CLERK: 29 ayes, 5 nays, Mr. President, on the advancement of LB...or LR 2, excuse me.

PRESIDENT: LR 2 is advanced. Do you have something for the record, Mr. Clerk, please.

CLERK: Mr. President, I do, thank you. New resolutions, LR 54, by Senator Bernard-Stevens. (Read brief description of LR 54 as found on pages 1153-54 of the Legislative Journal.) LR 55 by Senator Bernard-Stevens. (Read brief description of LR 55 as found on page 1154 of the Legislative Journal.)

Your Committee on Natural Resources reports LB 81 to General File with amendments; LB 163, General File with amendments; LB 270, General File with amendments; LB 325, General File with amendments; LB 764, General File with amendments. Those are signed by Senator Schmit as Chair. (See pages 1154-56 of the Legislative Journal.)

Education Committee reports LB 228 to General File; LB 543 to General File with amendments; LB 427, indefinitely postponed; LB 521, indefinitely postponed; LB 580, indefinitely postponed. (See pages 1156-57 of the Legislative Journal.)

Mr. President, Senator Coordsen would like to print amendments to LB 339 and Senator Lynch to LB 89A. (See pages 1160-61 of the Legislative Journal.)

Judiciary reports LB 603 to General File with amendments. Signed by Senator Chizek. (See pages 1157-60 of the Legislative Journal.)

New A bill, LB 438A, by Senators Wehrbein and Hall. (Read by title for the first time. See page 1161 of the Legislative Journal.)

Mr. President, an announcement. The Appropriations Committee will meet in Executive Session on Thursday, March 16, and Friday, March 17, at eight o'clock in Room 1003. Appropriations, eight o'clock next Thursday and Friday. That's all that I have, Mr. President.

PRESIDENT: (Gavel.) Senator Dierks, for what purpose do you rise?

January 30, 1990

LB 81, 239, 249, 299, 662, 832, 850
864, 871, 894, 915, 1034, 1047, 1059
1061, 1074, 1146, 1199
LR 8

CLERK: (Read record vote. See pages 573-74 of the Legislative Journal.) 9 ayes, 25 nays, Mr. President, on the adoption of the amendment.

PRESIDENT: The amendment fails. Anything for the record, Mr. Clerk? The call is raised.

CLERK: Yes, Mr. President, Senator Scofield has amendments to LB 662 to be printed, Senator Korshoj to LB 81. See pages 574-75 of the Legislative Journal.

Banking Committee whose Chair is Senator Landis reports LB 1146 to General File, LB 1199 General File, LB 1061 General File with amendments, those signed by Senator Landis. (See pages 576-79 of the Legislative Journal.)

Mr. President, your Committees on Education and Revenue to whom was referred LB 1059 reports the same back to General File with committee amendments attached, signed by Senators Hall and Dierks as vice chair of the committee. (See pages 597-81 of the Legislative Journal.)

Revenue Committee reports LB 239 indefinitely postponed, LB 249, LB 299, LB 832, LB 850, LB 894, LB 1034, those are reported indefinitely postponed, all signed by Senator Hall. (See page 581 of the Legislative Journal.)

Health and Human Services offers a corrected committee report to LB 871. General Affairs Committee reports LB 1074 to General File and LB 864 indefinitely postponed. And Health and Human Services reports LB 1047 to General File. (See page 581 of the Legislative Journal.)

Last item I have, Mr. President is a request by Senator Nelson to add her name to LB 915 as co-introducer. (See page 582 of the Legislative Journal.)

PRESIDENT: No objections? So ordered.

CLERK: That's all that I have, Mr. President.

PRESIDENT: Senator Emil Beyer, would you please adjourn us until tomorrow at nine o'clock.

January 31, 1990

LB 81, 83, 117, 663, 718, 862, 936
972, 1033, 1037, 1135
LR 8

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Ladies and gentlemen, welcome to the George W. Norris Legislative Chamber for the opening prayer today by Pastor Jerry Leever, our chaplain of the day. Pastor Leever is from Belmont Baptist Church here in Lincoln. Pastor Leever.

PASTOR LEEVER: (Prayer offered.)

SPEAKER BARRETT: Thank you very much, Pastor Leever. Please come back again. Roll call.

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

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: Mr. President, no corrections this morning.

SPEAKER BARRETT: Any reports, any announcements, any messages?

CLERK: Mr. President, your Committee on Education, whose Chair is Senator Withem, reports LB 1037 to General File, that's signed by Senator Withem. Business and Labor Committee, whose Chair is Senator Coordsen, reports LB 1135 as indefinitely postponed, that's signed by Senator Coordsen as Chair. Agriculture Committee, whose Chair is Senator Rod Johnson, reports LB 972 to General File; LB 83 as indefinitely postponed; LB 117, indefinitely postponed; and LB 718 as indefinitely postponed, those signed by Senator Johnson as Chair of the Agriculture Committee. Education Committee reports LB 1033 to General File with amendments, that is signed by Senator Withem as Chair. And General Affairs Committee, whose Chair is Senator Smith, reports LB 862 and LB 936 to General File with committee amendments attached, those signed by Senator Smith. Enrollment and Review reports LB 663 to Select File with E & R amendments, Mr. President. An announcement that Senator Korshoj has selected LB 81 as his priority bill. Notice of hearing by the Agriculture Committee for Tuesday, February 6. And finally, Mr. President, a report from the Employees Retirement System that's filed pursuant to statute. That's all that I have, Mr. President. (See pages 583-90 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Moving to Select File, Mr. Clerk, LR 8CA. Will you bring us up to date.

February 1, 1990

LB 37, 81, 240A, 409, 422, 465, 543
678, 678A, 863, 953, 1004, 1124

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber on this the 20th day of the Second Session of the Ninety-First Legislature. Our Chaplain this morning, Dr. John Wagner, President of Union College. Mr. Wagner.

DR. WAGNER: (Prayer offered.)

SPEAKER BARRETT: Thank you, so much, Mr. Wagner. We hope you can come back again. Roll call.

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

SPEAKER BARRETT: Thank you. Any corrections to the Journal?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any announcements, reports or messages?

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they've carefully examined engrossed LB 37 and find the same correctly engrossed; LB 240A, correctly engrossed; LB 409, LB 422, LB 465, LB 543, LB 678, LB 678A, all of those reported correctly engrossed, all signed by Senator Lindsay as Chair of the E & R Committee. (See pages 612-16 of the Legislative Journal.)

Mr. President, Senator Smith has designated LB 1124 as her personal priority bill this session. Senator Haberman has selected LB 953 as one of the Retirement Systems Committee's priority bills. Senator Smith has designated LB 863 as one of the General Affairs Committee priority bills. And Senator Carson Rogers selected LB 1004 as his personal priority bill. That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. The Chair has a very special announcement at this point. Today, February 1st, is the birthday of Senator Carson Rogers. Senator Rogers has provided the treats on each of the desks this morning. Happy birthday, Senator Rogers. Mr. Clerk, to Item 5, on General File, 1990 priority bill.

CLERK: Mr. President, LB 81 was a bill introduced originally

by Senator Korshoj. (Read title.) The bill was introduced on January 5, last year, Mr. President. At that time it was referred to the Natural Resources Committee for public hearing. The bill was advanced to General File. I do have committee amendments pending by the Natural Resources Committee.

SPEAKER BARRETT: Senator Morrissey, could you possibly handle the committee amendments to LB 81 in the absence of the Chairman.

SENATOR MORRISSEY: According to the floor boss of this bill, Senator Korshoj, he is going to gut the bill and replace it with all new language. So, I don't believe we need the committee amendments at this time. I would encourage you to vote your conscience on the committee amendments then.

SPEAKER BARRETT: The Chair, I believe, would recognize Senator Franklin Delano Korshoj. (Laughter.)

SENATOR KORSHOJ: Mr. Speaker, we do not need these amendments now, so a no vote would be fine with me at this time. Let's just take the no vote, and then I'd take the yes vote when we get to the bill.

SPEAKER BARRETT: Thank you, sir. Any other discussion on the committee amendments? If not, those in favor of the adoption of the amendments please vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: 5 ayes, 13 nays, Mr. President, on adoption of committee amendments.

SPEAKER BARRETT: The committee amendments are not adopted.

CLERK: Mr. President, Senator Korshoj would move to amend his bill. Senator, your amendment is on page 574 of the Journal.

SPEAKER BARRETT: Senator Korshoj, please.

SENATOR KORSHOJ: Mr. Speaker and members, this bill affects only one district that I know of, and that's my district. It's an attempt to settle a Hatfield and a McCoy feud that's been going on there for...since a flood happened five or six years ago. A real brief history, three years ago the board came and wanted me to introduce a bill, which I did introduce and got

passed, that gave the board the authority to subdivide for voting precincts. Since the 1915 or '16 it was always at large voting, the whole district voted every year. They came to me and they wanted to divide into two or three voting precincts with precinct voting. So, I introduced the bill and there was no opposition at that time. But the bill read that they could divide into two or more, and they divided into seven precincts for voting, and that is when we started getting some problems with it. So I am gutting the whole bill just to correct an error that we made in the original bill three years ago, and all my bill does today is add to the bill that we had two years ago, that after the board has divided the district, pursuant to subsection so and so, the board shall not divide the district again or change divisions until precinct voting is completely phased in and an election has been held for the directors to be elected in each precinct. All this does is say, fine, you've divided it, now we will accept that, but give us our precinct vote. It's just a matter of fairness. So, unless there are questions, why I'd just ask you to support this.

SPEAKER BARRETT: Thank you. Senator Morrissey, did you care to discuss the amendment?

SENATOR MORRISSEY: Yes. When we heard this bill last year I got the impression that there were people that had seats that were just absolutely locked up, and there was no way you could get them out of there. That there were people from out of state that had large groups of votes that could give their proxy to other people, and thus they were locking up huge areas. Now, how are you changing that?

SENATOR KORSHOJ: We're not changing the precincts at all. But what this does is it lets everybody get one vote. So there will be three or four precincts that will be no vote, that land is locked up. But the people who are in the voting precincts, that did not get to vote for seven years, six years and five years, will also now have a chance, if they get a precinct election. But if the board was to change, because they have that authority, if they were to change when those elections were to come up and say we're going to vote at large, they would be right back where they are with no representation. It gives them a chance to elect somebody from their precinct.

SENATOR MORRISSEY: So we're going from at large to precincts.

SENATOR KORSHOJ: Well, we're already there. The hearing was they wanted to go at large, and the board didn't want that.

SENATOR MORRISSEY: All right, come back with that again.

SENATOR KORSHOJ: Right now it is precinct voting.

SENATOR MORRISSEY: Okay.

SENATOR KORSHOJ: And we will now have our second precinct vote. The board wanted it that way, and...

SENATOR MORRISSEY: Right.

SENATOR KORSHOJ: ...and the people that testified on the bill thought it should go at large so they could vote. But after they simmered down, and I've talked to them, they think let's go one whole round so every precinct gets a vote, and then if they want to change the boundaries, we will have that seven representation spread up and down the district. It's a long, narrow district.

SENATOR MORRISSEY: But it's still not the one person-one vote concept.

SENATOR KORSHOJ: Oh, no, I can explain. This is not one man-one vote situation. This was engineered in, I think it was 1915. It's a unit of benefit. And that's why the big landowners have controlled it. The engineer might say this 80 acres had 200 units benefit and the 80 next to it 2 or 3. And so the landowners who had all the units of benefits...if this was a one man-one vote situation, one person, well I don't know, the Supreme Court said that, but anyway, then it would completely let the small landowners dominate. It's been dominated by the large landowners. And this is a fair way to let them do it.

SPEAKER BARRETT: Thank you. Further discussion? Senator Hefner, followed by Senator Wehrbein.

SENATOR HEFNER: Senator Korshoj, I have a question for you.

SPEAKER BARRETT: Senator Korshoj, please.

SENATOR HEFNER: I didn't understand what board you're doing

this to, what...

SENATOR KORSHOJ: It's a drainage district board.

SENATOR HEFNER: And how are they organized? Something like an NRD board, or...

SENATOR KORSHOJ: Well, it was originally organized in the teens, and it...the one that got the most votes did not have to run again for seven years. They elected one board member each year, and the next six years, five, four, three, two. It was always an at large vote. But beings it was a unit of benefit, do you understand the unit of benefit?

SENATOR HEFNER: Um-huh.

SENATOR KORSHOJ: It's a drainage district. They want to get rid of water, NRDs want to conserve water. And so the acreage that had more benefit got more votes, in other words, you're not voting as a person, you're voting your land, what was assessed at, at that time. They need to re-engineer it, because there is land in there now that has benefits that has no votes.

SENATOR HEFNER: Okay, and how large a district is this? Does it cover counties or...

SENATOR KORSHOJ: Covers Burt and Washington County. It's the biggest one in the state, and it's about the only active one left.

SENATOR HEFNER: Okay, so this would just deal with a drainage district.

SENATOR KORSHOJ: Drainage district, right. And they cannot expand their boundaries, they are locked in by law. If they quit, they can never reform.

SENATOR HEFNER: Okay.

SENATOR KORSHOJ: This is an obsolete form of government.

SENATOR HEFNER: Okay, thank you for that information.

SPEAKER BARRETT: Senator Wehrbein.

SENATOR WEHRBEIN: Mr. President and members, Senator Korshoj, obviously I have quite a few questions for you.

SENATOR KORSHOJ: Okay.

SENATOR WEHRBEIN: How does this amendment, that just came, compare to what the bill originally said? Can you describe how it changes? And how has this been resolved among...have most members in your particular drainage district agreed to this particular compromise in this bill?

SENATOR KORSHOJ: The difference is the bill is no longer, it's gutted. All this does is just add to the bill of two years ago that once you subdivide you let all members get one vote before you resubdivide. Numbers of people in the district, I would say overwhelmingly are for this.

SENATOR WEHRBEIN: Does this...the unit benefit change, the vote per unit of benefit change in any way this way?

SENATOR KORSHOJ: Absolutely not. It cannot be changed without an engineering doing the whole district. And they say that would cost \$80,000, and they can't afford it. And there are 76 or 78,000 acres in the district, and I think they can afford not to do it, because we have people paying nothing, we have people paying too much. This does not affect any way the unit of benefit.

SENATOR WEHRBEIN: Does the little guy in this case that are paying taxes for the benefit of others get benefitted by this particular amendment or this bill? Or will it...(interrupted.)

SENATOR KORSHOJ: It just gives them a vote in their precinct.

SENATOR WEHRBEIN: Does it equalize the voting procedure via this method would you say? Does it come closer...

SENATOR KORSHOJ: What do you mean equalize it?

SENATOR WEHRBEIN: Does it come closer to one person-one...one benefit-one person, or one vote...

SENATOR KORSHOJ: It doesn't change that ratio at all.

SENATOR WEHRBEIN: Okay, so there's...

SENATOR KORSHOJ: It's just....all it's saying is if the board decides that they, and they have decided they wanted to subdivide it for voting purposes, all this does say is don't let five precincts vote and then say the last two can't.

SENATOR WEHRBEIN: Okay.

SENATOR KORSHOJ: That's all it does, it just says what you've done, let's take one round, and then let the new directors decide what shape they want these precincts.

SENATOR WEHRBEIN: How long will it take to make a round?

SENATOR KORSHOJ: Seven years, and the second round is now going on this spring. They vote every...

SENATOR WEHRBEIN: So it will be six years from now to be finished.

SENATOR KORSHOJ: Five years.

SENATOR WEHRBEIN: Five years, okay. Okay, I'm trying to understand this.

SENATOR KORSHOJ: Ask some more questions.

SENATOR WEHRBEIN: How does this impact those that are getting the benefits and not paying much and also vice versa? How does this impact those that are paying quite a bit and get...not getting much benefit?

SENATOR KORSHOJ: The impact would be no different than if it was at large.

SENATOR WEHRBEIN: Okay.

SENATOR KORSHOJ: See, the board's theory was we want a representative from each of the seven districts. And this reassures that.

SENATOR WEHRBEIN: Okay, this does move toward that area.

SENATOR KORSHOJ: Yes.

SENATOR WEHRBEIN: Okay.

SENATOR KORSHOJ: And then if they get the new seven directors, if they are new, and they decide they only want two districts or three precincts for voting, they can do that. But it doesn't affect the taxing, it doesn't affect the units of benefit in any way.

SENATOR WEHRBEIN: Does it give a small user a little bit more impact?

SENATOR KORSHOJ: The small user has very little impact.

SENATOR WEHRBEIN: Either way.

SENATOR KORSHOJ: Very little impact.

SENATOR WEHRBEIN: Either way, either way.

SENATOR KORSHOJ: Either way. The idea of doing this is just...I talked to them last weekend, the people I introduced the bill for, and they said, well, I don't want them to change it when the sixth and seventh year comes and throw it back at large, and then we have no chance to elect anybody. If it's fair for them, as they're going down the line, let's take one round and see what happens. It's just fairness. All this does is fairness, it has nothing to do with how many units you have, or how many taxes you pay, it's just fair.

SENATOR WEHRBEIN: Okay. And it does go to seven units then.

SENATOR KORSHOJ: Yeah, they went to seven.

SENATOR WEHRBEIN: They'll be seven, and that is assured as a result of your bill.

SENATOR KORSHOJ: Yes, it's already seven. The board could change it, they have that authority, and that's what's wrong with the bill we passed before.

SPEAKER BARRETT: One minute.

SENATOR KORSHOJ: They could change the shape of that district before every election, if they so desired, and that's wrong, it's unfair.

SENATOR WEHRBEIN: How many acres do you think, approximately, is in this drainage ditch?

SENATOR KORSHOJ: Seventy-six to seventy-eight thousand, it was almost a dollar an acre assessment, if they decided they wanted to have it resurveyed and refigured.

SENATOR WEHRBEIN: Okay, thank you.

SENATOR KORSHOJ: And that was \$80,000, was the estimated cost.

SENATOR WEHRBEIN: That will suffice for now, thank you.

SENATOR KORSHOJ: Okay.

SPEAKER BARRETT: Thank you. Senator Schellpeper, would you care to discuss the Korshoj amendment further?

SENATOR SCHELLPEPER: Mr. Speaker and members, yes. I would also have a question of Senator Roosevelt. Frank, this just deals with this one district, right?

SENATOR KORSHOJ: It's only going to affect one district. There are still several drainage districts, as I understand it. But they all contract their work out. Our district does their own work.

SENATOR SCHELLPEPER: But the way that your amendment is written it will only affect the one district, or will...can they all...

SENATOR KORSHOJ: It could affect any of them.

SENATOR SCHELLPEPER: Could affect any of them.

SENATOR KORSHOJ: But we have heard from no districts whatsoever. And we're going to probably see a lot of these districts disappear and the NRDs don't really want them, they don't have much taxing authority. But I think they're an obsolete form of government.

SENATOR SCHELLPEPER: So what you're saying is that there could be some other districts, but it has to be the same type district. You can't have the NRDs...

SENATOR KORSHOJ: Just...it just gives the board the option to divide for voting precincts, to be two, three, four, whatever. And the bill that this is going onto would just say once you do it you stay that way. It tells them how they do it, it has to be divided as close as possible, not in acres, but in units of benefit division.

SENATOR SCHELLPEPER: And the small landowners are happy with the amendment as well as the large.

SENATOR KORSHOJ: They would like a chance to vote this way, if the large ones have done it. And we'll...by the time this would pass two precincts would have already voted. And they say let us have the same vote then, beings it was good to begin with, it's got to be good for one total round. And it's just fairness.

SENATOR SCHELLPEPER: Okay.

SENATOR KORSHOJ: That's all this does is fair.

SENATOR SCHELLPEPER: Okay, thank you, Frank.

SPEAKER BARRETT: Thank you. Any other discussion on the amendment? Senator Korshoj, would you care to close?

SENATOR KORSHOJ: I think we've had a nice little discussion.

SPEAKER BARRETT: Senator Korshoj, excuse me. Senator Wesely, would you care to discuss the amendment? I'm sorry, the light just came on.

SENATOR WESELY: Thank you, Mr. Speaker, members. I have studied drainage district elections quite thoroughly and consider it one of my areas of expertise, and I must say that this is probably one of the finest pieces of legislation I've ever seen on the floor of the Legislature. And I know Senator Korshoj has just answered a round of questions, and I think all of you would have to come to the same conclusion that this vote on this amendment and this bill may be the most important vote we make this session. So I'm very much in favor of Senator Korshoj's excellent work on this issue.

SPEAKER BARRETT: Thank you, sir. And that brings us to Senator McFarland.

SENATOR MCFARLAND: Thank you, Mr. Speaker. Since this is such a great piece of legislation, as Senator Wesely has affirmed, I'm wondering, can you guarantee that this won't be vetoed since you're on it?

SPEAKER BARRETT: Senator Korshoj.

SENATOR KORSHOJ: You've always been a friend of mine, I wish you wouldn't have brought that subject up. (Laughter.)

SPEAKER BARRETT: Thank you. Any other discussion? Senator Korshoj, would you care to close, please.

SENATOR KORSHOJ: I think we've had enough discussion, let's just move it forward. Thank you.

SPEAKER BARRETT: The question before the body is the adoption of the Korshoj amendment to LB 81. Those in favor please vote aye, opposed nay. Please record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Korshoj's amendment.

SPEAKER BARRETT: The amendment is adopted.

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

SPEAKER BARRETT: Senator Korshoj, would you care to discuss the advancement of the bill.

SENATOR KORSHOJ: Mr. Speaker and members, if there is no more questions, and if Senator Wesely has no more comments, I move that we advance the bill as amended.

SPEAKER BARRETT: Thank you. Any discussion on the advancement of the bill? Seeing none, those in favor of the advancement of LB 81 to E & R Initial please vote aye, opposed nay. Have you all voted? Record, please.

CLERK: 27 ayes, 0 nays, Mr. President, on the advancement of LB 81.

SPEAKER BARRETT: Motion carries, the bill is advanced. The Chair is pleased to note that we have some very special guests

February 5, 1990

LB 81, 350, 350A, 369, 692
LR 249

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the 22nd day in this, the Second Session of the Ninety-First Legislature. Our Chaplain of the day, our own Senator Carson Rogers. Senator Rogers. (Gavel.)

SENATOR ROGERS: (Prayer offered.)

SPEAKER BARRETT: (Gavel.) Thank you very much, Senator Rogers. Roll call.

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

SPEAKER BARRETT: Thank you. Are there any corrections to the Journal?

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any reports, messages, or announcements?

CLERK: Mr. President, Enrollment and Review reports LB 81, LB 369, LB 350, LB 350A, and LB 692 to Select File, some of which have E & R amendments attached. That is all that I have, Mr. President. (See pages 658-60 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Proceeding to item five on today's agenda, LR 249, Mr. Clerk.

CLERK: Mr. President, LR 249 was introduced by Senator Scofield and Dierks. It is found on page 647 of the Journal. (Read.) Again, Mr. President, the resolution is on page 647 of the Journal.

SPEAKER BARRETT: The Chair recognizes Senator Scofield.

SENATOR SCOFIELD: Thank you, Mr. President. I shutter to introduce this resolution knowing that it will probably consume us this morning and, yet, even though I do it with some good humor, I also do it because it is an issue that continues to emerge across the state. It is, if you will look at the handouts on your desk, even a couple of years ago, and I don't believe there is a date, but this is a 1987 column from the Rural Electric Nebraskan that raised this question again about what does outstate mean, and where is it, and I, for the life of me, don't know. And, in fact, I teased Senator Hannibal, you

was done by resolution last session.

SPEAKER BARRETT: Senator Withem, would you care to close or withdraw the motion or...?

SENATOR WITHEM: Yeah, I would love to withdraw the motion. Thank you.

SPEAKER BARRETT: Thank you. It is withdrawn. Mr. Clerk, proceed.

CLERK: (Continued reading LB 543 on Final Reading.)

SPEAKER BARRETT: All provisions of law having been complied with, the question is, shall LB 543 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: (Read record vote. See pages 694-95 of the Legislative Journal.) 41 ayes, 0 nays, 1 present and not voting, 7 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 543 passes. And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 37, LB 409, LB 422 and LB 543. Also an announcement perhaps of general interest, Senator Nelson apparently was caught yesterday using the expression "outstate". She is now paying her penalty by donating rolls to her favorite society, specifically the Nebraska Unicameral. Her birthday is in July, but she is using this as an opportunity to treat her colleagues. Anything for the record, Mr. Clerk? The Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Point of order, if I am not mistaken in what I heard, the Chair used that word too. I thought I'd call it to the Chair's attention.

SPEAKER BARRETT: The Chair has just ruled you out of order, Senator Chambers. (laughter) Mr. Clerk, please.

CLERK: Mr. President, amendments to be printed to be LB 81 by Senators Withem, Korshoj and Hartnett. (See pages 695-98 of the Legislative Journal.)

Hearing notice from the Natural Resources Committee, signed by Senator Schmit.

you want to withdraw these as well.

SENATOR WESELY: Yeah.

PRESIDENT: Is that correct, Senator Wesely?

SENATOR WESELY: You can go ahead and withdraw those at this time.

PRESIDENT: All right, they are withdrawn.

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

PRESIDENT: Senator Landis, please.

SENATOR LANDIS: I move to advance the bill, your honor, Mr. Speaker.

PRESIDENT: You have heard the motion, all in favor say aye. Opposed nay. It is advanced. LB 81, please.

CLERK: Mr. President, LB 81, I have E & R amendments pending.

PRESIDENT: Senator Landis, do you wish to handle that for us, please, the E & R amendments on 81?

SENATOR LANDIS: I move the E & R amendments on LB 81.

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

CLERK: Mr. President, I now have an amendment to the bill by Senators Withem, Korshoj and Hartnett. The amendment is on page 695 of the Journal.

PRESIDENT: Senator Withem, are you going to handle that, please.

SENATOR WITHEM: I will start and Senator Korshoj will handle the other portion of this. My amendment deals with the manner...this is a bill that deals with the election of members of local political subdivisions. Appreciate Senator Korshoj bringing this bill to my attention and suggesting something that he and I and Senator Hartnett and some others had attempted last year by placing an amendment onto Senator Chambers' bill

regarding Douglas County commissioners might also be appropriate here. My portion of the amendment deals with the election of county board members, specifically, almost exclusively, it is exclusively applicable to Sarpy County. Let me explain the problems with Sarpy County at this particular time in our history. Currently, there in our statutes, not all of the problems are about Sarpy County, no, just one of the very few problems dealing with Sarpy County, Senator Landis, there are currently three systems of electing county board members. There is a unique statute that applies to essentially Douglas County, all counties, I think 250,000 or above. There is another statute that applies to counties 100,000 to the 250,000 level, which is just Lancaster County. And then all the other 92 counties are in the same statute. Sarpy County, currently following the current statute, elects...nominates its county board members by district and elects them by district, as do I think most of the counties in the state. Sarpy County is a growing county. After this next census, it is anticipated that it will be above the 100,000 category. There will be more than 100,000 people living in Sarpy County. When that happens, they will be placed inadvertently, through no legislative action whatsoever they will be in the Lancaster County category where they will have to, I believe it's nominate by districts but elect at large. It is not the desire of the Sarpy County people to do that. Sarpy County people want to maintain the status quo. Current county board consisting of I believe two Republicans and three Democrats voted unanimously that they want to see the current system maintained. What this amendment will do, my portion of this amendment will do will be it will...it will, in essence, amend the Lancaster County statute, the floor of that which is currently 100,000 and raise that up to 175,000 because Lancaster County's population is considerably above that. It will have absolutely no impact on Lancaster County but will give Sarpy County considerably additional room to grow so that they can simply maintain the status quo of the way in which their current county commissioners are elected. I would, as I say, it has the support of the board. We did this last year. The Legislature adopted this amendment to Senator Chambers' bill and we adopted something else that Senator Korshoj did to Senator Chambers' bill. The problem was that when that bill got over to the Governor's office, because of the controversy over the Douglas County amendment, or bill, the whole bill was vetoed and we lost it. We're asking you to do it again. I would indicate that it is not my desire at all to open up those other issues, particularly the Douglas County issue. This is a

noncontroversial bill, as Senator Korshoj has explained to me, and there shouldn't be any problems with it. This is something we need to do this year so that after the census is taken the process for the next election will remain as it has been in Sarpy County for the last several years. With that, that is the conclusion of my explanation. I would yield the rest of my time to Senator Korshoj to explain his portion of this amendment.

PRESIDENT: Senator Korshoj, you have a minute.

SENATOR KORSHOJ: Mr. President and members, how much time do I have?

PRESIDENT: One minute, but you're second after that so...

SENATOR KORSHOJ: Okay. Well, mine deals with a Register of Deeds. I discovered there is a law that says a Register of Deeds shall be elected in each county having a population of more than 16,500. And there is four or five counties now approaching that plateau, especially Washington County. Seward County is approaching it. Box Butte was at 14,600 in that range; maybe York County, which was 14,900. And all my part of the amendment does is change that figure from 16,500 to 20,000. And I contacted the Washington County Board of Supervisors, and they sent a letter to me requesting that I definitely support this bill which was LB 492 last year. So I amended it onto Senator Chambers' Douglas County commissioner bill where they would be elected by districts. It unanimously carried on that bill but, as Senator Withem said, we got it...we got it vetoed, so I want to add that onto to this bill. This should be very noncontroversial. It's something our county needs very, very bad and it could affect a couple other counties. If there is any questions, why that's it. Thank you.

PRESIDENT: Thank you. Senator Beyer, please, Emil Beyer.

SENATOR BEYER: Well, Mr. Speaker and colleagues, I'm not in opposition to Senator Korshoj's portion of the bill but to the amendment. Senator Withem made the statement that the county board went on record in favor of this and he is correct. But on the other part that the people in the county support it, he is incorrect, at least the people in my district do not support it and I have had quite a bit of comment from them. It's a little bit different in the situation of our county, Douglas County and Lancaster County, and I think that our previous legislators had

looked at that when they put those population figures in. We have one county commissioner represents over half the county as far as geographics go, but the other four represent the other half of the county and, consequently, the portion of my district has very little voice in what goes on, based on that fact. And our county commissioner, a lot of times, is on the low end of the four to one vote that represents the portion that...the largest portion of what I represent. So that would be the idea that I think probably there is a change needed. I kind of hate to see it come in specifically for one county. I think it's something that needs to be looked to set up a system so that Lancaster, Douglas, Sarpy, being the three largest counties in the state, are consistently the same on their election procedures, be it...whether it is nomination by district and elected at large or nomination by district and elected by district. And so with that thought in mind, I would like to see a study on it but then I would also oppose the Withem amendment. Thank you.

PRESIDENT: Thank you. Senator Korshoj, did you wish to speak again? You're on. Senator Warner, please.

SENATOR WARNER: Yeah, Mr. President and members of the Legislature, I would first like to inquire of the Clerk, are there other amendments on the bill?

PRESIDENT: There are none now. There are none.

SENATOR WARNER: The thought occurred to me since the issue of election of county offices have been subject of legislation, otherwise which would be controversial, at least, as far as Lancaster County, and I don't know where the bill is at that was introduced. But, obviously, is a germaneness question here that one could raise which I do not particularly want to raise on the amendment that is pending. But once we get the county commissioners into a bill then, obviously, it would be subject properly by germaneness to be involved in a whole host of other possible Christmas trees and it's not the season for Christmas trees. And I don't know if I want to raise the question at this point or not. I guess I will be hesitant to vote yes because of what may potentially occur and I don't really want to raise the question. Senator Withem. No, because I don't know, I suspect maybe I may not vote. I have no objection to having it treated in a separate matter. I can understand what is attempted to be done. I certainly have no problem with Senator Korshoj's

amendment. I think that's very logical. But I guess I will not raise the question then, Mr. President, and will take the position that should this be attempted to be used as a vehicle for something else, fight it out then.

PRESIDENT: Thank you. Senator Lynch, you are up next, please, followed by Senator Hartnett and Senator Withem.

SENATOR LYNCH: Mr. Chairman and former President of the Nebraska Association of County Officials and members, I would just a question about grandfathering in and, in fact, who they were and what counties that may or may not be affected by this. Korshoj...Senator Korshoj, I think, answered that question, if what he says is true, and I certainly believe a man of that integrity and esteem and I have no problem or question and thank you very much.

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

SENATOR HARTNETT: Mr. President and members of the body, I simply think that I want to reiterate some of the things that Senator Withem said. I think this was brought to us by the County Commissioners, and I think like he stated is that the whole county board voted for this unanimously, even the part that represents Senator Beyer's part of the county. And I think that doing this is the fair way to do it. I think we're simply, as senators, responding to what the county board, and I think it makes logical sense to let it continue as it is. So I would ask the body to support this amendment.

PRESIDENT: Thank you. Senator Withem, would this be your closing or did you wish some time in addition to yours? You're the last light.

SENATOR WITHEM: Oh, I will be happy to be recognized to close if there are no other lights.

PRESIDENT: Okay.

SENATOR WITHEM: Okay, thank you, Mr. President, and members, in response to I think what I heard Senator Warner say, and I'm not too sure. He was very clear. There was no mumbling or anything, but his message, I don't know if his message was no problem with Sarpy County fixing up its system to keep it as it

is, but you're not going to be too excited to see Lancaster or Douglas County amendments come onto the bill. Although you and I may differ on the philosophy of those approaches, as a practical sense I share your concern and would not like to see Senator Korshoj's bill be used...to become a very controversial piece of legislation to deal with either Lancaster County or Douglas County. That's what happened to it last year. It was a rider on another bill and it got vetoed for that reason. I think it's important if Sarpy County is to maintain its status quo, as it is now, that this bill pass. So I will not be supporting additional amendments to this bill to deal with Lancaster or Douglas. Now that means that there is 47 other people besides you and I that may have different opinions on it but I would help keep those kind of things off of this particular bill because I think it's something that does need to pass. Again, because Sarpy County is a growing...and this does not change anything, this is one of those very, very unique situations in here, to preserve the status quo, you have to pass the bill. The current situation is that when a county reaches 100,000 in population it has to change its method of electing county commissioners. Again, I have heard nobody in Sarpy County object to the current methodology of electing county commissioners. Our county board is on record five to nothing in favor of doing this, besides, frankly, I believe in the philosophical approach towards district elections. Most of our counties do, in fact, have those now and we should not allow a statute that was not written for Sarpy County, that was written specifically for Lancaster County, go into effect and change the system in Sarpy County. For that reason, I would ask you to support the Korshoj with the Hartnett amendment.

PRESIDENT: There are no other lights, so that will be your closing, Senator Withem? Okay. The question is the adoption of the Withem amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 1 nay, Mr. President, on the adoption of the Withem, Korshoj, Hartnett amendment.

PRESIDENT: The amendment is adopted.

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

PRESIDENT: Senator Korshoj, would you like to move to advance

the bill, or speak about it? Okay. Senator Korshoj moves that the bill be advanced. The question is, shall the bill be advanced? All those in favor vote aye, opposed nay.

CLERK: Say aye.

PRESIDENT: Say aye. All those in favor say aye. Opposed nay. It is advanced. Move on to LB 1050.

CLERK: Mr. President, 1050, I have no E & R amendments. I do have a motion, however. Senator Moore would move to indefinitely postpone the bill. Senator Weihsing, I believe, as principal introducer, would have the option to lay the bill over, Mr. President.

PRESIDENT: Senator Weihsing, do you want to take it up today or...?

SENATOR WEIHSING: Take it up.

PRESIDENT: Okay. Senator Moore, do you want to talk about it?

SENATOR MOORE: Yes. I simply filed this kill motion. I don't intend to totally follow through with it because I know I don't have the votes so I don't want to waste my time. But I do want to use this opportunity to remind the body just what exactly LB 1050 does. It raises the maximum authority for the remaining four community college areas, it raises them up to a similar maximum levy authority that it has in the two western regions. The only reason I have a problem with this bill, I guess the problem stems from the fact that how easily and nonchalantly the body is treating it. I only base my own personal experience going back remembering the 1987 session, some ferocious debate on LB 148 at the time that raised not two cents, like this bill, but one cent, the maximum authority NRDs are allowed. That...LB 148 was bantered about a variety of times, passed on a narrow margin, vetoed by the Governor and then came back, it happened to rain four inches in DeWitt that weekend, we had a phone call from everybody in DeWitt, it was a major issue. And at that time there was a great string of rhetoric on how you should not support a bill like that because you were raising property taxes. And I guess my concern with 1050 is, I understand the analogy that Senator Weihsing and the community colleges have. Obviously, this is the second part of a two-part package, the other part already having been passed which

February 26, 1990 LB 81, 315, 799, 956, 1050
LR 257

SPEAKER BARRETT: Thank you. Senator Weihsing, as the birthday boy, would you care to recess this body until 1:30 p.m.

SENATOR WEIHSING: Mr. President and members of the Legislature, I move that we recess until 1:30 p.m. today.

SPEAKER BARRETT: Thank you. You have heard the motion to recess until one-thirty. All in favor say aye. Opposed no. Ayes have it. Carried. We're recessed.

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you. Have you anything for the record?

CLERK: Mr. President, Enrollment and Review reports LB 81 correctly engrossed, LB 956 correctly engrossed, and LB 1050 correctly engrossed. Mr. President, Senators Lindsay and Morrissey have amendments to LB 315 to be printed. (See pages 985-87 of the Legislative Journal.)

And, finally, LR 257 is ready for your signature, Mr. President.

SPEAKER BARRETT: And while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 257. Returning to General File, Mr. Clerk, LB 799.

CLERK: LB 799, Mr. President, introduced by Senator Beyer. (Read title.) The bill was introduced on January 19 last year, at that time referred to Transportation. The bill was advanced to General File, Mr. President. I do have committee amendments pending by Senator Lamb's Transportation Committee. (See page 1078 of the Legislative Journal, First Session.)

SPEAKER BARRETT: The Chair recognizes Senator Beyer for the purpose of introducing the amendments.

SENATOR BEYER: Mr. Speaker, and colleagues, after the hearing on LB 799 in committee, the committee discussed and then come up

March 7, 1990

LB 81, 678, 1022

SPEAKER BARRETT: The Wesely-Lamb amendment is adopted. Senator Wesely.

SENATOR WESELY: Thank you, Senator Moore, and thank you, Senator Lamb, and thank you all. I would move to readvance the bill.

SPEAKER BARRETT: Any discussion? If not, those in favor of readvancing the bill say aye. Opposed no. Carried. The bill is readvanced.

CLERK: Mr. President, Senator Beck would move to return the bill for a specific amendment. (See page 1200 for the Beck amendment.)

SPEAKER BARRETT: The Chair recognizes Senator Beck.

SENATOR BECK: Thank you, Mr. Speaker. In the spirit of, what is it, camaraderie and so I visited with Senator Wesely and he tells me that the bill will not go on to be voted on today. This was...this specific amendment was one that we wanted to discuss. So, with that, I think that we'll save this amendment for when 678 returns the last time to Final Reading. So, in good faith, I withdraw my amendment.

SPEAKER BARRETT: Thank you. It is withdrawn. Members, please return to your desks in anticipation of Final Reading. Mr. Clerk, will you proceed with the reading of LB 1022?

CLERK: (Read LB 1022 on Final Reading.)

SPEAKER BARRETT: (Microphone not activated) complied with, the question is, shall LB 1022 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See page 1201 of the Legislative Journal.) 41 ayes, 0 nays, 8 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1022 passes. LB 81.

CLERK: (Read LB 81 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 81 pass?

March 7, 1990

LB 81, 956, 1050

Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See page 1202 of the Legislative Journal.) 42 ayes, 0 nays, 7 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 81 passes. LB 956E.

CLERK: (Read LB 956E on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 956 with the emergency clause attached become law? Those in favor vote aye, opposed nay. Please record.

CLERK: (Record vote read. See page 1203 of the Legislative Journal.) 42 ayes, 0 nays, 7 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 956E passes. LB 1050.

CLERK: Mr. President, I have a motion on the desk. Senator Moore would move to return the bill for a specific amendment, the amendment being to strike the enacting clause.

SPEAKER BARRETT: The Chair recognizes Senator Moore.

SENATOR MOORE: Yes, Mr. Speaker and members, LB 1050, I just want to have a few seconds to make sure on this rainy morning we know what this bill does. I know some other senators want to say a few things too. Remember, this is the bill that simply recognizes the problem that we created a few years ago when we allowed two of our technical community college areas in the western part of the state to tax...to have a maximum limit, limit more than nine, up to 11. And this bill simply says we recognize the problem so to solve the problem we'll raise everybody up to 11. And I guess the problem I have always had on this floor is that past skirmishes on these maximum levies have been massive blood lettings that take a long time. This one, for a variety of reasons, has moved along here with probably less than 50 minutes debate all the way along. I think it's one of those things, what you're doing is you're raising the maximum levy limit for the technical community colleges across the state. And it's one of those things that I don't

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LB 81, 830, 831, 863, 888, 956, 1022
1050

discussion, I guess the Legislature is alerted to this change. It's a significant change and whatever happens, happens, but at least we know what we're doing. Thank you. And I will withdraw that motion.

SPEAKER BARRETT: Thank you. It is withdrawn. If members will return to their seats, the Clerk can read the bill. While we're waiting, while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 1022, LB 81, LB 956, LB 1050, and LB 863. Mr. Clerk, will you read 830, please.

CLERK: (Read LB 830 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 830 pass? Those in favor vote aye, opposed nay. Have you all voted? Please record.

CLERK: (Record vote read. See page 1209 of the Legislative Journal.) 41 ayes, 1 nay, 2 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 830 passes. LB 831.

CLERK: (Read LB 831 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 831 pass? All in favor vote aye, opposed nay. Please record.

CLERK: (Record vote read. See page 1210 of the Legislative Journal.) 43 ayes, 0 nays, 1 present and not voting, 5 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 831 passes. LB 888.

CLERK: (Read LB 888 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 888 pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Record vote read. See pages 1210-11 of the Legislative

March 7, 1990

LB 42A, 81, 220A, 369A, 579, 830, 831
863, 880A, 888, 917, 922, 923A, 932
938, 954, 956, 978, 987, 987A, 1013
1022, 1037, 1050, 1067, 1077, 1090A, 1102
1136, 1178, 1199, 1222

SPEAKER BARRETT: Thank you. You have heard the motion by Senator Wesely to recess until one-thirty. All in favor say aye. Opposed no. Carried. We are recessed. (Gavel.)

RECESS

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Roll call. Record, Mr. Clerk.

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

SPEAKER BARRETT: Thank you. Anything for the record?

CLERK: Mr. President, I do. Bills read on Final Reading, this morning, have been presented to the Governor as of 12:15 p.m. (Re. LB 1022, LB 81, LB 956, LB 1050, LB 863, LB 938, LB 932, LB 917, LB 888, LB 831, LB 830, LB 579, LB 1199, LB 922, LB 954, LB 978, LB 987, LB 987A, LB 1037, LB 1067, LB 1178, LB 1102, and LB 1077.)

Your Committee on Enrollment and Review reports LB 1018, LB 1136, LB 1222, LB 42A, LB 220A, LB 369A, LB 880A, LB 923A, LB 1090A to Select file, some of which have Enrollment and Review amendments attached, Mr. President. (See pages 1233-36 of the Legislative Journal.) That's all that I have, Mr. President.

SPEAKER BARRETT: Thank you. Perhaps a very brief announcement from the Chair regarding our deliberations tomorrow. It is my hope that we can work through the lunch hour tomorrow, with the thought in mind that we can adjourn a little early tomorrow for the long weekend. It's my intent, at the present time, to work through the noon hour tomorrow, and look toward an early adjournment tomorrow afternoon. Contrary to previous statements made by the Chair, it will not be my intent to schedule appropriations bills tomorrow, budget bills tomorrow. We will be looking at them, probably, Monday or Tuesday of next week. We will continue with the agenda tomorrow with some Final Reading, probably some Select File, and perhaps senator priorities on General File. Any questions? Mr. Clerk, would you bring us up-to-date.

March 12, 1990

LB 81, 579, 830, 831, 863, 888, 905A
917, 922, 932, 938, 954, 956, 978
987, 987A, 1022, 1031, 1037, 1050, 1067
1077, 1102, 1178, 1199
LR 279

communication regarding signing of LB 1022, LB 81, LB 956, LB 1050, LB 863, LB 922, LB 1199, LB 579, LB 830, LB 831, LB 888, LB 917, LB 932, LB 938, LB 954, LB 978, LB 987, LB 987A, LB 1037, LB 1067, LB 1077, LB 1102, and LB 1178. See page 1306 of the Legislative Journal.)

Mr. President, new A bill, LB 905A by Senators Johnson, Dennis Byars and Scofield. (Read by title for the first time. See page 1307 of the Legislative Journal.)

Notice of cancellation of hearing by the Government Committee.

New resolution by Senator Robak. That will be laid over. (LR 279 appears on page 1307 of the Legislative Journal.) That's all that I have, Mr. President.

Mr. President, I now have a series of amendments to both the committee amendments and the bill. The first amendment to the committee amendments that I have is by Senator Smith. Senator Smith's amendment is found on page 1195 of the Journal, Mr. President.

PRESIDENT: Senator Smith, please.

SENATOR SMITH: Thank you, Mr. President, members of the body, you have a very simple amendment before you, AM2659, in the Journal. It's simply asking, and I do want to, I guess, begin by thanking the Appropriations Committee for the recommendation that they have made for a \$212,000 increase to programs, which are being provided under the Community Aging Services Act, commonly known as CASA. This amount though is about a seventh of the amount of money that was originally requested and we can go back in history a little bit, and you have been handed a fact sheet on CASA which is...you will see it appears to be a little thing with a little State of Nebraska and the breakdown of the eight area agencies in the state, which was handed out by the Nebraska Association of Area Agencies on Aging, telling you all about what CASA is, the historic information about CASA, what the problem is, and so on. And you will recall that the Community Aging Services Act was enacted by the Legislature in 1982. It was intended to provide comprehensive aging service programs throughout Nebraska by 1984. At that time, the cost to the state was supposed to be a little over \$2.5 million. Well, we all know that, as many times as I have talked about this, the money was not funded, it was partially funded, and what even