

Commission for Postsecondary Education, again, filed pursuant to statute; a report from the Nebraska Games and Parks Commission filed pursuant to statute; the annual report of the Division of Telecommunications; a communication from a series of Natural Resources Districts, Mr. President, with respect to payment of attorneys fees incurred during this past year. (See pages 88-89 of the Legislative Journal.)

Mr. President, I have a series of appointment letters from the Governor, appointments to the Board of Health, to the Rural Health Manpower Commission, the Foster Care Review Board, the Job Training Council, the Oil and Gas Conservation Commission. Those will all be referred to Reference for referral to the appropriate Standing Committee, Mr. President. (See pages 89-97 of the Legislative Journal.)

Finally, I have received a communication with respect to the siting for the low-level radio active waste disposal facility. That communication was received from US Ecology, Mr. President. (See page 88 of the Legislative Journal.) All of those reports will be on file in my office subject to review by members upon their request. That is all that I have, Mr. President.

PRESIDENT: Thank you. (Gavel.) Ladies and gentlemen, we're ready to begin the introduction of bills and some of you I understand would like to hear what the bills are about, so while I don't wish to spoil your fun and visitation with each other, kindly hold it down so that those that wish to listen to the introduction of the bills may do so. We anticipate that this will probably go on until about noon and, of course, free to do whatever you would like to do. Thank you. Mr. Clerk, the introduction of bills.

CLERK: Mr. President, new bills: (Read by title for the first time, LBs 818-878. See pages 97-109 of the Legislative Journal.)

I have amendments to be printed from Senator Rod Johnson to LB 163, LB 39, LB 37. (See pages 110-14 of the Legislative Journal.)

Mr. President, new bills. (Read by title for the first time, LBs 879-922. See pages 114-23 of the Legislative Journal.)

Mr. President, I have new resolutions: (Read brief description

January 4, 1990

LB 881-957, 997-1010
LR 229

If I may, Mr. President, I have a Reference Report referring LBs 881-957, and LR 229. (See pages 175-77 of the Legislative Journal.) And, Mr. President, new bills. (Read LBs 997-1010 by title for the first time. See pages 177-80 of the Legislative Journal.) Mr. President, that's all that I have at this time.

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Thank you. Proceeding to the next item on...from the Rules Committee. Chairman Lynch.

SENATOR LYNCH: Mr. President, members, the next one is number nine identified on your list. It specifies that a motion to suspend the rules is not divisible. The reason for this, without reading it all but putting it hopefully in laymen's terms so we can understand it, is that when a motion to suspend the rules is attempted it's intended to accomplish only one thing. You don't suspend the rules to accomplish three, four, five or six different things. But, if the amendment that would accomplish one thing would, for example, suspend Rule 1, Section 2, Rule 2, Section 3, Rule 3, Section 4, because it's necessary to do that to identify those sections of the rules that serve that single purpose, you cannot divide the question and take any one of those three rule changes independently. I think, Mr. President and members, that explains the purpose and intent of this rule change and would suggest that we support it.

SPEAKER BARRETT: Thank you, Senator Lynch. Discussion on the proposal...proposed change number nine? Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, let me tell you what the real purpose of this rule change is. There have been attempts at various times to suspend the rules so that there can be no debate or discussion or amendment on bills, and I have indicated that I would divide that question. So the purpose of the rule is to prevent that from happening. So however many things are put into a rule suspension will have to be taken as a package. In some instances you may have a situation where people will think and believe that you should be able to suspend the rules for the purpose of taking a vote without any additional debate, amendment and so forth. And maybe that is all right. Naturally, I'm opposed to it because

March 2, 1990

LB 96, 98, 118, 304, 307, 317, 428
430, 473, 518, 536, 675, 677, 735
770, 796, 797, 896, 898, 899, 905
920, 998, 999, 1018, 1019, 1031, 1125
1136, 1170, 1198, 1207, 1211, 1220, 1222

PRESIDENT: Okay, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

ASSISTANT CLERK: 26 ayes, 0 nays on the advancement of the bill, Mr. President.

PRESIDENT: LB 1222 is advanced. Mr. Clerk, anything for the record?

ASSISTANT CLERK: Mr. President, I have a series of items. Your Committee on Appropriations, whose Chairperson is Senator Warner, to whom was referred LB 1031, reports the bill to the full Legislature with committee amendments; LB 1125, to General File; LB 920, to General File; LB 1170, to General File with amendments; LB 536, General File with amendments; LB 1220, to General File; LB 896, to General File; LB 898, to General File; LB 899, to General File; LB 96, indefinitely postponed; LB 98, indefinitely postponed; LB 118, indefinitely postponed; LB 304, indefinitely postponed; LB 307, indefinitely postponed; LB 317, indefinitely postponed; LB 428, indefinitely postponed; LB 430, indefinitely postponed; LB 473, LB 518, LB 675, LB 677, LB 735, LB 770, LB 796, LB 797, LB 998, LB 999, LB 1198, LB 1207, all indefinitely postponed; and LB 1211 and LB 905, advanced to General File with committee amendments. (See pages 1131-37 of the Legislative Journal.)

Senator Landis would ask to print amendments to LB 1136 in the Journal. (See pages 1137-38 of the Legislative Journal.) Senator Warner has asked to announce an Executive Session of the Appropriations Committee in Room 1003, upon adjournment today. And I have a request from Senator Ashford to add his name to LB 1018 and LB 1019.

PRESIDENT: No objections, so ordered.

ASSISTANT CLERK: Then, Mr. President, I have a priority motion. Senator Hannibal would move that we adjourn until March 5, 1990, at 9:00 a.m.

bill.

SPEAKER BARRETT: Thank you. Is there discussion? The call is not raised. Any discussion on the advancement of the bill? Anything further, Senator Wesely? Thank you. The question is the advancement of LB 1126 to E & R Initial. All in favor vote aye, opposed nay. Record, please.

CLERK: 34 ayes, 0 nays, Mr. President, on the advancement of LB 1126.

SPEAKER BARRETT: LB 1126 is advanced. To 11, or excuse me, to LB 898, Mr. Clerk. The call is raised.

CLERK: Mr. President, LB 898 was a bill introduced by Senators Scofield, Weihing, Ashford, and Baack. (Read title.) The bill was introduced on January 3, referred to Appropriations, advanced to General File. I have no amendments to the bill, Mr. President.

SPEAKER BARRETT: Senator Scofield, please.

SENATOR SCOFIELD: Thank you, Mr. President, and members. LB 898 is a bill which is an issue that was before us last year and which we passed. It got as far as the Governor's desk and came pretty close to an override and, frankly, I thought awhile before I brought this back this year, but the events last summer, frankly, at Fort Robinson convinced me that this is an issue that definitely deserves to be done in this state, which I was convinced of earlier. But, as you know, we came very close to losing a Nebraska treasure last summer. We lost a lot of trees and a lot of pasture but, fortunately, we didn't lose any historic structures and we didn't lose any artifacts as a result of the fire. But I can tell you the morning that that fire was blazing, the first thing I thought about when they evacuated Fort Robinson was we have priceless artifacts stored in an old wood frame building with no humidity control that shudders every time a truck drives by on Highway 20. The security there is basically a lock on kind of an old ramshackle wooden door, and I thought, you know, this is something that really needs to do. We have Nebraska treasures at risk. You have lying on your desk in front of you a handout from a National Geographic Society to give you the world renown that the centerpiece of this whole display that the Trailside Museum would house, which are two Columbian mammoths, the only kind of find like this in the

world. One of them is stored out there that could have been lost in the fire this summer. I think, just as the tornado the other day at Sutton would indicate, Mother Nature is not very kind some days, and to put something off like this, really puts a treasure at risk. So I am bringing back before you this year, again, the proposal that we get on about the business of developing the Trailside Museum complex at Fort Robinson which consists of a suitable facility to house, not only the Columbian mammoths but other priceless artifacts that are currently stored in Nebraska Hall and elsewhere and, frankly, need to be displayed. These are recognized as world class finds. They will bring people into the State of Nebraska that are interested in this sort of thing. Our experiences I would expect to be more positive even than what happened in the Black Hills of South Dakota when they developed a site for paleontological work up there. It has, frankly, moved the tourist traffic in the Black Hills of South Dakota clear to the south and has brought a lot of people in and has brought a lot of revenue into that area. And so this is an important treasure for Nebraskans. It is an opportunity for school kids to have not the equivalent of Morrill Hall, because I don't envision anything that grand, but something at least out there than kids in the western half of the state could travel to and appreciate and also it is a major scenic attraction. And I think that the situation out there this summer illustrates how irresponsible, quite frankly, the state has been in not caring for this find. This find was first discovered in 1962, and I would suggest that this perhaps is as much a citizen driven initiative as anything that brings before us. It has statewide support from groups around the state who recognize the value of this and are fully in support of developing this project. What I ask you for this year is money to take us through the design and development stage of the project. You may recall that, out here in the rotunda and downstairs, there were proposed renditions of what this museum might look like that were completed by architecture students. It has been fun to watch the enthusiasm for this project that has been expressed by architecture students, frankly, that had never been out there, didn't know what the area looked like, didn't know about these treasures. And, frankly, they came up with wonderful entries in the Pella competition. The Trailside Museum was deemed important enough to be a project under the Pella competition which is a competitive activity for architecture students, and I hope some of you got a chance to look at those. Those young people did a wonderful job of talking about what the possibilities were for showing off this

particular natural wonder in Nebraska. I might also point out that I think this is an opportunity to help us recover from whatever negative perceptions we might have outside the state as the result of a major tourist area being devastated by fire. Much of the press coverage and much of the response that I got was, well, there is probably no reason to go out there anymore. It is all burned up, isn't it? My answer to people is, no, it isn't all burned up. The historic area of the Fort is intact. We lost 48,000 acres of some private and some public land, fortunately with a few small sheds and windmills and fences. Most of the loss were trees and grass, and so the area is very much still a wonderful attraction in the State of Nebraska and it is something that I think if we take the lead from the State of Wyoming, very quickly after the Yellowstone fire, they got busy and promoted that area and tried not to let that affect the economy of their state and to continue to bring people in. And so I am asking you to favorably consider this request today and to get us down the road towards developing what will be a one of its kind...one of a kind attraction, frankly, in the United States, even in the world, and I think that is going to bring money into the state. I know it is going to bring money into the state, it is good for education, and we have the responsibility to do this, and this responsibility has been overlooked too long. So I would ask you to advance LB 898 today. Thank you very much.

SENATOR LABEDZ PRESIDING

SENATOR LABEDZ: Senator Schmit on the advancement of LB 898.

SENATOR SCHMIT: Mr. President, and members, I do not want to be a sore loser but, Senator Scofield, I must vigorously protest an expenditure of \$5 million at a time when we are probably overdrawn at the bank anyway. We are going to hear time after time after time about the shortage of money, justifiably so, and I cannot help but think that if you are going to make an investment, it ought to be made in the future of Nebraska so that you can provide for the protection of the elderly, take care of the sick, as Senator Wesely and Lynch proposed a little bit ago, and to provide for the children of this state, and I have great respect for history, and I have tremendous respect for the artifacts you have out there. I would suggest they probably can be protected adequately by fireguards and some other methods which I am sure can be taken care of. Your plea for the protection based upon the fire threat does not fall deaf

ears but on less than sympathetic ears, Senator Scofield, and I just think that five million bucks, when we don't have the money for something we probably can't afford at a time when the prospects for future income are bleak, is a very unwise expenditure. I congratulate the Governor for having vetoed it last year and I would hope, that if we do advance this bill, that she will exercise that same good judgment again. Not that I don't love you, Sandy, and that I don't want you to have this, but I just really think that it is a bad, bad investment at this time, and I'd have to protest it very vigorously.

SENATOR LABEDZ: Senator Scofield.

SENATOR SCOFIELD: I move we adjourn until tomorrow morning at nine o'clock.

SENATOR LABEDZ: Mr. Clerk, do you have anything to read in?

CLERK: I have nothing to read in, Madam President. Nothing, no, thank you.

SENATOR LABEDZ: Thank you, Mr. Clerk. The question is whether we adjourn until tomorrow morning at nine o'clock. All those in favor say aye. Opposed nay. We are adjourned until tomorrow morning at nine o'clock.

Proofed by:

Arleen McCrory
Arleen McCrory

March 16, 1990

LB 898
LR 297

CLERK: 23 ayes, 2 nays, Mr. President, on adoption of the resolution.

PRESIDENT: The resolution is adopted.

(Journal page 1395 indicates Wanda Robinson Hofrichter, Mother of the Year; and Patricia H. Hofeditz, Young Mother of the Year, were introduced to the Legislature.)

PRESIDENT: Thank you, ladies and gentlemen, we'll move on now to General File with LB 898. Mr. Clerk, please.

CLERK: Mr. President, 898 was a bill introduced by Senators Scofield, Weihing, Ashford, Baack. (Read title.) The bill was introduced on January 3 of this year, referred to Appropriations, advanced to General File. Mr. President, the bill was discussed briefly on the floor yesterday. At this time I have no amendments pending.

PRESIDENT: Senator Scofield, please.

SENATOR SCOFIELD: Mr. President, we'd just got into this issue before we had adjourned yesterday. This is the Trailside Museum Complex proposal and what I am asking you to support today is the money to get us started on the planning and the design development phase of this project so that we can protect these, in particular the Columbian mammoths out there from whatever disasters might befall them in the current frame building, and I'm asking you to approve \$100,000 of General Funds in '90-91 which is essentially the initial planning money and then another \$335,000 for the following year which would essentially get us through the design development phase of the project. The total amount of the project is 4.3 million with a provision, if it's possible, to raise private money which we've had some indications we might, that the project eventually would not exceed \$4.7 million. Those, of course, to get to that stage would require a reaffirmation by future Legislatures. But for right now I'm asking you to support the planning money. I did mention yesterday that one of the things I think this makes this an emergency, constitutes it a reasonable thing to ask in an off budget year, frankly is the experience with the Fort Robinson fire last summer really showed us what could happen with the really inadequate kinds of stories that we have for not only the Columbian mammoths which are the only find of its kind in the world with the two with their interlocking tusks, but also there

are a good number of fossils and paleontological finds that are not exhibited, never have been exhibited in this state that will, in fact, make this a world class tourist attraction. And I think we can expect the same kind of interest and activity to come into Nebraska from Mount Rushmore in particular which is a major tourist destination that some of the South Dakota attractions have enjoyed who have also pursued this area. There seems to be a growing interest in this area. So I think it's important that we do this. In fact, I think it's irresponsible if we don't do it. We almost...we could have easily lost these treasures last summer in the fire. Fortunately, we did not but we all know the likelihood of Mother Nature's swooping down on us with some other disaster and, frankly, the building they're in now is just unsafe, so I ask your support to put in the planning money and get us started on this. Thank you.

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

SENATOR CROSBY: Thank you, Mr. President and members, Senator Scofield, would you yield for a couple of questions?

PRESIDENT: Senator Scofield, please.

SENATOR CROSBY: I almost jumped right out of my skin yesterday when Senator Schmit stood up and said, we're voting on \$5 million. I thought, well, did I read this correctly? Because I voted for it last year and I do think you need to get into the planning stage. At the moment, is that what we're talking about is the planning money?

SENATOR SCOFIELD: We are at this point asking for money to get the initial planning and through the design development phase going and then a future Legislature, hopefully, the next Legislature would eventually approve the actual construction money...

SENATOR CROSBY: ...has to be.

SENATOR SCOFIELD: Right.

SENATOR CROSBY: Then the other thing is, are there any plans? I just think it would be interesting for all of us to know, are there any plans for any foundations or anyone to help in making, you know, donations for the building so the state may not in the

long run have all the cost?

SENATOR SCOFIELD: Yes. In fact, I think the site out there is conducive to interest from fundraisers outside and this is much like some of the other projects we've talked about in terms of if we give this a jump start, we think there is a possibility of at least one major donor coming through. One of the private supporters who has worked on this project out there since the sixties has told me that he has some indications we could perhaps raise some private money.

SENATOR CROSBY: I think that's very important to know. I seem to be on a preservation kick this year, maybe it's my age showing, I don't know, but at any rate I think that the whole idea is meritorious and we do need to look at preserving this particular kind of museum pieces, so I will support it as long as you promise me I'm not voting for \$5 million today. Thank you.

PRESIDENT: Thank you. Senator Weihing, please.

SENATOR WEIHING: Mr. President and members of the Legislature, I rise to support this amendment. There needs to have the continued development throughout the entire state. I noticed that Senator Schmit had considerable concern about building such a building, museum, way out in the outer reaches of Nebraska, but that is where the action occurred and it isn't so destitute of people as one might think. The location of this is right there nearby, next to Fort Robinson which draws thousands of visitors, visitors who do not necessarily come from Lincoln where they see Morrill Hall and the prehistoric animals. I'd rather imagine that when Morrill Hall was first proposed for this campus that it met considerable opposition by many people as to the need and as to the value and yet that hall has become world renowned. I didn't even know of Morrill Hall when I came to the University of Nebraska in 1946 and much of my activity, I was out on the Ag Campus as it was called then and I would take the bus and I would go over to Bessey Hall and in the cold mornings I always went through Morrill Hall because it was a direct route from where they got off of the bus and there I, after a number of times going through Morrill Hall, did I come to realize the tremendous educational value that that had as to our prehistoric past and the origin of the lands and the animals of Nebraska. There are thousands of people that are in that area from all locations of the United States each summer

particularly. It would be highly advantageous that we give this same information, not only is it for preservation and preservation for our own edification, but also preservation for that of mankind. So I feel very strongly that it would be of a benefit to our state in having such a museum located where the action took place. As you may recall, Agate Fossil Beds has now become a national park. Agate Fossil Beds is not far from that. They will not be having a large, massive museum, it's just to show where Carnegie Hill, University Hill, where the center of archeological information was being dug out in the early part of our century where the University of Nebraska was becoming, even though it was a very new and small university, a recognized and renowned university. So I do hope that you will support this study. It is not a 5 million giveaway at this moment, it is a study to look at the development of a museum that would house information for not only the people of Nebraska, but the people of the United States and the people of the world.

PRESIDENT: One minute.

SENATOR WEIHING: Because there are many people who come from other parts, and particularly from Europe, who are interested in following the families that left their country and to see where they settled and to be in a location where they see, they can actually see the animals of the prehistoric times of this vast country. I thank you.

PRESIDENT: Thank you. Senator Wesely, please, followed by Senator Baack.

SENATOR WESELY: Thank you, Mr. President, members, I, too, would rise in support of the bill and extend again a hope that we see it passed and not vetoed. We've already done it once before and hopefully we can get it taken care of. I think Senator Weihing's comments were very appropriate and I appreciated his bringing those up. Morrill Hall has obviously influenced a great many people and this facility is kind of an adjunct in part out in the Fort Robinson area and it's important to recognize the virtues of both of those facilities and so it's hopefully something of note that tomorrow the Morrill Hall renovation that this Legislature appropriated \$4 million for will be dedicated and I want to congratulate the Legislature for their job well done. I know many of you won't be available to see that or maybe haven't had a chance to get out there yet, but if you do, you'll see \$4 million well spent. It's a marvelous

change, a very positive improvement in that facility on a priceless collection and I think Senator Weihsing has just emphasized in his experience and in my own at a different time at the university it influenced me in a similar fashion. It influenced now with this renovation many more students far into the future. We are short of finishing that project, though. We need another \$4 million to take the exhibits and bring them in to the renovated space and we're hoping that at some point we will be able to find \$2 million additional state funding to be matched by \$2 million in private funding and I hope to work with Senator Scofield and other senators in trying to secure the funding for that in the future, but at this time obviously we want to try and improve the situation out in the Fort Robinson area. Having been out there many times I appreciate it very much. I also know that it's got the potential of being a major tourist attraction. Anything we can do to help will enhance its viability as a tourist attraction for the nation. It's close to the Black Hills area, not far away, and many people do travel there and could easily move on down into Nebraska and the Fort Robinson area and do so; and we could have that increase quite a bit if we could provide an attraction like this of national renown, so I do think it's a good project and would support the legislation.

PRESIDENT: Thank you. Senator Baack, please.

SENATOR BAACK: Yes, Mr. President and colleagues, just very briefly, I also rise in support of this bill. Fort Robinson is one of the places that my sons really like to go to. We spend at least three or four days there every summer and they like to go up there. They also are very interested in the museum up there. And after the forest fire and the problems they had last year with that up there, I think it makes it even more important for us to look at this area and to make sure that when we have a museum that we design it and have one that will protect the items that are displayed there. There is some very good items displayed there. There are items that can't be duplicated anywhere else in the state, and I think we need to provide the protection for those items, and I think that this is a good step in that direction. It also addresses a problem that we have in this state of having accessibility for students out in western Nebraska to have some of these things available to them that are available to students from Lincoln and Omaha through Morrill Hall and some of the other museums that are here. So I think it's just a matter of providing those students with access to

some of the same information that is available down here and I would certainly urge the body to support this bill. Thank you.

PRESIDENT: Thank you. Senator Schmit, please. Is Senator Schmit in the Chamber? There are no other lights on. Senator Scofield, would you like to close, please?

SENATOR SCOFIELD: Well, maybe just briefly, Mr. President. I think you can tell from...these cookies are great.

PRESIDENT: Where do we get the cookies?

SENATOR SCOFIELD: This is an important feature for the future of Nebraska. It's something that we need to get started on and I have stressed the nature of it and the jeopardy that these fine artifacts are in and it's really something that we can do and point to with pride that we did for our young people in this state, and so I would ask your support. Are you asking for some of my time, Senator Korshoj? Please take it.

PRESIDENT: Senator Korshoj.

SENATOR KORSHOJ: Mr. President and members, I just want to add a comment. I was out to Fort Robinson last summer for the first time and it is still in Nebraska, but you're in a different world when you get out there. I was so impressed with the climate, the people. We need to put some money in that part of the state, whatever we call it out there, but I just believe we have to invest this money because there will be a lot of benefits for everybody. Thank you.

PRESIDENT: Senator Schmit, Senator Scofield wanted to give you some of her time I understand in closing.

SENATOR SCHMIT: That's very nice of Senator Scofield, so I'll be very low key, Senator. I oppose the bill. I believe it is an investment, true, but it is an investment that we cannot afford to make. We do not have the money. The money will be even more difficult to come by in future years and \$100,000 commitment now will tie us into an even more substantial investment in the future when we can afford it. It's a very desirable one, but one which you'll have to vote against and, thank you.

PRESIDENT: Thank you. The question is the advancement of the

March 16, 1990

LB 898, 899

bill. All those in favor of advancing the bill vote aye, opposed nay. We're voting on the advancement of the bill, so for those of you who care to. Record, Mr. Clerk, please.

CLERK: 26 ayes, 1 nay on the advancement of the LB 898, Mr. President.

PRESIDENT: The bill is advanced. May I introduce some guests, please of Senator Warner. In the south balcony we have 26 kindergarten through 6th graders from Emerald, Nebraska, with their teacher. Would you folks please stand and be recognized by the Legislature. Thank you for visiting us today. Move on to LB 899.

CLERK: 899, Mr. President, introduced by Senator Scofield, Weihsing and Baack. (Read title.) The bill was introduced on January 3, referred to Appropriations, advanced to General File. I do have committee amendments pending by the Appropriations Committee.

PRESIDENT: Senator Scofield, are you going to handle that?

SENATOR SCOFIELD: Yes, Mr. President, this bill was found in committee to have a higher and better purpose than what the title indicates and so the amendments strike the original bill and insert a new section and we appropriate \$30,000 to Kearney State College for a feasibility study in a development of a program statement for an alternative to third floor at Founders Hall. Founders Hall was one of those projects last year that was vetoed. There is still a crying need for classroom space at Kearney State. If you've been out there lately, you know that classrooms are very full and, in fact, they are spilling over in the hallways. So the committee amendments make this appropriation to Kearney so that they can do a feasibility study and look at an alternative to the third floor of Founders Hall. And I think this is really a better way to go in terms of the growing needs out there and the enrollments that are occurring. The proposed addition to Founders Hall would have added approximately 27,000 gross square feet for additional classroom and faculty office space for the Social Sciences, and yet that space might be a fairly inefficient space compared to this other alternative. You'll end up with less than 16,000 assignable square feet of classroom and faculty office space. The proposed third floor addition was envisioned by Kearney to dovetail with a future renovation of Copeland Hall which now houses the

about a potato bill and I thought it would be appropriate to mention that, that where were you 110 years ago when we had the people starving in Ireland, when we needed a potato specialist? And in case...and it was just a little trivia thing, but it's true, how basic a potato could be. My father had eight brothers and sisters, all died before the age of five, buried in Ireland, because of not having enough to eat and, of course, the diseases and physical afflictions that go along with that sort of thing. They came, by the way, to this country and had eight more, so we turned out okay. But on the other hand, I'm not sure what a potato specialist does, and I know we're not talking about that now in this bill, but I thought it might be important to remind you how important potatoes can be to some people. There could be a lot more Lynch kids running around. I know there's enough, but there could be a lot more if we had potatoes 110 years ago at least.

PRESIDENT: Thank you. Senator Scofield, please. No, Senator Schmit, I'm sorry, I'm sorry.

SENATOR SCHMIT: I have a question for Senator Scofield. Senator Scofield, don't we now have a potato specialist at the Scottsbluff station?

SENATOR SCOFIELD: We do not and that's one of the reasons why there is a potato...why this bill was introduced and why, in fact, that position has been funded in the mainline budget bill. Let me, well, this is your time. I'll say that later, Senator Schmit.

SENATOR SCHMIT: Okay, yes.

SENATOR SCOFIELD: That position was shifted a few years ago to do more vegetable oriented work. It's had a negative impact on the potato industry so we did put the potato specialist in the mainline bill. Freed up, this bill is simply a shell.

SENATOR SCHMIT: Okay, in other words we really started out with a potato specialist but we shoved him aside, found another responsibility for him. It's a little bit like we did with 899. Starts out as a potato bill and winds up as a construction bill, a capital construction bill. Now I appreciate Senator Warner's explanation that we put these bills out independently so you don't have to vote for them as a package, but I'm going to challenge you folks to check the votes on LB 898 as opposed to

March 19, 1990

LB 315, 536, 898, 899, 920, 1031, 1125
1126, 1170, 1220
LR 310, 311

all would want to be treated if we were in that same situation. If any of us were in a circumstance where we were in a drug and alcohol problem, lost our jobs and wanted to deal with that problem, hadn't the resources, and at that time faced with an inability to get unemployment benefits, out of work, no future, what kind of situation are these people going to be in? The problem that they have is only going to get worse. Let's try and make it better. Let's try and deal with that drug problem and getting them into treatment. I ask your support for this amendment.

SPEAKER BARRETT: Thank you. The question is the adoption of the Wesely amendment to LB 315. All in favor of that motion vote aye, opposed nay.

SENATOR WESELY: I'll take a record vote and that will be fine.

SPEAKER BARRETT: Thank you. Record, Mr. Clerk. A record vote has been requested.

CLERK: (Read record vote. See pages 1436-37 of the Legislative Journal.) 12 ayes, 19 nays, Mr. President, on the amendment.

SPEAKER BARRETT: Motion fails. Next item.

CLERK: Mr. President, may I read some items before we proceed?

SPEAKER BARRETT: Yes, proceed.

CLERK: Mr. President, your Committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 1031 and recommend the same be placed on Select File; LB 1125, LB 920, LB 1170, LB 536, LB 1220, LB 1126, LB 898, LB 899, all of those to Select File, some of which have E & R amendments attached. (See pages 1437-40 of the Legislative Journal.)

And, Mr. President, study resolutions. (Read introduction of LR 310 and LR 311 by title for the first time. See pages 1440-41 of the Legislative Journal.) Both will be referred to the Executive Board.

Mr. President, the next amendment I have to the bill is by Senator Coordsen. Senator Coordsen's amendment is on page 1350 of the Journal.

the amendment, I oppose the bill.

SPEAKER BARRETT: Thank you. Any other discussion on the advancement of the bill? Senator Warner, any closing? Thank you. The question is the advancement of LB 920 to E & R engrossing. Those in favor of that motion please vote aye, opposed nay. Have you all voted? Please record.

CLERK: 28 ayes, 5 nays, Mr. President, on the advancement of LB 920.

SPEAKER BARRETT: LB 920 is advanced. To LB 898.

CLERK: Mr. President, the first item on LB 898 are E & R amendments.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 898.

SPEAKER BARRETT: Any discussion? If not, those in favor of the adoption of the E & R amendments to LB 898 please say aye. Opposed no. Carried. They are adopted.

CLERK: Mr. President, Senator Schmit would move to amend the bill. (Schmit amendment appears on page 1575 of the Legislative Journal.)

SPEAKER BARRETT: Chair recognizes Senator Schmit.

SENATOR SCHMIT: Mr. President, members, as I said, it's nice to be wealthy, and so therefore I bring to you a little amendment which I have brought to you before. And I promise you this will be the last time, regardless of the actions of this body, that I will bring this to the attention of the Legislature. I've asked for the planning money, about \$190,000, for the Mead complex, and that is a new administration building. I have handed out the drawings, the projections of the artist as to what is included in that operation. The center would serve as a hub of the university's ag and (inaudible) oriented research and development center at Mead. There are nine units which carry out activities at the center, they include the Departments of Ag Engineering, Agronomy, Animal Science, Entomology, Forestry, Fishery, Wild Life, Horticulture, Plant Pathology, Veterinary

Science, and Agricultural Meteorology and Climatology. The current headquarters building is in a very sad state of disrepair, it is difficult to heat, it is limited in space and very expensive to maintain. It is inefficient for management and communications, and it is totally and woefully inadequate for many of the educational programs relating to research, to tour groups, group presentations, field days and other extension programs. Tours of the research sites, coupled with the sit-down total educational programs are common and represent the essence of a facility such as the facility at Mead. The center is heavily utilized for research, teaching and cooperative extension projects. There are 782 people at the center, excluding administrative, security and maintenance staff. Of these 782 people, 120 are scientists, 172 are graduate students, and 490 are undergraduates. This year's August schedule includes these major events, 1,000 people are expected to attend the exposition on soybeans. Over six departments will be involved with working with the Soybean Check-off Board, the State and County Soybean Growers Association. A three-day conference on National Sustainable Agriculture will be held with field trips to the center's research projects. Over 500 people are expected to attend that event. Similar events are held year-round such as Dairy Days, Bee Keeper Days, Seed Days, hail adjustor training programs and pasture tours. The current project plan involves a 19,000 square foot headquarters building, which will be built with a sloped roof, brick and mortar building. The facility will include office space, it will include a computer room, small conference room, security room, 150-person auditorium, and a 150-person multi-purpose education center which would be a staging area for tour groups and guests for other scheduled events. In summary, the general appearance of the existing facilities does injustice to the importance of the Agricultural Research and Development Center's programs and to the overall mission of the institute. As stated in the task force report, research conducted at the center yields essential new information for efficient crop and livestock production and conservation of natural resources. The research also stresses maintenance and enhancement of environmental quality in both rural and urban settings. Ladies and gentlemen, I have told you before on this floor, agriculture is the only basic industry in Nebraska which contributes to new wealth in this state. All the others are consumptive. Education is consumptive, judges pay raises are consumptive, virtually everything we are involved in is a consumptive use of funds. We have established a parameter of spending by this

legislative session which is unprecedented in history. It will be difficult, extremely difficult, in my opinion, to sustain that level of expenditures unless we enhance the role of agriculture and make it more amenable to earned income from our basic resource. Past years have not been kind to agriculture, financially or otherwise. And many of our farmers and ranchers have seen fit to find their fortunes elsewhere. If, in fact, we are going to compete in the next century, we are going to have to do those things which are being done at Mead and which are being done well. Only this morning I heard where the Garst Seed Corn Company had sent 7.5 million pounds of seed corn to Russia. We all know what that means from the standpoint of competition. The eastern European nations, which have been struggling under Communism for many years, have now thrown off the yoke of Communism, ladies and gentlemen, because of any other idealistic attitude other than loss of opportunity to have a wholesome, healthy diet. The people in this country have enjoyed that for many years and we take it for granted. There are many nations in this world where it is a very serious project to find "your daily bread". We have been fortunate in this country. We are now emphasizing new areas of agriculture, sustainable agriculture is not one which really turns me on very much, one which may have some very important impact upon our lifestyle here in this state. And rightly and justifiably so at Mead they are pursuing that kind of agricultural enterprise. We have watched them develop systems out there for agriculture livestock production, grain production that have been copied throughout the world. It is of interest to know that it was the University of Nebraska, in cooperation with Fletcher Manufacturing at Columbus, which more than 35 years ago developed the minimum till system, which today has become the standard throughout the United States, maybe throughout the world. A very small plant in Columbus, Kenny Fletcher, working almost single-handedly with a couple of engineers and the University of Nebraska, developed a system a long time before we had an energy shortage that today may be a major factor in allowing Nebraska farmers and other farmers to survive because of high energy costs, just to mention one small aspect of the research that was done there. Mr. President and members, I know you've heard me talk about this before, I burdened you with it many times, I ask you to support this amendment this morning.

SPEAKER BARRETT: Thank you. Discussion? Senator Scofield, followed by Senator Coordsen.

SENATOR SCOFIELD: Mr. Speaker and members, thank you very much. I wonder if Senator Schmit might respond to a question.

SPEAKER BARRETT: Senator Schmit, would you respond?

SENATOR SCHMIT: Yes, I'll...

SENATOR SCOFIELD: Senator Schmit, I don't believe you and I have ever talked about this amendment before, is that correct?

SENATOR SCHMIT: Well, I don't know...

SENATOR SCOFIELD: At least not directly in terms of your requesting to add this to the bill.

SENATOR SCHMIT: ...that...I don't think we have discussed it one-on-one, Senator. I've explained it on the floor...

SENATOR SCOFIELD: This is my time, Senator Schmit, please just respond. Did I know this amendment was coming?

SENATOR SCHMIT: Absolutely not.

SENATOR SCOFIELD: Thank you. Can you tell me how far Omaha is from Mead?

SENATOR SCHMIT: Thirty miles.

SENATOR SCOFIELD: And how far is Lincoln from Mead?

SENATOR SCHMIT: Thirty miles.

SENATOR SCOFIELD: Thank you. I don't really have anything against the Mead project. It's...I'm sure it's a worthwhile project, and yet I have to express some concern about having this added on to this 898 bill, partly because there is a sense, not just in the Panhandle, but I think throughout most of rural Nebraska that there has been an awful lot of attention paid to issues that pretty much relate to Lincoln and Omaha. Now, we don't want to further any further splits in the state, but quite frankly from the perspective I think of even somebody who lived in Grand Island, Mead is darned near in the backyard of Omaha and Lincoln. And, frankly, Trailside is a good distance from that. And it concerns me that there is a distinction between these two projects. The reason Trailside is back in there this

year for planning money is, frankly as I mentioned last time, because of the fire. That really pointed out to us what jeopardy those Mammoths are in and how appropriate it is that we get after it and start planning to appropriately store those before we lose them. And I guess my concern about this, Senator Schmit, is that by Christmas-treeing onto this bill your project, which is a worthwhile project, nevertheless I don't think it can lay claim to the same emergency situation that we have at Trailside. And I would just hate to jeopardize that project and hate to jeopardize the planning that I think is so essential to move forward on this. I guess I would ask you to bring Mead back in. I respect your persistence, you're doing what you ought to do for your constituents. But in terms of other priorities, I guess I would respectfully ask you to withdraw the amendment, otherwise I'm going to have to oppose you, because my concern is this could just weigh this bill down to the point where we put off another year doing proper planning to preserve what is a one-of-a-kind find, frankly, in the world, which will give us an opportunity as legislators to start something in this state that I think we seldom get a chance to do, and that is I think the Trailside project is going to be something that we can all drive back proudly in our old age and say, I had a part of that. This is something special, it's good for education, it's good for teaching people about natural resources, and it's good for tourism in the state. And, so in a sense of fairness, I would ask you to move this forward and in a sense out of respect for our heritage and our history and the things we have there that we need to be responsible and start protecting, I would ask your support for Trailside and ask you not to do anything to jeopardize it at this critical stage. Thank you very much.

SPEAKER BARRETT: Thank you. Senator Coordsen, please.

SENATOR COORDSEN: Thank you, Mr. Speaker, members of the body. Very quickly, I raise...I rise to support the Schmit amendment. Senator Schmit went into great detail as to the need for this and the importance it has for the future of the State of Nebraska. But he mentioned one thing that I think needs to be expanded upon, and that is the changing situation in world trade. Agriculture, in the United States, has depended for its income, to a great extent, upon the export of our bulk farm commodities. Had the good pleasure, several years ago, of being in China, which at that time was an Asian nation about seven years into its restructuring of agriculture which evolved

changing from the communal system of farming to one of individual leaseholders. And they were enjoying a 7 to 10 percent increase in production, which they were using to acquire hard currency to buy other things. Senator Schmit alluded to the changing conditions in central Europe. I would share with you that the countries of West Germany, Poland, Czechoslovakia, the southern regions of the Soviet Union are among the most productive areas of the world when it comes to agricultural production. When they change to individual operators, which they will, in their interest for economic growth they will see a tremendous increase in the amount of production of bulk agricultural commodities in those areas of the world, and unless we remain productive and low cost production in this country, we will not be able to compete on the world market. We will be importing into this country corn, barley, wheat, things that we would typically figure on exporting, because this area of the world needs to pay their...will pay their farmers in country soft currency, care not a whit what the world price might be, because they can sell for hard currency, which they can buy other manufactured goods needed in their country and reestablish their industrial dominance. So everything works together. This particular project, though it's not on the front burner I think for any of the members of the body, except the few of us that are aware of the importance, is something that we need to begin to move forward and appropriate the planning money for. Thank you.

SPEAKER BARRETT: Thank you. Senator Kristensen is announcing the presence of 28 high school students from Red Cloud High School in our south balcony with their teacher. Would you folks please stand and be recognized. Thank you, we're glad to have you visiting this morning. Additional discussion on the Schmit amendment to LB 898. Senator Moore, followed by Senators Weihing and Johnson.

SENATOR MOORE: Well, yes, Mr. Speaker and members. I rise in neutral support, I guess, of Senator Schmit's amendment. I only want to remind the body once again of the situation we have on these sort of requests on capital construction at the university, and how the body has behaved in the last two weeks when it comes to funding these things. The first one, the greenhouses that we have funded in LB 1031 and moved across last night. The greenhouses were below the Mead reconstruction on the board of regents list. It also included \$400,000 to buy a museum out in Kearney, in 1031, something that was on no one's

list until about ten days ago. Yet here Senator Schmit has the Mead facility where he's been trying for a long time. It's above, well above other things on the priority list. And for whatever reason the body chooses not to fund it. I don't know if people don't like Senator Schmit. I understand that may be a concern other people have, why they don't fund this program. But I don't know what sort of criteria you can use to vote against this when you voted for those other things.

SPEAKER BARRETT: Senator Moore, excuse me. Inasmuch as our gavel has fallen on hard times, (laughter) may I remind the body that the house is not in order, please. Senator Moore is entitled to be heard. Thank you. Senator Moore.

SENATOR MOORE: I wish you would have had that last night when I was really serious about something, Speaker Barrett. But, as I said, I don't know if it's that people just don't like Loran, or what it is. But I don't know what criteria you could possibly use to vote against this when you vote for greenhouses, vote for MONA and things like that. It's something that has been around longer, it's higher on the priority list, yet we don't do it. Now if I had my way I'd vote no on all of them. But the body hasn't done that. It supported those other things. So, with that in mind, I guess I will be anxious to see, once again, how the body votes on Senator Schmit's proposal for \$190,000 to fund a program that is higher on the priority than many things you've already funded.

SPEAKER BARRETT: Thank you. Senator Weihing.

SENATOR WEIHING: Mr. President and members of the body, I'm in a very much ambivalent position in that I was on the faculty when the lands for Mead were given to the university. I've been very intimately familiar with the development of that unit, and with the people that were most involved in the development of it. I'm very disappointed that the university hasn't had this on the top level and have built the headquarters many years ago. The building which they are in was built as a temporary building during the...during World War II. That which Senator Schmit has stated is very, very true, it is very much needed. But there is one thing that is apparent in my life, and that is distance. It is approximately 35 miles from the Lincoln campus to Mead, and, as was pointed out, it is not particularly very far from Omaha to Mead. That doesn't mean that they shouldn't have a headquarters, that means...what I'm stating there is it is

possible to get there. With the distance of 460 some miles as to where the...that is the funds that are de...within this 898 that Senator Scofield has had designated, it is not often that we can get the attention that has been gotten through Senator Scofield. And the need, and as I spoke on this before, the need, we need to have that presence in western Nebraska to bring the state together. The one major issue in my mind on coming to this body is to help bring the state totally together. And there needs to be presence of a magnitude that helps bring that together. And I certainly don't want to jeopardize the funds that have been allocated to have the museum study made. And, therefore, it is very difficult for me to have to say I would ask you not to support this for fear of that jeopardy. And it's very hard from a personal standpoint. Dr. Warren Saws has been the head of Mead ever since its creation. We've been very close both personally, and my youngest son is named after him. It's hard for me to say this, but there is another year, and the university should come to the recognition that it should take care of this and give it support, either within its budget or on this floor. It's only a little piece of the university that is giving it that support now. And, Senator Schmit, it is with regret...

SPEAKER BARRETT: One minute.

SENATOR WEIHING: ...that we have not had this before. I feel that it would bring about the possibility of not getting the funds, which I feel are needed for that study to be made in western Nebraska. I thank you.

SPEAKER BARRETT: Thank you. Senator Rod Johnson, followed by Senators Elmer and Scofield.

SENATOR R. JOHNSON: Mr. President, members, I don't want to get in between a fight between Senator Scofield and Senator Schmit, but I'm going to speak on the merits of both of these proposals, because I support both of them. I heard Secretary Yeutter, the Director of Agriculture in this United States, speak out in Grand Island or Kearney, pardon me, a couple of weeks ago. And he was commenting that quite a bit of the focus of the new farm bill is going to be on research. I think he mentioned the figure of \$500 million that would be spent for agricultural research. And Senator Coordsen has already talked about some of the research that will keep us competitive with the world. I see the things that we'd like to see done in the agricultural

research area, seeing Mead as an integral part of that in the State of Nebraska. And hopefully we'll be in line for some of those federal dollars to develop projects that will benefit our Nebraska farmers and ranchers. With that, I would just say I support the project. I think that there is room in this bill for both of these particular ideas, and I think they both have merit, that I plan on supporting both of them.

SPEAKER BARRETT: Senator Elmer.

SENATOR ELMER: Thank you, Mr. Speaker. Senator Johnson, Senator Coordsen, Senator Weihsing, Senator Schmit have all talked about the merits and the possible "conflictions" that might arise adding this to this bill. The foundation of our industry in our state is agriculture. Staying on the cutting edge of the technical advances and biotechnology, and related sciences in the field of agriculture are very important, if we're going to be competitive. And I think that this particular project merits our support. And I would also support Senator Schmit's amendment. Thank you.

SPEAKER BARRETT: Thank you. Senator Scofield.

SENATOR SCOFIELD: Mr. Speaker, members, I'm concerned about Senator Johnson's perception that this is somehow a fight between Senator Schmit and me. I think Senator Schmit and I are in agreement that Mead is a worthwhile project. I hope Senator Schmit also agrees that Trailside is a worthwhile project. I think probably both of us have a disagreement with the university, and specifically their set of priorities. It seems to me that it is awfully difficult, some times, to get agriculturally related projects high enough up on the priority list to do any good. I've been critical of the university before for not funding extension and supporting them at the level that some times I think they should. Senator Coordsen made a good point when he injected funding for the greenhouses on there. And here we are again with an issue that is hard to argue with in terms of desirability to enhance agriculture. The same frustration is a frustration felt by the people that I represent on the Trailside, which is a citizen-driven effort from a find that has been sitting around since 1962, with no attention, limited attention, kept in a building that is inappropriate for the kind of valuable find that it is, it is constantly in jeopardy. And I guess my concern here is, Senator Schmit, that frankly you and I could end up with nothing.

Neither one of us are going to get anything. I'd obviously like to have us both have everything. I guess I'm just hoping that, if you are successful in this effort, that you will go down and lobby the Governor, and I don't know how much good that will do you, that you can hang onto both of them for us. I'm not going to say anymore. I just wanted to make a few clarifying remarks. Thank you.

SPEAKER BARRETT: Thank you. Any other discussion? Seeing none, Senator Schmit, would you like to close on the adoption of your amendment?

SENATOR SCHMIT: Mr. President, members, I had a banker friend who was in the banking business for many years. And during the hard times of the eighties I was at a meeting, and a number of bankers were in dire straits, and they asked this gentleman, said, how do you keep your farmers out of trouble? How do you finance those combines, those expensive tractors and all those other items that farmers want and sometimes need and come to you to be financed and still keep your farmers solid? The old banker looked at him, J.O. Peck, and he said, I'll tell you what, when a farmer wants to buy a new combine I make sure first that he's got his money for his fertilizer and for his seed and for his insecticides. I make sure that he's got an adequate supply of livestock on hand, and that he's going to take care of all the waste roughage on the farm, and I make sure he's got some cattle. He's not going to sell that combine to pay it off. The revenue has got to come from some place else, it's got to come from some place else. Senator Scofield, we are not going to sell the Trailside Museum to pay for it. We're not going to sell the fine arts building in Omaha to pay for it. We are not going to sell any of these other items. These are consumptive items, these are items, ladies and gentlemen, which require the taxpayer of the State of Nebraska to dig into his pocket and pay for. The research done at Mead, under the people who are there, are the ones who will make it possible for us to pay for those items. I told you before, a dollar a bushel, a dollar a bushel on the commodities of Nebraska is about the equivalent of a billion dollars of new income to the state; a dollar a head...a dollar a hundred on livestock, several billions of dollars. That is real new wealth. That is what, ladies and gentlemen, pays for the bills we have passed here this session, not the rest of them. The rest of that is just recirculation of funds. And it's easy to recirculate money, but it does not create any new money. We need to have something that will create new

money. The building at Mead, I believe, will help to do that. I'm not doing this for my constituents, Senator Scofield. My constituents are minuscule in this area. There are a few of them, I suppose, who live there. I could name ten of them who live and work there. I'm doing it for all of the people of the State of Nebraska who depend upon a prosperous agriculture. Now, I understand and I share your concern and I share and join with you in the criticism of the university system which has downgraded agriculture and has chosen to place on a very low priority. That is also what has happened at the national level, agriculture has been taken for granted at the national level. It is not an accident, ladies and gentlemen, that we enjoy the lowest cost food supply of any nation in the world, it is because people who had vision and foresight worked on it to make it possible. If you're going to continue to enjoy that, you're going to have to continue to do the kind of research that is done at Mead. It is natural that those items which come to us easily be taken for granted. It is natural that we think we are entitled to a healthy, wholesome, low cost supply of food. But, ladies and gentlemen, that is not what the facts are. It is natural that those of you who have particular projects in your own area to take precedence argue for them.

SPEAKER BARRETT: One minute.

SENATOR SCHMIT: This, ladies and gentlemen, is for all of the people of the State of Nebraska. I could care less if it were at Mead or any place else, it happens to be at Mead, but it is for the people of the State of Nebraska that I speak here today. Senator John Weihing said the university should come back in here. Senator Weihing, you know the university will not come in with this. Agriculture has long since been relegated to the back door at the university. If the people of the Legislature do not express their position and their support for it, do not expect the professors at the university to express their support for this project. It means nothing to most of them, because only a very few of them will ever set foot on the Mead facility. Ladies and gentlemen, vote your conscience and your convictions, that's all I ask. Thank you very much.

SPEAKER BARRETT: Thank you. The question is the adoption of the Schmit amendment to LB 898. All in favor vote aye, opposed nay. Voting on the amendment to 898. Have you all voted? Have you all voted? Senator Schmit.

SENATOR SCHMIT: Mr. President, I'd like a call of the house and accept call in votes, please.

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

CLERK: 18 ayes, 1 nay to go under call, Mr. President.

SPEAKER BARRETT: The house is under call. Call in votes will be requested.

SENATOR SCOFIELD: I'd like to request a roll call vote, reverse order, please.

SPEAKER BARRETT: A roll call vote has been requested in reverse order. Members, please return to your seats and record your presence. Those members outside the Legislative Chamber, please return. Unauthorized personnel, please leave the legislative floor. The house is under call. While we're waiting, one of our Pages, Becky Harre, has some family members are guests under the north balcony, also guests of Senator Coordsen. We have Becky's mother and her sister and her two grandmothers. Would you folks please stand and be welcomed. Thank you for being with us. Senator Weihsing. Senator Lynch, Senator Chambers, the house is under call. Senators Jacklyn Smith, Lynch and Chambers, the house is under call. Senator Schmit, may we proceed? Senators Chambers and Lynch are not in their offices. Thank you. A request for a roll call vote in reverse order on the adoption of the Schmit amendment to LB 898. Mr. Clerk, proceed with the roll call in reverse order.

CLERK: (Roll call vote taken. See page 1575 of the Legislative Journal.) 27 ayes, 13 nays, Mr. President.

SPEAKER BARRETT: The amendment is adopted.

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

SPEAKER BARRETT: The call is raised. Discussion on the advancement of the bill. Any discussion? Seeing none, Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 898, as amended, be advanced to E & R for engrossing.

SPEAKER BARRETT: Discussion? If not, those in favor of the motion to advance the bill please say aye. Opposed no. I'm sorry.

SENATOR SCOFIELD: Mr. President,...

SPEAKER BARRETT: Senator Scofield.

SENATOR SCOFIELD: Senator Schmit, I'm going to do you a favor here. You need to add the E clause, if you have any hope of accomplishing this amendment that you just added on there, otherwise the year will be passed before you have an opportunity to do this. So, I've got an amendment up there to do that. And then I hope you'll run down to the northeast corner and lobby like mad for both items in this bill.

SPEAKER BARRETT: Amendment on the desk. The vote was not called.

CLERK: Mr. President, Senator Scofield would move to amend the bill by adding the emergency clause.

SPEAKER BARRETT: Senator Scofield.

SENATOR SCOFIELD: I believe the quick explanation I gave there while we were hurrying to get the amendment down there is sufficient. I'd ask you to add the E clause. So, since you have agreed to add Senator Schmit's amendment, let's at least give it a chance of going. Thank you.

SPEAKER BARRETT: Any discussion? If not, those in favor of the Scofield amendment please vote aye, opposed nay. Record, please.

CLERK: 35 ayes, 0 nays, Mr. President, on adoption of Senator Scofield's amendment.

SPEAKER BARRETT: The amendment is adopted.

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

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I again move LB 898, as amended, be advanced to E & R for engrossing.

SPEAKER BARRETT: Any discussion? If not, those in favor of the advancement of the bill please say aye. Opposed no. Ayes have it, motion carried, the bill is advanced. Have you items for the record, Mr. Clerk?

CLERK: I do, Mr. President, thank you. New A bill, LB 1246A, by Senator Wesely. (Read by title for the first time. See page 1576 of the Legislative Journal.)

Mr. President, amendments to be printed to LB 1215 by Senator Lynch. Confirmation hearing by Transportation Committee. That is signed by Senator Lamb as Chair. Explanation of vote by Senator Kristensen. And, Mr. President, your Committee on Natural Resources, whose Chair is Senator Schmit, reports LB 1238 to General File with committee amendments attached. That is signed by Senator Schmit as Chair of the Natural Resources Committee. That's all that I have, Mr. President. (See pages 1576-77 of the Legislative Journal.)

SPEAKER BARRETT: Thank you. Senator Richard Peterson announces 25 guests in our south balcony, third and fourth graders from St. Leonard's in Madison with their teacher. Would you folks please stand and be recognized. Thank you, we're glad you could be with us this morning. Mr. Clerk, to Item 7 on the agenda.

CLERK: Mr. President, LB 1246 was originally introduced by the Special Legislative Committee, LR 230 Committee, and it was signed by its members. (Read title.) The bill was introduced on February 21 of this year, Mr. President. At that time it was referred to the Judiciary Committee. The bill was advanced to General File. I do have Judiciary Committee amendments pending. Senator, would you prefer to do your committee amendments now, or offer your amendment to them?

SPEAKER BARRETT: Senator Chizek.

SENATOR CHIZEK: How about if I explain the committee amendments, and then offer the amendment to the committee amendments?

SPEAKER BARRETT: Chair recognizes Senator Chizek.

SENATOR CHIZEK: Mr. Chairman, colleagues, the Judiciary Committee amendments I now ask you to adopt deal straight to the

March 27, 1990

LB 315, 536, 551, 551A, 799, 898, 899
920, 1019, 1019A, 1031, 1125, 1126, 1136
1170, 1220, 1246

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber. Please stand. The opening prayer of the day by Pastor Robert Bye of the First Presbyterian Church of Plattsmouth, Nebraska, Senator Wehrbein's district. Pastor Bye. (Gavel.)

PASTOR BYE: (Prayer offered.)

SPEAKER BARRETT: Thank you so much, Reverend Bye. Please come back again. Roll call.

PRESIDENT NICHOL PRESIDING

PRESIDENT: I understand we're about ready to start. Mr. Speaker, would you explain the progression we're going to follow, please.

SPEAKER BARRETT: Yes, thank you, Mr. President and members. Obviously we do have a problem with the electronic voting board this morning. Apparently everything else is working. The microphones and the panels on either side of the board are okay, so rather than waste some time waiting for repair people to arrive on the scene, I'd recommend we get started and when it comes to casting a vote, we'll have to either use hands, voice vote or, of course, a roll call. So if we can put up with the inconvenience for a short while, we should be back in business as soon as the repair people are on site. Mr. President, I'd suggest we go ahead with the first item on the agenda.

PRESIDENT: Okay, thank you. Have you any corrections, Mr. Clerk?

CLERK: I have no corrections this morning, Mr. President.

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

CLERK: Mr. President, your committee on Enrollment and Review respectfully reports they have carefully examined and reviewed LB 1246 and recommend that same be placed on Select File with E & R amendments attached. Mr. President, Enrollment and Review also reports they have carefully engrossed LB 315 and find it correctly engrossed as well as LB 536, LB 551, LB 551A, LB 799, LB 898, LB 899, LB 920, LB 1019, LB 1019A, LB 1031, LB 1125, LB 1126, LB 1136, LB 1170 and LB 1220, all of those reported

March 29, 1990

LB 898, 899, 1126, 1220

CLERK: (Read LB 1220 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1220 pass? Those in favor of that motion vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Read record vote. See page 1688 of the Legislative Journal.) 41 ayes, 2 nays, 2 present and not voting, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1220 passes. LB 1126, Mr. Clerk.

CLERK: (Read LB 1226 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 1126 pass? Those in favor vote aye, opposed nay. Record, please.

CLERK: (Read record vote. See pages 1688-89 of the Legislative Journal.) 45 ayes, 0 nays, 4 excused and not voting, Mr. President.

SPEAKER BARRETT: LB 1126 passes. LB 898E.

CLERK: (Read LB 898E on Final Reading.)

SPEAKER BARRETT: (Mike off.) Have you all voted? Please record.

CLERK: (Read record vote. See pages 1689-90 of the Legislative Journal.) 38 ayes, 3 nays, 4 present and not voting, 4 excused and not voting.

SPEAKER BARRETT: LB 898E passes. LB 899E.

CLERK: (Read LB 899 on Final Reading.)

SPEAKER BARRETT: All provisions of law relative to procedure having been complied with, the question is, shall LB 899 with the emergency clause attached pass? Those in favor vote aye, opposed nay. Have you all voted? Record, please.

CLERK: (Read record vote. See pages 1690-91 of the Legislative

March 29, 1990

LB 163, 163A, 164, 164A, 187, 536, 898
899, 1031, 1125, 1126, 1170, 1220

us. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LB 1031, LB 1125, LB 1170, LB 536, LB 1220, LB 1126, LB 898, LB 899, LB 163, LB 163A, LB 164 and LB 164A. (See page 1695 of the Legislative Journal.) Senator Wesely, further discussion on the motion to return the bill.

SENATOR WESELY: Yes, Mr. Speaker, members, just very briefly, I rise to indicate for the record why it is I'm going to change position today on this bill. I have supported the concept of the state participating in the cost of indigent care. I have worked and led task forces and introduced legislation to this effect, but I've had conversations with the Nebraska Hospital Association about the two-way street we live on and then that two-way street, when additional public tax dollars go into any particular area, it seems to me that an amount of accountability is in order and unfortunately we have had a desire on the part of the hospitals in particular to ask and request for Medicaid increases, for this legislation on indigent care reimbursement and additional public monies, but when requested to participate in different health care cost containment initiatives they object and block every effort we make practically. For instance, I remember last year on certificate of need their efforts blocked my concerns about certificate of need and that process to contain costs was weakened dramatically as a result of legislation promoted by the Hospital Association last year. This year we have a health care cost data bill that has got the support of a number of different organizations and interests with the exception of the Hospital Association and they are working very hard, as you all know, to block that piece of legislation. If we were able to pass that, if we were able to work with them on the cost containment side of things, I very much support the work of Senator Lynch and those in support of LB 187. The concept is valid. The state should take a responsibility in this area, but before further monies get spent in this field or any other field that go into the hospitals in particular in this state it seems to me appropriate to ask those hospitals to work with us, the public, the taxpayers, the Legislature, to try and deal with the cost issue, the cost containment problem that we have across the State of Nebraska and across this country. And as long as the hand is out to receive the money but there is no assistance whatsoever to help us deal with the cost of this, I, for one, feel unable to support further funding in this manner. I would want to add that in some of the data, in some of the information we have

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.

back and do what you're told and to be embarrassed because you don't know very much and you can be put down very easily because you don't know very much. But the system we have in place now needs fixing, needs fixing. I hate to tell you this but if we ran an appropriations program like...in the counties like we did here, it would be, obviously, very interesting. We just wouldn't be able to do it because most of the county boards know how we spend all the money. I'm grateful for the time the Appropriations Committee people take to understand these things and they're only doing it because for so many years none of you really cared that much about how it's spent. That's fine. But I only raise this today to point out to you that we can't be satisfied with the system like it is and we shouldn't complain and kick when we're down to the last day and the last few hours and we're told that there just isn't any room for this. Remember that special session we had a few years ago that we had to cut out, what, 15, 16 million bucks because we were going broke? And before we left town, somebody had committed to building a new building across the street in which a hell of a big appropriations increase was needed by the agencies of the state to pay for the darn thing. The same time we were talking about we've got to save money, we were spending it and nobody knew anything about it in the special session, did they? No. Wasn't even discussed. I think we need to change things, have to take a serious look at the process. It's been frustrating for me for years, to be completely frank, because of that. There is no room down here for any change, all of you understand that. Do what you're told, keep your mouth shut, and be grateful for what you get and that's how we operate. I respectfully withdraw or request that Senator Wesely withdraw the motion to reconsider 187.

SPEAKER BARRETT: Senator Wesely.

SENATOR WESELY: Yes, I would have it withdrawn. Thank you.

SPEAKER BARRETT: It is withdrawn. The next item.

CLERK: Mr. President, Senator Scofield would move that LB 898 become law notwithstanding the objections of the Governor.

SPEAKER BARRETT: Senator Scofield.

SENATOR SCOFIELD: Mr. President, and members, there are three motions that I have got filed coming right up now, one, two, and

three, and I am going to withdraw the middle one. I would like an opportunity to talk about that but we are, quite frankly, at the point where we can't afford all three of them, and so I am going to go ahead and run this one, and then I will talk about the other one later. But just for your information, this one contains two items, it is the Trailside Museum planning money, and the Mead Center planning money. The item that I intend to withdraw is the next one, which is LB 662, which has nearly a half a million dollar fiscal note. There simply isn't the money here to do it. I will get into that later, but I want you to know what you are voting on next, and there is a third bill, LB 1170, which is the tuition credits for National Guard members coming up, number three. You will have a chance to deal with those later, but I just want you to know my rationale of what I am doing here. But I am withdrawing the item here that I think that we must withdraw in order to stay within a responsible level of spending. I would ask your support on 898. It is, as I said, the Trailside Museum planning money, and the Mead money. I will give the rest of my time to Senator Schmit.

SPEAKER BARRETT: Senator Schmit.

SENATOR SCHMIT: Mr. President, I will be very brief, also. I appreciate the fact that the money was placed in the budget earlier on. I understand the concern, I understand the concern expressed on this floor many times here tonight. I want to just emphasize the reason I supported the inclusion of the money for the headquarters at Mead. I firmly believe, that notwithstanding some of the purveyors of gloom and doom, that if we are going to pay the bills for this state government of ours, it is going to come from agriculture. It is going to come from agriculture whether you like it or not. It isn't only true that we are going to pay the taxes to support it, as has been evidenced by the passage of a number of other bills on this floor during this session, but if you are going to keep up technically, if you are going to be able to maintain the research, if you are going to be able to do those things that give agriculture in Nebraska and the United States the edge that has made us the producers of record and of envy the world around, then you ought to be able to produce the kind of research that is necessary to back it up. To do that, you ought to have decent working facilities. We have built a multitude of buildings in Nebraska in the last few years, and I am not at all embarrassed to stand here and ask for the \$190,000 for planning money for the building at Mead. It is overdue. It has been

reduced twice in its scope of the direction in which we took it at first and it is today a very modest proposal and I believe we need it, and we ought to do it this time. Thank you very much.

SPEAKER BARRETT: Any other discussion? Senator Scofield, anything further? Would you like to close? Thank you. The question is, shall the gubernatorial veto of LB 898 be overridden? All in favor vote aye, opposed nay. Have you all voted? Senator Scofield.

SENATOR SCOFIELD: Roll call. That will move us on and out of here as quickly as possible.

SPEAKER BARRETT: Roll call vote has been requested. Members, return to your seats. The question is, shall LB 898 become law notwithstanding the Governor's veto? Proceed. Senator Scofield.

SENATOR SCOFIELD: Check in, please.

SPEAKER BARRETT: Members, record your presence. Senator Lamb, Senator Moore. Mr. Clerk, proceed with the roll call.

CLERK: (Roll call vote taken. See pages 2051-52 of the Legislative Journal.) 18 ayes, 21 nays, Mr. President.

SPEAKER BARRETT: Motion fails. Next item.

CLERK: Mr. President, Senator Scofield, on LB 1170, Senator.

SENATOR SCOFIELD: I wanted to make a couple of comments about LB 662 before I withdrew it, if that is possible.

SPEAKER BARRETT: Proceed.

SENATOR SCOFIELD: As I indicated, I intend to withdraw LB 662. The fiscal not is simply too high to absorb it at this state of the game, and I think we have done some good things, particularly with the Foster Care Review Board money. So we have done some good things for children this year, and I want to emphasize that, and I want to commend this body on your leadership on children's issues. I would also like to say that we passed another bill, LB 663, which is good for juvenile justice, and so I believe this Legislature deserves some credit for trying to champion children and family issues this year.