

February 2, 1989

LB 58, 70, 115, 119, 142, 156, 175
256, 261, 283, 284, 286, 298, 502
LR 23

PRESIDENT NICHOL PRESIDING

PRESIDENT: Welcome to the George W. Norris Legislative Chamber. We're privileged to have a minister from Senator Bernard-Stevens' area and with us as our chaplain of the day, Reverend Patrick Skinner of the Wesleyan Church in North Platte. Would you please rise for the invocation.

REVEREND SKINNER: (Prayer offered.)

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

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

PRESIDENT: Thank you. Do we have any corrections to be made in the Journal?

CLERK: 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 298 and recommend that same be placed on Select File. That is signed by Senator Lindsay as Chair. Enrollment and Review reports LB 58, LB 70, LB 115, LB 142, LB 156, LB 175, LB 256, LB 261, LB 283, LB 284 all correctly Engrossed. Those also signed by Senator Lindsay as Chair. (See page 553 of the Legislative Journal.)

Mr. President, your Committee on Natural Resources, whose Chair is Senator Schmit, to whom was referred LB 502, instructs me to report the same back to the Legislature with the recommendation it be advanced to General File, and LB 119 as indefinitely postponed, both those signed by Senator Schmit, and LB 286 as indefinitely postponed, that signed by Senator Schmit as well. (See page 554 of the Legislative Journal.)

Mr. President, new resolution by Senator Beyer and Senator Hefner. (Read brief description of LR 23. See page 555 of the Legislative Journal.) That will be laid over, Mr. President.

Mr. President, confirmation report from the Education Committee. That is offered by Senator Withem as Chair.

association, we were also very favorably impressed with.

PRESIDENT: Now there are several lights on. Senator Kristensen, please, then Senator Schmit.

SENATOR KRISTENSEN: Thank you, Mr. President. Andrew "Skip" Hove is from my hometown of Minden and I must report to the body that he, too, is a very honorable man. I have been very impressed. I have known him for my entire life, and contrary to someone's belief, my life has been longer than just a couple of years here. I would recommend him heartily to the body and would recommend the full support for him. Thank you.

PRESIDENT: Thank you. Senator Schmit, please.

SENATOR SCHMIT: Yes, I'd rise in support of Wynn for the appointment, and I would just like to comment that she is much younger than I was, and I am much younger than Senator Warner, so it was a quite awhile back though.

PRESIDENT: Thank you. Now, Senator Withem, would you like to close.

SENATOR WITHEM: I move the acceptance of the report.

PRESIDENT: Thank you. The question is the acceptance of the confirmation report. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of the confirmation report as offered by the Education Committee.

PRESIDENT: The confirmation report is adopted. Number six, LR 23.

CLERK: Mr. President, LR 23 offered by Senators Hefner and Beyer. It is found on page 555 of the Journal. (Read brief explanation.)

PRESIDENT: Senator Hefner, please.

SENATOR HEFNER: Mr. President and members of the body, I understand that Senator Beyer is having car trouble, and so he won't be here to talk on this resolution, but I would like to talk to you about this resolution. In 1969, the U.S.S. Frank

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E. Evans was accidentally rammed by an Australian aircraft carrier in the South China Sea. Seventy-four sailors were killed including the three Sage Brothers, Gregory, Gary, and Kelly, and they were from Niobrara, Nebraska, which is in the 19th Legislative District which I represent. These brothers served our country honorably during the Vietnam War era. They deserve to have their names listed on the Vietnam Memorial in Washington, D.C. Our Congressional delegation has expressed interest in getting these names placed on the Vietnam Memorial, and so I would urge you to adopt this resolution. If we adopt it, a copy of this resolution would be sent to each member of our Congressional delegation encouraging them to take action to see that all the names of those killed on the U.S.S. Frank E. Evans be placed on the Vietnam War Memorial. Also a copy of this would be sent to the parents of Gregory, Gary, and Kelly Sage. Their parents names are Ernest and Eunice Sage. There is a memorial erected in Niobrara, Nebraska, in honor of these three sailors. Also their names are included on a memorial in front of the Knox County Courthouse at Center, Nebraska. I move for the adoption of this resolution.

PRESIDENT: Thank you. Senator Dierks, please.

SENATOR DIERKS: Mr. President and members of the body, I rise to support this resolution. I don't know how many of you have visited Washington, D.C. or the Vietnamese Wall, Memorial Wall, but I have and it is a very moving experience. I just would like to offer my support for the motion. Thank you.

PRESIDENT: Thank you. Senator Hefner, would you like to close on your motion? The question is the adoption of the legislative resolution. Would you please, those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 31 ayes, 0 nays, Mr. President, on the adoption of the resolution.

PRESIDENT: The resolution is adopted. We will move on to General File, LB 195.

CLERK: Mr. President, LB 195 was a bill introduced by Senators Conway and Hefner. (Read title.) The bill was referred to the Natural Resources Committee. Yesterday, Mr. President, the bill was considered along with committee amendments. The committee amendments failed. I have nothing pending on the bill at this

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CLERK: (Roll call vote taken.) 12 ayes, 26 nays,
Mr. President.

PRESIDENT: The amendment fails. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 23. The call is raised. We're back to advancing the bill. Senator Chambers, did you wish to speak, please?

SENATOR CHAMBERS: Yes, Mr. Chairman, in the interest of trying not to engage in futile acts, I'm not going to offer a kill motion as I had indicated. I will simply say that I hope the bill does not advance. Carrying through the thread that I had started by making references to the New Testament, the 12 people who voted aye, I would dub "the twelve". (laughter) What are you booing for? The twelve what? As a person thinketh in his heart, or her heart, so is he, so is she. All I said was the twelve, right? Thank you, Senator Landis. Members of the Legislature, I hope you won't advance this bill. The problem that it seeks to address is not going to be addressed by this bill. It will be a statement of some kind. There is no getting around that. It will be interpreted as the Legislature really being concerned about prostitution and really doing something about it. But the fact of the matter is that if Omaha had not enacted an ordinance, then this bill would not even be before us. Omaha is legislating for the state by trying to get the state law to comport with their ordinance and the Legislature probably will agree to do it because that is the way the Legislature operates. There might be an occasion when I will attempt to do the same thing, so the approach that Senator Lindsay is taking is not what I'm taking issue with and I want that crystal clear because my comments have been very forthright. I want it understood that I'm addressing the issue and I think that this bill is not going to achieve any of the things that are being asked for here. I would like to ask...I'd like to ask Senator Lindsay a question.

PRESIDENT: Senator Lindsay, would you respond, please.

SENATOR CHAMBERS: Senator Lindsay, is it anticipated that if this law would take effect that it would be different than the ordinance that Omaha has on its books?

SENATOR LINDSAY: Will it be different, you mean in terms of penalties or...?