

February 13, 1990 LB 42, 159, 163, 520, 913, 1107, 1172
1184, 1201
LR 240, 254, 255

little slower than what the original bill proposed.

PRESIDENT: Thank you. Mr. Clerk, do you have something you'd like to read in at this time?

CLERK: I do, Mr. President. Very quickly, two new resolutions. (Read brief descriptions of LR 254 and LR 255. See pages 770-71 of the Legislative Journal.)

Mr. President, Government Committee reports LB 1107 to General File with amendments, LB 1172 General File with amendments, those signed by Senator Baack. Education reports LB 913 indefinitely postponed, LB 1201 indefinitely postponed, LR 240CA indefinitely postponed, those signed by Senator Withem. And Government reports LB 1184 to General File with amendments. Amendments to be printed to LB 520 by Senator Schellpeper, Senator Kristensen to LB 159 and Senator Beck to LB 163. That's all that I have, Mr. President. (See pages 773-77 of the Legislative Journal.)

PRESIDENT: Thank you. Senator Haberman, you are next followed by Senator Schmit.

SENATOR HABERMAN: Mr. President, members of the body, in my 12 years in the Legislature I have had very, very, very few occasions to agree and be on the same side as Senator Chambers, so this is a new for me. I do agree with Senator Chambers' amendment, cutting the 7 percent to 5 percent as this would still end up a 53 percent increase in 11 years. Although I do not subscribe to some of the other thoughts that Senator Chambers had about judges, I would like to put in the record that I do subscribe to his amendment in cutting the 7 percent to 5 percent as a 53 percent increase in 11 years is a considerable amount of increase and I do support that part of his amendment. Thank you, Mr. President.

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

SENATOR SCHMIT: Mr. President and members, you know I always wish some time that I could be on an issue that is riding the wave of popularity. It seems to me like I'm either ahead or behind of the power curve all the time. One of my concerns many years ago, and Senator Chambers addressed that concern with me, was the drug problem. You go back and check the record, it was

body. We held these confirmation hearings I believe on Monday. It was for the Safety Center Advisory Council and there were quite a number of candidates there. Fred Zwonechek, John Siefkes, Duane Schmidt, Ralph Hild, Pennie Davis, Clayton Andrews, Betty Stuckey, Rollin Schnieder, Larry Morris, Tom Gorman, Carol Cope and Dr. Laura Acklie. I believe that Dr. Acklie was not there but was represented by...I believe she had a letter there. One of the other people was not there also, and Senator Peterson spoke for that candidate. The candidates were all interviewed and their testimony given. Nobody appeared in opposition to any of them and they were all unanimously confirmed by the committee. So I would move for that approval. Thank you.

PRESIDENT: Thank you. Senator McFarland, please.

SENATOR MCFARLAND: Thank you, Mr. President. I just wanted to add my support for all these candidates. We reviewed their credentials and their resumes and talked to most of them, and Dr. Acklie, who was not there, happened to be out in North Platte at the Great Plains Medical Center helping with their emergency services out there so had a legitimate reason not to be there. I was really impressed with the qualifications of people on this particular council and I would wholeheartedly support their confirmation.

PRESIDENT: Thank you. Senator Dierks, did you wish to close?

SENATOR DIERKS: No, sir.

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

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of the confirmation report.

PRESIDENT: The confirmation report is accepted. We will move to number six, legislative resolutions.

CLERK: Mr. President, LR 254 is offered by Senator Johnson, Rod Johnson. (Read.) Mr. President, I might add I have a request that all 49 names be added to the resolution as co-introducer.

PRESIDENT: No objection, so ordered. Senator Rod Johnson.

SENATOR R. JOHNSON: Mr. President, and members, this resolution is to honor one of our former colleagues, my predecessor in this body. Senator Kremer served in the Legislature from 1962 to 1982 and I have often said that there are really two men that I deserve a great deal of thanks to give to. One is former Senator Dick Marvel and the other was Senator Maurice Kremer, both of those individuals were very instrumental in getting me involved in public service and I know that Alice and her family would appreciate this gesture of support to the family and for recognizing the long time that Senator Kremer served in this body. And if there is any one individual that I personally wish to try and emulate in my public service it would be Maurice Kremer, who was honest, sincere, straightforward, all the adjectives that you could use to describe a man of his stature. He wasn't a very tall man but certainly in the stature of this body the visionary, one who saw there was a need to take big steps to preserve our greatest natural resource which is our groundwater and led many of the policies through this body that helped establish programs to preserve that very vital resource. With that, I would ask the body to send its gesture of support to the family by passing this resolution.

PRESIDENT: Thank you. Senator McFarland, please.

SENATOR MCFARLAND: Thank you, Mr. President. I did not serve with Maurice Kremer, as some of the people in this Legislature did. I am sure that was a distinctive pleasure. I happened to have the opportunity to meet former Senator Kremer through our fellowship services here at the Legislature and what a wonderful man he is and was. He brought a vitality and a life to our discussions. He was so sincere and friendly. It was amazing to see the warmth that he brought into our group with us and people responded to him, particularly people who had known him for some time. Truly an inspirational person, remarkable Christian human being, I would wholeheartedly support this resolution and we have lost one of our great citizens of the State of Nebraska, and he is truly deserving of the recognition. Thank you.

PRESIDENT: Thank you, Senator McFarland. (Gavel.) Could we have it a little quieter, please, so that we can hear the speakers. (Gavel.) Especially those in the center aisle, could we have it a little quieter so we can hear the speakers. Thank you. Senator Hefner, please.

SENATOR HEFNER: Mr. President, and members of the body, just a few brief statements. I commend Senator Rod Johnson for bringing this resolution to us. I can recall the first time that I became acquainted with Senator Kremer was right after I was elected to the Legislature, and the Public Works Committee held a public hearing in Wayne, Nebraska, and he personally called me, and he says since you have been elected, I would like to have you attend this water hearing. And, of course, I was delighted to go and he made me feel very comfortable at this hearing. He introduced me to all of the other members of the committee and I am very grateful for that, for my first experience with Senator Kremer, and I just wanted to share that with this body.

PRESIDENT: Senator Lamb, please.

SENATOR LAMB: Yes, Mr. President, and members, Senator Kremer was a special friend of mine. I served on the Public Works Committee when Senator Kremer was Chairman, and when I first came into the Legislature, he was a real mentor for me, and it is with a deep sense of loss that I lose a personal friend.

PRESIDENT: Thank you. Senator Warner, please, followed by Senator Schmit.

SENATOR WARNER: Mr. President, and members of the Legislature, I, too, would like to express my feelings for the passing of Senator Kremer, and more importantly, equally as important to express my gratitude for what he has contributed to the State of Nebraska. My experience, as others have indicated when they first met Senator Kremer, by chance after each of us were elected in 1962 we happened to walk into the Statehouse together, which was our first meeting, and from that a friendship grew and developed as was true with everyone, I am sure, that had an opportunity to know Maurice. But there are few that I have served with who would match his sincerity and his humbleness for the responsibilities that those of us who have the privilege to serve in public office should possess. And, certainly, he is one that needs to go down in the history of this state as having made many outstanding contributions, not only in the policies and issues that he became involved in, but simply because of the kind of a person he was and the kind of a model he can and ought to serve for those of us who also have the privilege of being in public office.

PRESIDENT: Thank you. Senator Schmit, please.

SENATOR SCHMIT: Well, Mr. President, and members, I also would like to ask that my name be added to the resolution honoring Senator Kremer, and express my condolences to his family. As Senator Warner has indicated, Senator Kremer was one of those rare individuals who had enough self-confidence in himself that he could serve in any position on this floor and do it well. And I well recall that after I had been here only two years, Senator Kremer came to me, and he was Chairman of the Agriculture Committee at that time, and stated that he would like to see me serve as chairman of the committee. In those days, it was done differently, you weren't elected from the floor, that he would support me along with Senator Kokes, and Senator Burbach, and others, and Senator Waldo, and that he would continue to serve on the committee with me and assist me, and he did so. And we served together for many years on a number of committees, served together on the floor, and no matter how much time you needed with him, he was always very generous with his time, and on those rare occasions when I disagreed with him, he never allowed that disagreement to influence his personal respect and friendship for his fellow legislators. And, very frankly, I am sure that he will go down in history as one of the really fine senators who have served in this body and Nebraska is much better for his having served, and I do think that we owe him and his family a substantial debt of gratitude.

PRESIDENT: Thank you. Senator Wesely, please.

SENATOR WESELY: Thank you. Mr. President, and members, I am pleased also to rise in support of this resolution and recognize a great man. Now Senator Maurice Kremer and I had a chance to sit next to each other, in fact, I sit in his seat. When I first came, I had a chance to get to know him in the Public Works Committee and we became good friends, and he moved back to sit by me on the floor of the Legislature his last two years in the Legislature. We were very different people, obviously. I was a young 24-year old when I started and Senator Kremer was quite a bit older than that, but we found immediately a like for each other and we worked very closely together and it was a sad day when he left the Legislature, and even sadder when he has left this world. He was a man who brought grace and charm and dignity to every job he had, to every person he met. He was one

of the greatest people I ever knew and I am very sad that he has died, and this resolution is a small attempt to try and repay the great things he has done for this state.

PRESIDENT: Thank you. Senator WeiHING, please.

SENATOR WEIHING: Mr. President, and members of the Legislature, I didn't have the privilege of serving with Senator Kremer here on the floor but I did have the privilege of knowing him, and this was through my activities with the College of Agriculture in the area of plant disease control. At one time, Grand Island had a sugar factory. There was a disease that was raging through the sugar beet fields. Mr. Kremer was a sugar beet grower and he offered his fields for experimental work, and for a number of years, we carried on experimental work on plant disease control, particularly that of leaf spot of sugar beets, and I found this person to be exceptionally cooperative and helpful, and at this time am thankful that I have the opportunity to publicly praise him and thank him for the cooperation that he extended throughout our College of Agriculture. Thank you.

PRESIDENT: Thank you. Senator Dierks, please, followed by Senator Beck.

SENATOR DIERKS: Thank you, Mr. President. I just want to stand and issue my approval, too, of this resolution. I had met Senator Kremer on numerous occasions. As a matter of fact, he was an honorary member of the Nebraska Veterinary Medical Association, a much revered senator, I think, and held the respect of everybody that I knew, and I just want to also add my accolades to this resolution. Thank you.

PRESIDENT: Thank you. Senator Beck, please.

SENATOR BECK: Mr. Chairman, I rise with a bit of fear and trepidation, because as one of the very newest members of the Legislature, I fear perhaps I might not dare to speak because I did not have the privilege or the honor to work with Senator Kremer. But as a citizen of the State of Nebraska who was not in his district, but who has visited with him and he was so gracious, again, to give us his time and just of himself to various things anytime that I was in the Capitol during his time of tenure. If I were to stop by and visit with Senator Kremer, even though I was not one of his constituents, he treated me

with the very most kindness, as if I were really someone important to visit with just because I happened to stop by, and I think it would be remiss, although I didn't have the honor and pleasure of knowing him and working with him, just as a citizen I might say that he did embody the qualities that all senators should strive for, I believe, kindness and courtesy to those who were from another district and who had a concern that perhaps they just wanted to visit with him about, and so I just wanted to add my thanks to Senator Johnson for having brought this resolution. I think it is very important.

PRESIDENT: Senator Pirsch, please.

SENATOR PIRSCH: Thank you, Mr. President, and members of the body. There isn't much to add because it has all been said about what kind of a man Senator Kremer was. Because he has touched so many of us here in so many personal ways as well as ways in which he served Nebraska, I wonder if Senator Johnson would allow us all to sign the resolution. I would like that, and I know there are many of you that would, too. Again, our condolences to the family, he will be missed.

PRESIDENT: Thank you. Senator Schmit, please.

SENATOR SCHMIT: Well, Mr. President, and members, I hadn't intended to speak twice, but after visiting with Senator Lowell Johnson and Hefner and Lamb, knowing the fine sense of humor that Senator Kremer had, I would like to offer a little amendment to that resolution and suggest that the Appropriations Committee throw an extra \$5 million into the Water Development Fund this year on behalf of Senator Kremer. I am sure that that would be the best way to honor him.

PRESIDENT: Senator Rod Johnson, would you like to close, please?

SENATOR R. JOHNSON: Yes, thank you, Mr. President. I believe on behalf of the Kremer family, I am sure I speak for them in saying thank you to all of the senators who made such kind and fine remarks about Maurice. For those of you who did not have an opportunity to serve with Maurice, I think you missed an outstanding opportunity. I was asked by a reporter the other day when the notification came of his passing what it was like to fill his shoes, and I said I have never quite filled them yet. I am still trying my best to emulate the things that he

has done and had done in this body, but an interesting story I would like to relate to you about the sincerity this man had. In 1981...

PRESIDENT: Excuse me, Senator Johnson. (Gavel.) Could we please hold it down so we can hear the speaker. Thank you, Senator.

SENATOR R. JOHNSON: Thank you. In 1981, I was working as a legislative aide here for Senator Richard Peterson at the time, and I had decided that I would like to run for public office at some point, and I went to see Senator Kremer and Alice at his home in Aurora to find out whether he was going to run again, and I sat down with him in his home, and we talked for two or three hours, and he said, well, Rod, I haven't made up my mind what I am going to do, but he said when I do decide, you will be the first person I come to talk to. Well, in January of 1982, then, Senator Kremer one day showed up, one afternoon, in Senator Peterson's office and said I would like to visit with you, Rod. And he called me out in the hall and we visited awhile, and he said I have just notified the press that I am not going to run again, and he says I'd hoped that you would follow through with the goals that you have set because, he said, I promised you I would come and talk to you when I made my decision and I am here to tell you that I have decided not to run. I know he was under intense pressure from people in Aurora and Hamilton County to support a couple of the candidates that were running for that seat against me, but he said I have promised you and I have promised others that I would remain neutral in this campaign and I am going to continue to hold up to my word to that fact, and probably much to the disgust of some people in Aurora that he would not do that. But that is the kind of person he was, that he was fair and honest and I know he many times was very fearful to call me to let me know how he felt about issues because he felt like he was interfering with my decision-making, which I often told him, Maurice, please, your institutional memory would be very helpful to me, but, yet, he was very conscientious not to try and continue to serve as a senator, even though he wasn't here, but he was just a tremendous gentleman. And as I said, if it hadn't have been for Maurice and for Richard Peterson and Rex Haberman, and many others, and Dick Marvel, those are the people that kind of helped get me started in this business, and I am very grateful to all of them. So on behalf of Alice and Maurice's family, Ken, Bob, Ardys, and Beth, I want to thank all of the members

for supporting this resolution and honoring his memory, and I'd just remind the body, for those who would like to attend, his funeral is today. It is at the Pleasant View Bible Church in Aurora. It starts at two o'clock. I do believe there is a van that is taking some out, and I think there is still some room for those who would like to attend. Thank you.

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

CLERK: 40 ayes, 0 nays, Mr. President, on adoption of LR 254.

PRESIDENT: The resolution is adopted. LR 255.

CLERK: LR 255, Mr. President, was offered by Senator Wehrbein. It is on page 770. (Read brief explanation.)

PRESIDENT: Senator Wehrbein, please.

SENATOR WEHRBEIN: Yes, Mr. President, and members, hopefully the Legislature would see...

PRESIDENT: Senator Wehrbein, excuse me. (Gavel.) Please let's hold it down so that we can hear the speaker. Thank you.

SENATOR WEHRBEIN: Thank you. Hopefully the Legislature would see fit to support this. There is a study going on to determine if AMTRAK service between Kansas City and Omaha would be feasible. Obviously, it goes up through Nebraska City. I mentioned the importance of the coming center that is going to be located in Nebraska City. I am meeting with Congressman Bereuter and others this afternoon in Nebraska City on this issue. I thought it would be appropriate for you not only to be aware of this study going on to possibly provide AMTRAK service once again between Kansas City and Omaha, but also that we'd be showing some support for this if this would, in fact, come to pass. So I would like to encourage you to support this resolution for that purpose.

PRESIDENT: Thank you. Mr. Clerk, do you have something?

CLERK: Very quickly, Senator, excuse me, but Transportation Committee has...they want to have an Executive Session in the

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I can go to the hospital, even...and have them stick a knife in my body and work on it. I don't think people are going to do that. And, if they're injured, I don't think they're just going to be lapping up all this cream that we're so concerned about. There are times when you're drawing workmen's comp when you can be taxed by the federal government. In certain situations, if you are on a light duty status, where you can't make it on the existing workmen's comp, and the employer says, well, come back, we'll give you light duty and we'll give you a little bit of a wage, not your total wage, and then your workmen's comp makes up what your total wage would have been, then that is all balled into a wage, and that is taxed. You can check it out if you'd like. So there are times it is taxed on the federal level, when you can't make it and are forced to go back to work, often times after further aggravating your injuries, but you just can't make it. So that's what...that's how light duty came into existence, because of poor workmen's comp. We know you're injured but...and we know you can't make it, so come on back and we'll give you a little bit to do a little bit. It might further aggravate your injury, might make things worse in the long-run, but we know you can't make it, so come on back, you'll help us out at a cheap rate. And, oh, by the way, you will be taxed on your workmen's comp, too. They probably leave that part out. But I don't think we're going to have people, part-time employees, rushing out to injure themselves so they can draw this extra 20 bucks a week, or whatever it is. I don't think we have a big concern about that and I would support Senator Hall's amendment.

PRESIDENT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 254, and LR 255. Mr. Clerk, do you have something to read in?

CLERK: Mr. President, Education Committee reports LB 618 to General File; and LB 1051 to General File, those signed by Senator Withem. New A bills. (Read LB 1059A and LB 313A by title for the first time.) Senator Smith has amendments to LB 662. I have a motion for introduction of a new bill that will be laid over, that's offered by Senator Coordsen. And, Mr. President, LB 602, LB 858, LB 875, LB 891, LB 906, LB 907, and LB 1013 are reported correctly engrossed. That's all that I have, Mr. President. (See pages 788-91 of the Legislative Journal.)