

March 1, 1990

LB 163
LR 261, 263

PRESIDENT NICHOL PRESIDING

PRESIDENT: (Recorder not activated immediately) ...Zornes of the Lincoln Church of God. Would you please rise for the invocation.

PASTOR JESSE ZORNES: (Prayer offered.)

PRESIDENT: Thank you, Pastor Zornes.

(Recorder malfunctioned.)

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

PRESIDENT: Thank you. Any corrections to the Journal today?

CLERK: No corrections, Mr. President.

PRESIDENT: Any messages, reports, or announcements?

CLERK: Mr. President, an Attorney General's Opinion addressed to Senator Schmit regarding the Wheat Board, and a new resolution, LR 263 by Senator Conway. (Gave brief explanation.) That will be laid over, Mr. President. (See pages 1062-65 of the Legislative Journal.)

Mr. President, LR 261 is ready for your signature, and that is all that I have.

PRESIDENT: While the Legislature is in session and capable of transacting business, I propose to sign and do sign LR 261. You will observe that the Statehood Day ceremony is at eleven o'clock. However, it is my understanding we will not recess for that ceremony. Move onto Select File.

CLERK: Mr. President, the first bill for discussion by the Legislature this morning is LB 163. The bill has been discussed on Select File. Enrollment and Review amendments have been adopted, as have amendments offered by Senator Rod Johnson, Senator Morrissey, and Senator Hefner. When the Legislature last discussed the bill, Mr. President, Senator Hefner had an amendment pending to the bill. Senator, I believe this is your disposable diaper amendment found on page 599 of the Journal.

PRESIDENT: (Gavel.) Could we please have it a little quieter

down through Tecumseh towards Auburn. It is now a hazardous highway to drive on when one year ago it was a very safe highway to drive on, so these are...

SPEAKER BARRETT: One minute.

SENATOR MORRISSEY: ...many things we have to keep in mind and I'd especially approve of the part where Senator Lamb has directed a portion of this to the ICC because the ICC does not necessarily always understand how abandonment or short line spin-offs of these railroads do affect those of us in the Midwest. I'd urge support for the resolution. Thank you.

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

SENATOR LAMB: Mr. President and members, I think this issue has been pretty well discussed, but in case that somebody says, well, they really haven't filed for abandonment yet, so all this is premature, I would like to read part of a letter that is dated December 22 in 1989 addressed to Mike Goings, who is the rail planning supervisor down in the Department of Roads, and this is signed by Michael Payette (phonetic) who is their legislative representative for the Chicago-Northwestern, and in part he says, our goal is to sell this line. After the first of the year we will ask those who received our data book to give us a firm proposal. We intend to work with anyone who gives us a reasonable proposal to reach a mutually beneficial agreement. If we do not receive any reasonable proposals, we will at that time show the line in category one and publish the map. Now that is legalese for saying we're going to abandon the line. So this is the letter that we have from the Chicago-Northwestern that really indicates that they are going to abandon it and so I'll just ask that the resolution be adopted.

SPEAKER BARRETT: Thank you. You've heard the closing and the question is the adoption of LR 262. Those in favor of that motion please vote aye, opposed nay. Have you all voted? Record, Mr. Clerk.

CLERK: 29 ayes, 0 nays, Mr. President, on adoption of LR 262.

SPEAKER BARRETT: LR 262 is adopted. Moving to LR 263, Mr. Clerk.

CLERK: Mr. President, 263 offered by Senator Conway. (Read brief description.)

SPEAKER BARRETT: The Chair recognizes Senator Conway.

SENATOR CONWAY: Thank you, Mr. Speaker, members, about 12 miles north of Wayne in northeast Nebraska is a little community of Dixon, Nebraska. It's now a...never was a very large community and now is about 125 people, I think, are totally listed in their residents. The community was initiated in 1890, platted like most...many Nebraska towns by the railroads and since that time developed over time, to be somewhat known little festival community in northeast Nebraska. It was of Irish descent and so there was always a lot of activity. A little community right next door about a mile away over the hill of Concord was always able to successfully vote that they never needed a liquor license because they wouldn't corrupt their town with that when they had a path over the hill over to Dixon and they could do it that way, so it's been well known for its kind of jovial partying and festive mood and I'm offering up this resolution as our recognition of their 100 years and they can include this in their resolutions and recognitions from other people with respect to their 100 years at their activities this summer.

SPEAKER BARRETT: Thank you. Discussion on the resolution, Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I rise to support this resolution. Dixon is right across the line from the 19th Legislative District which I represent. I have many friends there and what fascinates me is the pride that some of these communities take in their community, some of the people take in their communities and Dixon is no different than this. They certainly take pride in their community. I know that they have received awards from the Nebraska Community Betterment Committee and so I would urge you to support this resolution.

SPEAKER BARRETT: Thank you. Any other discussion? If not, Senator Conway, any closing comment? Thank you. The question before the house is the adoption of LR 263. Those in favor vote aye, opposed nay. Record, Mr. Clerk.

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of LR 263.

SPEAKER BARRETT: LR 263 is adopted. Moving to LR 264.

CLERK: LR 264, Mr. President, was offered by Senators Wesely, Landis, Schmit. I have a request from Senator Hannibal and Smith to add their name as co-introducers. It's found on page 1118 of the Journal. It extends the Legislature congratulations to Mr. Roger Welsch on his receiving the Trailblazer Award.

SPEAKER BARRETT: Senator Wesely, please.

SENATOR WESELY: Thank you. Mr. Speaker and members, it's with great pleasure that I rise in support of LR 264, along with my co-introducers, Senator Landis, Senator Schmit and Senator Hannibal and Senator Smith and anybody else that would like to be on the resolution. Roger Welsch, I think, is known by most of us. He has entertained us time and again in different forums and has been an individual who is well known and well regarded throughout the state and now with his exposure on national TV and the national media across the country. Happens to be a very good friend of mine and I very much cherish that friendship. If you take a look at the resolution, it talks about Roger and the good times he brings to all of us and the different roles he plays as man about town of Dannebrog, which is his new home, formerly of Lincoln. His parents happen to reside in my district, are constituents, and he has moved up to Dannebrog though and there he has established a National Liars Hall of Fame which has brought fame to Dannebrog and to Nebraska. Among the different accolades he has received is including the fact that he has been featured in the National Enquirer and, of course, you know my tendency to use that as a very reliable source. I used it one time on the pit bulls eating the mobile home and that certainly helped that legislation as we passed it recently, and Senator Hall isn't here, but he will recall it. And I'll pass this around, again, from the National Enquirer, it talks about the Liars Hall of Fame. Among the different best lies that they had were it was so dry last summer my cows gave powdered milk. My wife is so ugly, I take her everywhere I go because I can't stand to kiss her good-bye. There are any number of witticisms here that you can use and borrow and steal as you give speeches in your districts, just give credit back to the Liars Hall of Fame and Roger Welsch who started it all. In fact, I must add this. I don't know if this has been made public before. I don't know if Roger even wants anybody to know, but he...his lies are so big, so incredible they are not

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LB 1059
LR 262-265

repeated occasions, have been found wanting by federal courts that say children have become prejudiced by the checkerboard financing effect in various states, Texas being among them, Tennessee being another. That in fact promises like that are not empty words, but are binding on Legislatures, and to the extent that Legislatures turn a deaf ear to the needs of students and to allow the variations of wealth to produce inferior educations for children, those Legislatures are not performing their constitutional obligations.

SPEAKER BARRETT: One minute.

SENATOR LANDIS: We owe kids in this state a good public education, no matter where they come from, no matter how wealthy their parents are, no matter how wealthy their district is, that's our constitutional obligation. And 1059 seeks to replace a system which falls short, in my estimation, of that constitutional obligation. It says, first, that we should expand our notions of what wealth is, beyond just property and you and I know how skewed that system is. It says we add to that analysis local income, and we ask for the contributions of those whose wealth is in the form of income rather than property, and that's just. Beyond that point, 1059 says, listen, if you look at both property and income and your district is not well enough off, you're going to turn our backs on the old system of foundation aid that had no relationship to need, and we're going to take the state's portion of money and use it to equalize between the wealthy districts and the poor districts...

SPEAKER BARRETT: Time.

SENATOR LANDIS: ...to meet that constitutional obligation. And that is my rationale to explain to unhappy and I'm sure dissatisfied constituents who will not be pleased to know that their total tax burden will go up probably beyond the measure of their property tax relief under this measure. But, for me, that's a sufficient justification, and I intend to vote for this bill.

SPEAKER BARRETT: While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 265, LR 264, LR 263, and LR 262. Senator Schmit, would you care to discuss the advancement of the bill, followed by Senators McFarland, Elmer, Nelson and Hartnett.