

March 6, 1990

LB 1238
LR 262, 266

SPEAKER BARRETT PRESIDING

SPEAKER BARRETT: Welcome to the George W. Norris Legislative Chamber and to the 40th day in this 60 working day session of the second session of the 91st Legislature. Our opening prayer this morning by Harland Johnson. Harland.

HARLAND JOHNSON: (Prayer offered.)

SPEAKER BARRETT: Thank you very much, Harland. Roll call.

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

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

CLERK: No corrections, Mr. President.

SPEAKER BARRETT: Any announcements, messages or reports?

CLERK: Mr. President, I have a new resolution, LR 266 offered by the Appropriations Committee. (Read brief explanation. See page 1170 of the Legislative Journal.) That will be laid over, Mr. President.

Senator Dierks has amendments to LB 1238 to be printed. (See pages 1171-72 of the Legislative Journal.)

And, Mr. President, I have a report from the Department of Labor. And that is all that I have this morning.

SPEAKER BARRETT: Thank you, sir. Moving to item five on today's agenda, legislative resolutions, beginning with LR 262. Mr. Clerk.

CLERK: Mr. President, 262 was a resolution introduced by Senators Lamb, Scofield, Dierks and Peterson. It asks the Legislature to urge the Chicago-Northwestern Railroad to reinstate the level of service previously enjoyed by business on the Nebraska line and to maintain such level of service while negotiating in good faith for the sale of a viable rail service having access to traffic and markets beyond Chadron and Norfolk including the bentonite traffic and that the Legislature request the Interstate Commerce Commission to use its offices to insure the rail service over the Nebraska line be reinstated at a level of service previously enjoyed by businesses on the Nebraska

PRESIDENT NICHOL PRESIDING

PRESIDENT: Good morning, ladies and gentlemen, welcome to the George W. Norris Legislative Chamber. We have with us this morning as our chaplain of the day, Richard Carlson who is the Chaplain at Union College in Lincoln and he has with him his son, Dan. Would you please rise for the invocation.

REVEREND CARLSON: (Prayer offered.)

PRESIDENT: Thank you, Reverend Carlson. Come back and see us again and, Dan, glad to have you with us. Roll call, please.

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

PRESIDENT: Thank you. Do we have any corrections to the Journal this morning?

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

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

CLERK: Mr. President, just one item. I have received a report from the Department of...I have received a report, Mr. President. That will be on file in my office. That's all that I have.

PRESIDENT: Thank you. Before we start in on the resolutions may I introduce some guests, please, in the south balcony. They are guests of Senator Beyer and there are 19 seniors from Elkhorn Public Schools and their teacher. Will you folks please stand and be recognized by the Legislature. Thank you for visiting us today. Move on to the resolutions, LR 266. Is anyone from Appropriations willing to take that? Senator Lowell Johnson.

SENATOR L. JOHNSON: Mr. President, members of the Legislature, the resolution before you today involves a board of trustees proposal, board of trustees, that is, of the state college system, to take care of a need for Kearney State College in the construction of additional student housing facilities which would be financed through the proceeds of a revenue bond issue and the expenditure of some revenue bond surplus. Related plans have been submitted to the Legislature for approval as evidenced by the notification printed in the Journal for February 7. A

bird's-eye picture of the project involved, it would cover two additional student housing facilities of similar design, each facility designed to include four pods each housing 50 students, as each, as such, each facility would thereby accommodate 200 students. Each facility is designed to include 48,000 plus gross square feet. Each facility is to be located on the so-called west campus, west of the tailrace. A total estimated construction cost is \$6.1 million. The total estimated project cost including professional fees and planning, \$6.4 million and that includes the description as we have it of the program.

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

SENATOR WESELY: Thank you. I'd ask Senator Johnson if he would yield to a question.

PRESIDENT: Senator Johnson, would you respond, please.

SENATOR L. JOHNSON: Yes, I will.

SENATOR WESELY: So there is no state appropriation involved here? This would be revenue generated by student housing costs and then also the excess monies, where are they coming from?

SENATOR L. JOHNSON: The revenue bonds, of course, for the major portion of it, the balance from the surplus in the existing Dormitory Bond Fund.

SENATOR WESELY: That's from revenues raised through the dormitory fees they have had?

SENATOR L. JOHNSON: That's correct.

SENATOR WESELY: And they currently have dormitories on campus?

SENATOR L. JOHNSON: Yes, they do.

SENATOR WESELY: Do you know how many students are housed in those dormitories currently versus how many more would be added through this proposal?

SENATOR L. JOHNSON: As I recall there were approximately, there are approximately 3,000 or more students domiciled now in dormitories on the campus. This would provide for an additional

200.

SENATOR WESELY: Two hundred, okay.

SENATOR L. JOHNSON: Two pods of 200, or a total of 400.

SENATOR WESELY: Four hundred, okay, thank you.

PRESIDENT: Thank you. Senator Langford, please, followed by Senator Kristensen and Senator Nelson. Senator Langford, please.

SENATOR LANGFORD: Mr. President and colleagues, I have a handout that has all of the material on it. I didn't have it copied because I didn't think everyone would be interested, but if there are any questions we will happily answer them, and should you be interested in looking at what it is going to look like, we even have drawings. So anyone that has any questions... We have one question that did come up. The other dormitories are high-rises. They were finished in '67, the last of them, and they are far more expensive to construct than these two-story pods that are being planned for now. A lot of people said, well, why are you having so many? Because it's cheaper and it also gives a feeling of home to the students. They, psychologically, they have found that students living in smaller dormitories feel more secure, so should anyone want to know what these things look like, I'll be glad to show you, and with that, I just ask your support.

PRESIDENT: Thank you. Senator Kristensen, please.

SENATOR KRISTENSEN: Thank you, Mr. President and members of the body, I would rise to support this resolution as well, and with the tremendous amount of growth that Kearney State has incurred in the last number of years, dormitory space has become an absolute essential need and this, through the raising of some bonds and it would allow for the construction of these dormitories, they are state of the art dormitories, something that will become a model, I am sure, for more dormitories not only in this state, but in other areas. Senator Langford does have the plans at her desk and I would encourage you to come over there. They are quite unique and it's an interesting proposal, one that will be not only very physically attractive, but practical as well as much cheaper, and with that, I would rise to support the resolution. Thank you.

PRESIDENT: Senator Nelson, you are next, but may I introduce some guests, please, in the north balcony. They are guests of Senator Chizek, Senator Abboud and Senator Beyer and they are part of 160 seniors from the Civic classes at Millard South High School and four instructors. Would you teachers and students please stand and be recognized by your Legislature. Thank you for visiting us today. Senator Nelson, please.

SENATOR NELSON: Mr. Speaker, members of the body, I, too, naturally, am in support of the resolution. I can speak from hands on, as well as I know a number of the other senators here. When our boy went to Kearney a little over 10 years ago there were two and three boys to a dorm room. One was one bed on top of the other and the only way they had any privacy at all or anything to maybe to try to get to sleep at night, if they wanted to, was to hang a blanket up in front, down their bed and, honestly, of course, as a mother you almost fainted when you went into the room and it took a little while to recover from that shock, but just a very, very small room and 10, 12 years ago they were stacked up in that condition and I think that we can do better, and I do support this resolution.

PRESIDENT: Thank you. Any further discussion? Senator Johnson, did you wish to close?

SENATOR L. JOHNSON: Mr. President, only to thank those participating senators, Langford, Wesely, Kristensen and Nelson, for their remarks on this resolution, and I would merely move for the adoption of the resolution. Thank you.

PRESIDENT: Thank you. The question is the adoption of the resolution. All those in favor vote aye, opposed nay. We're voting on the adoption of the resolution, 266. Please vote if you care to. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays, Mr. President, on adoption of LR 266.

PRESIDENT: The resolution is adopted. LR 269.

CLERK: Mr. President, LR 269 offered by Senator Korshoj, found on page 1184 of the Journal. (Read brief description of resolution.)

PRESIDENT: Senator Korshoj, please.

SPEAKER BARRETT: Thank you. Senator Chambers is announcing two guests under our south balcony, Robert Bishop and his wife, Donna, from Grant, Nebraska. Would you folks please stand and be recognized. Thank you. Welcome to the Legislature. Also, while the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 266, LR 269, LR 270, LR 272, and LR 273. Additional discussion on the amendments, Senators Bernard-Stevens, Hall and Langford. Senator Bernard-Stevens.

SENATOR BERNARD-STEVENS: Thank you, Mr. Speaker, and members of the body, I would like to just put maybe a little bit of my thinking, at least, on this particular amendment in perspective, if I can. If I understand the amendment right, and, Senator Warner, I'm not really asking a question, but if I don't, I hope that you will correct me on it. If I understand the amendment correctly, the body will still be, even if we agree with the amendment, Senator Warner's amendment to the amendment, we will still, at the end, vote on 239CA as an entire package. So we're not going to separate the two issues out on separate votes here in the body but we would separate it out on the constitutional side when the people vote on it on the constitutional amendment. And Senator Warner is shaking his head that I am correct on that particular portion. So, I guess, really in perspective what we're, in essence, discussing on the body today is not whether or not it will have an effect on the vote in the Legislature because we still will vote for it as a package even with this amendment, but will the student voting portion of 239CA have an effect on the overall passage of the bill, of the constitutional amendment, when it goes to a statewide vote if it would, obviously, pass muster from the Governor and from the Legislature? And if that...if that is, in fact, the issue, then I think members of the body simply need to ask themselves, is that the major focus of what 239...is that the major focus of the debate that will take place on 239 when we get it out among the public? And I think the answer to that is, obviously, no. The main focus is going to be, do we want to take away the state college board? Do we want to have an expanded super board? Do we want to have more power in other areas on some of the board of trustees? Do we want to make the changes that we need to do? That will be where the major discussion will take place. I guess my personal feeling is that if the only thing people have to argue about is whether the students have a right to vote or not, and that will, in fact, bring the bill down, I would