

March 14, 1990

LB 1031, 1059
LR 239, 285, 286-291

SPEAKER BARRETT: Record, please.

CLERK: 26 ayes, 2 nays, Mr. President.

SPEAKER BARRETT: The Chambers amendment is adopted. The call is raised. Mr. Clerk.

CLERK: Mr. President, may I read some items for the record.

SPEAKER BARRETT: Proceed.

CLERK: Mr. President, new resolutions. LR 285 by Senators Langford and Kristensen. (Read brief description of LR 285. See pages 1357-58 of the Legislative Journal.) That will be laid over. LR 286 is an interim study resolution by Senator Haberman, as is LR 287. (See pages 1358-59 of the Legislative Journal.) LR 288 by Senator Ashford. (Read brief description. See page 1359 of the Legislative Journal.) LR 289 by Senator Elmer and others. (Read brief description. See pages 1360-61 of the Legislative Journal.) LR 290 by Senator Dierks and Baack calls for an interim study. (See page 1361 of the Legislative Journal.) LR 291 by Senator Dierks, Lamb, Lindsay, Ashford, Kristensen and Chizek calls for an interim study. (See pages 1361-62 of the Legislative Journal.) All of those will be referred to the Executive Board.

Mr. President, I have amendments to be printed to LB 1059 by Senator Hall. (See page 1362 of the Legislative Journal.)

Enrollment and Review reports LR 239CA to Select File with E & R amendments attached. Signed by Senator Lindsay as Chair of the committee.

SPEAKER BARRETT: The Chair would like to take a moment to introduce a couple of members, former members of this august body, in the south balcony. We have Senator Tom Kennedy, former Senator Kennedy from Newman Grove, and former Senator Richard Maresh from Milligan. Gentlemen, take a bow. Nice to see you back. Mr. Clerk.

CLERK: Mr. President, Senator Kristensen would move to amend the committee amendments. (The Kristensen amendment appears on pages 1362-63 of the Legislative Journal.)

SPEAKER BARRETT: The Chair recognizes Senator Kristensen.

SPEAKER BARRETT: Senator Hall.

SENATOR HALL: Mr. President, since Senator Morrissey does not want to use his own time, but prefers to use mine, I would offer that amendment and like to see how he votes. With all due respect to the Chair, I would withdraw that amendment at this time. I don't want to taint my resolution.

SPEAKER BARRETT: The amendment is withdrawn. Any further discussion on 284? If not, those in favor of its adoption please vote aye, opposed nay. Record, please.

CLERK: 32 ayes, 0 nays, Mr. President, on adoption of LR 284.

SPEAKER BARRETT: LR 284 is adopted. LR 285.

CLERK: Mr. President, 285 offered by Senators Langford and Kristensen asks the Legislature to designate or that the Safety Center Driving Range facility at Kearney State College be named the Ron and Carol Cope Nebraska Center for Safety Education and directs the Clerk to present a copy to Mr. and Mrs. Cope.

SPEAKER BARRETT: Senator Langford or Kristensen. Senator Langford, please.

SENATOR LANGFORD: Thank you, Mr. President. This resolution is to name the Nebraska Safety Center at Kearney after Carol and Ron Cope. During Senator Cope's tenure in the Legislature, he championed the Nebraska Safety Center. Since its infancy, he has watched it grow. Carol has served on the State Safety Board, both have been tireless volunteers in the community, acted in hospital board, church board and political party. Anytime workers are needed, Ron and Carol Cope show up to help. They have raised money for the Safety Center and have helped sponsor defensive driving courses, along with alcohol-free parties for youth. I have attended some of the alcohol-free parties and they are wonderful and the high school age children have a wonderful time. It is my pleasure to ask you to honor this devoted couple who have given so much of themselves to our State of Nebraska. Thank you.

SPEAKER BARRETT: Any discussion? If not, those in favor of the adoption of LR 285 please vote aye, opposed nay. Record, please.

March 15, 1990

LR 285, 289

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of LR 285.

SPEAKER BARRETT: LR 285 is adopted. LR 289.

CLERK: Mr. President, 289 was a resolution primarily introduced by Senator Elmer and a number of the members. It asks the Legislature to request the districts file with FERC a petition for rehearing or in the alternative a request for clarification of the February 14, 1990, order, and that the FERC be requested to stay execution of the order and to expedite its consideration of any petition for rehearing, that the Nebraska Department of Water Resources and other appropriate state and local agencies are directed to provide any information available which assists FERC in determining the potential impacts on recreation, fish and wildlife, irrigation, and power production resulting from the February 14, order, and that the Clerk send a copy to each entity specifically named.

SPEAKER BARRETT: The Chair recognizes Senator Elmer, please.

SENATOR ELMER: Thank you, Mr. Speaker. This resolution is one that has been very seriously considered over the past 30 days by Nebraska Public Power District, Central Public Power and Irrigation District, various state agencies involved with water use and protection in our state. The Federal Energy Regulatory Commission, February 14th, issued an order to Nebraska Public Power District requiring certain stream flows be maintained in the Platte River at the gauge at Grand Island, more than 200 miles from Kingsley Dam and Lake McConaughy. Given current climatic conditions and the predicted continuing dry weather in the watersheds in the Upper Platte, very serious consequences could result from these required releases. Hydrologic data that I have been given by NPPD and Tri-County show that by the end of 1992, given very dry conditions that are most probably going to take effect, Lake McConaughy could be virtually dry. This sort of exacerbates these conditions. Therefore, I am presenting this resolution. I don't know how many members have read it. It states: "WHEREAS, the Federal Energy Regulatory Commission (FERC) on February 14, 1990, ordered the Nebraska Public Power District (NPPD) in cooperation with the Central Nebraska Public Power and Irrigation District (Central) to maintain instream flows by releasing stored water to the Platte River for the benefit of four endangered and threatened species; and WHEREAS, NPPD is required in cooperation with Central to continue the

March 15, 1990

LB 989A, 1031
LR 279, 283, 284, 285, 289, 298

(Read brief description. See pages 1383-84 of the Legislative Journal.) LR 298 by Speaker Barrett, signed by other members, calls for an interim study, Madam President. (See page 1384 of the Legislative Journal.)

Hearing by Health and Human Services for certain gubernatorial appointments. (See page 1835 of the Legislative Journal.)

Confirmation reports offered by the Natural Resources Committee. (See page 1385 of the Legislative Journal.)

And new A bill, LB 989A, offered by Senator Wesely. (Read by title for the first time. See pages 1385-86 of the Legislative Journal.) That's all that I have, Madam President.

SENATOR LABEDZ: Senator Conway, would you like to recess us for lunch until one-thirty this afternoon.

SENATOR CONWAY: Yes, Madam Chairman, I move that we recess until one-thirty this afternoon.

SENATOR LABEDZ: All in favor say aye. Opposed nay. We are recessed until one-thirty this afternoon.

RECESS

SPEAKER BARRETT PRESIDING

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

SPEAKER BARRETT: Thank you. Any matters for the record?

CLERK: Mr. President, just that certain resolutions passed by the Legislature this morning are now ready for your signature. That is all that I have.

SPEAKER BARRETT: Thank you. While the Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 279, LR 285, LR 284, LR 283, and LR 289. Also, the Chair is pleased to announce that Senator Korshoj has some guests under our south balcony, Elma Thelma Thomas and Kay Bursheim, of the Nebraska Indian Community College at Winnebago. Stand and take a bow. Thank you very much. We are glad to have