

April 3, 1990

LB 571A, 843A, 1055, 1221
LR 419, 420

SENATOR HALL: Senator Moore, I would be willing to say that that's a very good bet.

SENATOR MOORE: Okay.

SPEAKER BARRETT: Have you finished, Senator Moore? Okay. Any other discussion? If not, the question is the advancement of LB 1055 to E & R Engrossing. All in favor say aye. Opposed no. Carried. The bill is advanced. LB 1221.

CLERK: Mr. President, on LB 1221 I have E & R amendments, Senator, first of all. (See E & R amendment AM7200 as found on page 1738 of the Legislative Journal.)

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move the adoption of the E & R amendments to LB 1221.

SPEAKER BARRETT: Any discussion? If not, shall the E & R amendments be adopted? All in favor say aye. Opposed no. Carried. They're adopted.

CLERK: I have nothing further on the bill, Senator.

SPEAKER BARRETT: Senator Lindsay.

SENATOR LINDSAY: Mr. President, I move that LB 1221, as amended, be advanced to E & R for engrossment.

SPEAKER BARRETT: Any discussion? If not, those in favor of the advancement of LB 1221 say aye. Opposed no. Carried. The bill is advanced. Mr. Clerk, items for the record.

CLERK: Mr. President, Enrollment and Review reports LB 571A is correctly engrossed, LB 843A is correctly engrossed. LB 843A, line 58, all reported correctly engrossed, both signed by Senator Lindsay. Bills read on Final Reading were presented to the Governor as of 5:29 p.m., Mr. President, new resolutions: LR 419 by Senator Wesely, Chizek, Nelson, Lindsay, Hall, Korshoj, asking the Legislature to call on ConAgra to retain the County General Stores headquarters in Grand Island; LR 420 by Senator Scofield asks the Legislature to recognize and commend all volunteers of the Cooperative Extension Boards, 4-H and Home Extension Clubs, that will be laid over; amendments to be

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Then the other one was for the Motor Vehicle Industry Licensing Board, Mike Gorges from Omaha; no negative votes on that appointment and would recommend that the Legislature approve the committee action.

PRESIDENT: Thank you. Any further discussion? If not, the question is the approval of the confirmation report. All those in favor vote aye, opposed nay. Have you all voted? (Gavel.) Please vote if you care to. Record, Mr. Clerk, please.

CLERK: 26 ayes, 0 nays, Mr. President, on the motion to adopt the confirmation report as offered by the Transportation Committee.

PRESIDENT: The confirmation report is adopted. Number six, Legislative Resolutions.

CLERK: Mr. President, I have a motion with respect to those resolutions. Senator Lynch, as Chair of the Rules Committee, would move to suspend Rule 4, Section 5, and consider certain numbers of those resolutions this morning together.

PRESIDENT: If I could have your attention a moment, please pay attention to Senator Lynch's motion for a few moments. Senator Lynch.

SENATOR LYNCH: Mr. President and members, if I could have your indulgence and consideration of this motion. I know that Senators Dierks, and Rogers, and Chizek, and Conway, and Hefner, and Wehrbein, and Schellpeper, and Withem, and Langford, and Chizek, Baack, and Scofield, all have resolutions, as do I. All of them deserve to be read and heard this morning. However, they are printed in the Journal and will be provided to the appropriate people, understanding that we did, in fact, and will, in fact, consider these important resolutions. What I would ask your indulgence is to support this suspension of the rules so that LRs 401-405, LRs 407-417, all except LR 420 by Senator Wesely is included in this...

PRESIDENT: Excuse me, do you mean LR 419?

SENATOR LYNCH: LR 419, yes, I am sorry, LR 417 and LR 420, all except LR 419, and it simply to allow us to not read the resolutions and vote to support all of these with one vote. I would ask for your support. I think it might save us time this

eight room school and that was, in fact, the official Florence School that we honor today, and I appreciate your support for its 100th centennial. With that, unless there are any other comments from any other people's resolutions, I would move the adoption of these.

PRESIDENT: And the question is to suspend the rules so that we can vote on all of these resolutions at one time. It requires 30 votes. All in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 31 ayes, 0 nays, Mr. President, on the motion to suspend the rules and adopt the resolutions as identified by Senator Lynch.

PRESIDENT: The rules are suspended and all of the legislative resolutions are adopted with the exception of LR 419 which we will take up now.

CLERK: Mr. President, LR 419 was a resolution introduced by Senators Wesely, Chizek, Nelson, Lindsay, Hall, Korshoj. It's found on page 1861 of the Journal. It asks the Legislature to call on ConAgra to retain the Country General Stores headquarters in Grand Island, Nebraska.

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. President and members, Senator Chizek, Senator Lindsay, Senator Nelson, Senator Hall, Senator Korshoj and myself are all on this resolution. I hope all of you will support it as well. We, obviously, have a concern that's been expressed somewhat through an article that was written that I have distributed in the World-Herald recently. Maybe you have had a chance to read it in the past. But ConAgra, which has a number of subsidiaries, including one called Country General Stores, and they have like Wheelers and, let me think, S&S and some others...and Country General are the different types of stores that they operate under Country General Stores. Now that's headquartered in Grand Island, Nebraska. They have about 300 people working there and up in O'Neill they have a warehouse with about 40 or 50 people. So we're talking about 350 or so jobs. But this doesn't take into account the jobs and work involved with suppliers that are involved with this operation in Nebraska and those suppliers I have talked to and others in the body have talked to that would

indicate that the different sales they make to Country General Stores would be transferred if this company is transferred to Tennessee. And so there would be loss of jobs and loss of income much beyond the 350 jobs we're talking about immediately involved here. Anyway, this Country General Stores and these employees, it is now rumored, could possibly move to Nashville, Tennessee. ConAgra is looking to purchase T.S.C. The T.S.C. Company is headquartered in Tennessee. The thought that has been expressed by those close to the situation indicate that they believe that the purchase of T.S.C. by ConAgra will result in these 350 jobs and the headquarters and all operations involving CSG...or CGS would be moved out of the state. One of the indications of this, I have passed out as well, is a resource data sheet from Country General Stores that was recently distributed to employees and there you will see ability and desire to locate, relocate, among other questions. And the employees are clearly indicating they're concerned that what they're looking at is a relocation. And, in addition, there was a handout that Senator Hefner put out that the Governor...he put it out to deal with Waldbaum's egg plant, but if you look, there is also an article about Governor Orr and she has indicated her desire to try and keep Country General Stores headquartered in Nebraska. Well, here's what...if you'd take a chance to read the resolution, what it says is, very similar to what we took as a resolution we passed here, I believe last year, dealing with Goodyear. If you recall, Goodyear was looking at moving a warehouse out of Lincoln and moving it to Iowa. And so I and others drafted a resolution calling on them to stay in Nebraska and we have talked about the benefits that they received under LB 775 and other benefits and we said, look, we've tried to bend over backwards to work with you, we have been good. We believe in our business climate. We specifically looked out and tried to assist you and we think that you ought to stay here, that we feel that we deserve to have your continued presence in Nebraska. And we sent...we passed it, we sent on to Goodyear and through that effort and other efforts we were successful and they reversed their decision and are, in fact, staying in Lincoln and will be expanding here and that's very good for us. Now I hope we'll be that successful with this resolution, I don't know. But anyway to indicate to the leadership of ConAgra this resolution would go to the Board of Directors and to the management of ConAgra. We are trying to let them know once again that when they asked for our help, when they came to us in 1987 we helped and although I have been critical of LB 775, I want to again reiterate I voted for that bill and I voted

specifically because of the situation with ConAgra, specifically I was concerned about them leaving and I think many others as well were concerned. And so now for those of us who voted for that, who cared about them, we're asking for them to care about us, that these individuals and their jobs and this headquarters is important to Nebraska and we understand that there may be advantages to them to move to Nashville, Tennessee, but, at the same time, we think there are advantages for them to stay here, that we have the business climate, we have the commitment to economic development to business growth and that ConAgra should recognize that and, hopefully, they haven't completely made up their mind, haven't formally made the decision, although there are a lot of indications, rumors that they have and, hopefully, that's not the case that they would decide to make the decision if they do, go ahead with the purchase of T.S.C. to transfer those employees back here to Nebraska versus our employees going there. That would be a big plus for our state. I think it would end up being advantageous to ConAgra and it would be mutually beneficial. So, with that, I know some others will have some discussion to make, but I think it's important for us to stand up and be heard on this, to let ConAgra know we care and to let Grand Island know we care and to all those businesses and individuals affected by this that we do care about them and hope that we can do something about this situation.

PRESIDENT: Mr. Clerk, I understand we have an amendment to the resolution.

CLERK: Mr. President, Senator Warner would move to amend the resolution. (The Warner amendment appears on page 1927 of the Legislative Journal.)

PRESIDENT: Senator Warner, please.

SENATOR WARNER: Mr. President and members of the Legislature, I first requested a statement which I would like to read from ConAgra as to what the situation is since whatever it is was in the paper, probably not full accurate detail, not...because I assume any kind of business discussions are never finalized. So this statement was...

PRESIDENT: Excuse me, Senator Warner, Senator Chizek, for what purpose do you rise?

SENATOR CHIZEK: Is he reading the amendment now?

PRESIDENT: Are you reading the amendment now?

SENATOR WARNER: No.

PRESIDENT: No. Okay, Senator Warner, proceed, please.

SENATOR WARNER: What I'm stating, I'll...generally what the amendment does it strikes bulk of the reference to that a whole lot of legislation was passed solely or primarily for ConAgra. It strikes those references. It doesn't strike the reference to the Country Store but it does strike the reference that...because, obviously, there is a whole lot of businesses in Nebraska, and I didn't vote for the bill, you know, that benefit from it and I struck those kinds of references. But the statement I would like to read first, ConAgra...which was given to me this morning, ConAgra appreciates the opportunity to make a statement to the Legislature regarding LR 419 and the headquarters of the Country General Stores in Grand Island. In total, ConAgra employs about 1,800 people in Grand Island, principally in a meat processing plant and in nonheadquarters operations of Country General Stores. Country General Stores headquarters employs about 100 people. There are, in fact, discussions between ConAgra and Tractor Supply Company. These discussions have not been concluded. Therefore, there is no decision to merge companies, let alone a decision to move either headquarters. These are similar to many such discussions between ConAgra and other companies, most of which do not lead to business combinations. The 1987 economic development package indeed was good for Nebraskans. The package has attracted over \$2.5 billion in new investment and has led to the creation of more than 22,000 new jobs. ConAgra is proud of the Nebraska Legislature's courage and commitment represented by the economic development package. When you enacted the package by a resounding majority, you sent a clear message that Nebraska is good for business. ConAgra is also proud of the role our company played in supporting the economic development package and in contributing to Nebraska's economic development growth. Since 1987, ConAgra has committed to adding over 800 new jobs in Nebraska as part of four major projects in Omaha, South Sioux City, Hastings and Lincoln. Moreover, ConAgra's total employment in Nebraska has risen from about 500 people 10 years ago to 5,000 today. Finally, ConAgra wants to assure you of two things. We are sensitive to and give full consideration to the effects of business decisions on people and communities. And,

two, ConAgra has a major continuing commitment to economic growth and job creation in the great State of Nebraska. In light of ConAgra's record and the economic commitment we share with the Legislature, we respectfully suggest that LR 419 is not necessary. What I have done is I read the resolution this morning and I apologize not having something prepared to hand out, but it's fairly simple and, in fact, what I filed was just the striking language. But on page 1861, the first...I will read it as it would read. I leave the first Whereas as it is. The second whereas, strike the words "to encourage ConAgra" because I would think that we would want, as a Legislature, to know that we want to maintain and expand all business opportunities wherever they may be. And then in the third whereas I struck the portion just relative to ConAgra and other so it would read that 775 was to provide tax incentives for Nebraska corporations in total. Then the third, the next one that makes reference to three bills passed that session, I struck it in its entirety. I don't believe that again that those bills were enacted for the benefit of any one particular corporation. I leave the next one intact because that's factual. I struck the bottom one which says there are reports that they may relocate. As you can read there, there are discussions but even a merger apparently has not taken place. And then on the top of page 1862, in the last whereas I struck the word "ConAgra" and simply say that we're committed to working with Nebraska businesses to maintain expanded presence in Nebraska and I'm sure we will want this, be on record of being in support of all business in Nebraska to expand. And then in the Now Therefore Resolved that the Legislature instead of calls on ConAgra simply encourages ConAgra to retain Country headquarters in Grand Island. It seems to me that if the purpose of the resolution is to call attention to the advantages of economic development that Nebraska has enacted, particularly in the area of 775, a bill which I did not vote for, unlike Senator Wesely, and I think Goodyear would have been a very good reason for me to have voted for it, 'cause that's where I certainly had more attention at that point was from Goodyear Havelock plant than I had from any other area of the state. But it seems to me that we ought to concentrate on the benefits of that package that the overwhelming majority of this body supported and recognize that we want to apply this resolution to every business, every opportunity and certainly it would be in error to suggest that all those economic development incentives were enacted for the benefit of one firm in Nebraska. The mere record shows that's not true by the number of business that have

taken advantage of expanding and providing job opportunities because of the enactment of those tax incentives. So I think with those corrections then the resolution really reflects what this body ought to want to reflect and that is to encourage all businesses, we, obviously, cannot...I have no idea how many other negotiations may be going on somewhere in the state. I assume there are many and I would not want to restrict the feeling of this body only to one company when that may well be going on with many and I think we would all...I would surely think we would all want to encourage any business to take that into account and not just limit it to one. So I would move adoption of the amendment as I have described it.

SPEAKER BARRETT: Thank you, sir. Before proceeding to discussion on the amendment offered by Senator Warner, Senator Abboud is announcing some guests in our south balcony. We have 40 fourth graders from Seymour in Omaha, with their teachers. Would you people please stand and be recognized? Thank you. We're pleased to have you as our guests this morning. Senator Chizek, for discussion on the amendment, followed by Senators Hefner, Pirsch and Nelson.

SENATOR CHIZEK: Well, it's difficult to separate Senator Warner's amendment from the resolution. Unlike Senator Warner, I supported 775, sponsored 270, introduced the resolution at the end of that session that was almost unanimously voted on by members of this body, encouraging those people who take advantage and expand in our state to use Nebraska based companies, Nebraska based employees. I went and met with ConAgra. I met with US West. I met with Union Pacific, with a number of my colleagues in this body, and discussed the issue about utilization of Nebraska based companies, corporations, et cetera. I recognize a business decision about moving a company. What is difficult for me, colleagues, to deal with is the fact that I called to ask some questions. I couldn't even get my call returned. I couldn't even get my call returned. Three or four of us are a resolution. I received no letter. Senator Wesely, question.

SPEAKER BARRETT: Senator Wesely, would you respond?

SENATOR CHIZEK: Did you receive a copy of the letter?

SENATOR WESELY: No.

SENATOR CHIZEK: Senator Nelson, question.

SPEAKER BARRETT: Senator Nelson.

SENATOR CHIZEK: Did you receive a copy of the letter?

SENATOR NELSON: No, I did get my call returned. No.

SENATOR CHIZEK: Okay.

SENATOR NELSON: I never seen it till now.

SENATOR CHIZEK: Okay, I don't know how many others did not receive the letter. Now, I have talked to people who have told me it's a done deal, it is a done deal. I have talked to people that told me they are going to Nashville with their family, husband and/or wife, to look at the climate to see if they want to move there. Unlike some of my colleagues, I don't want to change 775 at this point in time, but what I want to do is to remind people that take advantage whether it's through a merger, colleagues, or an acquisition that if, in fact, tax benefits are going to be derived from the taxpayers in this state, that you have an obligation to this state. That obligation would include not moving 300 to 400 jobs out of this state. That obligation includes not the satellite jobs, the manufacturers' reps and so on that deal with these companies or corporations. Is it an unreasonable request for this body to ask a simple question if you're going to take advantages from the people in this state, give something back to her people.

SPEAKER BARRETT: One minute. Thank you. Senator Hefner.

SENATOR HEFNER: Mr. President and members of the body, I rise to support Senator Warner's amendment to this resolution. I think in this resolution we're singling out one company and Senator Wesely said that he supported LB 775 for ConAgra. Senator Wesely, I thought you supported LB 775 for Goodyear. And just...if I recall and it's been several years ago and I didn't have time to look this up but I was on the Revenue Committee at the time and I believe that Goodyear wanted LB 775 so they could get some tax credit on their expansion and, as I understand it, they were going to expand their plant to the tune of about \$60 million and LB 7...and they wouldn't provide any new jobs. And they was going to do it in three phases, 20 million to start with and then another 20 million and a third

\$20 million. And so, in this bill, we also had a section in there that if you invested \$20 million and didn't provide any additional jobs, you would still get the tax credit. And I supported that because I felt that we wanted to keep Goodyear in Nebraska. But then they came back, Goodyear came back a year later and reported to us that during their first phase of expansion they did add jobs so that meant that by allowing them a tax credit on the \$20 million that they did add jobs and that's what this is all about. We want to add jobs here in Nebraska. We want to stop that out migration and I believe with LB 775 and LB 270 that Senator Chizek was a sponsor of and I believe I signed on with him on that, that did stop the out migration starting in 1987 or 1988. But this...and I think this is great, because if we create jobs, these employees, they pay sales tax, they pay state income tax, they pay property tax and so in the end I feel that our state's going to be ahead. I talked to you a little bit about Waldbaum's expansion in the Knox County area, near Bloomfield. I had an opportunity to be there when the Governor announced this and this will create 60 new jobs to start with, 55 or 60 new jobs to start with. And they tell me that this is about the same in the small rural community as 14,000 new jobs in Omaha. So I'm certainly very pleased with that. And when...when I visited with the Governor about this and she made that announcement, we also talked about the ConAgra deal, about the ConAgra buying out or merging with T.S.C. and she told me that she would do everything in her power to try to talk to them to keep those jobs here in Nebraska. But I don't know, when you...when you're operating a business sometimes you've got to consider all phases of what's best for your particular company. But I just want to talk a little bit more about the positive aspects of LB 275...

SPEAKER BARRETT: One minute.

SENATOR HEFNER: ...or LB 775 and LB 275 (sic). Forty percent of the new jobs created by these two bills are outside of Omaha and Lincoln, so it's really helping rural Nebraska too. During 1983 and '86, 42 counties gained jobs and 50 counties lost jobs. But after LB 775 and LB 270 went into effect, 78 counties gained jobs and only 13 counties lost jobs. So that's real good. Also, the average annual wage in Nebraska went up after these two bills took effect...took effect. So I think we need to consider all aspects of that. But getting back, I'm going to support Senator Warner's amendment to the resolution and then I'm going to support the resolution...

SPEAKER BARRETT: Time.

SENATOR HEFNER: ...and, hopefully, we can get ConAgra to keep those jobs in the Grand Island area.

SPEAKER BARRETT: Senator Pirsch, please.

SENATOR PIRSCH: Thank you, Mr. President. I, too, have a great concern with the proposal that...or the rumor, I guess, we should say that the Country General would go to Nashville, Tennessee. And when I read that resolution and heard from those people who were trying to generate some enthusiasm and some pressure on ConAgra, I realized that...or, well, I called, actually, and heard that this is very tentative, that there are negotiations. But I think particularly in Omaha we recall the Enron merger which was very difficult and where Omaha lost a lot of jobs and we want to encourage ConAgra and I was prepared to vote for this amendment...or to vote for this resolution without amendment but, as I reflect and as we reflect this morning, I think we can see that Senator Warner's amendment does indeed make it more general, does indeed make it on a larger scale and does also announce that we, in the State Legislature, have done those things which has allowed Nebraska to expand and to grow with new jobs. And so, yes, maybe we should focus on that larger picture and on that larger good that we can accomplish by the things that we have done in this body. So, with that, I am prepared to support Senator Warner's amendment and send the message loud and clear of our support for business and then support the legislative resolution. And I thank Senator Wesely for his bringing it to our attention because I think in bringing it to our attention we can also focus on other companies, other businesses and do let them get the message that we want to keep them in Nebraska and that we want to continue the economic development in progress that we started in 775 and the other initiatives that we have done. So I support the amendment and indeed support the resolution.

SPEAKER BARRETT: Thank you. Senator Nelson, followed by Senator Wesely.

SENATOR NELSON: Mr. Speaker, members of the body, I suppose that I am probably more involved in this than probably the other senators, in fact, actually I just handed...got handed to me the Grand Island paper, so for once I did get some coverage, I will

guarantee you that, in the paper. I have mixed emotions about Senator Warner's amendment. After all, today we are talking about the Country Gentleman (sic) Stores. We are talking about a possible relocation and that's exactly what the issue is. It's very easy to stand up and make generals and so on and so forth and, Senator Hefner, well, we have Bloomfield and we know...I happen to know the Waldbaum company, I worked for them for years, for Milton Waldbaum. And that's the way the egg business is, and so on, but to bring other things in it, but what we're talking about today is the Country Gentleman (sic) Stores. First of all, I do want to say ConAgra does have approximately 1,800 or so employees in my area. And I also want to say, as far as I know and have ever heard, they are very good employers. They give benefits and I have never heard anyone criticize them and that's very unusual, such a large employer as that. There may be criticism there but not that I'm aware of. Also, I guess that I did get the courtesy of a call returned to me yesterday afternoon. If fact, if most of you noticed, I was off of the floor a good part of yesterday afternoon and that was in conversation with Grand Island and Grand Island Industrial Foundation people and with ConAgra officials. And, as I told them my experience is, and you start at the top management, if possible, and that I did. They were very considerate and I can appreciate their position. They are a very large, a very growing corporation. I think they're expanding somewhere, I don't know, like 20 percent a year, and that is to their credit and to their management. And I am aware that many companies buy out another company. My daughter worked for a big medical supply company in Denver and would you believe a shipping company bought them out, moved the whole thing from Denver to Dallas almost instantly. So that does happen daily. And to this transaction, I think to ConAgra this is just another daily business transaction and that's simply the way it is. They did acknowledge that their...I guess as one person put it, anybody that...everybody that is anybody is being flown to Nashville right now. Also, they may be flying people from Nashville back to Grand Island. So...and I am aware that geographic location makes a difference. The air line problem that we have in Grand Island may be a contributing factor. And, myself, the same way with the other senators, I have a great concern because of LB 775 and the benefits and the many, many discussions, hours and hours that went on a few years ago. But again, on the other hand, I can say that I know how business is and large corporations, and this is a business deal with them. I am, as I say, almost disappointed in Senator Warner and, I guess

hopefully that I don't go into his district and take it very lightly any time that there is something like this.

SPEAKER BARRETT: One minute.

SENATOR NELSON: The town of O'Neill will be losing approximately, I don't know, 25, 28, 30 employees. That was expected. We're talking about only the management employees. We're not talking about maybe at this point the distribution. So we're talking about a 100 employees or so. I also want to, for the record, say that ConAgra, in our community, with the educational park and so on they have been very cooperative and so as far as an employer and as the company I have mixed emotions. I can't...I certainly am very proud to have them in our community. I am as disappointed as anyone else and I...and also for them not giving out a lot of information, I guess that sometimes you don't tell the neighbor that you want to buy his...or the farm beside you, you buy the farm and then you let the news out. But, again, I'm willing to work with them.

SPEAKER BARRETT: Time has expired.

SENATOR NELSON: I am very disappointed because of the benefits given, but I will try to work with ConAgra the best possible.

SPEAKER BARRETT: Senator Wesely, followed by Senators McFarland and Warner.

SENATOR WESELY: Thank you, Mr. Speaker and members, I, too, I guess am somewhat disappointed in Senator Warner's amendment. This resolution is offered in good faith. It...I think if you read the language of it, you will see that there is no problem, really. I think ConAgra has, obviously, had either its nose tweaked like that of a bear, or perhaps it's its conscience that's bothering it with the language that we have in here. But, in any event, we've gotten their attention. Even before we have taken a vote on this resolution, they, obviously, are aware of it and recognize the concern that is being expressed here. So, in some ways, we have already achieved our goal. But let me run through some of the language here. And, first, let me also respond to Senator Hefner. Senator Hefner, Goodyear was involved in legislation in 1987 but I introduced a specific bill to deal with their particular problem to give an exemption on manufacturing equipment and we got held hostage. We got that bill killed by Senator Vard Johnson and that provision was

thrown into LB 775 and we got taken along for a ride along with a whole bunch of other people because they wanted 775 and it ended up that that's what we had to take and that was all we could get. But that...the primary purpose of 775, in my view, was to keep ConAgra in Nebraska. It was helpful perhaps to other businesses, obviously, but I think from a handout I have ConAgra says it will stay, as Governor Orr signs bill, big headlines here. We all know it. Let's not be naive and let's not take ourselves for fools, we know what we were dealing with with that bill in 1987. It was ConAgra that pushed the bill through. It was ConAgra that wanted the legislation. It was ConAgra that made that legislation ultimately successful. It wouldn't have happened without them. Let's understand that. Yes, others benefit; yes, others are involved, but let's not...I'm no fool and I'm no idiot and I don't appreciate the idea that this legislation referencing ConAgra and their benefits from it is anything more than it is but the facts. Here's another article, Harper says jump, Legislature jumps. We know what the perception is, we know what the reality is and it is that ConAgra was heavily involved with 775. Their attorneys were hired to draft the legislation. They were hired to lobby the legislation and they were integrally involved in that legislation. So let's get back to what the resolution says then. We say in the one section that Senator Warner wants to pull out is that state and local government officials have worked to provide an excellent business climate, I think that's true, and to offer assistance to encourage ConAgra to maintain and expand its operations in Nebraska. This is virtually the same language as in the Goodyear resolution we had and we were specifically putting that in there because, what did Omaha do? Omaha specifically offered assistance to help ConAgra with their expansion project. That's what I was thinking about there. And in Goodyear we had similar types of assistance going on from the City of Lincoln. So there was specific offer of assistance and help provided to ConAgra as they did their expansion program in Omaha. That is factual. I don't see why we need to take that out or change that. The next section talks about we, the Nebraska Legislature, passed LB 775 in 1987 to provide tax incentives for ConAgra and other Nebraska corporations to invest and create jobs in Nebraska. Absolutely, it was for ConAgra and other Nebraska corporations. It doesn't say just for ConAgra, but it was for ConAgra and other Nebraska corporations. That's factual, I don't see a need to change that. The next one, Whereas ConAgra has received substantial benefits from LB 775, LB 773 and LB 772, all passed in 1987, and other changes to

Nebraska's tax system, that's factual too. They have received substantial benefits, 775, obviously, they have applied for, received benefits. We don't know how much but it's substantial. LB 773, they also wanted, and that also provided breaks for their higher paid executives. And LB 772 changed the formula for corporate taxes that had a tremendous impact for particularly companies like ConAgra. And, as for other changes, I'm thinking about 1124 and 270 and other legislation we have passed that have enabled other breaks to be available to companies and they're all there available to ConAgra. The next section that Senator Warner wants to change is Whereas reports indicate that ConAgra may relocate its headquarters for Country General Stores from Grand Island to Nashville, what's inaccurate about that? Absolutely, there are reports...

SPEAKER BARRETT: One minute.

SENATOR WESELY: ...I passed out the report, it's in the paper, that there are...they may relocate. Is there any denial of that? It's a possibility. We don't say they will, we're saying that's a possibility. And then we go on to talk about remain committed to working with ConAgra to maintain and expand its presence in Nebraska. That's specifically again the other resolution we had on Goodyear. We specifically had that same language. We want to work with Goodyear. We want to work with ConAgra. This is a specific resolution going to ConAgra. What Senator Warner would have you do is water it down to a point where it doesn't make the point that it needs to make that we have bent over backwards in this particular case with this particular company and with all companies we have been trying to be helpful but we're dealing with one particular issue right now and that's why it's specific. That's where the "calls on" versus "encourages", you know, I don't know that there is much difference there. All I am saying is that all of the facts involved in this resolution, I think, are accurate, that the resolution speaks for itself and that I would oppose the Warner amendment and feel that this very much hits the point that needs to be made to ConAgra.

SPEAKER BARRETT: Time.

SENATOR WESELY: And they have evidently heard it.

SPEAKER BARRETT: Senator McFarland, please.

SENATOR MCFARLAND: Thank you, Mr. Speaker. I appreciate Senator Warner's attempts here to amend the resolution and I don't think it's necessary. I appreciate the perception, maybe, by some of the members who voted for the bill that they were voting for more than just ConAgra. I see that that amendment that Senator Warner introduced attempts to include all businesses in it. But I also appreciate Senator Warner when he voted on LB 775 and voting against it. I think it was a vote of understanding and made a statement about the type of policy we were enacting. Nevertheless, I really think we're deceiving ourselves if we're trying to say that 775 was not enacted at the behest of and under the direction of ConAgra. There are stories, and I'm sure they're substantially true, about ConAgra's lawyers being down in the Revenue Committee offices, all during 1987, drafting language, suggesting language, proposing language, amendments and what have you to LB 775 itself. As a matter of fact, here recent when someone told me that Senator Johnson, who was head of the Revenue Committee at that time, in fact, said that...said to some of the lawyers in exasperation, he said to the ConAgra lawyers, tell me what you want and we'll put it in the bill. And they did, I mean, you take a look at the specific provisions of that bill, including the provisions to give tax credits for corporate jets, that whole bill was structured and could not have been more customized in its drafting than for ConAgra itself. There was another joke about ConAgra's lawyers that someone told me that they were around the Revenue Committee offices so much and the standard joke was that not only do they wear suspenders, they wear belts too. These fellows were down there trying to give every economic break they could in that bill to ConAgra, squeeze every penny of concession out of the Legislature that they could and that's what they were hired and trained to do and that's what they were paid very well to do on behalf of ConAgra. Some of the newspaper accounts of that time period have been circulated already and all anyone has to do is go read the newspaper accounts during that 1987 legislative session and the Conway amendment that was added and ConAgra then threatened to leave the state if the amendment was not withdrawn. And so we came marching in and the majority of this body voted to withdraw...to strike the Conway amendment, and all the threats and intimidation that was going on, it was clear what that bill was designed to do. So I don't think the amendments that Senator Warner proposes really are going to change that perception or that...or that reality that it was specifically enacted for ConAgra. And I don't plan to vote for the

amendment. So I think Senator Wesely has brought a straightforward resolution. It is not as condemnatory as I would make it. If I were going to write this resolution, it would have a lot of other things that I'm sure Senator Warner would want to strike. But I think it's fairly reasonably drawn and fairly drawn.

SPEAKER BARRETT: One minute.

SENATOR MCFARLAND: It asks...it asks for ConAgra to keep that particular organization within Grand Island and that's only fair. I would like to just read one thing. We talk about all the great benefits that 775 brought. There is a headline about the state's economy gets poor grades in today's paper and it talks about a corporation that evaluated the economies of the various states and called us one of the couch potatoes of economic innovation. It graded the states on 150 economic policy measures. Nebraska received a C in economic performance, a D in business vitality, C in developmental quality, and an F in state policy. It closes, it says, although Nebraska's unemployment is among the lowest in the nation, its jobs pay poorly and offer average health benefits. LB 775, the jobs that it's creating are low paying,...

SPEAKER BARRETT: Time.

SENATOR MCFARLAND: ...they're not stable jobs and I don't think it's...that 775 is in any way achieving its objectives. Thank you.

SPEAKER BARRETT: Thank you. Senator Warner, followed by Senators Goodrich and Chizek.

SENATOR WARNER: Mr. President and members of the Legislature, I...nowhere have I said nor do any of the amendments I propose strikes the legislative concern that we would like to have should any change occur in this business discussion of...apparently that's going on. Nowhere do I say in it or do I strike any language which suggests that we would not like to encourage ConAgra to, in their operation, maintain that headquarters in Grand Island. Every bit of that is there. Every bit of it is there. I understood 775 was enacted to benefit all of business throughout Nebraska and only thing I have stricken are those things, it seems to me, pinpoint specifically that it was only for ConAgra. And if that was

true, I assume that would have been the only one that would take advantage and we all know that's not true. I'm not arguing against the resolution. I haven't said that we shouldn't pass it. All I'm saying is that the whereases ought to reflect a state policy which is to encourage the expansion of jobs and business in Nebraska. That's as...in its totality. Now it doesn't take a lot of...if we're making suspicions, and I could pick up those whereases all day long, I suppose, and say, well, look the Legislature even said by resolution that the only reason they enacted it was for one business company in the state and yet there are many, many businesses that were affected. And that's all I'm attempting to do is make the whereas, in fact, reflect what I assume was the feeling of the majority of the body that they were helping business throughout the state and encourage jobs throughout the state and, in fact, that's what has occurred. Philosophically, I do not like tax incentives, no question about that. I've voted against them for the last 10, 15 years, including exemptions that were enacted a time or two. But if you want to pass the resolution, which I have no objection to, then don't...don't mix it in with something that goes beyond or narrows, actually, narrows what that state policy, in fact, does, and that was to encourage jobs and business everywhere. That's all my amendment does. I do not strike one single thing which has the impact of the Legislature not saying that they want to encourage those headquarters to stay there.

SPEAKER BARRITT: Thank you. Senator Goodrich, please.

SENATOR GOODRICH; Mr. President and members of the body, I rise in wholehearted and enthusiastic support of the Warner amendment. I'm going to make a suggestion here and that is that not only ConAgra but a lot of companies in Nebraska are constantly talking to other companies throughout the United States and the world even. Thank goodness they do. Over the last 10 years, ConAgra's employment in Nebraska has grown from 500 up to a present number of 5,000, and the more they talk to other companies across the United States and the world, the better off we are because they will continue...ConAgra and among other companies will continue to acquire other companies. ConAgra, for example, owns about a dozen major companies. They own over 30 minor, what I call minor companies. The more they own, the stronger they are; the stronger they are in Nebraska, the more employment they will have in Nebraska at their headquarters right here in Nebraska and, consequently, let's

hope and pray they continue to talk, not only ConAgra but the other companies in the state continue to talk to other companies and continue to grow and continue to create more jobs. The other thing I would like to suggest is that before we jump into resolutions like this and respond to every whim of a reporter that wants to put a piece in the paper, let's talk to the people involved. I have always found in the years of experience that I have had that you may not agree with something you find in the paper, but if you go talk to the people, instead of jumping into the paper, go talk to the people involved. You get their perspective and you find out that, hey, this isn't near as bad as we jumped to the conclusion that it would be. I'm going to suggest that instead of jumping into these sort of things, let's talk to the people first and then if there's a legitimate beef, then we can introduce resolutions like this. I'm going to say that this body should adopt the Warner amendment and make this thing a lot more general than it is right now. I thank you.

SPEAKER BARRETT: Thank you. The member from the 31st Legislative District, Senator Chizek.

SENATOR CHIZEK: Mr. Speaker and colleagues, I agree a lot with what Senator Goodrich said, however, he's missing the point. That's what we're talking about, keeping jobs, expanding. We're talking about keeping them here. We're not talking about moving them to Nashville. And I tell you again, colleagues, it's a done deal. And you can...I don't know, Senator Chambers, how odds work, but you can give 10 to one that that acquisition is complete. I don't know whether that's good or bad. I'll have to ask the Clerk a little later, but (laughter) I think...I'm sorry, Pat. But you're missing the boat. There isn't...I stood up and said I supported 775. I carried 270. I am not personally trying to do anything to weaken 775 or any of those things. The company that I work for received benefits from 775, you all know that. What I'm saying, colleagues, is what's right is right and what's wrong is wrong. And, Senator Goodrich, I did try to call and I couldn't get my call returned. I tried to talk to the people involved. I know some other folks had some calls returned and they were told it was in the process of negotiations. I know again there are people and there are families flying to Nashville to look at property. Now, do you do that because you may sign a sales acquisition next week? And if this strengthens ConAgra, I want to help strengthen ConAgra, but I also want to keep the jobs in the State of Nebraska, period. And, interestingly enough, I, since 775 was enacted

into law, I haven't seen anybody from ConAgra here, here till today. I think it's interesting they can come here today but they can't return my telephone calls. I oppose the amendment. Senator Chambers, you can have the rest of my time.

SPEAKER BARRETT: About two minutes and 45 seconds.

SENATOR CHAMBERS: Thank you, Senator Chizek. Mr. Chairman and members of the Legislature, my light is on and I hope we get to it so I'll have a chance to give some more factual information than what I'm about to offer now, but in two minutes is not an opportunity to really develop anything. But 775 was ConAgra's bill. I fought that thing tooth and nail and that was when the Legislature really saw a demonstration of one senator trying to use the rules and every tactic to force discussion of a bill that was not even to be discussed. It was ConAgra's, that's the only reason it was here. And, Senator Warner, the resolution does say ConAgra and other business, but the reason ConAgra is emphasized is because ConAgra was the dog, the other little businesses were the fleas that were along for the ride. This bill, 775, never would have been enacted for those other little businesses. A lot of them whimpered, whined and cried, some of them shut their doors and stole off into the night like thieves because they knew they couldn't come to the Legislature and say, bail us out. ConAgra demonstrated the power that Senator Goodrich described and which has him shaking in his shoe leather. He talks about all the companies they own around the world and a company that awesome, that powerful certainly should not have anything done by this Legislature that that company does not want. The song, "Whatever Lola Wants, Lola Gets" was, that was a pseudonym for ConAgra and we all know it. Mike Harper would pound a table and the reverberations would be felt down here in this Legislature.

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: Senator Conway got an amendment to that bill and ConAgra found out about it and Mike...Mike Harper stammers a bit and he said he's not embarrassed by it anymore, he used to be. But that time when he expressed his anger about that amendment, they heard not a stammer or a tremor in his voice. The orders came down here, take that so-and-so amendment off that bill. And somebody said, do you realize you're talking to the Nebraska Legislature? He said, that's why I say it the way that I say it. I know who I'm talking to. Now tell them to get

that amendment off that bill. And a guy came and knocked on the glass and one of the minions ran out there and that guy gave that message and back in here he came and he said, M-M-M-Mike...Mike said to take the...the amendment off the bill. Now that's not the way Mike said it. This senator was so shaken and frightened that he stammered. And you know what happened? The amendment was immediately taken off. So if we remove the name of ConAgra from this resolution, there really...

SPEAKER BARRETT: Time.

SENATOR CHAMBERS: ...is no purpose for it.

SPEAKER BARRETT: Thank you. Senator Korshoj.

SENATOR KORSHOJ: Mr. Speaker and members, I was one of the no votes on the ConAgra bill and since 1987 I've become much kinder and gentler. I was the person that offered in '87 to get a fleet of semis, free of charge to ConAgra, and move them to the Kansas border to get them out of the state. I've changed my mind. I want to keep them in the state now and that's why I'm on this resolution. I think that we should try to keep them here, try to keep the jobs here. After all, Senator Chizek says that they haven't come back since 1987, why should they come back? There was nothing more they wanted, we give them everything. So there's no reason for them to come back. But this is a ConAgra resolution and that's why I'm against the Jerome Warner amendment. This is not a hard resolution, it's just...it's just stating a few facts. And so I think we should leave it as a ConAgra resolution and let it go as it is. And another reason that I've been in favor of a Wesely bill for more disclosure, I remember in 1987 Senator Hefner took me under the south balcony and he got out his pad and pencil and he said, just imagine, they're going to hire a 100 people and them jobs are going to pay \$35,000 a job. Well, I would like to see that in the statistics. What McFarland was reading, it says, this outfit in New York that rated us, says although Nebraska's unemployment is among the lowest in the nation, its jobs pay poorly and offer only average health benefits. I would like to see what these jobs are. We're not asking too much of Revenue to tell us what category the jobs are, what the pay is, have they increased the number, have they decreased the number, have they transferred some from one division to the next division? I just think that we need to know those things. The reason we need to know these things, individually, we don't need somebody

to analyze it, the 49 senators are going to have to make a decision in the next few years and I think the decision will be to get LB 775 off the books. Your next customers are the people you have now. You're just going to perpetuate no taxes for them, and there's parts of the bill that's okay. But I think LB 775 should be eliminated from the books and you should individually make those decisions, not let somebody tell you it's good here or it's bad there. Read and see what it's doing to us. And listening to Senator Chizek, he says he can't talk to them because they won't return a call. Goodrich said talk to them. Well, how can you talk to somebody that looks at you as a peon and don't want to talk to you, that you have nothing...nothing important to say to them, evidently. But I think we should keep them here and I think we should keep the resolution just as it is because we're talking to ConAgra. We're not pounding on them anymore. That's why I say, I'm kinder and gentler. I want them to know that I appreciate they're here, I appreciate the jobs, let's keep them, let's be fair to these communities. Do I have any time left, Senator Barrett?

SPEAKER BARRETT: Two minutes.

SENATOR KORSHOJ: That's what Senator Morrissey wanted. I will yield to him.

SPEAKER BARRETT: Senator Morrissey, please.

SENATOR MORRISSEY: Thank you, Senator Korshoj. Mr. Speaker and members, I think it's the job of the Nebraska Legislature to monitor our business situation in the state and when we see a situation such as the one developing that we should make a pointed response to that particular situation. A generic resolution, the power of a resolution is in question anyway, but a generic resolution I don't think is the way to go.

SPEAKER BARRETT: One minute.

SENATOR MORRISSEY: We see a particular situation here. We're telling ConAgra, you came to us, we responded, we're coming to you and we're asking for you to respond. The future is a different business situation. It isn't of us...cannot no longer be an "us" versus "them" in business and labor, it's got to be a "we" concept, we are the state, we gave you some benefits, it's a two-way street, we ask you to consider what we're asking you

and consider it strong, don't bottom line everything because we cannot continue to bottom line absolutely everything in the future. I oppose the amendment and support the resolution. Thank you.

SPEAKER BARRETT: Thank you. Senator Chambers, followed by Senators Hefner, Wehrbein, Abboud, Nelson, Peterson, McFarland, Lowell Johnson and Goodrich. Senator Chambers.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, that sounded like a law firm. Two years or so ago one element of ConAgra was merging with a Dupont element and they combined the names Ducon, D-U-C-O-N, and that's what the ConAgras do, they do con. But they don't just con, that's where you use slippery, slick talk. ConAgra is bare-knuckled and they use raw power. But, Senator Warner, you don't have to worry about this bothering Mike Harper because in this article from the World-Herald, May 31, 1987, it says at six-foot-six, 250 pounds, Harper also is one of the nation's largest corporate chief executives so he can take this little bit that we're doing. But this article says the following. "Last January, Harper took a similar direct approach in announcing his company might move its headquarters from Omaha. If the state wanted to keep ConAgra, Harper said, it should restructure the tax system and offer incentives to business. Last week, the senators approved the most controversial of the four bills, LB 775, Governor Orr's employment and investment growth measure. The bill had brought support from business and labor leaders. It was backed by Omaha Senator Vard Johnson, Chairman of the Revenue Committee. Nonetheless, the bill would not have become law if ConAgra hadn't said it might leave, said Barbara Botsch, lobbyist for the Greater Omaha Chamber of Commerce. You had to have a Mike Harper willing to stand up and say, 'We've got to have this', there had to be a catalyst, she said." Now, after what I said about ConAgra, let me read you the last couple of paragraphs of this article. They talked about the open attitude at ConAgra where Mike Harper would ask his employees, are you willing to tell the boss to go to hell? And I don't know what the response was. But, anyway, ConAgra's harshest critic during legislative debate was Omaha Senator Ernie Chambers who said LB 775 amounted to robbing the many for the benefit of the few. Harper said that and other criticism of ConAgra bothered him. "But does that mean we would change anything we do? Hell no. We will continue to tell what we believe is the truth. With ConAgra's open culture, Harper was asked, would Chambers fit in at the

company?" Listen to this answer, colleagues. "In some respects, he would, Harper said, he has courage." When Dan Rather heard that, he started ending his news casts with the word "courage". But did you hear what Mike Harper said? Despite the criticisms, ConAgra is not going to change anything and they're not going to stop telling what they think is the truth. This resolution is the truth and simply because Mike Harper or some of those people up there are embarrassed is no reason for us to change what this resolution says. What those people who will lose their jobs are going to feel and experience is something far more than the momentary discomfort or embarrassment of a ConAgra. But with all of the talk that I've said of how weak the Legislature is, it shows that when a resolution of this kind is offered, you will get the attention of those corporate giants. They don't want this kind of thing done and we should not let them short-circuit what we're doing. And before Senator Nelson has a conniption, Mr. Chairman, how much time do I have left?

SPEAKER BARRETT: One and a half minutes.

SENATOR CHAMBERS: Senator Nelson, I'm going to take my thirty seconds and then I will give you a minute. She's over here just jitterbugging and I've got to yield some of my time to her. So, Senator Nelson, you have the rest of it.

SENATOR NELSON: I'm almost ashamed to use it after that. Thank you, Senator Chambers. I do want to say that I had a little problem with Senator Goodrich and I know it's easy for everybody to jump on the bandwagon and be positive and be negative and so on. Here's a little assessment and we're talking to newspaper reporters as a whim, or so on, I don't necessarily agree to that. That's not exactly true. I have talked to a little higher than the newspaper reporters and people that are far more informed, I think. Senator Goodrich is just as bad off, one dozen major companies. They probably don't classify major or minor. And 25 minor companies, I would almost say four times that or five times that would be more right, and I admire them for being very good business people and being able to be so diversified. So when we're pointing figures... fingers here today and that some of us don't know what we're talking about and so on, I guess maybe he hasn't listened to me or I'm like Senator Crosby the other day, I've raised my kids and nobody listens. But I did tell you this morning...

SPEAKER BARRETT: Time.

SENATOR NELSON: ...and with that, I have tried too and to cooperate with the top management.

SPEAKER BARRETT: Senator Hefner.

SENATOR HEFNER: Question.

SPEAKER BARRETT: The question has been called. Do I see five hands? I do. Shall debate now cease? Those in favor vote aye, opposed nay. Record, please.

CLERK: 25 ayes, 0 nays to cease debate, Mr. President.

SPEAKER BARRETT: Debate ceases. Senator Warner to close on the adoption of your amendment.

SENATOR WARNER: Again, Mr. President, the amendment in no way restricts the ability of the Legislature to encourage the retention of the headquarters in Grand Island. That's exactly...that wording is all there that has the impact of doing that and certainly under the Now, therefore, be it resolved, would state that the Legislature encourages ConAgra to retain the Country General Stores headquarters in Grand Island, Nebraska. And that's the purpose of the resolution, as I understood it. What I did change was only in the whereases that reflects what I would think this body would want, the majority would want, and that is the enactment of the legislation which is referred to was, in fact, for a healthy business...a more healthy business climate for all parts of the state and for all businesses that might be affected, and that's all it does. And I would urge the body to adopt that amendment and then proceed and enact the resolution as nothing taken away other than...nothing taken away other than the implication, that's how it will be used, that the majority of this body passed the bill that primarily was intended to only affect one and I don't think that is true. I think a great many senators supported that bill because they felt it was good for the state as a whole.

SPEAKER BARRETT: Thank you. The question is the adoption of the Warner amendment to LR 419. All in favor vote aye, opposed nay. Have you all voted? A record vote has been requested. Please vote if you would care to vote. Record, please.

CLERK: (Record vote read. See pages 1927-28 of the Legislative Journal.) 28 ayes, 11 nays, Mr. President, on the adoption of Senator Warner's amendment.

SPEAKER BARRETT: The amendment is adopted.

CLERK: Mr. President, I now have a motion from Senator McFarland to indefinitely postpone LR 419.

SPEAKER BARRETT: The Chair recognizes Senator McFarland.

SENATOR MCFARLAND: Thank you, Mr. Speaker. I put this amendment...this motion up to indefinitely postpone the resolution with the expectation that there might be enough support in the body for to approve the amendment. I really think the amendment makes it a generic resolution without focusing on the real intent and purpose that Senator Wesely and the other co-sponsors had for the resolution and that's the reason I put the indefinitely postpone motion up. And I think it's appropriate. I don't feel like voting for this resolution in the innocuous form that it's in now. I would like to say one thing and that is I think we need to get out of the mentality that our state somehow exists for the benefit of ConAgra. Some of the statements that have been made on the floor this morning are like our whole purpose of existence is to make sure that ConAgra is very profitable and very successful in its business enterprises. We're not joint partners with ConAgra. We're not a body that is supposed to come in here and just kind of be a subsidiary of ConAgra's corporation so we can help them out whenever they need help. We exist to serve the people of our state and that's all the people of our state and all the businesses in our state, whether they be corporations, large or small, or businesses, large or small, or individual proprietorships, or working people who are employed. We represent everybody and when we narrow our focus and think that our only purpose is to benefit one corporation in Omaha because they were threatening to leave the state, I think we...we do a disservice to all the people of our state. I don't have much further to say. I would hope and I would hope that the bill's sponsors at this time might be considering withdrawing the whole resolution or at least amending the resolution. I would be glad to turn over my time to any of the sponsors of the...of the resolution so that they can have the remainder of the time to speak on it. And...would you like, Senator Korshoj? How about, Senator Nelson, would you like the rest of my time to speak on?

SPEAKER BARRETT: Senator Nelson.

SENATOR NELSON: I believe I've not visited with any of the other sponsors of the resolution. I know that ConAgra does know that we are very concerned and I'm sure that their attention, along with ours, has been brought by this this morning. And I will turn the rest of my time over to Senator Chizek.

SPEAKER BARRETT: Senator Chizek.

SENATOR CHIZEK: Mr. Clerk, I would just ask consent to have my name removed from the resolution, please.

SPEAKER BARRETT: If there are no objections. We will proceed to the list of those who presumably would wish to speak to the McFarland motion to indefinitely postpone the resolution. Senator Wehrbein, did you wish to speak to that matter?

SENATOR WEHRBEIN: Yes, Mr. President, just briefly. All I want to say, I oppose the kill motion. I think it's proper that we have something in the record indicating our concern for the indication of whatever ConAgra or other businesses may do. I think it's appropriate that we express our concern. It's been expressed in the Omaha area and it's been expressed in the Grand Island area, I think it's only appropriate. But since Senator Frank Korshoj passed out an article from the World-Herald this morning, I want to speak just briefly on that and not to particularly pass judgment on it but I think it ought to be read cautiously because I don't really agree with many of the premises that are in this. In fact, I would call some of it garbage, and I think before we take...I think that article ought to be read very carefully, not just read the headlines, I would call your attention particularly to the state rankings on the side. One of the areas where they rate us, if you go down, economic performance, business, development capacity, state policy, and they give us an F on state policy, which includes spending on education, export promotion, environmental laws and housing statistics. Now nearly everyone of those except statistics has to do with actions that we take in here and some of the things that we're doing. So, as they...as they pound on our state, and you think this is a criticism, perhaps it's a criticism of the Legislature itself, if it, in fact, is a realistic criticism. I'm not ready to accept that necessarily but I think before we use this as a hammer in many of our

conversations, let's look at what they based it on and see if you even agree with the premises. Any time you have premises that are faults, you're not going to have correct conclusions. And I only wanted to make that comment in passing since it was interjected into this, but I do oppose the kill motion. I think it's appropriate to go ahead and have a resolution such as we are passing. Thank you.

SPEAKER BARRETT: Thank you. Senator Abboud, on the motion to kill.

SENATOR ABBOUD: Pass.

SPEAKER BARRETT: Thank you. Senator Peterson.

SENATOR PETERSON: Mr. President and members, I rise to oppose the kill motion. I think Senator Warner ought to be commended. He, I feel, did a real good job of making this more compatible to...should be to all of us. I want to be brief here and I will turn...if I've got any left, I should have because I'm never a long-winded speaker, I was a member of the Revenue Committee when...over those years when we had these bills before us. I was kind of offended by the remarks that ConAgra beat...they might have beat some people over the head but they didn't beat me over the head for this bill because there was a number of other companies and Chamber of Commerces and that that come in, supported that and I kept very close contact with my local Chamber of Commerce and companies up there and weighed the issues and listened and formed my opinion on that, not by ConAgra. They did not sway me one bit. I listened to them and I listened to everybody and I thought it was best for the state. Senator Chizek seems to imply that why we got the resolution, he's seeing that things are done. Well, if it's done, why did he come before us with the resolution. Nothing's ever done until it's all over and I don't think that it's all over yet. I think some things could be done, the Governor and someone maybe could talk to them yet and get them to stay, which would be a benefit especially Senator Nelson's area where all the jobs are. With that, I would relinquish the rest of my time to Senator Warner. I...I oppose the kill motion. Thank you.

SPEAKER BARRETT: Senator Warner.

SENATOR WARNER: Well, Mr. President, thank you, Senator Peterson. I thought the purpose of the resolution was to show

support of the Legislature for Grand Island and that's still in there; just as the rest of the body showed support for Lincoln on Goodyear. I thought that was the purpose, but maybe I'm in error. As Senator McFarland stated, that the state does not exist for ConAgra, which was my whole point, that the passage of that legislation was for the good of business generally across Nebraska. I opposed it, but nevertheless that is the policy that this Legislature confirmed and I believe that the resolution can now be enacted. I certainly would want to encourage that Grand Island could be retained as headquarters and we otherwise are speaking positively and the whereases would be, as now amended, that the Legislature believes that was good for job opportunities, business expansion in Nebraska, as was the position when the legislation was enacted and the resolution reaffirms that position of the body at that time.

SPEAKER BARRETT: Thank you. Senator McFarland, please.

SENATOR MCFARLAND: Mr. Speaker, I would respectfully withdraw the motion.

SPEAKER BARRETT: Thank you. The motion to indefinitely postpone is withdrawn. Senator Wesely, for what purpose do you rise?

SENATOR WESELY: Yes, as primary introducer of the resolution, I ask that it be passed over. We anticipate motions and amendments and there's a dozen speakers and in the interest of time I think we should just pass over it.

SPEAKER BARRETT: Thank you. So ordered. The Chair is pleased to note that Senator Coordsen has some guests under our north balcony, Gary and Margo Biba from Geneva, Nebraska. Will you folks please stand and be recognized. Also, Senator Crosby has guests under our south balcony, Ken and Helen Witt. Would you folks please rise and be recognized. Also guests of Senator Wehrbein in our south balcony, the Friendly Farm Ladies from Avoca, Nebraska. Would you people please stand and be recognized. Thank you. We are pleased to have all of you with us this morning. Mr. Clerk, have you matters for the record?

CLERK: No, not at this time, Mr. President.,

SPEAKER BARRETT: Members, please return to your seats in anticipation of some Final Reading. Members, please return to