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LB 311, 813
LR 92-97

and not by my explanation, which he probably would have...should have meant in saying he was confused by the explanation also. With that, this is an amendment, 30,000 this year, 15 the next, to fund the State Department of Education in its effort to provide technical assistance to the county reorganization committees. I would urge you to adopt the amendment.

SPEAKER BARRETT: Thank you. The question is the adoption of the Withem amendment to LB 813. Those in favor vote aye, opposed nay. Record, please.

CLERK: 32 ayes, 0 nays, Mr. President, on adoption of the amendment.

SPEAKER BARRETT: The amendment is adopted. Anything for the record, Mr. Clerk?

CLERK: Mr. President, yes, thank you. Senator Landis has amendments to LB 311 to be printed. Study resolutions by Urban Affairs Committee, LR 92, calling for a review of fire protection services in rural and unincorporated areas; LR 93, calling for review of Nebraska municipalities with respect to appropriate tools to foster economic growth and development; LR 94, problem of quality drinking water; LR 95, Urban Affairs reviewing the traditional subject matter jurisdiction of the Urban Affairs Committee; LR 96 by Urban Affairs to municipal growth patterns and conditions existing in areas commonly referred to extra territorial zoning jurisdiction; LR 97 by Senator Chambers, is a resolution, Mr. President, asking the Legislature to ask the Board of Regents to establish an endowed scholarship program for full-time Black, American Indian, and Hispanic undergraduate students at the University of Nebraska. That one will be laid over, Mr. President. (See pages 1999-2009 of the Legislative Journal.)

Mr. President, the next amendment I have to the bill is by Senators Rod Johnson, Baack and Coordsen. (AM1574 can be found on page 1952 of the Journal.)

SPEAKER BARRETT: Senator Johnson, please.

SENATOR R. JOHNSON: Mr. President, members, this amendment calls for \$500,000 to be put into the Soil and Water Conservation Fund in the State of Nebraska, the purpose being to provide funding on a cost-share basis with farmers. As many of

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SPEAKER BARRETT: And a hearty good morning to you on this the 76th day in the First Session of the Ninety-first Legislature. Chaplain for the day is the Reverend Father Nicholas Klodnicki of the Greek Orthodox Church of the Annunciation here in Lincoln. Father Klodnicki.

FATHER KLODNICKI: (Prayer offered.)

SPEAKER BARRETT: Thank you, Father, very much. Please come back again. Roll call.

CLERK: There is a quorum present, Mr. President.

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

CLERK: No corrections this morning, Mr. President.

SPEAKER BARRETT: Reports, announcements or messages?

CLERK: Mr. President, I have no messages, reports or announcements this morning.

SPEAKER BARRETT: Thank you. Proceeding then to resolutions, Mr. Clerk.

CLERK: Mr. President, LR 97 offered by Senator Chambers found on page 2007 of the Journal. (Read brief description.)

SPEAKER BARRETT: Senator Chambers.

SENATOR CHAMBERS: Thank you, Mr. Chairman and members of the Legislature, the Clerk did a good job of summarizing what the resolution does. In addition to the statements that were made, there are some actual specific, numerical, statistical findings that were made by researchers with the university system. This language, as I put on the front of the copy of the resolution that I distributed to you, originated with UN-L's General Counsel. He felt that these specific findings should exist somewhere in the record. Since I'm going to offer an amendment to the appropriations bill, I didn't want all of this language to be in that amendment because it wouldn't be appropriate to put this kind of language in the appropriations bill so as a

resolution, that amendment that I'm offering will refer back to the findings contained in this resolution. Just to give a tiny bit more background on this program, Dick Davis is a man who had played football for the University of Nebraska. He had a brother named Rick who played for the University of Nebraska at Omaha and Rick died. Prior to his dying he had indicated that he felt something should be given back to those who had helped him along the way, so he wanted to endow a scholarship fund for black students. So \$50,000 of his estate was set aside for that purpose. Rick's family members felt that that should serve as seed money and additional money should be raised by the rest of the family and friends to match it. So a number of business persons and others, I had given you a list yesterday containing some of the names, had decided that they would contribute some money also. The University Foundation agreed to match this amount dollar for dollar. That produced \$200,000. So with this private initiative and since I come from a community where the term "at risk" is an understatement, I felt it would be worthwhile to seek a one-time appropriation this year when there is some excess money in the treasury to endow a scholarship fund for those who generally are missed by the other types of scholarships that are out there. The university has been trying in recent months to recruit and retain not only minority students, but faculty members and administrators because Nebraska ranks pretty near the bottom in this regard. So the difference between this program and some others is that it started with a private initiative. \$200,000 will provide the seed money and I'm hoping that this resolution which simply authorizes the Board of Regents to implement such a program, will be adopted. Then when I offer the amendment to the appropriations bill I will go into more detail if necessary about the program itself. One thing that is gratifying to me, and it kind of pulls my fangs to some extent, is that Coach Osborne has agreed to personally give \$1,000 to the fund, but also for a five-year period give \$5,000 a year from that shoe contract that the university has obtained as a result of the winning seasons of the football program. For many years I have felt a kind of bitterness at the way black athletes can be recruited and kept in school, even those who might be marginal academically until their eligibility to play football is exhausted. But for some reason the university has never been able to put together programs that would bring in students, black students who had the academic ability to handle college work but not the money. Those could not be recruited, means could not be found to help them in school. So there are a lot

of equities that are involved in this proposal. But what the resolution does is simply to authorize the Board of Regents to implement a program such as this if the Legislature funds it. It does not mandate that they do it, but this is a precursor to the offering of that amendment to the budget bill. This resolution can be enacted without that amendment. I want the amendment, but the amendment would not be complete without this resolution, and the resolution has to go first. So if you have any questions, I will answer them; if you don't, I hope that you will vote in favor of this resolution.

SPEAKER BARRETT: Thank you. Discussion on the Chambers resolution, Senator Withem, followed by Senator Nelson. Senator Withem.

SENATOR WITHEM: Thank you, Mr. Speaker, members of the body, I am rising in support of Senator Chambers' resolution. I believe it is good public policy for the state to have a program such as this. Comment, that Senator Chambers had introduced a piece of legislation, this is not a new concept, he brought a piece of legislation to the Education Committee. The committee acted upon the bill very favorably, advanced the bill unanimously to the floor of the Legislature. It probably is not going to come up, so the avenue that he is taking, particularly because the private money is available this year, I think is one that should be supported. The committee heard testimony and felt very strongly that there is an alarming decline in the number of minority students that are attending our universities and that this is a factor that the Legislature should act upon, so I'm going to support the resolution. I would ask a question of Senator Chambers, maybe as much for the record as anything else.

SPEAKER BARRETT: Senator Chambers.

SENATOR WITHEM: Senator Chambers, originally you had a piece of legislation and the preferred avenue was to pass substantive legislation. Is it your opinion though that the Board of Regents, because they are the governing institution for the university system, would have the authority to create such a program if they so desired and they wouldn't necessarily need the substantive legislation to pass?

SENATOR CHAMBERS: That's true. They would not need the substantive legislation, but one reason I wanted to offer a bill was so that there could be the notification to the public, there

could be a full-blown public hearing and all information about the program could be gotten into the record; offering it as an amendment alone would not have allowed that opportunity, but I believe the Board of Regents could do this and I did talk to a person in the Chancellor's Office who agrees, so the part about the board having that authority is not at question.

SENATOR WITHEM: Okay, I assumed that that was the case, but I just wanted to make that clear for everyone here. I would urge support for Senator Chambers' resolution.

SPEAKER BARRETT: Thank you. Senator Nelson.

SENATOR NELSON: Mr. Speaker, members of the body, I think Senator Withem explained it. We did hear this bill in Education, and it all too often I think the minority students are not able to take advantage of some of the programs and some of the scholarships and so on, that others may. In the resolution I may have a little problem with some of the statistical, or that they are...you know, not given the chance but on the other hand they are not able to take that opportunity. I think that this is the least that we can do. It started from private seed money, as Senator Chambers has said. He's gone out and he has worked for it and far too often we hear about the gangs, we hear about the crack, we hear about the cocaine, we hear about the problems that we were discussing yesterday, and I think this is the least that we can do and if the money is there this year, it starts something that is not ongoing in our budget and this is the time to do it. And the university receives the program well, and I expect a good cooperation and I do hope the body supports this resolution.

SPEAKER BARRETT: Senator Dierks, please.

SENATOR DIERKS: Mr. Speaker and members of the body, I, too, rise in support of the resolution. I think it's an admirable thing that Senator Chambers has brought and I think it's admirable from the standpoint of the way that the concept was conceived in the first place, so I just urge the body to support this resolution. Thank you.

SPEAKER BARRETT: Thank you. any other discussion? Any other comments? Senator Crosby, please.

SENATOR CROSBY: I support this bill and did in legislate...the

resolution, and I also supported the bill that Senator Chambers brought to us, maybe for different reasons than others. I happen to know Dick Davis personally. I served with him on the Nebraska Arts Council and was always so impressed with him and the whole family because they worked so hard to rise above their environment and the problems that minorities are up against in a state like Nebraska in particular. So I do support the resolution and the legislation when it comes along, the amendment to 813. I also...the other people who stood up, Senator Chambers, were Democrats, so I thought you ought to have one Republican helping you.

SPEAKER BARRETT: Thank you. Any other discussion? Senator Chambers, would you care to close? I'm sorry, Senator Weihing.

SENATOR WEIHING: I'll add a second Republican on that. I want to say that we have a very, very fine Mexican-American group who has contributed a great deal to our society in western Nebraska. Our sugar beet industry would not be able to have survived without that group of people. They have been coming along, the second generation coming along very, very well, but we must recognize that they do not have the capital facilities, the money that many of us have to go on to higher education. I have found that these people, as they enter into higher education, those that do, do extremely well. I'm beginning to see some of them in the professions and in the businesses and I commend Senator Chambers for having this. This can do much to bring this group within the upper mobility of our society. They have much to contribute to our society whether we realize it or not. When we say we're going to help them, we must recognize that they are going to help us as a society because they have certain social features that are very good. They are very strong family people and this is one of the issues that we've been talking about greatly on this floor the past day. So I commend you, Senator Chambers, for having brought this to our attention and then having acted upon it by having a legislative resolution and a real measure to assist them through finances. I thank you.

SPEAKER BARRETT: Thank you. Senator Chambers, a closing comment.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I wasn't going to say anything by way of close, but I want to say that Senator Crosby kind of took the wind out of me because she made a point that had escaped me, so I want to thank my

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fellow "Repelican" for her supporting me in this fashion.

SPEAKER BARRETT: Those in favor of the adoption of LR 97 please vote aye, opposed nay. Have you all voted? Record.

CLERK: 33 ayes, 0 nays, Mr. President, on adoption of LR 97.

SPEAKER BARRETT: The resolution is adopted. LR 101, Mr. Clerk.

CLERK: Mr. President, 101 found on page 2014 offered by Senator Hannibal. (Read brief description.)

SPEAKER BARRETT: Senator Hannibal.

SENATOR HANNIBAL: Thank you, Mr. Speaker and members, I offer you LR 101 which was brought to me by some employees of the state, asked that I introduce it and I'm very pleased to introduce this to you. National Management Association Week has been celebrated for about the last 10 or 12 years and we have had the President and Congress authorize this week and our Nebraska chapter, which I understand, consists of about 200 or 250 Lincoln management employees asked that we participate as a Legislature. This resolution recognizes that the management employees do a, fulfill a worthwhile function in the state and I heartily concur with that and I would hope you could support the resolution.

SPEAKER BARRETT: Any discussion? If not, those in favor of the adoption of LR 101 please vote aye, opposed nay. Please record.

CLERK: 32 ayes, 0 nays, Mr. President, on the adoption of the resolution.

SPEAKER BARRETT: LR 101 is adopted. An announcement, if you will. This is a very special day in the life of our assistant clerk, Mr. Richard Brown. Happy birthday, Richard Brown. (applause.) Richard, would you care to make a speech? You have one minute. Happy birthday. Mr. Clerk, to General File.

CLERK: Mr. President, LB 813, of course, is the mainline appropriations bill. It's been considered several days by the Legislature. The next amendment I have to the bill is by Senator Bernard-Stevens. (The Bernard-Stevens amendment appears on page 2044 of the Legislative Journal.) Senator, this is the

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Legislature is in session and capable of transacting business, I propose to sign and I do sign LR 97. (See page 1078 of the Legislative Journal.) Mr. Clerk, anything for the record. Senator Hall, would you care to discuss the Moore amendment, followed by Senators Conway, Warner, Korshoj and Langford.

SENATOR HALL: Thank you, Mr. President and members. Senator Moore, would you respond to a question or two?

SPEAKER BARRETT: Senator Moore.

SENATOR HALL: Scotty, what is the...now, can you explain the amendment to me? I was walking in as you were discussing it and I apologize for that, but my understanding is that not only would you increase the salary, the cost...excuse me, the tuition per hour, but there would be a correlating reduction in the General Fund support?

SENATOR MOORE: The Legislature does not directly set tuition. What the amendment does is decrease the General Fund expenditure, the General fund appropriation, and so you'd have to have a corresponding increase in the Cash Fund to raise tuition, yes. So that is what this amendment does.

SENATOR HALL: So in other words what we're doing is then, I guess in effect, throwing out of whack a little farther the Cash Fund versus General Fund?

SENATOR MOORE: Yes.

SENATOR HALL: Okay, so that...in essence that's how we force them into a tuition increase. Okay, thank you. Mr. President and members, I agree on I think on concept with what Senator Moore is doing although I understand the issue of concern that he raises with regard to having Kearney State become a university. I think that that is something that I've always supported as Senator Kristensen has said on numerous occasions, basically, in spite of what has taken place or what hasn't taken place here in the Legislature, they have become a university. I also think though that if we're going to move to the situation where the tuition would come near to what is being paid at UN-O or peer universities, then there should also be General Fund support that correlates as well. The problem I have with Senator Moore's amendment at this time is that it does not provide for that. If we were to increase the General Fund