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Rough Draft

Floor Debate  
January 05, 2017

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PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the second day of the One Hundred Fifth Legislature, First Session. Our chaplain today is Senator Bolz. Please rise.

SENATOR BOLZ: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Senator. I call to order the second day of the Legislature. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

PRESIDENT FOLEY: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: I have no corrections.

PRESIDENT FOLEY: Thank you, Mr. Clerk. The Chair recognizes Speaker Scheer for an announcement.

SPEAKER SCHEER: Thank you, Mr. Lieutenant Governor. If I might, I'd like to call a meeting of the Chairs tomorrow at 9:00 in the Speaker's Office to go through some starting processes. So that will be sent out to your e-mails and we were running around, talking to your staff so everybody should be aware. But tomorrow, 9:00, Chairmen's meeting. Thank you.

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PRESIDENT FOLEY: Thank you, Mr. Speaker. Senator Hilgers, you're recognized for a motion.

SENATOR HILGERS: Thank you, Mr. President. I move that the rules as now in our possession be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1, provided that the temporary rules shall not continue after the twelfth legislative day.

PRESIDENT FOLEY: Thank you, Senator Hilgers. The motion before us is the motion to adopt temporary rules. All those in favor say aye...excuse me, I'm sorry. Apologize. Senator Morfeld, you had your light on. He waives the opportunity. Seeing no members wish to speak, the question before us is the motion to adopt temporary rules. Those in favor say aye. Those opposed say nay. The motion is adopted. Mr. Clerk, do you have any messages, reports or announcements?

CLERK: I do, Mr. President. I have a preliminary report as prepared by the Committee on Committees regarding member membership on committees. A series of appointment letters from the Governor: appointments to the State Racing Commission, the Nebraska Information Technology Commission, as the Chief Medical Officer for DHHS, Nebraska Ethanol Board, Coordinating Commission for Postsecondary Education, the Crime Victim's Reparation Committee, Technical Advisory Committee, Motor Vehicle Industry Licensing Board, Child Abuse Prevention Fund Board, State Personnel Board, Nebraska Arts Council, Nebraska Tourism Commission, Nebraska State Fair Board, and the Nebraska Game and Parks Commission. Those will be referred to Reference for referral to standing committee for confirmation hearings. Mr. President, I have Attorney General's Opinions accrued over the interim. An Opinion to Senator Groene, that will be inserted in the Journal. An acknowledgement of agency reports that the Legislature has received from various state agencies and members may find those reports on the legislative Web site. A communication from the Oklahoma secretary of state. And, Mr. President, finally a report of the interim study analysis as prepared by the various standing committees over the course of the last interim. That's all I have, Mr. President. (Legislative Journal pages 21-51.)

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PRESIDENT FOLEY: Thank you, Mr. Clerk. We'll now proceed to the introduction of new bills. Any senators having bills ready for introduction may bring them forward to the Clerk's desk. Mr. Clerk, if you'd like to read some in at this time, you're welcome to do so.

CLERK: Mr. President, new bills. (Read LB1-38 by title for the first time, Legislative Journal pages 51-58.) [LB1 LB2 LB3 LB4 LB5 LB6 LB7 LB8 LB9 LB10 LB11 LB12 LB13 LB14 LB15 LB16 LB17 LB18 LB19 LB20 LB21 LB22 LB23 LB24 LB25 LB26 LB27 LB28 LB29 LB30 LB31 LB32 LB33 LB34 LB35 LB36 LB37 LB38]

PRESIDENT FOLEY: (Doctor of the Day introduced.) Mr. Clerk, you're recognized to read some bills into the record.

ASSISTANT CLERK: Thank you, Mr. President. (Read LB39-50 by title for the first time.) That's all I have at this time, Mr. President. Thank you. (Legislative Journal pages 58-59.) [LB39 LB40 LB41 LB42 LB43 LB44 LB45 LB46 LB47 LB48 LB49 LB50]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Mr. Clerk, you're recognized to read some more bills into the record.

ASSISTANT CLERK: Thank you, Mr. President. (Read LB51-65 by title for the first time.) That's all I have at this time. (Legislative Journal pages 60-62.) [LB51 LB52 LB53 LB54 LB55 LB56 LB57 LB58 LB59 LB60 LB61 LB62 LB63 LB64 LB65]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Mr. Clerk, you're recognized to read some bills.

ASSISTANT CLERK: Thank you, Mr. President. New bills. (Read LB66-72) that's all I have at this time, Mr. President. Thank you. (Legislative Journal pages 62-63.) [LB66 LB67 LB68 LB69 LB70 LB71 LB72]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Mr. Clerk, you're recognized for an announcement.

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CLERK: Mr. President, for the freshmen members this is an important announcement. We would like you to gather across the hall at 11:00 for purposes of office assignments; 11:00 across the hall for purpose of making office assignments. So please make your way there accordingly. Mr. President, if I may, a few items.

PRESIDENT FOLEY: Please proceed.

CLERK: Mr. President, new bills. (Read LB73-78 by title for the first time.) Thank you, Mr. President. (Legislative Journal pages 63-64.) [LB73 LB74 LB75 LB76 LB77 LB78]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Mr. Clerk, you're recognized.

CLERK: Mr. President, thank you. New bills. (Read LB79-95 by title for the first time.) Mr. President, new resolutions. LR1CA by Senator Murante is a constitutional amendment amending Article I, Section 22 of the Nebraska Constitution. Senator Crawford offers LR2; that will be laid over. Senator Harr offers LR3. Pursuant to its offering, I have a communication from the Speaker directing that LR3 be referred to Reference for referral to standing committee for public hearing purposes. LR4 is by Senator Blood; that likewise will be laid over. A couple of motions, Mr. President. Senator Krist would like to withdraw LB13; Senator Kolterman, LB28. Those will be laid over at this time. (Legislative Journal pages 64-70.) [LB79 LB80 LB81 LB82 LB83 LB84 LB85 LB86 LB87 LB88 LB89 LB90 LB91 LB92 LB93 LB94 LB95 LR1CA LR2 LR3 LR4 LB13 LB28]

PRESIDENT FOLEY: Senator Watermeier, you're recognized for a motion.

SENATOR WATERMEIER: Thank you, Mr. Lieutenant Governor. Good morning, Nebraska. I move that a series of committees be appointed to escort the various state and constitutional officers for the purpose of administering their oaths of office.

PRESIDENT FOLEY: Thank you, Senator Watermeier. The question before the body is the adoption of the motion to appoint Escort Committees for the state officers inauguration purposes this afternoon. All those in favor say aye. Those opposed say nay. The motion is adopted.

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CLERK: Mr. President, Committee on Committees will meet at 3:00 in Room 1524, Committee on Committees at 3:00 in Room 1524. And, Mr. President, a priority motion. Senator Baker would move to recess the body until 1:30 p.m.

PRESIDENT FOLEY: Thank you, Mr. Clerk. The motion before the body is to recess until 1:30 this afternoon. All those in favor say aye. Those opposed say nay. We are in recess until 1:30 this afternoon. Thank you.

RECESS

PRESIDENT FOLEY: Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for this afternoon's proceedings. Will members please check in. Roll call. Mr. Clerk, please record.

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

PRESIDENT FOLEY: Thank you, Mr. Clerk. Are there any messages, reports, or announcements?

CLERK: Mr. President, no messages, reports, or announcements. I do have a few new bills.

PRESIDENT FOLEY: Please proceed.

CLERK: Thank you, Mr. President. (Read LB96-98 by title for the first time.) And that's all that I have at this time, Mr. President. (Legislative Journal pages 70-71.) [LB96 LB97 LB98]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Before we begin our ceremonies, I want to say a special word of welcome to the family and friends of the senior government officials who will be sworn in today. We've got family and friends here of the members of the Board of Regents, State Board of Education, Public Service Commission, and Nebraska Supreme Court. These are all very, very important duties in our state government. We're grateful for the service those people will render. But we know that they only render it because of the love and support of the family

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and friends. So thank you all for being here today. It's a pleasure to have you with us. Mr. Clerk...yes, thank you. Additional bills to be read into the record, Mr. Clerk.

CLERK: Thank you, Mr. President. (Read LB99-101 by title for the first time.) That's all that I have, thank you. (Legislative Journal page 71.) [LB99 LB100 LB101]

PRESIDENT FOLEY: Thank you, Mr. Clerk. We're delighted to have members of the Nebraska Army National Guard here today. We'll now have the presentation of colors. Please rise. Please be seated. Would the Escort Committee to escort the members and members-elect of the Board of Regents retire to the back of the Chamber. That would be Senators Crawford, Senator Kolterman, Senator Walz. The Chair recognizes the Sergeant at Arms.

SERGEANT AT ARMS: Mr. Speaker, your committee now escorting the members of the Board of Regents: Paul Kenney, newly elected member; Bob Phares. Mr. President, your committee now escorting members of the State Board of Education: Patricia Koch Johns, member elected; Lisa Fricke, member elected; Rachel Wise; John Witzel, member elected.

PRESIDENT FOLEY: The Chair recognizes the Sergeant at Arms.

SERGEANT AT ARMS: Mr. President, your committee now escorting the Public Service Commission: Rod Johnson; Mary Ridder, newly elected.

PRESIDENT FOLEY: The Chair recognizes the Sergeant at Arms.

SERGEANT AT ARMS: Mr. President, your committee now escorting Nebraska Supreme Court Justice, Michael Heavican, and members of the Court, Justice William Cassel and Justice John Wright.

PRESIDENT FOLEY: We welcome all of our distinguished public officials. We'll now proceed to the swearing-in ceremonies. At this time I'd like to recognize the Chief Justice of the Nebraska Supreme Court, the Honorable Michael Heavican.

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CHIEF JUSTICE HEAVICAN: Thank you, Mr. Lieutenant Governor. And you may all be seated. We begin these swearings in with members of the Board of Regents. And today that one Paul Kenney and Bob Phares. Would Mr. Kenney and Mr. Phares please approach? Come on forward. (Oath of office administered to newly elected Board of Regents members.) And next we have members of the State Board of Education: Patricia A. Koch Johns, Lisa Fricke, Rachel Wise, and John Witzel. (Oath of office administered to newly elected State Board of Education members.) And next we have members of the Public Service Commission; that would be Rod Johnson and Mary Ridder. (Oath of office administered to newly elected Public Service Commission members.) The Chief Justice takes a point of privilege and notes that Mrs. Ridder is the Chief Justice's second cousin and that we both attended a one-room school in Colfax County, Nebraska. Congratulations. And, finally, last but hopefully not least, Supreme Court Justice John Wright will first swear in me.

JUSTICE WRIGHT: (Oath of office administered to Chief Justice.)

CHIEF JUSTICE HEAVICAN: And now my turn. (Oath of office administered to Supreme Court Justices.) That concludes these swearings in.

PRESIDENT FOLEY: Thank you, very much, Mr. Chief Justice. At this time would the Escort Committees please reassemble at the front of the Chamber so we can prepare to escort the senior officials from the Chamber. And would members of the Legislature please rise as the state officials are escorted from the Legislative Chambers. Thank you all. I want to say a special thank you to a good friend of mine, Secretary of State John Gale, who played a critical role in assembling today's ceremony. Thank you very much, Secretary John Gale. Mr. Clerk, do we have messages, reports or announcements?

CLERK: I have one item, Mr. President. A reminder: Committee on Committees will meet at 3:00 in Room 1524; Committee on Committees, 3:00 in Room 1524. And a priority motion, Senator Morfeld would move to adjourn the body until Friday morning, January 6, at 10:00 a.m.

PRESIDENT FOLEY: Members, the motion before us is a motion to adjourn. All those in favor say aye. Those opposed say nay. We are adjourned.