

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
April 10, 2012

[LB310 LB391 LB536 LB711 LB751 LB751A LB782 LB793 LB793A LB799 LB806A
LB806 LB807 LB810 LB824 LB834 LB842 LB845 LB858 LB863 LB867 LB870 LB882
LB902 LB907 LB916 LB933 LB949 LB949A LB961 LB962 LB963 LB965 LB979 LB983
LB985 LB985A LB995 LB996 LB1039 LB1079A LB1079 LB1082 LB1104 LB1130
LR611 LR612 LR613 LR614 LR615 LR616 LR617 LR618 LR619 LR620 LR621 LR622
LR623 LR624 LR631 LR632 LR633 LR634 LR635]

SPEAKER FLOOD PRESIDING

SPEAKER FLOOD: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fifty-eighth day of the One Hundred Second Legislature, Second Session. Our chaplain for today is Father Lloyd Gnirk, St. John Evangelist Catholic Church in Valley, Nebraska, and President Emeritus at Roncalli Catholic High School. Father Gnirk is from Senator McCoy's district and he is a native of Norfolk. Please rise.

FATHER GNIRK: (Prayer offered.)

SPEAKER FLOOD: Thank you, Father. I call to order the fifty-eighth day of the One Hundred Second Legislature, Second Session. Senators, please record your presence. Record please, Mr. Clerk. (Gavel)

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

SPEAKER FLOOD: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: I have no corrections, Mr. President.

SPEAKER FLOOD: Thank you. Are there any messages, reports, or announcements?

CLERK: There are. Communications from the Governor. The first. (Read re LB310, LB391, LB536, LB782, LB810, LB863, LB902, LB965...(Legislative Journal page 1511.) [LB310 LB391 LB536 LB782 LB810 LB863 LB902 LB965]

SPEAKER FLOOD: (Gavel)

CLERK: ...LB985, LB985A, LB995, LB1039, and LB1130.) Second communication. (Read re LB711, LB751, LB751A, LB799, LB824, LB834, LB842, LB845, LB858, LB867, LB870, LB882, LB907, LB916, LB933, LB962, LB963, LB983, LB1079 and LB1079A. Third communication. (Read re LB949, LB949A, LB961, LB996, and LB1104.) A fourth communication, Mr. President. (Read re LB806 and LB806A.) And finally, Mr. President, new resolution. Senator Flood offers LR631 and that will be laid over. That's all that I have. (Legislative Journal page 1512-1514.) [LB985 LB985A

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LB995 LB1039 LB1130 LB711 LB751 LB751A LB799 LB824 LB834 LB842 LB845
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LB1079A LB949 LB949A LB961 LB996 LB1104 LB806 LB806A LR631]

SPEAKER FLOOD: Thank you, Mr. Clerk. Are there any other items that you have at this time?

CLERK: Nothing at this time, Mr. President.

SPEAKER FLOOD: While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following Legislative Resolutions by number: LR611, LR612, LR613, LR614, LR615, LR616, LR617, LR618, LR619, LR620, LR621, LR622, LR623, and LR624. Members, we now proceed to the first item on the agenda which is Final Reading. Members, please find your seats in preparation for Final Reading. Mr. Clerk, the first bill is LB793. [LR611 LR612 LR613 LR614 LR615 LR616 LR617 LR618 LR619 LR620 LR621 LR622 LR623 LR624 LB793]

CLERK: (Read LB793 on Final Reading.) [LB793]

SPEAKER FLOOD: All provisions of law relative to procedure having been complied with, the question is, shall LB793 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record. [LB793]

CLERK: (Record vote read, Legislative Journal page 1515.) 47 ayes, 1 nay, 1 excused and not voting, Mr. President. [LB793]

SPEAKER FLOOD: Thank you, Mr. Clerk. Members, we now proceed to LB793A. [LB793A]

CLERK: (Read LB793A on Final Reading.) [LB793A]

SPEAKER FLOOD: All provisions of law relative to procedure having been complied with, the question is, shall LB793A pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record. [LB793A]

CLERK: (Record vote read, Legislative Journal pages 1515-1516.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President. [LB793A]

SPEAKER FLOOD: LB793A passes. Mr. Clerk, LB979. [LB793A LB979]

CLERK: (Read LB979 on Final Reading.) [LB979]

SPEAKER FLOOD: All provisions of law relative to procedure having been complied

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with, the question is, shall LB979 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record. [LB979]

CLERK: (Record vote read, Legislative Journal page 1516.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President. [LB979]

SPEAKER FLOOD: LB979 passes. Mr. Clerk, we now proceed to LB1082. Members, the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record. [LB979 LB1082]

CLERK: 46 ayes, 0 nays, Mr. President, to dispense with the at-large reading. [LB1082]

SPEAKER FLOOD: The at-large reading is dispensed with. Please read the title. [LB1082]

CLERK: (Read title of LB1082.) [LB1082]

SPEAKER FLOOD: All provisions of law relative to procedure having been complied with, the question is, shall LB1082 pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record. [LB1082]

CLERK: (Record vote read, Legislative Journal page 1517.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President. [LB1082]

SPEAKER FLOOD: LB1082 passes with the emergency clause attached. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following legislative bills by number, LB793, LB793A, LB979, and LB1082. Before we proceed to Final Reading as it relates to LB807, one announcement. Unless I hear differently, the plan is to conduct the sixtieth day on Wednesday, April 18. It's my understanding we have reason to believe everybody will be here on that day and the Chair will entertain motions to compel, if necessary. Mr. Clerk, we now proceed to the next item on today's agenda, LB807. [LB793 LB793A LB979 LB1082 LB807]

CLERK: Mr. President, with respect to LB807, Senator Lautenbaugh, I understand you want to withdraw AM2789 as a filed amendment. [LB807]

SENATOR LAUTENBAUGH: That's correct. [LB807]

CLERK: Mr. President, Senator Lautenbaugh would move to return the bill for a specific amendment, AM2790. (Legislative Journal page 1518.) [LB807]

SPEAKER FLOOD: Senator Lautenbaugh, you're recognized. [LB807]

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SENATOR LAUTENBAUGH: Thank you, Mr. President and members of the body. We passed this bill, or advanced this bill to Final Reading Thursday, early afternoon. And as you may recall, I think some people, and I'm not pointing fingers because I think I was one of them, some people were surprised that it had come up and had perhaps not reviewed all the amendments. So there was a floor amendment requested that I file, and I did file it, that was meant to make it clear that if you violate and bring a concealed carry weapon into a courthouse or other publicly owned building, you may lose your concealed carry permit. The problem is, through some unartful drafting, which I did not catch and I apologize, that floor amendment did not add the protection to public buildings that we meant to add. This is a corrective amendment that spells it out. And I would ask you to return this to Select File for this specific amendment and look favorably upon the amendment. Thank you, Mr. President. [LB807]

SPEAKER FLOOD: Thank you, Senator Lautenbaugh. Members, you've heard the opening on Senator Lautenbaugh's motion to return LB807 to Select File for a specific amendment. There are no members wishing to speak. Senator Lautenbaugh, you're recognized to close. Senator Lautenbaugh waives closing. Members, the question for the body is, shall LB807 be returned to Select File for a specific amendment? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record. [LB807]

CLERK: 44 ayes, 0 nays, Mr. President, on the motion to return the bill. [LB807]

SPEAKER FLOOD: LB807 is returned to Select File for a specific amendment. Mr. Clerk. [LB807]

CLERK: Senator Lautenbaugh would offer AM2790. [LB807]

SPEAKER FLOOD: Senator Lautenbaugh, you're recognized to open on AM2790. [LB807]

SENATOR LAUTENBAUGH: Thank you, Mr. President and members of the body. The amendment does just what I explained it does. It adds the protection that in the language that if you bring a...if you're a concealed carry permit holder and you bring your concealed weapon into a public building, courthouse, and the like, you can lose your concealed carry permit on a first offense. I do apologize for the error in drafting next week...or last week. We were probably moving too fast at that point and I do blame myself for that. All things considered, I hope at least 30 of you will not take it out on me and look favorably upon me in the days ahead. Thank you, Mr. President. [LB807]

SPEAKER FLOOD: Thank you, Senator Lautenbaugh. There are no members wishing to speak. Senator Lautenbaugh, you're recognized to close on AM2790. Senator Lautenbaugh waives his opportunity. Members, the question for the body is, shall

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AM2790 be adopted? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record. [LB807]

CLERK: 45 ayes, 1 nay, Mr. President, on the adoption of the Select File amendment. [LB807]

SPEAKER FLOOD: AM2790 is adopted. Mr. Clerk. Senator Larson, you're recognized for a motion. [LB807]

SENATOR LARSON: Mr. President, I move that LB807 be advanced to E&R for engrossing. [LB807]

SPEAKER FLOOD: Members, you have heard the motion. All those in favor say aye. Those opposed say nay. LB807 advances to E&R for engrossing. Members, we now move to a motion as it relates to a Rules Committee report. Mr. Clerk. [LB807]

CLERK: Mr. President, the Rules Committee offers a report that is actually found on page 1124 of the Journal. It involves an amendment to Rule 3, Section 2 of the Rules.

SPEAKER FLOOD: Senator Lautenbaugh, you're recognized to open on your motion to adopt the Rules Committee report.

SENATOR LAUTENBAUGH: Thank you, Mr. President and members of the body. Very simply put what this does is it puts our caucuses in line with what we have already approved elsewhere for our new caucus alignment taking into account the adjustments for redistricting that we did last session. And I would urge your approval. I think you've all seen the list because we previously discussed this once before. I would urge your approval of the caucuses as now constituted. Thank you, Mr. President.

SPEAKER FLOOD: Thank you, Senator Lautenbaugh. Members, you've heard the opening on the Rules Committee report. There are no members wishing to speak. Senator Lautenbaugh, you're recognized to close on your report. Senator Lautenbaugh waives closing. Members, the question for the body is, shall the Rules Committee report be adopted? All those in favor vote aye; all those opposed vote nay. This does require 30 votes. Mr. Clerk, please record.

CLERK: 43 ayes, 0 nays, Mr. President, on adoption of the proposed rule changes offered by the Rules Committee.

SPEAKER FLOOD: The Rules Committee report is adopted. (Visitors and doctor of the day introduced.) Members, we will remain in session. We've received word from the Revisor's Office that LB807 should be returned and placed on Final Reading within the next 30 minutes. We will stand at ease. [LB807]

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SENATOR CHRISTENSEN PRESIDING

SENATOR CHRISTENSEN: Mr. Speaker.

SPEAKER FLOOD: Thank you, Mr. President and members. As we approach the fifty-ninth day, it's my intention tomorrow to go into session at 1:30 p.m. to take up any business that we have on the fifty-ninth day. So we will not be in session in the morning, but we will be in session tomorrow at 1:30 p.m. As I announced earlier, our sixtieth day will be set for Wednesday, April 18, at a time to be announced tomorrow. Thank you.

SENATOR CHRISTENSEN: Items for the record?

CLERK: Thank you, Mr. President. New resolutions: Senator Cook, LR632, Senator Fulton, LR633, LR634, LR635. Those will be laid over. Bills read on Final Reading this morning were presented to the Governor at 10:32 a.m. (Re LB793, LB793A, LB979, and LB1082.) And, Mr. President, your Committee on Enrollment and Review reports LB807 as correctly engrossed. (Legislative Journal pages 1519-1521.) [LR632 LR633 LR634 LR635 LB793 LB793A LB979 LB1082 LB807]

And I have a priority motion. Senator Hadley would move to adjourn the body until Wednesday, April 11, at 1:30 p.m.

SENATOR CHRISTENSEN: You've heard the motion. All in favor say aye. Those opposed. We are adjourned.