

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

Floor Debate  
January 10, 2013

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PRESIDENT SHEEHY PRESIDING

PRESIDENT SHEEHY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the second day of the One Hundred Third Legislature, First Session. Our chaplain for today is Senator Carlson. Would you all please rise.

SENATOR CARLSON: (Prayer offered.)

PRESIDENT SHEEHY: Thank you, Senator Carlson. I now call to order the second day of the One Hundred Third Legislature, First Session. Senators, please record your presence. Please record, Mr. Clerk.

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

PRESIDENT SHEEHY: Are there corrections for the Journal?

CLERK: Mr. President, I have no corrections.

PRESIDENT SHEEHY: Senator Adams, you are recognized for a motion.

SPEAKER ADAMS: Thank you, Mr. President. Members, I would move that the rules that are 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 tenth legislative day.

PRESIDENT SHEEHY: Thank you, Senator Adams. You have heard the motion to adopt the temporary rules. All those in favor say aye. Opposed, nay. The motion is adopted. Mr. Clerk, any messages, reports, or announcements?

CLERK: I do, Mr. President. I have a series of things. First of all, a series of appointment letters from the Governor, appointments to: the Nebraska Power Review Board, the Board of Emergency Medical Services, the Board of Public Roads Classifications and Standards, the Crime Victim's Reparations Committee, the State

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Racing Commission, to the Nebraska Oil and Gas Conservation Commission, to the Motor Vehicle Industry Licensing Board, to the Board of Parole, to the Coordinating Commission for Postsecondary Education, to the Investment Council, to the Nebraska State Fair Board, to the Board of Educational Lands and Funds, as Director of the Department of Roads, the Nebraska Accountability and Disclosure Commission, the Nebraska Ethanol Board, the Commission for the Deaf and Hard of Hearing, the Motor Vehicle Industry Licensing Board, the Crime Victim's Reparations Committee, the Foster Care Advisory Committee, the State Board of Health, the Rural Health Advisory Commission, to the Board of Roads Classifications and Standards, to the Nebraska Tourism Commission, to the Technical Advisory Committee for Statewide Assessment, to the Nebraska Information Technology Commission, to the State Electrical Board, to the Rural Health Advisory Commission, the State Personnel Board, to the Nebraska Game and Parks Commission, to the Nebraska Arts Council, to the Nebraska Educational Telecommunications Commission, to the Nebraska Arts Council, to the State Fair Board, to the State Emergency Response Commission, the Board of Trustees of the Nebraska State Colleges, Public Employees Retirement Board, the Arts Council, Power Review Board, Board of Emergency Medical Services, Board of Trustees of the Nebraska State Colleges, the Crime Victim's Reparations Committee, and the Public Employees Retirement Board, those all received since the Legislature sine died in April of 2012. Those will be referred to standing committee for a confirmation hearing, Mr. President. I have also received a series of reports as required by state statute. Reports include from the following agencies: the Auditor of Public Accounts, the Department of Economic Development, the Department of Education, the Game and Parks Commission, Health and Human Services, the Investment Finance Authority, the Legislative Fiscal Office, the Natural Resources Department, the Retirement Systems...Public Employees Retirement Systems, the Nebraska Department of Revenue, and the Nebraska Department of Roads. Those are on file and available on the legislative Web site. Mr. President, I received a series of reports from the various standing committees of the Legislature regarding the disposition of interim study resolutions introduced during the 2012 Session. I have received a communication from the state of Arizona. I have also received a proclamation from Governor Heineman declaring January 5 as George W. Norris Day. I have an Attorney General's Opinion addressed to Senator McCoy (re LB912). And announcements, Mr. President: I have the preliminary report from the Committee on Committees that was provided to you via e-mail, I believe, as well as copies placed in your mailboxes late last evening. And, Mr. President, an announcement that Senator Coash was selected as Vice Chair of the Committee on Committees. That's all that I have. (Legislative Journal pages 19-62.)

PRESIDENT SHEEHY: Thank you, Mr. Clerk. We will now proceed to introduction of new bills.

CLERK: Mr. President, new bills. (Read LB1-69 by title for the first time, Legislative Journal pages 62-74.) That's all that I have for the moment, Mr. President. [LB1 LB2

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PRESIDENT SHEEHY: Thank you, Mr. Clerk. (Doctor of the day introduced.) Members, the cookies which are being passed out and placed on your desk today are on behalf of Senator Bloomfield's birthday, which was yesterday. Happy belated birthday, Senator Bloomfield. (Visitors introduced.) Members of the Legislature, I also want to make you aware that today is Senator Crawford's birthday. So happy birthday, Senator Crawford. Mr. Clerk, we will continue with new bill introduction.

ASSISTANT CLERK: Thank you, Mr. President. (Read LB70-108 by title for the first time, Legislative Journal pages 74-80.) And that's all that I have at this time, Mr. President. [LB70 LB71 LB72 LB73 LB74 LB75 LB76 LB77 LB78 LB79 LB80 LB81 LB82 LB83 LB84 LB85 LB86 LB87 LB88 LB89 LB90 LB91 LB92 LB93 LB94 LB95 LB96 LB97 LB98 LB99 LB100 LB101 LB102 LB103 LB104 LB105 LB106 LB107 LB108]

PRESIDENT SHEEHY: Thank you, Mr. Clerk.

ASSISTANT CLERK: Mr. President, new bills. (Read LB109-110 by title for the first time, Legislative Journal page 81.) [LB109 LB110]

PRESIDENT SHEEHY: Speaker Adams, you're recognized for an announcement.

SPEAKER ADAMS: Thank you, Mr. President. Members, you can see what time it is and we still want to be able to recess and we'll be back at 1:30. But if you have bills that need to get introduced yet this morning, please get them in as quickly as you can. And we'll canvass the floor a little bit and see where we're at with that process. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Speaker Adams. Members, if you could come back to order. Senator Wightman, you are recognized for a motion.

SENATOR WIGHTMAN: Thank you, Mr. President. I move that a series of committees be appointed to escort the various state and constitutional officers for the purpose of administrating their oath of office.

PRESIDENT SHEEHY: Thank you, Senator Wightman. The question is the adoption of the motion to appoint escort committees for the state officers for inauguration purposes this afternoon. All those in favor say aye. Opposed, nay. The motion is adopted. Members, if you would pay attention to the agenda for this afternoon if you have been

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assigned as one of the escort committees. Mr. Clerk, you have bills for introduction.

CLERK: I do, Mr. President, just a few remaining bills. (Read LB111-114 by title for the first time.) In addition, Mr. President, two new constitutional amendments: Senator Larson offers LR1CA that proposes an amendment to Article III, Section 8 of the Nebraska Constitution; and LR2CA is by Senator Pirsch, proposes an amendment to Article III, Section 13 of the Nebraska Constitution. Mr. President, the...I might remind the freshmen members that they will be meeting in the lounge upon recess for office selection. Freshmen members, please meet in the lounge upon recess. (Legislative Journal pages 81-83.) [LB111 LB112 LB113 LB114 LR1CA LR2CA]

And, Mr. President, I have a priority motion. Speaker Adams would move to recess the body until 1:30 p.m.

PRESIDENT SHEEHY: You have heard the motion to recess until 1:30 p.m. All those in favor say aye. Opposed, nay. We stand at recess.

RECESS

PRESIDENT SHEEHY PRESIDING

PRESIDENT SHEEHY: Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for this afternoon's proceedings. Members, please check in by roll call. Please record, Mr. Clerk.

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

PRESIDENT SHEEHY: Any messages, reports, or announcements?

CLERK: Mr. President, just an announcement: The Committee on Committees will meet upon adjournment today, Committee on Committees, in Room 1524, upon adjournment. That's all that I have, Mr. President.

PRESIDENT SHEEHY: Thank you, Mr. Clerk. Again, members of the Legislature, family and friends, I want to welcome you this afternoon to the George W. Norris Legislative Chamber for this very special Inaugural Ceremony for state and constitutional officers. At this time we will have the Presentation of Colors from the Nebraska Army and Air National Guard. Would you all please rise.

PRESENTATION OF COLORS

PRESIDENT SHEEHY: Please help me thank the members of the Nebraska Army and Air National Guard Color Guard. Please be seated. Would the Escort Committee to

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escort the members and members-elect of the Board of Regents retire to the back of the Chamber. The Chair recognizes the Sergeant at Arms.

SERGEANT AT ARMS: Mr. President, your committee escorting the Board of Regents and members-elect.

PRESIDENT SHEEHY: Would the Escort Committee to escort the members and members-elect of the State Board of Education retire to the back of the Chamber. The Chair recognizes the Sergeant at Arms.

SERGEANT AT ARMS: Mr. President, your committee escorting the Board of Education members and members-elect.

PRESIDENT SHEEHY: Would the Escort Committee to escort the members and members-elect of the Public Service Commission retire to the back of the Chamber. The Chair recognizes the Sergeant at Arms.

SERGEANT AT ARMS: Mr. President, your committee escorting the Chief Justice and the members of the Nebraska Supreme Court.

PRESIDENT SHEEHY: We will now proceed to the swearing-in ceremonies. At this time I would like to recognize the Chief Justice of the state of Nebraska from the Nebraska Supreme Court, the Honorable Michael Heavican.

CHIEF JUSTICE HEAVICAN: Thank you, Mr. President. We will proceed to swear in the Board of Regents: Mr. Hal Daub, Mr. Lavon Heidemann, and Mr. Bob Whitehouse. Would you please stand here, raise your right hand. (Oath of office administered to the newly elected members of the Board of Regents.) Congratulations. And now members of the State Board of Education: Lillie Larsen, Mark Quandahl, Rachel Wise, and Rebecca Valdez. Would you each raise your right hand. (Oath of office administered to the newly elected members of the State Board of Education.) Congratulations. And now it is my great pleasure to swear in two of my colleagues to the Nebraska Supreme Court, that would be Justice Michael McCormack and Justice Ken Stephan. Raise your right hand. (Oath of office administered to the members of the Nebraska Supreme Court.) Congratulations. Mr. President, that concludes the swearing in.

PRESIDENT SHEEHY: Thank you, Mr. Chief Justice, and congratulations to each and every one of you. I would ask the Escort Committees to come forward and assist our parties out of the Chamber. I would ask the Escort Committee for the Chief Justice and the members of the Supreme Court to come forward. And would all members please stand. Will the Escort Committee for the State Board of Education members please come forward. Would the Escort Committee for the Board of Regents please come forward. Mr. Clerk, do you have any messages, reports, or announcements?

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CLERK: Mr. President, just a reminder: Committee on Committees will meet in Room 1524 upon adjournment, Committee on Committees, 1524, upon adjournment. Senator Mello would move to adjourn the body until Friday morning, January 11, at 10:00 a.m.

PRESIDENT SHEEHY: You have heard the motion to adjourn until Friday, January 11 at 10:00 a.m. All those in favor say aye. Opposed, nay. We are adjourned.