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Floor Debate
March 03, 2016

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SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE THIRTY-SEVENTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN FOR TODAY IS PASTOR STEVE LUND, CHRIST THE SERVANT LUTHERAN CHURCH, NORFOLK, NEBRASKA, SENATOR SCHEER'S DISTRICT. PLEASE RISE.

PASTOR LUND: (PRAYER OFFERED.)

SPEAKER HADLEY: THANK YOU, PASTOR LUND. I CALL TO ORDER THE THIRTY-SEVENTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. RECORD, MR. CLERK.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SPEAKER HADLEY: ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

CLERK: I HAVE NO CORRECTIONS, MR. PRESIDENT.

SPEAKER HADLEY: ANY MESSAGE, REPORTS, OR ANNOUNCEMENTS?

CLERK: ENROLLMENT AND REVIEW REPORTS LB746A, LB83, LB710 TO SELECT FILE WITH ENROLLMENT AND REVIEW AMENDMENTS. I HAVE A LOBBY REPORT TO BE INSERTED IN THE JOURNAL, AS REQUIRED BY STATE LAW, AND ACKNOWLEDGMENT OF AGENCY REPORTS, AVAILABLE ON THE LEGISLATIVE WEB SITE FOR MEMBER REVIEW. THAT'S ALL THAT I HAD, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 805-806.) [LB746A LB83 LB710]

SPEAKER HADLEY: THANK YOU, MR. CLERK. WE'LL GO TO THE FIRST ITEM ON THE AGENDA, THE LEGISLATIVE CONFIRMATION REPORTS.

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CLERK: MR. PRESIDENT, THE TRANSPORTATION COMMITTEE, CHAIRED BY SENATOR SMITH, REPORTS ON FOUR APPOINTMENTS TO THE BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS. (LEGISLATIVE JOURNAL PAGE 767.)

SPEAKER HADLEY: SENATOR SMITH, AS CHAIR OF THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON YOUR CONFIRMATION REPORTS.

SENATOR SMITH: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. ON FEBRUARY 29, THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE HELD A HEARING ON THE REAPPOINTMENT OF FOUR INDIVIDUALS TO THE BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS. THE COMMITTEE VOTED UNANIMOUSLY TO ADVANCE ALL FOUR REAPPOINTMENTS. TIMOTHY WEANDER WAS REAPPOINTED TO SERVE AS ONE OF TWO REPRESENTATIVES OF THE DEPARTMENT OF ROADS. MR. WEANDER IS A RESIDENT OF OMAHA AND HAS BEEN EMPLOYED BY DEPARTMENT OF ROADS AS AN ENGINEER SINCE 1983, CURRENTLY AS THE DISTRICT 2 ENGINEER. JOHN KRAGER, III WAS REAPPOINTED TO SERVE AS THE LAY CITIZEN FROM THE 2ND CONGRESSIONAL DISTRICT. MR. KRAGER ALSO LIVES IN OMAHA AND IS EMPLOYED AS A CIVIL ENGINEER WITH HGM ASSOCIATES. ROGER FIGARD WAS REAPPOINTED TO SERVE AS THE REPRESENTATIVE OF A MUNICIPALITY OF OVER 50,000 POPULATION. MR. FIGARD LIVES IN LINCOLN AND IS EMPLOYED AS THE ENGINEER FOR THE CITY OF LINCOLN. AND DAVID WACKER WAS REAPPOINTED TO SERVE AS THE REPRESENTATIVE OF A MUNICIPALITY BETWEEN 2,500 AND 50,000 POPULATION. MR. WACKER IS A RESIDENT OF HASTINGS AND IS EMPLOYED AS THE ENGINEER FOR THE CITY OF HASTINGS. I'M GREATLY APPRECIATIVE OF THESE FOUR INDIVIDUALS' CONTINUED WILLINGNESS TO SERVE ON THE BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS. ALL FOUR ARE HIGHLY QUALIFIED. AND I ASK, COLLEAGUES, THAT YOU JOIN ME IN CONFIRMING THEIR REAPPOINTMENTS. THANK YOU, MR. PRESIDENT.

SPEAKER HADLEY: YOU'VE HEARD THE OPENING ON THE CONFIRMATION REPORTS. SEEING NO ONE IN THE QUEUE, SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE. SENATOR SMITH WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS THE APPROVAL OF THE CONFIRMATION REPORTS. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED, NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 806-807.) 38 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE CONFIRMATION REPORT.

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SPEAKER HADLEY: CONFIRMATION REPORT IS ACCEPTED. MR. CLERK.

CLERK: MR. PRESIDENT, HEALTH AND HUMAN SERVICES, CHAIRED BY SENATOR CAMPBELL, REPORTS ON TWO APPOINTMENTS TO THE COMMISSION FOR THE DEAF AND HARD OF HEARING. (LEGISLATIVE JOURNAL PAGE 790.)

SPEAKER HADLEY: SENATOR CAMPBELL, AS CHAIR OF THE HEALTH AND HUMAN SERVICES COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON YOUR CONFIRMATION REPORT.

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. THIS MORNING WE HAVE THREE CONFIRMATIONS TO TALK TO YOU ABOUT. THE FIRST IS MARGARET PROPP, WHO IS FROM LINCOLN. MARGARET IS A REAPPOINTMENT TO THE COMMISSION FOR THE DEAF AND HARD OF HEARING. SHE IS SELF-EMPLOYED AS AN INTERPRETER FOR THE DEAF. SHE ALSO TAUGHT AT THE NEW MEXICO SCHOOL FOR THE DEAF FOR 25 YEARS. SHE GRADUATED FROM UNL IN SPECIAL EDUCATION AND ELEMENTARY EDUCATION. SHE HAS A MASTER'S IN DEAF EDUCATION FROM GALLAUDET UNIVERSITY. SHE HAS BEEN VICE CHAIR OF THE COMMISSION THE PAST TWO YEARS AND SERVED ON VARIOUS COMMITTEES, INCLUDING SELECTION OF THE NEW DIRECTOR FOR THE COMMISSION. HER MOTHER, HER FATHER, HER OLDER BROTHER ARE ALL DEAF, AND SO SHE IS WELL ACQUAINTED WITH THE ISSUES THAT COME BEFORE THE COMMISSION. OUR SECOND APPOINTMENT TO THE COMMISSION FOR THE DEAF AND HARD OF HEARING IS A NEW APPOINTMENT BUT NOT A NEW PERSON. DR. PETER SEILER IS FROM OMAHA. HE RECENTLY RETIRED AS THE DIRECTOR OF THE COMMISSION FOR THE DEAF AND HARD OF HEARING, A LONG-TIME ADVOCATE FOR THE DEAF AND HARD OF HEARING AND A REGULAR IN THE STATE CAPITOL. HE IS NOW WORKING AS A TUTOR AND A CONSULTANT, RECEIVED HIS UNDERGRADUATE DEGREE FROM LEWIS COLLEGE, A MASTER'S DEGREE FROM DEPAUL UNIVERSITY, AND A DOCTOR OF EDUCATION FROM ILLINOIS STATE. OUR LAST APPOINTMENT FOR TODAY IS KRISTIN HUBER FROM OMAHA, WHO IS A NEW APPOINTMENT TO THE FOSTER CARE ADVISORY COMMITTEE. SHE GRADUATED FROM UNO WITH A DEGREE IN MARKETING, AND ALSO A GRADUATE OF CREIGHTON LAW SCHOOL. SHE CURRENTLY SERVES CHI HEALTH AS THE GOVERNMENT AFFAIRS AND COMMUNITY OUTREACH SPECIALIST. SHE FORMERLY WAS WITH THE DOUGLAS COUNTY ATTORNEY'S OFFICE AS A DEPUTY COUNTY ATTORNEY, AND SHE SERVED IN THE CAPACITY FOR THE COUNTY ATTORNEY IN JUVENILE COURT, PARTICULARLY ON ISSUES DEALING WITH CHILD WELFARE. SHE SPENT THREE YEARS IN THAT POSITION ALSO WORKING ON MENTAL HEALTH COMMITMENTS. SHE LISTED AS IMPORTANT PRIORITIES

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FOR THE FOSTER CARE ADVISORY COMMITTEE AS: LOOKING AT THE HIGH RATE OF REMOVAL OF CHILDREN FROM THEIR HOMES IN NEBRASKA; SECONDLY, THE IMPORTANCE OF PUTTING SERVICES IN THE HOME FOR FAMILIES; AND TO TAKE A LOOK AT WHY WE ARE PLACING CHILDREN IN OUT-OF-STATE PLACEMENTS. WITH THAT, MR. PRESIDENT, I WOULD URGE A GREEN VOTE ON THE CONFIRMATIONS THIS MORNING. THANK YOU.

SPEAKER HADLEY: YOU'VE HEARD THE OPENING ON THE CONFIRMATION REPORTS. SEEING NO ONE IN THE QUEUE, SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS THE APPROVAL OF THE HEALTH AND HUMAN SERVICES CONFIRMATION REPORT. ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 807.) 33 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE HEALTH COMMITTEE CONFIRMATION REPORT.

SPEAKER HADLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

CLERK: SECOND REPORT FROM HEALTH INVOLVING AN APPOINTMENT TO THE FOSTER CARE ADVISORY COMMITTEE.

SPEAKER HADLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON YOUR CONFIRMATION REPORT.

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. AND I DID INCLUDE THE EXPLANATION ABOUT KRISTIN HUBER IN MY EXPLANATION. I'M SORRY, MR. CLERK. AND I WOULD OBVIOUSLY URGE HER CONFIRMATION ALSO TO THE FOSTER CARE ADVISORY COMMITTEE. THANK YOU.

SPEAKER HADLEY: YOU'VE HEARD THE OPENING ON THE CONFIRMATION REPORT. SEEING NO ONE IN THE QUEUE, SENATOR CAMPBELL, YOU'RE RECOGNIZED TO CLOSE. SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK.

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CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 808.) 36 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE CONFIRMATION REPORT.

SPEAKER HADLEY: THE CONFIRMATION REPORT IS ADOPTED. (DOCTOR OF THE DAY AND VISITORS INTRODUCED.) MR. CLERK, WE WILL MOVE TO FINAL READING. MEMBERS SHOULD RETURN TO THEIR SEATS IN PREPARATION FOR FINAL READING. MR. CLERK, THE FIRST BILL IS LB676. SENATOR GROENE, WOULD YOU PLEASE RETURN TO YOUR SEAT, PLEASE? [LB676]

CLERK: (READ LB676 ON FINAL READING.) [LB676]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB676 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB676]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 808-809.) 45 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB676]

SPEAKER HADLEY: LB676 PASSES WITH THE EMERGENCY CLAUSE. WE WILL NOW PROCEED TO LB700. [LB676 LB700]

CLERK: (READ LB700 ON FINAL READING.) [LB700]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB700 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB700]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 809-810.) 45 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT.

SPEAKER HADLEY: LB700 PASSES. WE'LL NOW PROCEED TO LB703. [LB700 LB703]

CLERK: (READ LB703 ON FINAL READING.) [LB703]

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SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB703 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB703]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 810.) 45 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB703]

SPEAKER HADLEY: LB703 PASSES. WE WILL NOW PROCEED TO LB718. [LB703 LB718]

CLERK: (READ LB718 ON FINAL READING.) [LB718]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB718 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB718]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 811.) 47 AYES, 0 NAYS, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB718]

SPEAKER HADLEY: LB718 PASSES. WE WILL NOW PROCEED TO LB729. [LB718 LB729]

CLERK: (READ LB729 ON FINAL READING.) [LB729]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB729 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB729]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 811-812.) 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB729]

SPEAKER HADLEY: LB729 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE'LL NOW PROCEED TO LB734. [LB729 LB734]

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CLERK: (READ LB734 ON FINAL READING.) [LB734]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB734 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB734]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 812.) 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB734]

SPEAKER HADLEY: LB734 PASSES. WE WILL NOW PROCEED TO LB735. [LB734 LB735]

CLERK: (READ LB735 ON FINAL READING.) [LB735]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB735 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB735]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 813.) 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB735]

SPEAKER HADLEY: LB735 PASSES. WE WILL NOW PROCEED TO LB753. [LB735 LB753]

CLERK: (READ LB753 ON FINAL READING.) [LB753]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB753 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB753]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 813-814.) 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB753]

SPEAKER HADLEY: LB753 PASSES. WE'LL NOW PROCEED TO LB758. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB753 LB758]

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CLERK: 43 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB758]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB758]

CLERK: (READ TITLE OF LB758.) [LB758]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB758 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB758]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 814-815.) 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING. [LB758]

SPEAKER HADLEY: LB758 PASSES. WE WILL NOW PROCEED TO LB776. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB758 LB776]

CLERK: 44 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB776]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB776]

CLERK: (READ TITLE OF LB776.) [LB776]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB776 PASS? ALL IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB776]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 815-816.) 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB776]

SPEAKER HADLEY: LB776 PASSES. WE WILL NOW PROCEED TO LB778. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN

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FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB776 LB778]

CLERK: 38 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB778]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB778]

CLERK: (READ TITLE OF LB778.) [LB778]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB778 PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB778]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 816-817.) 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB778]

SPEAKER HADLEY: LB778 PASSES. WE WILL NOW PROCEED TO LB786. [LB778 LB786]

CLERK: (READ LB786 ON FINAL READING.) [LB786]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB786 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSE VOTE NAY. RECORD, MR. CLERK. [LB786]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 817-818.) 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB786]

SPEAKER HADLEY: LB786 PASSES. MR. CLERK, WE'LL GO TO LB798. THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB786 LB798]

CLERK: 42 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB798]

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SPEAKER HADLEY: MR. CLERK, PLEASE READ THE TITLE. [LB798]

CLERK: (READ TITLE OF LB798.) [LB798]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB798 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB798]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 818-819.) 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB798]

SPEAKER HADLEY: LB798 PASSES. WE WILL NOW PROCEED TO LB807. [LB798 LB807]

CLERK: (READ LB807 ON FINAL READING.) [LB807]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB807 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB807]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 819.) 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB807]

SPEAKER HADLEY: LB807 PASSES. WE'LL NOW PROCEED TO LB811. [LB807 LB811]

CLERK: (READ LB811 ON FINAL READING.) [LB811]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB811 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB811]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 820.) 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB811]

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SPEAKER HADLEY: LB811 PASSES. WE WILL NOW PROCEED TO LB840. [LB811 LB840]

CLERK: (READ LB840 ON FINAL READING.) [LB840]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB840 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB840]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 820-821.) 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB840]

SPEAKER HADLEY: LB840 PASSES. WE WILL NOW PROCEED TO LB859. [LB840 LB859]

CLERK: (READ LB859 ON FINAL READING.) [LB859]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB859 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB859]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 821-822.) 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB859]

SPEAKER HADLEY: LB859E PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW PROCEED TO LB864. [LB859 LB864]

CLERK: (READ LB864 ON FINAL READING.) [LB864]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB864 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB864]

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CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 822.) 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING. [LB864]

SPEAKER HADLEY: LB864 PASSES. WE WILL NOW PROCEED TO LB898. [LB864
LB898]

CLERK: (READ LB898 ON FINAL READING.) [LB898]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB898 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB898]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 823.) 42 AYES, 0 NAYS, 6 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB898]

SPEAKER HADLEY: LB898 PASSES. WE WILL NOW PROCEED TO LB921. [LB898
LB921]

CLERK: (READ LB921 ON FINAL READING.) [LB921]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB921 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB921]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 823-824.) 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB921]

SPEAKER HADLEY: LB921 PASSES. WE WILL NOW PROCEED TO LB929. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB921
LB929]

CLERK: 40 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB929]

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SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB929]

CLERK: (READ TITLE OF LB929.) [LB929]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB929 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB929]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 824-825.) 47 AYES, 0 NAYS, 2 EXCUSED AND NOT VOTING. [LB929]

SPEAKER HADLEY: LB929 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW PROCEED TO LB1035. [LB929 LB1035]

CLERK: (READ LB1035 ON FINAL READING.) [LB1035]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB1035 PASS? ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB1035]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 825-826.) 46 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB1035]

SPEAKER HADLEY: LB1035 PASSES. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LB676E, LB700, LB703, LB718, LB729E, LB734, LB735, LB753, LB758, LB776, LB778, LB786, LB798, LB807, LB811, LB840, LB859E, LB864, LB898, LB921, LB929E, AND LB1035. SENATOR PANSING BROOKS, FOR WHAT PURPOSE DO YOU RISE? [LB1035 LB676 LB700 LB703 LB718 LB729 LB734 LB735 LB753 LB758 LB776 LB778 LB786 LB798 LB807 LB811 LB840 LB859 LB864 LB898 LB921 LB929]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I RISE TO MAKE A POINT OF PERSONAL PRIVILEGE.

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SPEAKER HADLEY: PLEASE GO AHEAD.

SENATOR PANSING BROOKS: THANK YOU VERY MUCH. TWO DAYS AGO, I JUST WANTED TO SAY, COLLEAGUES, THAT I MISPRONOUNCED SENATOR BRAASCH'S (PHONETICALLY) NAME...BRAWSCH'S (PHONETICALLY) NAME. OH, MY GOD, I JUST DID IT AGAIN. (LAUGHTER) ANYWAY, I'M SO SORRY. SENATOR KATHY CAMPBELL AND I HAVE A DEAR FRIEND AND SHE HAS BEEN MY FRIEND FOR OVER 30 YEARS. HER NAME IS BEATTY BRASCH (PRONOUNCED BRAASCH). THE NAME IS SPELLED EXACTLY THE SAME, B-R-A-S-C-H. AND SHE IS A HUGE ADVOCATE IN THE COMMUNITY IN LINCOLN. SHE IS WELL KNOWN BY EVERYBODY. SHE IS BELOVED BY EVERYBODY. SO WHEN I JUST AGAIN MISTAKENLY SAID THAT NAME, IT'S OUT OF ADMIRATION FOR ANOTHER PERSON WHOM I ADORE. SO I JUST WANT YOU TO KNOW THAT SOME PEOPLE IN THIS BODY THOUGHT I WAS BEING DISRESPECTFUL, WHICH THEN MEANS THAT SOME PEOPLE IN NEBRASKA COULD THINK I WAS BEING DISRESPECTFUL AS WELL. AND SO I WANTED TO USE THIS MOMENT TO SAY THAT I INTEND TO REMAIN VIGILANT ABOUT BEING RESPECTFUL TO EACH OF YOU, AND THAT I HOPE THAT WE WILL ALL DO THE SAME. WE ARE ALL ADVOCATES FOR OUR CONSTITUENTS. I BELIEVE THAT WE CAN CONTINUE TO RESPECT ONE ANOTHER WHILE DISAGREEING WITH A SPECIFIC VIEW. THE BEAUTY OF THIS BODY IS THAT WE GO FROM ISSUE TO ISSUE, AND THE SIDES CHANGE FROM BILL TO BILL. WE ALL SEE THAT HAPPEN, WE ALL KNOW THAT IT HAPPENS, AND THAT IS THE BEAUTY OF THIS BODY. I'M DETERMINED TO MAINTAIN THE RESPECT AND ADMIRATION WHICH WE ARE NOT HEARING NATIONALLY. AND I JUST WANT TO EXPRESS ANY...I WANT TO EXPRESS MY SORROW FOR ANY MISUNDERSTANDING TO SENATOR BRASCH, AND I REMAIN DETERMINED TO ADMIRE AND RESPECT THE EFFORTS AND ADVOCACY OF EACH OF YOU. AND WHILE I'M NOT ALWAYS IN AGREEMENT WITH YOUR POSITION, I WILL ALWAYS RESPECT YOUR EFFORTS AND WHAT YOU'RE DOING ON BEHALF OF YOUR CONSTITUENTS. SO I ASK FOR THE SAME FAVOR IN RETURN, AND THAT'S IT. THANK YOU, MR. PRESIDENT.

SENATOR SCHEER PRESIDING

SENATOR SCHEER: THANK YOU, SENATOR. THANK YOU, SENATOR PANSING BROOKS. MR. CLERK, WE'LL PROCEED TO GENERAL FILE, LB857. [LB857]

CLERK: MR. PRESIDENT, LB857 IS A BILL BY SENATOR HADLEY. (READ TITLE.) BILL WAS INTRODUCED ON JANUARY 11 OF THIS YEAR, REFERRED TO THE URBAN AFFAIRS COMMITTEE. THE BILL WAS ADVANCED TO GENERAL FILE. I DO

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HAVE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM2240, LEGISLATIVE JOURNAL PAGE 708.) [LB857]

SENATOR SCHEER: THANK YOU, MR. CLERK. SENATOR HADLEY, YOU'RE RECOGNIZED TO OPEN ON LB857. [LB857]

SPEAKER HADLEY: MR. PRESIDENT, COLLEAGUES, I AM HERE TODAY TO INTRODUCE LB857. LB857 WOULD CHANGE THE POPULATION THRESHOLD WHEN FIRST-CLASS CITIES ARE REQUIRED TO HIRE A FULL-TIME PAID FIRE CHIEF. CURRENTLY, CITIES OF THE FIRST CLASS ARE REQUIRED TO HIRE A FULL-TIME FIRE CHIEF WHEN THEIR POPULATION EXCEEDS 37,500 INHABITANTS. LB857 WOULD CHANGE THE THRESHOLD TO 45,000 INHABITANTS. THAT IS THE ONLY CHANGE IN THE BILL. I SUPPORT THE COMMITTEE AMENDMENT, AM2240, WHICH REDUCES THIS THRESHOLD TO 41,000 PEOPLE. THE INTENT OF THE BILL IS TO RETAIN CONTROL AT THE LOCAL LEVEL. THE CURRENT POPULATION THRESHOLD TO HIRE A FULL-TIME FIRE CHIEF ONLY APPLIES TO CITIES OF THE FIRST CLASS. OMAHA AND LINCOLN DO NOT FALL INTO THIS CLASSIFICATION AND, THEREFORE, WILL NOT BE IMPACTED BY THIS LEGISLATION. THE POPULATION OF THE TWO LARGEST CITIES OF THE FIRST CLASS, BELLEVUE AND GRAND ISLAND, ARE ALREADY ABOVE THE CURRENT THRESHOLD OF 37,500 AND THE PROPOSED AMENDMENT CHANGE OF 41,000; THEREFORE, ARE ALSO NOT IMPACTED. MAY I PROVIDE A LITTLE BACKGROUND OUTLINING HOW THE CURRENT THRESHOLD OF 37,500 WAS SET? THE FIRST BILL INTRODUCED WITH THE CONCEPT OF A MANDATORY PAID FULL-TIME FIRE CHIEF AND PAID FIRE DEPARTMENT WAS LB607, WHICH WAS INTRODUCED IN 2007. LB607 PROVIDED THAT ANY FIRST-CLASS CITY WHICH HAS A POPULATION OF GREATER THAN 38,000 WOULD BE REQUIRED TO HIRE A FULL-TIME FIRE CHIEF AND FULL-TIME FIREFIGHTERS. THE URBAN AFFAIRS COMMITTEE HEARD AND KILLED THE BILL ON THE SAME DAY. THE NEXT YEAR, LB1096 WAS INTRODUCED BY SENATOR FRIEND. THIS VERSION ONLY REQUIRED A PAID FULL-TIME FIRE CHIEF, DROPPING THE IDEA OF MANDATORY PAID FIREFIGHTERS. THE GREEN COPY SET THE POPULATION THRESHOLD AT 20,000. AFTER THE HEARING, THE URBAN AFFAIRS COMMITTEE ADOPTED A COMMITTEE AMENDMENT TO RAISE THE THRESHOLD FROM 20,000 TO 35,000, WITH THE INTENT OF REMOVING SEVERAL CITIES OF THE FIRST CLASS--COLUMBUS, NORFOLK, NORTH PLATTE, HASTINGS, AND KEARNEY--FROM THE LIST OF CITIES REQUIRED TO HIRE A FULL-TIME FIRE CHIEF. DURING FLOOR DEBATE, THE THRESHOLD WAS RAISED TO 37,500. THERE WAS DEBATE ON THE FLOOR RAISING THE POPULATION TO 40,000. ACTUALLY, IT ENDED UP LB1096 PASSED IN 2008 WITH A THRESHOLD OF 37,500. DURING THE HEARING, SENATOR FRIEND STATED THIS BILL DOES NOT REQUIRE THE

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CREATION OF A PAID FIRE DEPARTMENT BUT, RATHER, ESTABLISHES A PROCESS IN A LOT OF WAYS TO GATHER THE NECESSARY INFORMATION TO ENABLE THE DECISION TO BE MADE LOCALLY. I HAVE INTRODUCED LB857 TO RETAIN LOCAL CONTROL OF THE FIRE DEPARTMENT AT THE LOCAL LEVEL. KEARNEY, SITTING BELOW THE 37,500 POPULATION BUBBLE, HAS UNIQUELY MIXED FIRE DEPARTMENT, COMPRISED OF A FULL-TIME PAID FIRE ADMINISTRATION APPOINTED UNDER THE CIVIL SERVICE ACT BY THE CITY MANAGER, PAID ADMINISTRATIVE STAFF, A VOLUNTEER FIRE CHIEF, AND NUMEROUS DEDICATED VOLUNTEER FIREFIGHTERS. THIS METHOD HAS WORKED WELL FOR THE CITY OF KEARNEY FOR OVER 25 YEARS. KEARNEY IS ALSO UNIQUE BECAUSE THEIR EMTs ARE BASED OUT OF THE HOSPITAL, NOT THE FIRE DEPARTMENT. KEARNEY IS ALSO UNIQUE IN THE WAY THEY HANDLE FIRE DUTIES. FIRST, THEY HAVE A VOLUNTEER FIRE CHIEF. IT IS CRITICAL TO UNDERSTAND THIS PERSON IS ELECTED BY THE MEMBERS OF THE KEARNEY VOLUNTEER FIRE DEPARTMENT. THE PERSON HAS THE FOLLOWING RESPONSIBILITIES: OVERALL PLANNING OF THE CITY FIRE PROTECTION AND DIRECTION OF THE VOLUNTEER FIRE DEPARTMENT, INCIDENT STABILIZATION AND COMMAND AND CONTROL OF EMERGENCY SCENES, MANAGING THE 60 VOLUNTEER FIRE DEPARTMENT MEMBERS, DEVELOPING...ENSURING THAT ALL FIREFIGHTERS HAVE ADEQUATE TRAINING, DEVELOPMENT OF POLICIES AND STANDARD OPERATING GUIDELINES, RECRUITMENT AND RETENTION OF VOLUNTEERS, PLANNING AND COORDINATION OF BUDGETS WITH THE FIRE ADMINISTRATOR, AND FIRE PREVENTION EDUCATION. THE CITY OF KEARNEY ALSO HAS A FULL-TIME, PAID, CAREER FIRE ADMINISTRATOR, WHICH IS APPOINTED UNDER THE CIVIL SERVICE ACT BY THE CITY MANAGER. THE FIRE ADMINISTRATOR'S RESPONSIBILITIES INCLUDE THAT HE REPORTS DIRECTLY TO THE CITY MANAGER; ENFORCES RULES AND CONDUCT OF ALL FIRE DEPARTMENT PAID STAFF; PREPARES WEEKLY, MONTHLY, ANNUAL REPORTS PERTAINING TO THE FIRE DEPARTMENT RECEIVED BY THE CITY MANAGER; IMMEDIATE SUPERVISION FOR THE FIRE INSPECTOR, 1 FIRE INSPECTOR, 11 FIRE ENGINEERS, AND 12 PART-TIME FIREFIGHTER ENGINEERS; HE ATTENDS CITY OF KEARNEY DEVELOPMENT REVIEW TEAM MEETINGS; ASSISTS THE FIRE CHIEF BY ADDRESSING MANY OF THE DAY-TO-DAY ACTIVITIES THAT ARE ENCOUNTERED IN A FIRE DEPARTMENT; SERVES AS LIAISON BETWEEN THE KEARNEY VOLUNTEER FIRE DEPARTMENT, THE FIRE DEPARTMENT EMPLOYEES, AND THE CITY OF KEARNEY. THE CITY OF KEARNEY HAS AN EXCEPTIONAL DEDICATED VOLUNTEER FIRE DEPARTMENT THAT HAS ACHIEVED AN OUTSTANDING REPUTATION WITH AN ISO, INSURANCE SERVICE OFFICE, RATING OF TWO--ONE OF THE BEST CITY RATINGS IN THE STATE. IT IS MY UNDERSTANDING THAT NEBRASKA HAS ONLY ONE CITY WITH A RATING OF ONE. WE ALSO RECEIVED A LETTER OF SUPPORT FROM THE MAYOR

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OF KEARNEY, STAN CLOUSE, AND SIGNED BY THE CITY COUNCIL MEMBERS. IN THE LETTER, STAN CLOUSE STATES THAT THE INCREASE IN POPULATION THRESHOLD WOULD ASSURE OUR RESIDENTS RECEIVE THE CONTINUED SERVICE THEY DESIRE. BY INCREASING THE POPULATION THRESHOLD TO 41,000, CITIES SUCH AS KEARNEY WILL BE ABLE TO MAINTAIN THEIR LOCAL CONTROL, ENHANCE PUBLIC SAFETY, AND STRATEGICALLY DESIGN THE ORGANIZATION OF THEIR FIRE DEPARTMENT TO RAPIDLY ADDRESS THE CHANGES IN NEEDS OF THE INDIVIDUAL COMMITTEES. I WOULD APPRECIATE YOUR GREEN VOTE ON LB857 AS AMENDED. THANK YOU, MR. PRESIDENT. [LB857]

SENATOR SCHEER: THANK YOU, SENATOR HADLEY. (VISITORS INTRODUCED.) AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE URBAN AFFAIRS COMMITTEE. SENATOR CRAWFORD, YOU'RE RECOGNIZED, AS THE CHAIR OF THE COMMITTEE, TO OPEN ON THE AMENDMENT. [LB857]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. AM2240 SIMPLY MOVES THE POPULATION DESIGNATION FROM 45,000 TO 41,000. THANK YOU, MR. PRESIDENT. [LB857]

SENATOR SCHEER: THANK YOU, SENATOR CRAWFORD. THE FLOOR IS OPEN FOR DISCUSSION ON LB857 AND THE AMENDMENT, AM2240. THERE'S NO ONE IN THE QUEUE. SENATOR CRAWFORD, WOULD YOU LIKE TO CLOSE? SENATOR CRAWFORD WAIVES CLOSING. THE QUESTION BEFORE YOU IS THE ADOPTION OF AM2240. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE IN OPPOSITION VOTE NAY. HAVE ALL THOSE VOTED THAT WISH TO? RECORD, MR. CLERK. [LB857]

CLERK: 34 AYES, 0 NAYS, MR. PRESIDENT, TO ADOPT THE COMMITTEE AMENDMENTS. [LB857]

SENATOR SCHEER: A THE AMENDMENT IS ADOPTED. GOING TO DISCUSSION ON LB857, SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB857]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT AND COLLEAGUES. AS YOU'LL SEE FROM THE COMMITTEE STATEMENT, I DID NOT VOTE TO ADVANCE LB857 FROM COMMITTEE. WHILE I APPRECIATE SENATOR HADLEY'S WILLINGNESS TO WORK WITH THE FIREFIGHTERS AND MEMBERS OF THE COMMITTEE TO LOWER THE THRESHOLD, I HAVE CONCERNS ABOUT THE MESSAGE THAT LB857 SENDS. WHEN THE CURRENT THRESHOLD WAS ESTABLISHED IN 2008, IT WAS A RECOGNITION BY THE LEGISLATURE THAT AT A

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CERTAIN POINT IT IS IMPORTANT FOR LARGER CITIES TO HAVE PROFESSIONAL PUBLIC SAFETY STAFF THAT REPORTS DIRECTLY TO THE CITY AND ELECTED OFFICIALS. TO THEIR CREDIT, THE CITY OF KEARNEY CURRENTLY HAS A UNIQUE STRUCTURE WITHIN THEIR FIRE DEPARTMENT, AND SENATOR HADLEY HAS DESCRIBED THAT WELL IN HIS TESTIMONY ALREADY. AS SENATOR HADLEY TESTIFIED THIS MORNING AND BEFORE THE URBAN AFFAIRS COMMITTEE, KEARNEY PRIMARILY UTILIZES VOLUNTEER FIREFIGHTERS THAT REPORT TO A VOLUNTEER FIRE CHIEF. BUT THE CITY ALSO EMPLOYS SEVERAL PAID STAFF AND A FULL-TIME PAID FIRE ADMINISTRATOR THAT REPORTS TO THE CITY. IN ADDITION, EMERGENCY MEDICAL SERVICES IN KEARNEY ARE NOT PART OF THE FIRE DEPARTMENT BUT ARE PROVIDED BY GOOD SAMARITAN HOSPITAL. KEARNEY HAS PULLED TOGETHER THIS UNIQUE, HYBRID STRUCTURE TO ADDRESS THE PUBLIC SAFETY NEEDS OF A LARGER FIRST-CLASS CITY. WHILE THEY HAVE MOVED FORWARD WITH PAID PROFESSIONALS IN A DIFFERENT WAY THAN WITH A PAID FIRE CHIEF, THEIR EXPERIENCE REINFORCES THE ORIGINAL CONCERN BEHIND THE 2008 LEGISLATION THAT AS CITIES GROW INTO THE 30,000s, IT'S CRITICAL FOR THE CITY TO EXAMINE THE NEED FOR PROFESSIONAL FIRE STAFF DIRECTLY ACCOUNTABLE TO CITY GOVERNMENT. BASED OFF CURRENT POPULATION NUMBERS, THE STATUTORY REQUIREMENT TO EMPLOY A FULL-TIME PAID FIRE CHIEF ONLY APPLIES TO TWO CITIES RIGHT NOW-- BELLEVUE AND THE CITY OF GRAND ISLAND. THE ONLY OTHER CITY OF THE FIRST CLASS THAT CAN COME CLOSE TO APPROACHING THE CURRENT THRESHOLD IS THE CITY OF KEARNEY, WHICH HAD A POPULATION OF 30,803 BASED ON THE 2010 CENSUS, AND CURRENT ESTIMATES ARE ABOUT 32,469. FOR THE RECORD FOR FUTURE DEBATES, I FEEL IT IS IMPORTANT TO EXPRESS MY CONCERN THAT MOVING THE LINE IN STATUTE SENDS THE WRONG MESSAGE TO OTHER CITIES WHO GROW INTO THE 30,000s, EVEN THOUGH NO OTHER CITIES SIT CLOSE TO THAT LINE NOW. THE UNDERLYING GOAL OF THE PAID FIRE CHIEF REQUIREMENT WAS TO ESTABLISH A PROCESS FOR LARGER CITIES TO REVIEW, STUDY, AND MODIFY THEIR EMERGENCY RESPONSE SYSTEMS ON A CONTINUING BASIS TO ENSURE ADEQUATE FIRE PROTECTION. THANK YOU, MR. PRESIDENT. [LB857]

SENATOR SCHEER: THANK YOU, SENATOR CRAWFORD. SEEING NO ONE ELSE IN THE QUEUE, SENATOR HADLEY, YOU'RE WELCOME TO CLOSE. [LB857]

SPEAKER HADLEY: MAKE IT VERY SHORT: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR CRAWFORD. AGAIN, I WOULD APPRECIATE YOUR GREEN VOTE. I THINK THIS IS AN EXAMPLE OF LOCAL CONTROL AND HOW CITIES CAN

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APPROACH PROBLEMS THAT SOLVE THE PROBLEM BY USING A COMBINED TYPE OF SYSTEM. THANK YOU, MR. PRESIDENT. [LB857]

SENATOR SCHEER: THANK YOU, SENATOR HADLEY. THE QUESTION IS, SHALL THE LB857 BE ADVANCED TO E&R INITIAL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL THOSE VOTED THAT WISH TO? RECORD, MR. CLERK. [LB857]

CLERK: 29 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB857. [LB857]

SENATOR SCHEER: LB857 DOES ADVANCE TO E&R INITIAL. (VISITORS INTRODUCED.) NEW ITEMS, MR. CLERK? [LB857]

CLERK: THANK YOU, MR. PRESIDENT. COMMITTEE REPORTS: REVENUE COMMITTEE, CHAIRED BY SENATOR GLOOR, REPORTS LB886 TO GENERAL FILE AND LB949 INDEFINITELY POSTPONED; JUDICIARY, CHAIRED BY SENATOR SEILER, REPORTS LB757, LB885, LB1010 TO GENERAL FILE, LB1055 TO GENERAL FILE WITH AMENDMENTS. SENATOR LARSON OFFERS LR459, LR460, AND LR461; THOSE WILL BE LAID OVER AT THIS TIME. AMENDMENTS TO BE PRINTED: SENATOR BURKE HARR TO LB830; SENATOR CRAWFORD TO LB704. AN ANNOUNCEMENT, BUSINESS AND LABOR WILL MEET AT 10:30 IN ROOM 2022; BUSINESS AND LABOR AT 10:30, ROOM 2022. THAT'S ALL THAT I HAD, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 826-832.) [LB886 LB949 LB757 LB885 LB1010 LB1055 LR459 LR460 LR461 LB830 LB704]

SENATOR SCHEER: MR. CLERK.

CLERK: MR. PRESIDENT, THE NEXT BILL IS ON GENERAL FILE, LB344. PURSUANT TO RULE 6, SECTION 3(f), SENATOR SCHNOOR WOULD MOVE TO INDEFINITELY POSTPONE THE BILL. [LB344]

SENATOR SCHEER: SENATOR SCHNOOR, YOU'RE WELCOME TO OPEN ON YOUR MOTION. [LB344]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. I'D FIRST LIKE TO START BY SAYING THAT I HAVE NOTHING AGAINST ANY OF THE NRDs AND ANY OF THE DIRECTORS; IN FACT, SOME OF THEM I BECAME VERY GOOD FRIENDS WITH.

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WHAT YOU'RE GOING TO HEAR TODAY IS ABOUT TOOLS, THE TOOLS THAT THE NRD NEEDS, THE TOOLS THAT THEY'RE SAYING THEY NEED TO COMPLETE PROJECTS. I'M GOING TO TELL YOU ABOUT THE TOOLS HERE, THE TOOLS THAT I LEARNED HERE ON THIS FLOOR IN THE RULEBOOK, AND THAT RULE ALLOWS ME TO IPP THIS BEFORE THE BILL IS EVEN READ. WHEN I WAS...I SERVED 20 YEARS IN THE MILITARY AND THEY TAUGHT US ABOUT OUR TOOLS, AS WELL, AND TO ALWAYS BE PREPARED AND BE READY BECAUSE YOU NEVER KNOW WHEN YOU'RE GOING TO BE CALLED UPON. SO THAT'S GOING TO BE A HUGE PART OF THIS DISCUSSION, ABOUT THE TOOLS. I WOULD LIKE TO READ TO YOU THE INTRODUCTION OF THE BILL, OF THE INTENT. "LB344 GIVES NATURAL RESOURCE DISTRICTS THE POWER AND AUTHORITY TO ISSUE GENERAL OBLIGATION BONDS," THOSE ARE SOME KEY TERMS THERE, "FOR THE PURPOSE OF FINANCING ALL OR PART OF THE COST OF NON-REVENUE-PRODUCING WATER PROJECTS AUTHORIZED BY LAW." I DON'T KNOW IF YOU HEAR WHAT I AM SAYING. BUT WHAT I HEAR IN THAT STATEMENT OF INTENT, WHAT I HEAR AND WHAT THE PEOPLE OF NEBRASKA NEED TO HEAR IS AN INCREASE IN THEIR TAXES. LET ME REPEAT: THE ISSUE OF GENERAL OBLIGATION BONDS AND HOW THESE BONDS ARE PAID WITH, WITH TAX DOLLARS. A VOTE OF THE PEOPLE IS NOT REQUIRED FOR THESE BONDS TO BE ISSUED. IT ONLY TAKES TWO-THIRDS OF THE BOARD OF DIRECTORS OF THE DISTRICT. SO THE CITIZENS OF THE DISTRICT WILL BE BORROWING MONEY AND PAYING THE MONEY BACK THROUGH TAXES WITHOUT HAVING A SINGLE WORD TO SAY ABOUT IT. THE SINGLE BIGGEST ISSUE TO THE PEOPLE OF MY DISTRICT OF DODGE COUNTY, AND, I WOULD DARE TO SAY, TO THE RURAL POPULATION OF THE ENTIRE STATE OF NEBRASKA, IS PROPERTY TAXES. THIS BILL WILL ALLOW MORE PROPERTY TAXES TO BE LEVIED. IF YOU HAVE LISTENED TO THE TESTIMONY I HAVE LISTENED TO IN THE COMMITTEE HEARINGS, IF YOU HAVE TALKED TO THE CITIZENS IN YOUR DISTRICT LIKE I HAVE WHILE CAMPAIGNING, YOU WILL KNOW THAT PEOPLE ARE TIRED OF BEING TAXED TO DEATH. NEBRASKA IS A GREAT PLACE TO LIVE. BUT HOW MUCH MORE ARE THESE PEOPLE GOING TO TAKE? WE HAVE YET TO GET A PROPERTY TAX RELIEF BILL OUT OF COMMITTEE, YET OUR FIRST MAJOR DECISION WE'RE GOING TO VOTE ON IS TO ALLOW ALL NRDs IN THE STATE OF NEBRASKA THE ABILITY TO LEVY MORE TAXES. FOR MY COLLEAGUES THAT ARE NOT ON THE NATURAL RESOURCES COMMITTEE, LET ME SHARE WITH YOU WHAT I WAS TOLD ABOUT WHY THIS BILL WAS NEEDED. I WAS TOLD LB344 WAS DESPERATELY NEEDED TO REPAIR THE LEVY AROUND OFFUTT AIR FORCE BASE, THAT IF THE LEVY ISN'T REPAIRED THERE WILL BE NO RUNWAY REPAIR, AND THAT IS A TRUE STATEMENT. IF THE RUNWAY ISN'T REPAIRED, BELLEVUE WILL LOSE A VALUABLE ASSET TO THE COMMUNITY. BEING AN AIR FORCE VETERAN, I KNOW THE IMPORTANCE OF THAT BASE AND HOW...WHAT A

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GREAT LOSS THAT WOULD BE TO ALL OF NEBRASKA. WE ALL DO. OUR CONGRESSIONAL DELEGATION WAS HERE TO SPEAK ALONGSIDE THE GOVERNOR ABOUT THE COMMITMENT TO OFFUTT, AND I WITNESSED THAT. SO I SUGGESTED TO THE NATURAL RESOURCES COMMITTEE THAT WE USE THE WATER SUSTAINABILITY FUND, WHICH IT WAS DESIGNED FOR. I WAS TOLD THAT WASN'T GOOD ENOUGH. I SAID, OKAY, IF THAT IS SO IMPORTANT, AND I AGREE THAT IT IS, THEN GO TO APPROPRIATIONS, ASK FOR AN APPROPRIATION, AND GO THAT ROUTE. AND I WAS TOLD, NO, THAT'S NEVER BEEN DONE BEFORE AND WE CAN'T DO THAT. THESE NRDs NEED THIS TOOL IN THEIR TOOL CHEST--THAT'S WHAT I WAS TOLD. WELL, WHAT HAPPENED? AN APPROPRIATION WAS ASKED FOR, THE MONEY WAS GRANTED. SO I ASK YOU, IF THE NATURAL RESOURCES COMMITTEE WAS TOLD WHAT THIS...THAT THIS WAS ALL ABOUT OFFUTT AND THAT THE SITUATION HAS BEEN TAKEN CARE OF, WHY DO WE NEED THIS? SOME INFORMATION YOU MAY NOT KNOW BUT IT IS IMPORTANT IN THIS DISCUSSION, THE PAPIO-MISSOURI NRD IS THE ONLY NRD THAT HAS BONDING AUTHORITY. THAT AUTHORITY SUNSETS IN TWO YEARS. IS IT ANY SURPRISE THAT THERE IS AN URGENT NEED TO EXTEND THAT AUTHORITY, NOT ONLY TO THEM, BUT TO EVERYBODY? I WOULD LIKE TO READ...I WOULD LIKE TO GO BACK TO THE STATEMENT OF INTENT ABOUT GENERAL OBLIGATION BONDS IN NON-REVENUE-PRODUCING WATER PROJECTS. THAT'S WHAT THIS BILL ALLOWS FOR. AND I WOULD LIKE TO READ NEBRASKA CONSTITUTION, ARTICLE XIII-1(2). IT STATES: THE CONSTRUCTION OF WATER RETENTION AND IMPOUNDMENT STRUCTURES FOR THE PURPOSES OF WATER CONSERVATION AND MANAGEMENT WILL PROMOTE THE GENERAL WELFARE OF THE STATE, IT MAY AUTHORIZE THE ISSUANCE OF REVENUE BONDS FOR SUCH CONSTRUCTION, AND FOR THE PAYMENT OF THE INTEREST AND THE RETIREMENT OF SUCH BONDS IT MAY PLEDGE IN ALL OR ANY PART OF STATE REVENUE DERIVED FROM THE USE OF SUCH STRUCTURE. SO OUR CONSTITUTION SAYS REVENUE BONDS, BUT WE'RE PASSING A BILL THAT SAYS GENERAL OBLIGATION BONDS. SO I WILL...WOULD DEFINITELY QUESTION THAT AS TO WHY WE'RE DOING THIS. BUT MY NUMBER-ONE CONCERN IS OUR PROPERTY TAXES. WE HAVE NOT EVEN TOUCHED THE SURFACE ON IT, YET THE FIRST BILL WE ARE GOING TO VOTE ON ALLOWS ALL NRDs THE ABILITY TO LEVY MORE PROPERTY TAXES. SO YOU'RE GOING TO HEAR, AS THE DEBATE CONTINUES, YOU'RE GOING TO HEAR ABOUT THE TOOLS THAT ARE NEEDED BY EVERYBODY TO DO THIS. YOU'RE GOING TO HEAR HOW WE CAN'T DO WITHOUT THIS AND THEY'VE GOT TO HAVE THIS. THAT'S WHAT I WAS TOLD: THEY HAVE TO HAVE THIS FOR OFFUTT AIR FORCE BASE. BUT THEY DID IT ANOTHER WAY, JUST LIKE THEY'VE ALWAYS CONTINUED TO DO IT. SO THIS DEBATE WILL OBVIOUSLY GO ON FOR AWHILE. AND I'M JUST USING THE TOOLS THAT WE HAVE BEEN GIVEN HERE IN THIS LEGISLATURE TO START THIS DEBATE

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AND TO LET EVERYBODY KNOW WHERE I STAND. WE HAVE PEOPLE IN THIS NATION THAT ARE FED UP WITH HOW THE GOVERNMENT RUNS. GOD FORBID THAT WILL EVER HAPPEN HERE IN NEBRASKA, BUT I KNOW PEOPLE ARE TIRED OF PROPERTY TAX. [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR SCHNOOR: AND THEY'RE ASKING FOR HELP. THANK YOU, SIR. THEY'RE ASKING FOR HELP AND TO DATE WE HAVE ACCOMPLISHED NOTHING, BUT TODAY WE WILL ARGUE ABOUT LEVYING MORE. AND THAT'S WHY I'M FIGHTING THIS. THANK YOU, SIR. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR SCHNOOR. SENATOR KOLOWSKI, AS THE PRINCIPAL INTRODUCER, YOU'RE WELCOME TO SPEAK NEXT. [LB344]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. FIRST OF ALL, I HOPE YOU'LL VOTE AGAINST THE INDEFINITELY POSTPONE MOTION BY SENATOR SCHNOOR. SENATOR SCHNOOR'S COMMENTS ARE NOT ALL IN LINE WITH WHERE WE ARE WITH THE INFORMATION THAT'S BEING PASSED OUT TO YOU TODAY. WHETHER HE UNDERSTOOD THAT OR HEARD THAT DIFFERENTLY IN THE FIRST TIME WE HAVE GONE THROUGH THOSE POINTS, THAT'S LED US UP TO TODAY AND THIS PARTICULAR BILL. I HAVE ADDRESSED THAT...SOME OF THAT WITH HIM IN THE PAST AND HE'S TAKEN IT ON THE BENT OF THE TAXES AND THE NEED FOR TAX RELIEF IN OUR STATE, AND I CERTAINLY UNDERSTAND THAT AND WE DO CONCUR ON THAT. I KNOW ONE THING THAT WOULD HAPPEN IF SUDDENLY OUR STATE WAS IN A WATER CRISIS, WE WOULD BE MEETING IN SPECIAL SESSION TO TRY TO FIND ANSWERS TO THE ISSUES THAT HAVE BEEN WORKED OUT. THE ISSUES THAT HAVE BEEN WORKED OUT STARTED BEFORE SENATOR SCHNOOR WAS IN THIS BODY. THE WATER SUSTAINABILITY WORK, LED BY SENATOR CARLSON, THAT LED TO PRIORITY...HIS PRIORITY BILL, LB1098, THAT CREATED THE WATER SUSTAINABILITY FUND ALL TOOK PLACE BEFORE SENATOR SCHNOOR WAS HERE. WE WANT TO CATCH YOU UP TO SPEED WITH THE MATERIALS THAT HAVE BEEN PASSED OUT THIS MORNING, AND WE CAN'T DO THAT IF WE HAVE THIS INDEFINITELY POSTPONED. THE 40-SOME PEOPLE THAT WORKED ON THE WATER SUSTAINABILITY FUND PROJECT WERE FROM ALL OVER THE STATE. WE MET FOR ABOUT 18 MONTHS AT LOCATIONS ALL OVER THE STATE. AND THE MESSAGE WAS CLEAR EVERYWHERE THAT WE NEED TO DO THINGS THAT WILL HELP US SUSTAIN WATER FOR OUR STATE IN OUR FUTURE. AND WE HAVE A NUMBER OF

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ACTIONS THAT LED TO THE FUND AND THE PROJECTS THAT ARE BEFORE THAT FUND AS WE SPEAK TODAY. THERE ARE MORE PROJECTS BEFORE THAT FUND THAN THERE IS FUND TO FUND THEM THIS YEAR; THEREFORE, YOU NEED ADDITIONAL DIRECTION AND ADDITIONAL SOURCES OF MONEY TO BRING TO THE TABLE TO HELP YOURSELF WITH...IN YOUR LOCALE WITH THE PROJECTS THAT ARE BEFORE YOU. WE HAVE OVER \$50 MILLION WORTH OF PROJECTS THAT WERE HANDED IN, AND WE ONLY HAVE AROUND \$30 MILLION THAT WE CAN USE FOR THE PROJECTS. THAT'S A SHORTFALL THAT CAN BE MADE UP VERY SUFFICIENTLY BY THE NRDs, WHICH WERE A PART OF THIS DISCUSSION FROM THE VERY EARLY DAYS OF THE WATER SUSTAINABILITY PROJECT AND THE WORK LED BY SENATOR CARLSON AT THAT TIME. SO I HOPE WE CAN GET TO A POINT WHERE WE CAN KILL THIS INDEFINITELY POSTPONE MEASURE AND HAVE THE CHANCE TO SHARE THE INFORMATION THAT WE HAVE HANDED OUT TO YOU AND ELABORATE UPON THAT, HEAR FROM THE SPEAKERS ON THE FLOOR THAT DO WANT TO SPEAK TO THAT, AND BRING US UP TO DATE FOR A FULL RECOGNITION OF THIS MEASURE TO BRING TO YOU FOR A GREEN LIGHT YET THIS MORNING. SO I APPRECIATE THE TIME FOR CLARIFICATION, URGE YOUR DEFEAT OF THIS INDEFINITELY POSTPONE MEASURE SO WE CAN GET INTO SHARING INFORMATION AND LISTENING TO THE ISSUES THAT ARE BEFORE US. THANK YOU VERY MUCH. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR KOLOWSKI. SENATOR KINTNER, YOU'RE RECOGNIZED. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB344]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, THIS IS MY FOURTH YEAR DOWN HERE. I GUESS I'M COMING TOWARD THE END OF MY FOURTH SESSION DOWN HERE. AND IT'S BEEN PAINFUL TO GO BACK TO MY DISTRICT EVERY YEAR AND SAY, NO, WE DIDN'T CUT YOUR TAXES, WE DIDN'T HELP YOU ON PROPERTY TAX RELIEF, BUT WE DID INCREASE SPENDING EVERY YEAR I'VE BEEN HERE. IT'S TOUGH TO GO BACK AND GO INTO THE OLD STAN'S BAKERY DOWN THERE IN PLATTSMOUTH WHERE I'VE GOT A TABLE WITH MY NAME ON IT DOWN THERE AND TELL THEM THAT, NO, WE HAVEN'T DONE ANYTHING TO RELIEVE THE TAX BURDEN ON YOU YET, NOTHING, NOTHING. AND AT CHURCH, IT'S THE SAME THING; AT HY-VEE IT'S THE SAME THING. I'VE GOT TO TELL THEM, NO, NO, WE HAVEN'T DONE ANYTHING TO LESSEN YOUR TAX BURDEN, NOT YOUR INCOME TAXES, YOUR TAX RATES, I SHOULD SAY, YOUR TAX RATES--I BETTER WATCH WHAT I'M SAYING. WE HAVE LESSENED THE TAX BURDEN THANKS TO THE PACKAGE THAT SENATOR HADLEY PUT TOGETHER MY SECOND YEAR. BUT WE HAVEN'T REDUCED THE TAX RATES AND WE HAVEN'T DONE ANYTHING ON PROPERTY TAXES. AND SO THAT'S BEEN A REAL TOUGH,

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TOUGH, TOUGH THING FOR ME TO SWALLOW IS THAT PEOPLE HAVE BEEN DEMANDING THAT WE DO SOMETHING ON PROPERTY TAXES. THE GOVERNOR COMES OUT WITH A PROPOSAL AND EVERYONE LIVING OFF THE TAXPAYERS, EVERYONE AND THEIR BROTHER THAT LIVES OFF THE TAXPAYERS, EVERY GOVERNMENT ENTITY IS CONTACTING ME AND SAYING, WE CAN'T DO IT, IF YOU LIMIT THE GROWTH OF VALUES WE'LL BE STUCK. I MEAN IT'S PITIFUL, IT'S PITIFUL. I MEAN I AM AMAZED THAT ANYTIME WE EVEN TRY TO SLOW DOWN THE GROWTH OF VALUATION, EVERYONE LIVING OFF THE TAXPAYERS RAISES UP IN A COLLECTIVE VOICE AND SAYS, YOU CAN'T DO THAT TO ME, I CAN'T LIVE ON A SMALL INCREASE, I'VE GOT TO HAVE BIG INCREASES. THAT GETS US TO THE BILL AT HAND. I HAVE CONCERNS ABOUT THIS BECAUSE NOW I WOULD BE FORCED TO GO BACK TO THE PEOPLE OF MY DISTRICT AND SAY, NO, WE HAVEN'T DONE ANYTHING ON PROPERTY TAX RELIEF, UNLESS WE CAN GET SOMETHING DONE THIS YEAR. BUT WE DON'T GET ANYTHING DONE THIS YEAR, I WOULD BE FORCED TO, IF I VOTED FOR THIS, AND SAY, LOOK, SORRY, WE COULDN'T DO ANY TAX RELIEF BUT WE PASSED A BILL TO ALLOW NRDs TO RAISE YOUR PROPERTY TAXES. YOU KNOW, SOMETIMES THESE THINGS ARE TIMING. MAYBE IN MY SECOND AND THIRD YEAR, OR FIRST SECOND AND THIRD YEAR, WE HAD DONE SOMETHING TO LOWER PROPERTY TAXES, MAYBE THIS BONDING THING DOESN'T LOOK SO BAD. MAYBE GUYS WHO ACTUALLY REPRESENT THE TAXPAYERS WOULD HAVE SOME COVER ON THIS ISSUE TO BE ABLE TO SAY, WELL, WE DO HAVE SOME NEEDS, MAYBE THIS IS A GOOD WAY TO PAY FOR IT. BUT WHEN WE HAVE DONE NOTHING ON PROPERTY TAX RELIEF AND THEN TO COME BACK AND SAY I VOTED FOR A BILL THAT'S GOING TO ALLOW YOUR PROPERTY TAXES TO GO UP AND YOU'RE NOT EVEN GOING TO GET TO VOTE ON IT, I THINK YOU'D BE NUTS TO VOTE FOR THAT,... [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR KINTNER: ...THAT IS, IF YOU'RE A CONSERVATIVE AND IF YOU SAID YOU THOUGHT TAXES WERE TOO HIGH WHEN YOU RAN, WHICH IS ABOUT 90 PERCENT OF THE PEOPLE IN HERE. I JUST DON'T SEE A WAY WITH THE TIMING OF THIS. YOU KNOW, TIMING IS EVERYTHING, TIMING IS EVERYTHING. I JUST DON'T SEE A WAY IN GOOD CONSCIENCE THAT ANYONE THAT RAN ON LOWERING PROPERTY TAXES, THAT STOOD ON THE DOORS AND STOOD AT THE BINGOS AND WENT TO THE FISH FRIES AND WENT TO THE COUNTY FAIR AND LOOKED PEOPLE IN THE EYE WHEN THEY SAID, PLEASE DO SOMETHING ABOUT PROPERTY TAXES, YES, ELECT ME AND I'LL DO IT--WELL, NOW YOU'RE HERE. REMEMBER WHAT YOU SAID TO THE PEOPLE IN YOUR DISTRICT WHEN YOU RAN. ALMOST EVERY PERSON HERE WAS CONFRONTED WITH PROPERTY TAXES. AND I'M PRETTY SURE

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THAT YOU SAID, I'M GOING TO GO DOWN THERE AND WORK FOR YOU TO CUT THOSE PROPERTY TAXES. WELL, NOW THE RUBBER MEETS THE ROAD, NOW IT'S TIME FOR YOU TO DELIVER. [LB344]

SENATOR SCHEER: TIME, SENATOR. [LB344]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR KINTNER. WAITING IN THE QUEUE TO SPEAK: SENATOR EBKE, KRIST, HANSEN, McCOY, AND OTHERS. SENATOR EBKE, YOU'RE RECOGNIZED. [LB344]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. I RISE TODAY IN GENERAL SUPPORT OF THE IPP MOTION AND IN GENERAL OPPOSITION TO LB344 AND LET ME JUST TALK A LITTLE BIT ABOUT WHY. SENATOR KINTNER HIT ON SOME OF THESE ISSUES, THE QUESTION OF PROPERTY TAXES AND PROPERTY TAX RELIEF. THIS IS THE ONE THING THAT I HEAR ABOUT, AND I'VE HAD THREE OR FOUR TOWN HALL MEETINGS IN MY DISTRICT SINCE THE SESSION STARTED AND I'VE GOT THREE OR FOUR MORE COMING. PROPERTY TAX ISSUES ARE BY FAR THE THINGS THAT I HEAR THE MOST ABOUT. AND SO I THINK THAT WE NEED TO CONSIDER WHAT THE UNINTENDED CONSEQUENCES ARE OF PASSING LB344 IF WE AREN'T ABLE TO PULL OUT ANY SIGNIFICANT PROPERTY TAX REFORM THIS YEAR. I DON'T...YOU KNOW, I HAVE NOTHING AGAINST THE NRDs. I THINK THE NRDs IN MY DISTRICT DO AN EXCEPTIONALLY GOOD JOB. MY DISTRICT WAS HIT BY A NUMBER OF FLOODS LAST YEAR IN MAY AND THE FLOODS WOULD HAVE BEEN FAR WORSE HAD WE NOT HAD GOOD NRD WATER MANAGEMENT. THAT BEING SAID, I AM JUST VERY, VERY CONCERNED THAT WE MAY BE DOING ANYTHING THAT COULD CAUSE A RAISE IN PROPERTY TAXES WITHOUT AN EFFORT, AT LEAST, TO LOWER OUR PROPERTY TAXES. IF SENATOR SCHNOOR WOULD NEED THE TIME, I WOULD BE HAPPY TO YIELD THE REMAINDER OF MY TIME TO HIM. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR EBKE. SENATOR SCHNOOR, YOU'RE YIELDED 3:20. [LB344]

SENATOR SCHNOOR: THANK YOU, SIR. I WOULD LIKE TO READ YOU A STATEMENT ABOUT NRDs FROM THEIR WEB SITE. IT TALKS ABOUT THEIR PURPOSE. "NRDs ARE MULTI-COUNTY GOVERNMENTS ORGANIZED ALONG MAJOR WATERSHEDS WITH BROAD RESPONSIBILITIES TO PROTECT AND

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ENHANCE OUR STATE'S NATURAL RESOURCES. MAJOR NEBRASKA RIVER BASINS FORM THE BOUNDARIES ENABLING THE NRDs TO RESPOND BEST TO LOCAL NEEDS. ELECTED BOARDS GOVERN THE DISTRICTS. MUCH OF THE FUNDING FOR RESOURCES MANAGEMENT PROGRAMS AND PROJECTS COME FROM PROPERTY TAXES..." SO THAT'S THE KEY THERE, PROPERTY TAXES. THAT'S WHAT WE'RE FIGHTING. WE TALKED ABOUT WASTEFUL SPENDING IN SCHOOL DISTRICTS. THAT'S BEEN AN ARGUMENT ALL YEAR, AS A MATTER OF FACT, WHETHER SCHOOL DISTRICTS ARE OR WHETHER THEY AREN'T. THE MISSION OF PAPIO-MISSOURI RIVER NRDs IS TO WISELY CONSERVE, MANAGE, AND ENHANCE OUR SOIL, WATER, WILDLIFE, AND FOREST RESOURCES FOR THE GOOD OF ALL PEOPLE RESIDING WITHIN THE DISTRICT'S BOUNDARIES, GENERALLY THE SAME STATEMENT THAT I READ BEFORE, BUT YET IN THEIR BUDGET THEY HAVE \$300,000 FOR PLAYGROUND EQUIPMENT. SO I'M NOT QUITE SURE HOW THAT FALLS WITHIN NATURAL RESOURCES, BUT THE ARGUMENT CAN DEFINITELY BE MADE ABOUT WASTEFUL SPENDING. WE ALL KNOW THE LEVEE PROJECT...I SHOULDN'T SAY WE ALL KNOW THAT...IN NATURAL RESOURCES WE KNOW THE LEVEE PROJECT IS CRITICAL... [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR SCHNOOR: THANK YOU...AROUND OFFUTT AIR FORCE BASE. IT'S CRITICAL TO THAT BASE, ULTIMATELY STAYING THERE; OR NOT NECESSARILY THE BASE, THE BASE ISN'T GOING TO LEAVE, THE PEOPLE ARE GOING TO LEAVE. SO I DON'T HAVE ENOUGH TIME TO CONTINUE MY STATEMENT ABOUT THAT, BUT I WILL TALK MORE ABOUT THAT AND I WILL TALK MORE ABOUT THE CONSTITUTIONALITY ISSUE THAT I BROUGHT UP EARLIER. THANK YOU, SENATOR EBKE, AND THANK YOU, MR. PRESIDENT. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR SCHNOOR. THANK YOU, SENATOR EBKE. SENATOR KRIST, YOU'RE RECOGNIZED. [LB344]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. GOOD MORNING, NEBRASKA. YES, INDEED, THIS IS ONE OF THE RULES, AND SENATOR SCHNOOR CAME UP TO THE CHAIR WHEN I WAS UP IN THE CHAIR THE OTHER DAY, AND I TAUGHT HIM ABOUT THE RULE AND TOLD HIM ABOUT IT AND SHOWED IT TO HIM IN THE BOOK. THE QUESTION IS, WHAT HAVE ANY OF YOU SAID...WHAT PURPOSE DOES THIS SUIT? WHAT HAVE ANY OF YOU SAID THAT WOULD NOT BE DISCUSSED IN THE ACTUAL BILL OR THE COMMITTEE AMENDMENT IN A MORE PRODUCTIVE, MORE INTELLECTUAL, MORE BASED IN

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FACT AND PREMISE THAN YOU HAVE SAID ALREADY AND WASTING TIME? BECAUSE YOU'D SAY THE SAME THING AS WE GOT TO THE DEBATE ON THE BILL AND ON THE AMENDMENT. THE NEXT THING WE DO IS GET UP ON THE MIKE AND EMBARRASS PEOPLE FOR NOT KNOWING FACTS AND FOR THROWING OUT THINGS THAT WILL SEND US DOWN A RABBIT HOLE, AND BOTH OF THOSE ARE TACTICS THAT SENATOR CHAMBERS WORKS REALLY WELL ON THIS FLOOR. SO IF THAT'S WHAT YOU WANT TO DO IS EMULATE SENATOR CHAMBERS, HAVE AT IT, AND I'LL KNOW FOR THE NEXT SIX HOURS I CAN GET SOMETHING ELSE DONE IN MY OFFICE. IN PREPARATION FOR THIS DEBATE AND IN TALKING TO A FEW OF MY COLLEAGUES YESTERDAY, I ACTUALLY PULLED UP THE WATER SUSTAINABILITY ACT AS IT WAS ORIGINALLY PUT INTO PLACE, AND HOW IT WAS AMENDED, AND IT'S AMAZING IF YOU READ AND EDUCATE YOURSELF WHAT THE WATER SUSTAINABILITY ACT IS SUPPOSED TO DO. SECTION 3, PAGE 3 OF LB1098, AMENDED IN...ON APRIL 16, SIGNED INTO LAW APRIL 16, 2014, WHICH I WAS HAPPY TO BE PART OF. THE GOALS OF THE WATER SUSTAINABILITY FUND ARE TO: (A) PROVIDE FINANCIAL ASSISTANCE TO PROGRAMS, PROJECTS, AND ACTIVITIES THAT INCREASE AQUIFER RECHARGE, REDUCE AQUIFER DEPLETION, AND INCREASE STREAMFLOW; (B) REMEDIATE/MITIGATE THREATS TO DRINKING WATER; (C) PROMOTE THE GOALS AND OBJECTIVES OF THE APPROVED INTEGRATED MANAGEMENT PLANS OR GROUND WATER MANAGEMENT PLANS; (D) CONTRIBUTE TO THE MULTIPLE WATER SUPPLY MANAGEMENT GOALS INCLUDING--INCLUDING, EXCLAMATION POINT--FLOOD CONTROL, REDUCING THREATS TO PROPERTY DAMAGE, AGRICULTURAL USES--AGRICULTURAL USES IS ONE OF THOSE--MUNICIPAL AND INDUSTRIAL USES, RECREATIONAL BENEFITS--UNDERLINED, EXCLAMATION POINT--RECREATIONAL BENEFITS, WILDLIFE HABITAT, CONSERVATION, PRESERVATION OF WATER RESOURCES." BEFORE WE GET UP ON THE FLOOR AND SPOUT, I THINK WE SHOULD ACTUALLY READ THE ACT AS IT WAS ORIGINALLY PUT INTO PLACE AND AMENDED. I WAS HOPING TO DELIVER SOME OF THIS INFORMATION DURING THE ACTUAL DEBATE. LET'S GET TO THE SUBSTANCE OF LB344. AND FOR THE RECORD, I AM NOT YET CONVINCED THAT I WILL VOTE FOR LB344, FOR MOST OF THE REASONS, INTERESTINGLY ENOUGH, THAT SENATOR KINTNER MENTIONED EARLIER, ALTHOUGH I REFUSE TO BE A MONKEY. THE POINT OF MY DIALOGUE ON THE MIKE THIS MORNING IS TO REMIND US WE HAVE A JOB TO LOOK AT LB344, WE HAVE A JOB TO EVALUATE THE COMMITTEE AMENDMENTS, AND TO DISCUSS FACTUALLY WHAT OUR NRDS, WHAT THE COMMISSION, AND WHAT THIS WATER FUND IS SUPPOSED TO DO FOR AND WITH US TO HELP THE CITIZENS OF THE STATE. THIS IPP MOTION IS RIDICULOUS. [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

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SENATOR KRIST: VOTE NO ON THE IPP MOTION. LET'S GET TO THE SUBSTANCE. LET'S ALLOW THE COMMITTEE AMENDMENT TO BE DISCUSSED AND LB344 ON ITS SURFACE AND LET'S NOT RESORT TO ONE OR TWO FOLKS WHO ARE TELLING US WHAT TO DO AND FEEDING US INFORMATION. AND I'M NOT SPEAKING OF ANYBODY IN THIS CHAMBER RIGHT NOW, I'M TALKING ABOUT THOSE PEOPLE WHO ARE OUTSIDE THE GLASS, FEEDING INFORMATION, AND HAVE BEEN FOR THE LAST COUPLE DAYS. THE ONE OTHER THING I WOULD MENTION, IF YOU CHOOSE TO USE THIS TACTIC, I WOULD HOPE, ON ME, THAT YOU WOULD COME AND TELL ME THAT YOU'RE GOING TO DO THAT. I THINK THAT'S THE GENTLEMANLY AND, I'D SAY, WOMANLY THING TO DO, GENTLEWOMANLY THING TO DO. THANK YOU, MR. PRESIDENT. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR KRIST. THOSE WAITING TO SPEAK: SENATORS HANSEN, McCOY, BRASCH, KUEHN, AND OTHERS. SENATOR HANSEN, YOU'RE RECOGNIZED. [LB344]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. I WOULD YIELD MY TIME TO SENATOR KOLOWSKI IF HE COULD USE IT. [LB344]

SENATOR SCHEER: SENATOR KOLOWSKI, YOU'RE YIELDED 4:50. [LB344]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR HANSEN, APPRECIATE THAT VERY MUCH. SENATOR SCHNOOR MENTIONED A NUMBER OF ITEMS PULLED DIRECTLY OUT OF THE PAPIO NRD BUDGET AND HE SAID SOMETHING ABOUT PLAYGROUND EQUIPMENT. WELL, WHEN WE BUILD RESERVOIRS, AS I SPENT EIGHT YEARS ON THAT BODY AS WE WERE TRYING TO DO THINGS TO PROTECT THE PROPERTY AND LIVES IN THE OMAHA METROPOLITAN AREA, WE BUILT A LOT OF RESERVOIRS. WE'RE BUILDING THEM AND WE'LL CONTINUE TO BUILD THEM TO PROTECT PROPERTY AND PEOPLE. WHEN YOU BUILD A RESERVOIR, YOU ALSO PUT IN A NUMBER OF THINGS THAT WOULD BE USEFUL IN RECREATION IN THAT PARTICULAR AREA, INCLUDING TRAILS, SOCCER FIELDS, BASEBALL FIELDS SOMETIMES, AND PLAYGROUND AREAS, AS WELL AS THE PATHS FOR BIKING, HIKING, JOGGING, WHATEVER ELSE PEOPLE WANT TO DO. SENATOR SCHNOOR SPENT SOME TIME WITH A PERSON FROM THE PAPIO NRD YESTERDAY. HE SAID IT WAS THE FIRST TIME HE HAD DEALT WITH HIM AND I HAD A CHANCE TO TALK TO HIM ABOUT THAT LAST NIGHT AT A FUNCTION WE ATTENDED. AND I TOLD HIM THERE WAS A LACK OF CREDIBILITY WITH THAT INDIVIDUAL AND HIS FACTS, BUT HE PROCEEDED TO DO WHAT HE DID THIS MORNING. WE HAVE A NUMBER OF COMMENTS THAT

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WERE THE FIGHT AGAINST PROPERTY TAXES. THIS BILL IS A FIGHT FOR WATER SUSTAINABILITY. I HAVE NO PROBLEM WITH THE DISCUSSION ON PROPERTY TAXES IN THE BILLS THAT WILL BE COMING UP AND HOW WE HANDLE THOSE. THIS BILL IS ABOUT WATER SUSTAINABILITY. WHEN I SERVED ON THE WATER SUSTAINABILITY TASK FORCE, I WAS ONE OF FOUR SENATORS THAT WAS PART OF THAT COMMISSION...SIX SENATORS, EXCUSE ME, AND I WAS THE EASTERNMOST ONE. AND SO YOUR EASTERNMOST SENATOR IS HERE THIS MORNING BRINGING A BILL FORWARD THAT WOULD ASSIST EVERY WESTERN NRD, MIDSTATE AND FAR WEST. THAT'S WHERE THE WATER SUSTAINABILITY ATTENTION IS DRAWN. WE HAVE TOO MUCH WATER IN THE EASTERN SECTION, THEREFORE, WE NEED LEVIES, RETENTION LAKES, AS WE HAVE AROUND THE OMAHA AREA, AND ALL THE REST TO SLOW DOWN WATER, SLOW DOWN THE DAMAGE, SLOW DOWN THE THREAT TO PEOPLE AND PROPERTY; WHERE OUR FRIENDS ON THE MID PART OF THE STATE OR WESTERN PART OF THE STATE NEED TO RECHARGE THE AQUIFER AND DO THE THINGS THEY NEED TO DO TO HAVE WATER SUSTAINABILITY FOR THE FUTURE OF AGRICULTURE IN OUR STATE. SO I FIND IT VERY INTERESTING AS AN EASTERN, IF I CAN USE THE GEOGRAPHICAL TERM, EASTERN MEMBER OF THE WHOLE DOING WHAT WE'RE DOING, TRYING TO BRING THIS FORWARD, BECAUSE IT WAS A PIECE OF THE LONG-TERM PLANNING THAT WE NEEDED TO PUT IN PLACE. AND WHEN I GET TO SHOW YOU THE DOCUMENTS THAT YOU...GO THROUGH THE DOCUMENTS YOU'VE BEEN HANDED, YOU'LL UNDERSTAND WHY THE WESTERN NRDs DON'T HAVE THE FINANCIAL CAPABILITY TO DO WHAT THEY NEED TO DO WITHOUT BONDING AUTHORITY, THEREFORE, THEY WILL NOT BE A PARTICIPANT IN THE PROJECTS TO THE WEST. THEY'LL BE SHUT OUT, SHUT OFF, AND HAVE TO FACE THE FUTURE WITHOUT THE POSSIBILITY OF ADDITIONAL WATER OR WATER RESTRICTIONS COMING UPON THEM. I LEAVE YOU WITH THAT TO THINK ABOUT AND I ASK FOR YOUR DEFEAT OF THIS INDEFINITE POSTPONEMENT MOTION SO WE CAN MOVE AHEAD WITH INFORMATION, DIALOGUE, AND DECISION MAKING ON THIS BILL ON ITSELF. THANK YOU. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR KOLOWSKI. SENATOR McCOY, YOU'RE RECOGNIZED. [LB344]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. I'M CURRENTLY ONLY ONE OF NINE MEMBERS OF THIS BODY THAT WAS HERE IN 2009 WHEN LB160 WAS PASSED BY THE LEGISLATURE. THIS DEBATE ON THAT BILL WAS EXTREMELY ACRIMONIOUS, AND THAT WOULD BE FRIENDLY, THAT WOULD BE PROBABLY AN UNDERSTATEMENT, I SHOULD SAY. I WOULD ENCOURAGE THOSE, IF YOU HAVEN'T ALREADY, TO GO BACK AND TAKE A LOOK AT THE DEBATE ON

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LB160. I WAS PRIVILEGED AT THE TIME, IN MY FIRST YEAR IN THIS LEGISLATURE, TO SERVE ON THE NATURAL RESOURCES COMMITTEE. SENATOR SCHILZ, NOW THE CHAIR OF THE COMMITTEE, AND I WERE FRESHMEN SENATORS. THAT BILL WAS BROUGHT BY PAPIION SENATOR TIM GAY. I REPRESENTED 25 PERCENT OF WASHINGTON COUNTY AT THAT TIME. I DON'T NOW BECAUSE OF REDISTRICTING IN 2011. I'LL JUST TELL YOU, THAT WAS A LITTLE BIT OF A BAPTISM BY FIRE THAT YEAR, BECAUSE I HAD A GOOD NUMBER OF FOLKS IN MY DISTRICT WHO WERE BITTERLY OPPOSED TO THAT BILL. I BOUGHT IN AND I BELIEVE IT WAS THE RIGHT THING TO DO, THAT THAT BILL UNDER THE RESTRICTIONS THAT WE PUT ON IT--THERE WERE FIVE, FIVE, YOU CAN GO BACK AND LOOK, I MAY HAVE THE OPPORTUNITY TO GO OVER WITH YOU, FIVE RESTRICTIONS WE PLACED ON THE PAPIO-MISSOURI NRD UNDER AMENDMENTS TO THAT BILL--THAT HANDCUFFED THE SPECIAL OBLIGATION BONDS, MEMBERS, THAT WE ALLOWED, THE BONDING AUTHORITY THAT WE ALLOWED THE PAPIO-MISSOURI NRD TO HAVE. I VOTED FOR THAT BILL, HAVE A LOT OF MEMBERS OF MY LEGISLATIVE DISTRICT WHO QUESTIONED THAT VOTE. I DID IT BECAUSE I THOUGHT IT WAS FOR PUBLIC SAFETY. I DIDN'T WANT TO SEE WHAT HAPPENED IN CEDAR RAPIDS, IOWA, IN 2008, HAPPEN IN NEBRASKA. BUT I ALSO COME TO YOU THIS MORNING AND BELIEVE THAT WE CAN ACHIEVE PUBLIC SAFETY, WATER SUSTAINABILITY, WITHOUT DOING WHAT LB344 DOES. IT'S NOT NECESSARY FOR THERE TO BE GENERAL OBLIGATION BONDS, MEMBERS, IN MY OPINION. THIS COULD BE DONE WITH SPECIAL OBLIGATION BONDS, THE SAME WAY WE DID IT WITH LB160. THE MOST IMPORTANT THING THAT I THINK COULD BE DONE WITH THIS LEGISLATION IS TO PUT THESE BONDING DECISIONS BY ANY OF OUR 23 NRDs ACROSS THE STATE OF NEBRASKA TO A VOTE OF THE PEOPLE. THAT WAS THE BIGGEST RESTRICTION WE PUT IN LB160 BACK IN 2009. IF IT IS A HIGH ENOUGH AND IMPORTANT ENOUGH REASON, I HAVE FULL FAITH AND CONFIDENCE IN THE PEOPLE OF NEBRASKA THEY'LL SUPPORT IT AT THE BALLOT BOX. THAT'S WORKED SINCE 2009. AND BY ALL ACCOUNTS, NEBRASKANS IN THE PAPIO WATERSHED ARE SAFER BECAUSE OF THE PROJECTS, THE FLOOD CONTROL PROJECTS THAT HAVE BEEN BUILT AND ARE UNDERWAY AS WE SPEAK. I APPRECIATE WHAT THE NATURAL RESOURCES COMMITTEE HAS DONE ON THIS ISSUE. IT'S NEVER AN EASY ONE. I APPRECIATE THE BACKGROUND AND THE FAMILIARITY WITH THESE ISSUES THAT SENATOR KOLOWSKI HAS. BUT TO UNDERSTAND THIS ISSUE, MEMBERS, YOU MUST GO BACK, BECAUSE WITH TERM LIMITS IT'S ALWAYS A CHALLENGE TO REMEMBER WHAT HAPPENED IN THIS BODY JUST A FEW SHORT YEARS AGO. AND I MIGHT ALSO ADD, FOR SENATOR KRIST'S BENEFIT, BECAUSE HE DIDN'T JOIN THIS BODY UNTIL THE SUMMER OF 2009, A LITTLE BIT AFTER I DID, I'LL HAVE TO GO BACK AND CHECK FOR CERTAIN, BUT I'M ALMOST POSITIVE THAT THE INDEFINITE POSTPONEMENT

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MOTION BEFORE THE BILL WAS READ OVER ON GENERAL FILE WAS ACTUALLY ATTEMPTED ON LB160 IN 2009. [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR McCOY: THIS IS AN IMPORTANT PIECE OF LEGISLATION. IT'S ONE THAT I THINK COULD BE AMENDED TO MORE MIRROR LB160 IN 2009. I MIGHT ALSO ADD, THERE WASN'T ONE CENTRAL OR WESTERN NEBRASKA NRD THAT CAME AND TESTIFIED IN SUPPORT OF THIS BILL. SO IF WHAT SENATOR KOLOWSKI SAYS IS TRUE, AND I DON'T HAVE ANY REASON TO DOUBT IT, THEN WHY DIDN'T THEY COME AND TESTIFY ON IT? THE ASSOCIATION OF NRDs DID, BUT NO INDIVIDUAL NRD CHOSE TO COME TESTIFY. I THINK WE CAN AMEND THIS BILL, MAKE IT BETTER, MAKE IT HAVE A VOTE OF THE PEOPLE, AND MOVE FORWARD WITH PUBLIC SAFETY AND WATER SUSTAINABILITY IN MIND. THANK YOU, MR. PRESIDENT. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR McCOY. (VISITORS INTRODUCED.) RETURNING TO DISCUSSION ON THE IPP MOTION BY SENATOR SCHNOOR, THOSE WAITING IN THE QUEUE: SENATOR BRASCH, KUEHN, JOHNSON, AND SCHNOOR. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB344]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I CANNOT SUPPORT LB344, AND I WOULD SUPPORT THE MOTION TO INDEFINITELY POSTPONE IT. AGAIN, NEBRASKANS FROM EAST TO WEST, NORTH TO SOUTH, HAVE BEEN ASKING FOR PROPERTY TAX RELIEF, AND WE ARE WORKING ON THAT. WE DON'T NEED TO ADD MORE TAX OBLIGATIONS OR BOND OBLIGATIONS THAT WOULD TAKE MONEY OUT OF INDIVIDUALS' POCKETS. ALL OF THE PROJECTS THAT THE NRDs NOW HAVE ACROSS THE STATE, YES, THEY ARE BEAUTIFUL, WE ENJOY THE PLAYGROUNDS, THERE ARE TRAILS. BUT I DON'T BELIEVE THAT'S THE PURPOSE OF AN NRD. IF WE WERE ABLE TO KEEP MORE MONEY IN OUR POCKETS, WE'D BE HAPPY TO BUY MORE PLAYGROUNDS. WE'D RATHER BUY THEM OURSELVES THAN HAVE A QUASI-GOVERNMENTAL AGENCY DOING OUR PARKS AND RECREATION OR GAME AND PARKS DUTIES. THERE'S QUESTIONS BEING ASKED. I NOW SERVE ALL OF WASHINGTON COUNTY. AND SENATOR McCOY IS CORRECT. THERE HAS BEEN GREAT, GREAT CONCERN BY MANY THROUGHOUT WASHINGTON COUNTY ABOUT NRDs, THEIR SPECIFIC ONE. AND THAT'S IF YOU'RE FROM WASHINGTON COUNTY, BURT COUNTY, AND DAKOTA COUNTY ON UP BECAUSE THE GEOGRAPHY, THE POPULATION, EVERYTHING IS DIFFERENT. AND I, MY FIRST YEAR, DID TRY TO INTRODUCE

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LEGISLATION TO ADDRESS THE DYNAMIC DIFFERENCES BETWEEN THOSE IN DOUGLAS AND SARPY COUNTY VERSUS THE OTHER PART. BUT THAT WAS UNSUCCESSFUL BECAUSE OF THE CONTROL THAT DOUGLAS AND SARPY COUNTY HAS ON THE BOARD, AND THAT ARGUMENT IS FOR ANOTHER DAY. AND IT DOESN'T EVEN NEED LEGISLATION. THAT COULD BE A BOARD DECISION TO MAKE THAT DIVISION. BUT WHAT WE'RE TALKING ABOUT HERE IS MORE BONDING AND LESS DOLLARS FOR THOSE IN THOSE NRDs. AND AGAIN, IT'S ANOTHER TAX. I CAN'T SUPPORT IT. AND AS FAR AS WATER, CONTROLLING WATER AND WATER REGULATIONS AND WATER SUSTAINABILITY, IF YOU JUST GO TO YOUR COMPUTER AND DO A GOOGLE, THERE'S AT LEAST A DOZEN NEBRASKA AGENCIES BEYOND THE NRDs THAT ARE LOOKING TO CONTROL WATER. WE DID LEGISLATION, YES, AND I BELIEVE IT'S IN PLACE AND WE SHOULD SEE HOW THAT WORKS, BUT THERE'S THE NEBRASKA WATER CENTER, NEBRASKA WATER ENVIRONMENTAL ASSOCIATION, NEBRASKA PUBLIC WATER SUPPLY, NEBRASKA WATER RESOURCES. I MEAN THE LIST GOES ON AND ON. AND INDIVIDUALS IN OUR STATE ARE GETTING WEARY AND DISHEARTENED WHEN WE JUMP INTO ASKING FOR MORE DOLLARS OUT OF THEIR POCKET. OUR PROPERTY TAX, WE PAY MONEY TO THE NRDs. AND EVEN THOUGH WASHINGTON COUNTY WAS THE FIRST TO EXPRESS QUESTIONS, BEING DISHEARTENED ON THE NRDs' DECISIONS, I AM NOW HEARING IT FROM CUMMING COUNTY, ANOTHER COUNTY. THEY'RE BECOMING DISHEARTENED AND WEARY. THERE IS MORE AND MORE CONTROL OF WATER. IS THAT GOVERNMENT'S ROLE, TO A DEGREE, TO THE EXTENT WHERE IT IS... [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR BRASCH: ...A FINANCIAL BURDEN FOR THOSE? THERE'S A LOT OF QUESTIONS. I DON'T THINK BONDING IS NECESSARY AT THIS POINT. IF WE HAVE A WATER CRISIS, AS WE DID IN THE PAST, WE WILL CALL A SPECIAL SESSION. WE WILL ADDRESS IT. BUT IT'S NOT A PROBLEM, AND WE ALREADY WORK DILIGENTLY TO PREVENT A PROBLEM. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR BRASCH. SENATOR KUEHN, YOU'RE RECOGNIZED. [LB344]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. WE DO NEED TO HAVE AN OPEN AND THOROUGH DEBATE ABOUT THIS BILL AND THE

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COMMITTEE AMENDMENTS THAT ARE COMING FORWARD. AND WITH THAT, I YIELD THE REST OF MY TIME TO SENATOR SCHNOOR. [LB344]

SENATOR SCHEER: SENATOR SCHNOOR, YOU'RE RECOGNIZED...OR YIELDED 4:40. [LB344]

SENATOR SCHNOOR: THANK YOU, SENATOR KUEHN AND MR. PRESIDENT. I WOULD LIKE TO ADDRESS A COUPLE STATEMENTS THAT WERE MADE. FIRST, TO SENATOR KRIST, I DON'T...I FEEL IF WE USE THE TOOLS THAT WE'RE GIVEN HERE AND ONE OF THE TOOLS IS TO DEFEAT SOMEBODY'S BILL, I DON'T THINK IT'S A WISE COURSE OF ACTION TO GO TO THAT INDIVIDUAL AND TELL THEM WHAT WE'RE GOING TO DO. THAT'S JUST MY OPINION. DID IT SURPRISE SENATOR KOLOWSKI? HE KNOWS I'VE BEEN AGAINST THIS. I VOTED AGAINST IT IN COMMITTEE. WAS HE SURPRISED ABOUT THE AMENDMENT? I THINK SO, BUT IT DOESN'T MATTER BECAUSE I'M TRYING TO DEFEAT THIS AND THIS IS JUST ANOTHER WAY TO DO IT. THEN, TO SENATOR KOLOWSKI, WE DID TALK LAST NIGHT, AND HE TALKED TO ME ABOUT AN INDIVIDUAL BEHIND THE GLASS THAT I SPOKE WITH, AND I DID SPEAK WITH HIM. HONESTLY, I DON'T EVEN REMEMBER HIS NAME. FIRST TIME I MET THE MAN I TALKED TO HIM FOR FIVE MINUTES, AND THAT WAS IT. BUT, SENATOR KOLOWSKI, HE DIDN'T GIVE ME ANY INFORMATION. I USED NOTHING FROM WHAT HE TOLD ME BECAUSE I DIDN'T HAVE ANYTHING. SO MY POINT HERE IS TO SAY PEOPLE ARE TIRED OF PROPERTY TAXES. PEOPLE HAVE HAD ENOUGH, AND IT'S TIME WE STAND UP AND FIGHT, THAT WE DO WHAT IS RIGHT FOR THE PEOPLE. I DO NOT SUPPORT ANY OR ANSWER TO ANY ASSOCIATIONS, ANY LOBBYING GROUPS. I ANSWER TO THE PEOPLE, AND THE PEOPLE ARE TIRED. SO THAT'S MY FIGHT HERE. IS THERE A WAY THAT WE CAN AMEND THIS TO MAKE IT BETTER? POSSIBLY. WE'LL SEE HOW THINGS GO DURING THE DEBATE AND THEN WE'LL DECIDE FROM THERE. BUT PRESENTLY, AS THIS BILL STANDS, AS THE COMMITTEE AMENDMENT STANDS, I AM OPPOSED, AND I ASK EVERYBODY ELSE TO VOTE AGAINST THIS BILL. AND WITH THAT, MR. PRESIDENT, I WOULD LIKE TO WITHDRAW MY MOTION. [LB344]

SENATOR SCHEER: MOTION IS WITHDRAWN. MR. CLERK, WE'LL PROCEED BACK TO GENERAL FILE, LB344. [LB344]

CLERK: YES, MR. PRESIDENT. LB344 IS A BILL ORIGINALLY INTRODUCED BY SENATOR KOLOWSKI. (READ TITLE.) INTRODUCED IN JANUARY OF LAST YEAR, AT THE TIME REFERRED TO THE NATURAL RESOURCES COMMITTEE. THE BILL WAS

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ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS PENDING, MR. PRESIDENT. (AM2112, LEGISLATIVE JOURNAL PAGE 628.) [LB344]

SENATOR SCHEER: THANK YOU, MR. CLERK. SENATOR KOLOWSKI, YOU'RE RECOGNIZED TO OPEN ON LB344. [LB344]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR SCHNOOR, FOR PULLING THAT, APPRECIATE IT VERY MUCH. FOR ALL THE AUDITORY LEARNERS IN THE...ON THE FLOOR THIS MORNING, YOU'LL BE HEARING WHAT I'M GOING TO BE TALKING ABOUT OVER THE NEXT FEW MINUTES; AND AS YOU ABSORB THAT, I HOPE YOU CAN CONTINUE TO THINK IN ONE DIRECTION THAT THIS IS ALL ABOUT WATER. FOR THE VISUAL LEARNERS, IF YOU CAN LOOK AT ME RIGHT NOW WHERE I AM STANDING, IT'S ALL ABOUT WHAT'S IN MY HAND. AGAIN, IT'S ALL ABOUT WATER, WHAT WE'RE TRYING TO DEAL WITH, WHERE WE'VE COME FROM ON THE LAST THREE TO FOUR YEARS OF WORK IN THIS STATE. IT'S EXTREMELY IMPORTANT THAT WE THINK ABOUT CROPS THAT NEED WATERING, LIVESTOCK THAT NEED WATERING, FAMILIES THAT NEED WATER, AND THE LONG RANGE OF BOTH OUR CHILDREN AND GRANDCHILDREN AND THE WORLD THEY'LL BE LIVING IN AS FAR AS THE NEED FOR WATER IN THIS PARTICULAR STATE. IN THE LAST WEEK, EVERY MEMBER OF THE BODY SHOULD HAVE RECEIVED THE NEBRASKA WATER CENTER ANNUAL REPORT, 2015. I HOPE YOU HAVE A COPY OF THAT IN YOUR OFFICE. I HOPE YOU GET A CHANCE TO LOOK AT IT SOMETIME. AND I WOULD ASK YOU TO THINK ABOUT ATTENDING THE WATER FOR FOOD CONFERENCE WHENEVER THAT IS HELD AGAIN IN WHEREVER IT MIGHT BE HELD. IT'S AN EXCELLENT CONFERENCE TO GO TO AND EXEMPLIFIES WHAT WE'RE TRYING TO GET DONE AS FAR AS WATER IN OUR STATE. I SERVED ON THE WATER FUNDING TASK FORCE THAT ISSUED THE REPORT ON THE WATER NEEDS OF NEBRASKA. THE TASK FORCE HAD MEETINGS ACROSS THE STATE AND HEARD FROM NEBRASKANS THE IMPORTANCE OF PROTECTING OUR WATER RESOURCES AND PLANNING FOR OUR FUTURE WATER NEEDS. I WAS ONE OF SIX NONVOTING SENATORS ON A 40-SOME MEMBER BOARD THAT MET ALL OVER THE STATE. THE LEGISLATURE ALSO CREATED THE WATER SUSTAINABILITY FUND, WSF, AS ONE WAY TO ADDRESS THESE IDENTIFIED NEEDS. THE MONEY ALLOCATED TO THE WSF, WATER SUSTAINABILITY FUND, WILL NOT BE SUFFICIENT TO ADDRESS ALL THE POTENTIAL IDENTIFIED PROJECTS TO DATE. I INTRODUCE LB344 TO PROVIDE OUR NRDs WITH A TOOL THAT CAN BE USED TO COMPLEMENT THE WATER SUSTAINABILITY FUND AND ADDRESS THE LITANY OF NEEDS THAT HAVE BEEN IDENTIFIED. THIS LEGISLATION IS ESSENTIAL TO ENSURE THAT WATER NEEDS ALL ACROSS OUR STATE CAN RECEIVE FUNDING. I HAVE PROPOSED AM2112 TO

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FOCUS THIS FUNDING MECHANISM TO THE NEEDS RAISED BY THE WATER FUNDING TASK FORCE. THE AMENDMENT LIMITS THE BILL TO ALLOW EACH NRD TO HAVE THE AUTHORITY TO ISSUE BONDS TO FINANCE PART OF THEIR WATER PROJECTS. EACH NRD WILL HAVE THE AUTHORITY WITH A TWO-THIRDS VOTE OF THEIR BOARD OF DIRECTORS TO ISSUE BONDS TO FINANCE WATER SUSTAINABILITY PROJECTS. IF THE BOND IS IN CONJUNCTION WITH FUNDING FROM THE WSF, THEN THE NRD CAN BOND FOR NO MORE THAN 40 PERCENT OF THE PROJECT. IF THE PROJECT WAS NOT GRANTED FUNDS THROUGH THE WATER SUSTAINABILITY FUND, THEN THE NRD MAY BOND FOR NO MORE THAN 60 PERCENT OF THE PROJECT WITH THE REST BEING MET BY LOCAL MATCHING FUNDS. ALL PROJECTS MUST BE VETTED BY THE WATER SUSTAINABILITY FUND AND DETERMINED TO BE ELIGIBLE FOR FUNDING BY THE DEPARTMENT OF NATURAL RESOURCES. THIS AUTHORITY WOULD SUNSET IN 2025. THAT WILL GIVE THE LEGISLATURE THE ABILITY TO SEE WHAT PROJECTS WERE FUNDED UNDER THE WATER SUSTAINABILITY FUND AND WITH THE LOCAL BONDING AUTHORITY. YOU HAVE RECEIVED HANDOUTS THAT GIVE MORE DETAIL ABOUT THE BONDING PROCESS AND HOW THAT WORKS. THE PROPERTY TAX BASE OF THE 23 NRDs IS INCLUDED IN THAT MATERIAL AND A MAP OF THE NRDs AND THE WATER SUSTAINABILITY FUND GUIDELINES. I ASK FOR YOUR SUPPORT OF LB344 WITH AM2112. THIS IS A TOOL IN THE TOOL CHEST. NO ONE IS FORCED TO USE IT. IT'S LOCALLY DECIDED AND HAS GREAT IMPACT UPON THE FUTURE OF WATER IN OUR STATE. I WANT TO ADDRESS THE THINGS THAT HAVE BEEN HANDED OUT TO YOU, BECAUSE I DON'T ASSUME THAT EVERYONE HAS AN NRD BACKGROUND, HAVING SERVED FOR EIGHT YEARS ON ONE OF THE BOARDS HERE IN OUR STATE. THE MAP THAT YOU SEE, THE COLORED MAP BEFORE YOU, HAS THE BOUNDARIES OF EACH OF THE 23 NRDs IN OUR STATE. WE ARE NOT ONLY UNIQUE WITH A UNICAMERAL FUNCTION, AS FAR AS OUR STATE IS CONCERNED, BUT WE ALSO ARE THE ONLY STATE THAT HAS NATURAL RESOURCE DISTRICTS. THE FEDS TELL US MANY TIMES IN ALL OF OUR CONVERSATIONS WITH THEM WHAT A PLEASURE IT IS TO WORK WITH THE STATE OF NEBRASKA THAT HAS IDENTIFIED WATERSHED PROJECTS COMPARED TO STATES THAT HAVE OVERLAPPING POLITICAL BOUNDARIES SET BY INDIVIDUALS, COUNTIES, CITIES, STATE BOUNDARY LINES, ALL THOSE THINGS THAT MAKE IT DIFFICULT TO WORK IN OTHER STATES COMPARED TO THE WATERSHEDS THAT HAVE BEEN IDENTIFIED AND ARE WITHIN EACH OF THE 23 NRDs IN NEBRASKA. YOU HAVE A LOT OF INFORMATION ON THAT SHEET THAT YOU CAN LOOK AT, AT YOUR LEISURE, AND GAIN SOME BACKGROUND INFORMATION. SECONDLY, THERE'S A TWO-PAGE MEMO; IT'S A MEMORANDUM SHEET TO ALL OF YOU FROM MY OFFICE THAT HAS ALL THE INFORMATION ON IT THAT YOU'RE LOOKING AT THAT WOULD BE TALKED ABOUT IN WHAT WE'RE DEALING WITH HERE IN THIS

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AMENDMENT AND IN THIS BILL. LB1098, UNDER SENATOR CARLSON'S LEADERSHIP AT THAT TIME, BROUGHT ABOUT THE...CREATED THE WATER SUSTAINABILITY FUND AND WE PUT \$21 MILLION PLUS \$11 MILLION INTO IT IN THAT FIRST YEAR OF OPERATION AND WE'LL BE DOING \$11 MILLION PER YEAR EVERY YEAR THEREAFTER FOR ITS DURATION. THERE IS A LOCAL MATCHING REQUIREMENT FOR THE NRDs TO RECEIVE WATER SUSTAINABILITY. THAT'S WHERE THIS ABILITY THROUGH THE BONDING AUTHORITY WOULD COME FORWARD FOR THE NRDs TO BE A PARTICIPANT IN THE SOLUTIONS OF THE ISSUES THAT HAVE BEEN IDENTIFIED. AT THE BOTTOM OF THAT FIRST PAGE: TYPES OF WATER SUSTAINABILITY FUND PROJECTS. IT'S EXTREMELY IMPORTANT TO LOOK AT THAT PARAGRAPH. WHEN YOU LOOK AT THE PLATTE RIVER RECOVERY PROGRAM, REPUBLICAN RIVER COMPACT, COMPLIANCE, THE MANAGEMENT PLANS, AND INTEGRATED PLANS OF THE BASIN PLANS, NIOBRARA SCENIC RIVER ISSUES, MUNICIPAL WATER DEMANDS FOR LINCOLN AND OMAHA AND OTHER AREAS ALL ACROSS THE STATE DEEPLY INTO THE WATER PROJECTS. THE SECOND PAGE OF THAT HANDOUT TALKS ABOUT HOW BONDING WILL HELP. BONDING CAN AND WILL KEEP THE TAXES LOW OVER A LONGER PERIOD OF TIME AND ALSO YOU'RE DEALING WITH VERY LOW INTEREST RATES. IT TAKES...ISSUANCE OF THE BONDS WOULD DEPEND ON TWO-THIRDS OF THE VOTE OF THE DIRECTORS. AND ON THAT SECOND PAGE YOU SEE THE LISTING OF STEPS YOU'D GO THROUGH IN ORDER TO BE SUCCESSFUL WITH THAT PROPOSAL. THE THIRD AND THE LAST SHEET I WANT TO TALK ABOUT IS THE LISTING OF NATURAL RESOURCES DISTRICT WITH THEIR '15-16 BUDGET SUMMARIES. PLEASE TAKE A LOOK AT THAT SHEET THAT MIGHT BE ON YOUR TABLE AS BEFORE YOU. THERE ARE THREE NRDs: THE CENTRAL PLATTE, WITH A \$6 MILLION TOTAL PROPERTY TAX REQUIREMENT; THE LOWER PLATTE SOUTH, WITH A \$9 MILLION-PLUS; AND THE PAPIO-MISSOURI RIVER NRD, WITH A \$26 MILLION-PLUS. THOSE THREE WOULD BE ABLE TO HANDLE, WITHIN THEIR BUDGETARY AUTHORITY, A NUMBER OF THINGS CONCERNING THE WATER SUSTAINABILITY FUNDS THAT OTHERS WOULD NOT BE ABLE TO HANDLE.
[LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR KOLOWSKI: THE LACK OF FINANCIAL EXTENSION ON THE PART OF THE OTHER NRDs FORCES...WOULD FORCE THE DECISION MAKING TO THOSE THREE TOP NRDs BECAUSE OTHERS WOULD NOT HAVE THE FINANCIAL SUSTAINABILITY TO PARTICIPATE IN THE WATER SUSTAINABILITY FUND AND WOULD BE CUT OFF FROM THOSE BECAUSE OF THE CURRENT STANDARDS AND HOW THAT IS ORGANIZED. SO PLEASE KEEP THAT IN MIND. AGAIN, WHEN I SAID I'M AN

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EASTERN PERSON OF THE STATE BRINGING A BILL TOGETHER THAT IS GOOD FOR THE MIDWESTERN...MID PART OF OUR STATE AND THE FAR WEST OF OUR STATE, AND IT'S IMPORTANT THAT WE HAVE THAT KIND OF THOUGHT AND THAT KIND OF THINKING IN WHAT WE'RE DOING BECAUSE IT'S NOT JUST ABOUT ONE DISTRICT, ONE LOCATION, OR ONE SEGMENT OF OUR STATE. THIS IS FOR THE ENTIRE STATE. SO I WOULD ASK FOR YOUR QUESTIONS AND ANY COMMENTS YOU WOULD LIKE TO MAKE CONCERNING THIS BILL AND THIS AMENDMENT. IT'S IMPORTANT FOR THE STATE OF NEBRASKA. IT'S IMPORTANT FOR THE FUTURE OF OUR STATE. AND AS WE LOOK AT ALL... [LB344]

SENATOR SCHEER: TIME, SENATOR. [LB344]

SENATOR KOLOWSKI: THANK YOU VERY MUCH, SIR. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR KOLOWSKI. AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE NATURAL RESOURCES COMMITTEE. SENATOR SCHILZ, AS CHAIR OF THE COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THOSE AMENDMENTS. [LB344]

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT. GOOD MORNING, EVERYBODY. COMMITTEE AMENDMENT AM2112 WILL REPLACE THE ORIGINAL BILL AND THE AMENDMENT ENSURES THE NATURAL RESOURCES DISTRICT WOULD ONLY BE AUTHORIZED TO ISSUE GENERAL OBLIGATION BONDS IF CERTAIN CONDITIONS ARE IN PLACE. AND AS IT STANDS RIGHT NOW, THE FIRST THING IS TWO-THIRDS OF THE DISTRICT BOARD MEMBERS MUST APPROVE THE ISSUANCE OF THE BONDS. SECOND, THE NRD MUST HAVE SUBMITTED AN APPLICATION FOR FUNDING FROM THE WATER SUSTAINABILITY FUND. THIRD, THE APPLICATION TO THAT FUND HAS TO BE FOUND BY THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES TO BE ELIGIBLE FOR FUNDING. TO EXPLAIN THIS BETTER, ONCE AN APPLICATION IS FILED, THERE IS A TWO-STEP PROCESS BEFORE THE ACTUAL DECISION TO FUND IS MADE. THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES FIRST HAS TO REVIEW ALL APPLICATIONS TO MAKE SURE BASIC CONDITIONS ARE MET BEFORE FORWARDING ELIGIBLE APPLICATIONS TO THE NATURAL RESOURCES COMMISSION, WHICH MAKES THE ACTUAL FUNDING DECISIONS. FOURTH, THE NRD MUST HAVE A COMMITMENT FOR APPROVAL OF MATCHING FUNDS FROM OTHER SOURCES BEFORE ISSUING BONDS. AND, FIVE, THE ANNUAL TAX LEVIED TO THE PAY BOND DEBT MUST NOT--AND, I REPEAT, MUST NOT--EXCEED THE NRD'S TAX LEVY LIMIT. IF A PROJECT IS NOT SELECTED FOR FUNDING FROM THE WATER SUSTAINABILITY FUND OR IT ISN'T APPROVED

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FOR THE AMOUNT REQUESTED, THE NRD MAY ISSUE BONDS IN AN AGGREGATE AMOUNT NOT TO EXCEED 60 PERCENT OF THE PROJECT COST. IF A PROJECT IS SELECTED FOR FUNDING, THE NRD MAY ISSUE BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED 40 PERCENT OF THE PROJECT COST. BONDS MUST BE ISSUED WITHIN FOUR YEARS FROM THE DATE THE APPLICATION IS SELECTED OR NOT SELECTED FOR FUNDING. FINALLY, A SUNSET DATE IS SET FOR DECEMBER 31, 2025. NOW, FOLKS, AS WE GO THROUGH THIS AND WE LISTEN TO THE OPPOSITION, I JUST WANT TO BRING THINGS BACK TO THE PRESENT HERE AND LET'S TALK ABOUT PROJECTS. FIRST OF ALL, LET'S TALK ABOUT NEBRASKA AND WATER IN NEBRASKA. NEBRASKA PROBABLY DOES ONE OF THE BEST JOBS OF MANAGING ITS WATER OF ANY STATE IN THE UNION. IF YOU LOOK AT THE OGALLALA AQUIFER AND SEE THE STATES THAT OVERLIE IT, WHAT YOU'LL SEE IN ALL THOSE OTHER STATES ARE DECLINES. HERE IN THE STATE OF NEBRASKA, OVER THE LAST FEW YEARS, WE HAVE SEEN SOME ACTUAL INCREASES IN THE LEVELS THAT ARE THERE, AND A LOT OF THAT IS DUE TO THE MANAGEMENT THAT THE NRD SYSTEM PROVIDES HERE. SO WHEN WE TALK ABOUT PROJECTS AND WHAT THEY COST, WE NEED TO BE MINDFUL. IF THERE IS A PROJECT THAT NEEDS TO BE DONE BY AN NRD, HOW WILL THEY GO ABOUT DOING THAT? WELL, FIRST OF ALL, WHAT THEY'LL DO, THEY'LL SEE HOW MUCH IT COSTS. THEY'LL LOOK TO SEE WHERE THEIR LEVY LIMIT IS. AND THEN IF IT COSTS MONEY TO DO, THEY'LL RAISE THE LEVY LIMIT TO GET THAT. IT WILL COST MONEY. IF A BOND IS IN PLACE OR THEY CAN APPLY FOR A BOND AND GET THE BOND, THEN SOME OF THAT COST MAY BE DEFRAYED BECAUSE OF PARTNERING, BECAUSE OF THINGS LIKE THAT. SO JUST TO MAKE A BLANKET STATEMENT THAT THIS IS GOING TO RAISE TAXES MAY NOT NECESSARILY BE TRUE. IF WE LOOK BACK IN HISTORY, BEFORE LB1098 WAS PASSED, BEFORE THE WATER SUSTAINABILITY FUND WAS PUT INTO PLACE, WE HAD THE WATER DEVELOPMENT CASH FUND. THAT WATER DEVELOPMENT CASH FUND WAS THERE TO DO PROJECTS. UNFORTUNATELY, WE DID NOT PROPAGATE THAT FUND WITH ENOUGH MONEY TO TAKE CARE OF ALL THE PROJECTS UP-FRONT, AND NRDs DID NOT HAVE ANOTHER OPPORTUNITY TO BOND. SO AS THOSE PROJECTS CONTINUED TO GET OLDER AND OLDER AND STAY ON THE RECORDS AND STAY ON THE BOOKS WITHOUT GETTING COMPLETED, THE COST OF EACH ONE OF THOSE PROJECTS CONTINUED TO RISE. AND SO OVER TIME, WHAT HAPPENED WAS THOSE PROJECTS COST TENS OF MILLIONS, IF NOT HUNDREDS OF MILLIONS, OF DOLLARS MORE THAN THEY COULD HAVE IF A BONDING PROGRAM WOULD HAVE BEEN PUT INTO PLACE AND USED WISELY BY THOSE NRDs. SO I CAN SHOW YOU A REAL-WORLD EXAMPLE OF WHERE A BONDING AUTHORITY, IF DONE PROPERLY, ACTUALLY WOULD HAVE REDUCED THE AMOUNT OF MONEY IT COST AND, THUS, WOULD HAVE REDUCED TAXES. SO WE NEED TO BE CAREFUL ABOUT

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WHAT WE TALK ABOUT, INCREASING PROPERTY TAXES, DECREASING PROPERTY TAXES, FINANCING TOOLS THAT WE ARE ABLE TO USE. REMEMBER, THIS DOES NOT REQUIRE ANYONE TO USE BONDING. AND IF SOMEONE DOES USE BONDING, IT MAKES SURE THAT THEY STAY UNDER THEIR LIMIT. AND WITH THAT, I WOULD ASK THAT EVERYONE TAKE A LOOK AT AM2112 AND TAKE A LOOK AT VOTING IT INTO PLACE. AND I DO THINK THAT SENATOR McCOY HAS AN AMENDMENT THAT MAY BE COMING UP, AND I THINK EVERYONE SHOULD LISTEN TO THAT. THANK YOU, MR. PRESIDENT. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR SCHILZ. (VISITORS INTRODUCED.) MR. CLERK, THERE'S AN AMENDMENT TO THE COMMITTEE AMENDMENT. [LB344]

CLERK: THERE IS, MR. PRESIDENT. I MIGHT INDICATE, BEFORE THAT, THE TRANSPORTATION COMMITTEE WILL HAVE AN EXEC SESSION AT 11:30 IN ROOM 2022. SENATOR McCOY WOULD MOVE TO AMEND THE COMMITTEE AMENDMENTS WITH AM2403. (LEGISLATIVE JOURNAL PAGE 832.) [LB344]

SENATOR SCHEER: SENATOR McCOY, YOU'RE WELCOME TO OPEN ON AM2403. [LB344]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. WHAT YOU'LL SEE BEFORE YOU WITH AM2403 IS AN ATTEMPT TO MIRROR THE LANGUAGE OF THE UNDERLYING COMMITTEE AMENDMENT WHICH, OF COURSE, REWRITES THE BILL, THE UNDERLYING BILL, LB344, WHICH WOULD MIRROR THE LANGUAGE THAT THE LEGISLATURE PUT INTO STATUTE BACK IN 2009--I SPOKE ABOUT IT EARLIER WITH LB160--WHICH WOULD REQUIRE THIS TO GO TO A VOTE OF THE PEOPLE AT A PRIMARY OR GENERAL ELECTION. THAT IS THE CURRENT SITUATION THAT'S IN PLACE STATUTORILY FOR THE PAPIO-MISSOURI NRD. AGAIN, THAT WAS PASSED IN 2009. I THINK THAT'S WORKED VERY WELL FOR THEM. AND I THINK IF WE'RE GOING TO PROJECT THIS POLICY FORWARD ON THE WHOLE STATE WITH ALL OF OUR NRDs, TO ME THIS IS JUST ANOTHER LAYER OF ACCOUNTABILITY AND TRANSPARENCY THAT THE PEOPLE OF NEBRASKA, THE GOOD CITIZENS OF NEBRASKA CAN INVOLVE THEMSELVES IN THIS PROCESS. AND LIKE A LOT OF THINGS WE DO IN GOVERNMENT, THOSE OF US THAT HAVE BEEN IN CITY GOVERNMENT, COUNTY GOVERNMENT BEFORE WE CAME HERE TO THE LEGISLATURE, WE OFTENTIMES INVOLVE THE VOTE OF THE PEOPLE ON ACTIONS, ESPECIALLY THAT INVOLVE WEIGHTY ENOUGH MATTERS AS GENERAL OBLIGATION BONDS. THE LEGISLATURE SAW FIT IN 2009 TO EVEN INCLUDE A VOTE OF THE PEOPLE WITH SPECIAL OBLIGATION BONDS. TO ME THIS IS A STEP

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EVEN ABOVE WHEN WE'RE TALKING ABOUT GENERAL OBLIGATION BONDS AS EVEN MORE OF A REASON THAT THIS SHOULD BE TO A VOTE OF THE PEOPLE. IF THIS AMENDMENT WERE TO BE ADOPTED, MEMBERS, I WOULD HAVE NO OBJECTION TO THIS BILL AND WOULD BE PLEASED TO SUPPORT IT. I THINK THE INTENT OF THIS LEGISLATION IS WELL MEANING, AND I UNDERSTAND THE THOUGHT BEHIND IT. BUT I THINK JUST THIS LITTLE BIT OF EXTRA ACCOUNTABILITY, TRANSPARENCY, AND RESPONSIBILITY, FIDUCIARY RESPONSIBILITY TO THE TAXPAYERS OF NEBRASKA SHOULD BE NECESSARY. THANK YOU, MR. PRESIDENT. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR McCOY. THOSE WAITING TO SPEAK IN THE QUEUE: SENATOR JOHNSON, SCHNOOR, FRIESEN, KINTNER, AND OTHERS. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB344]

SENATOR JOHNSON: THANK YOU, MR. PRESIDENT. I'M GOING TO SPEAK ON THE HISTORY THAT I HAVE IN THE LEGISLATURE WITH THE NATURAL RESOURCES COMMITTEE. I'VE BEEN ON THAT COMMITTEE FOR FOUR YEARS. NATURAL RESOURCE, ONE OF THEM DEFINITELY, AS STATED BEFORE, IS WATER, AND THE OTHER IS LAND. AND I THINK WHAT THE RESOURCE DISTRICTS DO IS HAVE SUSTAINABILITY OF WATER, AS OUTLINED IN OUR SUSTAINABILITY STUDY, AND THE PRESERVATION OF LAND AND NOW TALKS ABOUT LAND EROSION, SO IT'S MANAGING WATER. I LIVED THROUGH THE DISCUSSION EARLY ON WITH THE PAPIO AND MISSOURI ISSUES WITH THEIR NRD, AND I UNDERSTAND WHAT THIS MIGHT DO FOR THEM. WHEN I CAME INTO THE LEGISLATURE, I THOUGHT, WOW, YOU KNOW. I KNEW THERE WAS 23 DISTRICTS AND I THOUGHT, MAN, DO WE NEED 23 DISTRICTS? AND LISTENING TO ALL OF THE TESTIMONY AND ALL OF THE DIFFERENCES BETWEEN EACH WATERSHED, I DEFINITELY UNDERSTAND THAT 23 DISTRICTS IS THE BEST WAY TO LOOK AT WATERSHED MANAGEMENT, WATER MANAGEMENT WITHIN THOSE AREAS. BUT THE DOWNSIDE OF THAT IS THE STATE IS DIVIDED UP INTO 23 SMALLER DISTRICTS THAT, IN ORDER TO TRULY LOOK AT STATEWIDE PROJECTS THAT NEED TO BE PUT TOGETHER IN ORDER TO SUSTAIN WATER, TO MAINTAIN WATER MANAGEMENT, LAND MANAGEMENT, THEY HAVE TO GO OUTSIDE OF THEIR DISTRICT POSSIBLY TO PUT TOGETHER A PROJECT THAT'S GOING TO SERVE THE WHOLE STATE, A PROJECT THAT THEY PROBABLY CANNOT PUT IN PLACE BECAUSE IT'S OUTSIDE OF THEIR JURISDICTION LEGISLATIVELY OR FINANCIALLY. WITH THAT IN MIND AND WITH THE AMENDMENTS THAT ARE OUT THERE TODAY BEING INTRODUCED WHERE...UNDER THE LID, IT GOES THROUGH A SUSTAINABILITY STUDY, HAS TO BE APPROVED THERE. IT BECOMES PART OF THE MATCH. IT IS A BENEFIT FOR THE STATE TO DO A BETTER JOB OF MANAGING ONE OF OUR

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NATURAL RESOURCES, AND I ALSO BELIEVE IT COULD END UP SAVING PROPERTY TAXES. SENATOR EBKE TALKED EARLIER, AND I LIVED IN HER DISTRICT AT TWO DIFFERENT TIMES AND I LIVED THROUGH THE FLOODS THAT WENT THROUGH CRETE AND WENT THROUGH DeWITT AND BEATRICE. THERE'S A WATER PROJECT THAT WAS PROPOSED IN ONE OF OUR EARLY MEETINGS THAT FAR, FAR EXCEEDED WHAT HER DISTRICT OR WHAT HER NATURAL RESOURCE DISTRICTS COULD COVER. THAT HASN'T GONE ANYWHERE, BUT IT'S A PROJECT OUT THERE THAT PROBABLY NEEDS TO BE PUT IN PLACE TO PROTECT THE BLUE RIVER, BIG BLUE, AND TURKEY CREEK. THAT WON'T HAPPEN WITH HER DISTRICT, HER COUNTY, SALINE COUNTY, GAGE COUNTY, JEFFERSON COUNTY TO ACCOMPLISH. THERE'S SAFEGUARDS IN PLACE FOR THIS TO WORK PROPERLY AND HELP MANAGE THE LOAD, HELP MANAGING WHAT IS REQUIRED IN THE SUSTAINABILITY COMMISSION IN LB1098. WHEN I RAN--AND I'M UP FOR REELECTION AGAIN--WHEN I RAN BEFORE I TALKED ABOUT BALANCING OUR TAX LOAD. I THINK ANYBODY FINDS OUT THAT, MAN, WE'RE GOING TO LOWER PROPERTY TAXES, THAT'S A PRETTY BIG CHALLENGE, A PRETTY BIG PROMISE OUT THERE, AND I'M ALL FOR IT, BUT WE'RE STRUGGLING ON HOW TO DO THAT. [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR JOHNSON: WE NEED TO BALANCE THAT. THANK YOU. I HAVE A BILL IN THE REVENUE COMMITTEE FOR PROPERTY TAX STABILIZATION. I DON'T KNOW IF IT WILL GET OUT. MINE IS DIRECTED MORE AS, IF WE DO NOT HAVE ANY TAX LEGISLATION DEALING WITH PROPERTY TAX RELIEF, MINE MIGHT COME IN PLAY. BUT MINE STOPS THE GROWTH OF IT RIGHT NOW, AT LEAST FOR ONE YEAR, MAYBE TO THREE YEARS, SO WE CAN CONTINUE THAT DISCUSSION. I BELIEVE THIS IS THE RIGHT MOVE FOR BONDING, AND I SUPPORT THE UNDERLYING AMENDMENTS AND SUPPORT LB344. THANK YOU. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR JOHNSON. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB344]

SENATOR SCHNOOR: I WON'T SAY ANYTHING. (LAUGH) THANK YOU, SIR. I'D LIKE TO TALK ABOUT A FEW COMMENTS THAT WERE MADE HERE ON THE FLOOR, AND WE'LL START WITH THE MOST PREVIOUS. SENATOR JOHNSON JUST TOLD YOU WE ARE STRUGGLING WITH THE ISSUE OF LOWERING PROPERTY TAXES, SO THAT REITERATES WHAT I SAID IN THE VERY BEGINNING. LET'S TALK ABOUT ALL THESE PROJECTS THAT WERE BROUGHT UP, MILLIONS UPON MILLIONS UPON

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MILLIONS OF DOLLARS OF PROJECTS. ARE SOME OF THEM NEEDED? YEAH. YOU KNOW, WE WON'T KNOW THAT UNTIL A PROPOSAL IS PUT FORWARD, BUT MY POINT BEING IS IT TAKES TAX DOLLARS TO DO THIS. AND THE ARGUMENT THAT WE'RE GOING TO SAVE TAX DOLLARS BY ALLOWING BONDING AUTHORITY MAKES NO SENSE TO ME BECAUSE WE STILL HAVE TO PAY FOR IT. IT'S A MATTER OF HOW MUCH IT'S GOING TO COST. SO THAT, I LOOK AT THAT AS A TERRIBLE ARGUMENT. THE NRDs HAVE PROVEN THAT THEY HAVE THE ABILITY TO GET PROJECTS DONE. THE LEVEE AROUND OFFUTT IS A PRIME EXAMPLE. THIS WAS SO IMPORTANT THAT THEY CAME TO THE APPROPRIATIONS COMMITTEE AND ASKED FOR THE MONEY. THAT COMMITTEE ALSO RECOGNIZED THE IMPORTANCE OF THAT AND APPROPRIATED THAT. SO THEY HAVE THE ABILITY TO DO THIS. THEY'VE DONE IT ALL THE TIME. LAKE WANAHOO, NORTH OF WAHOO, PRIME EXAMPLE, WAS DONE WITHOUT BONDING AUTHORITY. SO IS THIS A TOOL IN THEIR TOOL CHEST? OF COURSE IT IS, JUST LIKE ALL THE SCHOOL DISTRICTS USE THE TOOLS THAT THEY'VE BEEN GIVEN. AND IF THE TOOL ALLOWS THEM AND THEY FEEL THEY HAVE A NEED TO SPEND MORE MONEY, THEY WILL, AND WE PAY FOR IT WITH TAXES. AM I SAYING THEY'RE DOING THAT FOOLISHLY OR WILL THEY DO IT FOOLISHLY? NO, I'M NOT. AS TO SENATOR McCOY'S AMENDMENT, I DO THINK THIS IS A GOOD AMENDMENT, AND I WILL SUPPORT IT. THIS STILL RAISES SOME CONCERN. WHEN YOU HAVE AN NRD THAT INCLUDES MAJOR...AND I DON'T WANT TO SAY METROPOLITAN AREAS, BUT WHEN IT INCLUDES MAJOR SIZE CITIES AND VILLAGES, DO THE RURAL PEOPLE REALLY HAVE A SAY OR ARE THEY JUST OUTNUMBERED? [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR SCHNOOR: THANK YOU, SIR. THAT IS A QUESTION TO BE ASKED, BUT I DO THINK THIS IS A DEFINITE STEP IN THE RIGHT DIRECTION THAT IT ALLOWS THE PEOPLE TO HAVE THE SAY. SO I WILL SUPPORT THIS AMENDMENT. AND I HOPE IT GOES THROUGH. AND I'LL ASK THAT EVERYBODY ELSE SUPPORTS IT AS WELL. THANK YOU, SIR. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR SCHNOOR. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB344]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I'VE ENJOYED THE CONVERSATION THIS MORNING, AND I THANK YOU, SENATOR SCHNOOR, FOR ALLOWING THE DISCUSSION ON PROPERTY TAXES. AND PEOPLE CAN DISAGREE OR AGREE WITH HOW IT WAS DONE, BUT WE HAD A GOOD DISCUSSION ON THE

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ISSUE OF PROPERTY TAXES SO FAR. NOW, I WOULD KIND OF...I'D LIKE TO CLARIFY EXACTLY WHAT I FEEL NEEDS TO BE DONE AND WHERE I STAND ON THIS BILL. I'VE BEEN WORKING WITH SENATOR KOLOWSKI SINCE LAST YEAR WHEN IT WAS FIRST INTRODUCED TO COME UP WITH LANGUAGE THAT I COULD SUPPORT, AND MY MAIN FOCUS WAS TO MAKE THOSE FUNDS A BONDING ABILITY TO BE USED WHEN YOU HAD A PROJECT APPROVED BY THE WATER SUSTAINABILITY FUND. I DID REALIZE THAT AS THESE...AS THE WATER SUSTAINABILITY FUND COMES OUT WITH ITS PROJECTS, THERE'S GOING TO BE SOME LARGE PROJECTS AWARDED AND LOCAL NRDs MIGHT NEED THE ABILITY TO BOND. SO THAT WAS MY GOAL WHEN WE FIRST STARTED TALKING ABOUT THIS IS TO ALLOW IT ONLY TO BE USED IN CONJUNCTION WITH AN IMPROVED WATER SUSTAINABILITY FUND PROJECT. AFTER HAVING A LITTLE FURTHER DISCUSSION WITH HIM, I DID AGREE--IT WAS A VERBAL AGREEMENT--TO ALLOW A PROJECT THAT WAS ALSO APPROVED BY THE WATER SUSTAINABILITY FUND BUT DID NOT QUALIFY FOR FUNDING BECAUSE THEY RAN OUT OF MONEY. AND SO MY AGREEMENT WITH HIM BACK THEN WAS THAT AN NRD COULD STILL PURSUE BONDING, AND I...MY AGREEMENT, I THOUGHT, WAS STILL AT THE SAME 60/40 PERCENTAGE AND IF THEY COULD FIND OUTSIDE MONEY, THEY COULD GO AHEAD AND DO THE PROJECT. SO THAT'S THE ONLY DIFFERENCE I HAVE WITH SENATOR KOLOWSKI ON THIS BILL. I DO SUPPORT THE IDEA OF DOING THIS BONDING AUTHORITY. MOST OF THE NRDs THAT I KNOW OF DO NOT USE BONDING AUTHORITIES...OR WOULD NOT USE THIS BONDING AUTHORITY. I WAS A MEMBER OF THE UPPER BIG BLUE FOR A NUMBER OF YEARS, AND WE NEVER NEEDED BONDING AUTHORITY. WHEN I LOOK AT USING BONDS, IF YOU CAN DO IT IN ANY OTHER WAY, USUALLY BONDING COSTS MORE THAN DOING IT JUST THROUGH YOUR BUDGET. MOST NRDs HAVE ENOUGH ROOM IN THEIR BUDGET LIDS. IN THE UPPER BIG BLUE'S CASE, WE DID SOME VERY LARGE PROJECTS. BUT WHEN WE STARTED A PROJECT, WE STARTED RAISING OUR LEVY AND WE STARTED RAISING FUNDS FOR THAT PROJECT. NOW MOST LARGE PROJECTS TAKES THREE OR FOUR YEARS TO COMPLETE THROUGH THE PLANNING STAGE, DESIGN, AND COMPLETION, SO WE WERE ALWAYS...BE ABLE TO WORK UNDERNEATH OUR LID AND WE PAID FOR THE PROJECT, AND WHEN THE PROJECT WAS COMPLETED IT WAS PAID FOR. WE DID NOT NEED BONDING AUTHORITY. AND BONDING DOES NOT NECESSARILY SAVE MONEY. SO I'M NOT GOING TO SAY THAT ALLOWING BONDING CAN SAVE MONEY ON PROJECTS IN MOST CASES, BUT THERE ARE UNIQUE CASES WHERE IT COULD. COSTS FOR CONSTRUCTION DO INCREASE; LAND PRICES GO UP. SO IF YOU DO NOT HAVE ROOM UNDER THE LID, YOU DO NEED THE AUTHORITY TO BOND. SO I STILL...I WILL SUPPORT THE AMENDMENT. I WILL LOOK AT THE OTHER AMENDMENTS. I'M HAVING A LITTLE BIT OF...TRYING TO THINK THROUGH SENATOR McCOY'S

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AMENDMENT TO ALLOW A VOTE OF THE PEOPLE, AND THE ONLY QUESTION THERE I HAVE IS THE TIMING OF IT. IF A WATER SUSTAINABILITY FUND PROJECT GETS APPROVED AND THE TIMING OF AN ELECTION, WHETHER OR NOT THAT WOULD BE ADEQUATE TO ADDRESS THE ISSUE, I THINK IT MAY, BUT IT COULD DELAY SOME PROJECTS THAT OTHERWISE COULD BE UNDERWAY IF THEY KNEW THEY HAD THE BONDING AUTHORITY GOING INTO THE PROJECT. SO I LOOK AT THIS...I, TOO, WANT PROPERTY TAX RELIEF, BUT I'VE...IN GENERAL, WHEN I'M SPEAKING ABOUT PROPERTY TAX RELIEF, I TALK ABOUT HOW WE... [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I TALK ABOUT FUNDING FOR EDUCATION. I'VE NEVER REALLY HAD A PROBLEM WITH WHAT MY NRD CHARGES ME, ALTHOUGH IT'S A PART OF THE PROPERTY TAX EQUATION. BUT IN GENERAL, MOST NRDs HAVE A VERY LOW LEVY AND THEY'RE NOT UP AGAINST THEIR LID. BUT WHEN YOU DO LOOK AT SOME OF THE LEVY AUTHORITIES OF NRDs, THEIR MAIN CAP IS AT 4.5 CENTS. BUT THROUGH OTHER PROGRAMS THAT ARE AVAILABLE AND THAT WE HAVE AUTHORIZED IN THE PAST, SOME NRDs COULD LEVY UP TO A TOTAL OF 18 CENTS. SO THERE IS A LARGE VARIANCE IN THE LID LEVY OF NRDs. IT DEPENDS ON WHERE THEY'RE LOCATED IN THE STATE, WHETHER THEY HAVE A FULLY OR OVERAPPROPRIATED RIVER BASIN IN THEIR DISTRICT. SO THERE'S A LOT OF ISSUES TO TALK ABOUT HERE WHEN WE'RE TALKING ABOUT LIDS AND WHAT TO PUT FOR BONDING AUTHORITY, WHAT KIND OF LID TO PUT THERE. SO I THINK MOST OF THESE THINGS CAN BE WORKED OUT AND I THINK WE NEED TO JUST KEEP OUR EYE ON THE AMENDMENTS AND LET'S...WE CAN MAKE THIS BILL BETTER, BUT I THINK IT NEEDS TO BE DONE. THANK YOU, MR. PRESIDENT. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR FRIESEN. (VISITORS INTRODUCED.)
SENATOR KINTNER, YOU'RE RECOGNIZED. [LB344]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. I THINK I'VE BEEN IN THE QUEUE SO LONG I THINK I FORGOT WHAT I WAS GOING TO SAY. BUT I'M GLAD THAT I THINK WE'RE COMING TO SOME AGREEMENT HERE, AND I THINK THAT WE'RE GOING TO COME UP WITH SOMETHING. IT'S GOING TO WORK FOR EVERYBODY, AND THE STATE WILL BE WELL SERVED. AND I APPRECIATE THE HARD WORK OF EVERYBODY ON THIS BECAUSE IT SURE DIDN'T START OUT THAT WAY. THANK YOU, MR. PRESIDENT. [LB344]

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SENATOR SCHEER: THANK YOU, SENATOR KINTNER. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB344]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I ALSO HAVE A WATER BACKGROUND, NOT NECESSARILY WITH AN NRD, BUT AS A BOARD MEMBER OF THE METROPOLITAN UTILITIES DISTRICT, SO I'M WELL AWARE OF THE POINT THAT EASTERN NEBRASKA HAS AN ABUNDANCE OF WATER, WHEREAS WESTERN NEBRASKA IS IN WATER SHORTAGE OFTEN. WHAT MAY NOT BE KNOWN IS THAT THE HISTORY OF THE PAPIO NRD IS VERY COLORFUL. THE PAPIO NRD FLOODED IN THE MID-'60s WITH GREAT LOSS OF LIFE, AT LEAST TWO LIVES WERE LOST AND MILLIONS OF DOLLARS' WORTH OF DAMAGE. AND THAT PRECIPITATED THE BUILDING OF WATER...OF DAMS ALONG THE PAPIO RIVER. AND THOSE DAMS THEN BECAME THE CONTROVERSY, MOSTLY IN WASHINGTON COUNTY, AND THEY THOUGHT THAT WHAT WAS OCCURRING WAS TO...UNDER THE GUISE OF FLOOD CONTROL THE PAPIO NRD WAS BUILDING THESE DAMS FOR THE BENEFIT OF DEVELOPERS. IT'S QUITE TRUE THAT DEVELOPMENT HAS OCCURRED AROUND THESE DAMS, BUT THE PRIMARY MOTIVATION, WHAT CAUSED THOSE DAMS TO BE FIRST BUILT, WAS THE FLOODING THAT OCCURRED IN THE MID-'60s. SENATOR SCHNOOR AND PERHAPS SENATOR McCOY OFTEN TALK ABOUT MISSION CREEP, AND I SUPPOSE YOU COULD...YOU COULD ACCUSE THE PAPIO NRD OF MISSION CREEP AND THEY SIMPLY WANT MORE AUTHORITY TO DEVELOP MORE DAMS ALONG THE PAPIO CREEK. THAT'S NOT THE CASE. THIS BILL DOES NOT EVEN CONCERN THE PAPIO NRD. IT CONCERNS THE OTHER NRDs THROUGHOUT THE STATE, SO IT'S NOT AT ALL RELEVANT TO SAY THIS BILL IS PRIMARILY DIRECTED TO THE PAPIO NRD. LB344 IS PRIMARILY RELATED TO THE WATER SUSTAINABILITY FUND, AND SENATOR FRIESEN TALKED ELOQUENTLY ABOUT HOW WE NEED TO DEVELOP THE WATER SUSTAINABILITY FUND TO A GREATER EXTENT THAN WE HAVE. WE OFTEN HAVE ABUNDANCE OF WATER. WE NEED TO BE ABLE TO COLLECT THAT WATER SO WE HAVE IT IN TIMES OF SHORTAGE. WE NEED TO STABILIZE THE WATER TABLE. THAT'S ANOTHER GOOD OBJECTIVE. AND I'D AGREE THAT IT DOESN'T NECESSARILY FOLLOW THAT TAXES WILL INCREASE AS RELATED TO THIS PASSAGE OF THIS BILL. THIS BILL COULD DECREASE TAXES BY ALLOWING NRDs TO DO THEIR PROJECTS IN AN EXPEDITIOUS MANNER, GET THEM DONE, AND PAY OFF THE BONDS AND ACTUALLY REDUCE TAXES. SO THIS IS A GOOD BILL. I FAVOR LB344, AND I HOPE WHEN PASSAGE COMES UP FOR A VOTE YOU'LL FAVOR IT AS WELL. THANK YOU, MR. PRESIDENT. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR McCOLLISTER. SENATOR KRIST, YOU'RE RECOGNIZED. [LB344]

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SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES, AGAIN, AND GOOD MORNING, NEBRASKA. BACK TO COMMENTS I MADE EARLIER, BEFORE WE ACTUALLY INTRODUCED THE BILL AND THE AMENDMENT AND THEN SENATOR McCOY'S AMENDMENT, I STARTED ON A TRACK OF TRYING TO GIVE YOU A HISTORY OF HOW IT HAPPENED. SENATOR McCOY DID A GOOD JOB AS WELL BECAUSE HE WAS HERE IN '09. I WAS NOT. IN 2009, HOWEVER, IF YOU LOOKED AT THE FISCAL NOTE, 2014-15, THERE WAS ONLY \$21 MILLION FROM GENERAL FUNDS THAT WERE PUT INTO THE WATER SUSTAINABILITY FUND, \$21 MILLION, AND \$10 MILLION EVERY YEAR AFTER THAT...I'M SORRY, \$21 MILLION AND THEN \$11 MILLION EVERY YEAR AFTER THAT. AND WHAT IT BECAME APPARENT IS THAT THAT MAY OR MAY NOT BE THE RIGHT AMOUNT OF MONEY TO SUSTAIN THE FUND AND SUSTAIN THE PROJECTS, AS I READ TO YOU EARLIER, WHICH WERE EXPANDED OR DEFINED AS NOT JUST WATER BUT FRESH WATER LEVEES TO PROTECT PROPERTY AND WATER MANAGEMENT THROUGHOUT THE STATE. SO I THINK THAT'S IMPORTANT TO REMEMBER WHEN WE TALK ABOUT HOW THESE FUNDS ARE BEING USED. AND BECAUSE WE'VE TALKED SO MUCH ABOUT THE OFFUTT PROJECT, THAT I'M SURE WE'RE GOING TO HEAR FROM APPROPRIATIONS FROM LATER, I WOULD LIKE TO ADDRESS SOME QUESTIONS TO SENATOR SCHILZ, IF I COULD, PLEASE. [LB344]

SENATOR SCHEER: SENATOR SCHILZ, WOULD YOU PLEASE YIELD? [LB344]

SENATOR SCHILZ: YES. [LB344]

SENATOR KRIST: THANK YOU FOR YOUR COURTESY, SENATOR SCHILZ. BECAUSE MANY OF US ARE NOT NRD EXPERTS AND NOT FAMILIAR WITH THE CONSTRUCTION PROCESS, LET'S JUST TALK ABOUT ONE PROJECT IN GENERAL. AND I DON'T THINK WE NECESSARILY WILL, EITHER ONE OF US, CLAIM TO KNOW THE EXACT DOLLAR AMOUNTS, BUT WE'LL TALK ROUND FIGURES, IF YOU WOULD, PLEASE. LET'S TALK ABOUT THE LEVEE SYSTEM, THE 18.7 MILES OF LEVEE THAT IS PROPOSED TO BE BROUGHT UP TO FEMA STANDARD THAT WOULD AFFECT OFFUTT AND THE COMMUNITY AROUND BELLEVUE. WHAT DID THE NRD HAVE TO DO TO MAKE THAT PROJECT SHOVEL READY? [LB344]

SENATOR SCHILZ: WELL, AS, YOU KNOW, AS WITH ANY PROJECT, I MEAN, THERE'S ENGINEERING, THERE'S PLANNING AND ALL THAT THAT HAS TO GO INTO PLACE FIRST, INCLUDING GOING OUT AND FINDING PARTNERS TO HELP FUND THESE THINGS. SO I DON'T KNOW HOW MUCH MONEY WAS SPENT BY THE NRD UP-FRONT TO DO THAT, BUT NONE OF THAT...BUT ALL OF THAT CAME IN

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UNDER THEIR LID AND THEY WOULD HAVE HAD TO SPEND THAT BEFORE THEY WOULD EVEN BEEN ABLE TO DO ANYTHING ELSE. [LB344]

SENATOR KRIST: OKAY. AND I HOPE IN THIS DESCRIPTION THAT MY COLLEAGUES ARE LISTENING TO THE PROCESS INVOLVED HERE BECAUSE IT IS...TO MAKE A PROJECT SHOVEL READY IN THE MAGNITUDE OF THIS PARTICULAR PROJECT THAT WE'RE GOING TO HEAR MORE DETAIL ABOUT LATER IN THE SESSION, I THINK THE NUMBER THAT WAS GIVEN TO ME BY THE PAPIO WAS IN THE TUNE OF \$7 MILLION JUST TO GET TO THE POINT WHERE THEY COULD START TO ISSUE THE CONTRACTS, THE RFPs, ETCETERA, ETCETERA. AND THEN, AS YOU AND I BOTH UNDERSTAND, SENATOR SCHILZ, THERE'S A BUY-IN FROM THE LOCAL COMMUNITIES, BOTH OMAHA AND BELLEVUE. [LB344]

SENATOR SCHILZ: CORRECT, YES, AND THAT'S...AND IN ALL OF THESE PROJECTS THAT WE TALK ABOUT, THOSE PARTNERSHIPS ARE EXTREMELY IMPORTANT AND NECESSARY FOR THESE THINGS TO MOVE FORWARD. [LB344]

SENATOR KRIST: SO THEN IT COMES TO US TO MAKE A DECISION ABOUT THE BALANCE OF \$13.7 MILLION. I THINK THE NUMBERS ARE AROUND \$7 (MILLION) THAT HAS ALREADY BEEN SPENT TO MAKE IT SHOVEL READY, A GUARANTEE FROM CITY OF OMAHA AND THE CITY OF BELLEVUE ON \$3 MILLION, PLUS OR MINUS, AND THEN \$13.7 RESIDUAL WHICH WE WILL TAKE TO CORRECT THE LEVEE PROCESS DOWN THERE, AND THAT AMOUNT OF MONEY WOULD COMPETE FOR FUNDS FROM THE COMMISSION OUT OF THE WATER SUSTAINABILITY FUND. IS THAT CORRECT? [LB344]

SENATOR SCHILZ: YES, THEY SURE COULD. [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR KRIST: SO THEY WOULD GO, BE RATED AND, POTENTIALLY, THEY COULD DO THAT. THE INTERESTING THING ABOUT THIS PARTICULAR THING IS CHRONOLOGICALLY THOUGH THEY WOULD NOT MEET AND ACTUALLY AWARD THE MONEY UNTIL AFTER WE ARE OUT OF SESSION THIS YEAR. [LB344]

SENATOR SCHILZ: AND THAT IS CORRECT AS WELL. [LB344]

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SENATOR KRIST: SO IN THE REMAINING TIME I HAVE AVAILABLE, I WILL JUST SAY THIS. I WOULD SUPPORT SENATOR McCOY'S AMENDMENT IN TERMS OF A VOTE, BUT I THINK IT'S IMPORTANT TO KNOW THAT THIS IS BIG BUSINESS IN TERMS OF MANAGING THE WATER SYSTEM. THE NRD, THE COMMISSION, AND THIS LEGISLATURE HAVE PUT A PRIORITY ON IT IN 2008, IN 2014, AND WE NEED TO LOOK AT THIS PROJECT AND THIS BILL FAVORABLY. THANK YOU, MR. PRESIDENT. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR KRIST. SENATOR KOLOWSKI, YOU'RE RECOGNIZED. [LB344]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. I SIMPLY WANT TO ECHO SOME OF THE THINGS THAT WERE SAID EARLIER JUST TO CLARIFY WHERE THIS WHOLE PROCESS HAS BEEN WITH THE OFFUTT ISSUE WITH THE LEVEES THAT HAD BEEN TALKED ABOUT. AND I WILL ADMIT FROM MY EARLIER STAND, UNDERSTANDING THAT WE WERE TRYING TO DO SOMETHING THAT WAS EXTREMELY IMPORTANT, NOT JUST TO THE OMAHA REGION OR THE OMAHA/COUNCIL BLUFFS AREA, BUT FOR THE ENTIRE STATE OF NEBRASKA. THE \$1.3 BILLION IMPACT OF OFFUTT AIR BASE WITH THE WING THAT'S THERE AND ALL THE THINGS THAT WE'VE BEEN ABLE TO DO OVER ALL THE YEARS IS EXTREMELY IMPORTANT FOR NEBRASKA, THAT CORNER OF IOWA, AND WITHIN OUR ENTIRE REGION. AS WE HAD THE PAPIO SUBMIT AN APPLICATION TO THE WATER SUSTAINABILITY FUND, IT HAD TO MEET CERTAIN REQUIREMENTS AND WE HAD TO DO THAT IN ORDER TO MOVE THAT AHEAD. AS THAT BECAME DEBATABLE, THE MOVEMENT WITHIN OUR BODY DIRECTED TO A DIRECT PROPORTION DOLLARS THAT WE WOULD DIRECT TOWARD THE LEVEE, WHICH IS EXTREMELY IMPORTANT TO GET THAT TAKEN CARE OF OUT OF APPROPRIATIONS, OUT OF THE RAINY-DAY FUND, TO SOLVE THAT ISSUE, BECAUSE NOT ONE INCH OF CONCRETE WILL EVER BE POURED ON THE BASE RUNWAY UNTIL THE LEVEES ARE SOLVED. THAT'S AN EXTREMELY CRITICAL PIECE FOR OUR STATE, FOR THE MIDWEST AT THIS CURRENT TIME, AND I APPLAUD THE BODY AS WE CONTINUE TO MOVE IN THAT DIRECTION TO SECURE THAT FUNDING TO PAY FOR THE LEVEES. THAT WILL MAKE A DIFFERENCE; THAT WILL MAKE A HUGE DIFFERENCE IN THE OMAHA AREA, OMAHA, COUNCIL BLUFFS, ALL OF EASTERN NEBRASKA, WITHIN THE ENTIRE REGION. SO I THINK THAT IT'S IMPORTANT, BUT IT DID GET MIXED UP WITH THIS WHOLE THING OF WATER SUSTAINABILITY AND THIS BILL, LB344, WHERE IT'S GOING AND WHAT WE WERE TRYING TO GET DONE. I DON'T APOLOGIZE FOR THE CONFUSION. IT'S WHAT HAPPENS WITH LEGISLATION. IT'S MAKING SAUSAGE, AND THAT'S WHAT WE'RE DOING GETTING THESE THINGS DONE WITH DIFFERENT PROJECTS IN

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DIFFERENT PLACES AND DIFFERENT WAYS, AND WE NEED TO KEEP THAT IN MIND AS WE'RE MOVING ON. WHAT WE'RE DEALING WITH TODAY WITH THIS BILL AND THESE AMENDMENTS IS EXTREMELY IMPORTANT TO ALL OF THE DISTRICTS THAT WILL BE DEALING WITH THESE TOPICS IN THE MIDWEST AND THE MID PART OF THE STATE AND THE FARTHER WESTERN PART, AS WELL AS THE EASTERN PART. I KNOW TALKING TO SENATOR JOHNSON IN THE PAST, THE DAM SIDE OUT BY HIS HOMETOWN, AS THAT WAS DEVELOPED, THAT WAS SECURED BY THE NRD AT GREAT EXPENSE AND WITH THEIR AUTHORITY TO DO WHAT THEY WERE DOING. THEY WOULD HAVE LOVED TO HAVE HAD THE BONDING AUTHORITY. THAT WOULD HAVE MADE A BIG DIFFERENCE AND BEEN CHEAPER OVER TIME FOR THEIR COMMUNITY TO PUT THAT IN, IN THAT PARTICULAR WAY, RATHER THAN HOW THEY DID IT BECAUSE THEY DIDN'T HAVE BONDING AUTHORITY. MY CONCERN WITH THE BONDING AUTHORITY WILL BE THE SMALLEST BUDGETED NRDS, AS YOU'RE GETTING A PRICE TAG ON A WATER SUSTAINABILITY PROJECT, TO HAVE THEM COME TO THE TABLE AND HAVE THE ABILITY TO HAVE THE DOLLARS AVAILABLE OUT OF THEIR BONDING AUTHORITY EVEN WITH A VOTE OF THE PEOPLE. IT MAY BE SMALL OR INSIGNIFICANT COMPARED TO SOME. THEY'LL HAVE TO GET OTHER PARTNERS. THEY'LL HAVE TO GET OTHER THINGS IN LINE TO DO SOME OF THOSE THINGS TO MAKE THINGS HAPPEN IN A POSITIVE WAY. WE'RE GOING TO MEET ON THIS OVER THE WEEKEND. AND I THANK SENATOR McCOY FOR HIS AMENDMENT. WE'LL LOOK AT THAT WITH WHAT HAPPENED IN THE PAPIO IN 2009 AND HOW THAT CARRYOVER WOULD COME TOGETHER AS FAR AS THE POSSIBILITY AND POTENTIAL OF GETTING THIS PASSED ON MONDAY. [LB344]

SENATOR SCHEER: ONE MINUTE. [LB344]

SENATOR KOLOWSKI: WE'RE IN A SITUATION AGAIN. NOW I HOPE WE'LL KEEP IN MIND, YES, THE TAX RELIEF IS AN EXTREMELY IMPORTANT ISSUE IN THIS BODY, AND WE'RE WORKING ON THAT IN THE STATE WHEN WE PROPERLY TARGET WHAT WE NEED TO BE TALKING ABOUT AND NOT SET UP ONE ASPECT OF A TARGET COMPARED TO OTHERS. I THINK IT'S IMPORTANT THAT WE THINK BROADLY ON THOSE THINGS. AND THE OTHER ASPECT IS KEEP IN MIND ALL WEEKEND A BOTTLE OF WATER. THIS TOPIC IS ALL ABOUT WATER. IT'S NOT ABOUT THE TAX RELIEF. WE HAVE TO SPEND IN CERTAIN PLACES TO DO CERTAIN THINGS TO PROTECT PROPERTY AND LIVES AND TO HAVE WATER FOR THE FUTURE. THANK YOU, MR. PRESIDENT. [LB344]

SENATOR SCHEER: THANK YOU, SENATOR KOLOWSKI. MR. CLERK. [LB344]

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

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CLERK: MR. PRESIDENT, REPORTS: YOUR COMMITTEE ON APPROPRIATIONS REPORTS LB1093 TO GENERAL WITH AMENDMENTS; THAT'S SIGNED BY SENATOR MELLO. TRANSPORTATION REPORTS LB938 TO GENERAL FILE WITH AMENDMENTS; THAT'S SIGNED BY SENATOR SMITH. LR462 IS A RESOLUTION BY SENATOR HADLEY. THAT WILL BE LAID OVER. SENATOR CAMPBELL, LR463, THAT WILL BE LAID OVER. LR464 IS AN INTERIM STUDY RESOLUTION OFFERED BY SENATOR GROENE. SENATOR CAMPBELL WOULD LIKE TO PRINT AN AMENDMENT TO LB746, SENATOR KOLTERMAN TO LB447, SENATOR KRIST TO LB830. BILLS READ ON FINAL READING THIS MORNING WERE PRESENTED TO THE GOVERNOR AT 11:07 (RE LB676, LB700, LB703, LB718, LB729, LB734, LB735, LB753, LB758, LB776, LB778, LB786, LB798, LB807, LB811, LB840, LB859, LB864, LB898, LB921, LB929, AND LB1035). AND I HAVE TWO CONFIRMATION REPORTS FROM THE EDUCATION COMMITTEE. SERIES OF NAME ADDS: SENATOR MELLO TO LB83; AND SENATORS BLOOMFIELD, FOX, SCHILZ, GROENE, EBKE, HILKEMANN, LINDSTROM, BAKER, SCHEER, COASH, MURANTE, WILLIAMS, HUGHES, JOHNSON, FRIESEN, KUEHN TO ADD TO LB768. (LEGISLATIVE JOURNAL PAGES 832-846.) [LB1093 LB938 LR462 LR463 LR464 LB746 LB447 LB830 LB676 LB700 LB703 LB718 LB729 LB734 LB735 LB753 LB758 LB776 LB778 LB786 LB798 LB807 LB811 LB840 LB859 LB864 LB898 LB921 LB929 LB1035 LB83 LB768]

MR. PRESIDENT, SENATOR SCHUMACHER WOULD MOVE TO ADJOURN THE BODY UNTIL MONDAY, MARCH 7, AT 10:00 A.M.

SENATOR SCHEER: YOU'VE HEARD THE MOTION FOR ADJOURNMENT. ALL THOSE IN FAVOR SAY AYE. TRY THAT AGAIN. ALL THOSE IN FAVOR SAY AYE. ALL OPPOSED SAY NAY. THE AYES HAVE IT. WE ARE ADJOURNED.