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Transcriber's Office

Floor Debate  
January 05, 2018

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[LB368 LB411 LB611 LB681 LB685 LB688 LB701 LB718 LB730 LB737 LB778 LB829  
LB845 LB846 LB847 LB848 LB849 LB850 LB851 LB852 LB853 LB854 LB855 LB856  
LB857 LB858 LB859 LB860 LB861 LB862 LB863 LB864 LB865 LB866 LB867 LB868  
LB869 LB870 LB871 LB872 LB873 LB874 LB875]

PRESIDENT FOLEY PRESIDING

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

SENATOR ALBRECHT: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Senator Albrecht. I call to order the third day of the One Hundred Fifth Legislature, Second Session. Senators please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections.

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

CLERK: There are, Mr. President. A series of interim study reports received from the various standing committees regarding interim activity by those committees. The reports include an analysis or a summation of the work that was done. Mr. President, I also, as is the custom on the last day of the week, acknowledging agency reports that had been received are on the Legislative Web site available for member review. That's all that I have, Mr. President. (Legislative Journal pages 153-167.)

PRESIDENT FOLEY: Thank you, Mr. Clerk. (Doctor of the day introduced.) Senator Ebke, for what purpose do you rise?

SENATOR EBKE: Mr. President, I rise for a point of personal privilege.

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PRESIDENT FOLEY: Please proceed.

SENATOR EBKE: Thank you, Mr. President. Colleagues, many of you are aware that I am something of a student of politics and history and especially political history. I am an originalist of sorts when it comes to interpreting the constitution and I think that history is important for us to keep in mind as we move into the future. Eighty-one years ago today, January 5, 1937, before any of us were born, even Senator Chambers who was six months to make his appearance yet, the first session of the Unicameral Legislature of Nebraska was convening in this Chamber. A special brief address was given by U.S. Senator George Norris on that occasion. And the pages are coming around with full copies of that speech. But as one who has spent a full year with Mrs. Rozella Bauer in the seventh grade in Fairbury, studying Nebraska history, I think it's important to keep in mind what the citizens and the man who is viewed as the "father of the Unicameral" had in mind when they voted to amend the constitution to make us a one-house system in 1934. So let me just quote one paragraph from George Norris's speech in the interest of time, but please do take five minutes to read carefully the full speech at some point. Norris said to those first members of the Unicameral, quote, You are members of the first Legislature of Nebraska to hold your positions without any partisan political obligation to any machine, to any boss, or to any alleged political leader. Your constituents do not expect perfection. They know that it is human to err, but they do expect and have the right to expect absolute honesty, unlimited courage, and a reasonable degree of efficiency and wisdom. The people of Nebraska will not condemn you, even if they do not agree with all of your official actions. We realize that honest men, patriotic men, and wise men do not always agree. In fact, disagreements on things which are not fundamental is an evidence of courage and independence. We expect an economical and efficient administration, and above all, an honest administration free from any partisan bias, political prejudice, or improper motives. Unquote. Imagine being a part of that...the first 41 senators to be part of the Unicameral in this Chamber named after Senator George Norris. And imagine the awesome responsibility that came along with that. I believe it is our duty as their successors to try to live up to those ideals and I hope that in this session you'll join me. Thank you, colleagues, for allowing me to acknowledge the eighty-first anniversary of the Unicameral, and thank you, Mr. President.

PRESIDENT FOLEY: Thank you, Senator Ebke. Speaker Scheer, you're recognized.

SPEAKER SCHEER: Thank you, Mr. Lieutenant Governor. Colleagues, as was my habit last year on Fridays, I would try to let you know what to expect the following week and so I will plan on doing that now, but I do want to preface what I'm saying with those items that are prioritized from last year that did not have a cloture vote that are still sitting for support are still alive and well. However, just so you know, I will not put them on the calendar or the agenda if you do not contact me before the Friday announcements until the following week. I think it's only fair that everybody have ample notice that something may or may not be coming back. So in the case of

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anything that's out there, you can't come to me Tuesday night and say, hey, I've got my numbers back, throw it on Wednesday afternoon. I will not do that. I will announce that it will be the next week on the Friday, but everybody will have fair notice of anything coming up. So having said that, next week, Monday morning, we will do rules first. I'm hoping that is not an extended conversation. We will then start on LB611 which was Senator Stinner's priority from last year that was not heard. However, for those that have not looked at it, it does have an A bill attached, a substantial one. And so as the practice was last year, and we are still in a financial crunch, we will listen to it. You may, if you'd like to advance it on General File, but that is as far as it's going to go. Bills with fiscal notes, again this year, with the looming \$200 million deficit that we have to track, I just don't feel in good conscious that I can bring forth bills that are going to be taking dollars out of General Fund. Monday afternoon, LB368, which commonly referred to as the helmet bill has been reprioritized. It will be scheduled to start at 1:30 on Monday afternoon. My assumption is, that will last for three hours, so we will be looking at probably adjourning somewhere around 4:30 or a little after, depending on how quickly we get up and operational in the afternoon. Following that on Tuesday and the rest of the week, we will be going back to General File. So please take a look at General File; we will be going it in order that is on the worksheet. So if you have bills that are somewhere between one in line and...you know, your guess is as good as mine, I'll keep throwing some on there, but we will go through General File. Having said that, if somebody does prioritize something and it's already out, it again will go to the head of the bus. So next week there may be 2018 priorities that we will work on, I'm just not aware of it yet. So as I'm aware of those items right now, that's what next week should look like. If you have any questions, please stop back and talk to me and I'll be glad to answer whatever I can. This is sort of an uncertain area because we don't know what to expect, but we will be going back to General File after we get through with Monday and rules and priority in the afternoon. And so please take a look because you may have thought, if you were 22 down or 42 down that your bill may not have an opportunity to be heard on the floor, depending upon how quickly we are running through these bills, you certainly might have the opportunity on some of those bills to get some feet under it that you were not anticipating. So please prepare yourself so that you're ready to go. Thank you, Mr. Lieutenant Governor. [LB611 LB368]

PRESIDENT FOLEY: Thank you, Mr. Speaker. Members, if you have bills ready for introduction, will you bring them forward to the Clerk's desk. Mr. Clerk, at your convenience you may read bills into the record.

ASSISTANT CLERK: LB845, introduced by Senator Briese, it's a bill for... [LB845]

PRESIDENT FOLEY: Excuse me, Mr. Clerk, I apologize, Speaker Scheer, you wish...

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SPEAKER SCHEER: Yes, excuse me, I forgot one more pertinent point. Today is only the third day of introduction. We do have a lot of referencing that we need to do today. We were open about an hour yesterday and ran out of things that were on the floor, other than Senator...Senator Linehan, but that was her own dereliction of duty because she was running behind and she did not get here on time. But having said that, today we will stay open no later than 11:15 so that referencing can get started no later than 11:30, to start our work so we can get things to committees. And so I don't want to hear, oh my gosh, you know, give me five more minutes; you've got five minutes on Monday or Tuesday or Wednesday. This is not the end of the world, we've got all next week to introduce bills, so I'm going to cut it a little bit short. It is the last day of the week, so consequently we always try to close shop a little bit early on the last day of the week. So we will be closing no later than 11:15 this morning. Thank you, and I will not interrupt again.

PRESIDENT FOLEY: Thank you, Mr. Speaker. Introduction of new bills, Mr. Clerk.

ASSISTANT CLERK: Mr. President. (Read LB845-855 by title for the first time.) That's all that I have at this time, Mr. President. (Legislative Journal pages 167-168.) [LB845 LB846 LB847 LB848 LB849 LB850 LB851 LB852 LB853 LB854 LB855]

PRESIDENT FOLEY: Thank you, Mr. Clerk. (Visitors introduced.) Items for the record, Mr. Clerk.

ASSISTANT CLERK: Mr. President. (Read LB856-872 by title for the first time, Legislative Journal pages 169-171.) [LB856 LB857 LB858 LB859 LB860 LB861 LB862 LB863 LB864 LB865 LB866 LB867 LB868 LB869 LB870 LB871 LB872]

PRESIDENT FOLEY: Additional bills, Mr. Clerk.

ASSISTANT CLERK: (Read LB873-875 by title for the first time.) In addition to that, Mr. President, series of items for the record: A motion from Senator Murante to LB730; an amendment to LB411 from Senator Bolz. An announcement from Senator Larson as the Chair of the General Affairs Committee that Senator Thibodeau has been selected as Vice Chair of that committee. Motion from Senator Hilgers regarding the adoption of permanent rules. Reminder that the Reference Committee will meet in Room 2102 upon adjournment. Name adds, Mr. President: Senator Howard to LB681, LB685, LB688; Senator Brewer to LB701, LB718, LB737, LB778, and LB829. (Legislative Journal pages 171-173.) [LB873 LB874 LB875 LB730 LB411 LB681 LB685 LB688 LB701 LB718 LB737 LB778 LB829]

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Finally, Senator Hansen would move to adjourn until Monday, January 8, at 10:00 a.m.

**PRESIDENT FOLEY:** Members, you heard the motion to adjourn until Monday at 10:00 a.m. Those in favor say aye. Those opposed say nay. We are adjourned.