

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

Floor Debate  
January 04, 2012

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PRESIDENT SHEEHY PRESIDING

PRESIDENT SHEEHY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the first day of the One Hundred Second Legislature, Second Session. Our chaplain for today is Senator Harms. Would you all please rise and then remain standing for the Presentation of Colors by the Nebraska Army and Air National Guard.

SENATOR HARMS: (Prayer offered.)

PRESENTATION OF COLORS

PRESIDENT SHEEHY: Please help me thank the members of the Nebraska Army and National Guard for Presentation of Colors. (Applause) I now call to order the first day of the One Hundred Second Legislature, Second Session. Senators, please record your presence. Please record, Mr. Clerk.

CLERK: (Roll read, Legislative Journal page 75.) Mr. President, I have a quorum present.

PRESIDENT SHEEHY: Senator Lautenbaugh, you're recognized for a motion.

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SENATOR LAUTENBAUGH: Thank you, Mr. President and members of the body. I move that the rules as now in our possession be adopted until such time as the permanent rules are adopted, pursuant to Rule 2, Section 1, provided that the temporary rules shall not continue after the tenth day of the legislative date...tenth legislative day, excuse me.

PRESIDENT SHEEHY: Thank you, Senator Lautenbaugh. You have heard the motion. All those in favor say aye. Opposed, nay. The temporary rules are adopted. Mr. Clerk, do you have messages or reports?

CLERK: Mr. President, I have roster as certified by the Secretary of State regarding the membership for the One Hundred Second Legislature, Second Session. I have a series of appointment letters received from the Governor since the conclusion of the special session, appointments to: the Nebraska Game and Parks Commission; the Investment Council; as Director of the Economic Development; to the Public Roads Classifications and Standards Board; the Coordinating Commission for Postsecondary Education; to the Board of Emergency Medical Services; Nebraska State Fair Board; Commission of Industrial Relations; Commission of the Blind and Visually Impaired; the Nebraska Arts Council; the Public Employees Retirement Board. All of those will be referred to Reference for referral to standing committee for a confirmation hearing. I also have received, Mr. President, a series of reports since the adjournment of the special session, reports from: the Auditor of Public Accounts; the Coordinating Commission for Postsecondary Education; the Environmental Quality Department; the Health and Human Services Department, Investment Finance Authority; the Labor Department; the Learning Community of Douglas and Sarpy Counties; Public Employees Retirement Systems; the Department of Revenue; the Secretary of State's Office; the Southeast Community College; State Treasurer's Offices; the Nebraska Commission on Uniform State Laws; and the University of Nebraska. (Also, Nebraska Court Appointed Special Advocates Association.) Those reports are on file and available for member review in the Clerk's Office. And that's all that I have at this time, Mr. President. (Legislative

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Journal pages 76-84.)

PRESIDENT SHEEHY: Thank you, Mr. Clerk. Speaker Flood, you are recognized for...(Microphone malfunction) (inaudible).

SPEAKER FLOOD: Good morning, members, Mr. President. Thank you, Mr. President, for the opportunity to make a Speaker's announcement. Welcome back, members, to the Second Session of the One Hundred Second Legislature. At this time, I'm having passed around a memo that will outline our starting times and some important dates that you should mark in your calendars. This is also available on my Speaker's Web site and will be e-mailed individually to each of your offices and staff. I want to call special attention to the fact that we will be convening tomorrow at 10:00 a.m., Friday at 10:00 a.m., and Monday at 10:00 a.m., and we will begin debate of rules next Tuesday and, thereafter, follow that with debate on the pending bills that we have on General File. I anticipate being on General File debate next week. I do not anticipate us working in the afternoons next week. We'll stay strictly in the mornings. And with that, if you have any questions please see me or call Laurie in my office. I also want to call your attention to the fact that tomorrow officially will be 75 years since the Nebraska Legislature convened the first Unicameral Legislature. This is our 75th year as the Nation's only Unicameral. And let's...you know, I, like you, am committed to doing the best job we can this session as we honor those who have gone before us in service in this Legislature and continue for another 75 years. But I wanted to make you aware this is the 75th year. At this time, Mr. President, I would like to ask Senator Utter to...I'd like to ask Senator Hadley to say a few words regarding Senator Utter. Thank you.

PRESIDENT SHEEHY: (Microphone malfunction) (Inaudible)

SENATOR HADLEY: Mr. President, members of the body, there's an empty seat toward the back of the Chamber and it was filled by a very big person. That seat was filled by someone who had a heart of gold, he had a gruff exterior we all knew about, but we all

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knew that he had a heart of gold. He gave us a compass that we have followed a lot in the last three years. We're going to miss him greatly. He was a great family man. He was a great businessman. He was a great senator. He was a great believer in the state of Nebraska. He will be missed greatly. So if we could just take a moment to reflect on Senator Utter and all he accomplished in his lifetime. Thank you, Mr. President.

PRESIDENT SHEEHY: (Microphone malfunction) (Inaudible) ...new bills.

CLERK: Mr. President, new bills. (Read LB705-721 by title for the first time.) That's all that I have at this time, Mr. President. (Legislative Journal pages 85-88.) [LB705 LB706 LB707 LB708 LB709 LB710 LB711 LB712 LB713 LB714 LB715 LB716 LB717 LB718 LB719 LB720 LB721]

PRESIDENT SHEEHY: (Microphone malfunction) (Inaudible).

CLERK: Mr. President, new bills. (Read LB722-736 by title for the first time.) That's all that I have at this time, Mr. President. (Legislative Journal pages 88-90.) [LB722 LB723 LB724 LB725 LB726 LB727 LB728 LB729 LB730 LB731 LB732 LB733 LB734 LB735 LB736]

PRESIDENT SHEEHY: (Microphone malfunction) (Inaudible) Mr. Clerk, do you have new bills for introduction?

CLERK: I do, Mr. President. Thank you. (Read LB737-775 by title for the first time.) And that's all that I have at this time, Mr. President. (Legislative Journal pages 91-97.) [LB737 LB738 LB739 LB740 LB741 LB742 LB743 LB744 LB745 LB746 LB747 LB748 LB749 LB750 LB751 LB752 LB753 LB754 LB755 LB756 LB757 LB758 LB759 LB760 LB761 LB762 LB763 LB764 LB765 LB766 LB767 LB768 LB769 LB770 LB771 LB772 LB773 LB774 LB775]

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PRESIDENT SHEEHY: Thank you, Mr. Clerk. (Microphone malfunction) ...introduction of new bills and items for the record.

CLERK: Thank you, Mr. President. (Read LB776-782 by title for the first time.) Mr. President, two new resolutions: Senator Langemeier would offer LR356, which is a resolution congratulating the Aquinas Monarchs on the C-2 State Football Championship; LR357 is by Senator Karpisek congratulating B.J. Lawrence for his accomplishments in track and field. And a new resolution: LR358CA is a constitutional amendment proposed by Senator Carlson. It would propose an amendment to Article III, Section 12 of the Nebraska Constitution. In addition to those items, Mr. President, I have amendments to be printed to the following bills: LB239 by Senator Ken Haar; Senator Mello, LB239; Senator Council to LB239; Senator Mello to LB239; Senator Avery to LB239; Senator Lathrop to LB239; Senator...Senator Council to LB239; Senator Mello, LB239; Senator Council, LB239; Senator Mello, LB239; Senator Council, LB239. All of those to be printed. (Legislative Journal pages 97-109.) [LB776 LB777 LB778 LB779 LB780 LB781 LB782 LR356 LR357 LR358CA LB239]

Mr. President, at this time I have a priority motion. Senator Flood would move to adjourn the body until Thursday morning, January 5, at 10:00 a.m.

PRESIDENT SHEEHY: (Microphone malfunction) (Inaudible).