

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

Floor Debate
January 03, 2007

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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 Hundredth Legislature, First Session. Our chaplain for today is Senator Kruse. Would you all please rise. []

SENATOR KRUSE: (Prayer offered.) []

PRESIDENT SHEEHY: Thank you, Senator Kruse. We will now have the Presentation of the Colors from the Nebraska Army and Air National Guard. []

PRESENTATION OF COLORS []

PRESIDENT SHEEHY: You may all be seated. Pursuant to the provision of Article III, Section 10 of the Constitution of Nebraska, the One Hundredth Legislature, First Session of the Legislature of Nebraska, assembled in the George W. Norris Legislative Chamber of the State Capitol, at the hour of 10:00 a.m. on Wednesday, January 3, is now called to order. Will senators please record your presence. Please record, Mr. Clerk. []

CLERK: (Roll read, Legislative Journal page 1.) I do have a quorum present, Mr. President. []

PRESIDENT SHEEHY: Thank you, Mr. Clerk. We will now proceed to the appointment of temporary officers. The Chair recognizes Senator Mines. []

SENATOR MINES: Mr. President, I move we appoint Mr. Patrick J. O'Donnell as temporary Clerk of the Legislature, and Mr. Ron Witkowski as temporary Sergeant at Arms. []

PRESIDENT SHEEHY: Thank you, Senator Mines. The motion before you is the appointment of temporary officers. All those in favor say aye. All those opposed say nay. The Chair recognizes the motion is adopted. Mr. Clerk, are there any resignations or appointment letters? []

CLERK: Mr. President, I have a resignation letter from Senator Mike Foley, submitting his resignation effective Friday, December 29, 2006. Pursuant to that resignation, Senator...Governor Heineman has appointed Mr. Tony Fulton to fill the vacancy in the 29th Legislative District. I have the appropriate paperwork for the Secretary of State's Office regarding the appointment of Mr. Fulton to that seat. That's all that I have, Mr. President. (Legislative Journal pages 2-3.) []

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PRESIDENT SHEEHY: Thank you, Mr. Clerk. The Chair recognizes Senator Langemeier for a motion on Committee on Credentials. []

SENATOR LANGEMEIER: Mr. President, I move to proceed to the election of five persons to serve as the Committee on Credentials, who will forthright report to the Legislature on the credentials of those claiming to be elected to the Legislature in the general election of November of 2006. []

PRESIDENT SHEEHY: Thank you, Senator Langemeier. The question is the adoption of the motion to elect the Committee on Credentials. All those in favor say aye. All those opposed say nay. The motion is adopted. The Chair recognizes Senator Aguilar for a motion to...for the nomination of the five members. []

SENATOR AGUILAR: Thank you, Mr. President. I move to elect the following five members of the Legislature to serve on the Committee on Credentials: Senators Chambers, Schimek, Hudkins, Janssen, and Pedersen. []

PRESIDENT SHEEHY: Thank you. The five members are Senator Chambers, Senator Schimek, Senator Hudkins, Senator Janssen, and Senator Pedersen. The motion before you is to elect the five senior members. Are there any further nominations? All those in favor say aye. All opposed say nay. The motion is adopted. The five senior members should retire to the rear of the Chamber to join with the Clerk and the Secretary of State. The Chair recognizes Senator Chambers. []

SENATOR CHAMBERS: Mr. President, members of the Legislature, I move to approve the Committee on Committees...the Committee on Credentials report, as certified and presented by the Secretary of State. (Legislative Journal pages 3-5) []

PRESIDENT SHEEHY: Thank you, Senator Chambers. The motion before you is to approve the report on the Committee on Credentials. All those in favor say aye. All those opposed say nay. The report is adopted. The Chair recognizes Senator Dwite Pedersen. []

SENATOR PEDERSEN: Mr. President, I move that a committee of five be appointed to escort the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of administering the oath of office to the members of the Legislature. []

PRESIDENT SHEEHY: Thank you, Senator Pedersen. The motion before you is to select a committee of five to escort the Chief Justice. All those in favor say aye. All those opposed say nay. The motion is adopted. The Chair appoints the following committee: Senator Aguilar, Senator Friend, Senator Langemeier, Senator Cornett, and Senator Hudkins. Will you please retire to the Clerk of the Supreme Court's Office. The

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Chair recognizes the Sergeant at Arms. []

SERGEANT AT ARMS: Mr. President, your committee now escorting the Chief Justice of the Supreme Court, Mike Heavican. []

PRESIDENT SHEEHY: (Gavel) Would you all please rise. Ladies and Gentlemen, the Chair recognizes the Chief Justice of the Nebraska Supreme Court. []

CHIEF JUSTICE HEAVICAN: Thank you. I will call forward the newly elected, newly appointed, and newly reelected senators. And you will please come down and line the front here. (Called names of senators to be administered oath of office. Oath of office administered, Legislative Journal pages 5-6.) Thank you very much. Congratulations. (Applause) []

PRESIDENT SHEEHY: Will the committee please escort the Chief Justice from the Chamber. Please be seated. The Chair recognizes Senator Dierks for a motion on adoption of temporary rules. []

SENATOR DIERKS: Mr. President, I move that the rules, as now in our possession, be adopted for today only, Wednesday, January 3, 2007. []

PRESIDENT SHEEHY: Thank you, Senator Dierks. The motion before you is the adoption of temporary rules. All those in favor say aye. All those opposed say nay. The motion is adopted. We now move to the election of permanent officers. The Chair recognizes Senator Engel. []

SENATOR ENGEL: Mr. President, members of the body, I move that the following officers, recommended by the Executive Board, be elected to serve for the One Hundredth Legislature: Clerk of the Legislature, Patrick J. O'Donnell; Assistant Clerk of the Legislature, Richard K. Brown; and Sergeant at Arms, Ron Witkowski. []

PRESIDENT SHEEHY: Thank you. The motion before you is the election of permanent officers. All those in favor say aye. All those opposed say nay. The motion is adopted. We have enjoyed having the members of the family on the floor here today. However, at this time we will be proceeding to the election of the Speaker, and we will now need to be able to move about the floor to gather ballots. So I would request at this time that you move to the sides of the legislative floor. The Chair recognizes Senator Preister. []

SENATOR PREISTER: Thank you, Honorable President, friends all. I move to proceed to the election of the Speaker of the Legislature. []

PRESIDENT SHEEHY: The motion before you is the motion to proceed with the election of the Speaker. All those in favor say aye. All those opposed say nay. The

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motion is adopted. The floor is open for nominations. The Chair recognizes Senator Flood. []

SENATOR FLOOD: Thank you, Mr. President, members of the Legislature. I rise today to nominate myself for the position of Speaker of the Legislature. There is no question that today we are among one of the most historical Legislatures in our state's history. Not only are we the One Hundredth Legislature, but term limits have remodeled this branch of government. And there are those across this state that look at this body now and doubt what we can accomplish. They see inexperience. I see it differently. Today's Legislature, thanks to an outstanding new class, will bring about a spirit of cooperation, but, most importantly, innovation. We'll find new solutions to problems, and we'll see things differently. During this period of legislative transition, we must remember that the executive branch, headed by the Governor, down the hall and to the right, and our Supreme Court, with its Chief and several justices, for those two branches of government it's business as usual. We're the branch of government in transition this year. The Legislature, if you will, is at a crossroads, a crossroads that requires strong leadership and direction. I want to serve as your Speaker for the following three reasons. First and foremost, I want to protect this branch of government. I want to keep it strong and respected as an institution. I respect the fact that we work each day in this branch of government to create a record, a record that is relied upon by the courts and our Governor, a record that they can understand to understand our intent. Because as the legislative branch, we are the branch of government that decides how to tax our citizens, we are the branch of government that decides where to spend the people's money, and we set state policy. Subject to reasonable checks and balances, that is our job and we must not abdicate it to any other branch of government. The citizens that we represent expect that from us. Secondly, if elected your Speaker, I want to be fair. Our citizens expect fairness, they expect access, and they expect the right to be involved when they so choose. Regardless of how I may think or feel or vote on a given issue, if elected your Speaker, my job is to see that the process is fair to each of you. I believe in fairness, and I will work for it. Finally, if elected your Speaker, I will work to build a spirit of cooperation. I will work to bring separate interests together, to look for common ground, recognizing that there will be days that that's not possible. And in that event, I refer to point number two, fairness. Like many of you, during the interim, I work each day for a living as a broadcaster and a lawyer. And in those jobs, I solve problems for a living. I want to use those skills in management, in practicing law, and working in the communications industry to benefit the Legislature. If elected, you have my pledge, I will work tirelessly on your behalf. I will take my obligation to not only the state, my district, but to each of you, as Speaker, very seriously. I respectfully ask for your vote. Thank you, Mr. President. []

PRESIDENT SHEEHY: Thank you, Senator Flood. The Chair recognizes Senator Schimek. []

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SENATOR SCHIMEK: Thank you, Mr. President, members of the body. I rise today to place my name in nomination for Speaker of the Nebraska Legislature. I do not do this without realizing the importance of that responsibility. In the 18 years that I've been in the Legislature, I've had the opportunity to observe six Speakers. They have all been effective, and they have all had different styles of leadership. I believe I've learned from each of them what qualities a Speaker must have, even though each of them had a different personality and individual ways of leading the body. In addition, for ten of those years, I chaired the Government, Military and Veterans Affairs Committee, and for two years was the Vice Chair. I learned about negotiation, compromise, and defending the committee's decisions on the floor of the Legislature. I do not think I would be misstating the fact to say that in the Government Committee, members of the public were always given a fair hearing and the members of the committee were treated with fairness and respect. And I hope I was a graceful loser on the occasions in which the committee voted differently than I did. I've had the opportunity to work regionally and nationally, as well. In 2001, I chaired the Midwestern Legislative Conference and, with the help of my colleagues, brought to Lincoln the annual meeting, which was a tremendous success. I am a member of the MLC executive committee, and the executive committee of the parent organization, the Council of State Governments. There are many examples that I could cite of that kind of experience, but my point is that I've worked well with legislators in other states, as well as those within our body. I'm asking you today not to disregard that experience. Term limits are here, yes. But let's not fail to take advantage of those who still serve. If elected Speaker, I would pledge to do my best to be fair and impartial, give every senator a chance to debate his or her priority bill, set agendas that would allow this body to act in an appropriate and efficient way, provide agendas and calendars in a timely manner, represent the body in a fashion which would reflect well on the body, and do everything I could to retain the unicameral, nonpartisan system that is so unique to our state. As I observe the partisanship that occurs both in Congress and in other state legislatures, I am most appreciative of our Legislature. Polls over the years have shown that the voters of Nebraska approve, too. I would be remiss if I did not thank Senator Flood for a campaign that was up-front and aboveboard. I have a great respect for Mike, and know he is a valuable asset to the Legislature. I would also like to thank all of you for your serious consideration of all the candidates for leadership positions. I look forward to working with you in the coming session. As I close, I would like to tell you about my first election experience. I was nominated for a class office when I was in high school. I thought it was the polite thing to do to vote for the other person. (Laughter) I lost the election, actually. No, it's not, Mike. (Laughter) When a friend asked me about it afterward and I told her what I'd done, she said, if I didn't vote for myself, how would I ever convince anyone else to do it? Well, I've tried to convince you. I plan to vote for myself, and I hope you do, too. Thank you. []

PRESIDENT SHEEHY: Thank you, Senator Schimek. Are there any further nominations? Seeing none, the Chair declares the nominations are closed. We will now proceed with a vote. You will find on your desk a piece of paper that you will use to write

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the name of the individual you are voting for. The Clerk and the Assistant Clerk will collect the ballots. I would appoint the following three senators as tellers. I would ask Senator Chambers, Senator Raikes, and Senator Johnson to please come forward when you have finished voting. The results of the balloting are as follows. Senator Schimek received 21 votes. Senator Flood received 28 votes. Senator Flood is declared the winner. Congratulations, Mr. Speaker. (Applause) Senator Schimek, for what do you rise? []

SENATOR SCHIMEK: Mr. President and members, I would just like to be the first to publicly congratulate Senator Flood, and pledge to him my support throughout the next session. Thank you. (Applause) []

PRESIDENT SHEEHY: Thank you, Senator Schimek. Senator Flood, for what do you rise? []

SPEAKER FLOOD: Mr. President, members, I want to acknowledge how much I appreciate Senator Schimek's forthrightness, honesty, and honor in the past eight months. She has conducted herself in a way that's consistent with friendship and honor and loyalty to this body, and I just appreciate her years of service, and I know that in the next two years she's going to be a very valuable member of this legislative body. And I want to recognize her service to the state of Nebraska. (Applause) []

PRESIDENT SHEEHY: Thank you, Senator Flood. The Chair recognizes Senator Fischer. []

SENATOR FISCHER: Mr. President, I move that a committee of five be appointed to escort the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of administering the oath of office to the officers of the Legislature. []

PRESIDENT SHEEHY: Thank you, Senator Fischer. The motion before you is to select a committee of five to escort the Chief Justice to administer the oath of office to the officers selected. All those in favor say aye. All those opposed say nay. The motion is adopted. Will the following members form a committee to proceed to the rear of the Chamber to escort the Chief Justice to Administer the oath: Senator Fischer, Senator Mines, Senator Stuthman, Senator McDonald, Senator Heidemann. (Doctor of the day introduced.) The Chair recognizes the Sergeant at Arms. []

SERGEANT AT ARMS: Mr. President, your committee now escorting the Chief Justice of the Supreme Court, Mike Heavican. []

PRESIDENT SHEEHY: (Gavel) The Chair recognizes the Chief Justice of the Nebraska Supreme Court, Chief Justice Mike Heavican. []

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CHIEF JUSTICE HEAVICAN: Thank you. I will now swear in the officers of the Legislature, beginning with the Speaker, Mike Flood. Please come forward. (Oath of office administered to Speaker Flood.) Thank you. Congratulations. (Applause) And the Clerk of the Legislature, Patrick J. O'Donnell. (Oath of office administered to Clerk O'Donnell.) Thank you. (Applause) And the Assistant Clerk of the Legislature, Richard K. Brown. (Oath of office administered to Assistant Clerk Brown.) Thank you. (Applause) And finally, the Sergeant at Arms, Ron Witkowski. (Oath of office administered to Sergeant at Arms Witkowski.) Thank you very much. (Applause) (Legislative Journal page 7) []

PRESIDENT SHEEHY: Will the committee please escort the Chief Justice from the Chamber. Please be seated. The Chair recognizes Senator Erdman. []

SENATOR ERDMAN: Thank you, Mr. Lieutenant Governor. I move to proceed to the election of the Chairperson of the Committee on Committees. []

PRESIDENT SHEEHY: The motion before you is to proceed with the election of the Committee on Committees. All those in favor say aye. All those opposed say nay. The motion is adopted. The floor is open for nominations. The Chair recognizes Senator Pedersen. []

SENATOR PEDERSEN: Thank you, Mr. Lieutenant Governor, colleagues in the Legislature. I nominate myself as Chairman of the Committee on Committees. What a distinguished title. Senator Brashear always said, of all the titles, that is the title of titles. The truth is, a week ago I was running for Chairman of the Judiciary Committee, and we have found an able-bodied person and well-heeled in the work of the Legislature in the past who can do that work. And with my wife's illnesses...she is much better now and capable of having surgery in the next few weeks, or months, next two months, it will be February, and I'll have to be gone for at least a week. I would not be able to serve that very hard role of Chairman of the Judiciary Committee. Plus, I like the title of Committee on Committees Chairman. I've also served in this role for the last 6 years, and been on the committee for 12 years. I pledge to you, as your Chairman, I would be fair, consistent, and do what the body needs in that position. That would be the role you gave me, and that is the role I will do my best to fulfill. Thank you. []

PRESIDENT SHEEHY: Thank you, Senator Pedersen. Are there any further nominations? Seeing none, Senator Aguilar, you're recognized for a motion. []

SENATOR AGUILAR: Thank you, Mr. President. I move the nominations be closed and a unanimous vote, by acclamation, be cast for Senator Pedersen. []

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Pedersen Chair by acclamation. All

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those in favor say aye. All those opposed say nay. Congratulations, Senator Pedersen. The Chair recognizes Senator Dierks for a motion. []

SENATOR DIERKS: Thank you, Mr. President. I move to proceed to the election of the remaining 12 members of the Committee on Committees, and that we authorize the members residing within each of the three districts as enumerated in Rule 3, Section 2, to nominate four members to be elected by the legislative body to serve on the Committee on Committees. []

PRESIDENT SHEEHY: Thank you, Senator Dierks. The question is the motion to elect remaining members of the Committee on Committees. All those in favor say aye. All those opposed say nay. The motion is adopted. Mr. Clerk, would you read the reports. []

CLERK: Mr. President, the 1st Caucus as chaired by Senator Schimek as the senior member has selected Senators Schimek, Raikes, Adams, and Karpisek as members of the Committee on Committees. The 2nd Caucus as chaired by Senator Chambers as senior member of the caucus has selected Senators Preister, Ashford, Cornett, and White as members of the Committee on Committees. And the 3rd Caucus as chaired by Senator Engel as senior member has selected Senators Engel, Aguilar, Burling, and Dierks as members of the Committee on Committees. []

PRESIDENT SHEEHY: Thank you, Mr. Clerk. The Chair recognizes Senator Pedersen for a motion to approve the nominees. []

SENATOR PEDERSEN: Mr. Lieutenant Governor and colleagues, I move the approval of the nominees to the Committee on Committees. []

PRESIDENT SHEEHY: The motion before you is...the question is the motion to approve the nominees. All those in favor say aye. All those opposed say nay. The motion is adopted. We will now proceed to the election of the Chairperson of the Executive Board. The Chair recognizes Senator Janssen for a motion. []

SENATOR JANSSEN: Mr. President, I move to proceed to the election of the Chairperson of the Executive Board of the Legislative Council. []

PRESIDENT SHEEHY: Thank you, Senator Pedersen (sic). The question is the motion to proceed to the election of the Chairperson of the Executive Board. All those in favor say aye. All those opposed say nay. The motion is adopted. The floor is now open for nominations. []

SENATOR ENGEL: (Microphone malfunction)...President and members of the Legislature, I'd like to place my name into nomination for Chairperson of the Executive Board. It has been a privilege to serve as a member of the board the past ten years,

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and as Chairman for the past four. It is the responsibility of the Chair of the Executive Board to deal with the day-to-day business of the Legislature, including overseeing and implementing internal operating policies and procedures. I have always tried to diligently listen to and act upon senators' requests in a timely manner. If elected, I will continue to fairly and consistently apply Legislative Council policies, and my door will always be open to you, as it has in the past, if you have any questions or any concerns. I believe it is also the duty of the Chairman to do all he or she can do to uphold and enhance the integrity of the Legislature. I promise to always do my best to fulfill this serious responsibility. If elected Chairperson again, I will do all that I can to make sure that you have what you need to do your job successfully, and to make sure the needs of this institution are met. It would be an honor to continue to serve as Chairman the last two years of my legislative career, and I would appreciate your support. Thank you very much. []

PRESIDENT SHEEHY: Thank you, Senator Engel. Are there any further nominations? Seeing none, the Chair declares that nominations are closed. Senator Aguilar, you're recognized. []

SENATOR AGUILAR: Thank you, Mr. President. I move the nominations be closed and a unanimous vote, by acclamation, be cast for Senator Engel. []

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Engel Chair by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator Engel. The Chair recognizes Senator Kopplin for a motion. []

SENATOR KOPPLIN: Mr. Lieutenant Governor, I move to proceed to the election of the Vice Chairperson of the Executive Board of the Legislative Council. []

PRESIDENT SHEEHY: The question is the motion to proceed to the election of the Vice Chairperson of the Executive Board. All those in favor say aye. All those opposed say nay. The motion is adopted. The floor is open for nominations. The Chair recognizes Senator Burling. []

SENATOR BURLING: Thank you, Mr. President and members of the body. Welcome to the One Hundredth Legislative Session. I'd like to place my name in nomination for the position of Vice Chair of the Executive Board of the Legislative Council. I've been a member of this body for six years. I represent District 33. I've served on four standing committees. Sometimes we get frustrated with the process, impatient. But I, as some of you have, had the opportunity to be a part of conflict resolution situations where major differences are apparent, and disagreements can be resolved through compromise and understanding. The system, though sometimes frustrating, does work, and we all need to dedicate ourselves to make the system work. The exodus of so many of our former

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colleagues because of term limits left many vacancies in leadership positions to be filled by returning senators. I did not jump onto a position immediately. I decided that I wanted to serve where needed. So I watched the process unfold, and I watched various open positions receive at least one candidate. As I watched this unfold and I pondered how I might best serve this body, when almost all the positions had at least one candidate, I noticed the Vice Chair of the Executive Board position was still open, and I said, that must be the one that I'm supposed to do. I have had experience before coming to the Legislature being on boards and committees that are charged with the same things that the Executive Board is charged with, so I have much experience in that area. I just ask this morning for your support. I'd like to serve the One Hundredth Legislative Session in this capacity. I thank you for your attention, and I would appreciate your voting for me for Vice Chair of the Executive Board for the next two years. Thank you very much. []

PRESIDENT SHEEHY: Thank you, Senator Burling. The Chair recognizes Senator Preister. []

SENATOR PREISTER: Thank you, Honorable President, friends all. I rise to place myself in nomination for the Vice Chair position of the Executive Board. Based on past reorganization votes, I think that I need to convince at least five more of you to vote for me, since only 20 of you, 8 of you have already agreed to vote for me. For those of you who don't understand that, if you ever run for one of these positions, you will. I think it's important that I answer two questions for you as I do this. And the first question is, why do I want to run? Well, there's more meetings, there's more work, and there's more pay. Obviously, the pay isn't the issue here, because committee chairs and vice chairs don't get any more money. But I think it's important that we have a pay increase for the Legislature, and I will advocate for that. It has been a long time that this body has been stuck at \$12,000 a year. One of the things, and I've already turned the bill in, I intend to push for a legislative pay increase. I think it's essential that we value ourselves and that we demonstrate and give the public the opportunity--we're not raising it ourselves--but give the public the opportunity to have a vote on that again. So that's one of the reasons that I want to run. That will be handled by the Executive Board. Another one is to make my contribution. Certainly, I've been here for 14 years, have worked with the body in many capacities, and I believe that I have a contribution that I can make, and I think it's important to be able to make that. This position, an administrative position, is one that I think I can serve and serve well, and that's the reason that I would like to do it. In seeking this...this is the second time. The first time I ran for this, it was an open seat, and Senator Cudaback and I ran, and I got 24 votes. So I figured, I'm close. And then I had to wait. And Senator Wightman knows about being in Jim Cudaback's shadow. So he's no longer here. He served ably. And, well, at 140 pounds, I stand in lots of shadows. But at the same time, I think with this open seat it's an opportunity, and I want to take advantage of that. The other reason that I would like to serve in this capacity is because I want to advocate for this legislative body. We frequently are the subject of put-downs, often of ridicule, and I think we need people to stand up for the body, stand

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up for the institution, stand up for the Legislature, and to help people to understand what we do and why we do it, and that we're not always the bad people. Governors tend to use the Legislature as a whipping boy. I think we need to value ourselves. We need to do that with pay, and I think we need to do that with respect. And I certainly will do that. The other question that I would ask, what are my qualifications? And I think you have a right to know those things as well. At times, it's weak, but I do try to have a sense of humor, and even to laugh at myself. And as the session goes on, even though today I felt a little like Jay Leno on a weak night, I think humor is going to be very important for us. As the intensity grows, that's essential. I'm organized, and I do my homework. I have administrative experience, I have communication skills, I have negotiation experience, I respect our Legislature and its rich history, I usually make my comments in the allotted five minutes, and I know when to shut up. So in conclusion, I will be available, I'll be approachable, I'll work for all of you. And I thank Senator Burling. He's certainly a superlative gentleman. But, Senator Schimek, I've voted for myself already. I would ask the body, if you think I can do the job for you, I ask you to please also vote for me. Thank you very much. []

PRESIDENT SHEEHY: Thank you, Senator Preister. Are there any further nominations? Seeing none, the Chair declares the nominations closed. We will proceed to a vote. Again, you will find a piece of paper on your desk that you can use to write the name of the individual you are voting for. The Clerk and the Assistant Clerk will collect the ballots. I would appoint the following three senators as tellers: Senator Dierks, Senator Janssen, and Senator Erdman. When the three of you have finished voting, you may come forward. The results of the balloting are as follows. Senator Burling received 20 votes. Senator Preister received 29 votes. Senator Preister is declared the winner. Congratulations, Senator Preister. (Applause) The Chair recognizes Senator Cornett. []

SENATOR CORNETT: I move to proceed to the election of the other six members of the Executive Board of the Legislative Council, as outlined. []

PRESIDENT SHEEHY: The question is the adoption of the motion to proceed to the election of the members of the Executive Board. All those in favor say aye. All those opposed say nay. The motion is adopted. Mr. Clerk, do you have a message on the side? []

CLERK: I do, Mr. President. The 1st Caucus would report the selection of Senators Stuthman and Janssen as members of the Executive Board. The 2nd Caucus would report the selection of Senators Chambers and Kopplin as members of the board. And the 3rd Caucus would report on the selections of Senators Erdman and McDonald as members of the Executive Board. []

PRESIDENT SHEEHY: Thank you, Mr. Clerk. The Chair recognizes Senator Howard to approve the caucus report. []

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SENATOR HOWARD: Mr. Chairman, I move the approval of the nominees to the Executive Board of the Legislative Council. []

PRESIDENT SHEEHY: The question is the adoption of the caucus report. All those in favor say aye. All those opposed say nay. The caucus reports are adopted. We now move to the election of the standing committee Chairpersons. The Chair recognizes Senator Hudkins. []

SENATOR HUDKINS: Mr. President, I move to proceed to the election of the standing committee Chairpersons by secret ballot, in accordance with Rule 3, Section 7(a). []

PRESIDENT SHEEHY: Thank you, Senator Hudkins. The question is the adoption of the motion to proceed to the election of the standing committee Chairpersons. All those in favor say aye. All those opposed say nay. The motion is adopted. We will start with the Chair of the Agriculture Committee. I recognize Senator Erdman. []

SENATOR ERDMAN: Thank you, Mr. President, members of the Legislature. I'd like to humbly submit my name for the Chairperson of the Committee on Agriculture for the One Hundredth Legislature. I have served as the Vice Chair of the Agriculture Committee for the last four years, and have been a member of the committee for the last five. During that time, I have been asked to preside over committee hearings on some of the most controversial issues that have come before the Nebraska Legislature. My goal then, as it is, as your Chairman, should you elect me, will be to continue to work to ensure that our committee hearing is a place where all Nebraskans feel welcome to share their opinion on agricultural issues. I grew up on a farm, and returned to farm after college. I know firsthand the challenges that agriculture faces, and have cherished the opportunity to serve on the Ag Committee in working with others to address these concerns. I will strive to work with and fairly represent all of Nebraska agriculture, from western Nebraska to the Missouri River. We have been blessed with respected leadership in our Agriculture Committee for a number of years, and in seeking to follow their example, I humbly ask for your vote to serve as your Chairman. Thank you, Mr. President. []

PRESIDENT SHEEHY: Thank you, Senator Erdman. Are there further nominations? Seeing none, the Chair recognizes Senator Aguilar. []

SENATOR AGUILAR: Thank you, Mr. President, members. I move the nominations be closed and a unanimous vote, by acclamation, be cast for Senator Erdman. []

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Erdman by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator Erdman. The floor

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is open for nominations to the Appropriations Committee. The Chair recognizes Senator Kruse. []

SENATOR KRUSE: Mr. President and colleagues, I place my name in nomination for Chair of the Appropriations Committee. We strive for evenness in all of our work here, as has been referenced several times. It seems to me that it is especially important for the Appropriations Committee because it is so organized that it should be representative of the floor, with three persons from each district, and the reports that come from that committee must be representative of the floor. My first four years on the committee were under the sponsor...not the sponsorship, but the teaching and the tutelage of Roger Wehrbein. He would not even tell us how he was going to vote. In my judgment, that was great wisdom. Not his wisdom; I'm sure somebody else did that before him, and Don did it after him, and we on the committee certainly affirm that. But I think it is essential that the Chair not steer the vote. Otherwise, when we get to the floor, there is a potential of meltdown or chaos, as the total report would not...could not be representative of the floor in some situations. There are always amendments, and that makes it fun and interesting. But the basic report must be representative of the floor. And therefore, I am strongly convinced that this committee must be independent. Each member of the committee must do homework, do research, do serious reflection, and then vote independently, so that together we represent what's best for the state. I do have my convictions, and certainly would be open in them. One of them is that we should have a strong reserve. A storm or other unexpected events are not budgeted. We run a tight budget. It's a careful budget. We don't leave pockets in it for some unforeseen emergency. Our way of dealing with that is through the reserve. There are some who feel that four weeks' reserve would be adequate. I respectfully disagree. I think it should be more than that. So I say straightforward that I am for a strong reserve. Another policy that I think has been maintained by every member of the committee, but which I strongly support, is to look for the investment dollar. There are certain basic things you have to do, like keep the lights on, but that doesn't count as an investment dollar. Investment dollars, when you look ahead and see that spending this money now will either increase the reserve and the revenue in the future, or it will decrease expenses. If we do not do this...and I'm not speaking just to the members of the committee. I'm speaking to every member of the floor because we're together on this. We'd better be together, whatever my role is. We have to work continuously to find that investment dollar, or else future budget groups and Legislatures are going to be in deep trouble. An example, one example of that where we, I think, have done an effective job, mostly under the guidance of Senator Jensen, is mental health. If we don't do that well, it's going to eat us up in the future. And we know that, we've learned that. And it seems to me that's a good example of an investment dollar. And finally, to state what is obvious but which is so important, this has to be a learning experience in this committee for the next two years; not rotely telling somebody how to do something, but giving everybody a hands-on experience, because we have five new members of the committee, and two years from now we'll probably have two more, at least that many. We need to have a

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group--not just individuals--we need to have a group that's ready to take a hold and do the work two years from now in an effective way, so that Nebraska can have a good opportunity for the future, be stronger in its citizens, and in the state. I appreciate your consideration of me for Chair. Thank you. []

PRESIDENT SHEEHY: Thank you, Senator Kruse. The Chair recognizes Senator Heidemann. []

SENATOR HEIDEMANN: Thank you, Mr. President, and members of the Legislature. I'd like to nominate myself for Appropriations Chair. I'd like to talk to you about three things: comfortable, confident, and committed. Over the last two years I've served on Appropriations Committee, and during that time I've become comfortable with the process. If I didn't know the process, I asked the questions, I found out the why, the why nots, and the how-tos. And in doing that and getting comfortable with the process, I've got comfortable with the people that help with the process, with the Fiscal Office, the Mike Calverts and the Tom Bergquists and all the fiscal analysts. And I believe that's a very valuable asset down the road for me. I am confident. It took a long time for me to get to the point that I was going to put my name in to do this, and I did a lot of soul searching and I talked to my wife Robin, and I come to the conclusion that I am confident that I can do this job. I am confident that I can put a budget out on the floor that the committee and the body as a whole can support. I am committed to bring that budget to the floor that everybody can stand behind. I am committed to always have my door open, but not only my office door, but my mind so that I can take in your views and your ideas and your concerns. This is going to be short and sweet; that's what you're going to hear from me. I respectfully ask for your vote. Thank you. []

PRESIDENT SHEEHY: Thank you, Senator Heidemann. Are there any further nominations? Seeing none, the Chair declares the nominations closed. We will proceed to a vote. Again, you will find a piece of paper on your desk that you can use to write the name of the individual you are voting for. The Clerk and the Assistant Clerk will collect the ballots. I would appoint the following senators as tellers: Senator Schimek, Senator Dwite Pedersen, and Senator Synowiecki. Would you please come forward after you have voted. The results of the balloting are as follows. Senator Kruse received 23 votes. Senator Heidemann received 26 votes. Senator Heidemann is declared the winner. Congratulations, Senator Heidemann. We now move to the selection of the committee person for Banking, Commerce and Insurance. Are there any nominations? Senator Pahls, you're recognized.

SENATOR PAHLS: Mr. Lieutenant Governor, members of the body, I rise to submit my name for consideration as Chair of the Banking, Commerce and Insurance Committee. In taking this position, I reflected a little bit on the past leadership. I looked at what Senator Landis, Senator Quandahl, and Senator Mines...I looked at their record, I perused some of the transcripts, and I discovered that these individuals, by doing the

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work before it hit the floor, they were very successful. They not only helped the citizens of the state of Nebraska, it did help our economy. You take a look at some of the recent additions in the insurance area. Now I'm looking at today. We all know for an organization to be successful it must have certain qualities or characteristics. I looked at what a good Banking Committee...the attributes a good Banking Committee should have, and here are some of those that I came up with. It needs to work with a Banking Department that is second to none. Now if you look at our Banking Department across the state of Nebraska and beyond the borders, it is very well-respected. Our Insurance Department needs to be second to none. If you look across the state of Nebraska, you see insurance is one of the prime movers in our world. Again, outside of this state the Insurance Department is well-respected. You need a good legal counsel, a good committee clerk, and for those of you who know the current legal counsel and committee clerk, you can understand the importance of that staff. They make a difference. And for those of you who do not know them, I'm sure you will get to know them in the near future. As a senator, you need a staff that actually is second to none. I happen to have a staff that works for me, very well-experienced here in the Legislature. They're creative; they can think outside the box. Another thing you need, you need a group of men and women to be on this committee. And as I was listening to a number of the individuals who would like to be a part of this committee, I see this committee would be second to none. I'm really excited about the people who would like to be on this committee. Finally, you would need a Chair who has some leadership ability, somebody who needs to listen--and I'm emphasizing that needs to listen--and work with people and come to consensus. That is the reason why this committee has been so successful in the past; the Chairman. I believe with my past experiences, although my leadership has not been in this domain, over my past experiences it's...I've had a number of leadership positions. I would appreciate your support in this endeavor. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Pahls. Any further nominations? Seeing no other nominations, nominations will close. I recognize Senator Aguilar.

SENATOR AGUILAR: Thank you, Mr. President and members. I move the nominations be closed and a unanimous vote by acclamation be cast for Senator Pahls.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Pahls by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator Pahls. We will now move forward to the chairperson of Business and Labor. The floor is now open for nominations. The Chair recognizes Senator Cornett.

SENATOR CORNETT: Thank you, Lieutenant Governor. I rise to nominate myself for Chairperson of Business and Labor. I want to start out by congratulating the newly elected senators and welcome you to an institution that will truly change your lives. I want to also tell you how much I look forward to working with you. One of the ways I

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would like to work with you is as Chairperson of Business and Labor Committee. Being chairperson of any committee is a challenging, but a rewarding experience. I believe that I bring many skills to the committee. The most important is my ability to mediate, a skill that I believe is critical to the resolution of many important issues facing this committee. I intend to listen to both sides of all issues and seek out your advice and help to find the best overall solution. I want to also let you know, like Senator Pahls, I can't tell you how important staff is, and I believe that I have a wonderful staff. We have spent the interim pretty much doing nothing but going over committee transcript hearings and reading past bills and proposed future legislation. I feel that we are very prepared to take over this committee, and I want to again thank you for your support and look forward to working with you. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Cornett. Are there any further nominations? Seeing none, I declare the nominations closed. The Chair recognizes Senator Aguilar.

SENATOR AGUILAR: Thank you, Mr. President, members. I move the nominations be closed and a unanimous vote by acclamation be cast for Senator Cornett.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Cornett by acclamation. All in favor say aye. All those opposed say nay. Congratulations, Senator Cornett. We will now move to the selection of Chairperson for Education. The floor is now open for nominations. The Chair recognizes Senator Raikes.

SENATOR RAIKES: Thank you, Mr. President, members of the Legislature. I would like you to consider allowing me to continue to serve as Chair of the Education Committee. I've been honored to serve. The committee and the Legislature as a whole have been willing to take on the tough issues. Creative yet constructive solutions have been offered, there has been thoughtful and thorough discussion, and we've come to decisions. Because those decisions have dealt with tough issues and involved needed change in the way we do things, they haven't always been popular. And you may have noticed that all my friends were here this morning to join in this occasion--matter of fact, they're all still here. (Laughter) But I'm absolutely convinced that the motivating force in the Legislature has been the greater good for the longer run for the state of Nebraska. I'm not about to suggest that the tough issues we have taken on are all resolved or that there aren't additional tough issues that we need to address, but we have momentum and we have a strong record of accomplishment. I take great pride in having been a part of the Ninety-Ninth Legislature, a group which, in my opinion, set a standard for courage and dedication. My respect for those of you who are returning is enormous. An important job for all of us returnees, but particularly those of us who will be gone in two years, is transition. The good news, I think, is that an appraisal of the new members this sessions suggests this and coming Legislatures will be in very good hands. Thank you for consideration, and thank you, Mr. President.

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PRESIDENT SHEEHY: Thank you, Senator Raikes. Senator Chambers.

SENATOR CHAMBERS: Mr. President, I think Senator Raikes should remain Chairperson of the Education Committee, but I would like to offer an amendment to divide the committee into three parts. (Laughter)

PRESIDENT SHEEHY: Thank you, Senator Chambers. Any further nominations? Seeing none, the Chair declares the nominations closed. The Chair recognizes Senator Aguilar.

SENATOR AGUILAR: I move the nominations be closed and a unanimous vote by acclamation be cast for Senator Raikes.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Raikes by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator Raikes. The next selection will be for committee person for General Affairs. The floor is open for nominations. The Chair recognizes Senator McDonald.

SENATOR McDONALD: Mr. President and members, I rise to place my name in nomination for the Chair of the General Affairs Committee. As a former member of the General Affairs Committee, I'm familiar with many of the subjects under the committee's jurisdiction. In addition, I've worked closely with the committee on cemetery and gamblers assistance issues. If elected Chair, I promise to maintain the fair and balanced committee process established by previous chairs of the committee. Over the last five and a half years, I've been fortunate enough to serve with and learn from my dedicated colleagues. I believe it's time for me to put those lessons to good use. I respectfully request your support for committee chair. Thank you. []

PRESIDENT SHEEHY: Thank you, Senator McDonald. Are there any further nominations? Seeing none, the Chair declares the nominations closed. The Chair recognizes Senator Aguilar.

SENATOR AGUILAR: Thank you, Mr. President, members. I move that nominations be closed and a unanimous vote by acclamation be cast for Senator McDonald. []

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator McDonald by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator McDonald. We will now move to the selection of committee person for Government, Military and Veterans Affairs. The floor is open for nominations. The Chair recognizes Senator Aguilar.

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SENATOR AGUILAR: Thank you, Mr. President and members of the One Hundredth Legislature. I would like to place my name in consideration for Chair of the Government, Military and Veterans Affairs Committee. If elected to this position, I pledge to lead a fair and impartial committee, giving each piece of legislation a thorough hearing, being respectful of each member's time, and assuring each member's voice be heard. I humbly ask for your support.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. Are there any further nominations? Seeing none, the Chair declares the nominations closed. The Chair recognizes Senator Friend.

SENATOR FRIEND: Thank you, Mr. Lieutenant Governor. I move the nominations be closed and a unanimous vote by acclamation cast for Senator Aguilar.

PRESIDENT SHEEHY: Thank you, Senator Friend. The motion before you is the motion to cease nominations and declare Senator Aguilar by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator Aguilar. We'll now move to the selection of committee person for Health and Human Services. The floor is open for nominations. The Chair recognizes Senator Johnson.

SENATOR JOHNSON: Mr. Chairman, members of the Legislature, 35 years ago when I left for Kearney, Nebraska, a wonderful man by the name of Dr. Merle Musselman said, just take care of the people and everything else will be just fine. He was right then, and he's right today. What our task will be is not just the people's health, but the state's financial health. This is the task of this committee. One of the things that I've been very impressed with is the quality of our new legislators. I was reminded the other day of something that President Kennedy in his inaugural speech, basically paraphrasing George Bernard Shaw, said this, and I would recommend this to you: Some look and ask why; instead, dream of the future and ask why not. I respectfully ask for your vote for Chairman of Health and Human Services Committee. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Johnson. Are there any further nominations? Seeing none, the Chair declares the nominations closed. The Chair recognizes Senator Aguilar.

SENATOR AGUILAR: Thank you, Mr. President, members. I move the nominations be closed and a unanimous vote by acclamation be cast for Senator Johnson.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Johnson by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator Johnson. We will now move forward to the selection of the Chairperson of Judiciary Committee. The floor

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is now open for nominations. The Chair recognizes Senator Ashford.

SENATOR ASHFORD: Thank you, Mr. President and members. I rise to place my name in nomination for the job of Chairman of the Judiciary Committee. I'd like to first of all thank Senator Pedersen for his support and friendship. I've known Senator Pedersen for many, many years, and I have a great deal of respect for him and the work that he has done for our state. I'm in a very unique position, as is Senator Dierks, because we sit here today in a very blessed position. As I sit here, I look across this room and I see Senator George Coordsen sitting over where Amanda is sitting over there, Senator Schellpeper back in the back, Senator Warner, Tim Hall, Vard Johnson, Senator Landis--all those people--Senator Chambers, who is still here and has taught me many valuable lessons over the years. And I just can't tell you how blessed I am, and I know Senator Dierks is, as well, to have the opportunity to be back here again. And I can tell you that those lessons of those eight years, many, many years ago--20 years ago when I came in the body in 1986--have stayed with me, and they've guided my life during the 12 years when I was outside of the body, and they were the most valuable lessons that I have ever learned. I am so pleased to be back with the new class of 22. When I came in, in 1986, we thought we were such a large class--we had 14 people as members of our class in 1986, and now we have 22. I stand before you humbly to place my name in nomination, realizing that I am a new senator, but I am blessed with the experience of having served with these great people for eight years. As a member of the Bar Association of the state of Nebraska since 1974, I'm fully aware of my responsibilities and obligations to the people, to this body, and to my profession, and I humbly request your support for this office. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Ashford. Are there any further nominations? Seeing none, the Chair declares the nominations closed. The Chair recognizes Senator Aguilar.

SENATOR AGUILAR: Thank you, Mr. President, members. I move that nominations be closed and a unanimous vote by acclamation be cast for Senator Ashford.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Ashford by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator Ashford. We will now move to the selection of the committee person for Natural Resources. The floor is now open for nominations. The Chair recognizes Senator Langemeier.

SENATOR LANGEMEIER: Mr. Lieutenant Governor, members of the body, I humbly nominate myself for Chair of Natural Resources Committee. The importance of the Natural Resources Committee has risen and continues to rise for every Nebraskan in the state. Over my eight years of elected service, I have had the opportunity to experience the change in philosophy of water in Nebraska. Water seems to be the

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discussion topic when we talk about natural resources; however, the committee covers a wide variety of topics. I will work to make the committee run as smoothly as possible, making sure that every piece of legislation that is voted out of committee is ready for floor discussion on General File. When I served on the Lower Platte North Natural Resources Board, and now in the Nebraska Legislature, my commitment has been to serving the citizens of the state of Nebraska. I have made that commitment to serve to each one of you as the Chairman of the Natural Resources Committee. I want to thank each and every one of you for taking the time out of your busy lives to discuss the issues personally, that effect you personally. And with that, I would ask for your vote for Chair of Natural Resources Committee. Thank you. []

PRESIDENT SHEEHY: Thank you, Senator Langemeier. The Chair recognizes Senator Louden.

SENATOR LOUDEN: Mr. President and members, I wish to put my name in the nomination as Chairman of the Natural Resources Committee. I seek the position based on my years of service on the committee and my firsthand experience with many of the issues that fall within the committee's jurisdiction, including water, electric power, recreation, forestry, and mineral assets, and the interaction between agriculture and natural resources. I live and ranch at Ellsworth in Sheridan County which, along with most of the state, lies above the Ogallala Aquifer. My experience of ranching for over 50 years has given me firsthand knowledge of the value of our natural resources. I've operated a successful ranching business because I've managed land, water, and wildlife carefully. I believe that using practices that sustain the resources that provide my livelihood is a policy that translates to the entire state. As a member of the Natural Resources Committee, I've worked effectively with Nebraska Department of Natural Resources, Department of Environmental Quality, and the Game and Parks Commission. I have good relationships with the natural resource districts. I have experience dealing with oil-drilling companies and uranium mining, which are both natural resources found in this state, in my district, and under the jurisdiction of this committee. I've also served on the board of directors of the Panhandle REA and I understand that public power, electric generation, and alternative energy are issues that require a statewide prospective, which I have. Working with diverse interests is essential to effective leadership. I offer a statewide vision on issues affecting Nebraska, with the goal of listening to every viewpoint and reaching consensus. Water policy will continue to require the committee's attention. I recognized the importance of water issues long before I came to the Legislature. The Republican River is probably the foremost natural resource issue facing us today, and it could become a fiscal challenge of enormous consequences. Therefore, we must work together to develop the proper policy. Both ground and surface water irrigation are used in District 49. I work closely with the three natural resource districts in my district, and the surface water irrigation Pathfinder District, which receives water from federal storage in Wyoming. I have a sound relationship with the Upper Niobrara White NRD and the Upper Loup NRD

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concerning forestry and water issues. I look forward to continuing to work effectively with the state's NRDs. I served nine years on the Panhandle REA board and was appointed to the legislative committee of the Nebraska Rural Electric Association. This experience has given me a thorough understanding of electric power in Nebraska and its role in the twenty-first century technology. Wind power, solar power, alternative energy sources such as biomass and methane can provide energy and economic development in our state, and these should be included in Nebraska's energy policy. Like Nebraska's electric power districts, the Game and Parks Commission works on legislation that comes before the Natural Resources Committee. My service on the committee has allowed me to build a positive relationship with the commission, which has a significant impact on the lives of many Nebraskans through its administration of laws governing fishing, hunting, recreation, park entry fees, and land acquisition. Forestry is another subject addressed in the Natural Resources Committee. I have toured Nebraska's forests to see firsthand how our forests need to be thinned and managed to preserve this bountiful resource for future generations. Major logging takes place in the 49th District, and I have worked with foresters and the logging industry to encourage sensible use of our forestry assets, which benefit the entire state. Mineral resources also benefit the entire state, and my experience with oil production, oil leasing, and oil well drilling has given me an understanding of the laws that control these minerals. Nebraska's only uranium mine, near Crawford, is in the district I represent. Uranium is mined near Crawford as yellowcake and shipped into Canada to be made into fuel pellets that are then used to fuel generation plants such as Cooper Nuclear Station near Brownville, owned by the Nebraska Public Power District, and Fort Calhoun Nuclear Station, owned by Omaha Public Power. As an appointee by the Speaker of the Legislature, I toured the Yucca Mountain high-level nuclear waste repository in Nevada with the Council of State Governments last year. I wrote a summary, as requested, for the Governor. Progress on completion of the Yucca Mountain repository has to be monitored, as we have been told that 80 to 90 percent of nuclear waste east of Nebraska will move through our state by rail or on Interstate 80. With an agricultural background and as a livestock producer, I understand livestock production, both ranch and feedlot operations, and its value in Nebraska. I introduced legislation which the body enacted to allow expansion of existing feeding operations while protecting nearby streams. I've served on the Natural Resources Committee for the past four years and participated in finding solutions to some of the state's most significant issues. Throughout my four years of service on the committee, I have learned through experience. That experience comes not only through the hearing and legislative process, but also in Nebraska communities, through the communities' active interim hearing schedule. My participation in interim studies has allowed me to meet with local officials, citizens, and others affected by the committee's work. I've witnessed firsthand our state's assets as well as our problems, and I have developed a balanced perspective on the challenge we face. My knowledge comes not only from formal settings of public hearings where arguments pro and con are exchanged and considered; it also comes from firsthand experience where our fellow citizens use,

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enjoy, and manage our natural resources. I've walked the watersheds of our NRDs, I lived with the effects of drought, and can even remember the wet years. Most recently I've been there to witness our local, state, and federal agencies' spectacular response to wildfires last summer near Harrison and Chadron. As a nominee for the Chair of the Natural Resources Committee, I bring not only four years of membership on the committee, but my years of experience working with the issues that come under the committee's jurisdiction. My experience as a committee member has shown me the importance of leading members to create legislation that balances competing interests and protects Nebraska's natural resource wealth. Four years of service on the committee have given me insight on how to conduct committee business effectively and fairly. With the help of experienced and competent staff who have served the committee so well over the years, bills will be scheduled and heard with efficiency, and my office will continue the custom of working with a door that is open to all. It would be an honor to serve you as Chair of the Natural Resources Committee, and thank you for your consideration, and I ask for your support.

PRESIDENT SHEEHY: Thank you, Senator Loudon. Are there further nominations? Seeing none, the Chair declares the nominations closed. We will proceed to a vote. You will find a piece of paper on your desk that you can use to write the name of the individual you are voting for. The Clerk and the Assistant Clerk will collect the ballots. I would appoint the following three senators as tellers: Senator Preister, Senator Burling, and Senator McDonald. The results of balloting are as follows. Senator Langemeier received 23 votes. Senator Loudon received 26 votes. Senator Loudon is declared the winner. Congratulations, Senator Loudon. We will now move to the selection of the committee person for the Nebraska Retirement System. The floor is open for nominations. The Chair recognizes Senator Synowiecki.

SENATOR SYNOWIECKI: Mr. President, members of the Legislature, I rise to place my name in nomination, and I respectfully request your consideration for the chairmanship of the Nebraska Retirement Systems Committee. The Retirement Committee obviously has a comparatively narrow jurisdiction, limited essentially to the five retirement plans that the Legislature directly oversees. But while the scope of the committee is limited, the issues can evolve to be quite complex and weigh heavily in our public policy deliberations here on the floor. In particular, the three defined benefit plans can certainly prove and have certainly proven to have a significant impact on our fiscal status of the state. I've had the distinct pleasure to serve on the committee for the past four years, the last two years in the capacity of Vice Chairperson. During my tenure on the committee I believe I have demonstrated a genuinely open decision-making process that has incorporated a thoughtful stewardship of state resources. I have always sought to appropriately balance the best interests of both plan participants and taxpayers. With the recent personnel changes in administration at the Nebraska Retirement Systems and the recently announced departure of the legal counsel for the committee, I hope that my level of experience may be viewed as a valuable asset to the members of the

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Legislature. I offer my service, and I thank you for your consideration. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Synowiecki. Are there any further nominations? Seeing none, the Chair declares that nominations are closed. The Chair recognizes Senator Aguilar.

SENATOR AGUILAR: Thank you, Mr. President, members. I move that nominations be closed and a unanimous vote by acclamation be cast for Senator Synowiecki.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Synowiecki by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator Synowiecki. We will now move to the selection of the Chairperson for the Revenue Committee. The floor is now open for nominations. The Chair recognizes Senator Mines.

SENATOR MINES: Thank you, Mr. President, colleagues. I rise today to place my name in nomination for Chair of the Committee on Revenue. As this, the One Hundredth Legislature has convened, each of us on the floor of this magnificent Norris Chamber harbor expectations for the upcoming session. We expect that our work will be further enhanced by our opportunities that exist throughout Nebraska. We expect that our work will provide families a chance to build a better future. And we expect that our work will further enrich the quality of life for all Nebraskans. Our constituents have expectations of us, as well. They are weary that Nebraska's tax policies rank us the sixth highest state for local and state tax burden, and the 44th worst business climate in the country. Additionally, they deserve that we engage in serious debate about the appropriateness of property taxes that represent 34 percent of their total tax burden. Constituents expect us to deliver this session a foundation for meaningful and lasting tax relief through a formula that reduces spending and correspondingly cuts the volume of taxes collected by state and local governments. Governor Heineman proposed a very aggressive multipoint plan to lower income tax rates, streamline tax brackets, and eliminate the estate tax, the marriage penalty, and sales tax on construction labor. I for one applaud the Governor, and I respect that he took this bold tax proposal forward. And as Chair of the Revenue Committee, be assured that my relationship with the Governor will afford his ideas full and fair consideration. Nevertheless, tax policy is the responsibility of this Legislature, and together we will craft a meaningful and lasting tax strategy for the future of Nebraska. The Revenue Committee is guided by tax policies, principles that include a structure for appropriate and timely revenues, equitable distribution of the tax burden, promotion of economic efficiency and growth, easy administration, and an assurance of accountability. My pledge to you is that the Revenue Committee will deliver our work to this floor in strict conformance to those very principles. Substantive change in tax policy will demand strong leadership. As Chair of the Banking, Commerce and Insurance Committee, I ably managed committee work, and I believe all stakeholders were included in the fair and open process. I proved my ability to

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effectively negotiate solutions between opposing interests, and delivered to this floor technical legislation in proper form. Coupled with my background as a former business owner, three decades in corporate management, and eight years as a mayor facilitating local budgets and tax policy, I offer this body a brand new era of leadership in the Revenue Committee. If I'm elected Chair, you can expect that the Revenue Committee will innovate and deliver resourceful tax strategies based on established principles of a high-quality state revenue system. I fully appreciate and I take very seriously the honor and responsibility of serving you in the matters of revenue. With your confidence and support, we'll succeed in the task of transforming Nebraska's tax policy. I sincerely appreciate your consideration. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Mines. Are there any further nominations? The Chair recognizes Senator Janssen.

SENATOR JANSSEN: Thank you, Mr. President. I would like to place my name in nomination for Chair of the Revenue Committee. Let me begin by saying that it would be an honor to serve as your Revenue Chairman, and I respectfully ask for your consideration. I'm able to offer you experience as a legislator, as a committee chairman, and a six-year member of the Revenue Committee. I am now serving my fourth term as a representative of the 15th Legislative District. After serving as Chairman of the Retirement Committee for two years, I became the Chairman of the General Affairs Committee in 1999, and I've led that committee since that time. Some of the bills that come to that committee were very controversial, but we worked through them, we worked through them. Since 2001 I have served on the Revenue Committee, and that's six years. During that time, the state has experienced good times and some very challenging times. Revenues are better now, but that doesn't mean that the taxes will, and the task of taxes will be any easier. The same amount of careful deliberation, fairness, and foresight is necessary towards making sound fiscal decisions in more prosperous times. We do not make decisions following urban and rural lines, but we base our decisions on what is best for this whole state. I've always attempted to be fair and straightforward and open-minded and respectful, and I can assure you this is how I will continue to operate. I would quite possibly keep the staff that has been on the Revenue Committee ever since I've been on it, and prior to that time. That is my pledge to you, to run a fair committee and look at every bill that comes through that committee, which there are quite a few. With that, I ask for your vote for Chair of Revenue Committee. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Janssen. Are there any further nominations? Seeing none, the Chair declares the nominations closed. We will proceed to a vote. Again, you will find the pieces of paper on your desk that you will use to write the name of the individual you are voting for. The Clerk and the Assistant Clerk will collect the ballots. I would appoint the following three senators as tellers: Senator Kopplin, Senator Engel, and Senator Flood. When the three of you have finished voting,

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you may come to the front. The results of the balloting are as follows. Senator Mines received 19 votes. Senator Janssen received 30 votes. Senator Janssen is declared the winner. Congratulations, Senator Janssen. We'll now move to the selection of the committee person for Transportation and Telecommunications. The floor is open for nominations. The Chair recognizes Senator Stuthman.

SENATOR STUTHMAN: Thank you, Mr. President, Honorable Lieutenant Governor, and honorable senators here in the body. I respectfully submit my name as Chairman of the Transportation and Telecommunications Committee, and I would respectfully ask for your support. I want to give you a little bit of the history of where I have been in the past four years. I have served on this committee the past four years. Prior to serving on this Transportation and Telecommunications Committee, I have served on the county board for eight years prior to that, serving on the road and bridge committee all of those eight years, and was chairman of the committee that developed the enhanced 911 telecommunications for Platte County and in my area. I think it's very important at this time that with term limits in effect, that we have a person that has been serving on the committee for the prior years, and it is my intent to again serve on that committee. And I would like to serve as your chairman of that committee. One of the things that I will be very truthful with you is that I will be very fair and honest to all of the people that come and testify on the...during the hearing process. I think that's very, very important. I also think that it is very important that transportation and telecommunications are one of the most important things in the state of Nebraska, and are probably on the top of list of issues that concern people--transportation, that is very, very important. And like I said, I will be respectful to all of the people, my door will be open, I will listen to everyone. I have no personal agenda as far as transportation and telecommunications are, but I will be very open-minded and consider everything. And I respectfully ask for your support. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Stuthman. The Chair recognizes Senator Fischer.

SENATOR FISCHER: Thank you, Mr. President and members of the body. I rise this afternoon to place my name in nomination for the Chairman of the Transportation and Telecommunications Committee. I've had the opportunity to visit with almost all of you these past few weeks, and I understand what your concerns are regarding the issues that will come before this committee. This committee deals with a number of areas: telecommunications, roads, and I believe, economic development for the state of Nebraska. Infrastructure, both with roads and with telecommunications, is extremely important for all areas of our state, whether it's 120th and Dodge Street in Omaha, 48th and O Street in Lincoln, or Highway 183, south of Rose, Nebraska. In order to grow Nebraska, we must maintain and construct a reliable, safe, and up-to-date system. I understand these issues. To give you a little of my background, my father worked for

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the Department of Roads for over 40 years, and he completed his career there by being the director under Governors Kay Orr and Ben Nelson. I grew up traveling with my father on what he liked to call the highway inspection tours across the state. In fact, most of the pictures of my family are of my brothers and me checking out bridge abutments and overpasses and road grading equipment, and also the services of highways. I grew up talking about roads around our kitchen table, and I grew up listening to my father and Jerry Warner discuss the importance of the Highway Trust Fund to the state of Nebraska. I understand roads. After marrying and moving to a ranch south of Valentine in a somewhat remote area of the state, I gained an even greater understanding for the need for good roads, but also for good phone service. And with the advent of the Internet and cell phones, I understand the need for reliable telecommunications throughout the state. I've been exposed to these issues all of my life. Living and raising a family and helping to run a business in the 43rd District has helped me even more to realize the importance of our infrastructure if we are going to grow a prosperous Nebraska. I look on the Transportation and Telecommunications Committee as a committee of the future because it deals with the issues that are vital to this state in the years to come. All of us are here to serve the people of Nebraska, and I want to offer my service and my energy as chair of this committee to help address those things that will carry us into the future. I pledge to you that I will work hard, and I will work with all of you in openly discussing the issues that come before this committee. I ask that you support my nomination, and I would appreciate your vote. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Fischer. Are there any further nominations? Seeing none, the Chair declares the nominations closed. We will proceed to a vote. You will use the pieces of paper on your desks to write the name of the individual you are voting for. The Clerk and the Assistant Clerk will collect the ballots. I would appoint the following three senators as tellers: Senator Ashford, Senator Friend, and Senator Howard. When the three of you have finished voting, you may come forward. The results of the balloting are as follows. Senator Stuthman received 22 votes. Senator Fischer received 27 votes. Senator Fischer is declared the winner. Congratulations, Senator Fischer. We will now move to the selection of Chairperson for the Committee of Urban Affairs. The floor is now open for nominations. The Chair recognizes Senator Friend.

SENATOR FRIEND: Thank you, Mr. Lieutenant Governor and members of the Legislature. It's been a long morning already, and I understand my kids are extremely hungry--usually it's me that gets hungry. They took school off for this; I bet they're real excited. (Laughter) Look, Urban Affairs...I've been on the committee for four years. I've been chair of the committee for two years. I like the subject matter, I believe that I've come to a point where I understand the subject matter pretty well, and I actually want the job. And you might ask why, Senator Chambers. I want the job...it's obvious. I need it to soothe my fragile psyche. No, in all seriousness, I do believe that the body...under these circumstances with Urban Affairs there are often crazy items that come through

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that committee. I've seen the craziest; I think we can handle it. I would ask your support to continue in this role. Thank you, Mr. Lieutenant Governor.

PRESIDENT SHEEHY: Thank you, Senator Friend. Are there any further nominations? Seeing none, the Chair declares the nominations closed. Senator Aguilar, you're recognized.

SENATOR AGUILAR: Thank you, Mr. President, members. I move that nominations be closed and a unanimous vote by acclamation be cast for Senator Friend.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Friend by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator Friend. The Chair recognizes Senator McDonald.

SENATOR McDONALD: Mr. President and members of the body, I move to proceed to the election of the Special and Select Committee Chairpersons by secret ballot.

PRESIDENT SHEEHY: The question is a motion to proceed to the election of the Chairperson of the...Special and Select Committee Chairpersons. All those in favor say aye. All those opposed say nay. The motion is adopted. We will move to the Intergovernmental Cooperation. The floor is open for nominations. The Chair recognizes Senator Rogert.

SENATOR ROGERT: Thank you, Mr. President and the Legislature. I rise and suggest my name for nomination for the Chairperson of the Intergovernmental Cooperation Committee. First of all, I want to let everybody know here that it's truly an honor to be in the presence of such a distinguished body, and it will be very hard to live up to those that have been here before us, but we will do our best. I think I speak on behalf of all 20 members of the class that I represent that have never been here before, that it is quite an experience already. I ask that you consider me for Chairperson of the Special Committee of Intergovernmental Cooperation. One reason in particular, as so many of us new senators move through the next couple years, it's going to be pretty crucial that we pick up some leadership experience in a swift manner. And this is not an extremely busy committee, but there are some things that are very important that it addresses, and I would ask for your support in chairing that committee. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Rogert. The Chair recognizes Senator Kruse.

SENATOR KRUSE: Thank you, Mr. President and colleagues. Some persons just like to get out there and have abuse, so I'm going to nominate myself as Chair of Intergovernmental Affairs. With all respect to the nomination that has been given, I have

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quite a bit of experience in that area, and I recognize that a lot of the work goes on around the statehouse. In two years we are hosting a national conference that really is going to take some extra duty. I understand there's no extra pay with this, and there's not even any extra prestige. And I do trust the body. Whatever you decide to do is okay with me, but I do offer myself for this position because I am acquainted with it, and because I think it would be important to be close at hand for it. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Kruse. Are there any further nominations? Seeing none, the Chair declares the nominations closed. We will proceed to a vote. Again, utilize the pieces of paper on your desks that you can use to write the name of the individual you are voting for. The Clerk and the Assistant Clerk will collect the ballots. I would appoint the following three senators as tellers: Senator Dierks, Senator Dwite Pedersen, and Senator Burling. The results of the balloting are as follows. Senator Rogert received 19 votes. Senator Kruse received 30 votes. Senator Kruse is declared the winner. Congratulations, Senator Kruse. We'll now move forward to the selection of the committee chairperson for Rules. The floor is open for nominations. Senator Hudkins, you're recognized.

SENATOR HUDKINS: Thank you, Mr. President and members of the body. I would like to continue my chairmanship of the Rules Committee for my final two years in the body, and therefore humbly place my name in nomination. The Rules Committee is not time-consuming--we normally have only one or two hearings during the session--but it is an important committee. Our rules are the directions under which we work every day and are written by ourselves through suggestions from you, the members. Without rules, our deliberations could be utter chaos. With rules, we all know how we may conduct our business. I like to have a place for everything and everything in its place, and the legislative rules allow that to happen for all of us. I would appreciate your vote for this chairmanship and your confidence. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Hudkins. Are there further nominations? Seeing none, I declare the nominations closed. The Chair recognizes Senator Aguilar.

SENATOR AGUILAR: Thank you, Mr. President, members. I move the nominations be closed and a unanimous vote by acclamation be cast for Senator Hudkins.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator Hudkins by acclamation. All those in favor say aye. All those opposed say nay. Congratulations, Senator Hudkins. The Chair recognizes Senator Flood.

SPEAKER FLOOD: Mr. President, members, it is with great pleasure that I nominate Senator Amanda McGill for the position of Chairperson of the Enrollment and Review Committee. As the chief spell-checker of the Legislature, Senator McGill, if elected you

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will soon meet the master spell-checker, the grammar specialist, and general antagonist; Senator Chambers. (Laughter) But at this time, I would offer your name for consideration. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Flood. Are there further nominations? Seeing none, I declare nominations cease. The Chair recognizes Senator Aguilar.

SENATOR AGUILAR: Thank you, Mr. President, members. I move the nominations be closed and a unanimous vote by acclamation be cast for Senator Dubas--excuse me, Senator McGill. I need to pay attention. (Laughter)

PRESIDENT SHEEHY: Thank you, Senator Aguilar. The motion before you is the motion to cease nominations and declare Senator McGill by acclamation. All in favor say aye. All those opposed say nay. Congratulations, Senator McGill. The Chair recognizes Senator Burling.

SENATOR BURLING: Thank you, Mr. President. I move that a committee of three be appointed to escort the Secretary of State to the Chamber to deliver the election returns of the General Election of November 2006.

PRESIDENT SHEEHY: The motion before you is the selection of a committee in which to escort the Secretary of State. All those in favor say aye. Opposed say nay. The motion carried. I would like a motion to appoint a committee of three to escort the Secretary of State to deliver the election returns, made up of Senator Erdman, Senator Ashford, and Senator Pahls. All those in favor say aye. Opposed, nay. Motion carries. Would the committee go and return the Secretary of State to the Chamber.

PRESIDENT SHEEHY: The Chair recognizes the Sergeant at Arms. []

SERGEANT AT ARMS: Mr. President, your committee now escorting the Secretary of State, John Gale. []

PRESIDENT SHEEHY: The Chair recognizes the Secretary of State, John Gale. (Gavel) []

SECRETARY GALE: Thank you, Mr. Lieutenant Governor. Mr. Clerk, I delivered to you the abstracts of the 2006 General Election from the 93 counties in Nebraska for canvass by the members of the One Hundredth Nebraska Legislature. (Legislative Journal pages 15-18.) []

PRESIDENT SHEEHY: Thank you, Mr. Secretary. Would the committee please escort the Secretary of State from the Chambers. Please be seated. Senator Synowiecki, you are recognized for a motion. []

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SENATOR SYNOWIECKI: Mr. President, I move to approve the report of the Secretary of State and the candidates stated therein be declared duly elected. []

PRESIDENT SHEEHY: Thank you, Senator Synowiecki. The question is the adoption of the motion to accept the report from the Secretary of State. All those in favor say aye. All those opposed say nay. The motion is adopted. Senator Kruse, you're recognized for a motion. []

SENATOR KRUSE: Thank you, Mr. President. I move to arrange to hold the inaugural ceremonies for the newly elected state officials on Thursday, January 4, 2007, at 1:30 p.m. []

PRESIDENT SHEEHY: Thank you, Senator Kruse. The question is the motion to hold the inaugural ceremonies. All those in favor say aye. All those opposed say nay. The motion is adopted. Mr. Clerk, do you have any messages, reports, or announcements? []

CLERK: Mr. President, I do. First of all, the Committee on Committees will meet at 2:30 this afternoon in Room 1524; Committee on Committees, 2:30 in Room 1524. Mr. President, I have a notice of hearing from Senator Hudkins as Chair of the Rules Committee. Rules Committee will hold its public hearing on proposed rules changes on January 10 at 1:30. And subsequent to that, Senator Hudkins has a proposed rules change to be submitted to the Rules Committee--two proposed changes actually. And Senator Erdman has two changes to be submitted to the committee. At this time, Mr. President, that's all that I have. (Legislative Journal pages 19-22.) []

PRESIDENT SHEEHY: Thank you, Mr. Clerk. The question at this time is...there's a motion to adjourn. All those in favor say aye. Opposed, nay. We're adjourned. []