

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

Floor Debate
November 09, 2009

[LB12 LB15 LB16 LR8]

SPEAKER FLOOD PRESIDING []

SPEAKER FLOOD: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fourth day of the First Special Session of the One Hundred First Legislature. Our chaplain for today is Senator Wallman. Please rise. []

SENATOR WALLMAN: (Prayer offered.) []

SPEAKER FLOOD: Thank you, Senator Wallman. I call to order the fourth day of the One Hundred First Legislature, First Special Session. Senators, please record your presence. Mr. Clerk, please record. []

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

SPEAKER FLOOD: Thank you, Mr. Clerk. Are there any corrections for the Journal? []

CLERK: I have no corrections, Mr. President. []

SPEAKER FLOOD: Thank you. Are there any messages, reports, or announcements? []

CLERK: There are. Mr. President, your Committee on Natural Resources, chaired by Senator Langemeier, reports LB12 as indefinitely postponed. I have confirmation reports from...a series of reports from the Health and Human Services Committee, those signed by Senator Gay, as Chair of the committee. I also have confirmation reports from the Government Committee; a series of reports from Government signed by Senator Avery, as Chair. I have hearing notices from the Appropriations Committee and from the Government Committee, signed by their respective Chairpersons. Attorney General's Opinion to Senator White regarding LB15. And finally, Senator Stuthman would like to offer LR8, Mr. President. That will be laid over at this time. That's all that I have. (Legislative Journal pages 53-61.) [LB12 LB15 LR8]

SPEAKER FLOOD: Thank you, Mr. Clerk. Two in-house celebrations today: One of the cookies being handed out today is in honor of Senator Hansen's birthday. No word on what birthday this is for him, but we say happy birthday to Senator Hansen. Also celebrating today with a budget-cutting cookie is Senator Cook. We also wish her a happy birthday. Mr. Clerk, we now proceed to the first item on the agenda. Members, I would ask that you keep your conversations at a minimum as we proceed to legislative confirmation reports. Mr. Clerk. []

CLERK: Mr. President, the Business and Labor Committee, chaired by Senator Lathrop, reports on two appointments to the Boiler Safety Code Advisory Board. (Legislative

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Journal page 45.) []

SPEAKER FLOOD: Senator Lathrop, you're recognized to open on your confirmation report. []

SENATOR LATHROP: Mr. President. Good afternoon, colleagues, or good morning, I guess. We do have two appointments that we voted on and agreed these fellows should be confirmed to the Boiler Safety Board. We had a hearing on November 5 for two appointments to this board. The first candidate was Robert Kirkpatrick, who lives in Lincoln and is a quality manager and service representative for Nebraska Boiler. He's worked at Nebraska Boiler since 1985, has an associate degree in boilermaking from Southeast Community College in Burlington, Iowa, and has extensive experience in the construction, operation, and repair of boilers. Mr. Kirkpatrick showed sincere enthusiasm for serving on this board and serving the people of the state of Nebraska. The other candidate was Kurt Eberspacher. He also lives in Lincoln and has 20 years of experience with boilers, including inspecting boilers for both the state of Nebraska, from 1995-2003, and with his current employer, Chubb Insurance, as a boiler machinery risk consultant since 2003. He has earned an associate degree from Southeast Community College in Milford; has a B.A. from Concordia College in Seward. He would fill the position reserved for an insurance company or industry representative. His background with the state of Nebraska in the insurance industry has provided him with extensive knowledge of boiler statutes and regulations of not only Nebraska but surrounding states as well. While working for the state, he worked with chief boiler inspectors and recommended regulatory changes and has since kept up with technology designed to make boilers safer. We were very pleased with both these candidates. The committee voted them and they have the unanimous support of the Business and Labor Committee, and we'd urge your adoption of our report. Thank you. []

SPEAKER FLOOD: Thank you, Senator Lathrop. Members, you've heard Senator Lathrop's opening on the confirmation reports from the Business and Labor Committee. There are no senators wishing to speak at this time. Senator Lathrop, you're recognized to close. Senator Lathrop waives his opportunity to close. The question before the body is, shall the Business and Labor confirmation report be adopted? All those in favor vote aye; all those opposed vote nay. Have all those voted who care to? Mr. Clerk, please record. []

CLERK: (Record vote, Legislative Journal pages 61-62.) 43 ayes, 0 nays on adoption of the report, Mr. President. []

SPEAKER FLOOD: The Business and Labor confirmation report is adopted. Before we proceed to the next item on the agenda, one scheduling note of interest to all members: We will convene tomorrow at 9:00 a.m. We will convene on Tuesday morning again at 9:00 a.m. The Legislature will not be in session on Wednesday as we observe Veterans

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Day. On Thursday the Legislature will convene at 1:30 p.m. Again, the Legislature on Thursday will convene at 1:30 p.m. to give certain committees additional time to work on their priorities. And on Friday, at this point I'm keeping this very open. We may meet as early as 8:00 a.m. and possibly work through the noonhour. Again, on Friday we may meet as early as 8:00 a.m. and possibly work through the noonhour. I'll give you more guidance on Saturday, sometime tomorrow. Mr. Clerk, we now proceed to the Education Committee confirmation report. []

CLERK: Mr. President, the first report from Education Committee involves an appointment to the Board of Educational Lands and Funds. (Legislative Journal page 43.) []

SPEAKER FLOOD: Senator Adams, you are recognized to open on your Education Committee report. []

SENATOR ADAMS: Thank you, Mr. Speaker. Members of the body, this is a reappointment to the Board of Educational Lands and Funds. It is the reappointment of M. Jane Keller. She is a rancher and farm operator, and she attended the University of Nebraska. She's from Bassett, Nebraska. She has served for quite some time on this board and is eager to continue to serve, and I would encourage her confirmation. Thank you, Mr. President. []

SPEAKER FLOOD: Thank you, Senator Adams. Members, you've heard Senator Adams' opening on the Education Committee confirmation report. We now begin discussion on the same. Senator Fischer, you are recognized. []

SENATOR FISCHER: Thank you, Mr. Speaker and members. Jane Keller is a constituent of mine. She has served on the board. She has done an excellent job and, as Senator Adams said, she has an interest in this so I would urge you to vote for her confirmation. Thank you. []

SPEAKER FLOOD: Thank you, Senator Fischer. There are no other members wishing to speak. Senator Adams, you are recognized to close. Senator Adams waives his opportunity. The question before the body is, shall the Education Committee confirmation report be adopted? All those in favor vote aye; all those opposed vote nay. Have all those voted who care to? Mr. Clerk, please record. []

CLERK: (Record vote, Legislative Journal page 62.) 42 ayes, 0 nays, Mr. President, on the adoption of the first Education Committee confirmation report. []

SPEAKER FLOOD: The Education confirmation report is adopted. Mr. Clerk. []

CLERK: The second report, Mr. President, by the Education Committee: Senator

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Adams, as Chair, reports on three appointments to the Nebraska Educational Telecommunications Commission. (Legislative Journal page 43.) []

SPEAKER FLOOD: Senator Adams, you're recognized to open on your report. []

SENATOR ADAMS: Thank you, Mr. Speaker. The first appointment is again a reappointment to the Nebraska Educational Telecommunications Commission, is the reappointment of Dr. Phil Dudley. He is currently the president of Hastings College and he has quite an extensive background in education in a variety of different subjects. And I would field any questions if there are any, but with that, that would be that first appointment, Mr. Speaker. []

SPEAKER FLOOD: Thank you, Senator Adams. Members, you've heard the opening on the second Education Committee confirmation report. There are no members wishing to speak. Senator Adams, you're recognized to close. Senator Adams waives his opportunity. The question before the body is, shall the second Education Committee confirmation report be adopted? All those in favor vote yea; all those opposed vote nay. Have all those voted who care to? Mr. Clerk, please record. []

CLERK: (Record vote, Legislative Journal page 63.) 39 ayes, 0 nays, Mr. President, on the adoption of the Education Committee confirmation report. []

SPEAKER FLOOD: The Education Committee confirmation report is adopted. Mr. Clerk. []

CLERK: The third report by Education Committee, Mr. President, involves an appointment to the Coordinating Commission for Postsecondary Education. (Legislative Journal page 44.) []

SPEAKER FLOOD: Thank you, Mr. Clerk. Senator Adams, you're recognized to open on your report. []

SENATOR ADAMS: Thank you, Mr. Speaker. This is, as pointed out by the Clerk, an appointment to the Coordinating Commission for Postsecondary Education. It is a new appointment. The gentleman's name is William "Scott" Wilson. He is currently an engineer with Qwest Communications, and a graduate of Wayne State College. Thank you, Mr. Speaker. []

SPEAKER FLOOD: Thank you, Senator Adams. Members, you've heard the opening to the third Education Committee confirmation report. There are no members wishing to speak. Senator Adams waives his opportunity to close. The question before the body is, shall the third Education Committee confirmation report be adopted? All those in favor vote aye; all those opposed vote nay. Have all those voted who care to? Mr. Clerk,

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please record. []

CLERK: (Record vote, Legislative Journal pages 63-64.) 39 ayes, 0 nays, Mr. President, on the adoption of the confirmation report. []

SPEAKER FLOOD: The confirmation report is adopted. Mr. Clerk, items for the record.
[]

CLERK: Names adds, Mr. President: Senators Hadley, Sullivan, Carlson, Cook, Dierks, to add their names to LB16, as well as Senators Karpisek and McGill. [LB16]

Mr. President, I have a priority motion. Senator Gay would move to adjourn the body until Tuesday morning, November 10, at 9:00 a.m. []

SPEAKER FLOOD: Members, you've heard the motion. The motion is to adjourn until Tuesday, November 10, 2009, at 9:00 in the morning. All those in favor say aye. Those opposed say nay. The ayes have it. We are adjourned. (Gavel) []