

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

Floor Debate
June 05, 2013

[LB23 LB23A LB90 LB104 LB216A LB216 LB224 LB255 LB298 LB306A LB306
LB368A LB368 LB373 LB382 LB383 LB568A LB568 LB613 LR350 LR359 LR360
LR361 LR362 LR363 LR364 LR365 LR366 LR367 LR368 LR370 LR371 LR372 LR373
LR374 LR375 LR376 LR377 LR378 LR379 LR380 LR381 LR382 LR383 LR385 LR386
LR387 LR388 LR389]

PRESIDENT HEIDEMANN PRESIDING

PRESIDENT HEIDEMANN: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the ninetieth day of the One Hundred Third Legislature, First Session. Our chaplain for today is Senator Harms. Please rise.

SENATOR HARMS: (Prayer offered.)

PRESIDENT HEIDEMANN: Thank you, Senator Harms. I call to order the ninetieth day of the One Hundred Third Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections, Mr. President.

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

CLERK: Mr. President, communications from the Governor. (Read re LB23 and LB23A.) Second communication. (Read re LB104, LB216, LB216A, LB306, LB306A, LB368, and LB368A.) Third communication. (Read re LB90, LB224, LB568, and LB568A.) Your Committee on Transportation and Telecommunications, chaired by Senator Dubas, reports LB383 to General File with amendments. Mr. President, a series of resolutions: LR387 by the Health and Human Services Committee, it's an interim study resolution, will be referred to the board; LR388 is a resolution by Senator Kolowski that will be laid over; and LR389, a study resolution offered by the Revenue Committee that will also be referred to the Executive Board. Mr. President, I have a Reference report referring LR387 to the Reference Committee, I'm sorry, from Reference Committee referring the resolution back to the Health Committee. A series of reports received in the Clerk's Office, available on the legislative Web site for member review. And finally, Mr. President, a communication from the Executive Board regarding the appointments to two select committees and it's two select interim study committees. That's all that I have at this time, Mr. President. (Legislative Journal pages 1749-1753.) [LB23 LB23A LB104

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

Floor Debate
June 05, 2013

LB216 LB216A LB306 LB306A LB368 LB368A LB90 LB224 LB568 LB568A LB383
LR387 LR388 LR389]

PRESIDENT HEIDEMANN: Thank you, Mr. Clerk. We now move to Final Reading. Members should return to their seats in preparation for Final Reading. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record. [LB255]

CLERK: 40 ayes, 5 nays to dispense with the at-large reading, Mr. President. [LB255]

PRESIDENT HEIDEMANN: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB255]

CLERK: (Read title of LB255.) [LB255]

PRESIDENT HEIDEMANN: All provisions of law relative to procedure having been complied with, the question is, shall LB255 pass? All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record. [LB255]

CLERK: (Record vote read, Legislative Journal page 1754.) 47 ayes, 0 nays, 1 present and not voting, 1 excused and not voting, Mr. President. [LB255]

PRESIDENT HEIDEMANN: LB255 passes. We now proceed to LB613E. [LB255
LB613]

CLERK: Mr. President, I have a motion on the desk. Senator Chambers would move to return LB613 to Select File for specific amendment. (FA158, Legislative Journal page 1755.) [LB613]

PRESIDENT HEIDEMANN: Senator Chambers, you're recognized. [LB613]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, among other things that I believe in is symmetry. A circle can define that which is most symmetrical. Sometimes we end as we began. I never thought when this session started I would end up on the final bill of this session in a way that I did not start. This bill was introduced by Senator Schumacher, whom I dub "Professor," in all seriousness, due to his ability to explain and make simple those things which are complicated, and make complicated those things which are simple. I am the last name on this bill. Senator Schumacher is the first name. There are ten senators between our names, and I will dub them cars for this metaphor. Senator Schumacher is the engineer in the engine; I am in the last car, or the caboose. The caboose sometimes is added as an afterthought and that is how I wound up on this bill. Senator Schumacher brought me one of those slips to add my name. When this bill first was discussed, there was great

Floor Debate
June 05, 2013

contention between myself and Senator Schumacher. "Parson" Carlson knows that the "Bible" indicates that Pilate and Herod were brought together as they contended over what to do about Jesus, because prior to that there had been enmity between them. So this bill served that function in bringing peace between Senator Schumacher, the engineer, and myself, who rides the caboose. This bill probably has had the most tortured, tumultuous journey through this Legislature. I did not succeed in adding an amendment to that bill which I wanted that dealt with the sales tax authorization, which I will not go into. The bill does not contain the text that Senator Schumacher wanted when he first brought the bill. So in getting this bill where it is--and it will be passed, I'm sure--it does not contain what Senator Schumacher originally wanted. It does not contain what I wanted along the way. But the final product is one that satisfies both of us and I'm sure a majority of the members of the Legislature. Since I am the oldest person on the floor, since if you add to this one year that I've been here, this one session, the prior number, I would have 39 sessions making me the longest serving person in this Legislature, I never have participated in the activities that occur on the last day and I shall not do so this time. And since I don't, I want to thank and acknowledge the Speaker for the work that he did in bringing this session to a successful close. He sits next to me and I became sensitized to his moods. When he experienced heartburn, I knew it. And being older than he, perhaps even wiser than he but actually more experienced in the Legislature than he, I would tell him: Don't let this stuff get to you like that; you are doing the job, it's being done well; we'll get everything passed that we need to pass even though some of us won't get everything passed that we want to have passed. And I'm not just saying this to blow smoke. Senator Adams has provided a calming influence throughout the session, in my opinion. By listening to him, by watching him, you would never get the impression, if you were an outsider and did not know the subjects under discussion, you would never get the idea that they are some of the most contentious, potentially rancorous issues that we would deal with. I just hope that he will take care of his health. I hope that Mrs. Adams will feed him well, make sure he gets his rest. And when she sees him thinking too much about what happened during this session and feeling anxiety about what might happen next session, she'll say in the same way that people were told around the turn of the last century, as Senator Schumacher would recall, "Remember the Maine," she may say, remember the advice that Ernie Chambers gave you. And that is all that I'm going to have to say for the remainder of this session, with the exception of this. I began by mentioning that I am the omega and the alpha of the Legislature. As "Parson" Carlson knows, the term in the "Bible" is alpha and omega--the beginning and the end or the first and the last. I am the omega, the last, because I am the last person who will ever serve as many years in this Legislature as I have. I am the alpha because I am the first person to ever return to this body after being term limited out. There is a possibility that somebody may serve longer, but there is no possibility that anybody can ever be first, for there can only be one first. Thank you, Mr. President. And with that, I withdraw that motion. [LB613]

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

Floor Debate
June 05, 2013

PRESIDENT HEIDEMANN: It is withdrawn. Mr. Clerk. [LB613]

CLERK: (Read LB613 on Final Reading.) [LB613]

PRESIDENT HEIDEMANN: All provisions of law relative to procedure having been complied with, the question is, shall LB613E pass with the emergency clause attached? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB613]

CLERK: (Record vote read, Legislative Journal page 1755.) 47 ayes, 0 nays, 1 present and not voting, 1 excused and not voting, Mr. President. [LB613]

PRESIDENT HEIDEMANN: LB613E passes with the emergency clause attached. Mr. Clerk, next item. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB255 and LB613E. Mr. Clerk. [LB255 LB613]

CLERK: Mr. President, resolutions: Senator Larson offers LR350 found on page 1353 of the Journal. [LR350]

PRESIDENT HEIDEMANN: Members, we have a series of resolutions we're going to go through. We will have the introducer introduce each one and then we will open up discussion after that. (Visitors introduced.) Senator Larson to open on your resolution. [LR350]

SENATOR LARSON: Thank you, Mr. President. LR350, which was introduced by myself, Senator Janssen, Senator Nordquist, and Senator Watermeier urges...the Executive Board of the Internal Olympic Committee has proposed eliminating the sport of wrestling from the Summer Olympic Games beginning in 2020, and the IOC will vote on the proposal in September 2013's general assembly; urges that we support wrestling. A number of other states have done this, as well as a number of other countries. Thank you, Mr. President. [LR350]

PRESIDENT HEIDEMANN: Thank you, Senator Larson. Mr. Clerk. [LR350]

CLERK: Mr. President, LR359, Senator McCoy. [LR359]

PRESIDENT HEIDEMANN: Senator McCoy to open on your resolution. [LR359]

SENATOR McCOY: Thank you, Mr. President and members. LR359 this morning would extend gratitude to Kali Smith, the mother of Tyler Smith who we talked about with LB298, which has become known as "Tyler's Law" in reference to the banning of certain synthetic drugs. We wanted to honor Mrs. Smith and their family for their hard work with Project Purple and trying to raise drug awareness with the young people of our state.

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

Floor Debate
June 05, 2013

Thank you, Mr. President. [LR359 LB298]

PRESIDENT HEIDEMANN: Thank you, Senator McCoy. Mr. Clerk. [LR359]

CLERK: Mr. President, Senator Kolowski offers LR371. [LR371]

PRESIDENT HEIDEMANN: Senator Kolowski to open up on your resolution. [LR371]

CLERK: Excuse me, Mr. President. Senator, I beg your pardon. Senator Mello has LR370 first of all, Mr. President. [LR370]

PRESIDENT HEIDEMANN: Excuse me. Senator Mello to open on your resolution. [LR370]

SENATOR MELLO: Thank you, Mr. President, members of the Legislature. LR370 recognizes the achievements of Johnny Goodman, who hailed from south Omaha and attended Omaha South High School, was the first and only amateur...recent amateur to win the United States Open Golf Tournament and is currently under consideration for induction into the World Golf Hall of Fame. Thank you, Mr. President. [LR370]

PRESIDENT HEIDEMANN: Thank you, Senator Mello. (Doctor of the day introduced.) Mr. Clerk. [LR370]

CLERK: LR371 by Senator Kolowski, Mr. President. [LR371]

PRESIDENT HEIDEMANN: Senator Kolowski to open up on your legislative resolution. [LR371]

SENATOR KOLOWSKI: Good morning. Thank you, Mr. President and members of the Legislature. LR371 honors Bruce Froendt, who successfully conceptualized, developed, raised funds for, and built the Omaha-based ALLPLAY Complex, which is a \$1.5 million outdoor sports and recreation facility designed especially for persons with disabilities. I volunteered with Bruce's Miracle Baseball League with over 235 children with disabilities participating this year. I'm honored to recognize Bruce and his admirable vision that everyone deserves an opportunity to play baseball and have an accessible place to play. Thank you very much. [LR371]

PRESIDENT HEIDEMANN: Thank you. Mr. Clerk. [LR371]

CLERK: LR372 offered by Senator Davis, Mr. President. [LR372]

PRESIDENT HEIDEMANN: Senator Coash to open on LR372. [LR372]

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

Floor Debate
June 05, 2013

SENATOR COASH: Thank you, Mr. President. Colleagues, I get to open on this resolution. This is a resolution honoring Carrie Lehman Reeves, who was born December 2, 1910, north of Rushville. She was married in 1932 and had four children. She began her work in Whiteclay at the post office in 1959, remained there as a part-time employee until she was named the postmaster of the Whiteclay Post Office in 1973, a position which she held until 1986, when she retired at age 79 after working for the post office for 27 years. She is well-known throughout northwest Nebraska for her long service to those postal patrons. She is especially proud of her service to elderly Native Americans in that area and she is famous for her popcorn balls, which she continued to make until the age of 100. She's a special lady and she celebrates her 103rd birthday. She is also my great-aunt and I am honored to be her great-nephew and to offer this resolution. Thank you, Mr. President. [LR372]

PRESIDENT HEIDEMANN: Thank you, Senator Coash. Mr. Clerk. [LR372]

CLERK: Mr. President, LR373 is by Senator Brasch. [LR373]

PRESIDENT HEIDEMANN: Senator Brasch to open on your legislative resolution. [LR373]

SENATOR BRASCH: Thank you, Mr. President, and thank you, colleagues. Legislative resolution is for Lucas Wiechman, who is a student at Wisner-Pilger High School. He won a gold medal in the Class C finals of the 300-meter hurdles at the boys 2013 track meet. He won the first place medal with a time of 40.03 seconds, and the Legislature would like to recognize him for his not only athletic but his academic and artistic achievements at Wisner-Pilger. Thank you, Mr. President. [LR373]

PRESIDENT HEIDEMANN: Thank you, Senator Brasch. Mr. Clerk. [LR373]

CLERK: LR374, Mr. President, is by Senator Brasch. [LR374]

PRESIDENT HEIDEMANN: Senator Brasch to open on LR374. [LR374]

SENATOR BRASCH: Thank you, Mr. President. Thank you, colleagues. This resolution honors Colten Vahle. He is also a student at the Wisner-Pilger High School and he won the gold medal for the Class C high jump at the 2013 Boys State Track and Field Championship. Colten won first place with a jump height of 6' 8", and I would like to recognize him as well for his academic work and his athletic achievements. Thank you, Mr. President. Thank you, colleagues. [LR374]

PRESIDENT HEIDEMANN: Thank you, Senator Brasch. Mr. Clerk. [LR374]

CLERK: LR375 by Senator Brasch. [LR375]

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

Floor Debate
June 05, 2013

PRESIDENT HEIDEMANN: Senator Brasch to open on LR375. [LR375]

SENATOR BRASCH: Thank you, Mr. President, and thank you, colleagues. This is a resolution honoring Samantha Liermann, a student also at Wisner-Pilger High School. She won the gold medal for the Class C shot put at the 2013 Girls State Track and Field Championship. She won first place with a throw distance of 45' 3", and I'd like to recognize her for this achievement. I did notice one of her favorite sayings on her social media page and it is, "Never let the fear of striking out keep you from playing the game." Samantha, congratulations. And, colleagues, I'd like to help honor her and please join us in honoring her. Thank you, Mr. President. Thank you, colleagues. [LR375]

PRESIDENT HEIDEMANN: Thank you, Senator Brasch. Mr. Clerk. [LR375]

CLERK: LR376 by Senator Brasch, Mr. President. [LR376]

PRESIDENT HEIDEMANN: Senator Brasch to open on LR376. [LR376]

SENATOR BRASCH: Thank you, Mr. President, and thank you, colleagues. This resolution is to honor Jerrica Tietz, and she is a student at Bancroft-Rosalie High School. She is also a neighbor that is a member of a farming family and lives three miles from us. She won first place in a 2013 Congressional Art Competition sponsored by the Congressional Institute. And Jerrica's winning entry was a pencil drawing of her late niece and godchild, Faith Hallien. Hallien had lived less than a year and a half. She was born with many health problems, and her health problems concentrated primarily on the underdeveloped left side of her body. It is a beautiful pencil drawing that will be displayed for a full year at the United States Capitol. Should colleagues visit the Capitol within the year, I'd encourage you to go see this very moving and very talented artist's work. Thank you, Mr. President. Thank you, colleagues. [LR376]

PRESIDENT HEIDEMANN: Thank you, Senator Brasch. Mr. Clerk. [LR376]

CLERK: LR377 by Senator Larson. [LR377]

PRESIDENT HEIDEMANN: Senator Larson to open on LR377. [LR377]

SENATOR LARSON: Thank you, Mr. President. LR377 congratulates Hartington Public School for winning the 2013 Class D Boys State Track and Field Championship. [LR377]

PRESIDENT HEIDEMANN: Thank you, Senator Larson. Mr. Clerk. [LR377]

CLERK: LR378 by Senator Larson. [LR378]

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

Floor Debate
June 05, 2013

SENATOR LARSON: Thank you, Mr. President. LR378 congratulates the village of Fordyce for their 100th anniversary and their longstanding work in Cedar County as a community. [LR378]

PRESIDENT HEIDEMANN: Thank you, Senator Larson. Mr. Clerk. [LR378]

CLERK: LR379 by Senator Davis. [LR379]

PRESIDENT HEIDEMANN: Senator Davis to open on LR379. [LR379]

SENATOR DAVIS: Thank you, Mr. President, members of the body. Please congratulate Jessica Schwanebeck for being nominated and appointed as a cadet to the United States Air Force Academy. Jessica Schwanebeck is the daughter of Derek and Lesa Schwanebeck of Ellsworth, Nebraska. She was raised on a third-generation family ranch her entire life and was the valedictorian of her 2013 graduating class at Hyannis High School. In high school, Jessica was involved in FFA, National Honor Society, student council, the Hyannis Association of Female Athletes, the Academic Decathlon, and Quiz Bowl. She has also been involved in several volunteer activities, such as blood drives, soup suppers, church camps, and distributing holiday presents for the Fremont Children's Home. Jessica interviewed with both Congressman Adrian Smith and Senator Mike Johanns to be nominated to West Point and the United States Air Force Academy. She was nominated by both men as outstanding military training...by both men to these outstanding military training academies. Jessica Schwanebeck was accepted at West Point and the Air Force Academy. She chose the Air Force Academy. Jessica was 1 of about 12,000 nominees out of...or 1,200 nominees out of 12,000 to be accepted to the Air Force Academy and will travel to basic cadet training on June 27 of this year. [LR379]

PRESIDENT HEIDEMANN: Thank you, Senator Davis. Mr. Clerk. [LR379]

CLERK: Mr. President, LR380 is by Senator Pirsch. [LR380]

PRESIDENT HEIDEMANN: Senator Pirsch to open on LR380. [LR380]

SENATOR PIRSCH: Thank you, Mr. Lieutenant Governor, members of the body. This LR is to congratulate Michael Pirnie, a former page with the Legislature, on being awarded a Fulbright Scholarship to teach English in Taiwan next year. The Fulbright is an international education program sponsored by the U.S. government. Mr. Pirnie took a Mandarin language course his first year at Wesleyan, then spent a year in China studying in Beijing and Nanjing, and he eventually plans to pursue a career in international education policy. Thank you. [LR380]

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

Floor Debate
June 05, 2013

PRESIDENT HEIDEMANN: Thank you, Senator Pirsch. Mr. Clerk. [LR380]

CLERK: LR381 by Senator Pirsch. [LR381]

PRESIDENT HEIDEMANN: Senator Pirsch to open on LR381. [LR381]

SENATOR PIRSCH: Thank you again, Mr. Lieutenant Governor and members of the body. LR381 is to congratulate the students at Bess Streeter Aldrich Elementary School on receiving a Nebraska Arts Council School Bus Arts Grant. Thank you. [LR381]

PRESIDENT HEIDEMANN: Thank you, Senator Pirsch. Mr. Clerk. [LR381]

CLERK: LR382, Senator Pirsch. [LR382]

PRESIDENT HEIDEMANN: Senator Pirsch to open up on LR382. [LR382]

SENATOR PIRSCH: Thank you, Mr. President, members of the body. LR382 is to congratulate Matthew Feilmeier, Christina Fossum, and Hannah Hippen for being selected for the 2013 Attorney General's Youth Advisory Council. Thank you. [LR382]

PRESIDENT HEIDEMANN: Thank you, Senator Pirsch. Mr. Clerk. [LR382]

CLERK: LR383, Senator Pirsch. [LR383]

PRESIDENT HEIDEMANN: Senator Pirsch to open on LR383. [LR383]

SENATOR PIRSCH: Thank you, Mr. President, members of the body. Again, LR383, my final resolution, is to congratulate Peter Xu on achieving a perfect score on the ACT college entrance exam, 1 of only 15 students statewide to achieve such perfection, a very rare feat. Thank you. [LR383]

PRESIDENT HEIDEMANN: Thank you, Senator Pirsch. Mr. Clerk. [LR383]

CLERK: Mr. President, LR385 is by Senator Hansen. [LR385]

PRESIDENT HEIDEMANN: Senator Hansen to open on LR385. [LR385]

SENATOR HANSEN: Thank you, Mr. President, members of the Legislature. Today I'd like to recognize the importance of the Nebraska beef cattle industry and to thank the Nebraska Cattlemen for their leadership. Nebraska Stock Growers was started 125 years ago in 1888. In 1988, three entities merged to form the Nebraska Cattlemen: the Nebraska Stock Growers, Nebraska Livestock Feeders, and Nebraska Feedlot Council. Nebraska's cow-calf and cattle-feeding industry were always ranked in the top three

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

Floor Debate
June 05, 2013

categories of production. They provide employment and revenue for the state and local programs. I'd like to recognize the Nebraska Cattlemen and the beef industry. Thank you. [LR385]

PRESIDENT HEIDEMANN: Thank you, Senator Hansen. Mr. Clerk. [LR385]

CLERK: LR386 by Senator Davis. [LR386]

PRESIDENT HEIDEMANN: Senator Davis to open on LR386. [LR386]

SENATOR DAVIS: Thank you, Mr. President, members of the Legislature. Conceived nearly five years ago by the school boards public relations committee as a way to bolster enrollment, the Circle C Market is a community partnership in Cody, Nebraska, which includes a student steering committee known as Cowboy GRIT, for growing, revitalizing, investing, teamwork; the village of Cody, Nebraska; Cody-Kilgore Unified Schools; and local volunteers and donors. Cody-Kilgore students of all ages have been involved with the project since its inception. Pre-K through 12 enrollment at the end of the current school year was 127 students. The Circle C Market was the vision of Cody-Kilgore teachers Tracee Ford and Stacey Adamson, and has provided learning opportunities inside and outside the classroom. The student body study entrepreneurship, applied and interviewed for committee positions, conducted research, wrote a business plan, helped to construct the building, selected and ordered the inventory, stocked the shelves and coolers, conducted fund-raisers, volunteered, and applied and interviewed for paid positions. They worked in cooperation with a variety of agencies and entities, including the Students in Free Enterprise team from the University of Nebraska at Kearney, which helped with the business plan for the market. Once the idea of creating a student-run grocery store was approved, the Center for Rural Affairs wrote a rural business enterprise grant. The village board of Cody applied for and received a grant to build a 3,300-square-foot, straw-bale building to house the grocery store. The Cody-Kilgore High School homecoming dance was held in the partially finished building. When the first delivery truck pulled up at the market at 6:45 a.m. on March 22, 2013, student volunteers were on hand to unload it in 30 minutes. The \$35,000 inventory was stocked by volunteers and the Circle C Market opened for business on April 29 of this year. Inside, lettering on the wall above the produce cooler reads, "It's more than a store; it's our futures." GRIT executive director Mary Van Winkle says, we're teaching leadership and teamwork; entrepreneurship has always been a goal; that's why we have a classroom in the building. Please congratulate the residents and elected officials of Cody, Nebraska; the students, staff, and administration of the Cody-Kilgore Unified School System; the GRIT Student Steering Committee; and teachers Stacey Adamson and Tracee Ford for envisioning and developing the Circle C Market. The logo and the community slogan for Cody is, "A town too tough to die." I'd like to recognize the community of Cody. Thank you, Mr. President. [LR386]

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

Floor Debate
June 05, 2013

PRESIDENT HEIDEMANN: Thank you, Senator Davis. Is there any discussion on the legislative resolutions before us? Seeing none, the question is, shall LR350 to LR386 be adopted? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to? Have all those voted? Mr. Clerk, please record. [LR350 LR359 LR370 LR371 LR372 LR373 LR374 LR375 LR376 LR377 LR378 LR379 LR380 LR381 LR382 LR383 LR385 LR386]

CLERK: 41 ayes, 0 nays on adoption of the resolutions. [LR350 LR359 LR370 LR371 LR372 LR373 LR374 LR375 LR376 LR377 LR378 LR379 LR380 LR381 LR382 LR383 LR385 LR386]

PRESIDENT HEIDEMANN: Mr. Clerk, next item.

CLERK: Mr. President, one more resolution. Senator Kolowski offers LR388, introduced this morning. Senator Kolowski would move to suspend Rule 4, Section 6, which provides for a layover requirement, so as to permit consideration of LR388. [LR388]

PRESIDENT HEIDEMANN: Senator Kolowski to open on. [LR388]

SENATOR KOLOWSKI: Good morning, Mr. President and members of the Legislature. I'm honored to have spent the last 90 days working with all of you. I rise today to ask the body to suspend the rules to permit consideration of LR388 congratulating a talented, innovative young man named Jeff Slobotski. [LR388]

PRESIDENT HEIDEMANN: Thank you. The question is, shall the rules be suspended? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LR388]

CLERK: 34 ayes, 0 nays, Mr. President, to suspend the layover requirement. [LR388]

PRESIDENT HEIDEMANN: It is suspended. Mr. Clerk. [LR388]

CLERK: Senator Kolowski would present LR388, Mr. President. [LR388]

SENATOR KOLOWSKI: Thank you, Mr. President, and thank you, colleagues, for allowing me to introduce LR388 to honor Jeff Slobotski. I knew Jeff as a high school student, a high-achieving high school student, and the very first senior class president at Millard West High School in 1995-96, when I was principal. Seventeen years later Jeff continues to be a high achiever and has launched his own successful Omaha-based business called Silicon Prairie, which covers the Midwest tech scene and is dedicated to connecting, engaging, and supporting entrepreneurs, creators, and investors. Jeff was recently honored by Forbes magazine in the Omaha area as one of the up-and-comers. Thank you again for this opportunity to honor Jeff Slobotski. Thank you. [LR388]

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

Floor Debate
June 05, 2013

PRESIDENT HEIDEMANN: Thank you, Senator Kolowski. Is there any discussion on LR388? Seeing none, the question is, shall LR388 pass? All those in favor vote aye; all those opposed vote nay. Have all of those voted who wish? Mr. Clerk, please record. [LR388]

CLERK: 38 ayes, 0 nays, Mr. President, on the adoption of LR388. [LR388]

PRESIDENT HEIDEMANN: LR388 does pass. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR360, LR361, LR362, LR363, LR364, LR365, LR366, LR367, LR368, LR350, LR359, LR370, LR371, LR372, LR373, LR374, LR375, LR376, LR377, LR378, LR379, LR380, LR381, LR382, LR383, LR385, and LR386, and LR388. Mr. Clerk. [LR360 LR361 LR362 LR363 LR364 LR365 LR366 LR367 LR368 LR350 LR359 LR370 LR371 LR372 LR373 LR374 LR375 LR376 LR377 LR378 LR379 LR380 LR381 LR382 LR383 LR385 LR386 LR388]

CLERK: Mr. President, some items: Business and Labor Committee, chaired by Senator Lathrop, reports LB373 to General File with amendments. The two bills read on Final Reading this morning were presented to the Governor at 10:40 a.m. (re LB255 and LB613). I have a name add: Senator McCoy would like to add his name to LB382. (Legislative Journal pages 1757-1760.) [LB373 LB255 LB613 LB382]

And, Mr. President, the Speaker would move to recess the body until 2:30 this afternoon.

PRESIDENT HEIDEMANN: You've heard the motion to recess. All those in favor say aye. All those opposed say nay. We are recessed.

RECESS

PRESIDENT HEIDEMANN PRESIDING

PRESIDENT HEIDEMANN: Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber. The afternoon session is about to reconvene. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

PRESIDENT HEIDEMANN: Thank you, Mr. Clerk. Do you have any items for the record?

CLERK: Mr. President, a communication from the Governor. (Read re LB255 and LB613.) That's all that I have at this time, Mr. President. (Legislative Journal page

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

Floor Debate
June 05, 2013

1761.) [LB255 LB613]

PRESIDENT HEIDEMANN: The Chair recognizes Senator Campbell for a motion.

SENATOR CAMPBELL: Thank you, Mr. President. I move that a committee of five be appointed to notify the Governor that the One Hundred Third Legislature, First Session of the Nebraska Legislature, is about to complete its work and to return with any message the Governor may have for the Legislature. Thank you, Mr. President.

PRESIDENT HEIDEMANN: You have heard the motion. All those in favor say aye. All those opposed say nay. Motion is adopted. The motion is adopted. I would appoint the following committee: Senator Brasch, Senator Hansen, Senator Murante, Senator Schilz, and Senator Sullivan. Would the Escort Committee retire to the rear of the Chamber to escort the Governor. The Chair recognizes Sergeant at Arms.

SERGEANT AT ARMS: Attention, President: Your committee now escorting the Governor of the great state of Nebraska, Dave Heineman.

PRESIDENT HEIDEMANN: It's my pleasure to introduce the Governor of the state of Nebraska, Dave Heineman.

GOVERNOR HEINEMAN: Thank you. Thank you very much. Thank you. Thank you very much. Mr. President, Mr. Speaker, members of the Legislature, guests, friends, and fellow Nebraskans, thank you for a good legislative session in which we continued steady and deliberate progress in making Nebraska a better place to live, work, and raise a family. Nebraskans work hard to provide for their families, and we must be good stewards of their tax dollars. In January, I submitted a strategic two-year budget focused on Nebraska's future by prioritizing education, growing the state's economy, and rebuilding the state's Cash Reserve. We agreed on the most important funding issues, including a tuition freeze for the University of Nebraska and our state colleges; increased funding for K-12 education, special education, and early childhood education; funding for a new Central Nebraska Veterans' Home; and rebuilding the Cash Reserve. Most importantly, we balanced the budget without raising taxes. I want to thank the Appropriations Committee--Senators Mello, Harms, Bolz, Conrad, Kintner, Larson, Nelson, Nordquist, and Wightman--for their hard work. While the budget guides our key priorities, there were several other key pieces of legislation aimed at improving the lives of our citizens. I signed into law several bills that will bring tax relief to Nebraskans. We eliminated Nebraska's alternative minimum tax for middle-class families so that they can keep more of the money they earn. We helped small businesses by allowing them to carry forward their net operating losses for 20 years instead of the current policy of 5 years. This change is important to start up small businesses. Senators Schumacher and Krist, thank you. We increased the income tax deductions for families saving for a college education. Now when families are contributing to the Nebraska College Savings

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

Floor Debate
June 05, 2013

Plan, more of that money will be tax deductible, helping families save more money for their children's college education. Thank you, Senator Hadley. We expanded the capital gains exclusion for employees whose companies have created an employee stock ownership plan. Thank you, Senator Burke Harr. Additionally, I was pleased to sign into law juvenile justice reform. This law is a forward-looking and innovative approach to dealing with youth who break the law. This reform will reduce our reliance on detention and focus on rehabilitation for youth while keeping families involved. Senator Ashford, thank you for your leadership on this very important issue. On other issues, Senator Lautenbaugh, thank you for LB125 that provides for a smaller and more effective Omaha Public School Board. The result of your bill is a new OPS board that I hope will renew its focus on student academic achievement. I want to thank the Transportation Committee for their work on veterans' issues. There were other issues where the Legislature was divided and there were long hours of debate. I appreciate those discussions and I want to personally thank the many senators who questioned the affordability and sustainability of expanding Medicaid, thereby protecting middle-class families from a tax increase or reductions in the funding for their children's education. Additionally, Senator Gloor, I want to thank you for your leadership on numerous issues that will maximize our state's rights under the constraints of the federal healthcare law. As we close this session, it's important to reflect upon where we are as a state. Nebraska's economy is much stronger than most states. We have a good public and private education system, and we have the second-lowest unemployment rate in America at 3.7 percent. Nebraska is moving forward. We've made good progress, but we have more work to do. We need a business climate that is more small-business friendly. We need to lower taxes on Nebraskans. We need a tax code that is simpler and fairer. In 2014, we will have the opportunity to take a giant step forward regarding tax relief and tax reform. The focus should be about lower taxes and more job creation, not higher taxes and more government spending. Senator Hadley, I look forward to working with you and your committee on this issue. Mr. Speaker, I want to thank you for your hard work and the entire legislative staff for all their work throughout this session. Have a great summer and I look forward to seeing you next year. Thank you.

PRESIDENT HEIDEMANN: Thank you, Governor. Would the committee escort the Governor from the Chamber. Mr. Clerk, items for the record?

CLERK: Mr. President, one item, a Reference report referring LR389. That's all that I have at this time. (Legislative Journal page 1761.)

PRESIDENT HEIDEMANN: Speaker Adams for an announcement.

SPEAKER ADAMS: Thank you, Mr. President. Members, as we approach the final minutes of this legislative session, a couple of things that I'd like to say about our session, and it's easier to say today than maybe it would have been a month ago or two months ago. If I had to pick one word for starters to characterize this session, and

Floor Debate
June 05, 2013

maybe you will agree with me or maybe not, I'm going to use the word "difficult." It was for all of us. It was difficult because we took on difficult issues and we will again next session. There are things yet to be resolved and there always will be, always will be. We didn't shy away from them. We debated them. At times we were emotional. At times it became very divisive. But you know what? That's what deliberative bodies in a representative democracy do. It's not meant to be easy. It's going to be difficult. But we didn't back away. We're exhausted. We need some time away. But I would challenge every one of you, as soon as you take your break, get right back at it. Get right back at it. We have important interim studies that need all of our commitment in preparation for the next session. And you know what? In the midst of the difficulties I may have sensed or we all may have sensed during this 90-day session, some things have been accomplished. I don't want to get tied up in statistics and numbers, but I'm going to throw some out to you anyway: 661 bills introduced at the beginning of this session; 214 of them became law. In comparison to other legislative sessions, we're right at the average mark. That's pretty good when you think about the tough times we had on this floor during these 90 days. And there were a lot of times, I will tell you, if somebody would have said we were going to get that much done I would have said, no, we aren't. We did. We did. One hundred and four priority bills, and I would consider them, because they're priority bills, very important, and you needed debate time on those. Your committees needed debate time on those. Of those 104, you take out the number of them that were never reported out of committee or had holds put on them, before they ever reached General File, by the introducer, 71 of those priority bills became law. We did our work, we really did. We did our work. It was our budget year. I think we put a good one together. And I know there were times we never thought we'd get it done, 11:00 one evening, but we did. And I suppose, if nothing else, we were sent here to do that. And we can all take our view of the budget and we can find something we like, something we dislike. But as a deliberative body we put together a budget, after lengthy debate, which is just fine. And we'll probably be back at some of those things next year. And inherent within that budget, I think we did what we needed to do. It's still a relatively conservative budget, but we refocused on issues that maybe we've had to kind of slight because of the recession, and we zeroed in on some things that are important to us, early childhood, K-12, higher education, all reflected in that budget. As I was preparing some things I wanted to say and I thought, well, I'm going to identify this LB and that one, you know what? That's not fair, because every one of you had bills that were important to you, every one of you, however large or small, and they ultimately will be important to the state. Taxation, drawn a lot of attention, wait till next year. Right, Senator Hadley, a lot of attention? And we wrestled with it a little bit on the floor this year and I think we did absolutely the right thing in creating that Tax Commission. And I know full well, though the Revenue Committee looks at taxes all interim every year, we've told them we have an expectation to be more focused and to report back to us. And I said it earlier this year on debate and I'm going to say it one more time: Making tax policy is the jurisdiction of this body and that is what we will do. And we will probably fight over it next year, but that is exactly what we will do after we will hear that report.

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

Floor Debate
June 05, 2013

You know, I think something else happened this session. Maybe it's just me. You know, for one thing, 49 people got to know each other better, like it or not. And I hope we walk away from here respecting one another, regardless of our ideologies, regardless the fights we had here on the floor or how things went in the committee, how votes went. Because if we don't, this structure of representative democracy will not work, won't. I think we redefined and maybe reworked the role of the Legislature. I think we're taking steps to reestablish ourselves in this constitutional framework. And however difficult that was, that is important. It really is. And you know what? We couldn't have gotten any of this done without a whole assortment of people, and what I'd like to do, if you'll allow me, is to recognize some folks that are sitting in here with us today. And if you all would hold your applause until I've had a chance to recognize them, they are the people that help us get all this stuff done. Let me begin first of all on the list with the Clerk's Office. And if these folks would want to stand up or wave your hand so that we all know where you're at. In the Clerk's Office: the Bill Room, the Transcribers, the Information Office, Technology Center, Sergeant at Arms, and pages. Thank you. The State Patrol, here every day. Fiscal Office, what would we have done without them? The Revisor's Office, Legislative Accounting and Budgeting, Legislative Research, I hope they're all here. Legislative Audit, there they are. The Ombudsman's Office, and, of course, committee staff and all of our individual staffs. This combination of all of us is what makes it work. If you'd join me in applause for appreciation for those people. Thank you, Mr. President.

PRESIDENT HEIDEMANN: Thank you, Speaker Adams. (Visitors introduced.) Speaker Adams for a motion.

SPEAKER ADAMS: Mr. Clerk, this motion that you see in front of you to indefinitely postpone several bills that are on General as well as Select File is important for our work in preparation for next session and preparing the work sheet order. All of these bills that you see listed are bills that have been amended into other bills, and we want to get them cleared off of the sheet. Most of you or all of your offices should have been contacted about this procedure and I would appreciate your favorable vote on this motion. Thank you, Mr. President.

PRESIDENT HEIDEMANN: Thank you, Speaker Adams. You have heard the motion. All in favor say aye. All opposed say nay. Motion passes. Senator Hadley for a motion.

SENATOR HADLEY: Mr. President, I move that the Legislature approve the preparation and printing of the permanent Legislative Journal, session laws, and indexes by Patrick J. O'Donnell, and that he be directed to send to each member of the Legislature a copy of the permanent Journal and session laws.

PRESIDENT HEIDEMANN: Thank you, Senator Hadley. You have heard the motion. All those in favor say aye. All opposed say nay. Motion passes. Speaker Adams for a motion.

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

Floor Debate
June 05, 2013

SPEAKER ADAMS: Mr. President, I move that the Journal of the ninetieth day, as prepared by the Clerk of the Legislature, be approved, and that the One Hundred Third Legislature, First Session of the Nebraska Legislature, having finished all of its business before it, now at 3:02 adjourn sine die.

PRESIDENT HEIDEMANN: Thank you, Speaker Adams. You have heard the motion. All those in favor say aye. All opposed say nay. We are adjourned sine die.