

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

Floor Debate
May 28, 2015

[LB12 LB12A LB13 LB32 LB70 LB70A LB76 LB97 LB156 LB192 LB197 LB200 LB200A
LB205 LB231 LB259A LB259 LB290 LB320A LB320 LB325 LB326 LB335 LB347A LB347
LB359 LB361 LB366A LB366 LB377 LB405 LB419 LB420 LB441 LB460 LB469 LB469A
LB480 LB489 LB489A LB500A LB500 LB509 LB514 LB538 LB538A LB544 LB546
LB547A LB547 LB571 LB591 LB591A LB598A LB598 LB602 LB605A LB605 LB607A
LB607 LB623 LB629 LB629A LR23 LR338 LR356 LR357 LR358 LR359 LR360 LR361
LR362 LR363 LR364 LR365 LR366 LR367 LR368 LR369 LR370 LR371 LR372 LR373
LR374 LR375 LR376 LR377]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE EIGHTY-EIGHTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS SENATOR WILLIAMS. PLEASE RISE.

SENATOR WILLIAMS: (PRAYER OFFERED.)

PRESIDENT FOLEY: THANK YOU, SENATOR WILLIAMS. I CALL TO ORDER THE EIGHTY-EIGHTH DAY OF THE ONE HUNDRED FOURTH LEGISLATION, FIRST SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

CLERK: MR. PRESIDENT, I DO HAVE A QUORUM PRESENT.

PRESIDENT FOLEY: THANK YOU, MR. CLERK. ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

CLERK: I HAVE NO CORRECTIONS, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU. ARE THERE ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: THERE ARE, MR. PRESIDENT. I HAVE A SERIES OF MESSAGES FROM THE GOVERNOR. (READ RE LB156, LB200, LB200A, LB231, LB259, LB259A, LB320, LB320A, LB325, LB347, LB347A, LB361, LB366, LB366A, LB419, LB469, LB469A, LB480, LB500, LB500A, LB538, LB538A, LB547, LB547A, LB591, LB591A, LB605, LB605A, LB607, LB607A, LB629, LB629A.) SECOND COMMUNICATION: DEAR MR. PRESIDENT

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

Floor Debate
May 28, 2015

AND MEMBERS...(LEGISLATIVE JOURNAL PAGES 1907.) [LB156 LB200 LB200A LB231 LB259 LB259A LB320 LB320A LB325 LB347 LB347A LB361 LB366 LB366A LB419 LB469 LB469A LB480 LB500 LB500A LB538 LB538A LB547 LB547A LB591 LB591A LB605 LB605A LB607 LB607A LB629 LB629A]

PRESIDENT FOLEY: EXCUSE ME, MR. CLERK. MEMBERS, PLEASE COME TO ORDER.

CLERK: THANK YOU, MR. PRESIDENT. SECOND COMMUNICATION: (READ RE LB598, LB598A.) MR. PRESIDENT, FURTHER MESSAGE: (READ RE LB623.) MR. PRESIDENT, I MIGHT INDICATE TO THE MEMBERSHIP COPIES OF THE VETO MESSAGE WITH RESPECT LB623 ARE ON YOUR DESK, AS IS THE MESSAGE WITH REGARDS TO LB70 AND LB70A. TO THAT END, FURTHER MESSAGE: (READ RE LB70 AND LB70A.) AND FINALLY, MR. PRESIDENT, I HAVE A MOTION FROM SENATOR HADLEY TO BE PRINTED REGARDING DISPOSITION OF CERTAIN BILLS AT THE END OF THIS SESSION (RE LB12, LB12A, LB13, LB32, LB76, LB97, LB197, LB205, LB290, LB326, LB335, LB359, LB377, LB405, LB420, LB441, LB460, LB489, LB489A, LB509, LB514, LB544, LB546, LB571, AND LB602.) THAT WILL JUST BE PRINTED AT THIS TIME. THAT'S ALL THAT I HAVE, MR. PRESIDENT, THANK YOU. (LEGISLATIVE JOURNAL PAGES 1908-1911.) [LB598 LB598A LB623 LB70 LB70A LB12 LB12A LB13 LB32 LB76 LB97 LB197 LB205 LB290 LB326 LB335 LB359 LB377 LB405 LB420 LB441 LB460 LB489 LB489A LB509 LB514 LB544 LB546 LB571 LB602]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. WE WILL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA--LEGISLATIVE CONFIRMATION REPORTS. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE FIRST REPORT FROM THE GENERAL AFFAIRS COMMITTEE IS TWO APPOINTEES TO THE NEBRASKA LIQUOR CONTROL COMMISSION, BRUCE BAILEY AND JANICE WIEBUSCH. (LEGISLATIVE JOURNAL PAGE 1558.)

PRESIDENT FOLEY: SENATOR LARSON, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR LARSON: THANK YOU, MR. PRESIDENT. FIRST, WITH THE NEBRASKA LIQUOR CONTROL COMMISSION--BRUCE BAILEY WAS APPOINTED BY THE GOVERNOR ON FEBRUARY 2, 2015, AND IS SERVING IN HIS FIRST TERM ON THE LIQUOR CONTROL COMMISSION. BRUCE HAS SERVED ON SEVERAL BOARDS IN

Floor Debate
May 28, 2015

THE PAST, INCLUDING THE LANCASTER COUNTY PLANNING COMMISSION, THE COUNTY BOARD OF ZONING, THE LES BOARD, AND IS CURRENTLY SERVING ON THE LIBA BOARD. THE GENERAL AFFAIRS COMMITTEE UNANIMOUSLY VOTED IN FAVOR OF BRUCE. AND I'D ASK YOU VOTE IN FAVOR OF HIM, AS WELL AS JANICE WIEBUSCH. JANICE IS A REAPPOINTMENT FROM THE GOVERNOR TO SERVE ON THE LIQUOR CONTROL COMMISSION. JANICE ALSO CURRENTLY SERVES ON THE NEBRASKA REAL ESTATE COMMISSION AND IS A REAL ESTATE BROKER FOR CENTURY 21 MIDLANDS IN KEARNEY. JANICE HAS BOTH SERVED ON THE KEARNEY CITY COUNCIL AND CHAIRMAN OF THE KEARNEY AREA...

PRESIDENT FOLEY: EXCUSE ME, SENATOR. (GAVEL)

SENATOR LARSON: THANK YOU...AND ON THE KEARNEY AREA CHAMBER OF COMMERCE. THE GENERAL AFFAIRS COMMITTEE ALSO UNANIMOUSLY VOTED FOR JANICE WIEBUSCH'S CONFIRMATION, AND I ASK THAT THE BODY APPROVE BOTH OF THESE TO THE LIQUOR CONTROL COMMISSION. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR LARSON. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR LARSON YOU'RE WELCOME TO CLOSE ON THE REPORT. HE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTE WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1911-1912.) 38 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU. THE REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE NEXT REPORT IS FROM GENERAL AFFAIRS IS FOR MATTHEW ANSELMO TO THE NEBRASKA COMMISSION ON PROBLEM GAMBLING. (LEGISLATIVE JOURNAL PAGE 1558.)

PRESIDENT FOLEY: SENATOR LARSON, YOU'RE WELCOME TO OPEN ON THE REPORT.

Floor Debate
May 28, 2015

SENATOR LARSON: THANK YOU, MR. PRESIDENT. MATTHEW ANSELMO TO THE NEBRASKA COMMISSION ON PROBLEM GAMBLING; HE'S A REAPPOINTMENT FROM THE GOVERNOR TO SERVE ON THE COMMISSION ON PROBLEM GAMBLING. MATTHEW CURRENTLY IS THE MANAGER OF A SMALL NONPROFIT, CROSSROADS CONNECTION, WHICH HELPS MEN WHO HAVE BEEN INCARCERATED TRANSITION BACK INTO SOCIETY WITH POSITIVE SKILLS THEY NEED TO SUCCEED. GENERAL AFFAIRS COMMITTEE UNANIMOUSLY APPROVED IN FAVOR OF MR. ANSELMO'S CONFIRMATION, AND I WOULD ASK FOR YOUR APPROVAL AS WELL TO THE NEBRASKA PROBLEM GAMBLING COMMISSION. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR LARSON. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR LARSON WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1912.) 37 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: NEXT REPORT, MR. PRESIDENT, FROM GENERAL AFFAIRS IS THREE APPOINTMENTS TO THE NEBRASKA ARTS COUNCIL. (LEGISLATIVE JOURNAL PAGE 1558.)

PRESIDENT FOLEY: SENATOR LARSON, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR LARSON: THANK YOU, MR. PRESIDENT. NEBRASKA ARTS COUNCIL: TIMOTHY HART IS A REAPPOINTMENT BY THE GOVERNOR TO SERVE ON THE NEBRASKA ARTS COUNCIL. MR. HART HAS WORKED AT FIRST NATIONAL BANK SINCE 1983 AND IS CURRENTLY ON THE OMAHA OPERA BOARD, UNL COLLEGE OF BUSINESS NATIONAL ADVISORY BOARD, SALVATION ARMY BOARD, AND THE STATE PRESIDENT AND BOARD OF DIRECTOR FOR THE FINANCIAL EXECUTIVES INTERNATIONAL. THE GENERAL AFFAIRS COMMITTEE UNANIMOUSLY VOTED IN FAVOR OF MR. HART AND I'D ASK THE BODY AS WELL. ALSO JON HINRICHS. DR. HINRICHS IS ALSO A REAPPOINTMENT BY THE GOVERNOR TO SERVE ON THE NEBRASKA ARTS COUNCIL. HE HAS SERVED ON THE LINCOLN SYMPHONY ORCHESTRA BOARD AND THE NEBRASKA JAZZ ORCHESTRA BOARD; ALSO

Floor Debate
May 28, 2015

RECEIVING THE GOLDEN BATON AWARD FROM THE LINCOLN SYMPHONY ORCHESTRA. THE COMMITTEE ALSO UNANIMOUSLY APPROVED MR. HINRICHS. AND LASTLY, MISS PAMELA PRICE IS ALSO A REAPPOINTMENT TO THE ARTS COUNCIL. SHE HAS SERVED ON THE NET FOUNDATION FOR TELEVISION AND RADIO BOARD, THE EQUITABLE (BANK) BOARD, THE COLLEGE PARK OF GRAND ISLAND, AND THE YWCA; SHE'S ALSO A MEMBER OF THE NEBRASKA STATE HISTORICAL SOCIETY, GRAND ISLAND EDUCATION FOUNDATION TRUSTEE, AND WAS THE 2002 GRAND ISLAND INDEPENDENT WOMAN OF THE YEAR. ALL THESE APPOINTMENTS WERE UNANIMOUSLY CONFIRMED BY THE GENERAL AFFAIRS COMMITTEE AND I'D URGE THE BODY TO DO SO AS WELL. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SENATOR LARSON. (DOCTOR OF THE DAY AND VISITOR INTRODUCED.) DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SENATOR KRIST, YOU'RE RECOGNIZED.

SENATOR KRIST: THANK YOU, MR. PRESIDENT; GOOD MORNING, COLLEAGUES, AND GOOD MORNING, NEBRASKA. I JUST WANT TO TAKE THIS OPPORTUNITY TO TALK ON BEHALF OF MR. HART AND TO NOTE HIS EXEMPLARY SERVICE TO MANY ORGANIZATIONS IN THE METROPOLITAN AREA AND THE STATE OF NEBRASKA. BUT ALSO TO MENTION THAT FIRST NATIONAL BANK IS EXTREMELY SUPPORTIVE IN ENCOURAGING THEIR EMPLOYEES TO GIVE BACK TO THEIR COMMUNITY AND THEY SHOULD BE NOTED FOR THAT EFFORT AS WELL. AND I WOULD ENCOURAGE YOUR GREEN VOTE ON THE CONFIRMATION REPORTS. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SENATOR KRIST. SEEING NO OTHER SENATORS WISHING TO SPEAK, SENATOR LARSON WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1913.) 37 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: NEXT REPORT FROM GENERAL AFFAIRS, MR. PRESIDENT, IS FOR TOM OURADA TO THE STATE ELECTRICAL BOARD. (LEGISLATIVE JOURNAL PAGE 1558.)

Floor Debate
May 28, 2015

PRESIDENT FOLEY: SENATOR LARSON, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR LARSON: THANK YOU, MR. PRESIDENT. MR. OURADA IS ALSO A REAPPOINTMENT TO THE STATE ELECTRICAL BOARD. HE IS FROM CRETE AND CURRENTLY SERVING AS THE COMMUNITY DEVELOPMENT COORDINATOR AND THE COMMUNICATIONS AND NETWORK SYSTEMS ADMINISTRATOR AND THE DIRECTOR OF PUBLIC WORKS. MR. OURADA HAS SERVED ON NUMEROUS OTHER DUTIES IN THE ELECTRICAL FIELD, SUCH AS THE ELECTRICAL LINE SUPERINTENDENT, ELECTRICAL ENGINEERING TECHNICIAN, ELECTRICAL LINE PERSON, AND A PLANT ELECTRICIAN. THE GENERAL AFFAIRS COMMITTEE UNANIMOUSLY SUPPORTED MR. OURADA'S CONFIRMATION AND I'D ASK THE BODY TO AS WELL. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SENATOR LARSON. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR LARSON WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTE WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1913-1914.) 37 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, MOVING TO REPORT FROM NATURAL RESOURCES COMMITTEE, TWO APPOINTEES TO THE NEBRASKA ENVIRONMENTAL TRUST BOARD. (LEGISLATIVE JOURNAL PAGE 1614.)

PRESIDENT FOLEY: SENATOR SCHILZ, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT; MEMBERS OF THE BODY, GOOD MORNING. TODAY I BRING BEFORE YOU MR. JIM HELLBUSCH FROM COLUMBUS, WHO'S A NEW APPOINTEE. HE WILL REPRESENT THE FIRST DISTRICT ON THE NEBRASKA ENVIRONMENTAL TRUST BOARD AND, AS WELL, I BRING ROBERT KROHN FROM OMAHA WHO IS A REAPPOINTMENT AND REPRESENTS THE SECOND DISTRICT. THE HEARINGS WENT WELL. THE COMMITTEE VOTE WAS

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

Floor Debate
May 28, 2015

UNANIMOUS TO RECOMMEND APPROVAL. AND I WOULD ASK YOU TO DO THE SAME HERE THIS MORNING. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR SCHILZ. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR SCHILZ WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1914.) 35 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED.

ASSISTANT CLERK: MR. PRESIDENT, THE NEXT REPORT FROM GENERAL AFFAIRS IS AN APPOINTMENT TO THE STATE ELECTRICAL BOARD, JAMES S. BRUMMER. (LEGISLATIVE JOURNAL PAGE 1666.)

PRESIDENT FOLEY: SENATOR LARSON, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR LARSON: THANK YOU, MR. PRESIDENT. MR. BRUMMER IS ALSO A REAPPOINTMENT TO THE STATE ELECTRICAL BOARD. HE'S BEEN WORKING IN THE PUBLIC POWER INDUSTRY FOR APPROXIMATELY 30 YEARS FOR THE CEDAR-KNOX PUBLIC POWER DISTRICT AND THE NEBRASKA PUBLIC POWER DISTRICT. MR. BRUMMER HAS SERVED ON THE BEEMER CITY COUNCIL, AS WELL AS A VOLUNTEER FIREMAN FOR BEEMER. THE GENERAL AFFAIRS COMMITTEE UNANIMOUSLY SUPPORTED MR. BRUMMER. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SENATOR LARSON. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR LARSON WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1915.) 37 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT BY THE GENERAL AFFAIRS COMMITTEE, MR. PRESIDENT.

Floor Debate
May 28, 2015

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, GENERAL AFFAIRS REPORTS ON JANELLE BEVERIDGE TO THE STATE RACING COMMISSION. (LEGISLATIVE JOURNAL PAGE 1666.)

PRESIDENT FOLEY: SENATOR LARSON, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR LARSON: THANK YOU, MR. PRESIDENT. MS. BEVERIDGE IS A REAPPOINTMENT TO SERVE ON THE NEBRASKA RACING COMMISSION. THE NEBRASKA RACING COMMISSION HAS DONE EXCELLENT WORK UNDER MS. BEVERIDGE'S LEADERSHIP ON THE COMMISSION. AND THE GENERAL AFFAIRS COMMITTEE UNANIMOUSLY SUPPORTED HER. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SENATOR LARSON. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR LARSON WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1915-1916.) 33 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE NEXT REPORT FROM THE GENERAL AFFAIRS COMMITTEE IS TWO APPOINTEES TO THE NEBRASKA COMMISSION ON PROBLEM GAMBLING. (LEGISLATIVE JOURNAL PAGE 1667.)

PRESIDENT FOLEY: SENATOR LARSON, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR LARSON: THANK YOU, MR. PRESIDENT. THESE TWO APPOINTEES ARE MR. LECKBAND, IS A REAPPOINTMENT FROM THE GOVERNOR TO THE NEBRASKA COMMISSION ON PROBLEM GAMBLING. HE HAS BEEN INVOLVED IN EDUCATION SINCE 1975 SERVING AS A TEACHER, COACH, AND ADMINISTRATOR. AND FOR THE LAST 12 YEARS HAS BEEN A MEMBER OF THE BOARD OF DIRECTORS OF

Floor Debate
May 28, 2015

LCMS WHERE HE'S ALSO SERVED AS THE VICE PRESIDENT AND EXECUTIVE COMMITTEE. ALSO, WE HAVE TERRY SCOVILLE WHO IS A REAPPOINTMENT BY THE GOVERNOR TO SERVE ON THE COMMISSION. MR. SCOVILLE SERVES ON THE NEBRASKA YOUTH CENTER, LINCOLN COUNTY COMMUNITY DEVELOPMENT, AND THE MID-PLAINS GED ADVISORY BOARDS. THE GENERAL AFFAIRS COMMITTEE UNANIMOUSLY APPROVED BOTH OF THESE, AND I WOULD URGE THE BODY TO DO AS WELL. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SENATOR LARSON. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR LARSON WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1916.) 37 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE NEXT REPORT FROM THE RETIREMENT SYSTEMS COMMITTEE IS FOUR APPOINTEES TO THE PUBLIC RETIREMENT BOARD. (LEGISLATIVE JOURNAL PAGE 1678.)

PRESIDENT FOLEY: SENATOR NORDQUIST, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT; AND GOOD MORNING, MEMBERS. THE FIRST CONFEREE RECOMMENDED BY THE RETIREMENT COMMITTEE IS DENIS BLANK, WHO HAS BEEN REAPPOINTED BY THE GOVERNOR TO THE STATE EMPLOYEES POSITION ON THE NEBRASKA PUBLIC EMPLOYEES RETIREMENT BOARD. MR. BLANK HAS BEEN APPOINTED FOR A FIVE-YEAR TERM. THIS IS MR. BLANK'S FOURTH APPOINTMENT TO THE BOARD WHICH HE JOINED IN 2001. NOW THAT HE IS NOW RETIRED, BUT HE PREVIOUSLY SERVED AS CHIEF ADMINISTRATOR IN THE NEBRASKA DEPARTMENT OF AGRICULTURE WHERE HE WORKED FOR 30 YEARS. HE GRADUATED WITH A BS DEGREE IN 1969 FROM KEARNEY STATE COLLEGE. MR. BLANK HAS SERVED IN A LEADERSHIP POSITION FOR MANY YEARS AS CHAIR OF THE PUBLIC EMPLOYEE'S RETIREMENT BOARD AND DEDICATED MANY HOURS TO HIS WORK WITH THE BOARD. HIS EXPERIENCE AND DEDICATION MAKE HIM A VALUABLE MEMBER OF THE

Floor Debate
May 28, 2015

BOARD, AND THIS WAS PART OF OUR MOTION OF ALL FOUR APPOINTMENTS WHICH WAS AN UNANIMOUS MOTION. THE SECOND CONFEREER RECOMMENDED BY THE COMMITTEE IS DENNIS LEONARD, WHO IS BEING REAPPOINTED BY THE GOVERNOR TO THE BOARD. MR. LEONARD HAS BEEN APPOINTED TO A FIVE-YEAR TERM. HE WAS ORIGINALLY APPOINTED TO FILL A VACANT SEAT LAST YEAR, AND THIS IS THE STATE PATROL POSITION ON THE NEBRASKA PUBLIC EMPLOYEES RETIREMENT BOARD. MR. LEONARD HAS BEEN WITH THE PATROL SINCE 1986. HE'S A GRADUATE WITH ASSOCIATE DEGREE IN AGRICULTURE FROM CURTIS IN 1977, AND A BS IN MANAGEMENT FROM BELLEVUE UNIVERSITY IN 2000. HE HAS BEEN AN ACTIVE AND ENGAGED MEMBER OF THE PUBLIC EMPLOYEES RETIREMENT BOARD WHICH OVERSEES OUR PLANS. THE THIRD CONFEREER FOR THE COMMITTEE IS KELLI ACKERMAN WHO HAS BEEN APPOINTED TO THE SCHOOL ADMINISTRATION POSITION ON THE PUBLIC EMPLOYEES RETIREMENT BOARD. MS. ACKERMAN HAS BEEN APPOINTED TO A FIVE-YEAR TERM. AND THIS IS HER FIRST APPOINTMENT TO THE BOARD. MS. ACKERMAN SERVES AS A BUSINESS MANAGER AT HOLDREGE PUBLIC SCHOOLS. SHE RECEIVED A BS IN BUSINESS ADMINISTRATION FROM KEARNEY STATE COLLEGE AND HAS COMPLETED ADDITIONAL EDUCATIONAL WORK AT UNL AND DOANE COLLEGE. SHE HAS A GREAT DEAL OF EXPERIENCE IN SCHOOL FINANCE AND WORKS WITH HOLDREGE SCHOOL EMPLOYEES AS THEY WORK TOWARDS RETIREMENT. SHE ALSO SERVES ON THE EXECUTIVE BOARD OF THE NEBRASKA COUNCIL OF SCHOOL ADMINISTRATORS, AND IS THE PAST PRESIDENT OF THE NEBRASKA ASSOCIATION OF SCHOOL BUSINESS OFFICIALS, AND CURRENTLY SERVES ON THE EXECUTIVE BOARD OF THE NEBRASKA ASSOCIATION OF SCHOOL BUSINESS OFFICERS. HER EXPERIENCE WILL MAKE HER A VALUABLE MEMBER OF PERB. AND THEN THE FINAL APPOINTEE, THE FOURTH CONFEREER HERE RECOMMENDED BY THE COMMITTEE IS JUDGE RUSSELL DERR, WHO HAS BEEN APPOINTED BY THE GOVERNOR TO FILL THE JUDGES POSITION ON THE PUBLIC EMPLOYEES RETIREMENT BOARD. JUDGE DERR HAS BEEN APPOINTED TO THE SEAT WHICH WAS VACATED THIS YEAR BY JUDGE REHMEIER'S RESIGNATION. JUDGE DERR WAS IN PRIVATE PRACTICE FOR 20 YEARS BEFORE HIS APPOINTMENT TO THE DISTRICT COURT, FOURTH JUDICIAL DISTRICT, IN 2003, WHERE HE CONTINUES TO SERVE. HE GRADUATED FROM THE UNIVERSITY OF NEBRASKA-OMAHA WITH A BS IN BUSINESS ADMINISTRATION, FROM CREIGHTON LAW SCHOOL IN 1981 WHERE HE RECEIVED HIS LAW DEGREE. HE HAS SERVED ON THE JUDICIAL ETHICS COMMITTEE SINCE 2009. HE ALSO WILL BE A VALUABLE MEMBER OF THE PERB WITH HIS EXPERIENCE. THE COMMITTEE, AGAIN, UNANIMOUSLY RECOMMENDED ALL FOUR OF THESE APPOINTMENTS, AND I ENCOURAGE YOU TO VOTE IN SUPPORT OF THE CONFIRMATION REPORT. THANK YOU.

Floor Debate
May 28, 2015

PRESIDENT FOLEY: THANK YOU, SENATOR NORDQUIST. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR NORDQUIST WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTE WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1917.) 33 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE NEXT REPORT IS FROM THE JUDICIARY COMMITTEE, TWO APPOINTMENTS TO THE BOARD OF PAROLE. (LEGISLATIVE JOURNAL PAGE 1740.)

PRESIDENT FOLEY: SENATOR SEILER, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR SEILER: ON TUESDAY, MAY 19, THE JUDICIARY COMMITTEE VOTED 6-0, WITH TWO ABSENT, TO APPROVE THE APPOINTMENTS OF TERESA BITTINGER AND VIRGIL PATLAN TO THE NEBRASKA BOARD OF PAROLE. THESE ARE TWO EXCELLENT APPOINTMENTS. MR. PATLAN HAS EXTENSIVE KNOWLEDGE OF THE JUDICIAL SYSTEM, HAVING BEEN A MEMBER OF THE OMAHA POLICE DEPARTMENT FOR MORE THAN 25 YEARS. DURING THIS TIME ON THE FORCE, MR. PATLAN SERVED AS A DETECTIVE IN THE GANG UNIT. AND HE HAS SAID THAT ONE OF THE THINGS THAT HE FOUND MOST REWARDING WAS FINDING WAYS TO KEEP THE YOUTH OUT OF THE GANGS AND OUT OF JAIL. TERESA BITTINGER HAS A BACHELOR'S DEGREE IN BUSINESS ADMINISTRATION AND A BACHELOR OF SCIENCE IN CRIMINAL JUSTICE. OVER THE COURSE OF HER CAREER, MISS BITTINGER HAS WORKED ALONGSIDE LAW ENFORCEMENT AND THE DEPARTMENT OF CORRECTIONS. SHE STARTED HER LAW ENFORCEMENT CAREER WORKING AS A 911 DISPATCHER AND MOVED TO THE DEPARTMENT OF CORRECTIONS AS A SUPERVISOR FOR ADULT PAROLE ADMINISTRATION. DURING HER TIME, THE DEPARTMENT...SHE HAS WORKED ON BOTH THE SECURITY SIDE, AS WELL AS THE ADMINISTRATIVE SIDE OF THE PRISON SYSTEM. BOTH MR. PATLAN AND MS. BITTINGER ARE MORE THAN QUALIFIED FOR THEIR POSITIONS ON THE NEBRASKA BOARD OF PAROLE, AND I URGE YOU TO SUPPORT THEIR CONFIRMATION.

Floor Debate
May 28, 2015

PRESIDENT FOLEY: THANK YOU, SENATOR SEILER. THE DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR SEILER WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1917-1918.) 35 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, NEXT REPORT FROM HEALTH AND HUMAN SERVICES COMMITTEE IS TWO APPOINTMENTS TO THE FOSTER CARE ADVISORY COMMITTEE. (LEGISLATIVE JOURNAL PAGE 1754.)

PRESIDENT FOLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. COLLEAGUES, I WOULD LIKE TO TAKE A MOMENT OF PERSONAL PRIVILEGE TO INDICATE TO YOU AND HOPE YOU WOULD STOP BY AND SAY HELLO TO DR. LUCKEY, WHO IS THE PHYSICIAN OF THE DAY. AND THE REASON FOR THAT IS DR. LUCKEY GAVE AN ENORMOUS AMOUNT OF TIME WITH SENATOR GLOOR AND WITH ME OVER THE COURSE OF TWO YEARS AS WE WORKED ON LR22 AND LR422. AND DR. LUCKEY IS ONE OF THOSE VISIONARY PHYSICIANS IN THE STATE OF NEBRASKA, SO PLEASE TAKE A MOMENT TO SAY HELLO TO HIM AND THANK HIM FOR HIS SERVICE. WE HAVE TWO APPOINTMENTS TODAY FOR THE FOSTER CARE ADVISORY COMMITTEE. THE FIRST IS MICHELLE MARIE HYNES, WHO IS A REAPPOINTMENT. SHE LIVES IN DAKOTA CITY, NEBRASKA, BUT PRACTICES WITH THE JUVENILE LAW CENTER IN SIOUX CITY, IOWA. SHE HAS SERVED ON THE LOCAL BOARD FOR SOUTH SIOUX CITY AND SHE ALSO SERVED ON THE GERING LOCAL FOSTER CARE REVIEW BOARD. AND SO SHE'S BEEN INVOLVED SINCE 1996 ON LOCAL FOSTER CARE REVIEW BOARDS. SHE WAS A GUARDIAN AD LITEM WHILE SHE WAS IN PRIVATE PRACTICE IN SCOTTSBLUFF AND SHE HELPED TO DEVELOP THE CASA PROGRAM IN SCOTTSBLUFF. SHE GREW UP IN CROFTON; SHE GRADUATED FROM MIDLAND COLLEGE, AND RECEIVED HER LAW DEGREE FROM UNL. OUR SECOND APPOINTMENT TO THE FOSTER CARE ADVISORY COMMITTEE IS SHEREE KEELY FROM OMAHA. SHE SERVES AS A MEMBER AT LARGE AND IS ALSO A REAPPOINTMENT. SHE CURRENTLY IS WITH CHI AND HAS HER MSW FROM UNO

Floor Debate
May 28, 2015

AND HER UNDERGRADUATE DEGREE FROM UNL. SHE HAS WORKED FOR 33 YEARS IN MENTAL HEALTH AND SERVES ON THE PROJECT HARMONY BOARD AND THE RIGHTS OF PASSAGE ADVISORY BOARD. WE WOULD HIGHLY ENCOURAGE YOUR YES VOTES ON BOTH THESE NOMINEES. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR CAMPBELL. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1918.) 37 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, HEALTH AND HUMAN SERVICES REPORT ON JIM TREBBIEN TO THE STATE BOARD OF HEALTH. (LEGISLATIVE JOURNAL PAGE 1754.)

PRESIDENT FOLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. MR. TREBBIEN IS A NEW APPOINTMENT, AND I SHOULD SAY IT'S TREBBIEN AND LIVES IN BENNINGTON, NEBRASKA, AND WILL SERVE AS A MEMBER OF THE PUBLIC ON THE BOARD OF HEALTH. HE HAS HIS BACHELOR'S DEGREE FROM MANKATO STATE COLLEGE, AND IS THE DEAN OF THE INSTITUTE FOR CULINARY ARTS AND HORTICULTURE AT METROPOLITAN COMMUNITY COLLEGE. IS WELL KNOWN IN OMAHA NOT ONLY FOR HIS SERVICE AT METRO COLLEGE, BUT HE OWNS A BUSINESS IN MIDTOWN OMAHA, WHICH CERTAINLY PLEASED SENATOR HOWARD. HE WAS INDUCTED IN THE HOSPITALITY HALL OF FAME IN NEBRASKA, AND DEVELOPED THE FIRST IN THE NATION ASSOCIATE DEGREE AT METRO COMMUNITY COLLEGE AND BUSINESS DEGREE AT UNL IN CULINOLOGY, WHICH HE HAS TRADEMARKED. WE WOULD ENCOURAGE YOUR YES VOTE ON MR. TREBBIEN. THANK YOU, MR. PRESIDENT.

Floor Debate
May 28, 2015

PRESIDENT FOLEY: THANK YOU, SENATOR CAMPBELL. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1919.) 38 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE HEALTH AND HUMAN SERVICES COMMITTEE WOULD REPORT FAVORABLY ON TWO APPOINTMENTS TO THE COMMISSION FOR THE DEAF AND HARD OF HEARING. (LEGISLATIVE JOURNAL PAGE 1755.)

PRESIDENT FOLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. OUR FIRST APPOINTMENT IS JOHN HOGUE, WHO IS A REAPPOINTMENT TO THE COMMISSION AND LIVES IN FALLS CITY, NEBRASKA. HE IS THE PASTOR OF FIRST UNITED METHODIST CHURCH IN FALLS CITY, AND PREVIOUSLY SERVED A CONGREGATION IN ARLINGTON, NEBRASKA. IT'S VERY INTERESTING BECAUSE HE HAD BEEN DISCOURAGED FROM ENTERING THE MINISTRY BECAUSE OF HIS SPEECH CHALLENGES, BUT HE IS QUITE WELL SPOKEN AND THE COMMITTEE ENJOYED VISITING WITH HIM. HE GRADUATED FROM WAYNESBORO COLLEGE IN PENNSYLVANIA, AND IS A MENTOR FOR TEAMMATES. WE WOULD ENCOURAGE THAT APPOINTMENT. OUR SECOND ONE IS JEREMY FITZPATRICK FROM OMAHA TO THE COMMISSION FOR THE DEAF AND HARD OF HEARING. AND MR. FITZPATRICK IS A NEW APPOINTEE. HE'S AN ATTORNEY IN OMAHA AND HE WANTED TO SERVE ON THE COMMISSION FOR THE DEAF AND HARD OF HEARING BECAUSE HE HAS A SON WHO IS THREE YEARS OLD WHO HAS HAD HEARING LOSS AND WAS IDENTIFIED IN THE HOSPITAL WHEN HE WAS A BABY AS A CRITICAL TESTING POINT FOR THEM TO KNOW THAT. HE SERVES ON THE BOARD OF HANDS AND VOICES, A SUPPORT GROUP FOR FAMILIES WHOSE CHILDREN ARE DEAF OR HARD OF HEARING, WHICH IS A STATEWIDE GROUP, AND HE SERVES ON THE BOARD OF VOICES FOR CHILDREN. WE HAD A DELIGHTFUL CONVERSATION WITH MR. FITZPATRICK AND WE WERE ALL PLEASED TO SEE...HE

Floor Debate
May 28, 2015

SENT US A PICTURE OF HIS SON SO THAT WE COULD MEET HIM AND SEE HIM. WE WOULD ENCOURAGE YOUR YES VOTE ON THESE TWO APPOINTMENTS. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR CAMPBELL. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1919-1920.) 36 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, HEALTH AND HUMAN SERVICES WOULD REPORT ON MICHAEL BAILEY TO THE BOARD OF EMERGENCY SERVICE MEDICAL SERVICES. (LEGISLATIVE JOURNAL PAGE 1755.)

PRESIDENT FOLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. MR. BAILEY LIVES IN ANSLEY, NEBRASKA. HE SERVES AS A PARAMEDIC FOR THE RURAL FIRE DISTRICT THERE. HE ALSO IS AN EMPLOYEE AND ON STAFF AS THE PARAMEDIC AT THE VALLEY COUNTY HOSPITAL. HE IS AN EMS INSTRUCTOR, AND WHAT WAS ALSO VERY INTERESTING IS THAT HE HAS STARTED TWO BUSINESSES NEAR THAT AREA: ONE IN AGRICULTURAL CROP SERVICE AND ONE IN A GPS SERVICE. HE HAS SERVED ON THE TRAUMA ADVISORY BOARD FOR REGION 3 AND WILL BE A GREAT ADDITION TO THE BOARD OF EMERGENCY MEDICAL SERVICES. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR CAMPBELL. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

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

Floor Debate
May 28, 2015

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1920.) 36 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: BUSINESS AND LABOR WOULD REPORT ON AN APPOINTEE TO THE COMMISSION OF INDUSTRIAL RELATIONS. (LEGISLATIVE JOURNAL PAGE 1861.)

PRESIDENT FOLEY: SENATOR BURKE HARR, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR HARR: THANK YOU, MR. LIEUTENANT GOVERNOR. THE BUSINESS AND LABOR COMMITTEE CONSIDERED THE APPOINTMENT OF MR. WILLIAM BLAKE TO THE COMMISSION OF INDUSTRIAL RELATIONS. MR. BLAKE HAS PREVIOUSLY SERVED ON THE CIR FOR THE LAST 14 YEARS, SO WHILE THIS IS NOT A REAPPOINTMENT HE DEFINITELY HAS EXPERIENCE. HE IS AN ATTORNEY AND RECEIVED HIS JD FROM THE UNIVERSITY OF NEBRASKA AND HE CURRENTLY PRACTICES AND IS A PARTNER AT BAYLOR EVNEN LAW FIRM. THE COMMITTEE UNANIMOUSLY SUPPORTED MR. BLAKE. I WOULD ASK YOU TO PLEASE APPROVE HIS APPOINTMENT. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SENATOR HARR. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR HARR WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1921.) 32 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE WOULD REPORT ON AN APPOINTMENT TO THE BOARD OF PUBLIC ROADS CLASSIFICATION AND STANDARDS. (LEGISLATIVE JOURNAL PAGE 1866.)

Floor Debate
May 28, 2015

PRESIDENT FOLEY: SENATOR SMITH, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR SMITH: THANK YOU, MR. PRESIDENT. THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE HELD A HEARING ON THE APPOINTMENT ON LISA KRAMER TO THE BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS ON MAY 18. AND THE COMMITTEE VOTED 7-0, WITH ONE MEMBER ABSENT, TO ADVANCE OUR CONFIRMATION TO THE FLOOR. MS. KRAMER IS A NEW APPOINTMENT TO THE BOARD REPLACING JOHN HYNES AND WILL FILL THE REQUIREMENT FOR A CLASS 5 COUNTY REPRESENTATIVE. SHE IS CURRENTLY A PHYSICAL THERAPIST IN BENNINGTON AND PREVIOUSLY WORKED AS DEPUTY IN THE DOUGLAS COUNTY SHERIFF'S OFFICE AND AS AN OFFICER WITH THE BENNINGTON POLICE DEPARTMENT. MS. KRAMER IS INVOLVED IN HER COMMUNITY AS A MEMBER OF THE WASHINGTON COUNTY BOARD OF SUPERVISORS AND AS A VOLUNTEER YOUTH EDUCATION TEACHER AT ST. JOHNS LUTHERAN CHURCH IN BENNINGTON. COLLEAGUES, I ASK FOR YOUR SUPPORT IN CONFIRMING THIS APPOINTMENT. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR SMITH. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR SMITH IS RECOGNIZED. HE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1921-1922.) 36 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED.

ASSISTANT CLERK: MR. PRESIDENT, TRANSPORTATION AND TELECOMMUNICATIONS WOULD REPORT ON THREE APPOINTEES TO THE NEBRASKA MOTOR VEHICLE INDUSTRY LICENSING BOARD. (LEGISLATIVE JOURNAL PAGE 1866.)

PRESIDENT FOLEY: SENATOR SMITH, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

Floor Debate
May 28, 2015

SENATOR SMITH: THANK YOU, MR. PRESIDENT. THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE HELD A HEARING ON THE APPOINTMENT OF JOE KOSISKI TO THE MOTOR VEHICLE LICENSING BOARD ON MAY 21. AND THE COMMITTEE VOTED 7-0, WITH ONE MEMBER ABSENT, TO ADVANCE THIS CONFIRMATION TO THE FLOOR. MR. KOSISKI IS A NEW APPOINTMENT TO THE BOARD REPLACING PAUL GERBER AND WILL FILL THE REQUIREMENT FOR A USED CAR DEALER FROM THE SECOND CONGRESSIONAL DISTRICT. HE IS A OWNER OF KOSISKI AUTO PARTS AND I-80 SPEEDWAY IN OMAHA AND HAS BEEN INVOLVED IN THE MOTOR VEHICLE INDUSTRY FOR A NUMBER OF YEARS. MR. KOSISKI EXPRESSED HIS WILLINGNESS TO SERVE, AND HE WILL BRING A STRONG FAMILIARITY WITH SALVAGED VEHICLES AND SALVAGED TITLES TO THE MOTOR VEHICLE LICENSING BOARD. THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE ALSO HELD A HEARING ON THE REAPPOINTMENT OF RICKY PEARSON TO THE MOTOR VEHICLE LICENSING BOARD ON MAY 18, AND THE COMMITTEE VOTED AGAIN 7-0, WITH ONE MEMBER ABSENT, TO ADVANCE HIS CONFIRMATION TO THE FLOOR. MR. PEARSON HAS SERVED ON THE BOARD SINCE 2012, FILLING THE REQUIREMENT FOR A NEW CAR DEALER FROM THE THIRD CONGRESSIONAL DISTRICT. HE IS THE OWNER OF PEARSON MOTOR COMPANY IN HARTINGTON AND HAS OVER TWO DECADES OF EXPERIENCE IN THE MOTOR VEHICLE INDUSTRY. AND FINALLY, THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE HELD A HEARING ON THE APPOINTMENT OF LORI SCHERER TO THE MOTOR VEHICLE LICENSING BOARD ON MAY 21. AND THE COMMITTEE VOTED 7-0, WITH ONE MEMBER ABSENT, TO ADVANCE HER CONFIRMATION TO THE FLOOR. MS. SCHERER IS A NEW APPOINTMENT TO THE BOARD REPLACING HER HUSBAND, JEFF, AND WILL FILL THE REQUIREMENT FOR A MANUFACTURING REPRESENTATIVE. SHE CURRENTLY SERVES ON THE JUDICIAL RESOURCES COMMISSION, AND HAS ALSO SERVED ON A WORK FORCE INVESTMENT BOARD. AS AN OWNER AND MANAGER OF HER FAMILY MANUFACTURING BUSINESS, MS. SCHERER EXPRESSED A STRONG DESIRE TO PARTICIPATE IN PUBLIC SERVICE AS A WAY OF INVESTING IN HER COMMUNITY AND THE STATE. BECAUSE OF HER BUSINESS EXPERIENCE, SHE IS VERY FAMILIAR WITH LICENSING OF TRUCKS AND VEHICLES OF ALL KINDS AND WILL BRING THIS EXPERIENCE TO THE MOTOR VEHICLE LICENSING BOARD. I APPRECIATE THESE THREE MEMBERS IN OUR COMMUNITY AND OUR STATE FOR THEIR INTEREST IN SERVING NEBRASKA. AND I ASK FOR YOUR SUPPORT IN CONFIRMING THEM. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR SMITH. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR SMITH WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE

Floor Debate
May 28, 2015

CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1922.) 37 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, GENERAL AFFAIRS WOULD REPORT ON FOUR APPOINTEES TO THE NEBRASKA ARTS COUNCIL. (LEGISLATIVE JOURNAL PAGE 1876.)

PRESIDENT FOLEY: SENATOR LARSON, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR LARSON: THANK YOU, MR. PRESIDENT. AND I CAN PROMISE MY COLLEAGUES THIS IS MY LAST TIME...OR LAST CONFIRMATION REPORTS I HAVE TO DO AND I'M GOING AGAINST THE ADVISE OF SENATOR COASH AND I WON'T TALK ABOUT CHARTER SCHOOLS EITHER DURING MY TEN-MINUTE OPENING. FIRST, I HAVE DARREL HUENERGARDT, WHO IS A FIRST-TIME APPOINTMENT TO THE NEBRASKA ARTS COUNCIL; RECEIVED A LAW DEGREE FROM THE UNIVERSITY OF NEBRASKA-LINCOLN AND CURRENTLY SERVES AS THE DEPUTY COUNTY ATTORNEY FOR GAGE COUNTY AND HAD ALSO RAN HIS OWN PRIVATE LAW PRACTICE IN KIMBALL FROM 1970 TO 2012. THE GENERAL AFFAIRS COMMITTEE APPROVED HIM UNANIMOUSLY. WE HAVE REVEN WRIGHT, WHO IS ALSO A FIRST-TIME APPOINTMENT TO THE ARTS COUNCIL. SHE SERVED ON THE SAFE CENTER BOARD OF DIRECTORS AND ON THE MONA GUILD. REVEN IS ACTIVELY VOLUNTEERS IN THE BUFFALO COUNTY COURT AUXILIARY, KEARNEY PUBLIC SCHOOLS, AND HEAD START PROGRAM. JULIE JACOBSON WAS APPOINTED AS A FIRST-TIME APPOINTMENT BY THE GOVERNOR. SHE SERVED ON THE NEBRASKA CULTURAL ENDOWMENT, SHELDON ART ASSOCIATION, AND THE LIED ADVISORY BOARD. SHE IS A BIOCHEMIST, AND CURRENTLY SERVES AS THE DIRECTOR OF NEBRASKA FARMS LLC. AND SUE ROUSH, SHE IS...SHE SERVED ON THE AMERICAN HEART ASSOCIATION-YORK, AMERICAN CANCER SOCIETY-YORK, YORKSHIRE PLAYHOUSE, YORK UNITED WAY, AND THE YORK CHAMBER AMBASSADOR BOARDS. SHE CURRENTLY WORKS FOR THE UNIVERSITY OF NEBRASKA-LINCOLN AS THE DIRECTOR OF MARKETING AND COMMUNICATIONS FOR UNL'S COLLEGE OF JOURNALISM AND MASS COMMUNICATIONS. THE GENERAL AFFAIRS COMMITTEE UNANIMOUSLY APPROVED ALL FOUR OF THESE

Floor Debate
May 28, 2015

MEMBERS TO THE NEBRASKA ARTS COUNCIL, AND I WOULD URGE THE BODY TO DO THE SAME. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SENATOR LARSON. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR LARSON WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1923.) 33 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE NEXT REPORT FROM HEALTH AND HUMAN SERVICES IS CRAIG TIMM TO THE FOSTER CARE ADVISORY COMMITTEE. (LEGISLATIVE JOURNAL PAGE 1876.)

PRESIDENT FOLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. TODAY THE COMMITTEE BRINGS FORWARD THE NAME OF CRAIG TIMM FOR THE FOSTER CARE ADVISORY COMMITTEE. MR. TIMM CURRENTLY SERVES AS THE CHAIR OF THAT COMMITTEE, SO THUS THIS IS A REAPPOINTMENT. AND WE MUST INDICATE TO YOU THAT THESE ARE THE ORIGINAL APPOINTMENTS AFTER THE LEGISLATURE MADE CHANGES IN THE FOSTER CARE ADVISORY OFFICE, AND, IN FACT, SENATOR KRIST BROUGHT THAT LEGISLATION FORWARD. AND WE COMMENDED EACH ONE OF THESE MEMBERS BECAUSE THEY HAVE DONE AN EXCEPTIONAL JOB OF RESTRUCTURING AND REFOCUSING THE FOSTER CARE REVIEW OFFICE. MR. TIMM IS A PROFESSIONAL PILOT WITH THE AVIATION DEPARTMENT OF VALMONT INDUSTRIES. HE ATTENDED BELLEVUE UNIVERSITY AND COURSES AND WORK OF BUSINESS MANAGEMENT. HE IS AN ADOPTIVE PARENT, ALTHOUGH NOT FROM THE FOSTER CARE SYSTEM, BUT IT WAS THROUGH THAT EXPERIENCE THAT HE BECAME INTERESTED IN THE FOSTER CARE AND IMPROVING FOSTER CARE FOR CHILDREN ALL ACROSS THE STATE; HAS SERVED ON A LOCAL FOSTER CARE REVIEW BOARD IN OMAHA. HE HAS BEEN A CASA IN DOUGLAS COUNTY AND IS A MENTOR AT THE HOPE CENTER. AND WE WOULD

Floor Debate
May 28, 2015

HIGHLY RECOMMEND MR. TIMM FOR THE WORK THAT HE HAS ACCOMPLISHED.
THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR CAMPBELL. DEBATE IS NOW OPEN ON
THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK,
SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE
CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE
NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1923-1924.) 33
AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE NEXT REPORT FROM HEALTH AND
HUMAN SERVICES IS TWO APPOINTMENTS TO THE COMMISSION FOR THE DEAF
AND HARD OF HEARING. (LEGISLATIVE JOURNAL PAGE 1876.)

PRESIDENT FOLEY: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON THE
CONFIRMATION REPORT.

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. AND I WILL TAKE A
MOMENT OF PERSONAL PRIVILEGE AGAIN TO THANK THE COMMITTEE CLERK,
BRENNEN MILLER, WHO IS CLERK TO THE HEALTH AND HUMAN SERVICES
COMMITTEE. WE HAVE, BY AND FAR, THE MOST GUBERNATORIAL
APPOINTMENTS BECAUSE OF THE LARGE NUMBER OF TASK FORCES AND
COMMISSIONS AND HE HAS DONE A STELLAR JOB IN GETTING THIS ORGANIZED
FOR US. OUR FIRST APPOINTEE IS NORMAN WEVERKA FROM BRAINARD,
NEBRASKA, WHICH IS A NEW APPOINTMENT. HE GREW UP ON A FARM AND
ATTENDED EAST BUTLER HIGH SCHOOL. HE HAS HAD A NUMBER OF JOB
EXPERIENCES. HE WORKED IN THE ART DEPARTMENT; HE WORKED FOR VOC
REHAB, FOR THE BARKLEY CENTER, THE LEAGUE OF HUMAN DIGNITY, AND THE
NEBRASKA SCHOOL OF THE DEAF. IT IS BECAUSE OF HIS ART TALENTS THAT HE
HAS ILLUSTRATED A COLORING BOOK FOR CHILDREN ON WHAT IT MEANS TO BE
DEAF OR HARD OF HEARING. AND THEY HAVE COPIES AT THE COMMISSION IF
YOU HAVE ANY CONSTITUENTS YOU THINK MIGHT ENJOY THAT. HE HAS BEEN
PRESIDENT OF THE OMAHA ASSOCIATION FOR THE DEAF FOR WELL OVER 30
YEARS AND SERVES AS THE SECRETARY FOR THE NEBRASKA ASSOCIATION FOR
THE DEAF. HE TOLD US THAT HE WAS MOST IMPRESSED WHEN HE CAME IN TO

Floor Debate
May 28, 2015

THE CAPITOL AND NOTICED THE STROBE-LIGHTING ALARMS FOR FIRE. BECAUSE FOR PEOPLE WHO ARE DEAF OR HARD OF HEARING, THAT IS CERTAINLY A BIG CONCERN, AND HE HAS BEEN INSTRUMENTAL IN WORKING WITH THE STATE FIRE MARSHAL. HE ALSO BELIEVES THAT EDUCATION IS THE KEY FOR ALL CHILDREN IN OUR STATE, AND PARTICULARLY THOSE WHO ARE DEAF AND HARD OF HEARING. WE CERTAINLY ENCOURAGE YOUR YES VOTE. OUR SECOND AND LAST NOMINEE BEFORE YOU THIS YEAR IS STACIE RAY FROM LINCOLN. STACIE TEACHES AT UNL AS AN ASSOCIATE PROFESSOR OF AUDIOLOGY. SHE CAME TO HAVE AN INTEREST IN SERVING ON THE COMMISSION FOR THE DEAF AND HARD OF HEARING BECAUSE HER SON BECAME VERY ILL AT FIVE MONTHS AND IS NOW 25 AND WAS THE FIRST COCHLEAR IMPLANT STUDENT AT LPS. SHE BELIEVES THAT NEBRASKA IS ONE OF THE GREATEST STATES FOR PEOPLE WHO HAVE DEAF OR HARD OF HEARING CHALLENGES BECAUSE SHE BELIEVES IT IS THE STRENGTH OF THE DEAF COMMUNITY IN NEBRASKA THAT MAKES THAT POSSIBLE. SHE RECEIVED HER UNDERGRADUATE DEGREE AT UNK, HER MASTER'S DEGREE AT UNL, AND A DOCTORATE OF AUDIOLOGY FROM SALUS UNIVERSITY IN PENNSYLVANIA. AND SHE TOLD THE HEALTH AND HUMAN SERVICES COMMITTEE THAT ONE OF THE PROBLEMS SHE WANTS TO WORK ON, UNDER THE COMMISSION, IS THE LACK OF AUDIOLOGISTS IN THE WESTERN PART OF THE STATE. THERE ARE ONLY TWO AUDIOLOGISTS WEST OF KEARNEY. SHE HAS A GREAT COMMITMENT TO THE CAUSE. AND WE ARE PLEASED TO PRESENT THESE TWO NOMINEES. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR CAMPBELL. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1924.) 34 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE NEXT REPORT FROM THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE IS MATT ENENBACH TO THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION. (LEGISLATIVE JOURNAL PAGE 1882.)

Floor Debate
May 28, 2015

PRESIDENT FOLEY: SENATOR MURANTE, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD MORNING. MATTHEW ENENBACH GRADUATED WITH A BACHELORS OF ARTS DEGREE FROM DePAUW UNIVERSITY IN 2001, AND RECEIVED HIS JD FROM CREIGHTON LAW SCHOOL IN 2004. MR. ENENBACH IS A MEMBER OF KUTAK ROCK'S PRODUCT LIABILITY, MASS TORTS, AND PERSONAL INJURY LITIGATION GROUP. AND PRIOR TO JOINING KUTAK ROCK, MR. ENENBACH WAS AN ASSISTANT ATTORNEY GENERAL FOR THE STATE OF NEBRASKA WHERE HE WAS A MEMBER OF THE CRIMINAL BUREAU. MR. ENENBACH WAS NOMINATED BY SECRETARY OF STATE GALE; HAS RECEIVED THE HIGHEST RATING FOR LEGAL ABILITY AND ETHICAL STANDARDS IN THE AREA OF LITIGATION, PRODUCTS LIABILITY, AND PERSONAL INJURY. HE WAS ADVANCED OUT OF THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE UNANIMOUSLY. AND I WOULD URGE YOUR SUPPORT FOR HIM TODAY. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR MURANTE. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR MURANTE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1925.) 38 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE GOVERNMENT COMMITTEE REPORT ON RICHARD GRAUERHOLZ TO THE STATE EMERGENCY RESPONSE COMMISSION. (LEGISLATIVE JOURNAL PAGE 1882.)

PRESIDENT FOLEY: SENATOR MURANTE, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD MORNING. RICHARD GRAUERHOLZ HAS BEEN APPOINTED TO THE STATE EMERGENCY RESPONSE COMMISSION. HE GREW UP IN ASHLAND, NEBRASKA; GRADUATED

Floor Debate
May 28, 2015

FROM ASHLAND HIGH SCHOOL. JOINED THE ASHLAND VOLUNTEER FIRE DEPARTMENT AND RESCUE SQUAD IN 1975, AND HAS BEEN A MEMBER EVER SINCE. HE HAS RECENTLY RETIRED FROM THE STATE FIRE MARSHAL'S OFFICE OF OVER 30 YEARS IN THE TRAINING DIVISION. HE CURRENTLY SERVES AS THE MAYOR OF ASHLAND. MR. GRAUERHOLZ ALSO RECEIVED UNANIMOUS SUPPORT FROM THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE. AND I WOULD URGE YOUR CONFIRMATION OF HIS APPOINTMENT. THANK YOU, MR. PRESIDENT

PRESIDENT FOLEY: THANK YOU, SENATOR MURANTE. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR MURANTE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1925-1926.) 36 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE GOVERNMENT COMMITTEE WOULD REPORT ON AN APPOINTEE TO THE STATE PERSONNEL BOARD. (LEGISLATIVE JOURNAL PAGE 1882.)

PRESIDENT FOLEY: SENATOR MURANTE, YOU'RE WELCOME TO OPEN ON THE CONFIRMATION REPORT.

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD MORNING. PATRICK GUINAN HAS RECEIVED THE APPOINTMENT BY THE GOVERNOR TO THE STATE PERSONNEL BOARD. PATRICK GUINAN GRADUATED WITH A BACHELOR OF SCIENCE DEGREE IN ECONOMICS FROM THE UNIVERSITY OF NEBRASKA AT LINCOLN IN 1990 AND RECEIVED HIS JD FROM THE UNIVERSITY OF NEBRASKA COLLEGE OF LAW IN 1993. MR. GUINAN JOINED ERICKSON SEDERSTROM IN 1998, AFTER HAVING SERVED AS A DEPUTY DOUGLAS COUNTY ATTORNEY. HE'S A MEMBER OF THE NEBRASKA MEN'S SOCCER LEAGUE, ST. VINCENT de PAUL'S YOUTH SPORTS CLUB, AND THE OMAHA BAR ASSOCIATION. MR. GUINAN RECEIVED UNANIMOUS SUPPORT OF THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE. AND I WOULD ENCOURAGE YOUR APPROVAL OF HIS CONFIRMATION TODAY. THANK YOU, MR. PRESIDENT.

Floor Debate
May 28, 2015

PRESIDENT FOLEY: THANK YOU, SENATOR MURANTE. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR MURANTE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1926.) 37 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE GOVERNMENT COMMITTEE WOULD REPORT ON TIM HRUZA TO THE ACCOUNTABILITY AND DISCLOSURE COMMISSION. (LEGISLATIVE JOURNAL PAGE 1883.)

PRESIDENT FOLEY: SENATOR MURANTE, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR MURANTE: THANK YOU, MR. PRESIDENT; MEMBERS, GOOD MORNING. TIMOTHY HRUZA HAS BEEN APPOINTED TO THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION. HE GRADUATED WITH A BACHELOR OF SCIENCE DEGREE FROM THE UNIVERSITY OF NEBRASKA AT KEARNEY IN 2009, AND RECEIVED HIS JD GRADUATING WITH DISTINCTION FROM THE UNIVERSITY OF NEBRASKA-LINCOLN LAW SCHOOL IN 2012, WHERE, EVIDENTLY, HE ROOMED WITH SENATOR MORFELD. AS MUCH A CONCERN THAT WAS, HE STILL WAS APPROVED UNANIMOUSLY BY THE GOVERNMENT, MILITARY AND VETERAN AFFAIRS COMMITTEE DUE TO HIS SERVICE ON THE BOARD OF DIRECTORS FOR THE HEARTLAND CHAPTER OF THE AMERICAN RED CROSS AND AS SECRETARY FOR THE TRINITY UNITED METHODIST CHURCH ENDOWMENT COMMITTEE. SO I ENCOURAGE YOUR SUPPORT OF THE CONFIRMATION OF TIMOTHY HRUZA TO THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR MURANTE. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR MURANTE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

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Floor Debate
May 28, 2015

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1927.) 33 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, NATURAL RESOURCES WOULD REPORT ON SIX APPOINTEES TO THE ENVIRONMENTAL EQUALITY COUNCIL. (LEGISLATIVE JOURNAL PAGE 1888.)

PRESIDENT FOLEY: SENATOR SCHILZ, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. I BRING BEFORE YOU SIX CONFEREES FROM THE NEBRASKA ENVIRONMENTAL QUALITY COUNCIL. MR. DOUG ANDERSON FROM AURORA, WHO IS A REAPPOINTMENT, WHO'S THE AG PROCESSING INDUSTRY REPRESENTATIVE; JEREMY BUHL FROM OMAHA, WHICH IS A NEW APPOINTMENT FROM THE CHEMICAL INDUSTRY REPRESENTATIVE; DENNIS GRAMS FROM LINCOLN, WHO IS A NEW APPOINTMENT AS WELL, FROM THE PROFESSIONAL ENGINEER REPRESENTATIVE; JOHN KINTER FROM NORFOLK, HE'S A REAPPOINTMENT, HE'S THE HEAVY INDUSTRY REPRESENTATIVE; DR. RONALD SHEPPARD FROM CALLAWAY, HE'S A REAPPOINTMENT, AND A PHYSICIAN REPRESENTATIVE; AND JOHN TURNBULL FROM YORK, WHO IS A REAPPOINTMENT, AND HE'S A CONSERVATION REPRESENTATIVE. AND THE COMMITTEE VOTED UNANIMOUSLY TO SEND ALL THESE NAMES TO THE FLOOR. AND WITH THAT, I WOULD APPRECIATE YOUR SUPPORT. THANK YOU VERY MUCH.

PRESIDENT FOLEY: THANK YOU, SENATOR SCHILZ. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR SCHILZ WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1927-1928.) 36 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

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Transcriber's Office

Floor Debate
May 28, 2015

ASSISTANT CLERK: MR. PRESIDENT, NATURAL RESOURCES WOULD APPOINT ON FRANK REIDA TO THE NEBRASKA POWER REVIEW BOARD. (LEGISLATIVE JOURNAL PAGE 1888.)

PRESIDENT FOLEY: SENATOR SCHILZ, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. YES, WE HAD A HEARING ON FEBRUARY 27 FOR FRANK REIDA FOR THE POWER REVIEW BOARD. HE IS A REAPPOINTMENT; HE IS CURRENTLY VICE CHAIR OF THAT COMMITTEE...VICE CHAIR OF THE BOARD. HE'S THE ATTORNEY REPRESENTATIVE ON THE BOARD. AND THE COMMITTEE VOTE WAS UNANIMOUS, SO I WOULD ASK FOR YOUR GREEN VOTE FOR FRANK REIDA FOR THE POWER REVIEW BOARD. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR SCHILZ. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR SCHILZ WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 1928-1929.) 37 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT, MR. PRESIDENT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK, ARE THERE ITEMS FOR THE RECORD?

ASSISTANT CLERK: MR. PRESIDENT, THERE ARE, THANK YOU. NEW RESOLUTIONS: LR371 BY SENATOR KOLTERMAN; LR372 BY SENATOR MELLO AND OTHERS; THOSE WILL BE LAID OVER. THAT'S ALL I HAVE AT THIS TIME. [LR371 LR372]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. WE'LL NOW PROCEED TO THE NEXT ITEM ON THE AGENDA--LEGISLATIVE RESOLUTION. MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, LR338 WAS INTRODUCED BY SENATOR DAVIS. IT URGES THE FEDERAL RAILROAD ADMINISTRATION TO ADOPT A RULE REQUIRING A TRAIN CREW OF AT LEAST TWO INDIVIDUALS WHENEVER A TRAIN

Floor Debate
May 28, 2015

OR LIGHT ENGINE IS USED IN CONNECTION WITH THE MOVEMENT OF FREIGHT. THE RESOLUTION WAS REFERRED TO THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE. THAT COMMITTEE FORWARDED THE RESOLUTION TO THE FULL LEGISLATURE FOR FURTHER CONSIDERATION WITH A COMMITTEE AMENDMENT. (AM1745, LEGISLATIVE JOURNAL PAGE 1904.) [LR338]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR DAVIS, YOU'RE RECOGNIZED TO OPEN ON YOUR LEGISLATIVE RESOLUTION. [LR338]

SENATOR DAVIS: THANK YOU, MR. SPEAKER, MEMBERS OF THE LEGISLATURE. LR338 WOULD URGE THE FEDERAL RAIL ADMINISTRATION TO ADOPT A FINAL RULE ON APPROPRIATE TRAIN CREW SIZE FOR FREIGHT OPERATIONS, TAKING INTO ACCOUNT THE VOLUME AND TYPES OF FREIGHT CROSSING THE COUNTRY AND THE POTENTIAL FOR INCREASING SAFETY BY REQUIRING MULTIPLE CREW MEMBERS. IN APRIL OF 2014, IN RESPONSE PARTLY TO THE JULY 2013 CRUDE OIL TRAIN DISASTER IN QUEBEC WHICH KILLED 47 PEOPLE, THE FRA ANNOUNCED THE INTENTION TO ISSUE A RULE REQUIRING TWO-PERSON CREWS ON CRUDE OIL TRAINS AND ESTABLISHING MINIMUM CREW SIZE STANDARDS FOR MOST MAINLINE FREIGHT AND PASSENGER RAIL OPERATIONS. THE ORIGINAL PROPOSED PUBLICATION DATE FOR THE RULE WAS APRIL 16, 2015, BUT HAS BEEN PUSHED BACK TO JUNE 10. THE COMMENT PERIOD WOULD END ON AUGUST 10 AFTER WHICH THE RULE WOULD BE PREPARED FOR FINAL PUBLICATION. I HAVE HANDED OUT TO YOU A PRESS RELEASE ON THE ORIGINAL ANNOUNCEMENTS OF THE PROPOSED RULE AS WELL AS AN UPDATE OF ITS CURRENT STATUS. THIS YEAR I INTRODUCED LB192, A BILL THAT WOULD REQUIRE RAIL CREWS INVOLVED IN THE MOVEMENT OF FREIGHT TO OPERATE WITH AT LEAST TWO CREW MEMBERS. AS I SHARED WITH THE TRANSPORTATION COMMITTEE DURING THE PUBLIC HEARING ON THAT BILL IN FEBRUARY, WE ARE SECOND ONLY TO WYOMING IN THE NUMBER OF TONS OF FREIGHT ORIGINATED, TERMINATED, OR PASSED THROUGH THE STATE. OUR RAIL LINES ARE CONGESTED WITH TONS OF NOT JUST COAL, BUT ETHANOL, ANHYDROUS AMMONIA, BENZENE, BAKKEN OIL, AND OTHER INHERENTLY DANGEROUS CHEMICALS. THE COLORED MAP THAT I WILL BE HANDING OUT TO YOU GIVES YOU A GOOD VISUAL OF THE INCREDIBLE VOLUME OF FREIGHT THAT TRAVELS THROUGH NEBRASKA. AT THE LB192 HEARING, WE ALSO HEARD TESTIMONY FROM RAIL EMPLOYEES WITHIN OUR STATE WHO HAVE PERSONALLY EXPERIENCED SITUATIONS WHERE THEY BELIEVED A SECOND CREW MEMBER EITHER DID OR COULD HAVE PREVENTED A DIRE INDUSTRY SITUATION AND SAFETY PROBLEM. WITH THE INTRODUCTION OF POSITIVE TRAIN CONTROL TECHNOLOGY, RAILS COMPANIES ARE CONSIDERING REDUCING THEIR CREW

Floor Debate
May 28, 2015

SIZE TO ONE CREW MEMBER WHEN POSSIBLE. THIS IS A RISKY DEVELOPMENT FOR PUBLIC SAFETY IN NEBRASKA, PARTICULARLY IN LIGHT OF THE HAZARDOUS TYPES OF FREIGHT THAT ARE BEING HAULED THROUGH OUR STATE AND OUR DEPENDENCE ON RAIL TO TRANSPORT THEM. WHILE WE ALL RELY ON TECHNOLOGY EVERY DAY, THERE ARE REASONS WHY FAIL-SAFE METHODS ARE INVOLVED IN MUCH OF PUBLIC TRANSPORT. WE LEARNED THE HARD WAY AFTER THE RECENT PLANE CRASH IN FRANCE WHY TWO PILOTS SHOULD BE REQUIRED TO BE IN THE COCKPIT OF AN AIRLINER AT ALL TIMES. BUT HINDSIGHT KNOWLEDGE DOESN'T BRING BACK THE DEAD. THE RECENT FATAL AMTRAK DISASTER IN PHILADELPHIA WHICH WAS DUE TO EXCESSIVE SPEED AROUND A CURVE MIGHT HAVE BEEN PREVENTED WITH SOMEONE ELSE STANDING IN THE CABIN OF THE LOCOMOTIVE RATHER THAN IN BACK. CURRENT RULES LIMIT THE ABILITY OF THE ENGINEER ON A FREIGHT TRAIN TO EXIT THE LOCOMOTIVE, NECESSITATING A CONDUCTOR WHOSE JOB IT IS TO MANAGE THE TRAIN ITSELF. FINALLY, THE ISSUE OF FATIGUE IS ALWAYS ONE FACING THE MEN AND WOMEN WHO OPERATE OUR RAIL SYSTEMS, AND A SECOND PERSON TO TALK TO REALLY COULD HELP KEEP A HORRIFIC ACCIDENT FROM HAPPENING. AT BOTH THE HEARING FOR THE BILL AND THE RESOLUTION, WE HEARD ABOUT THE MULTIPLE DUTIES REQUIRED OF BOTH THE ENGINEER AND THE CONDUCTOR ON A TRAIN WHICH REQUIRES THE FULL ATTENTION OF BOTH INDIVIDUALS FOR SAFE OPERATION OF THE LOCOMOTIVE AND THE QUARTER-MILE LONG TRAIN WHICH FOLLOWS THE LOCOMOTIVE. LB192 WAS NOT ADVANCED BY THE TRANSPORTATION COMMITTEE. I INTRODUCED LR338 AS A LESS BINDING ALTERNATIVE TO THE BILL THAT WOULD STILL ALLOW US AS A STATE TO LEAD OUT ON THIS CRITICAL SAFETY ISSUE OF APPROPRIATE TRAIN CREW SIZE. SENATOR SMITH AND THE COMMITTEE LEGAL COUNSEL WERE INSTRUMENTAL IN HELPING CRAFTING THE LANGUAGE IN THIS RESOLUTION TO ENCOURAGE THE FRA TO ADDRESS SAFETY CONCERNS RELATED TO CREW SIZE RATHER THAN IDENTIFYING A SPECIFIC SIZE OF A CREW, WHICH WILL BE INTRODUCED IN THE COMMITTEE AMENDMENT. MY INTENT WAS TO MAKE THE LANGUAGE ACCEPTABLE TO THE BOTH THE RAILROADS AND THE UNIONS BY STRIKING A MORE MEASURED TONE. AND WHILE NEITHER SIDE IS COMPLETELY SATISFIED, WE FEEL IT IS A GOOD COMPROMISE WHICH IS THE NATURE OF THE WORK OF THE LEGISLATURE. THE RESOLUTION WAS APPROVED BY THE TRANSPORTATION COMMITTEE ON A VOTE OF 6-0 WITH 2 MEMBERS ABSENT. A TOTAL OF 35 SENATORS HAVE COSIGNED THIS MEASURE, AND I WOULD WELCOME MY REMAINING COLLEAGUES TO SIGN ON AS WELL. THIS WILL SEND AN EVEN STRONGER MESSAGE TO THE FRA THAT NEBRASKA, AS THE STATE WITH SECOND BUSIEST RAIL LINE IN THE NATION, ENCOURAGES THEM TO PRIORITIZE THE SAFETY OF THE COMMUNITIES BOTH RURAL AND URBAN THAT

Floor Debate
May 28, 2015

LINE THE RAILWAYS OF OUR GREAT STATE. I WOULD URGE THE ADOPTION OF THE COMMITTEE AMENDMENTS AND THE ADOPTION OF THE RESOLUTION. THANK YOU VERY MUCH. [LR338 LB192]

PRESIDENT FOLEY: THANK YOU, SENATOR DAVIS. DEBATE IS NOW OPEN ON LR338. SENATOR RIEPE...MR. CLERK. [LR338]

ASSISTANT CLERK: MR. PRESIDENT, THERE IS A COMMITTEE AMENDMENT FROM THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE. [LR338]

PRESIDENT FOLEY: SENATOR SMITH, YOU'RE RECOGNIZED TO OPEN ON THE AMENDMENT. [LR338]

SENATOR SMITH: THANK YOU, MR. PRESIDENT, AND AGAIN, GOOD MORNING, COLLEAGUES. THE COMMITTEE AMENDMENT MAKES TWO CHANGES TO THE RESOLUTION. FIRST, THE LAST "WHEREAS" IN THE RESOLUTION CLAUSE IS REPLACED WITH LANGUAGE QUOTING THE FORMER HEAD OF THE FEDERAL RAILROAD ADMINISTRATION ON HIS VIEW REGARDING THE SAFETY IMPLICATIONS OF APPROPRIATE TRAIN CREW SIZE. SECONDLY, THE FIRST RESOLVED CLAUSE IN THE RESOLUTION IS REPLACED WITH THE LANGUAGE THAT STEPS BACK FROM ASKING THE FRA TO ADOPT A RULE WHICH MANDATES TWO-PERSON FREIGHT CREWS TO LANGUAGE WHICH URGES THE FRA WITH THEIR EXPERTISE TO CAREFULLY REVIEW THE COMMENTS AND EVIDENCE PROVIDED BY ALL INTERESTED PARTIES TO COMPLETE THE RULE-MAKING AND TO ADOPT A FINAL RULE ON APPROPRIATE TRAIN CREW SIZE THAT ENSURES PUBLIC SAFETY AND PROMOTES THE EFFICIENT MOVEMENT OF FREIGHT WHILE SUPPORTING INTERSTATE COMMERCE. AS I STATED EARLIER, THE FRA IS THE BODY WHERE THE DECISION SHOULD BE ULTIMATELY MADE. THEY HAVE THE EXPERTISE. THEY HAVE THE KNOWLEDGE AND THE EVIDENTIARY RECORD TO MAKE AN INFORMED, REASONED, AND APPROPRIATE DECISION. IT IS AN IMPORTANT DECISION THAT AFFECTS COMMERCE IN BOTH NEBRASKA AND THE ENTIRE NATION. WHILE I STRONGLY BELIEVE THAT LB192 WAS NOT AN APPROPRIATE POLICY FOR THE STATE TO IMPLEMENT, I DO BELIEVE THAT THIS LEGISLATION, GOING ON RECORD ASKING THE APPROPRIATE FEDERAL AGENCY TO COMPLETE THEIR WORK AND DECIDE THIS ISSUE, IS AN APPROPRIATE STEP FOR US TO TAKE. I DO WANT TO BE CLEAR THAT I BELIEVE THAT THE RAILROADS OPERATING IN NEBRASKA, IN THIS STATE, ARE OPERATING IN A SAFE MANNER. ALL FREIGHT MOVEMENT OCCURS IN TRAINS OPERATED WITH TWO INDIVIDUALS IN THE CAB. AND TO DATE, AND THAT IS WHAT LABOR

Floor Debate
May 28, 2015

AGREEMENTS IN PLACE CALL FOR. THE FRA REPORTS THAT OUR FREIGHT RAILROADS ARE OPERATING AT THE HIGHEST SAFETY LEVELS IN HISTORY; 2014 WAS SAFEST YEAR ON RECORD FOR FREIGHT OPERATIONS IN THE HISTORY OF THE UNITED STATES. THE RAILROADS HAVE LOWER EMPLOYEE INJURY RATES THAN ANY OTHER MODE OF TRANSPORTATION IN THIS ENTIRE COUNTRY. THERE IS A RECORD OF SAFE OPERATION THAT BOTH THE RAILROADS AND THEIR EMPLOYEES SHOULD BE VERY PROUD OF. I WANTED TO MAKE CERTAIN TO THANK THE RAILROADS FOR THEIR INVESTMENT IN OUR STATE. WE'RE SO PROUD TO HAVE UNION PACIFIC HEADQUARTERED IN NEBRASKA. THANK YOU FOR THEIR INVESTMENT AND IN BURLINGTON NORTHERN'S INVESTMENT IN OUR STATE, IN OUR FAMILIES AND OUR WORKERS. THE RAILROADS ARE A PRIMARY DRIVER IN OUR ECONOMY. I ALSO WANT TO THANK THE RAILROAD WORKERS FOR THEIR SERVICES IN OUR COMMUNITIES AND THEIR EFFORTS TO KEEPING THE RAILROADS OPERATING SAFELY. COLLEAGUES, WE'RE MOVING INTO A VERY BRAVE AND STRANGE NEW WORLD THAT MERGES TRANSPORTATION AND TECHNOLOGY. WE SEE THIS WITH THE TNC BILL THAT WE HAD EARLIER THIS YEAR, RIDE SHARING. WE SEE THIS WITH TESTING OF DRIVERLESS CARS AND TECHNOLOGY-ASSISTED FREIGHT HAULING IN THE TRUCKING INDUSTRY. THIS RESOLUTION ASKS THE FEDERAL AGENCY WITH JURISDICTION OVER RAILROADS TO CONSIDER THESE FACTORS AND TO PROVIDE THEIR EXPERTISE AND THEIR GUIDANCE AND NOT TO LEAVE IT TO INDIVIDUAL STATES TO CREATE A PATCHWORK OF SOLUTIONS FOR OUR COUNTRY. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LR338]

PRESIDENT FOLEY: THANK YOU, SENATOR SMITH. DEBATE IS NOW OPEN ON THE LEGISLATIVE RESOLUTION AND THE PENDING AMENDMENT. SENATOR RIEPE, YOU'RE RECOGNIZED. [LR338]

SENATOR RIEPE: MR. PRESIDENT, THANK YOU, AND MEMBERS OF THIS AUGUST GROUP, ALONG WITH RAILROADERS AND THE NEBRASKANS THAT HAPPEN TO BE VIEWING THIS MORNING. SENATOR DAVIS AND I HAVE HAD THIS CONVERSATION OFF MIKE, BUT I SIMPLY WANTED TO HAVE IT IN THE RECORD. MY PIECE IS, OR MY CONSIDERATION, MY BELIEF IS THAT THIS IS AN ISSUE BETWEEN MANAGEMENT AND LABOR AND NEEDS TO BE RESOLVED AT THAT LEVEL AND NOT AT THE LEGISLATIVE LEVEL. CERTAINLY MANAGEMENT UNDERSTANDS THE LIABILITY THAT THEY HAVE, THE CONTINGENT LIABILITY. SO I JUST THINK IT'S...NOT JUST ON THIS PARTICULAR RESOLUTION, BUT OTHERS THAT INTERVENE BETWEEN MANAGEMENT AND LABOR, I THINK, ARE TREADING ON THIN ICE IF YOU WILL. THANK YOU, SIR. [LR338]

Floor Debate
May 28, 2015

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: THANK YOU, SENATOR RIEPE. SENATOR GROENE, YOU'RE RECOGNIZED. [LR338]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. THE MAP THAT SENATOR DAVIS, I'M ASSUMING, PASSED OUT, THERE'S NO INITIAL ON IT. YOU SEE THAT RED? THAT'S NORTH PLATTE, NEBRASKA. THAT'S THE LARGEST CLASSIFICATION RAIL YARD IN THE WORLD. IMAGINE A HUB OF A WHEEL, OF A SPOKED WHEEL. FREIGHT FROM ALL DIRECTIONS COMES TO NORTH PLATTE. TRAINS ARE BROKEN APART FROM DETROIT WITH AUTOMOBILES, COAL FROM THE COAL FIELDS, GRAIN. AND THEY ARE RECONFIGURED THERE AND SENT OUT. SENATOR SMITH MADE OUR POINT WHY A TWO-MAN CREW IS IMPORTANT: SAFEST MODE OF TRANSPORTATION IN THE UNITED STATES. PART OF THAT IS WE HAVE TWO-MAN CREWS. IT IS NECESSARY, THE GOVERNMENT REGULATES TRUCKING HOURS WHEN TRUCKS ARE ON THE ROAD. TWO-MAN CREWS ARE OFTEN MANDATED BECAUSE OF HOW MANY HOURS THEY CAN DRIVE. IN THE YEARS I'VE LIVED AROUND THE NORTH PLATTE AREA, WE'VE HAD ACCIDENTS. WE'VE HAD SITUATIONS WHERE SOMEBODY BECAME ILL, HAD HEART ATTACKS, GPS DIDN'T WORK ACCURATELY. TWO-MAN CREWS MADE THE DIFFERENCE. IT'S A SAFETY ISSUE. I WOULD MUCH PREFER THIS TO COME THROUGH THE TRANSPORTATION COMMITTEE SO WE COULD ASSURE ONE OF OUR HUGEST EMPLOYERS IN THE STATE OF NEBRASKA. SENATOR SMITH MENTIONED BNSF. HE FORGOT THE LARGEST: UP, HEADQUARTERS IN OMAHA. THEY...THAT IS THEIR CLASSIFICATION YARD IN NORTH PLATTE. THIS IS CRITICAL, AND I TOLD THE UNIONS THAT I AM FOR THIS BECAUSE OF SAFETY. AND DON'T THINK...I'VE TALKED TO ELECTRICIAN, WORKS FOR THE RAILROAD, GE, HE SAID THEY'RE WIRING THE TRAINS ALREADY FOR ONE-MAN CREWS. THEY ARE GETTING READY. AND I UNDERSTAND MANAGEMENT'S VIEW OF MONEY. BUT I DON'T THINK ONE INDIVIDUALS NEEDS TO MAKE A BILLION MORE DOLLARS AND TAKE AWAY THE LIVELIHOODS OF 500 TO 1,000 FAMILIES AND ALSO RISK SAFETY. LOOK AT THAT MAP. THAT'S NORTH PLATTE. MORE TONNAGE GOES OVER THE RAILS COMING IN AND OUT OF NORTH PLATTE PER DAY THAN IN ANY RAIL IN THE WORLD. AND IT'S NOT JUST COAL. IT'S GRAIN, AUTOMOBILES, REFRIGERATION UNITS. THAT'S WHERE THE HUB IS: NORTH PLATTE, NEBRASKA. THE RAILROAD HAS BEEN GOOD TO NEBRASKA AND TO ITS EMPLOYEES, BUT WE NEED TO CONSIDER SAFETY TOO. WE REALLY NEED TO CONSIDER SAFETY. I WILL VOTE FOR LR338. I'M NOT SURE ABOUT THE AMENDMENT. IT'S TAKES A LOT OF TEETH OUT OF IT. BUT IT'S A START. BUT THIS NEEDS TO COME OUT OF THE COMMITTEE. LET THE PEOPLE...THE SENATORS VOTE YES OR NO ON THIS NEXT

Floor Debate
May 28, 2015

YEAR. IT'S A GOOD BILL, SENATOR DAVIS' BILL. WE NEED TO BE IN THE FOREFRONT OF THIS SAFETY. WE CANNOT RELY ON GPS. ANYBODY WHO'S BEEN AROUND THE STUFF IN AGRICULTURE OR ANY OTHER USES, IT'S NOT RELIABLE. AND THAT'S EVENTUALLY WHERE THEY WANT TO GO. NO CREW AT ALL. IT'S CAPABLE... [LR338]

SPEAKER HADLEY: ONE MINUTE. [LR338]

SENATOR GROENE: ...THERE'S CAPABILITY TO DO IT NOW. I TRUST HUMAN DECISIONS MORE THAN I DO MECHANICAL. SO CONSIDER IT. AND THIS A GOOD START, A GOOD MESSAGE TO SEND TO THE RAILROAD CORPORATIONS. AND I WILL...AND UP HAS BEEN GOOD. THEY HAVEN'T TRIED TO DO ANYTHING YET. BNSF HAS MADE AN ATTEMPT TO ELIMINATE TWO-MAN CREWS IN CERTAIN SITUATIONS. BUT WE NEED TO SEND A MESSAGE. AND QUITE FRANKLY, FOLKS, THEY CAN'T MOVE OUT OF STATE. THE RAILS ARE THERE, WE ARE THE HUB. JOBS CAN'T BE TAKEN SOMEWHERE ELSE LIKE THREATS OF OTHERS. AND THEY HAVEN'T THREATENED. THEY'VE BEEN GOOD CITIZENS. BUT WE NEED TO SEND THE MANAGEMENT OF THESE RAILROADS THAT, HEY, WE RESPECT SAFETY AND WE WANT YOU TO TAKE THAT INTO CONSIDERATION IN DECISIONS. THANK YOU. [LR338]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE. SENATOR LARSON, YOU'RE RECOGNIZED. [LR338]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. WILL SENATOR SMITH YIELD TO A QUESTION? [LR338]

SPEAKER HADLEY: WILL SENATOR SMITH YIELD? [LR338]

SENATOR SMITH: YES, I WILL. [LR338]

SENATOR LARSON: THANK YOU, SENATOR SMITH. I JUST WANT TO DOUBLE-CHECK FOR THE RECORD. IF WE ADOPT AM1745 BECAUSE AS I READ THE AGENDA, IT READS TO URGE THEM TO ADOPT A TWO-MAN CREW. BUT AM1745 WILL ACTUALLY CHANGE IT TO WHERE WE JUST URGE THEM TO ADOPT SOME...THE APPROPRIATE REGULATIONS, NOT NECESSARILY A TWO-MAN CREW OR ONE-MAN CREW. IT JUST URGES THEM TO ADOPT STANDARDS, RIGHT? [LR338]

Floor Debate
May 28, 2015

SENATOR SMITH: YOU'RE CORRECT, SENATOR LARSON. THIS IS ONE OF THE ISSUES. APPROPRIATE SIZING OF CREWS IS ONE OF THE ISSUES UNDER THE JURISDICTION OF THE FRA. AND THAT'S WHY IN THE COMMITTEE AMENDMENT WE ARE ASKING THAT IT BE ADOPTED. AND IF YOU DON'T MIND ME TAKING A MINUTE HERE... [LR338]

SENATOR LARSON: YEP. [LR338]

SENATOR SMITH: ...TO READ THIS, "THAT THE LEGISLATURE URGES THE FEDERAL RAILROAD ADMINISTRATION TO CAREFULLY REVIEW THE COMMENTS AND EVIDENCE PRODUCED BY ALL INTERESTED PARTIES, COMPLETE THE RULEMAKING PROCESS, AND ADOPT A FINAL RULE ON APPROPRIATE TRAIN CREW SIZE THAT ENSURES PUBLIC SAFETY AND PROMOTES THE EFFICIENT MOVEMENT OF FREIGHT, WHILE SUPPORTING INTERSTATE COMMERCE." [LR338]

SENATOR LARSON: THANK YOU, SENATOR SMITH. AND I THINK THAT ALLEVIATES MY CONCERNS OF THE OVERALL RESOLUTION TO A CERTAIN EXTENT. I WOULDN'T HAVE SUPPORTED US URGING A TWO-MAN CREW. AND AS MUCH AS I CAN APPRECIATE SENATOR DAVIS AND SENATOR GROENE AND SENATOR GROENE TALKING ABOUT TRUSTING HUMAN DECISIONS, WHEN IT COMES TO LOGICAL THINKING AND THINGS OF THAT NATURE, I, TOO, REALLY TRUST HUMAN DECISIONS. AND I DON'T THINK THAT TRAINS SHOULD BE FULLY AUTOMATED, THAT NO HUMAN SHOULD BE IN THERE. BUT AT THE SAME TIME, I LOOK AT INSTANCES THAT HAVE HAPPENED AROUND THE WORLD AND HUMAN DECISIONS OR HUMAN MISTAKES THAT GAVE US THINGS LIKE CHERNOBYL AND THREE MILE ISLAND. OR WE CAN LOOK AT...SENATOR MURANTE MIGHT GET UP AND TALK ABOUT ELECTION EQUIPMENT AND HOW MUCH BETTER THE AUTOMATED MACHINES ARE VERSUS HAND COUNTING. SO I THINK AT A CERTAIN EXTENT WHEN WE REALLY TALK ABOUT SAFETY, YOU HAVE TO UNDERSTAND THAT WHEN WE'RE MOVING INTO THE FUTURE, THAT SOMETIMES TRUE SAFETY DOES LIE WITHIN AUTOMATION. AND THAT'S UNFORTUNATE, BUT AS I SAID, I DON'T SUPPORT GETTING RID OF ALL OF THE CREW IN AND OF THEMSELVES, BUT MANDATING A TWO-MAN CREW I'M NOT SURE MAKES THE TRAINS ANY SAFER THAN THEY CURRENTLY ARE. THANK YOU, MR. PRESIDENT. [LR338]

SPEAKER HADLEY: THANK YOU, SENATOR LARSON. THOSE IN THE QUEUE: SENATORS GLOOR, STINNER, DAVIS, SEILER, AND JOHNSON. SENATOR GLOOR, YOU'RE RECOGNIZED. [LR338]

Floor Debate
May 28, 2015

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. GOOD MORNING, MEMBERS. I'M SURE THE BODY HAS NOTICED SENATOR GROENE AND I HAVE A LOT IN COMMON THIS PAST SESSION, LIKE TWO PEAS IN A POD. MAYBE THE BIGGEST DIFFERENCE IS HIS GRAY HAIR, AND MINE ISN'T YET. WE ALSO SHARE IN COMMON, AMONG THOSE THINGS WE SHARE IN COMMON, IS A LOT OF RAILROAD TRAFFIC THROUGH OUR COMMUNITIES. AND, IN FACT, HE AND I COULD SIT DOWN AND TALK ABOUT THE IMPACT OF TRAIN TOURISM IN OUR COMMUNITIES. A LOT OF PEOPLE COME TO NORTH PLATTE TO LOOK AT THE BAILEY YARD. AND SURPRISINGLY ENOUGH, A LOT OF PEOPLE COME TO GRAND ISLAND BECAUSE THE INTERSECTION OF THE BURLINGTON LINE AND THE UNION PACIFIC LINE IN GRAND ISLAND IS THE BUSIEST TRAIN INTERSECTION IN THE WORLD. THERE'S NO PLACE ELSE IN THE WORLD WHERE MORE TRAINS INTERSECT EACH OTHER AS THEY PASS BY. AND THAT INTERSECTION IS RIGHT ON THE EASTERN EDGE OF DOWNTOWN GRAND ISLAND. AND DON'T THINK THAT THERE AREN'T PUBLIC SAFETY PLANS IN PLACE TO DEAL WITH WHAT'S CONSIDERED TO BE AN INEVITABILITY, AND THAT IS A MAJOR TRAIN WRECK SOMEPLACE WITHIN NOT JUST IN THE CITY LIMITS BUT SOMEPLACE IN THE HEART OF GRAND ISLAND. PUBLIC SAFETY IS A CONCERN. AND I JOIN SENATOR GROENE, ALL JOKING ASIDE, IN SUPPORT OF THE AMENDMENT AND LR338 AS A RESOLUTION. THERE ARE A LOT OF WAYS THAT WE GET INVOLVED IN WHAT COULD OTHERWISE BE DESCRIBED AS THINGS BETWEEN LABOR AND MANAGEMENT IN OUR OVERSEEING OF THE CHALLENGES WITH CORRECTIONS RIGHT NOW, IN STAFFING OF OUR LONG-TERM CARE FACILITIES, OUR VETERANS' HOMES SPECIFICALLY, AND THE BEATRICE STATE DEVELOPMENT CENTER. WE HAVE UNIONS SCATTERED THROUGHOUT THIS STATE. AND WE HAVE DIFFERENCES BETWEEN MANAGEMENT AND UNION. BUT IF PUBLIC SAFETY IS A PART OF THE ISSUE, WE SHOULD TAKE A LEVEL OF INVOLVEMENT IN THAT. AND I BELIEVE THAT'S THE CASE HERE. THIS IS A RESOLUTION. WE'RE NOT DICTATING ANYTHING. WE'RE POINTING OUT AN OBVIOUS ISSUE FOR US AND THAT IS ONE-MAN TRAIN CREWS SEEM FROM A COMMONSENSE STANDPOINT TO RUN IN THE OPPOSITE DIRECTION OF A GROWING CONCERN WITHIN THE PUBLIC OF FREIGHT, WHAT'S BEING FREIGHTED ACROSS THOSE RAILS AND WHAT'S HAPPENING IN SOME PARTS OF OUR COUNTRY. AND THAT IS ACCIDENTS, ACCIDENTS WITH CONSTITUENTS BEING INJURED, BUSINESSES BEING DESTROYED, DEGREES OF HAVOC THAT MIGHT HAVE BEEN AVOIDED. AND IT SEEMS TO ME, AS HAS BEEN POINTED OUT, THAT THIS IS ONE OF THOSE THINGS THAT WE CAN ENCOURAGE, WON'T COST BILLIONS OF DOLLARS. BUT ON THE OTHER HAND MIGHT SAVE BILLIONS OF DOLLARS IN DAMAGE AND SUFFERING. SO I'M IN COMPLETE SUPPORT OF THIS RESOLUTION AND THE COMMITTEE AMENDMENT, AND I WOULD ENCOURAGE MY COLLEAGUES TO BE ALSO. [LR338]

Floor Debate
May 28, 2015

SPEAKER HADLEY: THANK YOU, SENATOR GLOOR. SENATOR STINNER, YOU'RE RECOGNIZED. [LR338]

SENATOR STINNER: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, I, TOO, STAND IN SUPPORT OF LR338 AND THANK SENATOR DAVIS FOR BRINGING THAT FORWARD. I ALSO SUPPORT THE AMENDMENT, AM1745, BROUGHT FORTH BY THE TRANSPORTATION COMMITTEE. I, TOO, LIVE OUT WEST. AND THE BURLINGTON AND UP SEND ABOUT 35 TO 40 TRAINS THROUGH OUR DISTRICT AT ABOUT 60-70 MILE AN HOUR, SO IT IS A CONCERN. TWO-MAN CREWS, IN MY ESTIMATION, MAKES A LOT OF SENSE. AND I KNOW THE RAILROAD HAS WORKED DILIGENTLY ON TRYING TO MAKE THEIR TRAINS AS SAFE AS THEY POSSIBLY CAN. BUT I CAN TELL YOU THIS, THAT DURING MY CAMPAIGN SEVERAL OF THE MAYORS HAVE EXPRESSED CONCERN, ESPECIALLY THE MITCHELL MAYOR, BECAUSE THE TRAIN DOES TAKE A RATHER DRAMATIC TURN IN HIS TOWN. AND HE WAS CONCERNED BECAUSE THEY REALLY DIDN'T HAVE FIRST RESPONDERS IN THEIR TOWN IF AN EVENT WOULD HAPPEN. AND AN EVENT DID HAPPEN IN SCOTTSBLUFF, I THINK, SEVERAL YEARS AGO. WE HAD A BENZENE SPILL. IT'S STILL...THE ODOR STILL LINGERS IN OUR TOWN. BUT WE HAD TO EVACUATE I'M GOING SAY 400 TO 500, 600 PEOPLE FOR A LONG PERIOD OF TIME TO CLEAN UP THE BENZENE SPILL. SO IT CAN HAPPEN. I DO SUPPORT THIS RESOLUTION. I THINK IT'S SOMETHING THAT BRINGS LABOR AND BUSINESS TOGETHER IN A REASONABLE FASHION AND WOULD ASK EVERYBODY TO ALSO VOTE YES ON THIS. THANK YOU. [LR338]

SPEAKER HADLEY: THANK YOU, SENATOR STINNER. SENATOR DAVIS, YOU'RE RECOGNIZED. [LR338]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I WANTED TO TALK A LITTLE BIT ABOUT THE SAFETY ISSUES THAT ARE OUT THERE. I THINK THEY ARE MAYBE MISUNDERSTOOD BY SOME, AND WHY TWO MEN ON A TRAIN MAKES SO MUCH SENSE TO ME BECAUSE I LIVE IN A BURLINGTON NORTHERN COMMUNITY, A VERY SMALL ONE, WHERE THE TRACK GOES RIGHT THROUGH THE MIDDLE OF TOWN. AND I HAVE NOTHING BUT RESPECT FOR THE COMPANY. IT'S DONE A WONDERFUL JOB MAKING THINGS SAFER OVER THE YEARS. BUT IT'S AN INHERENTLY RISKY BUSINESS IN SOME RESPECTS SIMPLY BECAUSE OF THE TYPE OF FREIGHT THAT IS TRANSPORTED THROUGH AND THE AMOUNT OF IT. SOME YEARS AGO, WE HAD A DERAILMENT IN HYANNIS. NOBODY WAS KILLED THERE. BUT I LIVE IN THE COUNTRY AND WHEN I DROVE TO TOWN AND I HIT THE TRACKS THERE AND I LOOKED TO THE EAST. AND THERE...AND METAL STREWN EVERYWHERE AND COAL STREWN EVERYWHERE AND IT WAS REALLY QUITE AN

Floor Debate
May 28, 2015

EYE-OPENING EXPERIENCE. SENATOR STINNER TALKED ABOUT THE BENZENE SPILL. THERE HAVE BEEN OTHER SPILLS IN MINDEN, OTHER COMMUNITIES ACROSS THE STATE. IN FACT, ONE OF THE PEOPLE THAT TESTIFIED IN SUPPORT OF THE RESOLUTION YESTERDAY AND I BELIEVE IN SUPPORT OF THE BILL WAS JERRY STILMOCK WHO REPRESENTS THE VOLUNTEER FIREMEN IN THE STATE. THEIR CONCERN AND ONE OF MINE IS THE MOVEMENT TO A ONE-MAN TRAIN MANAGEMENT SYSTEM WILL REALLY LIMIT THE ABILITY OF THAT ENGINEER TO RESPOND TO A CRISIS BECAUSE THE ENGINEER, AT THIS POINT IN TIME, IS REQUIRED TO STAY WITH THE LOCOMOTIVE. AND IT'S THE JOB OF THE CONDUCTOR, IF THERE'S A PROBLEM WITH THE TRAIN, TO GET OUT AND FIGURE OUT WHAT'S GOING ON. SO IF WE REMOVE THAT PERSON FROM THE TRAIN AND THERE'S SOME KIND OF AN ACCIDENT, THAT ENGINEER IS REALLY NOT GOING TO BE ABLE TO RESPOND UNLESS THERE'S A CHANGE IN THE RULES. OUR STATE IS A HUGE RAIL STATE. AND AS YOU'VE HEARD EARLIER, WE REGULATE MANY BUSINESSES FOR SAFETY ISSUES, INCLUDING RESTAURANTS. YOU KNOW, THAT'S A HEALTH ISSUE. SO WHAT WE'RE TRYING TO DO HERE IS TO SIMPLY SAY TO THE FRA, CONSIDER WHAT IS OUT THERE. CONSIDER WHAT HAPPENED IN CANADA AND FIND A RESOLUTION AND COME UP WITH THE SOLUTION FOR THE COUNTRY, BECAUSE WAITING IS...GIVES A LOT OF PEOPLE SOME INSECURITY. BUT I'M A STRONG BELIEVER THAT THIS IS A SAFETY ISSUE. I DID NOT INTRODUCE IT AS A LABOR ISSUE. I INTRODUCED IT BECAUSE I WAS CONCERNED ABOUT PUBLIC SAFETY AND WHAT COULD HAPPEN IF WE WENT TO ONE MAN. REMEMBER, THESE CREW MEMBERS...AND I'VE GOT RELATIVES, I'VE GOT COUSINS WHO ARE CONDUCTORS. I'VE GOT COUSINS WHO ARE ENGINEERS. THESE GUYS GET CALLED OUT AT ALL HOURS OF THE DAY AND NIGHT, THESE GUYS AND WOMEN TOO. THEY WORK LONG HOURS. THEY GET A FEW HOURS OF SLEEP. THEY'RE BACK ON DUTY. THEY GET TIRED. THERE'S A FATIGUE FACTOR. ANYBODY WHO'S EVER WORKED THROUGH THE NIGHT KNOWS HOW DIFFICULT THAT CAN BE. HAVING SOMEBODY IN THE CAB THERE TO SPELL YOU IS A SAFETY MATTER. I THINK THIS IS AN IMPORTANT RESOLUTION. I'M A STRONG SUPPORTER OF THE COMMITTEE AMENDMENTS. I THINK THEY'RE VERY GOOD AMENDMENTS. AND I REALLY APPRECIATE SENATOR SMITH WHO REALLY WORKED THROUGH THAT. SO WITH THAT, I WOULD URGE YOU TO AGAIN ADOPT THE COMMITTEE AMENDMENTS AND MOVE THE RESOLUTION FORWARD. THANK YOU, MR. PRESIDENT. [LR338]

SPEAKER HADLEY: THANK YOU, SENATOR DAVIS. SENATOR SEILER, YOU'RE RECOGNIZED. [LR338]

Floor Debate
May 28, 2015

SENATOR SEILER: MR. PRESIDENT, MEMBERS OF THE UNICAMERAL, I AM A MEMBER OF THE COMMITTEE. AND I BELIEVE ON MAY 27 I HEARD THE MOST COMPELLING TESTIMONY FROM A YOUNG ENGINEER THAT...NOT REPRESENTING THE RAILROAD, NOT REPRESENTING THE UNION, HAD NO TAG NUMBER BEHIND HIMSELF EXCEPT HE WAS AN ENGINEER. AND HE TOOK US THROUGH THE RESPONSIBILITIES OF AN ENGINEER TODAY WITH A TWO-MAN CREW AND ALL THE REGULATIONS THAT HAS COME DOWN THAT HE HAS TO COMPLY WITH, THE PAPERWORK HE HAS TO COMPLY WITH, ALL OF THE WORK. IT'S JUST NOT SITTING THERE WATCHING THE TERRAIN GO BY AND MANAGING THE SPEED OF THE VEHICLE. HE HAS TO KEEP UP WITH ALL THE SUPPLY, ALL OF THE DIALS AND REGULATIONS, AND REPORT THOSE AS THEY GO ALONG. HE SAID IT'S IMPOSSIBLE FOR HIM TO DO BOTH JOBS. I'M REMINDED, THE OTHER NIGHT I WAS WATCHING THE NEWS AND ON THE NEWS WAS A NEW AUTOMOBILE. IT DRIVES ITSELF AND IT PARKS ITSELF. AND IT WAS BEING DEMONSTRATED. AND THE CAR COMES TOWARD THE TWO DEMONSTRATORS. THEY'RE STANDING THERE WATCHING IT. AND IT'S SUPPOSED TO STOP, BACK UP, PARK ITSELF ALONG THE CURB. INSTEAD, IT JUST PROMPTLY RUNS OVER THE TWO DEMONSTRATORS. SO EVEN WHEN THEY THINK THAT IT'S A WONDERFUL DEAL, THINGS CAN GO AWRY. I THINK THE AMTRAK ACCIDENT THAT HAD ONE ENGINEER DEMONSTRATES COMPLETELY WHY WE DON'T WANT ONE ENGINEER. ALLEGEDLY HE'S HAD A HEAD INJURY AND CANNOT REMEMBER ANYTHING THAT WENT ON. BUT IF THERE HAD BEEN TWO PEOPLE IN THAT PLACE OR IN THE ENGINEER'S SPOT HELPING, WE MAY NOT HAVE HAD AN ACCIDENT AT ALL. THANK YOU VERY MUCH, MR. PRESIDENT. [LR338]

SPEAKER HADLEY: THANK YOU, SENATOR SEILER. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LR338]

SENATOR JOHNSON: THANK YOU, MR. SPEAKER. I'M IN SUPPORT OF LR338 AND THE AMENDMENT. I'M GOING TO GO BACK A LITTLE BIT IN MY HISTORY DEALING WITH THE RAILROADS, STARTED BACK IN THE '60s, GOT VERY INVOLVED IN THE '70s. WE STARTED OUT, IF YOU KNOW ABOUT A BOXCAR, YOU LOAD IT FROM THE SIDE. YOU HAVE SPOUTS IN ORDER TO GET THE GRAIN TO EACH END OF THE CAR, AND THEN YOU CLOSE IT UP. YOU "COOPER IT," THEY CALL IT, BOX IT UP SO YOU CAN PUT MORE GRAIN IN IT. WENT FROM THAT TO GOING TO MORE COVERED HOPPER CARS. YOU CAN FILL FROM THE TOP. IT'S MORE EFFICIENT. WE HAD SINGLE-CAR RATES. THEN THE RECOMMENDATION WAS TO GO TO 25-CAR TRAINS. THAT WAS A STRUGGLE FOR THE GRAIN INDUSTRY TO ADJUST TO. THEN WE WENT TO 50-CAR, 75-CAR, 100-CAR, 125-CAR TRAINS. WHAT HAS THAT DONE FOR NEBRASKA? WHAT'S THAT DONE FOR

Floor Debate
May 28, 2015

ESPECIALLY NEBRASKA AGRICULTURE? THE RAILROAD IS LOOKING FOR EFFICIENCY IN THEIR OPERATION. PROBABLY BACK IN THE LATE '90s, EARLY 2000s, NUMBERS CAME OUT THAT, BECAUSE OF THEIR EFFICIENCY, THEY WERE ABLE TO LOWER THEIR COSTS AND IMPROVE THE PRICE OF GRAIN TO NEBRASKA BY AT LEAST 80 CENTS. THAT'S A BIG IMPROVEMENT. THAT'S EFFICIENCY. I PERSONALLY DO NOT BELIEVE THAT THE RISKS THAT WE TAKE IN ONLY HAVING ONE ENGINEER VERSUS TWO IS A BIG NUMBER IN THEIR COST FACTOR. THEY HAVE CREATED A LOT OF EFFICIENCIES. THEY LOOK FOR TURNS ON THAT TRAIN, AVERAGE MILE SPEED, AND IT HAS IMPROVED GREATLY. I WOULD ALSO THINK OF IT FROM THIS...THAT'S FROM THE SAFETY STANDPOINT. BUT FOR THEIR EQUIPMENT, WHENEVER THEY HAVE A DERAILMENT, THEY HAVE AN ACCIDENT, THE LIABILITY THAT THEY HAVE PLUS THE COST OF THEIR EQUIPMENT, I THINK THEY HAVE TO CONSIDER THAT AND MAYBE THEY HAVE. BUT TO ME, WE NEED TWO ENGINEERS IN THAT TRAIN. I WOULD HOPE THE PUBLIC COMMENTS WILL SUPPORT THAT. SO IN THIS RESOLUTION THEY WILL SEE THAT THERE IS A NEED FOR THAT. IN THE ETHANOL INDUSTRY, IT HAS AFFECTED THE PRICE OF OUR SHUTTLE TRAINS, LOWERING OUR...RAISING OUR COSTS BECAUSE OF DERAILMENTS THAT WE'VE HAD AND IN ORDER TO MAKE THE CARS SAFER IN ORDER TO HAUL ETHANOL OR TO HAUL ANY TYPE OF OIL AND GAS. THAT'S THE COST OF EQUIPMENT. THAT'S THE COST OF LIABILITY. I TRULY BELIEVE MOST BUSINESSES REQUIRE IN SOME OF THEIR JOBS THAT TWO PEOPLE GO OUT. AND I THINK IT SHOULD BE THE SAME WITH THE RAILROAD. SO I DO SUPPORT LR338 AND THE AMENDMENT. THANK YOU, MR. SPEAKER. [LR338]

SPEAKER HADLEY: THANK YOU, SENATOR JOHNSON. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LR338]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, I WANT TO THANK SENATOR DAVIS AND THE TRANSPORTATION COMMITTEE FOR LR338 AND AM1745. IT JUST MAKES SENSE. I HAVE A SON WHO'S A Ph.D. IN PHYSICS. AND WHEN HE WAS IN GRAD SCHOOL, HE AND ANOTHER OF HIS FRIENDS TRIED TO CALCULATE WHAT'S THE HEAVIEST THING, MAN-MADE THING, THAT CAN MOVE. AND THEY FINALLY GOT IT DOWN TO A LOADED COAL TRAIN VERSUS AN OIL TANKER OUT ON THE OCEAN. THEY COULDN'T DECIDE WHICH ONE WOULD BE HEAVIER. BUT IT'S...YOU KNOW, THESE TRAINS ARE SOME OF THE HEAVIEST MOVING THINGS ON THIS PLANET. AND JUST HAVING ONE PERSON IN CHARGE DOESN'T SEEM TO MAKE SENSE. THEN THERE WAS A CASE, AND I CAN'T REMEMBER HOW MANY YEARS AGO THIS WAS, BUT THERE WAS A TRAIN IN WESTERN NEBRASKA THAT SOMEHOW HAD BECOME SEPARATED AND...SINCE THEY HAVE PULLING AND PUSHING ENGINES, ONE AT THE FRONT, ONE AT THE

Floor Debate
May 28, 2015

END, OR TWO AT THE FRONT, WHATEVER. BUT ACTUALLY, THERE WAS A TRAIN THAT WAS SEPARATED. THERE WAS A HALF-MILE BETWEEN THE FRONT AND THE BACK OF THE TRAIN, BECAUSE SOMEHOW THE TRAIN HAD SEPARATED AND THE CREW HAD NOT NOTICED IT. SO THERE'S SO MANY THINGS TO TAKE CARE OF AND IT'S SUCH A HUGE MACHINE THAT IT ONLY MAKES SENSE TO KEEP TWO PEOPLE RUNNING THOSE TRAINS. AND AGAIN, SENATOR SEILER MENTIONED THIS, BUT THE RECENT AMTRAK ACCIDENT WOULD ALMOST CERTAINLY HAVE BEEN AVERTED HAD THERE BEEN TWO PEOPLE IN THAT CAB. SO AGAIN I RISE IN SUPPORT OF LR338 AND AM1745. THANK YOU VERY MUCH. [LR338]

SPEAKER HADLEY: SENATOR GROENE, YOU'RE RECOGNIZED. [LR338]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I'M GOING TO YIELD MY TIME TO SENATOR BLOOMFIELD IF HE'LL TAKE IT. [LR338]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LR338]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR GROENE. COLLEAGUES, I HAD TO FIND A WAY TO GET ON THE MIKE WITHOUT PUSHING MY LIGHT ON. SO WE ACCOMPLISHED THAT. I'LL EXPLAIN TO YOU QUIETLY SOMETIME OFF OF THE MIKE WHY IT WAS NECESSARY TO GO THAT ROUTE. BUT I WILL CERTAINLY BE SUPPORTING AM1745. I'M NOT QUITE THERE ON THE BILL. YOU KNOW, I DON'T KNOW THAT WE NEED THE GOVERNMENT GETTING INVOLVED BETWEEN THE EMPLOYEE AND EMPLOYER, WHICH IS WHAT WE'RE DOING HERE. THE SAFETY ISSUE IS A BIG THING. WE HAVE A LOT OF OIL TRAINS COMING DOWN OUT OF NORTH DAKOTA THROUGH MY DISTRICT NOW AND IT'S A BIG CONCERN. SO WHILE I THINK HAVING THE TWO-MAN CREW, OR MORE EVEN, IS A GOOD IDEA, I DON'T KNOW THAT GOVERNMENT OUGHT TO BE IN THE BUSINESS OF ENFORCING THAT. THANK YOU, MR. PRESIDENT. [LR338]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE AND SENATOR BLOOMFIELD. SEEING NO ONE ELSE IN THE QUEUE, SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE ON THE COMMITTEE AMENDMENT. [LR338]

SENATOR SMITH: THANK YOU, MR. PRESIDENT, AND APPRECIATE THE DISCUSSION AND THOSE THAT ROSE TO SPEAK IN SUPPORT OF THE AMENDMENT AND THE UNDERLYING RESOLUTION. AGAIN, THE INTENT HERE IS THAT IF APPROPRIATE CREW SIZE IS TO BE ADDRESSED, WE PREFER THERE NOT TO BE A PATCHWORK BUT RATHER TO USE THE APPROPRIATE FEDERAL AGENCY, WHICH

Floor Debate
May 28, 2015

IS THE FRA, FOR THE RULE MAKING. THIS RESOLUTION SIMPLY ASKS...OR THE AMENDMENT TO THE RESOLUTION SIMPLY ASKS THE FRA TO DO ITS JOB, TO COMPLETE ITS RULE-MAKING PROCESS WHICH INCLUDES THE FINAL RULE ON APPROPRIATE TRAIN CREW SIZE. AGAIN, I WANT TO MAKE IT CLEAR, WE HEARD EXTENSIVE TESTIMONY, THERE'S NO EVIDENCE OF THE USE OF TWO-MAN OR THE INTENT TO USE TWO-MAN CREWS. THAT IS A COLLECTIVE BARGAINING ISSUE THAT INVOLVES TWO PARTIES: LABOR AND MANAGEMENT. AND I ALSO WANT TO MAKE CERTAIN WE AVOID ANY SUGGESTION THAT THE RAILROADS THAT ARE OPERATING IN OUR STATE ARE OPERATING IN AN UNSAFE WAY. THEY ARE...THEY HAVE A PROVEN RECORD OF SAFETY. AND AGAIN, WE APPRECIATE THEIR INVESTMENT IN COMMERCE IN OUR STATE. WE APPRECIATE THE RAILROAD WORKERS IN OUR STATE THAT OPERATE THOSE TRAINS TO MAKE CERTAIN THEY OPERATE IN A SAFE WAY. SO AGAIN, THANK YOU FOR YOUR TIME THIS MORNING, COLLEAGUES. THANK YOU, MR. PRESIDENT. THAT CONCLUDES MY CLOSING ON AM1745. PLEASE VOTE GREEN. [LR338]

SPEAKER HADLEY: THE QUESTION FOR THE BODY IS THE ADOPTION OF THE AMENDMENT. ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. HAVE ALL VOTED? RECORD, MR. CLERK. [LR338]

ASSISTANT CLERK: 38 AYES, 0 NAYS ON THE ADOPTION OF THE AMENDMENT, MR. PRESIDENT. [LR338]

SPEAKER HADLEY: THE COMMITTEE AMENDMENT IS ADOPTED. SEEING NO ONE IN THE QUEUE, SENATOR DAVIS, YOU'RE RECOGNIZED TO CLOSE. [LR338]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I APPRECIATE THE GOOD DISCUSSION. AND AGAIN, I WANT TO THANK SENATOR SMITH FOR THE HELP THAT HE GAVE US IN COMING UP WITH AN AMENDMENT THAT MADE THE BILL AND MADE THE RESOLUTION SOMETHING THAT WAS WORKABLE FOR THE STATE OF NEBRASKA. APPRECIATE THE STRONG SUPPORT OF MY COLLEAGUES HERE ON THE FLOOR, AND WOULD URGE YOU TO VOTE GREEN ON THE AMENDMENT SO WE CAN MOVE ON. THANK YOU. [LR338]

SPEAKER HADLEY: YOU'VE HEARD THE CLOSING ON THE LEGISLATIVE RESOLUTION. ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. HAVE ALL VOTED? RECORD, MR. CLERK. [LR338]

Floor Debate
May 28, 2015

ASSISTANT CLERK: 36 AYES, 4 NAYS ON THE ADOPTION OF THE RESOLUTION, MR. PRESIDENT. [LR338]

SPEAKER HADLEY: LR338 IS ADOPTED. MR. CLERK. [LR338]

CLERK: MR. PRESIDENT, THE NEXT ITEM ON TODAY'S AGENDA, SENATOR NORDQUIST WOULD MOVE THAT LB623 BECOME LAW NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR. [LB623]

SPEAKER HADLEY: SENATOR NORDQUIST, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION. [LB623]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. GOOD MORNING. YOU KNOW, ON THIS MOTION TO OVERRIDE LB623, I DON'T INTEND TO HAVE EXTENDED DEBATE UNLESS PEOPLE FEEL THE NEED TO DO THAT. THE POSITIVE IMPACTS OF THIS BILL HAVE BEEN DISCUSSED MULTIPLE TIMES FOR MULTIPLE HOURS ON GENERAL FILE AND SELECT FILE. OBVIOUSLY, WE KNOW THERE ARE THOUSANDS OF BRIGHT, YOUNG, EDUCATED IMMIGRANT YOUTH IN OUR STATE WHO ARE IN NEED OF A LEGAL RIGHT TO DRIVE. AND THAT'S WHAT THIS BILL IS INTENDED TO DO. AND THAT'S WHY WE HAVE SEEN SUCH A BROAD COALITION FORM IN SUPPORT OF LB623, STARTING WITH BUSINESS VOICES IN OUR STATE: THE STATE CHAMBER OF COMMERCE, THE OMAHA CHAMBER OF COMMERCE, THE LINCOLN CHAMBER OF COMMERCE, THE NEBRASKA CATTLEMEN, RETAIL ASSOCIATION, THE RESTAURANT ASSOCIATION, THE LEAGUE OF MUNICIPALITIES, AND THEN ALSO FAITH GROUPS AND GROUPS THAT STAND AND ARE A VOICE FOR IMMIGRANTS. WE'VE SEEN BIPARTISAN ELECTED OFFICIALS COME OUT, OUTSIDE THE LEGISLATURE, COME OUT FOR THIS. THE IMPACTS AGAIN ARE NUMEROUS AND ARE EXTENSIVE. AND IT'S TIME TO REMOVE A BARRIER TO THE SUCCESS OF THE KIDS BUT ALSO THE SUCCESS OF OUR ECONOMY AND OUR COMMUNITY. THERE IS...I WILL RESPOND BRIEFLY TO THE GOVERNOR'S VETO LETTER, THE POINT IN IT. SPECIFICALLY, THE GOVERNOR SAYS: THROUGHOUT ALL ROUNDS OF LEGISLATIVE CONSIDERATION AND THE DEBATE, PROPONENTS HAVE ASSERTED THAT THE BILL WOULD ONLY PROVIDE DRIVER'S LICENSES TO CHILDREN OF ILLEGAL IMMIGRANTS WHO DO NOT HAVE A LAWFUL STATUS IN OUR COUNTRY. THAT WAS WHAT THE GOVERNOR'S VETO LETTER SAID. THAT IS COMPLETELY INACCURATE. AND I WISH THAT GOVERNOR RICKETTS OR HIS STAFF WOULD HAVE PAID CLOSER ATTENTION TO THE DEBATE ON THIS BILL ON GENERAL FILE AND SELECT FILE. I THINK I FIELDDED AT LEAST A HALF A DOZEN QUESTIONS ABOUT THAT SPECIFIC POINT AND MADE IT

Floor Debate
May 28, 2015

CRYSTAL-CLEAR THAT WE ARE SAYING THAT ANYONE WITH AUTHORIZED DEFERRED ACTION WOULD BE ELIGIBLE FOR A DRIVER'S LICENSE UNDER THIS BILL. THAT IS WHAT THE REAL ID ACT PARAMETERS ARE. WE READ THAT ON THE FLOOR AT LEAST A DOZEN TIMES AND WE REITERATED IT AT LEAST A DOZEN TIMES. BUT THE FACT OF THE MATTER IS, WHEN THIS LAW GOES INTO EFFECT, THE ONLY INDIVIDUALS RIGHT NOW WHO CANNOT GET A DRIVER'S LICENSE THAT WOULD BE ABLE TO GET A DRIVER'S LICENSE UNDER LB623 ARE DACA RECIPIENTS. THAT IS THE FACT. AND ANY INCLINATION OTHERWISE IS JUST COMPLETELY INACCURATE. THERE OBVIOUSLY ARE OTHER...IF YOU'VE READ NEWS RECENTLY, THERE, YOU KNOW, THE PRESIDENT'S OTHER DEFERRED ACTION PROGRAM IS VERY MUCH IN DOUBT. MOST LEGAL PROGNOSTICATORS WOULD SAY THAT IT'S EXTREMELY UNLIKELY THAT THAT WOULD MOVE FORWARD. AND THE FIFTH CIRCUIT'S RULING JUST EARLIER THIS WEEK MADE IT CLEAR. THEY SAID, BECAUSE THE GOVERNMENT IS UNLIKELY TO SUCCEED ON THE MERITS OF ITS APPEAL OF THE INJUNCTION, WE DENY THE MOTION TO STAY. THE DAPA PROGRAM IS GOING TO BE LITIGATED FOR YEARS TO COME. IF IT IS APPEALED TO THE SUPREME COURT, IT WON'T BE UNTIL AFTER THE...MOST LIKELY AFTER THE NEXT PRESIDENTIAL ELECTION, WHICH THERE WOULD BE A NEW ADMINISTRATION. SO THAT ISSUE IS A NONISSUE. IF CONGRESS WERE TO CHOOSE TO EXPAND DEFERRED ACTION THEN, YES, THIS VERY MUCH WOULD APPLY TO THEM. BUT RIGHT NOW, THE ONLY DEFERRED ACTION PROGRAM THAT IS ARBITRARILY BEING DISCRIMINATED AGAINST IS THE DACA PROGRAM. LET US GET THESE 2,700 KIDS THE RIGHT TO DRIVE IN NEBRASKA AND MOVE FORWARD WITH LB623. THANK YOU, MR. PRESIDENT. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR NORDQUIST. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB623]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. I'VE HAD A CHANCE TO THINK ABOUT THIS WITH AN EXPECTATION THIS VETO WOULD COME DOWN THE PIKE. AND SO I'VE TRIED TO WRITE NOTES TO BE SUCCINCT, SOMETIMES A CHALLENGE FOR ME, MY SUPPORT FOR THE OVERRIDE--AND I WILL SUPPORT OVERRIDING THE VETO--IS BASED UPON MY CONTINUED FRUSTRATION WITH THOSE WHO SEE THIS ISSUE, AND THE OVERALL ISSUE OF IMMIGRATION FOR THAT MATTER, AS A STRAIGHT-UP BLACK-AND-WHITE, DEBIT-OR-CREDIT TYPE OF ISSUE. IT IS NOT. IT CANNOT BE, BECAUSE WE ALL, EVERYONE IN THIS CHAMBER, EVERYONE WHO MIGHT BE LISTENING OR WATCHING THIS, WE ALL CONTRIBUTE TO THE PROBLEM OF ILLEGAL IMMIGRATION BECAUSE WE EAT VEGETABLES AND WE EAT FRUITS AND WE HAVE OUR HOUSE RE-SIDED AND WE EAT OFF OF CLEAN PLATES IN RESTAURANTS AND WE ENJOYED WELL-

Floor Debate
May 28, 2015

MANICURED LAWNS AND FLOWERS AND GARDENS. AND WE BECOME PART OF, WHEN WE DO THAT, THE HYPOCRISY THAT IS IMMIGRATION. WE DON'T WANT TO RECOGNIZE THAT. IT MAKES US UNCOMFORTABLE. BUT IT IS THE GRAY AREA THAT WE DEAL IN AND WE DWELL IN AND WE RETAIL IN EVERY DAY. THIS IS A BLACK-AND-WHITE ISSUE FOR ME, I DON'T LIKE IMMIGRATION, PASS THE STRAWBERRIES, PLEASE--PROBLEM. I AM BEYOND IMPRESSED AND PROUD OF THOSE BUSINESS GROUPS AND ASSOCIATIONS WHO HAVE RECOGNIZED THIS, WHO HAVE STEPPED UP TO THE PLATE, WHO AREN'T CONTINUING TO BENEFIT FROM THIS HYPOCRISY, WHO RECOGNIZE IT AND SEE THAT IT'S TIME TO PUT AN END TO IT IN THIS VERY SMALL WAY. AND I AM SORRY THAT THE GOVERNOR DID NOT. HERE WAS A TIME TO PROVIDE SOME DEGREE OF EDUCATION AS WELL AS LEADERSHIP ON THIS ISSUE. FORTY-NINE OTHER STATES RECOGNIZE THIS HYPOCRISY. MEMBERS, LET'S MAKE IT 50. THANK YOU. [LB623]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE RECOGNIZED. [LB623]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I THINK WE WERE SOLD THIS BILL TO HELP KIDS THAT...BROUGHT HERE, I WON'T SAY AGAINST THEIR WILL BUT THEY WERE BROUGHT HERE BY, I GUESS, PARENTS OR GUARDIANS. YOU KNOW, I CAN BE PRETTY SYMPATHETIC TO THAT. I MEAN, THEY HAVE A PRETTY COMPELLING CASE THAT THEY OUGHT TO BE ABLE TO DRIVE, SINCE THEY'RE HERE AND THEIR FAMILIES ARE HERE. AND WE DON'T HAVE AN ADMINISTRATION THAT WILL GET RID OF THEIR FAMILIES WHO ARE HERE ILLEGALLY, SO THEY'RE STUCK HERE, WHICH MAY BE A STRONG WORD. THEY PROBABLY WANT TO STAY HERE; IT'S NOT A BAD PLACE. AND NOW WE PASS A BILL THAT DOESN'T JUST GIVE IT TO THEM, IT GIVES IT TO ANYONE THAT OUR UNLAWFUL PRESIDENT, OUR LAWLESS PRESIDENT AT TIMES, DEEMS CAN STAY IN OUR COUNTRY, JUST BY A STROKE OF A PEN, WITH NO ACTION BY CONGRESS, WITH NO LAW TO BACK IT UP. THEY'RE JUST DEEMED BY A PRESIDENT OR AN ADMINISTRATION OR, AS WE FOUND OUT, JUST A MEMORANDUM BY A CABINET OFFICIAL THAT THEY CAN STAY. SO WHAT COULD HAPPEN IS THE PRESIDENT COULD SAY ANYONE HERE WHO IS UNDOCUMENTED, WHICH MEANS ILLEGAL, YOU NOW HAVE LEGAL STATUS. AND IF HE DID THAT, WE HAVE TO GIVE A LICENSE TO EVERY SINGLE PERSON. AND THEY COULD VERY EASILY GO VOTE. THEY COULD EASILY PASS THEMSELVES OFF AS A CITIZEN. WELL, SOME OF THEM CAN'T BECAUSE THEY CAN'T SPEAK ENGLISH, BUT SOME OF THEM CAN. AND THAT'S A REAL PROBLEM. IF WE WERE SERIOUS, IF THIS WAS REALLY WHAT WE WERE HERE TO DO, WE WOULD SIMPLY DO THIS FOR DREAMERS AND THAT WOULD BE IT. BUT THE FACT THAT THIS GIVES LEGAL STATUS OR ALLOWS ANYONE WITH, QUOTE, LEGAL STATUS, NOT LAWFUL STATUS, I THINK THIS IS A

Floor Debate
May 28, 2015

REAL PROBLEM. IT'S A SERIOUS PROBLEM. THE GOVERNOR CORRECTLY VETOED IT. AND I DON'T KNOW THE GOVERNOR...IF IT WAS JUST DREAMERS, THE GOVERNOR MIGHT HAVE SIGNED IT. I DON'T KNOW. I DON'T SPEAK FOR THE GOVERNOR. BUT THIS IS ABSOLUTELY UNACCEPTABLE. I DON'T THINK YOU CAN MAKE A CASE FOR THIS. YOU CAN MAKE A CASE FOR DREAMERS. I UNDERSTAND THAT AND MY HEART GOES OUT TO THEM. I WISH I HAD A GOOD ANSWER TO HOW TO MAKE THEIR LIFE BETTER THAT DOESN'T INVOLVE A STROKE OF THE PEN BY THE LEGISLATURE. BUT THIS IS FAR TOO FAR. THIS IS JUST NOT WHAT WE SIGNED UP FOR, NOT WHAT WE THOUGHT WE WERE GOING TO VOTE FOR ORIGINALLY, NOT THE WAY IT WAS SOLD TO US ORIGINALLY. AND I THINK THAT WE SHOULD UPHOLD THE GOVERNOR'S VETO AND SEND IT BACK TO THE DRAWING BOARD, GIVE US A CLEAN BILL THAT SAYS DREAMERS ONLY, AND I BET YOU IT PASSES. AND I THINK THERE'S PROBABLY A PRETTY GOOD CHANCE THE GOVERNOR MIGHT SIGN IT. THIS ISN'T THE WAY TO GO. AND I ENCOURAGE MY FELLOW SENATORS TO UPHOLD THE GOVERNOR'S VETO AND DO WHAT YOUR CONSTITUENTS WANT YOU TO DO, NOT WHAT LOBBYISTS WANT YOU TO DO, BUT WHAT YOUR CONSTITUENTS WANT YOU TO DO. LET'S SEE IF WE CAN GET A CLEAN BILL AND DO IT RIGHT. THANK YOU, MR. PRESIDENT. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. SENATOR SEILER, YOU'RE RECOGNIZED. [LB623]

SENATOR SEILER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE UNICAMERAL. I AM A MEMBER OF THE COMMITTEE THAT HEARD THIS BILL. I SAT THROUGH THE HEARINGS. I'M NOT GOING TO TAKE YOU THROUGH THE WHOLE HEARING BECAUSE IT WAS A LONG ONE. BUT THERE WERE A COUPLE OF EVENTS THAT OCCURRED THAT JUST REALLY BOTHERS ME. AND THAT'S WHY I WILL PROBABLY VOTE TO...WELL, I WILL VOTE TO OVERRIDE THE GOVERNOR'S VETO. THE FIRST EVENT WAS A YOUNG LADY TESTIFIED, SHE'S A MED STUDENT. SHE HAS FRIENDS THAT ARE DOCTORS ALREADY. SHE'S ABOUT READY TO BECOME A FULL-BLOWN DOCTOR UNDER NEBRASKA LAWS. YOU MEAN TO TELL ME WE'LL AUTHORIZE AND LICENSE A PERSON TO PRACTICE MEDICINE IN THE STATE OF NEBRASKA BUT THEY CAN'T DRIVE THE CAR? ARE YOU KIDDING ME? WHAT KIND OF MENTALITY IS THAT? NOW THIS NEXT ISSUE YOU MAY DISAGREE WITH ME ON. THE YOUNG LAWYERS THAT ARE ALREADY OUT THERE PRACTICING LAW, THEY'RE IN THE COURTROOMS EVERY DAY. THEY HAVE TO HAVE THEIR PARALEGALS DRIVE THEM BECAUSE THEY'RE NOT ALLOWED TO DRIVE A CAR. NOW SOME OF YOU MAY SAY THAT IT'S A GOOD THING FOR A LAWYER, BUT THINK ABOUT THAT. WE'LL AUTHORIZE THEM TO PRACTICE LAW, BUT WE DON'T

Floor Debate
May 28, 2015

AUTHORIZE THEM TO DRIVE A CAR. NOW THAT SEEMS SILLY TO ME. AND THAT'S WHY I'M GOING TO VOTE FOR THE OVERRIDE. THANK YOU. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR SEILER. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB623]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, HAVING BEEN A MEMBER OF A GROUP DISCRIMINATED AGAINST ALL MY LIFE AND EVERYBODY FROM WHOM I OBTAINED ANY GENES WAS DISCRIMINATED AGAINST, I CAN NEVER SUPPORT ANYTHING THAT WILL DISCRIMINATE AGAINST ANYBODY BECAUSE OF WHAT AND WHO THEY ARE. THIS ANTI-LATINO, HISPANIC, MEXICAN, SOUTH AMERICAN, WHATEVER DESIGNATION IS GIVEN IS BASED ON THAT NOTION OF YOU'RE NOT WANTED HERE. GET OUT. BUT WE WANTED YOUR PARENTS HERE TO WORK IN THE FIELDS, TO WORK IN THE MEAT PLANTS, TO USE THOSE SHARP KNIVES AND GET VERY SERIOUS INJURIES. AND IT WAS BECAUSE OF THAT KIND OF THING GOING ON WITH REFERENCE TO THEIR FOREBEARS HERE IN NEBRASKA THAT I WAS ABLE TO PERSUADE THE LEGISLATURE TO ENACT A LAW, AND IT WAS DIRECTED TOWARD NON-ENGLISH-SPEAKING PEOPLE. SO EVERYBODY KNEW THE GROUP WE WERE TRYING TO PROTECT. WHEN THESE OPERATIVES SENT WHAT THEY CALL RECRUITERS DOWN TO THE SOUTHERN BORDER OF THIS COUNTRY TO GET THESE WORKERS, KNOWING THAT THEY WERE NOT CITIZENS, THAT THEY DID NOT SPEAK ENGLISH, THAT THEY HAVE RIGHTS THAT WOULD NOT BE PROTECTED. AND FOR THOSE WHO ARE NOT FAMILIAR WITH THE CONSTITUTION, THIS CONSTITUTION PROTECTS NOT JUST CITIZENS. THERE ARE CERTAIN RIGHTS AND PRIVILEGES CREATED BY THE GOVERNMENT WHICH ARE RESTRICTED TO CITIZENS--THE RIGHT TO VOTE AND DO THESE OTHER THINGS. BUT WHEN IT COMES TO THE BASIC, FUNDAMENTAL RIGHTS THAT ATTACH BECAUSE OF THE CONCEPT OF HUMAN DIGNITY THAT WILL APPLY TO EVERY PERSON, THAT IS THE TERM USED IN THE CONSTITUTION, EVERY PERSON OR NO PERSON. WHEN IT'S PROHIBITING SOMETHING, IT SAYS NO PERSON. NO PERSON SHALL BE DEPRIVED OF LIFE, LIBERTY, OR PROPERTY WITHOUT DUE PROCESS OF LAW, WHICH MEANS YOU DON'T HAVE TO BE A CITIZEN. BUT THESE SLOGANEERING PEOPLE, IGNORANT OF THE CONSTITUTION, LISTENING TO TALK RADIO, WANTING TO ESTABLISH THEIR SO-CALLED CONSERVATIVE DOWN-THE-LINE CREDENTIALS WILL NOT BE AWARE OF THE DISTINCTION THAT THE CONSTITUTION ITSELF MAKES. AS A MATTER OF FACT, CORPORATIONS IN THIS COUNTRY ARE GIVEN THE RIGHTS OF PERSONS. THE FOURTEENTH AMENDMENT IS SUPPOSEDLY APPLYING TO CORPORATIONS. BUT THEN, AS HAS BEEN POINTED OUT, WE HAVE HUMAN BEINGS. AND THE GREATEST SIN, IF YOU WANT TO CALL IT THAT, IS THAT THEY

Floor Debate
May 28, 2015

DIDN'T PICK AS PARENTS WHITE PEOPLE WHOSE FOREBEARS AND MAYBE THEMSELVES CAME AS IMMIGRANTS TO THIS COUNTRY. AND THEY TURN OUT TO BE OFTEN MORE NARROW-MINDED THAN ANYBODY ELSE. THEY USED TO CALL THEM THE KNOW-NOTHINGS IN ABRAHAM LINCOLN'S DAY, AND THEY LIVED UP TO THAT. SO NOW YOU HAVE A GOVERNOR WHO DOES NOT GOVERN. HE IS A FEARMONGER. HE QUOTES ALL OF THE SLOGANS OF FEAR--HORRIBLE THINGS WILL HAPPEN IF YOU DO THIS OR IF YOU DO THAT--AND IT'S ALWAYS FOR THE PURPOSE OF DEPRIVING SOMEBODY OF A RIGHT. HE REMINDS ME OF CHICKEN LITTLE. AND I'M WORKING ON A CARTOON. IT WILL BE A CHICKEN'S BODY WITH THE WINGS FLAPPING 100 MILES AN HOUR AND THE CHICKEN RUNNING AS FAST AS HE CAN. AND IT WILL BE A PERSON WITHOUT ANY HAIR ON HIS HEAD. [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR CHAMBERS: AND I CAN DRAW PICTURES THAT LOOK LIKE THE PERSON I'M DEPICTING. HIS EYES WILL BE AS BIG AS A SAUCER WITH DOTS ON THEM AND HE'LL BE SCREAMING AT THE TOP OF HIS VOICE, THE SKY IS FALLING, THE SKY IS FALLING. THERE WILL BE ONE LITTLE ACORN, AND IT WILL BE LABELED ABOLITION OF THE DEATH PENALTY. THERE WILL BE ANOTHER LITTLE ACORN, THE RIGHT FOR DREAMERS TO HAVE A DRIVER'S LICENSE. AND HE HAS FRIGHTENED PEOPLE ON THIS FLOOR AND SOME IN THIS STATE TO THE EXTENT THAT THEY THINK THE STATE WILL FALL APART IF WE TREAT PEOPLE LIKE HUMAN BEINGS. WELL, AS FAR AS THE DEATH PENALTY, IF THE ATTORNEY GENERAL, IF THE GOVERNOR, IF THE PROSECUTORS DO NOT KNOW HOW TO DO THEIR JOB BECAUSE WE ABOLISH THE DEATH PENALTY, LET THEM GO TO THE STATES WHERE THEY'VE HAD NO DEATH PENALTY FOR DECADES AND FIND OUT HOW A GOVERNOR GOVERNS, HOW AN ATTORNEY GENERAL DOES WHAT IS TO BE DONE, HOW A PROSECUTOR... [LB623]

SPEAKER HADLEY: TIME, SENATOR. [LB623]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB623]

SENATOR McCOLLISTER: THANK YOU, MR. SPEAKER. GOOD MORNING, COLLEAGUES. I RISE IN SUPPORT OF LB623 AND FOR THE OVERRIDE OF THE

Floor Debate
May 28, 2015

GOVERNOR'S VETO. SEEMS TO ME THAT WE'VE ALREADY PLOWED THIS FURROW, BUT YET WE'RE GOING BACK AGAIN. I'D LIKE TO MAKE A FEW POINTS ABOUT THE GOVERNOR'S LETTER AND RESPOND TO SOME OF THE POINTS HE MADE. ONE THING I WILL POINT OUT IS THE GOVERNOR DID NOT INDICATE THAT PRESIDENT OBAMA DID ANYTHING ILLEGAL. THAT WAS MISSING FROM THE LETTER. SECONDLY, IT'S MISLEADING BECAUSE PRESENTLY NEBRASKA ALREADY GIVES A DRIVER'S LICENSE TO AN IMMIGRANT WITH VALID EMPLOYMENT AUTHORIZATION DOCUMENTS AND A SOCIAL SECURITY CARD, EXCEPT INDIVIDUALS WITH DACA. SO INDIVIDUALS WITH ANY KIND OF DEFERRED ACTION ALREADY HAVE A DRIVER'S LICENSE IN NEBRASKA, ALREADY HAVE A DRIVER'S LICENSE IN NEBRASKA. THE ONLY CATEGORY OF INDIVIDUAL WITH DEFERRED ACTION THAT IS DENIED A DRIVER'S LICENSE ARE DACA GRANTEEES. THUS, THE GOVERNOR IS WRONG TO SUGGEST THAT LB623 WOULD GIVE A LICENSE TO OTHER DEFERRED ACTION RECIPIENTS OTHER THAN DACA RECIPIENTS BECAUSE NEBRASKA IS ALREADY ISSUING DEFERRED ACTION RECIPIENTS TO...A DRIVER'S LICENSE. LB623 WOULD ONLY GIVE LICENSES TO DEFERRED ACTION INDIVIDUALS NEBRASKA IS CURRENTLY SINGLING OUT FOR DENIAL. AND THAT, AGAIN, IS DACA RECIPIENTS. THE GOVERNOR IS SOLELY MISTAKEN ON BOTH THE SUBSTANCE OF LB623 AND THE DISCUSSION OF THE SURROUNDING BILL. LB623 NOT ONLY PROVIDE A DRIVER'S LICENSE TO JUST ANY CHILD OF UNDOCUMENTED STATUS. I'LL SAY THAT AGAIN. LB623 WOULD NOT PROVIDE A DRIVER'S LICENSE TO JUST ANY CHILD OF AN UNDOCUMENTED IMMIGRANT WITHOUT STATUS. STATUS IS THE KEY POINT HERE. THANK YOU, COLLEAGUES. AND I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR CHAMBERS IF HE WOULD CARE TO USE IT. [LB623]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 2:40. [LB623]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR McCOLLISTER. MEMBERS OF THE LEGISLATURE, THE GOVERNOR HAS...HE DECLARED PERSONAL WAR, POLITICAL WAR ON ME BEFORE HE EVEN GOT IN OFFICE, BEFORE I EVEN KNEW HIM. THAT'S WHY I LOOK WITH A CRITICAL EYE AT WHAT HE DOES. AND FOR THOSE PEOPLE WHO ARE NOT AWARE OF WHAT I'M TALKING ABOUT, IN THE LEXINGTON CLIPPER-HERALD OF MAY 10, 2014, THIS MATERIAL APPEARED VERBATIM: IF LOCAL VOTERS NEED A SEAL OF APPROVAL, THEY GOT TWO ON THURSDAY AFTERNOON IN THE FORM OF FORMER NEBRASKA GOVERNOR KAY ORR AND FORMER NEBRASKA CONGRESSMAN BILL BARRETT, WHO BOTH ENDORSE REPUBLICAN GUBERNATORIAL CANDIDATE PETE RICKETTS. BECAUSE I'LL RUN OUT OF TIME, I'LL READ THE REST WHEN I'M RECOGNIZED ON MY OWN TIME. BUT THIS MAN CAME AFTER ME WITHOUT EVER

Floor Debate
May 28, 2015

KNOWING ME, WITHOUT HAVING EVER SEEN ME, WITHOUT HAVING TALKED TO ME. BUT THEY HAVE ATTACKED ME, VARIOUS WHITE POLITICIANS, IN ORDER TO IMPRESS WHAT THEY CALL THEIR BASE OF HOW THEY'RE GOING TO BE VERY AGGRESSIVE IN DEALING WITH ME WITHOUT EVER HAVING TALKED TO ME, WITHOUT KNOWING WHETHER THAT'S THE APPROPRIATE APPROACH. AND AT FIRST, I THOUGHT IT WAS JUST ME. BUT I CAN SEE NOW THAT HE IS SURROUNDED BY POLITICAL OPERATIVES WHO KNOW NOTHING ABOUT POLITICS. BUT HIS TIME IN BUSINESS SHOULD HAVE TAUGHT HIM SOME COMMON SENSE. BUT AS I'VE SAID IN THE PAST, MAYBE BEING BORN RICH, HE WAS SPOILED. [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR CHAMBERS: AND HE JUST BECAME A SPOILED ADULT. AND IT'S NOT NECESSARY THAT HE UNDERSTAND ANYTHING ABOUT PEOPLE, THAT HE HAVE ANY RESPECT FOR OTHER HUMAN BEINGS, CAN DO AND SAY ANYTHING HE PLEASES, AND EVERYBODY AROUND HIM IS SO SYCOPHANTIC, SICAFANTIK (PHONETICALLY)--PEOPLE PRONOUNCE IT DIFFERENT WAYS--THAT THEY HAVE TO SUCK UP AND SAY WHATEVER HE WANTS THEM TO SAY AND PLAY LIKE THEY LIKE IT. BUT AS I'VE STATED, THE LEGISLATURE IS NOT AN ADJUNCT TO THE GOVERNOR'S OFFICE OR TO THAT OF THE ATTORNEY GENERAL. WE HAVE BUSINESS TO DO. WE DID IT. WE OUGHT TO STICK BY IT. AND FOR WHATEVER POLITICAL MOTIVES HE HAS FOR DOING WHAT HE DOES, THAT'S FOR HIM. THIS IS A LEGISLATIVE ISSUE AT THIS POINT AND WE OUGHT TO REDO, RECONFIRM, AND AFFIRM WHAT WE DID WHEN WE VOTED FOR THIS BILL AND SENT IT TO HIS DESK. THANK YOU, MR. PRESIDENT. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) SENATOR GROENE, YOU'RE RECOGNIZED. [LB623]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I STAND IN SUPPORT OF THE GOVERNOR'S VETO AND WILL SUPPORT IT. AS YOU ALL KNOW WHERE I COME FROM, I LIKE CLARITY IN LAW. OVER AND OVER AGAIN I ASKED ON THIS FLOOR, WHY DON'T YOU ACCEPT MY AMENDMENT? DOES THIS BILL COVER MORE THAN DACA CHILDREN? I WAS TOLD NO; NO, IT'S JUST DACA. I SAID, WELL, THEN WHY NOT CLARIFY WITH MY AMENDMENT? THE GOVERNOR IS CORRECT. THIS BILL COVERS MORE THAN DACA. IN FACT, IN REALITY, THE CHILDREN YOU WANT TO GIVE LICENSES, THEIR STATUS RAN OUT IN 2014 BECAUSE HIS EXPANSION IN 2014 TO EXTEND IT WAS OVERTURNED BY THE FIFTH CIRCUIT COURT OF APPEALS

Floor Debate
May 28, 2015

JUST THE OTHER DAY, WHICH INCLUDED THE DAPA. THIS IS ALL IN THE COURTS. SO WE WERE GIVING DRIVER'S LICENSES THAT HAD STATUS FROM 2012 TO 2014. HIS EXPANSION OF IT WAS IN 2014, ALONG WITH THE DAPA, THE DEFERRED ACTION OF THE PARENTS OF A...DEFERRED ACTION FOR PARENTS OF AMERICANS. THAT WAS OVERTURNED IN THE FIFTH CIRCUIT. I UNDERSTAND IT'S GOT TO GO FURTHER. WE HAD OUR OWN COURT CASE IN A DISTRICT COURT IN NEBRASKA. I'M A "JOURNEY," NOT THE "ENDS TO THE MEANS," INDIVIDUAL. IF WE WOULD HAVE CLARIFIED IT FOR DACA...AND THAT'S ALL WE HEAR TALKED ABOUT IS THOSE KIDS. THAT'S ALL YOU HEARD ABOUT IN THE COMMITTEE. WE TOOK ADVANTAGE OF THESE KIDS TO USE IT FOR AN EXPANSION FOR ILLEGAL ALIENS, IMMIGRANTS, ILLEGAL IMMIGRANTS WHO BROKE OUR LAWS, TO EXPAND THE DRIVER'S LICENSE. WHY CAN'T WE JUST BE HONEST AND MAKE A BILL THAT SAID DACA? THE GOVERNOR IS RIGHT TO VETO THIS. HE PROBABLY WOULD HAVE NOT VETOED IT WE WOULD HAVE HAD CLEAR LANGUAGE, CLEAR AND HONEST LANGUAGE TO THIS BILL. SO I URGE THOSE OF YOU...I, TOO, WANTED TO GIVE DACA KIDS A DRIVER'S LICENSE, BUT IF YOU BELIEVE IT'S THE JOURNEY AND NOT THE END THAT MERITS A MAN'S CHARACTER, THEN YOU SHOULD HELP UPHOLD THE GOVERNOR'S VETO. WE CAN AGREE THAT WE NEED TO DO SOMETHING FOR THESE KIDS, BUT LET'S DO IT HONESTLY. LET'S NOT TRY TO USE THEM TO TRY TO EXPAND THEIR WANT AND THEIR WISHES TO GET A DRIVER'S LICENSE, TO EXPAND DRIVER'S LICENSES TO ILLEGAL IMMIGRANTS IN A BROADER SENSE OF THE WORD. BUT THAT'S WHAT THIS BILL DID, LB623. THAT'S NOT GOOD GOVERNMENT. I'LL NEVER VOTE FOR THAT KIND OF GOVERNMENT. IT SHOULD HAVE BEEN WRITTEN BETTER. IT SHOULD HAVE BEEN AMENDED. IF WE WOULD HAVE DONE THAT, WE WOULDN'T BE STANDING HERE RIGHT NOW. SO I URGE ALL OF THOSE WHO BELIEVE IN DOING THINGS THE RIGHT WAY, TO DOING IT OPEN, TO NOT EXPLOIT THESE KIDS TO TRY TO EXPAND DRIVER'S LICENSES FOR ILLEGAL IMMIGRANTS, BEHIND WHAT MOST AMERICANS THINK WOULD BE A GOOD THING, BUT THAT'S WHAT THIS BILL DOES AND IT NEEDS TO BE VETOED. LET'S COME BACK WITH AN ACCURATE BILL. LET'S SEE WHAT THE COURTS DO. AND LET'S DO IT RIGHT. [LB623]

SPEAKER HADLEY: ONE MINUTE, SENATOR. [LB623]

SENATOR GROENE: THERE WOULD BE EXPENSES TO CREATE THESE LICENSES, AND THEY MIGHT BE OBSOLETE. IN FACT, THEY PROBABLY ARE, BECAUSE THE ONLY CHILDREN, AS IT STANDS RIGHT NOW, THAT HAVE A DACA STANCE UNDER THE DEFERRED ACTION WAS ONLY FOR TWO YEARS. THE EXTENSION IS WHAT'S BEING TAKEN TO COURT. AND THE GOVERNOR WAS CLEAR. THE STATE ATTORNEY GENERAL DOESN'T ADD THE STATE TO A LAWSUIT IF WE DON'T...IF

Floor Debate
May 28, 2015

THE STATE DOES NOT BELIEVE IT'S UNCONSTITUTIONAL AND WHAT THE PRESIDENT DID WAS NOT LEGAL. SEMANTICS? BUT OUR STATE, OUR STATE ATTORNEY GENERAL BELIEVES THIS TO BE ILLEGAL, WHAT THE PRESIDENT DID, AND JOINED THE LAWSUIT. SO THANK YOU. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB623]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I HAVE SPOKE ON THE FLOOR BEFORE THAT I AM OPPOSED TO LB623, AND IT WAS A VERY DIFFICULT POSITION TO TAKE INITIALLY, BECAUSE I WOULD AGREE THAT MANY OF THE DACA STUDENTS HAVE ACHIEVED GREAT ACCOMPLISHMENTS DESPITE THEIR BEING ILLEGAL IMMIGRANTS AND THE CHILDREN OF ILLEGAL IMMIGRANTS. I DO SUPPORT THE VETO OVERRIDE BY THE GOVERNOR ON BEHALF OF THE 4.4 MILLION IMMIGRANTS WHO WOULD LIKE TO IMMIGRATE HERE LEGALLY, THOSE WHO HAVE GONE THROUGH OUR PROCESS, OBEYING THE LAWS OF THIS COUNTRY. SO IT IS WITH GREAT RESPECT TO THE DACA STUDENTS, BUT THIS BILL IS BROAD AND IT WILL BRING MORE THAN THE 2,800 STUDENTS OR POTENTIALLY UP TO 8,000 BY THE TIME THIS DACA GROUP, THE DREAMERS, HAVE FINISHED. AND I WANTED TO TAKE A MINUTE HERE JUST TO ADDRESS SENATOR CHAMBERS OF HIS COMMENT YESTERDAY. SENATOR CHAMBERS, I DO NOT WAGER WAGES ON THE BELIEF OF GOD. BUT I DID WANT TO SAY THAT YOU ARE ONE WHO LISTENS VERY CAREFULLY. AND PERHAPS I DID NOT HEAR THE WORDS THAT YOU DO NOT BELIEVE IN GOD. BUT FROM THE TRANSCRIPT LAST YEAR, WHEN I INTRODUCED THE RESOLUTION COMMEMORATING THE WORDS "UNDER GOD" TO THE PLEDGE OF ALLEGIANCE, YOU HAD SAID, ON TRANSCRIPT, THAT YOU HAD TALKED ABOUT GOD THAT, "WELL, I EXPECT GOD IS WITH US. YOO-HOO, COME OUT, COME OUT, WHEREVER YOU ARE. OH, IS...I DON'T HEAR ANYTHING. IS YOUR GOD DEAF? IS YOUR GOD ON VACATION? CAN HE NOT HEAR? THAT'S FROM THE BIBLE." THOSE WERE WORDS YOU HAD SAID. AND THEN YOU HAD ALSO SAID, "WELL, I DO BELIEVE. I HAVE TO BE HONEST, SENATOR CAMPBELL. I BELIEVE. I BELIEVE TWO THINGS. I BELIEVE IN ALGEBRA AND I BELIEVE SOMETHING IS GOING TO HAPPEN. SO I'M A DOUBLE-BARREL BELIEVER." AND THEN YOU SAID THAT "YOUR RELIGION IS BETWEEN YOU AND YOUR GOD." AND THEN YOU HAD ALSO SAID THAT, "AND THOSE OF US WHO HAVE NO RELIGION...I USED TO BE RELIGIOUS, MORE THAN ALL OF YOU BECAUSE I PRACTICED IT." YOU REFERRED TO YOUR GOD AND THAT IT...THAT YOU WERE OFFENDED, OTHERS WERE OFFENDED. AND YOU ALSO SAID: IF YOU WANT TO BELIEVE THAT SOMEBODY CAN TAKE A LITTLE BIT OF FISH AND FEED IT TO 5,000 PEOPLE, THAT'S FOR YOU

Floor Debate
May 28, 2015

TO BELIEVE. "IF YOU WANT TO BELIEVE THAT SOMEBODY WAS BORN WITHOUT THE INSTRUMENTALITY OF A FATHER, THAT'S FINE." AND DURING THAT DEBATE, THERE WERE SEVERAL REFERENCES. AND IF I MISUNDERSTOOD WHAT YOU HAD SAID LAST YEAR OR THIS YEAR, I WAS HAPPY TO HEAR THAT YOU SAID YOU HAVE NOT SAID THAT. AND RESPECTFULLY, I DO NOT CHOOSE TO WAGER, AND LOOK FORWARD TO MORE THINGS I CAN LEARN IN THE FUTURE. THANK YOU, MR. PRESIDENT. AND THANK YOU, COLLEAGUES. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR BRASCH. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB623]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. I MISSPOKE A LITTLE BIT. IT'S NOT LEGAL STATUS. IT'S LEGAL PRESENCE. THAT'S EVEN SHAKIER. (LAUGH) IT'S UNBELIEVABLE, UNBELIEVABLE WHAT WE'RE DOING HERE OR TRYING TO DO HERE. LET ME JUST SAY THIS. I WANT TO TALK TO THE PEOPLE THAT WERE JUST ELECTED AS FRESHMEN, KIND OF RAN, YOU KNOW, TAXES WERE TOO HIGH AND YOU'RE GOING TO MAKE GOVERNMENT RUN A LITTLE BETTER. AND YOU GET HERE AND YOU GOT SOME TOUGH ISSUES FACING YOU, VERY TOUGH ISSUES. AND THE LOBBYISTS TELL YOU HOW SMART YOU ARE AND HOW, HEY, YOU'RE HERE, INCUMBENTS NEVER LOSE, NEVER MIND THAT BILL KINTNER KNOCKED OFF AN INCUMBENT TO GET HERE, BUT YOU'RE GET HERE, YOU'RE NEVER GOING TO LOSE. AND THEY OPEN THE DOOR FOR YOU AND TELL YOU HOW SMART YOU ARE AND HOW GOOD YOU ARE. AND THE NEXT THING YOU KNOW, YOU'RE SPENDING TIME IN LINCOLN AND YOU'RE LISTENING TO THE ECHO CHAMBER HERE. AND THEY GOT...THEY TELL YOU, HEY, LET'S GET RID OF THAT DEATH PENALTY. AND YOU VOTE FOR THAT. YOU GET FLOODED WITH LETTERS. I MEAN, YOU GET POUNDED. BUT HEY, YOU'RE OKAY. YOU'RE GOING TO BE OKAY. SENATOR CHAMBERS SAYS YOU'RE NOT GOING TO HAVE ANY ELECTION CONSEQUENCES, NO, NOT AT ALL. AND THEN YOU TURN AROUND AND MAYBE YOU VOTE FOR THIS, AND THIS IS EXTREMELY UNPOPULAR. IF YOU LOOK AT ANY POLLING, IT'S NOT GOOD AT ALL FOR PEOPLE WHO SUPPORT THIS. AND THEN ALL OF A SUDDEN, YOU GET INTO YEAR THREE, MAYBE, AND YOU FIGURE YOU GOT YOURSELF A PROBLEM. SO YOU RUN TO THE RIGHT. YOU START TRYING TO VOTE ON A BUNCH OF CONSERVATIVE STUFF AND MAYBE YOU TRY TO GET YOUR PICTURE TAKEN WITH ME FEW TIMES, TRYING TO BE NICE TO THE GOVERNOR. BUT YOU KNOW WHAT? YOU CAN'T RUN FROM YOUR RECORD. THIS IS THE INFORMATION AGE. YOUR RECORD IS GOING TO FOLLOW YOU EVERYWHERE. THESE VOTES THAT YOU TAKE WILL BE THROWN IN YOUR FACE. AND MAYBE THE UNION IS COMING AFTER YOU. THEY'LL USE THESE TO BEAT YOU UP. AND MAYBE SOME MIGHT COME AT YOU FROM THE RIGHT. THESE

Floor Debate
May 28, 2015

THINGS ARE NOT GOING AWAY. YOU'LL NEVER BE ABLE TO RUN FROM THESE VOTES THAT YOU'RE CASTING. LET ME TELL YOU, I'VE WON...I'M THE ONLY GUY IN THIS CHAMBER TO WIN TWO VERY, VERY TOUGH ELECTIONS IN THREE YEARS. IF I WOULD HAVE VOTED FOR ANYTHING LIKE THIS, I WOULDN'T BE HERE, I ASSURE YOU. IN MY REELECTION, I WAS NEVER ATTACKED FOR ONE VOTE, NOT ONE VOTE. IT WAS ALL PERSONAL ATTACKS, JUST PERSONAL ATTACKS, ONE AFTER ANOTHER ON RADIO, DIRECT MAIL, ROBOCALLS. BUT I WAS NEVER, EVER ATTACKED FOR A VOTE BECAUSE I VOTE WITH MY DISTRICT CONSISTENTLY. AND YOU KNOW WHAT? PERSONAL ATTACKS, PEOPLE DON'T LIKE THAT. OBVIOUSLY I'M HERE. PEOPLE IN MY DISTRICT DIDN'T THINK MUCH OF PERSONAL ATTACKS. SO ALL I'M TELLING YOU, THE THINGS THAT YOU DO HERE ARE GOING TO BE WITH YOU FOREVER. SO IF YOU RAN ON A GUY AND YOU SAID YOU'RE CONSERVATIVE AND GOVERNMENT NEEDS TO BE A LITTLE SMALLER AND WE NEED TO CUT TAXES, AND THAT'S HOW YOU PORTRAYED YOURSELF, THAT I'M A PRETTY CONSERVATIVE GUY, I SUPPORTED GOVERNOR RICKETTS WHO WAS RUNNING RIGHT THERE WITH ME, AND THEN YOU TURN AROUND AND YOU OVERRIDE A COUPLE OF THE GOVERNOR'S VETOES, THAT'S NOT GOING TO BE FORGOTTEN. AND IF YOU DIDN'T, THOUGH, IF YOU RAN ON RUNNING AGAINST RICKETTS, GOVERNOR RICKETTS, HE WAS NO GOOD, THEN I GUESS YOU'RE FINE. AND YOU'VE GOT TO DO WHAT'S RIGHT IN YOUR HEART. BUT SOMETIMES YOU CROSS YOUR CONSTITUENTS TOO MANY TIMES AND YOU'RE GOING TO BE A SPECTATOR ON THE COUCH IN THREE YEARS, WATCHING WHAT GOES ON IN THIS CHAMBER. [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR KINTNER: THAT'S JUST HOW THINGS WORK. THERE ARE PLENTY OF GROUPS OUT THERE ON THE RIGHT AND THE LEFT THAT WILL COME AFTER YOU. AND YOU'VE GOT TO LISTEN TO YOUR CONSTITUENTS. I'VE SAID IT PLENTY OF TIMES. WE ARE NOT SMARTER THAN THE PEOPLE WHO SENT US HERE. WE SHOULD BE THE PEOPLE THAT SENT US HERE. LISTEN TO YOUR CONSTITUENTS. BE CONSISTENT IN WHAT YOU CAMPAIGNED ON IN HOW YOU GOVERN. THANK YOU, MR. PRESIDENT. [LB623]

SPEAKER HADLEY: SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB623]

SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. I RISE, IN THE CONTEXT OF LB623, TO BRING THE BODY UP TO SPEED ON LB70, WHICH WAS THE TAX ON AMUSEMENT...ILLEGAL AMUSEMENT DEVICES THAT

Floor Debate
May 28, 2015

WAS VETOED. TO BRING YOU UP TO SPEED ON THAT, LAST YEAR THESE ILLEGAL OR WHAT APPEAR TO BE ILLEGAL MACHINES BEGAN APPEARING IN BARS, IN CONVENIENCE STORES AND LEGION CLUBS, THINGS LIKE THAT ALL ACROSS THE STATE WITH AN ACCELERATING RATE. AND SEVERAL BAR OWNERS, GROUPS LIKE THAT CONTACTED ME AND ASKED, ARE THEY LEGAL OR ILLEGAL? THE TRUTHFUL ANSWER IS YOU DON'T KNOW UNLESS YOU LOOK THROUGH THE SOFTWARE AND FIGURE OUT HOW IT WORKS. CONTACTED THE ATTORNEY GENERAL, CONTACTED THE PATROL AND THE PATROL BASICALLY SAID, LOOK, ALL WE'RE DOING IN ENFORCING RIGHT NOW IS LOOKING TO SEE IF THEY GOT A \$35 STICKER PUT ON THE SIDE, AND UNTIL WE HEAR FROM HIGHER UP WE'RE NOT GOING TO STEP UP ANY ENFORCEMENT ON IT. AT THAT TIME, I FASHIONED LB70, WHICH IS A, I THINK, A VERY GOOD PIECE OF LEGISLATION THAT USES THE TAX LAW TO EFFECTIVELY GET AT THE PROBLEM. AS WITH ALL LEGISLATION, THERE IS INNUENDO. THERE ARE ATTEMPTS, FOR SOMETIMES UNEXPLAINED REASONS, TO TRY TO DERAILED IT. AND I THANK THE BODY FOR STANDING WITH ME ON THAT PIECE OF LEGISLATION AS WE DEVELOPED IT, WITH THE ASSISTANCE OF THE ATTORNEY GENERAL'S LETTER, AND ALL THE WAY THROUGH FINAL READING. AS YOU KNOW, THE GOVERNOR VETOED THAT PIECE OF LEGISLATION AND IT'S FAIRLY CLEAR FROM THE VETO LETTER THAT HE OPPOSES ILLEGAL MACHINES AND PROBABLY DIDN'T UNDERSTAND THE INTRICACIES OF THE BILL. RATHER THAN MOVE FOR AN OVERRIDE, I HAD A VERY CONGENIAL MEETING WITH THE GOVERNOR THIS MORNING AND WE AGREED THAT, ALTHOUGH WE DISAGREE ON THE PROPRIETY OF CASINO GAMING, WE ALL AGREE ON THE ILLEGALITY, THAT ILLEGALITY SHOULD BE DEALT WITH AND WE SHOULD NOT HAVE ILLEGAL GAMBLING, BECAUSE THAT IS THE ROOT OF MANY, MANY PROBLEMS, REGULATORY TAX AND EVERYTHING ELSE. SO RATHER THAN WORK ADVERSE TO EACH OTHER, WE ARE GOING TO WORK TOGETHER OVER THE SUMMER TO DEVELOP, WITH THE STATE PATROL AND OTHER INTERESTED PARTIES, A PIECE OF LEGISLATION THAT WILL BE EFFECTIVE AND THAT WE CAN ADOPT WITH HOPEFULLY NO OPPOSITION AT THE BEGINNING OF NEXT YEAR. LB70 WOULD HAVE WENT INTO EFFECT WITH A TAX ON JANUARY 1. WITH AN EMERGENCY CLAUSE, AT THE BEGINNING OF NEXT YEAR WE SHOULD BE ABLE TO IMPLEMENT THE CONCERTED EFFORT SHORTLY INTO THE SESSION AND NOT LOSE VERY MUCH TIME ON IT. SO I'M NOT GOING TO KEEP THE BODY HERE WITH DISCUSSIONS ON AN OVERRIDE MOTION. I THINK COOPERATION IN THIS INSTANCE IS BETTER. WE CAN WORK TOGETHER. AND I WILL NOT BE FILING AN OVERRIDE MOTION ON LB70 AND HOPEFULLY EVERYTHING WORKS OUT. THANK YOU. [LB623 LB70]

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

Floor Debate
May 28, 2015

SPEAKER HADLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB623]

SENATOR GLOOR: QUESTION. [LB623]

SPEAKER HADLEY: THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO SEE FIVE HANDS. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, MR. CLERK. [LB623]

CLERK: 31 AYES, 3 NAYS, MR. PRESIDENT, TO CEASE DEBATE. [LB623]

SPEAKER HADLEY: DEBATE DOES CEASE. SENATOR NORDQUIST, FOR WHAT PURPOSE DO YOU RISE? [LB623]

SENATOR NORDQUIST: DO I GET TO CLOSE ON MY MOTION? [LB623]

SPEAKER HADLEY: RECOGNIZED TO CLOSE ON THE MOTION. [LB623]

SENATOR NORDQUIST: THEN WE CAN GO AHEAD AND DO A CALL OF THE HOUSE WHILE I'M CLOSING, TOO. LET'S DO A VOTE ON THAT. [LB623]

SPEAKER HADLEY: OKAY. THERE'S BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB623]

CLERK: 37 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB623]

SPEAKER HADLEY: HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR NORDQUIST, YOU'RE RECOGNIZED FOR YOUR CLOSING. [LB623]

Floor Debate
May 28, 2015

SENATOR NORDQUIST: THANK YOU, MR. SPEAKER. AND, MEMBERS, THANK YOU FOR YOUR CONTINUED SUPPORT OF LB623. OBVIOUSLY, THIS IS A VERY POSITIVE THING FOR THE STATE OF NEBRASKA, FOR THE 2,700 DACA RECIPIENTS WHO WOULD BE ELIGIBLE TO GET A DRIVER'S LICENSE IN OUR STATE, FOR THEIR ABILITY TO PARTICIPATE IN OUR ECONOMY, TO MORE FULLY PARTICIPATE IN OUR COMMUNITIES. THIS IS VERY MUCH A POSITIVE THING. THE ARGUMENTS YOU HEARD IN OPPOSITION ON THIS VOTE WERE ESSENTIALLY IT'S GOING TO HURT YOU POLITICALLY OR THE GOVERNOR IS GOING TO REMEMBER THIS. I HOPE YOU DON'T VOTE OUT OF...VOTE TO SUSTAIN A VETO OUT OF THOSE TYPE OF THREATS. I HOPE YOU THINK ABOUT THE POLICY AND THE POSITIVE IMPACTS HERE. THERE ARE TWO THINGS I WANT TO CLARIFY THAT WERE SAID DURING THE DEBATE ON THE OVERRIDE. FIRST OF ALL, THE POPULATION, THE DACA YOUTH THAT ARE QUALIFIED FOR THE CURRENT DACA PROGRAM, THAT PROGRAM IS IN NO WAY, THE CURRENT ELIGIBLE INDIVIDUALS, NO WAY AFFECTED BY THE APPEALS COURT RULING. THAT IS AN EXPANSION OF THE DACA PROGRAM, NOT AN EXTENSION OF THE DACA PROGRAM. THE CURRENT PROGRAM WILL BE ELIGIBLE FOR RENEWAL, THOSE KIDS WILL BE ELIGIBLE FOR TWO-YEAR RENEWALS UNTIL THAT PROGRAM IS EITHER RESCINDED BY ANOTHER EXECUTIVE ACTION OR CONGRESS WERE TO MAKE SOME CHANGE TO THAT. SO THIS ISN'T JUST A TWO-YEAR PROGRAM THAT'S GOING TO RUN OUT. THAT PROGRAM CONTINUES. AND THEN THE SECOND FACT IS, YES, THE APPEALS COURT HAS SAID THE PRESIDENT ACTED OUT OF HIS SCOPE AT THIS POINT IN TIME, AND THE DAPA PROGRAM AND THE EXTENSION...THE EXPANSION OF DACA, EXCUSE ME, THE EXPANSION OF DACA IS NO LONGER...IS NO LONGER IN PLACE AND THAT PROGRAM IS ESSENTIALLY SUSPENDED UNTIL THERE IS EITHER A SUPREME COURT RULING, A FULL APPEALS COURT RULING, OR CONGRESS TAKES SOME ACTION ON IT. SO THOSE ISSUES ARE REALLY NOT IMPACTING LB623. THE FACT GETS DOWN TO THE ONLY PEOPLE ELIGIBLE FOR DRIVER'S LICENSES WHEN LB623 PASSES ARE THE DACA RECIPIENTS THAT ARE HERE IN NEBRASKA RIGHT NOW. THANK YOU. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR NORDQUIST. HOW WOULD YOU LIKE TO PROCEED? [LB623]

SENATOR NORDQUIST: I WILL DO A...LET'S JUST DO A BOARD VOTE TO START WITH. [LB623]

SPEAKER HADLEY: THE QUESTION BEFORE THE BODY IS, SHALL LB623 BECOME LAW NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR? THIS REQUIRES 30 AFFIRMATIVE VOTES. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED

Floor Debate
May 28, 2015

VOTE NAY. THERE'S BEEN A REQUEST FOR A RECORD VOTE. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB623]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1931.) 34 AYES, 10 NAYS, 2 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT, ON THE MOTION THAT LB623 BECOME LAW NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR. [LB623]

SPEAKER HADLEY: THE MOTION IS ADOPTED. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN THE CERTIFICATE THAT READS LB623, HAVING BEEN RETURNED BY THE GOVERNOR WITH HIS OBJECTIONS THERETO, AND AFTER RECONSIDERATION HAVING PASSED THE LEGISLATURE BY THE CONSTITUTIONAL MAJORITY, HAS BECOME LAW THIS 28th DAY OF MAY 2015. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF CONDUCTING BUSINESS, I PROPOSE TO SIGN AND HEREBY DO SIGN LEGISLATIVE RESOLUTION LR338. [LB623 LR338]

SENATOR COASH PRESIDING

SENATOR COASH: RAISE THE CALL. MR. CLERK.

CLERK: I HAVE SOME ITEMS, MR. PRESIDENT, BEFORE WE PROCEED. MR. PRESIDENT, I HAVE THE CERTIFICATE AND A COMMUNICATION FROM THE CLERK TO THE SECRETARY OF STATE REGARDING LB623. I HAVE NEW RESOLUTIONS: LR373 IS BY SENATOR HARR AND OTHERS; LR374 BY SENATOR DAVIS AND OTHERS; THOSE WILL BE LAID OVER AT THIS TIME, MR. PRESIDENT. AND I ALSO HAVE LR338 REPORTED AS CORRECTLY ENROLLED. THAT'S ALL THAT I HAD, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 1931-1935.) [LB623 LR373 LR374 LR338]

SENATOR COASH: THANK YOU, MR. CLERK. SPEAKER HADLEY FOR AN ANNOUNCEMENT.

SPEAKER HADLEY: YES, I HAVE A COUPLE OF ANNOUNCEMENTS. WE ARE GETTING DOWN TO THE LEGISLATIVE RESOLUTIONS. THOSE OF YOU THAT ARE NEW, WE HAVE A SIX-DAY WAITING PERIOD ON THE CONGRATULATORY RESOLUTIONS. SO THAT MEANS DURING THE REGULAR YEAR WE DO NOT EVER VOTE ON THEM. THEY JUST ARE ADOPTED BECAUSE...AFTER THE WAITING

Floor Debate
May 28, 2015

PERIOD. SINCE WE'RE IN THE LAST DAYS OF THE LEGISLATURE, WE WILL HAVE TO VOTE ON THOSE. ACTUALLY LR23 DID HAVE A HEARING AND THAT IS WHY IT IS ON THE AGENDA. THE OTHER ONES, LR356 ON THROUGH, IF THE INTRODUCER WANTED TO JUST STAND UP AND SAY THIS IS A GOOD RESOLUTION, RECOMMENDING SO-AND-SO FOR AN EAGLE SCOUT, I WOULD APPRECIATE YOUR VOTE, AND SITS DOWN, WE WILL BE DONE BY NOON AND WE WILL ADJOURN FOR THE DAY. AND LASTLY, WE CAN HAVE A CHOICE. WE CAN EITHER START AT 6:00 TOMORROW MORNING OR 10:00 TOMORROW MORNING. I THINK THE WILL OF THE BODY IS THAT WE WILL START AT 10:00 TOMORROW MORNING. (LAUGHTER)

SENATOR COASH: THANK YOU, SPEAKER HADLEY. MR. CLERK, NEXT ITEM ON THE AGENDA.

CLERK: MR. PRESIDENT, LR23 WAS A RESOLUTION ORIGINALLY INTRODUCED BY SENATOR RIEPE. IT CALLS UPON THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS TO PROVIDE VETERANS WITH DIRECT ACCESS TO HEALTHCARE SERVICES. MR. PRESIDENT, PURSUANT TO ITS INTRODUCTION, LR23 WAS REFERRED TO THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE. IT WAS REPORTED BACK TO THE FLOOR FOR FURTHER CONSIDERATION. I HAVE NO AMENDMENTS TO THE RESOLUTION, MR. PRESIDENT. [LR23]

SENATOR COASH: SENATOR RIEPE, YOU'RE RECOGNIZED TO OPEN ON LR23. [LR23]

SENATOR RIEPE: MR. PRESIDENT, FELLOW LEGISLATORS, VETERANS, AND ALL NEBRASKANS, I WILL TRY TO BE QUICK. I APPRECIATE THE OPPORTUNITY TO INTRODUCE THE RESOLUTION THAT BENEFITS VETERANS AND LOCAL COMMUNITIES. AS MANY OF YOU KNOW, I GREW UP ON A RURAL FARM AND AM A U.S. NAVY VETERAN. WHILE IN THE NAVY, I WAS A HOSPITAL CORPSMAN, AND I HAVE 30-PLUS YEARS IN HEALTHCARE ADMINISTRATION. MOST OF THOSE YEARS ARE IN THE OMAHA AREA BUT TWO YEARS WERE SERVED IN RURAL EAST TEXAS. TODAY I AM ASKING FOR YOUR SUPPORT OF A RESOLUTION THAT BENEFITS MILITARY VETERANS, THE ECONOMIES OF LOCAL COMMUNITIES, AND LOCAL HOSPITALS WITHIN THOSE COMMUNITIES. I WANT TO THANK THE 41, I REPEAT, THE 41 FELLOW STATE SENATORS WHO HAVE COSPONSORED THIS RESOLUTION. ON NOVEMBER 5 OF 2014, THE VETERANS ADMINISTRATION IMPLEMENTED WHAT'S CALLED A VETERANS CHOICE PROGRAM. THE CHOICE PROGRAM ALLOWS VETERANS THE OPPORTUNITY TO RECEIVE NONVETERAN HEALTHCARE. HOWEVER, VETERANS CAN ONLY USE THE CHOICE PROGRAM IF

Floor Debate
May 28, 2015

THEY MEET CERTAIN REQUIREMENTS. THAT WOULD BE THE VETERANS HAVE A 30-DAY WAIT PERIOD TO BE SEEN BY A PHYSICIAN, THEY HAVE TO LIVE BEYOND 40 MILES FROM A V.A. FACILITY, OR THEY HAVE DIFFICULTY TRAVELING BY PLANE OR BY BOAT--I'M NOT SURE WHERE THAT BOAT WOULD BE IN NEBRASKA BUT--OR GEOGRAPHIC CHALLENGES. VETERANS ARE REQUIRED TO CALL THE V.A. SYSTEM TO SEE IF THEY ARE ELIGIBLE FOR THE USE OF THE CHOICE PROGRAM AND IF THE PHYSICIAN THEY WANT TO SEE IS APPROVED BY THE V.A. THIS PUTS THE RESPONSIBILITY ON THE VETERAN TO GATHER INFORMATION AND OBTAIN PERMISSION TO USE THE LOCAL SERVICE--A "MOTHER, MAY I" ATTITUDE. THE "MOTHER, MAY I" ATTITUDE WORKS AGAINST CONTINUITY OF CARE. EVERY VETERAN SHOULD BE ALLOWED TO CREATE AND ENJOY A RELATIONSHIP WITH A PRIMARY PROVIDER. THIS IS KNOWN AS, SENATOR GLOOR, THE MEDICAL HOME, AND NOT TO BE PASSED BACK AND FORTH BETWEEN THE VETERANS' SYSTEMS AND A LOCAL PRACTITIONER WHEN THE VETERAN DOES, IN FACT, MEET ALL ELIGIBILITY SET BY THE V.A. THE BUREAUCRATIC NATURE OF THIS POLICY IS OBVIOUS AND SERVES AS A DISINCENTIVE FOR VETERANS. LR23 WILL ALSO SUPPORT AND PROMOTE LOCAL COMMUNITIES, ESPECIALLY RURAL HOSPITALS AND LOCAL PHYSICIANS IN TOWNS ACROSS NEBRASKA. HOSPITALS ARE IMPORTANT TO OUR STATE AND MANY ARE CRITICAL ACCESS HOSPITALS. THESE CRITICAL ACCESS HOSPITALS ARE HOSPITALS WITH NO MORE THAN 25 HOSPITAL BEDS. SOME HAVE OPERATING CASH ON HAND OF LESS THAN FIVE DAYS. SHOULD A VETERAN BE ALLOWED ACCESS TO ANY OF THESE HOSPITALS AND REQUIRE INPATIENT CARE, THAT ADMISSION, ALONG WITH OTHERS DURING THE YEAR, COULD BE THE DIFFERENCE IN THE FINANCIAL SURVIVAL OF THESE CRITICAL ACCESS HOSPITALS. IF OUR GOAL IS TO WORK TO PRESERVE THE SMALL NEBRASKA COMMUNITIES, WE NEED TO PROVIDE SUPPORT WHEN POSSIBLE THAT IS NOT A STATE SUBSIDY. VETERANS WHO USE THE LOCAL PHYSICIANS AND HOSPITALS, AS WELL AS OTHER OUTPATIENT SERVICES, ALONG WITH THEIR FAMILIES, WILL SPEND MONEY ON FOOD, SHOPPING, GAS, AND OTHER CONSUMABLE ITEMS TO BOOST THESE LOCAL COMMUNITIES. VETERANS IN RURAL COMMUNITIES RECEIVE SOME SERVICES FROM THE VETERANS HOSPITAL SYSTEM IN OMAHA OR SOUTH DAKOTA, POSSIBLY DENVER, AND THESE VETERANS RECEIVE SOME SERVICES FROM LOCAL PHYSICIANS AND HOSPITALS IN THEIR LOCAL COMMUNITY. THIS IS TOTALLY ABSENT OF CONTINUITY OF CARE FOR THESE VETERANS. I WANT TO QUOTE ABRAHAM LINCOLN IN CLOSING AND TO SAY ABRAHAM LINCOLN SAID "TO CARE FOR HIM WHO SHALL HAVE BORNE THE BATTLE." THESE IMMORTAL WORDS BECAME THE V.A.'S MOTTO. LINCOLN AFFIRMED THE GOVERNMENT'S OBLIGATION TO CARE FOR THOSE INJURED DURING THE WAR, BUT PRESIDENT LINCOLN NEVER QUALIFIED THE WHERE OR

Floor Debate
May 28, 2015

HOW OF VETERANS CARE. I ASK FOR YOUR GREEN VOTE TO LET WASHINGTON KNOW THAT OUR VETERANS DESERVE A REAL CHOICE WHEN IT COMES TO HEALTHCARE, AND OUR LOCAL COMMUNITIES DESERVE TO HAVE OUR SUPPORT AS WELL. THIS IS THE LEAST THAT WE CAN DO. THANK YOU, MR. PRESIDENT. [LR23]

SENATOR COASH: THANK YOU, SENATOR RIEPE. MEMBERS, YOU'VE HEARD THE OPENING TO LR23. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR RIEPE, YOU'RE RECOGNIZED TO CLOSE. SENATOR RIEPE WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR23 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR23]

CLERK: 33 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR RIEPE'S RESOLUTION. [LR23]

SENATOR COASH: RESOLUTION IS ADOPTED. NEXT ITEM, MR. CLERK. [LR23]

CLERK: MR. PRESIDENT, LR356 IS A RESOLUTION INTRODUCED BY SENATOR BLOOMFIELD AND OTHERS CONGRATULATING WINSIDE IN CELEBRATING ITS 125th ANNIVERSARY. [LR356]

SENATOR COASH: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED TO OPEN ON LR356. [LR356]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. AND I UNDERSTOOD THE SPEAKER TO SAY HE WANTED US TO READ THESE IN THEIR ENTIRETY? (LAUGHTER) OH, OKAY. COLLEAGUES, THIS IS A RESOLUTION CONGRATULATING THE VILLAGE OF WINSIDE ON HAVING BEEN THERE 125 YEARS. IT'S A RATHER UNIQUE HISTORY I WON'T GO INTO. THE CELEBRATION WILL BE HELD JUNE 19 THROUGH 21. I INVITE ANY OF YOU AND ALL OF YOU TO JOIN US. THANK YOU, MR. PRESIDENT. [LR356]

SENATOR COASH: THANK YOU, SENATOR BLOOMFIELD. MEMBERS, YOU'VE HEARD THE OPENING TO LR356. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR BLOOMFIELD, YOU'RE RECOGNIZED TO CLOSE. HE WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR356 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR356]

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

Floor Debate
May 28, 2015

CLERK: 31 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE RESOLUTION. [LR356]

SENATOR COASH: RESOLUTION IS ADOPTED. NEXT ITEM, MR. CLERK. [LR356]

CLERK: LR357 IS BY SENATOR KOLOWSKI ASKING THE LEGISLATURE TO CONGRATULATE MILLARD WEST HIGH SCHOOL GIRLS SOCCER TEAM FOR WINNING THE 2015 CLASS A GIRLS STATE SOCCER CHAMPIONSHIP. [LR357]

SENATOR COASH: SENATOR KOLOWSKI, YOU'RE RECOGNIZED TO OPEN ON YOUR RESOLUTION. [LR357]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. DISTRICT 31 IS VERY PROUD OF ITS ACADEMIC EFFORTS ON THE PART OF THE SCHOOLS, AS WELL AS THEIR ACTIVITIES. AND IN THIS CASE, MILLARD WEST WAS SUCCESSFUL IN THE STATE CLASS A CHAMPIONSHIP IN GIRLS SOCCER THIS YEAR AND WE CELEBRATE THAT FACT. THANK YOU VERY MUCH. [LR357]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE OPENING TO LR357. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR KOLOWSKI IS RECOGNIZED TO CLOSE. HE WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR357 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR357]

CLERK: 26 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF LR357. [LR357]

SENATOR COASH: LR357 IS ADOPTED. NEXT ITEM, MR. CLERK. [LR357]

CLERK: MR. PRESIDENT, LR358 IS BY SENATOR KOLOWSKI CONGRATULATING THE ELKHORN SOUTH HIGH SCHOOL GIRLS SOCCER TEAM FOR WINNING THE 2015 CLASS B GIRLS STATE SOCCER CHAMPIONSHIP. [LR358]

SENATOR COASH: SENATOR KOLOWSKI, YOU'RE RECOGNIZED TO OPEN ON LR358. [LR358]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. JUST LIKE THE FIRST ITEM, THIS SECOND ONE CONGRATULATES ELKHORN SOUTH HIGH SCHOOL GIRLS

Floor Debate
May 28, 2015

SOCCER TEAM FOR THEIR CLASS B STATE CHAMPIONSHIP THIS PAST SPRING IN SOCCER. WE WISH THEM THE VERY BEST AS THEY ARE A YOUNG SCHOOL AND AS THEY CONTINUE TO MOVE AHEAD. THANK YOU VERY MUCH. [LR358]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE OPENING TO LR358. SEE NO MEMBERS WISHING TO SPEAK, SENATOR KOLOWSKI WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR358 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR358]

CLERK: 26 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR KOLOWSKI'S RESOLUTION. [LR358]

SENATOR COASH: LR358 IS ADOPTED. NEXT ITEM, MR. CLERK. [LR358]

CLERK: LR359 IS SENATOR KOLOWSKI CONGRATULATING MILLARD WEST HIGH SCHOOL BOYS SOCCER TEAM FOR THE 2015 CLASS A BOYS STATE SOCCER CHAMPIONSHIP. [LR359]

SENATOR COASH: SENATOR KOLOWSKI, YOU'RE RECOGNIZED TO OPEN ON LR359. [LR359]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. AGAIN, THE THIRD CHAMPIONSHIP IN THE DISTRICT 31 THIS SPRING, CONGRATULATING MILLARD WEST BOYS SOCCER TEAM FOR THEIR CLASS A CHAMPIONSHIP. AND WE WISH THEM THE VERY BEST FOR THEIR SUMMER AS WELL. THANK YOU VERY MUCH. [LR359]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE OPENING TO LR359. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR KOLOWSKI WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR359 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR359]

CLERK: 26 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF LR359. [LR359]

SENATOR COASH: LR359 IS ADOPTED. NEXT ITEM, MR. CLERK. [LR359]

Floor Debate
May 28, 2015

CLERK: MR. PRESIDENT, LR360 IS A RESOLUTION OFFERED BY SENATOR KUEHN AND OTHER MEMBERS. IT ASKS THE LEGISLATURE TO HONOR THE SERVICE OF CAPTAIN DUSTIN LUKASIEWICZ FOR HIS SERVICE TO HIS COUNTRY AND THE WORLD COMMUNITY AND EXTEND ITS SYMPATHY TO THE FAMILY OF CAPTAIN LUKASIEWICZ. [LR360]

SENATOR COASH: SENATOR KUEHN, YOU'RE RECOGNIZED TO OPEN LR360. [LR360]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT. THANK YOU, MEMBERS OF THE BODY. THIS IS A SOLEMN LEGISLATIVE RESOLUTION. MARINE CORPS CAPTAIN DUSTIN LUKASIEWICZ IS A NATIVE AND A GRADUATE OF WILCOX, NEBRASKA, HIGH SCHOOL IN WILCOX, NEBRASKA, IN SOUTHWESTERN KEARNEY COUNTY IN DISTRICT 38. HE WAS A MEMBER OF THE MARINE CORPS CREW THAT WAS PROVIDING A MISSION OF MERCY FOLLOWING THE AFTERMATH OF THE NEPAL EARTHQUAKE AT THE END OF APRIL. THE HELICOPTER CRASHED AND ALL LIVES WERE LOST. THIS RESOLUTION IS TO HONOR HIM FOR HIS SERVICE TO OUR COUNTRY AND TO THE GLOBAL COMMUNITY AND THIS MISSION OF MERCY, AND TO EXTEND SYMPATHY TO HIS FAMILY, HIS PARENTS BOTH RESIDING IN SOUTH-CENTRAL NEBRASKA, AND HIS WIFE AND CHILDREN IN CALIFORNIA. [LR360]

SENATOR COASH: THANK YOU, SENATOR KUEHN. MEMBERS, YOU'VE HEARD THE OPENING TO LR360. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR KUEHN IS RECOGNIZED TO CLOSE. HE WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR360 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR360]

CLERK: 33 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR KUEHN'S RESOLUTION. [LR360]

SENATOR COASH: LR360 IS ADOPTED. NEXT ITEM, MR. CLERK. [LR360]

CLERK: LR361 IS A RESOLUTION BY SENATOR McCOY THAT ASKS THE LEGISLATURE TO CONGRATULATE DONALD McPHERSON AND LESTER ARASMITH FOR BEING AWARDED THE CONGRESSIONAL GOLD MEDAL. [LR361]

SENATOR COASH: SENATOR McCOY, YOU'RE RECOGNIZED TO OPEN ON LR361. [LR361]

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

Floor Debate
May 28, 2015

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. AND I STAND WITH A LOT OF GRATITUDE TO OFFER LR361 TO THE BODY THIS MORNING FOR ITS ADOPTION. MANY OF US FOLLOWED THE NEWS IN THE LAST FEW WEEKS OF DONALD McPHERSON AND LESTER ARASMITH BEING AWARDED THE CONGRESSIONAL MEDAL, GOLD MEDAL FOR BEING 2 OF ONLY 77 REMAINING LIVING AMERICAN FIGHTER ACES LEFT IN THE UNITED STATES. BOTH OF THESE MEN ARE THE ONLY TWO LIVING FIGHTER ACES STILL IN THE STATE OF NEBRASKA. DONALD McPHERSON WAS ABLE TO BE IN WASHINGTON, D.C., TO RECEIVE HIS MEDAL. I KNOW ALL OF US ARE VERY GRATEFUL FOR THEIR SERVICE TO OUR COUNTRY. THERE WERE ONLY 1,447 FIGHTER ACES EVER IN OUR NATION. WE'RE VERY GRATEFUL FOR BOTH OF THESE GENTLEMEN AND THEIR CONTRIBUTIONS AND SERVICE TO OUR NATION. AND I BELIEVE THAT THIS LEGISLATIVE RESOLUTION IS YET ANOTHER WAY THIS UNICAMERAL CAN SPEAK FORMALLY WITH OUR GRATITUDE AND THANKFULNESS FOR TWO OF THESE DISTINGUISHED MEMBERS OF THE GREATEST GENERATION. THANK YOU, MR. PRESIDENT. [LR361]

SENATOR COASH: THANK YOU, SENATOR McCOY. MEMBERS, YOU'VE HEARD THE OPENING TO LR361. THE FLOOR IS NOW OPEN FOR DISCUSSION. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR McCOY WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR361 BE ADOPTED? THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. RECORD, MR. CLERK. [LR361]

CLERK: 31 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE RESOLUTION. [LR361]

SENATOR COASH: LR361 IS ADOPTED. NEXT ITEM. [LR361]

CLERK: LR362 IS A RESOLUTION BY SENATOR NORDQUIST ASKING THE LEGISLATURE TO CONGRATULATE TIMOTHY LANNON ON HIS RETIREMENT FROM CREIGHTON UNIVERSITY. [LR362]

SENATOR COASH: SENATOR NORDQUIST, YOU'RE RECOGNIZED TO OPEN ON LR362. [LR362]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. LR362 CONGRATULATES AND ACKNOWLEDGES THE GREAT CAREER OF FATHER TIMOTHY LANNON. FATHER LANNON WAS THE 24th PRESIDENT OF CREIGHTON UNIVERSITY, COMING IN, IN 2011. HE RETIRED AS PRESIDENT IN JANUARY OF

Floor Debate
May 28, 2015

2015. ALSO, IN HIS SERVICE TO OUR STATE, WAS THE PRESIDENT OF CREIGHTON PREP FROM 1988 TO 1995 AND HAS GIVEN SO MUCH TO STUDENTS IN THE...NOT JUST THE OMAHA AREA BUT THE ENTIRE STATE OF NEBRASKA. I'D APPRECIATE YOUR VOTE FOR LR362. [LR362]

SENATOR COASH: THANK YOU, SENATOR NORDQUIST. MEMBERS, YOU'VE HEARD THE OPENING TO LR362. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR NORDQUIST, YOU'RE RECOGNIZED TO CLOSE. AND HE WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR362 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR362]

CLERK: 32 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE RESOLUTION. [LR362]

SENATOR COASH: LR362 IS ADOPTED. NEXT ITEM, MR. CLERK. [LR362]

CLERK: LR363 IS BY SENATOR McCOY. IT CONGRATULATES SAMANTHA MANNIX ON WINNING THE NUMBER 1 SINGLES FINALS IN THE 2015 CLASS B GIRLS STATE TENNIS CHAMPIONSHIP. [LR363]

SENATOR COASH: SENATOR McCOY, YOU'RE RECOGNIZED TO OPEN ON LR363. [LR363]

SENATOR McCOY: THANK YOU, MR. PRESIDENT, MEMBERS. THIS RESOLUTION WOULD CONGRATULATE SAMANTHA MANNIX FOR GOING 33 AND 0, AN UNDEFEATED SEASON, TO WIN THE INDIVIDUAL GOLD MEDAL FOR ELKHORN SOUTH WHICH, AS MANY OF YOU KNOW, IS RIGHT IN THE CENTER OF DISTRICT 39 THAT I PROUDLY REPRESENT HERE IN THE LEGISLATURE. WE ARE VERY EXCITED AND PROUD OF OUR YOUNG STUDENT ATHLETES WHO REPRESENT NEBRASKA VERY WELL ACROSS THE STATE. THANK YOU, MR. PRESIDENT. [LR363]

SENATOR COASH: THANK YOU, SENATOR McCOY. MEMBERS, YOU'VE HEARD THE OPENING TO LR363. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR McCOY WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR363 BE ADOPTED? THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR363]

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

Floor Debate
May 28, 2015

CLERK: 33 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR McCOY'S RESOLUTION. [LR363]

SENATOR COASH: LR363 IS ADOPTED. NEXT ITEM, MR. CLERK. [LR363]

CLERK: LR364 IS BY SENATOR GARRETT. IT CONGRATULATES...IT COMMENDS ALL VETERANS SERVING IN THE LEGISLATURE AND THROUGHOUT THE STATE OF NEBRASKA. [LR364]

SENATOR COASH: SENATOR GARRETT, YOU'RE RECOGNIZED TO OPEN ON LR364. [LR364]

SENATOR GARRETT: THANK YOU, MR. PRESIDENT. COLLEAGUES, I INTENDED TO GET THIS OUT BEFORE MEMORIAL DAY AND GOT OVERCOME BY EVENTS, BUT I WANTED TO GET THIS RESOLUTION IN, COMMENDING ALL VETERANS SERVING IN THE LEGISLATURE. THERE'S ACTUALLY TEN OF US IN HERE: SENATOR CHAMBERS, SENATOR BLOOMFIELD, KOLOWSKI, MERV RIEPE, MIKE GLOOR, LES SEILER, DAVE SCHNOOR, BOB KRIST, GALEN HADLEY, AND MYSELF, AND ALL THE VETERANS SERVING THROUGHOUT THE STATE OF NEBRASKA. THANK YOU, MR. PRESIDENT. [LR364]

SENATOR COASH: THANK YOU, SENATOR GARRETT. MEMBERS, YOU'VE HEARD THE OPENING TO LR364. SEEING NO ONE WISHING TO SPEAK, SENATOR GARRETT IS RECOGNIZED TO CLOSE. HE WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR364 BE ADOPTED? THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR364]

CLERK: 34 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE RESOLUTION. [LR364]

SENATOR COASH: LR364 IS ADOPTED. NEXT ITEM, MR. CLERK. [LR364]

CLERK: MR. PRESIDENT, LR365 IS INTRODUCED BY SENATOR KUEHN. IT'S A BILL...I'M SORRY, IT'S A RESOLUTION THAT CONGRATULATES THE HOLDREGE HIGH SCHOOL DUSTERS FOR WINNING THE CLASS...OR WINNING THE 2015 CLASS B GIRLS STATE TRACK AND FIELD CHAMPIONSHIP. [LR365]

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

Floor Debate
May 28, 2015

SENATOR COASH: SENATOR KUEHN, YOU'RE RECOGNIZED TO OPEN ON LR365.
[LR365]

SENATOR KUEHN: VERY STRAIGHTFORWARD, TO CONGRATULATE THE MEMBERS OF THE WOMEN'S TRACK AND FIELD TEAM FROM HOLDREGE HIGH SCHOOL ON WINNING THE CLASS B STATE GIRLS CHAMPIONSHIP. [LR365]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE OPENING ON LR365. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR KUEHN WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR365 BE ADOPTED? THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR365]

CLERK: 33 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE RESOLUTION. [LR365]

SENATOR COASH: LR365 IS ADOPTED. NEXT ITEM, MR. CLERK? [LR365]

CLERK: LR366 IS BY SENATOR JOHNSON. IT CONGRATULATES BISHOP NEUMANN HIGH SCHOOL FOR WINNING THE 2015 CLASS C BOYS STATE TRACK AND FIELD CHAMPIONSHIP. [LR366]

SENATOR COASH: SENATOR JOHNSON, YOU'RE RECOGNIZED TO OPEN ON LR366.
[LR366]

SENATOR JOHNSON: FIRST OF ALL, I WANT TO EXTEND CONGRATULATIONS ON THE RECORD FOR HOLDREGE HIGH SCHOOL. THAT'S MY HOME SCHOOL, SO CONGRATULATE THEM. I'M NOW LIVING IN WAHOO. AS YOU KNOW, WE HAVE TWO VERY COMPETITIVE HIGH SCHOOLS IN THE WAHOO COMMUNITY: BISHOP NEUMANN AND WAHOO PUBLIC. EVERY YEAR AT LEAST ONE OF THESE SCHOOLS WINS A STATE CHAMPIONSHIP. AT THIS POINT IT'S TIME FOR NEUMANN. THEY WON THE CLASS B STATE TRACK AND FIELD CHAMPIONSHIP. THANK YOU.
[LR366]

SENATOR COASH: THANK YOU, SENATOR JOHNSON. MEMBERS, YOU'VE HEARD THE OPENING TO LR366. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR JOHNSON WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR366 BE ADOPTED? THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR366]

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

Floor Debate
May 28, 2015

CLERK: 32 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE RESOLUTION. [LR366]

SENATOR COASH: LR366 IS ADOPTED. NEXT ITEM, MR. CLERK. [LR366]

CLERK: LR367 IS A RESOLUTION BY SENATOR JOHNSON. IT CONGRATULATES MORGAN VASA ON WINNING A GOLD MEDAL IN THE 100-METER HURDLES AT THE 2015 CLASS C GIRLS STATE TRACK AND FIELD CHAMPIONSHIP. [LR367]

SENATOR COASH: SENATOR JOHNSON, YOU'RE RECOGNIZED TO OPEN ON LR367. [LR367]

SENATOR JOHNSON: AGAIN, TO CONGRATULATE MORGAN VASA, ALTHOUGH A CLASS C SCHOOL, WINNING THE ALL-CLASS IN THE 100-METER HURDLES. THANK YOU. [LR367]

SENATOR COASH: THANK YOU, SENATOR JOHNSON. MEMBERS, YOU'VE HEARD THE OPENING ON LR367. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR JOHNSON WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR367 BE ADOPTED? THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR367]

CLERK: 36 AYES, 0 NAYS, MR. PRESIDENT, ON ADOPTION OF THE RESOLUTION. [LR367]

SENATOR COASH: LR367 IS ADOPTED. NEXT ITEM. [LR367]

CLERK: LR368 IS A RESOLUTION BY SENATOR MELLO. IT RECOGNIZES...CONGRATULATES THE AWARD RECIPIENTS OF THE SOUTH OMAHA NEIGHBORHOOD ALLIANCE AWARDS BANQUET FOR THEIR CONTINUED SERVICE TO THE LOCAL COMMUNITIES. [LR368]

SENATOR COASH: SENATOR MELLO, YOU'RE RECOGNIZED TO OPEN ON LR368. [LR368]

SENATOR MELLO: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, LR368 RECOGNIZES THE SIGNIFICANT COMMUNITY CONTRIBUTIONS THAT ARE

Floor Debate
May 28, 2015

MADE EVERY YEAR BY NEIGHBORHOOD ASSOCIATION LEADERS AND VOLUNTEERS THAT'S DONE ANNUALLY THROUGH THE SOUTH OMAHA NEIGHBORHOOD ALLIANCE, WHICH HOLDS AN ANNUAL BANQUET THE FIRST THURSDAY OF EVERY JUNE. WITH THAT, I URGE THE BODY TO ADOPT LR368. THANK YOU, MR. PRESIDENT. [LR368]

SENATOR COASH: THANK YOU, SENATOR MELLO. MEMBERS, YOU'VE HEARD THE OPENING TO LR368. FLOOR IS NOW OPEN FOR DISCUSSION. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LR368]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR MELLO WOULD YIELD FOR A QUESTION. [LR368]

SENATOR COASH: SENATOR MELLO, WILL YOU YIELD? [LR368]

SENATOR MELLO: OF COURSE. [LR368]

SENATOR CRAWFORD: DID YOU HAPPEN TO HAVE A CHANCE TO ATTEND THIS BANQUET WHEN THESE NEIGHBORHOOD AWARDS WERE PRESENTED? [LR368]

SENATOR MELLO: THIS BANQUET ACTUALLY IS GOING TO BE HELD NEXT THURSDAY, JUNE 4, IN WHICH I WILL BE IN ATTENDANCE, ACTUALLY, TO RECOGNIZE THESE AWARD WINNERS. [LR368]

SENATOR CRAWFORD: EXCELLENT. THANK YOU. AND I APPRECIATE YOUR WORK WITH THIS NEIGHBORHOOD COALITION AND ALL YOUR WORK FOR NEIGHBORHOODS ACROSS THE STATE. THANK YOU FOR OFFERING THIS RESOLUTION. I WILL BE IN SUPPORT OF IT. THANK YOU. [LR368]

SENATOR COASH: THANK YOU, SENATOR CRAWFORD. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR MELLO IS RECOGNIZED TO WAIVE. HE WAIVES CLOSING. QUESTION BEFORE THE BODY IS, SHALL LR368 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR368]

CLERK: 34 AYES, 0 NAYS, MR. PRESIDENT, ON ADOPTION OF THE RESOLUTION. [LR368]

Floor Debate
May 28, 2015

SENATOR COASH: LR368 IS ADOPTED. NEXT ITEM, MR. CLERK. [LR368]

CLERK: LR369 IS A RESOLUTION BY SENATOR KINTNER. IT CONGRATULATES GREG OLSEN ON HIS RETIREMENT FROM NEBRASKA CITY HIGH SCHOOL. [LR369]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. THIS IS A LONGTIME TEACHER WHO'S RETIRING. NOW SENATOR WATERMEIER IS MY COSPONSOR. THE NEBRASKA (CITY) HIGH SCHOOL IS TECHNICALLY IN HIS DISTRICT, BUT QUITE A BIT OF THE DISTRICT IS...SCHOOL DISTRICT IS IN MY DISTRICT, SO THIS IS ONE WE DID TOGETHER. SO WE'RE JUST CONGRATULATING A GOOD TEACHER FOR A GOOD CAREER AND I'M VERY HAPPY TO DO IT. THANK YOU, MR. PRESIDENT. [LR369]

SENATOR COASH: THANK YOU, SENATOR KINTNER. MEMBERS, YOU'VE HEARD THE OPENING TO LR369. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR KINTNER IS RECOGNIZED TO CLOSE. HE WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR369 BE ADOPTED? THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR369]

CLERK: 35 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF LR369. [LR369]

SENATOR COASH: LR369 IS ADOPTED. NEXT ITEM, MR. CLERK. [LR369]

CLERK: LR370 IS A RESOLUTION BY SENATOR NORDQUIST CONGRATULATING FATHER THOMAS FANGMAN FOR BEING AWARDED THE DISTINGUISHED PASTOR AWARD. [LR370]

SENATOR COASH: SENATOR NORDQUIST, YOU'RE RECOGNIZED TO OPEN ON LR370. [LR370]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT, MEMBERS. FATHER THOMAS FANGMAN WAS AWARDED THE DISTINGUISHED PROFESSOR AWARD...OR DISTINGUISHED PASTOR AWARD BY THE ELEMENTARY SCHOOL DEPARTMENT OF THE NATIONAL CATHOLIC EDUCATION ASSOCIATION. THE AWARD IS GIVEN IN HONOR OF PASTORS WHO HAVE GIVEN OUTSTANDING SUPPORT TO CATHOLIC ELEMENTARY EDUCATION, AND FATHER FANGMAN HAS GIVEN 17 YEARS AT SACRED HEART SCHOOL AND CHURCH IN NORTH OMAHA, WHICH IS A PILLAR OF THE COMMUNITY AND GIVES SO MUCH BACK TO THE CHILDREN THAT ATTEND

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

Floor Debate
May 28, 2015

THERE. AND THIS IS AN LR ACKNOWLEDGING HIS GREAT WORK IN NORTH OMAHA. THANK YOU. [LR370]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE OPENING TO LR370. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR NORDQUIST WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LR370 BE ADOPTED? THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR370]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF LR370. [LR370]

SENATOR COASH: LR370 IS ADOPTED. ITEMS, MR. CLERK? [LR370]

CLERK: I DO, MR. PRESIDENT. A REMINDER THE EXECUTIVE BOARD WILL MEET UPON ADJOURNMENT IN ROOM 2102; EXEC BOARD, UPON ADJOURNMENT, 2102. NEW RESOLUTIONS: LR375 BY SENATOR FRIESEN; LR376, SENATOR FRIESEN; LR377, SENATOR WATERMEIER. THOSE WILL BE ALL LAID OVER AT THIS TIME. (LEGISLATIVE JOURNAL PAGES 1936-1938.) [LR375 LR376 LR377]

MR. PRESIDENT, SENATOR KRIST WOULD MOVE TO ADJOURN THE BODY UNTIL FRIDAY MORNING, MAY 29, AT 10:00 A.M.

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. OPPOSED, NAY. WE ARE ADJOURNED.