

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate February 10, 2023

DORN: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the twenty-sixth day of the One Hundred Eighth Legislative [SIC], First Session. Our chaplain for today is Reverend Gregg Gahan of the Craig-Alder Grove Parish of Craig, Nebraska. This is Senator DeKay's district. Please rise.

REVEREND GAHAN: Let's bow our heads. Lord God in heaven, we thank you for everyone who's here today. We thank you for the responsibilities that they have in governing this state. We pray you will help them to conduct themselves in ways that glorify you, guide their conversation and, Lord God, help us all to remember we are ultimately accountable to you. All this, we pray in the name of our Savior. Amen.

DORN: I recognize Senator Murman for the Pledge of Allegiance.

MURMAN: Join me in the pledge. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

DORN: Thank you. I call to order the twenty-sixth day of the One Hundred Eighth Legislature, First Session. Senators, please record your presence. Mr. Clerk, please record.

CLERK: There's a quorum present, Mr. President.

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

CLERK: I have no corrections at this time.

DORN: Mr. Clerk, are there any messages, reports, or announcements?

CLERK: There are, Mr. President. A report of registered lobbyists as of February 9, 2023, is on file at the-- with the Clerk's Office. Additionally, agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website. Your Committee on Natural Resources, chaired by Senator Bostelman, refers LB289 and LB395 to Natural Resource-- from Natural Resources to General File. Additionally, your Committee on Revenue, chaired by Senator Linehan, refers LB753 to General File with committee amendments. And your Committee on Urban Affairs, chaired by Senator McKinney, refers LB21, LB98, LB170, LB172, and LB246 to General File. Additionally, a committee report from the Natural Resources Committee concerning the gubernatorial appointment to the Nebraska Natural Resources Commission. Notice of committee hearing from the Natural Resources

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Committee. And amendments to be printed: Senator Dorn to LR23CA.
That's all I have this time, Mr. President.

DORN: Thank you, Mr. Clerk. Speaker Arch, for announcements.

ARCH: Thank you and good morning, colleagues. For the Friday announcement, I just want to comment on a few things. So after today, our two weeks have all-- thank you-- so after today, our two weeks of all-day hearings will be complete. And thank you to senators and staff for the extra time and work the all-day public hearings schedule necessitated. Three hundred nine bills and resolutions were heard in our first three weeks. And so we have, we have now processed through a number of hearings on some very difficult and large bills, as well as some good government bills, and some of those are now sitting on the worksheet. So I think we're ready for our debate to begin on, on Monday morning. So my goal as Speaker has been to facilitate a fair and efficient floor process. Much of the floor time during the first couple of weeks of the traditional session schedule of half-day afternoon hearings with morning floor debate translates to a lot of short mornings with unused debate time given there is often more morning than bills on General File. So I scheduled a heavy-- front heavy hearing schedule to ensure we have enough bills, and I think we have accomplished that. So next week our mornings will be devoted to floor debate, which will include committee confirmation reports, miscellaneous motions, and bills on General File in worksheet order. Committee public hearings will continue then in the afternoon. With the beginning of the floor debate of legislation, I want to share with you a memo, and, and those will be passed around now, on how I'll be handling specific floor motions. In general, I'll be following the same procedures established by prior Speakers with a few minor adjustments. I know the first thing on everyone's mind is how I'll be handling cloture motions. I intend to follow the eight, four, two full and fair debate guideline. In other words, a motion for cloture will be ruled in order after eight hours of debate on General File, four hours on Select File, and two hours on Final Reading. Additionally, cloture motions on A bills, our appropriation bills, will be ruled in order after 30 minutes unless there is a substantive issue with the A bill itself. In those cases, I'll make an announcement that cloture will not be in order until one hour of debate. I assume that's going to be a rare event but, but will allow for more debate on, on some of those A bills if we see substantive debate occurring. The memo you'll be receiving momentarily also outlines how I'll be handling some other procedural motions. And you'll want to read that memo carefully and ask any questions you have of either me or Laurie in my office. I do want to highlight for you, however, a new practice I'll be

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implementing for this session. Rule 8, Section 5 requires that all bills that negatively impact the General Fund be held on Final Reading until after the Legislature passes the biennial budget bills. This is standard practice and required by our rules. This session, given the unique situation that we have, I'll also be holding on Final Reading all bills that reduce the Cash Reserve Fund until after the Legislature passes the biennial budget bills. Although the Cash Reserve Fund is not specifically mentioned in Rule 8, Section 5, the status of the Cash Reserve Fund directly relates to the General Fund in Nebraska's financial status. This year, an unprecedented number of bills provide for funding via a transfer from the Cash Reserve Fund. Holding bills that negatively impact the General Fund and those that reduce the Cash Reserve Fund on Final Reading until the passage of the mainline budget bills will allow the Legislature to have a full picture of the fiscal status of the state prior to making decisions about the funding of individual programs and projects outside of the mainline budget package. We have some heavy issues before us this session and I anticipate having a lot of extended debate. It is my personal preference we use extended debate time to engage in a dialogue with our colleagues to learn more about a measure to articulate concerns or explain support for a bill and to establish a public record. However, I do understand that having a set amount of time for determining when a matter has had full and fair debate often encourages senators to run out the clock deviating from the subject before us. And I ask that members use their debate time to debate, not just talk about unrelated topics to use up the time until a cloture motion will be ruled in order. Furthermore, our time on this floor is limited. Our time in the Legislature is limited. It's up to each one of us to determine how we want to use our time going forward, carrying out our duties as legislators, as representatives of our constituency, and as representatives of this state. We have a tremendous amount of work to do for the citizens of Nebraska in this session. This body will be dealing with a large number of controversial issues that will likely require cloture motions to end debate before the Legislature determines the outcome of each of those bills. Spending floor time on extended debate on controversial legislation is part of the process. However, at the same time, this body will likely have numerous noncontroversial measures reach the floor that, if passed, will promote good government. While it is up to each of us to decide how best to represent our citizens of Nebraska, I ask the members of the One Hundred Eighth Legislature to take up the items before us each day and allow the body to be efficient with the issues that we can agree upon and we will debate the controversial ones at length. Thank you. And we will reconvene at 10 a.m. on Monday morning. Thank you.

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DORN: Thank you, Speaker Arch. The doctor of the day is under the north balcony, Dr. Joe Miller from Omaha and that is Machaela Cavanaugh's district. Mr. Clerk, for other items.

CLERK: Thank you, Mr. President. Couple announcements: the Reference Committee will meet in Room 1525 upon completion of the Exec Board's public hearing; Reference Committee, 1525 upon completion of the Exec Board hearing. Additionally, the Revenue Committee will be having an Executive Session after both of their hearings today; Revenue Committee, Executive Session after both hearings. Series of name adds: Senator Conrad to LB35 and LB80, Senator McDonnell, Halloran and Jacobson and Albrecht to LB274, Senator Slama to LB574, Senator DeBoer to LB588, and Senator Walz to LB590. Finally, Mr. President, priority motion, Senator Wayne would move to adjourn the body until Monday, February 13, 2023, at 10:00 a.m.

DORN: Colleagues, you've heard the motion. All those in favor say aye. Opposed nay. We are adjourned.