

JANUARY 21, 2005

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

January 21, 2005 LB 52

SPEAKER BRASHEAR PRESIDING

SPEAKER BRASHEAR: Good morning. Welcome to the George W. Norris Legislative Chamber for the twelfth day of the Ninety-Ninth Legislature, First Session. Our chaplain for today is Senator Heidemann. Please rise for prayer. Senator.

SENATOR HEIDEMANN: (Prayer offered.)

SPEAKER BRASHEAR: Thank you, Senator Heidemann. I call the twelfth day of the Legislature to order. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections, Mr. President.

SPEAKER BRASHEAR: Mr. Clerk, do you have any messages, reports, or announcements?

CLERK: I do, Mr. President. I have an appointment letter from Governor Johanns regarding the appointment of John Munn as director of Department of Banking and Finance. Mr. President, yesterday, a communication from the Governor: "Dear Mr. Speaker, Pursuant to Nebraska Revised Statute 32-562, I hereby resign my position as Governor of the state of Nebraska, effective today at 3:00 p.m. Sincerely, Mike Johanns, Governor." Pursuant to that communication, Mr. President, I have a communication from the Speaker addressed to Governor Johanns: "On behalf of the Nebraska Unicameral Legislature, I hereby accept your resignation as Governor. Please accept my congratulations on your new position as the United States Secretary of Agriculture. Best wishes in your new position."

Mr. President, I have a Reference report referring LB 617 through LB 763, signed by Senator Engel, as Chair. Your Committee on Agriculture, chaired by Senator Kremer, reports LB 52 to General File with amendments; that's signed by Senator

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Kremer. The Education Committee, chaired by Senator Raikes, reports LB 126 and LB 124...LB 126 to General File, and LB 124 indefinitely postponed, and LB 125 indefinitely postponed; those reports signed by Senator Raikes. Health and Human Services Committee, chaired by Senator Jensen, reports LB 61 to General File; LB 89, General File; LB 175, General File; LB 176, General File; LB 301, General File with amendments; and LB 164 indefinitely postponed; those reports signed by Senator Jensen, as Chair. An amendment by Senator Raikes to LB 126 to be printed. I have confirmation reports, Mr. President, from the Retirement Systems Committee, chaired by Senator Stuhr; from the Health and Human Services Committee, chaired by Senator Jensen; and Natural Resources, chaired by Senator Schrock.

Mr. President, I have received in the Clerk's Office reports from the Crime Commission, the Health and Human Services System, the Department of Roads, Rural Development Commission. Those reports are on file and available for member review. And, Mr. President, I have the report of registered lobbyists, as required by statute, to be inserted in the Legislative Journal. And that's all that I have at this time, Mr. President. (Also, Reference report referring LR 24 through LR 28, Legislative Journal pages 317-329.)

SPEAKER BRASHEAR: Thank you, Mr. Clerk. Senator Cudaback, you're recognized for a motion, please.

SENATOR CUDABACK: Mr. President, I move that a series of committees be appointed to escort the family, the Governor, and the Chief Justice of the Supreme Court to the Legislative Chamber for the purpose of administering the oath of office to the Governor of the state of Nebraska.

SPEAKER BRASHEAR: Thank you, Senator Cudaback. It is the privilege of the Legislature of the state of Nebraska to have with us today the Governor, his family, his friends, and so many of you who are observing this important moment. We thank you for your presence. Will the...okay. The motion before the house is, shall the Escort Committee be appointed and approved as printed and distributed? All those in favor signify by voting aye; those opposed, nay. Not well done on my part.

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Those nay? The ayes have it. The motion is approved. Will the Escort Committee please proceed to escort the First Lady and the son of the Governor, Sam Heineman. (Visitors introduced.) Mr. Sergeant at Arms.

SERGEANT AT ARMS: Mr. Speaker, your committee now escorting First Lady Sally Ganem and son, Sam Heineman.

SPEAKER BRASHEAR: Would the Escort Committee, to escort the Governor, retire to the rear of the Chamber, please. (Visitors introduced.) Mr. Sergeant at Arms.

SERGEANT AT ARMS: Mr. Speaker, your committee now escorting the Governor of the great state of Nebraska, Dave Heineman.

SPEAKER BRASHEAR: Would the Escort Committee please retire to the rear of the Chamber, as we stand, and escort the Chief Justice of the Nebraska Supreme Court into the Chamber. Mr. Sergeant at Arms.

SERGEANT AT ARMS: Mr. Speaker, your committee now escorting the Chief Justice of the Supreme Court, John Hendry.

SPEAKER BRASHEAR: (Gavel) We will now proceed to the swearing in ceremony. At this time, I would like to recognize the Chief Justice of the Nebraska Supreme Court, the Honorable John Hendry.

CHIEF JUSTICE HENDRY: Thank you, Mr. Speaker. Governor Heineman, please come forward. (Oath of office administered to Governor Heineman.) Congratulations. (Applause)

SPEAKER BRASHEAR: Mr. Governor, would you have remarks for us, please.

GOVERNOR HEINEMAN: Mr. Speaker, members of the Legislature, special friends from Fremont, other distinguished guests and fellow Nebraskans, today my remarks will be very brief. It is only appropriate that I begin by thanking my mom and dad, my wife Sally, my son Sam, for their unwavering support throughout my years in public service. I wouldn't be standing here today

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if it weren't for your love and encouragement. I also want to thank this body for allowing me the honor of taking the oath of office in this historic Chamber. Your graciousness is appreciated. To the citizens of this great state, I have this to say. I stand ready to accept the awesome responsibilities now before me. I am grateful, not only to have had the opportunity to serve as Lieutenant Governor, but to have done so alongside a man of Mike Johanns' caliber. Today I am honored to accept a more prominent role in the leadership of this state. As Nebraska's 39th Governor, I will commit myself to making this state an even greater place to live, work, and raise a family. I intend to reach out from border to border to hear firsthand from our citizens about their thoughts, concerns, and ideas for our state. I look forward to working with you and sharing more with you about my vision for the future next week, when I deliver the State of the State. Thank you very much.
(Applause)

SPEAKER BRASHEAR: Would the Escort Committee for the Governor please escort the Governor, the First Lady, and their son, Sam Heineman, from the Chamber. Would the Escort Committee for the Chief Justice please come forward and escort the Chief Justice from the Chamber. The body will be at ease, please, as we await some possible other announcements. Thank you. May I have your attention, please? May I? Thank you. I wanted to make certain that everyone present knew that there will be a reception line forming in the Governor's suite 15 minutes following our adjournment, and you would all be welcome there. We will...we still are waiting on a few other announcements, so if you would bear with us, we would appreciate your patience. Thank you. Mr. Clerk, do you have any messages, reports, or announcements, please?

CLERK: I do, Mr. President. Thank you. Your Committee on Government, chaired by Senator Schimek, reports LB 54 and LB 96 to General File with amendments; those reports signed by Senator Schimek. Revenue Committee, chaired by Senator Landis, reports LB 16 and LB 17 to General File; LB 15, General File with amendments; likewise with LB 18, LB 263, LB 283; and LB 371 is reported indefinitely postponed; those reports signed by Senator Landis. Senator Stuhr, as Chair of Retirement, offers LB 329 to

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 LR 29

General File. Mr. President, I have a hearing notice from the General Affairs Committee, signed by Senator Janssen. Senator Schrock offers LR 29, a resolution; that will be laid over, Mr. President. Referencing will meet upon adjournment.

Mr. President, a series of name adds: Senator Brashear to LB 47; Senator Cunningham, LB 575; Senator Fischer, LB 600; Senator Redfield, LB 604; Senator Kruse, LB 604; Senator Redfield, LB 613; Senator Kruse, LB 613; Senator Fischer, LB 673; Senator Flood, LB 713; Senator Kremer to withdraw his name from LB 748. Mr. President, that's all that I have. (Legislative Journal pages 330-333.)

SPEAKER BRASHEAR: Thank you, Mr. Clerk. The Chair would recognize Senator Cudaback.

SENATOR CUDABACK: I move that we adjourn until January 25, 11:00 a.m.

SPEAKER BRASHEAR: Thank you, Senator Cudaback. You've heard the motion. All those in favor, signify by saying aye. Those opposed, nay. We are adjourned. Have a safe and pleasant weekend.

Proofed by: J. Hurlbut