

JANUARY 10, 2005

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

January 10, 2005

SENATOR CUDABACK PRESIDING

SENATOR CUDABACK: Good morning. Welcome to the George W. Norris Legislative Chamber. Our acting chaplain this morning is Senator Friend, from the 10th District. Senator Friend.

SENATOR FRIEND: (Prayer offered.)

SENATOR CUDABACK: Thank you, Senator Friend, for doing that for us. We appreciate it. I call the fourth day of the Ninety-Ninth Legislature, First Session, to order. Senators, please check in. Record please, Mr. Clerk.

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

SENATOR CUDABACK: Thank you, Mr. Clerk. Any corrections for the Journal?

CLERK: I have no corrections, Mr. President.

SENATOR CUDABACK: Okay. The fourth item on the agenda, adoption of temporary rules. Senator Hudkins, for a motion.

SENATOR HUDKINS: Thank you, Mr. President. I move that the rules, as are now in our possession, be adopted for today only, January 10, 2005.

SENATOR CUDABACK: You've heard the motion by Senator Hudkins to adopt the temporary rules. All in favor of the motion say aye. Opposed to the motion say nay. They are adopted. Mr. Clerk, messages, reports, or announcements?

CLERK: Mr. President, I have a Reference report referring LB 1-134, as well as certain constitutional amendments (LR 1-8). And Mr. President, I have the report of disposition of interim study resolutions, as required by rule. (Legislative Journal pages 119-132.)

SENATOR CUDABACK: Thank you, Mr. Clerk. We now go to Speaker Brashear.

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

January 10, 2005

SPEAKER BRASHEAR: Thank you, Mr. President, members of the body. Good morning. Welcome back for our first full day. I would appreciate your attention for a few moments, because I'm going to address things that relate to your lives and your days. Mr. President, I do want to thank you for your generosity with your time in presiding. It's very helpful. I think we ought to acknowledge that Chuck Hubka and his many people who helped him have accomplished 24 moves. And I am reliably informed that we have everyone in their assigned office and everyone has telephone. I think that's important, in terms of our getting organized. It's a little difficult without those things. We will continue to convene at 11:00, of course, we did today, tomorrow, Tuesday, and Wednesday. On Thursday, we will convene at 9:00. That is necessary in order that we receive the budget bills from the Governor, and that we maintain a schedule that relates to--more than you want to know--leased telephone lines and press conferences and a lot of other things. But nevertheless, and we will begin...I have conferred with Senator Hudkins, Chair of the Rules Committee, and we will begin the debate and consideration on the rules on Thursday at 9:00. On Friday, we will convene at 10:00. And that's my attempt to be good to us and to also allow enough time on Friday to see how things go. And if we don't have a lot of rules for consideration and so on, then we could adjourn at 11:00 and begin our weekend, if that's what works. So it's...kind of be in our hands. And I will be consulting with various members on the Rules Committee report, and trying to help facilitate that. Hearings will begin on Tuesday the 18th, following the Martin Luther King holiday. The calendar is out. I appreciate all of those of you who have been approving. You can rely on the calendar...there are three people who have asked me to reconsider the ending of the calendar. You can rely on the calendar in the early several months. I have promised three people that I will reconsider the...how we conclude. And that's a function of giving up recess days, as you know. So I will work through that. I...those of us who have been here know of the excellence of the Speaker's staff. And I would ask you to rely upon them. They have been wonderful in helping me. You can rely on them. And they're going to help me serve you. I think also we need to...I will continue to acknowledge that we've been putting in a lot of bills. We've been inconvenienced

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

January 10, 2005

by starting at 11:00. That's not necessarily been convenient for Clerk's staff. And we appreciate their effort and their diligence. But we are handling it. I think it's going fine, and you'll tell me otherwise. Have a great week. Thank you.

SENATOR CUDABACK: Thank you, Speaker Brashear, for the comments. Mr. Clerk, do you have announcements, please?

CLERK: Mr. President, I do. Natural Resources Committee will meet in Room 2102 at 11:10. Natural Resources, 11:10, Room 2102. Urban Affairs will meet at 11:10 underneath the south balcony. Urban Affairs at 11:10 under the south balcony. Transportation Committee will meet at 11:15 in Room 2022. Transportation, Room 2022 at 11:15. And Retirement Systems will meet at 11:30 and...underneath the north balcony. Retirement Committee, 11:30 today, north balcony. Those all signed by their respective Chairs. And that's all I have at this time, Mr. President.

SENATOR CUDABACK: Thank you, Mr. Clerk. Mr. Clerk, motion on the desk.

CLERK: Mr. President, Senator Dwite Pedersen, as Chair of the Committee on Committees, would move to adopt the final committee report, found on page 99 of the Legislative Journal.

SENATOR CUDABACK: Senator Pedersen you're recognized.

SENATOR Dw. PEDERSEN: Thank you, Mr. President, members of the Legislature. First of all, I would like to thank Senator Preister and the Committee on Committees committee for doing such a diligent job in getting our committee assignments done. Because of some personal problems and illness of my family, I have not been able to participate in it as I should have. But they did a very good job, if not better than if I'd have been here. With that, I move that we adopt the report from the Committee on Committees. Thank you.

SENATOR CUDABACK: You've heard the motion by Senator Pedersen. Open for discussion. Seeing no discuss...

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

January 10, 2005 LB 233-237

SENATOR Dw. PEDERSEN: I make a motion that we adopt the final Committee on Committees report.

SENATOR CUDABACK: Thank you, Senator Pedersen. Seeing no discussion, did you wish to close on the motion, Senator Pedersen? He does not, evidently. The question before the body is adoption of the report offered from the Committee on Committees. All in favor of the motion vote aye; those opposed, nay. Motion before the body is adoption of the report from the Committee on Committees. The motion before the body is adoption of the report from the Committee on Committees. Have you all voted who care to? Record please, Mr. Clerk.

CLERK: 28 ayes, 0 nays, Mr. President, on the adoption of the Committee on Committees' report.

SENATOR CUDABACK: The report has been adopted. We now go to introduction of new bills. Mr. Clerk, if you have any to read, you may do so.

CLERK: Mr. President, new bills. (Read LB 233-237 by title for the first time, Legislative Journal page 133.)

SENATOR CUDABACK: Thank you, Mr. Clerk. We now stand at ease while further bills come forward. Mr. Clerk, further announcements?

ASSISTANT CLERK: Mr. President, I do. The Government Committee will meet in...at 11:30 a.m. under the north balcony for Executive Session; that's the Government Committee, 11:30, north balcony. Judiciary Committee will meet under the south balcony at 11:45; Judiciary under the south balcony at 11:45. And the Appropriations Committee will meet at 1:30 p.m. in Room 1003.

SENATOR CUDABACK: Thank you, Mr. Clerk, for the announcements. (Visitors introduced.) Mr. Clerk, announcements and new bills, please.

ASSISTANT CLERK: Mr. President, Revenue will meet in Executive Session at 11:30 a.m. under the north balcony. That's Revenue at 11:30, north balcony. To repeat, the Government Committee is

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

January 10, 2005 LB 238-292

going to meet at 11:30 under the north balcony as well. Judiciary will be meeting at 11:45 under the south balcony. Mr. President, new bills. (Read LB 238-256 by title for the first time.) And that's all I have at this time, Mr. President. (Legislative Journal pages 133-137.)

SENATOR CUDABACK: Thank you, Mr. Clerk. Members, if you have any further bills ready to go, why, please bring them forward so we can get them processed in a timely manner, without making our...

CLERK: Mr. President, a second...

SENATOR CUDABACK: Mr. Clerk.

CLERK: ...announcement. Judiciary will meet underneath the south balcony at 11:45; Judiciary Committee, south balcony, 11:45. Mr. President, new bills. (Read LB 257-265 by title for the first time, Legislative Journal pages 137-138.)

SENATOR CUDABACK: Thank you, Mr. Clerk. (Microphone malfunction)...please.

ASSISTANT CLERK: Mr. President, a reminder. The Judiciary Committee is meeting in Executive Session under the south balcony right now. That's Judiciary Committee, south balcony.

SENATOR CUDABACK: Thank you, Mr. Clerk. Mr. Clerk, new bills.

ASSISTANT CLERK: (Read LB 266-276 by title for the first time.) And that's all I have at this time, Mr. President. (Legislative Journal pages 138-141.)

SENATOR CUDABACK: Thank you, Mr. Clerk. Members, it's about that time. So if you have any last-minute bills to bring up, please do so now.

ASSISTANT CLERK: (Read LB 277-292 by title for the first time, Legislative Journal pages 141-143.)

SENATOR CUDABACK: Thank you, Mr. Clerk.

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

January 10, 2005 LB 28, 206, 293-300
 LR 9, 10

CLERK: Mr. President, new bills. (Read LB 293-300 by title for the first time.) Mr. President, two new resolutions. LR 9CA, by Senator Cunningham, asking the Legislature to urge the United States Congress to amend Section 1917(b)(1)(C) of the Social Security Act. Pursuant to that introduction, Mr. President, I have a communication from the Speaker directing LB...or LR 9, excuse me, be referred to Reference for referral to standing committee for hearing. LR 10CA, by Senator Hudkins and others, declaring the month of February as 4-H Month. Mr. President, a series of Vice Chair designations. Senator Kremer has...as Chair of Agriculture, announces Senator Erdman has been selected as Vice Chair. Business and Labor announces Senator Combs has been selected as Vice Chair. Natural Resources announces Senator Stuhr as Vice Chair. Urban Affairs announces Senator Connealy as Vice Chair. Education announces Senator Byars as Vice Chair. Government announces Senator Brown as Vice Chair. And Judiciary announces that Senator Dwite Pedersen has been selected as Vice Chair. I also have the report of registered lobbyists, required by statute, Mr. President, to be inserted. And reminder announcements. Appropriations will meet at 1:30 in Room 21...or 1003, excuse me, 1003, their normal hearing room. Reference will meet upon adjournment. Senator Burling would like to add his name to LB 206; Senator Janssen to LB 28. (Legislative Journal pages 143-170.)

And, Mr. President, a priority motion. Senator McDonald would move to adjourn until tomorrow morning at 11:00 a.m.

SENATOR CUDABACK: You've heard the motion by Senator McDonald to adjourn to Tuesday morning, 11:00. All in favor of the motion say aye. Opposed to the motion...everybody say aye. Aye. All opposed, nay. The ayes have it. We are adjourned till tomorrow morning, 11:00.

Proofed by: AEG