

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

Floor Debate
November 20, 2008

[LR7 LR9 LR10]

PRESIDENT SHEEHY PRESIDING

PRESIDENT SHEEHY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the sixth day, One Hundredth Legislature, First Special Session. Our chaplain for this morning is Senator Wallman. Would you all please rise.

SENATOR WALLMAN: (Prayer offered.)

PRESIDENT SHEEHY: Thank you, Senator Wallman. I call to order the sixth day of the One Hundredth Legislature, First Special Session. Senators, please record your presence for roll call. Please record, Mr. Clerk.

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

PRESIDENT SHEEHY: Are there corrections for the Journal?

ASSISTANT CLERK: I have no corrections this morning.

PRESIDENT SHEEHY: Messages, reports, or announcements?

ASSISTANT CLERK: Mr. President, one item. New resolution, LR9 offered by Senator Christensen would recognize Dallas McMurtrey for achieving the rank of Eagle Scout. That will be laid over. (Legislative Journal page 69.) [LR9]

PRESIDENT SHEEHY: Thank you, Mr. Clerk. We will now move to legislative confirmation reports.

ASSISTANT CLERK: Mr. President, the first report is offered by the Business and Labor Committee relating to Commissioner of Labor Catherine Lang for the Department of Labor. It's found in the Journal on page 51.

PRESIDENT SHEEHY: Senator Cornett, you are recognized to open on the Business and Labor Committee legislative confirmation report.

SENATOR CORNETT: Good morning, Lieutenant Governor and members of the body. Many of you already know that many of the fine contributions that appointee Cathy Lang has made to the state of Nebraska in her years of service in the Nebraska Department of Revenue. Before her appointment to the Department of Labor, she served as the deputy Tax Commissioner. Many of you are familiar also with her role as Property Tax Administrator. The Business and Labor Committee voted 6-0, with 1 member absent, to

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

Floor Debate
November 20, 2008

recommend confirmation of her appointment. Ms. Lang was candid with the committee that her strength lies not so much with the subject matter but with her wealth of experience in leading an agency to manage within its resources and to be creative in meeting its objectives. I urge the body to support her confirmation. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Cornett. You have heard the opening of the legislative confirmation report from Business and Labor Committee. Is there discussion on this confirmation? Seeing none, Senator Cornett, you're recognized to close. Senator Cornett waives closing. The question before the body is on the adoption of the legislative confirmation report from Business and Labor Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 70.) 44 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: The confirmation report is adopted. Next confirmation report.

ASSISTANT CLERK: Mr. President, Health and Human Services would report on six appointments to the State Board of Health. (Legislative Journal page 52.)

PRESIDENT SHEEHY: Senator Johnson, you're recognized to open on your Health and Human Services Committee confirmation report number one.

SENATOR JOHNSON: Thank you, Mr. President. The Health and Human Services Committee reports favorably on the appointment of six persons to the state department Board of Health. The committee held a public hearing, November 17, 2008, to consider these appointments, and all appointees were approved unanimously by the committee. Let me go through the list very briefly. Eric Berggren, a new appointment for a five-year term from Gretna, Nebraska. Mr. Berggren is a professional engineer who specializes in wastewater systems design and engineering; graduate of UNL. Dr. Dan Bizzell, a new appointment, five-year term, from Kearney, Nebraska. Dr. Bizzell is a clinical psychologist at Mary Lanning Hospital in Hastings and a past chair of the state Board of Psychology. Dr. Theodore Evans is a new appointment for a five-year term. He is a veterinarian from Tecumseh. Dr. Evans was unable to appear at the hearing. Senator Lavon Heidemann appeared and provided testimony in support of his confirmation. Kenneth Kester, a new appointment, one-year term to fill the vacancy created by the resignation of Sam Augustine as a pharmacist member of the board. Mr. Kester serves as director of pharmacy at the Nebraska Heart Hospital in Lincoln and he is also a graduate of the University of Nebraska College of Law. Number five is Dr. Paul Salansky, is a reappointment for a five-year term. He is an optometrist from Nebraska City, attended high school and college in Illinois but came to practice optometry in Nebraska 30 years ago. Dr. John Tenny is a new appointee, five-year term, is a podiatrist who lives in Eagle, Nebraska, but practices in Lincoln. Sir, I would ask the

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

Floor Debate
November 20, 2008

body's confirmation of the appointment of these six individuals to the State Board of Health. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Johnson. You have heard the opening of the first legislative confirmation report from the Health and Human Services Committee. The floor is open for discussion on this confirmation report. Seeing no lights on, Senator Johnson, you're recognized to close.

SENATOR JOHNSON: Thank you. We felt that all of these candidates would be good members to the State Board of Health and I would ask for your confirmation. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Johnson. You have heard the closing on the first Health and Human Services confirmation report. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 71.) 41 ayes, 0 nays on the adoption of the first report from Health and Human Services, Mr. President.

PRESIDENT SHEEHY: The first Health and Human Services confirmation report is adopted. (Visitors introduced.) Next confirmation report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the next report is from Health and Human Services. It regards four appointments to the Board of Emergency Medical Services. (Legislative Journal page 52.)

PRESIDENT SHEEHY: Senator Johnson, you're recognized to open on the confirmation report, report number two.

SENATOR JOHNSON: Thank you, sir. This is for the Board of Emergency Medical Services. The Health and Human Services Committee reports favorably on the appointment of these four persons. The hearing was held on November 17, 2008, and all appointees were approved unanimously by the committee. Judith Henning is a new appointment to a three-year term. Ms. Henning is a former EMT and also a former mayor of Crete, Nebraska. Don Harmon, new appointee to a three-year term from Beatrice. Mr. Harmon is a physician's assistant who practices at a rural health clinic in Wymore, Nebraska. Timothy Hoffman, new appointee, three-year term, from Kearney. Mr. Hoffman is an EMS manager at the Good Samaritan Health System in Kearney and has been a paramedic since 1999. Dr. George Surber, a reappointment for a three-year term, he is a family practice physician in Norfolk, Nebraska. He was unable to attend at the hearing but a representative from Senator Flood's office appeared and read a written statement from Dr. Surber in support of his confirmation. Sir, I would ask the body's confirmation of these appointments of these four individuals to the Board of Emergency Medical Services. Thank you.

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

Floor Debate
November 20, 2008

PRESIDENT SHEEHY: Thank you, Senator Johnson. You have heard the opening of the second confirmation report from Health and Human Services Committee. The floor is now open for discussion. Seeing no lights on, Senator Johnson, you're recognized to close.

SENATOR JOHNSON: Thank you. Again I would just ask for your confirmation of these four individuals. We felt that they were well-qualified and quality finalists.

PRESIDENT SHEEHY: Thank you, Senator Johnson. You have heard the closing to the second confirmation report from Health and Human Services Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 71-72.) 39 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: Confirmation report number two is adopted. Next confirmation report, Mr. Clerk.

ASSISTANT CLERK: Health and Human Services would report on two appointments to the Child Abuse Prevention Fund Board. (Legislative Journal page 52.)

PRESIDENT SHEEHY: Senator Johnson, you're recognized to open on the third confirmation report from Health and Human Services Committee.

SENATOR JOHNSON: Thank you. Health and Human Services Committee again reports favorably on the appointment of two persons to the Child Abuse Prevention Fund Board. The committee held a public hearing, again on November 17, 2008, to consider the appointments. Both appointees were approved unanimously by the committee. These appointees were Jennie Cole-Mossman, who is a reappointment for a three-year term. She is a child and adolescent mental health practitioner in Lincoln, Nebraska, and in addition, she and her husband are also foster parents of children. Joni Kuzma is a new appointment for a three-year term. She is a community development director for the city of Grand Island. She also serves on various other boards, including the Association of Child Abuse Prevention. Again, we felt that these were two very good candidates and would recommend them to the Legislature for confirmation.

PRESIDENT SHEEHY: Thank you, Senator Johnson. You've heard the opening to the third confirmation report from the Health and Human Services Committee. The floor is now open for discussion on the confirmations. Seeing no lights to speak, Senator Johnson, you're recognized to close.

SENATOR JOHNSON: Thank you. Again would recommend to the body, with the

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

Floor Debate
November 20, 2008

unanimous approval of the Health and Human Services Committee, of these individuals to the board. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Johnson. You've heard the closing of the third confirmation report from the Health and Human Services Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 72-73.) 42 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: The third confirmation report is adopted. Next confirmation report.

ASSISTANT CLERK: Mr. President, the next report is from Transportation and Telecommunications. It involves three appointments to the Motor Vehicle Industry Licensing Board. (Legislative Journal page 53.)

PRESIDENT SHEEHY: Senator Fischer, you're recognized to open on your first confirmation report from Transportation and Telecommunications Committee.

SENATOR FISCHER: Thank you, Mr. President and members of the body. The Transportation and Telecommunications Committee held a confirmation hearing on Monday, November 17, for three appointments to the Motor Vehicle Industry Licensing Board. The Motor Vehicle Industry Licensing Board is the state agency that licenses and regulates motor vehicle, trailer, motorcycle dealers and their salespersons. The board also licenses manufacturers and distributors and their representatives. Wrecker/salvage businesses who buy vehicles to dismantle the vehicle for the purpose of selling parts or to sell the vehicle as scrap are licensed by the board. Auto auctions are also licensed by this board. This board takes consumer complaints against licensed dealers. The Motor Vehicle Industry Licensing Board is made up of ten board members who are appointed by the Governor and serve for three-year appointments. The chairperson of the board is the director of the Department of Motor Vehicles. The remaining members are one member from the general public, one new motor vehicle dealer from each of the three Congressional districts, two used motor vehicle dealers, one trailer dealer, one factory representative, and one motorcycle dealer. The three most recent appointees to serve for a term from August 5, 2008, to May 18, 2011, are Darlene Noah, a trailer dealer from Kimball, and Charles Borgmann, a used car dealer from Norfolk. Both of these are reappointments to the board. Sammy Reagan, a new car dealer from Elkhorn, is a new appointee to the board. Ms. Noah is the owner and president of Henry Stahla Mobile Homes, with locations in Kimball, North Platte, and Sterling, Colorado. She has served the last two years on the Nebraska Manufactured Housing Association board and is currently the president. She has also served on the Kimball Board of Adjustment for the last five years. Mr. Borgmann is the owner and

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

Floor Debate
November 20, 2008

manager of Borgmann Auto, Incorporated, in Norfolk. He is a longtime member of the Nebraska Independent Auto Dealers Association, and has served as president and on the board of directors. He is also a member of the Better Business Bureau Honor Roll. Mr. Reagan is president of Reagan Automotive Group, Incorporated, from Omaha, Infiniti of Omaha, having been in the business for 32 years. Mr. Borgmann attended the hearing. Due to the distance involved and also being a reappointment, Ms. Noah did not appear. Mr. Reagan also did not appear, as he was visiting a college in Charleston, South Carolina, with his daughter, which had been previously scheduled. Mr. William Jackson, executive director of the Motor Vehicle Industry Licensing Board, appeared on behalf of Ms. Noah and Mr. Reagan, both of whom submitted letters to our committee. The Transportation and Telecommunications Committee recommends this confirmation with a record vote: 7 yes, 1 absent. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Fischer. You have heard the opening of the first confirmation report from the Transportation and Telecommunications Committee. The floor is open for discussion on this confirmation report. Seeing no lights, Senator Fischer, you're recognized to close. Senator Fischer waives closing. The question before the body is on the adoption of the first confirmation report from the Transportation and Telecommunications Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 73.) 39 ayes, 0 nays on adoption of the report, Mr. President.

PRESIDENT SHEEHY: The confirmation report is adopted. Next confirmation report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the next report from the Transportation and Telecommunications Committee is for Rodney Vandenberg to the Nebraska Highway Commission. (Legislative Journal page 53.)

PRESIDENT SHEEHY: Senator Fischer, you're recognized to open on your second confirmation report.

SENATOR FISCHER: Thank you, Mr. President and members of the body. The Transportation and Telecommunications Committee held a confirmation hearing on Monday, November 17, for the appointment of a new appointee, Rodney Vandenberg, to the state Highway Commission. The Nebraska Highway Commission is composed of eight members, each of whom represents one of the eight field districts. They are appointed by the Governor for six-year terms, with approval by this body. The commission, which serves in an advisory capacity, normally holds meetings the fourth Friday of each month, generally at central headquarters here in Lincoln. At these meetings and various other hearings on proposed projects, the commission serves as a

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

Floor Debate
November 20, 2008

channel for citizens to voice their opinions concerning our state highway system. Mr. Vandenberg is from Falls City, Nebraska, and was appointed to serve District 1 for a term from May 9, 2008, to September 13, 2011. Mr. Vandenberg is a retired banker and has actively participated in many civic, professional, and church activities. He has served on Lutheran Family Services Foundation board for more than ten years and is currently serving a second time as the foundation's chairman. He has served as president of the Nebraska Bankers Association and is presently serving as mayor of Falls City, Nebraska. Mr. Vandenberg was present at the hearing. The Transportation and Telecommunications Committee recommends this confirmation with a record vote: 7 yes, 1 absent. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Fischer. You've heard the opening of the second confirmation report from Transportation and Telecommunications Committee. The floor is now open for discussion on the confirmation report. Seeing no lights, Senator Fischer, you're recognized to close. Senator Fischer waives closing. The question before the body is on the adoption of the second confirmation report from the Transportation and Telecommunications Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 73-74.) 38 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: The second report is adopted. Next confirmation report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, Government, Military and Veterans Affairs would report on Paul Hosford to the Accountability and Disclosure Commission. (Legislative Journal page 53.)

PRESIDENT SHEEHY: Senator Aguilar, you're recognized to open on your first confirmation report from Government, Military and Veterans Affairs Committee.

SENATOR AGUILAR: Thank you, Mr. President and members. On November 17, we had two hearings to approve appointments by the Governor. The first appointee was to the Accountability and Disclosure Commission, was Paul Hosford. Mr. Hosford was unable to attend the hearing because of short notice, but he did participate via telephone, answered all our questions sufficiently, and every one of the committee members present voted favorably. And I recommend approval of this appointment.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. You have heard the opening to the first confirmation report from Government, Military and Veterans Affairs. The floor is now open for discussion on the confirmation report. Seeing no lights on, Senator Aguilar, you're recognized to close. Senator Aguilar waives closing. The question before the

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

Floor Debate
November 20, 2008

body is on the adoption of the first confirmation report. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 74.) 40 ayes, 0 nays on the adoption of the first report, Mr. President.

PRESIDENT SHEEHY: First confirmation report is adopted. Next confirmation report.

ASSISTANT CLERK: Mr. President, the next report from the Government Committee is for Amber Brown to the State Personnel Board. (Legislative Journal page 53.)

PRESIDENT SHEEHY: Senator Aguilar, you're recognized to open on the second confirmation report from Government, Military and Veterans Affairs Committee.

SENATOR AGUILAR: Thank you, Mr. President, members. The second appointee is Amber Brown to the State Personnel Board. She appeared in person for the hearing. She answered all our questions sufficiently and we voted favorably, of all members present, to recommend approval of this appointment. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Aguilar. You have heard the opening to the second confirmation report from Government, Military and Veterans Affairs. The floor is now open for discussion on the confirmation report. Seeing no lights on, Senator Aguilar, you're recognized to close. Senator Aguilar waives closing. The question before the body is on the adoption of the second confirmation report. All those in favor vote yea; opposed, any. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 75.) 40 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: The second confirmation report is adopted. We'll move to the next legislative confirmation report, Mr. Clerk.

ASSISTANT CLERK: Next report is from Natural Resources: James Stuart, Jr., to the Nebraska Environmental Trust Board. (Legislative Journal page 54.)

PRESIDENT SHEEHY: Senator Louden, you're recognized to open on your first confirmation report from Natural Resources Committee.

SENATOR LOUDEN: The Natural Resources Committee conducted a confirmation briefing on November 17 for the appointment of James Stuart, Jr., to a four-year term to the Nebraska Environmental Trust Board. Mr. Stuart was unable to attend, so the hearing was conducted via teleconference. James Stuart, Jr., of Lincoln is a new appointee to the 14-member Nebraska Environmental Trust Board, representing District

Floor Debate
November 20, 2008

1. He holds a bachelor's in business degree from the University of Nebraska-Lincoln and is a United States Army veteran. Jim spent the majority of his working years as chief executive officer of First Commerce Bank Shares. He has served on many boards involving healthcare, natural resources, economic development, higher education, and the arts, including the Chamber of Commerce, Department of Economic Development, University of Nebraska Foundation Board, Nebraska Game and Parks Commission, national board of the Juvenile Diabetes Research Foundation, and the Nature Conservancy board of directors. The committee recommended approval of James Stuart, Jr., to the Nebraska Environmental Trust Board with 6 members voting for and 2 members absent.

PRESIDENT SHEEHY: Thank you, Senator Louden. You have heard the opening of the first confirmation report from the Natural Resources Committee. The floor is now open for discussion on this confirmation report. Seeing no lights on, Senator Louden, you're recognized to close. Senator Louden waives closing. The question before the body is on the first confirmation report from Natural Resources Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 75-76.) 39 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: The first confirmation report is adopted. Next report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, Natural Resources would report on Neil Moseman to the Nebraska Energy Office. Senator Louden, you're recognized to open on the second confirmation report from Natural Resources Committee. (Legislative Journal page 54.)

SENATOR LOUDEN: Thank you, Mr. President and members of the body. The Natural Resources Committee conducted a confirmation hearing on November 17 for the appointment of Neil Moseman as director of the Nebraska Energy Office. The Energy Office formerly operated as a division of the Governor's Policy Research Office, and on June 1, 2008, it became a code agency under Governor Heineman. Neil Moseman of Lincoln appeared before the committee for the hearing. He earned a bachelor's degree in ag economics from the University of Nebraska-Lincoln and served four years in the United States Navy. Neil has been involved in the development of state and federal policy and legislation for more than 17 years. He worked in Washington, D.C., in several capacities, including assistant to U.S. Congressman Fred Grandy, Congressman Bill Emerson, and as agriculture director for Senator Chuck Hagel where he was Senator Hagel's principal advisor on agriculture and energy issues. He also worked as majority staff director for the U.S. House of Representatives Committee on Agriculture. Neil served for two years as assistant director of the Nebraska Department of Agriculture and was appointed acting director of the Nebraska Energy Office in July of 2008. The

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

Floor Debate
November 20, 2008

committee recommended approval of Neil Moseman as director of the Nebraska Energy Office, with 6 members voting for and 2 members absent.

PRESIDENT SHEEHY: Thank you, Senator Louden. You have heard the opening of the second confirmation report from the Natural Resources Committee. The floor is now open for discussion on this nomination confirmation. Senator Dubas, you're recognized.

SENATOR DUBAS: Thank you, Mr. President, members of the body. I'd like to take the opportunity to make a few comments regarding Mr. Moseman's position. I'm very happy to have him in this position and the work that he is doing. I think most of the body knows that energy issues are a priority issue of mine and I've introduced several pieces of legislation over the course of the last several years in regards to that. And it was one of my pieces of legislation that, you know, it was a purpose of my legislation to raise the elevation and importance of the Energy Office, and that's what the Governor has done by creating this, a cabinet-level position, and his appointment of Mr. Moseman. And I've also worked really hard to get the state moving towards creating a comprehensive energy policy and that's what Mr. Moseman has done. Over the course of the last couple months he's been conducting meetings across the state and is working hard to compile information and put that plan together. It's my hope, through the elevation of this office and through Mr. Moseman's direction, that Nebraska is going to be moved into a leadership position on the creation, distribution, and promotion of renewable energy. So I look forward to working with Mr. Moseman and the Energy Office as we help make renewable energy and a comprehensive state policy a reality. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Dubas. Other members wishing to speak on this confirmation? Seeing none, Senator Louden, you're recognized to close. Senator Louden waives closing. The question before the body is on the adoption of the second confirmation report from Natural Resources Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 76-77.) 41 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: The second confirmation report is adopted. Next confirmation report, Mr. Clerk.

ASSISTANT CLERK: Natural Resources would report on the appointment of Richard Mercer to the Nebraska Natural Resources Commission. (Legislative Journal page 54.)

PRESIDENT SHEEHY: Senator Louden, you're recognized to open on your third confirmation report from Natural Resources Committee.

SENATOR LOUDEN: Thank you, Mr. President and members of the body. The Natural

Floor Debate
November 20, 2008

Resources Committee conducted a confirmation hearing on November 17 for the appointment to a four-year term of Richard Mercer to the Natural Resources Commission. Mr. Mercer was unable to attend so the hearing was conducted via teleconference. Richard Mercer of Kearney is a new appointee to the 16-member Natural Resources Commission, representing groundwater irrigators. After graduating from high school, Dick spent two years in the service and returned home to begin farming. This year he planted his sixtieth crop. He is past-president of the Nebraska Cattlemen and a former member of the National Cattlemen's executive committee. He is a member of the Central Platte NRD board and a past member of the Nebraska Environmental Trust, the Platte River Cooperative Agreement Advisory Committee, and the Water Policy Task Force. The committee recommended approval of Richard Mercer to the Natural Resources Commission, with 6 members voting for and 2 members absent. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Louden. You have heard the opening of the third confirmation report from the Natural Resources Committee. The floor is now open for discussion. Seeing no lights on, Senator Louden, you're recognized to close. Senator Louden waives closing. The question before the body is on the adoption of the third confirmation report. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 77.) 41 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: The third confirmation report is adopted. Next report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, Natural Resources would report on Charles Tod Brodersen to the Nebraska Ethanol Board. (Legislative Journal page 54.)

PRESIDENT SHEEHY: Senator Louden, you're recognized to open on the fourth confirmation report from the Natural Resources Committee.

SENATOR LOUDEN: Thank you, Mr. President. Our fourth and final confirmation report, the Natural Resources Committee conducted a confirmation hearing on November 17 for the reappointment of Charles Tod Brodersen to a four-year term to the Nebraska Ethanol Board. Mr. Brodersen was unable to attend so the hearing was conducted via teleconference. Tod Brodersen of Hastings is completing his eighth year on the seven-member Ethanol Board, representing the oil industry. He earned a bachelor's degree in business administration from Dana College in Blair, and spent two years in the United States Marine Corps. Tod began employment in the oil industry in 1962, working for Phillips Petroleum. In 1975, he purchased Thompson Oil in Hastings, and his son has now joined him in the business. He has served on several boards in his local church, is president of the Hastings Evening Lions Club, and is a member of the

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

Floor Debate
November 20, 2008

Hastings Chamber of Commerce. Tod is the recipient of a Grassroots Award from the American Coalition on Ethanol for being a long-term ethanol distributor. The committee recommended approval of Tod Brodersen to the Nebraska Ethanol Board, with 6 members voting for and 2 members absent. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Louden. You have heard the opening on the fourth confirmation report from Natural Resources Committee. The floor is now open for discussion. Seeing no requests to speak, Senator Louden, you're recognized to close. Senator Louden waives closing. The question before the body is on the adoption of the fourth confirmation report from the Natural Resources Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 77-78.) 39 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: The fourth confirmation report is adopted. Next committee confirmation report.

ASSISTANT CLERK: Mr. President, the next report is from the Education Committee of DeMarus Carlson to the Board of Educational Lands and Funds. (Legislative Journal page 56.)

PRESIDENT SHEEHY: Senator Raikes, you're recognized to open on your first report from the Education Committee.

SENATOR RAIKES: Thank you, Mr. President, members of the Legislature. The Education Committee encourages your support for the reappointment of DeMarus Carlson to the Board of Educational Lands and Funds. If confirmed, Ms. Carlson's term on the board would extend to October 1, 2013. Ms. Carlson is currently the vice chair of the board. She hails from Crofton, Nebraska, which is in the northeast part of the state. She is a graduate of Kansas State University, earning a degree in human ecology in 1972. She is a past-president of the Nebraska Veterinary Medical Association Auxiliary, a past member of the board of governors of Northeast Community College, and a former vice chairperson of that college's foundation. She also served as a member of the Crofton school board, the Crofton community fire district board, and the Crofton Chamber of Commerce. The Board of Educational Lands and Funds is the constitutional entity charged with managing the state's educational trust lands. The board consists of five members, one from each of the state's Congressional districts as they existed on January 1, 1961, and a fifth member at large. Ms. Carlson is the representative for the 3rd Congressional District. Statute requires at least one member of the board to be competent in the field of investments. Members are appointed to terms of five years on the board. According to the board's last biennial report, 1.34 million acres of land were held in trust as of June 30, 2006, with the value of those

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

Floor Debate
November 20, 2008

acres estimated at \$517 million. In addition, there are about \$400 million invested with the Nebraska Investment Council. Revenue generated both from the lease of the land and from the investment with the Nebraska Investment Council is used to support K-12 public schools. With that, I'll close and encourage the confirmation of this appointment. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Raikes. You've heard the opening of the first confirmation report from the Education Committee. The floor is now open for discussion. Seeing no requests to speak, Senator Raikes, you're recognized to close. Senator Raikes waives closing. The question before the body is on the adoption of the first confirmation report from the Education Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 78.) 41 ayes, 0 nays on the adoption of the Education Committee report, Mr. President.

PRESIDENT SHEEHY: The first confirmation report is adopted. Next report, Mr. Clerk.

ASSISTANT CLERK: Education Committee would report on Darlene Starman to the Nebraska Educational Telecommunications Commission. (Legislative Journal page 56.)

PRESIDENT SHEEHY: Senator Raikes, you're recognized to open on the second report from the Education Committee.

SENATOR RAIKES: Thank you, Mr. President and members of the Legislature. The Education Committee also encourages your support for the appointment of Darlene Starman to the Nebraska Educational Telecommunications Commission. If confirmed, Ms. Starman's term on the board would extend through January 12, 2011. Ms. Starman is a new appointee to the commission, having been appointed to serve the remainder of the term of Robert Moline, who left to pursue an opportunity outside of the state. Ms. Starman is a resident of Lincoln. She has worked as a realtor with Woods Brothers Realty in Lincoln since 1986. She's a longtime member of the Realtors Association of Lincoln, having served that organization both as a president and a member of its board of directors. Ms. Starman is also a member of the Nebraska Realtors Association, the Lincoln Independent Business Association, the Home Builders Association of Lincoln, and the Lincoln Symphony Guild. In the way of background, the Nebraska Educational Telecommunications Commission serves three statutory purposes, which are outlined in Section 79-1313. They are (1) to promote and establish noncommercial, educational telecommunications facilities within the state of Nebraska; (2) to provide noncommercial, educational telecommunications programs throughout the state of Nebraska by standard broadcast, by closed-circuit transmission, or by other telecommunications technology distribution systems; and (3) to operate statewide educational and public radio and television networks and services. The commission

Floor Debate
November 20, 2008

consists of 11 members, including the Commissioner of Education; the president of the University of Nebraska; a representative for each of the community colleges, state colleges, and private colleges; and six members of the public at large, two from each Congressional district. Ms. Starman is one of the representatives from the 1st Congressional District. With that, I'll close and encourage your confirmation of this appointment. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Raikes. You have heard the opening of the second confirmation report from the Education Committee. The floor is now open for discussion. Seeing no requests to speak, Senator Raikes, you're recognized to close. Senator Raikes waives closing. The question before the body is on the second confirmation report from the Education Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 79.) 39 ayes, 0 nays on the adoption of the Education Committee report, Mr. President.

PRESIDENT SHEEHY: The second confirmation report is adopted. Next confirmation report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the next report from the Judiciary Committee is three appointments to the Crime Victim's Reparations Committee. (Legislative Journal page 58.)

PRESIDENT SHEEHY: Senator Ashford, you're recognized to open on your first confirmation report from the Judiciary Committee.

SENATOR ASHFORD: Thank you, Mr. Lieutenant Governor. Three individuals were reappointed by the Governor to the Crime Victim's Reparations Committee, and the Judiciary Committee was unanimous in sending each of their confirmations to the floor of the Legislature for the body's consideration. All three individual terms run from August 5, 2008, to July 16, 2012. Scot Ford has been chief...the first confirmation is Scot Ford. He has been chief of police in South Sioux City for the past nine years and has worked in law enforcement for a total of 25 years. He is also serving a term on the Crime Commission at this time. He brings a range of experience to the committee. Scot has served on several boards and commissions dealing with youth violence and criminal justice, and his presence on the committee will enhance its effectiveness, as it has in the past. The second individual, William Brueggemann, is from Plattsmouth. He has served as Cass County Sheriff since 1987. Before that he served in the Nebraska Army National Guard for 13 years. Bill belongs to several law enforcement and police associations and is active in the Plattsmouth community. As a DARE instructor, Bill has made a positive impact on the lives of youth in the community, and we certainly recommend his confirmation by the Legislature. Derek Vaughn is from Omaha. He is

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

Floor Debate
November 20, 2008

currently a deputy Douglas County Attorney, assigned to the criminal division, and also serves on the Nebraska Crime Commission and the Nebraska Coalition for Juvenile Justice. He is an adjunct instructor at Dana College in Blair, and Kaplan University in Council Bluffs. He serves as chairman of Alegent Health's institutional review board, and his duties as deputy county attorney have given him a unique perspective on the issue of restitution and criminal justice. Mr. Lieutenant Governor, the Judiciary Committee recommends the positive consideration of these nominees. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Ashford. You have heard the opening to the first confirmation report from the Judiciary Committee. The floor is now open for discussion. Seeing no requests to speak, Senator Ashford, you're recognized to close. Senator Ashford waives closing. The question before the body is on the adoption of the first confirmation report from the Judiciary Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal pages 79-80.) 37 ayes, 0 nays on the adoption of the Judiciary Committee report, Mr. President.

PRESIDENT SHEEHY: The first Judiciary confirmation report is adopted. Next confirmation report, Mr. Clerk.

ASSISTANT CLERK: Mr. President, the Judiciary Committee would report on Rosalyn Cotton to the Nebraska Board of Parole. (Legislative Journal page 58.)

PRESIDENT SHEEHY: Senator Ashford, you're recognized to open on your second confirmation report from the Judiciary Committee.

SENATOR ASHFORD: Thank you, Mr. Lieutenant Governor. Rosalyn Cotton is from Omaha. She was reappointed by the Governor to the Nebraska Board of Parole, and the Judiciary Committee was unanimous in sending her confirmation to the floor of the Legislature for the body's positive consideration. Rosalyn's term will run from September 9, 2008, to September 9, 2014. She has served on the board since 2005. She worked for the Department of Corrections for 19 years in several capacities before teaching criminal justice at the college level for three years. Her many years of service in the justice system have been marked by a commitment, in our view, to correctional education. She will continue to take a firm stance on public safety and urge offenders to get involved in educational and vocational programs while they are incarcerated. And we urge the adoption of the confirmation report.

PRESIDENT SHEEHY: Thank you, Senator Ashford. You've heard the opening of the second report from the Judiciary Committee. The floor is open for discussion. Seeing no requests to speak, Senator Ashford, you're recognized to close. Senator Ashford waives closing. The question before the body is on the second confirmation report from the

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

Floor Debate
November 20, 2008

Judiciary Committee. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 80.) 36 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: The second confirmation report is adopted. We'll move to the next legislative confirmation report.

ASSISTANT CLERK: Mr. President, General Affairs would report on the appointment of Robert Batt to the Nebraska Liquor Control Commission. (Legislative Journal page 54.)

PRESIDENT SHEEHY: Senator McDonald, you're recognized to open on the confirmation report from the General Affairs Committee.

SENATOR McDONALD: Mr. President and members of the body, the General Affairs Committee supports the appointment of Robert Batt to the Nebraska Liquor Control Commission. Mr. Batt is a graduate of the University of Nebraska. Mr. Batt has served as chairman of the Omaha Personnel Board and has also served on the Salvation Army board. He currently serves as executive vice president of Nebraska Furniture Mart and has served in that capacity for 38 years. His confirmation passed unanimously in our committee, and I believe Mr. Batt has proven to be a highly qualified individual to be appointed to the Nebraska Liquor Control Commission and I urge your support. Thank you.

PRESIDENT SHEEHY: Thank you, Senator McDonald. You've heard the opening of the confirmation report from General Affairs Committee. The floor is open for discussion. Members wishing to speak: Senator Preister, followed by Senator Howard. Senator Preister.

SENATOR PREISTER: Thank you, Honorable President, friends all. I rise in support of Mr. Batt and just want to make some comments because I did ask him some questions about his role as a Liquor Control commissioner. My concern is on what is happening in neighborhoods with liquor licenses. He was open to looking at those issues and having respect for what the community is interested in. I also expressed concern to him about Whiteclay. For those of you who aren't aware, Whiteclay is a small community of...it's an unincorporated village, essentially, and there are 14 inhabitants and there are four off-sale liquor licenses. There are 15,000, the equivalent of 15,000 cans of beer sold in Whiteclay every single day. Now we obviously know those cans of beer aren't being consumed by the 14 residents in Whiteclay, so somebody is consuming them. We have the Pine Ridge Indian Reservation only 200 feet from Whiteclay, and there's a tragedy going on in Whiteclay and that tragedy is hopelessness, alcoholism, poverty, and a sense that there is no future. The state of Nebraska, according to a letter that Frank

Floor Debate
November 20, 2008

LaMere sent to the newspaper, Frank stated that our state government may be one with dirty hands. In 2004 alone, the Nebraska State Treasury raked in \$345,000 in sales and excise taxes just from Whiteclay beer sales. Despite repeated requests from the Oglala Sioux tribal leadership to end alcohol sales in the 14-person, unincorporated village just 200 feet from the dry Pine Ridge Reservation, the Nebraska Liquor Control Commission has persisted in licensing liquor retailers there. It is an issue that Mr. Batt said he was willing to look at. I'm hopeful that those of you who are returning will look more seriously at Whiteclay. Frank LaMere has also said, when people say if you close Whiteclay it will just move down the road 20 miles to Rushville, Frank LaMere said if you have a crack house in your neighborhood, you close it down even if it might move somewhere else, and then you close it down there if you need to, but you don't just ignore the problem. I hope that my efforts in trying to address this problem over the years will be looked at seriously, will continue, and that this tragedy--and I'm not here to point blame--but that people can come together after identifying the problem, which has been pretty easy to do, and will find some solutions. I want to correct what I said. I said 15,000 cans of beer. It's only 12,500. Twelve thousand five-hundred cans of beer where there's no legal place to consume it. In Whiteclay we only have four off-sale; no on-sale. So we have no place to consume it--and we have no law enforcement. Law enforcement is one of the requirements for issuing a liquor license. It is a difficult place to live. I want to mention one last thing and that is the fact that there have been a number, in the last few years, of murders and deaths in the area. John Means was found dead with serious head injuries.

PRESIDENT SHEEHY: One minute.

SENATOR PREISTER: His billfold was found empty 15 feet from him in 1998. In 1999, murders of Lakota men: Ronald Hard Heart and Wilson Black Elk, Jr., were found dead on the Nebraska border near the reservation. Toby Ray Eagle Bull, age 20, and Sarah Rose Boltz, age 15, of Wounded Knee died Sunday, August 4, in Whiteclay, Nebraska. Three other minors were seriously injured in that auto accident. There was also Wilson Black Elk, Jr.; a couple of Native American men who were unidentifiable, unfortunately; Seth Gibbons; Eugene Black Bear, Jr.; and Shelly Poor Bear. These are actual people. It's a tragedy. It needs to be addressed and I hope that more can be done to relieve the stress and suffering in Whiteclay. I do support Mr. Batt and his nomination, who said he would be willing to work on these issues. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Preister. Senator Howard, followed by Senator Kruse and Senator Loudon. Senator Howard.

SENATOR HOWARD: Thank you. Thank you, Mr. Lieutenant Governor. I'd like to take a few minutes to express my support for the conformation of Bob Batt to the Nebraska Liquor Control Commission. I am pleased that the Governor has nominated such a qualified individual for this important position. I was particularly appreciative of his

Floor Debate
November 20, 2008

comments before the General Affairs Committee on Monday at his confirmation hearing. Over the past year, a group of over a dozen neighborhood associations in midtown and north Omaha have banded together to oppose the liquor licenses for four Infinite Oil stations in my district. It has been a very lengthy and often frustrating process that the neighborhoods had to go through in their efforts to stop these liquor licenses. After ten months of hearing and testimony, the Liquor Control Commission voted in October to deny these licenses. At Mr. Batt's hearing, he specifically mentioned how he appreciated the efforts that these neighborhoods had put into presenting their case before the Liquor Control Commission. He showed a willingness to listen to these people who took time off their jobs to travel to Lincoln to share how these liquor licenses would have a negative impact on their lives. Mr. Batt also mentioned his willingness to look at the problem of alcohol density. This is a very serious problem in many of the more established neighborhoods in my legislative district. At one corner in the Gifford Park neighborhood, you can stand on the corner and any way you would turn you would see an establishment selling alcohol. All of the research shows that a high density of alcohol outlets results in higher crime rates in the community. I think it's important to have someone like Mr. Batt on the Liquor Control Commission who understands the concerns of the people who live in these neighborhoods. I believe that Mr. Batt will bring some much needed changes to the Liquor Control Commission and I look forward to working with him on these issues that are so critical to the neighborhoods and the people who live in my district. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Howard. Senator Kruse.

SENATOR KRUSE: Thank you, Mr. President and colleagues. I will not be able to vote for this nominee. I'm not urging that others follow my vote, but to explain my vote I do stand to take this privilege. My concern is as much with the commission as anything else. If I had a chance, I would file a motion to amend its title to the Liquor Protection Commission. And this particular nominee has begun to fit into that. We have an ongoing concern and I simply would signal those who are going to continue to look at that, for this nominee has verbally attacked a teenager who came in to witness to a violation by a licensee. Now that's data that should come in. That's information that should be held and it should be received in an equal and fair way, and I urge that we encourage the commission and all of its members to do that. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Kruse. Senator Louden.

SENATOR LOUDEN: Thank you, Mr. President and members of the body. I will support the confirmation of this nominee. What I have risen about was to somewhat defend Whiteclay. And ever since I've been down here and years before that, people from the eastern part of Nebraska have always criticized what goes on at Whiteclay and the amount of money that's raised by tax revenue there, the amount of beer that's sold and that sort of thing. A lot of that isn't exactly correct. For one thing, we've never...we've

Floor Debate
November 20, 2008

always asked the Sioux Nation to probably allow the sale of liquor on the reservation, and they won't do that. What you don't understand is the way the system is set up there that there are some huge amounts of money made by hauling that beer on to a reservation that doesn't allow sales of it. And Whiteclay has been shut down at different times. Here a few years ago it was shut down, I think over a 4th of July, and my understanding was that the time you got ten miles into the reservation that six-packs of beer sold for \$12 and as you went on up there it was a pint of whiskey would bring \$60. And the people...evidently there's a sale for it and that's the reason the bootleggers have a handle on that. Until that problem is addressed, even by the Sioux Nation, the state of Nebraska, whoever wants to address it, but until that problem is addressed on the reservation, there will be a Whiteclay. There's a...up at Swett, South Dakota, I think has off-sale liquor; into Rapid City; Slim Butte's roads into Chadron are all outlets there that this liquor is hauled on. So it's always been handy for them to talk about Whiteclay because it's an unincorporated village. They also have a grocery store there in Whiteclay and a lot of the Native Americans do business with that grocery store rather than doing business with the one on the reservation, so it isn't 200 feet from it. It's actually about a half a mile, what Whiteclay is from the line. And as far as some of those murders, no one knows whether they were done on the reservation or where, and when that's done on the reservation, that's a federal offense. The FBI looks into that and so does the Indian police up there. So I hate to see people badmouth what goes on in Whiteclay up there. They have a service there. If there wasn't a service there, it wouldn't happen. When you talk about getting people killed, as I mentioned with car wrecks, if you take away Whiteclay, you're probably going to have more traffic on those roads to a further distance to do what they have to do to get liquor and their beer at the present time. Beer is the only thing that's sold at Whiteclay at the present time. So I would like to make that point, that Whiteclay isn't as bad as some of the people make it think, but until the Sioux Nation works with the state of Nebraska to do something about what they're doing on the reservation, there will always be a Whiteclay. If it isn't going to be Whiteclay, then it will be someplace on the other side of the reservation. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Loudon. Are there additional requests to speak? Seeing none, Senator McDonald, you're recognized to close.

SENATOR McDONALD: Mr. President, members of the body, we had a great confirmation hearing and I do think that Mr. Batt is very concerned about the number of liquor licenses that we have in the state of Nebraska. He voiced those concerns. And he also supported the server training at some level. So I think that he is a highly qualified individual for this position and I certainly hope that you support him. Thank you.

PRESIDENT SHEEHY: Thank you, Senator McDonald. You have heard the closing to the confirmation report from General Affairs Committee. The question before the body is on the adoption of the confirmation report. All those in favor vote yea; opposed, nay.

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

Floor Debate
November 20, 2008

Please record, Mr. Clerk.

ASSISTANT CLERK: (Record vote, Legislative Journal page 81.) 35 ayes, 0 nays on the adoption of the report, Mr. President.

PRESIDENT SHEEHY: The General Affairs confirmation report is adopted. We'll now move forward to legislative resolution. Mr. Clerk.

ASSISTANT CLERK: Mr. President, LR7 was introduced by Senator Schimek. It would extend the condolences of the Legislature to the family of Bernice Labeledz. [LR7]

PRESIDENT SHEEHY: Senator Preister, you are recognized to open on LR7. [LR7]

SENATOR PREISTER: Thank you, Honorable President, friends all. And to former Senator Labeledz, jak se mas? Senator Labeledz would say, dobre. Senator Labeledz was a proud Polish lady who was born in a house just over a block from where I grew up. I lived in the same neighborhood and our families knew each other. It was a close neighborhood and Senator Labeledz was very proud of her family. She was one of 17 children. It was a large family and, like most families, that was a small house but they got along well and they still do. They're close-knit and they're proud of their mother, their aunt, their grandmother Bernice Labeledz. This resolution is to commemorate her 18 years of service here in the Legislature. She was a very proud Catholic lady who believed in her faith, who believed in her family, and she lived those beliefs and did what she could in the fashion that she was best able to do them. I never served with her, obviously, because I represent the same district, but as a proud Catholic lady she did serve all of those 18 years with Senator Chambers and that was probably purgatory enough, so she's probably in heaven right now and she's probably pleased that she's being recognized. And she is probably one of the few people that has ever served in this body who, when John Synowiecki's name would be there, she would say, oh yes, "Synovitzkey," and he would know what she was saying. Bernice was from the neighborhood, Pollock Hill is what we called it. As Senator Synowiecki knows, he grew up in the area--I did and we still live there--we still live with the memory of Senator Labeledz. The resolution that Senator DiAnna Schimek has put together speaks of Senator Labeledz and does it eloquently. A copy of that will be presented to her family, but at this time I just want to recognize the years of service to the state, the years of service as a county commissioner after she served in the Legislature, the years of service in the community and the neighborhood, and her dedication to south Omaha, to the residents in south Omaha, and to her church, St. Stanislaus Parish, where annually during St. Joseph's Day she would dress up in her Polish costume, an outfit of dress from Poland that she so proudly wore. A very proud lady who took care of her husband Stanley who had Alzheimer's, right up until the end, and was very devoted to all of the pursuits in her life right up until her end at 89 years old. Bernice, we appreciate your service, we thank you for it. To your family we send our condolences. And with that, Mr.

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

Floor Debate
November 20, 2008

President, I thank you. [LR7]

PRESIDENT SHEEHY: Thank you, Senator Preister. You've heard the opening of LR7. Members wishing to speak, Senator Dierks. [LR7]

SENATOR DIERKS: Thank you, Mr. President. I just wanted to add my part to this resolution. When I first came to the Legislature in 1987, why, Bernice was here, and I served with her, I think, for six years. She was an amazing lady. She was always so helpful. And it didn't really matter, there was no party line that stopped her from being very helpful to people. She was one of my heros from the standpoint of the prolife issue, and she was also just a very competent lady. With that, I'd just like to add my thank-you for her service, to her family, and she was just well-received and well-respected and just a very fine, wonderful woman. Thank you. [LR7]

PRESIDENT SHEEHY: Thank you, Senator Dierks. Seeing no additional requests to speak, Senator Preister, you're recognized to close. [LR7]

SENATOR PREISTER: Thank you, Honorable President. I would just say to the family that you're in our thoughts and our prayers. We know that Bernice meant a lot to you and she also meant a lot to us, and we thank you for sharing her with us. Thank you. [LR7]

PRESIDENT SHEEHY: Thank you, Senator Preister. You've heard the closing. The question before the body is on LR7: extend sympathy to the family of former State Senator Bernice Labeledz. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LR7]

ASSISTANT CLERK: 35 ayes, 0 nays on adoption of the resolution, Mr. President. [LR7]

PRESIDENT SHEEHY: LR7 is adopted. Mr. Clerk, do you have messages on your desk? [LR7]

ASSISTANT CLERK: Mr. President, I do. New resolution, LR10 offered by Senator Dierks congratulating the Ewing Lady Tigers volleyball team; a request from Senator Preister to add his name to LR7. [LR10 LR7]

PRESIDENT SHEEHY: No objections? So ordered. Senator Engel. [LR7]

SENATOR ENGEL: Mr. President, I'd like to ask for a minute here this morning to remind you that this afternoon there will be a reception in Room 1023 at 4:00 to which you and the senator-elects are all invited. And tomorrow, upon adjournment, committee Chairs will begin presentations on committee issues, and these two events will be in

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

Floor Debate
November 20, 2008

place of our biennial meeting that is required by statute and that is generally held at Platte River State Park, but because of the special session we're unable to fit that into our schedule. So I sincerely hope that you'll attend this afternoon's reception and tomorrow's committee presentations to get better acquainted with the new people coming into the Legislature. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Engel. Mr. Clerk, do you have a motion at your desk?

ASSISTANT CLERK: Mr. President, I do have a priority motion. Senator Hudkins would move to adjourn until Friday, November 21, 2008, 9:00 a.m.

PRESIDENT SHEEHY: You have heard the motion to adjourn until Friday, November 21, 2008, at 9:00 a.m. All those in favor say aye. Opposed, nay. We are adjourned.