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Floor Debate  
November 21, 2011

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[LB1 LR8 LR12 LR32 LR33 LR34 LR35]

SPEAKER FLOOD PRESIDING

SPEAKER FLOOD: Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fourteenth day of the One Hundred Second Legislature, First Special Session. Our chaplain for today is Senator Krist. Please rise.

SENATOR KRIST: (Prayer offered.)

SPEAKER FLOOD: Thank you, Senator Krist. I call to order the fourteenth day of the One Hundred Second Legislature, First Special Session. Senators, please record your presence. Mr. Clerk, please record.

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

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

CLERK: I have no corrections.

SPEAKER FLOOD: Thank you. Are there any messages, reports, or announcements?

CLERK: I have one item, Mr. President: new resolution LR32 by Senator Sullivan. That will be laid over. It's all that I have, Mr. President. (Legislative Journal pages 105-106.) [LR32]

SPEAKER FLOOD: Thank you, Mr. Clerk. We now proceed to the first item on the agenda, beginning with legislative confirmation reports.

CLERK: Mr. President, I have three separate reports from the Revenue Committee. The first involves the appointment of Mr. Robert Hotz to the Tax Equalization and Review Commission. (Legislative Journal page 72.)

SPEAKER FLOOD: Senator Cornett, as Chair of the Revenue Committee, you're recognized to open on the first legislative confirmation report.

SENATOR CORNETT: Thank you, Mr. Speaker and members of the body. The Revenue Committee supports the reappointment of Rob Hotz to the Nebraska Tax Equalization and Review Commission. Mr. Hotz, who lives in Lincoln, Nebraska, has efficiently served on TERC since 2007. In addition to serving on TERC as a TERC commissioner, Mr. Hotz has served as general counsel to the Nebraska Service Commission (sic), the Nebraska State Treasurer. He is a graduate of the University of Nebraska-Lincoln and the University of Nebraska College of Law. He has successfully

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

Floor Debate  
November 21, 2011

---

passed all of the qualification requirements to serve on TERC, and I believe Mr. Hotz has proven to be a highly qualified individual to be reappointed to the Nebraska Tax Equalization and Review Board. I would urge your support. Thank you.

SPEAKER FLOOD: Thank you, Senator Cornett. Members, you've heard the opening. There are no members wishing to speak. Senator Cornett, you're recognized to close. Senator Cornett waives her opportunity. The question before the body is, shall the Revenue Committee confirmation report be adopted? All those in favor vote aye; all those opposed vote nay. Have all those voted who care to? Mr. Clerk, please record.

CLERK: (Record vote, Legislative Journal pages 106-107.) 36 ayes, 0 nays, Mr. President, on adoption of the confirmation report.

SPEAKER FLOOD: The confirmation report is adopted. Mr. Clerk.

CLERK: Second report involves the appointment of Nancy Salmon to the Tax Equalization and Review Commission. (Legislative Journal page 72.)

SPEAKER FLOOD: Senator Cornett, as Chair of the Revenue Committee, you're recognized to open on the legislative confirmation report.

SENATOR CORNETT: Thank you, Mr. President. The Revenue Committee supports the reappointment of Nancy Salmon to the Nebraska Tax Equalization and Review Commission. Ms. Salmon, who is from Phillips, Nebraska, has efficiently served on TERC since 2007 and is currently the chairperson of TERC. In addition to serving on the TERC commission, Ms. Salmon has been the Hamilton County Assessor, served on the Aurora Technology board, served on the NACO board of directors, and has been president of the Nebraska Assessors Association. Her confirmation passed unanimously in our committee, and I believe Ms. Salmon has proven to be a highly qualified individual to be reappointed by the Nebraska Tax Equalization and Review Board. I would urge your support. Thank you.

SPEAKER FLOOD: Thank you, Senator Cornett. Members, you've heard the opening to the legislative confirmation report. There are no members wishing to speak. Senator Cornett, you're recognized to close. Senator Cornett waives her opportunity. The question before the body is, shall the Revenue Committee confirmation report be adopted? All those in favor vote aye; all those opposed vote nay. Have all those voted who care to? Mr. Clerk, please record.

CLERK: (Record vote, Legislative Journal page 107.) 38 ayes, 0 nays, Mr. President, on adoption of the confirmation report.

SPEAKER FLOOD: Confirmation report is adopted. Mr. Clerk.

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

Floor Debate  
November 21, 2011

---

CLERK: The third and final report this afternoon, Mr. President, involves the appointment of Thomas Freimuth to the Tax Equalization and Review Commission. (Legislative Journal page 73.)

SPEAKER FLOOD: Senator Cornett, as Chair of the Revenue Committee, you're recognized to open on the third and final Revenue Committee confirmation report.

SENATOR CORNETT: Thank you, Mr. Speaker. The Revenue Committee supports the appointment of Thomas Freimuth to the Nebraska Tax Equalization and Review Commission. Mr. Freimuth lives in Omaha, Nebraska, and is an attorney with Freimuth Law Office. In addition to that, he has been an attorney with the Nebraska State Records Board, a member of the board of directors of Nelnet Education Loan Funding, a financial consultant with Merrill Lynch and Morgan Stanley and served as a staff to U.S. Representative Hal Daub. He is a graduate of Creighton University, the University of Virginia School of Law. His nomination passed unanimously in our committee, and I believe Mr. Freimuth has proven to be a highly qualified individual to be appointed to the Tax Equalization and Review Commission. Thank you.

SPEAKER FLOOD: Thank you, Senator Cornett. There are no members wishing to speak. Senator Cornett, you're recognized to close. Senator Cornett waives her opportunity. The question before the body is, shall the Revenue Committee confirmation report be adopted? All those in favor vote aye; all those opposed vote nay. Have all those voted who care to? Mr. Clerk, please record.

CLERK: (Legislative Journal pages 107-108.) 37 ayes, 0 nays, Mr. President, on the adoption of the confirmation report.

SPEAKER FLOOD: The confirmation report is adopted. (Visitors introduced.) Mr. Clerk, items.

CLERK: Thank you, Mr. President. A new resolution: Senator Fischer offers LR33 expressing the Legislature's appreciation of service of one Elvin Adamson and that the Legislature expresses condolences to the family of Mr. Adamson. Senator Pirsch offers LR34; likewise it will be laid over...recognizing--the Legislature recognizing the lifelong effects of child abuse and extends its sympathy to all victims of this crime. Senator Schilz offers LR35 congratulating Arthur County Wolves on the Six-man State Football Championship. That's all that I had, Mr. President. (Legislative Journal pages 108-110.) [LR33 LR34 LR35]

SPEAKER FLOOD: Thank you, Mr. Clerk. We now proceed to the next item on the agenda, LR8. [LR8]

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

Floor Debate  
November 21, 2011

---

CLERK: Mr. President, LR8 was originally introduced by Senator Louden. It's a resolution urging the Legislature to urge the United States Postal Service to reconsider its plan to close rural post offices in Nebraska, originally introduced on November 3. Subsequent to its introduction, the matter was referred to committee for public hearing. The Government, Military and Veterans Affairs Committee reports the resolution back to the Legislature for further consideration. [LR8]

SPEAKER FLOOD: Thank you, Mr. Clerk. Senator Louden, you're recognized to open on LR8. [LR8]

SENATOR LOUDEN: Thank you, Mr. Speaker and members. I bring before you today LR8 to call attention to the anticipated closings of post offices in Nebraska. I've included a list of some 90 rural-area post offices that have been designated as a study list by the United States Postal Service. This list does not include some major sorting centers such as Alliance and Norfolk, to name one or two, and also even here in Lincoln. Rural areas rely on a local post office for delivery of small parts and medical supplies for both humans and animals. Most billings are sent to farms and ranches by mail. Very few farms and ranches that I'm familiar with pay bills on-line. Paying bills on-line cannot guarantee any account security. Mail delivery and access to postal service are very important to operating a business in rural Nebraska. Mail delivery is important to all Nebraskans and to the businesses that operate in and for the citizens of this state. An enormous amount of money moves through the mail across Nebraska. Billings that come from merchants; checks that are sent to pay bills; notices of many kinds, including court notices, tax delinquent notices, and many more all use the postal services. According to a Postal Service office in Denver, the United States Postal Service is the only public agency required to pre-fund its retirement costs 75 years into the future, at an annual cost of \$5.5 billion. The Postal Service has actually overpaid into its retirement fund about \$50 billion. In my judgment, is where it lies an enormous problem of funding and waste that the Postal Service has to overcome. The Postal Service must come to grips with the benefit funding that is being used. Cutting revenue and cutting service will not address the problems they have with the health and retirement plans that they are now trying to fund. It is my observation that the plans need to be addressed and brought into an affordable cost. I don't believe cutting out 3,700 post offices nationwide is the answer. No doubt, the Postal Service has to streamline and adopt a change. To close rural post offices with the plan under study now would decimate any rural postal service. United States Postal Service estimates that \$200 million could be saved by closing 3,700 post offices nationwide. According to Jim McAnerney of the National Association of Retired Postmasters, that \$200 million makes up three-tenths of one percent of the Postal Service's operating budget, or about one day's budget. Those numbers pale in comparison to the numbers at the root of the Postal Service's current budget woes. Because wages and benefits make up more than 80 percent of expenses, postal management and union leaders must work together to find viable ways to manage these costs. The Postal Service needs to be candid on what

Floor Debate  
November 21, 2011

---

is eating their revenue. Any business that has a benefit package must have the package self-funded. You can't run a successful business if revenue is taken to fund benefit packages. This is what the Postal Service has to address. Last summer Senators Hadley and Sullivan held an interim study in Kearney to address the loss of rural populations in Nebraska, under LR226. Closing post offices, which is the key to many communities for business, medical, and general communications, is not an answer to stimulating the growth in rural America or rural Nebraska. A study needs to be done to see where the expenses of postal services really is. Are the retirement and health benefits out of line? An actuarial study should show if the plans are viable. Are the contributions sufficient to fund the plans? How far into the future should a plan be funded and have contributions continue on a timely manner? These are some of the questions that LR8 poses to the Postmaster General of the U.S. Postal Service. I would ask that members vote yes for authorizing the Speaker to sign this resolution. And the closing of these post offices across Nebraska will hurt businesses and the well-being of Nebraskans and change the way we do business in rural Nebraska. Thank you, Mr. Speaker. [LR8]

SPEAKER FLOOD: Thank you, Senator Loudon. Senator Nordquist followed by Senators Carlson and Gloor. Senator Nordquist, you are recognized. [LR8]

SENATOR NORDQUIST: Thank you, Mr. President and members. I rise in strong support of LR8 for a couple reasons, and I'm glad to be a cosponsor of it. Last year in downtown Omaha we saw the closing of two post offices, one on about 16th and Farnam and one on about 17th and Vinton Street. And certainly the closing of those two post offices in District 7 raised a lot of concern from constituents, and probably was one of the biggest issues that I heard about as their representative in the state Legislature. And while I know that this is focused largely on rural communities, that sense of ownership of your local post office is deep within all of us. And while my constituents can drive just a few more minutes to the main downtown office in Omaha, that will not be available to many folks in these small rural communities. And growing up in a small rural community in South Dakota, I know firsthand the importance of the post office to the economic activity, to the small businesses, to the entrepreneurs in those communities. And closing post offices in these communities will be a blow to those individuals and to that economic activity in all of these communities. And it will largely lead to the increase in the cost of doing business for those people. They'll have to find other ways, travel to other communities, to get access to that service, and it should be something that we should all be able to count on and depend on in our communities. I think this is very appropriate that we ask the federal government to re-look at this, look at other options. Certainly there are other options on the table. And with that, I, again, stand in support of LR8. Thank you, Mr. President. [LR8]

SPEAKER FLOOD: Thank you, Senator Nordquist. Senator Carlson, you are recognized. [LR8]

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

Floor Debate  
November 21, 2011

---

SENATOR CARLSON: Thank you, Mr. President and members of the Legislature. Looking at this list, I see that there are eight post offices on the list from District 38, my district. I've been to a meeting recently in Bladen where a representative from the U.S. postal department came and talked to the people of Bladen about the possibility of that post office being closed. And he said the post office must cut their budget. Now, as a conservative legislator, I understand the principle that you can't spend more than you take in, or over time you get in trouble. Many of us would say that we want the federal government to balance their budget. The Postal Service is a quasi-government agency, and they have to try and solve their problem. Now, according to the representative of the U.S. Postal Service, they must cut \$8 billion per year from their budget. Unfortunately, the Postal Service made their own problem. They allowed their pension plan to get away from them. We haven't done that in Nebraska. And we were told that \$5 billion of the \$8 billion per year that they are off needs to be paid for the next ten years--\$5 billion a year for each of the next ten years--to fund their pension. That's a gigantic problem. But it's very difficult to think that the smaller towns across America should be the ones that bear the brunt of this problem. So they've got a challenge. The advancement of electronic communication has made the problem worse for them. But, hopefully, there would be a way to deal with this without pulling away all the services from these many rural communities. Thank you. [LR8]

SPEAKER FLOOD: Thank you, Senator Carlson. Senator Gloor, you are recognized. [LR8]

SENATOR GLOOR: Thank you, Mr. President. Good morning, members--or good afternoon, members. Senator Louden made mention of the fact that this does not--his resolution does not speak to the elimination of sorting centers. It is my understanding that the elimination of sorting centers, which is also under consideration--which exist, as he mentioned, in some of the larger communities in our state--could add as much as a day to two days to the delivery of mail, including local mail. Sending a letter to somebody in your same community could now, instead of requiring one to two days, take two to three to four days. I wonder if Senator Louden would yield to a question. [LR8]

SPEAKER FLOOD: Senator Louden, will you yield to a question from Senator Gloor? [LR8]

SENATOR LOUDEN: Yes, I would. [LR8]

SENATOR GLOOR: Senator Louden, is there a reason you decided not to include the elimination of the sorting centers in this resolution? [LR8]

SENATOR LOUDEN: Well, at the time the list...the list that I'm working from is the one

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

Floor Debate  
November 21, 2011

---

that was sent out to our post offices in our areas and these smaller post offices. They didn't include their list of sorting centers and how they were going to address that. So I haven't--other than mentioned it in my openings that--on how it was going to be handled. That was something that came about, I suppose, through the course of the summer, with how they were going to do that. But, yes, it's very important. We've already lost one in Alliance, and now our mail goes--all has to go to North Platte. And as I've talked to some of these representatives, they actually think that eventually our mail will go to Cheyenne, Wyoming, before it's sorted in Cheyenne and then distributed back. In other words, if you want to mail a letter across the street, it'd go to Cheyenne, Wyoming, before it'd come back. [LR8]

SENATOR GLOOR: Thank you, Senator Loudon. And your example is a good one, I think, to show how the closing of the sorting centers could, in fact, be a considerable "hamperance" to the conducting of commerce in our state. And so I am in support of the resolution rather than at this point in time trying to add anything to this particular resolution that speaks to sorting centers. We at least do have on the record relaying some concern also about the adverse impact this may have on the state of Nebraska, Nebraskans, and our ability to conduct the business that's important to the economic viability of this state. Thank you, Mr. Speaker. [LR8]

SPEAKER FLOOD: Thank you, Senator Gloor. Senator Wallman, you are recognized. [LR8]

SENATOR WALLMAN: Thank you, Mr. President. And thank you, Senator Loudon and the rest that talked on this issue. It seems like we have mail here, there, everywhere. And it used to be local post offices could actually put a stamp on there and it would go from one residence to another in your immediate district. But then it went to sorting places. And so does that cost more money, save money? It doesn't always save money when we try to enlarge things in a greater picture. It should; the numbers should be there. Hopefully, they figure this out. But the retirement thing is big, and I hope the unions can figure this out as far as the political apparatus that runs this postal system. It was started by the United States government, then it got separated. I don't know when that was. But we at one time were the best in the world, and I don't know how we are today. But we have UPS; we have FedEx; we have all these other entities competing. And I don't know how this was; they seem to be making money. So, hopefully, we can figure this out. And thank you, Senator Loudon. [LR8]

SPEAKER FLOOD: Thank you, Senator Wallman. Senator Harms, you're recognized. [LR8]

SENATOR HARMS: Thank you, Mr. President, colleagues. This is an issue that I have a lot of interest in. And one thing I've found about rural Nebraska is that you close your public schools, small rural schools, and you close your post office--you've lost it all. And

Floor Debate  
November 21, 2011

---

for a lot of these rural communities, the rallying point, if you go into some of these rural communities, are their small schools, where they have all their athletic events, or going to the post office, meeting other friends and from there going and having coffee. It's kind of a social sort of activity for a lot of folks. It's the only time that they get the opportunity to, quite frankly, communicate with each other. I have really great concerns about seeing post offices closed in rural Nebraska. Because once we start that, next will be the rural schools, and they're struggling the way that it is. And I hope that we can find a solution to this issue, because I think if we allow this to completely happen, that's one more nail into what I call the coffin for rural Nebraska. Mail service is really important for people. Some of the rural communities already get mail, I believe, maybe just three days a week. And so I don't know what this structure is going to mean, if they're going to close the post office so people have to travel? Or are they going to have less of a post office in a grocery store somewhere, where you can go in and pick up your mail like they kind of used to do in the old days where they had different sites and different opportunities. But I think to cut it off completely would be a real harm to rural Nebraska. And I don't know if the post office has done, really, an analysis on how they can fix this other than closing their post offices. I don't know whether or not they have overburdened themselves with their retirement program. I think all the data shows that they are. So because of poor management decisions, they are now willing to put rural Nebraska, or rural America, on the chopping block. I guess I object to that. I've always objected to that kind of process. And I really believe that what Senator Loudon is doing here is appropriate; I do support it. And I would really like to see more of an accounting; I'd like to see more of a structure put together so we can have a better understanding about what are other options for us, rather than to just cut rural Nebraska off. Or if they're going to do that, then what are the opportunities for us? Do we travel 50 miles? Do we travel 100 miles? Or do we go to the grocery store to pick up our mail or to the drugstore to pick up our mail? I don't know what any other options are. And I think we should request that. I don't think we should let this just slip away, because I really believe that what we see in rural Nebraska...and I guess I would not be so focused on this without looking at some of the concerns that we have in the Planning Committee about rural Nebraska and putting together a committee to begin to attack that issue in some form or manner to try to put things into place to slow that process down. And I think this is just another issue that comes about. And if it's a typical federal issue, I'm always wondering about how much they really do study the issues. This seems to be the quickest, easiest way to address the issue. I oppose that. And I'd ask you to support LR8. Thank you, Mr. President. [LR8]

SPEAKER FLOOD: Thank you, Senator Harms. Senator Dubas, you are recognized. [LR8]

SENATOR DUBAS: Thank you, Mr. Speaker. I would like to just stand and echo in support the comments that have been made so far. You know, I think it's very clear, we need to...the federal government needs to be able to explain to us just exactly how



Floor Debate  
November 21, 2011

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much money will be saved when these post offices are closed. I had several conversations with postal employees who have worked for the post office for many, many years, and they've been trying to get these questions answered. And those answers just aren't forthcoming. This appears to be the easy way to go; it appears to be the most direct way to go. But I don't know that it's the most effective way to go. And I'm not sure it will get the post office, at the federal level, into the position that they need to get themselves. I think there's been some management issues that need to be cleared up. I think there...similar to what we went through in the LR542 process, where we kind of put everything out on the table, we worked with the agencies. And how do we find the most effective and most direct way to make cuts in the least painful and impactful manner possible? And I guess that would be my suggestion or my hope, that the post office and our federal representatives would look at to find ways to deal with this problem. Because, no doubt, it is a problem. But the post office, as has been expressed on the floor already, it is the business hub of many of our rural communities. You go to the post office first thing in the morning or you go there around closing time, and you see the number of businesses and people that are coming to conduct their business there. And so when you take that particular service out of the community...we spend a lot of time on the floor of this Legislature talking about how do we support economic development in general but more specifically rural economic development. And if you take the post office out of that equation, you have just really ratcheted down the opportunities for economic development in those rural communities. We need a solution to this, no doubt, but I think we need to send a message, a very strong message, to our federal delegation, to our federal government, and the United States Postal Service that, understanding that they do have a difficult decision to make ahead of them, but I think that there are other ways that they could go about, maybe, finding more effective, a little less impactful ways to make this decision and find solutions. And in helping us keep those post offices and that service alive in our communities, it helps us in the long run, as far as economic development, for our state and for the country at large. So I think there are a lot more questions that need to be answered, and I think by Senator Loudon introducing a resolution like this--and, hopefully, other states across the country will do the same thing--we can send a message to the federal government that we certainly do understand the problems that they're dealing with but we would like to see a much more open and transparent process before the types of decisions like this are made. Thank you very much. [LR8]

SPEAKER FLOOD: Thank you, Senator Dubas. Senator Brasch, you are recognized. [LR8]

SENATOR BRASCH: Thank you, Mr. President. I rise in support of LR8, and I also want to thank Senator Loudon for bringing this forward. The village of Craig is one such village that Senator Harms described--and Senator Dubas. They are trying everything they can do to repopulate the rural community. They have consolidated schools. Their Main Street now stands at one and one half--a part-time business--open. Their post

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

Floor Debate  
November 21, 2011

---

office was their last sense of community aside from their local churches. America was once the great fiber of the Pony Express and our communities. If there are things that we can do as a nation, that is, to help repopulate our rural communities, help keep our local post offices open, look at efficiencies perhaps at the top rather than at the bottom, because I believe these have been run very efficiently locally with citizens supporting it. I'd encourage everyone here to support Senator Louden and LR8. Thank you. [LR8]

SPEAKER FLOOD: Thank you, Senator Brasch. There are no other lights on. Senator Louden, you're recognized to close. [LR8]

SENATOR LOUDEN: Thank you, Mr. Speaker and members of the body. Well, I thank you all for this discussion we've had on this, and I think you've summed it up quite literally and to the point, that we can't have any economic development in our rural areas if we don't have these services available and also that the Postal Service has a problem with the way they've managed their situation and worked themselves into a problem with their retirement and their health benefits. With that, I would urge all of you to vote yes for this legislative resolution, and we will then be able to send it on to the director of the Postal Service. Thank you, Mr. President. [LR8]

SPEAKER FLOOD: Thank you, Senator Louden. Members, you've heard the closing to LR8. The question is, shall LR8 be adopted? All those in favor vote aye; all those opposed vote nay. Have all those voted who care to? Mr. Clerk, please record. [LR8]

CLERK: 34 ayes, 0 nays, Mr. President, on the adoption of LR8. [LR8]

SPEAKER FLOOD: LR8 is adopted. Mr. Clerk, we now proceed to the next item on the agenda, LR12. [LR8 LR12]

CLERK: LR12, Mr. President, was a resolution introduced by Senator Brasch. It asks the Legislature to recognize the extensive damage to the people and property caused by the 2011 flooding of the Missouri River. It extends the Legislature's gratitude to the many volunteers, emergency responders, and other government officials who helped deal with the flood's effect. And it encourages the governors of the states affected by the Missouri River flooding, the United States Army Corps of Engineers, Congress, and FEMA to continue their efforts to develop preemptive measures. The resolution was introduced on November 4, at that time referred to the Government, Military and Veterans Affairs Committee. That committee referred the resolution back to the Legislature for further consideration, Mr. President. [LR12]

PRESIDENT SHEEHY PRESIDING

PRESIDENT SHEEHY: Senator Brasch, you're recognized to open on LR12. [LR12]

Floor Debate  
November 21, 2011

---

SENATOR BRASCH: Thank you, Mr. President. Good afternoon, colleagues. Thank you for directing your time and attention to another very important issue in our state. I introduced LR12 to, first, acknowledge the Missouri River flood victims whose lives are vastly and permanently changed and, second, to recognize the selfless giving of time, money, and goods from so many generous volunteers who helped make a bad situation better and, last, to encourage every flood prevention effort to be taken, so we do not have to experience this terrible disaster again, especially as our citizens, our cities, our counties, our states, and federal government are spending millions of dollars for cleanup, repair, and reconstruction to restore what was. The Government, Military and Veterans Affairs Committee had a good public hearing on LR12 that was supported by my constituents in the Blair and Washington County area, a Burt County Commissioner and farmer, and a Nebraska Farm Bureau member who also presented their studies on the economic conditions of the flood. I appreciate all of their comments and support and believe that this has been difficult for so many involved, and it is very evident that we cannot afford a repeat of this flood event. I spent the majority of this interim fighting floods in two of my counties, Burt and Washington. They're also considered to be the most flood-stricken counties in Nebraska at this time. They experienced an unprecedented and merciless flood lasting for three months and are now facing the daunting task to clean up debris and damage left behind by the floodwaters. The work that remains requires heavy labor and heavy equipment. The gravity of this flood should not be minimized, as families were left homeless, crops were destroyed, farmers' livelihoods remain in question for an unknown number of planting and growing seasons. Roads and bridges were washed out, and there was much more unimaginable destruction and displacement that occurred because of the flooding. I am so humbled and so proud of the generous acts and quick responses of those great citizens and their communities who provided opportunities, and they gave hope and assistance to families who had to evacuate and were left with nothing at times, only their hopes. I also want to recognize the Cuming County 4-H and Extension Office through the efforts of Debra Schroeder and others who thoughtfully organized sewing pillowcases by 4-H members and sponsoring a linen drive. These linens filled an entire office from ceiling to floor, corner to corner--linens for those who lost a good night's rest. Local government stepped up and admirably responded quickly and efficiently. State agencies, FEMA, and others have had a significant presence throughout the flooding, and they are to be commended for being a vital resource and readily available to the public. I urge your adoption of LR12. Thank you. [LR12]

PRESIDENT SHEEHY: Thank you, Senator Brasch. You have heard the opening of LR12. Members requesting to speak are Senator Price followed by Senator Krist. Senator Price. [LR12]

SENATOR PRICE: Thank you, Mr. President, members of the body. I appreciate the effort that Senator Brasch has gone through to bring this forward, to bring it to light. Of course, everybody here is aware of it. It was a very long and arduous journey, one that

Floor Debate  
November 21, 2011

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we saw coming to us...it was a difficult time. But I wanted to take a moment to call out again a particular note of thanks that, under Part 2 there, where we talk about "other government officials," that the Nebraska Guard performed yeoman's work in dangerous conditions, walking around at nighttime on levies looking for small holes, smaller than a golf--something that a golf ball might fit in if you're a good enough golfer or something that would be--something that would cause devastating damage, and identifying these things. So I just want to take a moment here on the floor to recognize our Guard for all the work they did. Thank you, Mr. President. [LR12]

PRESIDENT SHEEHY: Thank you, Senator Price. Senator Krist. [LR12]

SENATOR KRIST: Thank you, Mr. President. And thank you, Senator Brasch, for bringing this forward. Many of you know I've been connected with these efforts through the Corps of Engineers, and I would like to just take this opportunity to say a few words. There is an organization in place--it has been in place for many years--its acronym is known as MORAST, M-O-R-A-S-T. It's the Missouri River Association of States and Tribes. The states of Nebraska and Iowa have since--have withdrawn from their participation in this organization. And in my opinion--and you need to do your own research--I believe that this is not just a good move but a statement on behalf of the state of Nebraska, its Governor, and the preparations to manage the river. MORAST has an agenda--political agenda that is not in the best interest of the entire main stem of the Missouri River. I also bring to your attention that there is an organization that I think that if you hear about this happening within your districts or have an opportunity to speak in or feed in information...it's the annual operating manual meeting--annual being a misconception; it actually meets twice a year. It meets in the fall and it meets in the spring to deal with the activity in the past six months to evaluate how the river should be managed and to look at potentially more aggressive releases during high times of snowpack and water. Those inputs are taken from citizens across the state electronically; they're taken in call-ins; they're taken in the cities and townships around and counties around this--around the stem, the main stem of the Missouri. And those are ever, ever, ever, so important, because they are concerns that will weigh in on how the river will be managed and potentially how floods will be averted. I can tell you that that has changed how the evaluative process has changed in terms of how to manage that water. Second now, potentially, to piping plovers and pallid sturgeons and a few of those kind of things comes people, fresh water, and flood prevention. And, finally, the last organization that I would applaud the Governor's--our own Governor's activity in was bringing together the Missouri River Basin governors group--extremely needed at this point, for the governors to stand tall and weigh in on what is important for its citizens and for flood prevention. Remember, south of Yankton, it is--bluff to bluff, there is no water management. If we don't catch it by that point, we will again have this kind of epic flood activity. Also remember, seven--seven utilities affected, two nuclear power stations, power plants across...a resultant factor in my own area and the Omaha Public Power District announcing that of its raise in utility charges in the upcoming year, a

Floor Debate  
November 21, 2011

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percent and a half of that, or 1.45 percent of that, is due to some of the things that have happened during this flood. We can't afford another one of these in this epic proportion. I would hope that you would take an active interest, and when the possibility comes for you to engage, in either the Missouri River Basin governors group and feeding information through Governor Heineman or the annual operating manual group, that you take that aggressive step and make it known, represent those citizens along the river. It will be, as Senator Brasch said, a time before we can recover. It is estimated that we will see almost a generation--a generation--in the field... [LR12]

PRESIDENT SHEEHY: One minute. [LR12]

SENATOR KRIST: ...before agriculture will be restored in some of those areas. We, again, cannot afford another epic flood on the Missouri basin. Thank you, Mr. President. [LR12]

PRESIDENT SHEEHY: Thank you, Senator Krist. Senator Bloomfield. [LR12]

SENATOR BLOOMFIELD: Thank you, Mr. President. Senator Krist pretty well covered what I wanted to say, and he did it a lot better than I was going to. We need to be wary of the people that worry more about the piping plover than they do about our agriculture, our families, and our lives. And while we're reaching out with thank-you's to people, we need to remember seed dealers from as far away as Adrian, Minnesota, that furnished the large bags you saw them carrying around with helicopters. We need to be thankful of trucking companies like Affiliated out of Norfolk that furnished trucks to haul those bags around the country. They hauled bags from Adrian to supply us and South Sioux; they hauled them as far south as St. Joe, Missouri. I want to thank Senator Brasch for bringing this, and I'll certainly support it. And I want to thank Senator Krist for saying the things better than I could. Thank you, Mr. President. [LR12]

PRESIDENT SHEEHY: Thank you, Senator Bloomfield. Seeing no additional requests to speak, Senator Brasch, you're recognized to close on LR12. [LR12]

SENATOR BRASCH: Thank you, Mr. President. And also thank you to Senator Price, Krist, and Bloomfield. This has been truly a interim of great gravity, from sandbags to our Sandhills. We have much work ahead of us. We have not heard the end of flooding. Some staggering figures remain as we read headlines every day. The city of Omaha: \$12.2 million; the city of Blair: \$6 million is anticipated, and that doesn't figure in any of the insurance, state and federal; Nebraska Farm Bureau: their study estimates that Nebraska lost \$189 million in agricultural crop sales and related economic activity. The share of disaster recovery is estimated at more than \$22 million. OPPD proposes to raise their rates 5.9 percent, because they paid \$32 million to purchase electricity because Fort Calhoun nuclear power plant was being shut down. The Farm Service Agency reports 144,600 acres of flooded Missouri land: 119,000 are cropland; 6,200

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Transcriber's Office

Floor Debate  
November 21, 2011

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acres of pasture; 19,300 of other ag land. FEMA and the Small Business Administration also offers a snapshot at this point of \$7.55 million. Our county assessors--they have responded. Our municipalities are responding. We have much work yet to be done. I urge you to support this resolution moving forward, that we may not experience another flood, unprecedented, like 2011. Thank you. [LR12]

PRESIDENT SHEEHY: Thank you, Senator Brasch. You have heard the closing. The question before the body is on the adoption of LR12. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LR12]

CLERK: 34 ayes, 0 nays, Mr. President, on adoption of LR12. [LR12]

PRESIDENT SHEEHY: LR12 is adopted. Mr. Clerk, do you have items for the record? [LR12]

CLERK: I do, Mr. President. Senator Haar would like to add his name to LB1 as cointroducer; Senator Dubas, add her name to LR8 as cointroducer. (Legislative Journal page 110.) [LB1 LR8]

And I have a priority motion. Senator Cornett would move to adjourn the body until Thursday morning, November 22, at 9:00 a.m.--Tuesday morning.

PRESIDENT SHEEHY: You have heard the motion to adjourn until Tuesday, November 22, at 9:00 a.m. All those in favor say aye. Opposed, nay. We are adjourned.