

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

Floor Debate
November 07, 2011

[LR10 LR14 LR15]

PRESIDENT SHEEHY PRESIDING

PRESIDENT SHEEHY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fifth day of the One Hundred Second Legislature, First Special Session. Our chaplain for today is Senator Nelson. Would you all please rise.

SENATOR NELSON: (Prayer offered.)

PRESIDENT SHEEHY: Thank you, Senator Nelson. I now call to order the fifth day of the One Hundred Second Legislature, First Special Session. Senators, please record your presence. Please record, Mr. Clerk.

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

PRESIDENT SHEEHY: Are there corrections for the Journal?

CLERK: I have no corrections.

PRESIDENT SHEEHY: Messages, reports, or announcements?

CLERK: Health and Human Services offers a confirmation report. That's signed by Senator Campbell as Chair of the committee. That's all that I have. (Legislative Journal page 47.)

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

CLERK: Mr. President, three reports...

PRESIDENT SHEEHY: (Gavel)

CLERK: ...from Natural Resources. Senator Langemeier, the first report involves three appointments to the Environmental Quality Council. (Legislative Journal page 38.)

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

SENATOR LANGEMEIER: Thank you, Mr. President, members of the body. My first nomination, appointment is for Earl...Mr. Earl McNutt. His hometown is in McCook, Nebraska, and he has been appointed to the Environmental Quality Council. The

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hearing was held November 4, 2011. Mr. McNutt is a new appointment to a 17-member council, representing county government. This hearing was conducted via teleconference due to our short, limited time in special session. His employment is...he is a road foreman and equipment operator for Red Willow County. His membership: He is a member of the Nebraska Association of County Officials and their board of directors. He is on the Red Willow County...a county commissioner and is the board chairman. His education: He attended McCook Community College. The second individual is Mr. Vern Powers. He, too, is a new appointment to the Environmental Quality Council representing municipal government. His employment: He is the president and chief executive officer of the Central Finance Corporation and is the mayor of the city of Hastings. His membership activities: He's a board member for the Hastings Airport Authority, entertainment director for the Adams County Fairfest, and a board member to the Hastings Library Board. He has a B.S. degree in journalism from the University of Nebraska. Our third individual is Dr. Ron Sheppard. He is from Callaway, Nebraska. He, too, is a new appointment, representing the physician representative on the council. He has practiced in Callaway since 1974. His education: He's got a B.S. degree from Rutgers University, an M.D. from New Jersey College of Medicine. The committee had the hearing on all three and ask for your approval unanimously of those attending. With that, we'd ask for the adoption of these three individuals to the Environmental Quality Council. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Langemeier. You have heard the opening. Are there members requesting to speak? Seeing none, Senator Langemeier, you're recognized to close. Senator Langemeier waives closing. The question before the body is on the adoption of the first Natural Resources Committee confirmation report. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

CLERK: (Record vote, Legislative Journal page 48.) 38 ayes, 0 nays, Mr. President, on adoption of the confirmation report.

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

CLERK: Mr. President, before, if I may, Transportation and Telecommunications will hold an Exec Session under the north balcony immediately; Transportation Committee underneath the north balcony right now. Natural Resources, Mr. President, reports on the appointment of two individuals to the Nebraska Ethanol Board. (Legislative Journal page 38.)

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

SENATOR LANGEMEIER: Mr. President, thank you. And members of the body, we did have a hearing on November 4, 2011, to appoint...to hear appointments on two

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members to the Nebraska Ethanol Board. The first is Mr. Timothy Else. He is a reappointment to the board. He is self-employed and is an ag producer at Belvidere, Nebraska. He is a member of the LEAD XIX class and Trinity Lutheran Church Council and has a B.S. degree in ag economics. The second individual is Mr. Steven Hanson. He, too, is a reappointment from Elsie, Nebraska. He is in the farmer-rancher category. Steve is currently the chairman of the Ethanol Board. The committee decided unanimously to put these forth for your discussion and would ask for your adoption of these two individuals to the Nebraska Ethanol Board. Thank you, Mr. President.

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

CLERK: (Record vote, Legislative Journal pages 48-49.) 37 ayes, 0 nays, Mr. President, on adoption of the confirmation report.

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

CLERK: Third report from the Natural Resources Committee involves the appointment of James Gohl to the Oil and Gas Conservation Commission. (Legislative Journal page 38.)

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

SENATOR LANGEMEIER: Mr. President, members of the body, we ask that...for the confirmation of Mr. James Gohl. He came before us on November 4, from Culbertson, Nebraska. He has been appointed to the Nebraska Oil and Gas Conservation. He is a reappointment. He is a rancher and a business consultant for Central Operations, Inc., which is an oil production company in western Nebraska. His memberships: He's a former member of the McCook Public Power District Board of Directors, and the Hitchcock County Fair Board, and the Nebraska Rural Electric Association. He's a graduate of McCook Community College. And he stood the questions from the committee and was advanced unanimously. We would ask for your adoption of Mr. James Gohl to the Nebraska Oil and Gas Conservation Commission.

PRESIDENT SHEEHY: Thank you, Senator Langemeier. You've heard the opening of the third Natural Resources Committee confirmation report. Are there members requesting to speak? Seeing none, Senator Langemeier, you're recognized to close. Senator Langemeier waives closing. The question before the body is on the adoption of

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the confirmation report. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

CLERK: (Record vote, Legislative Journal page 49.) 36 ayes, 0 nays on adoption of the confirmation report.

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

CLERK: Mr. President, Judiciary Committee reports on the appointment of Brian Wachman to the Crime Victim's Reparations Committee. (Legislative Journal page 38.)

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

SENATOR ASHFORD: Thank you, Mr. President. On Friday, the Judiciary Committee confirmed Brian Wachman by a 5-0 vote to this position. The...Brian started with United Way in 1990 in Minneapolis, served as campaign director in Lincoln from 1993 to 1997. He has spent eight years in VP positions with United Ways in Baton Rouge and other cities, returning as executive director of the United Way of Lincoln and Lancaster County in 2005. Brian serves on two national committees: United Way National Professional Council and the Inclusion Council. He is a board member of the Lincoln Rotary Club Number 14 and has served on the Leadership Lincoln Executive Series Steering Committee. Brian graduated in 1989 with a B.A. and an M.A. degree in sociology from Stanford University. We urge the adoption of this report. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Senator Ashford. You've heard the opening to the Judiciary Committee confirmation report. Are there members requesting to speak? Seeing none, Senator Ashford, you're recognized to close. Senator Ashford waives closing. The question before the body is on the adoption of the Judiciary confirmation report. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

CLERK: (Record vote, Legislative Journal page 50.) 39 ayes, 0 nays, Mr. President, on adoption of the confirmation report.

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

CLERK: Mr. President, General Affairs reports on three appointments to the Nebraska Arts Council. (Legislative Journal page 43.)

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

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SENATOR KARPISEK: Thank you, Mr. President, members of the body. The General Affairs Committee voted unanimously to confirm the reappointment of three members to the Nebraska Arts Council. Steve Homan of Kearney works as a financial advisor with Edward Jones. He is involved with the Planning Commission and High School Foundation Board in his home community and also serves on the Lorena Meier Foundation Board and the Kearney Area Symphony Board. He would be reappointed for another three-year term and will continue to be an asset to the council. Louise Kent of Scottsbluff will also be reappointed for three years. She is an artist, musician, and performer, but has been involved in the arts through project development, planning of marketing as well. She was heavily involved in the planning of the 100-day Scottsbluff Centennial Celebration in 2000. Mrs. Kent will continue to be a great advocate for the arts. Robert Nefsky of Lincoln will also serve another three-year term. He currently serves as vice chair of the Arts Council and also serves on the Nebraska Cultural Endowment, where he is chair of the Legislative Liaison Committee. He works as an attorney with Rembolt Ludtke of Lincoln. He takes his role on the council very seriously and will be a major asset to the work they do to support the arts. Please vote in favor of these three very qualified individuals. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Karpisek. You've heard the opening of the General Affairs Committee confirmation report. Are there members requesting to speak? Seeing none, Senator Karpisek, you're recognized to close. Senator Karpisek waives closing. The question before the body is on the adoption of the confirmation report. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

CLERK: (Record vote, Legislative Journal pages 50-51.) 40 ayes, 0 nays, Mr. President, on adoption of the confirmation report.

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

CLERK: Mr. President, the final report this morning is offered by the General Affairs Committee, involves an appointment to the Nebraska Liquor Control Commission. (Legislative Journal page 43.)

PRESIDENT SHEEHY: Senator Karpisek, you're recognized to open on your second General Affairs Committee confirmation report.

SENATOR KARPISEK: Thank you, Mr. President, members of the body. The General Affairs Committee voted unanimously in favor of Bill Austin's appointment to the Liquor Control Commission. Mr. Austin works as an attorney with Erickson Sederstrom in Lincoln. He served as city attorney for the city of Lincoln for 20 years where he has acquired a good background in the field of liquor regulation. He will replace Bryan Tuma, who resigned his position. And Mr. Austin will serve a six-year term. I urge you to support Mr. Austin's appointment. Thank you, Mr. President.

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PRESIDENT SHEEHY: Thank you, Senator Karpisek. You've heard the opening of the second General Affairs confirmation report. Are there members requesting to speak? Seeing none, Senator Karpisek, you're recognized to close. Senator Karpisek waives closing. The question before the body is on the adoption of the confirmation report. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk.

CLERK: (Record vote, Legislative Journal page 51.) 39 ayes, 0 nays, Mr. President, on the adoption of the confirmation report.

PRESIDENT SHEEHY: The confirmation report is adopted. Mr. Clerk, items for the record.

CLERK: I do, Mr. President. Thank you. I have a Reference report referring LR12 to the Government, Military and Veterans Affairs Committee for purposes of conducting a public hearing. Hearing notice from the Government Committee for Wednesday, November 9, on two resolutions. Senator Hadley would offer LR14 and LR15, new resolutions; both of those will be laid over. Senator Harms would like to withdraw his name from LR10 as a cointroducer. (Legislative Journal pages 51-53.) [LR14 LR15 LR10]

And a priority motion: Senator Conrad would move to adjourn the body until Tuesday morning, November 8, at 9:00 a.m.

PRESIDENT SHEEHY: You have heard the motion to adjourn until Tuesday, November 8, at 9:00 a.m. All those in favor say aye. Opposed, nay. We are adjourned.