

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

Floor Debate  
November 10, 2011

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[LB4 LR19 LR20]

PRESIDENT SHEEHY PRESIDING

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

SENATOR KRIST: (Prayer offered.)

PRESIDENT SHEEHY: Thank you, Senator Krist. I now call to order the eighth 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, Mr. President.

PRESIDENT SHEEHY: Messages, reports, or announcements?

CLERK: Mr. President, a confirmation hearing report from the Transportation Committee, signed by Senator Fischer, as Chair. New resolutions: Senator Sullivan offers LR19; Senator Haar, LR20. And I have the lobby report for this week to be read into the Journal, Mr. President. That's all that I have at this time. (Legislative Journal pages 65-67.) [LR19 LR20]

PRESIDENT SHEEHY: Thank you, Mr. Clerk. Doughnuts this morning are being provided by the office of Senator Brad Ashford who is celebrating his birthday. Happy birthday, Senator Ashford. Mr. Clerk, we will now move to the first item under legislative confirmation reports.

CLERK: Mr. President, the Agriculture Committee, chaired by Senator Carlson, reports on five appointments to the Beginning Farmer Board. (Legislative Journal page 61.)

PRESIDENT SHEEHY: Senator Carlson, you're recognized to open on your confirmation report from the Agriculture Committee.

SENATOR CARLSON: Thank you, Mr. President and members of the Legislature. The Ag Committee report recommends confirmation of five appointees: Dr. Brad Lubben, Todd Reed, Don Anthony, Melvin Valasek, and Mark Graff to the Beginning Farmer

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Board. With the exception of Dr. Lubben, all are reappointments. The Beginning Farmer Tax Credit Act was passed by the Legislature in 1999 and amended in 2000, 2006 or 2005 and 2008. This act currently provides a refundable income tax credit of 10 percent of the cash rent or 15 percent of the cash equivalent of crop share when a farmer is willing to rent his land to a qualified beginning farmer to cover some of the risk involved. The act was amended in 2008 allowing certified beginning farmers to claim a personal property tax exemption over three years, for up to \$100,000 value of agricultural machinery and equipment utilized in the beginning farmer's operation. The board meets at least twice annually and certifies qualification for benefits under the act. The board also provides referral to both private and public sector programs that link beginning farmers with landowners, and advocates for policies that assist beginning farmers. The board consists of seven members: the director of Agriculture and the Tax Commissioner or their designees who serve ex officio, and then five appointed members, three of whom are active producers drawn from each of the Congressional districts, one member representing agricultural lenders, and one who is an agricultural economist. With that, I wanted to give a little background on each of the appointees.

PRESIDENT SHEEHY: (Gavel)

SENATOR CARLSON: Dr. Brad Lubben represents the academic community with extensive knowledge and insight into the analysis of agricultural economic issues. Dr. Lubben holds a Ph.D. in agricultural economics from Kansas State and is currently an extension assistant professor and policy specialist at the University of Nebraska where his responsibilities include developing integrated research extension and teaching programs. Todd Reed is a producer from Congressional District 1. He currently resides in Lincoln and is a full-time farmer. This is a reappointment. Donald Anthony, representing the 3rd Congressional District, lives near Lexington, is a full-time farmer and this would be a reappointment. Melvin Valasek represents the 2nd Congressional District, is a resident of Bennington and has been an active farmer for over 30 years, also a reappointment. Mark Graff represents the lenders of agricultural credit. He's the chairman and CEO of McCook National Bank and chairman of the board of directors, and this would also be a reappointment. Thank you for listening. The committee met and unanimously recommended these appointments and I would ask for your support. Thank you.

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

CLERK: (Record vote, Legislative Journal page 68.) 40 ayes, 0 nays, Mr. President, on adoption of the confirmation report.

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PRESIDENT SHEEHY: The confirmation report is adopted. Senator Larson, for what reason do you rise?

SENATOR LARSON: Point of personal privilege.

PRESIDENT SHEEHY: State your purpose.

SENATOR LARSON: I would like to offer our thoughts to Senator Cap Dierks who suffered a health setback yesterday. Cap was a long-time servant of this body, 20 years, and a great servant to the people of the state of Nebraska. I have a get-well card up here that I'll be signing and taking to him later today. He, like I said, a great servant to the state and I think he should be in all of our thoughts as we move forward through this special session. Thank you.

PRESIDENT SHEEHY: Thank you, Senator Larson. Speaker Flood, you're recognized for an announcement.

SPEAKER FLOOD: Thank you, Mr. President. Good morning. I'm sure I speak for the rest of us, after Senator Larson's comments, that we are all keeping Senator Dierks in our thoughts and prayers and wish him all the best and his family. I want to talk about what we are doing today. We are going to wait for the Revisor's Office to send down the committee amendments together with LB4, which was advanced out of the Natural Resources Committee last night. It will take a little while to get that down from Bill Drafters. And when that comes in, we'll go ahead and have that reported to the Clerk. It will be placed on your computers shortly thereafter. And then we'll go ahead and adjourn for the week. The plan Monday is to start at 1:30 p.m. on Monday with floor debate of LB4. So we will start at 1:30 p.m. Monday with floor debate on LB4. And after that, we'll begin debate, obviously, the balance of the week probably at about 9:00 a.m. But Monday it will be at 1:30, and we could go somewhat into the night. I'll give you better direction as we start the debate on Monday, but 1:30 on Monday. Thank you, Mr. President.

PRESIDENT SHEEHY: Thank you, Speaker Flood. Members, we will stand at ease.

EASE

PRESIDENT SHEEHY: Mr. Clerk, do you have items for the record?

CLERK: I do, Mr. President. Your Committee on Natural Resources, chaired by Senator Langemeier, to whom was referred LB4, instructs me to report the same back to the Legislature with the recommendation that it be advanced to General File with Natural Resources Committee amendments attached. I have amendments to the bill and the

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committee amendments, Mr. President. Senator Langemeier offers FA1; Senator Dubas, AM14; Senator Fulton, an amendment to the committee amendments. (Legislative Journal pages 68-69.) [LB4]

And a priority motion, Mr. President: Senator Coash would move to adjourn the body until Monday morning, November 14, at 1:30 p.m.

PRESIDENT SHEEHY: You have heard the motion to adjourn until Monday, November 14, at 1:30 p.m. All those in favor say aye. Opposed, nay. We are adjourned.