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Transcriber's Office

Floor Debate  
February 21, 2013

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SENATOR COASH PRESIDING

SENATOR COASH: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the twenty-ninth day of the One Hundred Third Legislature, First Session. Our chaplain for today is Senator Kate Sullivan. Please rise.

SENATOR SULLIVAN: (Prayer offered.)

SENATOR COASH: Thank you, Senator Sullivan. I call to order the twenty-ninth day of the One Hundred Third Legislature, First Session. Senators, please record your presence. Mr. Clerk, please record.

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

SENATOR COASH: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: I have no corrections.

SENATOR COASH: Thank you. Are there any messages, reports, or announcements?

CLERK: Mr. President, hearing notice from the Health and Human Services Committee signed by Senator Campbell. And I also have a confirmation hearing report from the Health Committee, also signed by Senator Campbell. That's all that I have, Mr. President. (Legislative Journal pages 479-480.)

SENATOR COASH: Thank you, Mr. Clerk. We will now proceed to the first item on the agenda.

CLERK: Mr. President, LB147 is on Select File. I do not have E&R amendments. I do have an amendment from Senator Gloor. Senator Gloor would move to amend the bill with AM161. (Legislative Journal page 387.) [LB147]

SENATOR COASH: Senator Gloor, you're recognized to open on AM161. [LB147]

SENATOR GLOOR: Thank you, Mr. President. Good morning, members, and thank you for fighting through the drifts this morning to get here to hear this exciting Select File amendment. AM161 contains cleanup amendments from LB147 that were brought to me by the Bill Drafting Office. They've also been reviewed and okayed by the Department of Insurance. The bill was introduced on behalf of the director of the

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Department of Insurance. As you may recall from General File, LB147 would enact an external review system for health carriers. That would be something new for Nebraska. Federal law requires that we take this action. Federal law also requires that we change our internal review system, as is found in our existing Health Carrier Grievance Act, from a two-level to a one-level review system that's internal. We are moving as a result of the bill to an external review system. That's why the green copy of the bill would outright repeal the section of our grievance act that provides for second-level internal grievance. However, the Bill Drafters have taken a longer look at our grievance act and have found within it references to first-level and second-level grievances which, of course, means the bill would make those references obsolete and so the amendment would eliminate them. Accordingly, these amendments would insert four sections of the grievance act and amend them by striking their obsolete references to first and second-level grievance reviews because, again, under the bill there must be one level of internal review. The second level now will be external review. The amendments would also make such changes suggested by Bill Drafters in the underlying bill, internal references, and pronouns, supplying some missing words. Those are the provisions of the amendment. Again, they're all clean up. They come to us from the Bill Drafters. This should put the bill in good shape, and I would ask for your adoption of this amendment and approval of the bill. Thank you, Mr. President. [LB147]

SENATOR COASH: Thank you, Senator Gloor. (Doctor of the day introduced.) Members, you've heard the opening to AM161. The floor is now open for discussion. Seeing none, Senator Gloor, you're recognized to close on your amendment. Senator Gloor waives his closing. The question for the body is, shall AM161 be adopted? All those in favor vote aye; all those opposed vote nay. Have all voted who wish? Record, Mr. Clerk. [LB147]

CLERK: 37 ayes, 0 nays, Mr. President, on the adoption of Senator Gloor's amendment. [LB147]

SENATOR COASH: AM161 is adopted. [LB147]

CLERK: Senator, I have no further amendments to the bill. [LB147]

SENATOR COASH: Senator Murante for a motion. [LB147]

SENATOR MURANTE: Mr. President, I move LB147 be advanced to E&R for engrossing. [LB147]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB147 is advanced. Next item, Mr. Clerk. [LB147]

CLERK: Mr. President, the next bill is LB213. No Enrollment and Review. Senator

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Schumacher would move to amend with AM143. (Legislative Journal page 380.)  
[LB213]

SENATOR COASH: Senator Schumacher, you are recognized to open on AM143.  
[LB213]

SENATOR SCHUMACHER: Thank you, Mr. President and members of the body. AM143 basically strikes Section 2 of the bill and...or excuse me, Section 4 of the bill. Section 4 allows, without any real parameters, the Department of Banking to authorize a bank to conduct business that is incidental to banking by rule or regulation. And that's about all that it says. It really doesn't explain what is incidental to banking. I've been told that that could be such things as insurance companies, travel agents, agencies, even possibly rental of airplanes. So this is a broad grant of authority to the Department of Banking to authorize banks to create limited liability companies under them with virtually no parameters. And this is part of an overall banking bill. I think that we'd be wise to do it more along the lines that it was done when they authorized banks to have subsidiary corporations, and in those particular things the Legislature in...for example, 8-148.06 specified how much money they could invest into them, how much risk they could take, specified that the businesses had to be operated in this state. When we start dealing with banking and insurance regulation, banking and insurance business, we've had a very bad experience nationally by the Congress being a little loose in its regulations, and then the regulatory agencies being worn down by the large banks to create some real mischief. Fortunately, we have not had that situation in Nebraska with our smaller banks, but if we do not take some precautionary measures and give some guidelines to the Department of Banking and lay down some rules that we feel comfortable with and have a more in-depth discussion of what we're talking about when we say that banks can create these things and do things incidental to banking, I think we're asking for trouble down the road. I think this may be a very proper subject of an independent bill by itself where the Banking Committee is thoroughly briefed on the implications on what is to be allowed, what is not to be allowed. And once you put this thing into motion, you can't get the genie back in the bottle. So I think that it would be wise to strike Section 4, let that come around again next year in the form of an independent bill, and so that we can pass it with a certain degree of comfort in that we know what we're talking about, and also meet our responsibilities to the people of Nebraska to protect the integrity of our financial institutions. Thank you, Mr. President. [LB213]

SENATOR COASH: Thank you, Senator Schumacher. Members, you've heard the opening to AM143. The floor is now open for discussion. Senator Gloor, you're recognized. [LB213]

SENATOR GLOOR: Thank you, Mr. President. Good morning again, members. As Chair of the Banking, Commerce and Insurance Committee I support adoption of this amendment and, of course, the underlying bill is an important bill for us to move forward

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with. I believe the amendment, as we've spent some time talking about this with the Department of Banking, with Senator Schumacher, this will address his concern about certain wording but maintains the integrity of the bill which is, quite candidly and simply, the annual housekeeping bill making changes in laws governing state charter depository institutions. It's a good bill. The amendment is an appropriate amendment to make at this point in time and as Senator Schumacher said, if it's felt necessary to further work on wording changes, we can do it next year. So I would urge the adoption of the amendment and the underlying bill. Thank you, Mr. President. [LB213]

SENATOR COASH: Thank you, Senator Gloor. Are there other members wishing to speak? Seeing none, Senator Schumacher, you are recognized to close on AM143. Senator Schumacher waives closing. The question for the body is, shall AM143 be adopted? All those in favor vote aye; all those opposed vote nay. Have all voted who wish? Record, Mr. Clerk. [LB213]

CLERK: 40 ayes, 0 nays, Mr. President, on the adoption of Senator Schumacher's amendment. [LB213]

SENATOR COASH: AM143 is adopted. [LB213]

CLERK: I have nothing further on the bill, Senator. [LB213]

SENATOR COASH: Senator Murante for a motion. [LB213]

SENATOR MURANTE: Mr. President, I move to advance LB213 to E&R for engrossing. [LB213]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB213 is advanced. Next item, Mr. Clerk. [LB213]

CLERK: Mr. President. Senator, I...LB209, I have no amendments to the bill. [LB209]

SENATOR COASH: Senator Murante for a motion. [LB209]

SENATOR MURANTE: Move to advance LB209 to E&R for engrossing. [LB209]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB209 advances. Next bill, Mr. Clerk. [LB209]

CLERK: Mr. President, LB214. Senator, I have no amendments to the bill. [LB214]

SENATOR COASH: Senator Murante for a motion. [LB214]

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SENATOR MURANTE: Mr. President, I move to advance LB214 to E&R for engrossing. [LB214]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB214 advances. Next item, Mr. Clerk. [LB214]

CLERK: Mr. President, LB336. Once again, Senator, I have no amendments to the bill. [LB336]

SENATOR COASH: Senator Murante for a motion. [LB336]

SENATOR MURANTE: Mr. President, I move to advance LB336 to E&R for engrossing. [LB336]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB336 does advance. Next item, Mr. Clerk. [LB336]

CLERK: LB32. Senator, no amendments to the bill. [LB32]

SENATOR COASH: Senator Murante for a motion. [LB32]

SENATOR MURANTE: Mr. President, I move to advance LB32 to E&R for engrossing. [LB32]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB32 does advance. Next item, Mr. Clerk. [LB32]

CLERK: LB207, Mr. President. I have no amendments to the bill, Senator. [LB207]

SENATOR COASH: Senator Murante for a motion. [LB207]

SENATOR MURANTE: Mr. President, I move to advance LB207 to E&R for engrossing. [LB207]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB207 does advance. [LB207]

CLERK: Mr. President, LB207A. Senator, I have no amendments to the bill. [LB207A]

SENATOR COASH: Senator Murante for a motion. [LB207A]

SENATOR MURANTE: Mr. President, I move to advance LB207A to E&R for engrossing. [LB207A]

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SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB207A does advance. Next bill, Mr. Clerk. [LB207A]

CLERK: Mr. President, LB250. Senator, I have Enrollment and Review amendments first of all. (ER5, Legislative Journal page 397.) [LB250]

SENATOR COASH: Senator Murante for a motion. [LB250]

SENATOR MURANTE: Mr. President, I move to adopt the E&R amendments. [LB250]

SENATOR COASH: Members, you've heard the motion to adopt the E&R amendments to LB250. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. [LB250]

CLERK: Senator Dubas would move to amend with AM194. (Legislative Journal page 433.) [LB250]

SENATOR COASH: Senator Dubas, you are recognized to open on AM194. [LB250]

SENATOR DUBAS: Thank you very much, Mr. President. Good morning, colleagues. The amendment simply creates language that begins on an implementation date designated by the director. As the bill was reviewed between General and Select, we needed to have this language in there to make sure that that date is taken care of. So, it's just putting that implementation date as designated by the director. [LB250]

SENATOR COASH: Thank you, Senator Dubas. Members, you've heard the opening to AM194. The floor is open for discussion. Seeing no members wishing to speak, Senator Dubas, you're recognized to close. Senator Dubas waives closing. The question for the body is, shall AM194 be adopted? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB250]

CLERK: 35 ayes, 0 nays, Mr. President, on the adoption of Senator Dubas' amendment. [LB250]

SENATOR COASH: AM194 is adopted. [LB250]

CLERK: Senator, I have nothing further on the bill. [LB250]

SENATOR COASH: Senator Murante for a motion. [LB250]

SENATOR MURANTE: Mr. President, I move to advance LB250 to E&R for engrossing. [LB250]

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SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB250 does advance. Next bill, Mr. Clerk. [LB250]

CLERK: Mr. President, LB67. Senator, I do have Enrollment and Review amendments. (ER8, Legislative Journal page 397.) [LB67]

SENATOR COASH: Senator Murante for a motion. [LB67]

SENATOR MURANTE: Mr. President, I move to adopt the Enrollment and Review amendments. [LB67]

SENATOR COASH: Members, you've heard the motion to adopt the E&R amendments to LB67. All those in favor say aye. Those opposed say nay. The amendments are adopted. [LB67]

CLERK: I have nothing further on the bill, Senator. [LB67]

SENATOR COASH: Senator Murante for a motion. [LB67]

SENATOR MURANTE: Mr. President, I move to advance LB67 to E&R for engrossing. [LB67]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB67 does advance. Next bill, Mr. Clerk. [LB67]

CLERK: LB164, Mr. President. Senator, I have no amendments to the bill. [LB164]

SENATOR COASH: Senator Murante for a motion. [LB164]

SENATOR MURANTE: Mr. President, I move to advance LB164 to E&R for engrossing. [LB164]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB164 does advance. Next bill, Mr. Clerk. [LB164]

CLERK: Mr. President, LB210. Senator, I have Enrollment and Review amendments first of all. (ER7, Legislative Journal page 397.) [LB210]

SENATOR COASH: Senator Murante for a motion. [LB210]

SENATOR MURANTE: Mr. President, I move to adopt the E&R amendments. [LB210]

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SENATOR COASH: Members, you've heard the motion to adopt the E&R amendments to LB210. All those in favor say aye. Those opposed say nay. The amendments are adopted. [LB210]

CLERK: I have nothing further on LB210, Senator. [LB210]

SENATOR COASH: Senator Murante for a motion. [LB210]

SENATOR MURANTE: Mr. President, I move to advance LB210 to E&R for engrossing. [LB210]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB210 does advance. Next bill, Mr. Clerk. [LB210]

CLERK: Mr. President, LB40. I have no amendments to the bill, Senator. [LB40]

SENATOR COASH: Senator Murante for a motion. [LB40]

SENATOR MURANTE: Mr. President, I move to advance LB40 to E&R for engrossing. [LB40]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB40 does advance. Next bill, Mr. Clerk. [LB40]

CLERK: Mr. President, LB137. The first item are Enrollment and Review amendments. (ER6, Legislative Journal page 401.) [LB137]

SENATOR COASH: Senator Murante for a motion. [LB137]

SENATOR MURANTE: Mr. President, I move to adopt the E&R amendments. [LB137]

SENATOR COASH: Members, you've heard the motion to adopt the E&R amendments to LB137. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. [LB137]

CLERK: Mr. President, two amendments. Senator Mello, I have AM270, but I have a note you wish to withdraw that, Senator. Mr. President, Senator Mello would move to amend with AM293. (Legislative Journal page 462.) [LB137]

SENATOR COASH: Senator Mello, you're recognized to open on your amendment, AM293. [LB137]

SENATOR MELLO: Thank you, Mr. President and members of the Legislature. AM293

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would essentially keep the underlying piece of legislation similar to the existing programs that are being enacted through the fleet car program at the state level. By ultimately...by reviewing the language also would reduce or eliminate, I should say, the fiscal note on LB137. Currently, right now the way the bill is drafted, it would allow the rebates from the state fleet car program to go to the individual agencies which currently as this program is being operated, all those rebates with the exception of rebates that go to political subdivisions and the university, are coming to the state's General Fund. AM293 would keep that existing program the same way it is ensuring the \$96,000 estimated in the fiscal note would remain in the General Fund, thus it would eliminate the fiscal note for LB137. I'd urge the body to adopt AM293. Thank you, Mr. President. [LB137]

SENATOR COASH: Thank you, Senator Mello. Members, you've heard the opening to AM293. The floor is now open for discussion. Senator Avery, you are recognized. [LB137]

SENATOR AVERY: Thank you, Mr. President. Good morning, colleagues. Just wanted to mention that Senator Mello and I have conferred on this amendment and I have no objection to it and urge you to support it. Thank you. [LB137]

SENATOR COASH: Thank you, Senator Avery. Are there other members wishing to speak? Seeing none, Senator Mello, you're recognized to close on your amendment. Senator Mello waives closing. The question for the body is, shall AM293 be adopted? All those in favor vote aye; all those opposed vote nay. Have all voted who wish? Record, Mr. Clerk. [LB137]

CLERK: 37 ayes, 0 nays, Mr. President, on the adoption of Senator Mello's amendment. [LB137]

SENATOR COASH: AM293 is adopted. [LB137]

CLERK: I have nothing further on the bill, Senator. [LB137]

SENATOR COASH: Senator Murante for a motion. [LB137]

SENATOR MURANTE: Mr. President, I move to advance LB137 to E&R for engrossing. [LB137]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB137 does advance. Next bill, Mr. Clerk. [LB137]

CLERK: Mr. President, LB78. Senator, I do have Enrollment and Review amendments. (ER12, Legislative Journal page 401.) [LB78]

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SENATOR COASH: Senator Murante for a motion. [LB78]

SENATOR MURANTE: Mr. President, I move to adopt the E&R amendments. [LB78]

SENATOR COASH: Members, you've heard the motion to adopt the E&R amendments to LB78. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. [LB78]

CLERK: I have nothing further on that bill, Senator. [LB78]

SENATOR COASH: Senator Murante for a motion. [LB78]

SENATOR MURANTE: Mr. President, I move to advance LB78 to E&R for engrossing. [LB78]

SENATOR COASH: Members, you've heard the motion to advance LB78 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB78 does advance. Next bill, Mr. Clerk. [LB78]

CLERK: Mr. President, LB24. Senator, I have no amendments to the bill. [LB24]

SENATOR COASH: Senator Chambers, you're recognized. [LB24]

SENATOR CHAMBERS: You want to make this motion first? [LB24]

SENATOR COASH: Senator Murante for a motion. [LB24]

SENATOR MURANTE: Mr. President, I move to advance LB24 to E&R for engrossing. [LB24]

SENATOR COASH: Members, you heard the motion. All those in favor say aye. Senator Chambers, you're recognized. [LB24]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, I would like to ask Senator Hadley a question or two. [LB24]

SENATOR COASH: Senator Hadley, would you yield? [LB24]

SENATOR HADLEY: Yes, I would. [LB24]

SENATOR CHAMBERS: Senator Hadley, there is a field of study known as symbology where you study symbols and the meaning of symbols. Is there anything connected to

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this bill that would symbolize what's been known as far as I'm concerned as Agenda 21, which is that pernicious U.N. attempt to overthrow the world in the U.S. Constitution? Is there anything connected with that in this bill talking about the Internal Revenue Code? [LB24]

SENATOR HADLEY: Not to my knowledge, Senator. [LB24]

SENATOR CHAMBERS: Senator Hadley, I noticed that three bills in a row have your name on them. Do you notice that? [LB24]

SENATOR HADLEY: I did notice that, sir. [LB24]

SENATOR CHAMBERS: What is the number of this bill? [LB24]

SENATOR HADLEY: If I have glasses on...or my glasses were better, LB24. [LB24]

SENATOR CHAMBERS: Senator Hadley, what is 24 minus 3? [LB24]

SENATOR HADLEY: Twenty-four, minus...twenty-one. [LB24]

SENATOR CHAMBERS: Thank you, Senator Hadley. Members of the Legislature, we can't be too careful. I'm not convinced that this has anything to do with Agenda 21, but when I put all of the evidence together, the facts, ma'am and sir, are what I deal with. And based on the facts, there is...I won't say probable cause. There is at least a reasonable suspicion that we're having things brought to us under the guise of legitimate legislative proposals when in reality, they are thinly or thickly veiled tools for the putting in place of Agenda 21. And I want Senator Kintner and the rest of the brain trust to know that I've done a little research since we had that hearing, and there is an allegation that the Obama administration are using mind-altering and controlling tactics to effect the minds of people in Legislatures in order to push through Agenda 21. Now, I'm not convinced of that yet, but I'm thinking about it. And since I haven't become convinced, I have no objection to Senator Hadley's activity here but I would advise him to go see his...whoever he takes counseling with, to see whether or not his mind is continuing to function as it should, or whether somebody has hijacked, "co-opted" it, and he is now a tool in the hands of these pernicious interests, Senator Wallman, who want to overthrow the constitutions of the United States and of Nebraska. Thank you. [LB24]

SENATOR COASH: Thank you, Senator Chambers. Senator Lautenbaugh, you're recognized. [LB24]

SENATOR LAUTENBAUGH: Thank you, Mr. President and members of the body. I wonder if Senator Hadley would yield to a question. [LB24]

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SENATOR COASH: Senator Hadley, will you yield? [LB24]

SENATOR HADLEY: Yes, I will. [LB24]

SENATOR LAUTENBAUGH: Senator, as Senator Chambers observed, you do have three bills in a row and I'm kind of curious about the next one dealing with the filing...or late filing penalty for personal property tax. [LB24]

SENATOR HADLEY: Yes. [LB24]

SENATOR LAUTENBAUGH: I couldn't help but notice as I read through that bill that it references the interest rate, does it not? [LB24]

SENATOR HADLEY: Yes, it does. [LB24]

SENATOR LAUTENBAUGH: And I think that interest is 14 percent, is it not? [LB24]

SENATOR HADLEY: Yes, it is. [LB24]

SENATOR LAUTENBAUGH: That seems a little high to me, wouldn't you agree? [LB24]

SENATOR HADLEY: I...it depends on the eye of the beholder, Senator Lautenbaugh. [LB24]

SENATOR LAUTENBAUGH: Well, I mean...thank you, Senator Hadley. I mean, there's high interest and there's low interest, and I think Tuesday I plumbed the depths of low interest in this body as I went on and on. And, who knows, maybe we'll have a floor amendment to discuss that a little further on the next bill. So I'll yield the rest of my time to Senator Chambers. [LB24]

SENATOR COASH: Senator Chambers, 4 minutes. [LB24]

SENATOR CHAMBERS: Mr. President and members of the Legislature, people say never look a gift horse in the mouth, never look the gift of a young cub in the mouth. I will say that Senator Lautenbaugh in my way of referring to him may have risen from the status of a young cub to a clever devil. Thank you. (Laughter) [LB24]

SENATOR COASH: Thanks, Senator Lautenbaugh and Senator Chambers. Are there other members wishing to speak? Seeing none, members you've heard the motion to advance LB24 to E&R for engrossing. All those in favor say aye. Those opposed say nay. LB24 is advanced. Next bill, Mr...or Senator Adams for an announcement. [LB24]

SPEAKER ADAMS: Thank you, Mr. President. Members, the plan is today to work our

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way, as you can see in the agenda, to work our way through Select File. We'll see how far we can get with it. It would be my intention to try to get you out of here as reasonably as we can. The committee hearings that we will be missing this afternoon, I'm going to designate next week, March 5, Tuesday, in the morning, as the makeup time for those hearings. So we will check in at 9:00 a.m. We won't have any activity here on the floor other than check-in and those three-day committees that missed a day, that would be the day for the makeup. Thank you, Mr. President.

SENATOR COASH: Thank you, Speaker Adams. Next item, Mr. Clerk.

CLERK: Mr. President, LB28, no E&R amendments. Senator Lautenbaugh would move to amend with AM330. (Legislative Journal pages 481-482.) [LB28]

SENATOR COASH: Senator Lautenbaugh, you're recognized to open on AM330. [LB28]

SENATOR LAUTENBAUGH: Thank you, Mr. President and members of the body. I just could not resist tipping my hand and here we are again talking about interest rates. What my amendment does is very simple. It adjusts the 14 percent interest rate that applies to delinquent property taxes, and curiously workers' compensation awards, from 14 percent to a fluctuating rate that hovers closer to the prevailing rate now, which is 2 or 3 percent, give or take. The sound you're hearing right now is 90-some county clerks and county assessors and treasurers hitting the NACO hot line and calling an emergency meeting. And after careful and deliberate consideration, they'll be neutral on this. (Laugh) But that said, I'm really not willing to walk away from this interest rate issue despite the fact that I will this morning in relatively short order. Yesterday, Senator Karpisek made some remarks at the microphone regarding a letter he received and I received that same letter. And I think I was the offender that was referenced in that letter, and I...and as well as others, supposedly treated a witness rudely in General Affairs Committee. And Senator Karpisek spoke about it yesterday, and I'll elaborate a bit today. I don't think I treated that witness rudely. That witness was a registered lobbyist for an organization and that witness routinely comes here and says things that are either false and known to be false to her, or she just hasn't bothered to look up the information to find out what the actual facts are year after year after year. And so she was appearing as a registered lobbyist and I questioned her, fairly pointedly, on some of her assertions because to be clear, she either didn't know what she was talking about despite this particular topic being, as she put it, her life's work these days, or she just did not care to give us the correct information. And I like to think I would do the same to any lobbyist who came before a committee and said things that I knew to be false, and he or she knew to be false. And so this is not leading, as you might surmise, to an apology at the end of this floor speech. This is me saying that there is a point at which you have enough, and I think Senator Karpisek reached that point. I think I reached that point and I think others have reached that point. If you have concerns about horse

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racings and you want to come before the committee and question how the simulcast revenue is distributed, you should at least have some knowledge as to how much revenue it is and how it is actually distributed. And when someone asks you a question like, have you ever inquired as to the amount of simulcast revenue and how it's distributed, you shouldn't be surprised when you're there testifying on a horse racing bill and you start talking about simulcasting revenue. And it went on and on like that, sort of vague assertions, vague innuendos, and outright misrepresentations regarding a topic that this witness frequently comes down here and gives us the benefit of her insight on. So, no, I will not apologize and I'll probably be responding to that letter in writing as well, and I'm sure Senator Karpisek will too, because we were taken to task for being so harsh to this lobbyist. Well, folks, I'm sorry. Senator Chambers observed yesterday there's nothing in the Constitution that says people have to tell the truth, but there's nothing in the Constitution that says I have to sit there and take it either. And so, I'll not apologize for what transpired in General Affairs Committee. I'll be responding to that letter. I thank Senator Karpisek for his remarks yesterday, and at this time I'd like to withdraw, although it pains me, this interest rate amendment so that we can all avoid "Snowmageddon" and go on our way. Thank you, Mr. President. [LB28]

SENATOR COASH: Thank you, Senator Lautenbaugh. AM330 is withdrawn. Senator Hadley, you are recognized. Senator Hadley waives his opportunity. Senator Chambers, you're recognized. [LB28]

SENATOR CHAMBERS: Mr. President and members of the Legislature, on the question of lying, although the Constitution does not say that you cannot lie, the "Bible" says that all liars shall have their part in the lake of fire, so I expect to have a lot of company there with me and I'll be there for a different reason. I tell the truth but telling the truth is not enough to keep you from going there, not believing the way other people believe, will send you there. But here's what I'm concerned about and it is on the topic raised by Senator Karpisek and by Senator Lautenbaugh. They did treat a witness roughly. I cannot say inappropriately or unethically, but Senator Lautenbaugh acknowledged that he did some pointed questioning. The witness happened to be a female. And I'm not going to say that she was dealt with in the way she was because she was a female, but it ought to be clear to everybody by now that I am unashamedly, unabashedly, biased toward females because my mother was a female. My daughter is a female. The sister that I have living is a female, and the two who have died, younger than I, are females. And I think the better part of the family in the case of my mother and my two sisters were taken, and the chaff which could be expendable, myself, remains here. But that's the roll of the dice. There was a man...I'd like to ask Senator Krist a question, if I may. [LB28]

SENATOR COASH: Senator Krist, would you yield to a question? [LB28]

SENATOR KRIST: Absolutely. Sorry for the delay. [LB28]

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SENATOR CHAMBERS: Senator Krist before I put my foot in my mouth and say something which is not correct, I'm going to follow Senator Lautenbaugh's well-expressed advice to know for sure what I'm talking about. Was a letter sent to the committee members, the committee of which you're a member, objecting to or opposing a certain bill that had had a hearing before your committee? [LB28]

SENATOR KRIST: Yes, sir, it was. [LB28]

SENATOR CHAMBERS: Was that person a male or a female? [LB28]

SENATOR KRIST: Male. [LB28]

SENATOR CHAMBERS: Thank you very much. [LB28]

SENATOR KRIST: But... [LB28]

SENATOR CHAMBERS: And I knew it was because only males are this chickenhearted. What the committee ought to be upset about is that a high-ranking official in the HHS did not have the respect enough for that committee to come and express his opposition. Maybe he was afraid of the type of questioning he would have received. So then the coward writes a letter expressing objection to the bill. He knew about the bill. It criticized the way his agency has messed over a program. I guess they were so busy with other things, including not claiming over \$1 million in federal funds that were available there for the taking, as we were informed by the state Auditor, and HHS bungled and didn't get the money. So if they're not spending their time paying attention to money available, and as a result it was lost to the state, shouldn't that individual have had enough time to appear before a committee? But he didn't. And Senator Karpisek spoke. I'm not going to say learnedly and well, but he certainly spoke energetically. Senator Lautenbaugh hitched a ride on that wagon. [LB28]

SENATOR COASH: One minute. [LB28]

SENATOR CHAMBERS: But neither of them had a whisper to say about a male who didn't have enough respect for them and their committee to appear and express his views, but he wrote them a very negative letter about the bill. So I'm wondering, where was all the indignation of the chairman who was just dismissed--I'm popping my finger for the sake of the transcribers--didn't have enough respect for the chair and his committee to even show up. I am mortified on their behalf. The word that jumps to my mind immediately is, horrors. The next two words, God forbid. My final four words, thank you, Mr. President. [LB28]

SENATOR COASH: Thank you, Senator Chambers. Senator Murante for a motion.

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[LB28]

SENATOR MURANTE: Mr. President, I move to advance LB28 to E&R for engrossing.  
[LB28]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB28 does advance. Next bill, Mr. Clerk. [LB28]

CLERK: Mr. President, if I may, right before that. Revenue Committee will have an Executive Session at 10:00 a.m. under the north balcony; Revenue Committee at 10:00.

Senator Murante, LB29. I do have Enrollment and Review amendments, Senator. (ER9, Legislative Journal page 401.) [LB29]

SENATOR COASH: Senator Murante for a motion. [LB29]

SENATOR MURANTE: Mr. President, I move to adopt the E&R amendments. [LB29]

SENATOR COASH: Members, you've heard the motion to adopt the E&R amendments to LB29. All those in favor say aye. Those opposed say nay. The amendments are adopted. [LB29]

CLERK: I have nothing further on the bill, Senator. [LB29]

SENATOR COASH: Senator Murante for a motion. [LB29]

SENATOR MURANTE: Mr. President, I move to advance LB29 to E&R for engrossing.  
[LB29]

SENATOR COASH: Members, you heard the motion. All those in favor say aye. Those opposed say nay. LB29 does advance. Next bill, Mr. Clerk. [LB29]

CLERK: LB36. Senator, I do have Enrollment and Review amendments. (ER10, Legislative Journal page 401.) [LB36]

SENATOR COASH: Senator Murante for a motion. [LB36]

SENATOR MURANTE: Mr. President, I move to adopt the E&R amendments. [LB36]

SENATOR COASH: Members, you've heard the motion to adopt the E&R amendments to LB36. All those in favor say aye. Those opposed say nay. The E&R amendments to LB36 are adopted. [LB36]

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CLERK: I have nothing further on the bill, Mr. President. [LB36]

SENATOR COASH: Senator Murante for a motion. [LB36]

SENATOR MURANTE: Mr. President, I move to advance LB36 to E&R for engrossing. [LB36]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB36 does advance. Next bill, Mr. Clerk. [LB36]

CLERK: LB135, Senator, does have Enrollment and Review amendments. (ER11, Legislative Journal page 402.) [LB135]

SENATOR COASH: Senator Murante for a motion. [LB135]

SENATOR MURANTE: Mr. President, I move to adopt the E&R amendments. [LB135]

SENATOR COASH: Members, you heard the motion to adopt the E&R amendments to LB135. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. [LB135]

CLERK: I have nothing further on the bill, Senator. [LB135]

SENATOR COASH: Senator Murante for a motion. [LB135]

SENATOR MURANTE: Mr. President, I move to advance LB135 to E&R for engrossing. [LB135]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB135 does advance. [LB135]

CLERK: LB7, Mr. President. I have no amendments to the bill. [LB7]

SENATOR COASH: Senator Murante for a motion. [LB7]

SENATOR MURANTE: Mr. President, I move to advance LB7 to E&R for engrossing. [LB7]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB7 does advance. Next bill, Mr. Clerk. [LB7]

CLERK: Mr. President, LB156. Senator, I have no amendments to the bill. [LB156]

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SENATOR COASH: Senator Murante for a motion. [LB156]

SENATOR MURANTE: Mr. President, I move to advance LB156 to E&R for engrossing. [LB156]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB156 does advance. Next bill, Mr. Clerk. [LB156]

CLERK: Mr. President, LB225. I have no amendments...I'm sorry, no E&R amendments. Senator Smith would move to amend with AM259. (Legislative Journal page 446.) [LB225]

SENATOR COASH: Senator Smith, you're recognized to open on AM259. [LB225]

SENATOR SMITH: Thank you, Mr. President and good morning, colleagues. Just a quick background on LB225. As you may recall from General File, the bill and the adopted committee amendment would require newborns to be screened for critical congenital heart disease, CCHD. Currently in Nebraska, we screen for hearing and for metabolic and inherited disorders. This bill would simply add CCHD to the panel of newborn screenings. AM259 does not change the substance of the bill but merely provides some clarification. After adoption of the committee amendment, we were contacted by some in the medical profession with concerns that the language in Section 4(2) did not accurately describe what actually happens in a hospital setting or in a birthing facility. This amendment would strike (2) and insert new language that everybody who has been involved in this bill would agree is a workable solution. It merely states that birthing facilities must develop and implement policies that will cause the screening of a newborn. Colleagues, I ask you to adopt this amendment and to continue your support for this important bill, and please help me to move it forward to Final Reading. Thank you, colleagues. Thank you, Mr. President. [LB225]

SENATOR COASH: Thank you, Senator Smith. Members, you've heard the opening of AM259 to LB225. The floor is now open for discussion. Seeing none, Senator Smith, you're recognized to close on AM259. Senator Smith waives closing. The question for the body is, shall AM259 be adopted? All those in favor vote aye; those opposed vote nay. Have all voted who wish? Record, Mr. Clerk. [LB225]

CLERK: 33 ayes, 0 nays, Mr. President, on the adoption of Senator Smith's amendment. [LB225]

SENATOR COASH: AM259 is adopted. [LB225]

CLERK: I have nothing further on the bill, Mr. President. [LB225]

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SENATOR COASH: Senator Murante for a motion. [LB225]

SENATOR MURANTE: Mr. President, I move to advance LB225 to E&R for engrossing. [LB225]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB225 does advance. Next item, Mr. Clerk. [LB225]

CLERK: Mr. President, LB180. Senator, I have no amendments to the bill. [LB180]

SENATOR COASH: Senator Murante for a motion. [LB180]

SENATOR MURANTE: Mr. President, I move to advance LB180 to E&R for engrossing. [LB180]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB180 does advance. Next bill, Mr. Clerk. [LB180]

CLERK: Mr. President, LB311. Senator, there are Enrollment and Review amendments pending. (ER16, Legislative Journal page 407.) [LB311]

SENATOR COASH: Senator Murante for a motion. [LB311]

SENATOR MURANTE: Mr. President, I move to adopt the E&R amendments. [LB311]

SENATOR COASH: Members, you've heard the motion to adopt the E&R amendments to LB311. Senator Chambers, you're recognized. [LB311]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, I have no problem with the amendments, no problem with the bill, but I want Senator Murante, whose name I've heard pronounced about 16 different ways, to understand that today he, as a youngster, has gotten more affirmative votes from me than anybody in the Legislature during my entire 38-career, plus the small change on this session. And I just want him to be warned or be notified that I'll be coming around to call in those chips from time to time during the session at appropriate occasions. Thank you. [LB311]

SENATOR COASH: Thank you, Senator Chambers. Members, you've heard the motion to adopt the E&R amendments to LB311. All those in favor say aye. Those opposed say nay. The E&R amendments are adopted. [LB311]

CLERK: I have nothing further on the bill, Senator. [LB311]

SENATOR COASH: Senator Murante for a motion. [LB311]

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SENATOR MURANTE: Mr. President, I move to advance LB311 to E&R for engrossing. [LB311]

SENATOR COASH: Members, you've heard the motion. All those in favor say aye. Those opposed say nay. LB311 is advanced. Mr. Clerk, you have items. [LB311]

CLERK: I do, Mr. President, thank you. Your Committee on Appropriations gives a series of hearing notices. Those are offered by Senator Mello as Chair. Business and Labor Committee hearing notice; Natural Resources Committee; and Revenue Committee, all signed by the respective chairpersons. Mr. President, your Committee on Revenue, chaired by Senator Hadley, reports LB405 and LB406 as indefinitely postponed. The Natural Resources Committee, chaired by Senator Carlson, reports LB186 to...as indefinitely postponed. I have additional hearing notices from the Government and Judiciary Committees, Mr. President. And new resolutions: Senator Campbell offers LR61; Senator Wallman, LR62; Senator Wallman, LR63; Senator Wallman, LR64. All of those will be laid over. And I have a confirmation report from the Natural Resources Committee signed by Senator Carlson. An announcement: Judiciary Committee will have an Exec Session in Room 1113 upon adjournment; Judiciary, 1113 upon adjournment. A name add: Senator McCoy would like to add his name to LB613 as cointroducer. (Legislative Journal pages 483-487.) [LB405 LB406 LB186 LR61 LR62 LR63 LR64 LB613]

And Mr. President, a priority motion. Senator Ken Haar would move to adjourn the body until Friday morning, February 22, at 10:00 a.m.

SENATOR COASH: Members, you've heard the motion to adjourn. All those in favor say aye. Those opposed say nay. We are adjourned.