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Floor Debate
January 22, 2013

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SENATOR CARLSON PRESIDING

SENATOR CARLSON: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the ninth day of the One Hundred Third Legislature, First Session. Our chaplain for today is Dr. Michael Friday of New Life Baptist Church in Bellevue, Senator Crawford's district. Please rise.

DR. FRIDAY: (Prayer offered.)

SENATOR CARLSON: Thank you, Dr. Friday. I call to order the 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 CARLSON: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: I have no corrections.

SENATOR CARLSON: Are there any messages, reports, or announcements?

CLERK: I do, Mr. President. I have a Reference report referring LB298 through LB339. I have hearing notices from the Banking, Commerce and Insurance Committee; Transportation Committee; and the Judiciary Committee, signed by the respective Chairs. An announcement that the Planning Committee has selected Senator Harms as Chair and Senator Cook as Vice Chair. Rules Committee, Senator Brasch has been selected as Vice Chair. I have a conflict of interest statement from Senator Johnson that will be on file in the Clerk's Office. And an announcement, Mr. President: The Education Committee will have an Executive Session today at 1:30--Exec Session, 1:30. That's all that I have. (Legislative Journal pages 221-223.)

SENATOR CARLSON: Thank you, Mr. Clerk. (Doctor of the day introduced.) Mr. Clerk, new bills.

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CLERK: Mr. President, new legislation. (Read LB402-414 by title for the first time.) And that's all that I have at this point, Mr. President. (Legislative Journal pages 224-226.) [LB402 LB403 LB404 LB405 LB406 LB407 LB408 LB409 LB410 LB411 LB412 LB413 LB414]

SENATOR CARLSON: Thank you, Mr. Clerk. Mr. Clerk for a motion.

CLERK: Mr. President, I have a motion. Senator Lautenbaugh, as Chair of the Rules Committee, would move to adopt the permanent rules for the One Hundred Third Legislature, First Session, and any special sessions had during the 2013 calendar year.

SENATOR CARLSON: Senator Lautenbaugh, as Chair of the Rules Committee, you're recognized to open on the motion.

SENATOR LAUTENBAUGH: Thank you, Mr. President and members of the body. This is the time every two years where we approve our rules, presumably for the coming two years. I can report that our committee met and there were no serious changes entertained, although looking around the room I regret that now that we didn't take some of the proposed rules all the way through to adoption. But there is another one that I did want to call your attention to without belaboring the point too much, and it was e-mailed to all of you without the intent of acting upon it this year. But I think it is a serious topic that bears discussion and thought because I think if we are going to pursue it we should do it next year before the 2014 Session begins. And that is the e-mail that I sent around to you about the...possibly revisiting our committee structure. I sent you the information for the past ten years regarding the number of bills that are referenced to each committee, and I think if you look at those and sometimes we're comparing apples to apples, I realize that, but some bills take more discussion and more...have more of a public hearing timewise than others, but there are some committees that have a lopsided amount of bills and there are some committees that have very few bills. And I'm also not sure where it's written, I hope it's not in the rules because I should know that then, but I'm also not sure where it's written that every senator must have a committee assignment every afternoon. If we consolidated some of the committees, maybe lengthen the number of days some of them meet that have a heavier burden of bills, there could be a scenario where you don't all have a committee every day, each and every day. And I think it's a discussion worth having probably not today. But if we are going to make any adjustments, and the proposals ranged from putting Urban Affairs into Government, to combining Ag and Natural Resources, to increasing the number of days Judiciary meets just to account for the volume of bills that they have every session, it's worth considering and it's worth doing before 2014 so that after the 2014 election...sorry, before the 2015 year begins, so that people know what committee chairs there are and what kinds of things. So if we are going to change the rules, it should probably be done before we select committee chairs again or even start talking

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about it again in two years. And that will be a burden for some of you and not me. So hopefully we'll go forward with something in 2014 that more accurately reflects the bills and the demands and the needs for certain committees. And with that said, I would urge you to adopt the rules, as they are written in our possession now, which are the same as they were the last two years. Thank you, Mr. President.

SENATOR CARLSON: Thank you, Senator Lautenbaugh. Members, you've heard the opening on the motion to adopt the permanent rules. The floor is now open for debate. Senator Krist, you're recognized.

SENATOR KRIST: Thank you, Mr. President. Good morning, Colleagues. And good morning, Nebraska. I'm awfully glad that Senator Lautenbaugh has brought the issue forward. And I would like to suggest that again in this next year we consider yet another critical part of our committee process, and that is representation on our committees. We are living with rules that are literally 30 years old where the members or the number of members on each one of the committees has been put in our rules and we have no flexibility. Now let me give you an example. The only committee in this body that has exact representation on the Congressional districts is Appropriations, where there are three from each caucus. I would suggest that there are two constitutional requirements that this body shares--one is education and one is balancing a budget. Balancing a budget comes from both Appropriations and Revenue, because if you're going to spend it, you've got to make it, and the balance between the two constitutionally is where we should be in balancing the budget. I would also argue that education is again one of those areas constitutionally we need to pay attention to. So it might be conceivable in this year before we get into another...until we get into 2014 that we would rebalance where those priorities would be. Nine in Appropriations, nine in Education, nine in Revenue would be my suggestion. That would mean that several members on one-day committees, one of those may be displaced to the other committees. I think it's worth the conversation as well as I think Senator Lautenbaugh's suggestions about taking a look at it in the interim and making those rule changes in 2014 so that when we come back in 2015 those rules are in place. My suggestion, my opinion, I thank you for listening to me.

SENATOR CARLSON: Thank you, Senator Krist. Are there other senators wishing to speak? Seeing none, Senator Lautenbaugh, you're recognized to close on your motion.

SENATOR LAUTENBAUGH: Thank you, Mr. President, again, and members of the body. And I would like to especially thank Senator McCoy for the gift of this nice, new bow tie. I have no idea how to tie it, so take a good look at it because...and I'd urge you to adopt the rules. Thank you, Mr. President.

SENATOR CARLSON: Thank you, Senator Lautenbaugh. Members, you've heard the closing on the motion to adopt the permanent rules. All those in favor vote yea; all those

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opposed vote nay. Has everyone voted that wishes to vote? Record, Mr. Clerk.

CLERK: 41 ayes, 0 nays, Mr. President, on adoption of permanent rules.

SENATOR CARLSON: The motion is adopted. Thank you. Mr. Clerk, are there new bills?

CLERK: There are, Mr. President. Thank you. (Read LB415-422 by title for the first time.) And that's all that I have at this time, Mr. President. (Legislative Journal pages 227-228.) [LB415 LB416 LB417 LB418 LB419 LB420 LB421 LB422]

SENATOR CARLSON: Thank you, Mr. Clerk. Mr. Clerk, new bills.

CLERK: I do, Mr. President. Thank you. (Read LB423-460 by title for the first time.) And that's all that I have at this time, Mr. President. (Legislative Journal pages 228-234.) [LB423 LB424 LB425 LB426 LB427 LB428 LB429 LB430 LB431 LB432 LB433 LB434 LB435 LB436 LB437 LB438 LB439 LB440 LB441 LB442 LB443 LB444 LB445 LB446 LB447 LB448 LB449 LB450 LB451 LB452 LB453 LB454 LB455 LB456 LB457 LB458 LB459 LB460]

SENATOR CARLSON: Thank you, Mr. Clerk. Any members who have bills to be submitted yet today, please bring those forward as quickly as possible. Thank you.

SPEAKER ADAMS PRESIDING

SPEAKER ADAMS: Mr. Clerk, are there bills to be read?

CLERK: There are, Mr. President. Thank you. (Read LB461-483 by title for the first time, Legislative Journal pages 235-238.) [LB461 LB462 LB463 LB464 LB465 LB466 LB467 LB468 LB469 LB470 LB471 LB472 LB473 LB474 LB475 LB476 LB477 LB478 LB479 LB480 LB481 LB482 LB483]

SPEAKER ADAMS: Thank you, Mr. Clerk. Members, while the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign the following LRs: LR3, LR4, LR5, LR6, LR7, LR8, LR9, LR10, LR11, LR13, LR14, LR15, LR16, LR17, LR18, LR19. Members, if you have bills to be introduced, please bring them up. Mr. Clerk, you have bills to read? [LR3 LR4 LR5 LR6 LR7 LR8 LR9 LR10 LR11 LR13 LR14 LR15 LR16 LR17 LR18 LR19]

CLERK: I do, Mr. President, new bills. (Read LB484-486 by title for the first time.) In addition, Mr. President, new resolutions: LR34CA offered by Senator Schumacher proposes an amendment to Article III, Section 24 of the Nebraska Constitution, that will be referred to Reference; Senator Schumacher also offers LR35; Senator Ashford,

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LR36; Senator Janssen, LR37; Senator Avery, LR38; Senator Bloomfield, LR39. Those will be laid over at this time. I have hearing notices from the Judiciary Committee and from the Education Committee and the Urban Affairs Committee, signed by the respective Chairs. And name adds: Senator Lautenbaugh to add his name to LB60; Senator Campbell to LB447. (Legislative Journal pages 238-246.) [LB484 LB485 LB486 LR34CA LR35 LR36 LR37 LR38 LR39 LB60 LB447]

And I have a priority motion, Mr. President. Senator Krist would move to adjourn the body until Wednesday morning, January 23, at 10:00 a.m.

SPEAKER ADAMS: Thank you, Mr. Clerk. Members, you've heard the motion to adjourn the body until January 23 at 10:00 a.m. Those in favor indicate with aye. Opposed. We are adjourned.