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Transcriber's Office

Floor Debate
February 01, 2016

[LB275 LB311 LB471 LB474 LB474A LB505 LB505A LB695 LB699 LB702 LB727 LB737
LB751 LB759 LB760 LB761 LB771 LB775 LB776 LB784 LB807 LB827 LB853 LB876
LB941 LB970 LB1105 LR26CA LR419 LR420 LR421 LR422 LR427 LR428]

SENATOR COASH PRESIDING

SENATOR COASH: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE SEVENTEENTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN TODAY IS SENATOR RIEPE. PLEASE RISE.

SENATOR RIEPE: (PRAYER OFFERED.)

SENATOR COASH: THANK YOU, SENATOR RIEPE. I CALL TO ORDER THE SEVENTEENTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. MR. CLERK, PLEASE RECORD.

ASSISTANT CLERK: THERE IS A QUORUM PRESENT, MR. PRESIDENT.

SENATOR COASH: THANK YOU, MR. CLERK. ANY CORRECTIONS FOR THE JOURNAL?

ASSISTANT CLERK: NO CORRECTIONS THIS MORNING.

SENATOR COASH: ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

ASSISTANT CLERK: MR. PRESIDENT, YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB505, LB505A, LB275, LB474, LB474A ALL TO SELECT FILE, SOME WITH E&R AMENDMENTS. YOUR COMMITTEE ON REVENUE REPORTS LB941, LB776 TO GENERAL FILE, AS WELL AS LB727 WHICH WAS INDEFINITELY POSTPONED. AND I HAVE TWO REPORTS ON GUBERNATORIAL APPOINTMENTS FROM THE REVENUE COMMITTEE. THAT'S ALL I HAVE AT THIS TIME. (LEGISLATIVE JOURNAL PAGES 465-467.) [LB505 LB505A LB275 LB474 LB474A LB941 LB776 LB727]

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SENATOR COASH: THANK YOU, MR. CLERK. SPEAKER HADLEY FOR AN ANNOUNCEMENT.

SPEAKER HADLEY: MR. PRESIDENT, MEMBERS OF THE BODY, I THOUGHT MY DAYS OF DEALING WITH SNOW DAYS WERE LONG PAST, BUT I GUESS THEY'RE NOT. I AM CONCERNED VERY MUCH ABOUT THE WEATHER FORECAST. WHILE UNPREDICTABLE, THERE ARE ENOUGH REPORTS OF WEATHER MODEL TRACKING INDICATING THAT MUCH OF NEBRASKA WILL HAVE A SIGNIFICANT AMOUNT SNOWFALL AND/OR BE IN NEAR-BLIZZARD CONDITIONS THAT I FEEL A RESPONSIBILITY TO ERR ON THE SIDE OF CAUTION. THE SAFETY OF SENATORS WHO DO NOT STAY IN TOWN, OUR STAFF, AND THE GENERAL PUBLIC WHO WILL BE COMING TO OBSERVE IN THE MORNING, TOMORROW MORNING, OR ATTEND OUR PUBLIC HEARINGS IS A CONSIDERATION. FOR THAT REASON I HAVE DECIDED THAT TOMORROW WE WILL ONLY MEET ON THE FLOOR FOR WHAT'S CALLED A CHECK-IN DAY BEGINNING AT 10:00 A.M. FOR THOSE OF YOU THAT ARE NEW SENATORS, A CHECK-IN DAY IS A DAY THAT COUNTS AGAINST OUR 60 DAYS, BUT WE, BASICALLY, JUST CHECK IN ON THE FLOOR AND WHEN WE HAVE A QUORUM, WE, BASICALLY, DISMISS FOR THE DAY THEN. SO IT'S AN OFFICIAL LEGISLATIVE DAY, BUT NO BUSINESS WILL BE TRANSACTED TOMORROW MORNING. ADDITIONALLY, ALL TUESDAY AFTERNOON HEARINGS WILL BE CANCELLED. THE HEARING MAKEUP DAY WILL BE TUESDAY MORNING, FEBRUARY 9. THAT'S A WEEK FROM TOMORROW. WE WILL HAVE A CHECK-IN AGAIN THAT DAY AT 8:30 IN THE MORNING. WHEN WE HAVE A QUORUM OF 25 PEOPLE, WE WILL THEN OPEN AND ADJOURN AND IN TIME FOR HEARINGS TO BEGIN AT 9:00 A.M. IN ESSENCE, THIS AFTERNOON'S HEARINGS WILL BE NEXT TUESDAY MORNING AT 9:00 A.M.; AND THEN IN THE AFTERNOON IT WILL BE THE NORMAL TUESDAY AFTERNOON HEARINGS FOR THOSE COMMITTEES. SO NEXT WEEK, THE TUESDAY COMMITTEES WILL BE IN HEARINGS ALL DAY LONG TO MAKE IT UP. TOMORROW, I'M SORRY, WEDNESDAY, WE WILL CONVENE AT 10:00 A.M. TO ALLOW FOR DELAYED TRAVEL DUE TO POTENTIAL POOR ROAD CONDITIONS. I, AGAIN, WANT TO EMPHASIZE THAT I JUST WANT TO ERR ON THE SAFE SIDE. I DO NOT WANT TO MAKE PEOPLE HAVE TO BE ON THE ROAD WHEN IT'S DANGEROUS AND WE COULD HAVE EXTREME CONDITIONS. SO WITH THAT, AGAIN, TOMORROW, WILL BE A 10:00 CHECK-IN DAY, NO HEARINGS TOMORROW AFTERNOON. WEDNESDAY WE WILL START AT 10:00 WITH A NORMAL DAY. A WEEK FROM TOMORROW WE WILL HAVE A CHECK-IN DAY. THE HEARINGS FROM TOMORROW AFTERNOON WILL BE HELD THAT MORNING. AND THEN THAT AFTERNOON, IT WILL BE THE NORMAL TUESDAY HEARINGS FOR THAT DAY. IF YOU HAVE ANY QUESTIONS, PLEASE COME UP AND SEE ME. I WILL GUARANTEE YOU THIS, IT WILL MEAN WE PROBABLY WILL NOT GET ANY SNOW BECAUSE

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ALL THE YEARS I WAS INVOLVED IN TRYING TO CALL OFF SCHOOLS, I WAS ALWAYS WRONG. SO I'LL PROBABLY BE WRONG TOMORROW AND IT WILL BE A BEAUTIFUL SUNNY DAY. BUT WE'RE GOING TO ERR ON THE SIDE OF CAUTION. THANK YOU, MR. PRESIDENT.

SENATOR COASH: THANK YOU, SPEAKER HADLEY. MR. CLERK, WE WILL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA--CONSENT CALENDAR.

ASSISTANT CLERK: MR. PRESIDENT, THE FIRST BILL, LB759, INTRODUCED BY SENATOR SCHEER. (READ TITLE.) THE BILL WAS READ FOR THE FIRST TIME ON JANUARY 6; REFERRED TO THE BANKING, COMMERCE AND INSURANCE COMMITTEE. THAT COMMITTEE PLACED THE BILL ON GENERAL FILE WITH NO COMMITTEE AMENDMENTS. [LB759]

SENATOR COASH: THANK YOU, MR. CLERK. SENATOR SCHEER, YOU'RE RECOGNIZED TO OPEN ON LB759. [LB759]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. THIS BILL WOULD AMEND THE SECTION OF THE UNIFORM COMMERCIAL CODE THAT GOVERNS STOP-PAYMENT ORDERS. THAT SECTION TELLS US THAT A STOP-PAYMENT ORDER IS EFFECTIVE FOR SIX MONTHS, BUT IT LAPSES AFTER 14 CALENDAR DAYS IF THE ORIGINAL ORDER WAS ORAL AND WAS NOT CONFIRMED WITHIN THOSE 14 DAYS. A STOP-PAYMENT ORDER MAY BE RENEWED FOR AN ADDITIONAL SIX-MONTH PERIOD WHILE THE STOP-PAYMENT ORDER IS IN EFFECT. CURRENTLY, THE CONFIRMATION OR RENEWAL MUST BE IN WRITING. THE BILL WOULD CHANGE THE WORD "WRITING" TO "RECORD." HERE'S THE KEY: ELSEWHERE IN THE UNIFORM COMMERCIAL CODE, THE TERM "RECORD" IS DEFINED AS INFORMATION THAT IS INSCRIBED ON A TANGIBLE MEDIUM OR THAT IS STORED IN AN ELECTRONIC OR OTHER MEDIUM AND IS RETRIEVABLE IN RECEIVABLE FORM. THE BOTTOM LINE IS THAT THIS BILL MAKES CERTAIN THAT THE STOP-PAYMENT ORDER CONFIRMATION AND RENEWALS CAN BE ACCEPTED ELECTRONICALLY. THIS BILL IS AN EXAMPLE OF CONFORMING THE STATUTES TO ACTUAL PRACTICE AND CUSTOMERS ARE ALREADY USING E-MAIL FOR CONFIRMATIONS AND RENEWALS. THE BILL WOULD RECOGNIZE THE GROWING PRACTICE AND REMOVE THE DOUBT ABOUT ITS VALIDITY. THE BILL ALSO CARRIES EMERGENCY CLAUSE SINCE THERE'S NO REASON TO WAIT UNTIL MID-JULY FOR IT TO BECOME EFFECTIVE. THE BILL'S HEARING BEFORE THE BANKING, COMMERCE AND INSURANCE COMMITTEE, BOTH BANKS AND CREDIT UNIONS APPEARED IN SUPPORT. THERE WERE NO OPPONENTS. THE BILL WAS

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ADVANCED BY THE COMMITTEE, 8-0. I WOULD URGE YOUR ADVANCEMENT OF LB759. THANK YOU, MR. PRESIDENT. [LB759]

SENATOR COASH: THANK YOU, SENATOR SCHEER. MEMBERS, YOU'VE HEARD THE OPENING TO LB759. THE FLOOR IS NOW OPEN FOR DISCUSSION. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR SCHEER IS RECOGNIZED TO CLOSE. HE WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS: SHALL LB759 ADVANCE? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB759]

ASSISTANT CLERK: 28 AYES, 0 NAYS ON THE MOTION TO ADVANCE THE BILL, MR. PRESIDENT. [LB759]

SENATOR COASH: LB759 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB759]

ASSISTANT CLERK: MR. PRESIDENT, LB760 INTRODUCED BY SENATOR SCHEER. (READ TITLE.) THE BILL WAS READ FOR THE FIRST TIME ON JANUARY 6 OF THIS YEAR; REFERRED TO THE BANKING, COMMERCE AND INSURANCE COMMITTEE. THAT COMMITTEE PLACED THE BILL ON GENERAL FILE WITH NO COMMITTEE AMENDMENTS. [LB760]

SENATOR COASH: THANK YOU, MR. CLERK. SENATOR SCHEER, YOU'RE RECOGNIZED TO OPEN ON LB760. [LB760]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. I INTRODUCED LB760 ON BEHALF OF THE DEPARTMENT OF BANKING AND FINANCE. IT IS AN UPDATE AND CLEANUP BILL. IN TWO SECTIONS INVOLVING BANKS, AND ONE SECTION INVOLVING BUILDING AND LOAN ASSOCIATIONS, INTERNAL REFERENCES TO THE FEDERAL ELECTRONIC FUND TRANSFER ACT WOULD BE UPDATED TO THAT ACT AS OF EXISTED ON JANUARY 1, 2016, RATHER THAN SEPTEMBER 4, 2005. NEBRASKA LEGISLATURE CAN INCORPORATE FEDERAL LAW BY REFERENCE, BUT THAT IS ONLY EXISTING FEDERAL LAW, NOT FUTURE FEDERAL ENACTMENTS. FINALLY, THE SECTION INVOLVING BUILDING AND LOAN ASSOCIATIONS AUTOMATIC TELLER MACHINES IS CORRECTED BY CHANGING INTERNAL REFERENCE IN IT FROM A SECTION GOVERNING FINANCIAL INSTITUTION BRANCHES TO A SECTION GOVERNING AUTOMATIC TELLER MACHINES. THAT'S THE BILL. THERE ARE THREE INTERNAL REFERENCES TO FEDERAL LAW UPDATED AND ONE INTERNAL REFERENCE TO STATE LAW CORRECTED. AT THE BILL'S HEARING BEFORE THE BANKING, COMMERCE AND

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INSURANCE COMMITTEE THERE WERE NO OPPONENTS. THE BILL WAS ADVANCED 8-0. AND I WOULD URGE YOUR ADVANCEMENT OF LB760. THANK YOU, MR. PRESIDENT. [LB760]

SENATOR COASH: THANK YOU, SENATOR SCHEER. MEMBERS, YOU'VE HEARD THE OPENING TO LB760. THE FLOOR IS NOW OPEN FOR DEBATE. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB760]

SENATOR CHAMBERS: MR. PRESIDENT, I WOULD LIKE TO SPEAK ON A POINT OF PERSONAL PRIVILEGE, IF I MAY? [LB760]

SENATOR COASH: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB760]

SENATOR CHAMBERS: THANK YOU. I DON'T HAVE ANY PROBLEM WITH SENATOR SCHEER'S BILL OR ANY OF THESE OTHERS, BUT I WANT THE RECORD TO BE CLEAR ON WHAT'S GOING ON WITH ME COLLECTING THIS MONEY. AND PERSONAL PRIVILEGE POINTS ARE NOTED IN THE JOURNAL. SINCE THE LAST DAY WE WERE HERE, PEOPLE MAILED IN SOME MONEY. FROM FORMER SENATORS CAME \$300; \$100 FROM A JUDGE; AND THEN \$100 FROM A CITIZEN. SO AS LONG AS THOSE AMOUNTS OF MONEY ARE COMING, I'M GOING TO CONTINUE TO ACCEPT IT. SENATOR RIEPE KNOWS THAT IT'S KIND OF A FLUID THING AS FAR AS A DEADLINE. THE DEADLINE WAS NOT IMPOSED BY ANYBODY. I JUST DIDN'T WANT TO MAKE IT SEEM LIKE I WAS GOING TO DRAG IT OUT AND DRAG IT OUT. BUT SINCE PEOPLE VOLUNTARILY ARE SENDING MONEY, THE DOOR IS GOING TO CONTINUE TO BE OPEN FOR A WHILE. THANK YOU. [LB760]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. (DOCTOR OF THE DAY AND VISITORS INTRODUCED.) CONTINUING ON DISCUSSION OF LB760. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR SCHEER IS RECOGNIZED TO CLOSE. HE WAIVES CLOSING. THE QUESTION FOR THE BODY IS, SHALL LB760 ADVANCE? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB760]

ASSISTANT CLERK: 30 AYES, 0 NAYS ON THE MOTION TO ADVANCE THE BILL, MR. PRESIDENT. [LB760]

SENATOR COASH: LB760 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB760]

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ASSISTANT CLERK: LB761, INTRODUCED BY SENATOR SCHEER. (READ TITLE.) THE BILL WAS READ FOR THE FIRST TIME ON JANUARY 6. REFERRED TO THE BANKING COMMITTEE; PLACED ON GENERAL FILE WITH NO COMMITTEE AMENDMENTS. [LB761]

SENATOR COASH: THANK YOU, MR. CLERK. SENATOR SCHEER, YOU'RE RECOGNIZED TO OPEN ON LB761. [LB761]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. I INTRODUCED LB761 ON BEHALF OF THE BANKING AND FINANCE DEPARTMENT. THIS BILL DOES ONLY ONE THING: IT AMENDS THREE SECTIONS OF THE CONSUMER RENTAL PURCHASE AGREEMENT ACT IN ORDER TO UPDATES INTERNAL REFERENCES TO FEDERAL STATUTES AND REGULATIONS. THE FEDERAL DODD-FRANK ACT TRANSFERRED RESPONSIBILITY FROM THE FEDERAL RESERVE BOARD TO THE CONSUMER FINANCE PROTECTION BUREAU, THE CFPB FOR THE TRUTH-IN-LENDING STATUTES AND THE FEDERAL CONSUMER LEASING STATUTES. AS PART OF THIS TRANSACTION, CITATIONS FOR FEDERAL STATUTES AND REGULATIONS WERE CHANGED. THIS BILL WOULD UPDATE NEBRASKA STATUTES TO CORRECTLY REFERENCE THE PERTINENT FEDERAL PROVISIONS. FURTHERMORE, THE REFERENCES WOULD BE IN THE FEDERAL PROVISIONS AS THEY EXISTED ON JANUARY 1, 2016, RATHER THAN JANUARY 1, 2011. FINALLY, IN TWO PLACES THE INTERNAL REFERENCES TO THE FEDERAL CONSUMER PROTECTION ACT WOULD BE UPDATED TO THAT ACT AS IT EXISTED ON JANUARY 1, 2016, RATHER THAN JANUARY 1, 2011. THAT'S THE BILL. INTERNAL REFERENCES TO FEDERAL LAW UPDATED, AND IN SOME INSTANCES CITATIONS TO FEDERAL LAW CORRECTED. AT THE BILL'S HEARING BEFORE THE BANKING, COMMERCE AND INSURANCE COMMITTEE, THERE WERE NO OPPONENTS. THE BILL ADVANCED OUT OF THE COMMITTEE 8-0 AND I WOULD URGE YOUR ADVANCEMENT OF LB761. THANK YOU, MR. PRESIDENT. [LB761]

SENATOR COASH: THANK YOU, SENATOR SCHEER. MEMBERS, YOU'VE HEARD THE OPENING TO LB761. THE FLOOR IS NOW OPEN FOR DISCUSSION. SEEING NO ONE WISHING TO SPEAK, SENATOR SCHEER IS RECOGNIZED TO CLOSE. HE WAIVES CLOSING. THE QUESTION BEFORE THE BODY: SHALL LB761 ADVANCE? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB761]

ASSISTANT CLERK: 34 AYES, 0 NAYS ON THE MOTION TO ADVANCE THE BILL. [LB761]

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SENATOR COASH: LB761 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB761]

ASSISTANT CLERK: LB771, INTRODUCED BY SENATOR LINDSTROM. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 6, REFERRED TO THE BANKING, COMMERCE AND INSURANCE COMMITTEE; PLACED ON GENERAL FILE WITH NO COMMITTEE AMENDMENTS. [LB771]

SENATOR COASH: SENATOR LINDSTROM, YOU'RE RECOGNIZED TO OPEN ON LB771. [LB771]

SENATOR LINDSTROM: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. THE DEPARTMENT OF BANKING BROUGHT LB771 TO ME AND ORDERED A CLEANUP LANGUAGE AND ALIGN SOME STATE FILING REQUIREMENTS WITH THE SEC FILING REQUIREMENTS WHEN DEALING WITH ISSUES OF FEDERAL COVERED SECURITIES. FIRST, THE BILL UPDATES ACCEPTABLE METHODS OF COMMUNICATION FOR NOTICE PROVISIONS AND FOR CONFIRMING STOP ORDERS FROM TELEGRAM TO E-MAIL. SECOND, THE BILL UPDATES THE SECURITIES ACT OF NEBRASKA TO ALIGN FILING REQUIREMENTS OF THE DEPARTMENT OF BANKING TO THE FILING REQUIREMENTS OF THE SEC. LB771 REQUIRES ISSUERS OF FEDERAL COVERED SECURITIES TO FILE THE SAME DOCUMENTS WITH NEBRASKA DEPARTMENT OF BANKING AS THEY DO WITH THE SEC. THIS HELPS TO CREATE A MORE STREAMLINED AND EFFICIENT FILING PROCESS. THERE WAS NO TESTIMONY IN OPPOSITION TO THIS BILL. I URGE YOU TO ADVANCE LB771 AND GIVE IT A GREEN LIGHT. THANK YOU. [LB771]

SENATOR COASH: THANK YOU, SENATOR LINDSTROM. MEMBERS, YOU'VE HEARD THE OPENING TO LB771. THE QUESTION FOR THE BODY, SHALL LB771 ADVANCE? ALL THOSE...EXCUSE ME, THE FLOOR IS NOW OPEN FOR DISCUSSION. SEEING NO ONE WISHING TO SPEAK, SENATOR LINDSTROM, YOU'RE RECOGNIZED TO CLOSE. HE WAIVES CLOSING. THE QUESTION FOR THE BODY, SHALL LB771 ADVANCE? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB771]

ASSISTANT CLERK: 35 AYES, 0 NAYS ON THE MOTION TO ADVANCE THE BILL, MR. PRESIDENT. [LB771]

SENATOR COASH: LB771 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB771]

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ASSISTANT CLERK: NEXT BILL, MR. PRESIDENT, IS LB699 INTRODUCED BY SENATOR MELLO. (READ TITLE.) THE BILL WAS READ FOR THE FIRST TIME ON JANUARY 6; REFERRED TO THE URBAN AFFAIRS COMMITTEE. THAT COMMITTEE PLACED THE BILL ON GENERAL FILE WITH COMMITTEE AMENDMENTS. (AM1861, LEGISLATIVE JOURNAL PAGE 349.) [LB699]

SENATOR COASH: THANK YOU, MR. CLERK. SENATOR MELLO, YOU'RE RECOGNIZED TO OPEN ON LB699. [LB699]

SENATOR MELLO: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. FIRST A QUICK BACKGROUND, IN 2013, THE NEBRASKA LEGISLATURE UNANIMOUSLY PASSED LB97 WHICH CREATED THE NEBRASKA MUNICIPAL LAND BANK ACT. THE CONCEPT WAS INTRODUCED TO GIVE NEBRASKA MUNICIPALITIES A NEW SET OF TOOLS TO STRATEGICALLY ADDRESS THE PROBLEM OF VACANT AND ABANDONED PROPERTIES WITHOUT STRAINING PUBLIC RESOURCES. A LAND BANK IS A PUBLIC AUTHORITY CREATED TO EFFICIENTLY ACQUIRE, HOLD, MANAGE, AND DEVELOP VACANT, ABANDONED, AND TAXED FOR CLOSED PROPERTIES. WITH THIS NEW TOOL IN PLACE, THE CITY OF OMAHA HAS ESTABLISHED THE OMAHA MUNICIPAL LAND BANK. LB699 IS A CLEANUP BILL TO UPDATE THE NEBRASKA MUNICIPAL LAND BANK ACT. WITH THE ADOPTION OF THE COMMITTEE AMENDMENT, LB699 SEEKS TO MAKE FOUR IMPROVEMENTS TO THE EXISTING ACT. THE CHANGES BEFORE YOU TODAY WERE RECOMMENDED BOTH BY THE OMAHA MUNICIPAL LAND BANK AND ONE BY THE LEGISLATIVE CREATED COMMUNITY GARDENS TASK FORCE FROM 2015. FIRST, THE BILL WOULD REVISE MEMBERSHIP REQUIREMENTS...PROVISIONS FOR BOARD MEMBERSHIP TO ALLOW MORE FLEXIBILITY IN FILLING VACANCIES. SECOND, THE BILL WOULD ADD URBAN AGRICULTURE ACTIVITIES INCLUDING THE ESTABLISHMENT OF COMMUNITY GARDENS TO THE LIST OF PRIORITY CONSIDERATIONS FOR LAND USE. AND THIRD, THE LANGUAGE WOULD EXPAND THE REPORTING REQUIREMENTS TO REFLECT THAT A LAND BANK'S ANNUAL REPORT TO THE LEGISLATURE WOULD BE SUBMITTED TO BOTH THE REVENUE COMMITTEE AND THE URBAN AFFAIRS COMMITTEE. THE LANGUAGE ALSO CHANGES THE DATE FROM DECEMBER 31 TO MARCH 1 OF EACH YEAR. THE FOURTH CHANGE IS REPRESENTED IN THE COMMITTEE AMENDMENT AND WOULD ADD ONE MEMBER OF THE GOVERNING BODY OF THE MUNICIPALITY TO THE LAND BANK BOARD AS A NONVOTING EX OFFICIO MEMBER ESTABLISHED UNDER THE NEBRASKA MUNICIPAL LAND BANK ACT. COLLEAGUES, THE BILL HAD NO OPPOSITION AT THE HEARING AND RECEIVED SUPPORT FROM NOT ONLY THE LAND BANK, THE CITY...THE LEAGUE OF MUNICIPALITIES, BUT ALSO THE

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GREATER OMAHA CHAMBER OF COMMERCE. WITH THAT I'D URGE THE BODY TO ADOPT LB699 AND THE COMMITTEE AMENDMENT. THANK YOU. [LB699]

SENATOR COASH: THANK YOU, SENATOR MELLO. MEMBERS, YOU'VE HEARD THE OPENING TO LB699. AS THE CLERK HAS STATED, THERE IS AN AMENDMENT FROM THE URBAN AFFAIRS COMMITTEE. SENATOR CRAWFORD, YOU'RE RECOGNIZED TO OPEN ON THE COMMITTEE AMENDMENT. [LB699]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT; AND GOOD MORNING, COLLEAGUES. THE COMMITTEE AMENDMENT, AM1861, IS A WHITE COPY AMENDMENT THAT REPLACES THE UNDERLYING BILL. THE AMENDMENT ADDS ONE ADDITIONAL PROVISION TO THE BILL, AS SENATOR MELLO NOTED, REQUIRING THAT THE BOARD OF A LAND BANK INCLUDE ONE MEMBER OF THE GOVERNING BODY OF THE MUNICIPALITY THAT CREATED THE LAND BANK AS A NONVOTING MEMBER. IN CASES WHERE A LAND BANK WAS CREATED BY MULTIPLE MUNICIPALITIES, THE GOVERNING BODY OF EACH MUNICIPALITY THAT CREATED THE LAND BANK WOULD HAVE ONE MEMBER OF THE BOARD AS A NONVOTING MEMBER. I WOULD ASK YOUR GREEN VOTE TO ADOPT AM1861. THANK YOU, MR. PRESIDENT. [LB699]

SENATOR COASH: THANK YOU, SENATOR CRAWFORD. MEMBERS, YOU'VE HEARD THE OPENING TO THE COMMITTEE AMENDMENT. THE FLOOR IS NOW OPEN FOR DISCUSSION. SENATOR HILKEMANN, YOU ARE RECOGNIZED. [LB699]

SENATOR HILKEMANN: THANK YOU, MR. CHAIRMAN. I'D LIKE TO ASK SENATOR MELLO IF WOULD ANSWER A QUESTION FOR ME. [LB699]

SENATOR COASH: SENATOR MELLO, WILL YOU YIELD? [LB699]

SENATOR MELLO: I WOULD. [LB699]

SENATOR HILKEMANN: SENATOR, I KNOW IT WAS LATE, BUT I JUST GAVE YOU A LETTER THAT I RECEIVED EARLIER TODAY. AND I UNDERSTAND SEVERAL OF US RECEIVED SIMILAR LETTERS. REGARDING...IT, BASICALLY, IT'S A TRANSPARENCY ISSUE INVOLVED WITH THIS. CAN YOU...COULD YOU USE A FEW MOMENTS AND JUST KIND OF EXPLAIN WHAT THEIR CONCERNS ARE ABOUT THIS WITH THE LAND BANK AND IF THIS CAN BE...IF WE COULD DO ANYTHING TO THIS BILL THAT MAY ALLAY THOSE FEARS. [LB699]

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SENATOR MELLO: I WILL DO MY BEST, SENATOR HILKEMANN. UNFORTUNATELY, THE E-MAIL THAT SOME OF YOU MAY HAVE RECEIVED IS FROM AN INDIVIDUAL WHO HAS NEVER SUPPORTED THE CREATION OF THE MUNICIPAL LAND BANK BACK WHEN WE STARTED THE PROCESS IN 2011, AS WELL AS WHEN THE CITY OF OMAHA CREATED THE LAND BANK BACK IN 2014. SO TO TRY TO ALLEVIATE SOME, WHAT I WOULD SAY, IS SOME MISINFORMATION THAT HAS BEEN PUT OUT THERE. THE BIGGEST CONCERN THAT I SAW THROUGH THIS E-MAIL IS...THE FACT IS, THE CURRENT LAW ALLOWS THE CITY WHO CREATES A LAND BANK TO CREATE A...TO APPOINT A NUMBER OF EX OFFICIO MEMBERS TO THE BOARD. THAT'S SOMETHING THAT'S CURRENTLY IN STATE LAW AND THAT WAS SOMETHING FOR SOME REASON IS, MAYBE, A MISUNDERSTANDING OF THE E-MAIL THAT YOU SAW. THE FACT IS THAT PUBLIC CITIZENS ARE APPOINTED AS EX OFFICIO MEMBERS RIGHT NOW WITHIN THE CITY OF OMAHA'S LAND BANK BOARD. AND IF THIS INDIVIDUAL HAS CONCERNS, THEY SHOULD APPROACH THE CITY OF OMAHA'S LEADERSHIP IN REGARDS TO SEEKING THAT EX OFFICIO APPOINTMENT. THAT'S THE FIRST THING. A COUPLE OF THE OTHER ISSUES THAT WERE RAISED IS DEALING WITH THE, QUOTE UNQUOTE, CONCERN ABOUT TRANSPARENCY. CURRENT LAW REQUIRES A LAND BANK TO FOLLOW OPEN MEETING LAWS AND OPEN RECORD LAWS, WHICH I KNOW THAT THERE ARE PEOPLE WHO PUT IN OPEN RECORDS REQUESTS TO THE OMAHA MUNICIPAL LAND BANK ACT...THE OMAHA MUNICIPAL LAND BANK BOARD IN REGARDS TO THEIR OPERATIONS. SO EVERYTHING THAT WE SAID WHEN WE CREATED THIS THREE YEARS AGO DOES ACTUALLY STILL APPLY. IF AN INDIVIDUAL HAS GOT CONCERNS ABOUT WHEN THEY SCHEDULE MEETINGS AND HOW TO, SO TO SPEAK, THEY ARE DEALING WITH STAFFING ISSUES AND THEIR CONCERN. THAT'S AN ISSUE THAT HE WILL NEED TO TAKE UP WITH THE LAND BANK BOARD, NOT SO MUCH WITH THE LEGISLATION WE HAVE IN FRONT OF US. WHAT WE HAVE IN FRONT US SIMPLY ALLOWS AND REQUIRES A CITY THAT HAS A LAND BANK BOARD TO APPOINT A MEMBER OF THEIR CITY COUNCIL AS AN EX OFFICIO MEMBER SO THAT YOU HAVE BOTH BRANCHES OF GOVERNMENT WITHIN A CITY, THE EXECUTIVE AND THE LEGISLATIVE BRANCH, WHO HAS AN EX OFFICIO MEMBER ON THE LAND BANK BOARD, AS WELL AS TAKING A RECOMMENDATION FROM THE LEGISLATURE'S CREATED COMMUNITY GARDENS TASK FORCE TO ALLOW COMMUNITY GARDENS TO BE ONE OF THE CONSIDERATIONS FOR THIS VACANT AND DILAPIDATED PROPERTY IF THEY SO CHOOSE TO CONVEY THAT TO AN ORGANIZATION AND/OR SOMEONE WHO SEEKS TO PURCHASE IT. OTHER THAN THAT, SENATOR HILKEMANN, I THINK TO SOME EXTENT THIS IS A LOT OF MISINFORMATION. IT'S UNFORTUNATE THIS INDIVIDUAL NEVER CONTACTED ME, NEVER SHOWED UP AT THE HEARING. AND IT'S JUST A DISAPPOINTMENT THAT THIS INDIVIDUAL WHO'S OPPOSED OUR

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EFFORTS TO TRY TO FIX A PROBLEM IN URBAN AREAS OF OMAHA WOULD UNFORTUNATELY DO SOMETHING LIKE THIS WITHOUT REACHING OUT TO THE INDIVIDUAL WHO BROUGHT THE BILL AND HAS WORKED ON IT FOR THE LAST FIVE YEARS. [LB699]

SENATOR HILKEMANN: SENATOR, AS I UNDERSTANDS IT, THE LAND BANK AT THE PRESENT TIME IS...THE BOARD CONSISTS OF MEMBERS WHO ARE APPOINTED BY THE MAYOR. IS THAT CORRECT? [LB699]

SENATOR MELLO: THAT IS CORRECT. ALL SEVEN VOTING MEMBERS ARE APPOINTED BY THE MAYOR, AS WELL AS, I BELIEVE, THE ADDITIONAL SIX NONVOTING EX OFFICIO MEMBERS ARE ALSO ALL APPOINTED BY THE MAYOR. [LB699]

SENATOR HILKEMANN: SO THESE INDIVIDUALS WHO FEEL THAT THERE'S NOT THE TRANS...IF THIS LAND...THEIR ISSUE IS MORE--IF THESE PEOPLE AREN'T DOING THEIR JOB, THEIR ISSUE IS MORE WITH DEALING WITH WHO APPOINTS THEM RATHER THAN... [LB699]

SENATOR COASH: ONE MINUTE. [LB699]

SENATOR HILKEMANN: ...RATHER THAN...THAT THE FACT THAT THEY'RE NOT AN ELECTED BOARD. [LB699]

SENATOR MELLO: SENATOR HILKEMANN, I WOULD SAY IF SOMEONE IS CONCERNED ABOUT THE TRANSPARENCY, THE OPERATIONS OF THE BOARD, THAT ISSUE IS BEST DIRECTED AT THE CITY OF OMAHA, BOTH, I WOULD SAY, THE MAYOR AND THE CITY COUNCIL. IN STATE LAW WE CREATED WHAT I THINK IS VERY STRONG TRANSPARENCY MEASURES OF OPENING ALL OF THEIR RECORDS UP FOR PUBLIC RECORDS INSPECTION AND REPORTING TO THE LEGISLATURE ON AN ANNUAL BASIS. I THINK THIS IS A RED HERRING ARGUMENT TO THE LEGISLATURE AND IT IS BEST DIRECTED TO THE CITY OF OMAHA. [LB699]

SENATOR HILKEMANN: THANK YOU, SENATOR MELLO, FOR ANSWERING THOSE QUESTIONS. [LB699]

SENATOR COASH: THANK YOU, SENATOR HILKEMANN. (VISITORS INTRODUCED.) SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR CRAWFORD, YOU'RE

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RECOGNIZED TO CLOSE ON THE COMMITTEE AMENDMENT. SENATOR CRAWFORD WAIVES. MEMBERS, THE QUESTION BEFORE THE BODY IS, SHALL AM1861 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB699]

ASSISTANT CLERK: 29 AYES, 0 NAYS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS. [LB699]

SENATOR COASH: COMMITTEE AMENDMENTS ARE ADOPTED. RETURN TO DISCUSSION ON LB699. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR MELLO, YOU'RE RECOGNIZED TO CLOSE ON THE ADVANCEMENT OF LB699. [LB699]

SENATOR MELLO: THANK YOU, MR. PRESIDENT, AND MEMBERS OF THE LEGISLATURE. AND THANK YOU, SENATOR HILKEMANN, FOR THOSE GOOD QUESTIONS. HOPEFULLY, THEY ANSWERED ANY CONCERNS THAT MAY HAVE COME UP AT THE LAST MINUTE. ONCE AGAIN, THIS IS A CLEANUP BILL THAT SIMPLY PROVIDES SOME MORE FLEXIBILITY TO THE CITY WHEN THEY APPOINT THESE MEMBERS TO BE ABLE TO TAKE INTO CONSIDERATION ALL THE SKILLS AND ASSETS THAT A MEMBER BRINGS TO THE BOARD, AS WELL AS ALLOWING A MEMBER OF, ESSENTIALLY, THE CITY COUNCIL TO BE AN EX OFFICIO BOARD MEMBER OF THE LAND BANK, AS WELL AS ADDRESSING WHAT WE DISCUSSED EARLIER--REPORTING REQUIREMENTS TO THE LEGISLATURE ON AN ANNUAL BASIS, AS WELL AS TAKING A RECOMMENDATION FROM THE LEGISLATIVE COMMUNITY GARDEN TASK FORCE. WITH THAT I'D URGE THE BODY TO ADOPT LB699. THANK YOU, MR. PRESIDENT. [LB699]

SENATOR COASH: THANK YOU, SENATOR MELLO. MEMBERS, YOU'VE HEARD THE CLOSING ON LB699. THE QUESTION FOR THE BODY IS, SHALL LB699 ADVANCE? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB699]

ASSISTANT CLERK: 31 AYES, 0 NAYS ON THE ADVANCEMENT OF THE BILL, MR. PRESIDENT. [LB699]

SENATOR COASH: LB699 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB699]

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ASSISTANT CLERK: LB751 WAS INTRODUCED BY SENATOR LINDSTROM. (READ TITLE.) THE BILL WAS REFERRED TO THE BANKING, COMMERCE AND INSURANCE COMMITTEE. THAT COMMITTEE PLACED THE BILL ON THE GENERAL FILE WITH COMMITTEE AMENDMENTS. (AM1852, LEGISLATIVE JOURNAL PAGE 354.) [LB751]

SENATOR COASH: THANK YOU, MR. CLERK. SENATOR LINDSTROM, YOU'RE RECOGNIZED TO OPEN ON LB751. [LB751]

SENATOR LINDSTROM: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. LB751 IS ANOTHER CLEANUP BILL THAT UPDATES NEBRASKA STATUTES TO CURRENT PRACTICES WITHIN THE BANKING INDUSTRY. IT ELIMINATES TWO PROVISIONS THAT ARE NO LONGER RELEVANT AND FORCE FINANCIAL INSTITUTIONS TO SPEND AN UNNECESSARY AMOUNT OF TIME AND MONEY MAKING APPLICATION FOR APPROVALS BY THE DEPARTMENT OF BANKING. FIRST, LB751 ELIMINATES THE NOTICE THAT AN INSTITUTION MUST PROVIDE TO ALL OTHER FINANCIAL INSTITUTIONS WITHIN THE COUNTY OF APPLICATION FOR A NEW BRANCH. SECOND, LB751 ELIMINATES THE MANDATE THAT PUBLICATION EXPENSES MADE BY THE FINANCIAL INSTITUTION MUST BE PAID BEFORE THE APPLICATION FOR A NEW BRANCH CAN BE APPROVED. BOTH THESE PROVISIONS HELP TO MAKE THE APPLICATION PROCESS FOR NEW BRANCHES A MORE EFFICIENT PROCESS. I URGE YOU TO VOTE GREEN ON LB751. THANK YOU. [LB751]

SENATOR COASH: THANK YOU, SENATOR LINDSTROM. MEMBERS, YOU'VE HEARD THE OPENING OF LB751. AS THE CLERK HAS STATED, THERE IS AN AMENDMENT FROM THE BANKING, COMMERCE, AND INSURANCE COMMITTEE. SENATOR SHEER, YOU'RE RECOGNIZED TO OPEN TO THE COMMITTEE AMENDMENT. [LB751]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. THE COMMITTEE AMENDMENTS WOULD CORRECT AN OVERSIGHT IN THE BILL. THE BILL WOULD AMEND...THIS AMENDMENT WOULD AMEND SECTION 8-157 WHICH APPLIES TO BANKS TO ELIMINATE THE REQUIREMENT FOR THE DEPARTMENT OF BANKING AND FINANCE TO SEND NOTICES TO ALL FINANCIAL INSTITUTIONS LOCATED WITHIN THE COUNTY IN WHICH THE BANK HAS MADE APPLICATION TO ESTABLISH A BANK. THE CONSENSUS NOW IS THAT THE REQUIREMENT IS REALLY NO LONGER NECESSARY. LATER ON IN THE BILL, SECTION 21-1725.01, WHICH APPLIES TO CREDIT UNIONS, IT HAS THE SAME REQUIREMENTS FOR DEPARTMENT TO SEND NOTICES TO ALL FINANCIAL INSTITUTIONS LOCATED WITHIN THE COUNTY IN

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WHICH THE CREDIT UNION HAS MADE AN APPLICATION TO ESTABLISH A BANK. THE COMMITTEE AMENDMENTS WOULD SIMPLY ELIMINATE THIS REQUIREMENT SO THAT THE BILL WOULD TREAT CREDIT UNIONS THE SAME AS ITS BANKS. THOSE ARE THE COMMITTEE AMENDMENTS. THEY TRY TO FIX AN INCONSISTENCY IN THE DRAFTING. AND I WOULD URGE YOUR ADOPTION OF THE COMMITTEE AMENDMENTS AND THE ADVANCEMENT OF THE BILL AS AMENDED. THANK YOU, MR. PRESIDENT. [LB751]

SENATOR COASH: THANK YOU, SENATOR SCHEER. MEMBERS, YOU'VE HEARD THE OPENING TO THE COMMITTEE AMENDMENT. THE FLOOR IS NOW OPEN FOR DISCUSSION. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR SCHEER IS RECOGNIZED TO CLOSE. SENATOR SCHEER WAIVES CLOSING. THE QUESTION FOR THE BODY IS, SHALL THE COMMITTEE AMENDMENT BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB751]

ASSISTANT CLERK: 31 AYES, 0 NAYS ON THE ADOPTION OF COMMITTEE AMENDMENTS, MR. PRESIDENT. [LB751]

SENATOR COASH: COMMITTEE AMENDMENT IS ADOPTED. SEEING NO ONE ELSE WISHING TO SPEAK, SENATOR LINDSTROM, YOU'RE RECOGNIZED TO CLOSE. SENATOR LINDSTROM WAIVES CLOSING. THE QUESTION BEFORE THE BODY IS, SHALL LB751 ADVANCE? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB751]

ASSISTANT CLERK: 32 AYES, 0 NAYS ON THE MOTION TO ADVANCE THE BILL. [LB751]

SENATOR COASH: LB751 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB751]

ASSISTANT CLERK: LB695 WAS INTRODUCED BY SENATOR CRAWFORD. (READ TITLE.) THE BILL WAS READ FOR THE FIRST TIME ON JANUARY 6; REFERRED TO THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE. THAT COMMITTEE PLACED THE BILL ON GENERAL FILE WITHOUT COMMITTEE AMENDMENTS. [LB695]

SENATOR COASH: THANK YOU, MR. CLERK. SENATOR CRAWFORD, YOU'RE RECOGNIZED TO OPEN ON LB695. [LB695]

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SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT; AND GOOD MORNING, COLLEAGUES. LB695 IS A BILL TO ADDRESS AN ELECTION ISSUE THAT IS UNIQUE TO SANITARY AND IMPROVEMENT DISTRICTS, OR SIDs. SIDs ARE A TYPE OF LIMITED PURPOSE POLITICAL SUBDIVISION THAT IS UNIQUE TO NEBRASKA. PRIMARILY UTILIZED IN URBAN AREAS TO FACILITATE GROWTH OUTSIDE OF CITY LIMITS, SIDs TEND TO BE HEAVILY CONCENTRATED IN THE OMAHA METROPOLITAN AREA. MORE THAN 80 PERCENT OF THE SIDs ARE LOCATED IN EITHER DOUGLAS OR SARPY COUNTY. UNLIKE MOST ELECTIONS, SID ELECTIONS DO NOT FOLLOW THE BASIC PRINCIPLE OF ONE PERSON, ONE VOTE. BOARDS OF TRUSTEES FOR SIDs ARE INSTEAD ELECTED BY A VOTE OF PROPERTY OWNERS WITHIN THE SID ON TWO SEPARATE BALLOTS. ONE BALLOT, WHICH ONLY RESIDENTS OF THE SID CAN VOTE ON, AND ANOTHER WHERE PROPERTY OWNERS GET ONE VOTE FOR EACH PIECE OF PROPERTY THEY OWN WITHIN THE SID. SID ELECTIONS ARE NOT HELD DURING THE PRIMARY OR GENERAL ELECTION, BUT INSTEAD ARE CONDUCTED ENTIRELY BY MAIL BALLOT IN A SPECIAL ELECTION THAT TAKES PLACE ON THE FIRST TUESDAY AFTER THE SECOND MONDAY IN SEPTEMBER. THE UNIQUE COMPONENT OF SID ELECTIONS WHICH LED TO THE INTRODUCTION OF LB695 IS THE FACT THAT CORPORATE ENTITIES SUCH AS CORPORATIONS, PARTNERSHIP, AND LLCs ARE ENTITLED TO VOTE IN SID ELECTIONS IF THEY OWN PROPERTY WITHIN THE SID. IN SOME CASES, A PERSON SERVING AS THE DESIGNATED VOTING REPRESENTATIVE OF A CORPORATE ENTITY WILL RECEIVE MULTIPLE SETS OF SID BALLOTS--ONE FOR PROPERTY OWNED BY THE CORPORATION AND ANOTHER FOR THE PROPERTY THEY OWN PERSONALLY. ALTHOUGH THE SID ELECTIONS SPECIFY THAT THE ELECTION ACT APPLIES IF AN SID ELECTION IS CONTESTED, SID ELECTIONS, GENERALLY, DO NOT FOLLOW THE ELECTION ACT BUT ARE GOVERNED BY SID ELECTION STATUTES. IN A MAIL ELECTION, UNDER THE ELECTION ACT, IF TWO MAIL BALLOTS ARE RETURNED IN THE SAME RETURN ENVELOPE, THOSE BALLOTS WOULD NOT BE COUNTED. IN MOST ELECTIONS, A SINGLE VOTER CLEARLY SHOULD NOT HAVE MULTIPLE BALLOTS. IN SID ELECTIONS, IF A DESIGNATED VOTING REPRESENTATIVE OF A CORPORATE ENTITY RETURNED MULTIPLE SETS OF SID BALLOTS IN THE SAME RETURN ENVELOPE, IT IS LESS CLEAR WHETHER THOSE BALLOTS SHOULD BE REJECTED BECAUSE IN AN SID ELECTION, A SINGLE PERSON CAN LEGITIMATELY HAVE MULTIPLE BALLOTS IN SOME INSTANCES. LB695 WOULD CHANGE THE PROCEDURE FOR RETURN AND REJECTION OF MAIL BALLOTS IN SID ELECTIONS MIRRORING THE PROCEDURES FOR ALL MAIL SPECIAL ELECTIONS UNDER THE ELECTION ACT. UNDER THE BILL, IF MORE THAN ONE SID BALLOT IS RETURNED IN THE RETURN ENVELOPE, THE BALLOTS WILL NOT BE COUNTED AND THE RETURN ENVELOPE WILL BE RESEALED AND MARKED AS REJECTED. LB695 RECEIVED NO OPPOSITION

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TESTIMONY AT THE HEARING AND WAS ADVANCE BY THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE ON A 7-0 VOTE WITH ONE MEMBER ABSENT. I WOULD ASK FOR YOUR GREEN VOTE TO ADVANCE LB695 TO SELECT FILE. THANK YOU, MR. PRESIDENT. [LB695]

SENATOR COASH: THANK YOU, SENATOR CRAWFORD. MEMBERS, YOU'VE HEARD THE OPENING TO LB695. THE FLOOR IS NOW OPEN FOR DISCUSSION. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB695]

SENATOR SCHUMACHER: THANK YOU, MR. CHAIRMAN, MEMBERS OF THE BODY. WOULD SENATOR CRAWFORD YIELD TO A QUESTION? [LB695]

SENATOR COASH: SENATOR CRAWFORD, WILL YOU YIELD? [LB695]

SENATOR CRAWFORD: YES. [LB695]

SENATOR SCHUMACHER: ESSENTIALLY, THIS IS A ONE BALLOT, ONE ENVELOPE RULE? [LB695]

SENATOR CRAWFORD: CORRECT. [LB695]

SENATOR SCHUMACHER: OKAY. WHAT IS ON THAT RETURN ENVELOPE THAT MAKES IT SO IMPORTANT THAT THEY USE THAT RETURN ENVELOPE? [LB695]

SENATOR CRAWFORD: I THINK IT'S MORE A MATTER OF ENSURING THAT THE PERSON WHO IS AUTHORIZED TO HAVE THAT BALLOT IS RETURNING IT. AND SO THE PERSON WHO IS AUTHORIZED TO RETURN THE BALLOT SHOULD BE IN POSSESSION OF THAT RETURN ENVELOPE. [LB695]

SENATOR SCHUMACHER: WHAT IS ON THE RETURN ENVELOPE? IS THERE AN IDENTIFYING NUMBER? A NAME? SOMETHING...A SUPER SECRET STAMP THAT SHOWS THAT IT'S OFFICIAL? WHAT'S ON THIS ENVELOPE? [LB695]

SENATOR CRAWFORD: THEIR NAME AND INFORMATION, AS WELL AS INSTRUCTIONS. [LB695]

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SENATOR SCHUMACHER: AND SO WHAT WE ARE REQUIRING IN THIS BILL THEN IS THAT A VOTER DISCLOSE THEIR NAME IN ORDER TO VOTE? [LB695]

SENATOR CRAWFORD: IN THIS SID ELECTION, THE NAME IS ON THAT RETURN ENVELOPE JUST LIKE OTHER MAIL ELECTIONS, IS MY UNDERSTANDING. BUT THE BALLOT WILL BE REMOVED FROM THAT. [LB695]

SENATOR SCHUMACHER: AND HOW IS THIS CONSISTENT WITH OUR CONSTITUTIONAL REQUIREMENT THAT ELECTIONS BE SECRET, NOT ONLY HERE, BUT IN ALL OF OUR MAIL-IN ELECTIONS AS YOU JUST POINTED OUT? [LB695]

SENATOR CRAWFORD: RIGHT. WELL, THAT IS A MAJOR ISSUE THAT I THINK WOULD BE A SUBJECT OF AN INTERESTING BILL THAT YOU COULD BRING BEFORE THE BODY. WHAT THIS...WHAT LB695 DOES IS MAKE THE PROCESS FOR SIDs CONSISTENT WITH WHAT WE HAVE IN THE ELECTION ACT. WHICH IS HOW...YEAH...SO. [LB695]

SENATOR SCHUMACHER: THANK YOU, SENATOR CRAWFORD. [LB695]

SENATOR CRAWFORD: THANK YOU. [LB695]

SENATOR SCHUMACHER: IN FACT, I HAVE BROUGHT THAT INTERESTING BILL SEVERAL TIMES AND IT STAYS IN GOVERNMENT COMMITTEE. AND IT STAYS IN GOVERNMENT COMMITTEE BECAUSE COUNTY ELECTION COMMISSIONERS DON'T WANT THE EXTRA WORK OF OPENING A SECRET ENVELOPE CONTAINER THAT WE HAD FOR YEARS. AND AS THE SYSTEM MOVES MORE AND MORE TOWARD MAIL-IN BALLOTS, THIS ISSUE THAT'S BEEN HIGHLIGHTED BY THIS BILL BECOMES VERY, VERY PROMINENT. YOU DON'T VOTE A SECRET BALLOT. YOU DON'T HAVE AN INTERIOR ENVELOPE IN THERE TO HIDE YOUR IDENTITY. NOW, WE MIGHT SAY SIDs ARE A LITTLE BITTY THING AND NOBODY REALLY RUNS FOR THE OFFICE. AND THAT PROBABLY IS TRUE. BUT WHAT A BETTER WAY IF IT WAS CONTESTED FOR YOUR NEIGHBORS TO GET MAD AT YOU? AND EXTEND THIS THEORY THAT WE ARE, AGAIN, RUBBER STAMPING, ENDORSING, AND PUTTING OUR BLESSING TO, IN THIS LITTLE WAY, THIS LITTLE VENIAL SIN HERE OF MAKING IT ABSOLUTELY REQUIRED THAT THEY IDENTIFY THEMSELVES IN THEIR BALLOT TO VOTE. I THINK WE ARE TRANSGRESSING OUR CONSTITUTION. I THINK WE ARE MAKING IT MORE AND MORE DESIRABLE FOR PEOPLE TO JUST BLOW OFF VOTING IF THEY FEEL THEY'RE GOING TO BE COMPROMISED IN ONE WAY OR THE OTHER BY THEIR VOTE. AND I WOULD ENCOURAGE THE

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GOVERNMENT COMMITTEE TO ADVANCE THE SECRET BALLOT. IF IT GETS TO THE FLOOR, I'LL LAY ODDS, IT PASSES, BECAUSE WE ALL ARE VERY IMPORTANT OF THE NEED TO KEEP OUR BALLOT SECRET. THIS MAY BE NO BIG DEAL ONE WAY OR THE OTHER BECAUSE, GOLLY GEE WHIZ, WHO CARES ABOUT AN SID ELECTION. BUT IN THE BIG PICTURE, WE ARE NOT FOLLOWING THE MANDATE OF OUR CONSTITUTION THAT BALLOTS AND ELECTIONS BE SECRET AND THIS BILL SPECIFICALLY VIOLATES THAT. [LB695]

SENATOR COASH: ONE MINUTE. [LB695]

SENATOR SCHUMACHER: SO I THINK IT'S SOMETHING WE SHOULD THINK ABOUT. I DON'T NECESSARILY OPPOSE THIS BILL BECAUSE IT IS WHAT IT IS. BUT IT DOES INDICATE A SERIOUS NEGLECT BY THIS BODY TO ENFORCE A MANDATE OF THE CONSTITUTION. THANK YOU. [LB695]

SENATOR COASH: THANK YOU, SENATOR SCHUMACHER. SENATOR KRIST, YOU ARE RECOGNIZED. [LB695]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES; GOOD MORNING, NEBRASKA. HOW MUCH TIME IS LEFT ON THIS BILL? [LB695]

SENATOR COASH: SEVEN MINUTES. [LB695]

SENATOR KRIST: OKAY, I'LL JUST TAKE A FEW. THIS IS WHY NOT ALL THINGS VOTING SHOULD GO TO THE GOVERNMENT COMMITTEE. THIS IS A SEPARATE STATUTE THAT CONTROLS SIDs. AND EITHER WE CHANGE THE SID AND PUT IT IN LINE WITH ALL THE OTHER VOTING, OR WE ALLOW THE SID TO DO WHAT THE SID NEEDS TO DO. AND THE ATTENTION TO DETAIL IN THE REFERENCING COMMITTEE SHOULD NOT NECESSARILY BE TO DRIVE BILLS WHERE WE WANT THEM, BUT TO PUT THEM WHERE THEY NEED TO BE. IT NEEDED TO GO TO...THIS PARTICULAR BILL NEEDS TO GO TO URBAN AFFAIRS WHO ARE THE EXPERTS AT SIDs. YOU'RE RIGHT, SENATOR SCHUMACHER, THIS IS A DISCUSSION FOR A DIFFERENT DAY. BUT NOT ALL THINGS ELECTION SHOULD GO TO GOVERNMENT, MY OPINION. THANK YOU, MR. PRESIDENT. [LB695]

SENATOR COASH: THANK YOU, SENATOR KRIST. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR CRAWFORD, YOU'RE RECOGNIZED TO CLOSE ON THE ADVANCEMENT OF LB695. [LB695]

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SENATOR CRAWFORD: THANK YOU, COLLEAGUES. AND THANK YOU, SENATOR SCHUMACHER, FOR RAISING THAT ISSUE FOR US TO CONSIDER FOR OUR ELECTIONS. AGAIN, LB695 DEALS ONLY WITH SID ELECTIONS AND ADOPTS MEASURES TO ADDRESS THE ISSUE WHEN MULTIPLE BALLOTS ARE RETURNED IN THE SAME ENVELOPE. AND I URGE YOUR SUPPORT OF LB695. THANK YOU. [LB695]

SENATOR COASH: THANK YOU, SENATOR CRAWFORD. MEMBERS, YOU HEARD THE CLOSING TO LB695. THE QUESTION FOR THE BODY IS SHALL LB695 ADVANCE? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB695]

ASSISTANT CLERK: 29 AYES, 1 NAY ON THE ADVANCEMENT OF THE BILL, MR. PRESIDENT. [LB695]

SENATOR COASH: LB695 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB695]

ASSISTANT CLERK: LB702, INTRODUCED BY THE URBAN AFFAIRS COMMITTEE. (READ TITLE.) THE BILL WAS READ FOR THE FIRST TIME ON JANUARY 6 OF THIS YEAR; REFERRED TO THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE; PLACED ON GENERAL FILE WITH NO COMMITTEE AMENDMENTS. [LB702]

SENATOR COASH: THANK YOU, MR. CLERK. SENATOR CRAWFORD, YOU'RE RECOGNIZED TO OPEN ON LB702. [LB702]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, AGAIN, COLLEAGUES. LB702 IS A TECHNICAL BILL THAT WAS INTRODUCED BY THE URBAN AFFAIRS COMMITTEE TO HARMONIZE REFERENCES IN THE STATUTES GOVERNING CITY COUNCILS IN CITIES OF THE SECOND CLASS. STATE STATUTE CLASSIFIES NEBRASKA MUNICIPALITIES INTO FIVE CATEGORIES BASED ON THE POPULATION. AND CITIES OF THE SECOND CLASS HAVE A POPULATION BETWEEN 801 AND 5,000. THERE ARE CURRENTLY 117 CITIES OF THE SECOND CLASS IN NEBRASKA. THE ISSUE BEING ADDRESSED BY LB702 WAS BROUGHT TO THE URBAN AFFAIRS COMMITTEE'S ATTENTION BY A CONCERNED CITIZEN. THE STATUTES GOVERNING CITIES, THE SECOND CLASS, STATE THAT CITIES OF THE SECOND CLASS SHOULD ELECT THEIR CITY COUNCIL MEMBERS BY WARD, BUT MAKE NO REFERENCE TO THE FACT THAT CITIES OF THE SECOND CLASS CAN CHANGE THEIR CITY COUNCIL MEMBERSHIP TO BE ELECTED AT LARGE INSTEAD

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OF BY WARD. IN THE CASE OF THE CONCERNED CITIZEN, HE HAD RESEARCHED THE STATUTE FOR CITIES OF THE SECOND CLASS; SAW THAT THEY SAY THAT HE SHOULD HAVE A WARD REPRESENTATIVE AND WAS CONCERNED WHEN HE WAS UNABLE TO DETERMINE WHICH CITY COUNCIL MEMBER OF HIS CITY, THE CITY OF VALLEY, REPRESENTED HIS WARD. AFTER THE ISSUE WAS BROUGHT TO MY OFFICE'S ATTENTION, URBAN AFFAIRS COMMITTEE STAFF QUICKLY DETERMINED THAT VALLEY HAD UTILIZED THE PROCEDURE IN THE ELECTION ACT TO CHANGE TO AT-LARGE ELECTIONS. SINCE THE CHANGE NEEDED TO CLARIFY THE SITUATION DID NOT AMEND THE ELECTION ACT AND WOULD JUST REQUIRE LANGUAGE IN THE SECOND CLASS CITY STATUTES TO REFERENCE THE POSSIBILITY OF AT-LARGE COUNCIL MEMBERS, LB702 WAS INTRODUCED AS AN URBAN AFFAIRS COMMITTEE BILL TO RECONCILE THE TWO SECTIONS OF STATUTES. LB702 SIMPLY ADDS A REFERENCE IN THE TWO SECTIONS OF THE SECOND CLASS CITY STATUTES TO HARMONIZE WITH THE SECTION OF THE ELECTION ACT THAT ALLOWS POLITICAL SUBDIVISIONS TO CHANGE FROM WARD ELECTIONS TO AT-LARGE ELECTIONS. LB702 RECEIVED NO OPPOSITION TESTIMONY AT THE HEARING AND WAS ADVANCED BY THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE ON A 7-0 VOTE WITH ONE MEMBER ABSENT. I WOULD ASK FOR YOUR GREEN VOTE TO ADVANCE LB702 TO SELECT FILE. THANK YOU, MR. PRESIDENT. [LB702]

SENATOR COASH: THANK YOU, SENATOR CRAWFORD. MEMBERS, YOU'VE HEARD THE OPENING TO LB702. THE FLOOR IS NOW OPEN FOR DISCUSSION. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB702]

SENATOR SCHNOOR: WOULD SENATOR CRAWFORD YIELD TO A QUESTION, PLEASE? [LB702]

SENATOR COASH: SENATOR CRAWFORD, WILL YOU YIELD? [LB702]

SENATOR CRAWFORD: YES. [LB702]

SENATOR SCHNOOR: JUST TO CLARIFY, THIS DOES NOT CHANGE THE VOTING REQUIREMENTS FOR A CITY OF A SECOND CLASS; THEY CAN STILL DO IT AT LARGE? DID I UNDERSTAND YOU CORRECTLY? [LB702]

SENATOR CRAWFORD: THAT IS CORRECT. THE ELECTION ACT PROVIDES THE PROCESS BY WHICH SECOND-CLASS CITIES CAN CHOOSE TO ELECT MEMBERS AT LARGE. THIS DOES NOT IN ANY WAY CHANGE THAT. IT JUST MAKES

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THAT...MAKES CLEAR IN THE STATUTES THAT GOVERNS SECOND-CLASS CITIES THAT THAT IS AN OPTION. [LB702]

SENATOR SCHNOOR: SO THEY CAN DO IT ONE WAY OR THE OTHER? [LB702]

SENATOR CRAWFORD: CORRECT. [LB702]

SENATOR SCHNOOR: OKAY, THAT'S ALL. THANK YOU. [LB702]

SENATOR COASH: THANK YOU, SENATOR SCHNOOR. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR CRAWFORD, YOU'RE RECOGNIZED TO CLOSE ON LB702. SENATOR CRAWFORD WAIVES. QUESTION FOR THE BODY, SHALL LB702 ADVANCE? ALL THOSE IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB702]

ASSISTANT CLERK: 35 AYES, 0 NAYS ON THE ADVANCEMENT OF LB702, MR. PRESIDENT. [LB702]

SENATOR COASH: LB702 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB702]

ASSISTANT CLERK: LB775, INTRODUCED BY SENATOR GLOOR. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 7; REFERRED TO THE REVENUE COMMITTEE. THAT COMMITTEE PLACED THE BILL ON GENERAL FILE WITH NO COMMITTEE AMENDMENTS. [LB775]

SENATOR SCHEER PRESIDING

SENATOR SCHEER: THANK YOU, MR. CLERK. SENATOR GLOOR, YOU'RE RECOGNIZED TO INTRODUCE. [LB775]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. GOOD MORNING, MEMBERS. THE BILL WAS BROUGHT TO ME BY THE DEPARTMENT OF REVENUE. IT'S A TECHNICAL BILL. AND IT SEEKS TO ELIMINATE SOME OBSOLETE LANGUAGE. SECTION 77-120(5) IS HARMONIZED TO INDICATE THE FACTOR FOR NET BOOK VALUE WILL BE THE YEAR THE PROPERTY IS PLACED IN SERVICE. THIS ALSO WILL HARMONIZE LANGUAGE FOR TRAILERS AND SEMITRAILERS. SINCE WE MOVED TRAILERS AND SEMITRAILERS TO PROPERTY TAX, SOME YEARS AGO,

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THIS HARMONIZED LANGUAGE IN MOTOR VEHICLE STATUTES THAT WERE NOT CURRENTLY IN PROPERTY TAX STATUTES. AND SO WE ARE HARMONIZING HERE AND GETTING RID OF OBSOLETE LANGUAGE. THE VOTE WAS 8-0. THERE WAS NOBODY IN OPPOSITION TO THIS BILL. AND I WOULD ASK FOR A GREEN LIGHT. THANK YOU VERY MUCH. [LB775]

SENATOR SCHEER: THANK YOU, SENATOR GLOOR. ANYONE WISHING TO SPEAK? SEEING NONE, SENATOR GLOOR, YOU'RE WELCOME TO CLOSE. SENATOR GLOOR WAIVES CLOSING. THE QUESTION BEFORE YOU IS THE ADVANCEMENT OF LB775. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE VOTE. HAVE ALL VOTED? MR. CLERK. [LB775]

ASSISTANT CLERK: 34 AYES, 0 NAYS ON THE ADVANCEMENT OF THE BILL, MR. PRESIDENT. [LB775]

SENATOR SCHEER: THE MOTION PASSES. MR. CLERK. [LB775]

ASSISTANT CLERK: LB737 INTRODUCED BY SENATOR FRIESEN. (READ TITLE.) THE BILL WAS INTRODUCED ON JANUARY 6, REFERRED TO THE NATURAL RESOURCES COMMITTEE. THAT COMMITTEE PLACED THE BILL ON GENERAL FILE WITH NO COMMITTEE AMENDMENTS. [LB737]

SENATOR SCHEER: THANK YOU, MR. CLERK. SENATOR FRIESEN, YOU'RE RECOGNIZED TO OPEN ON LB737. [LB737]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, LB737 IMPLEMENTS IMPORTANT CHANGES TO NEBRASKA'S CLEAN WATER STATE REVOLVING FUND PROGRAM. NEW PROVISIONS IN THE FEDERAL CLEAN WATER ACT PASSED IN 2014 WILL BENEFIT NEBRASKA COMMUNITIES WHO ARE SEEKING FUNDS TO CONSTRUCT WASTEWATER TREATMENT FACILITIES AND SANITARY SEWER COLLECTION SYSTEMS BY PROVIDING ADDITIONAL FLEXIBILITY. TO TAKE ADVANTAGE OF THESE NEW PROVISIONS, WE NEED TO MAKE CHANGES TO THE WASTEWATER TREATMENT FACILITY CONSTRUCTION ASSISTANCE ACT. LB737 ADDRESSES THREE KEY PROVISIONS. FIRST, IT EXPANDS THE TYPE OF PROJECTS THAT ARE ELIGIBLE TO BE FUNDED FROM THE CLEAN WATER STATE REVOLVING FUND PROGRAM. LB737 AMENDS THE WASTEWATER TREATMENT WORKS DEFINITION TO ALLOW THE DEPARTMENT THE ABILITY TO PROVIDE LOANS TO COMMUNITIES WHO NEED TO PURCHASE LAND TO CONSTRUCT WASTEWATER TREATMENT FACILITIES. AND IT

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ALSO EXPANDS THE CATEGORIES OF LOAN-ELIGIBLE PROJECTS. SECOND, IT ADDRESSES INCREASING LOAN TERMS CURRENTLY CAPPED AT 20 YEARS TO A MAXIMUM LENGTH OF 30 YEARS OR THE USEFUL LIFE OF THE PROJECT, WHICHEVER IS LESS. AND FINALLY, LB737 INCLUDES ADDITIONAL OPTIONS THAT ALLOW THE DEPARTMENT OF ENVIRONMENTAL QUALITY THE FLEXIBILITY TO CHOOSE HOW TO PAY FOR COST TO ADMINISTER THE PROGRAM. ADVANCED OUT OF COMMITTEE 8-0. I'D APPRECIATE YOUR VOTE TO ADVANCE LB737. [LB737]

SENATOR SCHEER: THANK YOU, SENATOR FRIESEN. YOU HEARD THE INTRODUCTION. ARE THERE ANY WISHING TO SPEAK IN REFERENCE TO LB737? SEEING NONE, SENATOR FRIESEN, YOU'RE WELCOME TO CLOSE. SENATOR FRIESEN WAIVES CLOSING. THE QUESTION BEFORE US IS THE ADVANCEMENT OF LB737. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE VOTE. MR. CLERK. [LB737]

ASSISTANT CLERK: 33 AYES, 0 NAYS ON THE ADVANCEMENT OF THE BILL, MR. PRESIDENT. [LB737]

SENATOR SCHEER: LB737 MOVES. MR. CLERK FOR ANNOUNCEMENTS. [LB737]

ASSISTANT CLERK: THANK YOU, MR. PRESIDENT. SOME ITEMS: NEW RESOLUTIONS: LR427 BY SENATOR COOK AND LR428 BY SENATOR DAVIS, THOSE WILL BE LAID OVER. AMENDMENT TO BE PRINTED TO LB471 FROM SENATOR HOWARD. I HAVE NOTICE OF COMMITTEE HEARINGS FROM THE AGRICULTURE COMMITTEE. AND AMENDMENTS TO BE PRINTED TO LB970 AND LB1105 FROM SENATOR LARSON. AND THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE REPORTS LB784, LB807, AND LB827 ALL TO GENERAL FILE. THAT'S ALL I HAVE AT THIS TIME, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 468-473.) [LR427 LR428 LB471 LB970 LB1105 LB784 LB807 LB827]

SENATOR SCHEER: THANK YOU, MR. CLERK. MR. CLERK FOR THE AGENDA.

ASSISTANT CLERK: NEXT BILL, MR. PRESIDENT, LB876, INTRODUCED BY SENATOR MURANTE. (READ TITLE.) THE BILL WAS READ FOR THE FIRST TIME ON JANUARY 11; REFERRED TO THE GOVERNMENT COMMITTEE, PLACED ON GENERAL FILE WITH NO COMMITTEE AMENDMENTS. [LB876]

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SENATOR SCHEER: THANK YOU, MR. CLERK. SENATOR MURANTE, YOU'RE WELCOME TO OPEN ON LB876. [LB876]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT; MEMBERS, GOOD MORNING. LB876 WAS BROUGHT TO ME BY THE NEBRASKA ASSOCIATION OF SCHOOL BOARDS AND IS SUPPORTED BY A NUMBER OF PUBLIC BODIES. AND WHAT IT PROVIDES IS THAT THE VOTING OF THE GOVERNING BODY OF THE...OF, WHATEVER POLITICAL SUBDIVISION WE'RE TALKING ABOUT, CAN RECORD THEIR VOTES ON ELECTRONIC DEVICE SIMILAR TO THE MACHINE VOTES THAT WE HAVE HERE. AS YOU CAN SEE IN STATUTES, THE ELECTRONIC VOTING IS REQUIRED TO BE READILY SEEN BY THE PUBLIC. RIGHT NOW, A NUMBER OF POLITICAL SUBDIVISIONS CAN UTILIZE THESE ELECTRONIC DEVICES, BUT NOT ALL PUBLIC BODIES IN THE STATE OF NEBRASKA. WHAT THIS DOES IS IT PROVIDES THE SAME STANDARDS FOR ALL OF THE POLITICAL SUBDIVISIONS IN THE STATE OF NEBRASKA. AND I ENCOURAGE YOUR SUPPORT OF LB876. THANK YOU, MR. PRESIDENT. [LB876]

SENATOR SCHEER: THANK YOU, SENATOR MURANTE. (VISITORS INTRODUCED.) RETURNING TO LB876, ARE THERE ANY WISHING TO SPEAK? SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB876]

SENATOR JOHNSON: THANK YOU, MR. SPEAKER. I JUST WANT TO SPEAK IN SUPPORT OF THIS. I HAD A COMPANION BILL; I'LL CALL IT A COMPANION BILL AT LEAST. MINE WAS SPECIFIC TO NATURAL RESOURCE DISTRICTS. THEY HAVE UP TO 21 BOARD MEMBERS. AND JUST BY THE TIME YOU GO AROUND ROLL CALL BY VOICE AND RECORD IT, IT'S VERY TIME CONSUMING. SO VERY SUPPORTIVE OF LB876. THANK YOU. [LB876]

SENATOR SCHEER: THANK YOU, SENATOR JOHNSON. ANY OTHERS WISHING TO SPEAK? SEEING NONE, SENATOR MURANTE, YOU'RE WELCOME TO CLOSE. SENATOR MURANTE WAIVES CLOSING. THE QUESTION BEFORE YOU IS THE ADVANCEMENT OF LB876. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE VOTE. MR. CLERK. [LB876]

ASSISTANT CLERK: 34 AYES, 0 NAYS ON THE ADVANCEMENT OF LB876. [LB876]

SENATOR SCHEER: LB876 IS ADVANCED. MR. CLERK. [LB876]

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ASSISTANT CLERK: LB853 WAS INTRODUCED BY SENATOR STINNER. (READ TITLE.) THE BILL WAS READ FOR THE FIRST TIME ON JANUARY 11; REFERRED TO THE BANKING, COMMERCE AND INSURANCE COMMITTEE; PLACED ON GENERAL FILE WITH NO COMMITTEE AMENDMENTS. [LB853]

SENATOR SCHEER: THANK YOU, MR. CLERK. SENATOR STINNER, YOU'RE WELCOME TO OPEN ON LB853. [LB853]

SENATOR STINNER: THANK YOU, MR. PRESIDENT. IT'S MY HONOR AND PRIVILEGE TO PRESENT LB853 ON BEHALF OF THE NEBRASKA STATE BOARD OF PUBLIC ACCOUNTANCY AND THE NEBRASKA SOCIETY OF CPAs. THE BILL PASSED UNANIMOUSLY, 8-0, AND THERE WERE NO OPPONENTS. THE BILL WOULD AMEND THE PUBLIC ACCOUNTANCY ACT IN THREE AREAS. THE BILL WOULD AMEND SECTION 1-113 TO ALLOW THE ADVISORY BOARD TO MEET AT THE DIRECTION OF THE BOARD RATHER THAN AT LEAST ANNUALLY. THE BILL WOULD AMEND SECTIONS 118, 119, AND 121 TO STRIKE OUTDATED PROVISIONS REGARDING EXAMINATIONS IN ORDER TO FACILITATE THE EXAMINATIONS BEING CONDUCTED BY ELECTRONICALLY. THE BILL WOULD ALSO AMEND SECTION 1-136.02 AND 1-136.04 TO PROVIDE THAT EXPERIENCE SATISFACTORY FOR THE ISSUANCE OF A PERMIT MAY INCLUDE EXPERIENCE IN A FOREIGN COUNTRY, AS WELL AS IN ANY STATE UNDER THE SUPERVISION OF AN ACTIVE CPA WHO IS A HOLDER OF A NEBRASKA PERMIT OR EQUIVALENT ISSUED IN ANOTHER STATE. THANK YOU, MR. PRESIDENT. [LB853]

SENATOR SHEER: THANK YOU, SENATOR STINNER. IS THERE ANYONE WISHING TO SPEAK IN REFERENCE TO LB853? SEEING NONE, SENATOR STINNER, YOU'RE RECOGNIZED TO CLOSE ON LB853. SENATOR STINNER WAIVES CLOSING. THE QUESTION BEFORE YOU IS THE ADVANCEMENT OF LB853. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE VOTE. MR. CLERK. [LB853]

ASSISTANT CLERK: 32 AYES, 0 NAYS ON THE ADVANCEMENT OF THE BILL, MR. PRESIDENT. [LB853]

SENATOR SCHEER: LB853 IS ADVANCED. SPEAKER HADLEY, YOU ARE RECOGNIZED FOR AN ANNOUNCEMENT. [LB853]

SPEAKER HADLEY: MR. PRESIDENT, I MOVE TO SUSPEND THE RULES, RULE 3, SECTION 14, TO PERMIT THE CANCELLATION OF HEARINGS ON THE FOLLOWING BILLS AND AGENCY HEARINGS: LB713, LB852, LB755, LB858, LB794, LB817, LB1036,

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LB1086, LB1052, LB1002, LB669, LB668, LB989, LB860, LB808, LB1059, LB1012, AND AM1897 TO LB560, AS WELL AS THE AGENCY HEARINGS ON AGENCIES 50 AND 51.

SENATOR SCHEER: THANK YOU, MR. SPEAKER. IS THERE ANYONE THAT WISHES TO SPEAK IN REFERENCE? SEEING NONE, WE WILL NOW VOTE ON THE SPEAKER'S REQUEST TO SUSPEND THE RULES. IT DOES TAKE 30 VOTES IN THE POSITIVE, SO IF YOU WILL CONSIDER THAT UPON YOUR DECISION TO VOTE. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE VOTE. MR. CLERK.

ASSISTANT CLERK: 35 AYES, 0 NAYS ON THE MOTION TO SUSPEND THE RULES, MR. PRESIDENT.

SENATOR SCHEER: THE MOTION PASSES. MOVING TO GENERAL FILE, LR26CA. SENATOR LARSON, YOU'RE RECOGNIZED. [LR26CA]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. LR26CA IS A CONSTITUTIONAL AMENDMENT THAT WILL CHANGE THE AGE TO REPRESENT ANY PUBLIC OFFICE IN THE STATE OF NEBRASKA TO 18 YEARS OF AGE. WE HAD LENGTHY DISCUSSION ON GENERAL FILE ON THURSDAY. AND I JUST WANT TO REASSURE MY COLLEAGUES THAT HAVING DISCUSSED IT WITH SENATOR MORFELD, AND SENATOR HANSEN TALKED ABOUT IT AS WELL, AND SENATOR SCHUMACHER HAS A CONCERN WITH A SEPARATE SUBJECT SPECIFICALLY RELATING TO SOME OF THE QUALIFICATIONS WITHIN THE CONSTITUTIONAL AMENDMENT. AND WE ARE HAPPY TO WORK WITH HIM TO TRY TO ADDRESS THAT CONCERN BETWEEN GENERAL AND SELECT FILE. I THINK IT'S SOMETHING THAT WE CAN WORK TOWARD A COMPROMISE, AND SOMETHING THAT WE DO OFTEN IN THIS BODY. IT'S SOMETHING THAT I'M HAPPY TO MOVE FORWARD ON. HOPEFULLY, THIS DOESN'T TAKE A LOT OF TIME THIS MORNING. I KNOW WE ALL WANT TO CONTINUE DOWN THE AGENDA. SO I WOULD URGE THE BODY TO VOTE GREEN ON LR26CA. THANK YOU, MR. PRESIDENT. [LR26CA]

SENATOR SCHEER: THANK YOU, SENATOR LARSON. SENATOR SULLIVAN, YOU'RE RECOGNIZED. [LR26CA]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT; AND GOOD MORNING, COLLEAGUES. SORRY I WAS ABSENT EARLIER, I WAS SPEAKING TO THE NEBRASKA SCHOOL BOARD ASSOCIATION LEGISLATIVE DAY. AS I DROVE HOME LAST THURSDAY, I BELIEVE IT WAS, REFLECTING ON THE WEEK'S WORK, I KEPT ASKING MYSELF WHY ABOUT LR26CA. WHY IS IT A GOOD REASON TO DO THIS?

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AND I...I LIKE WHAT SENATOR LARSON HAD TO SAY. I KNOW HE BELIEVES IN THIS AND THAT'S HIS PREROGATIVE AND THAT'S HIS RIGHT FOR ADVOCATING FOR IT HERE ON THE FLOOR. BUT I ALSO TOOK INTO ACCOUNT SOME OF SENATOR SCHUMACHER'S CONCERNS. AND EVEN THOUGH THERE'S BEEN EVIDENCE THAT THEY CAN WORK OUT SOME OF THE DIFFERENCES BETWEEN NOW AND SELECT FILE, I THINK IT'S ALWAYS IMPORTANT TO TREAD LIGHTLY WHEN WE'RE LOOKING TO CHANGE OUR CONSTITUTION AND NEED TO HAVE GOOD REASON BECAUSE IT IS A PRECIOUS DOCUMENT THAT WE WANT TO UPHOLD. THIS ISN'T A MATTER OF TRUST. IF ANYTHING, WE SHOULD BE LOOKING MORE INWARD WHEN IT COMES TO TRUST. TO SET AN EXAMPLE IN THIS BODY OF BEING TRUSTWORTHY, TO TRUSTING OURSELVES TO UPHOLD THE CONSTITUTION AND TO SET THE BAR HIGH. MY FIRST YEAR DOWN HERE I CO-SPONSORED LEGISLATION THAT PRESERVED THE CENTER FOR STUDENT LEADERSHIP THAT IS WITHIN THE DEPARTMENT OF EDUCATION. AND I WAS GLAD TO SAY THAT WE WERE SUCCESSFUL IN DOING THAT. AND THAT ENTITY EXISTS TODAY AND HELPS OVERSEE THE WIDE VARIETY OF GROUPS IN THIS STATE IN SCHOOLS THAT HELP DEVELOP LEADERSHIP AMONG YOUNG PEOPLE ALL THE WAY FROM FFA TO FCLA TO SkillsUSA, A WHOLE HOST OF THEM. AND BECAUSE OF THAT, I OFTEN HAVE THE OPPORTUNITY TO VISIT WITH THESE GROUPS WHEN THEY COME TO THE LEGISLATURE AND WANT TO MEET WITH DIFFERENT SENATORS AND JUST HAVE THE EXPERIENCE OF THE LEGISLATURE. I'VE NEVER HAD ANYONE IN THOSE GROUPS ASK ME ABOUT THIS. WE COVER A LOT OF TOPICS IN THERE. AND THEY ASK GREAT QUESTIONS. AND I ALWAYS COME WAY AMAZED AND REALLY FEELING GOOD ABOUT OUR YOUTH HERE IN NEBRASKA, THAT THEY'RE WORKING HARD TO GET AN EDUCATION, TO DEVELOP THEIR LEADERSHIP SKILLS. AND WITHOUT A DOUBT, ANY TIME THAT I HAVE THE OPPORTUNITY TO SPEAK TO THESE GROUPS, I ALWAYS SAY-- YOU KNOW WHAT, AS I LOOK TO ALL OF YOU, ONE OF YOU, OR MAYBE MORE OF YOU, ONE DAY, IS GOING TO BE A STATE SENATOR. SO WHEN I THINK THROUGH ALL THESE THINGS, WHILE I RESPECT WHAT SENATOR LARSON IS TRYING TO DO WITH THIS CONSTITUTIONAL AMENDMENT PROPOSAL, I JUST...I END UP ANSWERING THE QUESTION OF WHY SAYING I DON'T THINK IT'S NECESSARY AT THIS POINT. I THINK OUR FOCUS SHOULD BE WITHIN OURSELVES TO DO THE VERY BEST JOB THAT WE CAN HERE. AND, YES, TO INSPIRE YOUNG PEOPLE TO ASPIRE TO POLITICAL SERVICE, AND TO REACH OUT TO A LOT OF PEOPLE WHO MIGHT BE INTERESTED. NOT LONG AGO, I HAD A YOUNG MOTHER WHO'S VERY MUCH INTERESTED IN PARTICIPATING IN THE LEGISLATIVE PROCESS AND ONE DAY RUNNING FOR THE LEGISLATURE. BUT SHE, IN OUR DISCUSSION THAT WE HAVE, AND I CERTAINLY SAID WE NEED MORE WOMEN IN THE LEGISLATURE. [LR26CA]

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SENATOR SCHEER: ONE MINUTE. [LR26CA]

SENATOR SULLIVAN: BUT WITH THREE SMALL CHILDREN AT HOME, SHE DECIDED THAT PERHAPS IT WAS BETTER TO WAIT. SO MORE THAN ANYTHING, WE NEED GOOD PEOPLE IN THIS BODY, IRRESPECTIVE OF THEIR AGE. WE NEED TO BE GOOD ROLE MODELS SO THAT WE CAN ATTRACT GOOD PEOPLE. AND FOR THOSE REASONS I DON'T THINK LR26CA IS NECESSARY. THANK YOU, MR. PRESIDENT. [LR26CA]

SENATOR SCHEER: THANK YOU, SENATOR SULLIVAN. THOSE IN THE QUEUE WISHING TO SPEAK: SENATOR BRASCH, SENATOR BLOOMFIELD, SENATOR LARSON, AND OTHERS. SENATOR BRASCH, YOU ARE RECOGNIZED. [LR26CA]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT; AND GOOD MORNING, COLLEAGUES. I STAND ONCE AGAIN OPPOSED TO LR26CA. AND I...I WAS LAST WEEK, BUT WHAT REALLY WAS A GOOD POINT MADE CAME IN AN E-MAIL TO MY OFFICE, AND MANY OF YOU MUST HAVE RECEIVED IT. BUT IT REMINDED US, WE LEGISLATORS, THAT IT WAS JUST LAST YEAR THAT SENATOR MORFELD INTRODUCED LB439, WHICH I SUPPORTED, THAT WOULD GRANT LEGAL IMMUNITY TO MINORS IN A SITUATION RELATED TO THE NEBRASKA LIQUOR CONTROL ACT. AND IN THAT, THERE WAS WONDERFUL ARGUMENT MADE ABOUT 18- TO 20-YEAR-OLDS NOT HAVING THE EXPERIENCE WITH ALCOHOL, MANY DIFFERENT THINGS THAT REASONS THAT WE SHOULD GRANT SOME FORGIVENESS AND WHEN THEY'RE SEEKING EMERGENCY HELP FOR SOMEONE ELSE, FOR THEMSELVES. I PULLED UP THE BILL. I'D ENCOURAGE YOU TO EVEN LOOK AT THE TRANSCRIPT FROM LB439. AND I AGREE, WE HAVE MANY VERY TALENTED YOUTH. AND I BELIEVE THAT MANY 18-YEAR-OLDS ARE STILL IN HIGH SCHOOL, IF NOT IN THEIR FIRST YEAR OF COLLEGE. THEY'RE...MOST OF THEM MAY BE STILL LIVING AT HOME. I THINK THAT ONCE THEY GRADUATE FROM SCHOOL, THAT VALUABLE TIME PASSES, LIFE EXPERIENCE, AND OPPORTUNITY TO FACE FINANCIAL SITUATIONS TO A GREATER DEGREE. THEY ARE NOT OF MAJORITY AGE YET TO SIGN A CONTRACT FOR ECONOMIC DEVELOPMENT FOR A MAJOR COUNTRY. THEY'RE NOT QUITE THERE YET. I BELIEVE MANY MAY BE. BUT I WOULD STRONGLY SUGGEST THAT BEFORE WE PUT THIS QUESTION OUT, THAT I BELIEVE AFFECTS ABOUT 8,000 18-YEAR-OLDS IN NEBRASKA. I HAD MY STAFF CALL AND CHECK. COLLEAGUES, CONSIDER THIS CLOSELY. THEY NEED MORE TIME AND MORE EXPERIENCE. AND I DID AGREE WITH, AS I SAID, LAST YEAR THAT EVEN THE 911 SITUATION, ALCOHOL BETWEEN 18 AND 20 YEARS OLD, THEY MAY NEED ADDITIONAL HELP. THAT BILL

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I SUPPORTED. THIS ONE I BELIEVE WE NEED TO MOVE FORWARD CAUTIOUSLY. THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. [LR26CA]

SENATOR SCHEER: THANK YOU, SENATOR BRASCH. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LR26CA]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT; GOOD MORNING, COLLEAGUES. MUCH, AS I DID LAST WEEK, WHEN WE DEBATED THIS, I OPPOSE THIS IDEA. NOT BECAUSE I HAVE ANYTHING AGAINST 18-YEAR-OLDS, BUT BECAUSE OF THE EXPERIENCE REQUIRED TO HOLD SUCH POSITIONS AS GOVERNOR, SUPREME COURT JUDGES. IF WE GO BACK TO THE FOUNDING OF THE COUNTRY, THE FOUNDERS PUT THOSE AGE LIMITS IN THERE FOR PRESIDENT AND SENATORS FOR A REASON. THAT REASON STILL EXIST. IT TAKES SOME LIFE EXPERIENCES TO UNDERSTAND WHAT'S GOING ON AROUND YOU. AS GREAT AS OUR EDUCATION SYSTEM MAY BE, IT CANNOT TEACH YOU ALL YOU NEED TO KNOW ABOUT LIFE. A FEW EXTRA YEARS OF LIFE EXPERIENCE CAN EDUCATE YOU A LONG WAY ON HOW THINGS SHOULD BE DONE AND HOW THINGS SHOULD BE CLARIFIED. SO IF YOU'RE GOING TO PASS THIS THING, TAKE A GOOD HARD LOOK AT WHAT YOU'RE FORCING UPON THE PEOPLE OF NEBRASKA. AND IMAGINE IF YOU WOULD WANT AN 18-YEAR-OLD SITTING ON THE BENCH WHEN YOU WENT TO COURT. THIS...I KNOW SENATOR LARSON AND HIS SUPPORTERS WILL TELL YOU THAT WELL, IT'S LIKELY NEVER TO HAPPEN, AND I BELIEVE HE'S CORRECT ON THAT, IT'S LIKELY NEVER TO HAPPEN. BUT THOSE LIMITATIONS ARE THERE FOR A REASON. LET'S MAKE SURE IT NEVER HAPPENS. THIS IS A GOOD BILL TO VOTE RED ON. THANK YOU, MR. PRESIDENT. [LR26CA]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD. SENATOR LARSON, YOU'RE RECOGNIZED. [LR26CA]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. JUST TO RESPOND TO A FEW THINGS FROM MY ESTEEMED COLLEAGUES. WE HEAR SENATOR BRASCH TALK ABOUT LB439. THAT CAME THROUGH GENERAL AFFAIR LAST YEAR. AND SHE WANTS TO LUMP ALL INDIVIDUALS AGED 18 TO 21, OR UNDER THE AGE OF 21, INTO THIS GROUP OF INDIVIDUALS THAT JUST GOES OUT AND GETS DRUNK AND NEEDS THESE SAFEGUARDS OF IMMUNITY. WELL, WHAT ABOUT THOSE INDIVIDUALS THAT CHOOSE TO ABSTAIN FROM ALCOHOL, SENATOR BRASCH, OR THOSE INDIVIDUALS THAT AREN'T, YOU KNOW, BREAKING THE LAW AND DON'T NEED THINGS SUCH AS LB439? THAT MEANS YOU'RE PRECLUDING THEM FROM RUNNING, THOSE INDIVIDUALS THAT ARE MAKING SMART DECISIONS. SO IF YOU

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WANT TO BASTARDIZE THOSE THAT AREN'T MAKING SMART DECISIONS AS A REASON TO VOTE AGAINST LR26CA, YOU'RE JUST USING THE ARGUMENT THAT BECAUSE SOME ARE, THAT RUINS IT FOR ALL OF THEM. THAT DOESN'T MAKE SENSE. THE WHOLE POINT OF LR26CA IS EQUALITY. IF YOU'RE OLD ENOUGH TO CHOOSE YOUR REPRESENTATIVE, YOU'RE OLD ENOUGH TO BE THE REPRESENTATIVE. IT'S AS SIMPLE AS THAT. GIVE THE PEOPLE A CHOICE. WE HEAR LIFE EXPERIENCES FROM SENATOR BLOOMFIELD, ALL THESE LIFE EXPERIENCES, WELL, LIFE EXPERIENCES COME IN MANY DIFFERENT FORMS. LIFE EXPERIENCES CAN HAPPEN WHETHER YOU'RE IN HIGH SCHOOL OR RETIRED. AND THEY CAN SHAPE YOU. AND THEY CAN CHANGE THE WAY YOU THINK. WE HEAR SENATOR SULLIVAN DISCUSS, WELL, WHY? WHY DO WE NEED THIS? WHY? BECAUSE IT'S ABOUT THE PRINCIPLE OF DOING WHAT IS RIGHT. WE HEAR, WE CAN WAIT. WELL WE WAIT ON A LOT OF THINGS. WE'VE SEEN THAT COMING OUT OF THIS LEGISLATURE. WAIT, LET'S SEE HOW EVERYBODY ELSE DOES IT FIRST. I SEE THAT ALL THE TIME. WE'RE NEBRASKA, WE DO THINGS DIFFERENT. THEY DON'T...THEY DON'T NEED THIS. THEY DON'T NEED THAT. WE KNOW WHAT'S BEST FOR THEM. I SEE THAT. WHY DON'T WE GIVE THEM A VOICE, A REAL VOICE? YOU TRUST THEM ENOUGH TO VOTE. BUT YOU DON'T TRUST THEM ENOUGH TO COME IN HERE AND EXPRESS THEIR FEELINGS AND EXPRESS THEIR OPINIONS. YOU SAY YOU LISTEN TO THEM, BUT YOU'RE NOT LISTENING TO THEM UNTIL YOU MAKE THEM AN EQUAL. IT'S AS SIMPLE AS THAT. YOU'RE ABOVE THEM IF THEY'RE NOT ON THE SAME RUNG. AND HONESTLY, ONCE THEY'RE AN ADULT, ONCE THEY HAVE THE RIGHT TO VOTE, THEY ARE EQUALS. I'M GUESSING I LOOK AT SEVEN PAGES UP THERE TODAY. I DON'T KNOW HOW MANY OF THEM ARE OVER 21, BUT EVERY ONE OF THEM SHOULD HAVE THE RIGHT TO PUSH THE SAME BUTTON WE DO. AND BY TELLING THEM THAT THEY DON'T AND STANDING UP AND SAYING THEY NEED MORE EXPERIENCE, YOU'RE TELLING THEM THEY ARE NOT AS CAPABLE AS YOU TO SERVE IN THIS BODY AND THAT IS WRONG. THANK YOU, MR. PRESIDENT. [LR26CA]

SENATOR SCHEER: THANK YOU, SENATOR LARSON. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LR26CA]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. SENATOR LARSON INDICATED THAT THERE, PERHAPS, WAS A POSSIBILITY OF A COMPROMISE WITH ME. I DON'T HAVE A DOG IN THIS FIGHT. AND I SURE WISH I WERE IN A POSITION TO SPEAK AND TO BIND AND TO COMPROMISE ON BEHALF OF THE SUPREME COURT. I'D CUT MYSELF SOME REALLY GOOD DEALS. HOWEVER, THE SUPREME COURT HAS SPOKEN. AND A FAIR BET, EVEN THOUGH NO ONE COULD EVER BE SURE HOW A COURT WILL RULE, IS THAT LR26CA DOES

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NOT MEET THE STANDARDS THAT THEY HAVE SET FOR CONSTITUTIONAL...FOR INITIATIVE REFERENDUMS TO THE PEOPLE. IT BUNDLES DIFFERENT, SEPARATE THINGS. AND I THINK THEIR MESSAGE HAS BEEN, YOU CAN'T DO THAT. THE BODY VOTED DOWN THE OTHER DAY THE SUGGESTION I HAD TO BREAK IT INTO WHAT I COULD SEE WAS FIVE SEPARATE SUBJECTS. SENATOR SEILER, VERY WELL, WAS RIGHT THAT EVEN THAT WAS NOT AN AIR-CLAD APPROACH. AND EVEN THAT HAD A LOW PROBABILITY OF MAKING IT PAST THE COURT. HE VERY WELL WAS RIGHT. BUT ALMOST CERTAINLY LR26CA IS GOING TO END UP BEFORE THE SUPREME COURT AND THEY'RE GOING TO HAVE TO MAKE RULINGS WITH RESPECT TO IT. SO I HAVE NO POWER TO COMPROMISE WHAT THE SUPREME COURT HAS WRITTEN. AND SO I...I DON'T KNOW HOW I COULD EVEN PRETEND TO COMPROMISE ON THEIR BEHALF. AS WRITTEN, IT FORCES PEOPLE TO CHOOSE...CHANGE A PROVISION OF THE CONSTITUTION RELATING TO THE EXECUTIVE, RELATING...ANOTHER PROVISION OF THE CONSTITUTION RELATING TO THE JUDICIARY, ANOTHER PROVISION RELATING TO THE LEGISLATURE, ANOTHER PROVISION RELATING TO ALL OFFICES IN GENERAL, AND FINALLY, A PROVISIONS ABOUT HOW LONG AN APPOINTED SENATOR CAN REMOVE HIMSELF FROM A DISTRICT BEFORE HE'S DISQUALIFIED. MULTIPLE, MULTIPLE SUBJECTS; SOMEWHERE ALONG THE LINE, LEGAL COUNSEL SHOULD HAVE POINTED THAT OUT AND THAT SHOULD HAVE BEEN TAKEN CARE OF IN COMMITTEE. IT HASN'T BEEN AND WE ARE WHERE WE ARE. I'M NOT GENERALLY OPPOSED TO YOUNGER PEOPLE VOTING IN SOME CASES. MAYBE IT'S A GOOD IDEA IN SOME CASES. WE STILL HAVE THE RESTRICTIONS AT THE FEDERAL LEVEL ON THE OFFICE OF SENATOR AND PRESIDENT. AND I'M NOT QUITE SURE ABOUT HOUSE REPRESENTATIVE, I THINK, MAYBE, YOU CAN GET BY AT A YOUNGER AGE THERE. BUT THIS IS MULTIPLE SUBJECTS. THE SUPREME COURT HAS SPOKEN. AND I'M SURE THEY'LL LOOK AT WHETHER OR NOT WE LISTEN TO THEM WHEN THE MATTER IS BROUGHT BEFORE THEM FOR REVIEW, IF IT GETS THAT FAR. THANK YOU. [LR26CA]

SENATOR SCHEER: THANK YOU, SENATOR SCHUMACHER. THOSE IN THE QUEUE WISHING TO SPEAK: SENATOR KRIST, SENATOR MORFELD, AND SENATOR HANSEN. SENATOR KRIST, YOU ARE RECOGNIZED. [LR26CA]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES, AGAIN, AND GOOD MORNING, NEBRASKA. I WAS IN THE CHAIR ON FRIDAY WHEN WE STOPPED DEBATING LR26CA. AND I HAVE TOLD SENATOR LARSON ON A NUMBER OF OCCASIONS THAT I BELIEVE I CAN VOTE FOR THIS ONLY TO PUT IT ON THE BALLOT. BUT WHEN WE...FROM THE TIME...I WONDER IF SENATOR LARSON WOULD YIELD TO A QUESTION. [LR26CA]

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SENATOR SCHEER: SENATOR LARSON, WILL YOU YIELD? [LR26CA]

SENATOR LARSON: YES. [LR26CA]

SENATOR KRIST: FROM THE TIME WE ADJOURNED ON FRIDAY UNTIL RIGHT NOW, HAVE YOU DONE ANYTHING TO TRY TO COMPROMISE EITHER THE CONCERNS OF SENATOR SCHUMACHER OR THE CONCERNS OF OTHERS ON THE JUDGES' POSITION? [LR26CA]

SENATOR LARSON: SPECIFICALLY WITH SENATOR SCHUMACHER'S, WE'RE GOING TO, ESSENTIALLY, I DID PLAN ON WORKING BETWEEN GENERAL AND SELECT FILE, SPECIFICALLY ON HIS LANGUAGE CONCERNING THE...I CAN PULL IT...I GAVE SENATOR MORFELD MY COPY OF THE BILL...SPECIFICALLY, CONCERNING THE ELIGIBILITY REQUIREMENTS ON WHAT WE SEE THAT AS BEING A POSSIBILITY OF MULTIPLE SUBJECTS. I DISAGREE WITH SENATOR SCHUMACHER ON THE REST OF IT. ON SENATOR SEILER...ON THE JUDICIAL PART OF IT, YOU KNOW, AGAIN, WE WENT OVER THAT IN TERMS OF YOU WOULD HAVE TO BE 13 WHEN YOU GOT YOUR LAW DEGREE AND EVERYTHING ELSE THAT GOES INTO IT. [LR26CA]

SENATOR KRIST: OKAY, SO...EXCUSE ME, THOUGH, THE ANSWER THOUGH IS NO. YOU REALLY HAVEN'T DONE ANYTHING SINCE FRIDAY TO TRY TO WORK OUT ANY POSITIONS OR YOU HAVE? [LR26CA]

SENATOR LARSON: NO, I WAS PLANNING TO DO IT BETWEEN GENERAL AND SELECT FILE. [LR26CA]

SENATOR KRIST: OKAY. SO, THANK YOU, SENATOR LARSON. SO MY POINT, COLLEAGUES, IS--BE CAREFUL WHEN YOU VOTE FOR SOMETHING AND THINK IT'S GOING BE FIXED AND THERE'S NOT AN INITIATIVE TO TRY TO FIX IT IN THE PERIOD OF TIME THAT'S ALREADY EXISTED. I WOULD HAVE THOUGHT THE INTRODUCER WOULD HAVE STOOD UP AND SAID--YES, I DID HAVE AN IN-DETAIL CONVERSATION WITH SENATOR SCHUMACHER, AND THERE ARE SOME CONSTITUTIONAL ISSUES WITH THE WAY THAT IT'S WRITTEN IN MULTISUBJECT AREAS. I WOULD HAVE THOUGHT THERE WOULD HAVE BEEN SOMETHING ELSE DONE. SO I'M JUST NOT SURE THAT THIS IS FIXABLE. AND FOR THE RECORD, IF I GO BACK A FEW YEARS, SENATOR LARSON BROUGHT THIS TO THE EXEC BOARD, IT WAS REFERENCED TO THE EXEC BOARD. WE FOUND A WAY TO GET IT REFERENCED TO GOVERNMENT, AND GOVERNMENT KICKS IT OUT. SOME OF THE

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SAME PROBLEMS, AS I LOOK BACK OVER THE WEEKEND, I DID MY STUDY ON THE WEEKEND, SOME OF THOSE SAME PROBLEMS, WHEN IT WAS IN EXEC BOARD...REFERENCING, I'M SORRY, EXEC BOARD SEVERAL YEARS AGO ARE STILL THE PROBLEMS THAT EXIST TODAY. THAT'S TWO YEARS AGO. SO SOME OF THE THINGS THAT COULD HAVE BEEN FIXED AND BROUGHT BACK UP WERE NOT. SOME OF THE THINGS THAT SHOULD BE FIXED OR SHOULD HAVE BEEN TALKED ABOUT BETWEEN FRIDAY AND TODAY HAVE NOT. AND WE'RE TALKING ABOUT IT AGAIN. AND IT WOULD SEEM TO ME THAT WE'RE GOING BE TALKING ABOUT IT FOR THE REMAINDER OF THE SIX HOURS OF TIME THAT IT'S GOING TO TAKE TO TALK ABOUT IT BECAUSE THE INTRODUCER HAS NOT FIXED THE THINGS THAT HAVEN'T BEEN FIXED FOR THREE YEARS. I DON'T KNOW HOW MUCH CLEARER THAT CAN BE IN TERMS OF RECOMMENDATION. I BELIEVE THAT I TREAT PEOPLE LIKE MY EQUAL IN TERMS OF THE HUMAN RACE. BUT WE MADE SEVERAL CONCESSIONS LAST YEAR, IN SENATOR MORFELD'S BILL, SENATOR BRASCH BROUGHT IT UP ALREADY, I WAS GOING TO BRING IT UP AGAIN, BUT I'M NOT GOING TO. WE HAVE ACCOMMODATED FOR THE DEVELOPMENT OF THE BRAIN BECAUSE WE KNOW NOW, SCIENTIFICALLY, THAT THE BRAIN IS NOT FULLY DEVELOPED AND THE ARGUMENT IS 20, 21, 23. BUT LET'S NOT MAKE IT ABOUT THE BRAIN. LET'S MAKE IT ABOUT YOUR OWN KIDS OR THE FOLKS THAT YOU DEAL WITH ON A DAILY BASIS. [LR26CA]

SENATOR SCHEER: ONE MINUTE. [LR26CA]

SENATOR KRIST: MAKE A DECISION BASED UPON WHAT'S HAPPENED IN THE LAST THREE YEARS; WHERE WE'RE AT IN THIS DISCUSSION IN TERMS OF MULTIPLE SUBJECTS AND THE CONSTITUTIONALITY OF THE BILL. I DO KNOW THAT SENATOR MORFELD IS GOING TO TALK TO US ABOUT HIS INTENTION TO FIX IT BETWEEN NOW AND THEN. SO YOU HAVE TO MAKE YOUR OWN MIND UP. I JUST HAVE SEVERAL CONCERNS. AND I WANTED TO GET UP ON THE MIKE AND EXPRESS THEM TODAY. THANK YOU. [LR26CA]

SENATOR SCHEER: THANK YOU, SENATOR KRIST. SENATOR MORFELD, YOU ARE RECOGNIZED. [LR26CA]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. AND JUST TO FOLLOW UP WHAT SENATOR KRIST SAID, AND A LITTLE BIT OF WHAT SENATOR SCHUMACHER SAID, I FULLY INTEND TO SIT DOWN, AS I PROMISED, WHEN I VOTED AGAINST SENATOR SCHUMACHER'S AMENDMENT, WITH LEGAL COUNCIL TO MAKE SURE THAT THE LANGUAGE IS CONSTITUTIONAL AND CONFORMS TO

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PAST SUPREME COURT PRECEDENT. I JUST DIDN'T BELIEVE THAT A FLOOR AMENDMENT WAS THE BEST WAY TO DO THAT. IN TERMS OF WHAT WAS...HAS HAPPENED OVER THE LAST TWO OR THREE YEARS WITH THIS BILL, OBVIOUSLY, I WAS NOT IN THE BODY THEN. THAT BEING SAID, I THINK THERE'S OVERWHELMING SUPPORT FOR THE CONCEPT, WITH THE EXCEPTION OF SOME FOLKS THAT STOOD UP IN OPPOSITION, OF THE CONCEPT OF THE VOTERS DECIDING WHETHER OR NOT SOMEBODY WHO'S LEGALLY AN ADULT, LEGALLY ABLE TO VOTE, LEGALLY ABLE TO SERVE IN OUR ARMED FORCES AND POTENTIALLY DIE FOR OUR COUNTRY, THEIR ABILITY TO POTENTIALLY HOLD OFFICE. AND I...I WANT TO REMIND EVERYBODY THAT THIS IS NOT GUARANTEEING THAT 18-YEAR-OLDS ARE GOING TO BE SERVING IN THE NEBRASKA LEGISLATURE. THE VOTERS HAVE TO DECIDE. IF THE VOTERS DECIDE THAT AN 18-YEAR-OLD IS COMPETENT ENOUGH, SMART ENOUGH, HARDWORKING ENOUGH TO REPRESENT THEM, WHO ARE WE TO TELL THEM NO? PARTICULARLY WHEN THAT INDIVIDUAL IS OLD ENOUGH TO VOTE, OLD ENOUGH TO SERVE IN OUR ARMED FORCES, AND OLD ENOUGH TO DO A VARIETY OF OTHER THINGS, INCLUDING PAY TAXES AND WORK FULL TIME. IT'S JUST SIMPLY GIVING THE VOTERS THE CHOICE. AND WE CAN TALK ABOUT BRAIN DEVELOPMENT, AND WE CAN ALSO TALK ABOUT BRAIN DEGENERATION. THERE ARE PEOPLE THAT ARE OLDER THAT PROBABLY SHOULDN'T BE IN OFFICE EITHER. BUT WE LET THE VOTERS DECIDE. WE LET THE VOTERS DECIDE BASED ON THAT PERSON GOING OUT, REACHING OUT TO THEM, THEIR POSITIONS, AND A WHOLE HOST OF OTHER THINGS. LET THE VOTERS DECIDE. I GUARANTEE YOU THAT I WILL WORK VERY DILIGENTLY BETWEEN GENERAL AND SELECT TO ADDRESS THE ISSUES THAT SENATOR SCHUMACHER BROUGHT UP AND TO MAKE SURE THAT WE HAVE CONSTITUTIONAL LANGUAGE TO BRING THIS FORWARD. IF I'M NOT CONFIDENT OF THAT, I WILL NOT SUPPORT THE BILL ON SELECT. THANK YOU, COLLEAGUES. [LR26CA]

SENATOR SCHEER: THANK YOU, SENATOR MORFELD. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LR26CA]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, I'LL BE VERY, VERY BRIEF. THEY KEEP TALKING ABOUT SERVING IN THE LEGISLATURE. AND AS I SAID LAST WEEK, I DON'T HAVE A PROBLEM WITH 18-YEAR-OLDS SERVING IN THE LEGISLATURE. IF THAT WERE THE BILL, I'D PROBABLY SUPPORT IT. WHERE I HAVE ISSUES IS WHERE WE GO TO THE GOVERNOR, THE LIEUTENANT GOVERNOR, AND THE COURT SYSTEM. SO BEAR IN MIND, THIS IS NOT JUST ABOUT SERVING IN THE LEGISLATURE. IT GOES FAR, FAR BEYOND THAT. THANK YOU, MR. PRESIDENT. [LR26CA]

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SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD. SENATOR GROENE, YOU'RE RECOGNIZED. [LR26CA]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. IT'S DRY, ARID IN HERE. (LAUGH) AS I SAID YESTERDAY, I'M GOING TO VOTE...I TOLD SENATOR LARSON I'LL VOTE TO ADVANCE THIS. MAINLY, BECAUSE I WANT A LITMUS TEST TO SEE WHAT THE PEOPLE IN NEBRASKA THINK OF THIS. I WOULD HAVE PREFERRED THAT THE 18, 19, 20-YEAR-OLDS REARED UP, GOT UPSET ABOUT THIS AND ALL THE STUDENT COUNCILS WENT OUT AND GOT SIGNATURES AND PUT IT ON THE BALLOT. TO REMIND EVERYBODY, I SIT ON THE GOVERNMENT COMMITTEE, NOBODY TESTIFIED ON THIS. NO 18, 19, OR 20-YEAR-OLD, NO CIVICS TEACHER SHOWED UP AND THOUGHT THIS WAS A GOOD IDEAL. NOBODY SAID IT WAS A BAD IDEAL. NOBODY TESTIFIED. USUALLY, CONSTITUTION AMENDMENTS ARE DRIVEN BY THE PUBLIC. THE NEED THAT WE HAVEN'T SEEN THIS YEAR. THE OTHER DAY, PEOPLE WERE TALKING ABOUT INTELLECT, INTELLECT. WHAT IF THERE IS SOMEBODY SO SMART, SO INTELLECTUALLY IQ...WE USED TO HAVE AN IQ, AND THEY'RE 18. SO I LOOKED SOME FOLKS UP: EINSTEIN WAS 26 YEARS OLD WHEN HE CAME UP WITH THE THEORY OF RELATIVITY. HE WENT TO COLLEGE FIRST. ISAAC NEWTON, BORN 1643, 1687--HE WAS 44 YEARS OLD WHEN HE CAME OUT WITH HIS FIRST PAPER ON THE MOTION OF BODIES IN ORBIT. HE WAS 46 WHEN HE BUILT THE REFLECTING TELESCOPE. STEPHEN HAWKING WAS 32 WHEN HE CAME OUT WITH HIS FIRST PAPER, A LARGE-SCALE STRUCTURE OF SPACE VERSED IN TIME. INTELLECT EVEN NEEDS TIME TO MATURE. IT NEEDS KNOWLEDGE. IT NEEDS WISDOM. WISDOM COMES WITH AGE. THE ONLY...WHAT SCARES ME IS THE ONLY GENIUS THAT WE SEE AT A YOUNG AGE IS IN MUSIC BECAUSE THEY'RE DRIVEN BY THEIR PASSIONS TO WRITE LOVE SONGS. YOU DON'T SEE ANY OLD SONG WRITERS. THAT KIND OF PASSION WE DON'T NEED IN THE LEGISLATURE. BUT...OR ANYWHERE ELSE...BUT INTELLECT TAKES TIME TO MATURE ALSO. AND WISDOM TRUMPS INTELLECT. WISDOM, COMMON SENSE, WILL TRUMP INTELLECT ANY DAY OF THE YEAR. SO ANYWAY, DON'T TALK ABOUT HOW SMART THEY ARE. IT EVEN TOOK EINSTEIN UNTIL HE WAS THE AGE OF 26 TO BUILD HIS THEORY, TO PUT SOME THOUGHT UNDER IT. AND WHEN THE 18-YEAR-OLDS BANG ON MY DOOR, AS I'VE SAID BEFORE, WHEN I WENT DOOR-TO-DOOR, NO 18-YEAR-OLD WAS ASKING ME IF THEY COULD RUN FOR OFFICE. MOST OF THEM SAID, DUH. AND I TRIED TO TALK THEM INTO REGISTERING TO VOTE. BUT ANYWAY, I'M GOING TO SUPPORT IT BECAUSE I WANT TO SEE WHERE THE PEOPLE OF NEBRASKA FEEL ABOUT THIS ISSUE. SO THANK YOU. [LR26CA]

SENATOR SCHEER: THANK YOU, SENATOR GROENE. SENATOR BRASCH, YOU ARE RECOGNIZED. [LR26CA]

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SENATOR WATERMEIER PRESIDING

SENATOR BRASCH: THANK YOU, MR. PRESIDENT; AND THANK YOU, COLLEAGUES. I, AGAIN, WANT TO STRESS THAT LAST YEAR WE AGREED THAT THERE COULD BE A PROBLEM. I WANTED TO ADDRESS THAT MY GOOD COLLEAGUE, SENATOR LARSON HERE, I AM NOT SAYING THAT ALL 18-YEAR-OLDS, 18 TO 20 HAVE ALCOHOL-RELATED ISSUES. BUT THAT IS WHERE WE DO HAVE A CONCERN. AND THE TESTIFIERS ON SENATOR MORFELD'S BILL, THE UNIVERSITY, OTHERS, PROJECT EXTRA MILE, THEY ALL...THERE WAS SOME GOOD COMMENTS THERE. AND I JUST PULLED UP A TRANSCRIPT HERE THAT I WANTED TO READ FROM THAT SENATOR LARSON HAD SAID ON THE FLOOR: THANK YOU, MR. PRESIDENT. I RISE TODAY IN SUPPORT OF LB439. WE HEARD THIS IN COMMITTEE AND THE GENERAL AFFAIRS COMMITTEE AND IT WAS A GOOD HEARING AND IT IS UNDERSTANDABLE. THERE IS AN ISSUE HAPPENING AT THE UNIVERSITY, A SERIOUS ISSUE, AND THIS IS A GOOD FIRST STEP IN SOLVING WHAT'S HAPPENING WHEN IT COMES TO ALCOHOL ON THAT CAMPUS. THE UNIVERSITY, FOR THE LAST FEW YEARS, HAS TRIED THE PROHIBITION MODEL AND IT HAS FAILED. IT HAS LED TO PUSHING STUDENTS OFF CAMPUS AND INTO MORE DANGEROUS SITUATIONS. IT HAS PUSHED KIDS INTO NEIGHBORHOODS. SENATOR MORFELD'S NEIGHBORHOODS ARE CAUSING MORE PROBLEMS THERE. THIS CAUSED ISSUES IN THE DOWNTOWN. THE UNIVERSITY IS BEHIND THE TIMES. THESE STUDENTS ARE IN COLLEGE. THEY NEED TO BE EDUCATED ON HOW TO USE ALCOHOL PROPERLY, WHETHER THEY'RE 21 OR 18, IT'S GOING TO HAPPEN...IT'S GOING TO HAPPEN. TO TURN YOUR NOSE AND TRY THE ABSTINENCE ONLY OR THE PROHIBITION MODEL WILL NOT WORK ANY LONGER. SOMETHING HAS TO CHANGE ON CAMPUS. AND IF THE REGENTS AREN'T GOING TO DO IT, IT MIGHT BE US NEXT YEAR. KIDS ARE DYING AND THAT'S NOT OKAY. WE HAVE TO UNDERSTAND, WE HAVE DO SOMETHING. SOME THINGS COMMON SENSE WHEN IT COMES TO PROTECTING WHAT'S GOING TO HAPPEN. THAT'S FROM THE TRANSCRIPT LAST YEAR FROM SENATOR LARSON. I KNOW HE'S A VERY CARING SENATOR. HE IS TRYING TO DO A GOOD MEASURE HERE. BUT, ONCE AGAIN, WE RECOGNIZE, AS THE BODY, AND PASSED A LAW THAT EXPERIENCE OF 21 AND UNDER IS NOT THE SAME OR EQUAL. AND AS SENATORS, YOU ALL EXERCISE JUDGMENT IN MANY, MANY WAYS. AND SIMPLY SAYING THAT AN 18-YEAR-OLD IS ABLE TO MOVE FORWARD WITH DECISIONS THAT WE MAKE IN MANY, MANY AREAS--ON BUDGET, ON OUR LAWS, ON GOOD LAWS AND TRYING TO CHANGE LAWS, I BELIEVE, NEEDS TO COME AT A LATER POINT. COLLEAGUES, THINK LONG AND HARD BEFORE YOU PUT THIS ON THE BALLOT, BEFORE YOU VOTE IT OUT OF OUR COMMITTEE. WE ARE HERE TO MAKE SOUND

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DECISIONS. AND I BELIEVE THE SOUND DECISION IS WHAT WE WERE TALKING ABOUT A YEAR AGO. [LR26CA]

SENATOR WATERMEIER: ONE MINUTE. [LR26CA]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LR26CA]

SENATOR WATERMEIER: THANK YOU, SENATOR BRASCH. SENATOR MORFELD, YOU ARE RECOGNIZED. SENATOR MORFELD WAIVES. SENATOR LARSON, SEEING NO ONE IN THE QUEUE, YOU'RE RECOGNIZED TO CLOSE ON LR26CA. [LR26CA]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. JUST IN CLOSING, I WANTED TO RESPOND TO SENATOR KRIST'S COMMENTS, REAL QUICK, IN TERMS OF...THE INSINUATION THAT WE HAVEN'T DONE ANYTHING OVER THE WEEKEND. WELL, ONE, I HAVE TALKED WITH THOSE SUPPORTERS SUCH AS SENATOR MORFELD AND SENATOR HANSEN AND TALKED TO SENATOR MELLO THIS MORNING ABOUT WHAT WE NEED TO DO BETWEEN GENERAL AND SELECT. SECOND OF ALL, SENATOR KRIST INSINUATED THAT SOMEHOW THE EXEC BOARD DID SOMETHING FUNNY TO GET THIS REFERENCE BETWEEN...TO GOVERNMENT COMMITTEE THIS TIME VERSUS EXEC BOARD AND THAT HE HAD DONE HIS RESEARCH AND THE...WELL, THE PROBLEMS WERE WHEN THIS WAS INTRODUCED THREE YEARS AGO. WELL, HAD HE DONE THE RESEARCH, HE WOULD HAVE REALIZED THAT IT WAS JUST INTRODUCED BASED ON THE LEGISLATURE THREE YEARS AGO. AND WHEN WE INCLUDED EVERY OTHER OFFICE INTO IT, IT THEN BECOMES A GOVERNMENT COMMITTEE ISSUE. BUT WHEN IT'S JUST DEALING WITH THE LEGISLATURE, IT GOES TO EXEC BOARD. SO WE HEAR A LOT ABOUT THESE REFERENCING ISSUES. WE HEARD IT ON SIDs AND ELECTIONS EARLIER THIS MORNING THAT THE EXEC BOARD IS DOING SOMETHING FUNNY WITH REFERENCING. COLLEAGUES, THAT'S NOT THE CASE. THIS BILL, THIS RESOLUTION WAS WRITTEN THREE YEARS AGO DEALING ONLY WITH THE LEGISLATURE. THE CONCERNS THAT WERE BROUGHT UP THREE YEARS AGO WEREN'T THE SAME...THE MULTIPLE SUBJECT CONCERNS THAT WERE INSINUATED ON THE FLOOR. IT WAS JUST AN AGE CONCERN THREE YEARS AGO THAT WAS BROUGHT UP. SO I JUST WANT TO MAKE SURE THAT THAT IS CLEAR. THAT WE DIDN'T TRY TO MOVE THIS FROM EXEC BOARD TO GOVERNMENT SO IT COULD COME OUT. THEY ARE TWO, ACTUALLY, VERY DIFFERENT RESOLUTIONS. ONE ONLY DEALT WITH THE LEGISLATURE; THIS DEALS WITH EVERYONE. AND HONESTLY, I INCLUDED EVERYONE BECAUSE IT'S A PRINCIPLE. IT IS A PRINCIPLE

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THAT ONCE YOU HAD THE ABILITY TO VOTE, YOU SHOULD BE ABLE TO RUN FOR ANY OFFICE. I WILL WORK WITH SENATOR MORFELD AND SENATOR HANSON AND SENATOR MELLO AND WE'VE ALL AGREED THAT WE WILL MAKE THIS AS CONSTITUTIONALLY SOUND IN TERMS OF THE SEPARATE SUBJECTS THAT WE CAN. I UNDERSTAND A SPECIFIC ISSUE THAT SENATOR SCHUMACHER HAS. I DISAGREE WITH HIM ON SOME OF HIS OTHER SUBJECTS IN BREAKING IT INTO FIVE QUESTIONS, BUT I THINK HE HAS ONE LEGITIMATE ONE. AND I WILL WORK WITH SENATOR MORFELD, AS I SAID, AND LEGAL COUNSEL, TO ENSURE THAT THIS COMES CLEAN TO SELECT FILE. I APPRECIATE THE SUPPORT, I APPRECIATE THE SUPPORT THAT I'VE GOTTEN FROM MY COLLEAGUES. THIS IS IMPORTANT. AND I WOULD ASK FOR YOUR GREEN VOTE ON LR26CA. THANK YOU, MR. PRESIDENT. [LR26CA]

SENATOR WATERMEIER: THANK YOU, SENATOR LARSON. MEMBERS, AS A REMINDER, I WILL REMIND YOU THAT A LEGISLATIVE RESOLUTION TAKES 25 VOTES TO PASS ON GENERAL FILE. THE QUESTION BEFORE US IS THE ADVANCEMENT OF LR26CA TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE VOTE. SENATOR LARSON, YOU RISE. [LR26CA]

SENATOR LARSON: CALL OF THE HOUSE. [LR26CA]

SENATOR WATERMEIER: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. MR. CLERK. [LR26CA]

ASSISTANT CLERK: 36 AYES, 1 NAY TO GO UNDER CALL, MR. PRESIDENT. [LR26CA]

SENATOR WATERMEIER: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. MR. CLERK. SENATOR BOLZ, SENATOR BURKE HARR, SENATOR CHAMBERS, SENATOR HILKEMANN, SENATOR GROENE, PLEASE RETURN TO THE CHAMBER, THE HOUSE IS UNDER CALL. SENATOR GROENE, THE HOUSE IS UNDER CALL. SENATOR LARSON, WILL YOU ACCEPT CALL-INS? [LR26CA]

SENATOR LARSON: YES. [LR26CA]

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SENATOR WATERMEIER: SENATOR LARSON, A MACHINE VOTE? [LR26CA]

SENATOR LARSON: I HAD A MACHINE VOTE, I'LL ACCEPT CALL-INS. [LR26CA]

SENATOR WATERMEIER: MACHINE VOTE WITH CALL-INS. [LR26CA]

ASSISTANT CLERK: SENATOR CHAMBERS VOTING NO. SENATOR MELLO VOTING YES. SENATOR HOWARD VOTING YES. SENATOR COASH VOTING YES. SENATOR BAKER VOTING YES. SENATOR BOLZ VOTING YES. SENATOR DAVIS VOTING YES. SENATOR GROENE VOTING YES. [LR26CA]

SENATOR WATERMEIER: RECORD, MR. CLERK. [LR26CA]

ASSISTANT CLERK: 27 AYES, 11 NAYS ON THE MOTION TO ADVANCE, MR. PRESIDENT. [LR26CA]

SENATOR WATERMEIER: LR26CA DOES ADVANCE. MR. CLERK, RAISE THE CALL, FOR AN ANNOUNCEMENT. [LR26CA]

ASSISTANT CLERK: THANK YOU, MR. PRESIDENT. SERIES OF CANCELLATIONS AND RESCHEDULING OF COMMITTEE HEARINGS FROM THE APPROPRIATIONS COMMITTEE, FROM BANKING COMMITTEE, FROM THE EDUCATION COMMITTEE, THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE, AND FROM THE URBAN AFFAIRS COMMITTEE. AN AMENDMENT TO BE PRINTED FROM SENATOR KRIST TO LB505. I HAVE NOTICE OF COMMITTEE HEARING FROM BUSINESS AND LABOR, TRANSPORTATION AND TELECOMMUNICATIONS, EDUCATION, AND NATURAL RESOURCES, MR. PRESIDENT. IN ADDITION TO THAT, SENATOR FRIESEN HAS AN AMENDMENT TO LB311 TO BE PRINTED. THAT'S ALL I HAVE AT THIS TIME. (LEGISLATIVE JOURNAL PAGES 475-479.) [LB505 LB311]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: WHILE THE LEGISLATURE IS IN SESSION, CAPABLE OF CARRYING ON BUSINESS, I DO HEREBY SIGN LR419, LR420, LR421, LR422. MR. CLERK. [LR419 LR420 LR421 LR422]

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ASSISTANT CLERK: MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR EBKE WOULD MOVE TO ADJOURN UNTIL 10:00 TOMORROW MORNING.

SPEAKER HADLEY: YOU'VE HEARD THE MOTION. ALL IN FAVOR SIGNIFY BY SAYING AYE. OPPOSED, NAY.