

JANUARY 10, 2006

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January 10, 2006

SENATOR CUDABACK PRESIDING

SENATOR CUDABACK: Good morning. Welcome to the George W. Norris Legislative Chamber. Our chaplain of the day is Pastor Doug Griger, United Methodist Church; Alliance, Nebraska; Senator Louden's district. Pastor, please.

PASTOR GRIGER: (Prayer offered.)

SENATOR CUDABACK: Thank you, Pastor Griger, for being with us. Senator Louden is from the 49th District. I call the fifth day of the Ninety-Ninth Legislature, Second Session, to order. Senators, please check in. Record please, Mr. Clerk.

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

SENATOR CUDABACK: Are there any corrections for the Journal?

ASSISTANT CLERK: No corrections this morning.

SENATOR CUDABACK: Messages, reports, or announcements?

ASSISTANT CLERK: Mr. President, one item: Your Committee on Transportation and Telecommunications offers notice of hearing for Tuesday, January 17. That's all I have at this time. (Legislative Journal page 259.)

SENATOR CUDABACK: Mr. Clerk.

CLERK: Mr. President, at this time I have no new bills to introduce.

SENATOR CUDABACK: (Doctor of the day introduced.) Next agenda item, Mr. Clerk, adopt permanent rules.

CLERK: Mr. President, Senator Hudkins, as Chair of the Rules Committee, would move for the adoption of the permanent rules for the Ninety-Ninth Legislature, Second Session. Pursuant to that offer, I do have a series of amendments, as proposed by the Rules Committee. Senator, you want to take these up one at a time as we discussed? Mr. President, Senator Hudkins would move

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to amend the motion to adopt permanent rules with proposed change number one. That amends Rule 1, Section 17 of the permanent rules. (Proposal Number 1, Legislative Journal page 214.)

SENATOR CUDABACK: Senator Hudkins.

SENATOR HUDKINS: Thank you, Mr. President. If you have your Journals handy, you're only going to need, at this point, two pages, page 120 and page 214...well, three pages, 214 and 215. The 120 is the rules proposals as originally introduced to the committee. The committee did meet. There was lively discussion on all of the changes, and then on page 214 and 215 are what the Rules Committee did advance to the full Legislature. The first proposal is on behalf of Senator Brashear. Right now, the Speaker is authorized to designate for special...let's see, what's the word...major proposals, thank you...as major proposals senator priority bills or a general appropriations bill. He would like to add to that committee priority bills. So all we're adding is just one further group of bills that the senator...the Speaker may designate as a super priority, shall we say. And, Senator Brashear, if you would like to add anything to that, you may have the rest of my time.

SENATOR CUDABACK: Senator Brashear, you're recognized.

SPEAKER BRASHEAR: Thank you, Mr. President, members of the body. Thank you, Senator Hudkins. The reason for this proposal is a continuation of something I discussed with you several times last year, and that is to continue to focus attention upon the work of the committees. The rationale is simple. When the committees designate priority bills, they would have...those bills have the support of at least five or more members of the committee that is designating a committee priority bill. And last year, in my work for and with you, I attempted to emphasize, I put emphasis upon committee priority bills. It occurred...last year I did not designate any Speaker major proposals, but the fact of the matter is if there had been a need or a desire on the part of the body for me to do so with regard to a committee priority bill, I couldn't have done it. I think, as we move forward and continue to emphasize committee

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work, this rule makes sense and I urge its adoption. Thank you.

SENATOR CUDABACK: Further discussion? There are no further...Senator Hudkins, you're recognized to close. There's nobody wishing to speak. Senator Hudkins does not wish to close. Question before the body is, shall Proposal Number 1 be adopted? All in favor vote aye; opposed vote nay. Have you all voted on the issue who care to? Record please, Mr. Clerk.

CLERK: 28 ayes, 0 nays, Mr. President, on adoption of the Rules Committee Proposal Number 1.

SENATOR CUDABACK: The motion was successful. Mr. Clerk, please.

CLERK: Mr. President, the second proposal, as offered by the Rules Committee, involves amendments to Rule 3, Section 6 of the permanent rules. (Proposal Number 2, Legislative Journal page 215.)

SENATOR CUDABACK: Senator Hudkins, you're recognized to open.

SENATOR HUDKINS: Thank you, Mr. President. The second rule comes from the Retirement Committee. Senator Stuhr, as Chair of the Retirement Committee, and any members that are on that committee, they must find a time at noon sometime to meet, because they do not have a standing time like the Transportation Committee or the Ag Committee or whatever. So this proposal would eliminate the language that says, "except for the Nebraska Retirement Systems Committee, which shall meet as called by the chairperson." There was some research done and some floor debate checked, the transcripts were checked. In 1989 this same proposal was put forward, and it did pass, to allow the Retirement Committee to have their own special time, just like all the other committees do. Nothing was ever done, and so here we are, 20-some years later, and we're still the same thing, having to meet at noon, whenever they can. The teachers have their retirement, the judges have their retirement, and those conceivably, any bills relating to those two issues, could go to Education and Judiciary Committee. Well, that's why the Retirement Committee was formed, was so that all of these issues

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could go to the same committee. The Retirement Committee is the only committee that is specifically mentioned in statute, but yet it still does not have its own special time. So that's what this proposal would do. It would not take effect until 2007, next year, and it would give the Retirement Committee their own special time. The Proposal Number 3 would take care of the technique of this. So, Senator Stuhr, if you would like to add any further information, you may do so with my time.

SENATOR CUDABACK: Senator Stuhr, you're recognized.

SENATOR STUHR: Thank you, Senator Hudkins. Thank you, Mr. President and members of the body. I have served on the Retirement Committee for a number of years, and I have also had the privilege of serving as Chairman. I agree with what the proposal is before us and the fact that I feel it is imperative that the Retirement Committee have a special time and be treated as other standing committees and that we have that 1:30 designated time. We have very complex bills and right now we have one hour to address those bills. Last session we had 21 bills. We had to limit the time that speakers could speak because everyone knows we're in such a minute time slot. So also just sharing with you that we do look at the five different systems--the state employees, the county employees, school employees, the judges, and the State Patrol--so that is a lot to cover. Also, as I said earlier, I think, as we know, everything becomes more complex, and in this area it certainly has. We are also dealing with assets totaling over \$7 billion, and that...and we also have the plans of nearly 100,000 people, about 97,000 active, inactive, and retired members that we oversee and consider. So that is what we are asking as a body, that you would recognize the Retirement Committee and that the Committee on Committees would then select a time for the Retirement Committee to meet. So I ask for your support in adopting this rule. Thank you.

SENATOR CUDABACK: Thank you, Senator Stuhr. Senator Hudkins, did you wish to continue?

SENATOR HUDKINS: Yes, thank you, Mr. President, just to briefly summarize. As Senator Stuhr said, the Committee on Committees

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will be the responsible group to fit this in. There will be 20 new senators next year, and the schedule could be completely changed as we know it at the present. But the Committee on Committees will get the fun job to fit all of this in with the appropriate members on each committee, and I would urge your adoption. Thank you.

SENATOR CUDABACK: Thank you, Senator Hudkins. You've heard the opening. Open for discussion on the Proposal Number 2. Senator Schimek, followed by Senators Erdman and Schrock. Senator Schimek.

SENATOR SCHIMEK: Yes, thank you, Mr. President and members. I rise because I have a few questions about all of this, and if Senator Hudkins would, I'd like to address them to her.

SENATOR HUDKINS: Yes.

SENATOR CUDABACK: Senator Hudkins.

SENATOR SCHIMEK: Senator Hudkins, this same...well, not exactly the same, but it was established in 1989 that we should do this and, yet, it never happened. What kind of assurances do we have that anything would happen this time around?

SENATOR HUDKINS: Yesterday the Rules Committee met with the current Chairman of the Committee on Committees. Of course, next year we choose new leadership, but Senator Pedersen said that if he is Chair of the committee that it will be done.

SENATOR SCHIMEK: Okay. I appreciate that. And I did come to your Rules Committee hearing and I know that you dealt with four different proposals and I felt that if...and I said at the Rules Committee hearing, that if we were going to do anything that we needed to do it this year, and I was hoping for something a little bit broader. Could you explain to the body why the Rules Committee chose this route, rather than say Proposal 1, 2, 3, or even 4 I think? This is a little bit different from all of the proposals that were presented by Senator Erdman.

SENATOR HUDKINS: Some of the original proposals proposed

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putting together the Agriculture and Natural Resources Committees. There was objection to that. Senator Schrock graciously agreed that...not agreed, he gave forth this proposal that the Natural Resources Committee could do their work in two days if they had two full days a week to do it. So that is what we chose. We decided that since he had offered that proposal that we would take him up on it. Yes, their workload will be a little greater, but being on the Natural Resources Committee, I know that we can be efficient with our use of time, and hopefully we have gotten through the really controversial bills that we have had in that committee the last couple of years. That doesn't mean that there won't be more, but that was why we chose this route, because there was an offer.

SENATOR SCHIMEK: Maybe Senator Schrock will learn not to volunteer things. I remember he did that back in the redistricting in 1991, and the next thing he knew he was out of here. (Laugh) But anyway, Senator Schrock, that is very gracious of you. Okay. Again, I'd just like to reiterate, if we're going to ever doing anything about our committee structure, I think this is the time to do it. But having said that, I want to ask you then about...or maybe I should even ask Senator Pedersen, but I'm going to ask you about how you envision this working without really...well, first of all, where would...on what days would Ag Committee meet, and on what days would...on what day, I should say, would Ag Committee meet, and on what day would the Retirement Committee meet? Somebody suggested yesterday that it would make sense to put the Ag Committee close to the Natural Resources Committee so that people who wanted to serve on both of those committees could do it maybe more easily.

SENATOR HUDKINS: We did not determine that. That responsibility is really the Committee on Committees' duty to do. So there might be a...I mean, Ag is now on Tuesdays. It might be on another day.

SENATOR CUDABACK: One minute.

SENATOR HUDKINS: Natural Resources could be on Wednesday, Thursday. It could be on Monday, Tuesday. I don't know.

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SENATOR SCHIMEK: Okay. Another question that occurs to me as we're talking, we did put the Retirement Systems Committee in statute. There's a special committee bill that I introduced and was heard by the Executive Board a couple of times, it's out on the floor, and it would establish a State Tribal Relations Committee. That also is statutory. Is it just special committees that have to be done statutorily? Or why are some statutory and others are simply done by the Committee on Committees?

SENATOR HUDKINS: It's my understanding that the Retirement Committee was given statutory authority from the Senator Warner days. He thought that this was so important that he didn't want it to be where the Rules Committee could just get rid of it.

SENATOR SCHIMEK: So if we wanted to, we could put them all in statute.

SENATOR CUDABACK: Time, Senator Schimek.

SENATOR SCHIMEK: Is that time?

SENATOR CUDABACK: I did say time, yes. Uh-huh.

SENATOR SCHIMEK: Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Schimek. Further discussion? Senator Erdman.

SENATOR ERDMAN: Thank you, Mr. President, members of the Legislature. I'd like to thank the, first of all, thank the Rules Committee for their deliberations. And I know that we've had a discussion in the Executive Board about the makeup of our committees, and I know that the Rules Committee has deliberated both the afternoon that they had their hearing and since then, and I think they have worked to try to find some consensus. I rise in support of the second proposal, which simply allows the Retirement Committee to be designated their own committee day for hearing. So, according to what's before you at this moment, all we're doing is striking the language in the rules that say

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that the Retirement Committee shall meet at the call of the Chairperson. I think that's fantastic. I think it could go further than that, but I think we have to wait until the next proposal that is before us, to determine committee makeup, and then obviously it may have to go to the Committee on Committees. But as the rule that stands before you right now, Proposal Number 2, deals strictly with allowing the Retirement Committee to be designated their own day as a standing committee, which is in accordance with the floor debate that Senator Stuhr has distributed to the members of the Rules Committee and to myself, and I thank the Rules Committee for their effort in trying to come up with this. Thank you.

SENATOR CUDABACK: Thank you, Senator Erdman. Further discussion? Senator Schrock, followed by Senator Janssen.

SENATOR SCHROCK: Mr. President, members of the Legislature, Senator Schimek, I would like to correct something you said. I didn't voluntarily go in 1991. I wanted to stick around. But the dynamics were such that I was an appointed senator and the person that appointed me was no longer in the Governor's seat, and so I left, not voluntarily. And it was painful. But I came back. And it was pretty good situation because it allowed my sons to graduate from college and come back and kind of take over the farm and allowed me time to campaign, and I got to serve in another district. I haven't moved, but I serve a different district. And so it worked out well for me. The end result was fine, but at the time it was painful. I will tell you that. I'm not going to voluntarily give up a day for the Natural Resources Committee either. And, Senator Hudkins, you may say it was gracious on my part. I understand we have a problem here and I'd like to be a part of that solution, and the problem is the Retirement Committee needs a day, and I understand your committee wanted to take a Wednesday away from the Natural Resources. If the dynamics work that way, you're going to have the same committee members will be on the Natural Resources Committee that's on the Retirement Committee. I would not object so much if a Friday was taken away from the Natural Resources Committee. And you say we've solved most of the weighty problems. I disagree with you totally. I think the water issues are going to get tougher. I think the livestock

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waste issues are going to get tougher. I think the environmental issues are going to get tougher. They're not going to get easier. We may not have as many bills as some committees are referenced to. I would acknowledge that the Revenue Committee and the Judiciary Committee are probably busier. I would remind this body the subject areas that the Natural Resources Committee covers. We get all the public power issues. That's the electric industry in our state. We're the only 100 percent public power state in the nation and, because of that, our rates are probably 20 percent cheaper than the surrounding states. We get all the environmental issues; Department of Environmental Quality, over 200 employees. And if you think the environmental issues are going to get easier, I think you're wrong. I think you're dead wrong, and you know that. You're on the committee. And we can smile about this. I'm not going to be here next year. The Department of Natural Resources, a very important agency, oversight over our water, that's going to get tougher. And then we have the Game and Parks issues. Every year we seem to have a debate about park fees and hunting and fishing fees, whatever. It's always interesting, and we've got some interesting bills on Game and Parks this year. And I think you see...maybe what we need to do is get a lot of people to come down and testify this year and have our hearings last till 7:00 every evening, and then the Rules Committee might have a different opinion on this. But anyway, I have not voluntarily given up a day of the Natural Resources Committee. I did say that we could probably get our work done in less time if we had to, but I think the quality of the work we'll put out will suffer. If a day was going to be taken away from Natural Resources, I would certainly prefer it be a Friday rather than a Wednesday. Now that would be doable, but I don't know how you mix the two committees. That will be Senator Pedersen's problem, if he's around as Chair of that committee a year from now. So I'm not going to dwell on this. I'm going to vote red, not because I object to the Retirement Committee having permanent status. I don't want to object to that. Matter of fact, it needs its day in the sun. I think it could be a little more thought-out, and I would be glad to sit down with any of you and do that as the session proceeds. I think there's better ways to handle it than to take a...than to take a Wednesday away from the Natural Resources Committee. I

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think you'll really crowd it. Maybe we don't have as many bills as some committee, but there's some heavy lifting, there's some big bills. You know, just the water bill was 170 pages long. We got some heavy bills this year, too.

SENATOR CUDABACK: Thank you, Senator Schrock. Senator Janssen.

SENATOR JANSSEN: Thank you, Senator Cudaback, members of the Legislature. I understand the situation that Senator Stuhr is going through. I had chaired that committee several years ago, and trying to get all the members over the noonhour to agree to a time and try to get something done was next to impossible. At that time, we were in pretty good shape with the Retirement Committee or with the retirement system, and we didn't have the problems that she is incurring at the present time. Things were a lot better and, of course, and I believe they are going to get better as time goes along and we get over the initial problems that have been caused by the Rule of 85. Getting back to the committee structures, my staff has worked very hard on trying to develop something that within the next year or two is going to happen with the turnover of representatives in this state. I do believe we need to look at that very seriously. This is probably not the year to do that, but I believe next year we should put our thoughts together and work from a basic plan that I think is a pretty good plan on restructuring of our committees. And I believe, remembering that from last year, there was a spot on that plan for the Retirement Committee. You're going to...you're going to need more time. And, Senator Schrock, you're absolutely right. Natural Resources is just going to get busier and busier. It's too bad that you aren't going to be here, because you have a lot of knowledge and history of especially the water situation in this state. But I think we need to look down the road at restructuring of our committees. I am not saying we need more committees. I think we need less committees and broaden the agenda that those committees are responsible for. But Senator Stuhr, in the meantime I think we need to do something to get you a day so that you can solve more of the problems that will be coming before your committee. And with that, thank you, Senator Cudaback. Thanks for the time.

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SENATOR CUDABACK: Thank you, Senator Janssen. Further discussion? Senator Brown, followed by Senator Dwite Pedersen, Senator Erdman, Senator Thompson, Senator Stuhr, Senator Baker. Senator Brown. Senator Brown, did you...Senator Brown, you're recognized. I'm sorry. Senator Dwite Pedersen.

SENATOR Dw. PEDERSEN: Thank you, Mr. President, members of the Legislature. Being your current Chairman of the Committee on Committees, I wanted to make just a couple comments. First of all, remember the change of this rule would be for next year, not for this year. If I were to be the Chairman of Committee on Committees next year, because I do have two more years after this one to fulfill my term if, good Lord willing, I'm alive and here, I would not be the one who made that decision by myself. In fact, I don't mind telling you that I would be very incapable of doing that by myself. It would have to be done with your help and, most of all, with our very experienced, knowledgeable staff from the Clerk's Office. They would work at it over the session...over the interim, bring it back to us next session, and we'd have some ideas to work on. I am very supportive what we're trying to do here, and I do believe that Retirement Committee needs a day. I'm going to vote for the change and tell you that I would do everything I could to be fair and consistent in the way we work out the committee thing, and I would have a lot of help in doing that. Thank you.

SENATOR CUDABACK: Thank you, Senator Pedersen. Senator Erdman.

SENATOR ERDMAN: Thank you, Mr. President. Members of the Legislature, I'm interested, I guess, in the conversations that are going on. I'm not sure whether or not Senator Janssen is in favor or opposed to doing something this year, because in reality, if you don't do it now, you have to adopt this under the rules next year. And if you wait till next year to adopt this under the rules, then you've generally already organized your committees. And so it's important for us to do this now to begin the work that Senator Dwite Pedersen just outlined the process would follow, and that is we would adopt the change in our permanent rules as of today to lay the groundwork for the process of reorganizing the committees in order to accommodate the Retirement Committee for their day. It has to be done this

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year, because if you wait till next year then you have the question of how do we do this during the time when we've already tried to reorganize the committees? And you could always delay the Committee on Committees' report, but then that also then delays the opportunity for public hearing of those pieces of legislation that would be referenced. So if you think through it logically, the time to make the change would be now, okay, or we do nothing. Those are the two options. You can accept the idea the Retirement Committee would need to have the opportunity to be treated as every other standing committee in the Legislature and it be assigned today. Or we can adopt a wait-and-see proposal, and essentially that means we're going to do nothing and not address the problem that's been around for 20 years. Now, I've been on the Retirement Committee for five years. I've actually had the opportunity to serve as an interim Chairman in dealing with some of the issues between the session and trying to figure out how all that plays out. And now that Senator Stuhr is our Chairman, she has done an exceptional job of navigating the committee through the legislative process to ensure that the billions of dollars that we're responsible for have the appropriate time and consideration necessary, and a lot of the time that means during floor debate or that means before session or that means during lunch hours to make sure that we have the time to have Executive Sessions in order for us to deliberate over the plans and the contribution rates and the proposals that our state employees, our county employees, our teachers, and the judges are a part of. So think about this in a logical standpoint. This has to happen for it to be effective next year. It doesn't happen this year. The proposals that I submitted to the Rules Committee again would be effective next year, and there were four different proposals. If you'd like to see the caseload of different committees, we've got that for the last six years. We've got them averaged. I didn't distribute to the group because most of you probably don't want to see that information. If you'll interested, you'll come ask. But at the same point, when I go to a Rules Committee and I hear an offer that we could reduce a committee from one to another, that sounds to me like an offer. If I would stand on the floor and have a negotiation or a discussion with the senior member or any other member and say, I think we should find this middle ground, and would offer that and that would be agreed to, and then that

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would come out as an amendment and I would oppose that, then I wasn't serious in my offer. So I try not to make offers that I wouldn't accept. But again, that has to happen next year. That would happen during the interim. What we're voting on here today is not which committee goes where and what happens. We're recognizing a 20-year-old problem that this Legislature has discussed repeatedly and has, in fact, put in state statute that should happen, and that is the Retirement Committee needs a day. That's simply all Proposal Number 2 deals with. The arterial issues of who gets gored and which committee loses days, that's to be worked out later. The issue before you is to decide whether or not you agree with former Speaker Withem and others that debated on the floor with LB 189, and that you agree with the Rules Committee that the Retirement Committee needs a day--vote for Proposal Number 2. If you like the status quo and think, well, I'm not on the Retirement Committee, I don't care, and the \$9 billion that the retirement employee...the employees of the state, their plans, are governed under is a lunch committee, then vote no. But as for where I'm going to vote, I'm in favor of Proposal Number 2 and I think we have the insight, as members of the Legislature, to weigh through these issues of how to reorganize our committees. It will have to be done through the Committee on Committees. So focus back to what's before you. Proposal Number 2 is a proposal to allow the Retirement Committee a day, simply put. It doesn't get into these other issues of who goes where, which committee loses what. That will have to be sorted out at a later date.

SENATOR CUDABACK: One minute.

SENATOR ERDMAN: Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. Senator Thompson, followed by Senator Stuhr and others.

SENATOR THOMPSON: Thank you, Mr. President. I've been on the Rules Committee since I came to the Legislature, so these discussions that we're having this morning, we've had in that committee. We've had proposals over the years and I think one of the disappointments that I will have as a term limited senator is if we don't get to this issue this year. There are

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probably any...as many ways as you could organize those...the committees as there are numbers on a grid. What we sorted through was what we felt would be the best way to present to you, to the Legislature, to handle this issue. I've been on committees that have been three-day committees. I've been on Appropriations for the last few years. You know, I've met till, like you have, till 7:00 or 8:00 at night. It's just not predictable. It also isn't terribly predictable what's going to happen in a given year and what kind of issues will be before a committee. But we did look at the historical data on how many bills committees have, and I agree with Senator Schrock, the number of the bill, I mean, it could be a word, it could be multiple pages. If you were on...been on the Transportation Committee or the Health and Human Services Committee, either one, those are two I've been on where having 100-page bills is probably more common than having a short bill. What we need to do today is to acknowledge that the world has changed. When I was driving in this morning, I don't know anybody else who was driving in who commutes to the Legislature, I was listening to a story on the impact of recent changes in the way retirement is being calculated and how it's going to impact the states, and they were interviewing people from around the country about what a huge issue this is. I think what the rules change recognizes is that we need to make a change here because that committee needs the time. I believe that the Natural Resources Committee, of the committees that we looked at, and as Senator Schrock said to the Rules Committee, of the committees that we could take a day from, Wednesday through Friday, that is the most logical one to take a day from. And I'm sorry if maybe some days they're going to have to meet a little later into the evening. That's pretty much the norm for several committees that have lots and lots of bills that have come before them in the last few years. What this proposal that we put forward to you is, is a recommendation based upon the testimony we heard, based on the sort that we had of what the best options were. Obviously, nobody wants to give up a committee day. I think that's just going to be the fact. But the fact is, we're going to have to prioritize, and the Revenue...and the Retirement Committee needs this day. So we looked at multiple other options. I support the Rules Committee's recommendation. It will mean, if the day is sorted out, that the same people would serve on this

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committee as do on Natural Resources. The alternative option we looked at was moving Agriculture to the Natural Resources Committee. We believed there were going to be and historically have been a lot of people in the Legislature, a lot of committee trades that happen because certain people from certain geographic areas of the state want to serve on Agriculture Committee, so we didn't move that, which was a logical way to merge a committee. We looked at moving Urban Affairs to Government. We looked at a lot of other options there. What we are recommending is, based on the testimony and based on the discussion that we had, what we think is the best choice here, the least disruption to the committee process.

SENATOR CUDABACK: One minute.

SENATOR THOMPSON: I hope you'll support this proposal. I think this is a good solution to the problem. And I support the work of the Rules Committee. Thank you.

SENATOR CUDABACK: Thank you, Senator Thompson. Senator Stuhr, followed by Senator Baker and others.

SENATOR STUHR: Thank you, Mr. President and members of the body. I thank you for this discussion, and I thank Senator Erdman for his original proposal that he did a lot of work and a lot of investigation of all of the committees and the number of bills, and that certainly was helpful for the Rules Committee. I also want to thank the Rules Committee for their work on this issue. But again, just to emphasize that, as Senator Thompson said, we are living in a changing world and retirement issues have become more complex and more detailed as the years have gone by. As I was looking at the previous floor testimony, they were talking about \$1 billion in assets, and today we are over \$7 billion in assets. So that's just one example. Also, the Retirement Committee does involve the Investment Council. We do oversee the Investment Council as well as the retirement plans, and so that adds another dimension. We hear their yearly report and also do legislative work in that area. So just one comment on Senator Schrock's, which actually I believe we will be discussing when we get to the standing committees, is that I do not believe that a one-day committee will work as well on a

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Friday, just knowing human nature. I think there's more commitment in a two-day meeting, meeting on a Thursday and Friday, than there might be for a one-day meeting or a one-day committee meeting on a Friday afternoon. Thank you, and I do hope that you will support this proposal.

SENATOR CUDABACK: Thank you, Senator Stuhr. Senator Baker.

SENATOR BAKER: Thank you, Mr. President, members. I serve on the Rules Committee also and I've done that for a number of years, and I think there's no denying by anyone in the body that I've heard that Retirement does not need a day, specific day, for hearings. It's the only committee, set in statute back in 1989, and we haven't done a particularly good job of following what was laid out in that 1989 discussion and changed the statutes. They need a day. Now, I think what's key, and this has been brought up but we'll bring it up again, I think what's key here is the Committee on Committees. We are simply stating in this rule change that the Retirement Committee have a day. There's some discussion been had about whether you have it Wednesday or Friday, or what we do with Ag. We aren't going to do that. That's going to be Committee on Committees. And as I look over the current roster, next year there's 9 of the 13 Committee on Committees members are not going to be here, termed out, so I think it's necessary we get this intent in the exchange today so that they have some guidance. The people that do return on the Committee on Committees I think need to know that we have done a lot of research on this. Senator Erdman was particularly helpful in providing the number of bills referred...referenced to various committees and so on. And I'm not picking on the Natural Resources Committee, but for a three-day committee, they had, by far and away, the lowest total of bills. So we thought it logical to use one of those days as possibly a Retirement Committee day. And Senator Schrock, gracious or not, did bring that up. So whether it's a Wednesday, Thursday, Friday, or perhaps the Committee on Committees will do something entirely different and move something else around, who knows, but that's key. But our point...my point today is that we need to make sure that the intent is there that they do work on this over the interim, if we adopt this rule, and I highly recommend we do. Retirement

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needs a day. They... anyone who cares to see Senator Erdman's work, we can get copies of that for you. But I believe Retirement Committee had 23 bills referenced to them last session and they tried to address these bills over the noonhour and so on, and I can't imagine how it worked, but Senator Stuhr must have made it work because I think she got most of her work done. But they need a day. The intent would be to carve out a day from Natural Resources, but that is going to be left up to the Committee on Committees, quite frankly. We aren't... they could move something else around we haven't looked at, and during the interim they might come up with a different idea. But certainly today I would hope that we can adopt this Proposal Number 2 and thereby provide some guidance to that Committee on Committees, with all the new members it's going to have next year, and be sure that Retirement gets a day some place in the mix. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Baker. Senator McDonald, followed by Senator Hudkins and others.

SENATOR McDONALD: Mr. President, members of the body, life changes. Committees need to change to go along with that, because we in the state of Nebraska know that issues come and go. And with the downturn of the economy in the last few years, the Retirement Committee has had to spend extraordinary amounts of time trying to figure out how they're going to solve some of the financial problems of the Retirement Committee's, so they do need a day. They need a full day of committee. Where are we going to get the additional day without restructuring some of the other committees? With working with some of the other senators from other states, every state has their ideas of how they put their committees together, and so as you work with one committee and you try to find somebody from another state that works with that same committee, they don't have the same committees. Committees are different for different states. And I think that we need to certainly look at Natural Resources, but when we look at the numbers of the bills that are out there, I think it's important that we don't look at the numbers; we look at the issues that those bills deal with. And in Natural Resources I think the issues are getting more controversial every year, and as Senator Schrock mentioned, the livestock

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waste and the water issues. Even though the number of bills might not be there, the amount of debate that is necessary to come to some conclusions on those issues is going to be dramatic in the next few years. And so I would hope that the Committee on Committees would look at more than just the number of bills; they would look at the issues that they're dealing with. So I do support this proposal. I hope that the Committee on Committees does the best job that they possibly can, but as life changes, that doesn't mean that we can't change this in ten years, or even before, because issues change. Thank you.

SENATOR CUDABACK: Thank you, Senator McDonald. Senator Hudkins, followed by Senator Beutler and others.

SENATOR HUDKINS: Thank you, Mr. President. To Senator Schrock, I appreciate the fact that we do have weighty issues in Natural Resources. So does Education. So does Health and Human Services. And in reality, we don't know from one year to the next how many bills we're going to have in each committee or what the topic matter is going to include. For example, Senator Erdman did give the Rules Committee a caseload by the committees from the years 1999 through last year. I'm going to go through some of these, just give you some numbers. In...the first year is 1999, Agriculture had 27 bills. Their high was 2002, with 36; last year they had 21. Appropriations: 27 bills; their high was 42, low was 24; last year was 32. I'll skip around. Business: 21 in 1999; 49 last year. So they have been steadily increasing. Education: 78 bills, moving to 93, 46, 67 last year. Government, Military and Veterans Affairs: 98 bills, dropping to 65, and then last year 69. Health and Human Services: 64; their low was 48; last year 76. Judiciary is pretty steady, but they went from 186 in '99 to 139 last year. So there are differences every year, and just because you have a whole bunch of bills one year doesn't necessarily mean that you're going to have the same number of bills the next year. Can they be more thought provoking, more...needing more time, more complicated because you're working with other agencies? Of course they are, but just because...well, I won't go there. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Hudkins. Senator Beutler,

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followed by Senator Schrock.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, I'm in total agreement with regard to the need for Retirement to find a place, and I'm listening and think I like the overall proposition. What is troubling about the whole thing, though, is that it's not absolutely clear how things will lay out once the Committee on Committees comes into play and deals with things we're talking about today and things we think are going to happen, but don't necessarily have to happen when the Committee on Committees meets. So, Senator Hudkins, I'd like to ask you...

SENATOR CUDABACK: Senator Hudkins, would you respond?

SENATOR HUDKINS: Yes.

SENATOR BEUTLER: Next year, when this...when...if this change is made, will you be specifically recommending that the Retirement Committee meet on Friday in place of one day of Natural Resources?

SENATOR HUDKINS: Will I, personally, the Rule...

SENATOR BEUTLER: Yes.

SENATOR HUDKINS: Not necessarily. The Committee on Committees can look at all of that. Maybe the best day for Retirement is Monday. Maybe the best day for Urban Affairs is Friday. I don't know.

SENATOR BEUTLER: Well, Senator Stuhr, let me ask you. Are you going to be advocating that it's the Natural Resources' day that's going to be...or schedule that's going to be abbreviated. Is that right?

SENATOR CUDABACK: Senator Stuhr.

SENATOR BEUTLER: Isn't that the intent?

SENATOR STUHR: Well, that...

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SENATOR BEUTLER: Senator Stuhr.

SENATOR STUHR: ...that was the discussion that was in the Rules Committee, but actually I believe it says that the Committee on Committees makes the designations of when the committees will meet. So that's why, you know, we've been talking with the Chairman.

SENATOR BEUTLER: Okay. So by virtue of what we're doing today, we're not cutting the Natural Resources Committee to two days, nor are we doing...

SENATOR STUHR: No.

SENATOR BEUTLER: ...anything other than giving you a day some place.

SENATOR STUHR: Exactly. We are having some floor debate which may be referenced, you know, which is always...is always helpful. But what we have been talking about is Natural Resources Committee being a two-day committee. We also have other two-day committees. We have Education, we have Transportation and Telecommunications, and Banking, I believe, are the other two-day committees. So, you know, I think we did not explore all of the possibilities that were out there that the...and I would hope that the Committee on Committees would begin that exploration this year so that by...when they meet next, you know, at the beginning of the session, that there would be a plan set out.

SENATOR BEUTLER: So as...so far as you know, then, no member of the Rules Committee or of a standing committee, nor you, nor anyone else is committed to any configuration whatsoever other than getting the Retirement Committee one day, some day during the week.

SENATOR STUHR: We had the discussion in the Rules Committee, but then found out we actually didn't have the authority to set those days, is my understanding. You might confer with Senator Hudkins also.

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SENATOR BEUTLER: Okay. And what is your preferred day?

SENATOR STUHR: It could meet on any of the one-day, you know, committee--Monday, Tuesday. And, you know, we looked at the slot, as was said previously. We looked at moving Agriculture to Wednesday and having Natural Resources on Thursday and Friday. I mean, we looked at different scenarios. What we did I don't...I think I would say it would probably be in agreement in the Rules Committee that we thought that reducing Natural Resources to two days and that would open up one day for the addition of the Retirement Systems Committee.

SENATOR CUDABACK: One minute.

SENATOR BEUTLER: Okay. Let me...let me contemplate that, Senator. Thank you.

SENATOR STUHR: All right. Yes.

SENATOR BEUTLER: Senator Hudkins, thank you.

SENATOR CUDABACK: Thank you, Senator Beutler. Senator Schrock, followed by Senator Brashear.

SENATOR SCHROCK: Mr. President, members of the Legislature, I've had one-on-one conversation with Senator Pedersen, who's Chair of the Rules (sic) Committee. I think there will be alternate proposals put forward by the Rules Committee. I think there's something that can be acceptable to everybody. I'm not going to terribly object to this. But I do think if you, under the current proposal, if you would take a Wednesday away from Natural Resources it crowds the committee too much. I'm not saying we don't have the problems Retirement Committee does, because you do need a day. But I think this needs further thought, further discussion, and I think we can come to some amenable conclusion. Whether that happens this year or it starts next year, I don't know, but I would hope further consideration would be given to this, further thought. Sometimes I have too big a mouth. I say things I shouldn't say. I probably shouldn't have volun...I didn't volunteer a day. I

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just said that probably the Natural Resources Committee could do its work on a Wednesday and a Thursday, but I don't know. It's going to take away from some of the things we have to do, but I'm sure any committee Chair would say that. But I didn't see any other committee Chairs put their foot in their mouth like I did. And so you're all protecting your turf. I think that's...I think that's a given. So with that, I will be quiet and we'll see what happens as the session goes on.

SENATOR CUDABACK: Thank you, Senator Schrock. Senator Brashear, followed by Senator Kremer.

SPEAKER BRASHEAR: Mr. President, members of the body, the reason that we're--I can't resist this--the reason that we're paid the extraordinary sum of money that we're paid and our power must be term limited, as it must be, is because we get to make decisions like this. I urge that we not run from our fear but rather we race toward the challenge. The challenge is that our Retirement Committee needs the time. The responsibility is there. Dealing with the millions and millions and millions of dollars of liability is a fiduciary responsibility. We must face up to it. So rather than reacting to what we fear will come out of this, I urge the support of the Rules Committee work in support of the Retirement Committee and the adoption of this proposal, irrespective of any other, so that we can move forward positively to meet the challenge that is clearly before us, unless we don't want to see it. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. Senator Kremer.

SENATOR KREMER: Thank you, Senator Cudaback and members of the body. I guess I'd like to ask a few questions of Senator Hudkins, please.

SENATOR CUDABACK: Senator Hudkins.

SENATOR HUDKINS: Yes.

SENATOR KREMER: The Committee on Committees now would have a study during the interim. Would we authorize them to...what their decision is would be the final decision, or would it have

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to come back to the body to be voted on?

SENATOR HUDKINS: Senator Kremer, if the Committee on Committees' work came back with a different restructuring than what we're talking about today, then it would have to come back for a Rules Committee vote.

SENATOR KREMER: Okay. And this interim study would be after we adjourn this session?

SENATOR HUDKINS: That's up to whenever they want to have it.

SENATOR KREMER: I see a little problem with that. If they would come back with something different and the body would have to vote on that, then it would have to be voted on next year before committee assignments were made, before committee Chairmen were selected, and would, logistics, would that work, or...?

SENATOR HUDKINS: I think the changing of the days they can do, but if they would decide to merge any other committees, that might be a problem.

SENATOR KREMER: Okay. Because I just see that if it hasn't happened till this...other than the very first day almost, that it would be...logistics would be pretty difficult in selecting Chairmen and committees and committee assignments, too. So...but if it would get done...if the study could be done while we're still in session and toward the end of the session vote on what their proposal was, seemed like it would be a solution to that. I don't know if that would work or not, but the...but I do understand also, and as I went in and testified to the Rules Committee, as being Chairman of the Ag Committee, not trying to just protect my turf, which happens many times, but I think the Natural Resources Committee and the Agriculture Committee, both, have some pretty weighty issues and maybe it's not always just the number of bills but the time that it takes in working through these things and the difficulty in that, that they need time. But also, the problem if that person...those on the...or the Natural Resources Committee would have to be the ones on the Rules Committee, or they would, if Ag Committee would take a

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Wednesday and Natural Resources the other two days, would it be the same people on both? It would probably fit. Agriculture and Natural Resources would probably fit as well as any. So we would try to work with anybody, but we think one issue that was brought up is that each committee, and as we talked about this morning the committee priority bills holding a higher status than the individual priority bills, if you merge some committees then that eliminates a priority bill. That becomes pretty important to committees if you have something you're working on that's...for a long time, that you can prioritize that in a committee bill, so...or a committee priority. So I appreciate the Rules Committee and all the work they've tried to do and it can be worked out, I know. And so thank you for your answering my questions.

SENATOR CUDABACK: Thank you, Senator Kremer. Senator Schrock.

SENATOR SCHROCK: Mr. President, members of the Legislature, real quickly, just so you know, the Natural Resources Committee does have a lot of confirmation hearings with a lot of the boards that we work with. I know that we have at least 17 scheduled already this year, or 17 to be scheduled, and that takes some time. It's not real weighty but, as you'll notice, on the floor of the Legislature a lot of mornings I stand up here and tell you who's appointed to what board and ask for your approval. Most of the time it's not controversial, but sometimes it gets to be that way. So that's another consideration that maybe wasn't thought about. Thank you.

SENATOR CUDABACK: Thank you, Senator Schrock. Mr. Clerk, please.

CLERK: Mr. President, Senator Beutler would move to amend proposed amendment number 2.

SENATOR CUDABACK: Senator Beutler, you're recognized to open.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, I really do appreciate the work everybody has done, and I really would like to see it go through to fruition. And all my amendment does is to ensure that what we've spoken of today

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happens in almost the form that we're anticipating. So what the amendment does is simply say that the Retirement Committee shall meet on a Friday. The consequence of that, because of the structure of things, is that no other three-day committee can be reduced, simply because of the workloads, and so it ensures that the likelihood of Natural Resources losing a day and Retirement going on a Friday, just as was described to you, will in fact happen. Let me tell you why it's important, and I think we need to talk about this issue head-on. If Retirement is on a Friday and Natural Resources has two days, that means that the committee members will have to serve on the Retirement Committee and on the Natural Resources Committee. There are many, many urban legislators who are interested in Retirement. If Retirement is on that Friday, that combination will ensure a useful mix of urban and rural legislators on the Natural Resources Committee, and I submit to you that that is a particularly important thing in the time that's coming ahead of us. If, on the other hand, you don't do that, the danger exists that instead of Retirement Committee being on the Friday, Agriculture will be on the Friday. That will reinforce something that I think has not been a good thing in this Legislature, and it's the stacking of committees with those who are most interested in particular subject matter. And obviously I'm not saying that Natural Resources is the only committee in the Legislature that has that tendency. A lot of them, most of them have that tendency. The fact of the matter is, people try to get us interested in certain committees so that they can be strong in certain ways. But if we're opening it up to Ag on Friday, I don't think that's a beneficial thing. If everybody intends to carry through and continue this debate and follow through on what they've indicated, then my amendment should be no problem to anybody at all. Because, again, all it does is say Retirement will meet on a Friday. Thank you.

SENATOR CUDABACK: Thank you. You've heard the opening on the Beutler amendment to Proposal Number 2. Open for discussion. Senator Brown, followed by Senator Schrock. Senator Brown.

SENATOR BROWN: Mr. President, members, I am concerned that we are beginning to do the work of the Committee on Committees in the body. And we have a fairly straightforward question before

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us: Do we believe that the Rules Committee needs a day...I mean the Retirement Committee needs a day to do their work? That's all in the underlying proposal that we have before us. With the Beutler amendment, we have assumed the work of the Committee on Committees in putting together a proposal for how the...this day for Retirement shall be set up, and I don't think that that's necessary at this point in time. I think that what we need to determine is whether or not the...not just the workload but the amount of money represented in that work necessitates a day. So I will not be supporting the Beutler amendment, but I will be supporting the underlying rules change because I believe that we need to do that; that we needed to have done it some time ago. And I wish that at the time that this was first passed in 1989 it had been put in place. I think it would have made our lives much easier. But I think...I'm not saying that it's going to be an easy job for the Committee on Committees to figure out how to structure things, but next year, with the changes that we will be looking at in many ways in this body, I think it would probably be a very easy time to have it...have that change made. And so I will be voting against the Beutler amendment and for the underlying proposal, and I hope we can get to that proposal soon.

SENATOR CUDABACK: Thank you, Senator Brown. Senator Schrock, followed by Senator Stuhr and others.

SENATOR SCHROCK: Mr. President, members of the body, I think I will vote for the Beutler amendment, but not with a lot of enthusiasm. I think what we need to establish today here is that the Rules (sic) Committee does need their own day. I think we agree on that. One of the reasons I...I'm sorry. Retirement Committee needs its own day. One of the reasons I spoke up and was so gracious, as Senator Hudkins put it, and I don't think I was gracious about it, is because I did not want the Ag Committee and the Natural Resources Committee merged, and that proposal was there. And I'll tell you why. Maybe somebody with more ability than I have could handle both of those subject matters, but I think I've had my hands full with the water issues and with the livestock waste issues, not to mention all the Game and Parks issues. And, Senator Kremer, I think you're busy, and I do think the perception is that if we combine Ag

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with something else then this legislative body is saying agriculture isn't important. And so maybe more than anything I was playing defense for the Ag Committee. I did not want the Ag Committee and the Natural Resources Committee merged, and for whatever reason I'm glad the Rules Committee didn't do that. Senator Beutler, you raise an interesting question here, because you do have it correct. If you serve on the Natural Resources Committee, you'll serve on the Retirement Committee. And I can tell you in the past it's been very easy for the rural senators to trade for...to trade the urban senators--we'll give you Judiciary seats and we take Natural Resources seats. And probably isn't in the best interest of the state to have the Retirement Committee stacked with rural senators and not urban senators. Now, maybe, with the Retirement Committee meeting on a Friday and you have to serve on both committees at the same time, that will change. Do we welcome more urban senators on the Retirement...on the Natural Resources Committee? I would say so. I think urban issues are of great interest to those on the Natural Resources Committee, and one of the issues we haven't addressed yet. And if we don't do it this session, and I don't think we will, it's going to be very weighty, and that's the storm water issues and what happens to our...what happens to pollution when you're under construction zones and so on and so forth. The committee did tour Omaha, not this summer but the prior summer; saw construction sites, saw impoundments, saw recreation lakes, saw lakes that were meant for flood control. And so Natural Resources is just not a rural issue; lot of urban issues there. And so I thank you for bringing this amendment, Senator Beutler. Gives a little chance to contemplate more what we're doing, and I don't think we have...I don't think we understand all the ramifications of this.

SENATOR CUDABACK: Thank you, Senator Schrock. Senator Stuhr.

SENATOR STUHR: Thank you, Mr. President and members of the body. I stand in opposition to Senator Beutler's amendment for very similar reasons that Senator Brown stated, in the fact that no other standing committee do we state the day or the time that that committee is to meet. And what we are dealing with right now is just looking at...I forget which rule it is, but it is just striking that meeting over the noonhour. So I believe that

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it takes away the flexibility of the Committee on Committees if this amendment were adopted. Thank you.

SENATOR CUDABACK: Thank you, Senator Stuhr. Senator Beutler, on your amendment.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, you know, one thing that hasn't been discussed, I don't think, with respect to the Committee on Committees. It's a committee, as you all know, that really takes on importance once every two years, at the beginning of the session, but then recedes into the background for the rest of the session. But, if I'm remembering correctly...let me see, Senator Pedersen, are you the...you're the Chair of the Committee on Committees, are you not? If I'm remembering correctly, if you choose to switch around the days and give one committee more days and another committee fewer, or if you decide that a committee that meets on a Tuesday will still meet for one day but will meet on a Friday, for example, whatever decisions the Committee on Committee makes, this body, as a whole, has nothing more to say about your committee's decision. Isn't that correct?

SENATOR CUDABACK: Is that a question, Senator?

SENATOR BEUTLER: Senator Pedersen.

SENATOR CUDABACK: Senator Pedersen.

SENATOR Dw. PEDERSEN: Yes, Mr. President. You're...yes, you are right, Senator Beutler.

SENATOR BEUTLER: Okay. Thank you, Senator. And this doesn't have anything to do with your ability or inclinations, because we all know you have high abilities, but nobody knows your inclinations. So I'm just saying that to indicate that this has nothing to do with the people on the Committee on Committees. I couldn't even name them. But the point is everybody in here is going to have to live with whatever they do. It's not like, you know, here we are, deciding our rules today, but somehow the most important details of the rules are not going to come before you and, not only that, they won't come before you next year.

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So doesn't it make some sense to decide, as best you can, how you think you want it? Hence, my raising a question that involves an additional detail, but a very, very important one. You will have nothing to say about what the Committee on Committees does--nothing. So if you want to have a say, you ought to do it today. In addition to the rationale that I gave you before, let me also add this. I think it makes sense to say that their day will be a Friday, because if you're dealing with the Natural Resources Committee, that means they will lose the least time by making it a Friday. Because, as you know, the custom here is for the Speaker to take Fridays, occasionally, and to take Mondays, occasionally. Mondays doesn't affect a three-day committee on Wednesday, Thursday, Friday, obviously, as is the Natural Resources Committee, but if you want to ensure that the Natural Resources Committee has the most time possible in the two days that they have, then you ought to see that their days are Wednesday and Thursday. So what I'm suggesting to you not only has the deeper philosophic implication, which I wanted to be straightforward with you about, but it also has an important procedural and time argument to it which I think is also entirely legitimate. Thank you.

SENATOR CUDABACK: Thank you, Senator Beutler. Senator Dwite Pedersen.

SENATOR Dw. PEDERSEN: Thank you, Mr. President, members of the Legislature. I, too, stand in opposition, and not just because I'm Chairman of the Committee on Committees because, as I mentioned to you before, that position is one person. I would be, by myself, incapable of making them type of decisions. But the Committee of Committee...Committee on Committees is also made up, from each one of our caucuses, four of you. There's 12 other members who actually make most of the decisions on Committee on Committees. We would have to agree on how that was done when it comes to us next year, if we are on the Committee on Committees. Four from each caucus--that's a pretty good membership. So we don't have to make that decision today. That can be done then. We don't have any other committees in the rules like this. I don't think we need to do this. You need to trust the process that's already there and trust those people that you put in that process, which includes our very capable

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Clerk's Office and staff, to come up with what is best and bring us different scenarios of what might work. I don't want to handcuff anybody to anything in an amendment like this. We have to have some flexibility with the changes that may happen in the body itself. Protecting one turf from the other I don't think is what this is all about. This is about saying, does the Retirement Committee need a day? That I support, but restraining it any further I do not. Thank you.

SENATOR CUDABACK: Thank you, Senator Pedersen. Senator Hudkins, followed by Senator Erdman.

SENATOR HUDKINS: Thank you, Mr. President. I would like to go back on a statement I made a few minutes ago concerning the Committee on Committees' report and, if I might, I'd like to explain to you a little further what they do. The Committee on Committees' report is approved by this body and it contains the names of the members on the committees. The schedule of the committees is not approved by us, but it may be part of the report. And if there is a change in committees, the names of the members or a membership number, that is part of the rules and would require a change to the permanent rules. And now going to this particular amendment at hand, I appreciate Senator Beutler's trying to make our process easier, but I will be voting against this particular amendment. If you would look at Rule 3, Section 6, which is found on page 17, it says, "After consultation with the Speaker, the Committee on Committees shall publish a schedule of standing committee meetings, in such manner as to avoid, as far as possible, conflicts in the assignment of members to committees." If we would approve this amendment, that would be taking away the flexibility that we currently have. When the Rules Committee debated what to do about Retirement, we all agreed, yes, Retirement needs their own day. We decided, after Senator Schrock's comments at the hearing, to reduce the Natural Resources Committee from three days to two days. Our discussion was to give Retirement Wednesday. But after receiving further information, as Senator Schrock has said, you're taking their committee from a three-day to a two-day committee, and then if they meet on...this session, for example, has three Fridays, you're taking them to almost a one-and-a-half-day committee. And the fact that the Rules

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Committee cannot determine the schedule of the days of the committees, we are simply recommending that Natural Resources Committee goes to two days, and that would give Retirement their one day, and, again, with the responsibility going to the Committee on Committees to work it all out. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Hudkins. Senator Erdman. Senator Erdman waives his right to speak. Senator Schimek.

SENATOR SCHIMEK: Yes, thank you, Mr. President and members. I think, Senator Beutler, that I, too, am not going to support your proposal, not because I don't think it's good that we're talking about it and that we give, maybe, the committee some idea of what we think would work, but I'm not so sure but what we wouldn't want to move one of those Monday committees, one-day committees, over to Friday, and move the committee that handles retirement to Monday. I mean, I'm not sure that we want to lock it in like that, but I think that your rule proposal...or your proposal here is good because it gives us a chance to talk about the different possibilities. So I guess I am...I have some sympathy with what you're trying to do, but I think that we should leave it up to the Committee on Committees to make a decision. Thank you.

SENATOR CUDABACK: Thank you, Senator Schimek. Senator Beutler, on your amendment.

SENATOR BEUTLER: I'd waive.

SENATOR CUDABACK: Senator Beutler waives his right. Senator Erdman.

SENATOR ERDMAN: Thank you, Mr. President, members of the Legislature. I waived off because...earlier because Senator Hudkins had outlined some of the comments that I had. And in visiting with Senator Beutler, there may be a way to address the concern. One of the options that we obviously have, as members of the Legislature, is one of the first things that I learned, and that was when I was appointed to the committees that I was selected to, my first year in the Legislature I was cornered in

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the hallway by some of the senior members of the Legislature saying, I hear you're going to challenge your appointments. And I thought, wow, that's great; I didn't know I could do that; maybe I should do that. And they were thinking I was being smart-aleck and I was being serious, but in fact they had mistaken me for former Senator Quandahl who, at the time, was in the middle of a discussion and battle with Senator Brown about some appointments or lack of appointments to committees that they felt that they should have been on. We have the option of denying the Committee on Committees' final report, but, Senator Beutler is correct in our discussion, that only includes the membership. Okay? So we can say, no, we don't agree with the Committee on Committees' report on membership. Again, Senator Beutler is correct that they will set the schedule, but Senator Hudkins is also correct. It's in consultation with the Speaker. There is a way to resolve that. We could change that rule that says, in consultation with the Speaker and approval of the Exec Board, or there would be a way to resolve that. I am also concerned, though, as Senator Schimek is, that you would lock in this proposal. I appreciate greatly Senator Beutler's discussion that we have had, as well as his attempt to provide some clarity, which I think we're all grasping for in this discussion. The thing that I'll caution you on is, as you begin to come up with ideas of, well, we could move this committee to a Friday and this committee to a Monday, realize that you're still bound by the other committees. So if Senator Schimek wants to move, say, Business and Labor to a Friday and put Retirement on a Monday, the same people who serve on Natural Resources, if that's the proposed change, would have to serve on Business and Labor, because everybody else is going to be on Retirement, or Judiciary, or Appropriations, or Health and Human Services, or Government. So when you start the domino effect, you have to go down the line. And it's taken, you know, months for us, as my staff, to come up with a comprehensive approach. And then the Exec Board discussed it, the Rules Committee took days. This has been ongoing probably since the beginning of the Legislature, when they decided to go to a committee structure. So let's be careful about how far we go and what type of proposals we present, because in reality they may not be realistic. But if we do lock in dates in rule, it does eliminate or reduce our flexibility to try to address this

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specific proposal, which is simply to allow the Retirement Committee to have a day as a standing committee, which is what the other 13 committees have, and to be able to give the Committee on Committees the opportunity then to draw the schedule in accordance with the Speaker's wishes, according to our current rules, to meet the rules that are before you. So it comes back to what I said earlier. If you don't want to make any changes to the rules and you don't trust the Committee on Committees and you don't think that they are competent of giving us a proposal that balances out what the testimony here is on the floor today, then vote no. And if you vote no on Proposal Number 2, then you've solved that problem. I think that's a disservice to the Legislature. I think that's a disservice to the Retirement Committee. I think that's a disservice to the members of the state of...or the citizens of the state of Nebraska, whether they are members of our retirement plan or not. But that's my position. So I think we can resolve Senator Beutler's concerns and I think a lot of other concerns by doing it a different way than only specifying that the Retirement Committee meets on a Friday. So if we want to pursue that, which I'm willing to do with Senator Beutler or whoever else, I think we can go down that path, but realize there are checks and balances in place. They just may not be the exact ones that we would all like to have our hands on. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. There are no further lights on. Senator Beutler, you're recognized to close on your amendment.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, I don't know how you want to approach this. Obviously, what I'm suggesting is a little more detail than everybody is...at least most people that have spoken are willing to accept. On the other hand, unless somebody else is going to propose some other rule change today, I think it has been clarified for you that only the Speaker will have input with respect to which day the Retirement Committee occupies insofar as the Committee on Committees' decision. And so, if nothing else, I hope this debate highlights that responsibility and causes those of you who will be here to look at and be aware of and watch what happens. I don't know what you'll do about it if it's the wrong

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decision, because it will just happen, it will be done, and everything will have to flow out, because the committees will have to be immediately filled and you'll have to begin hearing bills right away. So I suppose it is technically possible there could be some early debate of the permanent rules next year, but probably not so, not as a practical matter. So I think I'll leave the amendment up there and your decision is basically this. It is not a decision as to whether the Rules (sic) Committee will have a date. They will have a day with my amendment; they will have a date without my amendment. With my amendment, you assure two things: one, that the day taken from Natural Resources will be the day they can most afford--a Friday--again, because you and I know Fridays are often taken by the Speaker as an extension of holidays during the session, and so a Friday is always the day when a Wednesday-Thursday-Friday committee does the least work. So it has that very positive thing that you can control right now. And by indicating that it's Friday, again, for all practical purposes, that means it will indeed be the Natural Resources Committee that will give up the day. So that part of the proposition is assured by you voting today for this amendment. And finally, by virtue of this amendment, you can assure yourself that the Natural Resources Committee, as it will come to exist in the next few years, will have a good mix of people on it. If you do not vote for the amendment then it's possible for other one-day committees to be switched around into that slot and, instead of making that a broadly representative community...committee, it could...it could become an even more self-interested kind of committee. And in light of the decisions that that committee needs to make in the next few years, that would not be a good thing to happen. You know, we...I think we came into this debate thinking this is a little procedural thing, this is a thing...

SENATOR CUDABACK: One minute.

SENATOR BEUTLER: ...about spending some time, who gets to spend time at a natural scheduling date, and that is the main problem. However, do not think for a minute that these kinds of changes do not have a profound change on how issues evolve in this body, because those kinds of changes can and do affect; those kinds of procedural issues do affect how the Legislature is organized,

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how people flow to the committees, how the various philosophies flow to the committees and, consequently, how legislation...what kind of legislation is likely to come out of committees. And especially in this situation where you're...where you're...that you're talking about, where, if it's done as described, the membership of one committee must necessarily...

SENATOR CUDABACK: Time, Senator Beutler.

SENATOR BEUTLER: ...be a member of the other committee, then that is a very locked-in situation. So I would ask for your approval of the amendment to further clarify the situation. Thank you.

SENATOR CUDABACK: You've heard the closing on the Beutler amendment, which is an amendment to Proposal 2 to the permanent rules. All in favor of adoption of Beutler amendment vote aye. I should remind the body it takes 25 votes on amendments, not the 30. All in favor of the Beutler amendment vote aye; all those opposed, nay. We're voting on the Beutler amendment to Proposal Number 2. Have you all voted on the Beutler amendment who care to? Please record, Mr. Clerk.

CLERK: 3 ayes, 22 nays, Mr. President, on the amendment to Proposal Number 2.

SENATOR CUDABACK: Motion was not successful. Back...Mr. Clerk, do you have anything else on Proposal Number 2?

CLERK: I have nothing further at this time, Mr. President.

SENATOR CUDABACK: A light did just come on, so we're back to discussing Proposal Number 2. Senator Erdman.

SENATOR ERDMAN: Thank you, Mr. President. Members of the Legislature, I've visited with Senator Beutler briefly and I'll offer this idea. Maybe it's...maybe it's appropriate and maybe it's not. I think Senator Beutler has legitimate concerns on what the recommendation would entail. Does it entail something that we all have an opportunity to come back and discuss? Or is it something that if we adopt Proposal Number 2, it simply goes

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to a group of senators and individuals on the Committee on Committees; they make the final say and that's it? An alternative to that might be this. Under the same section, Section 6, under "Meeting Times," which is the proposed rule before you on page 215 of your Journal, the current rule states that after consultation with the Speaker, the Committee on Committees shall publish a schedule of standing committee meetings. One alternative may be to add the words, after the comma on "with the Speaker," "and the approval of the Executive Board." Granted, it doesn't bring it back to the entire Legislature as the full Committee on Committees report would. What it does do, however, is ensure that when the Committee on Committees takes the rules that are going to be proposed and hopefully adopted today and tries to implement them, that there will be another check in that process to make sure that the schedule that is submitted has another set of eyes and another group of discussion before it actually becomes part of our process. And I'll offer that to you. This is...there's no lights on. This...we may go to a vote here on Proposal Number 2. But that may be an opportunity for us to remedy the situation. I think Senator Beutler has brought up a valuable point, and it's something that as the...as a member of the Legislature that presented the proposal to the Rules Committee, was somewhat surprised that there wasn't more specificity in the proposal before us. But recognizing the different responsibilities of the Committee on Committees and the Rules Committee, I realize that this is in the purview of the Committee on Committees. If this is the way for us as the Legislature to ensure that the work of the Committee on Committees meets another set of guidelines and another set of scrutiny to make sure that it is in accordance with either our discussion here or in the information that's available to make those decisions, I think that would be something that would be appropriate to consider. So that's an idea. If you would like to visit with me about that, we can do that. But I just thought I would throw that out for the sake of the discussion. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. There are no further lights on. Senator Hudkins, the Chair recognizes you to close on your (inaudible). Senator Hudkins waives closing. The

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question before the body is, shall Proposal Number 2 be adopted? All in favor vote aye; all those opposed, nay. It does require 25 votes. Have you all voted who care to? Please record, Mr. Clerk.

CLERK: 31 ayes, 0 nays, Mr. President, on adoption of Rules Committee amendment number 2.

SENATOR CUDABACK: The motion was successful. Proposal Number 2 has been adopted. Mr. Clerk, please.

CLERK: Mr. President, the third amendment from the Rules Committee involves an amendment to Section 3, Rule 3. (Legislative Journal page 215.)

SENATOR CUDABACK: Senator Hudkins, you're recognized to open.

SENATOR HUDKINS: Thank you, Mr. President. The third proposal, as found in your Journal on page 215, changes the numbers of members on committees. Specifically, the Government, Military and Veterans Affairs currently has eight members, they would go to seven; and the Health and Human Services Committee currently has seven, they would go to eight. And Retirement, since they are the committee that is in statute--statute says six members, we're wanting to move them to eight--if this proposal passes, there is a bill ready to be introduced to change that statute. The reasoning behind increasing Health Committee members by one is that, taking nothing away from the Government, Military and Veterans Affairs Committee by any means, but the Health and Human Services Committee deals with big dollar amounts, and so it was felt by the introducer of this proposal that there should be one more person making the decision on...helping make the decision on that committee. So with that, Senator Erdman, are you here? Would you like to speak to this?

SENATOR CUDABACK: Senator Erdman, would you like to use some of Senator Hudkins' time?

SENATOR ERDMAN: I would. Thank you, Madam Chairman, Mr. President. The proposal that's before you was part of a package that I had presented to the Legislature. I think

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Senator Hudkins has adequately outlined it. I know that in the past couple of sessions, we've had great interest in serving on the Health Committee, and I think that that was part of the basis for my recommendation of adding the additional member, again, not taking anything away from the Government Committee as far as their responsibilities, but as far as a higher threshold. And I think as you look to the future of the issues that the Health Committee is going to address, having an eight-member committee raises that bar from a four-vote advancement to a five-vote advancement, and I think that requires greater consensus, and I think that requires greater coordination within the committee to deal with the proposal before it comes out on the floor. So I would stand in support of Proposal Number 3. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. Senator Hudkins, are you...were you finished with your opening? You've heard the opening. Open for discussion on Proposal Number 3. Senator Schimek.

SENATOR SCHIMEK: Yes. Thank you, Mr. President and members. I'm not going to be...try to be too parochial here this morning. I did say to the Rules Committee that I would be opposed to reducing the numbers on the Government Committee if we were to do something that was broader-based than this, if, for instance, they did decide to try to incorporate the Urban Affairs Committee into the Government Committee so that that would increase the workload substantially. I should point out, in all fairness, that the Government Committee generally has more bills than Health and Human Services, and in fact, sometimes by a substantial amount. In 1999, for instance, we had 98 bills; Health and Human Services had 64. However, there were two years in which Health and Human Services had three or four more bills...actually four and seven more bills than we did. But generally speaking, Government Committee runs a lot higher in the numbers of bills. I'm not certain that it makes a huge difference whether you have a seven-member committee or an eight-member committee if you have committee members who are willing to be present and to hear the bills and to participate in all the committee discussions. And so the upshot of this is, I'm not going to protest this particular move. I recognize that

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Health and Human Services Committee does deal with a lot of money bills. That's true. I do think that Government Committee deals with a lot of complex issues. I can't think of anything that was more complex or harder to do than the city-county merger bill that we did several years ago. We have some tough issues, too. So I guess I'll leave it to the body. I'm not protesting this move. If it were to do so even though it were being merged with another committee, I would be...I would really be talking loudly and clearly about not doing it. So with that, Mr. President, thank you very much.

SENATOR CUDABACK: Thank you, Senator Schimek. Further discussion, Proposal Number 3? Are no lights on, Senator...Senator Chambers, your light did come on, so you made it before the bell.

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I was talking to Senator Erdman about a proposal he's considering, so I need to get clear on what we're talking about here. So I'd like to ask Senator Schimek a question.

SENATOR CUDABACK: Senator Schimek.

SENATOR SCHIMEK: Yes.

SENATOR CHAMBERS: Senator Schimek, is this the proposal that would reduce the number on the Government Committee to seven, and increase the number on the Health and Human Services to eight?

SENATOR SCHIMEK: That is correct.

SENATOR CHAMBERS: Excuse me. I was over here stepping on the foot of my seatmate. (Laugh) Look, you know what, if...this has been established by doctors. If I were to grow in proportion to the size of my feet, I would be the tallest basketball center in the history of the National Basketball Association, and I don't know how many inches over that, but he is above seven feet right now. So if I happen not to control them and put these boats on my seatmate's foot, it's not intentional. Maybe I need to put some kind of radar device so I

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can detect human flesh in front of my feet. Senator Schimek, how do you feel about this? I heard you say you're not really going to fight it hard.

SENATOR SCHIMEK: That is correct, Senator. If...and I said this to the Rules Committee. If they were going to go with one of the proposals that incorporated Urban Affairs Committee bills into Government Committee, that would be a substantial increase in workload, and I would have fought to kept the eight members. I wanted to say to them, and I did say to them, that if they did something as little as providing for the Retirement Committee, then I didn't think I would have a huge problem. But I would like to point out that the Government Committee generally does have more bills, and sometimes substantially more, than Health and Human Services. But I do recognize that their issues are sometimes the kinds of human issues that involve money and that involve long hearings and those kinds of things, so I can understand the desire to have eight members on that committee.

SENATOR CHAMBERS: Senator Schimek, on occasion, I have brought a bill which wound up before your committee, and five votes, under the current system, would be needed to advance a bill.

SENATOR SCHIMEK: That's right.

SENATOR CHAMBERS: Isn't that true? If that number were reduced to seven, I would then have one fewer nut to crack?

SENATOR SCHIMEK: (Laugh) That's exactly right, Senator Chambers.

SENATOR CHAMBERS: Thank you, Senator Schimek.

SENATOR SCHIMEK: You're welcome.

SENATOR CHAMBERS: That is an allure that I find irresistible. I am a pragmatist, I am a realist, and for that reason I'm going to support this proposition. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Chambers. Senator Stuhr, Proposal Number 3.

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SENATOR STUHR: Thank you, Mr. President and members of committee. I thought it might just be appropriate at this time to talk about the "statutorial" language that is in statute now in relationship to the Retirement Committee. And the Rules Committee is making some proposal to that statute. But in statute it says we will select five members plus the Appropriations Chair. And I think it was the agreement of the Rules Committee that we would take that number out of statute and just say, shall select its members who shall serve, which then...I know we are, and I will be supporting the rule that changes the Retirement from six to eight, although I think the Committee on Committees could still use some flexibility, and they would have to come before the Legislature next year to change that number. But it would be a rule change instead of a "statutorial" change. So I will be supporting this rule change. Thank you.

SENATOR CUDABACK: Thank you, Senator Stuhr. Further discussion on Proposal Number 3 to the permanent rules? There are no further lights on. Senator Hudkins, you're recognized. Senator Hudkins waives closing. The question before the body is, shall Proposal Number 3 be adopted? All in favor vote aye; those opposed vote nay. Voting on the Proposal Number 3 to the permanent rules. Have you all voted on the proposal who care to? Record please, Mr. Clerk.

CLERK: 33 ayes, 0 nays, Mr. President, on the adoption of proposed amendment number 3.

SENATOR CUDABACK: The motion was successful. Proposal Number 3 has been adopted. Mr. Clerk, new bills, please.

CLERK: Mr. President, some items, if I may. New bills. (Read LB 998-1005 by title for the first time.) Mr. President, I also have two amendments to be printed: Senator Baker to LB 77A, and Senator Baker to LB 249. (Legislative Journal pages 260-262.)

Mr. President, the...excuse me. Mr. President, the next amendment I have to the rules is by Senator Chambers. Copies have been distributed to the members on the floor. (Legislative

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Journal page 262.)

SENATOR CUDABACK: Thank you, Mr. Clerk. Senator Chambers, you're recognized to open on your motion.

SENATOR CHAMBERS: Mr. President, members of the Legislature, this is an amendment to the rules which would strike from the rules the position of Chaplain Coordinator. This proposal that I'm offering, in a way, goes back to a period when two "Chrishian" gentlemen were battling in a very acrimonious manner to have the paid position of praying over the senators every morning. It split the Legislature. Senators were arguing back and forth. One had been the chaplain for a long time, and he was paid \$300-something a month to come in here and pray over the senators. Ultimately, I filed a lawsuit in federal court to get rid of the paid chaplain, the printed prayer books, and the prayers. What the district court ruled was that prayers in legislatures have been going on for so long and they have no religious significance whatsoever, they serve a secular purpose, that the prayers could continue to be mouthed, but the preacher couldn't be paid. I think during my testimony I had mentioned how the "Holly Bible" says: Freely you received; freely give. So if they freely received all this stuff from God, then they ought to at least be willing to pray for nothing. And the prayers accomplish nothing anyway. The matter was appealed to the U.S. Supreme Court. The Supreme Court said that not only could the prayers be uttered, but you can pay the rascal for praying. Before it went to the U.S. Supreme Court, some of the senators decided that not paying the prayer, "pray-er," was a good thing, so the Legislature got away from paying a "pray-er." And they also decided it would be best not to have a formal "chap-lain." They created the position of Chaplain Coordinator, and this was a guy who was supposed to trawl, or troll, the churches and see if some people could be found who'd come over here and pray over the senators for nothing. Well, as they began to come over here and pray, they found out they were praying basically to the chairs, to the desks, to the walls, to the ceilings, to the pillars, to the flags, but very few senators, who were insistent on having prayer every morning, were here. They were all some place else, doing things that were far more important than participating in their "Chrishian"

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ceremonies. There was some ire that I felt when the U.S. Supreme Court ruled as they did. At that time, the Chief Justice of the Supreme Court was named Warren Burger. So I wrote a rhyme to him, and addressed it to "Warren Burger and the French Fries." And this is what I wrote. First of all, let me digress. Why will I take the Legislature's time to do this? Because you all invite me to do this every day you invite a "pray-er" to stand up there and occupy that podium, which we don't let ordinary citizens do. A person couldn't just come here and say, I have a problem that is tearing up my family, tearing out my heart, and I want to stand up there for three minutes and address the Legislature. And we'd turn thumbs down and say, no way. But then any preacher can come up there, whether he or she is ragtag, bobtail, or whatever else. And the vast majority are "Christians." So this was the rhyme. God is a...oh. To which God shall the legislative chaplain pray? God is a Baptist, a Methodist. No. Clearly, God's a Catholic, Jewish. Not so. God's Episcopalian, Bhagwan, a monk. Seventh-day Adventist, Isis. You're drunk. God is a Buddhist, Taoist. That's loony. God's Presbyterian, Lutheran, a Moonie. And by the way, had Senator Combs been among us, I would have put "an E-pistol-palian" in there instead of "Episcopalian." Let me continue. This is serious business. Surely God's a Hindu, a witch doctor crazed. No, God is a Muslim; Allah be praised. God is Christian Scientist, Apollo, a faun. God is Greek Orthodox, Irish leprechaun. Unitarian, Mennonite, Mars, humanist. God is a pilgrim, says John Wayne. No, fundamentalist, says Falwell et al. Dutch Reformed, Mormon, New England Quaker. Amish, tiki, totem, Legba, Zeus, Ra, Shaker. God is Hiawatha, Moloch, coffee bean. Earth, sea, sun, chromosome, a gene. God is Osiris, Asmodeus in a bottle. Aphrodite, medicine man, Quetzalcoatl. God is straight, hermaphrodite. No, gay. Cannibal, vegetarian, anyhow or way. Prayers to, arguments about God bring confusion. Animosity and hatreds, bitterness, delusion. For you see, God has no traits; none be hers or his. God is nothing more nor less than what the believer is. One may deem God physical, another poltergeist. "Burger and the Fries" did rule that every god is Christ. And not everybody believes that. And I do take offense every time somebody stands up there and promotes the "Christians" religion, every time somebody says "in the name of Jesus Christ"

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or "the son of God," and promotes their religion. I want somebody, as I suggested the other day, to come here and pray to the mouse god. And how many of you would be offended? You've seen a mouse. You haven't seen God, have you? And if you say you have, they got a place where they'll take you and put you away. So I think we should get rid of that Chaplain Coordinator position. How much time do I have, Mr. President?

SENATOR CUDABACK: About two and half minutes, Senator.

SENATOR CHAMBERS: Two and a half. I think I can read this little item in that amount of time. It's from the Lincoln Journal Star, dated February 26, 1981, perhaps before some of the people in this Chamber were born. "What Ernie hath wrought" is the caption of the editorial. This is in the nature of an interim report, one-third of the 1981 Nebraska legislative meeting having been put into the history books as of Tuesday. Before the session, you will recall, Senator Ernest Chambers was successful in his federal court lawsuit. He booted the legislative chaplain off the public payroll. There was no poll taken as to public reaction. Our sense of it, however, was that many Nebraskans were not pleased. Some even were, well, hostile toward Chambers. Headlines focused on the senators' curbed ability to reward the chaplain with tax dollars. Far less mentioned was U.S. District Judge Warren K. Urbom's fairly direct and important, quote,...or, underlined, warning, that limiting the chaplaincy chores to the representative of a single church, even if unpaid, was a constitutional risk, too, and a federal judge recently ruled, when it's dedicated to one particular religion, not just one church. And here it's the "Chrishian" religion, and you all know it. With the Reverend Robert Palmer of Lincoln Westminster Presbyterian Church...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...now serving as Chaplain Coordinator rather than chaplain, what's been the denominational spread during the first 30 days of the current Unicameral? A curious check reveals a clerical and religious diversity unknown in the past. The Reverend Palmer has delivered the morning prayer nine times. Presbyterians, therefore, still have a clear edge. But there

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also were prayers pronounced by ministers of the Roman Catholic Church, Methodists, Assembly of God, United Church of Christ, and Lutheran churches, and single appearances in the legislative Clerk's station by clergy of the Baptist, Jewish, Church of the Nazarene, First Christian, and Episcopal faiths, plus Senator Myron Rumery of North Platte on one occasion, the Reverend J.B. Rowe (phonetic), listed as doctor of ministry, and Dr. Dean Hubbard, president of Lutheran...of Union College. Thanks to Senator Chambers' protest in the federal courts, there has now been a broadening of denominational representation.

SENATOR CUDABACK: Time, Senator.

SENATOR CHAMBERS: We suspect fair-minded Nebraskans probably would applaud that.

SENATOR CUDABACK: You've heard the opening on the Chambers amendment. Open for discussion. Senator Chambers, you may continue.

SENATOR CHAMBERS: Thank you. I don't believe that Christianity or any religion has any place in the legislative body. But when you all inject your religion into this place on the floor of this Legislature where we deal with the kind of issues that we deal with, my presumption is that you know what your religion means to you, you know what the Legislature is, so when you bring it here, you expect me to treat it just like I treat everything else on this floor. And Catholics know how I treat their church when they come stumbling in here with their lobbyists. It's just a political action group, and I treat them like that when they stick their nose in here. If they don't want me to bother them, stay in the church, stay in the cathedral, stay in the booth where they forgive people's sins, but don't come trotting in here and expect me to sit back and accept it quietly. This is dated January 6, 1981. Headline: Chambers' prayer battle nets several hate letters. A hand...by the Associated Press. A handful of thoughtful letters and some 20 pieces of hate mail have come to State Senator Chambers since the publication of news accounts concerning his legal battle to end prayers in the Nebraska Legislature. Quote, from Chambers, the irony of all this mail is that it has come as a reaction to

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my attempt to eliminate praying in the Legislature. If the majority of this mail indicates what the Christian religion and prayers are about, I would say that the country would be benefited by the total abolition of all religion. Chambers is the only black member of the Nebraska Legislature. Many of the letters contained racial epithets, from Christians, defending God and his right to be here. Letters have been received from California, Florida, and a few from other states, but most have come from Nebraska. So when I call this a racist state, I know what I'm talking about, and this is just one of the issues where the racists have come out of the woodwork in full force. But it's ironic that it's in connection with their religion and their belief in Christ. They're setting a fine example, as Laurel and Hardy would say. Chambers said he received at least 30 letters, and they are still arriving each day, concerning the issue. Quote, some I did not keep because they were too vile even to show anyone. He allowed a reporter to read 26 letters he had on hand in his Capitol office. Fifteen of them criticized him, some in profane terms. Chambers said he was willing to release the letters for publication, quote, because I am always interested in making Christians aware of what their Christian brothers are doing in the name of religion, unquote. He received several letters Monday, including one that said, stay out of prayers or someone don't shoot you. I want Senator Combs to keep that in mind, if they were packing. You see what their attitude is? That's their attitude where religion is concerned. Let them carry pistols, these crazy, nutty Nebraska racists. Another which he handed a reporter said, it's just about time to play cowboy and the N-word. This is what I deal with in this white society. You all couldn't take what I take and function like I do here, be the only one out of 49. Why, you leave here crying and whining right now, and you're in the majority. You could not deal with what I deal with and function, not one of you. Didn't Jack Nicholson say something like that in a movie? You cannot deal with the truth. You couldn't deal with my truth, the reality that I confront at the hands of your white Christian brothers and sisters in this racist state. But let me continue. Chambers was philosophical about the mail, saying he had been through this before, including threats on my life when I have spoken out about religion and other matters. When the economy is bad and people

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are aware of their personal failures and shortcomings, it is therapeutic for them to have a concrete individual toward whom to...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...direct their hatred and frustration, Chambers said. That individual is me. Chambers said the court case indicated the prayers were regarded as secular, quote, and almost everyone involved in defending the prayers acknowledged they were as worthless as I maintain they are. Brothers and sisters, I ain't through.

SENATOR CUDABACK: You may continue, Senator Chambers. Your light is next.

SENATOR CHAMBERS: (Laugh) Thank you, Senator Schrock. Let me collect my wits. I have an article here that's more toward the present. It's dated March 4 of the year 2000, and it's headlined: A moment of prayer at the Legislature. It's from the Lincoln Journal Star, by Bob Reeves. At 9:00 a.m. each day the Legislature is in session, Lieutenant Governor Dave Maurstad or senator designated as presiding officer calls the body to order. Only a handful of senators are at their desks on the floor. And they fight tooth and nail to keep this prayer going, but they don't come to it. They know, they're just like me, and they're glad that I gave them a reason not to come here, and they had their fingers crossed and they were praying that I would succeed and they wouldn't have that ritual up there every day, but they lacked the courage or whatever it takes for a white person to say what they honestly believe publicly and what they often share with me in private. God sees you. You say you believe in God. Senator Friend I know does, because he'll get angry. You got to have religion to get as angry as he gets sometimes. Let me continue. More are still in their offices, talking on the telephone, meeting with constituents or lobbyists, or maybe in the Capitol cafeteria grabbing a sweet roll or doughnut. What do you think God thinks of you doing that? Does he give you indigestion? But in the background, via closed-circuit television, they hear the presiding officer introduce the chaplain of the day, and then comes the prayer. It's a ritual

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that some senators appreciate, others ignore, and at least one finds extremely offensive. Guess who that one is. (Humming "Jeopardy") You give? Think about it. I'm not going to give you the answer. On a typical day last month, the Reverend Lowell Hennigs of Lincoln's Our Savior Lutheran Church stepped to the podium and gave a short but well-crafted invocation. He asked God to, quote, bless those who hold office in our state, and those who serve in our Legislature, that they may do their work today and each day in a spirit of wisdom, kindness, and justice. You know from being around here his prayer certainly wasn't answered. Help them use their authority to serve faithfully and to promote the general welfare, unquote. In accordance with official guidelines, the prayer made no reference to any topic on the senators' agenda. Hennigs explained that in preparing the prayer, quote, I looked at the guidance we get in our own Evangelical Lutheran Church in America hymnal and prayer books for praying for those in elected positions. From our Lutheran tradition, we understand that God works not only through the structure of the church, but also through secular institutions. Hennigs said, prayers in the Legislature are appropriate, he said, because, quote, "Christians"...Christians are players in...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...the public square, and have a set of values that should be expressed. And in the public squares of old, they entertained by burning people at the stake because they disagreed. And the Catholics called it an auto-da-fe, an act of faith. And they'd turn the person, supposedly, over to the civil authorities to burn the individual to death, because in their Christian, hypocritical tradition, they had prayed for the person's soul, and perhaps burning the person alive would cleanse him or her enough so that God would let that person come into heaven. An act of faith. Let me continue. But the minister said he intentionally omitted the name of Jesus, something he would normally include in a prayer, out of respect for the diversity of the group. So he respects the diversity of the group...

SENATOR CUDABACK: Time, Senator Chambers.

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SENATOR CHAMBERS: ...more than he respects his Jesus. That's it?

SENATOR CUDABACK: That is.

SENATOR CHAMBERS: Thank you, Mr. President.

SENATOR CUDABACK: And that was your third time, Senator.

SENATOR CHAMBERS: I know.

SENATOR CUDABACK: Senator Thompson, you're recognized.

SENATOR THOMPSON: Thank you, Mr. President. This is probably something I wouldn't do if I weren't a term-limited senator, so I will preface that. But I do think it's important for the people who go forward in the Legislature, especially after all of the group that's been here for a while have been term-limited out. You know, I've listened to some of the prayers over the years. Sometimes I get here; most of the time I don't come down on the floor for that. But I have been offended by the people who have come in and used that opportunity to lecture the Legislature on legislation. That is more appropriate to the hearing process. And there are people who have strong opinions. But when you invite them down here to speak, and when we as a body set the parameters...obviously, when somebody gets on the mike up there, they can do whatever they want. But over the years, people have used that to chastise the Legislature, to reflect a particular political point of view. And I realize that in their role as clergy they have teaching responsibilities to their congregations. But I don't think that particular political positions are appropriate to the prayers to the Legislature in the morning, and I have found those inappropriate over the years. But back in...I'm so old that we actually had prayer in the public school when I was in junior high. And instead of a prayer, it was a moment of silence, and perhaps that reflection is something we might want to consider in the future. I know that that probably will never happen. But I do think that there...it's important when we consider Senator Chambers' motion here...and I know he gets a little further out

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on the edge of these things than a lot of us do. But I think we've had some problems, they're very legitimate, that have happened with people coming in, using that opportunity to lecture the Legislature on political propositions, and I have a concern about that happening. I don't know if it's happened prior to my being here, but it certainly did happen while I was here. Thank you.

SENATOR CUDABACK: Thank you, Senator Thompson. Further discussion on the Chambers amendment. Senator Kruse.

SENATOR KRUSE: Mr. President, thank you. I do not want to remain silent in this discussion, being a pastor, and persons wondering what I'm thinking about Senator Chambers' comments. I strongly support Senator Chambers' comments. They are right on target. I listen to the prayers each morning very carefully, analyzing them silently. Take this morning as an example, but it could also be yesterday. There was no Christian reference in either one of them. This morning the pastor signed off by saying, we are your children. That is a universal concept among...almost universal concept among religious groups. I, too, find it offensive when somebody tries to drag in a Christian concept or something, or when somebody tries to inform God on what God should be thinking. We need help here. I'm a deeply spiritual person and I believe that the prayers help us concentrate on who we are and the spiritual help available to us, when it is not sectarian. So I strongly commend to you the words that you've heard. Thank you.

SENATOR CUDABACK: Thank you, Senator Kruse. Further discussion on the Chambers amendment. There are no lights on, Senator Chambers. I will recognize you to close on your amendment to the permanent rules.

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Thompson and Senator Kruse. And Senator Thompson, before you came, they would lecture and bring up things that were totally inappropriate. And maybe if they had left that stuff out, I wouldn't have developed as strong a negative reaction to the praying as I have developed. I would have just said, that's white folks' mess, that's how they do things, so let them do it.

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If their religion means no more to them than to bring it in here and have it tainted and tarnished in this kind of environment, all they're telling me is that it's worthless, it doesn't mean anything. Their Jesus is right in there with waste treatment plants, cattle feeding, all of the issues we deal with. And you know good and well, just like I do, that Jesus has nothing to do with what happens in this Legislature, if he's anything like what the myth and the legends say. But let me continue. Many senators appreciate that consideration, meaning that a preacher get up there and won't talk about Jesus. But it does not influence Omaha senator Ernie Chambers, who professes no religion, but is one of the most frequent Bible quoters in the entire body. I do that to try to use the language that these people supposedly understand, and according to which they allegedly direct their lives. But when I see them full of old John Barleycorn, I wonder just how much impact Jesus has. Maybe when they're running around with these lobbyists and getting ready to turn up another one, they ought to ask, what would Jesus do? They sure don't want to ask that. What they would say is, Jesus ought to mind his own business and stay in the church and stay out of politics. Then leave him out of this Legislature. I don't go sticking my nose in the church. I don't ask the preacher to let me come up there and give my views to his congregation. Then stay in his congregation. He doesn't need to come over here. Nobody is influenced by anything any of these preachers will have to say. Let me continue. Chambers pointedly stays away from the Chamber during the prayers as an act of protest. But he listens on TV, and often refers to them during legislative debate. During his recent filibuster on a bill that would give landlords new powers to evict renters, Chambers commented, quote, every morning, even though I don't participate, somebody stands up here and prays, and most of them wind up invoking the name of Jesus. But after the invocation is over, then Jesus is evicted from the Legislature, just like they want to evict these poor tenants, because we now get down to business, and this is the business Jesus does not know anything about. In 1980,...I hope you all are upset that I'm taking this time, because I'm upset every time you invite these preachers in here, and I'm going to take my time and your time. And I don't care if those of you who have left the floor have left it. You're out there listening. I know you're listening and

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watching. I can sense you out there. I sense evil spirits when they're present, and they're present and abroad in the senators' offices this morning. You know you're listening. I've been around here so long, I know your ways better than you do. Continuing: In 1980, Chambers filed a suit against the prayers and the \$319 per month that the Reverend Bob Palmer, then minister of Westminster Presbyterian Church, was paid...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...to give the daily invocation. A federal appeals court ruled the prayers were proper, but state funds could not be used to pay the chaplain or publish the prayers. Palmer continued as Chaplain Coordinator without pay until he left Lincoln in 1987 to lead a church in Florida. And since my time is up, just about, I'll stop there, and resume when I have another opportunity. Thank you, Mr. President.

SENATOR CUDABACK: You're welcome. You've heard the closing on the Chambers amendment to the permanent rules. The question before the body is, shall the Chambers amendment be adopted?

SENATOR CHAMBERS: (Microphone malfunction)...for a call of the house.

SENATOR CUDABACK: Been a request for a call of the house. All in favor of the house going under call vote aye; these opposed vote nay. Record please, Mr. Clerk.

CLERK: 14 ayes, 1 nay, Mr. President, to place the house under call.

SENATOR CUDABACK: The motion was successful. The house is under call. All unauthorized personnel please leave the floor. Unexcused senators report to the Chamber. The house is under call. House is under call. All unexcused senators please report to the Chamber. Senator Cunningham, Senator Landis, would you check in, please. Thank you. Senator Schimek, would you check in, please. Thank you. Senator Burling, please. Senator Preister, Senator Stuthman, Senator Synowiecki, and Senator Bourne. Senator Engel. I'm sorry. You are here.

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Senator Cunningham. Senator Cunningham. Senator Stuthman, Senator Synowiecki, and Senator Preister. The house is under call. Senator Stuthman and Senator...Senator Synowiecki, the house is under call. All members are present or accounted for. The question before the body is, shall the Chambers amendment be adopted to the permanent rules. All in favor vote aye; all those opposed vote nay. You may now vote. Have you all voted on the issue who care to? There's been a request for a roll call vote. Mr. Clerk, when you get time, please call the roll on the question before the body.

CLERK: (Roll call vote taken, Legislative Journal pages 262-263.) 8 ayes, 29 nays, Mr. President, on the amendment.

SENATOR CUDABACK: The amendment was not adopted, and I do raise the call. Mr. Clerk, next item.

CLERK: Mr. President, the next amendment is by Senator Erdman. (Legislative Journal page 263.)

SENATOR CUDABACK: Senator Erdman, you're recognized to open on your amendment.

SENATOR ERDMAN: Thank you, Mr. President. Members of the Legislature, prior to the Chambers amendment, we were discussing the committee structure for the Legislature, and Senator Beutler had offered us a proposal to name the date that the Rules...that the Retirement Committee would meet. And one of the proposals or the ideas that I presented to the body was adding the language, and it's still in the same Journal page if you want to go back to page 215, after Rule 3, Section 6, instead of the consultation with the Speaker, and then Committee on Committees would set the schedule for the standing committee, the new language would be added, "and with the approval of the Executive Board." To be honest with you, I can go either way on what's before us. I think this helps clarify a concern that Senator Beutler brought up, and maybe others have, about having a check and balance in place about how this would come back to us and what the process would be. I fully recognize that the Committee on Committees is a special committee of the Legislature that's

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responsible for setting this time in consultation with the Speaker. But in the attempt to try to provide some additional clarity or oversight that may bring some comfort to the body, I would propose this language to be added. Again, it would read: After consultation with the Speaker and with the approval of the Executive Board, the Committee on Committees shall publish a schedule of standing committee meetings, in such a manner to avoid, as far as possible, conflicts in the assignment of members to committees. Standing committees shall meet at 1:30 p.m. on weekdays, unless otherwise approved by the Legislature. Essentially, that would be the change to Section 6 of Rule 3. I would encourage your adoption. I believe that it furthers the attempt of Senator Beutler to try to provide some better oversight for this process. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Erdman. You've heard the opening on the Erdman amendment to the permanent rules. Open for discussion. Senator Chambers. Did you mean for your light to be on?

SENATOR CHAMBERS: Yes, Mr. President. Senator Erdman, this is the proposal that you had discussed with me earlier? I'm going to support Senator Erdman's proposal. I don't see where it would create any difficulty. But I'm going to listen to the debate and see if there might be. I have another amendment up there which is going to give me an opportunity to discuss this Chaplain Coordinator thing again, and I will not cloud the discussion over Senator Erdman's issue with those very strong feelings that I have. But I'll tell you what, a whole lot of hypocrites voted the way they did, because you're never up here for the prayer, and every one of you who voted against my proposal ought to be here for that prayer, but you know you're not going to be here. Hypocrites. Why call you me, Lord, Lord, and do not the things that I say? With your mouth you acknowledge me, but your heart is far from me. That's from your "Bible." You know why I quote it here? Just like your preachers' prayers, it doesn't mean anything to you. But I like to whip you with it. You were beaten with scourges; I shall beat you with scorpions. That's from the "Bible." And "scorpion" in that context was not the little creature with a sting in its tail. Find out what a scourge was, then do a

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little checking to find out the difference between a scourge and a scorpion. But when the "Bibble" uses it in that fashion and says, you'll get B rather than A, you can bet that B is going to be far worse than A. So there is a place reserved for the hypocrites. I would that you were hot or cold, Senator Friend, but since you're lukewarm I will spew you out of my mouth, says the Book of Revelations. Oh, this religious stuff is fun for me. And if you all keep it coming here every day, I'm going to try to remember what I'm saying here, because I'll have something to say by way of rebuttal every day. When the President says what he's got to say on television, the other side gets to say what it has got to say. And until all of you start coming to this Chamber every morning to listen to that prayer, you're a bunch of hypocrites. You know that, and I know it, and you know who you are, and everybody is going to know, because I got a record up there. When you approach Saint Peter at the pearly gates--and I never read that in the "Bibble"--it's going to be like this cartoon, with different wordings, that Senator Schrock gave me this morning. You have to talk to Senator Schrock, though, to find out what it says, because he gave it to me without authorizing me at the same time to reveal it, and I don't want to be accused of doing something like Karl Rove and these other people, who leak confidential information to the media. But I do support Senator Erdman's proposal. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Chambers. Further discussion on the Erdman amendment. Senator Beutler.

SENATOR BEUTLER: Senator Cudaback, members of the Legislature, I would just thank Senator Erdman for paying attention to the debate and offering something that appears to me to be constructive. I hope you'll adopt it. Thank you.

SENATOR CUDABACK: Senator Beutler, I could not...you're finished? Thank you. Sorry about that. Any further discussion? Seeing no lights on, Senator Erdman, you're recognized to close.

SENATOR ERDMAN: Thank you, Mr. President. Again, I would encourage your support of this. I think it does accomplish more

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of what Senator Beutler was attempting, and that is better oversight into this process, to ensure that we have a little insight into how the Committee on Committees may lean in resolving the rules issue...the rules that have been adopted. Mr. President, I would ask for a call of the house.

SENATOR CUDABACK: There's been a request for a call of the house. All in favor of the house going under call vote aye; those opposed vote nay. Record please, Mr. Clerk.

CLERK: 20 ayes, 1 nay to place the house under call.

SENATOR CUDABACK: The motion was successful. The house is under call. All unauthorized personnel please leave the floor. Unexcused senators report to the Chamber. The house is under call. Senators, please return to the Chamber and record your presence. The house is under call. Senator Langemeier, Senator Cornett, Senators Schrock, Landis, Price, Senators Chambers, Synowiecki, and Bourne. Senator Langemeier, Senator Price, Senator Synowiecki, and Senator Bourne, the house is under call. Senator Langemeier. All members are present or accounted for. A board vote has been requested. All in favor of the Erdman amendment vote aye; all those opposed vote nay. Have you all voted who care to? Record please, Mr. Clerk.

CLERK: 31 ayes, 3 nays, Mr. President, on adoption of the amendment as proposed by Senator Erdman.

SENATOR CUDABACK: The motion was successful. The Erdman amendment has been adopted. I do raise the call, please.

CLERK: Mr. President, the next amendment I have to the rules, permanent rules, is offered by Senator Chambers. (Legislative Journal page 263.)

SENATOR CUDABACK: Senator Chambers, you're recognized to open on your amendment.

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, this amendment would strike Section 22 of Rule 1, which says the following. "Chaplain Coordinator. The Chaplain

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Coordinator shall work in conjunction with organized Nebraska groups of Clergy to arrange for prayer at the beginning of each day of the legislative session." What is an organized Nebraska group of clergy? Doesn't that language in and of itself restrict the pool of those who can come and pray? Now, I know you all are not going to be here when the prayer goes forth. I know it doesn't mean anything to you, and it certainly means nothing to me other than a constant irritant. But why should only organized groups be allowed? It's like saying only certain designated religions, those that are recognized by the mainstream white people who dictate everything. This is another white "Christian" exclusionary approach, but because it's you all and you think everything you do is right because you do it, it's got to stay here. Sometimes, brothers and sisters, friends, enemies, and neutrals, you ought to do what's right because it's right, instead of putting it backwards and say it's right because you do it. Look at how you've messed up the world everywhere you've gone, everywhere, everything you've touched. You cannot point anywhere in the world where your official representatives went and left it better than it was before they came. They undermine governments, they assassinate leaders, they destroy economies, they ridicule and try to destroy the heritage, the traditions, the cultures of other persons. Now you have a set of circumstances where an abhorrent practice further undermines the notion of ecumenism. You're going to limit this activity of praying over people who are not going to be here to those who are members of operations whose clergyperson belongs to an organization. Suppose there happens to be a church group or religious sect which does not belong to one of these clergy organizations. They're out automatically. That what you all intend to do with your religion? Your religion is always exclusionary? They must be comfortable to you? They must be acceptable to you? They must be approved by you? I thought God was the one this stuff is all about. And what did your Jesus say when his disciples wanted to call fire down on people? He...Jesus said, leave them alone, let the wheat and the tares grow side by side, and when time comes to separate them, I'll do that. I don't trust you fools to do that. I see how hateful you are, I see how narrow-minded you are. You will not do the separating; I shall separate them. So another time, these suckers who had been walking around with

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Jesus liked the miracles that he worked, so when there were some people not saying it exactly like they thought it should be said, as you all don't want certain people up there saying it the way you all want it to be said, you know what those disciples said? We're going to call fire down from heaven on them. And Jesus was saying, good God almighty, you've been walking around with me all this time and all you can think of is calling fire down to burn people alive? Haven't I had any more influence on you than that? So you know what Jesus told the fools? Leave them alone. They'd be blind leaders of the blind. If the blind lead the blind, they'll both fall in the ditch. That should satisfy your lust for vengeance sufficiently. But you're not going to be calling fire down on people. So there were some others who were stumbling around with their views on religion, trying to imitate what Jesus talked about, and again these guys got upset, because they weren't saying it just the way Jesus said it, the orthodoxy was not there, as you want orthodoxy up there by saying in your rules the Chaplain Coordinator can find somebody who is connected with an organized Nebraska group of clergy. Organized. So you know what Jesus told them, trying to make them understand? They're not speaking against me; they're just saying it a different way. If they are not against me, they are for me. And they still didn't get it. You all don't get it. But you all don't care. You're narrow-minded, you're exclusionary, you want your "Chrishian" way to prevail. But I'm going to make it as hard for you as I can, and this day will not be the only day I'll talk about it. You need to get rid of that rule. You can still have your Chaplain Coordinator. You ensured that. But even getting rid of the Chaplain Coordinator would not mean you couldn't have your prayers. You could still go through your hypocritical rituals. And since the court said these prayers are secular, you all say they're secular, let somebody come up there and say, abracadabra. It has as much status as your prayers. Let them say, open sesame. That has as much meaning as your prayers, and it won't alienate people, unless they like cracked wheat better than they like sesame. But they can work that out. You say "tomayto," I say "tomahto." But when we look at what we're talking about, we see it's the same thing, so you can go ahead and say "tomahto," and I'll say "tomayto," or say "potahto" instead of "potayto." But don't spell potato with an "e,"

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unless you're Dan Quayle, Vice President of the United States. And when you're a white man, you can be so ignorant you cannot spell potato. But if you're a white man, you can be Vice President of the United States, as he was, but if you're a female or anybody nonwhite, they want to set up all these hoops you must jump through. You must be more qualified than anybody. Then you still don't get the job. Then look at whom they hire. They hire nincompoops and idiots. You can look around here at the people who are hired. They don't know anything. Not all of them; some do. Listen to those who come before our committees and work for these companies, and how they stumble and fumble their way through their testimony, can't answer questions or won't answer them. And here I am, a black man, looking at all of these supposedly superior white people. And this that I'm saying applies right to this rule, because this rule shows how you all do things. You take so much for granted, you don't even think about things anymore. These things you do are not remarkable to you because you've always had your way. You've always had white affirmative action. You've always had it. That's how incompetent white men get all these plush jobs, these incompetent white men are elected to these offices. You got a moron out there running who grins like a Cheshire cat, takes credit for there being no gambling in this state, although his daddy has millions of dollars and told him, son, I don't want you in my way; go put a stocking cap on your head and stand in front of a television camera and tell them you want to be senator, and you can spend all the money you want to; just stay out of the business and stay out of my way. So he comes out and he says, I'm running for the Senate and I want you to vote for me. And his mother says, idiot, put that stocking cap on your head before you catch your death of cold. So then he puts the stocking cap on his head and grins.

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: And that's going to be your Senate...senator. That is the one going to the Congress of the United States to represent you, and you wonder why they call this a backwater hick state? Look what you send to these positions to represent you. You said I have one minute left? Mr. President, you said I have one minute left?

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SENATOR CUDABACK: I did say one minute, Senator Chambers.

SENATOR CHAMBERS: Okay. I'll cede that, and then turn my light on.

SENATOR CUDABACK: We are debating the Chambers amendment. Open for discussion. Senator Kruse, followed by Senator Chambers.

SENATOR KRUSE: Thank you, Mr. President and members. I strong...I stand to strongly support the Chambers amendment. I frankly was startled by our vote a little bit ago, and it becomes clear to me that we do not understand what's going on. I prefer this amendment to his previous amendment, because in my judgment, this Section 22 should be removed from our rules, absolutely. It has not been used, and if it were to be used, I would strongly object, because what it says is that the Coordinator shall work with organized groups of clergy. Well, there's quite a few clergy that are not organized. That's a straight line any of you can follow up on. (Laugh) I have personally sought out Muslim, Hindu, Buddhist persons that would come and pray for us. They are not in an organized group. They should be here. They represent some of our constituents. I was in the...I know that this hasn't been used, because for five years, I was the person for the United Methodists of Nebraska that would have been contacted to do this. I was never contacted by anybody in this Legislature to help provide those who would pray for the Legislature. It was not done. I would remind you how it is presently done. The Clerk's Office sends each of us a letter inviting the senators, which I really appreciate, which is the broad approach, allows me to nominate anybody from my district. They don't have to be organized. Some have thought, because I recruited some of these persons, that I was the de facto coordinator of prayer for the Legislature. Some within this body have thought that. I urge upon you the clear fact that I am not. I have nothing to do with that. I would not want to have anything to do with it. I am embarrassed that we still have this kind of a rule. Not terribly embarrassed. I'd be more embarrassed if we were actually doing it. But we're not doing it. And this in no way affects the prayers, the presence of prayers, you know, all the

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things that Senator Chambers has said. I support the facts of what he said. I'd clean up his language a little bit. But we don't need this rule to have prayers. This really is a function of the Speaker and the Clerk as they prepare our agenda and they provide for the parts of the agenda, so it's taken care of without this rule. I urge that the body support Senator Chambers' amendment.

SENATOR CUDABACK: Thank you, Senator Kruse. Further discussion. Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, every now and then I want to test my persuasive powers. Through my conduct in the Legislature down through the years, I was able to persuade white Nebraskans, and some ignorant black people, to vote against their own interests when they voted for term limits to get rid of me. They got rid of all the 48 others, voted against their own interests, to get rid of me. That is power. You all are lucky I am so modest, that I am so benign. Now I'm going to see if I have the power to get you all as a body to vote against your best interests by rejecting my amendment that I'm offering. I don't care what you do. You've established your hypocrisy on the other vote. Now let me irritate you so much that you vote against this amendment. Now, if you vote for it, I own you, I made you do it. On the other hand, if you vote against it, I own you, I made you do it. Let me finish my article here that I was reading. This talks about Harland Johnson, who served as Coordinator of Legislative Services for 26 years, took over as the Chaplain Coordinator, and either gave the invocation himself or lined up volunteer ministers or other religious leader to do it. Johnson, who is an ordained Christian Church (Disciples of Christ) minister, continued as Chaplain Coordinator until his own retirement last spring. He has a thick folder filled with the prayers he gave over the years, opening session after legislative session with an appeal to the Creator. Senators are asked to recommend ministers or other religious leaders in their district to offer the prayers. Most are Christian, but there have been a few Jewish and Muslim chaplains of the day over the years, Johnson said. Those who give the prayers are asked to avoid political references and not to mention topics up for debate. Johnson said he believes it's

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important for senators to recognize God as they begin their work each day. You wouldn't know God if he walked in here and spoke to you. But anyway, he said it's good for you to recognize God. Quote, you can separate church and state all you want to, but if the Legislature tried to operate outside the influence of our Creator, we're probably all in trouble, he said. You think I operate outside the influence of your Creator? I probably do, because I do put you all in a lot of trouble, huh? Senator Dave Landis of Lincoln doesn't necessarily agree with that, but said he has no problem with the prayers so long as they are nonpolitical. Quote, it doesn't offend me, but I'm glad we don't spend money on it, he said. It's just a moment of quietude that has a gathering effect, unquote. Religious values such as compassion, understanding, forgiveness, responsibility, and recognizing the humanity of others, are appropriate in the Legislature, Landis said, but I would be offended if it became a pulpit for political advocacy, unquote. Bless you, my son. Johnson himself got in trouble several years ago for quoting verbatim a prayer that was delivered by a Reverend Joe Wright to open a session of the Kansas Legislature. The prayer said, in part, we have worshipped other Gods and called it multiculturalism, we have endorsed perversion and called it alternative lifestyle, we have exploited the poor and called it the lottery,...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...we have rewarded laziness and called it welfare, we have killed our unborn and called it choice, we have shot abortionists and called it justifiable. And when I heard him saying that, I hit the ceiling, but I couldn't get up here quick enough to grab him by the scruff of his neck and drag him down from there and throw him out of here. He's supposed to be...that's supposed to be religion, and he's up there talking mess? And I did take issue with it, because I don't let things just slide.

SENATOR CUDABACK: Thank you, Senator Chambers. Further discussion. Senator Fischer.

SENATOR FISCHER: Thank you, Mr. President. Would Senator

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Chambers yield to a question, please.

SENATOR CUDABACK: Senator Chambers.

SENATOR CHAMBERS: In the spirit of Christianity, no. But in the spirit of my position, I certainly will.

SENATOR FISCHER: Thank you, Senator.

SENATOR CHAMBERS: You're welcome.

SENATOR FISCHER: I have a question for you. Last year, I believe I gave two prayers, and if I remember correctly, the Speaker's Office came to me and asked if I would do that. In Section 22 that you are trying to strike here, it has the Chaplain Coordinator doing that function. Do you know if the Chaplain Coordinator does that function now?

SENATOR CHAMBERS: I don't even know who the Chaplain Coordinator is, seriously.

SENATOR FISCHER: I don't know. I'm just wondering if any other senators know if Section 22 is even in use currently, or if the Speaker's Office takes care of finding either clergy or senators to give the prayer in the morning.

SENATOR CHAMBERS: If you're asking me, Senator Kruse had mentioned that senators do get a letter from the Clerk's Office, letting them know they can invite ministers here, and he himself has invited other ministers. But he had pointed out that that rule is not being used now.

SENATOR FISCHER: Okay. Thank you very much.

SENATOR CHAMBERS: It would be exclusionary if it were.

SENATOR FISCHER: Thank you. I yield the rest of the time back to the Chair.

SENATOR CUDABACK: Thank you, Senator Fischer. Mr. Clerk, items for the record.

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CLERK: Mr. President, new bills. (Read LB 1006-1010 by title for the first time.) Mr. President, in addition, I have a hearing notice by the Urban Affairs Committee. Attorney General's Opinion addressed to Senator Beutler. And an announcement that Revenue will meet in Executive Session at 1:30 in Room 2022, at 1:30, Mr. President. (Legislative Journal pages 263-268.)

I have a priority motion. Senator Dwite Pedersen would move to recess until 1:30 p.m.

SENATOR CUDABACK: You've heard the motion to recess till 1:30 p.m. All in favor say aye. Opposed, nay. We are recessed.

RECESS

SENATOR CUDABACK PRESIDING

SENATOR CUDABACK: Good afternoon. Welcome to the George W. Norris Legislative Chamber. Senators, our afternoon session is about to reconvene. Please check in. Members, please check in. Record please, Mr. Clerk.

ASSISTANT CLERK: There's a quorum present, Mr. President.

SENATOR CUDABACK: Have you messages or reports, Mr. Clerk?

ASSISTANT CLERK: Mr. President, I have a Reference report from the Executive Board, referring LB 965-997, and an announcement that Education Committee will meet in Executive Session at 2:00 p.m. in Room 2022. (Legislative Journal pages 268-269.)

SENATOR CUDABACK: Thank you, Mr. Clerk. Mr. Clerk, please inform the body where we were when we recessed for lunch.

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ASSISTANT CLERK: Mr. President, the body was considering the adoption of the permanent rules. Specifically under consideration was an amendment from Senator Chambers to strike Rule 1, Section 22.

SENATOR CUDABACK: Senator Chambers, your light was...your light was on to speak, and we will continue where we left off, so you are recognized.

SENATOR CHAMBERS: Which time is this for me, Mr. President?

SENATOR CUDABACK: This is your second 5 minutes.

SENATOR CHAMBERS: Okay. I'm caught up to where this particular one is. This that I'm reading is mainly for the record. I don't expect my colleagues to listen. You see how sparse the attendance is here? We have more than 50 percent of the members, but when you look around you see empty chairs. What do you think that preacher feels up there, and he sees nothing but empty chairs, desks full of books, but no victims behind them? But I'm going to read from this article, and although I identified it earlier, I'm going to identify it again. It appeared in the Lincoln Journal Star, page 1F, March 4, 2000, written by Bob Reeves. I'm going to pick up right where I left off. Johnson, who was then the Chaplain Coordinator, as it was called, got himself in trouble several years ago by quoting the ill-conceived, so-called prayer of a so-called chaplain in Kansas. Chambers and some other senators chastised Johnson for using that prayer, and Johnson vowed never again to use a prayer written by someone else. Boyd Pelley, P-e-l-l-e-y, associate pastor of New Covenant Community Church, Southern Baptist, said he usually does not write prayers down, but did his invocation for the Legislature because of the importance of the message. In his prayer, he asked God to "give this august body a sense of right and wrong, based not only on human insight, but on your design for human relationships and leadership, as well," which means precisely nothing. In an interview afterward, Pelley said he wanted to stress the importance of "the authority of God" over all men, especially elected officials. Then I add this because sometimes I edit when people make mistakes, except Ernie Chambers. Quote from Pastor Pelley: "I didn't necessarily

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avoid any particular subject, but it didn't seem like it was the right environment to preach." Pelley's prayer concluded, however, "in the name of Jesus Christ I pray." Another quote from him: "I never pray without reference to Jesus," he said, "because it's through His life that we have access to God. But I would never say anything negative about those who don't." And I edit something else, except where Chambers is concerned. You see, brothers and sisters, friends, enemies, and neutrals, I'm outside the pale. Sometime look up what that expression, outside the pale, means. I'll give you a hint. It's like an enclosure. It's spelled p-a-l-e, not p-a-i-l. Check it out. Continuing: The Reverend Bob Edwards, pastor of South Gate United Methodist Church, who also served as a chaplain of the day this session, said he tried to be as inclusive as possible, leaving out any mention of Jesus and avoiding gender references to God. "Not everyone is Protestant--amen--and not everyone is Catholic--hallelujah--or Christian--praise God's great name. I added those little things," he said. Continuing with his quote: "I wanted to give a prayer that would not be offensive to others and still have some meaning."

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: He offended me! He didn't care about me. I don't count. Continuing: "In his prayer, he asked God to 'remove all personal agendas, heal any broken relationships, and unite these senators gathered here into one representative body, that they may perform the sacred trust that is theirs by election of their peers.'" I'll finish this the next time I speak, because I don't want to break any of it up. Do I have one more time before I close, Mr. Speaker?

SENATOR CUDABACK: No, Senator, that was your third time.

SENATOR CHAMBERS: Okay.

SENATOR CUDABACK: You have closing left.

SENATOR CHAMBERS: Thank you.

SENATOR CUDABACK: Um-hum. Senator Kruse, you're recognized.

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SENATOR KRUSE: Mr. President and members, thank you. I again affirm the amendment that is before us, and as I studied it, and I'm embarrassed to say I've never really read this thing before, I discovered one more thing that I thought it would be good to point out to us; that is, that if we're going to follow the letter and the spirit of what is in there, it could only be clergy who are part of an organized group that could pray, and that would prohibit all the senators, except for this humble one, from praying before this group. Now I would object to that. I don't want this rule enforced, because I have really appreciated fellow senators sharing in the prayer duties, if they may be called that, and for a particular reason. That's my view of prayer. We've not talked about that, and Senator Chambers hasn't spoken to that. We all have our assumptions, and they're undoubtedly very different. But to me, prayer is not a way to change God's mind. That's not what is involved. The prayer is a way of talking with each other about spiritual values and how we feel, and as Senator Chambers quoted Senator Landis from a news article earlier, it's a way of gathering. It's a way of coming together and saying, well, here we are again, and we do have some very deep values that we want to share with each other, and each of us has a chance to share that. I again would object any time somebody ends it with Jesus. I don't take count on that. But some say, well, that's a harmless thing, or that's my custom. It's not harmless at all. To say that is to proclaim a doctrine which would be offensive to many Christians, as well as to Muslims and others. We are not a united nation or state or body in religious matters, and we ought not to be. I strongly affirm the way in which we do it now, which is an administrative procedure that is a part of setting the agenda. I affirm that, I like the way in which we're all involved, and I would hope, therefore, that we would support Senator Chambers' amendment.

SENATOR CUDABACK: Thank you, Senator Kruse. Senator Schrock.

SENATOR SCHROCK: Mr. President, members of the Legislature, Senator Chambers, I shouldn't enter into this discussion, but I'm going to. I have been asked to give the prayer, and sometimes I've called a minister to do it, and I have done it a

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couple times. I think the last time I did I read some scripture. It had something to do with, He takes care of the birds of the...and He'll take care of me. Now...and I probably closed the prayer, in God's name we pray, or something like that. And maybe I'm not considered to be a real religious person around here, but I profess the Christian faith. I hope I haven't been offensive to you, and for those who are offensive, why, I don't know what to do about it. I don't want to offend the Jews, I don't want to offend the Muslims, I don't want to offend the atheists, but sometimes it's hard to break tradition, and put me in that class. I don't want to break with tradition, and I think we send a perception out there to the public that if we don't continue to offer the morning prayer, I think that's the wrong message to send. And I know how you feel about that. You're a wise man. Respond to those comments, will you?

SENATOR CHAMBERS: Thank you, Senator Schrock. Not meaning to disparage you in any way, I hadn't been aware of when you prayed, but when I say I take offense, that doesn't mean I'm personally angry at a person, an individual. It means that I think what is going forth is inappropriate under the circumstances, it ought not to be done, and for that reason I am offended by its being presented there. I was offended when the Governor would not appoint females to boards and commissions, just to show you what I mean by the word "offended." Now since you said you don't want to break the tradition--because I'm not going to take all your time; I've responded the best that I can--let me ask you this. If I would want to bring into this activity a religious practice that went on in the church I attended as a child, would you be willing to grant me the right and the privilege to do that on the floor of the Legislature?

SENATOR CUDABACK: Senator Schrock.

SENATOR SCHROCK: I suppose the answer to that is, it depends. So I'm not sure what you're driving at.

SENATOR CHAMBERS: Well, I would just like to do what they do in all churches, after or before prayer, pass the collection plate.
(Laughter)

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SENATOR SCHROCK: I'd put a dollar in.

SENATOR CHAMBERS: You would tolerate that?

SENATOR SCHROCK: Yeah, I'd put a dollar in.

SENATOR CHAMBERS: Oh, okay. Maybe I'll consider (laugh) it. But thank you for giving me the chance.

SENATOR CUDABACK: Senator Schrock, did you...further discussion on the Chambers amendment? There are no lights on. Senator Chambers, you're recognized to close on your amendment.

SENATOR CHAMBERS: Thank you, Mr. President. I'm going to finish this article, then I'm going to mention what the amendment would do. Cantor, C-a-n-t-o-r Michael Weisser, W-e-i-s-s-e-r, of South Street Temple gave the invocation a few years ago, but has declined to do it again because of the sectarian nature of the process. "I really think it's probably not appropriate the way it is done," he said. "Maybe a moment of silence would be better," but he added, "I don't think it's an issue to make a big controversy over, because it's such a common practice in legislatures in the United States." He's beginning to touch on the nature of prayer and what it's supposed to be about, and certainly, it shouldn't be put in the contaminated environment of a legislature. Continuing with the article: "Some ministers"--this shows what hypocrites they are; the prayer is supposed to be to the big guy upstairs. Listen to this: "Some ministers have been disappointed that so few senators (laugh) are present when they give the prayer. Some ministers have refused, Johnson said. They'll say, I'll pray for the Legislature from my own chapel, but don't ask me to pray to an empty chamber." They're not praying to the chamber, supposedly. They're supposed to be praying to God, and they're not supposed to be praying to the senators, so this shows you what hypocrites they are. It's their moment in the spotlight, a chance to star. They get to preach the funeral, and nobody is there except the corpse, and the corpse cannot hear so they are upset. They come here for the wrong purpose with the wrong motive, and if there was a God in heaven, He would make their right hand lose her cunning, and their tongue cleave to the roof

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of their mouth. But we don't have to worry about that. Completing this: A faithful dozen or so senators are usually there; however, not so this morning. "I tried to be at the prayer each morning, said Senator Mark Quandahl of Omaha," And he's telling "Repelicans" they've got to vote for a gun bill, and he's talking about what prayer means to him? "I tried to be at the prayer each morning," said Senator Mark Quandahl of Omaha, who gave the invocation once this session. "I think it's very important. It sets the tone for the day and also helps us focus on why we're all here." Holy baloney! Now let me tell my colleagues what this amendment would do. It would strike from the rule book the requirement that the Chaplain Coordinator, whoever or whatever that is, find people to come up here and pray over the few of you all who come here every morning, from among organized groups of clergy. If you're not a member of the club, you don't get invited. You've heard others point out that the rule, as written, is not strictly adhered to. The Clerk has made it clear that individual senators are free to invite ministers, or whatever designation that person has, of their choice, to find a time that's open and come here and perform the ritual. So that, strictly speaking, violates the rule. When Senator Kruse takes it upon himself to recruit those who are not parts of organized clergy groups, he is acting outside of the rule, as written. When you have an unwise rule which is not complied with, the thing to do is to get rid of it.

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: My amendment gives that opportunity. So I'm asking that you vote to accept my amendment, which would strike from the rules this dead letter. But do I care if you accept it or not? Not in the least. I don't care what these senators do. I don't care what these senators say. I care about what I say, I care about what I do--that's my job--and I care about the Legislature. And this rule does not redound to the benefit of the Legislature. Mr. President, how much time do I have left?

SENATOR CUDABACK: About 5 seconds.

SENATOR CHAMBERS: And I can use them any way I choose? I think I'll take 5 seconds of silence.

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SENATOR CUDABACK: Your time is up. I'm sorry. The motion before the body is the Chambers amendment.

SENATOR CHAMBERS: Call of the house.

SENATOR CUDABACK: Been a request for a call of the house. All in favor of the house going under call vote aye; those opposed vote nay. Record please, Mr. Clerk.

ASSISTANT CLERK: 23 ayes, 0 nays, Mr. President, to place the house under call.

SENATOR CUDABACK: The house is under call. All unauthorized personnel please leave the floor. Unexcused senators report to the Chamber. The house is under call. Members, please check in. The house is under call. Members, please record your presence if you're not excused. Senator Hudkins, please...thank you. Senator Brown...thank you. Senator Preister. Senator Preister, the house is under call. All members are present or accounted for. The issue before the body is the Chambers amendment, adoption of the permanent rules. All in favor of the Chambers amendment vote aye; those opposed vote nay. Have you all voted who care to? There has been a request of Senator Chambers for a roll call vote. Mr. Clerk, when you get time, please call the roll, and there's been a request for reverse order.

ASSISTANT CLERK: (Roll call vote taken, Legislative Journal pages 269-270.) 21 ayes, 8 nays, Mr. President, on the amendment.

SENATOR CUDABACK: The motion was not successful. I do raise the call. Mr. Clerk, when you get time, anything further?

ASSISTANT CLERK: At this time, Mr. President, I have nothing further pending to the motion to adopt permanent rules.

SENATOR CUDABACK: Back to discussion of the adoption of permanent rules. Senator Chambers.

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SENATOR CHAMBERS: Mr. President, members of the Legislature, I have always stated that I will follow the rules, whatever they are. I'm going to insist that the Speaker enforce Section 22. I'm going to insist that the Speaker have the Chaplain coordinator work in conjunction with organized Nebraska groups of clergy to arrange for prayer. And if anybody is obtained other than in accord with the rules, I'm going to object. Either the rules mean something or they don't. And once again, the hypocrites or the ignoramuses prevailed. That was the most moronic vote, especially from some of the zealots, that I have seen. They don't want this rule enforced. Senator Erdman has invited a preacher here. He voted no. He couldn't have invited that preacher, if the rule that he voted to keep here were enforced. Do they want the rule enforced? Senator Friend, Senator Foley, Senator Kremer. Senator Fischer, she can't say the prayer. She doesn't belong to any group of clergy. Now is she going to be the greatest hypocrite and stand up there and pray, in violation of the rule that she wants to keep here? I follow the rules, brothers and sisters. You all don't, because the rules mean nothing to you, and that again goes to your arrogance. You're accustomed to putting rules in place because of how they sound and appear, then you don't practice them. Senator Engel prayed at least once this session. He violated the rule. All these rules violators going to stand up here and pontificate in their religious hypocrisy, and they don't want to obey the rule that they voted to keep here. Well, now that they voted to keep it here, maybe in their ignorance they just didn't know, because there are many things in the rule book about which they are ignorant. Now that they know, what will they do? I don't want to hear that some senator invited a preacher to come here. That's not what the senators are to do. You wanted to keep the Chaplain Coordinator, first of all. Fine. The rule specifies what the Chaplain Coordinator does, and there's nothing in the rules that authorizes any senator or the Speaker to violate the rules, and I'm going to find out if Senator Brashear is going to obey the rules. And if he is not, he should not be Speaker. This is you all's rule. One black man, 48 white people. You're supposed to be my superior. You're the ones who know about due process of law and justice, and respect for the law, and you're going to hear some of these senators pontificating when they talk about protecting fetuses and

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embryos. And they don't obey the rules that they vote to keep in place. We will just see what we shall see. And the reason I wanted a roll call vote is so that there is a written record of how the senators voted, and who they are. Now how many of you all are going to be running up to your preacher and saying, come pray for the Legislature? You're violating the rules. But here's what you'll say: Well, the Speaker will be so gutless...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...that he wouldn't dare enforce that rule. How many of you all know who the Chaplain Coordinator is? I bet Senator Friend doesn't know. He doesn't care. He wants to stick it to Ernie. That's what he wants, but he didn't do it. He stuck it to himself and his colleagues. These hypocritical "Christians," and those who sat and did not vote at all. Those who sat and did not vote at all occupy the hottest place in Hades, according to a great poet, but what does he know? He's never been there; he doesn't know what goes on anywhere. But still, those who will not vote because they don't want to declare themselves occupy the seat of contemptibleness. But you all keep inviting Jesus on the floor every morning, keep having your hypocritical prayers,...

SENATOR CUDABACK: Time, Senator Chambers. You may continue.

SENATOR CHAMBERS: Thank you, Mr. President. What I am able to do is to irritate my colleagues, and as long as I can do that, all is right with the world. And Mr. President, I'm not giving up my time, but because I want to properly draft an amendment, my time can continue to run. I don't think this issue should be allowed to die with a whimper. I think it should go out of here with a bang, and that's appropriate imagery, in view of what my good friend, Senator Combs, is going to be hitting us with shortly. How much do I have, Mr. President?

SENATOR CUDABACK: You used about a minute and a half, Senator Chambers.

SENATOR CHAMBERS: I think I can get this done. Unlike that gentleman who said, or reputedly said, I have not begun to

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fight, I must say that I have not completed my fight. And I don't know whether we'll get off the rules this afternoon. If you read the rules, cloture does not apply to rules' debates, so unless the rules are going to be written on the floor and something will be invoked that's not in the rule, we could be on the rules the rest of the session, conceivably. But that's not my intent. My intent is to stir your pure minds. Sometimes it takes more time than others, when the issue is one that cuts close. And sometimes my words might cut close to the bone, but that does not diminish the truth of them. Here you all sit in the Legislature, where you pass laws that deal literally with life and/or death. And you will behave like children in the sandbox on the school playground, because you're petty and small-minded, and you're mad at me. That's why you got term limits, and some of you have talked about how stupid the public was for voting for term limits just to get rid of me. Then you make a travesty of your rules, because you're mad at me. Well, I know how to push your buttons. You've heard me say, I own this Legislature. You all are my white folks. I determine what you're going to do. If those were empty words, I wouldn't utter them. Facts speak louder than words. You can go trotting back home if you want to. Fortunately, our proceedings are carried on television. People had the opportunity to see these hypocritical votes you cast. What they ought to do is take roll every time there's a prayer, and make sure all those who voted for the prayer stay here. No, they want to vote for it to make you come here, but they're going to stay down in their offices. Then you're going to keep a rule...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...that restricts the talent pool available for this ritual. That's what you all voted for. And you can vote for whatever you want to, and maybe you should take a lesson from this. If enough of you clump together and you throw all of your principles, all of your common sense out the window, you can defeat me on every issue, except some of those issues are going to involve lobbyists on different sides, and they're going to make you do what your morality and your religion won't make you do. They'll make you sit in that seat, and you will not be able to clump against me, unanimously, or a majority of

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you on every issue that I have an interest in. You see, I know you. I'm going to quote Jesus again: He had no need that anyone speak to Him of what was in man, for He knew what was in man. I know what's in you, and I'm the only one who will talk like this. You know why I know what's in you?

SENATOR CUDABACK: Time, Senator.

SENATOR CHAMBERS: I don't go home with you. I don't socialize with you. You know I don't go to church with you. How do I know what's in you? Because you all tell me what's in each other.

SENATOR CUDABACK: Time, Senator Chambers. Mr. Clerk, please, amendment.

ASSISTANT CLERK: Mr. President, I have an amendment. May I read some items, first?

SENATOR CUDABACK: You may.

ASSISTANT CLERK: Mr. President, new bills. (Read LB 1011-1015 by title for the first time.) In addition, Mr. President, hearing notices from Education Committee and the Natural Resources Committee. (Legislative Journal pages 270-271.)

Mr. President, Senator Chambers would move to amend the motion to adopt permanent rules. (Legislative Journal page 271.)

SENATOR CUDABACK: Senator Chambers, you're recognized to open on your amendment to adoption of permanent rules.

SENATOR CHAMBERS: Mr. President, members of the Legislature, in order that my colleagues can wrap their brains around what I'm doing with this amendment, because you can't pull it up on your gadget, it's being handed out now, it simply makes one amendment of those two pieces that I offered before. This amendment would strike the position of Chaplain Coordinator and would also strike that provision that says the only ones who can be here praying over you are those who are with organized Nebraska groups of clergy. Now here's what you could do if you want to.

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An amendment can be amended. I am not offering an amendment to an amendment; I'm offering an amendment to the rules. So somebody, if you love the Chaplain Coordinator, you could strike that from this offering and take another shot at getting rid of this dead letter which is not enforced, but which should be enforced, now it's been brought to everybody's attention, where the only ones who are available for this job are those with organized Nebraska groups of clergy. I'd like to ask Senator Kruse a question, if he's available.

SENATOR CUDABACK: Senator Kruse, are you available for a question?

SENATOR CHAMBERS: Senator Kruse,...

SENATOR KRUSE: Yes, thank you.

SENATOR CHAMBERS: ...do you think that if rules are in the rule book, they should be complied with?

SENATOR KRUSE: I do.

SENATOR CHAMBERS:: Do you think that if Section 22 remains the rule, now that it has been discussed, that it should be complied with?

SENATOR KRUSE: I do.

SENATOR CHAMBERS: In order for you to comply with this rule, there are approaches to various clergy persons you can no longer make, as far as inviting them to come and pray; is that true?

SENATOR KRUSE: That would be up for question.

SENATOR CHAMBERS: So let me hear how you would justify your doing that, in view of this rule. If they do not belong to an organized Nebraska group of clergy, how could you, in compliance with this rule, when you're not the Chaplain Coordinator, and that minister that you're going to, is not within this group specified by the rule? How could you do that without violating the rule?

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SENATOR KRUSE: Well, it would be bending it, Senator, but the organized groups of clergy could select whoever they chose, and they could choose a Buddhist if they chose to do so, as I would read the rule. But it's not the spirit of the rule, certainly.

SENATOR CHAMBERS: But you couldn't do that, isn't that true?

SENATOR KRUSE: No, I'm not an authority in an organized group any more.

SENATOR CHAMBERS: So you're outside the pale also, when it comes to this, aren't you?

SENATOR KRUSE: Well, no. I think that I've got qualifications by which I could pray, but nobody else on the floor could.

SENATOR CHAMBERS: Well, we're not talking about your ability to pray. Because of my unique position,...

SENATOR KRUSE: I...

SENATOR CHAMBERS: ...if I were to do so, I could pray like nobody else on this floor could. But in the context of the rule, there is a tremendous restricting of opportunity that results. Would you agree with that?

SENATOR KRUSE: I would agree with that, and I would throw in on your time that I have considered the thought of, with your leave, having a time of prayer here before we would vote.
(Laughter)

SENATOR CHAMBERS: Well, if you don't have it on the floor of the Legislature, I think people can pray as long and as loud as they want to, and what might be a good idea is those three or four senators who love prayer, to go in some senator's office and let them, because they're of like mind, do their praying there. But the Pharisees, as you know, were tremendous hypocrites, and Jesus talked about how they made a great show of praying on the street corners; isn't that true? And they wore their phylacteries, these little square boxes with little prayer

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scrolls in them that they wore up their sleeve, and when they wanted everybody to know that they were being pious, they literally would stand on the corner and roll up their sleeve and let people see that they are holy people. And Jesus condemned that. He said no, don't you pray in public; you go in your prayer closet. He didn't say prayer closet--you go in your closet and pray, and your Father who heareth in secret will reward you in the open. And maybe that's why you all don't get rewarded, because you make a great pretentious show in public, violating what God said you have to do to be rewarded by Him. You don't even follow the rule that Jesus said God has put in place. Pray in your closet! But here you all come trotting out here, and then you don't even want to come here to participate. But I'm going to focus on the second part of this amendment, once again, so it's clear to everybody. The only ones...I'd like to ask Senator Engel a question, because he knows everything. Is Senator Engel here?

SENATOR CUDABACK: Senator Engel.

SENATOR ENGEL: You are probably correct.

SENATOR CHAMBERS: Senator Engel, who is the "pray-er", Chaplain Coordinator?

SENATOR ENGEL: As of now we have none.

SENATOR CHAMBERS: So that is a dead letter, as far as its being acted on,...

SENATOR ENGEL: Yes.

SENATOR CHAMBERS: ...at this particular point. Then how can Section 22 be complied with, when the Chaplain Coordinator is the one to provide...arrange for prayer at the beginning, each day. It says, each day, and it doesn't allow for exceptions. That's not being complied with now, though, in reality, is it?

SENATOR ENGEL: It's not, and I believe there's an amendment coming up I think will satisfy everybody, from Senator Kremer, so.

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SENATOR CHAMBERS: You want to give me a tip-off, a heads-up on what it is?

SENATOR ENGEL: Well, it was just passed out to you. It says strike Rule 1, Section 22, insert "Opening prayer. The Clerk's Office shall arrange for prayer at the beginning of each day of the legislative session." And that has been the practice in the last few years.

SENATOR CHAMBERS: It's not a matter of ruling. You're not imposing that duty on the Clerk, except if you do it by this rule; isn't that correct?

SENATOR ENGEL: Right.

SENATOR CHAMBERS: Because the Clerk doesn't have to do it. Has anybody talked to the Clerk about this?

SENATOR ENGEL: I think...

SENATOR CHAMBERS: Or since the Clerk works for you, you'll just order the Clerk to do whatever you please?

SENATOR ENGEL: Well, I assume that. Senator Kremer is talking to him right now.

SENATOR CHAMBERS: Senator who?

SENATOR ENGEL: And I think Senator Kruse has talked to the Clerk, so you might want to talk to Senator Kruse about that.

SENATOR CHAMBERS: I like the way you phrase that: I might want to, and I might not, huh? But since it's my time, you answered very directly. Thank you, Senator Engel.

SENATOR ENGEL: You're very welcome, Senator Chambers.

SENATOR CHAMBERS: Members of the Legislature, even if you've adopt a cockamamie rule like this, injecting the Clerk into this religious activity, and he's your employee, and what can he say,

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other than yes, if I hadn't brought it to you and kept thumping at your hard, thick, impermeable skulls, you wouldn't even be trying to make it right. You wouldn't even be trying to make a rule to comply with what you're doing. How dumb are you? You see why I get irritated? These are the leaders of your state. These are the best people in their districts who could be sent here, and they ought to be out, like I said, playing in a sandbox with little children and learning something. And it takes me to bring this to their attention. Now they're going to weasel around me. Well, we'll put the Clerk in the middle of it. We'll make him do it. We'll change the rule to comply with what we do. That's the way white people do. You have a rule and you violate the rule. Then you change the rule to go along with what you're doing. You see why I say there is so much hypocrisy here, and why there's so much contempt throughout the world for white, Christian, democratic Americana, the dumbest people as a whole you can find on the face of the earth. Look at everything they do. Look right here in the Legislature. You see how thin this rule book is? They ought to know everything in it. Senator Kremer, a man I respect, here he comes saying, well, they're not going to obey the rule, so I will write the rule to obey what they're doing. Let the kids write rules like that at the university. Let these kids at that school in Bellevue write the rule and say, it will comply with the way they dress, and they now can wear torn jeans to school. You tell the children, no, you can't do that; you have to obey the rules. Smart people wrote these rules. You'd think that smart people wrote these rules, too, wouldn't you? I want all you young people to learn from this. When these hypocrites come and talk to you, anywhere, and talk about the rules, you just remind them, well,...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...I saw you all rewrite the rules to comply with what you're doing, because you don't want to obey the rule that you all adopted. You all adopted this rule when Senator Brashear made the motion that the temporary rules be adopted until permanent rules are accepted, and this was a part of those rules and I didn't make an issue of it. You were violating it every day of this session. The most recent violation was this

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morning. Do you care? Heavens, no. You know why you don't like me and what I say? Because I tell the truth; I'm like your conscience, and I won't let you go. And the reason it bothers you is because you know what I'm saying is true. And when the corner back there, the zealots vote the way they do, do you think they hurt me? No, they show how simpleminded they are. They want the rules violated, so I offer something, they vote no and sit back there. They're so happy and pleased with themselves. Boy, we fixed him!

SENATOR CUDABACK: Time, Senator Chambers.

SENATOR CHAMBERS: Do I have one more opportunity?

SENATOR CUDABACK: Just one minute. Ready?

SENATOR CHAMBERS: Oh.

SENATOR CUDABACK: Mr. Clerk, amendment, please.

ASSISTANT CLERK: Mr. President, Senator Kremer would move to amend Senator Chambers' amendment. (Legislative Journal page 271.)

SENATOR CUDABACK: Senator Kremer, you're recognized to open on your amendment.

SENATOR KREMER: Thank you, Senator Cudaback, members of the body. This amendment is being presented because I agree with Senator Chambers, as far as the Chaplain Coordinator and as far as the organized clergy, and I think most of us in the body still would like to have an opening prayer. I know Senator Chambers does not agree with that, but he's...he does not have to come, and that's his privilege. But I think this would accomplish what's happening right now and clarify it. The Clerk's Office now has been coordinating the person to come to pray. They send out a letter. If we have somebody that we would like to have a clergy come and pray, that's up to us, but I know it's been used more and more all the time that one of the members of the Chamber of the Legislature have been praying, and I would always support that. And I also agree with Senator

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Chambers that a couple things need to be changed. If we have a rule in there, we ought to abide by that rule. So I think this would cover it, and I'd like to hear your comments on it. And it simply says, the Clerk's Office shall arrange for prayer at the beginning of each day of the legislative session. Thank you.

SENATOR CUDABACK: Thank you, Senator Kremer. You've heard the opening. Open for discussion on the Kremer amendment to the Chambers amendment. Senator Chambers, you're recognized.

SENATOR CHAMBERS: I'm...I'd like to ask the Clerk a question. Mr. Clerk, is the amendment that you gave me what we're discussing here?

ASSISTANT CLERK: Yes, sir.

SENATOR CHAMBERS: With Senator Kremer's amendment?

ASSISTANT CLERK: Yes, Senator Kremer's name is on it, Senator. That's the one that's before us at this moment.

SENATOR CHAMBERS: I just want to be aure, because I have a different one with his name.

ASSISTANT CLERK: No, the one I gave you is the correct one.

SENATOR CHAMBERS: Okay, thank you. Now Senator Kremer, you would agree to strike the position of Chaplain Coordinator, as my amendment would do, and then you would strike Rule 1, Section 22 as it's written and insert these words, "Opening Prayer. The Clerk's Office shall arrange for prayer at the beginning of each day of the legislative session." Correct?

ASSISTANT CLERK: Correct.

SENATOR CHAMBERS: Okay. Senator Kremer, don't sit down yet. Do you ever watch ESPN, which is a sports program, sports network on cable television?

SENATOR KREMER: Sometimes.

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SENATOR CHAMBERS: Have you ever seen a guy named Lee Corso, who used to be a football coach?

SENATOR KREMER: I don't remember seeing him on there, but the name is very familiar, so.

SENATOR CHAMBERS: Okay. Sometimes one of his cohorts will say something in explaining why a game is going to turn out a certain way, and Lee Corso would say, and he always has a pencil in his hand, not so fast, my friend. Have you ever heard him say that?

SENATOR KREMER: I don't remember if I...

SENATOR CHAMBERS: Okay, well, I'm going to say, not so fast, my friend, in terms of sitting down.

SENATOR KREMER: Oh.

SENATOR CHAMBERS: Here's what I'd like to ask you. When you said you agree with the point that I made, was it the point that we have a rule right now which is not being enforced? Was that what you're agreeing with?

SENATOR KREMER: Yes, and I don't think the Chaplain Coordinator is necessary, and I do not agree with the part that has to be arranged through an organized clergy.

SENATOR CHAMBERS: Senator Kremer, I'm going to say like one of those guys said when the imposter Paul was involved, almost thou persuadest me to be a "Kremerite."

SENATOR KREMER: Try a little bit harder. I think...

SENATOR CHAMBERS: I...well, I've tried. I've tried. I still don't like the prayer.

SENATOR KREMER: I understand that.

SENATOR CHAMBERS: I'm not going to repeat those things, but

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they still stand. Here's what I'd ask Senator Kremer. If there were no prayer in the morning, what do you think would become of the Legislature?

SENATOR KREMER: The Legislature would still come in...go into session and consider all the bills that are before it.

SENATOR CHAMBERS: Okay. When you come every day, do you come up for the prayer, if you're here at the time the prayer is given?

SENATOR KREMER: I try to, but it's unbelievable how many times the phone rings or something, somebody is in my office. And I try to make it, but I don't always make it.

SENATOR CHAMBERS: When you pray, and if you think any of these questions are too personal, just tell me you'd rather not answer and I won't pursue it.

SENATOR KREMER: Well, can I use that any time that you ask me questions. (Laughter)

SENATOR CHAMBERS: Not so fast, my friend. (Laugh) When you pray, to whom are you praying?

SENATOR KREMER: I pray to God.

SENATOR CHAMBERS: When you forgo praying to God to answer your phone, which of those two things are you making more important?

SENATOR KREMER: Just because I answer the phone doesn't mean that I forgo praying. Might not be here at the time the prayer is offered on the floor, but that doesn't mean that...it's not one or the other. It's not the...

SENATOR CHAMBERS: Eureka! Are you telling me, Senator Kremer, that each morning that the Legislature convenes, you can pray some place other than on the floor of the Legislature? Is that what you're telling me?

SENATOR KREMER: I am telling you that.

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SENATOR CHAMBERS: Can you do that any time you want to?

SENATOR KREMER: I can.

SENATOR CHAMBERS: Can you pray anywhere you want to?

SENATOR KREMER: I can.

SENATOR CHAMBERS: My goodness! So then when the phone rings, you really are not cutting off your ability to pray; is that true?

SENATOR KREMER: That's true.

SENATOR CHAMBERS: And do you think that God understands you, even when you're by yourself or with others, but you're praying? You think God understands you, as much as He would if you were up here on the floor, with the other two or three people?

SENATOR CUDABACK: One minute.

SENATOR KREMER: Yes, I do.

SENATOR CHAMBERS: So why do we have to, then, have this much contention and confusion in order to bring a religious activity onto the floor of the Legislature, where we should be concerned with legislation, not salvation? Why, since you're able to pray wherever you want to, require that it be here on the floor of this Legislature?

SENATOR KREMER: But it would not be contentious, if you would just accept what I have offered. (Laughter)

SENATOR CHAMBERS: Oh, would it cease to be contentious if you would just stop offering it?

SENATOR KREMER: No, I would rather have it the other way.

SENATOR CHAMBERS: So you'd rather have it being contentious.

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SENATOR KREMER: No, I'd rather have you just accept what I've offered.

SENATOR CHAMBERS: You want your way.

SENATOR KREMER: Yes. Do you want your way?

SENATOR CHAMBERS: Or no way. Typical "Chrishian." Thank you.
(Laughter)

SENATOR CUDABACK: Further discussion? Senator Thompson.

SENATOR THOMPSON: Thank you. I just want to clarify a couple of things for the record, and I'm going to say, the history of this is...it's been since I've been in the Legislature and then I just want to see how this is going to function under this. So I have questions for Senator Engel and Senator Kremer. So when I first got here, we were all invited to bring members of the clergy from our districts. I did that; I know other people did that. It was an honor thing. You know, we wrote them a letter. One of the people from my district, I had everybody sign a...one of our posters and had it framed for him, and that's the way it was. Well, then, as the years went on, hardly anybody was showing up for these things, and I would get calls from other senators saying, could you please get on the floor. I've got a member of the clergy and this is really embarrassing, because there's never anybody on the floor for the prayer, and you know, whatever. Then we went through the phase of what I talked about earlier, and that is the beyond prayer, the kind of public hearing sorts of preaching that we were getting from some people who came and chose to use the opportunity to suggest what we should be doing, in terms of our voting, based on some of their views, religiously based. So as time went on, the senator giving the prayer...I'd like to ask Senator Engel how that started, because it wasn't the way we did things. Senator Engel?

SENATOR CUDABACK: Senator Engel, would you...

SENATOR THOMPSON: May...would Senator Engel yield, please?

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SENATOR CUDABACK: Senator Engel, are you present?

SENATOR THOMPSON: Yeah, he's over there talking.

SENATOR CUDABACK: Senator Engel, would you yield to a question, please, from Senator Thompson?

SENATOR ENGEL: Yes, Senator Thompson.

SENATOR THOMPSON: I am not familiar with how long it has been that senators gave the prayer instead of members of the clergy. They were kind of filling in, and then, about a year or so ago, senators were doing it pretty much the majority of the time.

SENATOR ENGEL: Well, I...

SENATOR THOMPSON: Could you tell me how that developed?

SENATOR ENGEL: Well, I really can't tell you exactly, but I've been here about 12 years, and ever since I came down here, there's been a combination of inviting different chaplains, priests, and so forth down here, and the senators filling in. So I've...it's been going on for many years, and I think the last...I guess we would have to refer that to...who's been...well, Senator Chambers, I guess. I don't think anybody else has been around here that long, so, or Senator Beutler.

SENATOR THOMPSON: Okay. It just seems like it's been a lot more, to me. That's just maybe my perception. What you're saying is that...I guess I thought it seemed like it was becoming more senators than clergy in the last couple of years.

SENATOR ENGEL: Well, I think it has been this last year or two. I believe it has been, and of course, the Clerk's Office notifies each and every one of us--you get that letter, too--that...

SENATOR THOMPSON: Um-hum.

SENATOR ENGEL: ...anyone you'd like to invite, invite them. And of course, we send out letters to our clergy in our

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district, and some respond, some don't. But it's quite awhile for some of...quite a ways for some of them to drive down here, so a lot of times it's more localized than it is from, like western Nebraska, or even where I live, it's 150 miles to get down here. And we do get them down occasionally, but it's...

SENATOR THOMPSON: Right. Right, and I kind of talked about that while you were off the floor for a moment. I guess my question, then, is, can any member of the public give the prayer under this...or maybe I should ask Senator Kremer.

SENATOR ENGEL: That hasn't...

SENATOR THOMPSON: Or has it just been following the rule, and senators?

SENATOR ENGEL: It's...from my understanding, it's a member of the clergy or a member of the Legislature.

SENATOR THOMPSON: A legislator. Thank you. Senator Kremer, could I ask you a question, please?

SENATOR CUDABACK: Senator Kremer, are you available for a question from Senator Thompson?

SENATOR KREMER: Yes.

SENATOR THOMPSON: I'm just trying to make sure I understand this. The previous rule said you had to be a member of an organized clergy, and it probably was that the Legislature, when they adopted that rule, had some group of prayer givers in mind, I guess. And then, because we couldn't get people to do that because of distance issues or political issues of recent years or whatever, then we started going to the senators. As this is written, can a member of the public request to give the prayer? I mean, I want to make sure that...

SENATOR CUDABACK: One minute.

SENATOR THOMPSON: ...for the record, the Clerk has some legislative history here of who...I would think other people

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could ask to give the prayer.

SENATOR KREMER: I would think not. I mean, right now, I know we receive a letter at the beginning of the session saying that members of the Legislature, if your pastor or somebody is in town, that you can ask him to do it. And I think what's happening is that there's openings, and so then we are just asked to do that, which I think is very appropriate. And I would...I guess I would be against that just anybody could come and request to pray in the Legislature.

SENATOR THOMPSON: Okay. So it's the intent of your amendment--I'm just getting down to specifically...

SENATOR KREMER: Right.

SENATOR THOMPSON: ...what your amendment says,...

SENATOR KREMER: You can...

SENATOR THOMPSON: ...there's nothing there that says that should be a member of the clergy, organized or however, or a member of the Legislature.

SENATOR CUDABACK: Time, Senator Thompson.

SENATOR THOMPSON: Thank you.

SENATOR CUDABACK: Thank you, Senator Thompson. Senator Friend, followed by Senator Chambers.

SENATOR FRIEND: Thank you, Mr. President, members of the Legislature. You know, I'm starting to get scared, and when I was a little kid, when I--not that anybody directed me to do it, but I always know that when I got scared that there was a particular prayer I always used to like to say. Nobody else around, I could say it out loud, I could say it to myself, whatever, nobody was going to know. But Senator Chambers is scaring me, and the funny thing about it is, I thought it was my prayer. I didn't think anybody else knew it. I was living out in Grand Island, probably...this was probably 12, 15 years ago.

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I don't even know now. But I was baby-sitting for some friends of mine. The kids were getting ready for bed, and they started saying my prayer. And I go, wait a minute. Now I'm scared, because that was my prayer. But then I obviously realized, me being as naive as I was, that there was something really cool about that. But since I'm scared at this moment, here's how it goes: Angel of God, my guardian dear, to whom God's love commits me here, ever this day be at my side, to light, to guard, to rule and guide. Amen. Is there anything really to be afraid of here? I don't think so. I feel better already. Thank you, Mr. President. (Laughter)

SENATOR CUDABACK: Thank you, Senator Friend. Senator Chambers on the Kremer amendment to the Chambers amendment.

SENATOR CHAMBERS: Mr. President, members of the Legislature, Senator Friend was able, for a short time, to return to the days of his childhood. There's an innocence about childhood period and an innocence about little children, even when little children do what adults call bad things. Most of the time, if not all of the time, those things are done with a child's innocence. The child has not lived a life which has made him or her vindictive, devious, cunning, and dishonest. So from the honesty of the innocent, trusting little hearts, they will state what they actually believe. They're encouraged to do that. But mean adults who forget what it was like to be a child, who will invite a child to say what the child thinks. If the child says something the adult doesn't like, the adult may slap the child. Don't ask children something, if you don't want an honest answer, and be prepared for anything to come out of that child's mouth. The children are what we make them. Senator...he was so good I can't even think of his name, so I have to go through a long process and come up with Friend. No, Senator Kremer didn't say that; Senator Friend said this, and the reason I remember Senator Friend, it is so unlike him to speak those words on the floor. In all of us, somewhere hidden deep inside, are all of those things that we knew as children, but as we grow older, continue to live in this religion-cursed world, confront hatefulness, discrimination, and all of the other negatives, those things that flow from innocence are pushed deeper and deeper, and they're covered over more and more by layers of

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insensitive calluses. So that sometimes, even when we're alone, to think those thoughts is to be embarrassed. How could I even think such a thing? And I'm sure glad nobody is aware that such thoughts are going through my mind, but that may be when you're the purest that you'll ever be. But people do react according to the environment they find themselves in. For you see, talent is developed in solitude, but character, in the stream of life, where all those contrary forces are bombarding us and pulling us one way or the other. This is why you all have got to have something about praying on the floor of the Legislature, because you're wondering how the public will perceive you, if you don't contaminate in the Legislature, this notion of prayer. Prayer is supposed to be a conversation or communion between the pray-er and the being to whom that individual prays, whoever or whatever it or they happen to be. But you know what will happen if you get rid of all this prayer? You'll find a bunch of sloppy, drunk guys in a tavern, a string of profanity, what the so-and-so they doing in that Legislature? They ain't going to pray no more? Why, by God, they better pray! This is a "Chrishian" country, and we "Chrishians" want our public officials to pray.

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: Drunk as a skunk, but he'll make you all go through this charade, and that's all that it is. Senator Kremer told you, you don't need to pray out here. Jesus told you, don't do it. Read your "Bibble." He said, go in your closet. You did the right thing when you were in your office, praying between you and your God. But you don't care about God; you care more about that drunk in the tavern. And you don't care that your prayers, according to the rules, have to be secular, meaning devoid of religious content. It is not a religious activity. Then why do it? It's a travesty, it's a sham, and as one person said, it's even blasphemous. It's sacrilege. But I, who am not religious, understand these things, and you all don't. You understand it, but you're too cowardly to practice...

SENATOR CUDABACK: Time, Senator Chambers.

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SENATOR CHAMBERS: ...what you ought to, according to the religion you profess to believe.

SENATOR CUDABACK: Thank you. Senator Thompson. I'm sorry. Your light did...

SENATOR THOMPSON: That's okay, I'll go. Thank you, Mr. President, members of the body. I just wanted to let you know that I...the Clerk did come and talk with me about this, and Senator Engel, who is off the floor again, otherwise I would...oh, there you are. Sorry, not at your mike; you're on the floor. Sorry, I apologize. Senator Engel, current policy under the current rule was that senators sponsor a person to give the prayer, or send a letter and recommend; is that correct?

SENATOR ENGEL: That's the way we've been doing it, yes. That's...I don't think that's in the rules; that's just the way we've been doing it.

SENATOR THOMPSON: But, and I'm just clarifying this, that the Executive Board of the Legislature would work with the Clerk to get the framework for how this is going to operate in the new world, where it doesn't say...the rule as it previously was stated, so we were having members of the clergy who were part of organized religions...

SENATOR ENGEL: Well, I'm certainly...

SENATOR THOMPSON: ...if that...I mean, I'm just trying to follow up to my comments earlier, and that's why I turned my light off, and I didn't get my light turned off quick enough, that this would fall to the Executive Board to figure out how you would implement this, from the rule.

SENATOR ENGEL: I would assume that's where we should go, and we'll certainly cooperate to make it work. You bet.

SENATOR THOMPSON: Okay. Thank you.

SENATOR CUDABACK: Thank you, Senator Thompson. Senator

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Chambers on the Kremer amendment to your amendment.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I'd like to ask Senator Kremer a question.

SENATOR CUDABACK: Senator Kremer, would you yield to a question, please?

SENATOR KREMER: Yes.

SENATOR CHAMBERS: Senator Kremer, I don't know the answer to this. Are you a deacon in your church, by chance?

SENATOR KREMER: No, I'm not.

SENATOR CHAMBERS: Do you hold any position in your church?

SENATOR KREMER: Not at the present time.

SENATOR CHAMBERS: Okay. Have you heard the expression in the Bible, be ye not unequally yoked together?

SENATOR KREMER: Yes, I have.

SENATOR CHAMBERS: You've heard that verse? Have you heard that verse?

SENATOR KREMER: Yes. Yes.

SENATOR CHAMBERS: Do you feel your hitching up with me causes you to be unequally yoked together with me?

SENATOR KREMER: No.

SENATOR CHAMBERS: You don't?

SENATOR KREMER: No.

SENATOR CHAMBERS: That's all I will ask you. Thank you, Senator Kremer. Members of the Legislature, some of the senators do listen to our discussions, no matter how acrimonious

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my words may seem, and I upset everybody on this floor more than anybody else. I know that, because I'm more honest on the floor than anybody else. If everybody on this floor were as honest as I am, we wouldn't have a lot of trash legislation, we wouldn't have a lot of stupid votes, we wouldn't have violations of the rules. But since they're not going to be that way, I've got to bludgeon and bludgeon and bludgeon. When did I start on this subject? Do you remember how long ago I started on this subject? A long time ago, to quote the Speaker. This is an important issue, more than those where you were talking about how many people are going to be on a committee. The public doesn't care about that, but they care about how you're going to deal with religion. And not everybody is a "Chrishian," and not everybody who professes to be one is one, according to what the Bible would indicate, but the Bible does not use the word "Chrishian." It uses the word "plural," and it uses it to show where it was applied in contempt. The disciples were first called Christians at Antioch. Jesus didn't call them "Chrishians." They didn't call themselves "Chrishians." Somebody, being sarcastic, called them that, and they adopted it. So anything can be a "Chrishian," anything; that's what I said. That's why you've got people like Pat Robertson, telling people pray that God bumps off these Supreme Court judges who don't vote the way he says they should vote. Catastrophes are striking innocent people because God is mad that some people are gay and lesbian; that because some city council members voted to get rid of some bonehead, brain-dead fools who wanted to teach so-called intelligent design as science were voted off the school board, Robertson, who dictates to God, say, well--he has such a cherubic, little grin on his devilish face--well, if God sends a tornado--and he seems to enjoy it--or a hurricane or an earthquake, don't ask God to help you, because you've just put God out of schools, so he's not going to help you. And how do you know that? Because I, Pat Robertson, said so. He's just like you all; all you all "Chrishians." All of you. You're just like him. You're just not as honest. Look what you voted on earlier, violating the rules. But Senator Kremer is trying to bring a clean thing out of an unclean thing. You can't make a silk purse out of a sow's ear. Senator Kremer is trying, and he hitched his wagon to mine, feeling that if there's anybody who can provide a vehicle which might possibly bring a clean

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thing out of an unclean thing, old Senator Chambers is the one who can provide the vehicle. But here's where Senator Kremer is smarter than the rest of you. He will look at a result...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...that he thinks is appropriate, and any means within the rules or the law that will allow that goal to be reached is one that he will pursue. He might be swallowing hard, wishing that somebody else had provided the vehicle, or that he'd thought of it himself, but all of that becomes irrelevant. The means to get to the end that he thinks is appropriate was placed before him, and he's going to jump on it and make the most of it. That's intelligence, making that decision. But what he is doing, as a result of that decision, is not intelligent, not intelligent at all. And I say his idea...

SENATOR CUDABACK: Time, Senator Chambers.

SENATOR CHAMBERS: Was that my third time on this one?

SENATOR CUDABACK: It was.

SENATOR CHAMBERS: Okay, thank you.

SENATOR CUDABACK: Thank you. Senator Kremer, there are no further lights on. I will recognize you to close on your amendment to the Chambers amendment.

SENATOR KREMER: Thank you, Mr. President, members of the body. I would like to have a call of the house, and then I will close, and let them be coming on closing.

SENATOR CUDABACK: There's been a request for a call of the house. All in favor of the house going under call vote aye; those opposed vote nay. Record please, Mr. Clerk.

ASSISTANT CLERK: 23 ayes, 0 nays, Mr. President, to place the house under call.

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SENATOR CUDABACK: The motion was successful. The house is under call. All unauthorized personnel please leave the floor. Unexcused senators report to the Chamber. The house is under call. The house is under call. Senator Chambers, as you...Senator Kremer, as you know, your time is running, so if you would like to...

SENATOR KREMER: That's fine. I'm ready to close, so I'd just like to say, Senator Chambers, when I voted no on your original bill, I was not ready to throw the whole thing out, and at that time, I was thinking how we could clean it up, but I was too slow in getting it done. So I had to vote no, but I felt like this addressed the concerns that you had, but still, I think a majority of us would still like to have the morning opened up with prayer, and there are those that do not agree with it, and that's fine. But this simply just says the Clerk's Office, which is a practice right now, shall arrange for prayer at the beginning of each legislative day. And I think it's up to us, if we have a clergy or somebody in town, a friend of ours, that we can invite them, but as Senator Thompson talked about, just not anybody off the street can come and request to pray. And if there's not a...if there's an opening and there's no other minister here, then I think it's very appropriate that members of the body do have the prayer in the morning. So with that, I'd like to have...just a machine vote would be fine.

SENATOR CUDABACK: Thank you, Senator Kremer. You've heard the closing. The house is under call. Senator Preister, Senator Connealy, and Senator Bourne. Senator Bourne. Senator Connealy and Senator Preister. Senator Connealy. The house is under call. Senator Bourne, also. Senator Bourne, the house is under call, please. Senator Kremer.

SENATOR KREMER: I'm okay, if you want to go ahead. If there's still one missing, that's okay.

SENATOR CHAMBERS: Roll call vote.

SENATOR CUDABACK: There's been a request for a roll call vote on the question. The question before the body is adoption of the Kremer amendment to the Chambers amendment to the adoption

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of the permanent rules. Mr. Clerk, when you get time, please call the roll on the question.

ASSISTANT CLERK: (Roll call vote taken, Legislative Journal page 272.) 37 ayes, 1 nay, Mr. President, on the adoption of the amendment to the amendment.

SENATOR CUDABACK: The motion was successful. The Kremer amendment has been adopted. I do raise the call. We are now back to the Chambers amendment, as amended. Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature, I'd like to ask Senator Engel a question.

SENATOR CUDABACK: Senator Engel, would you yield?

SENATOR ENGEL: Yes, I will, yes.

SENATOR CHAMBERS: Senator Engel, from the beginning you knew, or did you not know,...let me ask it without making it two. Did you know there was not a Chaplain Coordinator?

SENATOR ENGEL: Yes, I did.

SENATOR CHAMBERS: You voted against the amendment to strike that position, did you?

SENATOR ENGEL: I voted the way I did, and I think Senator Kremer voiced the same opinion why I voted against it, because I didn't want to get rid of whole thing. I thought that's what you were trying to do.

SENATOR CHAMBERS: Well, you just got rid of the Chaplain Coordinator.

SENATOR ENGEL: Right. We don't...we haven't utilized a chaplain coordinator, so we don't have...if we don't have one, I think it should be eliminated. But I do want to keep the procedure going as it has been in the past.

SENATOR CHAMBERS: But I did have...I have brought a pretty good

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idea before us today, haven't I?

SENATOR ENGEL: Occasionally, you do, yes.

SENATOR CHAMBERS: No, that doesn't answer my question. I ask that the judge direct the witness to answer the question.

SENATOR ENGEL: Okay, would you repeat the question, sir?

SENATOR CHAMBERS: I'll rephrase it. The issue that I brought before us was important, and you feel that we've arrived at a situation which is better than it was before this discussion?

SENATOR ENGEL: Yes, I do.

SENATOR CHAMBERS: If I had not initiated all of this troublemaking and rabble rousing, we would be, at this point, right where we were before we started; correct?

SENATOR ENGEL: Absolutely.

SENATOR CHAMBERS: And where we started was not as good as where we are now, right?

SENATOR ENGEL: Absolutely.

SENATOR CHAMBERS: And without me, you wouldn't be where you are right now, right?

SENATOR ENGEL: It's just that bumpy road we have to go over to get here, is all. Yeah.

SENATOR CHAMBERS: And it pains you to make these admissions, doesn't it?

SENATOR ENGEL: Yes, it does. Thank you, thank you.

SENATOR CHAMBERS: You've done penance. Thank you, my son. Sit down. (Laugh) Members of the Legislature, I still don't like the prayer. However this ritual is clothed, it's wrong, it's inappropriate. But I am doing something to try to position

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myself to challenge this whole thing in the federal court again, and I have had brought to my attention a federal decision which is going to give me guidance. And if the federal court tells you you can't do it, you can't do it. Now if you want to be like Andrew Jackson and say, John Marshall, the Chief Justice of the Supreme Court, has made his decision, let him enforce it, then you can engineer, at the state level, a political crisis, but you don't have the belly for that, and I know it. You don't even have the belly to vote the way you ought to on something in your own rules. That's why I don't ever worry about any constitutional crisis being generated by anything my colleagues on the floor of the Legislature would do. Why, then, am I opposed to you all getting kicked out of here by term limits, when I say, you're foolish, you're simpleminded! You're like kids in a sandbox. You happen to be mine, and I don't want you to be taken away from me in that fashion. Now if I drive you out of here, that's fine, but to have others come along here, who don't even know what you're doing? And maybe you deserve to be kicked out, but they don't know that. They're not kicking you out because they know anything about you, or that you're not doing the job you're supposed to do, if that happens to be true. They don't know that at all. That's why what they did is so asinine. But they don't have the best example, by looking at the way we do things in the Legislature. I stay here. I continue to labor, because this happens to be the cauldron in which we cook legislation. Nothing is going to be easy under these circumstances. Even things that...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...that people think in advance will be noncontroversial turn out to have demonstrated to them that they miscalculated. On this floor, in this Legislature, you have to be prepared for anything and everything. You must be physically strong, mentally tough, and try to stay mentally alert. However much we have to work on the floor, we should always remain engaged. That's how you fight off dementia and Alzheimer's--keep your brain active. And maybe somebody would say there's no proof of that. Maybe not, but I don't think keeping your brain active can hurt you. It might put you out of favor with others who want to take the path of least resistance,

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as you're doing with what Senator Kremer is offering you. I'd like to ask Senator Kremer a question or two, because I think he's somewhat familiar with the "Bibble."

SENATOR CUDABACK: Your time is up, Senator.

SENATOR CHAMBERS: Thank you.

SENATOR CUDABACK: You may continue.

SENATOR CHAMBERS: Senator Kremer, I'd like to ask you a question or two.

SENATOR KREMER: Okay.

SENATOR CHAMBERS: Senator Kremer, are you familiar with what I had made reference to earlier about Jesus criticizing hypocrites who prayed in public places and on street corners?

SENATOR KREMER: Yes, I am.

SENATOR CHAMBERS: And are you familiar with His having said--and when I say He said it, I mean it's written this way; maybe He did, maybe He didn't, but it's written this way--when you pray, enter your closet and pray to Him who sees in secret, and He who sees in secret will reward you openly? Have you read words to that effect in the "Bibble"?

SENATOR KREMER: Yes, I have.

SENATOR CHAMBERS: Is this Legislative Chamber a public place?

SENATOR KREMER: Yes, it is.

SENATOR CHAMBERS: Can people go up in the balcony whenever they want to, members of the public?

SENATOR KREMER: Yes. Well, I think so.

SENATOR CHAMBERS: So this is a public place.

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SENATOR KREMER: Yeah.

SENATOR CHAMBERS: Right?

SENATOR KREMER: Yes.

SENATOR CHAMBERS: Did Jesus say you shouldn't be praying in public places as the hypocrites do? What did He mean by that?

SENATOR KREMER: Well, I think He knew their heart and He knew the reason they were praying was for show.

SENATOR CHAMBERS: Well, what's being...

SENATOR KREMER: That doesn't mean everybody does that.

SENATOR CHAMBERS: Why is it being done here?

SENATOR KREMER: I wouldn't say that everybody is doing it for show.

SENATOR CHAMBERS: Do you think anybody is doing it for show?

SENATOR KREMER: I couldn't...I can't judge that.

SENATOR CHAMBERS: I'm not asking you to judge. I'm asking for your opinion, not your judgment.

SENATOR KREMER: I don't know. I...

SENATOR CHAMBERS: Do you believe some are doing it for show?

SENATOR KREMER: I would think it could be, yes.

SENATOR CHAMBERS: You heard Senator Schrock said that he's not particularly a religious person but he doesn't want to break the tradition, so he's doing it for tradition. Could that be in the nature of a show, if it weren't Senator Schrock who said that?

SENATOR KREMER: I'm not going to judge Senator Schrock.

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SENATOR CHAMBERS: I'm not talking...well, we're not talking about Senator Schrock. Let's talk about Elmer Fudd. Elmer Fudd said that. So would Elmer Fudd be doing it for show?

SENATOR KREMER: I don't know.

SENATOR CHAMBERS: You're afraid to comment on Elmer Fudd?

SENATOR KREMER: I don't know Elmer Fudd.

SENATOR CHAMBERS: That's why you can comment on him.

SENATOR KREMER: Okay. He...

SENATOR CHAMBERS: If he said he's doing it for the tradition, if he's doing it for any reason other than to commune with God, then it's for show, isn't it?

SENATOR KREMER: It could be.

SENATOR CHAMBERS: Thank you, Senator Kremer. Members of the Legislature, do you see how they vacillate? They know what Jesus said, but they ain't going to do it, so they pretend not to understand. And I'm not speaking in tongues that cannot be understood. I'm speaking English, American English, not strictly American English because I speak grammatically. Jesus said don't pray in public as the hypocrites do. You all all "Christians." Who do you worship? Jesus told you what you shouldn't do, and you said, ah, Jesus, go take a flying leap, or kiss some place where the sun don't shine. Now you all might think I'm being inappropriate in my language, but I'm not being as inappropriate as you are, who profess to believe in Jesus and you disobey what He said. He's the one who said, why do you call me Lord, Lord, and you don't do what I said? Jesus said that. There's Senator Stuhr, disobeying Jesus. Senator Aguilar, disobeying Jesus. You scared of these people in the bar, but you ain't scared of Jesus. You want to please the person in the bar, but you don't want to please Jesus. You know what Jesus told you all, not just people in the bar but somebody who can kill you? You know what Jesus told you "Christians"? Don't fear him who can kill your body. That's what Jesus said,

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Senator Kremer, and Senator Foley, and Senator Friend, and Senator Erdman. Jesus said don't fear him who can kill the body, but rather fear him who can...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...cast both body and soul in hell. That's what your book said. That's what your Jesus said, that you have somebody up there invoking every morning, even when they don't speak His name. You know who they talking about. In Harry Potter, when nobody would speak Lord Voldemort's name and they said, he whose name cannot be spoken, they knew who was being mentioned. You know. And that Jesus, who can cast body and soul in hell, told you don't pray in public like the hypocrites do. And you said, Jesus, I'm not going to do what you tell me to do. I want to get along with the person in the bar. I don't want to break the tradition. And Jesus said, then you...you don't want to break the tradition, but you'll break My heart? And I guess your answer to that is, well, yeah, I guess so; Your heart has got to go; You got to go.

SENATOR CUDABACK: Time, Senator.

SENATOR CHAMBERS: Was that my second time?

SENATOR CUDABACK: That was your third time. All you have is closing left, but Senator Schrock gets to speak first. Senator Schrock, you're recognized.

SENATOR SCHROCK: Mr. President, members of the Legislature, Senator Chambers, you said something that got my attention. You said that I said that I'm not a particular Christian person. I said that I may not be perceived as a Christian person. There's a big difference. And only I know and only God knows what goes on here. Fair enough. Senator Chambers, I'll give you two minutes.

SENATOR CUDABACK: Senator Chambers.

SENATOR CHAMBERS: Thank you, Mr. President. And, Senator Schrock, thank you. But what I had said, I thought you had said

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you're not a particularly religious person, but you say you're not...you may not be perceived...

SENATOR SCHROCK: I may not perceive to be...

SENATOR CHAMBERS: Be perceived. Well, do you consider yourself to be a particularly Christian person?

SENATOR SCHROCK: Yes, I'm a follower of the Christian faith.

SENATOR CHAMBERS: You're what?

SENATOR SCHROCK: I'm a follower of the Christian faith.

SENATOR CHAMBERS: Oh, a follower. Okay.

SENATOR SCHROCK: I consider myself to be a Christian.

SENATOR CHAMBERS: Does that mean you obey what Jesus told you to do?

SENATOR SCHROCK: Oh, I stray a lot, Senator Chambers,...

SENATOR CHAMBERS: I didn't understand you.

SENATOR SCHROCK: ...more than...more than I like to admit to.

SENATOR CHAMBERS: You do what? You pray a lot?

SENATOR SCHROCK: I stray a lot.

SENATOR CHAMBERS: Oh, you stray.

SENATOR SCHROCK: More than I'd like to admit to.

SENATOR CHAMBERS: Okay. If Jesus told you not to pray in public, you're going to pray in public anyway, right?

SENATOR SCHROCK: You know, sometimes I'm offended by actions of people that they demonstrate...they have to demonstrate to me if they're a Christian. Sometimes I'm a little...I'm skeptical of

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hypocrites. Let's put it that way.

SENATOR CHAMBERS: But that's not what I asked you, Senator Schrock. Jesus said don't pray in public as the hypocrites do.

SENATOR SCHROCK: Okay.

SENATOR CHAMBERS: Then why don't you...but you want to pray...

SENATOR SCHROCK: But if you're not a hypocrite, it's all right to pray in public, Senator Chambers.

SENATOR CHAMBERS: He said that's what makes you a hypocrite, when you pray in public.

SENATOR SCHROCK: I don't go...I don't think that's what it says.

SENATOR CHAMBERS: Yes, it is, and He said you...

SENATOR SCHROCK: It's all right to pray in public if you're not a hypocrite.

SENATOR CHAMBERS: No, He said you go in your closet and pray, take the whole thing, eat the whole roll, as the "Bible" said.

SENATOR SCHROCK: I think there's...

SENATOR CHAMBERS: But you can find you a preacher and he'll read it to you, and you say Chambers brought that up in connection with praying in the Legislature. Then your preacher is going to say right away, oh, but it doesn't mean that. That's all I will ask you, though, Senator Schrock, on your time, and any of it that's left I'll give back to you. And thank you for letting me have what you did.

SENATOR SCHROCK: I give the rest of my time back to the Chair.

SENATOR CUDABACK: Thank you. Further discussion on the Chambers amendment? Senator Chambers, you're...there are no lights on. You're recognized to close, if you care to.

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SENATOR CHAMBERS: Mr. President, members of the Legislature, "Christians" are the most hidebound, narrow-minded, intransigent people you can find, and they'll say every word of the "Bible" is true, the way is written, until you show where their conduct goes contrary to what's written in the "Bible." Then they say, oh, but that particular verse doesn't mean that, because it gets in the way of what they want to do. Well, Senator Kremer is not able to rewrite the "Bible" in the way he's rewriting this rule to conform to what they're doing, which was in violation of the rules. They cannot rewrite the "Bible," but he can write his own version, the Kremer version, and in time it will have a bigger readership than any other "Bible" if he makes allowances for everything people do. If you lust after your neighbor's wife or his maid servant, that's okay; everybody makes mistakes. If you steal every now and then but don't steal too much, we understand. If you lie, well, who doesn't lie? That kind of "Bible" would not only be read and embraced, but a religion would start and they'd be "Kremeritea" and they'd say that he is the one who ought to be worshiped because he had a vision. Every time you catch one of these "Christians" violating the Word, they say it doesn't mean what it said. You see how I can wear you all out? And I'm not even tired. Wear you out. We're only in about the fourth day, and I'm not even through today yet. But this is just a harbinger of things to come. I am opposed to what Senator Kremer has done here. And you know why you voted for it? Because Senator Kremer brought it rather than me. He's white, like you. He's a "Christian," like you. But he's saying, in effect, what I had said, but he gave you a little something to allow you to salvage a bit of that hypocritical hide. You can let the Clerk arrange for prayer. Now here's what I want to ask. If you pass a rule that refers to a specific person, whose specific job it is to do a specific thing, and nobody else is mentioned, only that person can do it. Suppose the Clerk is sick and not here. Then we don't have to worry about prayer that day, do we? Suppose the Clerk has to go to some function that keeps him from being here. Then there will be no prayer, or are you going to violate the rule again? You'll violate the rule again? Doesn't obeying the rule mean anything to you? And I can hear your little minds turning now--if not doing what Jesus told us to do doesn't bother us,

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you know not doing what the rule tells us to do will bother us. I am so glad that our proceedings are carried on television in what they call real time so the public can see what goes on here and listen to all these hypocrites and watch all these hypocrites, and nobody will call them a hypocrite because everybody is a part of the show, a part of the club, going along. But I'm not and I won't, and I don't even have a religious corpuscle in my body. It's not religion that leads me to do this and say what I say. I'm interested in the integrity of this...

SENATOR CUDABACK: One minute.

SENATOR CHAMBERS: ...secular organization, this secular organization that has nothing to do with religion and should not be contaminated by religion. There has been some anger on this floor at things I've said, and Jesus told you there, too, anger rests in the bosom of a fool. So there have been some fools around here today. I have more control over you than Jesus has over you. I make you endanger your mortal soul. I pluck some of you right out of a state of grace, and you're just lucky that that vindictive God you serve doesn't strike you dead right then. And I know you're praying that He'll strike me. But God might be up there saying, Chambers ain't much but he's all I got in that hellhole down there. I'll tell more truth by accident than you all will tell on purpose, because you're afraid. You're scared. You have no backbone. You have no integrity, and you...

SENATOR CUDABACK: Time.

SENATOR CHAMBERS: ...make it clear. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Chambers. You've heard the closing on the Chambers amendment. The question before the body is, shall the Chambers amendment be adopted to the permanent rules? All in favor vote aye; those opposed vote nay. Have you all voted who care to? Record please, Mr. Clerk.

CLERK: 30 ayes, 0 nays, Mr. President, on the adoption of Senator Chambers' amendment.

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SENATOR CUDABACK: The Chambers amendment has been adopted.

CLERK: Mr. President, the next motion I have, Senator Chambers--Senator, the motion you filed with respect to Rule 2, Section 10.

SENATOR CHAMBERS: I want to withdraw that rule, that proposal.

SENATOR CUDABACK: It is withdrawn.

CLERK: Mr. President, I have nothing further pending with respect to adoption of permanent rules.

SENATOR CUDABACK: Back to discussion of the permanent rules. There are no lights on. Senator Hudkins, you're recognized to close.

SENATOR HUDKINS: Thank you, Mr. President. We have spent quite a bit of time on the rules. I think everyone is knowledgeable of what we are trying to do, or have tried to do. The Retirement Committee needs their own day; we've established that. It will be up to the Committee on Committees to work out the schedules. We have talked about the numbers of committee members on a number of committees, so I think that you all, unless you have not been here at all today, have a fairly good understanding of what the rules changes will be, and I therefore would invite your adoption of these rules. Thank you.

SENATOR CUDABACK: Thank you, Senator Hudkins. The question before the body is, shall the permanent rules be adopted? All in favor of the motion vote aye; those opposed to the motion vote nay. Been a request for a record vote. Have you all voted who care to? Have you all voted on the motion who care to? Record please, Mr. Clerk.

CLERK: (Record vote read, Legislative Journal pages 272-273.)
35 ayes, 2 nays, Mr. President, on adoption of permanent rules.

SENATOR CUDABACK: The permanent rules have been adopted. Mr. Clerk, items for the record?

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

January 10, 2006 LB 770, 784, 790, 806, 842, 914, 915, 942
987, 988, 1016-1024

CLERK: Mr. President, I have new bills. (Read LB 1016-1024 by title for the first time.) Mr. President, I have a hearing notice from the Government, Military and Veterans Affairs Committee, and a series of name adds: Senator Dwite Pedersen to LB 770, LB 784, LB 987, LB 988, LB 806; Senator Preister, LB 790, LB 842; Senator Foley, LB 988; Senator Cornett, LB 770, LB 942; Senator Stuthman, LB 915, LB 914; Senator Redfield, LB 914. (Legislative Journal pages 273-276.)

Mr. President, I have a priority motion. Speaker Brashear would move to adjourn until Wednesday morning, January 11, at 9:00 a.m.

SENATOR CUDABACK: You've heard the motion. All in favor of adjourning, January 11, say aye. Opposed, nay. We are adjourned.

Proofed by: GSK