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Floor Debate  
January 30, 2017

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[LB20 LB38 LB63 LB101 LB105 LB119 LB146 LB167 LB180 LB229 LB234 LB296 LB350  
LB595 LB644 LB661 LR27]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the eighteenth day of the One Hundred Fifth Legislature, First Session. Our chaplain today is the Reverend Gregg Gahan from Craig-Alder Grove Parish in Craig, Nebraska, representing Senator Brasch's district. Senators, please rise.

PASTOR GAHAN: (Prayer offered.)

SPEAKER SCHEER: Thank you, Pastor Gahan. I call to order this eighteenth day of the One Hundred Fifth Legislature, First Session. Senators, please record your presence. Roll call.

SENATOR WATERMEIER PRESIDING

SENATOR WATERMEIER: Record, Mr. Clerk.

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

SENATOR WATERMEIER: Thank you, Mr. Clerk. Items for the agenda?

CLERK: Mr. President, items: Revenue Committee, chaired by Senator Smith, reports LB20, LB63, and LB234 to General File; Judiciary Committee, chaired by Senator Ebke, reports LB105, LB146, LB167, LB180, LB229, and LB350 to General File, those all signed by their respective Chairs. Series of hearing notices from the Judiciary Committee, those signed by Senator Ebke as Chair of Judiciary. That's all that I have, Mr. President. (Legislative Journal pages 375-377.) [LB20 LB63 LB234 LB105 LB146 LB167 LB180 LB229 LB350]

SENATOR WATERMEIER: Thank you, Mr. Clerk. (Visitors introduced.) Thank you, Mr. Clerk. Now proceed to the first item on the agenda.

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CLERK: Mr. President, I have a motion. Senator Chambers would move, pursuant to Rule 1, Section 16(a), to change the Speaker's order, agenda to consider motions to rereference three bills: LB644, LB595, LB661. Motions were filed on January 24 and printed in the Journal. That motion is before the body. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Mr. Clerk. Senator Chambers, you are recognized to open on your motion. [LB644 LB595 LB661]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, hardball is going to be played from here on out. I've been a nice guy. No more "Mr. Nice Guy." I'm going to read what I wrote on the copy of this motion that I handed out. "Colleagues--As I discussed Friday, the Speaker has scheduled--and we have debated--motions on other bills filed SUBSEQUENT TO MINE. I view this as unequal, discriminatory, (retaliatory?) treatment and a blatant misuse of authority and a corruption of the INSTITUTION. If this is how the game is to be played, I shall deal myself in--and let us see what happens." And I attached a sheet which lists the three bills. And if you'll notice, there are numbers by these dates. The document from which this information was taken starts with the lowest date and then moves upward. The first bill was LB644 which would change and eliminate provisions governing boards, commissions, and similar entities. That bill was referred to the Judiciary Committee. It was rereferred to the Government, Military and Veterans Affairs Committee by the Executive Board. I offered my motion to rerefer on the 24th. If the people who are directing Senator Murante and the members of his committee and the Republican Party to gut these two judiciary-related bills, they should have done it in a separate bill and it would have come to the Judiciary Committee. Instead, they rolled it into this bill that deals with inconsequential boards and commissions. This is a case where the jockey--namely, this material related to the judiciary--the jockey is bigger than the bill. There is an article in today's paper, and I'm certainly glad that it's there, that takes to task what Senator Murante and his group are doing. It has now finally reached outside. I have argued almost from the beginning about the misreferring of bills by the Executive Board, by the five "Repelicans" who probably are members of that 27. The bills are misreferred on their face but they have five votes. Well, now the judiciary is involved. The Court Administrator pointed out he had sent letters to Chairman Murante. I had pointed out to the Executive Board that these two constitutional commissions--the Judicial Nominating Committee (sic: Commission), the Judicial

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Qualifications Commission--are created in the constitution. They're not like these insignificant boards and commissions. That bill should have gone to the Judiciary Committee. But they have some things in the Government Committee that they're going to try to do for the Republican Party. And I hope Senator Murante stands on this floor and tries to justify it. I tried to tell the people on that board. I don't remember whether Senator Ebke went along with this or not. She's Chairperson of the Judiciary Committee. About 10 pages of that inconsequential bill dealt with these two constitutional entities. You can try to walk on the court if you want to. The court is not like the simpleminded numskulls on this floor who can be bullied and buffaloed by the Republican Party, the Governor, and these "brain trusters" on the floor who have been here awhile and are telling you what to do. If you intrude too much on the judiciary, your bill would be struck down as unconstitutional. It is a separation of powers at issue. And I told Senator Ebke what I'm telling you now. I said the first day, or thereabouts, you all don't respect my knowledge, you don't respect my experience, but judges do because they know that I understand the constitution and the laws. But it means nothing to you all because you think everything that you can do with a vote is going to stand. I'm going to read that article before the day is over and I'm going to take all the time that I need to get things into the record to show how this Legislature is corrupting our processes, is denigrating the institution, has no respect for the Legislature as an institution. That bill should have stayed with the Judiciary Committee. LB595 provides for the use of physical force or physical restraint or removal from a class in response to student behavior and it provides immunity in a way that's unconstitutional. It went to Judiciary. Senator Groene came in--he said he's not part of the 27 but they all see eye to eye--and got those five to take it out of the Judiciary Committee, even though it's an immunity bill, and put it in the Education Committee where they don't understand the law. First of all, the bill is cockamamie and ignorantly crafted. When somebody is going to use physical force against somebody, even if somebody who is the Chairman of the Education Committee like Senator Groene who will raise his voice at a woman, says that it can be done, it cannot. Whenever physical force is used, the Legislature can say that no legal action can be taken against that person. That's crazy. The constitution says that the doors to the courts are open to everybody for vindication of his or her rights. You're going to say that if this teacher hits a kid in the mouth there is no legal action that can be taken--blanket, absolute immunity and absolute insanity. Senator Groene brought the bill because there was a teacher who dragged a young student by the feet 90-something feet through the halls from one room to another. Some people on the school board were upset. The school

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board voted 3 to 2, or whatever it was, not to do anything to this rat. Senator Groene didn't think any action should have even been attempted. So now he brings a blanket immunity bill. Let it go to his committee but I'm going to bring this out on the floor to show how stupidly things are done here, how wrongfully they are done here, how on the face of these bills they should go someplace else. And to let you all know how immunity bills go, at the bottom of the page I put information about LB296, Senator McCollister's bill. We heard it before the Judiciary Committee. The one-liner: "Change immunity provisions with respect to asthma and allergic reactions" in schools. Why didn't that go to the Education Committee? Because it deals with immunity. Since it's talking about asthma and allergic reactions, which are health matters, why didn't it go to HHS? Because it deals with immunity, immunity to those who are going to be involved with providing certain medications to the schools. So it went to Judiciary where it belonged. The Exec Board sent Senator Groene's bill which deals with immunity to the Education Committee because he is one of them and that so-called friendship, or whatever it is, is more important than the integrity of our referencing system or the Legislature as an institution. Then this last one: "Provide for confidentiality of information relating to performing a lethal injection." Senator Murante got that bill in his committee. It was referred by the Exec Board to the Government Committee when obviously it's a death penalty bill. [LB644 LB595 LB661 LB296]

SENATOR WATERMEIER: One minute. [LB644 LB595 LB661]

SENATOR CHAMBERS: Everybody who has seen that says that's impossible. Senator Murante the other day, and I'll have a chance to go into more detail on this so I will not try to launch into it right now--my light is on--but a bill where in the title it dealt with political subdivisions. The whole bill dealt with political subdivisions but he said it should stay in the Judiciary Committee because it dealt with the political subdivisions tort claims law and that's a Judiciary Committee bill. What could be more of a Judiciary Committee bill than the death penalty? Thank you, Mr. President. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Senator Chambers. (Doctor of the day introduced.) Speaker Scheer, you are recognized. [LB644 LB595 LB661]

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SPEAKER SCHEER: Thank you, Mr. President. Colleagues, I would like to bring some information to you in regards to today's agenda and how the agenda was formulated and the motion by Senator Chambers. If I was truly the...treating people discriminatory, unequally, or retaliatory, this motion is not a priority motion. I asked Senator Watermeier to take it up this morning so that we could deal with it. We did not have to do that. This motion would have been behind the other two bills that are already on the agenda. This is not a priority motion. Having said that, I want you to know the historical context in relationship to where we are at. We have worked on three rereferencings on behalf of Senator Chambers. Those were all done before the rule...the Committee on Rules released its report and we started working on temporary...on permanent rules. I told Senator Chambers that when we brought the rules out, that we would be working on the rules and, when the rules were done, I would return back to the rereferencing requests. The unequal treatment, I am assuming, means the two bills that were brought forth Friday that were requests for the senators to have them withdrawn. Those in the time that I've been here, and in talking to various others that have been here as much longer period of time, have always been a housekeeping item. There has never been discussion of any extent on any withdrawal to speak of. These were very easy bills. They were simple requests by the senators to withdraw. Those have...normally have taken maybe a minute or two at best to facilitate those. I did not view those as impeding the process and not affording Senator Chambers the ability to utilize the rereferencing request. It is still my intent to move back to the rereferencing requests once our permanent rules have been adopted. The two bills before you today are budget-related bills that I do think take precedence over others. If we do pass these, they do affect our agencies now, not next year, not the following year, but now. And if we're going to give those agencies the time to react to those, we have to do this sooner not later. That's the thought, that's the rationale behind what I have been doing, what my office has been doing. It has not been anything in relationship to any one senator, regardless of who it might be. When I was elected, what I told you before that vote was I would treat everyone equally. I have tried to continue to do so. It was never my intent to offend or treat anyone differently than anyone else. I have been trying to work on what I believe are priority issues for this floor. I have not tried to eliminate the ability of Senator Chambers to have his rereferencing. Those will be coming. But again, they will come, as I talked to Senator Chambers earlier, after the rules are adopted, our permanent rules are adopted. I just wanted to clarify where the position of the Speaker's Office is, where my staff has

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came up with this, and so that you're aware that this isn't retaliatory. It's not discriminatory.  
[LB644 LB595 LB661]

SENATOR WATERMEIER: One minute. [LB644 LB595 LB661]

SENATOR SCHEER: It's just trying to move things along in an orderly basis. I was not playing gotcha. Senator Chambers was fully aware that we were going to come back to those after permanent rules were adopted. Thank you, Mr. President. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Mr. Speaker. You've heard the opening on the motion for overruling the agenda. Senator Chambers, you are next in the queue. [LB644 LB595 LB661]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, what Senator Scheer said is correct as far as he goes. My first rereferencing motions were before us and he stated that if we completed that particular day without all of those rereferencing motions having been addressed, we would go to the rules before we would complete those three or however many there were. Accommodating him, and I even think I joked with him afterward, I got through with all of my discussions prior to the end of that day so there wouldn't be any conflict between my motions and the rules. Senator Scheer, unless he was asleep, should have caught on quickly that I was going to debate extensively every issue that came before us and it dealt with Senator Kintner. And let me go on to make a point here. When I first started on that, when I first heard about it, I told what I was going to do. We were not in session when it came out. And I did it. I had members on the floor say that I was too harsh, that the language I used was too graphic. And there was no obscenity, no profanity. His buddies didn't like what I was saying. Nobody else would engage in those discussions. But they gave me time and I took time and I went on and on and on and stayed on him. Even when he put that tweet, Senator Groene, I brought it up first because it fit right in with what I had been talking about with reference to him and his lack of moral rectitude. And I pointed it out. And I handed something out to all of you. And at the bottom it said, is this--I referred to you all as fellow "Unicamels"--is this the proverbial last straw or the proverbial straw, meaning that broke the camel's back. Somebody used that allusion in an interview: It was the straw that broke the camel's back. Then Senator Pansing Brooks stood up and she said, so far, Senator Chambers is the only one who's been dealing with this issue. Check

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the transcript. I listen to what goes on. And that's when the dam broke. Others stood up because at last a white person had spoken. And then they started popping up like jacks-in-the-box and I'm glad that they did. Then when I read what has happened with Kintner, I was editorialized against by the Lincoln Journal Star for being too harsh on Kintner. But it made me no difference. All it did was strengthen my determination. I didn't stop my writing. I didn't stop my cartooning. And even when a complaint was filed against me with the Accountability and Disclosure Commission because of what I was doing and going after Kintner, I laughed at it. I made it public. And it was dismissed unanimously. That's what was against me when I was going against Kintner. I'm the one who read the resolution that the Cass County Republican Party sent to the Legislature. I'm the one who put it into the record. I said that although I'm elected by a district, my title is "State Senator." So those people in Cass County who are trying to get some relief are my constituents and I will take their case down here to the floor since nobody else will... [LB644 LB595 LB661]

SENATOR WATERMEIER: One minute. [LB644 LB595 LB661]

SENATOR CHAMBERS: ...and nobody else did. But once there was plenty of company, people began to speak. I do what I do whether there's company or not. I'm not sympathetic to the Speaker. He's a grown man. Had it not been for the 27, I doubt that he would be Speaker. The Governor even said he's glad he got the position. I handed out to you all a paper that showed the Governor, the mayor of Omaha, former Governor Heineman, Lieutenant Governor Foley all against Senator Kolowski. And it said all of these are "Republican Leaders." And Senator Ebke's name was there but they mislabeled her under her picture. It said Libertarian. The title said "Republican Leaders." They don't have 32 "Repelicans" here; they've got 33. Watch the votes. Watch what people do. Watch when they change their positions and, in my opinion, know better--hardball time. [LB644 LB595 LB661]

SENATOR WATERMEIER: Time, Senator. [LB644 LB595 LB661]

SENATOR CHAMBERS: Thank you, Mr. President. [LB644 LB595 LB661]

SENATOR WATERMEIER: Speaker Scheer, you are recognized. [LB644 LB595 LB661]

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SPEAKER SCHEER: Thank you, Mr. President. I guess I neglected to ask for your patience as we work through this. But more importantly, I would ask for a no vote on this motion. We have things to do and I would like to get those done. In reference to Senator Chambers, he is correct. We did take his three rereferencing up one morning. If you recall, putting it back into perspective, the Rules Committee was having difficulty meeting to get their final product out. It was coming out that day and what I told Senator Chambers that day was that would be the last day that we'd be working on those rereferencing once the permanent rules came out. We did facilitate getting all three of those done. But once the final rules...the Rules Committee's report came to the floor is when we started the permanent rule debate. I have not waived. I did not change. We talked to...Senator Chambers and I did talk and I told him that would be the last day that we would have available now that the rules came out. So, again, I've tried to be fair. I've tried to be evenhanded. And I would appreciate a no vote on this motion. Thank you. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Speaker Scheer. Senator Chambers, you are recognized. This is your second time to speak on the motion. [LB644 LB595 LB661]

SENATOR CHAMBERS: Thank you, Mr. President, for calling on me and reminding me that it's my second time. Members of the Legislature, I'm a grown man. I'm going to conduct myself in that fashion. I don't care about niceties or any of that. Senator Scheer is one of the five who have been on the Exec Board when they deliberately misreferred bills, the same five, and they know better. If they can read, they know better. And I'm not going to come on this floor just because all of you are here now and pretend that I don't know what I know, that I have not seen what I have seen. I work harder here than anybody every day. Issues that come up, I deal with them when others are in their offices or wherever they are because I care about the Legislature as an institution and I want people to see the way a legislator ought to comport himself or herself. And that doesn't mean I'm going to be like a shrinking violet or that I'm at some tea party on the White House lawn under the cherry blossoms in spring. This is rough and tumble. And I quoted Terry Carpenter again where he said politics is a "dirty, double-crossing racket." And that was shown the first day. That was some of the dirtiest double-crossing that I had seen. People got chairmanships and they ought to be ashamed of how they got them. But getting that title meant more to them than personal dignity, self-respect. I don't respect these people around here who

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were a part of that. When I'm on the committees, I participate. I tried to get a bill taken from the Ag Committee and put in the Judiciary Committee because it created new crimes. Senator Brasch, not understanding the law, said that was not so. When we had the hearing, the points that I made were acknowledged by representatives from the Ag Department. But their lawyer sat there in that room and would not come up to the table and confront me. I didn't know he was there or I would have called him out. They miswrote the bill. They shouldn't have put the new offense in it. I said, but you agree these are new offenses you created that were not here? The one who testified said, yeah, that's right. And you all listen to Senator Brasch and something somebody outside told her. I know when I'm right. I know what I know. And you all don't know. You have not studied the law. I ought to know something for as much time I spend studying it. I'm not like you all: study it so I can think as I say in cliches and speak in slogans. I know what I know. I'm the only one who ever got a grand jury report conducted and released by the Douglas County Grand Jury expunged from the record. I did that, Senator. I did. And I'm not licensed to practice law but I'm trained in the law. I won't join the bar association. Never would I do that. But I know the law. And it's not that difficult if you apply yourself after you have the training. But you all don't respect it. So I'm going to call you out. I'm going to mock you. I'm going to embarrass you. If you don't know something, it's better to remain silent and let people think you're a fool than to open your mouth and remove all doubt. And that's what's been happening on this floor and in certain committees. If you don't know, you ought to be willing to learn from whoever can teach you something. But you're unwilling. But we have a record that we're compiling. Senator Scheer wanted to do things in an efficient way... [LB644 LB595 LB661]

SENATOR WATERMEIER: One minute. [LB644 LB595 LB661]

SENATOR CHAMBERS: ...by allowing those bills to be withdrawn. He knew there was going to be extensive debate. He should have left those off the agenda. And I'm going to debate extensively on other things and you cannot stop me. And I'm not going to run out of here when a little heat is generated. Remember, I'm the fire-breathing dragon. I create heat. You pour your little gasoline on me and you just make my fire bigger and hotter. I say come to me with your worst, but I wish your worst would not implicate the Legislature as an institution or the corruption of our processes. And that's what's been happening all of this session so far. I'd like to ask Senator Scheer a question. How much time do I have on this? [LB644 LB595 LB661]

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SENATOR WATERMEIER: Nine seconds, Senator. [LB644 LB595 LB661]

SENATOR CHAMBERS: Oh, then I'll wait. [LB644 LB595 LB661]

SENATOR WATERMEIER: Time, Senator. Senator Kolowski, you are recognized. [LB644 LB595 LB661]

SENATOR KOLOWSKI: Thank you, Mr. Chairman. I yield the remainder of my time to Senator Chambers. [LB644 LB595 LB661]

SENATOR WATERMEIER: Senator Chambers, 5:00. [LB644 LB595 LB661]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Kolowski. I'd like to ask Senator Scheer a question. [LB644 LB595 LB661]

SENATOR WATERMEIER: Speaker Scheer for a question. [LB644 LB595 LB661]

SPEAKER SCHEER: Yes. [LB644 LB595 LB661]

SENATOR CHAMBERS: Senator Scheer, I made a statement which was really a presumption. I presumed that you were aware that I would debate those matters extensively. I would like to ask you a question. Were you surprised, when those motions to withdraw bills came up, that I used them as opportunities to discuss at great length the Kintner issue? Did that surprise you? [LB644 LB595 LB661]

SPEAKER SCHEER: Yes, it did. My staff, Laurie and Spencer, and I had gone through that. We determined that those historically have been a housekeeping procedure that, as I stated earlier, Senator, would take a minute or two at best. [LB644 LB595 LB661]

SENATOR CHAMBERS: So then after I had done that, it still didn't...it still surprised you that I continued to do it? It still...it surprised you after you saw me doing it? [LB644 LB595 LB661]

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SPEAKER SCHEER: Well, after you started, it certainly didn't surprise that you continued it. But that you chose to take a withdrawal of a motion as a debatable item and proceed to utilize the rest of the morning I thought was perhaps maybe not the best use of the body's time, certainly. [LB644 LB595 LB661]

SENATOR CHAMBERS: But there were other days when additional withdrawal motions were made. Did it surprise you on those subsequent days when a motion to withdraw a bill was presented, were you surprised when I used those opportunities to speak extensively on the Kintner matter, which I said I was going to do on every opportunity I got? You still were surprised? [LB644 LB595 LB661]

SPEAKER SCHEER: Well, Senator, I can only speak to last Friday and those are the ones that are freshest in my mind. I'm not exactly sure what other time period you're talking about. But, yes, Friday it did surprise me. [LB644 LB595 LB661]

SENATOR CHAMBERS: Okay, thank you. When you're on the corner and the traffic light is flashing, if a hand comes up, stop walking. If a sign says do not walk, don't walk. I don't think anybody else on this floor was surprised at what I did. And because of what I did, he's not here, not because of what you all did. The die was cast. Caesar had crossed the Rubicon. And I was going to go on the whole session and you all knew it. But I'm glad that what was done was done. I am results oriented. But I pointed out that now that that blight was removed from the Legislature, I could go to other issues. And among those would be the misreferencing of bills and the corruption of the Legislature as an institution, the corruption of its processes. When I first started going after Kintner, I said nothing would satisfy me other than him being out of the Legislature. I'm the only one who said that and did something day after day after day to do it. I even had somebody who knows a publisher who said that I ought to consider publishing all of those "Kintnergrams" I did because they'll become collector's items, especially in view of the fact that the senator about whom they were written is no longer in the Legislature, and I refused to do it. That's not why I wrote them, although when I get older and I'm in my dotage and my "anecdote," maybe I'll make some money from them if I can. But I'm going to continue talking about the issues that I think impact the dignity, the reputation of the Legislature as an institution. [LB644 LB595 LB661]

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SENATOR WATERMEIER: One minute. [LB644 LB595 LB661]

SENATOR CHAMBERS: I'd like to ask Senator Scheer a question if he would yield. [LB644 LB595 LB661]

SENATOR WATERMEIER: Speaker Scheer, would you yield to a question? [LB644 LB595 LB661]

SPEAKER SCHEER: Yes, I will. [LB644 LB595 LB661]

SENATOR CHAMBERS: Mr. Speaker, you are the Speaker. I am the talker. So the talker would like to ask the Speaker, did you say that the next order of business is going to be these...the budget bill when we get through with Senator Groene's motion? [LB644 LB595 LB661]

SPEAKER SCHEER: Yes, that is correct. [LB644 LB595 LB661]

SENATOR CHAMBERS: And you think we'll finish that this morning, huh? [LB644 LB595 LB661]

SPEAKER SCHEER: Not necessarily. I suspect that the budget should have ample opportunity for people to have discussion. I assume that... [LB644 LB595 LB661]

SENATOR CHAMBERS: And do you think there will be other matters than just those figures and numbers that will be discussed since the budget relates to the Legislature, state government, and everything we do and how we do it? [LB644 LB595 LB661]

SPEAKER SCHEER: Certainly I would expect to have full and fair debate. [LB644 LB595 LB661]

SENATOR CHAMBERS: So then I won't surprise you, whatever I discuss on the budget, will it? [LB644 LB595 LB661]

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SPEAKER SCHEER: Whatever you choose to be practical for your discussion would be yours to have the discussion. [LB644 LB595 LB661]

SENATOR CHAMBERS: And you... [LB644 LB595 LB661]

SENATOR WATERMEIER: Time, Senators. [LB644 LB595 LB661]

SENATOR SCHEER: (Inaudible.) [LB644 LB595 LB661]

SENATOR CHAMBERS: Thank you, Mr. President. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Speaker Scheer, Senator Chambers. Senator Chambers, no one is in the queue. You are recognized to close on your motion. [LB644 LB595 LB661]

SENATOR CHAMBERS: I thought this would be my third time. [LB644 LB595 LB661]

SENATOR WATERMEIER: You've opened and you spoke twice and your third time will be the closing. [LB644 LB595 LB661]

SENATOR CHAMBERS: I thought the last time I spoke you said that was my second time. I spoke on Senator Kolowski's time. [LB644 LB595 LB661]

SENATOR WATERMEIER: You did. That was your third time speaking. But now this is your third time on your own. You opened. You spoke twice on your own. Senator Kolowski recognized you some...given...turned you some time and now this is your third time. [LB644 LB595 LB661]

SENATOR CHAMBERS: I'd like to ask the Speaker a question, if I may. [LB644 LB595 LB661]

SENATOR WATERMEIER: I'm sorry, Senator Chambers. This is your opportunity to close on the motion. [LB644 LB595 LB661]

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SENATOR CHAMBERS: Well, I can do...I can close in the way that I want to. You're going to say that... [LB644 LB595 LB661]

SENATOR WATERMEIER: Okay, go ahead, Senator Chambers. [LB644 LB595 LB661]

SENATOR CHAMBERS: You see what I'm talking about? The rules change for me. When somebody is recognized to speak, that person can use that time in the way he or she pleases. I know you all don't like what I'm saying, but I'm going to say it and I'll embarrass you. I don't sit up there in the Chair because I don't know all of the rules. But what I know, I know. I'd like to ask the Speaker a question. [LB644 LB595 LB661]

SENATOR WATERMEIER: Speaker Scheer for a question. [LB644 LB595 LB661]

SPEAKER SCHEER: Yes. [LB644 LB595 LB661]

SENATOR CHAMBERS: Senator Scheer, you were correct when you said that this that I've offered is not a priority motion. The rules state specifically and explicitly that appropriation bills are...take priority over everything else. But you chose to allow this to occur, didn't you? [LB644 LB595 LB661]

SPEAKER SCHEER: Yes, I did. [LB644 LB595 LB661]

SENATOR CHAMBERS: And since you allowed it to occur, everything that is allowable when a matter has been put before us on the floor will be allowed while we're discussing that, isn't that true? [LB644 LB595 LB661]

SPEAKER SCHEER: Yes, it is. [LB644 LB595 LB661]

SENATOR CHAMBERS: So if I lose my vote, I can move to reconsider, can't I? [LB644 LB595 LB661]

SPEAKER SCHEER: Yes, you can. [LB644 LB595 LB661]

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SENATOR CHAMBERS: Thank you. I just...that's all I have. I want these people to hear it from a white man. You think as long as Senator Watermeier has been here, he doesn't know that when I'm recognized to speak I can see if a senator will yield? But when I do it, and I've done it before: You can't do that because it's your closing. What in the world is that? What is that? Now if I was a shrinking violet, my little feelings would have been so hurt I would have just sat down. You all are not going to get rid of me that easily. Once something is on the floor, it's on the floor. I'll tell you all what I tell the Catholic church and their lobbyists, because they don't like what I say about them and they're supporting some bills and I'm going to have plenty to say about them when those bills come out here. I don't go in your churches; I don't go in your cathedrals. But if I did, I would comport myself the way people do in a place like that because I chose to come there. If you invited me to your house as a guest, I would behave as a guest in somebody's house, respecting that person, the house, and the way things are done, or I simply would not go. When the church comes here by way of its lobbyists and gets in my territory in the Legislature, I say to the church and every other entity what the referee tells these fighters when they decide to get in the ring with another fighter. Muhammad Ali could beat anything in two feet in trunks and in the boxing ring with him. The referee still said protect yourself at all times. You're in the ring now. You better know the rules according to which the game is played. So don't think because the Catholic church is bringing some stuff I'm going to back off. I've always said, and I mean it, there should be a great gulf fixed between the church and the state. It should be long, wide, and deep. Let the church stay where they want to be. If they want people who are in their order to dress in certain garb, let them do it in church. But don't try to bring it to the public schools. But you all have the votes so you bring it out here. I understand that Fox News, the local channel, were...they were upset and editorialized in a mocking way about the 25 motions I've offered on that "Choose Life" license plate as if that's going to make me a difference. [LB644 LB595 LB661]

SENATOR WATERMEIER: One minute. [LB644 LB595 LB661]

SENATOR CHAMBERS: They are silly but at least they're listening. And that's what I want: people to listen. And to give you all an idea of how I do things, I open on a bill. I get ten minutes. The Chair was right. I then get two five-minute opportunities to speak. That's 20 minutes. I get five minutes to close. That's 25 minutes if I'm the only one who speaks on a

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motion. But you can double the number to 50 because after every motion I make a motion to reconsider: 50 motions, 25 minutes on each. And if you think I can't take that time, you got another think coming and you're going to be shown that I can do differently. And I will do what I said because, in quoting Abraham Lincoln, "the promise being made, must be kept." Thank you, Mr. President. I will ask for a call of the house and a roll call vote. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Senator Chambers. There has been a request to place the house under the call. There has been a request to place the house under call. The question is, shall the house go under call? All those in favor say...vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB644 LB595 LB661]

CLERK: 34 ayes, 3 nays to place the house under call. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Mr. Clerk. The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senator Harr, Senator Riepe, the house is under call. All members are present and accounted for. The question before the body is the motion to overrule the agenda. All those in favor vote aye; all those opposed vote nay. There is a roll call vote. Mr. Clerk. [LB644 LB595 LB661]

CLERK: (Roll call vote taken, Legislative Journal page 378.) 0 ayes, 42 nays, Mr. President, on the motion. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Mr. Clerk. Motion fails. Raise the call. Mr. Clerk, further motions? [LB644 LB595 LB661]

CLERK: Mr. President, Senator Chambers would move to reconsider the vote just taken. [LB644 LB595 LB661]

SENATOR WATERMEIER: Senator Chambers, you are recognized to move on your motion to reconsider. [LB644 LB595 LB661]

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SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, now that's my kind of vote: all against me, I against all. I can deal with it. I don't need a lot of company along with me. But we have a long session before us. You're riding in the saddle sitting upright. But you know what you're going to find out as we proceed? You're all sat...you're all hat and no cattle as you sit in your saddle. That's what you are. This Legislature reminds me of a rhyme that I wrote. And now that the Kintner blight is gone, I might start circulating rhymes again, Senator Groene, and people who don't like me can set it afire and burn it up. But I wrote one about this guy. He was a stagecoach driver and he had a very important, well-known passenger. The passenger's last name was "Stetson." The stagecoach driver had one of the hats that Stetson made. It was sweat stained, it was battered, but, nevertheless, he had it on. So when time came to settle up with each other, the stagecoach driver said, you gave me five dollars and the fare is ten dollars. And Stetson said, don't you know who I am? I am the Stetson. He said, the Stetson? I don't care if you're a skillet, pay me what you owe me. Now when you see the rhyme, it will come out more clever because it rhymes. The point I'm getting to: You're going to pay me what you owe me and the only thing I can extract from you is time. I think, and I may be mistaken, that some people may disregard what "Professor" Schumacher said the other day about this budget matter. Not only are there figures and dollar signs involved, but there are policies. Votes on how money will be spent are votes on policy. And there will be conflicting and contradictory things done by people on this floor. When I was driving down here, I heard about the so-called prolife or antiabortion people energized because the Vice President went on a march with them. He wouldn't have to march with them. They know where he is. I know where most people on this floor will vote regardless of how they feel because of the political pressure. There are splits developing in that movement. There are young people who said that they think abortion should be restricted but they don't want to be called prolife. They don't want to be limited. That word that those...those two words have such a negative connotation, they reject it. It represents an ideology, a political position that they don't adhere to. They don't believe in the murder of doctors who perform abortions. They don't believe in bombing clinics where abortions are given by these people who are always talking about choose life while they take life, sometimes in the most vicious manner. But what they were talking about is how all of these groups can come together and forget their differences when an attempt is made to take away the funding for Planned Parenthood. They said that that's what they want to do. And then at the national level they want Congress to say no money in foreign aid that might assist in abortions in other

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countries. Not only do they want to put the screws to women in this country but in other countries, too, because they're so concerned about life. They're concerned about zygotes, embryos, and fetuses, but not living, starving children if they're black. Some of the worst famine that the world has seen is in various parts of Africa, particularly Nigeria. And none of these prolife people talk about give money so that there's food for these hungry children. But to make sure that a pregnancy is carried to term or as far as it can go before a woman's poor health will cause a miscarriage, they're for that. That's why I say they're the biggest hypocrites going. They are parroting what a male-dominated church has told them to say. So whenever those issues come before this Legislature, I will be opposing in every way that I can any such legislation. I don't care how it's disguised. I don't care how it is called. And we know what that "Choose Life" license plate is about. And some of the locals who are the monkey-see-monkey-do variety said that somebody down in Florida came up with it so they thought it would be a good idea to do it here. Any bill can be offered. But that does not ensure that it's going to be enacted. I have a bill to abolish the death penalty. I have a bill to allow people who have six months or fewer to live and are suffering in a way that they choose not to, if a doctor is willing to help them ease out of this world with dignity, that should not be a crime by the doctor and the state ought to stay out of people's business. They're not sitting with a family member, watching that family member suffer. I had a good, long conversation with a doctor who opposes my bill. I listened to him. He said he had read studies from Europe that not always when the medication is administered does the person die; not always does the person want to go through with it. All those things are covered but I asked him, are you aware of medications that are administered and they don't work the way they're supposed to? Well, yes. Are you aware of medications that are administered that are to heal a person and it results in their dying? Well, yes. Do you watch those pharmaceutical commercials on television where almost all of them say this could lead to your death, it could lead to fatal bleeding? Well, yes. Well, then why don't we stop all of those things because not every administration of that medication turns out the way that people would like? So doctors opposing it means nothing to me. But whenever they've polled doctors nationally, a sizable majority favor this kind of legislation. But do I think it will get anywhere in this Legislature? Certainly not. I will bring it because it's an important issue and people ought to be brought face to face with their busybody, blue-nose meddlesomeness. They think that if somebody is suffering excruciating agony, that person ought to suffer it because the individual that I'm talking about feels that that person ought to suffer in that fashion. And if that person got a splinter under his or

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her fingernail, they'd be screaming like a pig with the nose or snout under the gate. So I'll continue to bring these issues. I will speak on a matter if I'm the only one speaking. If every voice is on the other side, that doesn't mean every voice is right. Before Galileo, maybe people didn't know that the earth moved. Catholic church was one of them. They wanted to control thought. What do you mean, Galileo, the earth moves? Why, the earth is the center of the universe and everything goes around the earth. Galileo was a man of science, a man of knowledge. He dealt with facts that he unearthed and he articulated those facts to his chagrin because a theocracy was in charge and they put Galileo on the rack. They started turning that wheel and they stretched him. [LB644 LB595 LB661]

SENATOR WATERMEIER: One minute. [LB644 LB595 LB661]

SENATOR CHAMBERS: Tendons stretched. Bones threatened to come out of the socket. And they said, what do you say now, Galileo? He said, it doesn't move--meaning the earth--it doesn't move, it doesn't move. I'll turn my light on, Mr. President. Thank you. [LB644 LB595 LB661]

SENATOR WATERMEIER: I'm sorry, Senator Chambers, you have 40 seconds left on that. [LB644 LB595 LB661]

SENATOR CHAMBERS: I'll use it to repeat. Thank you, Mr. President. [LB644 LB595 LB661]

SENATOR WATERMEIER: All right. You're next in the queue after your opening here. So this is your first time after your opening. [LB644 LB595 LB661]

SENATOR CHAMBERS: Thank you. Members of the Legislature, there's old Galileo knowing what he knew, and there are these robed, shrouded torturers in the name of the father, the son, and the holy ghost, Catholic church. You know why so much is known about the vicious torturing carried on in the name of Jesus, God, and the holy ghost by the catholic church, by the Inquisition? You all ever hear of Torquemada? You ever hear of Ximenes? They kept meticulous notes on what they did, just like the Nazis did when they experimented on the Jews and others, put them in a barrel of water in the dead of winter and set that barrel outside and let the ice form and freeze the person. A woman would be pregnant, and when time came for the birth to come or

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if they could hasten it, they tied her legs together so there could be no birth. That's what the Nazis did and they wrote about it. They wrote about the experimentation they did on twins. They're the ones who created lethal injection. There are people in Israel who said Wagner's music should not be played because of the Nazis. Others got over that. But some people felt that nothing which the Nazis generated through such horrible suffering and the torturing of others should be utilized for profit. Then they started thinking, well, the Nazis were not all bad, they conducted experiments that nobody else could or would on human beings, so, since they did it and the knowledge is there, make use of it. And now Senator Kuehn wants the state to use lethal injection, which was created by the Nazis, and he wants it done in secret. That's what this country has come to. You all don't know that, though, because you don't read. So, here's Galileo being tortured by those inquisitors, and they are relishing it. And they said those who like to inflict torture are usually sexual deviants and there is a very strong sexual overtone in all torturing. Those people get their jollies. So he stretched on that wheel and he hears his bones starting to crack. He said, okay, okay, it doesn't move, let me go, let me go. They said, Galileo, does the earth move? He said, no, no. Is the earth the center of the universe? Yes, yes. Let's repeat this, Galileo. Does the earth move? No, no. So they started loosening, turning the wheel the other direction. And as the bones readjusted, took their proper position in the socket, the tendons stopped stretching and slowly came back together and Galileo's senses returned and they were about to let him off the wheel, you know what Galileo reputedly said? But it does move. His knowledge of the facts and as a scientist overruled, and it's a good thing that men like Galileo and not people like the popes and the torturers are the ones whose views ultimately prevail in this world. Why, you wouldn't have these gadgets, which I don't use. Do you know that the Christians thought that Benjamin Franklin's creation of the sewing machine violated God's law, that they condemned him for inventing lightning rods? And they said, who is he to defeat God's will if God wants to strike something? [LB644 LB595 LB661]

SENATOR WATERMEIER: One minute. [LB644 LB595 LB661]

SENATOR CHAMBERS: Well, if it's God, how can a lightning rod defeat the will of God? Those are things that religion did, and they want to darken this world and let there be no knowledge in order that they not be questioned in what it is they do. They even, some of those top-ranking cardinals, disagree publicly with the current Pope Francis because the positions he

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takes will release or loosen the stranglehold they have on the poor and others who have been like automatons and robots for so long. Thank you, Mr. President. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Senator Chambers. (Visitors introduced.) Senator Chambers, you are recognized. [LB644 LB595 LB661]

SENATOR CHAMBERS: Thank you. Now to get more on point with what it is that I'm doing specifically. Since I don't see Senator Larson...he'll be back someday. If he's got something he wants to do, he'll be here; otherwise, you won't see hide nor hair of him. But he was defending Senator Murante, one of the most cunning, shrewd political operatives you will find. That's Senator Murante. And I say it in front of him and I've said it before. I mentioned the other day after Senator Friesen stood up and said that a representation in the paper about how he ran the committee of which he is Chair was inaccurate. But I kept pointing out that article also said that Senator Murante was rolling his eyes while people testified, and I'm waiting for Senator Murante to address it, which he didn't. He's smart enough not to; but if he does, then we can get it all out in the open. But other members at that committee hearing heard the same thing, saw the same thing because they called me. He wanted that to be seen. He wanted them to see the contempt he had for people as they dealt with that "Choose Life" bill. That's what you're dealing with. That's the kind of attitude that's out there. Well, I'm their even change. Let Senator Murante defeat what I want to do on that bill. Let him, and he'll play right into my hands. He'll help me eat up some time. But if he doesn't, people will wonder why he was so upset that he's rolling his eyes but he's not going to defend what they sent out here at posthaste speed. I said we're going to start dealing in hardball. Senator Larson said to the media that the Democrats are the ones from day one...let me read what he was reported to have said to the World-Herald (sic) January 27 of this year on page 1A. "Larson, a Republican, said, 'at every step of the process, Democrats have been the aggressors. They kicked Senator Murante off the Legislature's Executive Board; they blocked Senator Brasch from the Executive Board.'" I haven't heard one Democrat get up here and talk as long as I have or promise to continue doing so. But Senator Larson won't mention my name, and the Democrats are not the ones who did that. That first day was done by the "skuldugging" Republicans, and they even turned on some of their own. And some of you reap rewards by being a part of that unholy alliance, and now you're going to have to pay. When you bring your bills on the floor, you better know what's in those bills. You better have read them. You better

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understand them better than Senator Brasch did when she was up here trying to counteract what I said. We'll match wits for the good of the state, for the benefit of the commonweal. We're going to see how qualified these people are, how much they know about the law. Since they're lawmakers, they ought to know about the law. And I'm going to find out what they know. I've already found out what the attitude of the Chairman of the Rules Committee is. His committee locked up an issue in the committee. That should have been it. He's not going to be in favor of pulling bills from committee, but he's going to support Senator Larson. I'll bet you he will. [LB644 LB595 LB661]

SENATOR WATERMEIER: One minute. [LB644 LB595 LB661]

SENATOR CHAMBERS: That talk of principles means nothing on this floor and I'm going to demonstrate it. No, they'll demonstrate it. I'll just call attention to it. Let me tell you all something else before I get to my closing, which I will be on after this. Maybe I'll wait until I have my closing so that I don't have to break it off, and also there's a possibility somebody else may want to speak. Thank you, Mr. President. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Senator Chambers. Senator Walz, you are recognized. [LB644 LB595 LB661]

SENATOR WALZ: Thank you, Mr. President. Would Senator Chambers yield to a question, please? [LB644 LB595 LB661]

SENATOR WATERMEIER: Senator Chambers for a question. [LB644 LB595 LB661]

SENATOR CHAMBERS: Yes, I will. [LB644 LB595 LB661]

SENATOR WALZ: Thank you. And I'm just trying to learn, obviously. I'm a pretty good listener and I try to learn. Regarding LB661, I can see your reasoning for wanting to be referred to Judiciary. I also see your reasoning for wanting LB595 to be referred to Judiciary, although I wish that they could work together on that with the Education Committee. But I'd really like to know the reasoning, because I don't understand--I've been trying to read the bill--the reasoning

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for wanting to refer LB644 to Judiciary. And if you want to go ahead and explain the other two a little bit more, too, feel free. [LB644 LB595 LB661]

SENATOR CHAMBERS: Is LB664 (sic) the one that deals with the commissions and boards? [LB644 LB595 LB661]

SENATOR WALZ: Yes, "LB644--Provide, change, and eliminate provisions governing boards, commissions, and similar entities." [LB644 LB595 LB661]

SENATOR CHAMBERS: Okay. There are two entities: the Judicial Qualifications Commission established in the constitution; the Judicial Nominating Commission. They relate to the Supreme Court and how it operates to the judiciary. That's the third branch of government. Anything that pertains to the courts winds up in the Judiciary Committee. I won't go into everything in the bill because people can read it, but there are things that are put in that bill which substantially undermine the integrity, the absence of partisan politics. Those things have been put in the bill that will create those problems. That should have been brought as a freestanding bill because it's not on a par with these other...like the bean board or the chicken board or things like that created by the Legislature: inconsequential. They may have meetings. They may not. Those are just cleanup measures. When it comes to a bill like this one and ten of the pages are devoted to two entities connected with the Judiciary, that is the main substance of the bill, and it should have gone to the Judiciary Committee where those matters are handled. And Senator Murante knows that. Senator Ebke knows that. But there are entities who are interested in gutting those entities. For example, one of them would say that the Governor can appoint only members of the Governor's party to this commission, that a person must have been a member of that party continuously for at least ten years or have just joined it, to lock it up and turn the Supreme Court and its processes into what you see happening on this floor of this Legislature. And I say Senator Murante is the ringleader. That's why that bill should go to Judiciary. The main subject matter sends it to that location. And that's why I wanted it to go there. [LB644 LB595 LB661]

SENATOR WALZ: All right, thank you. [LB644 LB595 LB661]

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SENATOR WATERMEIER: Thank you, Senator Walz and Senator Chambers. Seeing no one in the queue, Senator Chambers, you are recognized to close on your motion to overrule the agenda. [LB644 LB595 LB661]

SENATOR CHAMBERS: Thank you, Mr. President. I will go ahead and read this article that was in today's paper: picture of Senator Murante in color with the biggest grin I've ever seen on a politician unless it's one who just got a bag full of money and nobody saw him take it, he thinks. Here's the headline, "Judicial commission proposals draw fire"; subhead, "Bill would eliminate one board and change the way members are appointed to another." "A legislative proposal to eliminate the commission that identifies the need for new judgeships in Nebraska is drawing criticism from the Nebraska State Bar Association. So is a related proposal that would allow the Governor to appoint only members of his political party to a different commission that nominates candidates for judicial vacancies. The changes affecting the two judicial commissions are contained within LB644, introduced by the Government, Military and Veterans Affairs Committee. The proposals may have more to do with getting attention than they do with making actual changes to the commissions. State Senator John Murante, the committee chairman, said last week that his committee is required by law to conduct a periodic review of the roughly 200 state boards and commissions to determine whether they should be modified or eliminated. As a part of that review, the committee staff sent out surveys last year to get input from those who oversee the commissions and boards. Members of the judiciary refused to answer the survey. Murante said that without a response, the committee was left to offer its own proposed changes so a hearing can be scheduled to gather input from the broader public. 'I would have welcomed the information last fall, but we'll provide a public hearing where they can come and justify their existence,' Murante said. State Court Administrator Corey Steel, in a pair of letters sent to Murante late last year, provided an explanation for why the two commissions did not respond to the survey. In legal speak, it boiled down to a separation of powers argument. The commissions are not created by the Legislature and they do not fall under the control of the executive branch. Therefore, they are part of the separate but equal judicial branch, Steel said in the letters. The proposals certainly got the attention of the Nebraska Bar Association, which has roughly 7,000 dues-paying members. The association will oppose both, said Lincoln attorney Tim Engler, the bar's president-elect. 'There's no reason to be messing with them,' Engler said. 'These commissions serve a very useful function.' Judicial nominating commissions are tasked with

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screening and interviewing candidates for a judgeship. The commissions are led by a Supreme Court judge and include four lay members appointed by the Governor and four lawyers elected by the bar association. Not more than four members of the same political party may serve on the commission. Under current practice, the Governor typically appoints two members from his political party and two from another party. Political affiliation of the lawyers who serve on the commission also must be balanced. The proposal contained in the Government Committee bill would allow the Governor to appoint just citizens who share his political affiliation, meaning the four lawyers on the committee would have to belong to different parties. For those who think the change is an attempt to allow the Governor to stack the commission with his own party, Murante said the requirement for balanced political affiliation is written into the Nebraska Constitution." [LB644 LB595 LB661]

SENATOR WATERMEIER: One minute. [LB644 LB595 LB661]

SENATOR CHAMBERS: "Changing it would require a vote of the people. Regardless, it's a terrible idea, said James Hewitt, a retired lawyer and college professor who published a history of the Nebraska Supreme Court in 2007. Hewitt, who has served on a judicial nominating commission, said lawyers should be appointed because of their legal backgrounds and expertise, not solely because of their political opinions. 'This is a lousy bill and should see the trash can,' Hewitt said." I'll stop now because my time is up, but I'll read it to completion when we come to another matter before us this morning. This is trash legislation that Senator Murante's committee offered and I'm going to treat it that way. But I wanted to read to let you know that now those connected with the court system and the legal profession have seen it. And Senator Murante, a nonlawyer but a carrier of water for the Republican Party, has other ideas. Thank you, Mr. President. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Senator Chambers. And I apologize. I said we were voting on the overrule. You were actually closing on the reconsider motion. Members, you've heard the closing on the motion to reconsider. All those in favor say...vote aye; all those opposed vote nay. There's been a call for a record vote. Record, Mr. Clerk. [LB644 LB595 LB661]

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CLERK: (Record vote read, Legislative Journal pages 378-79.) 4 ayes, 27 nays on the motion to reconsider. [LB644 LB595 LB661]

SENATOR WATERMEIER: Thank you, Mr. Clerk. The motion does fail. Moving on to General File. [LB644 LB595 LB661]

CLERK: Mr. President, first bill this morning, General File, LB119, a bill originally introduced by Senator Groene. (Read title.) Bill was introduced on January 6, referred to the Education Committee, advanced to General File. I have no amendments to the bill at this time, Mr. President. [LB119]

SPEAKER SCHEER: Thank you, Mr. Clerk. Senator Groene, you are recognized to open on LB119. [LB119]

SENATOR GROENE: Thank you, Mr. President and members of the Legislature. LB119 is a bill that advanced from the Education Committee by a 5-0 vote with three members absent. I should tell you that my office has contacted the office of the three members who were absent and they have all indicated that they do not have a problem with this bill. LB119 would simply delay the statutory requirement state aid certification date, the budget authority, and the allowable reserve percentage date respectively under the Tax Equity and Educational Opportunities Support Act, TEEOSA, from March 1, 2017, until June 1, 2017. This procedure is required so that we do not reach that required deadline before this body has adopted a strategy for addressing the current fiscal crisis and identifying what role state aid will play in helping us to resolve that crisis. The action taken under LB119 is not new and is, in fact, has been used to provide the Legislature the necessary time to discuss potential changes to TEEOSA at least 15 times since 1990 when TEEOSA was created, as was the case in the 2013 with LB408, Senator Sullivan, and in 2011, LB18, Senator Adams, being recent examples. This change in certification date is only being made for 2017 and will change back to the regular certification date of March 1 for 2018 and beyond. I realize that whenever the certification dates are pushed back, it creates a degree of uncertainty for school boards as they negotiate employment contracts with teachers for the following year. But we need to ensure that we have the time necessary to complete the process of identifying how much revenue is available for state aid and TEEOSA, as such items will go a

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long way to helping us address our current fiscal deficit. I'd like to note that the Forecasting Board has the first report Monday, the last Monday in February. That's just prior to the present March 1 date. And then the second one we will receive before we finish our budget won't be until the last Friday in April. I should note that schools are statutorily required to notify teachers of any reduction in force by April 15 of each year and this legislation does not change that date as historically that is something that we have not done. Thank you for your time and I ask for the advancement of LB119. Thank you, Mr. President. [LB119]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: Thank you, Senator Groene. First in the queue is Senator Chambers. You're recognized. [LB119]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, I would like to ask Chairman Groene a question or two about the bill. [LB119]

SPEAKER SCHEER: Senator Groene, will you yield? [LB119]

SENATOR GROENE: Yes. [LB119]

SENATOR CHAMBERS: Senator Groene, if this bill does not pass at all, what is the consequence? [LB119]

SENATOR GROENE: Chaos, disrespect for the body, not allow the Appropriations Committee time or this body to do a good job for the citizens of Nebraska and managing their budget. [LB119]

SENATOR CHAMBERS: I don't know if you heard my question. I'm going to ask it again. What would be the consequence if this bill does not pass? In other words... [LB119]

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SENATOR GROENE: The state school board would have to certify numbers that they are not sure of, that are not accurate, and give it to...and mislead school boards across the state about how much funding they will receive. [LB119]

SENATOR CHAMBERS: And why would they not have accurate figures if this bill does not pass? [LB119]

SENATOR GROENE: Because this body does not know what funding we will have available at this time. [LB119]

SENATOR CHAMBERS: Let's say that we have numbers plugged in. Does that mean that the body automatically is going to appropriate funding based on those numbers? [LB119]

SENATOR GROENE: There's a lot of variables here. We've run up against the balanced budget in our constitution. We would have to cut either from HHS, another big user, the University of Nebraska. We would reallocate funding to the public schools, but it would come from somebody else. [LB119]

SENATOR CHAMBERS: But let me ask my question again. If figures are given, does that guarantee that there will be funding, based on those figures, provided by the Legislature? [LB119]

SENATOR GROENE: I don't know for sure what the term and how the certified, what legal standing the term "certified" has in our state statutes of funding education. [LB119]

SENATOR CHAMBERS: Do those statutes deal with education? [LB119]

SENATOR GROENE: They deal with the funding. [LB119]

SENATOR CHAMBERS: As relates to education? [LB119]

SENATOR GROENE: Yes, public education. [LB119]

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SENATOR CHAMBERS: And you're the Chairperson of the Education Committee? [LB119]

SENATOR GROENE: Yes. [LB119]

SENATOR CHAMBERS: Have you encountered the word "certified" before with reference to these figures that we're talking about? [LB119]

SENATOR GROENE: It's the only place I know in the TEEOSA formula where the state... [LB119]

SENATOR CHAMBERS: Well, let me ask it based on what you said. You said you don't know exactly what the term "certification" means, so explain what it is you don't know about that and what your under... [LB119]

SENATOR GROENE: I don't know what the legal system would do if lawsuits would ensure (sic). We live in a free...in a society in which the legal system plays a part, as you well know, Senator. I do not...and we have a constitution that says we have to have a balanced budget. This has never happened because...as this body has taken the right action in the past, sir. [LB119]

SENATOR CHAMBERS: Here's what I'm asking. Regardless of what numbers are plugged in by these various entities, because I think I even saw Learning Community somewhere in there, do these figures bind the Legislature to appropriate money to meet those figures? Or can the Legislature do whatever it chooses to do? [LB119]

SENATOR GROENE: The TEEOSA formula is a statute. If the formula comes up with a number, we have to fund it. [LB119]

SENATOR CHAMBERS: And if the Legislature does not fund it that way, then what? [LB119]

SENATOR GROENE: That's what the courts are for. [LB119]

SENATOR CHAMBERS: And you're sure that what you're saying is correct. [LB119]

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SENATOR GROENE: To the best of my knowledge, sir. [LB119]

SENATOR CHAMBERS: And I'm taking it at your word. I'd like to ask Senator Kolowski a question. That's all. Thank you, Senator Groene. [LB119]

SPEAKER SCHEER: One minute. Senator Kolowski, will you yield, please? [LB119]

SENATOR KOLOWSKI: Yes, of course. [LB119]

SENATOR CHAMBERS: Senator Kolowski, is the Legislature required to appropriate funds that these figures...when these figures are plugged in by these entities, is the Legislature required to appropriate money to meet those figures? [LB119]

SENATOR KOLOWSKI: That's my understanding, yes, sir. [LB119]

SENATOR CHAMBERS: And if that is not done, then what happens? [LB119]

SENATOR KOLOWSKI: The difficulty to the districts if that would not happen would be a great deal of financial stress upon the districts. They would have to get a ruling from some location that they can move ahead at least on last year's dollar amount or if they can get some direction and leadership from whatever location they go to as to what the new dollar amount might be. [LB119]

SENATOR CHAMBERS: Thank you. And my time is up, I think, for now. [LB119]

SENATOR SCHEER: Thank you, Senator Chambers and Senator Kolowski, Senator Groene. And I apologize. Part of the system is broke, so I'm having to look over. Senator Krist, you are next in the queue and are recognized to speak. [LB119]

SENATOR KRIST: Thank you, Mr. President. Good morning, colleagues, and good morning, Nebraska. I wondered if Senator Groene would yield to a question. [LB119]

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SENATOR GROENE: Yes. [LB119]

SPEAKER SCHEER: Senator Groene, will you please yield? [LB119]

SENATOR GROENE: Yes, I will, Mr. Speaker. [LB119]

SENATOR KRIST: Senator, thank you for your indulgence. This shows the only opponent on your committee statement was from Larry Scherer from the Nebraska State Education Association. Do you remember or could you capsulize for us what the content of his opposition was? [LB119]

SENATOR GROENE: I have it right here in front of me, sir: "LB119 is another in a long line of bills over the years that have delayed certification of state aid to schools until late in the legislative session after the Legislature has determined how much funding will be appropriated in support of the public schools for the following school year. As such, it represents a systemic failure of TEEOSA, which was intended to provide equitable and predictable funding for all public schools and limit the burden on property taxes. The core of the problem is this: without adequate notice of state aid (for the) ensuing school year, school officials have been forced to budget in a state of uncertainty," and it goes on from there. It's the uncertainty that was their concern. [LB119]

SENATOR KRIST: Okay, so I think we've touched on it. Thank you, Senator Groene. Actually, one more question if you don't mind, Senator Groene. Was this process that you described, which I was here for in the last few years, but was it...is it basically brought forward at the recommendation of the Department of Education or has it come forward as a recommendation from your legal counsel and the process that we employ? [LB119]

SENATOR GROENE: Both. It also was left on my desk by Senator Sullivan with a note: This is the first thing you will have to do, Senator Groene, when you take the Chair. [LB119]

SENATOR KRIST: Okay. Thank you. Colleagues, I think that this is a matter of process. It is unfortunate that the school boards will not have a number or a target to shoot at, but I think it's a

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necessary thing for us to do. I make these comments in preview to things that I don't think are necessary as we start talking about other budget issues. Giving up a reappropriation or giving up money at this point in this deficit process that we will be going into needs to be made issue and we need to look at it line item by line item because everything we give up in a reappropriations process puts us in a bad stead when it comes to actually putting out a budget. If that makes sense to you now, that's great. It will make sense to you when I talk about it later. I would ask you to support the advancement of LB119 to E&R Initial. [LB119]

SPEAKER SCHEER: Thank you, Senator Krist and Senator Groene. Senator Linehan, you're recognized. [LB119]

SENATOR LINEHAN: Thank you. Good morning, everyone. Senator Groene, I am also rising to support and I'm looking for the number of years that we've done this. I think this was handed to us by the letter you were reading from, so I'm not sure of its accuracy, but according to the NSEA, we have done this in 2004, 2005, 2006, 2009, 2011, 2012, and now we're...I'm not sure exactly, but is that your understanding, Senator Groene, that this has been done several times? [LB119]

SPEAKER SCHEER: Senator Groene, would you please yield? [LB119]

SENATOR GROENE: Yes, I will yield. Yes, it is common in the budget year because of the Forecasting Board dates that doesn't coincide to the March 1st, is my assumption and my understanding. [LB119]

SENATOR LINEHAN: Thank you, Senator Groene. It seems to me when this was brought to the committee, we didn't have really any choice. To not pass this bill would throw the body into chaos was...who else is here? Senator Ebke, would you yield to a question? [LB119]

SPEAKER SCHEER: Senator Ebke, would you please yield? [LB119]

SENATOR EBKE: Yes. [LB119]

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SENATOR LINEHAN: Was that your understanding in committee that if we didn't do this, we would cause chaos and there would be questions about how we would go forth? [LB119]

SENATOR EBKE: Yeah, that's absolutely my understanding. [LB119]

SENATOR LINEHAN: Thank you very much, Senator Ebke. I also...and I don't even know who to direct this question to, but it was my understanding that the schools, originally this funding was a year later and the schools themselves asked for it to be backed up, which might be part of the cause of why we have this situation every year or every other year. So I don't...I would appreciate, if anyone knows the history of that, if they could explain it to me. So thank you very much. [LB119]

SPEAKER SCHEER: Thank you, Senator Linehan, Senator Groene, and Senator Ebke. Next up is Senator Baker followed in the queue by Senator Schumacher, Groene, and Chambers. Senator Baker, you're recognized. [LB119]

SENATOR BAKER: Thank you, Mr. Speaker. It is important for school districts to know as early as possible what they're going to be receiving in state aid. It's also correct that it often happens that it's not certified, the date is backed up. I can remember a time when state aid was certified and then later, due to the actions of the Legislature, it had to be recertified to a different number. I thought one of the mistakes this body made a few years ago was moving up the dates for negotiation. It used to be possible to wait until you knew what your state aid was going to be before you completed negotiations, and in my district we always did that. We just waited. Let's get all the knowns that we can before we sit down at the table and decide what we're going to do for next year because the two main variables are known as state aid and the taxable valuation, which is a figure that's not known until August. So at best, districts only know one of those numbers. Now, with earlier dates for negotiation, settlements will be done, you know, before whatever date you use unless they go into some extended process so that as a result the only thing a district can do now with the later certification date have nothing to do with salary and benefits that are set. It has to do with how many staff might we have to release, how many staff members must we have to reduce in order to meet the constraints that we appear to be under. So I would say, yes, LB119 should be voted. I mean, it is a routine matter in a year where we're

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having any kind of financial difficulties and don't necessarily know exactly how much we have available. So I would advocate voting yes on LB119. [LB119]

SPEAKER SCHEER: Thank you, Senator Baker. Senator Schumacher, you're recognized.  
[LB119]

SENATOR SCHUMACHER: Thank you, Mr. Speaker, members of the body. For those new to TEEOSA, welcome to the world of TEEOSA. And if you feel your eyes kind of glazing over and wondering what is this all about and how does it work, don't feel alone. It is a very, very intricate process. Some would even debate whether or not it's a very efficient process, but it is the process. And if you look at the bill, it looks like we're changing the date for several different things to happen. The department will "determine the amounts to be distributed to each local system." Now is that to be distributed out of last year's budget or this year's budget? The department, on or before June 1 and for each fiscal year after next year, "the department shall report the necessary funding level" to the ensuing school district, to the Governor. Then we're changing a date on the next page that says to June 1 for this year "the department shall determine and certify to each school district budget authority for the general fund of expenditures" for the school year. And then on page 4 we're changing the date that "the department shall determine and certify the district's applicable allowable reserve percentage." And finally, we're going to say that the Appropriations Committee "shall annually include the amount necessary to fund (the) state aid," and we're changing the date that that has to be done by. Makes sense, right? What we're lacking so far in this debate, and we'd just as well get it over with now, is some general explanation of what we're doing and how this system works so we understand what we're changing when we're changing these dates. And if you're shaking your head yes, I'm shaking my head yes too. I have been here now in my seventh year and I'm still not sure what this is saying. So I would yield the balance of my time to Senator Groene to explain to us the process that we're involved in with all these certifications and all these deadlines so that we get some foggy idea to begin with, certainly not to finish, of what we're doing here. Senator Groene, I yield the balance of my time to you. [LB119]

SPEAKER SCHEER: Senator Groene, you have 2:15. [LB119]

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SENATOR GROENE: Thank you, Senator Schumacher. The TEEOSA formula is set in law. The number it comes up with is what this body is to fund after the local property taxpayers pay their share or their largest, biggest part of the funding of our schools. The Appropriations Committee must decide, along with the Governor and his budget, how much money we have in the downturn of our economy to spend on various parts of our budget. Part of that is state funding of schools. If we do not move this back, we will be told, our committee will be told, how much money they can afford to appropriate to public schools. We will then have to tweak the formula in a manner to match that answer. It's that simple. But in order to do that, we must not certify a number that is uncertain March 1. It's that simple. My committee counsel has told me that if we...those numbers are certified March 1... [LB119]

SPEAKER SCHEER: One minute. [LB119]

SENATOR GROENE: ...and we don't have that money, we will have to tweak TEEOSA formula, and then we will have to set a new certification date by statute. We will cancel the old one and those numbers and you will have some very unhappy employees at the Department of Education who work hard on those certification numbers. You will have school districts across the state in chaos and Saul Alinsky will love you. Thank you. [LB119]

SPEAKER SCHEER: Thank you, Senator Schumacher and Senator Groene. Senator Chambers, you're recognized. [LB119]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, I would like to ask Senator Baker a question if he's here. [LB119]

SPEAKER SCHEER: Senator Baker, would you please yield? [LB119]

SENATOR BAKER: Yes. [LB119]

SENATOR CHAMBERS: Senator Baker, without you having to explain it again, did you make a statement to the effect that there was a different way that this was handled and a mistake was made when that methodology was changed to what it is now? [LB119]

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SENATOR BAKER: I did say that. [LB119]

SENATOR CHAMBERS: Then why should we not go back to that way if it was good, if it was working? [LB119]

SENATOR BAKER: I think we should. [LB119]

SENATOR CHAMBERS: And we could, couldn't we, as a Legislature? [LB119]

SENATOR BAKER: Yes. [LB119]

SENATOR CHAMBERS: Thank you. Members of the Legislature, I hear all this whining about this and that and if you don't get this date then that happens. We can change the whole system and make it intelligible. That means logical and understandable. When the Chairperson of the Education Committee gives answers that don't make sense and that don't elucidate anything, then what about the rest of us who are relying on that source of information? If it ought to be changed, we, the Legislature, can change it. If this was known by the members of the Education Committee, why didn't they take a bill and do what needed to be done and then fight to defend it on the floor instead of saying that's why...I'm digressing. That's why I asked initially what will happen if this bill doesn't pass. I don't know if anybody knows for sure. They can talk about unhappy employees, chaos. Chaos is another word for ignorance. The Legislature is in chaos itself right now. Nobody seems to care except me. But you all know so much. Let the 17 new people take over. I didn't go to that affair that they had at Offutt because it's a waste of time, but I understand there were a number of new people who were going to come down here and take over and show how to run things and get everything done and they're not in any discussions because they don't understand what's happening. And they did all that fat-mouthing before they knew what they were getting into. They made promises when they ran for this office without knowing what being in the office entailed, so now they're locked up, they feel, in a situation where they sound preposterous and they look ignorant. When I come up with an issue, I tell you what I think ought to be and why. And I will give detail and I'll answer questions, and I will not make it less clear when I get through than it was before. Why, if the system is so confusing, does not the Chairperson of the Education Committee undertake to do something about it? I've been on the

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Judiciary Committee ever since I've been in the Legislature and I was making recommendations that, instead of doing things piecemeal, change a law here, change a punishment there, we need to have a way. If you look at the law as it existed then like a body, every time it develops an itch, don't create a new hand for it to scratch the itch but take the whole itchy carcass and put it in some warm, soapy water. Cleanse it. Get rid of all of the itching and have something that does what the law purports its intent and aim... [LB119]

SPEAKER SCHEER: One minute. [LB119]

SENATOR CHAMBERS: ...are to do. We eventually had a commission and there was an attempt to rewrite the criminal law. Those are the contributions I make. People don't pay attention. You're not paying attention now. I haven't heard a statement about this bill that makes any kind of sense except if you don't do this by a certain date, then there's chaos. What kind of chaos? Well, people don't know what's going to happen. Well, we're the ones who draw the road map. We are the ones who dictate when certain things occur. And we should understand the rationale for those things instead of saying it's been done this way year after year. That's all right for now, Senator Linehan. But when I bring it up for referencing bills, all of a sudden they say, well, that doesn't matter, it was done that way but we're going to do it differently because we got the votes. That's why I say this place is full of hypocrites. [LB119]

SPEAKER SCHEER: Time, Senator. [LB119]

SENATOR CHAMBERS: It's run by ignorance. Thank you, Mr. President. [LB119]

SPEAKER SCHEER: Thank you, Senator Baker and Senator Chambers. Senator Kolowski, you're recognized. [LB119]

SENATOR KOLOWSKI: Thank you, Mr. Speaker. One other angle to think about as far as impact of the TEEOSA timing on this aspect for buildings, I think it's important to hear, as Roy...Senator Baker as also talking about, from a district and the perspective there. From the building perspective, you've got two impacts that hit you very hard and fast when you have a delay as we have had in the past. And if we're going to be using this again, that will be decided

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today. The impact of the negotiations upon the building and the spirit of the district as a whole when you're dealing with your staff members, those are impacts that a contract, new contract, may not be finished sometimes even until the summer or beginning of the next year and then you get retroactive impact back to the teachers, depending on that final date. The second and more important, from my perspective, aspect is the delay in hiring new people. When you have a large building and when you have a growing district, you're at a disadvantage to other locations, other districts, and especially other states, to maintain, to try to hire the very best teachers that you're finding as far as your personnel department, human resources, bringing in the candidates and having that opportunity to pick the very best and get them into your building, into your district. And that can be delayed for quite awhile because of the lack of acknowledging the exact funds that you're going to have for the next year. You have a little wiggle room on that because you know it's not going to go under a certain amount. But you're really hampered as far as the picking up additional staff. You'll have to wait until that number is known and what your district might be receiving before you can move ahead on the very important decision making of teachers in a classroom. Thank you, Mr. President. [LB119]

SPEAKER SCHEER: Thank you, Senator Kolowski. Senator Chambers, you're recognized, and this is your third time at the mike. [LB119]

SENATOR CHAMBERS: Mr. President, members of the Legislature, I'm having fun now. I hear more information of a specific kind from people who are not the Chairperson of the Education Committee. I told you all education competencies stand for nothing. The 27 are the ones who put us where we are now. I keep looking at Senator Hilgers. He knows better than what he's doing but he ain't going to do it. He is not going to do it. He can't. I'm listening to the foundering. I didn't say floundering. Somebody quoted me in the paper, a reporter, as saying floundering when I said the Legislature is foundering. The two words are different. And when people are transcribing or taking down what you say and they don't have the vocabulary that enables them to use the appropriate word, they put the word that it sounds like and that is not giving the sense of what you said. That happens to me all the time. There was a guy who wanted to impress some education people and he wasn't too educated but he was the chairperson of a committee. And so when he was called on to speak, he was going to use some big words. He felt he had to because these are educated people. So he looked around the room, straightened his oversized coat, took

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the wrinkles out of his jacket sleeve that he took off the rack that was not tailored, straightened the collar, the knot of which was not well formed. And you could tell that when he used his necktie, what he did with it, he turned it up, rolled it, and when he had to blow his nose, he blew his nose on the backside of the necktie. And then when he put it down on his shirt, he mashed it and it stuck to his shirt and that's how it stayed in place. So this is the individual who stood up and was to speak. He said, fellow educators, I am whale glad to be here and I'm elephant glad to see you--the biggest words that he knew. One of these days, I'm going to give to you all the longest word I'm aware of in the English language. You will not know it. You will not know what it means because you're not curious and you would not have an occasion to use it because people would think either you were a blithering idiot or that you were conjuring. On this bill, I'm going to give you what you want and I'm not going to try to delay it. But the morning is gone; another day is burned. I said I'm going to get my time and I'll get it when I want to in the way that I choose. But since Senator Groene is a neophyte in the Chairpersonship, give him what he's asking you for, even though it's not understood what or why. It's out here. Five people said it should come out here. The three who were not there said, well, I agree. What do you agree with? I agree that it should come out there. Okay. I'd like to have people stand on this floor and tell me what they know about this situation which they did not know before the bill was explained and presented. I said I'm going to let you have what you want. I'm not going to vote for it. And those of you who vote for it ought to know what it is you're voting for. [LB119]

SPEAKER SCHEER: One minute. [LB119]

SENATOR CHAMBERS: I could have embarrassed a lot of people had I asked questions just from the language of the bill and I think I showed it when I asked what happens if this bill doesn't pass. I didn't say I'm going to stop it from passing and I won't, because I want the senators to vote in ignorance for something they don't even understand. And you'll do it and there will be a lot of bills like that. But I got my time this morning and you didn't get to whatever was on the agenda. You should have let me take my vote on my rereferencing motions. You're on LB119. If I wanted to, I could keep you from voting on it today. I'll be not voting. Then if you vote to move it, I'll reconsider and that will take us past noon and that's what will be on the agenda tomorrow. As I think about it, (laugh) no man should have such power. [LB119]

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SPEAKER SCHEER: Time, Senator. [LB119]

SENATOR CHAMBERS: Thank you, Mr. President. [LB119]

SPEAKER SCHEER: Thank you, Senator Chambers. Senator Schumacher, you're recognized. [LB119]

SENATOR SCHUMACHER: Thank you, Mr. Speaker, members of the body. Now that we've got all of our questions answered: What's going on here? We've heard in the last course of the discussion that there may be another way to address this problem besides this bill, and that that other way has been used in the past. What we have not heard is a pro and con discussion on any intelligible level as to which way is comparatively advantageous. Do you know? I'll admit I don't know. Never been on the Education Committee. Underlying this is a failure of our system. We have a law that says what's supposed to happen when things tank and our estimates are all off on our budget, and they apparently are pretty much all off. We're supposed to hold a certain reserve, and they've got a percentage of how much that reserve is supposed to be. It's all laid out in the law. And there's a committee that's composed of the Revenue Chair and the Appropriations Chair, and I think the Speaker and the Chairman of the Executive Board, that once they see a forecast come down saying that things are tanking, they're supposed to look at it. And if it looks bad enough, they're supposed to ask the Governor to call a special session so the folks who screwed up the law, made the bad decisions, or just simply didn't know--because sometimes the future is unknowable--come into special session and fix it either by cutting expenses or raising revenue. That didn't happen, didn't happen, saw the tidal wave coming and kind of blew it off. And now you guys come in here. You got less a handle on it than certainly the people who were involved in it do. And what's happening? Is it a TEEOSA problem? What was wrong with TEEOSA? Why are these dates wrong? Why is this the best way to fix it? Is it an appropriations problem? Did a bunch of bureaucrats and the Governor last year snooker the Appropriations Committee into appropriating or saying there was too much state need? Were they just plain snookered to the context of \$150 million? Is that where the malfunction occurred? Or did the malfunction occur because we didn't bring in enough revenue? Is this a revenue problem? Certainly can't be because the Revenue Committee right now is talking about multimillion-dollar tax cuts on property, telling future Tax Commissioners how they're going to readjust the income

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tax rate down--exactly the kind of things you do when you're facing a multimillion-dollar revenue shortfall. We have hundreds of millions of dollars in tax credits, perks, and other programs, seemingly not a thing to look at. While we're talking about cutting expenses, we're not talking about cutting the perks on the revenue side. This thing gets very complicated really quick. And if we start saying that the answer is in appropriations or in TEEOSA and not in the cause of the problem, which very well may be on the revenue side of the equation, we will make a mistake that you guys are going to have to live with... [LB119]

SPEAKER SCHEER: One minute. [LB119]

SENATOR SCHUMACHER: ...because there is enough Cash Reserve to get the senior class out of here. So we've got to focus more on just fixing this or tinkering with the budget, trying to squeeze a little bit more deferral of expenses into the future as if the future's going to be easier to pay for. We've got to look to the cause of the problem. I'd like to hear, before we vote on this, a comparative of the procedure that was used, as Senator Baker referred to, and the one before us so I can make an intelligent vote. It may be very well that this is a good idea. I don't know that right now. Thank you. [LB119]

SPEAKER SCHEER: Thank you, Senator Schumacher. Announcements, Mr. Clerk? [LB119]

CLERK: Mr. President, hearing notices from the Banking, Commerce and Insurance Committee and the General Affairs Committee. Senator Bolz offers LR27; that will be laid over. I have communication from the Speaker directing that LR27 be referred to Reference for referral to standing committee for purposes of conducting a public hearing. Committee on Government reports LB38 and LB101 to General File. Motion to be printed with respect to LB119. (Legislative Journal pages 379-381.) [LR27 LB38 LB101 LB119]

And, Mr. President, a priority motion: Senator Morfeld would move to adjourn the body until Tuesday, January 31, at 9:00 a.m.

SPEAKER SCHEER: You've heard the motion. All those in favor of adjournment say aye. Pretty tepid. All those opposed say nay. Not quite enough. We are adjourned.