

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
May 24, 2007

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SPEAKER FLOOD PRESIDING []

SPEAKER FLOOD: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the eighty-seventh day of the One Hundredth Legislature, First Session. Our chaplain for today is Senator Kruse. Please rise. []

SENATOR KRUSE: (Prayer offered.) []

SPEAKER FLOOD: Thank you, Senator Kruse. I call to order the eighty-seventh day of the One Hundredth Legislature, First Session. Senators, please record your presence. []

PRESIDENT SHEEHY PRESIDING []

PRESIDENT SHEEHY: Please record, Mr. Clerk. []

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

PRESIDENT SHEEHY: Are there any corrections for the Journal? []

CLERK: I have no corrections, Mr. President. []

PRESIDENT SHEEHY: Messages, reports, or announcements? []

CLERK: Mr. President, I have a certificate prepared from the Clerk to the Secretary of State regarding the transmittal of LB321, and I have received a report from the Nebraska Crime Victim's Reparations Program from the Law Enforcement, Criminal Justice Commission. That will be on file in the Clerk's Office. That's all that I had, Mr. President. (Legislative Journal pages 1781-1782.) [LB321]

PRESIDENT SHEEHY: Thank you, Mr. Clerk. Mr. Clerk, we will move to Final Reading. Members should return to their seats in preparation for Final Reading. Mr. Clerk, the first bill is LB641. [LB641]

CLERK: Mr. President, I have a motion on the desk. Senator Flood would move to return the bill for specific amendment. (FA136, Legislative Journal page 1782.) [LB641]

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PRESIDENT SHEEHY: Senator Flood, you're recognized to open on FA136. [LB641]

SPEAKER FLOOD: Thank you, Mr. President, members. I'm going to withdraw this amendment within the time that is allotted for the opening, so don't worry about hitting your lights because the motion won't be there in ten minutes. This has been a process and I am proud of the way the Legislature has addressed the issue regarding LB641, of several issues. I simply want to say, with regard to the issue of Sarpy County boundaries, that was something we talked about on General File, it came up briefly on Select File. And the reason that we're proceeding today with an amendment that will be withdrawn is because we have senators in this body that take their obligation to their district very seriously and they have a...they take that duty to represent the interests inside their district very seriously. And two of the senators today I'd like to recognize are Senator Dave Pankonin, who has worked tirelessly on behalf of the South Sarpy School District, and Senator Abbie Cornett, who does done just the same for the Bellevue Public Schools. The discussion we've had in the last couple of days has really encouraged me that we can work through just about any problem in the Legislature that confronts our state. And I want to tell you that with regard to Sarpy County boundaries, especially the idea of the Legislature coming in and drawing some line here or drawing some line there, I'm not interested in that. I don't want to be interested in that in my time in the State Legislature and I don't plan to engage in that. But I do want to, for a moment, Mr. President, I want to have Senator Pankonin tell you for a couple minutes about how hard he's worked--he won't probably tell you that, but he has--but about the good work that's been done and the path that we're on. And after that I'd like to give Senator Cornett a chance to say something. Mr. President, I'd ask to yield some time to Senator Pankonin. [LB641]

PRESIDENT SHEEHY: Senator Pankonin, you are recognized. [LB641]

SENATOR PANKONIN: Thank you, Senator Flood and members of the body. We had an intensive and productive negotiation Tuesday night, and I want everyone to remember that South Sarpy District is the only school district in the metro area giving up territory and they needed to be fairly compensated and, most importantly, be assured that their district borders with Bellevue are secure so they can plan for a viable future for their school district. That is why these comments will be part of the legislative record. I want to thank all those who participated and worked hard in these negotiations, including my colleagues: Senator Flood, Senator Cornett, Senator Adams, and Senator Raikes. I'll yield my time back to Senator Flood. [LB641]

PRESIDENT SHEEHY: Thank you, Senator Pankonin. Senator Flood. [LB641]

SPEAKER FLOOD: Mr. President, I'd like to yield a little bit of time to Senator Cornett. [LB641]

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PRESIDENT SHEEHY: Senator Cornett, you are recognized. [LB641]

SENATOR CORNETT: Thank you, Mr. President and members of the body. I, like Dave, want to thank Senator Flood, Senator Adams, and Senator Raikes, and Senator White, who was also part of the negotiations earlier and was unable to be there Tuesday night. He was spared a long and arduous evening. We have worked very hard on a compromise that will secure the boundary between South Sarpy and Bellevue, and I am comfortable with that agreement and I have given my word to South Sarpy that as long as the agreement goes through, and Senator Pankonin did also, that those boundaries will remain secure, as far as I'm concerned, as long as I remain in the Legislature. And again, I want to thank Senator Flood for everything he has done. [LB641]

PRESIDENT SHEEHY: Thank you, Senator Cornett. Senator Flood, you have about 6 minutes. [LB641]

SPEAKER FLOOD: I won't need even half that. I just want to...I want to close by saying the agreement that was worked out between these two school districts in a very emotional and heated situation was done the way it should be, between two school districts and not the Legislature drawing lines, and that the agreement that they worked out, and certainly the i's have to be dotted and the t's have to be crossed, the attorneys have to approve it and the school boards have to approve it, but when done it will provide stability for South Sarpy, and those dark lines that say no more after this will also allow Bellevue to grow to that line and not further. So I just want to reiterate my support for the agreement that has been reached between the two school districts and, with that, thank the Legislature for your patience this morning while we describe the situation. Mr. President, I would withdraw my motion to return LB641 to Select. [LB641]

PRESIDENT SHEEHY: Thank you, Senator Flood. FA136 is withdrawn. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB641]

CLERK: 36 ayes, 5 nays to dispense with the at-large reading, Mr. President. [LB641]

PRESIDENT SHEEHY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB641]

CLERK: (Read title of LB641.) [LB641]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB641 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB641]

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CLERK: (Record vote read, Legislative Journal page 1783.) 33 ayes, 14 nays, 2 excused and not voting, Mr. President. [LB641]

PRESIDENT SHEEHY: LB641 passes. We will now proceed to LB641A. [LB641 LB641A]

CLERK: (Read LB641A on Final Reading.) [LB641A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB641A pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB641A]

CLERK: (Record vote read, Legislative Journal pages 1783-1784.) 37 ayes, 5 nays, 5 present and not voting, 2 excused and not voting, Mr. President. [LB641A]

PRESIDENT SHEEHY: LB641A does pass. We will now move to LB342. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB641A LB342]

CLERK: 36 ayes, 6 nays to dispense with the at-large reading. [LB342]

PRESIDENT SHEEHY: The at-large reading is disposed with. Mr. Clerk, please read the title. [LB342]

CLERK: (Read title of LB342.) [LB342]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB342 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB342]

CLERK: (Record vote read, Legislative Journal page 1785.) 41 ayes, 6 nays, 2 excused and not voting, Mr. President. [LB342]

PRESIDENT SHEEHY: LB342 passes with the emergency clause attached. We will now proceed to LB342A. [LB342 LB342A]

CLERK: (Read LB342A on Final Reading.) [LB342A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB342A pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB342A]

CLERK: (Record vote read, Legislative Journal pages 1785-1786.) 40 ayes, 5 nays, 2

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present and not voting, 2 excused and not voting, Mr. President. [LB342A]

PRESIDENT SHEEHY: LB342A passes with the emergency clause attached. We will now proceed to LB603. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB342A LB603]

CLERK: 34 ayes, 5 nays on the motion to dispense with the at-large reading. [LB603]

PRESIDENT SHEEHY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB603]

CLERK: (Read title of LB603.) [LB603]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB603 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB603]

CLERK: (Record vote read, Legislative Journal page 1787.) 42 ayes, 0 nays, 5 present and not voting, 2 excused and not voting, Mr. President. [LB603]

PRESIDENT SHEEHY: LB603 passes with the emergency clause attached. We will now move to LB603A. [LB603 LB603A]

CLERK: (Read LB603A on Final Reading.) [LB603A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB603A pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB603A]

CLERK: (Record vote read, Legislative Journal pages 1787-1788.) 44 ayes, 0 nays, 3 present and not voting, 2 excused and not voting, Mr. President. [LB603A]

PRESIDENT SHEEHY: LB603A passes. (Doctor of the day introduced.) There is a change in the agenda. We will next be moving to LB338. Mr. Clerk. [LB603A LB338]

CLERK: (Read LB338 on Final Reading.) [LB338]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB338 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB338]

CLERK: (Record vote read, Legislative Journal page 1788.) 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President. [LB338]

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PRESIDENT SHEEHY: LB338 passes. We will now proceed to LB377. [LB338 LB377]

CLERK: (Read LB377 on Final Reading.) [LB377]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB377 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB377]

CLERK: (Record vote read, Legislative Journal page 1789.) 42 ayes, 2 nays, 4 present and not voting, 1 excused and not voting. [LB377]

PRESIDENT SHEEHY: LB377 passes with the emergency clause attached. We will now proceed to LB377A. [LB377 LB377A]

CLERK: (Read LB377A on Final Reading.) [LB377A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB377A pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB377A]

CLERK: (Record vote read, Legislative Journal page 1790.) 41 ayes, 1 nay, 6 present and not voting, 1 excused and not voting, Mr. President. [LB377A]

PRESIDENT SHEEHY: LB377A passes with the emergency clause attached. We will now proceed to LB343. [LB377A LB343]

CLERK: (Read LB343 on Final Reading.) [LB343]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB343 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB343]

CLERK: (Record vote read, Legislative Journal pages 1790-1791.) 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President. [LB343]

PRESIDENT SHEEHY: LB343 passes. We will now proceed to LB343A. [LB343 LB343A]

CLERK: (Read LB343A on Final Reading.) [LB343A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB343A pass? All those in favor vote yea; opposed, nay.

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Please record, Mr. Clerk. [LB343A]

CLERK: (Record vote read, Legislative Journal pages 1791-1792.) 47 ayes, 0 nays, 1 present and not voting, 1 excused and not voting, Mr. President. [LB343A]

PRESIDENT SHEEHY: LB343A passes. We will now proceed to LB324. [LB343A LB324]

ASSISTANT CLERK: (Read LB324 on Final Reading.) [LB324]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB324 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB324]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1792.) Vote is 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President. [LB324]

PRESIDENT SHEEHY: LB324 passes with the emergency clause attached. We will now proceed to LB324A. [LB324 LB324A]

ASSISTANT CLERK: (Read LB324A on Final Reading.) [LB324A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB324A pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB324A]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1793.) Vote is 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President. [LB324A]

PRESIDENT SHEEHY: LB324A passes with the emergency clause attached. We will now proceed to LB470. [LB324A LB470]

ASSISTANT CLERK: (Read LB470 on Final Reading.) [LB470]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB470 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB470]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 1793-1794.) Vote is 46 ayes, 0 nays, 2 present and not voting, 1 excused and not voting, Mr. President. [LB470]

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PRESIDENT SHEEHY: LB470 passes. We will now proceed with LB470A. [LB470 LB470A]

ASSISTANT CLERK: (Read LB470A on Final Reading.) [LB470A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB470A pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB470A]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 1794-1795.) Vote is 46 ayes, 1 nay, 1 present and not voting, 1 excused and not voting, Mr. President. [LB470A]

PRESIDENT SHEEHY: LB470A passes. We will now proceed to LB425. [LB470A LB425]

ASSISTANT CLERK: (Read LB425 on Final Reading.) [LB425]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB425 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB425]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1795.) Vote is 48 ayes, 0 nays, 1 present and not voting on the passage of the bill, Mr. President. [LB425]

PRESIDENT SHEEHY: LB425 passes. We will now proceed to LB425A. [LB425 LB425A]

ASSISTANT CLERK: (Read LB425 on Final Reading.) [LB425A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB425A pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB425A]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1796.) 48 ayes, 0 nays, 1 present and not voting on the passage of the bill, Mr. President. [LB425A]

PRESIDENT SHEEHY: LB425A passes. We will now proceed to LB12. [LB425A LB12]

ASSISTANT CLERK: (Read LB12 on Final Reading.) [LB12]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied

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with, the question is, shall LB12 pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB12]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 1796-1797.) Vote is 44 ayes, 1 nay, 4 present and not voting, Mr. President. [LB12]

PRESIDENT SHEEHY: LB12 passes. We will now proceed to LB12A. [LB12 LB12A]

ASSISTANT CLERK: (Read LB12A on Final Reading.) [LB12A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB12A pass? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB12A]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1797.) Vote is 45 ayes, 1 nay, 3 present and not voting, Mr. President. [LB12A]

PRESIDENT SHEEHY: LB12A passes. We will now proceed to LB73. [LB12A LB73]

ASSISTANT CLERK: (Read LB73 on Final Reading.) [LB73]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB73 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB73]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1798.) Vote is 48 ayes, 0 nays, 1 present and not voting, Mr. President. [LB73]

PRESIDENT SHEEHY: LB73 passes with the emergency clause attached. We will now proceed to LB73A. [LB73 LB73A]

ASSISTANT CLERK: (Read LB73A on Final Reading.) [LB73A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB73A pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB73A]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 1798-1799.) The vote is 48 ayes, 0 nays, 1 present and not voting, Mr. President. [LB73A]

PRESIDENT SHEEHY: Thank you, Madam Clerk. LB73A passes with the emergency clause attached. (Visitors introduced.) We do have a change in the agenda at this time, due to an amendment being filed on LB441, so LB441 will fall behind LB456. So at this

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time we will proceed to LB304. [LB73A LB304]

ASSISTANT CLERK: (Read LB304 on Final Reading.) [LB304]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB304 pass? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB304]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 1799-1800.) The vote is 48 ayes, 0 nays, 1 present and not voting, Mr. President. [LB304]

PRESIDENT SHEEHY: LB304 passes. We will now proceed to LB211. [LB304 LB211]

ASSISTANT CLERK: (Read LB211 on Final Reading.) [LB211]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB211 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB211]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1800.) The vote is 46 ayes, 0 nays, 3 present and not voting, Mr. President. [LB211]

PRESIDENT SHEEHY: LB211 passes with the emergency clause attached. We will now proceed to LB211A. [LB211 LB211A]

ASSISTANT CLERK: (Read LB211A on Final Reading.) [LB211A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB211A pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB211A]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 1800-1801.) The vote is 47 ayes, 0 nays, 2 present and not voting, Mr. President. [LB211A]

PRESIDENT SHEEHY: LB211A passes with the emergency clause attached. We will now proceed to LB117. Madam Clerk, the first vote is to dispense with the at-large reading. All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB211A LB117]

ASSISTANT CLERK: 37 ayes, 3 nays on the motion to dispense with the at-large reading, Mr. President. [LB117]

PRESIDENT SHEEHY: The at-large reading is dispensed with. Madam Clerk, please

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read the title. [LB117]

ASSISTANT CLERK: (Read title of LB117.) [LB117]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB117 pass? All those in favor vote yea; opposed, nay. Please record on LB117, Madam Clerk. Please record, Madam Clerk. [LB117]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1802.) The vote is 47 ayes, 0 nays, 2 present and not voting, Mr. President. [LB117]

PRESIDENT SHEEHY: LB117 passes. We will now proceed to LB540. [LB117 LB540]

ASSISTANT CLERK: (Read LB540 on Final Reading.) [LB540]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB540 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB540]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 1802-1803.) The vote is 49 ayes, 0 nays on the passage of LB540. [LB540]

PRESIDENT SHEEHY: LB540 passes with the emergency clause attached. We will now proceed to LB540A. [LB540 LB540A]

ASSISTANT CLERK: (Read LB540A on Final Reading.) [LB540A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB540A pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB540A]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1803.) The vote is 49 ayes, 0 nays, Mr. President. [LB540A]

PRESIDENT SHEEHY: LB540A passes with the emergency clause attached. We will now move to LB316. [LB540A LB316]

ASSISTANT CLERK: (Read LB316 on Final Reading.) [LB316]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB316 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB316]

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ASSISTANT CLERK: (Record vote read, Legislative Journal pages 1803-1804.) The vote is 48 ayes, 0 nays, 1 present and not voting, Mr. President. [LB316]

PRESIDENT SHEEHY: LB316 passes with the emergency clause attached. We will now proceed to LB316A. [LB316 LB316A]

ASSISTANT CLERK: (Read LB316A on Final Reading.) [LB316A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB316A pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB316A]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1804.) The vote is 47 ayes, 0 nays, 2 present and not voting, Mr. President. [LB316A]

PRESIDENT SHEEHY: LB316A passes with the emergency clause attached. We will now proceed to LB328. Madam Clerk, the first vote is to dispense with the at-large reading. All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB316A LB328]

ASSISTANT CLERK: 38 ayes, 3 nays on the motion to dispense with the at-large reading, Mr. President. [LB328]

PRESIDENT SHEEHY: The at-large reading is dispensed with. Madam Clerk, please read the title. [LB328]

ASSISTANT CLERK: (Read title of LB328.) [LB328]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB328 pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB328]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 1805.) The vote is 48 ayes, 0 nays, 1 present and not voting, Mr. President. [LB328]

PRESIDENT SHEEHY: LB328 passes with the emergency clause attached. We will now proceed to LB328A. [LB328 LB328A]

ASSISTANT CLERK: (Read LB328A on Final Reading.) [LB328A]

PRESIDENT SHEEHY: All provisions of law relative to procedure having been complied with, the question is, shall LB328A pass with the emergency clause attached? All those in favor vote yea; opposed, nay. Please record, Madam Clerk. [LB328A]

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ASSISTANT CLERK: (Record vote read, Legislative Journal page 1806.) The vote is 49 ayes, 0 nays, Mr. President. [LB328A]

PRESIDENT SHEEHY: LB328A passes with the emergency clause attached. We will now return back to an agenda item, LB456. [LB328A LB456]

CLERK: Mr. President, Senator White would move to return the bill for specific amendment, AM1488. (Legislative Journal pages 1806-1810.) [LB456]

PRESIDENT SHEEHY: Senator White, you're recognized to open on your amendment. [LB456]

SENATOR WHITE: Thank you, Mr. President. I ask the body to return this to Select File to make an amendment to correct a drafting error that created an unintended double benefit. Senator Wightman had raised the issue on the floor as to whether or not it would be possible, under some circumstances, for an additional unintended benefit to be created. At that time I told him I didn't think so, but then again I'm a trial lawyer. We found, I found, much to my delight, that the second house envisioned by George Norris is truly alive and well. We received e-mails--members of the Revenue Committee, the staff and myself--from a former state employee, who I won't name by name for their privacy, who indicated that indeed such an unintended benefit was possible. With that, we've asked that we would ask the body to return it to Select File. I have an amendment that would correct that problem and then I would ask your indulgence to returning it to Final Reading. Thank you, Mr. President. [LB456]

PRESIDENT SHEEHY: Thank you, Senator White. You've heard the opening to AM1488. Senator Raikes. [LB456]

SENATOR RAIKES: Thank you, Mr. President, members. I appreciate Senator White bringing this motion and I appreciate the work that's been done to discover and correct this situation, so I urge your support. Thank you. [LB456]

PRESIDENT SHEEHY: Thank you, Senator Raikes. Additional senators wishing to speak on AM1488? Seeing none, Senator White, you're recognized to close. Senator White waives closing. The question before the body is, shall LB456 be returned to Select File? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB456]

CLERK: 38 ayes, 0 nays, Mr. President, on the motion to return the bill. [LB456]

PRESIDENT SHEEHY: Motion to return passes. Senator White, you're recognized to offer your amendment. [LB456]

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SENATOR WHITE: Thank you, Mr. President. Ladies and gentlemen of the body, my amendment would provide and allow for an additional paragraph, paragraph (12), which would read: "There shall be added to federal adjusted gross income for individuals, estates, and trusts any amount taken as a credit for franchise tax paid by a financial institution under sections 77-3801 to 77-3807 as allowed by subsection (6) of section 77-2715.07." The effect of this amendment is to require that any benefit that an individual shareholder may have obtained by use of the deposit tax on an income tax would then be added back in so that they would not get benefit for that as well as the new corporate income tax break. This would remove, it's my understanding from the people who are technically skilled in the area, the double benefit that was unintended, and I also...it also at some point would reduce the pressure on the green sheet. We're unaware of how much at this point in time. So for both of those reasons I would urge the body's support of this amendment. [LB456]

PRESIDENT SHEEHY: Thank you, Senator White. You've heard the opening to AM1488. The floor is now open for discussion. Seeing none, Senator White, you're recognized to close. Senator White waives closing. The question before the body is, shall AM1488 be adopted to LB456? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB456]

CLERK: 42 ayes, 0 nays, Mr. President, on the adoption of the Select File amendment. [LB456]

PRESIDENT SHEEHY: AM1488 is adopted. Next item, Mr. Clerk. Senator McGill. [LB456]

SENATOR MCGILL: Mr. President, I move LB456 to E&R for engrossing. [LB456]

PRESIDENT SHEEHY: You have heard the motion. All those in favor say aye. Opposed say nay. LB456 advances. Next item, Mr. Clerk. [LB456]

CLERK: Mr. President, LB441, on Final Reading. Senator Hudkins would move to return the bill for specific amendment, the purpose being to strike the enacting clause. (FA137, Legislative Journal page 1811.) [LB441]

PRESIDENT SHEEHY: Senator Hudkins, you're recognized to open on your motion. [LB441]

SENATOR HUDKINS: Thank you, Mr. President and members of the body. I ask your indulgence this morning. This is not what it seems. I am not going to strike the enacting clause on Senator McDonald's bill, but I do want to talk about it. On February 27, I had a bill, LB46, which was heard by the Agriculture Committee. What that bill would do, it would be a request from the growers, the wine and grape growers, to ask for a 1 cent

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per pound assessment. That money would go to the...for the purposes of research, development, and promotion of grapes and the wine industry. After that hearing was over, and there were I think a couple of people who spoke in support and I don't believe anyone spoke in opposition, Senator Chambers was very kind and donated out of his own pocket to me a donation for the Winery and Grape Producers Promotional Fund, and if Senator Chambers could join me at my microphone. (Laughter) This money did go to its intended purposes, Senator Chambers, and I have a certificate proving that. It says: Dear Senator Chambers, I want to take this opportunity to thank you for your kind donation to the Nebraska Grape and Winery Board for deposit in the Winery and Grape Producers Promotional Fund. This letter is to acknowledge receipt of 25 cents from Senator Ernie Chambers (laughter) on February 27, 2007, as a donation to the Winery and Grape Producers Promotional Fund. Thank you. And it's signed by Carol Hudkins, Senator, District 21. Now that's not all. And then we go on. It says: I hereby acknowledge receipt from Senator Carol Hudkins the sum of 25 cents for deposit in the Winery and Grape Producers Promotional Fund, received this 21st day of March, 2007. And it is signed by Eric Nelson, who is president of the Nebraska Grape and Winery Board. And then it goes on: I hereby acknowledge receipt from Eric Nelson, president of the Nebraska Grape and Winery Board, the sum of 25 cents for deposit in the Winery and Grape Producers Promotional Fund, received this 21st day of March, 2007, and this is signed by Shane Osborn, Nebraska State Treasurer. So, Senator Chambers, you never know how far-reaching your generosity might be. [LB441 LB46]

SENATOR CHAMBERS: Thank you very much. [LB441]

SENATOR HUDKINS: You're welcome. (Applause) And with that, Mr. President, thank you for this bit of frivolity but also gratefulness, and I therefore request that my motion be withdrawn. [LB441]

SENATOR LANGEMEIER PRESIDING [LB441]

SENATOR LANGEMEIER: Your motion to return to Select File is withdrawn. Mr. Clerk, LB441. [LB441]

CLERK: (Read LB441 on Final Reading.) [LB441]

SENATOR LANGEMEIER: All provisions of law relative to procedure having been complied with, the question is, shall LB441 pass? All those in favor vote yea; all those opposed vote nay. Record, Mr. Clerk. [LB441]

CLERK: (Record vote read, Legislative Journal pages 1811-1812.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President. [LB441]

SENATOR LANGEMEIER: LB441 passes. Mr. Clerk, next item, LB441A. [LB441]

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LB441A]

CLERK: (Read LB441A on Final Reading.) [LB441A]

SENATOR LANGEMEIER: All provisions of law relative to procedure having been complied with, the question is, shall LB441A pass? All those in favor vote yea; all those opposed vote nay. Record, Mr. Clerk. [LB441A]

CLERK: (Record vote read, Legislative Journal page 1812.) 46 ayes, 0 nays, 1 present and not voting, 2 excused and not voting, Mr. President. [LB441A]

SENATOR LANGEMEIER: LB441A does advance. Mr. Clerk, we will now proceed to Select File. LB97. [LB441A LB97]

CLERK: Mr. President, LB97 on Select File. No Enrollment and Review. Senator Ashford would move to amend the bill with AM1485. Pursuant to that offering, Senator Ashford would move to suspend Rule 5, Section 7; Rule 7, Section 3 to permit consideration of AM1485. [LB97]

SENATOR LANGEMEIER: Senator Ashford, you are recognized to open on your motion to suspend the rules. [LB97]

SENATOR ASHFORD: Thank you, Mr. President. Last year, when the Legislature passed the concealed carry bill, inadvertently there was left out of the bill a provision which prohibits the carrying of a concealed weapon on certain...in certain educational...and around certain educational facilities, and the amendments here, we're asking the body to suspend the rules to allow for the amendments to handle that issue to be inserted in LB97, and that's the purpose of the motion, Mr. President. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Ashford. You have heard the opening on the motion to suspend the rules. The floor is now open for discussion. Senator Chambers, you are recognized. [LB97]

SENATOR CHAMBERS: Mr. President, I don't vote to suspend the rules, but when I looked at this situation and realized what it was for I contacted my colleague, the devil, and told him to break out his ice skates because today I'm going to vote for a suspension of the rules. (Laughter) [LB97]

SENATOR LANGEMEIER: Thank you, Senator Chambers. There are no other lights on. Senator Ashford, you are recognized to close on your motion to suspend the rules. [LB97]

SENATOR ASHFORD: Thank you, Mr. President. I don't know what more can be said

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than that. Thank you. I'd urge that the body suspend the rules and we can move forward with this amendment. Thank you. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Ashford. The question before the body is, shall the rules be suspended for AM1485? All those in favor vote yea; all those opposed vote nay. Have all those voted that wish to? Record, Mr. Clerk. [LB97]

CLERK: 32 ayes, 0 nays, Mr. President, to suspend the rule to permit consideration of AM1485. [LB97]

SENATOR LANGEMEIER: The rules are suspended. Mr. Clerk. [LB97]

CLERK: Senator Ashford would offer AM1485, Mr. President. (Legislative Journal page 1777.) [LB97]

SENATOR LANGEMEIER: Senator Ashford, you are recognized to open on AM1485. [LB97]

SENATOR ASHFORD: Thank you, Mr. President. The important language here would read that a permitholder may carry a concealed handgun anywhere in Nebraska, except, and then a "building, grounds, vehicle, or sponsored activity or athletic event of any public, private, denominational, or parochial school or private or public university, college, or community college." And that, in addition to a small technical change in language, is the amendment, Mr. President. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Ashford. You have heard the opening on AM1485 offered to LB97. The floor is now open for discussion. Senator Johnson, you're recognized. [LB97]

SENATOR JOHNSON: Mr. President, I'll be brief. Just ask for the support of the amendment offered by Senator Ashford, AM1485. I've had communication with the chancellor of University of Nebraska at Kearney and he states that, yes, this is a problem at that institution as well. I presume that the same problem would be universal and, therefore, would ask for your support. Thank you. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Johnson. Seeing no other lights on, Senator Ashford, you are recognized to close. Senator Ashford waives closing. The question before the body is, shall AM1485 be adopted to LB97? All those in favor vote yea; all those opposed vote nay. Have all those voted that wish to? Record, Mr. Clerk. [LB97]

CLERK: 26 ayes, 0 nays, Mr. President, on adoption of Senator Ashford's amendment. [LB97]

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SENATOR LANGEMEIER: AM1485 is adopted. [LB97]

CLERK: Senator Chambers would move to amend with FA138. (Legislative Journal page 1813.) [LB97]

SENATOR LANGEMEIER: Senator Chambers, you are recognized to open on your amendment, FA138. [LB97]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, this is not the beginning of a series of amendments, but I listened to Senator Karpisek yesterday and I agree with him completely that hospitals ought to also be on this list. I didn't attempt to do it yesterday because the amendment was going to be added to Senator Friend's bill and there was no desire on the part of anybody to bring down his bill or complicate the matter. But now that this amendment that Senator Ashford offered has become LB97, I'm going to offer this amendment and I think it makes complete sense. As Senator Karpisek pointed out, already these weapons cannot be carried in emergency rooms or trauma centers. Some of the other places would be athletic events, vehicles, building, grounds of these various schools, now that we added the amendment which we did and which I support. So I see no need to put hospitals and their administrators in a position of having to tell somebody, you cannot carry that gun in here, or to post signs all over the hospital. Because of the nature of the facility, there is no justification, in my mind, of having something that is so disruptive, something that can be so stressful as to have signs posted saying you cannot carry concealed weapons here. That should not even be something on a person's mind who has to come to the hospital for any purpose. So I am offering this amendment which would say that on page 1, in line 18, after the word "worship" would be inserted "hospital," then that would read...it would precede the two words or the two locations, "emergency room or trauma center." And if you have any questions, I will answer them. Thank you, Mr. President. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Chambers. You have heard the opening on FA138. The floor is now open for discussion. Senator Hansen, you're recognized. [LB97]

SENATOR HANSEN: Thank you, Mr. President. Members of the body, I stand in total agreement of Senator Chambers' floor amendment. Hospitals should have been on this list all along. I was contacted by our hospital administrator in North Platte and she said that it was only logical that hospitals be added to the list. I don't think she knew that emergency rooms and trauma centers were on there already, but she was very adamant that hospitals have that. Do have one quick question for Senator Chambers, if he'd yield a minute. Senator Langemeier, would Senator Chambers yield, please? [LB97]

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SENATOR LANGEMEIER: Senator Chambers, would you yield to a question? [LB97]

SENATOR CHAMBERS: Yes. [LB97]

SENATOR HANSEN: Senator Chambers, if we put this into the law, and I agree that it should be into the law, does that tell hospitals that they don't need the round signs on there saying no carrying...no concealed carrying? [LB97]

SENATOR CHAMBERS: Right. They don't have to do that. Those signs, that provision was put in so that if there happens to be some facility that is not on the list where these guns are not wanted, those people would have to post a sign saying they cannot be carried here. But for all these that are listed, signs don't have to be posted. [LB97]

SENATOR HANSEN: Would you suggest, though, that hospitals continue putting that sign at their front door? [LB97]

SENATOR CHAMBERS: No, I don't think that...well, all of them can decide,... [LB97]

SENATOR HANSEN: Yeah, okay. [LB97]

SENATOR CHAMBERS: ...but they won't have to do it if this is once in the law. [LB97]

SENATOR HANSEN: Thank you. Thank you, Mr. President. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Hansen. Senator Fulton, you're recognized. [LB97]

SENATOR FULTON: Thank you, Mr. President, members of the body. This amendment, the floor amendment by Senator Chambers, I am in complete agreement with. To exacerbate matters, in a hospital it's usually a place of high emotion, in addition to being close quarters and a place where people are saving lives. So I agree with the floor amendment. Maybe I should have spoke up on the amendment itself, but I would like to hear Senator Chambers, if he would yield,... [LB97]

SENATOR LANGEMEIER: Senator Chambers, would you yield to a question? [LB97]

SENATOR CHAMBERS: Yes, I will. [LB97]

SENATOR FULTON: The...this is...I said this last night. I haven't really been able to put brain to matter here as to the argument that's used on the Virginia Tech Campus. Weapons were banned on the Virginia Tech Campus and there are those who will say that that is what made this problem proliferate longer, this gunman was able to run

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rampant longer because weapons were disallowed by law-abiding citizens. Is that...can you argue against that? I'm just legitimately wanting to hear the other side. I'd yield you some time if you'd do that. [LB97]

SENATOR CHAMBERS: Senator Fulton, what I think would happen is if people helter-skelter had weapons, more people would have been killed. People would have been pulling out guns, perhaps, and shooting them. And if in the state of Nebraska you have a trained law enforcement officer who arrives on a scene where a person had been assaulted and, rather than shooting the assaulter, he shoots the victim, then when that can happen with a trained person then we shouldn't have ordinary people carrying these guns and being encouraged in a setting such as a school where there will be many people and a lot of confusion. To perhaps say, if you think something is happening in your classroom, you should pull your pistol and begin shooting, bullets don't honor doors or walls. And maybe you're shooting at somebody you see, you miss the person, the projectile goes through the wall or through the door and strikes an innocent person. So I think a proliferation of guns can only lead to a proliferation of the original problem, and I don't think that argument makes sense at all, that there should be more guns available, I mean. [LB97]

SENATOR FULTON: Is...would a college student who...would a college student be able to bring a weapon at all as a matter of if he felt he needed a weapon to defend himself? Would he be able to have a weapon in his dorm? Does this just apply to conceal and carry or does this apply...how would this apply, by law, to the entire campus, in your opinion? [LB97]

SENATOR CHAMBERS: I think universities can establish rules as to what can and cannot be brought on campus, but when somebody is granted a right under the law then you might have to have something other than just your rule or regulation to enable you to ban these guns from the campus entirely. But that is a question that I hadn't given a lot of thought to. [LB97]

SENATOR FULTON: Thank you, Mr. President. I'd like to yield the remainder of my time to Senator Ashford. [LB97]

SENATOR LANGEMEIER: Senator Ashford, 1:50. [LB97]

SENATOR ASHFORD: Yeah, just for the record, in responding to Senator Fulton's question, this amendment, this bill, this law would apply only to persons with a permit to carry a concealed weapon. It does not apply to carrying a weapon in a holster, for example. A person could legally carry a weapon, a nonconcealed weapon, on a college campus. This particular provision applies only to someone with a permit to carry a concealed weapon. They would be restricted from carrying a concealed weapon on a campus. That's all I have. [LB97]

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SENATOR LANGEMEIER: Thank you, Senator Ashford. Senator Karpisek, you're recognized. [LB97]

SENATOR KARPISEK: Thank you, Mr. President, members of the body. We are all tired, aren't we, Senator Langemeier? I would just like to thank Senator Chambers for bringing this forward. I should have done it myself, but being the senior member, I guess that's what you learn over the years. I do want to point out that this was nothing that just popped up in my head yesterday and brought up to try to anger anyone. I campaigned on this. I talked to Senator Harms one of the very first days of session about putting the hospitals on. One of the hospitals in my district, you have to walk through the hospital to get to the trauma center, so I don't know how you could have your concealed weapon in the trauma center if you didn't bring it through the hospital, so it was just a little bit crazy to me. I don't think it was intended to leave the hospitals out. I don't think that anyone wanted to do that at all. My problem with the whole situation was that there had to be a deal cut to get college campuses taken off, and if it's good for one group it's good for the other group. I agree with Senator Fulton. Why on earth would you need a concealed carry weapon in a hospital? I don't understand. I'm sure that this is going to anger the NRA. It's not meant to anger the NRA. I own a meat market that probably half of our receipts come from hunting, so it is not meant to anger them but to protect people, especially when they're in the hospital, when we need to protect them. So thank you again, Senator Chambers, and thank you, members, for considering this. I hope it doesn't cause a lot of heartburn because it is not meant to. Thank you, Mr. President. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Karpisek. Senator Pedersen, you're recognized. [LB97]

SENATOR PEDERSEN: Thank you, Mr. President, members of the Legislature. This was originally my amendment and I had passed it off to Senator Fischer yesterday when I had to leave early. The amendment was only to clarify what the law was last year on concealed carry. It was not to expand it. And the deal was made, you know, between the NRA and the colleges that if they tried to do anything more that we would withdraw the amendment. Now that it's not the amendment, it's not that I support carrying concealed weapons in hospitals, but with the deal that was made I cannot vote for Senator Chambers' amendment. Thank you. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Pedersen. Senator Chambers, you're recognized. [LB97]

SENATOR CHAMBERS: Mr. President, members of the Legislature, whatever reasons people have, such as Senator Dwite Pedersen's, for not voting for the amendment, I nevertheless hope that we will have 25 people who will understand and see the wisdom

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of not allowing concealed weapons to be carried in hospitals, nor put the requirement on these hospitals to post signs everywhere. Only in Nebraska also will you find an Attorney General who does not realize that a college is a school. I had always thought that a college or university is a school. I'm not aware that Mr. Bruning was educated by OPS, but if he were, they should disavow him because even OPS is not that bad. With all the things I've said about them, I have never heard one single teacher from kindergarten on up say that a college is not a school. If it's not a school, what is it? I've been puzzled. The reason I bring this up, Dr. Johnson asked me what is a college if it's not a school. I have an answer to everything, but I don't have one to that. Since I had mentioned the police officer from Schuyler who shot the victim instead of the perpetrator, I should mention that a few weeks ago there was an incident involving a state trooper, and they were putting in the newspaper some obfuscation about that incident and you never read anything else about it. Well, the trooper was not hit by a ricochet. The trooper shot himself in the leg. That's why it got so quiet and nobody said anything about it, but I had it from, if not the horse's mouth, from the jockey's mouth. And here's something else I want to point out while mentioning that. So much is made of training and how it's going to equip people to be responsible and careful and not dangerous when they carry these weapons concealed. Well, here is a situation where we have two officers of the law presumably trained and one shot the victim instead of the perpetrator, the other shot himself. Now if the only one that would be harmed by one of these guns is the owner of the gun, I wouldn't like to see that, but at least innocent people are not drawn within the ambit of that kind of activity. What led me to say these things is that carrying concealed weapons, to me, is something that ought not to be allowed by law, and I fought them off for probably a decade before "Miss ABC" succeeded. "ABC," that's what I used to call former Senator Jeanne Combs: A for Annie, B for Belle, C for Calamity. In case you all don't know the last names: Annie Oakley, Belle Starr, Calamity Jane. And whenever I'd see her and she would stand up to talk, I could use either of those designations and she would smile, because we would exchange our verbal barbs. But wherever Jeanne Combs is, I want her to know that I don't hold it against her, that she did the work as a woman which no man in the Legislature who preceded her was able to do. Now I'm not putty in the hands of a woman, but there are women who have ingenuity, they are innovative, they are creative, and they will achieve, sometimes, things that all of the machismo of men cannot achieve. Such being the case, we should start showing far more consideration for and respect toward women, not let them remain an untapped source... [LB97]

SENATOR LANGEMEIER: One minute. [LB97]

SENATOR CHAMBERS: ...of talent, ability, and in reality, in most instances, civilizing effect. That's all I have to say. Thank you, Mr. President. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Chambers. (Visitors introduced.) Also on that note, the strawberries that are being passed around are in honor of Senator

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McDonald's birthday Saturday. Returning to discussion, Senator Ashford, you're recognized. [LB97]

SENATOR ASHFORD: Senator...or Mr. President, I reluctantly rise in opposition to Senator Chambers' amendment. I agreed to carry this with the understanding that the...this amendment would apply only to schools and not to hospitals, and though there is no logic particularly in making that differentiation, I made that commitment and I think I would suggest that we stick with that and take a look at the other types of places where a permit...a concealed weapon should not be carried next year, when we have an opportunity to do so. I might also add that we will be doing a interim study on the issue of concealed weapons and the permit to carry law this summer, and we can address the issue next year after we have the interim study. Thank you. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Ashford. Senator Wallman, you're recognized. [LB97]

SENATOR WALLMAN: Thank you, Mr. President. Thank you, Senator Chambers. I have shot many a gun. I've never shot my friends. I've never shot myself. (Laugh) And so...but why should we have guns in hospitals? Think about it. On most of NRA's positions, I support wholeheartedly because I think we need guns. My wife will disagree with you, but most of my friends have guns and we like guns, and almost any kind of a gun. But I don't think we need machine guns, some of those type of things. So I think this is an excellent, excellent amendment. We make promises, we make deals, sometimes we shouldn't and sometimes we have to admit we made mistakes, and so it doesn't bother me to say I'm sorry, I made a mistake. I can back up, I can go forward, and that's what I do. Thank you, Mr. President. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Wallman. Senator Nelson, you're recognized. [LB97]

SENATOR NELSON: Thank you, Mr. President, members of the body. I'm going to join with Senators Dwite Pedersen and Ashford in opposing this. I voted to suspend the rules with the understanding that we were going to make a correction that we talked about yesterday. What we're doing here now is expanding this to hospitals. I don't object to that, frankly. I think probably it's all right, but it was never discussed in committee. I question if there's some reason why it wasn't put in before when the committee was considering it. Why then we, as Senator Ashford said, we ought to have full discussion on that and input and, therefore, I oppose expanding what we're doing today by including hospitals. Thank you, Mr. President. [LB97]

SENATOR LANGEMEIER: Thank you, Senator Nelson. Senator Chambers, you're recognized. [LB97]

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SENATOR CHAMBERS: Mr. President, if I had known Senator Ashford had made a deal with the devil, I would have carried the amendment. I thought that...I didn't know that he had made such a deal. This is not Senator Friend's bill. This is a whole new ball game. And whatever deal Senator Ashford was whipsawed into making cannot bind the rest of us. We should use our judgment. What kind of debate is necessary on whether or not there should be concealed weapons carried in hospitals? People wouldn't even bring something like that to me as a deal. And I wouldn't want...if we don't get this amendment then I'm going to oppose the other one. Why should you not let the guns be on the campus but they should be in a hospital? Senator Nelson may think that guns should be carried everywhere concealed and he's entitled to that. This matter is on the floor of the Legislature and we use our judgment. I don't let people put me in a box like that, where I make a deal that makes me look like a fool, and that's exactly what we look like if we think it's so important not to allow guns on campuses but they should be carried concealed in hospitals; not fools, stupid. That is idiotic. We took the term "moron" out of the statute because it was deemed to be insulting, demeaning to people who had mental illness, and that was correct. We should have taken it out. Words like "moron," "idiot," they were in the statute. They were taken out and they should have been. But moronic, idiotic are perfectly legitimate adjectives to describe conduct engaged in by people who ordinarily have full control of their mental capacity and their senses, but they temporarily depart from what is logical, reasonable and rational. So if this hospital amendment is not adopted, and maybe the NRA will talk to its minions and say, that's good, then we'll lose everything, I'm going to fight against LB97. But that shouldn't be necessary. Let Senator Pedersen deliver on his deal. Let Senator Nelson deliver on his deal. Let Senator Ashford, which shocks me, deliver on his deal. He didn't tell me he made a deal like that, because I was asked when the amendment was being prepared. To whom should it be delivered? I said, well, give it to Senator Ashford. He didn't tell anybody, that I'm aware of, that he made a deal with the devil. Senator Nelson didn't stand up and explain why he was suspending the rules, why he'd vote to suspend the rules. We could have gotten the suspension vote without his. But because he and Senator Ashford and Senator Pedersen comprise the Bermuda Triangle, where all sense disappears forever, doesn't mean that we have to go along and get drawn into that maelstrom and disappear also. Senator Ashford, you can say either we stand on the cusp of an intelligent decision, or we teeter on the brink of an abyss of sheer stupidity. I'm not going to fall into the abyss, Senator Ashford, Senator Nelson, Senator Pedersen. It'd be great, I think, if you guys did a comedy routine or became a trio, and they could make money all over the country--three senators... [LB97]

PRESIDENT SHEEHY PRESIDING [LB97]

PRESIDENT SHEEHY: One minute. [LB97]

SENATOR CHAMBERS: ...singing as to why concealed weapons ought to be carried in hospitals. And if I'd have known this was going to happen, I would have had an

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appropriate rhyme prepared for it. But this is so preposterous, let me see something. Ouch! I pinched myself. I am awake! I'm...this is actually happening. Senator Ashford, I was hoping I was delusional. (Laughter) Senator Nelson, I was hoping I was in the midst of a nightmare. Senator Dwite Pedersen is more or less consistent. Senator Wallman loves every gun. At his house, except for his wife, who has great intelligence, he has a grandfather gun, a grandmother gun, an uncle gun, a baby gun, a son gun, and every kind of gun except a machine gun. Well, now if all these members of his family are going to carry guns, why should a machine be denied the opportunity to carry a gun? [LB97]

PRESIDENT SHEEHY: Time, Senator. [LB97]

SENATOR CHAMBERS: Thank you, Mr. President. [LB97]

PRESIDENT SHEEHY: And, Senator Chambers, that was your third time. Senator Kruse, followed by Senator Karpisek, Senator Fulton, Senator Ashford. Senator Kruse, you're recognized. [LB97]

SENATOR KRUSE: Thank you, Mr. President and members. I stand in support of the amendment. This is amazing that we'd even be stopped to talk about carrying weapons of any kind, concealed or otherwise, in a hospital. I come from a gun-toting family and we had the mama and the daddy, and I'll let you know my mother knew how to use that 410 shotgun and used it often. I also have the qualification, coming from a gun-toting family, that two of my relatives have lost members of their body by gun. Now this wasn't by their wife. This was by their own hand. These are persons that are trained and expert and grown up. These are full-grown men, 50 years old, who have been well-trained in this and know how to handle guns and all that, and they're losing body parts, and went to the hospital in each case to be cared for and get a little bit of healing. I assure you that neither one of them took their gun with them to the hospital to protect themselves from any doctors or others that might be there to help them or to give an extra blessing to the gun. Again, this is amazing that we're even stopping to talk about this. Concealed carry has no place in a hospital. Thank you. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Kruse. Senator Karpisek, you are recognized. [LB97]

SENATOR KARPISEK: Thank you, Mr. President. Members of the body, I have to rise to apologize a little bit for bringing such a...making such a stir, but I guess if it is such a stir it's a good thing we're talking about it today. I was going to put an amendment on this bill, if it ever came up. Talking to Senator Harms, it was...his bill was not going to come up, so much to my surprise yesterday when it tried to get hung on something that probably wasn't germane. We talked about that at length yesterday. That's why we're here now on this, because we tried to pull a back door with it in the first place. I was in

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favor of that because I wanted to get that off of the college campuses. Now Senator Chambers has tried to maybe pull a little bit of a quick one to get this on there. Hmm. Now the rules have changed and now we don't like it so much. Why is it...I mean who's running this place? Is it us? Well, I made a deal. I made a deal, too, yesterday that I wouldn't put an amendment on it, but I said I'm not going to say that I'm not going to talk about it, and I'm probably in a lot of trouble back there, too, but I got a D+ on the NRA sheet in the first place, so...(laugh) and that was just because I tended to get a little smart because I was running against Senator "APC" (sic), I guess. And I would just point out that she's not here anymore either. Now just because we're trying...have made deals and everything, I don't see how on earth we can go anywhere and say, oh yeah, it was all right, we didn't want it on college campuses, but gosh, no, we can't make it in a hospital; gosh, what if I walk in there and Grandma pulls her IV out and tries to stab me with it, I might have to use that, or one of those doctors with them sharp scalpels are in there. I don't think that there's a real reason you need a...in my opinion, you don't need a concealed carry weapon anywhere. Put it on your hip like John Wayne and let me see it. That way I can either run or pull mine out too. But we're talking about hospitals right now and it's not that big of a deal, I don't think, for the hospitals to be allowed to keep them out. More guns probably put people in hospitals. And I am a gun-loving redneck like Senator Wallman, but my wife isn't either so I don't have any at home either. So the point I'm trying to make is let's just make it safe. We don't need people hurt by accidents. Accidents are my biggest fear--children getting ahold of guns and having accidents. If I do something stupid and somebody wants to come try to shoot at me, then that's my own fault. But the accidents, and I just don't think in a hospital that they need to be there. Please support this. No matter what kind of deals are made, listen to your heart. Thank you, Mr. President. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Karpisek. Senator Fulton, you are recognized. [LB97]

SENATOR FULTON: Thank you, Mr. President, members of the body. In principle, I'm against cloning, but I'd be willing to reconsider if we could do something to clone Senator Karpisek. (Laughter) I want to be clear. FA138 that Senator Chambers is introducing here, I'm in favor of it. Now I haven't thought too deeply about this, but I don't...I would like to hear the rationale as to why that shouldn't be...a hospital shouldn't be exempted. So I'm with Senator Chambers on that. Now when we get to the bill itself, I'm not certain whether I'll vote for the bill because I still have questions about a college campus. I mean we know what's gone on, on a college campus recently, and if a student wants to attend that campus but feels threatened, I think it's within his constitutional right to be able to defend himself. And so again, I haven't made up my mind firmly on that, but that sure seems like a reasonable argument. That's for LB97. As for FA138, I don't know what deals have been made but I support FA138. And I'll yield the remainder of my time to Senator Chambers, if he promises to talk about FA138. [LB97]

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PRESIDENT SHEEHY: Senator Chambers, you're yielded about 3 minutes, 30 seconds. [LB97]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Fulton. I accept the condition. Members of the Legislature, I've visited people in hospitals in Omaha and I don't recollect seeing any sign saying you can't carry concealed weapons in this building. Now they might be there, but I didn't see them. I believe most people would suspect that it is against the law right now to carry concealed weapons in hospitals, and maybe even some hospital people think that. But since we have made a listing of places right now, and among them would be vehicles that belong to schools, it makes no sense not to include hospitals. If you want the Legislature to be ridiculed, reject this amendment. To whom could you make an acceptable argument, except perhaps some extremists with the NRA, that whereas we have listed all kinds of other entities, facilities, and vehicles where guns cannot be carried concealed, but hospitals will not make the list, why would you say that a concealed weapon cannot be carried at a political rally or fund-raiser? You mean to tell me that Senator Nelson thinks a fund-raiser, a political rally is more sacrosanct than a hospital? Many people must go to the hospital or run the risk of dying. Nobody has to attend a political rally. Nobody has to attend a fund-raiser, but you cannot carry concealed weapons there. Is it that the politicians are afraid and, therefore, they don't want concealed weapons there, but they don't mind endangering anybody who may be in a hospital? That boggles my mind and my mind is still functioning. I guarantee, Senator Nelson, that my mind is hitting on all cylinders. However many cylinders are in there, all of them are functioning and operational. Despite what Senator Ashford says he may have agreed to do in terms of binding and limiting what he is allowed... [LB97]

PRESIDENT SHEEHY: One minute. [LB97]

SENATOR CHAMBERS: ...to do in this Legislature, no such deal obligates me to go along with that. We should not be lemmings. Those are the critters which, according to legend, follow each other and jump off the cliff into the sea. We should not be lemmings. Whose rights are infringed if we say you cannot carry concealed weapons in a hospital? Who is Senator Nelson trying to protect? He used to make sense to me, and he'll probably make sense again after this. I allow anybody to fall off the path of righteousness, but we expect them to regain their balance and rejoin those of us who are thinking. I have not heard from Senator Ashford, Senator Dwite Pedersen, or Senator Nelson whose rights are infringed by saying... [LB97]

PRESIDENT SHEEHY: Time, Senator. [LB97]

SENATOR CHAMBERS: Thank you, Mr. President. [LB97]

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PRESIDENT SHEEHY: Thank you, Senator Chambers. (Visitors introduced.) Senator Preister, you are recognized. [LB97]

SENATOR PREISTER: Thank you, Honorable President, friends all. I rise to support the amendment and I'm glad Senator Chambers brought it. I was also so entertained by the Bermuda Triangle, where all reason seems to disappear, that I'd like to hear some more. So I would yield the remainder of my time for Senator Chambers to use it in any way he entertainingly chooses. [LB97]

PRESIDENT SHEEHY: Senator Chambers, about 4 minutes, 30 seconds. [LB97]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Preister. I started to give him a nickname, but I won't do it. I'd like to ask Senator Nelson a question or two. [LB97]

PRESIDENT SHEEHY: Senator Nelson, would you yield to some questions? [LB97]

SENATOR CHAMBERS: Senator Nelson,... [LB97]

SENATOR NELSON: Yes, I will. [LB97]

SENATOR CHAMBERS: Oh. Senator Nelson, are you aware that right now these concealed weapons cannot be carried in emergency rooms or trauma centers? Are you aware they're prohibited? [LB97]

SENATOR NELSON: Yes. Yes, I am. That was in the original bill and it still is included in the amendment. [LB97]

SENATOR CHAMBERS: Senator, where are trauma centers located? [LB97]

SENATOR NELSON: There can be separate trauma centers, I suppose, but generally in a hospital. [LB97]

SENATOR CHAMBERS: And where are emergency rooms located? [LB97]

SENATOR NELSON: As far as I know, in hospitals. [LB97]

SENATOR CHAMBERS: So if you have occasion to enter one of these areas, must the hospital have a place for you to check your weapon, your concealed weapon? Let's say it's the... [LB97]

SENATOR NELSON: Yes. Yes, I would suppose so. I suppose that's the way they handle it. [LB97]

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SENATOR CHAMBERS: And you feel that that is the way it should be conducted in a civilized, sophisticated society? [LB97]

SENATOR NELSON: I'm not...I'm not objecting to trauma centers or emergency rooms, since that provision is in there. [LB97]

SENATOR CHAMBERS: Why do you object to prohibiting the carrying of concealed weapons in the hospital? [LB97]

SENATOR NELSON: Because I think it's a place where you're going to find at some times emotionally unbalanced persons and I think, as a person...as when you're talking about protecting my rights, I think, even though I don't have a permit to carry a gun and probably will not, or a concealed weapon, I think it bears more discussion than we're having here, and that I would want to protect myself. [LB97]

SENATOR CHAMBERS: What do you want to discuss? [LB97]

SENATOR NELSON: What? [LB97]

SENATOR CHAMBERS: What is there that you want to discuss that you feel you can't discuss now? [LB97]

SENATOR NELSON: It gets back to a matter of principle, Senator Chambers. I don't think this is the time and place to be adding hospitals because it was not added in before. [LB97]

SENATOR CHAMBERS: Well, Senator Nelson, you said that there might be people who are mentally disordered or deranged or something like that, whatever your term was, so you mean you feel that you may be in a hospital and such a person would appear and you'd feel it was your obligation to shoot that person? [LB97]

SENATOR NELSON: An obligation to protect myself, not to shoot... [LB97]

SENATOR CHAMBERS: How many hospitals have you visited in your lifetime, just roughly? [LB97]

SENATOR NELSON: Well, we have... [LB97]

SENATOR CHAMBERS: Many probably. You've made many visits. [LB97]

SENATOR NELSON: ...we have five hospitals and I've been in many, many times, especially going there to assist people with legal matters. [LB97]

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SENATOR CHAMBERS: How many times have you been in a situation where you felt it was necessary to protect and defend yourself from anybody while in a hospital? [LB97]

SENATOR NELSON: I don't recall any specific time. [LB97]

SENATOR CHAMBERS: The reason I mention it, that's the example you gave. Yet in all of your years, and you're no spring chicken, (laughter)... [LB97]

SENATOR NELSON: You're right. [LB97]

SENATOR CHAMBERS: ...in all your years of being here, you old rooster, you haven't had the need to protect or defend yourself, but all of a sudden now you think it may be necessary. So do you have a permit to carry a concealed weapon now? [LB97]

SENATOR NELSON: No, I do not. [LB97]

SENATOR CHAMBERS: So you couldn't legally be carrying a concealed weapon in a hospital anyway, could you? [LB97]

PRESIDENT SHEEHY: One minute. [LB97]

SENATOR NELSON: That's correct, but there may be a time that we reach a point where I feel it will be necessary and I will feel compelled to do that. [LB97]

SENATOR CHAMBERS: When are you going to get a permit? [LB97]

SENATOR NELSON: I don't know. It takes quite awhile to get a permit. [LB97]

SENATOR CHAMBERS: Thank you. Members of the Legislature, do you see how difficult it is for a rational man to assume the role of an irrational man and not sound like he is as irrational as he is talking? Senator Nelson wouldn't be talking like this under ordinary circumstances. I'm sure he wouldn't be talking to a group of children and make the same kind of arguments he is now, that we should not prohibit these guns from being in hospitals because that wasn't in the law originally, so when an amendment was offered to put it...put hospitals there, I felt that I couldn't vote to do it because it wasn't there originally. These kids would scratch their heads and say, when they were telling us what an amendment was I thought I understood, but after listening to Senator Nelson I guess I don't. [LB97]

PRESIDENT SHEEHY: Time, Senator. [LB97]

SENATOR CHAMBERS: Thank you, Mr. President. [LB97]

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PRESIDENT SHEEHY: Senators in line to speak are Senator Erdman, Senator Howard, Senator Stuthman, Senator Nelson, and Senator Johnson. Senator Erdman, you are recognized. [LB97]

SENATOR ERDMAN: Mr. President, members of the Legislature, would Senator Chambers yield to a question so that I can understand what... [LB97]

PRESIDENT SHEEHY: Senator Chambers, will you yield to a question? [LB97]

SENATOR CHAMBERS: No. [LB97]

SENATOR ERDMAN: And, Senator, what I need to understand is the last question you... [LB97]

SENATOR CHAMBERS: I said no. [LB97]

SENATOR ERDMAN: Oh, you did say no? Okay. Well, then we'll move on. [LB97]

SENATOR CHAMBERS: But I change. Yes. [LB97]

SENATOR ERDMAN: You don't have to, as you know. The question you asked Senator Nelson, if I heard it right, was can an individual carry a concealed weapon in a hospital now. Is that...the last question you asked him, I didn't quite hear it. I was distracted by one of the other members. You were talking about carrying a weapon and whether he needed to have a concealed weapon when he was ever in a hospital. What was the...what was that last question? Did you ask him if he's...if he could carry one now and then was he going to get a permit, or was it... [LB97]

SENATOR CHAMBERS: Well, we had a free-flowing discussion and he had mentioned the possibility that he may have to defend himself, so I had asked had he ever experienced a set of circumstances... [LB97]

SENATOR ERDMAN: Right. [LB97]

SENATOR CHAMBERS: ...like that and he said no. [LB97]

SENATOR ERDMAN: Right. [LB97]

SENATOR CHAMBERS: So I asked him did he think that he would; he said that might happen someday. So I asked him does he have a permit; he said no. I asked him was he going to get a permit, and he said it takes a long time or something like that. [LB97]

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SENATOR ERDMAN: Okay, and it was specifically referring to whether or not he could...needed to defend himself in a hospital and afford himself the right that the concealed permit law would allow. [LB97]

SENATOR CHAMBERS: Yes. [LB97]

SENATOR ERDMAN: Okay. Thank you. Just so I was clear. I think it...I think the thrust or the focus of the section that's being amended is important to understand, but also subsection (2) of the same section is important to understand. Everywhere in this section of law it refers to the permitholder as to the limitation on their rights, but in subsection (2) it also allows that the entities in control of the property can post. So an example would be that the hospital in Wilber, I'm assuming there's some type of health facility in Wilber, Senator Karpisek, they can post now. By passing this amendment, we're not saying that they don't have the right to prohibit. We're saying they don't have to post it because it's in state statute. That's the same thing with why we're here today, is because we have an Attorney General's Opinion that says that every building on public or private college campuses has to have a published sign that says you can't carry a weapon, as opposed to what, my understanding is, most of the colleges already have a prohibition. But what's not pointed out, and Senator Dwite Pedersen I think said this, I can carry a concealed weapon into any one of these prohibited facilities now under existing state law. As long as I'm not a permitholder and as long as I afford myself the other right that you have to carry a concealed weapon, if I use that weapon then I have an affirmative defense that I have to go to court and have that adjudicated and go through that process. But what we're simply focusing on here is if someone is a permitholder, Senator Chambers is right, if you have a permit you can't carry that weapon, but most importantly and specifically it's whether or not the entity would have to post the sign. This law doesn't take out that other section of law that allows people who feel that they have a need without getting a permit to carry a concealed weapon. It's my understanding that's still in existing law. So there is a balancing act here. Specifically, what we're talking about, whether it was in Senator Ashford's amendment or this one, is whether or not those entities have to post a sign because the state statute would extend to them the protection that they would already be afforded by posting on their own. So really what this does is it takes away the authority of somebody locally, should they decide to want to give somebody the right, I guess, to carry a gun. That's all this does. Senator Chambers is right on one thing. Actually, he's right on a lot of things. He's right on one thing specifically today and that is that I don't think it's appropriate or I don't think it's a good defense to stand up on the floor and say, well, this was the deal that was made. That's all we can do. [LB97]

PRESIDENT SHEEHY: One minute. [LB97]

SENATOR ERDMAN: If you think this is the right policy, let's vote for it; and if there's enough of you, who cares what the deal is made. If you don't think it's the right policy,

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vote against it. He's right. Those folks behind the glass or the people outside of this body have an influence on us as much as you allow them to have the influence, but if Senator Chambers wants to offer this amendment, he has that right. And if we as a body want to adopt it, we should. We've shut them out of the process before. We've probably done better when we do. So make up your mind, vote yes or no on this amendment, and if that changes your opinion on Senator Ashford's amendment, so be it. But let's not let somebody outside the glass hamstring what we're doing in here, and if a majority of folks think this is the right thing to do, go for it. But understand the parameters in which we're operating is limited to only those who are going to be permitholders and not universally to anyone who would have the right to carry a concealed weapon in the state of Nebraska. Thank you, Mr. President. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Erdman. Senator Howard, you are recognized. [LB97]

SENATOR HOWARD: Thank you, Mr. President and members. I don't own a gun. I don't know how to shoot a gun. And even though I appreciate the NRA weighing in, in support of my antibullying bill, thank you, I can't think of a reason in the world why it would be acceptable to carry a gun into a hospital. Two of the major hospitals in my district have patients who come in due to gang-related shootings, and I certainly don't want to think and don't want to have to accept that others with conflicting gang views can come into that same hospital carrying a gun. I'd like to offer the remainder of my time to Senator Chambers. [LB97]

PRESIDENT SHEEHY: Senator Chambers, you're yielded just slightly over 4 minutes. [LB97]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Howard. And I do think the discussion is of value. Some people were not here when we were enacting this insane law that allows people to carry hidden guns. You cannot right now, under the law, if you're not a permitholder, carry a concealed weapon willy-nilly. There are certain specified circumstances and, as Senator Erdman pointed out, if you're arrested and you can establish that you fit into one of those categories, it's a defense, but it's not an authorization to carry a concealed weapon. And Senator Pedersen misstated the law if that's what he suggested. It's a defense. A defense is not an authorization to do something. You're doing something which is prohibited, but the law gives you a defense if you can show that under certain circumstances that prohibition doesn't apply to you. Maybe what Senator Pedersen meant to say is that under the general law, under most circumstances, you can carry a weapon which is out in the open. You can in most circumstances do that. But I don't believe that a police department has to allow people to come into the police station with two pistols on even though they're visible. I don't believe a bank has to allow people to carry a shotgun into the bank even though you can have long guns without registering them and without a permit. So some things

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require common sense. And the NRA brings up these ridiculous, preposterous notions to distract attention away from the narrow issue that we're discussing. The point that I'm making is simply this. Those who supported this bill to allow the carrying of concealed weapons, and I think Senator Nelson would do well to listen to some of these things, you can't carry them into the State Patrol station or office; a detention facility, prison or jail; courtroom or building which contains a courtroom; polling place during a bona fide election; meeting of the governing body of a county, public school district, municipality, or other political subdivision; meeting of the Legislature or a committee of the Legislature; financial institution; professional or semiprofessional athletic event. Then with the amendment that you just adopted: building, grounds, vehicle, or sponsored activity or athletic event of any school, public, private, or parochial; place of worship; emergency room or trauma center; political rally or fund-raiser; establishment having a license issued under the Nebraska Liquor Control Act that derives over one-half of its total income from the sale of alcoholic liquor;... [LB97]

PRESIDENT SHEEHY: One minute. [LB97]

SENATOR CHAMBERS: ...all of those places. Then we're going to have the gall to stand on this floor and say, but we cannot ban the carrying of these concealed weapons in hospitals? What sense does that make? None. Senator Ashford, I think, has left the area to either cool down or put some asbestos britches on. But I hope enough of us will see the logic, the reasonableness of what is being done here. I pointed out that it is not the beginning of a series of amendments. If hospitals are not to be exempt, why exempt political fund-raisers and athletic events? Thank you, Mr. President. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Chambers. Senator Stuthman. [LB97]

SENATOR STUTHMAN: Question. [LB97]

PRESIDENT SHEEHY: I have a call for the question. Do I see five hands for the question? I do see a sufficient number. The question before the body, shall debate cease on FA138? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB97]

ASSISTANT CLERK: 27 ayes, 2 nays to cease debate, Mr. President. [LB97]

PRESIDENT SHEEHY: Debate does cease on FA138. Senator Chambers, you are recognized to close. [LB97]

SENATOR CHAMBERS: Thank you. Members of the Legislature, I don't need the full 5 minutes. I'm just going to state succinctly what this amendment would do. In the line of this bill where we already have an existing law, a prohibition against carrying concealed weapons in trauma centers and emergency rooms, it is logical that we prohibit the

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carrying of these guns in the building or facility where these entities are located. All this amendment would do is say that these guns cannot be carried concealed in the hospital and we give the same consideration to hospitals that we give to all these operations and outfits that I've read to you about from the existing law. There is nothing that I have heard which says we should not do this. So if you agree that concealed weapons should not be carried in hospitals, you should vote for this amendment. Also, in the interest of full disclosure, if hospitals want to post signs all over and throughout their facility saying no concealed weapons allowed, hospitals can do that. But how many hospital administrators do you think want to have signs plastered all over the hospital? And when people come in, wonder what is going on around here, what kind of people come in this place? There is no reason for us to require that so I hope you will support this amendment. And, Mr. President, I will ask for a call of the house and I will accept a machine vote. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Chambers. There is a motion for a call of the house. The question is, shall the house be placed under call? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB97]

ASSISTANT CLERK: 35 ayes, 0 nays to place the house under call, Mr. President. [LB97]

PRESIDENT SHEEHY: The house is placed under call. All unexcused senators please report to the Chamber. All unauthorized personnel please step from the floor. The house is under call. Senators, please record your presence. Senator Schimek, Senator Hansen, would you please check in? Senator Cornett, Senator Raikes, Senator White, Senator McDonald, Senator Ashford, the house is under call. Senator Adams, would you please record your presence? Senator White, the house is under call. Senator Chambers, all senators are present and accounted for. We will continue with a machine vote. The question before the body is, shall FA138 be adopted to LB97? All those in favor vote yea; opposed, nay. Have all voted who wish? Please record, Mr. Clerk. [LB97]

ASSISTANT CLERK: 32 ayes, 1 nay on the adoption of the amendment, Mr. President. [LB97]

PRESIDENT SHEEHY: FA138 is adopted. Senator McGill. [LB97]

SENATOR MCGILL: Mr. President, I move LB97 to E&R for engrossing. [LB97]

PRESIDENT SHEEHY: Senator Avery. The call is raised. [LB97]

SENATOR AVERY: Thank you, Mr. President. I believe it was Senator Fulton who asked somebody to provide some good argument for why we should not allow

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concealed carry on college campuses. I'm going to do that, and I'm going to relate to you a personal experience. I was the victim of a terroristic threat by a student who was underperforming and was very unhappy about a grade. He arrived at my office in full rage. He said, I'm going home and I'm going to get my gun and I'm going to come back and blow your head off. I learned later that he had bought a gun the day before at a gun show. If he had had the right to have a concealed weapon on that campus at that time, he would have killed me. That is a good reason why you must not allow these weapons on college campuses. Thank you. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Avery. Senator Pedersen. [LB97]

SENATOR PEDERSEN: Thank you, Mr. President, members of the Legislature. I just stand to confirm what Senator Chambers said about the affirmative defense. I did not give anybody a mixed message on that. I understand what affirmative defense is, and open carry. He was right in both cases, and I am aware of that law and did not give anybody any impression that anything different. Thank you. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Pedersen. Senator Carlson. [LB97]

SENATOR CARLSON: Mr. President and members of the Legislature, I'm bringing up something that I hope is not an unintended consequence of this bill. And I would address a question to Senator Chambers, if I could. [LB97]

PRESIDENT SHEEHY: Senator Chambers, would you yield to a question? [LB97]

SENATOR CHAMBERS: Yes, I will. [LB97]

SENATOR CARLSON: Senator Chambers, can you look...are you looking at the bill, on page 1? [LB97]

SENATOR CHAMBERS: I will. [LB97]

SENATOR CARLSON: Okay. [LB97]

SENATOR CHAMBERS: Okay, I'm on page 1. [LB97]

SENATOR CARLSON: If we go to line 13,...well, at the end of line 12, it's: professional or semiprofessional athletic event. "Collegiate" has been crossed out. You with me? [LB97]

SENATOR CHAMBERS: Yes, I'm following you. [LB97]

SENATOR CARLSON: And then we go, after that, to "school, school grounds,

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school-owned vehicle, or school-sponsored activity or athletic event," is crossed out. Okay? [LB97]

SENATOR CHAMBERS: Yes, I see what you're (inaudible). [LB97]

SENATOR CARLSON: And the addition here then follows. We're talking about "semiprofessional athletic event," and then we go right to "building, grounds, vehicle," and then we're: sponsored activity or athletic event of any public, private, denominational, parochial school, private or public university, college, or community college. And I could almost interpret that as being limited to the sponsored activity or the athletic events. Am I not understanding? Do you think that's clear that it's everything in regard to the institution? [LB97]

SENATOR CHAMBERS: Well, yes, by saying, building, grounds, and vehicles. Then it says "or," and it lists additional things that would not be comprised necessarily within the terms "building, grounds, vehicle." So what they're listing are the locations, then the entities that are involved, whether they're private, denominational, or parochial, private or public university, college, or community college. This kind of bunglesome language was made necessary when the Attorney General said that colleges are not schools. So then they had to try to find language which even Nebraska's Attorney General would understand means that schools of every type, variety, or whatever are included in the prohibition when it comes to carrying concealed weapons. So maybe I'm not understanding the question you're asking me? [LB97]

SENATOR CARLSON: Well, no, I think you're satisfying me. But I had thought there's a possibility we could be focusing on activities and events, and left out something that was crossed out. And I think you're correct. I'm satisfied. Thank you for the answer. Thank you, Mr. President. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Carlson. Senator Chambers, you're recognized. [LB97]

SENATOR CHAMBERS: Thank you. Mr. President, maybe I can add something that might clarify. Senator Carlson, sometimes when a bill is drafted and several things are going to be clumped together, rather than intersperse some of those words among existing language, they'll strike out even the words that they're going to reinsert, because when they make the reinsertion, they're putting together all of the related ideas and concepts. So some of what you mentioned as being crossed out will have been put in as underlined new material, and I think that's for the purpose of having a smooth flow and a coherent arrangement of the items that are being added to the bill. So if that's what you were asking, I hope what I'm saying answers the question and does not seem to be evasive. But Mr. President, members of the Legislature, the reason I had said what I did with reference to Senator Pedersen, Senator Erdman had suggested that

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Senator Pedersen said that anybody who's not a permit holder can carry a concealed weapon into a hospital, even with this prohibition. And what I was clarifying is that people cannot willy-nilly carry concealed weapons, period. That is a blanket prohibition. But if you are arrested and have a concealed weapon--and we're not talking about permit holders now in good standing--there are certain narrow circumstances under which you can show that you fit, and if you can establish that you fit within those circumstances, then that gives you a defense against being prosecuted for carrying the concealed weapon. And Senator Pedersen correctly pointed out what he and I both would say. And had he been on the floor, maybe he would have commented in response to Senator Erdman as I did based on what I understood him to say that Senator Pedersen was suggesting. Now I'm just going to state it plainly, without reference to what Senator Erdman said or what he understood Senator Pedersen to say. The statute, for I don't know how long, has allowed a defense against prosecution for carrying a concealed weapon if you fit within certain circumstances, but it does not provide a defense against being arrested. If you are caught by an officer with a concealed weapon, you can be arrested. There is nothing that would prevent an officer, if he or she is satisfied as to the explanation you give, from foregoing the arrest. These requirements placed on law enforcement officers carry a lot of discretion, maybe, in some cases, more than should be the case. But no officer is required to enforce every law all the time under every circumstance. If a bank robber is in the process of robbing a bank that is located at a busy intersection and somebody goes through a red light, the cop doesn't have to stop dealing with that bank robbery and go enforce the traffic law which was violated when somebody ran a red light. Officers don't even have to enforce the law every time they see somebody run a red light. If they see somebody make what is called a California stop at a stop sign, where your car never stops rolling completely, a cop doesn't have to give a ticket. [LB97]

PRESIDENT SHEEHY: One minute. [LB97]

SENATOR CHAMBERS: If you're out on a country road where there's not a lot of traffic but for some reason a traffic sign...I mean, a traffic signal, and you disregard it because you can see in every direction so far that the curvature of the earth is visible and no vehicle is present, an officer might use good judgment and not give you a ticket. You said I had one minute? Thank...then I will stop now and put my light on. Thank you, Mr. President. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Chambers. Senator Erdman, you are recognized. [LB97]

SENATOR ERDMAN: Thank you, Mr. President and members. I just rise to thank Senator Chambers for his clarification. He is right. I didn't mean to mislead if that was what happened, but he is correct. And because of his desire for additional time, I will yield him whatever time I would have remaining. [LB97]

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PRESIDENT SHEEHY: Senator Chambers, you're yielded about 4 minutes, 40 seconds. [LB97]

SENATOR CHAMBERS: Thank you, Mr. President, and thank you, Senator Erdman. I don't think anybody has deliberately tried to mislead anybody this morning. And I'm not saying that, and I think Senator Erdman did not get the idea that I was saying that. And I hope Senator Pedersen didn't get the impression that anybody was deliberately trying to misrepresent what he's saying. We're discussing what is really a very important, consequential issue. But to complete what I was going to say about officers having the power to exercise discretion, and sometimes it's just good judgment when they don't try to enforce every law, even when it comes to speeding laws on the highway. If the flow of traffic is moving in excess of the speed limit but it's not moving at a speed that creates a hazard, then the officer is not going to stop all of those cars. These interstates were engineered to accommodate traffic moving at 75 miles per hour. So if you are slightly exceeding that rate, and that's the flow of traffic, an officer would be engaging in inappropriate, selective enforcement if he or she would pick every third car to stop for speeding when it's moving with the flow of traffic. What we're dealing with here, though, is something that, in my opinion, never should have been allowed. I doubt that there's a person on the face of the earth, with the possible exception of Wayne Newton, who receives as many threats as I receive. Senator Carlson, Wayne Newton is a member of a very illustrious family. There's one who's known for his intelligence, one who's known for nutrition, and one who's known for making people sick. Isaac Newton takes care of the mind, Fig Newton takes care of the nutrition, Wayne Newton makes you sick. (Laughter) I think enough has been said, really, on this matter, so I don't have anything else to add. Thank you, Mr. President. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Chambers. Senator Chambers, you're also next in line. Senator Chambers waives. Senator Johnson. [LB97]

SENATOR JOHNSON: Mr. President, just a couple of short comments. One, I was beginning to think that suspension of the rules meant that we could only limit having one good idea for each bill. This is an excellent addition, and I want to thank our senior senator for including it. I'd also mention, in addition to what Senator Avery said, is that hospitals are full of disappointments and tragedies. Concealed weapons added to that mix could easily be lethal. So with that, we did add a good amendment; now let's pass a good bill. [LB97]

PRESIDENT SHEEHY: Thank you, Senator Chambers...Senator Johnson. You have heard the motion on the advancement of LB97 to E&R for engrossing. All those in favor say aye. Opposed, nay. LB97 does advance. (Visitors introduced.) While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB641, LB641A, LB342, LB342A, LB603, LB603A, LB338, LB377, LB377A, LB343,

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LB343A, LB324, LB324A, LB470, LB470A, LB425, LB425A, LB12, LB12A, LB73, LB73A, LB304, LB211, LB211A, LB117, LB540, LB540A, LB316, LB316A, LB328, LB328A, LB441, and LB441A. Mr. Clerk, do you have items for the record? [LB97 LB641 LB641A LB342 LB342A LB603 LB603A LB338 LB377 LB377A LB343 LB343A LB324 LB324A LB470 LB470A LB425 LB425A LB12 LB12A LB73 LB73A LB304 LB211 LB211A LB117 LB540 LB540A LB316 LB316A LB328 LB328A LB441 LB441A]

ASSISTANT CLERK: Mr. President, I do. Your Committee on Enrollment and Review reports LB142 as correctly engrossed, LB551, LB551A, LB554, LB554A, LB573 all as correctly engrossed. New resolution: LR216 by Senator Engel. That will be laid over. I have explanation of vote from Senator Heidemann (re LB641 and LB641A). That's all I have at this time. (Legislative Journal pages 1814-1815.) [LB142 LB551 LB551A LB554 LB554A LB573 LR216 LB641 LB641A]

PRESIDENT SHEEHY: Thank you, Mr. Clerk. We'll move to the first item under General File. []

ASSISTANT CLERK: Mr. President, LB570 is on General File. (Read title.) The bill was introduced by Senator Loudon and others, referred to the Transportation and Telecommunications Committee. The bill has been considered on General File previously. Committee amendments have been adopted. When the bill was last considered, Senator Chambers had filed a motion to reconsider the vote on the adoption of FA129. That motion is now pending. [LB570]

PRESIDENT SHEEHY: During prior discussion, we had opened on the motion to reconsider. The floor is open for discussion. Senator Chambers, you're recognized. [LB570]

SENATOR CHAMBERS: Mr. President, members of the Legislature, a lot of work has been done this morning, and a lot of intellectual and emotional capital may have been expended, based on the very first bill that we dealt with, which was LB641. But our day is not over yet. I doubt that there will be as much heat in the discussion of this issue before us, which is the Gold Star Family plates, as has been the case in the past, and let me tell you why. Not because, Senator Harms, I can't generate some heat, but I think my colleagues probably are not up to that today, and I don't think it's necessary. What my amendment is that I'm trying to have reconsidered relates to this proviso in the bill that says the design of these plates shall reflect support for the United States Armed Forces. I had to procure my copy of the bill to make sure if I make reference to something I don't misstate it. Considerable heat was generated last time when this amendment was offered, because people thought that the purpose of this plate should be to express support for the Armed Forces. My view was that the emphasis, if you're going to have these plates at all and if I can't stop you from doing it, the emphasis should be on the soldiers, sailors, Marines, Air Force persons, men and women, who

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have fallen while on active duty, and their families. But because I had generated, apparently, so much hostility by the frank expression of my views, people had said, well, they think that the plates should reflect support for the Armed Forces, which was a shift in the direction that we were moving. I'm still opposed to these plates. And as low-key as we have become, my opposition has not lessened. My good friend Senator Wightman had talked about our discussion being near Memorial Day, and I talked to you all about the commercialization. In case somebody didn't believe me, whoever heard of Russwood Chrysler? I don't even know where they are. But they're having a Memorial Day sale of their vehicles. I mean, there is nothing to assist the honoring of the dead than a good sale of new and used cars, starting as low as \$8,995. You know you can't beat that. Not to be outdone, Graham, your tire store next door, in flag colors, red, white, and blue--and you all get mad at me--red, white, and blue: Memorial Day sale, all tires on sale, May 13 through 26. Buy one tire, get a steak. I'm sure that is really a great way to honor the dead. And if you come in, you can register to win a gas grill,... [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR CHAMBERS: ...thanks to Memorial Day. Hy-Vee: honor the dead and have some pork chops, Bush's Baked Beans, Hy-Vee bite-sized Tostitos, and for dessert, ice cream, candy bars, and sundae cones. And you all got the nerve to be mad at me? And Coors Light, Miller Lite, MGD Light, whatever that is, barbecue sauce, everything. And you all get angry at me, and all I'm trying to do is focus attention perhaps where it should be? Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Chambers. Senator Louden, followed by Senator Chambers. Senator Louden, you are recognized. [LB570]

SENATOR LOUDEN: Thank you, Mr. President and members of the body. I introduced LB570 to direct the Department of Motor Vehicles to design a license plate that would be used to signify family members that have lost relatives while on active service in the United States Armed Forces. The bill directs the Department of Motor Vehicles to consult with the Department of Veterans' Affairs and the Military Department to design a plate that would reflect support for the United States Armed Forces. Also, the bill would also state that the Department of Veterans' Affairs shall recommend the design of the plate, to be known as the Gold Star Family plate. The bill also goes into detail as to who may purchase the Gold Star Family plates. LB570 restricts the plate to surviving spouses, parents, grandparents, siblings, and children. Now the Department of Defense has a Gold Star Lapel Pin that family members may purchase, but that Gold Star pin allows those pins to be bought by people in more or less extended families. That goes on...they add stepparents and stepchildren and half-siblings, foster parents, adoptive parents, and many more for the lapel pin. That isn't what the Department of Veterans' Affairs...with this bill, we stopped it at more or less immediate members of the family.

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The bill also goes into detail about the fees for the plates. It directs a portion to go to the Department of Motor Vehicles Cash Fund to cover the cost of the plates, and it also directs a portion to be put into the Nebraska Veteran Cemetery System. It's...the intent provides for the Department of Veterans' Affairs, in consultation with the Department of Motor Vehicles, to provide for the general design. And of course, the design was to complement the United States Armed Forces or something that would be to those points. The reason for that was, is that we certainly didn't want it to be directed towards some other organization or private corporations and that sort of thing. So it is directed that it would support the United States Armed Forces. It...this is...money will be directed for government issues. It goes to government-sponsored funding that would be needed for the cemetery fund. Also, part of the money goes to license plates. Different parts of it, \$10 goes to the Veteran Cemetery Operation Fund. I think \$5 of it, whatever it is, goes to Department of Motor Vehicles. And also, some of it goes to the Department of Transportation, into the Transportation Cash Fund. This is how it was directed. This is how other license plates are done. We've had plates before that are done this way. We have our spirit plates, we have our DAV plates, we have our Pearl Harbor plates. All of these have certain amount of money that are dedicated to certain causes. Your spirit plates go mostly for the university, while your DAV plates, your Pearl Harbor plates, usually none of that money goes to any particular cause; it usually goes to the state of Nebraska. [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR LOUDEN: And that is just license plates that's bought. Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Louden. Senator Chambers, you're recognized. [LB570]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I know that there's not going to be much interest taken in this discussion this morning, or afternoon, but I'm going to press right on, because there are other people outside this Chamber who are aware. But even if they were not, when I am as opposed to something as I am to this bill, I'm going to do everything I can under the rules to defeat it. And I would hope that your ability to endure will run out before my ability to inflict that which is unpleasant. But I want to continue to show you how people don't respect the living. I spent a lot of time mentioning that the emphasis is on the dead. Those who are veterans and in the hospitals are not seen to. Those who come from battlefields with various ailments, they and their families have the suggestion made that they're moneygrubbers, that they're lying, and symptoms are being faked. These military people can be exposed to chemicals, produced by Dow and other chemical companies, defoliants, which don't only hurt the vegetation, but the men and the women who are exposed to them. And when these people come back to this country with these

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ailments, their ailments and their ills are not properly taken care of. They are not respected. And I'm not saying for a moment that everybody who gets off a boat or a plane who has served in the military is entitled to a brass band and a parade. In fact, that should not happen. But they should not come here with wounded minds, crushed spirits, broken bodies, amputated limbs, and be warehoused, and then people can spend all of their time talking about a license plate and say, this is how we're going to honor those people, when some of them are still alive right now and you can show to them what you really care and how you feel. But a license plate is an easy thing for people to get upset about, because it doesn't cost you anything. You don't have to look at one of these people who might have a mangled body. You might have to be in the presence of somebody who speaks gibberish, who drools, who can't know the difference between a door and a dog, in the service of his or her country, and then you all are going to get all upset about a license plate? Who have you really helped when you let somebody put a license plate with a star on it on a car, and the people who are supposed to be honored are still here suffering, and not a word is said about their suffering? You all have talked more about these license plates than you have about anything related to these veterans. Really. That's why I'm going to keep you here and I'm going to take all of my time and all the time today, going back to what I was doing, to give some honor to these businesspeople. After all, aren't these men and women fighting in Iraq so that these advertisements can appear in American papers? Isn't that why they're fighting against the Taliban in Afghanistan, so that Home Depot can have a Memorial Day savings event? And they even put a picture of a flag on theirs. And you can buy a ceiling fan, 20 percent off. You can get Thompson's Water Sealant. You can get spray-painting, and you should not use it for graffiti purposes. They also sell landscape timber. And although it surprised me, you can get 24-pack one-half liter Hinckley Springs water, two for \$7,... [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR CHAMBERS: ...all thanks to Memorial Day. Younkers, a sophisticated store, and they do their commercial in flag colors--red, white, and blue. Against a white background, the two words "memorial day" are in red, and "sale," written bigger than the rest of these words, in blue. Red, white, and blue: 40 percent to 50 percent off. I guess that's in honor of Memorial Day. And you all are going to talk about how the public would be upset if this bill were not enacted, because it's near Memorial Day? What does Memorial Day even mean? Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Chambers. Senator Chambers, you are recognized. This is your third time. [LB570]

SENATOR CHAMBERS: Thank you. Mr. President, keeping with the idea of Christmas, Kohl's has a pre-Memorial Day sale. I guess you could call that Memorial Day Eve, like Christmas Eve. And they've got some very attractive people here. One of the ladies is

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almost old enough for me to be interested in. And that is in connection with the pre-Memorial Day sale. What are they remembering? What are they memorializing? The human body? I see nothing wrong with memorializing the human body. There's a song called "Brick House": She's mighty mighty, letting it all hang out. The way she dressed, her sexy ways, makes an old man wish for younger days, 'cause she's a brick house. She's mighty mighty, letting it all hang out. That's in honor of Memorial Day. That's what I think about when I see Kohl's ad and this fabulous woman pictured. Sears Book Memorial Day sale--red, white, and blue background. A man and a woman and a young girl reclining. They're in swimming clothes and they've got something that looks like a surfboard that they're holding up above their head, for Memorial Day. Lowe's, Memorial Day values. They have a sign and a flag. And these are the things that you all are going to talk about. Nebraska Furniture Mart won't be open on Memorial Day, but: Save big during our memorial holiday savings event. And when I was driving down here, they said on the radio, spectacular Memorial Day sale. Not one of them talked about the fallen soldiers, not one talked about the family of the fallen soldiers. But that's what you all are talking about here, except that Senator Louden now admits that the thrust is to show support for the United States Armed Forces. And that is not what these license plates should be about, so I'm going to try to rescue you from yourselves. Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Chambers. Anyone else wishing to speak on the motion to reconsider? Seeing none, Senator Chambers, you're recognized to close on your motion. [LB570]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, it's really not going to make too much difference what type of amendment I offer, although I do have some that I'm going to offer, and I will discuss them, because I'm going to take my time and I'm going to take your time. And maybe when you leave here and you go home and you go to your ceremonies in cemeteries...I don't go to cemeteries. The time that I did go, my children were small, and I took them there so they wouldn't be afraid of ghosts and witches and goblins. I'd let them know that those people who were buried under the ground are never going to come up again, never. There's nothing for you to worry about in a cemetery that's dead. You'd have to worry about the living, and they have not been dead and come back alive. I didn't want my children to be superstitious and afraid of dead people. I don't go to cemeteries. I don't honor the dead. The living are the ones you ought to be concerned about. Senator Carlson, didn't somebody say, let the dead bury the dead? Yeah, that didn't mean one body buries another body; it meant, if that's what you're hung up with, well, you go deal with that. But maybe when you all go out to your cemeteries, you won't be saying, boy, when I get home, I'm going to get to that grill and I'm going to barbecue me some steaks, I'm going to barbecue me some hamburgers, I'm going to call all the guys over, we're going to break out the beer, we're going to have the music, and we're going to have a wonderful, celebratory time. That would be all right, except that you pretend that this is such a solemn day, such a

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solemn occasion, and it's done in memory and honor of these fallen people. And if that is what it's about, why just one day, Senator Carlson? They are dead 365 days of the year, from now on. Once you die, you are dead forever. So you pick one day and you let all the stores commercialize it; then you're going to get mad at me because I'm not in favor of the state adding to all of this which I consider dishonor. It would be better to do nothing than what's being done with these license plates. I bet there are people on this floor who cannot name five wars that this country has been in, yet wars are the bookmarks of American history. That's how they teach history. American history from the Revolutionary War to the War of 1812, from the War of 1812 to the Spanish-American War, from the Spanish-American War to the First World War, from the First World War to the Second World War, from the Second World War to the Korean War, to the Vietnam War, to Lebanon, to Somalia, to Afghanistan, to Iraq. Wars are the bookmarks of history. And these children are taught that war is great, and these young people are shunted off to these wars that old men make but they don't fight and their children don't fight in. And then you all are going to fall into that trap and try to make war a glorious activity, and it is not glorious. It is not uplifting. It is not ennobling. And many people who have been on the battlefield come back to civilian life, and they are predators, and they cannot even function. What humanity they had was lost. They were told, not only is it all right for you to kill, but we're going to give you the instruments of killing, and if you do it well enough, we'll give you ribbons and bits of metal and say how great you are. But don't come back to this country and do the same thing that you were doing over there, because you do it...you do your killing only when we tell you to. That's why they say, old men for counsel, young men for war. Young men go out there, they're bold, they don't think, they don't recognize danger, but old men recognize danger, so they'll make wars but they won't fight them. You won't see a general 22 years old, and you won't see a private carrying a weapon who's 50 years old. [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR CHAMBERS: But this is what I'm going to continue talking about, and you all can get as offended as you want to. But I'm dealing with a holiday that you all set aside, and I'm talking about the things that you say are important. But we come back to this license plate, and now the aim has changed. It's to express support for the Armed Forces of the United States. Thank you, Mr. President, and I will ask for a call of the house. Any time we fall below 25 members, we're out of here. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Chambers. There is a request to place the house under call. The question before the body is, shall the house be placed under call? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB570]

ASSISTANT CLERK: 26 ayes, 0 nays to go under call, Mr. President. [LB570]

PRESIDENT SHEEHY: The house is placed under call. All unexcused senators please

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report to the Chamber. All unauthorized personnel please step from the floor. The house is under call. Senators, please record your presence. Senator Janssen, Senator Pedersen, Senator Raikes, the house is under call. Senator Burling, would you check in. Senator Pedersen, the house is under call. Senator Chambers, Senator Pedersen is on his way. How would you want to proceed? [LB570]

SENATOR CHAMBERS: I'd like to wait till Senator Pedersen gets here. [LB570]

PRESIDENT SHEEHY: Senator Chambers, all senators are present or accounted for. How would you like to proceed? [LB570]

SENATOR CHAMBERS: I'll accept a machine vote. [LB570]

PRESIDENT SHEEHY: Senator Chambers will accept a machine vote. You have heard the closing to the amendment. The question before the body is on the reconsideration on the vote taken on FA129. All those in favor vote yea; opposed, nay. Have all voted who wish? Please record, Mr. Clerk. [LB570]

ASSISTANT CLERK: 1 aye, 28 nays on the reconsideration motion, Mr. President. [LB570]

PRESIDENT SHEEHY: Motion to reconsider fails. Next amendment, Mr. Clerk. The call is raised. Next amendment, Mr. Clerk. [LB570]

ASSISTANT CLERK: Mr. President, Senator Chambers would move to indefinitely postpone the bill. Senator Louden would have the option of taking it up or laying it over. [LB570]

PRESIDENT SHEEHY: Senator Louden, what is your desire? [LB570]

SENATOR LOUDEN: We'll pick it up. [LB570]

PRESIDENT SHEEHY: Thank you. Senator Chambers, you're recognized to open on your motion to indefinitely postpone. [LB570]

SENATOR CHAMBERS: Thank you, Mr. President, members of the Legislature. I'm just going to go through a few more of these advertisements. Not only do I want to indefinitely postpone this bill,...I do not, as I say, go to cemeteries and engage in those kind of rituals, but you should try to find a way to diminish these exploitations for commercial purposes of Memorial Day. But really, there's nothing you can do about it, and the government shouldn't do anything about it. People have a right to make money in America in any way they can. Undertakers make money directly from the dead. So, I've mentioned some of these establishments by name. Sun Mart is having a Memorial

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Day savings. They talk about their ground beef being ground fresh daily, 80 percent lean. Why should not all of these things be read? These are as much a part of Memorial Day as apple pie is a part of Americana. There was a man named Rudyard Kipling who lionized war, warfare, soldiers, and he wrote a rhyme called "The Ballad of the East and the West." It was a long, long time ago that I last read it, but some of it said--Senator Carlson probably never heard this before: "Oh, East is East, and West is West, and never the twain shall meet, / Till Earth and Sky stand presently at God's great Judgment Seat; / But there is neither East nor West, Border, nor Breed, nor Birth, / When two strong men stand face to face, tho' they come from the ends of the earth!" Then he starts: Kamal is out with twenty men to raise the border side, and he has lifted the Colonel's mare that is the Colonel's pride. He has lifted her out of the stable door between the dawn and the day, turned the calkins upon her feet, and ridden her far away. Then up and spoke the Colonel's son who led a troop of the guides, is there never a man of all my men can say where Kamal hides? Then up and spoke Mahommed Khan, the son of the Ressaldar, if you know the track of the morning mist, you know where his pickets are. At dusk he harries the Abazai, at dawn he is into Bonair, but he must go by Fort Bukloh to his own place to fare. So if you travel to Fort Bukloh as fast as you can fly, by the favor of God you may cut him off ere he win to the Tongue of Jagai. But if he be past the Tongue of Jagai, right quickly turn ye then, for the length and the breadth of that grisly plain is sown with Kamal's men. There is rock to the left, there is rock to the right, and low lean thorn between, and you may hear a breech bolt snick where never a man is seen. The Colonel's son has taken horse, and a raw rough dun was he, with the mouth of a bell and the heart of hell, and the head of a gallows tree. The Colonel's son to the fort has won. They bid him stay to eat. Who rides at the tail of a border thief, he sits not long at his meat. You all like that? I see Senator Janssen over there just listening. But you can read it, Senator Janssen. It's a very interesting rhyme. And the way it turns out, the young man is chasing the border thief who took his father's mare, the young man's horse falls, the border thief turns around, and pulls him free, and they have an exchange. Each shows a respect for the other. So then Kamal, because he is being written about by a white man, calls his son from a mountain crest: He trod the ling like a buck in spring, and he looked like a lance at rest. Here is thy master, Kamal said, who leads a troop of the guides, and thou must ride at his left side as shield on shoulder rides. And thou must eat the white queen's meat, and all her foes are thine, and you must harry your father's hold for the peace of the border line. His...he's giving his son over to the white queen to fight against his own father? But as they drew to the quarter guard, full twenty swords flew clear. There was not a man but had his feud with the blood of the mountaineer. Have done, have done, spoke the Colonel's son, put up the steel at your sides. Last night you struck at a border thief; tonight 'tis a man of the guides. Who ever heard of anything so preposterous? That's a white man writing about nonwhite people. Then you come back to the way it started: "Oh, East is East, and West is West, and never the twain shall meet, / Till Earth and Sky stand presently at God's great Judgment Seat; / But there is neither East nor West, Border, nor Breed, nor Birth, / When two strong men stand face to face, tho' they come

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from the ends of the earth!" You got one strong man here today, and he came from north Omaha. (Laugh) There are a lot of things written to try to take away the ugliness, the horror, the viciousness, the dehumanizing effect of warfare. War has never been good. War has never made any situation better. Thousands of young people's lives are wasted. How many people, before they go to sleep at night, think about all these dead young people? All those crosses in Flanders Field, all of them. They had a poem about that: In Flanders Field the poppies grow, in something-something row on row. And then they talk about all of these tombstones. And people don't stop to realize that under each one of those stones is either the body, the remains, or something that symbolizes the body of some young person who died for something he or she didn't even understand, in a country whose name they may not have been able to pronounce, a country they may not have even known existed until some old white men sent them over there and said, you die in order that I can do what I want to do in this country, in the way I want to do it. Am I going there? Heavens no; you're going. I make the wars; you fight them. And then all that you all can do here is make a license plate, and you're honoring these people, and now your job is done. It would be better to do nothing than to do that which trivializes, diminishes, and minimizes something that should be very solemn and very important. Although I don't believe in all these ceremonies honoring dead people, I probably think more of them, really, than any of you all, because I do think about the living, those who are left. And I'm not going to give somebody who's alive a license plate with a gold star on it and say, that's the end of it; go now and be happy. When you drive in some other part of the country, they'll see a license plate and ask you, what's that star on there for? You say, well, I had a son who died. They say, well, so did I; I had three of them. There have been so many wars in this country, so many families have lost members of their family, that it's not unique anymore. It's par for the course. So why do you limit in this bill the ones who can receive these plates with the gold star? Doesn't make sense to me. In fact, I think it's highly disrespectful. I think it's playing favorites. It shows a lack of sensitivity and how thoughtless the people were who put this together. And contrary to what Senator Loudon is saying, I do believe that raising some money was one of the main reasons for these plates, because some of the money goes to those...that veterans cemetery. And I was the one who helped do something to get some status for those cemeteries all over the state, even though I don't believe in that kind of stuff. And if Senator Loudon thinks back to when we were having some debates on a bill related to these cemeteries, he'll remember the role that I played. But they should not be moneymakers. And really, I don't think there should be a stone for anybody. [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR CHAMBERS: Even if you're going to have that Arlington National Cemetery, I don't think there ought to be a stone anywhere. You just dig a hole and put somebody in it and cover it up, and let people know, everywhere you see out there, there's likely to be some young man or some young woman who's there because somebody told them

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to do something, they were so conditioned that they believed they were doing something noble, and all they do is wind up in a hole. And they've got family members who thought that they had some kind of insurance policy, and when word came and that black-bordered notice came that, greetings, you don't have a son anymore that you can talk to, but we'll put him in the ground, we'll plant him; oh, and by the way, don't try to collect on that insurance policy, because you ain't going to get it, and if you want to get it, you better talk to your Congressman and maybe get a lawyer. We needed your son while he was alive; he's dead now. [LB570]

PRESIDENT SHEEHY: Time, Senator. Senator Louden, you are recognized in response, as the principal introducer. [LB570]

SENATOR LOUDEN: Thank you, Mr. President and members. This bill is about a license plate created in the state of Nebraska as an option for families to acknowledge their Armed Forces members that died in service of their country while on active duty. Families have pictures, they have memories, they have a flag, they have each other. We need to be respectful of a person's choice to serve in the United States military, a choice for which they paid with their lives as sacrifice. These soldiers made a commitment to themselves and their loved ones and their friends to follow their decision in the service of their country. It is my wish and purpose to establish the Gold Star Family plates out of respect and honor that these United States Armed Forces members, and allow the families' acknowledgement of their loss. These soldiers, in their decision, made a choice to help others, to serve our country, and to try and make a difference in this world. Their determination must be matched by our willingness to remember, to respect, to honor, and to acknowledge them through their remaining family. We can do this. But more importantly, we must do this because it is the right action, the right thing to do. The Department of Veterans' Affairs was consulted for the purpose of establishing qualifications for license plate purchases. The Department of Motor Vehicles will design the license plates in a manner appropriate for support of the Armed Forces, and in an overall manner to respect all branches of the military. Working together for a common goal, the Gold Star Family license plate is a joint effort in the right direction of government for Nebraskans. The intentions of this bill were and remain honorable and direct, just like the soldiers who were focused, professional, and steadfast in their duties. This bill intends to make a difference in lives. I understand the intentions of the families of these men and women are watching to see our determination and commitment to Nebraska's fallen soldiers. The soldiers' death is the beginning; now it is up to us to follow through with appropriate action, to adhere to the principles of freedom they defined and defended, and to continue the high standard of service they began. Soldiers don't chase words; they follow with action. The Gold Star Family license plate is the right thing to do. This is something that we as civilians, we as legislators, can do to show our respect for those people that have served. Certainly, many of them didn't choose to serve; they had to. I'm sure they didn't ask to commit suicide, that's for sure. But nonetheless, that has happened, and these families have the

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right to have a signification of some type, if they so desire, to show that they have sacrificed loved ones for the United States Armed Forces. So with that, I oppose this indefinitely postpone this bill, and I think we should carry on with it forwards and bring it to a vote and pass it, bring it on, and do what is the right thing to do, and that's to have a Gold Star license plates to recognize our fallen people that are in the Armed Forces. Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Louden. Members wishing to speak are Senator Karpisek, Senator Schimek, and Senator Chambers. Senator Karpisek, you are recognized. [LB570]

SENATOR KARPISEK: Thank you, Mr. President, members of the body. Could I ask Senator Chambers a question? [LB570]

PRESIDENT SHEEHY: Senator Chambers, would you yield to a question? [LB570]

SENATOR CHAMBERS: Yes, I will. [LB570]

SENATOR KARPISEK: Thank you, Senator Chambers. I really don't have a question, but I figure since we're going to be here talking, I'd just as well let you talk to me. I just wanted to say that I think maybe I'm figuring out a little bit that you're doing some of this so we do think about the people that are alive and have fought for our country, whether they wanted to or not. So maybe I'm getting that a little bit. Funerals and these Memorial Day celebrations aren't for the dead, really, are they? They're for the living, to remember, to memorialize the people that are dead, but the ones that have been there. I'm a member of the W-C Alumni Band. And when the high school...you don't have to stay by the mike if you don't want to, but chime in whenever you want to. Whenever the high school band can't play at one of the ceremonies, the alumni band has gotten together to play. And we usually play at two cemeteries, and then we also go to the care center or the nursing home and we play for them. And I think that that speaks volumes about trying to pay honor to those people, the living, to let them do things, because Memorial Day used to be a huge thing, back in their day, the Depression era, when they would come and make a big day of it and honor the fallen soldiers. The ads in the paper are there every week. They're there no matter what--Fourth of July, third Wednesday of June. I will tell you that Karpisek's Market isn't having any specials for Memorial Day. If anyone comes in, they can pay full price to go on their camping trip. The other thing is, we have not always been the aggressors, either. I think that's one thing that hits me. I worry, what would have happened if we wouldn't have got into World War II? I will let you answer that one. [LB570]

SENATOR CHAMBERS: Senator Karpisek, I really can't say, because there has been so much, to use a cliché, fog of war that it's difficult to know what to believe. But never--I'm giving you my opinion--never do I believe America ever entered any war out

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of altruistic or noble purposes. There's either some economic benefit, some special interest that they're trying to protect that has nothing to do with patriotism or the welfare of the people in this country. In fact, old man Kennedy did not even want to trade trucks for Jews. When Jews were being killed, an offer was made by the Nazis, we'll give you so many Jews in exchange for trucks, and they wouldn't do it. So I meant, there are a lot of things that are not written about or made known to the children while they're being educated. So they think America was always right, that they've always been trying to uphold democracy. But people such as myself, who have never experienced democracy in this country, will see everything differently. [LB570]

SENATOR KARPISEK: And I would have to agree with you that the higher-ups maybe is where that comes from. But I think the dogfaces, the leathernecks, all those guys are out there fighting for America and what they believe in. Now, no,... [LB570]

SENATOR CHAMBERS: I don't think so. I think they're fighting to survive. [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR KARPISEK: Well, and that is part of it, but I think they're doing it as being patriotic and doing the right thing. Now, whether you agree that that's right or not, I do feel that that is right. I do think that the Gold Star plate is just a small, small token of what we can do. But it has been the Legion that has come and asked for that. And gosh, I think if just a little bit to help them out, to make them happy, to show that we do care about them and what they have sacrificed, I'd be more than happy to do that for them. And a lot of people have really been giving me a hard time about being your adopted godson, so, dad, can we just go home? (Laughter) Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Karpisek. Senator Schimek, you are recognized. [LB570]

SENATOR SCHIMEK: Thank you, Mr. President, members. Senator Karpisek is a hard act to follow, as is Senator Chambers. I rise to give some of my time to Senator Chambers. But I just have a remark or two to say ahead of time. In the mail today I got a questionnaire from one of the major newspapers in this state, and it has two questions on it. One of the question is...and incidentally, this may have gone just to southeast Nebraska senators; I don't know, because it's the Lincoln Journal Star. But it says, describe something important or interesting you learned this session and how or from whom you learned it. Well, that is a no-brainer, Senator Chambers. You have serenaded us, you have given us stories from the Bible, you have recited poetry to us, you have given us history lessons, you have told us about the rules and how they apply in certain situations. So I'll be very, very surprised if you aren't mentioned in these answers to these questions. And I thank you for all of that, and because of that, I offer

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you the rest of my time. [LB570]

PRESIDENT SHEEHY: Senator Chambers, you're yielded about 3 minutes, 30 seconds. [LB570]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Schimek, for the time and your kind words. And I have to say here, I'm more accustomed to ducking and dodging stones than I am to receiving a flower. But that is pleasant; I can see why people like them and why the florist industry flourishes. But members of the Legislature, Senator Erdman had come past my desk, and he saw where I marked up things in this bill. There is so much in it which is nonsensical. But before I go into one of these, I'm going to ask Senator Louden a question. [LB570]

PRESIDENT SHEEHY: Senator Louden, would you yield to a question? [LB570]

SENATOR LOUDEN: Yes. [LB570]

SENATOR CHAMBERS: Senator Louden, I tend to look at people when they're speaking, and you were reading. Who wrote that paper that you were reading from? Tell the truth,... [LB570]

SENATOR LOUDEN: Just now? [LB570]

SENATOR CHAMBERS: ...because there's one who watches you. Who wrote it? [LB570]

SENATOR LOUDEN: I and my wife wrote it. [LB570]

SENATOR CHAMBERS: Okay. Who wrote most of it? [LB570]

SENATOR LOUDEN: Probably she did, because she's the typist. [LB570]

SENATOR CHAMBERS: No, no. A typist is different from some...when I say it, I mean, who formulated it? Whose ideas were they? Were you just dictating to her and she was typing? Or did you tell her, write something that I can say to that Chambers and put him in his place? [LB570]

SENATOR LOUDEN: Usually, when we have stuff like this, I...we write out a plan, and then she works on it and I work on it, and that sort of thing, so... [LB570]

SENATOR CHAMBERS: Tell her I think she's a very capable, competent person,... [LB570]

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SENATOR LOUDEN: I'm sure she is, and I... [LB570]

SENATOR CHAMBERS: ...and what she did do, it was well... [LB570]

SENATOR LOUDEN: ...I would agree with you, yeah. [LB570]

SENATOR CHAMBERS: ...it was well done. [LB570]

SENATOR LOUDEN: If you want to vote on that, we could agree on that vote. [LB570]

SENATOR CHAMBERS: It was well done and one of the best things that ever came out of your head. That's why I knew you didn't write it. (Laugh) Members of the Legislature, but in all seriousness, if anybody is looking at this, Senator Erdman got ahead of me. I'm going a page at a time. If you turn to page 3, you look in line 20, it says, the applicant is a surviving spouse, whether remarried or not. Well, why do you have "remarried or not"? Either you're surviving or you're not. So why say, a surviving spouse, whether remarried or not? You don't even need "whether remarried or not," just "surviving spouse." That's how poorly crafted this thing is. I bet somebody who is in the military wrote this. When I was in the Army and we were in basic training, they would repeat everything over. They'd teach you how to take...you all don't know what an M1 is. Some of you older people might. You don't need a screwdriver or pliers. They give you one little tool to get started, then you can disassemble it without the use of a tool and reassemble it. [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR CHAMBERS: A guy named Garand wrote it, put it together, and the pieces fit loosely, and therefore it seldom jammed. You could drop it in water, you could get sand in it, and it still would fire. The pieces were not...they would work you on that thing till literally they'd blindfold you and you could take it apart and put it together, because you were told, now, the first piece you take off is the last one you're going to put on, so when you take this piece off, you put it to the far right, the next piece, next to that, and they went over that about 100 times. Then somebody would say, Sergeant, I want to ask you a question; could you say that again? And the sergeant would say, do you know which end of this weapon a bullet will come out of? Well, Sergeant, you haven't told us that yet, but I'm waiting. I meant, that...the Army is not a place where you're going to find geniuses. But they spent a lot of time going over the same thing over and over and over, and some people, when they've been in the military, will get in that frame of mind, and they write things like what I'm talking about in this bill. I bet... [LB570]

PRESIDENT SHEEHY: Senator,... [LB570]

SENATOR CHAMBERS: ...Senator Hilgert had a lot to do with this, and I'm going to ask

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Senator... [LB570]

PRESIDENT SHEEHY: Senator Chambers, you're on your time now. [LB570]

SENATOR CHAMBERS: Oh, thank you, Mr. President. Mr. President, I'd like to ask Senator Louden a question or two. [LB570]

PRESIDENT SHEEHY: Senator Louden, would you yield to some questions? [LB570]

SENATOR LOUDEN: Yes, go ahead. [LB570]

SENATOR CHAMBERS: Senator Louden, have you ever heard of a person named John Hilgert? [LB570]

SENATOR LOUDEN: Yeah, I've known him. [LB570]

SENATOR CHAMBERS: Have you talked to him about this bill? [LB570]

SENATOR LOUDEN: Yes, I have. [LB570]

SENATOR CHAMBERS: Did he have a part to play in drafting some of what's in this bill? [LB570]

SENATOR LOUDEN: No, I don't think he's ever drafted any of this here. We usually drafted this...some of this was copied out of a bill from the Department of Motor Vehicles, and then it was sent over to them and had them go over it and asked, you know, for their... [LB570]

SENATOR CHAMBERS: No, I mean like this part about a surviving spouse, whether remarried or not. You put that in there? Because if you did, I want you to explain to me why you did that. [LB570]

SENATOR LOUDEN: Well, whether...I don't remember whether we put it in there or not, or whether this came out of some of this recipe that you get when you're drafting these things. I suppose that means, whether or not if they are remarried, perhaps there are...would be instances where they wouldn't be allowed to have it because they've had a name change or something like that. I don't have any problem with it. It's just a phrase in there that clarifies whether or not the surviving spouse can get one of these Gold Star Family plates. [LB570]

SENATOR CHAMBERS: But the surviving spouse will forever be the surviving spouse. Isn't that true? [LB570]

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SENATOR LOUDEN: That would be true. [LB570]

SENATOR CHAMBERS: Okay, that's all I'll ask you. Oh, no, I have to ask you another question. If you're going to allow grandparents to qualify, why not grandchildren? [LB570]

SENATOR LOUDEN: That was where we probably drew the line at. Like I said before, the lapel pin goes for a more extensive use of it. We decided to stop it at that spot. [LB570]

SENATOR CHAMBERS: Here's what I'm getting to,... [LB570]

SENATOR LOUDEN: There probably wouldn't be very many grandchildren from...I mean, there would be instances, but there wouldn't be a lot of instances where those people would have grandchildren. And it is possible that they could. [LB570]

SENATOR CHAMBERS: We don't care how many. This war goes...you're talking about wars that go way back. [LB570]

SENATOR LOUDEN: True. [LB570]

SENATOR CHAMBERS: There are some very old people still hanging around here. [LB570]

SENATOR LOUDEN: Yeah, I can see that. [LB570]

SENATOR CHAMBERS: But if they're still alive, then the person couldn't qualify. Isn't that the...isn't that right? You have to die in order for you family to qualify for this. Isn't that true? [LB570]

SENATOR LOUDEN: You mean...okay, you'll have to run that all by again, because I didn't quite follow all of that. [LB570]

SENATOR CHAMBERS: Okay. The only way that a family qualifies to benefit from this bill is if the person died while on active duty. Isn't that true? [LB570]

SENATOR LOUDEN: True. [LB570]

SENATOR CHAMBERS: Somebody could have served honorably for 20 years, gotten the Congressional Medal of Honor, and died, but that wouldn't entitle the family to get this gold star, right? [LB570]

SENATOR LOUDEN: They weren't on active duty. [LB570]

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SENATOR CHAMBERS: So you're not honoring the person's service; you're honoring the fact that they died. Isn't that true? That's all you're looking at. Isn't that true? [LB570]

SENATOR LOUDEN: We're honoring those that died on active...in active service. [LB570]

SENATOR CHAMBERS: But you're looking only at those who died. Others who served honorably on active duty but didn't die are not to be honored with these plates. Isn't that true? [LB570]

SENATOR LOUDEN: With these particular plates. There are other plates that... [LB570]

SENATOR CHAMBERS: No, I'm talking about these plates. [LB570]

SENATOR LOUDEN: No, these are for Gold Star plates. That's what gold star is about, is for someone that's died. [LB570]

SENATOR CHAMBERS: Who said to limit it to those people? Whose idea was that? [LB570]

SENATOR LOUDEN: Mostly, we took it from...the idea of a gold star from the historical response that the gold star has been, from World War I and through the other World War II,... [LB570]

SENATOR CHAMBERS: Do you think one...? [LB570]

SENATOR LOUDEN: ...when family members were entitled to a gold star when they lost a family member. [LB570]

SENATOR CHAMBERS: Do you think one who has died has served more honorably by virtue of dying than somebody who did not die? Can somebody who did not die... [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR CHAMBERS: ...have served as honorably as somebody who did? [LB570]

SENATOR LOUDEN: Well, I wouldn't want to judge how honorably anyone served. I think anybody that's went in there and served has served honorably. Some of them have made a little bit more sacrifice than others, that's for sure. [LB570]

SENATOR CHAMBERS: So then why don't you let the plates honor anybody who's

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served and now is dead, whether they died on active duty or not, if they served honorably, as Senator Carlson was mentioning about getting some language for? Why do they have to have died on active duty? [LB570]

SENATOR LOUDEN: This is what the Gold Star plates are all about. This is where gold star came about, was to honor and signify the families that have lost members while people were serving on active duty. [LB570]

SENATOR CHAMBERS: But you're not limited... [LB570]

SENATOR LOUDEN: I mean, this is what Gold Star plate is about. If you want to do something like that, then you need to have some other type of plate. [LB570]

SENATOR CHAMBERS: No, you don't. Show me anything that says that the Nebraska Legislature is compelled to say, if they want to have these Gold Star plates, they can only honor dead people. Where...what law is that found in? [LB570]

PRESIDENT SHEEHY: Time, Senator. Senator Chambers, you are recognized. This is your third time. [LB570]

SENATOR CHAMBERS: Thank you. I'm not going to continue questioning you on that point, Senator Louden, but I'm trying to get some things into the record. There is no rationale behind this bill. You all get all emotional and you don't make sense in what you're talking about. You are going to carve out categories of people who served in the military and say some are worthy of honor and some are not. Dying on active duty does not, in and of itself, connote anything other than the fact that you stopped breathing while you were on active duty. It doesn't mean you were courageous, it doesn't mean you went there voluntarily, knowing what you were getting into. A lot of young black men and black women joined the military, not with any idea of patriotism, wrapping themselves in the flag; it's the only way they had a chance to go to school, because they can't get a job and they're discriminated against. And the military plays on that when they put out their recruitment blurbs: You can go to school. And they show young black men and women. But as I said, now they're waking up and they're not swallowing that anymore. And because young black people are not enlisting in the numbers they did, and they were the backbone of the military, as the U.S. Pentagon has admitted, and they're trying to figure what they can do to change that, to con young black men and young black women into joining the Armed Forces of the United States, where they're discriminated against. They need us when time comes for somebody to die. But when it comes time to get all the benefits and rights and privileges of this constitution, it's different. Wendell Wilkie said--you all probably never heard of him--Wendell Wilkie said that the constitution does not provide for first-class citizens and second-class citizens; it provides for one standard of citizenship. But we, people of my complexion, know that there are second- and third-class citizens. And Senator Aguilar is finding out about it

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more, just how little they think of his people. Now all of a sudden they're the enemy, they're the great Satan. I pick up the newspaper and turn things on television, and I'm disgusted all over again, because I'm hearing strong echoes of what was said about us because of our color, now because of the language that you speak. America is known for its hatred. They have insulting names for every group on the face of the earth, demeaning people. Never is anything in America inclusive, until they want you to wear the uniform and be cannon fodder. Abraham Lincoln even made an argument when these white people said black men should not be allowed to fight. He said, the more that black soldiers do means just that much less the white soldiers have to do. And I'm going to go into some of that this afternoon. But I'm not going to just quote it. I'm going to read it from Abraham Lincoln's works. And so that people who are scholars will know what I'm getting from--because there are several collected works that were written--this is The Collected Works of Abraham Lincoln, The Abraham Lincoln Association, Springfield, Illinois, Roy P. Basler, B-a-s-l-e-r, editor. Marion Dolores Pratt, M-a-r-i-o-n D-o-l-o-r-e-s, Pratt, P-r-a-t-t, and Lloyd A. Dunlap, assistant editors, Rutgers University Press, New Brunswick, New Jersey. That's what I will be reading from. And if any...and I'll get the volume number and the page number. And I'm going to put some things on the record that Abraham Lincoln said, so that these white people who are talking about how much they did to free black people will know how black men provided the balance of power that... [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR CHAMBERS: ...saved this Union, made it possible for there to be a United States of America, so that you all can eat corn bread and not just corn pone, (southern twang) that you don't be talking like this, and saluting to the Confederate States of America and flying the Confederate flag, which some states do fly to insult us, and we as black people are not supposed to be offended. And black people never were traitors to this country, as were all those in the South. That was treason, and they had more rights, even then, than we ever had, because when some of us would escape and get to the lines of the Union Army, Lincoln insisted that we be sent back to the slaveholders, and they would stop hostilities till that slaveholder came and dragged us back into slavery. But there were some white men who rebelled, not that they liked us, but they thought it was insulting that they had to stop shooting at these suckers who were trying to shoot them, to let them come and drag... [LB570]

PRESIDENT SHEEHY: Time, Senator. [LB570]

SENATOR CHAMBERS: ...these people back into slavery. Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Chambers. Other senators wishing to speak on this item, on motion to postpone? Seeing none, Senator Chambers, you're

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recognized to close. [LB570]

SENATOR CHAMBERS: Thank you. Mr. President, this is something Lincoln wrote to James C. Conkling, honorable James C. Conkling. Executive mansion, Washington, D.C., was where this letter originated, from Abraham Lincoln. This guy was talking about having some mass meeting. And Lincoln said, among other things--and this is from page 408 in Volume 6: You dislike the Emancipation Proclamation; and, perhaps, would have retracted it. You say it is unconstitutional--I think differently. I think the constitution invests its Commander-in-Chief, with the law of war, in time of war. And Lincoln explained how the Emancipation Proclamation was issued as a military necessity, and it allowed the enlistment of black troops. So he went on to say: The war has certainly progressed as favorably for us, since the issue of the Proclamation as before. I know, as fully as one can know the opinions of others, that some of the commanders of our armies in the field who have given us our most important successes believe the emancipation policy and the use of colored troops constitute the heaviest blow yet dealt to the rebellion, and that at least one of those important successes could not have been achieved when it was but for the aid of black soldiers. Among the commanders holding these views are some who have never had any affinity with what is called abolitionism or with Republican party politics but who had told them...who hold them purely as military opinions. I submit these opinions as being entitled to some weight against the objections often urged that emancipation and arming the blacks are unwise as military measures and were not adopted as such in good faith. You say you will not fight to free Negroes. Some of them seem willing to fight for you; but, no matter. Fight you, then exclusively to save the Union. I issued the proclamation on purpose to aid you in saving the Union. Whenever you shall have conquered all resistance to the Union, if I shall urge you to continue fighting, it will be an apt time then for you to declare that you will not fight to free Negroes. I thought that in your struggle for the Union, to whatever extent the Negroes should cease helping the enemy, to that extent it weakened the enemy in his resistance to you. Do you think differently? I thought that whatever Negroes can be got to do as soldiers leaves just so much less for white soldiers to do in saving the Union. Does it appear otherwise to you? But Negroes, like other people, act upon motives. Why should they do anything for us if we will do nothing for them? If they stake their lives for us, they must be prompted by the strongest motive--even the promise of freedom. And the promise being made, must be kept. The job was a great national one; and let none be banned who bore an honorable part in it. Peace does not appear so distant as it did. I hope it will come soon and come to stay, and so come as to be worth the keeping in all future time. It will then have been proved that, among free men, there can be no successful appeal from the ballot to the bullet; and that they who take such appeal are sure to lose their case and pay the cost. And then there will be some black men who can remember that, with silent tongue and clenched teeth and steady eye and well-poised bayonet, they have helped mankind on this great consummation;... [LB570]

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PRESIDENT SHEEHY: One minute. [LB570]

SENATOR CHAMBERS: ...while, I fear, there will be some white ones unable to forget that with malignant heart and deceitful speech they have strove to hinder it. That's what Abraham Lincoln said. You don't hear that in school. That's why some people can stand on this floor and say, am I happy that white people fought to free us, and we were the balance of power. We were slaves and fought for this country and were not recognized as human beings. And even when we did wind up in the Union Army, we were not paid the same amount, we were not given the same equipment, and we were always led by some white man, and we were put in the places where the battle was the heaviest. That is history. It didn't happen to you all; it happened to us, and you don't care. And you wonder why I say the things I say and feel the way that I feel? [LB570]

PRESIDENT SHEEHY: Time, Senator. [LB570]

SENATOR CHAMBERS: We don't count. Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Chambers. You have heard the closing on the motion to indefinitely postpone. Senator Louden. [LB570]

SENATOR LOUDEN: I'd ask for a call of the house. [LB570]

PRESIDENT SHEEHY: We do have a request for the call of the house. The question before the body is, shall the house be placed under call? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB570]

CLERK: 24 ayes, 0 nays to place the house under call. [LB570]

PRESIDENT SHEEHY: The house is placed under call. All unexcused senators please report to the Chamber. All unauthorized personnel please step from the floor. The house is under call. Senators, please record your presence. Senator Heidemann, Senator Johnson, Senator Cornett, Senator Gay, Senator McGill, Senator Pedersen, Senator Nantkes, Senator Schimek, Senator Harms, Senator White, Senator Rogert, Senator Wallman, Senator Stuthman, the house is under call. Senator White, would you please check in. Senator Chambers, all senators are present or accounted for. How would you like to proceed? [LB570]

SENATOR CHAMBERS: Machine vote. [LB570]

PRESIDENT SHEEHY: Senator Chambers has requested a machine vote. The question before the body is the motion to indefinitely postpone LB570. All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB570]

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CLERK: 0 ayes, 38 nays, Mr. President, on the motion to indefinitely postpone. [LB570]

PRESIDENT SHEEHY: Motion does not pass. The call is raised. (Visitors introduced.)
Next item, Mr. Clerk. [LB570]

CLERK: Mr. President, Senator Chambers would move to reconsider the vote just taken with respect to the indefinite postpone motion. [LB570]

PRESIDENT SHEEHY: Senator Chambers, you are recognized to open on your motion to reconsider. [LB570]

SENATOR CHAMBERS: Thank you, Mr. President. And I'm going to continue putting things into the record, and this time I'm going to read from Volume 7 of these Collected Works of Abraham Lincoln that I identified earlier, and I'll start on page 506. There's an interview with a Governor Randall. He was talking to Abraham Lincoln and I talked about black men being the balance of power so I should read what Abraham Lincoln said. "There are now between 1 & 200 thousand black men now in the service of the Union." You all didn't even know there were over 200,000 black men in the Union army. But let me continue. "There are now between 1 & 200 thousand black men now in the service of the Union. These men will be disbanded, returned to slavery & we will have to fight two nations instead of one. I have tried it. You cannot conciliate the South, when the mastery & control of millions of blacks makes them sure of ultimate success."... "Abandon all the posts now possessed by black men surrender all these advantages to the enemy, & we would be compelled to abandon the war in 3 weeks." Abandon what black men were holding, and the Union, the United States of America, would have had to abandon the war in three weeks, and you all would be speaking with a southern accent. "We have to hold territory."... "There have been men who have proposed to me to return to slavery the black warriors of Port Hudson & Olustee to their masters to conciliate the South. I should be damned in time & in eternity for so doing. The world shall know that I will keep my faith to friends & enemies, come what will. My enemies say I am now carrying on this war for the sole purpose of abolition. It is & will be carried on so long as I am President for the sole purpose of restoring the Union. But no human power can subdue this rebellion without using the Emancipation lever as I have done." They could not subdue the rebellion without black people, and you all run around here acting like I am in this country by way of a privilege that you all extend to us, and we were helping this country fight against white people who would destroy it, and they've always had more rights than we have. Even after the war, the traitors had more rights and freedom than we have. And we were returned to virtual slavery in the South. "My enemies condemn my emancipation policy. Let them prove by the history of this war, that we can restore the Union without it." Without black men there would be no United States of America, and they've got these young white kids coming out of school, talking this nonsense about how white people fought a civil war to save us. And Lincoln had to use a stratagem so that he could put us in uniform and we could save a country that

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had enslaved us, and things are not that much different and better for us to this day. So when you bring these kind of things to me and you are going to talk about the armed forces of the United States, and they had an official policy of racial segregation and discrimination until 1948, and I'm supposed to say it's great? And you mean to tell me you think they're going to get over that attitude and the traditions built up during all those generations of segregation and discrimination in the military between 1948 and today? This society hasn't done it. The schools haven't done it. The churches haven't done it. So with all of the history, all of the civilizing that supposedly has gone on during the lifetime of the United States of America, there still is racism, segregation, and discrimination. Then you all want to tell me how great it is when some young men and women die for this country; you're going to give them a license plate; and we fought and died and can't even get freedom to this day. Why do you think it's always so consequential in America, if this is a democracy, for stories to be written, even in Nebraska where people know what I am, Senator Ernie Chambers, the only black member of the Legislature? You all say I play the race card? White people write these articles; white people write these editorials. And then what white people do they want to put off onto us as though we've done something wrong. They let the world know what my race is, and I don't object to it. I'm proud of what I am. I just wish I had chosen to do it. I just happened to have been fortunate enough to have black parents who produced a black man, which is what I am. I would rather be black than anything in this world. Were I blacker, I could be prouder. I'm not one of these black people who run around here apologizing and trying to be like white people and going to turn on what my culture is. I'm going to straighten my hair; I'm going to have some operation to make me have one of those narrow, dog-like noses; I'm going to try to bleach out and whiten my skin like Michael Jackson? That's how you all destroy people. You make people ashamed of what they are, and they feel they have to become like the oppressor just to have a chance perhaps to be treated like a human being. I've been in this world all of these years and I see what happens in this country, and things are not that much better. And as long as I have to be designated the only black member of the Legislature,...they don't say Senator Kopplin, the only whatever his ancestry is, or Senator Wallman, whatever his is. I can figure out what Senator Karpisek's is because he is my godson and I ought to know that much about him. But that's America. So you all can get misty-eyed over the Fourth of July and Memorial Day and all of these other white people holidays. But all that I remember is the tradition of slavery, Jim Crowism, and modern day discrimination. Nothing has changed for us. You all might have plenty to cheer about. They didn't have to issue a presidential proclamation to say that Senator Pahls is a man. They didn't have to go to court to have somebody declare that Senator Stuthman is a human being, as Standing Bear had to do. You all have always had those things and you take it for granted, and you wonder why I'm upset. Yet with all the presidential proclamations, the amendments to the U.S. Constitution, the federal civil rights bills, the antidiscrimination laws, and I still am not free. And I turn on the television and hear how you all are running around the world talking about you are going to impose democracy on somebody. You ought to impose it right here first. You are going to talk about people not

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voting in a democratic way, then down South where you know there is racism and discrimination you have black people being told if you can't bring copies of gas bills and all this other nonsense you cannot vote, and then have state troopers to stop black people from coming to the polls in America, and you've got the nerve to send Jimmy Carter and some other people around the world to be some kind of campaign commission to watch to make sure their elections are carried on in a fair way? I see that happening and I am conscious and I am aware of what's happening in this country. I say again, you all couldn't function in a setting like I have to function in. If you all had been held in slavery, then you are the only white person in a hostile legislature comprising 48 hostile black people. How would you make it? And you can't make it now among your own. And then you happen to study our rules and you pay more attention... [LB570]

SENATOR LANGEMEIER PRESIDING [LB570]

SENATOR LANGEMEIER: One minute. [LB570]

SENATOR CHAMBERS: ...than we do, then we change the rules. You think I would let that happen? If I'm outnumbering some white person 48 to 1, and they're playing by our rules, and they master our rules better than we do, so we change the rules? And we wrote them. That's what they do to me. That's what the superior white people do to me and they've done it to me every since I've been here. You think if we had the society under our control like you've got this, I would let them change the constitution to get one white person out of a legislature? That's what you all have done and I'm supposed to ignore it. No, I don't ignore it, and I know what you are and there ain't much to you. Pretty poor stuff. You ought to be ashamed of yourselves. You ought to be ashamed of your elders. They are telling you how much more superior I am than all these other white people here. I ought to be your example. When has anyone of them distinguished themselves in any way to such an extent that they had to change the constitution to control that person? That's what I am. That's the kind of power that I have, yet I come here and I work among these people. [LB570]

SENATOR LANGEMEIER: Time. [LB570]

SENATOR CHAMBERS: I function among them. And I even help them. Was that my third time? [LB570]

SENATOR LANGEMEIER: That was your opening on the motion to reconsider. You have heard the opening on the motion to reconsider the vote last taken. The floor is now open for discussion. Senator Wallman, you are recognized. [LB570]

SENATOR WALLMAN: Thank you, Mr. President. I thought I was done talking for the day. Senator Karpisek stood up. And I do appreciate what Senator Chambers has to say. But we do have a black history month in our schools, and my ancestry was

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German, and why I have a passion on education, so did the Germans. And you know what they taught their children. I will take care of your kids, the government will take care of your kids, you do this, you do that. Pretty soon you are in a government school--totally government controlled. A certain person named Adolph thought that he could teach your kids better than the parents could. He taught superior race. He taught all this stuff. And some of that technology we're probably using today. Am I proud of my heritage and what they did back then? No. They tried to get rid of the Jews. And I want to tell you how it started, Senator Aguilar. I've listened to ancient tapes of him talk. It started about immigration. There was Muslims and Turkish people immigrating into Germany, and they used them as slaves. And all of a sudden those slaves started doing lots of things and becoming more affluent, hooking up with the Jewish race, and they started worrying some Germans. They're taking our monies; we've got to get rid of them. At first they tried to chase them out. That didn't work. So if they don't want to be chased out, we'll kill them. Plain and simple, isn't it? We don't like somebody, we kill them. Jamestown, the Native Americans helped this country. We don't talk much about Jamestown. And I went to Homestead National Monument and it was very moving. The Native Americans from Oklahoma came up. This was their native territory. And he says the government misled us. They said this was uninhabited. Not so. They were living here. And where did we chase them, Senator Chambers? To Oklahoma. And guess what Oklahoma does to us? They beat us in football. And these people were gracious enough to come up and bless this land. Do you think that made an impression on me? Yes. And then there was a nice young black lady from Nicodemus, Kansas. Kansas was much more friendly to the black people than we were, so they had farmers down there, and I used to see them on farm sales. I used to go to farm sales all over the place until I came in here and listened to some information about this and that, and I've grown tremendously by listening to other people. But I'm proud of our soldiers. You know, a lot of them didn't ask to serve. Some volunteered; some didn't. And granted, my brother was in an infantry unit with mostly black soldiers, and he was very proud and he stood up for them. And so am I racist? Sure, we probably all are, to a little degree about something or other. We were told to call a certain people "gooks," you know, back then. And we're a great nation for being bigoted. And that's the only thing; I could see it yesterday. We don't like to take care of our infirm; you know, we don't like to take care of the elderly. We like to be for the perfect people. And I'm not perfect, far from it; just ask any of my relatives. And, but I do stick up for those... [LB570]

SENATOR LANGEMEIER: One minute. [LB570]

SENATOR WALLMAN: ...who can't stick up for themselves, and also those people who died for our country. They can't stick up for themselves; they're in the grave. And then I go to a funeral, and my goodness, they've got protestors. They don't want to let the family in the church. Wow. I was going to do something, and the police says, please don't. And here come the Freedom Riders. And one says, this state even makes us wear helmets. You know, did that get my attention? Yes, it did. I was so proud of those

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motorcycle riders, I wish I was on there with them. And so these are just the little things. My best friend just died, you know, when Veterans Day was here in the Capitol...and this is emotional for me...I wish he were here that we could actually put a plate on his car because he served over there in Korea, and he seen things that he told me that you don't want to see. [LB570]

SENATOR LANGEMEIER: Time. [LB570]

SENATOR WALLMAN: Thank you, Mr. President. [LB570]

SENATOR LANGEMEIER: Thank you, Senator Wallman. Senator Chambers, you are recognized. [LB570]

SENATOR CHAMBERS: Mr. President and members of the Legislature, one of the reasons that I want education improved in this country for all children is so that they'll know about some of the things that I'm just barely touching on. Senator Wallman mentioned a Negro history month, black history month, in the schools. Doesn't that tell you something about America? We are noted one month, then as an old song said, it's "back to the madison." I get a lot of invitations to speak during what they call black history month, and I reject all of them. I don't exist except then. We always, as black people, are curios; we are entertainers. We sing, we dance, we praise the Lord. And that's the way white people stereotype us. And because they have that stereotypical notion, they make a mistake when they approach somebody like me. They say things they ought not to say. They try to do things they ought not to do, so they have to be taught. And never, never did I teach my children to turn the other cheek. Never. I let them know nobody has the right to put their hands on you, and if they put their hands on you, don't turn the other cheek. They've got two cheeks. If they hit you, they want you to hit them back. That's what they're telling you. When they hit you, they want you to hit them back, and I want you to hit them harder than they hit you. I know what my children are going to have to confront in this society, and you have no chance to make it if you are a sniveler and a groveler, an apologizer, and you're going to try to love your enemy to death. Poor Martin Luther King was under the mistaken assumption that if he let white people beat the stew out of black people, that they would become sated and not want to continue beating us. So I would have to ask then, when do you think that a tiger in captivity lost his taste for red meat by them feeding him all the red meat he could eat? That's not how you take away the taste for something. You let the one who is doing the tasting know that every time he tastes that, there is going to be a price to pay. It's called a conditioned response. And all of the education in this country has been to condition us to respond the way white people want us to respond, and I'm not going to do it. I think of all of the wrongs done to black people and then the white people in these days have the audacity to think that I'm going to look up to them as though they're better than I am? And they mob and gang and that's the only time they can come after me, when they're in a mob? So I'm going to use the floor of the Legislature as my bully pulpit and I'm

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going to say what I think needs to be said. Adolph Eichmann, Hermann Goering, others have put together the plan known as the Final Solution--how they were going to handle the Jews; they were going to get rid of all of them. And even the history of that period is not forthrightly presented. Young white children who haven't been totally corrupted would see too many similarities between the way the Nazis were treating the Jews and the way Americans treat nonwhite people. [LB570]

SENATOR LANGEMEIER: One minute. [LB570]

SENATOR CHAMBERS: I've been educated by white people all of my life. I've never had a black teacher in my life. From the time I was in kindergarten through the years that I spent at Creighton Law School and graduated, never had a black teacher in my life. Never went to a black school in my life. I've been around white people all of my life, and I know a lot more about white people than they know about me because I don't exist to them. But it behooves me to understand everything I can about white people. How do you think I survive down here among you all? How do you think that's done? You think I just come down here and say, well, I'm just going to be myself and we're all going to get along like brothers and sisters? No. I know what I am contending with and I know the attitudes of the people around here, and I deal with that. That's my reality. And if I didn't face that reality, I would have been destroyed a long time ago. Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY PRESIDING [LB570]

PRESIDENT SHEEHY: Thank you, Senator Chambers. Senator Louden, you are recognized. [LB570]

SENATOR LOUDEN: Thank you, Mr. President and members. Getting back to why we're here this afternoon, to debate, and that's LB570, the Gold Star license plate bill. That would provide for the issuance of Gold Star Family plates is what the bill is all about. People that are individual as the bill is written are only allowed to have it on one vehicle. We did do some work on Purple Heart plates earlier this year to allow people to have more than one plate, but at the present time with the Gold Star plates, it's written so that they are entitled to one Gold Star plate on one vehicle. They pay a fee. They pay an extra fee of \$15 for numerical plates, and then if they want personalized plates that was a \$40 fee. These people are willing to pay that fee to have the privilege to have one of those plates. It would not only be a privilege, it should actually be an honor for us to notice people that have these type of plates. I introduced this bill because of some constituents in my district that have lost children in the war in Iraq. They were the ones that that's the war they've lost them in. They learned of the Gold Star plates being offered in many other states and there are probably eight or nine states at the present time. And I think Iowa just put a law into effect to have Gold Star plates in their state. Some of you probably know the history of the Gold Star plates. It was a custom, as was

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mentioned before, is using a Gold Star to denote a military death. That goes back many years. It was used during World War I on service flags and on black armbands, and then during World War II the practice was continued. Families hung these service flags with blue star in their windows for every person in the family that was in the military. If the serving family member died, the blue star was covered with a gold star to show that the family had lost a loved one. Eventually Congress directed the Department of Defense to design and distribute a lapel button to be known as the Gold Star lapel button to identify widows, parents, and next-of-kin members and extended family members of the armed forces of the United States who lost their lives during wartime. That lapel button is still available for people so desiring to order them. No matter how you personally feel about license plates and the relative importance, I would like to think that LB570, from the perspective of the parents that have asked for this legislation, to these parents and to these families an option for a Gold Star license plate is important. The cost to the state is minimal. This isn't about money. What money is made and designated to the Veteran Cemetery Operation Fund will be minimal, at most. This is the people that asked for these plates, that was one of their directions, that they would like to see the extra money that they put in there, a portion of that, go to that cause. And I agreed with that; I have no problem with that. [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR LOUDEN: Every since I've been down here in the Legislature I've always tried to do legislation for veterans. I believe in working for veterans. I myself am not a veteran but I grew up around veterans all my life, from World War II on to the Korean War. As my age group was, we always missed out on the wars in there someplace. I was either too old or too young. But nonetheless I always respected what our veterans had to go through. I've seen many veterans that were gone for several years, and I admire them to be able to come home and pick up their life and start over again like they have. So I think this has to be commended, and this is kind of what a Gold Star license plate is all about--those people that have lost a loved one, gives them a chance, I guess, of some days they talk now about a type of closure. They would be able to purchase a Gold Star plate if they so desire. With that I would ask that we certainly not indefinitely postpone this and I'm against... [LB570]

PRESIDENT SHEEHY: Time. [LB570]

SENATOR LOUDEN: ...the measure to reconsider. Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Louden. Senator Chambers, you are recognized for your third time. [LB570]

SENATOR CHAMBERS: Mr. President and members of the Legislature, because white people's education, in some cases, will be as deficient as ours, they would have no idea

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who Frederick Douglass was. And I'm not going to tell you all about Frederick Douglass today. I'm just going to read a passage from Abraham Lincoln's works, and this would come from page 508, Volume 7, talking about Lincoln. "He took his seat on the sofa by my side. Said I, Mr. President, I was in your reception room today. It was dark. I suppose that clouds & darkness necessarily surround the secrets of state. There in a corner I saw a man quietly reading who possessed a remarkable physiognomy." They talked like that in those days, Senator Wallman. "I was rivetted to the spot. I stood & stared at him He raised his flashing eyes & caught me in the act. I was compelled to speak. Said I, Are you the President? No replied the stranger, I am Frederick Douglass." This man knew what Abraham Lincoln looked like. How would he mistake Frederick Douglass for Abraham Lincoln? There must have been a remarkable similarity. There are a lot of things which people can learn if they study history, and sometimes they learn not just how to recount what they read, but they can derive lessons. History often cannot be read literally in the same way the "Bible" cannot. People put a spin and a slant on things that they write. Even when they are trying to be objective, they select the facts that they are going to present. They arrange the facts in the way they think they should be arranged. They prioritize. And when they get through they have given their view, their opinion, their notion of what took place during a certain period. But it is the period presented as they thought it should have been, filtered through their mind. So you all who are young, you have to read a lot and go to a lot of sources. Don't read one book on a subject and think you've got the whole story. When you read a lot about a subject, you begin to get a feel for whatever it is that you are studying about. You can then start to make judgments. You can reject some things which when you first started out you would not have rejected because you thought the person writing knew so much more than you did that what was written had to be true. But when you really inform yourself, then you're not just a receptacle and a regurgitator. You are a thinker. While you all are young, all you are doing is gathering. That's all you're doing. You are just gathering. When you get a certain amount of information, you begin to evaluate it and you break it down into parts, and that's when you are analyzing. Then after you've analyzed it and you've got all these parts and you put it back together, you're synthesizing, and you begin to come to an understanding of what it is that you're dealing with. When you go to these schools, they are going to tell you, we've got a multiple choice test here; there are five answers; any one of them could have some element which might make it seem to be the answer to the question, but one of them comes closer to being an adequate answer than the other. So read the question carefully... [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR CHAMBERS: ...and think before you mark your paper. And then some people just mark at random and they might do as well as somebody who is not well prepared but did study and tries to answer the questions based on the way they're asked. So Americans are not truly educated. Americans are taught to try to get by, and I

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have seen that in the schools I attended. But getting by wasn't good enough for me, and when I did better than those students and I knew I did better, I didn't get the grades I should have gotten. And I'm not just crying sour grapes. I can compare myself today to those students today, and we'll see who indeed learned anything. But that's what we confront when we deal with white people, when we're in white people's schools, when we engage in athletic events where white people are the referees. They cheat us. And we used to say among black children when we were playing, we've got to go play these white kids and they've got to cheat us to beat us. [LB570]

PRESIDENT SHEEHY: Time, Senator. [LB570]

SENATOR CHAMBERS: Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Chambers. Any other senators wishing to speak on the reconsideration motion? Seeing no lights on, Senator Chambers, you're recognized to close. [LB570]

SENATOR CHAMBERS: Thank you, Mr. President. I'm trying to bring light, not heat, today, but really I'm just passing the time. Senator Loudon knows that he's got to stay here a certain amount of time with me before he can invoke cloture. He knows that the lemmings and the sheep will follow and they will vote cloture. And you think I don't know it? But the days are dwindling down to a precious few. That's an old song that you kids don't know anything about but you've probably heard the song, "T...i...m...e is on my side, yes, it is." Time is on my side and I know how to deal with time and I know how to make the most of it. See, I don't ever get tired. At the end of the session, I'm probably stronger than I was when I started. There is a group called Chicago, Senator Wallman, and some of their words said, "getting stronger every day, yeah, yeah, yeah." I listen to white people's music. There are some white artists I like. I should name some. Now, one of them I really like, I like Dusty Springfield. She was an English bird but she hung around with black people and those who were at Motown. And if you're not really careful, you might not be aware that she was a white women and especially from England, but she had an ailment and for some reason she would abuse herself so she started having to wear long-sleeved garments, high collars, because she would cut herself, whatever you call that, and she could never overcome it, and she also liked women. But she could sing. There was another one named Patsy Cline, and she sang a song, "I Fall to Pieces." You all didn't know I knew all those hillbilly songs, huh. (Laughter) But I won't try to sing them. There was a black guy and he's still alive: Charley Pride. And white people had not seen him but they heard his records. He was called Country Charley Pride, so he decided to appear at the Grand Ole Opry in person. So nothing but white people go to the Grand Ole Opry. They are all out here in the audience. If you look, all you could see, row upon row, from the low tier to the top tier, just white people. And they say we all look alike. But look around this room; who looks alike? And if you had this many black people, no two of us would be the same

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complexion. You could easily tell us apart. But at any rate, and now, ladies and gentlemen, presented for your entertainment and delight, Charley Country Pride. And just thunderous clapping, just (quick clapping sound), and then Charley Pride came from behind a curtain, and that clapping got quieter and quieter, and pretty soon you could hear the individual claps (slow clapping sound), and then everybody sat there, stunned, certain that a joke was being played on them. But then when Charley Country Pride opened his mouth, it sounded just like a hillbilly. They said, I don't know where he got it from but I guess he's one of us. Then when they became aware of the fact that Charley Pride was black, when the albums were made they put his picture on the cover, and white people who liked him overcame their initial shock and they still liked him and they bought his albums. That's the way America is and it shouldn't be that way. If music could be the international or universal language, that should help break down some of the racial barriers, but it really doesn't. Nothing breaks down racial barriers in this country--not religion, not music, not education, certainly not politics. Race is everywhere and it will always be everywhere, and black people who think that that is not the case will not survive. We have what we call Uncle Toms. They are the black people who try to get along with white people and sell out black people. [LB570]

PRESIDENT SHEEHY: One minute. [LB570]

SENATOR CHAMBERS: And Bush would hire these kind of people. One of them he hired because he was a stone Uncle Tom, and he got embarrassed because the guy was a thief. He would go to these stores and he would get products and not pay for them or something, then he would bring them back and get the money for them. And when he got caught, Bush was terribly embarrassed, but they let him off because he was a black guy in the service of his white master. He was an Uncle Tom and a sellout, and those are the kind of people who are black who will become "Repelicans." They use them. You can listen to them; they try to talk like white people. They are more white than the white people. Those are the realities. You all can't even talk about that, but in the schools they'll let these young people talk about the N-word, but they wouldn't dare let them do stories in their newspaper about abortion, contraception, and choice. They would say, no, that doesn't belong in the public schools. But there it all is. Thank you, Mr. President. [LB570]

PRESIDENT SHEEHY: Thank you, Senator Chambers. You have heard the closing on the motion to reconsider. We do have a request for a call of the house. The motion before the body is, shall the house be placed under call? All those in favor vote yea; opposed, nay. Please record, Mr. Clerk. [LB570]

CLERK: 24 ayes, 0 nays, Mr. President, to place the house under call. [LB570]

PRESIDENT SHEEHY: The house is placed under call. All unexcused senators please report to the Chamber. All unauthorized personnel please step from the floor. The

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house is under call. Senators, please record your presence. Senator Gay, Senator McGill, Senator Nelson, Senator Nantkes, Senator Kruse, Senator White, Senator Rogert, Senator Carlson, Senator McDonald, the house is under call. Senator Chambers, all senators are present or accounted for. How would you like to proceed? [LB570]

SENATOR CHAMBERS: Roll call vote as slowly as possible. [LB570]

PRESIDENT SHEEHY: Thank you. Senator Chambers is requesting a roll call vote. The question before the body is the motion to reconsider the vote on indefinite postponement of LB570. Please call the roll, Mr. Clerk. [LB570]

CLERK: (Roll call vote taken, Legislative Journal page 1816.) 1 aye, 47 nays, Mr. President, on the motion to reconsider. [LB570]

PRESIDENT SHEEHY: The motion to reconsider fails. [LB570]

CLERK: Mr. President, I have a priority motion. Senator Louden would move to invoke cloture pursuant to Rule 7, Section 10. [LB570]

PRESIDENT SHEEHY: The ruling of the Chair based on the Rules of the Legislature, Rule 7, Section 10, there has been fair and full debate on LB570. Members, the first vote is the motion to invoke cloture. All those in favor will vote yea; opposed, nay. There is a request for a roll call vote. Mr. Clerk. [LB570]

CLERK: (Roll call vote taken, Legislative Journal page 1817.) 44 ayes, 3 nays, Mr. President, on the motion to invoke cloture. [LB570]

PRESIDENT SHEEHY: The motion to invoke cloture is adopted. Members, we will now vote on advancement of LB570 to E&R Initial. All those in favor vote yea; opposed, nay. There is a request for a roll call vote. Mr. Clerk. [LB570]

CLERK: (Roll call vote taken, Legislative Journal page 1817-1818.) 47 ayes, 1 nay, Mr. President, on the advancement of LB570. [LB570]

PRESIDENT SHEEHY: The motion is adopted. LB570 is advanced. The call is raised. Items for the record, Mr. Clerk. [LB570]

CLERK: Mr. President, Enrollment and Review reports LB456 as correctly engrossed; likewise LB653, LB653A, LR1CA, all reported correctly engrossed. The bills read on Final Reading this morning were presented to the Governor at 12:30 p.m. (Re: LB641, LB641A, LB342, LB342A, LB603, LB603A, LB338, LB377, LB377A, LB343, LB343A, LB324, LB324A, LB470, LB470A, LB425, LB425A, LB12, LB12A, LB73, LB73A, LB304,

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LB211, LB211A, LB117, LB540, LB540A, LB316, LB316A, LB328, LB328A, LB441, LB441A.) A communication from the Governor. (Read re: LB339, LB578, LB588, LB588A, LB674, LB221, LB299, LB334, LB482, LB482A, LB504, LB516, LB516A, and LB542.) I have an amendment to be printed to LB570; and Senator Carlson, an amendment to LB570. Mr. President, Enrollment and Review also reports LB97 as correctly engrossed. (Legislative Journal pages 1818-1819.) [LB456 LB653 LB653A LR1CA LB641 LB641A LB342 LB342A LB603 LB603A LB338 LB377 LB377A LB343 LB343A LB324 LB324A LB470 LB470A LB425 LB425A LB12 LB12A LB73 LB73A LB304 LB211 LB211A LB117 LB540 LB540A LB316 LB316A LB328 LB328A LB441 LB441A LB339 LB578 LB588 LB588A LB674 LB221 LB299 LB334 LB482 LB482A LB504 LB516 LB516A LB542 LB570 LB97]

Mr. President, I have a priority motion. Senator Cornett would move to adjourn until Tuesday morning, May 29, at 9:00 a.m. []

PRESIDENT SHEEHY: The motion before the body is to adjourn until Tuesday, May 29, 2007, at 9:00 a.m. All those in favor say aye. Opposed nay. We are adjourned. []