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Floor Debate
April 13, 2015

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SENATOR COASH PRESIDING

SENATOR COASH: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE SIXTY-SECOND DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS PASTOR DALE TOPP OF CHRIST LUTHERAN CHURCH IN WISNER, NEBRASKA, SENATOR BRASCH'S DISTRICT. PLEASE RISE.

PASTOR TOPP: (PRAYER OFFERED.)

SENATOR COASH: THANK YOU, PASTOR. I CALL TO ORDER THE SIXTY-SECOND DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

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

CLERK: I HAVE NO CORRECTIONS.

SENATOR COASH: ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

CLERK: YOUR COMMITTEE ON BANKING, COMMERCE AND INSURANCE REPORTS LB348 TO GENERAL FILE WITH AMENDMENTS. I ALSO HAVE AN EXPLANATION OF VOTE FROM SENATOR KOLTERMAN. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGE 1131.) [LB348]

SENATOR COASH: THANK YOU, MR. CLERK. WE'LL NOW PROCEED TO THE FIRST ORDER ON THE AGENDA.

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CLERK: LB265A, A BILL BY SENATOR KRIST. (READ TITLE.) [LB265A]

SENATOR COASH: SENATOR KRIST, YOU'RE RECOGNIZED TO OPEN ON LB265A. [LB265A]

SENATOR KRIST: GOOD MORNING, MR. PRESIDENT, THANK YOU, AND COLLEAGUES AND NEBRASKA. THIS FISCAL NOTE CAME ABOUT AS A CHANGE THAT WAS PUT ON TO...AN AMENDMENT THAT WAS PUT ON LB265, AM878. IT ESSENTIALLY ALLOWS THE DEPARTMENT TO PUT SOME PEOPLE IN PLACE IN TERMS OF AN ANALYST WHO CAN FOLLOW THROUGH AND TRACK THROUGH WHAT WE'RE ASKING THEM TO DO IN LB265. IT'S AS SIMPLE AS THAT. I'D ASK YOU TO LOOK AT THE FISCAL NOTE, AND IF YOU HAVE ANY QUESTIONS, BY ALL MEANS, BRING THEM UP. IT IS SELF-EXPLANATORY. AND I WOULD SAY, JUST AS A REMINDER, NONE OF THESE BILLS WITH FISCAL NOTES ARE GOING TO GO FORWARD UNTIL WE SETTLE ON A BUDGET AND THE AMOUNT OF MONEY ON THIS FLOOR THAT'S AVAILABLE, BUT I DO BELIEVE VERY STRONGLY IN WHAT WE'VE DONE IN THE AMENDMENT, AND THE CONCURRENCE WITH THE DEPARTMENT AS WELL AS THE EFFORT BEING MADE IN LB265. WITH THAT, I WOULD ASK YOUR SUPPORT FOR LB265A. [LB265 LB265A]

SENATOR COASH: THANK YOU, SENATOR KRIST. MEMBERS, YOU'VE HEARD THE OPENING TO LB265A. THOSE WISHING TO SPEAK: SENATORS HADLEY AND KINTNER. SENATOR HADLEY, YOU'RE RECOGNIZED. [LB265A]

SPEAKER HADLEY: THANK YOU, MR. PRESIDENT. I WOULD LIKE TO READ A LETTER THAT I SENT TO THE GOVERNOR TODAY. IT SAYS: DEAR GOVERNOR RICKETTS, I WOULD RESPECTFULLY ASK THAT YOU VETO LB498, WHICH IS MY BILL. I INADVERTENTLY DID NOT PLACE THE FOLLOWING WORDS ON LINE 6 OF SECTION 8, "WITHIN THE STATE OF NEBRASKA," AND THE FOLLOWING IN LINE 7 OF SAME SECTION, "WHICH WAS PURCHASED NEW OR USED AFTER THE OPERATIVE DATE OF THIS SECTION." I HAVE ATTACHED HOW THE CHANGES SHOULD HAVE LOOKED. MY INTENT WAS TO MAKE THE LEGISLATION PROSPECTIVE, AND AS IT NOW READS, IT IS RETROACTIVE TO ALL ATVs AND UTVs IN NEBRASKA. I STILL BELIEVE THE BILL IS SOUND TAX POLICY. THE BILL REQUIRES COLLECTION OF SALES TAX BY THE DEALER ON ATVs AND UTVs PURCHASED FROM A NEBRASKA DEALER. THE COUNTY TREASURER COLLECTS THE SALES TAX ON THE PURCHASE OF ALL OTHER ATVs AND UTVs. THIS IS SOUND TAX POLICY AND PRACTICED BY ALL THE STATES SURROUNDING NEBRASKA. REGISTRATION IS ANOTHER WAY OF MAKING SURE THAT NEBRASKA

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COLLECTS THE SALES TAX DUE ON THE PURCHASE OF ATVs AND UTVs. WE REGISTER AUTOMOBILES, TRUCKS, BOATS, AND SNOWMOBILES. GIVEN THE TIMING OF THIS DISCOVERY, I BELIEVE THE BEST REMEDY WOULD BE THE VETO OF LB498. I WILL THEN BRING BACK THE BILL NEXT YEAR IN PROPER FORM. I JUST WANTED YOU THAT WERE GETTING A LOT OF LETTERS OR E-MAILS FROM CONSTITUENTS...THE BILL, MY INTENT WAS TO MAKE IT PROSPECTIVE. WE JUST DID NOT GET THE LANGUAGE IN THERE TO MAKE IT PROSPECTIVE. SO I'VE ASKED THE GOVERNOR TO VETO THE BILL AND NEXT YEAR WE WILL BRING IT BACK AND SIMPLY ADD THE FACT THAT IT WILL BE PROSPECTIVE. THANK YOU, MR. SPEAKER. [LB265A LB498]

SENATOR COASH: THANK YOU, SENATOR HADLEY. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB265A]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. WILL SENATOR KRIST YIELD TO A QUESTION? [LB265A]

SENATOR COASH: SENATOR KRIST, WILL YOU YIELD? [LB265A]

SENATOR KRIST: ABSOLUTELY. [LB265A]

SENATOR KINTNER: SENATOR, THIS IS A LITTLE CONFUSING THAT IT WAS A CAMPBELL BILL, BUT YOUR NAME IS ON THE FISCAL NOTE AND SO IT LEADS ME TO BELIEVE THERE'S GOING TO BE MORE ADDED OR WHATEVER. COULD YOU EXPLAIN THAT A LITTLE BIT FOR US? [LB265A]

SENATOR KRIST: SURE. IF YOU LOOK AT THE FISCAL NOTE THAT'S ATTACHED TO LB265, IT, BY ITSELF, LAYS OUT DIFFERENT AGENCIES IN TERMS OF WHAT THEY BELIEVE IT WILL TAKE TO IMPLEMENT LB265. MY AMENDMENT WAS ADDED TO LB265 WHICH BROUGHT IN AN ADDITIONAL FISCAL NOTE. AND I GUESS, SENATOR, I APPRECIATE THE QUESTION BECAUSE, JUST TO CLARIFY, THIS IS SENATOR CAMPBELL'S LB265, AND THIS A BILL WOULD ADD MONEY TO IT. AND, INCLUSIVELY, THIS IS THE TOTAL COST OF LB265. THE GRAND TOTAL IS \$1,037,993 AND THERE'S SOME FEDERAL MATCHING MONEY, SO THE TOTAL FOR US WOULD BE \$1,124,404. AND AGAIN, I THANK YOU FOR THAT QUESTION IN ORDER TO CLARIFY. [LB265 LB265A]

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SENATOR KINTNER: ALL RIGHT, THANK YOU, SENATOR KRIST. I'M NOT EXACTLY THRILLED WITH SPENDING MONEY, BUT AT LEAST I KNOW THERE'S NOT MORE COMING BEHIND IT. THANK YOU VERY MUCH, MR. PRESIDENT. [LB265A]

SENATOR COASH: THANK YOU, SENATOR KINTNER. (DOCTOR OF THE DAY INTRODUCED.) SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR KRIST, YOU'RE RECOGNIZED TO CLOSE. SENATOR KRIST WAIVES CLOSING. THE QUESTION FOR THE BODY IS, SHALL LB265A ADVANCE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB265A]

CLERK: 27 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB265A. [LB265A]

SENATOR COASH: LB265A DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB265A]

CLERK: MR. PRESIDENT, LB500A, OFFERED BY SENATOR HOWARD. (READ TITLE.) [LB500A]

SENATOR COASH: SENATOR HOWARD, YOU'RE RECOGNIZED TO OPEN ON LB500A. [LB500A]

SENATOR HOWARD: THANK YOU, MR. PRESIDENT. LB500A IS THE TRAILING A BILL FOR LB500 THAT CLARIFIES NEBRASKA'S OBLIGATION TO PROVIDE MULTISYSTEMIC THERAPY AND FUNCTIONAL FAMILY THERAPY IN OUR MEDICAL ASSISTANCE PROGRAM. I WOULD URGE THE BODY TO VOTE GREEN ON LB500A. THANK YOU, MR. PRESIDENT. [LB500 LB500A]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE OPENING TO LB500A. THE FLOOR IS NOW OPEN FOR DISCUSSION. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR HOWARD, YOU'RE RECOGNIZED TO CLOSE. SENATOR HOWARD WAIVES CLOSING. THE QUESTION FOR THE BODY IS, SHALL LB500A ADVANCE TO E&R INITIAL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK [LB500A]

CLERK: 25 AYES, 1 NAY, MR. PRESIDENT, ON THE ADVANCEMENT OF LB500A. [LB500A]

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SENATOR COASH: LB500A DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB500A]

CLERK: MR. PRESIDENT, LB89 ON SELECT FILE. NO ENROLLMENT AND REVIEW. SENATOR MELLO WOULD MOVE TO AMEND WITH AM1009. (LEGISLATIVE JOURNAL PAGE 991.) [LB89]

SENATOR COASH: SENATOR MELLO, YOU'RE RECOGNIZED TO OPEN ON AM1009. [LB89]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. AM1009 INCLUDES LANGUAGE FROM LB335 WHICH WOULD CREATE A LEGISLATIVE-LED INTERGENERATIONAL POVERTY TASK FORCE. THE STRUCTURAL LANGUAGE IN AM1009 IS MODELED AFTER RECENT LEGISLATIVE TASK FORCES THAT WERE BOTH DATA DRIVEN AND DEVELOPED WITH SPECIFIC ISSUE AREA EXPERTS TO ASSIST THE LEGISLATURE IN DEVELOPING A STATEWIDE STRATEGIC PLAN TO ADDRESS STATEWIDE CONCERNS. INTERGENERATIONAL POVERTY PARTICULARLY AS IT RELATES TO CHILDREN IS AN ISSUE FACING THE ENTIRE STATE AS DEMONSTRATED BY THE WORK OF SENATOR COOK AND FORMER SENATOR JOHN HARMS THROUGH THE LEGISLATURE'S PLANNING COMMITTEE. AN INTERGENERATIONAL POVERTY TASK FORCE IS A LOGICAL NEXT STEP IN EVALUATING THE DATA, FUNDING, AND THE PROGRAMS IN EXISTING STATE LAW THAT SEEKS TO ADDRESS POVERTY. TO BRING THIS ISSUE A LITTLE CLOSER TO HOME IN SOUTH OMAHA, A RECENT OMAHA WORLD-HERALD ARTICLE GAVE A SOBERING ACCOUNT OF THE STEADY INCREASE IN POVERTY AMONG HISPANICS IN NEBRASKA. SINCE THE YEAR 2000, HISPANIC POVERTY IN THE OMAHA METROPOLITAN AREA HAS INCREASED ALMOST 40 PERCENT AND HAS PASSED THE NATIONAL AVERAGE. HOWEVER, MULTIGENERATIONAL POVERTY IS NOT CONFINED TO THE HISPANIC COMMUNITY ALONE. OMAHA'S AFRICAN-AMERICAN COMMUNITY IS EXPERIENCING A POVERTY RATE HIGHER THAN THAT OF DETROIT, KANSAS CITY, AND NEW ORLEANS. WHILE POVERTY REMAINS A PROBLEM IN MINORITY COMMUNITIES ACROSS THE STATE, THE MAJORITY OF NEBRASKANS LIVING IN POVERTY ARE CAUCASIAN. INTERGENERATIONAL POVERTY HAS AFFECTED POCKETS OF OUR STATE FOR WELL OVER THE LAST 20 YEARS. DATA COLLECTED BY THE U.S. CENSUS BUREAU BOTH IN 2000 AND IN 2010 SHOWS THAT POVERTY IS A CONSISTENT PROBLEM, NOT ONLY IN EAST OMAHA, BUT IN COMMUNITIES ACROSS THE STATE SUCH AS KEARNEY, GRAND ISLAND, SCOTTSBLUFF, AND IN HASTINGS. THE INTERGENERATIONAL POVERTY TASK FORCE AS CREATED BY AM1009 WOULD BE CONSTITUTED WITH FIVE VOTING MEMBERS FROM THE NEBRASKA LEGISLATURE, INCLUDING THE CHAIRS OF THE APPROPRIATIONS

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AND HEALTH AND HUMAN SERVICES COMMITTEE AND THREE MEMBERS APPOINTED BY THE EXECUTIVE BOARD. NONVOTING MEMBERS OF THE TASK FORCE WOULD INCLUDE REPRESENTATIVES OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE DEPARTMENT OF LABOR, AND THE DEPARTMENT OF EDUCATION, AND A VARIETY OF COMMUNITY STAKEHOLDERS AND POLICY EXPERTS. COLLEAGUES, THE INTENT BEHIND CREATING AN INTERGENERATIONAL POVERTY TASK FORCE IS FOR THE LEGISLATURE TO UNDERGO AN ANALYSIS OF POVERTY DEMOGRAPHICS AND THE DEMOGRAPHIC SHIFTS OCCURRING WITHIN THE STATE, AND EVALUATE CURRENT EXISTING STATE PROGRAMS AND STATE POLICIES THAT SEEK TO ALLEVIATE POVERTY AND EXPLORE BEST PRACTICES ACROSS THE COUNTRY TO ADDRESS THE GROWING NUMBER OF FAMILIES FALLING BELOW THE POVERTY LINE, AND LASTLY, TO DEVELOP A LONG-TERM STRATEGIC PLAN AND ROAD MAP FOR THE STATE TO ADDRESS INTERGENERATIONAL POVERTY PARTICULARLY AS IT RELATES TO POOR CHILDREN. LB335, WHICH IS NOW AM1009, WAS VOTED OUT OF THE HEALTH AND HUMAN SERVICES COMMITTEE ON MARCH 4 WITH A UNANIMOUS VOTE. IN MY DISCUSSIONS WITH CHAIRWOMAN CAMPBELL, AMENDING LB335, AM1009, ON TO LB89 WAS A LOGICAL CHOICE AS THEY BOTH SEEK TO ADDRESS THE SERIOUS PROBLEMS OF INTERGENERATIONAL POVERTY FACING THE STATE. AND BASED OFF THE CONVERSATIONS WE HEARD ON LB89 ON GENERAL FILE, AM1009, WHICH IS LB335, IS ALSO THE LOGICAL NEXT STEP FOR US AS A LEGISLATURE TO CONSIDER IN REGARDS TO ADDRESSING WHAT WE KNOW ARE SOME POTENTIAL CHALLENGES LONG TERM WITH WHAT WE SEE WITH THE EXISTING AID TO DEPENDENT CHILDREN PROGRAM, THE SNAP PROGRAM, EMPLOYMENT FIRST, AND OUR CHILDCARE SUBSIDY, WHICH IS SPECIFICALLY LISTED IN AM1009. THANK YOU, MR. PRESIDENT. MEMBERS OF THE BODY, I'D URGE YOU TO ADOPT AM1009. THANK YOU, MR. PRESIDENT. [LB335 LB89]

SENATOR COASH: THANK YOU, SENATOR MELLO. MEMBERS, YOU'VE HEARD THE OPENING TO AM1009. THOSE WISHING TO SPEAK: SENATORS CAMPBELL, KINTNER, AND McCOLLISTER. (VISITORS INTRODUCED.) SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB89]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. COLLEAGUES, I WILL BE BRIEF HERE. THIS IS THE AMENDMENT THAT I SPOKE OF WHEN WE HAD OUR DISCUSSION ON THE FLOOR ON LB89. I THINK IT'S EXTREMELY IMPORTANT FOR US TO PUT TOGETHER WHAT SENATOR MELLO HAS PROPOSED IN ORDER FOR US TO TAKE A LONG-TERM VIEW OF WHAT NEEDS TO BE DONE IN THE STATE OF NEBRASKA WITH REGARD TO POVERTY, PARTICULARLY CHILDREN IN POVERTY.

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IT IS A GREAT COMPANION AMENDMENT TO LB89 AND I WOULD ASK FOR YOUR SUPPORT. THANK YOU, MR. PRESIDENT. [LB89]

SENATOR COASH: THANK YOU, SENATOR CAMPBELL. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB89]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I RISE IN SUPPORT OF BOTH THE BILL, LB89, AND AM1009. AS NEW LEADERSHIP TAKES HOLD OF HHS, I THINK IT'S AN OPPORTUNE TIME FOR US TO INITIATE THIS PROGRAM. THE BETTER THAT WE CAN UNDERSTAND THE INTERGENERATIONAL NATURE OF POVERTY, THE BETTER WE'RE ABLE TO EFFECT PROGRAMS, EVALUATE PROGRAMS TO MAKE THOSE...TO REDUCE THE EFFECT OF INTERGENERATIONAL POVERTY. THE LEGISLATURE HAS A LEGITIMATE INTEREST IN THE EFFECTIVENESS OF THESE PROGRAMS AND THIS BILL AND AMENDMENT WILL HELP DO SO. I YIELD THE BALANCE OF MY TIME TO SENATOR MELLO. [LB89]

SENATOR COASH: SENATOR MELLO, YOU'VE BEEN YIELDED 4:15. [LB89]

SENATOR MELLO: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, AND I APPRECIATE SENATOR McCOLLISTER'S KIND WORDS AND HIS SUPPORT, AS WELL AS SENATOR McCOLLISTER FOR BEING ONE OF THE FIVE OR, I'M SORRY, ONE OF THE SIX COSPONSORS WITH SENATOR CAMPBELL, SENATOR COOK, SENATOR HOWARD, SENATOR KRIST, IN JOINING SENATOR NORDQUIST. ONCE AGAIN, COLLEAGUES, THIS IS AN AMENDMENT THAT TAKES LB335 INTO THE UNDERLYING BILL, AND I'D APPRECIATE YOUR SUPPORT. THANK YOU, MR. PRESIDENT. [LB89 LB335]

SENATOR COASH: THANK YOU, SENATORS McCOLLISTER AND MELLO. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR MELLO, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. [LB89]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. AM1009 INCORPORATES LB335 INTO THE UNDERLYING BILL, LB89, WHICH WOULD CREATE A LEGISLATIVE-LED INTERGENERATIONAL POVERTY TASK FORCE. A LITTLE COMPONENTS, THE TASK FORCE WOULD HAVE TO PROVIDE A PRELIMINARY REPORT AND STRATEGIC PLAN TO THE LEGISLATURE BY DECEMBER OF 2015 WITH A FINAL REPORT IN DECEMBER 2016. IT GOES THROUGH AN EXHAUSTIVE LIST OF CRITERIA AND POLICY AND PROGRAMS

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THAT THE LEGISLATIVE-LED TASK FORCE WILL NEED TO EVALUATE AND DO ANALYSIS ON WITH THE INTENTION OF TRYING TO FIND THE BEST PRACTICES NOT JUST WITHIN OUR STATE BUT ACROSS THE COUNTRY TO HELP US ALLEVIATE INTERGENERATIONAL POVERTY. AS A SIDE NOTE, LB335 ALSO HAS NO FISCAL NOTE AS THE WAY IT WAS DRAFTED BOTH TO THE COMMITTEE AND IN ITS CURRENT FORM IN AM1009. WITH THAT, I'D URGE THE BODY TO ADOPT AM1009. THANK YOU, MR. PRESIDENT. [LB89 LB335]

SENATOR COASH: THANK YOU, SENATOR MELLO. MEMBERS, YOU'VE HEARD THE CLOSING TO AM1009. THE QUESTION FOR THE BODY IS, SHALL AM1009 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB89]

CLERK: 32 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR MELLO'S AMENDMENT. [LB89]

SENATOR COASH: AM1009 IS ADOPTED. [LB89]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB89]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB89]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB89 BE ADVANCED TO E&R FOR ENGROSSING. [LB89]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB89 IS ADVANCED. NEXT ITEM, MR. CLERK. [LB89]

CLERK: LB89A, SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB89A]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB89A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB89A ADVANCE TO E&R FOR ENGROSSING. [LB89A]

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SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB89A IS ADVANCED. NEXT ITEM, MR. CLERK. [LB89A]

CLERK: LB641, SENATOR, THERE ARE ENROLLMENT AND REVIEW AMENDMENTS PENDING. (ER56, LEGISLATIVE JOURNAL PAGE 975.) [LB641]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB641]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS TO LB641 BE ADOPTED. [LB641]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. OPPOSED, NAY. THE AMENDMENTS ARE ADOPTED. [LB641]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB641]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB641]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB641 ADVANCE TO E&R FOR ENGROSSING. [LB641]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. OPPOSED, NAY. LB641 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB641]

CLERK: LB413, SENATOR, THERE ARE ENROLLMENT AND REVIEW AMENDMENTS PENDING. (ER59, LEGISLATIVE JOURNAL PAGE 975.) [LB413]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB413]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS TO LB413 BE ADOPTED. [LB413]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. OPPOSED, NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB413]

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CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB413]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB413]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB413 ADVANCE TO E&R FOR ENGROSSING. [LB413]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB413 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB413]

CLERK: LB413A, SENATOR. I HAVE E&R AMENDMENTS PENDING. (ER67, LEGISLATIVE JOURNAL PAGE 1029.) [LB413A]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB413A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT THE E&R AMENDMENTS TO LB413A BE ADOPTED. [LB413A]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED, NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB413A]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB413A]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB413A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB413A TO E&R FOR ENGROSSING. [LB413A]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. ALL THOSE OPPOSED SAY NAY. LB413A DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB413A]

CLERK: LB538, SENATOR, IT DOES HAVE ENROLLMENT AND REVIEW AMENDMENTS. (ER58, LEGISLATIVE JOURNAL PAGE 995.) [LB538]

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SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB538]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADOPT THE E&R AMENDMENTS FOR LB538. [LB538]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB538]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB538]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB538]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB538 TO E&R FOR ENGROSSING. [LB538]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. ALL THOSE OPPOSED SAY NAY. LB538 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB538]

CLERK: LB538A, SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB538A]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB538A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB538A TO E&R FOR ENGROSSING. [LB538A]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB538A DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB538A]

CLERK: LB320, SENATOR, I DO HAVE ENROLLMENT AND REVIEW AMENDMENTS, FIRST OF ALL. (ER60, LEGISLATIVE JOURNAL PAGE 995.) [LB320]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB320]

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SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADOPT THE E&R AMENDMENTS TO LB320. [LB320]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. OPPOSED, NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB320]

CLERK: SENATOR BOLZ WOULD MOVE TO AMEND WITH AM1066. (LEGISLATIVE JOURNAL PAGE 1104.) [LB320]

SENATOR COASH: SENATOR BOLZ, YOU'RE RECOGNIZED TO OPEN ON AM1066. [LB320]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. THIS IS A TECHNICAL AMENDMENT THAT CLEANS UP AND CLARIFIES A FEW SMALL ITEMS. THE FIRST IS CLARIFYING INTENT LANGUAGE. THE SECOND IS CLARIFYING TIME LINES, AND THE THIRD IS STRENGTHENING REPORTING REQUIREMENTS. I ASK FOR YOUR SUPPORT FOR AM1066. THANK YOU, MR. PRESIDENT. [LB320]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE OPENING TO AM1066. THE FLOOR IS NOW OPEN FOR DEBATE. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR BOLZ, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. SENATOR BOLZ WAIVES CLOSING. THE QUESTION FOR THE BODY IS, SHALL AM1066 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB320]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR BOLZ'S AMENDMENT. [LB320]

SENATOR COASH: AM1066 IS ADOPTED. [LB320]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB320]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB320]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB320 TO E&R FOR ENGROSSING. [LB320]

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SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB320 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB320]

CLERK: LB320A, MR. PRESIDENT. NO E&Rs. SENATOR BOLZ WOULD MOVE TO AMEND WITH AM1228. (LEGISLATIVE JOURNAL PAGE 1133.) [LB320A]

SENATOR COASH: SENATOR BOLZ, YOU'RE RECOGNIZED TO OPEN ON AM1228. [LB320A]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. THIS IS THE A BILL FOR LB320. YOU RECALL IN OUR PREVIOUS DEBATE THAT THE AMENDMENT DECREASES THE FISCAL IMPACT SIGNIFICANTLY BECAUSE WE'RE MOVING FROM A STATEWIDE STRATEGY TO A PILOT INITIATIVE. I REQUEST YOUR SUPPORT FOR AM1228. THANK YOU, MR. PRESIDENT. [LB320A]

SENATOR COASH: THANK YOU, SENATOR BOLZ. MEMBERS, YOU'VE HEARD THE OPENING TO AM1228. THE FLOOR IS NOW OPEN FOR DISCUSSION. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR BOLZ, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. SENATOR BOLZ WAIVES CLOSING. THE QUESTION FOR THE BODY IS, SHALL AM1228 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB320A]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR BOLZ'S AMENDMENT. [LB320A]

SENATOR COASH: AM1228 IS ADOPTED. [LB320A]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB320A]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB320A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB320A TO E&R FOR ENGROSSING. [LB320A]

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SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB320A DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB320A]

CLERK: MR. PRESIDENT, LB500. I HAVE NO E&Rs. SENATOR SCHILZ WOULD MOVE TO AMEND WITH AM1041. (LEGISLATIVE JOURNAL PAGE 1038.) [LB500]

SENATOR COASH: SENATOR SCHILZ, YOU'RE RECOGNIZED TO OPEN ON AM1041. [LB500]

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT. MEMBERS OF THE BODY, GOOD MORNING, AND THANK YOU FOR THE OPPORTUNITY TO INTRODUCE AM1041 TO LB500. THIS AMENDMENT IS A PRETTY SIMPLE AMENDMENT, BUT IT'S AN IMPORTANT AMENDMENT AS WELL. CURRENTLY IN THE BILL THERE ARE TWO MODELS THAT ARE PUT FORTH. THESE MODELS, AS THEY'RE PUT FORTH, WILL WORK PRETTY WELL FOR MOST OF THE STATE. UNFORTUNATELY, IN THE WESTERN PART OF THE STATE, NEITHER ONE OF THESE MODELS MATCH UP EXACTLY AS WE NEED THEM TO FOR THE SERVICES THAT WE HAVE AVAILABLE. AM1041 ALLEVIATES THIS BY ALLOWING THE IN-HOME FAMILY SERVICES MODEL TO ALSO BE INCLUDED IN THE BILL. AND I SHOULD SAY THAT, YOU KNOW, THIS IS THE BOYS TOWN MODEL. IT'S TRADEMARKED, IT WORKS WELL, AND IT FITS WITH WESTERN NEBRASKA. AND I, MYSELF, PERSONALLY AM EXCITED THAT THEY'RE WILLING TO COME OUT WEST AND DO SOME WORK OUT THERE. I THINK IT'S GOING TO BE A GREAT RELATIONSHIP OVER TIME. THIS AMENDMENT WHEN PUT INTO PLACE WILL ENSURE COVERAGE OVER THE ENTIRE STATE TO GIVE JUVENILE JUSTICE, PROBATION, AND EVERYBODY ELSE THAT HAS TO WORK WITH THESE KIDS THE ABILITY TO HAVE THE TOOLS THAT THEY NEED TO GET THE JOB DONE. IT WILL MAKE SURE, ALSO, THAT AS WE MOVE FORWARD--AND I THINK THIS IS IMPORTANT FOR EVERYBODY TO UNDERSTAND--AS WE MOVE FORWARD, THESE MODELS AS THEY'RE PUT INTO PLACE AND AS THEY'RE UTILIZED WILL BE ABLE TO HELP MORE KIDS IN THEIR HOMES WITH THEIR FAMILIES TO HAVE THE SERVICES THAT THEY NEED. AND BECAUSE OF THAT, OVER TIME WE MAY ACTUALLY BE ABLE TO DO TWO THINGS. WE MAY BE ABLE TO CHEAPEN UP WHAT IT COSTS MEDICAID IN THE STATE OF NEBRASKA, AS WELL AS REDUCE THE NUMBER OF KIDS THAT ARE ACTUALLY LOOKING TO MEDICAID TO PAY FOR THESE SERVICES. SO, WITH THAT, I WOULD APPRECIATE YOUR YES VOTE ON AM1041. THANK YOU. [LB500]

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SENATOR COASH: THANK YOU, SENATOR SCHILZ. MEMBERS, YOU'VE HEARD THE OPENING TO AM1041. THE FLOOR IS NOW OPEN FOR DISCUSSION. SENATOR HOWARD, YOU'RE RECOGNIZED. [LB500]

SENATOR HOWARD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF AM1041 AND I WOULD LIKE TO THANK SENATOR SCHILZ FOR BRINGING THIS AMENDMENT. ADDING THE IN-HOME FAMILY SERVICES MODEL TO THE MST AND FFT PROGRAMS IN LB500 WILL HELP CREATE A MORE COMPLETE SYSTEM OF CARE FOR THE YOUTH BEING SERVED BY PROBATION. HAVING ALL THREE OF THESE MODELS AVAILABLE WILL ENABLE MORE NEBRASKA CHILDREN AND FAMILIES ACROSS THE STATE TO BE TREATED IN A HOME-BASED SETTING AND AVOID MORE COSTLY OUT-OF-HOME PLACEMENTS. I WOULD URGE THE BODY TO ADOPT AM1041 AND TO ADVANCE LB500. THANK YOU, MR. PRESIDENT. [LB500]

SENATOR COASH: THANK YOU, SENATOR HOWARD. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR SCHILZ, YOU'RE RECOGNIZED TO CLOSE ON AM1041. SENATOR SCHILZ WAIVES CLOSING. THE QUESTION FOR THE BODY IS, SHALL AM1041 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LB500]

CLERK: 29 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR SCHILZ'S AMENDMENT. [LB500]

SENATOR COASH: AM1041 IS ADOPTED. [LB500]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB500]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB500]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB500 TO E&R FOR ENGROSSING. [LB500]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB500 IS ADVANCED. NEXT ITEM, MR. CLERK. [LB500]

CLERK: LB347, SENATOR, I HAVE ENROLLMENT AND REVIEW AMENDMENTS FIRST OF ALL. (ER63, LEGISLATIVE JOURNAL PAGE 1005.) [LB347]

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SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB347]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADOPT THE E&R AMENDMENTS FOR LB347. [LB347]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB347]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB347]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB347]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB347 TO E&R FOR ENGROSSING. [LB347]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB347 IS ADVANCED. NEXT ITEM, MR. CLERK. [LB347]

CLERK: LB347A, SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB347A]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB347A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB347A TO E&R FOR ENGROSSING. [LB347A]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB347A DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB347A]

CLERK: LB265, SENATOR, I HAVE ENROLLMENT AND REVIEW AMENDMENTS PENDING. (ER61, LEGISLATIVE JOURNAL PAGE 1005.) [LB265]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB265]

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SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADOPT THE E&R AMENDMENTS TO LB265. [LB265]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. OPPOSED, NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB265]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB265]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB265]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB265 TO E&R FOR ENGROSSING. [LB265]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB265 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB265]

CLERK: LB482, SENATOR. THERE ARE ENROLLMENT AND REVIEW AMENDMENTS PENDING. (ER64, LEGISLATIVE JOURNAL PAGE 1005.) [LB482]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB482]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADOPT THE E&R AMENDMENTS TO LB482. [LB482]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB482]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB482]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB482]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB482 TO E&R FOR ENGROSSING. [LB482]

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SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB482 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB482]

CLERK: LB415, SENATOR. THERE ARE ENROLLMENT AND REVIEW AMENDMENTS. (ER65, LEGISLATIVE JOURNAL PAGE 1005.) [LB415]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB415]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADOPT THE E&R AMENDMENTS TO LB415. [LB415]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB415]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB415]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB415]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB415 TO E&R FOR ENGROSSING. [LB415]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB415 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB415]

CLERK: LB56, SENATOR. THERE ARE ENROLLMENT AND REVIEW AMENDMENTS. (ER62, LEGISLATIVE JOURNAL PAGE 1006.) [LB56]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB56]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADOPT THE E&R AMENDMENTS TO LB56. [LB56]

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SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB56]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB56]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB56]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB56 TO E&R FOR ENGROSSING. [LB56]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. ALL THOSE OPPOSED SAY NAY. LB56 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB56]

CLERK: MR. PRESIDENT, LB152, NO E&Rs. SENATOR CRAWFORD, AM1040. I HAVE A NOTE YOU WISH TO WITHDRAW, SENATOR. [LB152]

SENATOR CRAWFORD: YES. [LB152]

CLERK: SENATOR CRAWFORD WOULD MOVE TO AMEND, MR. PRESIDENT, WITH AM1150. (LEGISLATIVE JOURNAL PAGE 1113.) [LB152]

SENATOR COASH: SENATOR CRAWFORD, YOU'RE RECOGNIZED TO OPEN ON AM1150. [LB152]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. AND GOOD MORNING, COLLEAGUES. AM1150 MAKES SEVERAL SMALL CHANGES TO LB152 BASED ON DISCUSSIONS BETWEEN THE LEAGUE OF MUNICIPALITIES AND THE NEBRASKA BANKERS ASSOCIATION AND THE URBAN AFFAIRS COMMITTEE MEMBERS BETWEEN GENERAL FILE AND SELECT FILE. BECAUSE THESE SMALL CHANGES OCCUR IN MULTIPLE PLACES IN THE BILL, AM1150 WAS PRODUCED AS A WHITE COPY AMENDMENT BY BILL DRAFTING. FIRST, AM1150 PROVIDES THAT A MUNICIPALITY MAY AUTHORIZE DIRECT BORROWING NOT JUST BY ORDINANCE BUT ALSO BY RESOLUTION. OTHER FORMS OF MUNICIPAL FINANCING, INCLUDING MUNICIPAL BONDS, ARE TYPICALLY APPROVED BY RESOLUTION. SO REQUIRING THAT DIRECT BORROWING BE PASSED AS AN ORDINANCE WOULD NEEDLESSLY RESTRICT MUNICIPALITIES THAT UTILIZE DIRECT BORROWING AS

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A FINANCING TOOL. SINCE ORDINANCE MUST ALSO BE PUBLISHED AS PART OF THE MUNICIPAL CODE, ALLOWING DIRECT BORROWING TO BE APPROVED BY RESOLUTION PREVENTS UNNECESSARY CLUTTER IN CITY AND VILLAGE ORDINANCES. SECOND, THE AMENDMENT STRIKES THE WORD "SIGNIFICANT" FROM THE PROVISION AUTHORIZING DIRECT BORROWING IF IT WOULD GENERATE TAXPAYER SAVINGS OVER TRADITIONAL BOND FINANCING. THE ORIGINAL INTENT OF THE COMMITTEE AMENDMENT WAS TO PROVIDE THAT EACH LOCALITY WOULD DETERMINE WHAT THEY CONSIDERED WAS SIGNIFICANT. SINCE GENERAL FILE DEBATE, CONCERN HAS BEEN RAISED THAT INCLUDING THE WORD "SIGNIFICANT" WITHOUT DEFINING THE TERM COULD SUBJECT MUNICIPALITIES TO LITIGATION OVER WHETHER THE MUNICIPALITY HAD MET THAT THRESHOLD. WITH THE AMENDMENT, MUNICIPALITIES WOULD STILL HAVE TO CERTIFY THAT UTILIZING DIRECT BORROWING WOULD GENERATE TAXPAYER SAVINGS OVER TRADITIONAL BOND FINANCING. A SAVINGS TO THE CITY OF JUST A FEW DOLLARS WOULD BE UNLIKELY TO GENERATE THE NECESSARY SAVINGS TO AUTHORIZE DIRECT BORROWING IN MOST CASES, BUT IT ALLOWS THE MUNICIPALITY TO DECIDE FOR THEMSELVES WHAT THE APPROPRIATE LEVEL OF SAVINGS WOULD BE. FINALLY, THE AMENDMENT CLARIFIES THAT MUNICIPALITIES WOULD BE ABLE TO USE DIRECT BORROWING TO REFINANCE EXISTING DEBT AT A LOWER INTEREST RATE. WHILE THIS TYPE OF REFINANCING IS COMMONPLACE AND WOULD OBVIOUSLY GENERATE SAVINGS FOR TAXPAYERS, CURRENT LANGUAGE IN THE BILL RESTRICTS DIRECT BORROWING AUTHORITY TO THE PURCHASE OF PROPERTY AND CONSTRUCTION OF IMPROVEMENTS. GIVEN THE POTENTIAL SAVINGS THAT SUCH REFINANCING COULD OFFER, THE COMMITTEE FELT EXTENDING THE AUTHORITY IN LB152 TO REFINANCING MAKES COMMON SENSE. I WOULD URGE YOUR GREEN VOTE ON AM1150. THANK YOU, MR. PRESIDENT. [LB152]

SENATOR COASH: THANK YOU, SENATOR CRAWFORD. MEMBERS, YOU'VE HEARD THE OPENING TO AM1150. THE FLOOR IS NOW OPEN FOR DISCUSSION. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR CRAWFORD, YOU ARE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. [LB152]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. AS ADOPTED UNDER THE COMMITTEE AMENDMENT ON GENERAL FILE, LB152 AUTHORIZES DIRECT BORROWING FOR THE PURCHASE OF REAL OR PERSONAL PROPERTY OR CONSTRUCTION OF IMPROVEMENTS. I DID WANT TO CLARIFY FOR THE RECORD THAT, QUOTE, CONSTRUCTION OF IMPROVEMENTS LANGUAGE CLEARLY ENCOMPASSES REPAIR AND REMODELING PROJECTS WHEN THEY MEET THE OTHER REQUIREMENTS IN STATUTE. THANK YOU, MR. PRESIDENT. [LB152]

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SENATOR COASH: THANK YOU, SENATOR CRAWFORD. MEMBERS, YOU'VE HEARD THE CLOSING TO AM1150. THE QUESTION FOR THE BODY IS, SHALL AM1150 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB152]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF AM1150. [LB152]

SENATOR COASH: AM1150 IS ADOPTED. [LB152]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB152]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB152]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB152 TO E&R FOR ENGROSSING. [LB152]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB152 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB152]

CLERK: MR. PRESIDENT, LR7CA. I HAVE NO E&Rs. SENATOR SCHUMACHER...SENATOR, I HAVE AM922 WITH A NOTE YOU WISH TO WITHDRAW. [LR7CA]

SENATOR SCHUMACHER: THAT'S CORRECT. [LR7CA]

CLERK: MR. PRESIDENT, SENATOR SCHUMACHER WOULD MOVE TO AMEND WITH AM921. (LEGISLATIVE JOURNAL PAGE 1103.) [LR7CA]

SENATOR COASH: SENATOR SCHUMACHER, YOU'RE RECOGNIZED TO OPEN ON AM921. [LR7CA]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. THIS IS A PROPOSED CONSTITUTIONAL AMENDMENT TO GO BEFORE THE PEOPLE FOR THEIR CONSIDERATION AND VOTE. IF YOU RECALL WHERE WE'VE BEEN SO FAR ON THIS PARTICULAR ISSUE, THE ISSUE WAS INTRODUCED ORIGINALLY BY ME AND REFERRED TO THE EXECUTIVE BOARD. THE ISSUE AS IT

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WAS THEN POSED WAS TWO SIX-YEAR TERMS, BUT BECAUSE OF DIFFICULTY IN FINDING LANGUAGE TO TRANSITION FROM A FOUR-YEAR PARADIGM TO A SIX-YEAR PARADIGM, THERE WAS A PERIOD IN THAT ORIGINAL PROPOSAL WHERE THERE WOULD BE FOUR YEARS WITHOUT A LEGISLATIVE ELECTION. THAT WAS JUSTIFIABLY AND VERY WISELY CONSIDERED TO BE A PROBLEM BY THE EXECUTIVE BOARD. IN ORDER TO GET THIS VERY IMPORTANT MEASURE TO THE FLOOR, THE EXECUTIVE BOARD BASICALLY RESTATED AN EARLIER AMENDMENT THAT HAD BEEN PLACED BEFORE THE PEOPLE AND DEFEATED AND THAT WAS THREE FOUR-YEAR TERMS. WE THEN ON...AND IT WAS PRIORITIZED BY THE EXECUTIVE BOARD TO COME BEFORE THIS BODY. ON GENERAL FILE, WE DEVELOPED KIND OF A DECISION TREE IN WHICH WE FIRST ASKED OURSELVES AND THE BODY WHETHER OR NOT WE SHOULD PROPOSE AN ALTERNATIVE TO THE PRESENT TWO FOUR-YEARS TO THE PEOPLE, RECALLING THAT THE WAY WE GOT WHERE WE ARE IS THROUGH INITIATIVE PETITIONS IN WHICH THE PEOPLE WERE GIVEN THE PROPOSITION, SHOULD IT BE LIMITED TO TWO TERMS. THERE WAS NO OPPORTUNITY FOR THE PEOPLE TO ADDRESS THE LENGTH OF THE TERMS. AS THE WAY OUR PETITION PROCESS WORKS, THE PETITION CIRCULATORS AND THE PETITION SPONSORS CHOOSE THE LANGUAGE IN THE PARADIGM TO PRESENT TO THE VOTERS. THE VOTERS REPEATEDLY SAID THAT TWO TERMS ARE ENOUGH FOR THIS BODY, AND BECAUSE OF SEVERAL COURT CHALLENGES, IT TOOK TWO OR THREE SHOTS AT GETTING THE TWO-TERM LIMIT PUT INTO EFFECT. SINCE WHEN WE TOOK THIS UP ON GENERAL FILE, THE DECISION TREE WAS, DO WE NEED TO CONSIDER DOING SOMETHING DIFFERENT? AND THE VOTE, PARTICULARLY TELLING BY PEOPLE WHO HAVE BEEN HERE AT LEAST FOUR YEARS, WAS 14 YES, 3 NO, 2 NOT VOTING. THIS PROBLEM, I DON'T THINK I NEED TO EXPLAIN TO THE BODY, ARISES OUT OF NOT ONLY THE SHORTNESS OF TIME IN WHICH TO BECOME FAMILIAR WITH THE ISSUES AND THE PROCESS AND THE PERSONALITIES AND THE DECISION MAKING, BUT NOW ALSO THE IMMINENT PROSPECT THAT MUCH OF OUR SENIOR STAFF WILL BE RETIRING SOON AND THEY'VE GIVEN US GREAT GUIDANCE IN THE LAST FEW YEARS. SO NOW WE'RE IN THE POINT OF THE DECISION-MAKING PROCESS OF, ASSUMING WE PUT SOMETHING BEFORE THE VOTERS, SHOULD IT BE THREE FOUR-YEAR TERMS, OR SHOULD IT BE TWO SIX-YEAR TERMS THAT WE PROPOSE TO THE VOTERS? I WOULD SUBMIT THAT THE THREE FOUR-YEAR TERMS ARE SOMETHING THAT THE VOTERS HAVE ALREADY HAD THE OPPORTUNITY TO PASS ON AND HAVE REJECTED AND DONE SO FAIRLY RECENTLY. HOWEVER, TWO SIX-YEAR TERMS ARE SOMETHING THAT ARE CONSISTENT WITH THE PAST ACTIONS OF THE VOTERS SAYING TWO TERMS IS ENOUGH. AND THE SIX-YEAR TERMS WOULD ALLOW FUTURE MEMBERS OF THE LEGISLATURE TO HAVE SUFFICIENT EXPERIENCE IN THEIR FINAL SIX YEARS TO

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DEAL WITH SOME OF THE COMPLEX ISSUES THAT WE DEAL WITH. I WILL POINT OUT THAT NONE OF THE PRESENT MEMBERS OF THE LEGISLATURE UNDER THE PROPOSED LANGUAGE OF AM921 WOULD BENEFIT. I THINK THAT'S VERY IMPORTANT TO ADD TO THE CREDIBILITY OF OUR STATEMENT TO THE VOTERS, IF WE PUT THIS BEFORE THEM, THAT THIS IS A SERIOUS ISSUE TAKEN SERIOUSLY BY PEOPLE WHO HAVE ABSOLUTELY NOTHING TO BENEFIT BY PUTTING IT BEFORE THE VOTERS, THAT WE SHOULD LOOK AT BUILDING IN SOME ADDITIONAL EXPERIENCE AND INSTITUTIONAL KNOWLEDGE INTO THE LEGISLATURE AND LET THAT DECISION BE MADE BY THE VOTERS. RIGHT NOW, THE UNITED STATES SENATE IS A SIX-YEAR TERM. PUBLIC SERVICE COMMISSION IS A SIX-YEAR TERM. BOARD OF REGENTS IS A SIX-YEAR TERM. THE PUBLIC POWER AND IRRIGATION DISTRICTS ARE SIX-YEAR TERMS. THE RECLAMATION DISTRICTS ARE SIX-YEAR TERMS AND OUR JUDGES STAND FOR RETENTION ON THE BASIS OF SIX-YEAR TERMS. THIS GIVES THE VOTERS A CHANCE TO VOTE ON SOMETHING THAT THEY HAVE NEVER HAD A CHANCE TO VOTE ON BEFORE. AND IT ALSO IS A CHANCE FOR US TO ADDRESS WHAT I HONESTLY BELIEVE, AFTER BEING HERE FOR FOUR YEARS, SEE AS AN INSTITUTIONAL PROBLEM. AND I BELIEVE THAT A LONGER TERM BY FUTURE SENATORS WOULD BE IN THE BEST INTEREST OF THE PEOPLE. WE HAVE COMMITTEES NOW THAT ARE RAPIDLY TURNING OVER, CHAIRS THAT ARE RAPIDLY TURNING OVER, SPEAKERS THAT ARE RAPIDLY TURNING OVER, AND THAT IS GOING TO HAVE ITS IMPACT. WE'RE HEARING THINGS OVER AND OVER AGAIN WHERE THE LEGISLATURE MAY BE REPETITIONED ONE YEAR TO UNDO WHAT WAS DONE JUST A COUPLE OF YEARS BEFORE. AND WHO CAN BLAME THE PEOPLE WHO ARE COMING BEFORE US ASKING FOR THINGS TO BE CHANGED? IT'S JUST A MATTER OF PROBABILITIES BEFORE THEY WILL BE CHANGED AND THE RIGHT MAKEUP OF THE LEGISLATURE WILL BE THERE. WE DO NOT HAVE SUFFICIENT TIME TO CHART A COURSE INTO THE FUTURE THAT IS BASED UPON WELL-DESIGNED AND WELL-ENVISIONED THOUGHT. WE ARE HIGHLY REACTIVE AS IT IS, AND I BELIEVE THAT THIS WOULD CHANGE SOME OF THAT. ON A SINGLE TERM, 6 YEARS WOULDN'T BE A BAD SINGLE TERM FOR THOSE PEOPLE WHO WOULD CHOOSE NOT TO VOLUNTEER THEIR SERVICES FOR 12. SO THIS IS A POINT IN THE DECISION-MAKING PROCESS WHERE WE ASK OURSELVES, ASSUMING THAT WE DO PUT THIS ON THE BALLOT, SHOULD IT BE THREE FOURS OR SHOULD IT BE TWO SIXES THAT WE PROPOSE TO THE PEOPLE, KNOWING THAT THEY'VE REJECTED THE THREE-FOUR PROPOSAL AND KNOWING THAT THEY'VE NEVER HAD AN OPPORTUNITY TO ADDRESS THE LENGTH OF TERMS IN THE CONTEXT OF THE TERM-LIMITED DEBATE. I MIGHT ALSO POINT OUT, AS AN ASIDE, I THINK THAT THE TWO SIX-YEAR TERMS WOULD HELP MITIGATE THE PROBLEM THAT WE ARE RAPIDLY SEEING EMERGE WITH THE COST OF CAMPAIGNING, TREMENDOUS

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CAMPAIGN COST WHEN WE'RE LOOKING AT MORE AND MORE RACES APPROACHING THE \$200,000-A-SIDE MARK. YOU CAN'T EXPECT OUR PEOPLE TO COME UP WITH THAT KIND OF MONEY OVER AND OVER AND OVER AND OVER AGAIN. AND THEY DO IF ALWAYS IT'S A NEW CANDIDATE OR MAYBE ONE REELECTION TERM CANDIDATE BEFORE THEM. WHEN THEY...OUR LOCAL ASSOCIATIONS AND CONTRIBUTORS DRY UP OR HAVE DIFFICULTY ANTEING UP, GUESS WHO GETS INVITED IN? THE BIG BOYS FROM OUT OF TOWN, OUT OF THE COUNTRY, OUT OF THE DISTRICT, CERTAINLY, OUT THE POWERFUL INTERESTS THAT HAVE AGENDAS THAT ARE NOT NECESSARILY CONSISTENT WITH THOSE OF THE PEOPLE OF NEBRASKA. SO, IN AN EFFORT TO DEAL WITH THAT ISSUE, WE WOULD BE ABLE TO HAVE DIMINISHED THE NECESSITY FOR SUCH RAPID TURNOVER, HIGH-VOLUME FUND-RAISING THAT THE PRESENT SYSTEM HAS PUT US IN. AND I THINK THERE IS A CORRELATION BETWEEN THE HIGH COST AND THE DRAMATICALLY INCREASING COST OF CAMPAIGNING FOR THESE OFFICE AND THE FACT THAT THERE ARE ALWAYS NEWBIES RUNNING AND THE INCUMBENT SENATOR HAS BEEN THERE FOR JUST ONE TERM AND PROBABLY, IN MOST CASES, NEEDS TO RAISE SUBSTANTIAL MONEY OR WOULD FACE A SUBSTANTIAL CHALLENGER NEEDING TO RAISE MONEY. SO I OFFER TO THE BODY AM921 THAT AMENDS THE LANGUAGE... [LR7CA]

SENATOR COASH: ONE MINUTE. [LR7CA]

SENATOR SCHUMACHER: ...TO TWO SIX-YEAR TERMS AND IT ALSO, BECAUSE THE SUPREME COURT HAS RULED THAT WE CAN'T PUT TWO SUBJECTS ON THE BALLOT AT THE SAME TIME, ELIMINATES ADDRESSING, AT LEAST IN THIS CA, THE ISSUE OF HOW WE HANDLE PARTIAL TERMS. IT PUTS A CLEAN-CUT ISSUE, A SINGLE ISSUE BEFORE THE PEOPLE AND I WOULD ENCOURAGE YOUR DEBATE AND CONSIDERATION ON AM921. THANK YOU. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR SCHUMACHER. MEMBERS, YOU'VE HEARD THE OPENING TO AM921. THE FLOOR IS NOW OPEN FOR DISCUSSION. THOSE WISHING TO SPEAK: SENATORS GROENE AND SCHNOOR. SENATOR GROENE, YOU'RE RECOGNIZED. [LR7CA]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I WOULD APPRECIATE SENATOR SCHUMACHER POINTING OUT THAT THE PEOPLE HAVE ALREADY SPOKEN ON THIS ISSUE IN THE LAST TWENTY YEARS, FOUR TIMES BY PETITION, AT LEAST THREE TIMES SINCE 2000 WHEN IT TOOK EFFECT, TERM LIMITS. LEGISLATORS HAVE TRIED TO BRING FORWARD BILLS SUCH AS THIS, BUT WERE REJECTED BY

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THE LEGISLATURE, NEVER GOT TO THE BALLOT. IN 2012, IT DID, THREE FOUR-YEAR TERMS, AND IT WAS OVERWHELMINGLY REJECTED 65 PERCENT TO 35 PERCENT. THERE WASN'T EVEN ONE COUNTY IN THE 93 COUNTIES THAT EVEN CAME CLOSE TO WANTING TO CHANGE TERM LIMITS. WE ARE ADDRESSING A PROBLEM THAT DOESN'T EXIST. WE ARE ASSUMING THAT THERE WILL BE A PROBLEM IN LEADERSHIP IN THE LEGISLATURE IF WE DON'T HAVE SENIORITY. THERE IS NO SUCH PROBLEM. WE HAVE BEEN RUNNING SMOOTHLY. LAWS HAVE BEEN ENACTED. WE'RE A VERY WELL-RUN STATE. AND THE CITIZEN LEGISLATURE IDEAL IS TAKING HOLD AND IT IS GROWING. AS MORE PEOPLE IN THE STATE ARE MORE INVOLVED, WHEN YOU HAVE COMPETITIVE ELECTIONS, YOU HAVE MORE PEOPLE INVOLVED. YOU HAVE EVERYBODY'S EARS PERK UP BECAUSE DEBATE IS TAKING PLACE. WHEN YOU HAVE A...TWO 12-YEAR TERMS...TWO SIX-YEAR TERMS FOR 12 YEARS, THAT DEBATE WILL NOT TAKE PLACE THAT OFTEN IN OUR HOME DISTRICTS. I ENJOYED THE DEBATE WHEN I RAN. SIX-YEAR TERMS ARE JUST TOO LONG. PEOPLE DO MAKE MISTAKES WHEN THEY ELECT SOME INDIVIDUALS. SIX YEARS IS TOO LONG A TIME TO CORRECT THAT MISTAKE. AND THEN THE SECOND TIME AROUND, IF YOU DO ELECT SOMEBODY AND THEY HAVE A CHANGE OF VIEWPOINT, YOU'VE GOT TO PUT UP WITH THEM FOR SIX YEARS BEFORE THEY ARE TERMED OUT OF OFFICE. TWELVE YEARS IS JUST TOO LONG; TWO SIX-YEAR TERMS ARE TOO LONG. I AM THE EXCEPTION TO THE RULE. WHAT \$200,000? I RAN AGAINST SOMEBODY WHO SPENT \$200,000. I SPENT \$36,000, ONLY \$2,500 OF MY OWN MONEY. IDEALS CAN WIN IF YOU BRING THEM FORWARD. IF YOU'VE GOT TO BUY ELECTIONS, THAT IS A PROBLEM, BUT THAT ALWAYS WILL HAPPEN AND ALWAYS HAS HAPPENED. WE CAN CHANGE THE FINANCE LAWS, IF WE WISH, ON CAMPAIGNS. BUT MONEY, THAT SHOULDN'T BE A DECISION OF WHY WE PUT THIS ON THE BALLOT, BECAUSE SOMEBODY IS SPENDING TOO MUCH MONEY. THEY'LL SPEND TOO MUCH MONEY IF THEY GOT TO RERUN THE SECOND TIME FOR SIX YEARS. AND THE OTHER THING IS, THE PEOPLE HAVEN'T SPOKEN ON THIS. THE ONLY PEOPLE I HEAR COMING FROM INDIVIDUALS IS, WHY ARE YOU DOING THIS? WHY IS THIS EVEN AN ISSUE? THE PEOPLE DECIDED IT. I HAVEN'T HAD ANYBODY COME FORWARD AND SAID, BOY, THE TERM LIMITS ARE A BAD THING. AND I'VE BEEN IN HERE A COUPLE OF MONTHS AND YOU'D THINK SOMEBODY WOULD HAVE SAID THAT. I WISH TOM WAS STILL HERE. BUT ANYWAY, WE'RE CREATING A PROBLEM THAT DOESN'T EXIST. WE'RE SOLVING A PROBLEM THAT DOESN'T EXIST. WE DON'T NEED TO...I'M NOT GOING TO SAY INSULT, BUT THERE'S OTHER ISSUES WE NEED TO BE ASKING THE PEOPLE'S ADVICE ON. I DON'T BELIEVE THIS IS ONE OF THEM. YOU DO UNDERSTAND THAT IF YOU DO RUN AND AFTER TWO TERMS, YOU CAN JUST SIT OUT FOUR YEARS, GET BACK IN YOUR DISTRICT, MAKE SOME WAGES, CREATE SOME WEALTH, AND YOU CAN RUN AGAIN IN FOUR

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YEARS. YOU'RE NOT TERM LIMITED OUT FOR LIFE, MAYBE A BREATHER. WE'VE HAD TWO OR THREE... [LR7CA]

SENATOR COASH: ONE MINUTE. [LR7CA]

SENATOR GROENE: ...INDIVIDUALS, I UNDERSTAND, THAT HAVE CAME BACK AFTER THEY SAT OUT FOUR YEARS. YOU CAN STILL DO THAT. THIS ISN'T NECESSARY, SO I STAND AGAINST AM921, EVEN THOUGH IT'S JUST A TECHNICAL PART OF THE LR7CA, AND I WOULD HOPE YOU WOULD VOTE AGAINST LR7CA SO WE DON'T BOTHER THE VOTERS WITH THIS ISSUE THAT THEY THINK IS WORKING JUST FINE. SO THANK YOU, MR. PRESIDENT, FOR THE TIME. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR GROENE. MR. CLERK, FOR AN ANNOUNCEMENT. [LR7CA]

CLERK: MR. PRESIDENT, THE REVENUE COMMITTEE WILL HAVE AN EXECUTIVE SESSION AT 11:00 UNDER THE NORTH BALCONY; REVENUE, 11:00, NORTH BALCONY.

SENATOR COASH: (VISITORS INTRODUCED.) RETURNING TO DISCUSSION, SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LR7CA]

SENATOR SCHNOOR: THANK YOU, SIR. SENATOR SCHUMACHER, WOULD YOU YIELD TO A QUESTION, PLEASE? [LR7CA]

SENATOR COASH: SENATOR SCHUMACHER, WILL YOU YIELD? [LR7CA]

SENATOR SCHUMACHER: YES. [LR7CA]

SENATOR SCHNOOR: SENATOR SCHUMACHER, JUST A QUICK CLARIFICATION. THERE'S A LOT OF TALKING GOING ON. I JUST WANT TO CLARIFY. YOUR INITIAL BILL...OR EXCUSE ME, YOUR INITIAL RESOLUTION WAS TO GO TO TWO SIX-YEAR TERMS. WE THEN ADOPTED AM822 THAT CHANGED IT TO THREE FOUR-YEAR TERMS, AND NOW AM922 IS GOING BACK TO TWO SIX-YEAR TERMS SHOULD AM921 BE ADOPTED. IS THAT CORRECT? [LR7CA]

SENATOR SCHUMACHER: IT'S GOING BACK IN A DIFFERENT WAY. [LR7CA]

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SENATOR SCHNOOR: IN WHAT WAY? [LR7CA]

SENATOR SCHUMACHER: THE INITIAL RESOLUTION WHICH HAD...TRIED TO DEAL WITH THE DIFFICULTY IN TRANSITIONING FROM FOUR YEARS TO SIX YEARS HAD A PERIOD OF FOUR YEARS IN WHICH THERE WAS NO LEGISLATIVE ELECTION AND THEN HALF OF THE LEGISLATURE ELECTED, TWO YEARS LATER THE OTHER HALF. THIS ONE WE'RE ABLE TO WORK THROUGH LANGUAGE THAT SAYS A THIRD OF THE LEGISLATURE EVERY TWO YEARS AND ADDRESSES THAT ANOMALY. AND IT...THE ANOMALY WAS WHAT HAD THE EXECUTIVE BOARD CONCERNED AND, RATHER THAN DO NOTHING, THEY PUT OUT REALLY A RESTATEMENT OF SOMETHING FROM FOUR YEAR...YEAH, FROM FOUR YEARS AGO TO THE BODY SO WE COULD HAVE A VEHICLE OUT HERE. [LR7CA]

SENATOR SCHNOOR: OKAY, BUT THE ULTIMATE GOAL BEING SEVERAL YEARS DOWN THE ROAD THAT WE WOULD BE IN TWO SIX-YEAR TERMS FOR ALL THE SENATORS, IS THAT CORRECT? [LR7CA]

SENATOR SCHUMACHER: THAT'S CORRECT. [LR7CA]

SENATOR SCHNOOR: OKAY. THANK YOU. I JUST WANTED TO CLARIFY THAT. YOU KNOW, WHEN WE TALK ABOUT THE COST OF MONEY FOR EVERYTHING, OBVIOUSLY, I'M IN A TOTAL DIFFERENT POSITION. YOU KNOW, THE AMOUNT OF MONEY I SPENT WAS THE AMOUNT OF MONEY TO GO TO AN INTERVIEW IN OMAHA. SO I CAN'T EVEN BEGIN TO COMPARE TO WHAT EVERYBODY ELSE SPENDS. BUT I DO LIKE...I DID LIKE THE FACT THAT WE KIND OF COMPROMISED ON THREE FOUR-YEAR TERMS AND THAT'S WHAT I'M GOING TO STICK WITH. BUT I THANK YOU, SENATOR SCHUMACHER, FOR THE CLARIFICATION ON THAT. THANK YOU. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR SCHNOOR. SENATOR MORFELD, YOU'RE RECOGNIZED. [LR7CA]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF AM921 AND, AS AMENDED, THE UNDERLYING CONSTITUTIONAL RESOLUTION AND AMENDMENT. I THINK THAT AN ARGUMENT HAS BEEN BROUGHT UP THAT, YOU KNOW, THE PEOPLE HAVE ALREADY SPOKEN ON THIS. WELL, MY BIG CONCERN WITH THE ORIGINAL AMENDMENT TO LR7CA WAS THAT WE BROUGHT IT BACK TO THREE FOUR-YEAR TERMS, WHICH, AS I RECALL, THE PEOPLE REJECTED THAT FAIRLY HANDILY NOT TOO LONG AGO. I'M IN SUPPORT OF BRINGING A NEW

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CONCEPT TO THE PEOPLE IN TERMS OF A VOTE. AND I DON'T THINK IT'S DISRESPECTFUL TO BRING A LEGISLATIVE RESOLUTION AND PUT SOMETHING ON THE BALLOT FOR PEOPLE TO DECIDE. PEOPLE CAN DECIDE WHETHER OR NOT THEY WANT TO VOTE IN SUPPORT OR REJECT YET ANOTHER PROPOSAL DEALING WITH TERM LIMITS AGAIN. IT'S NOT DISRESPECTFUL TO BRING A DIFFERENT PROPOSITION TO THE PEOPLE TO DECIDE WHETHER OR NOT WE WANT TO CHANGE THE CONSTITUTION. IF WE APPLIED THAT RULE AND THAT PRINCIPLE TO ALL OF THESE ISSUES, THEN WHERE DO WE DRAW THE LINE? IS IT EVERY TEN YEARS THAT WE BRING SOMETHING BACK? AND THEN HOW DOES THAT IMPEDE ON THE POWER OF THE LEGISLATURE TO PROPOSE CONSTITUTIONAL AMENDMENTS TO THE PEOPLE WHEN WE FEEL AS THOUGH IT IS NECESSARY. I'VE HEARD, ACTUALLY, FROM A LOT OF PEOPLE ABOUT THIS ISSUE. I FIRMLY ALWAYS...OR I HAVE FIRMLY BELIEVED THAT WE ALREADY HAVE TERM LIMITS. IT'S CALLED ELECTIONS. SHOW UP AND VOTE, AND IF YOU DON'T LIKE WHO IS IN OFFICE, RUN AGAINST THEM, AND BUILD A CASE. BUT THAT BEING SAID, THE PEOPLE HAVE DECIDED TO HAVE TWO FOUR-YEAR TERMS. THEY MAY DECIDE TO HAVE TWO SIX-YEAR TERMS, BUT WE NEED TO PUT THE ISSUE ON THE BALLOT. I DO BELIEVE THERE ARE VALID REASONS FOR THIS LEGISLATIVE RESOLUTION AND CONSTITUTIONAL AMENDMENT THAT SENATOR SCHUMACHER HAS ALREADY ADDRESSED AND I WON'T READDRESS. AND I JUST ALSO WANT TO POINT OUT THAT A STUDY WAS DONE MANY YEARS AGO WHEN THIS WAS UP ORIGINALLY IN THE EARLY 2000's, AND THEY LOOKED AT WHAT THE AVERAGE AMOUNT OF TERMS A SENATOR SERVE AND IT WAS TWO AT THE TIME. AND SO THE ISSUE THAT TERM LIMITS ORIGINALLY WAS TRYING TO RESOLVE WASN'T REALLY AN ISSUE IN MY MIND. AND IF PEOPLE WANT TO SERVE A FEW MORE YEARS, THEN I BELIEVE THAT THEY SHOULD BE ABLE TO SERVE ANOTHER TERM, OR IN SENATOR SCHUMACHER'S PROPOSAL, PERHAPS EXTEND THE LENGTH OF TERMS TO ENSURE THAT WE HAVE MEMBERS THAT HAVE THE SUFFICIENT AMOUNT OF TIME TO BE WELL EDUCATED ON THE ISSUES, TO BE ABLE TO APPLY THEIR KNOWLEDGE AND REPRESENT THE PEOPLE IN THEIR DISTRICT AND THE PEOPLE OF NEBRASKA IN THE BEST WAY, AND I URGE YOU TO SUPPORT AM921. THANK YOU. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR MORFELD. (VISITORS INTRODUCED.) RETURNING TO DISCUSSION ON LR7CA AND THE UNDERLYING AMENDMENT, THOSE WISHING TO SPEAK: SENATORS HUGHES, KRIST, JOHNSON, BLOOMFIELD, AND OTHERS. SENATOR HUGHES, YOU ARE RECOGNIZED. [LR7CA]

SENATOR HUGHES: THANK YOU, MR. PRESIDENT. I RISE TODAY IN SUPPORT OF LR7CA AND AM921. SENATOR SCHUMACHER BROUGHT THIS BILL BEFORE THE

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EXEC COMMITTEE. I, LIKE SENATOR MORFELD, FEEL WE'VE HAD TERM LIMITS. THEY'RE CALLED ELECTIONS. BUT ALSO, IF IT WEREN'T FOR TERM LIMITS, I PROBABLY WOULD NOT BE HERE. ALL WE'RE DOING IS PROVIDING AN OPPORTUNITY FOR THE PEOPLE TO HAVE VOICE ON WHO THEIR ELECTED OFFICIALS ARE. THE INDIVIDUALS WHO ARE SERVING IN THIS BODY, BOTH CURRENTLY AND PREVIOUSLY, CERTAINLY AREN'T HERE FOR THE MONEY. AND ANYBODY WHO WOULD BE WILLING TO COMMIT AN ADDITIONAL FOUR YEARS OF THEIR LIFE, BE IT THREE FOURS OR TWO SIXES, IS DOING IT FOR THE RIGHT REASONS. YOU KNOW, THERE'S NO "GET RICH" THAT I'VE FOUND IN THIS BODY AND I HOPE THERE NEVER IS. BUT THE DESIRE TO DO THE WORK OF THE PEOPLE TAKES A LONG TIME. YOU KNOW, WE ALL COME FROM DIFFERENT BACKGROUNDS. WE ALL BRING DIFFERENT SKILLS TO THIS FLOOR. AND THE MELDING OF THOSE SKILLS WITH TIME THROUGH THE PROCESS OF DOING THE WORK THAT WE DO HERE ONLY MAKES US BETTER. AND THE LONGER THAT WE HAVE THE OPPORTUNITY TO HONE THE SKILLS TO DO THE PEOPLE'S WORK, THE BETTER OFF THE PEOPLE OF THE STATE OF NEBRASKA WILL BE. FOR ME, THE REASON TO INCREASE THE TERM LIMITS, OR TO INCREASE THE TIME OF SERVICE, IS IN THE BENEFIT OF THE BODY AND, THEREFORE, THE STATE OF NEBRASKA. ONE OF THE MOST SURPRISING THINGS TO ME WAS THE AMOUNT OF ISSUES THAT WE DEAL WITH ON AN ANNUAL BASIS, THE THINGS THAT KEEP COMING UP AND KEEP COMING UP AND KEEP COMING UP. AND WITHOUT THE INSTITUTIONAL KNOWLEDGE, ESPECIALLY OF STAFF, AND THE SENIOR SENATORS THAT HAVE STOOD IN THIS POSITION BEFORE I HAVE, THERE WOULD BE MISTAKES MADE. THAT'S A CRITICAL PIECE OF WHAT OUR JOB IS, IS TO MAKE SURE THAT THOSE MISTAKES ARE NOT MADE. AND NONE OF US ARE PERFECT; THEY WILL BE MADE FROM TIME TO TIME. BUT THE LONGER WE HAVE THE OPPORTUNITY TO UNDERSTAND THE ISSUES, UNDERSTAND THE PROCESS, AND HONE OUR SKILLS TO BE EFFECTIVE LAWMAKERS FOR THE CITIZENS OF THE STATE OF NEBRASKA, I THINK IT IS IN THEIR BEST INTEREST. THANK YOU, MR. PRESIDENT. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR HUGHES. SENATOR KRIST, YOU'RE RECOGNIZED. [LR7CA]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES, AND AGAIN, GOOD MORNING, NEBRASKA. I STAND IN SUPPORT OF AM921 AND THE UNDERLYING LR7CA. WHEN LR7CA CAME TO US--AND JUST A CAVEAT AGAIN, MOST OF YOU KNOW I AM THE CHAIR OF THE EXECUTIVE BOARD OF THE LEGISLATIVE COUNCIL--WHEN WE HEARD THIS IN COMMITTEE AND WE DECIDED THAT THE ORIGINAL SHAPE OF LR7CA WAS NOT SOMETHING THAT WE

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COULD VOTE OUT OF COMMITTEE, RATHER, WE COULD VOTE OUT THREE FOUR-YEAR TERMS BECAUSE OF THE DETAIL AND INTRICACY OF TRANSITIONING INTO THE NEW PROCESS. SENATOR SCHUMACHER TOOK THAT CHALLENGE AND THAT TASK AND SAID, I'M GOING TO COME BACK TO YOU AND I'M GOING TO SHOW YOU HOW TRANSITIONING INTO TWO SIX-YEAR TERMS CAN BE DONE TECHNICALLY. SO THAT'S WHAT HE'S COME BACK WITH TODAY. AND THANK YOU, SENATOR SCHNOOR, FOR ASKING THE QUESTION, BUT I JUST WANTED TO TAP ON THAT AGAIN TO MAKE SURE EVERYBODY UNDERSTANDS. WE DID NOT, NOT LIKE THE TWO SIX-YEAR TERMS, BUT IT WAS UNTENABLE IN TERMS OF HOW IT WAS ORIGINALLY WRITTEN. AND IN BETWEEN THE TIME IT CAME OUT OF COMMITTEE AND NOW, SENATOR SCHUMACHER HAS DONE YEOMAN'S WORK MAKING SURE THAT THAT TRANSITION PACKAGE WOULD BE IN PLACE. I'D LIKE TO SPEAK A LITTLE BIT ABOUT WHAT THE CITIZENS OF THE STATE HAVE DONE. THEY HAVE, BY PETITION, MADE SURE THAT PEOPLE WHO SIT IN OUR CHAIRS DON'T SIT HERE FOREVER. THAT'S WHAT THEY SAID. THEY SAID, WE NEED FRESH BLOOD, WE NEED TO HAVE TERM LIMITS, WE NEED TO MAKE SURE THAT THOSE TERM LIMITS BRING NEW IDEAS, NEW POSITIONS INTO THIS LEGISLATURE. SENATOR HUGHES SAID IT BEST JUST A FEW MINUTES AGO. THERE ARE THINGS THAT REALLY WE BENEFIT BY HAVING CONTINUITY, WE BENEFIT BY HAVING PEOPLE AROUND A LITTLE LONGER TO LOOK AT THINGS. SO WHAT THE CITIZENS HAVE SAID AND NOW WHAT WE HAVE SAID COULD BE AN ANALOGY BETWEEN A PATIENT AND A DOCTOR. A PATIENT COMES IN AND SAYS, I NEED AN ANTIBIOTIC. AND THE DOCTOR SAYS, NO, YOU NEED AN ANTIHISTAMINE AND WE NEED TO WATCH THIS FOR A LITTLE WHILE LONGER AND THEN YOU NEED AN ANTIBIOTIC. THAT RELATIONSHIP IS A PROFESSIONAL, WHICH ALL OF YOU ARE. ALL OF YOU ARE FUNCTIONAL EXPERTS NOW SITTING WHERE YOU'RE SITTING IN DIFFERENT DEGREES. NOW, WOULD YOU GO BACK TO YOUR CONSTITUENTS AND SAY, NO, I THINK ONE TERM IS ENOUGH BECAUSE NEW PEOPLE COME IN AND THERE WILL ALWAYS BE FRESH IDEAS? OR WOULD YOU SAY, I THINK TWO FOUR-YEAR TERMS IS ENOUGH? OR WOULD YOU SAY, I THINK A LITTLE MORE, A LITTLE MORE CONTINUITY COULD BE AFFORDED WITH THIS PACKAGE? FOLKS, I WENT OUT TO MY DISTRICT OVER THE LAST COUPLE OF MONTHS. I'VE TALKED TO PEOPLE ABOUT THE TERM LIMITS. I'VE TALKED TO THEM ABOUT WHAT WE BELIEVE AS PROFESSIONALS, SOME OF US, AS PROFESSIONALS WITHIN THIS BODY OF 49 BELIEVE MIGHT BE A BETTER ALTERNATIVE. AND YOU KNOW WHAT THEY SAID? I DON'T CARE, I JUST DON'T WANT YOU GUYS THERE FOREVER, AND I DON'T WANT YOU TO GET A PAY RAISE. OKAY, NO PAY RAISE THIS TIME AROUND, BUT LET'S TALK ABOUT THE CONTINUITY THAT'S AFFORDED WITH THE TWO SIX-YEAR TERMS. YOU'VE HEARD THE POSITIVES FROM SENATOR SCHUMACHER. I SEE NO NEGATIVE OTHER THAN THE FACT THAT WE GO BACK

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AND GIVE THE PEOPLE ONE MORE CHANCE TO LOOK AT A VERY CRITICAL ISSUE. IF YOU CHECK MY VOTING RECORD SINCE I'VE BEEN HERE, I HAVE NEVER STOOD IN THE WAY OF AN IDEA GOING TO THE VOTERS FOR THEM TO TELL US HOW TO DO THINGS. I VOTED CONSISTENTLY, INCLUDING THE RIGHT TO SHOOT A DEAD ANIMAL, THE RIGHT TO HUNT AND FISH, FACETIOUSLY. I WOULD SAY THAT ANYTIME WE GET AN OPPORTUNITY TO PUT IT BACK TO THE PEOPLE OF THIS STATE, THE 1.9 MILLION PEOPLE, LET THEM KNOW TO LET US KNOW HOW WE SHOULD PROCEED. [LR7CA]

SENATOR COASH: ONE MINUTE. [LR7CA]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. I THINK IT'S OUR OBLIGATION TO DO THAT. THEY ARE, AFTER ALL, WHAT PEOPLE CALL THE SECOND HOUSE. THEY'VE SPOKEN MANY TIMES BY PETITION. AND NOW IT'S UP TO US PROFESSIONALLY TO GIVE THEM SOME FEEDBACK ON WHERE WE ARE TODAY. PLEASE SUPPORT AM921 AND THE UNDERLYING LR7CA. THANK YOU. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR KRIST. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LR7CA]

SENATOR JOHNSON: THANK YOU, MR. SPEAKER. AND GOOD MORNING, COLLEAGUES AND NEBRASKA. WHEN I CAME IN THREE YEARS AGO, WE HAD JUST DEFEATED THE AMENDMENT...CONSTITUTIONAL AMENDMENT FOR THREE FOUR-YEAR TERMS. I'D JUST GONE THROUGH AN ELECTION. I WAS PRETTY WELL WORN OUT. AND MY FEELING WAS, WOW, I GOT TO DO THIS AGAIN IN ANOTHER THREE YEARS AND I'M ABOUT TO THAT POINT THIS YEAR, OR I AM AT THAT POINT THIS YEAR. AND SO I LOOKED AT IT AND I THOUGHT, WELL, LET ME WAIT A LITTLE BIT AND SEE. I VISITED WITH SENATOR SCHUMACHER A LITTLE BIT ABOUT IT AND I THOUGHT, WELL, MAYBE I'LL HAVE A DIFFERENT FEELING WHEN I'M IN MY SECOND TERM WHETHER TO GO TO TWO SIXES. I DO SUPPORT AM921. WE HAVE A LOT OF OUR ELECTED PEOPLE, OFFICES, IN A TWO-YEAR OR TWO-TERM TO SIX YEARS, OR AT LEAST SIX-YEAR TERMS. SO I TOTALLY SUPPORT THAT. WE HAVE TAKEN IT TO THE BODY OR TO THE CITIZENS FOUR YEARS AGO WHEN WE WOULD VOTE ON THIS, AND THEY SAID NO TO THREE FOUR-YEAR TERMS. I THINK WE NEED TO GIVE THEM A DIFFERENT OPTION. IT WILL BE UP TO THE BODY TO DECIDE WHICH OPTION AND IF WE MOVE IT FORWARD. BUT I DEFINITELY SUPPORT AM921 UNDER THE CHANGES THAT SENATOR SCHUMACHER HAS ADOPTED IN AM921 AND WILL VOTE FOR THE LR7CA. THANK YOU, MR. SPEAKER. [LR7CA]

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SENATOR COASH: THANK YOU, SENATOR JOHNSON. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LR7CA]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. I INTRODUCED, THE SAME DAY THAT SENATOR SCHUMACHER INTRODUCED LR7CA, I INTRODUCED LR31CA WHICH WAS DESIGNED TO ALLOW APPOINTED SENATORS TO SERVE THE REMAINDER OF THAT TERM THEY WERE APPOINTED TO, PLUS THE FULL TERMS, TWO FULL TERMS, OR IF WE WOULD HAVE CHANGED TO THREE, TO THREE FULL TERMS. UNDER AM921 THAT IDEA SEEMS TO PRETTY WELL DISAPPEAR, AND EVEN UNDER THE THREE-TERM SITUATION, IT APPEARS IS A SEPARATE IDEA ON THE SAME QUESTION. AND I UNDERSTAND WE NEED TO DO THAT BECAUSE OF POSSIBLE CONSTITUTIONAL ISSUES OF PUTTING TWO QUESTIONS ON THERE, TWO ISSUES ON THE SAME QUESTION. I WOULD LIKE TO HAVE SEEN THOSE COME OUT AS TWO SEPARATE BILLS; THEY DID NOT. I SUPPOSE IT'S STILL POSSIBLE, BUT WHEN I RAN, TWO AND A HALF YEARS AGO NOW, I WAS TOLD IN NO UNCERTAIN TERMS THAT THE PEOPLE DID NOT WANT TO SEE US EXTEND TERM LIMITS. AND WHEN I MENTIONED THE IDEA BEHIND LR31CA, PEOPLE AGREED THAT YOU OUGHT TO BE ABLE TO HAVE YOUR OWN TWO TERMS. NOW IF YOU'RE APPOINTED, AS I WAS OR AS SENATOR SCHNOOR WAS OR SENATOR GARRETT, WE'RE GOING TO END UP WITH SIX YEARS INSTEAD OF EIGHT UNLESS WE CHANGE...WELL, EVEN IF WE DO CHANGE UNDER THIS PROPOSAL, WE'LL STILL END UP WITH SIX YEARS. AND I...I DON'T WANT TO DO ANYTHING THAT WOULD CHANGE THAT FOR THOSE OF US WHO ARE SITTING HERE, BUT I DO THINK IN THE FUTURE WE SHOULD ALLOW THEM TO SERVE WHATEVER THEY WERE APPOINTED TO, PLUS THEIR OWN TERMS. SO I'M PROBABLY NOT GOING TO SUPPORT EITHER ONE OF THESE MEASURES AT THIS POINT. AND I WILL PROBABLY REINTRODUCE NEXT YEAR THE IDEA BEHIND LR31CA THAT WOULD ALLOW SOMEBODY TO FINISH THE TERM THEY WERE APPOINTED TO AND SERVE THEIR OWN FULL TERMS. I'D YIELD THE REMAINDER OF MY TIME TO SENATOR KRIST IF HE HAS ANYTHING TO ADD. [LR7CA LR31CA]

SENATOR COASH: SENATOR KRIST, YOU'VE BEEN YIELDED 2:00. [LR7CA]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD AND MR. PRESIDENT. INDEED, THE...AS IT'S BEEN CALLED THE "TONY FULTON" ISSUE, IT IS AN ISSUE. AND, INDEED, THAT IS ANOTHER PART OF THE LACK OF CONTINUITY. YOU FINALLY GET SOMEBODY IN AND YOU GET THEM STARTED INTO A CYCLE, YOU'D LIKE HIM TO FINISH OUT THAT CYCLE, AND I BELIEVE THAT IN TERMS OF SOLVING THAT ISSUE IT SHOULD BE ON SOME BURNER ON THIS STOVE. I'M JUST

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NOT SURE IF IT'S THE FRONT BURNER THAT THIS PARTICULAR ISSUE IS ON. BUT THE WAY TO DO THIS IN TERMS OF PUTTING TWO DIFFERENT ISSUES ON A BALLOT FOR CONSTITUTIONAL CHANGE IS TO INCLUDE IT WITH ITS SEPARATE VOTE, I THINK, AS YOU MAY HAVE HEARD. SO I THINK WE SHOULD AT LEAST HAVE THE CONVERSATION ABOUT WHETHER IT IS A FRONT BURNER ITEM OR IF WE MOVE FORWARD WITH AM921 AND LR7CA... [LR7CA]

SENATOR COASH: ONE MINUTE. [LR7CA]

SENATOR KRIST: THANK YOU, MR. PRESIDENT...AND DEAL WITH IT AT A LATER DATE. I'M INTERESTED IN HEARING SENATOR SCHUMACHER'S ANALYSIS OF WHETHER THAT NEEDS TO BE DONE THIS SESSION OR IN THE TRANSITION, WITH THE MECHANICS OF THE TRANSITION IF IT CAN BE AFFORDED AT A LATER POINT SHOULD THIS PASS AND I HOPE IT DOES. AND THANKS FOR THE TIME, SENATOR BLOOMFIELD AND MR. PRESIDENT. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR KRIST. SENATOR GROENE, YOU'RE RECOGNIZED. [LR7CA]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. SIMPLE MATH QUIZ FOR YOU: THREE TIMES FOUR IS WHAT? TWELVE YEARS. PEOPLE IN NEBRASKA REJECTED THAT. TWO TIMES SIX IS WHAT? TWELVE YEARS. THEY REJECTED THAT IN 2012. THEY DO NOT WANT US IN HERE FOR 12 YEARS. THEY WANT US IN HERE FOR TWO FOUR-YEAR TERMS. THAT IS WHAT THEY WANT. THAT IS WHAT THEY BANGED ON DOORS, STOOD ON THE STREET CORNERS, GOT SIGNATURES, AND PUT ON THE BALLOT FOUR TIMES, FOUR DIFFERENT TIMES. THEY REMOVED THE STATE SUPREME COURT CHIEF JUSTICE BY THE VOTE OF THE PEOPLE BECAUSE OF TERM LIMITS. THE FOURTH TIME AFTER HE WAS REMOVED, THE SUPREME COURT SAID IT WAS CONSTITUTIONAL. THIS IS NOT JUST A SMALL ISSUE. THIS IS A BIG ISSUE TO THE FOLKS. THEY WENT THROUGH A LOT OF TROUBLE OVER THE LAST 20 YEARS TO KEEP...TO GET TWO FOUR-YEAR TERMS. DO WE HAVE THE RIGHT TO PUT IT ON THE BALLOT? YES, CONSTITUTIONALLY WE DO. DO WE HAVE THE RIGHT TO...WE COULD PUT ABOUT EVERYTHING WE ENACT IN HERE ON THE BALLOT IF WE WANTED TO AND PUT IT INTO THE CONSTITUTION. THAT'S WHAT DEMOCRACY IS. BUT THIS ONE HAS BEEN DECIDED. IT'S BEEN DECIDED FOUR OR FIVE TIMES BY THE PEOPLE. THE PEOPLE ARE NOT IN A CLAMOR TO CHANGE IT. THEY DON'T HAVE THE...SEEM TO HAVE THE SAME CONCERNS SOME OF US DO ABOUT THE FUNCTIONING OF THIS BODY. WE NEED TO LEAVE IT ALONE. SURE, I AGREE WITH SENATOR KRIST. I'M A BIG PROPONENT OF PEOPLE

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VOTING ON THINGS, BUT WE ARE ALSO A REPUBLIC WHERE WE HAVE RESPONSIBILITIES TO HONOR WHAT THE PEOPLE ALREADY DID AS ELECTED OFFICIALS. CALLED THE ELECTION OFFICE AND HE SAID IT TAKES ABOUT...ERIC (PHONETIC) SAID IT TAKES ABOUT \$75,000 TO PUT THIS ON THE BALLOT. WELL, THAT'S A LOT OF MONEY TOO. THERE WILL BE A LOT OF MONEY SPENT BY SPECIAL INTERESTS WHO WANT CERTAIN SENATORS TO STAY IN THERE TO TRY TO GET THIS PASSED, SO THERE'S MORE MONEY. AS FOR THE COST OF THE ELECTIONS, IN SIX YEARS IT'S GOING TO BE AS MUCH MONEY AS INDIVIDUALS WANT TO SPEND OR NOT SPEND. IT IS A CHOICE IN A FREE SOCIETY OF EACH CANDIDATE TO ACCEPT MONEY FROM LOBBYISTS, FROM FRIENDS, SPEND THEIR OWN MONEY, FROM SPECIAL INTERESTS, AND THEY CAN DO SO IF THEY RUN IN FOUR YEARS OR IN SIX YEARS. IT'S CALLED FREEDOM. BUT THIS AMENDMENT WON'T CHANGE HOW MUCH MONEY IS SPENT IN ELECTIONS. THAT WILL HAPPEN AS IT HAPPENS. THOSE WHO HAVE THE ABILITY TO RUN AND PRESENT THEIR IDEALS WON'T NEED A LOT OF MONEY. THOSE THAT DO...THAT DON'T WILL NEED A LOT OF MONEY TO GET ELECTED. THAT'S JUST THE WAY THE SYSTEM WORKS. BUT YOU DON'T PASS THIS THINKING MONEY IS...LESS MONEY IS GOING TO BE SPENT IN ELECTIONS. IT WILL BE SPENT AS LONG AS IT'S THERE AND AVAILABLE TO BE SPENT. THREE TIMES FOUR IS 12. TWO TIMES SIX IS 12. THE PEOPLE REJECTED 12 YEARS. I AGREE WITH SENATOR BLOOMFIELD, WE NEED A SEPARATE ISSUE TO TAKE CARE OF THE IDEAL THAT AN APPOINTED SENATOR CAN AT LEAST HAVE SIX TO EIGHT YEARS. SO I WOULD RECOMMEND MY...COLLEAGUES, LEAVE THIS LAY, LEAVE IT LIE. WE DON'T NEED TO STIR IT UP. I WOULDN'T WANT TO BE ON THE BALLOT IN TWO YEARS WHEN THIS WAS ON THE BALLOT IF I WAS RUNNING FOR REELECTION. THAT'S JUST COMMON SENSE BECAUSE YOU'RE GOING TO BE HIT WITH IT AND YOU'RE GOING TO HAVE TO MAKE A DECISION AND YOU'RE GOING TO HAVE...AND PEOPLE ARE GOING TO LOOK HOW YOU VOTED ON IT, NOT BECAUSE I'M THREATENING, IT'S BECAUSE POLITICS. WHOEVER RUNS AGAINST YOU WILL BRING THIS UP. THEY WILL LOOK AT THE VOTE IN 2012 AND THEY'LL SAY, HUH, 70 PERCENT IN THIS COUNTY DECIDED THAT TERM LIMITS, TWO FOUR-YEARS, WAS A GOOD IDEA, I THINK I'LL USE THAT. [LR7CA]

SENATOR COASH: ONE MINUTE. [LR7CA]

SENATOR GROENE: SO ANYWAY, LET'S JUST VOTE NO ON AM921. LET'S LET LR7CA PASS AWAY PEACEFULLY. WE DEBATED IT. I HAVEN'T HAD A BIG CLAMOR. THE ONLY E-MAILS I'M GETTING FROM FOLKS, AND PHONE CALLS, HAVE SAID, WHY ARE YOU TALKING ABOUT THIS? WE'VE DECIDED THIS. SO I STAND HERE AGAINST AM921 AND LR7CA IN PRINCIPLE. THANK YOU, MR. PRESIDENT. [LR7CA]

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SENATOR COASH: THANK YOU, SENATOR GROENE. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LR7CA]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I RISE WITH VERY SERIOUS RESERVATIONS ABOUT LR7CA, BUT I THINK ONE IMPORTANT PRINCIPLE IN THIS BODY IS THAT IT'S IMPORTANT TO MAKE OUR BILLS AS SOUND AS WE CAN, EVEN IF WE ARE NOT NECESSARILY IN SUPPORT OF THE FINAL BILL. AND I REALLY APPRECIATE SENATOR SCHUMACHER'S THOUGHTFULNESS IN TERMS OF PULLING TOGETHER AM921 AND THE WORK WITH THE EXECUTIVE COMMITTEE TO MAKE SURE IT'S A SOUND BILL FOR DEBATE AND VOTE. SO I WILL BE VOTING FOR AM921, BUT I DO NOT ANTICIPATE VOTING FOR LR7CA. AGAIN, I APPRECIATE THE THOUGHTFULNESS OF THE EXECUTIVE COMMITTEE IN TERMS OF THINKING ABOUT THIS BODY AND THE CONTINUITY IN THE BODY AND OUR ABILITY TO FUNCTION WELL. AND I UNDERSTAND WE HAVE SERIOUS ISSUES WITH CONTINUITY AND THAT WE HAVE BENEFITED FROM EXPERIENCED STAFF AND THAT HAS MADE IT EASIER FOR US TO DEAL WITH TERM LIMITS IN OUR STATE BECAUSE WE DO HAVE SUCH GREAT SENIOR STAFF ACROSS THE BOARD IN THIS LEGISLATIVE BODY. HOWEVER, JUST PRAGMATICALLY, I CANNOT IMAGINE THE CONSTITUTIONAL AMENDMENT PROVISION PASSING IF IT'S ON THE BALLOT BECAUSE IT'S REALLY THE WORST OF BOTH WORLDS. THOSE PEOPLE WHO ARE AGAINST...WHO DON'T LIKE TERM LIMITS ARE NOT GOING TO LIKE LR7CA BECAUSE IT'S STILL TERM LIMITS. IT STILL IS NOT THE BALLOT AS THE TERM LIMITS, SO PEOPLE WHO ARE PHILOSOPHICALLY OPPOSED TO TERM LIMITS ARE NOT GOING TO LIKE LR7CA. ON THE OTHER HAND, THOSE PEOPLE WHO LIKE TERM LIMITS DON'T THINK WE NEED 12 YEARS MORE THAN 8. SO I THINK BOTH, THIS...THE PROBLEM WITH LR7CA, THE POLITICAL PROBLEM WITH IT IS THAT YOUR MOST PASSIONATE PEOPLE AGAINST TERM LIMITS ARE GOING TO BE...EXCUSE ME, AGAINST TERM LIMITS ARE NOT GOING TO BE FIRED UP ABOUT LR7CA, AND THE PEOPLE WHO ARE FIRED UP ABOUT TERM LIMITS WILL BE FIRED UP TO DEFEAT LR7CA. SO I DON'T THINK THAT'S AN APPROPRIATE...I JUST DON'T THINK THAT'S GOING TO BE A SUCCESSFUL DISCUSSION AND VOTE TO REALLY ADDRESS THE CORE QUESTION, UNDERLYING PHILOSOPHICAL QUESTION, WHICH IS WHETHER TERM LIMITS ARE A GOOD IDEA OR NOT, PERIOD. AND I DON'T THINK WE'LL HAVE THAT DISCUSSION AND IT'S NOT AN EFFECTIVE TOOL FOR THAT DISCUSSION. I HAVE BEEN PLEASANTLY SURPRISED SINCE ARRIVING HERE AT HOW WELL WE DO ADAPT TO THIS NEW ENVIRONMENT. AS A POLITICAL SCIENTIST, I'M PHILOSOPHICALLY OPPOSED TO TERM LIMITS MYSELF, BUT HAVING COME HERE, I'VE BEEN IMPRESSED WITH HOW WE HAVE ADAPTED TO IT IN WAYS SUCH AS BUILDING CONTINUITY BETWEEN SENATORS--AS ONE SENATOR IS LEAVING, ANOTHER SENATOR STEPS

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UP TO PICK UP AN ISSUE--AND EXPANDING OUR ORIENTATION AND DOING OTHER THINGS TO MAKE SURE WE CAN STEP IN AND BE HIGHLY FUNCTIONAL FROM YEAR ONE. THERE IS NO LONGER, YEAR ONE IS YOUR ORIENTATION AND SIT DOWN AND SHUT UP. IT'S YOU'RE EXPECTED TO COME IN AND BE FUNCTIONAL AND BE EFFECTIVE FROM YEAR ONE, AND I HAVE TO SAY, I'VE BEEN VERY IMPRESSED WITH THE NEW MEMBERS THAT I'VE SEEN COME IN, AS I'VE BEEN HERE, IN TERMS OF THEIR ABILITY TO REALLY STEP IN AND BE EFFECTIVE FROM YEAR ONE. SO I WILL VOTE FOR AM921, BUT I DO NOT EXPECT TO VOTE FOR LR7CA. THANK YOU. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR CRAWFORD. SENATOR HADLEY, YOU'RE RECOGNIZED. [LR7CA]

SPEAKER HADLEY: MR. PRESIDENT, MEMBERS OF THE BODY, I WILL SUPPORT AM921. IF IT'S NOT ADOPTED, I WILL NOT VOTE FOR LR7CA. I THINK THE PEOPLE HAVE TOLD US WHAT THEY THINK OF THREE FOUR-YEAR TERMS, AND I THINK IT IS A LITTLE BIT OF A SLAP AT THEM TO COME RIGHT BACK AGAIN AND ASK THEM TO VOTE ON THE VERY THING THAT THEY VOTED ON BEFORE. BUT I WILL ALSO SAY, AS I GO TO DIFFERENT MEETINGS AROUND THE COUNTRY, I'M ALWAYS AMAZED AT HOW MANY PEOPLE I MEET THAT WILL TELL ME, YES, I WAS IN THE HOUSE AND I SPENT EIGHT YEARS, I WAS TERM LIMITED OUT AND NOW I'M IN THE SENATE AND SO I'M SPENDING EIGHT YEARS THERE, SO I'M SPENDING 6 YEARS...16 YEARS IN THEIR LEGISLATURE. WE DON'T HAVE THE BENEFIT OF HAVING TWO HOUSES THAT ALLOW PEOPLE TO GO BACK AND FORTH BETWEEN THEM. SO WHEN WE TALK ABOUT EXPERIENCE, THOSE STATES THAT HAVE TWO HOUSES AND ALLOW PEOPLE TO GO BACK AND FORTH ON A TERM-LIMITED BASIS DO BENEFIT FROM THAT KIND OF EXPERIENCE. THANK YOU, MR. PRESIDENT. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR HADLEY. SENATOR SCHEER, YOU'RE RECOGNIZED. [LR7CA]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. I RISE IN OPPOSITION TO AM921 AND LR7CA. I THINK THE PEOPLE WHEN THEY INSTITUTED TERM LIMITS KNEW WHAT THEY WERE VOTING ON, AND WE EITHER AGREE OR DISAGREE ON THAT, BUT IT IS THE LAW. THERE WAS, I KNOW THINKING BACK AT THAT POINT IN TIME, A GREAT DEAL OF THOUGHT THAT IF WE HAD TERM LIMITS THAT NO ONE WOULD HAVE ANY KNOWLEDGE, INSTITUTIONAL KNOWLEDGE, AND THERE WOULD BE A HUGE DROP-OFF WITHIN THE SYSTEM, WITHIN THE BODY. MY

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CLASS TWO YEARS AGO WAS THE FIRST CLASS OF THE LAST TO BE TERMED OUT. SO, MY FELLOW SENATORS, ALL OF US HERE TODAY ARE HERE BECAUSE OF TERM LIMITS. WE ARE A FUNCTIONING BODY. WE ARE ALL DOING I THINK A GOOD JOB, AND THE SKY HASN'T FALLEN. NOW I KNOW THAT SENATOR KRIST ON THE FIRST ROUND TALKED ABOUT NO ONE RUNNING AGAINST HIM. WELL, I CAN TELL YOU THAT IN MY DISTRICT, THERE WERE SEVERAL OCCASIONS WHEN NO ONE RAN AGAINST THE INCUMBENT. AND I KNOW THERE'S SEVERAL TIMES THAT PEOPLE THAT ARE SITTING ON THIS FLOOR THAT HAVE RAN UNOPPOSED. DOESN'T NECESSARILY MEAN THAT THERE'S NO OTHER QUALIFIED PEOPLE TO COME IN. IT JUST MEANS THAT THE BODY... THAT THEIR CONSTITUENTS WERE SATISFIED WITH THEM AND WANTED THEM TO SERVE ANOTHER FOUR YEARS. I DO AGREE WITH SENATOR CRAWFORD. I DON'T BELIEVE THAT TWO SIX-YEAR TERMS IS VERY VIABLE SUGGESTION FROM THIS BODY TO THE ELECTORATE. THAT IS INCREASING THE TERMS 50 PERCENT ON BOTH WAYS. I THINK THERE IS A CONCERN BY ELECTORATE THAT ONCE FOR SURE THAT YOU ARE REELECTED IN A TERMED BASIS, IF YOU GO OFF THE RESERVATION, THERE'S GOING TO BE A LOT OF PROBLEMS AND THERE'S NO WAY TO CORRECT THAT. AND NOW THAT WOULD BE FOR A SIX-YEAR PERIOD AND NOT A FOUR-YEAR PERIOD. I AS WELL THINK, LOOKING BACK AT PREVIOUS SENATORS BEFORE WE HAD TERM LIMITS, I SUSPECT THAT IF WE WENT BACK AND DID THE WORK, AND I'VE NOT DONE THAT SO THIS IS JUST OFF OF THE TOP OF MY HEAD, THAT ON AN AVERAGE PROBABLY EIGHT YEARS IS PRETTY CLOSE TO WHAT THE TERM WOULD HAVE BEEN. NOW I CAN TELL YOU I CAN THINK OF FOUR OR FIVE OFF THE TOP OF MY HEAD THAT SERVED WELL OVER 12 YEARS, MAYBE UP IN THE 20-YEAR PERIOD, OTHER THAN EVEN SENATOR CHAMBERS. BUT THEY ALL WERE REPLACED; EVEN SENATOR CHAMBERS WAS REPLACED FOR FOUR YEARS. THE BODY CONTINUES TO FUNCTION. WE ALL CONTINUE TO LEARN, WE ALL CONTINUE TO GET BETTER, AND THEN SOMEBODY REPLACES US. WE SHOULDN'T BE CONCERNED ABOUT BEING REPLACED. I DON'T KNOW ANYONE ON THIS FLOOR, MYSELF INCLUDED, THAT IS IRREPLACEABLE. I THINK I'M DOING A GOOD JOB. I PROBABLY WILL RUN FOR REELECTION. IF I'M ELECTED, I'M ELECTED AND I'LL CONTINUE TO DO THE JOB. BUT AT SOME POINT IN TIME, IT WILL BE SOMEBODY ELSE'S TIME, SOMEBODY ELSE'S SACRIFICE, SOMEBODY ELSE'S LEARNING CURVE, JUST LIKE EVERY ONE OF US ON THIS BODY RIGHT NOW HAS HAD TO DO. NOT ONE OF US HAVE SERVED OVER THAT EIGHT-YEAR PERIOD. WE'RE ALL STILL LEARNING, WE'RE ALL STILL FUNCTIONING, AND WE'RE STILL PASSING BILLS AND WE'RE PROVIDING GOOD LEADERSHIP AND LEGISLATION FOR THE STATE OF NEBRASKA. I WON'T VOTE FOR ANY OF THESE MESSAGES. [LR7CA]

SENATOR COASH: ONE MINUTE. [LR7CA]

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SENATOR SCHEER: THANK YOU, MR. PRESIDENT. I WON'T VOTE FOR EITHER OF THESE BECAUSE I DON'T THINK THEY'RE NEEDED. AND, YES, AS SENATOR MORFELD SAID, TERM LIMITS HAPPEN EVERY TWO YEARS BECAUSE THAT'S ELECTIONS. BUT TERM LIMITS ARE PART OF OUR CONSTITUTION NOW. IT'S NO LONGER AN OPTION. SENATOR KRIST SAID, WELL, GIVE THEM ANOTHER OPTION, AND I DON'T NECESSARILY DISAGREE WITH THAT. BUT HOW MANY TIMES DO WE GO BACK TO THE SAME ELECTORATE WITH DIFFERENT OPTIONS TRYING TO CHANGE THE ULTIMATE GOAL OF THE BILL? THEY VOTED FOR TERM LIMITS. FROM MY PERSPECTIVE, THEY HAVEN'T FAILED. WE HAVE QUALITY PEOPLE ON THIS FLOOR, EVERY ONE OF US. I'M JUST CONCERNED THAT WE CONTINUE TO PUT THIS IN FRONT OF THEM MAKING IT NOT AS IMPORTANT ISSUE BY DOING IT AS FREQUENTLY AS WE'VE BEEN DOING. THANK YOU, MR. PRESIDENT. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR SCHEER. SENATOR WATERMEIER, YOU ARE RECOGNIZED. [LR7CA]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. GOOD MORNING, NEBRASKA. I RISE IN OPPOSITION TO THE LEGISLATIVE RESOLUTION, AND I DO NEED TO GIVE A LITTLE EXPLANATION. I'VE RELUCTANTLY VOTED FOR THIS OUT OF COMMITTEE. I FELT LIKE IT WAS IMPORTANT THAT WE DID HAVE IT ON THE FLOOR AND WE WANTED TO TALK ABOUT IT, BUT I AM NOT IN FAVOR OF, CERTAINLY NOT IN FAVOR OF SIX-YEAR TERMS. I WOULD BE QUIETLY IN FAVOR OF FOUR THREE-YEAR TERMS, BUT IN GENERAL I AM GOING TO GO BACK TO THE BASICS OF EIGHT-YEAR TERMS. AND LET ME GIVE YOU JUST A LITTLE HISTORY OR MAYBE EXPLANATION AS TO HOW I'VE CAME TO THIS. IN ALL THE BOARDS, ALL THE ORGANIZATIONS THAT I'VE BEEN INVOLVED WITH, I HAVE ALWAYS BEEN RELUCTANT TO REDUCE THE NUMBER OF BOARD MEMBERS BECAUSE OF COST. I'VE ALWAYS BEEN RELUCTANT TO REDUCE ANYTHING THAT GETS IT CLOSER TO THE PEOPLE. I WAS INVOLVED IN SEVERAL DIFFERENT BOARDS THAT WE HAD TALKED ABOUT TAKING IT FROM A 17-MEMBER BOARD DOWN TO 11 OR 5, AND I'M JUST FUNDAMENTALLY OPPOSED TO THAT BECAUSE IT MAKES THAT LESS ACCESSIBLE TO THE PEOPLE. FOR INSTANCE, I MAY HAVE A NETWORK OF CLOSE FRIENDS OR PEOPLE THAT I DEAL WITH EVERY DAY OF 100 PEOPLE. BUT SENATOR HANSEN, WHO IS AS POPULAR AS HE IS, HE MAY HAVE 2,500 PEOPLE WHO IS HIS CIRCLE OF FRIENDS AND HIS CIRCLE THAT HE RELIES ON, HIS CIRCLE THAT HE VISITS WITH OR IS INFLUENCED BY. AND I JUST THINK IT'S HEALTHY TO TURN THAT OVER EVERY SO OFTEN ON SCHOOL BOARDS, ON NRDs, ON CITY, ON CITY COUNCILS. I JUST THINK IT'S A VERY POSITIVE THING TO DO. ANOTHER THING, YOU THINK ABOUT THE WORLD AND THE ENVIRONMENT THAT WE WORK IN TODAY. IN THE 1900s, INFORMATION DOUBLED EVERY 100 YEARS.

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EVERY CENTURY THE INFORMATION AND THE KNOWLEDGE THAT WE HAD DOUBLED. IN 2013, IT DOUBLES IN A YEAR. AND IT WON'T BE THAT FAR OFF IN WHICH INFORMATION, KNOWLEDGE, THE ENVIRONMENT THAT WE WORK IN WILL DOUBLE EVERY 12 HOURS. I JUST CAN'T SEE US GOING TO A SIX-YEAR TERM. I WOULD FIGHT A SIX-YEAR TERM WITH ABOUT AS MUCH ENERGY AS I HAVE TO GET ACTUALLY ELECTED. THANK YOU, MR. PRESIDENT. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR WATERMEIER. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR SCHUMACHER, YOU ARE RECOGNIZED TO CLOSE ON AM921. [LR7CA]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. I CERTAINLY ENJOYED THE DISCUSSION THIS MORNING. IT'S SURPRISING HOW NICE AND CIVIL THE DISCUSSION CAN BE WHEN THERE'S NO MONEY AT STAKE AND WHEN NONE OF US HAVE A PERSONAL STAKE IN THE BUSINESS AT HAND. BUT WE DO HAVE A STAKE AS STATE LEGISLATORS. AND THIS IS AN ISSUE THAT IS CLEARLY ONE OF CONCERN. LOOK AT THE VOTE COUNT ON THE ORIGINAL ADVANCING THIS MEASURE AMONG THE PEOPLE WHO HAVE BEEN HERE FOUR YEARS AND HAD NOTHING TO GAIN--14, 3, AND 2. THIS IS AN OPPORTUNITY FOR THE VOTERS TO SPEAK. I ALSO UNDERSTAND MATH. TWELVE DIVIDED BY SIX IS TWO TERMS. EIGHT DIVIDED BY FOUR IS TWO TERMS. THAT'S WHAT THE PEOPLE HAVE SPOKEN ON. THEY HAVE NOT HAD THE OPPORTUNITY TO LOOK AT THE SIX-YEAR PROPOSITION. WE KNOW, JUST AS SENATOR WATERMEIER JUST POINTED OUT, THAT THE AMOUNT OF INFORMATION, THE AMOUNT OF KNOWLEDGE NECESSARY TO NAVIGATE THIS WORLD IS BECOMING INCREASINGLY COMPLEX. AND THAT IS ONE OF THE STRONGEST ARGUMENTS FOR A LITTLE MORE TIME HERE TO ADJUST. THINK OF IT. YOU HAVE 90 DAYS, 60 DAYS, 90 DAYS, 60 DAYS; 300 DAYS, THAT'S IT, THEN YOU'RE UP FOR ELECTION AND YOU DO IT ALL OVER AGAIN. AND THAT'S LESS THAN TWO SOLID YEARS TO BE IN THE ALL THE COMMITTEES THAT YOU SERVE IN, TO UNDERSTAND THE ISSUES BEFORE YOU, TO UNDERSTAND THE COMPLEXITIES OF WHAT MIGHT HAVE HAPPENED, THINGS THAT YOU NEED INSTITUTIONAL MEMORY FOR. THIS PROPOSAL WILL ELECT A THIRD OF THE LEGISLATURE EVERY TWO YEARS. SO THERE'S ALWAYS SOMEBODY HANGING AROUND WITH SOME MEMORY OF WHAT HAPPENED BACK BEYOND EIGHT YEARS, AT LEAST FOR ANOTHER FOUR MORE YEARS BEYOND THAT. THIS IS A WISE THING TO PUT BEFORE THE VOTERS. IF YOU WATCH THE PRESS THAT THIS HAS GOTTEN, IT'S A DIVIDED ISSUE OUT THERE. THAT'S WHAT MAKES FOR GOOD DISCUSSION. THAT'S WHAT BRINGS PEOPLE TO THE POLLS TO VOTE IN THE OTHER RACES. IT'S THE KIND OF THING THAT THE PEOPLE SHOULD HAVE A CHANCE TO DO. THIS IS THE ONLY WAY

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THEY'RE GOING TO HAVE A CHANCE TO LOOK AT DIFFERENT PERSPECTIVES ON THIS BECAUSE THE COST OF A PETITION DRIVE ON THIS KIND OF ISSUE IS JUST TOO HIGH. SO I WOULD ENCOURAGE YOU TO VOTE FOR AM921, AND THEN LR7CA, SO THAT THE PEOPLE HAVE OPPORTUNITY TO SPEAK AND TO CONTINUE THE DISCUSSION ON GOOD GOVERNMENT. THANK YOU. [LR7CA]

SENATOR COASH: THANK YOU, SENATOR SCHUMACHER. MEMBERS, YOU'VE HEARD THE CLOSING TO AM921. THE QUESTION FOR THE BODY IS, SHALL AM921 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED WHO WISH? RECORD, MR. CLERK. [LR7CA]

CLERK: 27 AYES, 15 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR SCHUMACHER'S AMENDMENT. [LR7CA]

SENATOR COASH: AM921 IS ADOPTED. [LR7CA]

CLERK: I HAVE NOTHING FURTHER ON THE RESOLUTION, MR. PRESIDENT. [LR7CA]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LR7CA]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LR7CA TO E&R FOR ENGROSSING. [LR7CA]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. MEMBERS, AS PRESIDING OFFICER, I'M GOING TO ASK FOR A BOARD VOTE ON THE ADVANCEMENT OF LR7CA. MEMBERS, THE QUESTION FOR THE BODY IS, SHALL LR7CA ADVANCE TO E&R FOR ENGROSSING? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. SENATOR SCHUMACHER. [LR7CA]

SENATOR SCHUMACHER: FOR A ROLL CALL VOTE IN REVERSE ORDER. [LR7CA]

SENATOR CHAMBERS: CALL OF THE HOUSE. [LR7CA]

SENATOR COASH: THERE HAS BEEN A REQUEST FOR...TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL

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THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LR7CA]

CLERK: 47 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LR7CA]

SENATOR COASH: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. ALL UNEXCUSED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. MR. CLERK, THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE IN REVERSE ORDER. MEMBERS, THE QUESTION FOR THE BODY IS, SHALL LR7CA ADVANCE TO E&R FOR ENGROSSING. MR. CLERK, PLEASE READ THE ROLL. [LR7CA]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 1134-1135.) 20 AYES, 22 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LR7CA. [LR7CA]

SENATOR COASH: LR7CA DOES NOT ADVANCE. RAISE THE CALL. NEXT ITEM, MR. CLERK. [LR7CA]

CLERK: MR. PRESIDENT, LB183. SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB183]

SENATOR COASH: SENATOR JOHNSON, YOU ARE RECOGNIZED. [LB183]

SENATOR JOHNSON: THANK YOU, MR. PRESIDENT. JUST FOR A CLARIFICATION IN OUR DISCUSSION ON THE FLOOR ON MARCH 30, SENATOR SULLIVAN ASKED A QUESTION THAT WAS VERY LEGITIMATE. I DIDN'T HAVE THE ANSWER FOR THAT. WE THOUGHT MAYBE IT WOULD BE AN AMENDMENT. THE QUESTION WAS, WHEN DOES THE 15-DAY TIME CLOCK START IN ORDER TO SECURE YOUR BOND SO THAT YOU WOULD BE ABLE TO COLLECT IN CASE THE ELEVATOR FILED BANKRUPTCY OR WAS NOT ABLE TO MEET THEIR GRAIN OBLIGATION? UNDER THE UCC 3-105, IT DOES STATE THAT THE ACTUAL TRANSFER OF THE INSTRUMENT OR THE DATE THE CHECK IS GIVEN TO THE PRODUCER IS THE DAY THAT THAT CLOCK STARTS. SO THERE'S NO NEED FOR AN AMENDMENT. I WOULD ASK FOR YOUR SUPPORT OF LB183. THANK YOU, MR. PRESIDENT. [LB183]

SENATOR COASH: THANK YOU, SENATOR JOHNSON. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR HANSEN FOR A MOTION. [LB183]

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SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB183 TO E&R FOR ENGROSSING. [LB183]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. OPPOSED, NAY. LB183 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB183]

CLERK: MR. PRESIDENT, LB81, I HAVE NO E&Rs. SENATOR COOK WOULD MOVE TO AMEND WITH AM1186. (LEGISLATIVE JOURNAL PAGE 1135-1136.) [LB81]

SENATOR COASH: SENATOR CAMPBELL, YOU ARE RECOGNIZED TO OPEN ON AM1186. [LB81]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. COLLEAGUES, SENATOR COOK ASKED ME TO SUBSTITUTE FOR HER TODAY. AND SO AM1186 IS A NO-COST DATA REPORTING REQUIREMENT TO THE UNDERLYING LEGISLATION. THIS AMENDMENT REQUIRES THE DEPARTMENT OF HEALTH AND HUMAN AND HUMAN SERVICES, OF CHILDREN AND FAMILY SERVICES, TO REPORT ELECTRONICALLY TO THE GOVERNOR AND TO THE LEGISLATURE THE NUMBER OF FAMILIES IN TRANSITIONAL CHILDCARE ASSISTANCE PROGRAMS AND THE NUMBER OF FAMILIES NO LONGER ELIGIBLE FOR TRANSITIONAL CHILDCARE ASSISTANCE DUE TO INCOME GUIDELINES. I INTRODUCE THIS AMENDMENT IN CONCERT AND AGREEMENT WITH THE EXECUTIVE BRANCH. AND, IN FACT, I'VE BEEN TOLD THAT THEY HAD REQUESTED IT. THIS AMENDMENT WILL GIVE FUTURE LEGISLATURES AND GOVERNORS THE INFORMATION THEY NEED TO EFFECTIVELY EVALUATE LB81'S TRANSITIONAL CHILDCARE PROGRAM. I ASK FOR YOUR SUPPORT FOR AM1186, LB81, AND THEN THE TRAILING BILL. THANK YOU, MR. PRESIDENT. [LB81]

SENATOR COASH: THANK YOU, SENATOR CAMPBELL. MEMBERS, YOU'VE HEARD THE OPENING TO AM1186. FLOOR IS NOW OPEN FOR DISCUSSION. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR CAMPBELL, YOU'RE RECOGNIZED TO CLOSE. SENATOR CAMPBELL WAIVES CLOSING. THE QUESTION FOR THE BODY IS, SHALL AM1186 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB81]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR COOK'S AMENDMENT. [LB81]

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SENATOR COASH: AM1186 IS ADOPTED. [LB81]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB81]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB81]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB81 TO E&R FOR ENGROSSING. [LB81]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB81 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB81]

CLERK: LB81A. SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB81A]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB81A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB81A TO E&R FOR ENGROSSING. [LB81A]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB81A DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB81A]

CLERK: LB199. SENATOR, I HAVE E&R AMENDMENTS. (ER66, LEGISLATIVE JOURNAL PAGE 1029.) [LB199]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB199]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADOPT THE E&R AMENDMENTS TO LB199. [LB199]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. E&R AMENDMENTS ARE ADOPTED. [LB199]

CLERK: I HAVE NOTHING FURTHER ON THE BILL, SENATOR. [LB199]

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SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB199]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB199 TO E&R FOR ENGROSSING. [LB199]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB199 DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB199]

CLERK: LB199A. SENATOR, I HAVE NO AMENDMENTS TO THE BILL. [LB199A]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB199A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB199A TO E&R FOR ENGROSSING. [LB199A]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB199A DOES ADVANCE. NEXT ITEM, MR. CLERK. [LB199A]

CLERK: LB106, MR. PRESIDENT. I DO HAVE E&R AMENDMENTS, SENATOR. (ER69, LEGISLATIVE JOURNAL PAGE 1054.) [LB106]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB106]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADOPT THE E&R AMENDMENTS TO LB106. [LB106]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. THE E&R AMENDMENTS ARE ADOPTED. [LB106]

CLERK: SENATOR WATERMEIER, I HAD AM643 BUT I HAVE A NOTE YOU WISH TO WITHDRAW, SENATOR. [LB106]

SENATOR WATERMEIER: YES, MR. CLERK. [LB106]

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CLERK: I HAVE NOTHING FURTHER ON THE BILL, MR. PRESIDENT. [LB106]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB106]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB106 TO E&R FOR ENGROSSING. [LB106]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB106 IS ADVANCED. NEXT ITEM, MR. CLERK. [LB106]

CLERK: LB106A, SENATOR. I HAVE NO AMENDMENTS TO THE BILL. [LB106A]

SENATOR COASH: SENATOR HANSEN FOR A MOTION. [LB106A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADVANCE LB106A TO E&R FOR ENGROSSING. [LB106A]

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. THOSE OPPOSED SAY NAY. LB106A IS ADVANCED. MR. CLERK. [LB106A]

CLERK: THANK YOU, MR. PRESIDENT, SOME ITEMS. SENATOR JOHNSON WOULD LIKE TO PRINT AMENDMENTS TO LB360 AND SENATOR KINTNER (SIC--HAAR) TO LB67. (LEGISLATIVE JOURNAL PAGES 1137-1138.) [LB360 LB67]

MR. PRESIDENT, SPEAKER HADLEY WOULD MOVE TO RECESS THE BODY UNTIL 1:30 P.M.

SENATOR COASH: MEMBERS, YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR SAY AYE. OPPOSED SAY NAY. WE ARE ADJOURNED...OR IN RECESS.

RECESS

SENATOR KRIST PRESIDING

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SENATOR KRIST: GOOD AFTERNOON, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER. THE AFTERNOON SESSION IS ABOUT TO RECONVENE. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

CLERK: I HAVE A QUORUM PRESENT, MR. PRESIDENT.

SENATOR KRIST: THANK YOU. ANY ITEMS FOR THE RECORD?

CLERK: I HAVE NOTHING AT THIS TIME, MR. PRESIDENT.

SENATOR KRIST: THANK YOU, MR. CLERK. LET'S PROCEED TO THE FIRST ITEM ON THIS AFTERNOON'S AGENDA.

CLERK: MR. PRESIDENT, LB610. SENATOR HANSEN, I HAVE ENROLLMENT AND REVIEW AMENDMENTS, FIRST OF ALL. (ER68, LEGISLATIVE JOURNAL PAGE 1053.) [LB610]

SENATOR KRIST: SENATOR HANSEN FOR A MOTION. [LB610]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT WE ADOPT THE E&R AMENDMENTS TO LB610. [LB610]

SENATOR KRIST: YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR, AYE. OPPOSED, NAY. [LB610]

CLERK: SENATOR GROENE WOULD MOVE TO AMEND WITH AM1158. (LEGISLATIVE JOURNAL PAGE 1139-1145.) [LB610]

SENATOR KRIST: SENATOR GROENE, YOU ARE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB610]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. AS I TOLD YOU IN INITIAL DEBATE AND I TOLD THE SPONSORS, I SEE A NEED FOR IMPROVEMENTS ON OUR BRIDGES AND CULVERTS AT OUR COUNTY AND CITY LEVELS. I DO NOT SEE A NEED TO GIVE MORE MONEY TO THE STATE DEPARTMENT OF ROADS. THAT IS THE PURVEY (SIC) OF THE GOVERNOR AND HIS EMPLOYEE AND HE HAS ASKED

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US TO LISTEN TO HIM, WAIT FOR HIS NEW EMPLOYEE TO COME IN AND DO AN ANALYSIS OF THE DEPARTMENT, AND THEN COME TO US IF THEY BELIEVE THEY NEED MORE FUNDING. BUT THAT IS NOT THE CASE WITH COUNTIES AND CITIES. THEY ARE LOCAL GOVERNMENT, NOT UNDER THE PURVEY (SIC) OF THE GOVERNOR, AND THEY ARE BEGGING FOR HELP TO IMPROVE THEIR BRIDGES. ON AVERAGE, FUNDING NOW ON THE 2.8 CENTS THEY GET, THEY'RE MATCHING 40 TO 50 PERCENT PROPERTY TAXES WHEN STATE STATUTES SAY THEY ONLY NEED TO MATCH BY 25 PERCENT. SO MY AMENDMENT, WHICH I TOLD YOU I'D OFFER, WOULD DOUBLE THAT AMOUNT OF MONEY WE GIVE TO THE COUNTIES AND CITIES FROM 2.8 CENTS TO 5.8. THAT WOULD RAISE, USING THE NUMBERS FROM THE FISCAL OFFICE ON LB610, THE FISCAL NOTE, THAT WOULD RAISE \$35,560,000 FOR THE CITIES AND COUNTIES, WHICH THEY WOULD SPLIT 50/50. THE FUNDS WOULD NOT BE SUBJECT TO THE MATCHING OF THE LOCAL FUNDING OF 25 PERCENT. THAT IS MY ATTEMPT TO HOPE AND THINK THAT LOCAL OFFICIALS WOULD CUT PROPERTY TAXES IF WE HELP THEM WITH THEIR BRIDGES AND CULVERTS BECAUSE NOW THEY WOULDN'T HAVE TO MATCH THAT MONEY. THEY COULD OFFER THE CITIZENS A PROPERTY TAX CUT AND WE WILL SEE WHAT THEY WOULD DO. THIS AMENDMENT OF THE 2.8 CENTS WOULD SUNSET IN FIVE YEARS. IN FIVE YEARS, THE CITIES AND COUNTIES--IN 2021, OR '20, IS IT?--WOULD...THE MONEY WOULD DISAPPEAR. THEY CAN COME TO US AND PROVE TO US THAT THEY USED THE MONEY EFFICIENTLY AND EFFECTIVELY ON NEW BRIDGES. AND I ALSO ADDED THE WORD "CULVERTS" BECAUSE THAT TECHNOLOGY AND THAT ENGINEERING HAS IMPROVED. A LOT OF COUNTIES HAVE NOW WHEN THEY TEAR OUT AN OLD WOOD BRIDGE, THEY REPLACE IT WITH CULVERTS INSTEAD OF A CONCRETE BRIDGE, A LOT LESS MONEY, MORE EFFECTIVE, MORE EFFICIENT. THEY CAN GO WITH WIDER ROADS TO HANDLE THE TRAFFIC OF LARGER FARM EQUIPMENT. SO THEY WOULD BE ABLE TO USE IT ON CULVERTS, TOO, AND REPLACE OLD CULVERTS, PLUS REPLACE BRIDGES WITH CULVERTS. AND WHY I DO NOT BELIEVE, AS I SAID, IT'S THE GOVERNOR'S PURVEY (SIC), BUT ALSO THERE'S ANOTHER REASON WHY WE DO NOT NEED, I BELIEVE, TO BE GIVING THE STATE OF NEBRASKA DEPARTMENT OF ROADS ANY MORE MONEY: THEY'VE DONE A GOOD JOB. WE'RE RATED AS HIGH AS FIFTH IN THE NATION ON HOW OUR STATE ROADS ARE OUT OF 50 STATES. THEY'VE MAINTAINED THEM. THEY KEEP THEM UP. PLUS, THE SECOND THING IS, IN 2011 THIS BODY PASSED LB84, WHICH WAS THE BUILD NEBRASKA BILL, WHICH GAVE A QUARTER PERCENT OF OUR SALES TAX REVENUES TO ROADS. FOLKS, THAT JUST KICKED IN, IN '13-14, AND IT BROUGHT IN \$50 MILLION. IT'S EXPECTED TO BRING IN \$80 MILLION, CLOSE TO \$80 MILLION IN THE FUTURE FOR THE DEPARTMENT OF ROADS. THEY HAVE NOT EVEN PUT THAT INTO THEIR BUDGETS YET TO...AND THAT WILL REPLACE OTHER NEEDS. IT'S SUPPOSED TO

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BE EARMARKED FOR THE EXPRESSWAYS, BUT THEY HAD EXPRESSWAYS COMPLETION IN THEIR BUDGETS. THIS MONEY WILL REPLACE THAT AND THEY WILL BE...FREE UP A LOT OF MONEY TO DO OTHER MAINTENANCE WORK AND FIX THEIR BRIDGES. SO WHO NEEDS THE MONEY? IT'S THE COUNTIES. I'M PASSING OUT A HANDOUT TO EVERYBODY THAT HAS A BREAKDOWN OF ALL THE COUNTIES AND SHOWS WHICH COUNTIES...IT SHOWS...IT'S FROM THE STATE DEPARTMENT OF ROADS. WE FINALLY GOT THE BREAKDOWN BY COUNTY OF THOSE THAT ARE STRUCTURALLY DEFICIENT AND THOSE THAT ARE FUNCTIONALLY OBSOLETE. AND YOU CAN LOOK AT WHERE YOUR COUNTY LIES IN THAT MATTER. BUT IF WE WANT PROPERTY TAX RELIEF AND WE'RE GOING TO DO STATE SPENDING, INPUT COSTS ARE DOWN, ASPHALT IS GOING DOWN, CONCRETE IS GOING DOWN, FUEL IS GOING DOWN. IT'S A PERFECT TIME FOR THE CITIES AND COUNTIES TO BE FIXING THEIR BRIDGES. WE DECIDED TO GIVE THEM THE WHOLE 2.8 PERCENT RIGHT OFF THE TOP BECAUSE WHEN YOU PHASE THINGS IN, THERE'S NO GOOD WAY TO STUDY IF THEY EFFECTIVELY ARE USING THAT MONEY THE WAY WE WISH THEM TO DO IT. THERE'S TOO MANY EXCUSES AS TIME GOES BY, VARIABLES CHANGE. AND, FOLKS, THIS WOULDN'T KICK IN. THE MONEY IS GOING TO BE A YEAR BEHIND BEFORE THE FUNDS SHOW UP. SO THEY'VE GOT A YEAR TO PLAN WHICH PROJECTS THEY WANT TO DO, TO HAVE THE ENGINEERING DONE, TO HAVE THE CONTRACTORS LINED UP, AND FIX THE BRIDGES, FIX THE CULVERTS, AND GO FROM THERE. THAT'S WHERE THE PROBLEM IS. THAT'S WHAT WE'VE HEARD. THIS PINPOINTS IT. THIS ONLY ALLOWS THEM TO USE THE MONEY ON BRIDGES AND CULVERTS. THERE'S NO FUNNY GAMES SWITCHING THE MONEY AROUND IN THE BUDGET FROM THE CITY OR THE COUNTY. THEY HAVE TO PROVE TO US THEY ARE USING IT FOR THAT PURPOSE OR THEY DON'T GET THE MONEY. I WOULD HOPE YOU WOULD SUPPORT THIS. IT'S REASONABLE. IT DOESN'T PUT US AS THE HIGHEST TAX STATE IN THE AREA WHICH 6 CENTS WOULD. IT WOULD PUT US ABOVE EVEN IOWA AT 31 CENTS. THIS WILL KEEP US AT 28.4 CENTS, I BELIEVE. AND IT WOULD BE TARGETED TO WHAT'S NEEDED. AND IT WOULD BE TARGETED TO WHAT WE COULD DO, AN ASSESSMENT OF THE SUCCESS OF IT WHEN IT PASSED AFTER FIVE YEARS. SO I WOULD HOPE YOU WOULD SUPPORT THIS BILL, THIS AMENDMENT TO LB610. I'VE MET WITH SENATOR FRIESEN AND SENATOR SMITH. OF COURSE, THEY WISH I WOULDN'T DROP IT, BUT THEY WERE NONCOMMITTAL THAT I COULD NOT DROP IT, AND LET THE DEBATE BEGIN ON WHAT'S THE BEST WAY TO FIX OUR BRIDGES AND OUR CULVERTS. SHOULD WE JUST GIVE THEM THE MONEY AND HOPE IT'S DONE OR SHOULD WE GIVE THEM DIRECTION? SHOULD WE GIVE THEM DIRECTION THAT THIS IS WHAT WE WANT YOU TO DO, THIS IS WHAT YOU ARE FREE TO DO? PLUS YOU DON'T HAVE TO MATCH IT WITH 25 PERCENT OF THE PROPERTY TAXES OR MORE. YOU CAN NOW GIVE THE

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PEOPLE PROPERTY TAX RELIEF BECAUSE WE ARE TAKING SOME OF THE BURDEN OFF OF YOUR BUDGETS. SO I APPRECIATE THE TIME AND I'LL ANSWER ANY QUESTIONS AS WE GO. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR GROENE. BEFORE WE CONTINUE WITH DEBATE, SENATOR HADLEY, YOU'RE RECOGNIZED, SPEAKER HADLEY, FOR AN ANNOUNCEMENT. [LB610]

SPEAKER HADLEY: MR. PRESIDENT, MEMBERS OF THE BODY, I WOULD LIKE TO GIVE YOU A LITTLE OVERVIEW OF WHAT I SEE AND HOPEFULLY SEE FOR THE WEEK. I EXPECT TO SEE LB610, OBVIOUSLY, THIS AFTERNOON. I WOULD LIKE TO BRING LB610 TO A CONCLUSION THIS AFTERNOON, WHICH MAY MEAN THAT WE HAVE TO STAY AFTER, A LITTLE AFTER 5:00 TO GET IT TAKEN CARE OF. TOMORROW MORNING, WE'LL GO BACK TO THE WORKSHEET AND START WORKING ON GENERAL FILE THERE. TOMORROW AFTERNOON WE'LL BRING UP THE CORRECTIONS BILLS. AND THERE WILL BE A CORRECTIONS DIVISION, AND THAT IS THE LB605, THE CSG CORRECTIONS RECOMMENDATIONS BILL, THE LB598, WHICH IS TREATMENT AND SEGREGATION OF MENTALLY ILL INMATES, AND LB173 IS TO CHANGE HABITUAL CRIMINAL PROVISIONS. WE WILL STAY ON THAT UNTIL WE GET THOSE THREE TAKEN CARE OF, PROBABLY INTO WEDNESDAY ON THAT. MY EXPECTATION IS TO START THURSDAY ON CAPITAL PUNISHMENT. THURSDAY MORNING, I ANTICIPATE THAT THAT WILL BE EXTENDED DEBATE AND WE WILL FINISH THAT UP THE NEXT TUESDAY THEN TO FINISH UP THAT BILL. NOW THAT'S MY HOPE THAT WE CAN GET THERE. BUT I CAN'T GUARANTEE EXACTLY HOW THINGS ARE GOING TO FIT. BUT I WANTED YOU TO HAVE SOME IDEA OF WHERE WE WERE GOING THE NEXT WEEK OR SO. THANK YOU. [LB610 LB605 LB598 LB173]

SENATOR KRIST: SPEAKER HADLEY, YOU'RE THE FIRST ONE IN THE QUEUE. DID YOU WANT TO SPEAK ON THE BILL ITSELF? [LB610]

SPEAKER HADLEY: YES. [LB610]

SENATOR KRIST: SPEAKER HADLEY, YOU ARE RECOGNIZED. THOSE OTHERS IN THE QUEUE, SMITH, MURANTE, McCOY, BRASCH, AND OTHERS. SENATOR HADLEY. [LB610]

SPEAKER HADLEY: MR. PRESIDENT, MEMBERS OF THE BODY, QUITE OFTEN I DO NOT SPEAK ON BILLS. I'M SPEAKING ON THIS BECAUSE OF SIX YEARS ON THE

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TRANSPORTATION COMMITTEE AND SIX YEARS ON THE REVENUE COMMITTEE. I THINK THERE ARE TWO QUESTIONS THAT WE HAVE. FIRST OF ALL, IS THERE A PROBLEM? SECONDLY IS, HOW DO WE SOLVE THE PROBLEM? I THINK THERE IS NO QUESTION THAT WE HAVE A PROBLEM. I SENT OUT A COUPLE HANDOUTS. THE FIRST ONE IS SIGNIFIED BY "A." BASICALLY OUT OF 14,601 RURAL BRIDGES, 2,621, OR 18 PERCENT, ARE CALLED STRUCTURALLY DEFICIENT. TWENTY PERCENT...OR 18 PERCENT OF RURAL BRIDGES, COUNTY BRIDGES IN NEBRASKA ARE STRUCTURALLY DEFICIENT. IN THE URBAN AREAS, IT'S INTERESTING, ONLY 33 OUT OF 773 BRIDGES ARE STRUCTURALLY DEFICIENT, ONLY 4 PERCENT. STRUCTURALLY DEFICIENT SAYS BRIDGES REQUIRING SIGNIFICANT MAINTENANCE, REHABILITATION, OR REPLACEMENT. I HANDED OUT HANDOUT A BECAUSE I WANTED TO LOOK AT THE COUNTIES THAT HAVE MORE THAN 20 PERCENT OF THEIR COUNTY BRIDGES STRUCTURALLY DEFICIENT. SENATOR BLOOMFIELD HAS THREE COUNTIES. SENATOR DAVIS HAS, WHAT, SIX COUNTIES. SENATOR EBKE HAS ONE. FRIESEN HAS ONE. HUGHES HAS TWO; JOHNSON, ONE; KINTNER, ONE; KOLTERMAN, ONE; SCHUMACHER, TWO; SULLIVAN, FOUR. AND I THOUGHT IT WAS JUST INTERESTING, SENATOR WATERMEIER HAS...EVERY ONE OF HIS COUNTIES IN HIS DISTRICT HAVE 20 PERCENT OR HIGHER STRUCTURALLY DEFICIENT BRIDGES. SO I THINK THERE ISN'T A QUESTION THAT WE'VE GOT A PROBLEM. ANOTHER WAY OF LOOKING AT THE PROBLEM IS LOOK NATIONALLY. THE THIRD HIGHEST STATE FOR STRUCTURALLY DEFICIENT BRIDGES IS IOWA. THE FIFTH IS SOUTH DAKOTA. THE SIXTH IS NEBRASKA. OF ALL 50 STATES, NEBRASKA RANKS SIXTH IN THE PERCENTAGE OF STRUCTURALLY DEFICIENT BRIDGES. WE'RE RIGHT AT 18 PERCENT. THE NATIONAL AVERAGE FOR STRUCTURALLY DEFICIENT BRIDGES IS 11 PERCENT. SO FIRST OF ALL, I DON'T THINK THERE'S A QUESTION THAT THERE IS A PROBLEM. NOW HOW DO WE...THE SECOND QUESTION IS, HOW DO WE SOLVE THE PROBLEM? WELL, I THOUGHT IT WAS INTERESTING THAT IOWA AND SOUTH DAKOTA THAT I JUST TALKED ABOUT, WHO RANKED THIRD AND FIFTH NATIONALLY IN STRUCTURALLY DEFICIENT BRIDGES, BOTH RAISED THEIR GAS TAXES. SOUTH DAKOTA WENT UP 6 CENTS; IOWA WENT UP 10 CENTS. IT SEEMS TO ME THAT THAT MAKES SOME SENSE. AND BEFORE YOU THINK, WELL, THAT'S BECAUSE THEY'RE DIFFERENT STATES, BOTH IOWA AND SOUTH DAKOTA, THE REPUBLICANS HAVE A MAJORITY IN THE HOUSE IN BOTH STATES, THE SENATE IN SOUTH DAKOTA, AND THE DEMOCRATS HAVE A MAJORITY IN THE SENATE IN IOWA. BOTH HAVE STRONGLY REPUBLICAN GOVERNORS AND BOTH OF THEM PASSED GAS TAX INCREASES TO TAKE CARE OF THEIR PROBLEMS IN STRUCTURALLY DEFICIENT BRIDGES. THEN I HEARD THE...I'VE HEARD A LOT OF THE ARGUMENTS THAT PEOPLE IN NEBRASKA DO NOT WANT TO RAISE TAXES. I THINK THAT'S TRUE IF YOU GO OUT AND JUST ASK,

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DO YOU WANT TO RAISE YOUR TAXES? NO. BUT IF YOU SAY, ARE YOU WILLING TO RAISE TAXES FOR THIS PURPOSE, YOU GET DIFFERENT ANSWERS. [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SPEAKER HADLEY: THE B HANDOUT I GAVE YOU IS A LISTING IN THE LAST TWO YEARS OF 42 CITIES IN THE STATE THAT HAVE EITHER IMPLEMENTED OR RAISED SALES TAXES. THEY ACCOUNT FOR 20 PERCENT OF THE POPULATION OF NEBRASKA, LIVE IN CITIES THAT IMPLEMENTED OR RAISED TAXES, SALES TAXES. SO THE IDEA THAT NEBRASKANS DO NOT WANT TO RAISE TAXES I THINK NEEDS TO BE COUCHED IN TERMS OF INCREASED TAXES FOR WHAT. IF YOU GO TO PEOPLE AND SAY, I...JUST GIVE ME THE MONEY, I'LL DO WHAT I CAN, THEY'LL SAY NO. YOU GO TO THEM AND SAY, I WILL USE THE MONEY FOR REPAIRING THE STRUCTURALLY DEFICIENT BRIDGES IN THE STATE, I THINK THEY WOULD SAY YES. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SPEAKER HADLEY. SENATOR SMITH, YOU'RE RECOGNIZED. [LB610]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, COLLEAGUES, AND THANK YOU, SENATOR HADLEY. I THINK YOU HIT ON A NUMBER OF THE POINTS THAT I WANTED TO HIT ON AS WELL. AND I APPRECIATE YOUR COVERING SOME OF THOSE AREAS OF DEFICIENCY. COLLEAGUES, I, ALONG WITH SENATOR HADLEY, I SENT OUT...I HANDED OUT TO YOU A NUMBER OF THINGS, A COUPLE OF PAGES. AND I BELIEVE ONE OF THEM REFLECTS WHAT SENATOR HADLEY WAS MENTIONING, AND THESE ARE THE COUNTY BRIDGES THAT ARE DEFICIENT OR OBSOLETE BY COUNTY. SO IT SHOWS YOU YOUR TOTAL NUMBER OF BRIDGES AND IT SHOWS YOU THE NUMBER OF BRIDGES THAT ARE DEFICIENT OR OBSOLETE BY EACH OF YOUR COUNTIES. I ENCOURAGE YOU TO TAKE A LOOK AT THOSE. AND THEN SOMETHING ELSE THAT'S VERY MEANINGFUL, COLLEAGUES, IS A SINGLE-PAGE HANDOUT THAT I GAVE YOU THAT ARE DEFICIENT BRIDGES. AND THESE ARE IN 2014 RATED THE TOP TEN MOST TRAVELED STRUCTURALLY DEFICIENT BRIDGES IN THE STATE. AND OF THE TOP TEN, EIGHT ARE IN DOUGLAS COUNTY, ONE IS IN SARPY, AND ONE IS IN MADISON. AND THESE BRIDGES ARE REFLECTED IN...SENATOR RIEPE, YOU HAVE TWO THESE BRIDGES IN YOUR DISTRICT. SENATOR HILKEMANN, YOU HAVE ONE OF THESE BRIDGES IN YOUR DISTRICT, HAS 32,400 DAILY CROSSINGS. THIS IS THE PACIFIC STREET OVER BIG PAPILLION CREEK. SENATOR NORDQUIST, YOU HAVE ONE OF THESE BRIDGES, SENATOR KRIST, SENATOR CRAWFORD, SENATOR COOK,

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AND THEN ROUNDING OUT THE RURAL AREAS, SENATOR SCHEER AND SENATOR SCHNOOR. CONGRATULATIONS, YOU'RE RANKED IN THE TOP TEN MOST TRAVELED STRUCTURALLY DEFICIENT BRIDGES IN THE STATE. AND, INTERESTINGLY, LET'S SEE, ONE, TWO, THREE, FOUR, FIVE, HALF OF THESE ARE STATE OWNED, HALF OF THESE ARE CITY OWNED. AND THESE ARE NOT COUNTY BRIDGES. SO WHEN WE TALK ABOUT WHETHER WE HAVE NEEDS IN OUR CITIES AND WITH STATE BRIDGES AS WELL, YES, INDEED WE DO. WE'VE BEEN TALKING A LOT ABOUT COUNTIES AND MY HEART GOES OUT TO THE COUNTIES AND TO THE RURAL DISTRICTS BECAUSE I KNOW THEY HAVE THE GREATEST NEEDS IN REPAIRING THEIR BRIDGES AND THEIR ROADS. AND THEY HAVE SOME OF THE GREATEST STRUGGLES IN FUNDING. AND WE DO HAVE A HALF A CENT GOING TO THE COUNTIES. BUT WE ALSO HAVE A HALF A CENT GOING TO THE CITIES TO ADDRESS SOME OF THESE HIGHLY TRAVELED BRIDGES AND ROADS. I BELIEVE THE WORLD-HERALD IDENTIFIED THAT THE BACKLOG IN COUNTIES IN RURAL NEBRASKA, \$2.5-BILLION BACKLOG IN ROADS AND BRIDGES ACCORDING TO A RECENT STUDY IN THE WORLD-HERALD. AND WE GO ON AND ON. AND WE CAN CERTAINLY PROVIDE THE EVIDENCE OF THE STRUCTURALLY DEFICIENT AND THE NEEDS THAT WE HAVE IN OUR BRIDGES AND OUR ROADS, THERE'S NO QUESTION ABOUT IT, STUDY AFTER STUDY. AND THESE ARE NOT IN THE TENS OF THOUSANDS, HUNDREDS OF THOUSANDS, OR TENS OF MILLIONS. THESE ARE IN THE HUNDREDS OF MILLIONS OF DOLLARS OF BACKLOG. AND SO WHILE I ABSOLUTELY AGREE WITH GAINS AND EFFICIENCIES CAN BE FOUND AND WORKED ON, GAINS AND EFFICIENCIES, COLLEAGUES, ARE NOT GOING TO ADDRESS THIS ENORMOUS BACKLOG THAT WE HAVE. THIS IS THE RIGHT TIME. THE STATES AROUND US, THE DECLINE IN VALUE OF FEDERAL FUNDS, IT'S A PERFECT STORM. AND WE HAVE TO ADDRESS THIS AND WE HAVE AN OPPORTUNITY TO ADDRESS IT THE RIGHT WAY WITH THIS USER FEE GAS TAX OR WE'RE GOING TO BE COMING BACK YEAR AFTER YEAR AND DIPPING INTO THE GENERAL FUNDS TO TRY TO FIND MONEY TO MEET THESE NEEDS. AND AGAIN, COLLEAGUES, I CANNOT IMPRESS UPON YOU ENOUGH THE GAINS IN EFFICIENCY WILL NOT MAKE A DENT IN THIS BACKLOG THAT WE HAVE TODAY. SO WE HAVE TO ADDRESS THIS. SO, SENATOR GROENE, I JUST WANTED TO ADDRESS ONE THING. AND I KNOW I DID SIT DOWN WITH YOU AND I LOOKED AT THIS AMENDMENT AND I APPRECIATE YOUR RESPECTFUL APPROACH... [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR SMITH: ...OF BRINGING THIS AMENDMENT AND INTRODUCING IT. BUT WE DID NOT HAVE...YOU DID NOT RECEIVE A NONCOMMITTAL FROM ME. WE DID HAVE A CONVERSATION IN YOUR OFFICE IN WHICH I SAID I WOULD PREFER

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THAT YOU NOT INTRODUCE THAT AMENDMENT, THAT I DISAGREE WITH THAT AMENDMENT. IT TAKES AWAY THE FUNDING FROM THE STATE AND WE DO HAVE HUGE NEEDS IN OUR STATE. WHETHER IT'S THE EXPRESSWAYS, ONE-THIRD OF EXPRESSWAYS WHICH ARE STILL YET TO BE WORKED ON, THE LARGE AMOUNT OF CAPITAL IMPROVEMENTS, THE INFRASTRUCTURE DEFICIENCIES IN THE STATE, THE STATE NEEDS FUNDING AS WELL, COLLEAGUES. AND SO I DO NOT WANT TO ABANDON THE STATE AND FOCUS ONLY ON THE COUNTIES AND CITIES. WE HAVE TO MEET ALL THREE NEEDS. THANK YOU, MR. PRESIDENT, FOR YOUR TIME. THANK YOU, COLLEAGUES. [LB610]

SENATOR KRIST: THANK YOU, SENATOR SMITH. (VISITORS INTRODUCED.)
SENATOR MURANTE, YOU ARE RECOGNIZED. [LB610]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD AFTERNOON. I RISE IN CONTINUED OPPOSITION TO LB610, BUT IN SUPPORT OF WHAT SENATOR GROENE IS TRYING TO DO WITH AM1158. I'VE HAD AN OPPORTUNITY TO GET TO KNOW SENATOR GROENE. HE SERVES AS A MEMBER OF THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE. AND A CONSISTENT THEME WHICH HE HAMMERS HOME, ONE OF THE ISSUES THAT WE DEAL WITH ON OUR COMMITTEE, IS THE ISSUE OF UNFUNDED MANDATES AND MANDATES TO THE COUNTIES. AND I KNOW SENATOR GROENE IS A VERY FIRM BELIEVER THAT THE COUNTIES OF THE STATE, ESPECIALLY THE COUNTIES IN HIS DISTRICT AND THE SURROUNDING AREAS, ARE WELL RUN, THEY ARE EFFICIENT, AND THAT THEY NEED MORE SUPPORT TO DO THE VITAL SERVICES WHICH THEY PROVIDE. AND HE'S BEEN CONSISTENT ON THAT MESSAGE, AND AM1158 CERTAINLY REFLECTS THAT MENTALITY. I'M NOT AS CONVINCED AS SENATOR GROENE IS THAT, WITH THE ADOPTION OF AM1158 AND THE POTENTIAL FOR THE PASSAGE OF LB610 AS AMENDED, THAT PROPERTY TAXES WOULD GO DOWN ANY. I AM OF THE BELIEF THAT WHEN THE STATE HAS PROVIDED AID TO COUNTIES AND IN VARIOUS FORMS OR FASHIONS ALLEVIATED THE BURDENS, RATHER THAN LOWERING THEIR PROPERTY TAX LEVIES, THEY SPEND MONEY ON WHAT THEY FEEL IS HIGHER PRIORITIES, WHICH IS THEIR PREROGATIVE. THAT'S WHY WE HAVE COUNTY BOARDS. SO I DON'T SEE THIS AS A PROPERTY TAX REDUCTION PROPOSAL, BUT IT IS A STEP IN THE RIGHT DIRECTION AND I THANK SENATOR GROENE FOR BRINGING IT. HOWEVER, I REMAIN IN OPPOSITION TO LB610 FOR A MYRIAD OF REASONS. FIRST OF ALL, THE PEOPLE OF NEBRASKA HAVE SAID LOUD AND CLEAR THAT THE TAXES IN THIS STATE ARE TOO HIGH. THAT'S NOT A CLICHE AND THAT'S NOT A TALKING POINT. THAT IS THE GENUINELY HELD BELIEF OF THE OVERWHELMING MAJORITY OF THE PEOPLE OF NEBRASKA. AND WE HAVE PROPOSALS IN THIS LEGISLATURE TO LOWER THE

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TAX BURDEN, ESPECIALLY ON THE LEAST FORTUNATE AMONG US. BUT IT APPEARS HIGHLY LIKELY THAT THIS LEGISLATURE WILL NOT SEE ON THE FLOOR OF THE LEGISLATURE SERIOUS AND MEANINGFUL TAX RELIEF THIS YEAR. AND TO PURSUE A TAX INCREASE IN A CLIMATE WHERE THE PEOPLE OF NEBRASKA HAVE HAD ENOUGH AND IN A CLIMATE WHERE TAX RELIEF APPEARS TO BE STALLED AT THE MOMENT IS THE WRONG THING TO DO. AND PERHAPS IF THERE WAS SOME SORT OF COMPREHENSIVE PACKAGE WHEREIN WE COULD PROVIDE SOME OF THE TAX RELIEF THAT THE GOVERNOR OUTLINED IN HIS STATE OF THE STATE ADDRESS, WE COULD CONSIDER AN OVERALL TAX PACKAGE WHERE THE PRIORITIES EMPHASIZED IN LB610 WOULD BE THE RIGHT WAY TO GO. BUT AS WE SIT HERE, ON APRIL 13, OBSERVING THE REMAINDER OF THE CALENDAR AS OUR DAYS DRAW SHORT, I FIND THAT TO BE A HIGHLY UNLIKELY EVENTUALITY. SO, COLLEAGUES, UNTIL WE CAN GET THE TOP PRIORITY OF THE PEOPLE OF NEBRASKA ACTIVELY DEBATED ON THE FLOOR OF THE LEGISLATURE, AND THAT TOP PRIORITY BEING TO PROVIDE TAX RELIEF... [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR MURANTE: ...ACROSS THE BOARD, NOT JUST TO ZOOS, NOT JUST TO NONPROFIT ORGANIZATIONS, BUT TO EVERYDAY TAXPAYING NEBRASKANS, WHEN WE CAN HAVE THAT DISCUSSION ON THE FLOOR, THEN MAYBE THE TIME WILL BE RIGHT TO PASS LB610. BUT WE'RE NOT THERE YET. AND I FEAR THAT WE'RE NOT GOING TO GET THERE THIS YEAR. SO I URGE MY COLLEAGUES, LET'S REJECT LB610. SENATOR SMITH IS CORRECT ABOUT THE MAIN OF THE ISSUE, WHICH IS THAT WE HAVE INFRASTRUCTURE NEEDS IN THIS STATE, A MASSIVE AMOUNT OF INFRASTRUCTURE NEEDS. UNFORTUNATELY, LB610 MERELY SCRAPES THE SURFACE OF ADDRESSING THOSE NEEDS. AND UNLESS WE LOOK AT A REFORM OF HOW WE FUND THE ROADS SYSTEM IN THE STATE OF NEBRASKA, WE'RE GOING TO BE RIGHT BACK HERE IN A COUPLE OF YEARS BECAUSE THIS DOES NOT FIX THE PROBLEM. THIS... [LB610]

SENATOR KRIST: TIME, SENATOR. [LB610]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR MURANTE. SENATOR McCOY, YOU'RE RECOGNIZED. [LB610]

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SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. I RISE IN STRONG OPPOSITION TO LB610. AS I SAID ON GENERAL FILE, I FIND IT VERY DISAPPOINTING THAT IN MY SEVENTH YEAR HERE IN THE LEGISLATURE WE'RE TALKING ABOUT A TAX INCREASE IN A YEAR WHEN I THINK THE VAST MAJORITY OF NEBRASKANS SEEK TAX RELIEF, NOT TAX INCREASES. WOULD SENATOR SMITH YIELD TO A QUESTION, PLEASE? [LB610]

SENATOR KRIST: SENATOR SMITH, WILL YOU YIELD? [LB610]

SENATOR SMITH: YES, I WILL. [LB610]

SENATOR McCOY: THANK YOU, SENATOR. IN THE COURSE OF EITHER THE E&R VERSION OF LB610 OR THE INTRODUCED GREEN COPY VERSION, CAN YOU OUTLINE FOR ME WHERE LB610 TALKS ABOUT TAKING CARE OF OUR DEFICIENCY IN BRIDGE INTEGRITY ISSUE THAT WE FACE ACROSS THE STATE? [LB610]

SENATOR SMITH: WELL, I THINK YOU KNOW, SENATOR McCOY, THAT IT DOES NOT SPECIFICALLY TALK ABOUT DEFICIENT BRIDGES IN THE AMENDMENT OR IN THE BILL ITSELF. [LB610]

SENATOR McCOY: THANK YOU, SENATOR. THAT'S EXACTLY THE CASE. IF YOU LOOK THROUGH THE BILL, THE BILL DOES NOT MENTION BRIDGES, NOT ONE TIME, YET HERE WE ARE. I FIND IT INTERESTING THAT SENATOR HADLEY, WHO I HAVE RESPECT FOR, HE AND I ARRIVED AT THE LEGISLATURE AT THE SAME TIME; HOWEVER, I THINK IT'S DISINGENUOUS TO STAND UP HERE AND TALK ABOUT THE DEFICIENCY IN BRIDGES ACROSS OUR STATE AND THINK THAT THIS BILL, LB610, IS GOING TO TAKE CARE OF THAT PROBLEM OR EVEN REMOTELY ADDRESS THAT PROBLEM. THIS BILL DOES NOT REQUIRE THE STATE THROUGH THE DEPARTMENT OF ROADS TO ADDRESS THE BRIDGE SITUATION. THIS BILL DOES NOT REQUIRE 93 COUNTIES ACROSS THE STATE TO ADDRESS THE BRIDGE SITUATION. THERE IS NO MECHANISM TO SAY, TAKE YOUR MOST STRUCTURALLY DEFICIENT BRIDGES AND FIX THEM AS QUICKLY AS POSSIBLE. THERE IS NOTHING OF THE KIND IN THIS BILL. THERE ISN'T EVEN INTENT LANGUAGE, WHICH WE OFTEN HAVE IN LEGISLATION; THERE ISN'T EVEN INTENT LANGUAGE IN LB610 TO ASK THE STATE, THE CITIES, OR THE COUNTIES TO ADDRESS THIS SITUATION. NO, MEMBERS, INSTEAD WE HAVE A \$75 MILLION TAX INCREASE TO GO FOR WHAT? WE'RE NOT EVEN ASKING THOSE WHO WOULD RECEIVE IT TO PRIORITIZE HOW THEY SPEND IT. I FIND THAT OBJECTIONABLE TO THE HIGHEST

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DEGREE. I'LL REPEAT AGAIN. THIS IS A \$75 MILLION TAX INCREASE. THERE IS NO WAY TO SUGARCOAT THAT. THERE IS NO WAY TO COUCH IT A DIFFERENT WAY. THERE'S NO WAY TO SPIN IT. THAT'S WHAT IT IS. AND TO SAY THAT SOMEHOW SOUTH DAKOTA AND IOWA PASSED GAS TAX INCREASES IN ORDER TO ADDRESS THEIR BRIDGE ISSUES, I BELIEVE, IS ALSO DISINGENUOUS BECAUSE IF YOU ACTUALLY GO LOOK, THEY DIDN'T ADDRESS IT EITHER. WE DO HAVE A PROBLEM WITH A NUMBER OF AGING BRIDGES, STRUCTURES ACROSS NEBRASKA. NOT A ONE OF US, I DARESAY, WOULD ARGUE WITH THAT. BUT, MEMBERS, I THINK WE ALL HAVE A LOT OF GOOD IDEAS AS TO HOW TO ADDRESS THAT SITUATION. [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR McCOY: YOU'LL PROBABLY HEAR SOME DISCUSSION. YOU HEARD IT ON GENERAL FILE. YOU'LL HEAR IT AGAIN. WE COULD TALK ABOUT BONDING, WHICH WE DID LAST YEAR, BUT THERE WERE A GOOD NUMBER OF YOU THAT WERE NOT HERE FOR THAT DISCUSSION. WE COULD TALK ABOUT ADDRESSING OUR BRIDGE SITUATION OUT OF THE CASH RESERVE, OUT OF THE GENERAL FUND, GOING TO A HALF CENT OF EXISTING SALES TAX REVENUE INSTEAD OF THE QUARTER CENT. THERE ARE MANY DIFFERENT OPTIONS. BUT, INSTEAD, WE CHOSE TO DEFAULT TO A TAX INCREASE. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR McCOY. THOSE STILL WISHING TO SPEAK, SENATOR BRASCH, KINTNER, SCHEER, FRIESEN, BOLZ, AND OTHERS. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB610]

SENATOR BRASCH: THANK YOU, MR. SPEAKER, AND GOOD AFTERNOON, COLLEAGUES. I ALSO WANT TO STAND AND BE PERFECTLY CLEAR THAT I DO OBJECT TO LB610. AND THE AMENDMENT, ALTHOUGH THERE IS GOOD INTENT THERE, WE DON'T HAVE A PLAN. LET'S BE CLEAR. WHAT IS THE PLAN? WHO WILL START GETTING THEIR BRIDGE FIRST? AND AS SENATOR McCOY MENTIONED, THE WORD "BRIDGE" IS NOT IN THE BILL. BUT WHO IS FIRST IN LINE? MY CONSTITUENTS HAVE EXPRESSED WAITING IN LINE 20, 30 YEARS FOR HIGHWAY 275 TO GET FINISHED. SO WHO IS NEXT? WHAT IS THE PLAN? WILL THE BRIDGE WORK BE DONE INDEPENDENTLY BY ALL 93 COUNTIES? HOW DOES THAT WORK? OR WILL IT BE DONE IN REGION? WILL WE WORK NORTH TO SOUTH, EAST TO WEST? NINETY-THREE COUNTIES, HOW MANY BRIDGES ARE WORKED ON IN ONE YEAR? CAN WE WORK ON TEN BRIDGES IN ONE YEAR WITH 93 COUNTIES? WILL IT BE NINE YEARS OUT OR DO WE DO 20 BRIDGES? I DON'T KNOW HOW MANY

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BRIDGES CAN BE DONE IN ONE YEAR. WHAT ARE THE EXPECTATIONS? AND I'M LOOKING AT HANDOUTS TODAY. I DON'T SEE BURT COUNTY, CUMING COUNTY, OR WASHINGTON COUNTY ON ANY OF THESE LISTS OF THE WORST BRIDGES, THE TOP 20, THE TOP 10. BUT I DO GET CALLS FROM MY COUNTY SAYING WE HAVE A BRIDGE THAT CANNOT WAIT A MINUTE LONGER. BUT THEY'RE GOING TO WAIT, I THINK. YOU KNOW, I DON'T KNOW. WE DON'T HAVE A NEW ROADS DIRECTOR. PERHAPS THERE IS ANOTHER PLAN. THE EXPECTATIONS HERE ARE WHAT I FIND VERY CONCERNING. DURING OUR INTERIM STUDIES WE HEARD THERE'S 15,000 BRIDGES IN OUR STATE. YOU KNOW, WHAT IS THE WAITING LIST? WHAT IS THE QUEUE? AND WHEN LB84 WAS DESIGNED TO BRING MONEY INTO OUR ROADS AND OUR COUNTIES THAT THAT ONLY STARTED BRINGING REVENUES IN, IN OCTOBER OF 2013 FOR THE COUNTIES, SEPTEMBER FOR THE MUNICIPALITIES. WE ARE JUST NOW REALIZING THAT FUNDING. AND I'M CONCERNED THAT OUR EXPECTATIONS FROM OUR DIFFERENT COUNTIES ARE GOING TO BE NOT MET AND THEY'RE GOING TO THINK THERE'S GOING TO BE INSTANT BRIDGES. WELL, I THINK IT TAKES SOME PERMITTING. IT TAKES BEING SHOVEL READY. THAT WORK AHEAD OF THEM IS NOT AN OVERNIGHT SOLUTION. WHEN WE LOOK AT THE COMMERCIAL CARRIERS WANTING TO HAVE THIS WORK DONE, THEY PASS THAT COST ON TO THE CONSUMER. THAT COST COMES BACK TO THE PEOPLE WHO THEY ARE SHIPPING FOR. THAT IS NOT A COST THAT IS GOING TO BRING THEIR BUSINESS ANY INCREASE OR DECREASES, BUT IT WILL COME BACK TO THE POCKETS. AND THIS MORNING I DID REMEMBER, I SHARED A STORY WHERE IT WAS I THINK LAST YEAR THAT IT WAS A COLD, RAINY DAY. I WAS LOW ON GAS FOR MY VEHICLE AND STOPPED AT ONE OF THE GAS STATIONS JUST A COUPLE BLOCKS FROM THE CAPITOL HERE. AS I WAS GETTING OUT OF MY VEHICLE, A YOUNG LADY JUST BUMPED RIGHT PAST ME, WENT RUNNING IN. I WAS RIGHT BEHIND HER. SHE PULLED OUT A CARD TO BUY SOME FUEL AND SHE SAID, \$5, PLEASE. THIS WOMAN NEEDED \$5 OF GAS. THAT'S ALL SHE NEEDED. [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR BRASCH: AND I LOOKED AND I HAD A \$20 BILL JUST IN MY POCKET. I LAID IT ON THE COUNTER. I THOUGHT I WAS GOING TO PAY FORWARD AND JUST GIVE, YOU KNOW, \$20 OF GAS ONCE IN AWHILE. BUT WHEN THE LADY RAN HER CARD, SHE SAID, MA'AM, THERE IS NO MONEY ON THIS CARD. AND THE WOMAN LOOKED AT ME AND THAT \$20 BILL AND SHE BROKE OUT CRYING. SHE SAID, YOU JUST BOUGHT GAS TO TAKE MY DAUGHTER TO SCHOOL. THERE ARE PEOPLE WHERE EVERY DOLLAR COUNTS. WHEN THAT PRICE GOES FROM OUR COMMERCIAL INDUSTRY DOWN TO THE INDIVIDUAL CONSUMERS, I AM

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CONCERNED. PEOPLE ARE ASKING FOR TAX RELIEF, NOT A TAX INCREASE. AND WHEN WE MET ON LB...BEFORE LB84, THERE ARE 31 WAYS TO FUND ROADS AND BRIDGES THAT WERE DISCUSSED--31 DIFFERENT WAYS. PEOPLE WITH THE FUEL-EFFICIENT CARS, THEY USE THE ROADS JUST AS MUCH. [LB610]

SENATOR KRIST: TIME, SENATOR. [LB610]

SENATOR BRASCH: BUT THEY'RE NOT USING THE FUEL. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LB610]

SENATOR KRIST: THANK YOU, SENATOR BRASCH. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB610]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, ONE OF MY COLLEAGUES SAID THAT THE REPUBLICANS IN SOUTH CAROLINA AND IOWA INCREASED THEIR GAS TAX. WELL, JEEZ, THAT MAKES ME FEEL BETTER. YOU KNOW, I LOOK BACK IN OHIO AND REPUBLICANS HAVE A VETO-PROOF MAJORITY IN THE HOUSE AND THE SENATE AND THEY INCREASED SPENDING 17 PERCENT. SHOULD WE DO THAT? I THINK OUR PROBLEMS ACROSS THE COUNTRY ARE BIPARTISAN IN NATURE. IT'S A BIPARTISAN INABILITY TO CONTROL SPENDING AND A BIPARTISAN INABILITY TO CUT TAXES. AND WHEN YOU GET TO NEBRASKA, THAT IS CERTAINLY TRUE. WE HAVE A BIPARTISAN SPENDING PROBLEM AND A BIPARTISAN PROBLEM WITH CUTTING TAXES AND A BIPARTISAN PROBLEM WITH SPENDING. SO THOSE OF YOU WHO THOUGHT YOU COULD ELECT REPUBLICANS AND FIX YOUR PROBLEMS, GUESS AGAIN. ALL OF OUR PROBLEMS, THERE'S ENOUGH BLAME TO GO AROUND ALL OF US AROUND HERE. I WANT TO REPEAT WHAT I SAID IN THAT NO ONE IS ARGUING THAT WE DON'T HAVE INFRASTRUCTURE NEEDS. SENATOR SMITH HAS DONE A VERY GOOD JOB IN SHOWING US THAT WE HAVE INFRASTRUCTURE NEEDS, BOTH STATE AND LOCAL. HE'S POINTED OUT THAT PROBABLY A GAS TAX IS A USER FEE. THAT'S PROBABLY THE BEST WAY TO DO IT. BUT WHEN PEOPLE HAVE TOLD ME NOTHING--AND THEY TOLD YOU THIS, TOO, BY THE WAY, EACH OF MY COLLEAGUES--AND THEY'VE TOLD US NOTHING BUT CUT THESE TAXES, CUT THE TAXES, THEY'VE SPOKEN LOUD AND CLEAR. AND WE CANNOT DO THAT. AND THEN WE COME AND WE SAY, BUT WE CAN INCREASE YOUR TAXES. WHAT KIND OF SLAP IN THE FACE IS THAT? I COULDN'T IMAGINE ANYTHING MORE INSULTING TO THE PEOPLE OF OUR STATE THAN TO SAY, WE CAN'T FIGURE HOW TO CUT YOUR TAXES, BUT WE SURE AS HECK CAME TOGETHER TO RAISE THEM. I COULDN'T THINK OF A WORSE MESSAGE. I COULDN'T THINK OF A BIGGER

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INSULT. AND I THINK IT'S THE ABSOLUTE WRONG TIME TO DO THIS. SO IN ORDER TO GET MY SUPPORT FOR THIS, AND YOU CAN HAVE MY SUPPORT FOR THIS, WE WILL HAVE TO CUT TAXES FIRST. YOU CAN'T RAISE TAXES NOW WITH SOME VAGUE PROMISE WE'LL GET TO THAT TAX RELIEF LATER BECAUSE I DON'T BELIEVE IT. I DON'T BELIEVE THAT WE HAVE TAX RELIEF UNTIL WE PASS THE BILL AND THE GOVERNOR SIGNS IT AND THEN I CAN TOUCH IT IN MY HAND. THAT'S WHEN I'LL BELIEVE IT. AT THAT POINT, I WILL THEN LOOK AT A USER FEE ON GASOLINE AS THE BEST WAY TO PAY FOR INFRASTRUCTURE. BUT TO DO IT THE OTHER WAY AROUND I THINK IS THE ABSOLUTELY WRONG THING TO DO. THIS TAX IS PROBABLY THE RIGHT TAX AT THE WRONG TIME AND I ENCOURAGE MY COLLEAGUES TO JUST SAY NO; RIGHT NOW, JUST SAY, NO, THIS IS NOT THE RIGHT TIME TO DO THIS. AND I THINK IF YOU DO THAT, YOU CAN GO BACK AND LOOK YOUR CONSTITUENTS IN THE EYE AND SAY, I STAND FOR SOMETHING, I STAND FOR YOUR FAMILY BUDGET, AND BEFORE I'M WILLING TO DIP INTO YOUR FAMILY BUDGET ANY MORE, WE'RE GOING TO HAVE TO CUT SOMEWHERE. I THINK IF YOU SAY THAT, IF YOU DO THAT, I THINK YOU'RE GOING TO BE IN GOOD SHAPE WITH YOUR CONSTITUENTS. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR KINTNER. SENATOR SCHEER, YOU ARE RECOGNIZED. [LB610]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF LB610 AND OPPOSITION TO AM1158. AM1158 ESSENTIALLY STRIPS THE DOLLARS AVAILABLE IN LB610 FOR STATE PURPOSES. THE STATE HAS AS MANY PROBLEMS AS MUNICIPALITIES AND COUNTIES AND MORE SO. I WOULD LIKE TO CORRECT THE COMMENT THAT SENATOR GROENE MADE IN REGARDS TO WE'VE ALREADY GOT THE EXPRESSWAYS UNDER CONTROL THAT ARE PLANNED. WELL, I TELL YOU WHAT, THE EXPRESSWAY SYSTEM STARTED OVER 20 YEARS AGO. ONE OF THOSE EXPRESSWAYS WAS 275 FROM NORFOLK TO OMAHA. WE'RE NOT EVEN ON THE BOARD YET. I DON'T KNOW HOW PATIENT PEOPLE ARE SUPPOSED TO BE. THE HEARTLAND EXPRESS OUT IN SCOTTSBLUFF, IT'S BEEN ON THE DRAWING BOARD FOR 20-PLUS YEARS. WE'RE STILL BEING PATIENT. WE HAVE A PROBLEM IN NEBRASKA AND SOMETIMES IT CAN BE A GOOD PROBLEM, SOMETIMES BAD. OUR GROWTH IS ALL AROUND THE METROPOLITAN AREAS. I'M NOT ARGUING WITH THE FACT THAT DOLLARS SHOULD FLOW TO WHERE POPULATION IS AT. AND RIGHT NOW, THAT'S WHERE IT'S GOING, IS OMAHA AND LINCOLN TO BUILD THE INFRASTRUCTURE. BUT THAT'S ON A STATE AND FEDERAL BASIS. IF YOU LOOK AT THE STRUCTURALLY DEFICIENT BRIDGES, EIGHT OUT OF TEN ARE EVEN IN DOUGLAS COUNTY. THEY CAN'T KEEP UP WITH THEIR OWN GROWTH. NOW LOOK AT THE LIST OF THE COUNTIES THAT ARE ABOVE 18 PERCENT

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DEFICIENT. THEY'RE ALL RURAL. AND WHY? BECAUSE THERE'S NO DOLLARS AVAILABLE TO GO OUTSIDE IN THE RURAL AREAS. JUST BECAUSE POPULATION IS CONCENTRATING IN SOME AREAS OF THE STATE AND NOT OTHERS, DOESN'T MEAN THAT THOSE OTHER PARTS OF THE STATE DON'T NEED INFRASTRUCTURE HELP AND MAINTENANCE AS WELL. WE'VE TALKED ON THE FIRST ROUND ABOUT THE EFFICIENCIES OF VEHICLES AND TRUCKS. WE'RE NOT USING AS MUCH GAS. WE'RE TRAVELING MORE MILES, SAME WEAR AND TEAR, MORE WEAR AND TEAR, LESS DOLLARS COMING IN. NO ONE TALKED ABOUT THE FACT THAT INFLATION, THE COST OF REPAIR ON ROADS IN THE LAST 10 TO 15 YEARS, THEY'VE PROBABLY DOUBLED OR TRIPLED WITH THE SAME AMOUNT OF MONEY. AND CARS ARE TRAVELING MORE DISTANCES. IT JUST DOESN'T WORK. THE EQUATION IS BROKEN. JUST LIKE TEEOSA, JUST LIKE ALL OF THOSE THAT WANT SOME TYPE OF MEANINGFUL TAX REFORM OR REDUCTION, ROADS DON'T WORK EITHER. ROADS HAVE ALWAYS BEEN A USER FEE. THAT IS EXACTLY WHAT WE'RE TALKING ABOUT, IS A CATCH-UP IN USER FEES. IT'S 6 CENTS OVER FOUR YEARS, ABSOLUTELY, BUT IT ALSO HELPS COUNTIES, MUNICIPALITIES, AND THE STATE START TO CATCH UP IN THEIR DEFICIENCIES. THIS ISN'T SOMETHING THAT'S GOING TO GO AWAY IN FIVE YEARS, SENATOR GROENE. THIS IS SOMETHING THAT'S GOING TO BE HERE LONG TERM THAT WE NEED TO CONTINUE TO WORK AT AND IMPROVE. IF WE WANT THE STATE TO GROW AND PROSPER, NOT JUST THE METROPOLITAN AREAS BUT THE RURAL AREAS AS WELL, WE HAVE TO START PUTTING MONEY BACK INTO THE INFRASTRUCTURE. WE HAVE TO MAKE SURE THAT WE HAVE GOOD ROADS. WE GROW ALL THE CROPS OUT IN THE RURAL AREAS. IF WE DON'T HAVE BRIDGES TO TAKE THOSE CROPS ACROSS, WE JUST GOING TO LET THEM SIT IN THE FIELD? BECAUSE EVEN IF YOU FEED IT OUT, YOU STILL HAVE TO GET THE CATTLE AWAY, YOU HAVE TO GET THE HOGS AWAY. THERE IS NO WAY AROUND IT. WE HAVE TO HAVE ROADS. WE HAVE TO HAVE GOOD INFRASTRUCTURE. THIS ISN'T THE BLAME OF THE OMAHA OR LINCOLN AREAS. THIS ISN'T THE BLAME OF THE RURAL AREAS. THIS IS A GOOD PART OF THE STATE BECAUSE WE ARE GROWING. OUR POPULATION IS GROWING. UNFORTUNATELY, IT IS GROWING AROUND THE METROPOLITAN AREAS AND THEY DO TAKE THE BULK OF THE DOLLARS THAT WE ARE GENERATING RIGHT NOW, AS WELL AS THEY SHOULD. [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. BUT WE STILL HAVE HUGE DEFICIENCIES; BY SENATOR HADLEY'S SHEET A SHOWS ALL THE COUNTIES THAT WE HAVE MAJOR DEFICIENCIES. SOMEWHERE, SOMEHOW WE HAVE TO GET THOSE COUNTIES SOME ADDITIONAL HELP. THIS DOES THAT. THE STATE ALSO

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NEEDS HELP. WE HAVE AN UNFINISHED EXPRESSWAY THAT'S BEEN ON THE BOARD FOR OVER 20 TO 25 YEARS. WE NEED TO GET IT FINISHED. WE NEED TO HELP RURAL NEBRASKA AS WELL. WE NEED TO HELP WITH THE INFRASTRUCTURE IN RURAL NEBRASKA. I SUPPORT LB610. I AM OPPOSED TO AM1158. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR SCHEER. SENATOR FRIESEN, YOU ARE RECOGNIZED. [LB610]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. FORTUNATELY, WHEN I WAS RUNNING FOR OFFICE I DIDN'T MAKE PEOPLE ANY PROMISES WHATSOEVER EXCEPT I'D COME HERE AND I'D DO MY JOB. I SAID I WOULD WORK ON PROPERTY TAXES BECAUSE I DO BELIEVE THEY'RE TOO HIGH. BUT I CAN'T IGNORE EVERYTHING ELSE UNTIL MY PROPERTY TAXES ARE ADDRESSED. I CAN'T JUST LOOK ASIDE AND SAY WE HAVE TO FIX MY PROPERTY TAXES BEFORE I'M GOING TO ADDRESS ANY OF YOUR OTHER ISSUES. THAT'S NOT HOW THIS SYSTEM WORKS. YOU KNOW, AT TIMES WE TRY TO PASS BILLS HERE THAT EXERT OUR INFLUENCE ON COUNTIES AND THEY PUSH BACK AND THEY SAY, YOU KNOW, WE DICTATE TOO MUCH. AND NOW SUDDENLY WE'RE SUPPOSED TO DICTATE WHICH BRIDGE THEY FIX, WHICH ROAD THEY FIX. I DON'T WANT TO GO THERE. I'LL LEAVE THAT UP TO MY COMMISSIONERS. I DO HAVE ONE COUNTY IN MY DISTRICT ON THE LIST. I ASSUME THEY'RE GOING TO PRIORITIZE BRIDGES WITH THIS MONEY. I HAVE OTHER COUNTIES IN MY DISTRICT THAT ARE NOT ON THE LIST. I AM GOING TO SEE TO IT THAT THEY WILL USE IT ON ROADS AND BRIDGES BECAUSE THAT'S WHERE THE FUEL-TAX MONEY SHOULD BE USED. BUT I WILL SEE TO IT THAT THEY HOLD THEIR LEVY DOWN BECAUSE OF IT. THEY ARE ON A NICE ROADS AND BRIDGE PROGRAM. I THINK THEY CAN LOWER THEIR PROPERTY TAX LEVY. SO I REALLY DO LOOK AT THIS AS PROPERTY TAX RELIEF. I DIDN'T COME HERE WITH THE INTENTION OF RAISING THE GAS TAX, BUT I'M NOT AFRAID OF IT. IF I SO MUCH AS LOSE THE ELECTION THIS NEXT TIME AROUND, SO BE IT. I CAME HERE. I DID MY JOB. I WILL BE ABLE TO SLEEP AT NIGHT. THE STATE IS RESPONSIBLE FOR INFRASTRUCTURE. THAT IS ONE OF OUR BASIC NEEDS. SAFETY OF ITS PEOPLE, EDUCATION, INFRASTRUCTURE, THIS FITS THAT PACKAGE. I DON'T HAVE A PROBLEM WITH IT. THE AVERAGE PERSON IF THEY DRIVE 15,000 MILES A YEAR AND HAVE A FUEL-EFFICIENT CAR ADDS \$30 TO THEIR TAX BILL. DRIVING ON A BAD ROAD, WHAT DOES THAT COST YOU? WHAT DOES THAT COST YOU IN SHOCKS, TIRES, FRONT-END ALIGNMENTS, FUEL MILEAGE? THOSE COSTS ARE IN THE MILLIONS. NO ONE CAN DENY THAT. I WILL AVOID A BAD ROAD GOING TO MARKET FOR MY CROPS IF I CAN. I WILL PICK A DIFFERENT MARKET BECAUSE OF THE ROAD. THERE ARE SEVERAL COUNTY

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ROADS OUT THERE THAT I WILL AVOID AT ALL COSTS. THOSE ARE FACTORS NO ONE WANTS TO TALK ABOUT. WHEN YOU GET FURTHER OFF OF THE I-80 AND YOUR COMMUNITIES JUST HAVE HIGHWAYS, TWO-LANE HIGHWAYS LEADING TO THEM, HOW ARE THEY SUPPOSED TO HAVE ECONOMIC DEVELOPMENT WHEN THEY HAVE BAD ROADS? IT'S ABOUT IMPOSSIBLE. THE SALES TAX WAS DEDICATED TO THE FOUR-LANE SYSTEM. NONE OF THAT IS GOING TO GO HELP. WE HAVE INTERSTATE WORK BEING CONSTANTLY DONE. IF THE STATE DETERMINES THAT THEY'VE GOT TOO MUCH MONEY, THEY CAN ALWAYS LOWER THEIR EXPECTATION ON THE VARIABLE RATE. THEY CAN KNOCK OFF SOME IF THEY FEEL THEY HAVE TOO MANY DOLLARS THAT THEY CAN'T SPEND IT ALL. THE REASON WE RAMPED THIS TAX UP OVER A FOUR-YEAR PERIOD IS THAT IT GIVES COUNTIES AND CITIES TIME TO DO STRATEGIC PLANNING. IT GIVES YOU TIME TO ATTEND A CITY COUNCIL MEETING OR A COUNTY BOARD MEETING AND TELL THEM WHICH BRIDGE YOU THINK SHOULD BE REPLACED. THERE ISN'T A RUSH TO SPEND THE MONEY. THEY'RE GOING TO HAVE TIME TO DO PLANNING, ENGINEERING. MAYBE WE NEED TO LOOK AT REDUCING SOME REGULATIONS ON SOME OF THOSE COUNTY ROADS AND HIGHWAYS. [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR FRIESEN: WE'VE GOT TIME TO DO THAT. YOU KNOW, WE HAVE TALKED A LOT ABOUT WHAT WE WANT TO DO FIRST HERE. NOW I SEE WE WANT TO DO TAX CUTS. I'D LOVE TO SUPPORT TAX CUTS. BUT OUR INFRASTRUCTURE, WE'VE ALL SAID HOW FAR BEHIND WE ARE. WE'RE IN THE BILLIONS OF DOLLARS. YOU'RE RIGHT. THIS DOES NOT FIX IT. BUT STANDING BACK AND JUST DOING NOTHING DOESN'T FIX IT EITHER. THAT'S THE EASY THING TO DO. THE POLITICALLY EXPEDIENT THING TO DO IS SIT BACK, DO NOTHING, KICK IT DOWN THE ROAD, LET'S DO IT SOME OTHER TIME. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR FRIESEN. THOSE STILL WISHING TO SPEAK, SENATOR BOLZ, GLOOR, JOHNSON, GROENE, KEN HAAR, AND OTHERS. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB610]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. AND I RISE TO ADD MY VOICE TO THOSE IN OPPOSITION TO LB610. I WANT TO PREFACE MY COMMENTS BY SAYING I RESPECT SENATOR SMITH IN HIS ATTEMPT TO HAVE A SOLUTION-ORIENTED APPROACH. I THINK THERE'S CLEAR RECOGNITION THAT WE HAVE CHALLENGES WITH INFRASTRUCTURE IN THE STATE AND I APPRECIATE HIS WILLINGNESS TO PUT AN OPTION ON THE TABLE. HOWEVER, I CANNOT FORGET WHAT OCCURRED

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LAST YEAR, WHICH WAS THE REJECTION OF A BILL THAT WOULD HAVE USED BONDING TO ADDRESS THESE INFRASTRUCTURE NEEDS TO THE TUNE OF \$200 MILLION AT A LOW INTEREST RATE BASED ON OUR EXISTING BUDGET. I JUST BELIEVE THAT THIS IS A... THAT IS A BETTER STRATEGY FOR MAXIMIZING OUR RESOURCES. FORTY OTHER STATES BOND AND 40 OTHER STATES HAVE BEEN ABLE TO ADDRESS IT IN A FISCALLY RESPONSIBLE MANNER. AS MUCH AS I UNDERSTAND THE CHALLENGES AND THE CONNECTION OF ROADS TO OUR ECONOMIC DEVELOPMENT NEEDS, I SIMPLY DON'T THINK THAT THIS IS THE SOLUTION. COLLEAGUES, WE NEED A SOLUTION, I AGREE. BUT I DON'T WANT ANYONE ON THIS FLOOR TO THINK THAT THIS IS THE ONLY SOLUTION. THERE ARE OTHER OPTIONS ON THE TABLE AND I THINK IT'S OUR JOB AS SENATORS, AS REPRESENTATIVES OF OUR PEOPLE, TO WORK TOWARDS THOSE SOLUTIONS. AND THE REASON THAT I DON'T THINK THAT THIS IS THE RIGHT SOLUTION IS NOT JUST BECAUSE I THINK BONDING IS A BETTER SOLUTION, BUT ALSO BECAUSE GAS TAXES ARE WHAT I WOULD CALL A KITCHEN-TABLE ISSUE. THIS IS ONE OF THOSE ISSUES THAT WHEN THE COST OF GAS INCREASES, YOU SEE FAMILIES PUTTING THEIR HEADS TOGETHER OVER KITCHEN TABLES AND TRYING TO PROBLEM SOLVE, TRYING TO DEAL WITH HOW THEY'LL GET THROUGH THE WEEK TO COMMUTE TO WORK AND KEEP GAS IN THE TANK. SO, COLLEAGUES, I JUST BELIEVE THAT WE NEED TO CONTINUE TO WORK TOWARDS THE BEST POSSIBLE SOLUTION FOR OUR CONSTITUENTS. AND I WILL YIELD THE REMAINDER OF MY TIME TO SENATOR HADLEY. [LB610]

SENATOR KRIST: SENATOR HADLEY, 2:55. [LB610]

SPEAKER HADLEY: YES, THANK YOU, MR. PRESIDENT. I JUST WANTED TO BE SURE THAT I MADE MYSELF CLEAR ON THE SCHEDULE. THE PLAN IS, IF THINGS WORK RIGHT, TO GO TO THE DEATH PENALTY DEBATE ON THURSDAY, THURSDAY MORNING--WE NORMALLY GET DONE EARLY IN THE AFTERNOON--AND THEN FINISH IT UP ON MONDAY. WE COME BACK ON MONDAY. I MIGHT HAVE SAID TUESDAY, BUT I MEANT MONDAY WE WILL FINISH THE DEATH PENALTY DEBATE. THANK YOU, MR. PRESIDENT.

SENATOR KRIST: THANK YOU, SPEAKER HADLEY. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB610]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, MEMBERS. A COUPLE OF YEARS AGO, I STRAPPED ON WORK BOOTS, A HELMET, A SAFETY VEST, AND WENT WITH A COUPLE OF HIGHWAY ENGINEERS AND SPENT A DAY

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TRAVELING AROUND THE BETTER PART OF OUR DISTRICT, OUR HIGHWAY DISTRICT. AND THE PLACE WE SPENT MOST OF OUR TIME WAS CLIMBING UNDER BRIDGES. I THINK OUR HIGHWAY ENGINEERS KNOW WHERE THE PROBLEM IS. I THINK THEY RECOGNIZE BRIDGES ARE A MAJOR PART OF THE PROBLEM. IT'S THE REASON THAT THEY TOOK ME UNDER BRIDGES TO TAKE A LOOK AT THE NEED FOR OUR INFRASTRUCTURE IN THIS STATE AS RELATES TO ROADS. I WANT TO SPEND MOST OF MY TIME TALKING ABOUT HISTORY HERE. AND I HAVE TO TELL YOU, IF YOU'VE HEARD CLICKING IT'S BECAUSE I CONTINUE TO ROLL MY EYES WHEN I HEAR WE'RE GOING TO HAVE A NEW DIRECTOR OF THE DEPARTMENT OF ROADS, LET'S LET THE GOVERNOR GET THIS PERSON IN PLACE, SAVE MONEY, AND THINGS WILL WORK OUT WELL. I DON'T HAVE ANY DOUBT THAT OUR NEW GOVERNOR...AND, IN FACT, I'VE BEEN VERY IMPRESSED WITH HIS TALKING ABOUT THE FUTURE, BEING FORWARD THINKING, AND THE REPLACEMENTS THAT HE HAS CURRENTLY BROUGHT IN. BUT THIS BODY HAS ITS OWN RESPONSIBILITY TO TAKE CARE OF THE NEEDS OF THIS STATE. AND GOING BACK TO THE PREVIOUS ADMINISTRATION AND THE EXECUTIVE BRANCH, MOST OF US IN HERE WHO HAVE BEEN HERE FOR SIX YEARS HAVE DURING OUR SHORT SIX-YEAR CAREERS HAD TO DEAL WITH BSDC, BEATRICE STATE DEVELOPMENT CENTER, AND THE CHALLENGES AND PROBLEMS AND THE MISMANAGEMENT DOWN THERE THAT RESULTED IN THE LOSS OF TENS OF MILLIONS OF DOLLARS, HUNDREDS OF MILLIONS OF DOLLARS WHEN YOU FIGURE IN THE FEDERAL FUNDS, AND THE DEATHS OF INDIVIDUALS. HOW ABOUT CORRECTIONS? WE ALREADY KNOW HOW MUCH TIME WE THINK WE'RE GOING TO SPEND ON CORRECTIONS AND THAT DOESN'T INCLUDE WHAT WE'VE ALREADY HAD TO DO WITH PAROLE, JUVENILE CORRECTIONS, AND THE TENS IF NOT HUNDREDS OF MILLIONS OF DOLLARS WE'RE STILL LOOKING AT TO CLEAN UP THE CORRECTIONS ISSUE--NOT OUR JOB, EXCEPT WE SPEND AN AWFUL LOT OF TIME DOING IT. SOMEBODY ELSE IS SUPPOSEDLY MANAGING THAT. HOW ABOUT CHILD WELFARE REFORM AND THE PRIVATIZATION OF CHILD WELFARE REFORM? HOW MUCH DID THAT COST US? AND WHOSE RESPONSIBILITY WAS THAT? WHO MADE THE CHANGE TO PRIVATIZE CHILD WELFARE REFORM WITHOUT ANY CONSULTATION WITH THE EXECUTIVE...WITH THE LEGISLATIVE BRANCH, YET CAME TO US, OR WE HAD TO TAKE CONTROL WITH SPECIAL MEANS TO TRY AND GET A HANDLE ON THIS. AND IT'S STILL COSTING US MONEY BECAUSE WE LOST A LOT OF THE VENDORS WHO DON'T EXIST ANYMORE, SO WE PAY THROUGH THE NOSE FOR HIGHER EXPENSED VENDORS, MILEAGE. WE HAVEN'T SEEN THE FINAL BILL ON OUR PRIVATIZATION IN CHILD WELFARE REFORM. AND SENATOR KINTNER LAST WEEK DURING THE MEDICAID DISCUSSION APPROPRIATELY POINTED OUT THE INFLATIONARY GROWTH IN MEDICAID. BUT WHO WAS RESPONSIBLE FOR OVERSEEING THE EXPLOSIVE

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GROWTH IN MEDICAID? WHO DOES THAT DEPARTMENT REPORT TO? TWICE WHILE I'VE BEEN HERE, TWICE WE HAVE BUDGETED FOR A MEDICAL MANAGEMENT INFORMATION SYSTEM, A DATA SYSTEM TO HELP US MANAGE MEDICAID EXPENSE, AND BOTH TIMES THAT EXPENDITURE HAS BEEN IGNORED. NOTHING HAS HAPPENED. AND MEDICAID EXPENDITURES CONTINUE TO GROW. SO YOU'LL PARDON ME IF I'M A LITTLE SKEPTICAL ABOUT TURNING THIS OVER TO THE EXECUTIVE BRANCH BEING A SOLUTION TO OUR ROADS PROBLEM. WE ARE THE LEGISLATIVE BRANCH. WE'RE THE PEOPLE'S BRANCH. WE HAVE OUR OWN RESPONSIBILITIES. AND WHEN IT COMES TO THE ISSUE OF TAX REFORM AND PEOPLE SAY, WELL, WHAT ARE WE DOING WITH TAX REFORM, WE'RE NOT GOING TO DO THIS UNTIL WE SEE MEANINGFUL TAX REFORM, YOU HAVE NOT LOOKED AT WHAT THIS BODY HAS DONE WITH MEANINGFUL TAX REFORM LAST YEAR NOR WHAT'S COMING OUT ON THE FLOOR OR IS OUT ON THE FLOOR ALREADY FOR MEANINGFUL TAX REFORM THIS YEAR. IT IS SIGNIFICANT. YOU WANT MORE THAN THAT? TURN BACK THE TIME CLOCK AND LET'S GET A HANDLE ON SOME OF THE HUNDREDS OF MILLIONS OF DOLLARS THAT GOT MISSPENT OR SPENT IN WAYS IT SHOULDN'T HAVE HAD TO HAVE BEEN SPENT. THERE'S YOUR MONEY FOR MEANINGFUL TAX REFORM, HUNDREDS OF MILLIONS OF DOLLARS THAT WENT INTO PLACES LIKE BSDC AND MEDICAID AND CORRECTIONS AND CHILD WELFARE REFORM. [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. THE MONEY WAS THERE OR COULD HAVE BEEN THERE. SO LET'S KEEP TALKING ABOUT MEANINGFUL TAX REFORM AND LET'S KEEP TALKING ABOUT HISTORY BECAUSE THERE'S WHERE YOUR DOLLARS WERE. WE HAVE A RESPONSIBILITY IN THIS CHAMBER, IN THIS BRANCH OF GOVERNMENT, TO DEAL SOMETHING WITH INFRASTRUCTURE COSTS AND IT COMES WITH THE UNCOMFORTABLE DECISION THAT HAS TO DO WITH TAXES. I AM NOT IN SUPPORT OF AM1158. I AM IN SUPPORT OF LB610 BECAUSE IT'S A LEGISLATIVE RESPONSIBILITY FOR US TO LOOK TO THE FUTURE AND TRY AND COME UP WITH SOLUTIONS. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR GLOOR. (VISITORS INTRODUCED.) MR. CLERK. [LB610]

CLERK: MR. PRESIDENT, A FEW ITEMS. THANK YOU. REVENUE COMMITTEE REPORTS LB278 TO GENERAL FILE. SENATORS HANSEN AND KOLOWSKI HAVE AMENDMENTS TO BE PRINTED TO LB67. I HAVE A NOTICE OF HEARING,

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CONFIRMATION HEARING, FROM HEALTH AND HUMAN SERVICES COMMITTEE. THAT'S OFFERED BY SENATOR CAMPBELL. NEW RESOLUTION: SENATOR GARRETT OFFERS LR180. THAT WILL BE LAID OVER. I HAVE COMMUNICATIONS FROM THE GOVERNOR. (READ RE LB33, LB139, LB139A, LB242, LB242A, LB356, LB367, LB431, LB627, AND LB498.) THAT'S ALL THAT I HAD, MR. PRESIDENT. THANK YOU. (LEGISLATIVE JOURNAL PAGES 1145-1147.) [LB278 LB67 LR180 LB33 LB139 LB139A LB242 LB242A LB356 LB367 LB431 LB627 LB498]

SENATOR KRIST: THANK YOU, MR. CLERK. RETURNING TO DEBATE, THOSE STILL WISHING TO SPEAK, SENATOR JOHNSON, GROENE, KEN HAAR, NORDQUIST, MURANTE, AND OTHERS. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB610]

SENATOR JOHNSON: THANK YOU, MR. PRESIDENT AND COLLEAGUES. AS I HAVE LISTENED TO THE VARIOUS SPEAKERS THIS AFTERNOON, I'VE KIND OF SHIFTED DOWN SOME OF MY THOUGHTS AND I'LL COMMENT AS WE MOVE FORWARD HERE. FIRST OF ALL, SPEAKER HADLEY TALKED ABOUT THE NEED, I THINK WE'RE ALL CONSCIOUS OF THAT AND I THINK THERE IS A NEED OUT THERE, I'M CONVINCED THERE'S A NEED. AS I'VE BEEN ON THE CITY LEVEL, I WORKED WITH COUNTY GOVERNMENT AND WORKED WITH THE STATE AS WE STARTED WORKING ON LB84 BEFORE IT WAS LB84 BACK SIX, SEVEN, EIGHT YEARS AGO. I DO APPRECIATE SENATOR GROENE'S ATTEMPT TO LOOK AT THE FORMULA. I THINK THAT FORMULA IS BEST LEFT UP TO SOME MORE STUDY. I DON'T AGREE WITH THE SPEAKER THAT SAID, YOU KNOW, WE'VE LEFT IT TOO WIDE OPEN RIGHT NOW. I THINK EACH COUNTY KNOWS THEIR SITUATION. EACH CITY KNOWS THEIR SITUATION. THEY KNOW WHERE THEIR PRIORITIES ARE AND, YOU KNOW, WHERE THEY CAN USE THE MONEY BEST. AS SPEAKER HADLEY HAS CALLED, I'M A RECOVERING MAYOR. STATE AID WAS DISCONTINUED HERE SEVERAL YEARS AGO WHEN I WAS MAYOR. IT TOOK MORE LOCAL FUNDS-- LOCAL FUNDS A LOT OF TIMES IS PROPERTY TAX--IN ORDER TO MAINTAIN OUR STREETS AND OUR INFRASTRUCTURE. SO IT PUT A LOAD ON THE PROPERTY TAX. AGAIN, EACH COUNTY HAS THEIR OWN SITUATION. A COUNTY WHERE OUR DAUGHTER LIVES, I WASN'T AWARE THAT THERE WAS ANY BRIDGES THERE. I FIND OUT NOW THERE MIGHT BE ONE. BUT THEIR PRIORITY FOR BRIDGES IS PROBABLY NOT AS HIGH. BUT THEIR COUNTY ROAD FUND, I'M NOT SURE WHERE THAT'S AT. MAYBE THEY'RE ABLE TO GIVE MORE BACK TO THEIR LOCAL COMMUNITIES. SO I SEE THAT AS A FLEXIBILITY WITHIN COUNTY AND CITY IN EACH COUNTY SITUATION. AGAIN, I DON'T KNOW THAT WE AS A STATE, WE AS A LEGISLATURE SHOULD BE MANDATING THAT HERE'S WHERE YOU HAVE TO USE IT. I THINK THERE'S SOME PARAMETERS OUT THERE, BUT I THINK IT'S NOT GOOD POLICY FOR US TO HAVE STATE CONTROL OVER THAT. I WOULD LIKE TO SEE IT

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STAY AT LOCAL CONTROL AND LOCAL FLEXIBILITY. BEING MAYOR AND TALKING WITH OUR COUNTY SUPERVISORS, MORE MONEY HAS BEEN USED FOR BRIDGES, FOR STREETS, FOR INFRASTRUCTURE, AND THAT'S PROPERTY TAX INCREASES. THAT'S KEPT OUR PROPERTY TAXES UP THERE, THE NEED FOR IT, THE LEVY. I KNOW THIS ISN'T A GUARANTEE, BUT IF WE HAVE MORE MONEY COMING FROM A USER TAX, THE GAS TAX, AND ARE ABLE THEN TO MAYBE DROP THE MILL LEVY BECAUSE WE DON'T HAVE TO SPEND THAT PROPERTY TAX MONEY ON BRIDGES AND ON ROADS. NOW THE GOOD AND THE BAD ABOUT LB84, AT LEAST IN A SITUATION, LB84 CAME TO THIS BODY AND WAS APPROVED BEFORE I CAME HERE. THE FIRST YEAR I WAS HERE, I DEFENDED IT AND KEPT IT ON THE BOOKS AND SO WE STILL HAVE LB84. FOR THE SITUATION WITH WAHOO WHERE I WAS MAYOR, THERE'S A BYPASS THAT'S GOING TO BE COMPLETED WITH LB84 FUNDS. THAT HIGHWAY IS NOT GOING TO GO THROUGH THE CITY ANYMORE. THE CITY IS GOING TO HAVE TO START MAINTAINING THAT ROAD ON THEIR OWN. THE COUNTY WILL GAIN SOME MORE HIGHWAY MILES, WHICH WOULD HELP THEIR FUNDING MAYBE FROM A STANDPOINT OF SOME FEDERAL FUNDS, BUT THAT'S GOING TO BE A SHIFT BETWEEN CITY AND COUNTY IN MY SITUATION. THE BYPASS MEANS IT'S OUTSIDE THE CITY LIMITS, SO THE CITY IS GOING TO HAVE TO HAVE MORE MONEY IN ORDER TO MAINTAIN THE STREET THAT WAS THE HIGHWAY GOING THROUGH TOWN. THE CITY... [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR JOHNSON: THANK YOU. THE CITY WILL HAVE NOW LESS MILES, LESS HIGHWAY MILES AND LESS MONEY COMING TO IT THROUGH THE FORMULA. I SUPPORT LB610. AGAIN, I APPRECIATE SENATOR GROENE'S ATTEMPT TO LOOK AT THE FORMULA. I THINK IT'S BETTER THAN BONDING BECAUSE, BONDING, WE WERE GOING TO DO IT NOW, PAY FOR IT LATER. THE USE TAX, GAS TAX IS PAY AS YOU GO. WE CAN MOVE THAT FORMULA AROUND AS WE NEED TO. WE'LL HAVE ONE YEAR IN ORDER TO HOPEFULLY ADDRESS THAT PART OF IT. AGAIN, I SUPPORT LB610. THANK YOU, MR. CHAIRMAN. [LB610]

SENATOR KRIST: THANK YOU, SENATOR JOHNSON. SENATOR GROENE, YOU'RE RECOGNIZED. [LB610]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. JUST TO ANSWER A COUPLE OF QUESTIONS THAT WAS BROUGHT UP, SENATOR BRASCH, HOW IS THE...IS IT ALLOCATED BY BOTH MY AMENDMENT AND LB610? IT WOULD BE...THE MONEY WOULD BE ALLOCATED EXACTLY LIKE IT IS NOW. IT ISN'T BIAS PROJECTS THAT

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YOU ASK FOR TO BE FUNDED. THERE ISN'T ANY JOCKEYING AROUND TO SEE WHO GETS SO MUCH MONEY. FOR EXAMPLE, THE COUNTIES WOULD GET...THE RURAL POPULATION OF EACH COUNTY, MUNICIPAL COUNTY, WOULD GET FACTORED BY 20 PERCENT. TOTAL POPULATION OF EACH COUNTY, INCLUDING THE CITIES, IS 10 PERCENT. LINEAL FEET OF BRIDGES IS 10 PERCENT. COMMERCIAL VEHICLES LICENSED IN THE COUNTY: 20 PERCENT. TOTAL MOTOR VEHICLE REGISTRATIONS IS 10 PERCENT. VALUE OF FARM PRODUCTS SOLD FOR EACH COUNTY IS 10 PERCENT. THEN THE DEPARTMENT OF ROADS THROWS THAT ALL TOGETHER AND DIVVIES UP THE MONEY. AND THE MUNICIPALITIES ARE VERY SIMILAR. ANY MUNICIPALITY GETS 50 PERCENT DUE TO THEIR POPULATION AND THEN OTHER FACTORS OF HOW MANY BRIDGES AND STUFF. ALSO, AS TO SENATOR BRASCH'S CONCERN, A MUNICIPALITY OR A COUNTY CAN ACCUMULATE UP TO FOUR YEARS OF THE MONEY AND SAVE...UP TO FOUR YEARS THEY CAN ACCUMULATE THE MONEY FOR ANY SPECIFIC PROJECT. THEY DON'T HAVE TO SPEND IT AT THE END OF EVERY FISCAL YEAR. IT DOESN'T HAVE TO BE A ZERO BALANCE. THEY CAN WORK ON PROJECTS AS THEY GO, SAVE MONEY TO COMPLETE A PROJECT. IF YOU LOOKED ON SOME OF THE RURAL COUNTIES, IT SAYS THEY DON'T HAVE A LOT OF BRIDGES. WELL, THEY DON'T. AS FURTHER YOU GO WEST, WE GET LESS RAIN AND THE COUNTIES ARE...HAVE A LOT OF CULVERTS. IF YOU LOOK AT THE LIST THAT WAS PASSED OUT BY ME AND ALSO I THINK SENATOR SMITH, IT SAYS CULVERTS NOT INCLUDED. THAT'S WHY I INCLUDED CULVERTS IN THE LEGISLATION. AS FAR AS ACCOUNTABILITY, SENATOR SCHEER SAID A LOT OF THE MONEY IS GOING TO EXPANSION AND GROWTH IN...BECAUSE THAT'S WHAT WE HAVE TO DO IS TO CREATE HIGHWAYS AND ROADS WHEN SUBURBS AND HOUSING DEVELOPMENTS ARE DONE. THIS, MY AMENDMENT, WOULD SOLVE THAT PROBLEM AND SAY, YES, YOU FOLKS, HERE'S MONEY YOU NEED TO SPEND TO FIX OUR BRIDGES AND CULVERTS, YOU CANNOT DIVERT IT FROM POLITICAL PRESSURE, YOU CANNOT DIVERT IT FROM DEVELOPMENT PRESSURE TO SOME OTHER ISSUE, YOU MUST FIX THE BRIDGES AND CULVERTS WITH THIS MONEY. ALSO, TO SENATOR JOHNSON, ABOUT IT'S NOT GOOD TO EARMARK MONEY TO LOCAL, THAT'S EXACTLY WHAT WE DID WITH THIS...THIS CHAMBER DID WITH THE QUARTER-CENT SALES TAX. WE SAID...NOT WE, BUT THEY AT THAT TIME TOLD THE STATE THAT THAT MONEY WAS GOING TO BE USED FOR EXPRESSWAYS. AS TO SENATOR SCHEER'S QUESTION ABOUT THE EXPRESSWAYS NOT BEING BUILT, THAT'S WHAT THAT QUARTER CENT WAS SUPPOSED TO SOLVE. THAT'S WHY IT PASSED. THE FIRST MONEY JUST CAME IN, IN '13 AND '14. IT IS JUST STARTING. THAT MONEY IS EARMARKED FOR THOSE EXPRESSWAYS. AS IT COMES IN, THE MONEY IS THERE FOR THOSE, OR I DON'T KNOW WHERE ELSE THEY COULD SPEND IT BECAUSE THAT'S WHAT THEY WERE TOLD TO SPEND IT. SO THEY DON'T NEED ANY MORE

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MONEY OR ANY MORE GAS TAX TO DO EXPRESSWAYS. YOU SOLVED THAT WITH LB84 IN 2011. MY AMENDMENT, WE'VE TALKED ABOUT BRIDGES, THE SPEAKER DID, SENATOR SMITH DID. LB610 DON'T MENTION BRIDGES. I APPRECIATE THEIR EFFORT TO GIVE THE 4 CENTS TO THE COUNTY AND CITIES, BECAUSE THEY RECOGNIZED ALSO THAT'S WHERE THE SHORTAGE IS, AND ONLY 2 CENTS TO THE STATE. BUT WE'RE OFFERING 2.8 CENTS. BY THE WAY, MY HANDOUT, I PUT THAT TOGETHER IN A HURRY, IT'S 2.8 CENTS, NOT PERCENT. AND I DO KNOW HOW TO ADD. IT'S 5.6, NOT 5.8, FOR THE TOTAL... [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR GROENE: ...ON THAT AMENDMENT...ON THAT HANDOUT I GAVE YOU FOLKS. BUT WHEN I LOOKED AT THIS, DO I WANT TO RAISE TAXES? NO WAY. BUT I'M ALSO A BUSINESSMAN. I UNDERSTAND THAT INPUT COSTS ARE DOWN, OIL IS DOWN, MEANING ASPHALT IS DOWN, MEANING CONCRETE IS DOWN, MEANING EXPENSES ARE DOWN. FUEL CONSUMPTION, THE COST FOR THE INDIVIDUAL, IS DOWN. IT'S ALSO DOWN FOR THE DEPARTMENT OF ROADS AND THE COUNTIES. IT'S THE PERFECT TIME TO BE BUILDING. AND THAT'S WHY I HIT IT HARD AT 2.8 CENTS RIGHT AWAY, SUNSET IT AT FIVE YEARS, BECAUSE IN FIVE YEARS THOSE COUNTY OFFICIALS CAN COME DOWN HERE AND THE CITY OFFICIALS CAN COME DOWN HERE AND SAY, LOOK WHAT WE DID, WE DID WHAT YOU TOLD US, WE NEED TO EXTEND THIS TAX. OR MAYBE WE DON'T; MAYBE WE NEED TO FOCUS AS A BODY ON ANOTHER ISSUE WITH OUR INFRASTRUCTURE AND MOVE THAT MONEY SOMEWHERE ELSE OR NOT MOVE IT AT ALL IF THE GAS PRICES ARE BACK AT \$4. MY AMENDMENT DIRECTLY TALKS AND DOES WHAT WE'VE BEEN TALKING ABOUT: BRIDGES AND CULVERTS. THANK YOU, MR. SPEAKER. [LB610]

SENATOR KRIST: THANK YOU, SENATOR GROENE. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB610]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, WE GOT TO HAVE ROADS AND BRIDGES. AND SOMEONE MENTIONED THERE ARE MANY, MANY WAYS WE CAN FUND THIS, AND I GUESS WE COULD CALL THAT FUNDING WHATEVER WE WANTED TO, BUT HOWEVER WE DO IT, IT'S A TAX. IT'S A FEE. SOMEBODY IS GOING TO HAVE TO PAY. AND IT SEEMS TO ME THAT A GAS TAX IS VERY CLOSE TO...WELL, IT IS A USER FEE AND IT MAKES SENSE TO ME. AGAIN, I'D LIKE TO THANK THE...SO I RISE IN SUPPORT OF LB610, OPPOSING AM1158. I DO WANT TO THANK THE TRANSPORTATION COMMITTEE FOR ALL THE WORK

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THEY'VE PUT INTO THIS AND I'D LIKE TO YIELD THE REST OF MY TIME TO SENATOR SMITH. [LB610]

SENATOR KRIST: SENATOR SMITH, 4:09. [LB610]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR KEN HAAR, FOR YIELDING YOUR TIME TO ME. COLLEAGUES, I JUST WANT TO BE VERY CLEAR. I'M STANDING IN OPPOSITION TO SENATOR GROENE'S AMENDMENT AND, OF COURSE, STANDING IN SUPPORT OF LB610. A COUPLE OF THINGS I WANT TO CLARIFY. WE'VE ESTABLISHED NEEDS. COLLEAGUES, WE HAVE ONE IN FOUR RURAL BRIDGES ARE DEFICIENT. ONE IN TEN STATE-OWNED BRIDGES ARE DEFICIENT. WE HAVE HUNDREDS OF MILLIONS OF DOLLARS IN BACKLOG OF CAPITAL IMPROVEMENT PROJECTS AND EXPRESSWAYS AND MAINTENANCE NEEDS ON OUR ROAD SYSTEMS. AND WE CAN CHOOSE BETWEEN GENERAL FUND EXPENDITURES AND WE WILL BE COMPETING AGAINST FUNDS FOR OTHER STATE PROJECTS AND AGAINST OUR OPPORTUNITIES FOR INCOME TAX RELIEF. YES, I DID INTRODUCE LB357 AND I...COLLEAGUES, I STAND BEFORE YOU AND SAY I DON'T THINK THERE'S ANOTHER SENATOR ON THIS FLOOR THAT HAS WORKED HARDER FOR INCOME TAX RELIEF. HOWEVER, IT'S IN THE COMMITTEE, AND I CAN'T DO ANYTHING ABOUT THAT. BUT THE BILL BEFORE YOU, LB610, GIVES SOME RELIEF TO OUR GENERAL FUND EXPENDITURES SO WE CAN COME BACK AND LOOK AT THAT GOING FORWARD. AND WE TALK ABOUT EFFICIENCIES. WELL, WE HAD OTHER BILLS IN COMMITTEE THAT DIDN'T MAKE IT OUT OF COMMITTEE AND WE'RE GOING TO HAVE AN INTERIM DISCUSSION ABOUT HOW WE CAN FIND EFFICIENCY GAINS IN THE EXPENDITURES FOR OUR CITY, STATE, AND COUNTY SYSTEMS. SENATOR GROENE TALKED ABOUT EXPRESSWAYS. WELL, COLLEAGUES, OF THAT LB84, ONLY 25 PERCENT OF THAT GOES TO EXPRESSWAY SYSTEMS AND WE HAVE SOMEWHERE IN THE NEIGHBORHOOD OF \$800 MILLION BACKLOGGED IN THE ONE-THIRD OF EXPRESSWAY SYSTEMS THAT ARE STILL TO BE CONSTRUCTED. WHERE'S THE MONEY GOING TO COME FROM? THE STATE NEEDS AN ALLOCATION OF THESE FUND INCREASES. THAT'S WHY THEY'RE GETTING A HALF A CENT. WE HAVE CAPITAL IMPROVEMENT PROJECTS AND WE HAVE A BACKLOG OF STATE NEEDS. AND THEN ON THE CITIES AND COUNTIES, WE'VE ALREADY TALKED ABOUT THAT, THE DEFICIENCY OF BRIDGES AND THE BACKLOG AND THE HUNDREDS OF MILLIONS OF DOLLARS FOR OUR CITIES AND COUNTIES AND THEIR ROAD INFRASTRUCTURE NEEDS. AND RIGHT NOW OUR COUNTIES AND OUR CITIES ARE GOING TO PROPERTY TAX AND THEY'RE GOING TO WHEEL TAXES TO TRY TO FIND FUNDS TO MEET THOSE NEEDS. COLLEAGUES, WE HAVE A CHOICE BEFORE US. WE DON'T HAVE OTHER OPTIONS BEFORE US TODAY. BONDING IS GOING TO

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HAVE TO BE PAID FOR BY A GAS TAX INCREASE AND WE HAD THAT DISCUSSION ON THE FLOOR LAST YEAR. GO BACK AND LOOK AT THE TRANSCRIPTS. COLLEAGUES, THE 6 CENTS WHEN FULLY IMPLEMENTED IS WELL WITHIN THE VARIANCE BETWEEN THE HIGH AND THE LOW GAS PRICES IN THE CITY OF LINCOLN ON ANY GIVEN DAY. THAT VARIANCE IS PROBABLY TWICE THE 6 CENTS FULLY IMPLEMENTED PRICE THAT WE'RE LOOKING FOR. COLLEAGUES, THIS IS A THIRD FOR THE STATE, A THIRD FOR THE CITY, AND A THIRD FOR THE COUNTIES. AND I HAVEN'T HEARD ANY OTHER GOOD, REASONABLE... [LB610 LB357]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR SMITH: ...ALTERNATIVES. THIS IS A SMALL, MODEST, REASONABLE INCREASE IN A USER FEE TO MEET THE NEEDS FOR OUR INFRASTRUCTURE IN THIS STATE. THIS IS A PROBUSINESS, PROCOMMERCE PIECE OF LEGISLATION. I APPRECIATE SENATOR GROENE BRINGING HIS AMENDMENT, BUT, COLLEAGUES, IT'S NOT ENOUGH. I ASK YOU TO OPPOSE SENATOR GROENE'S AMENDMENT AND PLEASE SUPPORT LB610. THANK YOU AGAIN, SENATOR KEN HAAR, FOR YIELDING YOUR TIME. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR HAAR AND SENATOR SMITH. THOSE STILL WISHING TO SPEAK, SENATOR NORDQUIST, MURANTE, SCHNOOR, BLOOMFIELD, HILKEMANN, AND OTHERS. SENATOR NORDQUIST, YOU'RE RECOGNIZED. [LB610]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. I RISE IN SUPPORT OF LB610 IN ITS CURRENT FORM AND NOT IN SUPPORT OF SENATOR GROENE'S AMENDMENT. I THINK FROM THE INFORMATION THAT'S BEEN PROVIDED, IT'S CRYSTAL CLEAR THAT THERE IS A STATE NEED. AND, YES, MAYBE WE CAN FIND SOME EFFICIENCIES WITH SOME DIFFERENT MANAGEMENT AT THE DEPARTMENT OF ROADS, BUT THAT WILL CERTAINLY NOT COME CLOSE TO MEETING THE NEEDS. I CERTAINLY HAD MY FAIR...OF TUSSELS WITH THE HEINEMAN ADMINISTRATION, BUT I CERTAINLY THINK THAT THE PREVIOUS DIRECTOR OF THE DEPARTMENT OF ROADS WAS A VERY CAPABLE ADMINISTRATOR AND I THINK THAT WE WON'T FIND THAT GREAT AMOUNT OF SAVINGS THAT SOME PEOPLE ARE PROMISING. I DO WANT TO TAKE A MINUTE AND JUST REMIND MY COLLEAGUES, AS I DID LAST WEEK, WE HEARD A LOT OF RHETORIC BROUGHT INTO THIS DEBATE ABOUT THE NEED FOR TAX RELIEF, AND FOR THE SECOND TIME IN TWO WEEKS REMIND MY COLLEAGUES AND NEBRASKANS WATCHING AT HOME THAT THERE WILL BE SUBSTANTIAL, BROAD-

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BASED TAX RELIEF PROPOSALS BROUGHT TO THIS FLOOR OF THE LEGISLATURE, INCLUDING, AS THE GOVERNOR PROPOSED, \$60 MILLION OF DIRECT PROPERTY TAX RELIEF TO EVERY NEBRASKA LANDOWNER. SO FOR SOMEONE TO STAND ON THE FLOOR AND SAY THAT WE'RE NOT DOING ANYTHING ON PROPERTY RELIEF JUST ISN'T ACCURATE. ALSO, THERE WERE OTHER PROPOSALS, YES, THE GOVERNOR BROUGHT FORWARD, BUT OUR REVENUE COMMITTEE DECIDED TO PRIORITIZE A DIFFERENT PROPOSAL AND THAT IS THE PERSONAL PROPERTY TAX EXEMPTION WHICH GOES DIRECTLY TO HELP SMALL BUSINESSES ACROSS NEBRASKA. THEY THOUGHT THAT WAS A HIGH PRIORITY AND CERTAINLY IT IS A FORM OF PROPERTY TAX ALSO THAT PEOPLE PAY. SO THERE IS SUBSTANTIAL...BOTH OF THOSE, THE PROPERTY TAX CREDIT WHICH GOES TO EVERY PROPERTY OWNER IN THE STATE AND THE PERSONAL PROPERTY TAX EXEMPTION, ARE BOTH VERY BROAD-BASED TAX PROPOSALS THAT NEBRASKA LANDOWNERS AND NEBRASKA SMALL BUSINESSES WILL BENEFIT FROM. SO I WANTED TO MAKE SURE THAT WAS EXPRESSED. SENATOR FRIESEN DID A WONDERFUL JOB TALKING ABOUT, YES, ULTIMATELY THESE WILL BE DECISIONS BY LOCAL ELECTED BODIES, THE CITY AND COUNTY MONEY. AND THOSE PEOPLE HAVE TO BE RESPONSIBLE TO THE PEOPLE THAT ELECT THEM. THEY HAVE TO...THEY WILL BE RESPONSIVE TO THOSE PEOPLE. AND TO, YOU KNOW, INSINUATE THAT WE HAVE ALL THESE DEFICIENT BRIDGES AND THAT THESE LOCAL GOVERNING BOARDS AREN'T GOING TO PRIORITIZE ADDRESSING THAT PROBLEM, THAT JUST DOESN'T--CERTAINLY DOESN'T--MAKE SENSE. AND I'M JUST GOING TO, YOU KNOW, SUGGEST TO THE PUBLIC THAT AFTER LOOKING AT THIS INFORMATION JUST, NUMBER ONE, BEWARE OF THE POLITICIAN THAT'S GOING TO STAND UP AND SAY WE DON'T HAVE A PROBLEM, NUMBER ONE, BECAUSE CLEARLY NEBRASKA IS LEADING THE NATION IN DEFICIENT BRIDGES AND IT'S A PROBLEM THAT NEEDS TO BE ADDRESSED. BUT ALSO, SECONDLY, BEWARE OF THE POLITICIAN THAT MAYBE ADMITS THAT THERE IS A PROBLEM BUT REFUSES TO STAND UP AND PUT A SOLUTION FORWARD. WE'VE DEBATED A NUMBER OF THESE SOLUTIONS OVER THE LAST COUPLE OF YEARS, INCLUDING BONDING, INCLUDING THE LB84 PROPOSAL, AND THEY HAVEN'T GONE FAR ENOUGH TO ADDRESS THE PROBLEM. SO AS SENATOR FISCHER USED TO SAY, THIS VERY MUCH...ROAD CONSTRUCTION IS VERY MUCH A CORE FUNCTION OF GOVERNMENT AND SHE TRIED SEVERAL TIMES ON THIS FLOOR OF THE LEGISLATURE, ACTUALLY, TO RAISE THE GAS TAX, BOTH THROUGH THE BUDGET PROCESS AND OTHER LEGISLATION, AND ULTIMATELY HAD TO GO THE ROUTE OF LB84. BUT SHE'S...IN THAT COMMENT ABOUT THE CORE FUNCTION OF GOVERNMENT, SHE WAS ABSOLUTELY RIGHT. AND THIS IS ABOUT BUILDING FOR THE FUTURE, BUILDING, MAKING SURE THAT BUSINESSES, SMALL BUSINESSES, AG BUSINESSES IN RURAL COMMUNITIES CAN GET THEIR PRODUCTS TO

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MARKET, MAKING SURE THAT THAT INFRASTRUCTURE IS IN PLACE. THIS IS SO MUCH NOT ABOUT US RIGHT NOW, BUT ABOUT THE...ABOUT FUTURE GENERATIONS. AND AS JAMES FREEMAN CLARKE SAID, A POLITICIAN THINKS OF THE NEXT ELECTION, A STATESMAN OF THE NEXT GENERATION. LET'S BE STATESMEN. LET'S INVEST IN THE FUTURE OF NEBRASKA BY MAKING...BY PASSING LB610. THANK YOU. [LB610]

SENATOR KRIST: THANK YOU, SENATOR NORDQUIST. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB610]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. I SEE SENATOR SMITH WENT TO THE BACK. I'D LIKE TO ASK YOU SOME QUESTIONS WHEN YOU GET BACK TO YOUR DESK. ALSO, I'D JUST LIKE TO POINT OUT SOME...YOU KNOW, WE TALKED ABOUT TAX BREAKS. THERE...WE...THE PROPERTY TAX CREDIT LOOKS LIKE THAT IS GOING TO HAPPEN. LOOKS LIKE WE'RE GIVING A TAX BREAK TO THE ZOO AND WE'RE GIVING A TAX BREAK TO THE WOODMEN BUILDING. SO THAT IS HAPPENING. I GUESS WHAT DOES CONCERN ME IS THAT THIS IS A TAX INCREASE. IT IS A USER FEE, BUT IT IS A TAX INCREASE NONETHELESS. BUT, SENATOR SMITH, WILL YOU YIELD TO A QUESTION, PLEASE? [LB610]

SENATOR KRIST: SENATOR SMITH, WILL YOU YIELD? [LB610]

SENATOR SMITH: YES. [LB610]

SENATOR SCHNOOR: OKAY. THANK YOU, SIR. SENATOR SMITH, THERE IS A NEW DIRECTOR IN PLACE NOW AT THE DEPARTMENT OF ROADS, IS THAT CORRECT? [LB610]

SENATOR SMITH: I'M NOT AWARE. THERE IS AN INTERIM, I BELIEVE, AN ACTING, BUT I'M NOT...MAYBE I'M THE LAST TO KNOW. [LB610]

SENATOR SCHNOOR: OKAY. BUT DO YOU KNOW...THERE WAS A FEW FOLKS MENTIONED, AND YOU MAY HAVE MENTIONED IT YOURSELF, BUT ABOUT ANOTHER OPTION. DO YOU KNOW, SIR, HAS A PERFORMANCE AUDIT EVER BEEN DONE FOR THE DEPARTMENT OF ROADS? [LB610]

SENATOR SMITH: THAT'S A GOOD QUESTION AND I'LL ELABORATE. I BELIEVE THAT THERE IS ALWAYS OPPORTUNITIES SOUGHT TO TRY TO FIND EFFICIENCIES

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THERE. NOW I'M NOT CERTAIN IF THERE IS A PERFORMANCE AUDIT, PER SE, THAT'S BEEN PERFORMED. [LB610]

SENATOR SCHNOOR: OKAY. YOU KNOW, I GUESS MY THOUGHT IS, YOU KNOW, IS THAT AN OPTION? CAN WE LOOK AT SOME EFFICIENCIES JUST WITHIN THAT DEPARTMENT TO FIND OUT WHERE WE CAN...WHERE THE MONEY CAN BE BETTER USED? YOU KNOW, WE HAVE...EVERYBODY HAS HEARD ABOUT TAXES, TAXES, TAXES, TAXES, YOU KNOW, AND MORE...MOST SPECIFICALLY, PROPERTY TAXES. BY ENACTING THIS, YOU KNOW, I'VE BEEN TOLD THAT THIS WOULD BE...COULD BE A TAX SHIFT TO THEN THEREBY REDUCE PROPERTY TAXES. COULD THAT HAPPEN OR COULDN'T IT? I'M NOT QUITE SURE. I MEAN, THAT WILL BE...HAS YET TO BE SEEN. BUT I HONESTLY DON'T KNOW HOW I'M GOING TO VOTE ON THIS. I'M VERY TORN BECAUSE I SEE A NEED FOR OUR INFRASTRUCTURE, BUT I ALSO SEE THIS AS A TAX INCREASE, BUT I ALSO SEE THIS AS A USER FEE. IT'S NOT JUST THE PEOPLE OF THE STATE OF NEBRASKA. IT'S THOSE PASSING THROUGH. IT'S THE COMPANIES THAT ARE DRIVING TRUCKS DOWN THE INTERSTATE AND STOPPING TO BUY FUEL. EVERYBODY IS PAYING FOR IT, YOU KNOW, AND I'M GETTING...FROM MY DISTRICT THERE IS PUSHES AND PULLS FOR THIS THING, ONE WAY AND THE OTHER, TO VOTE FOR IT AND TO VOTE AGAINST IT. BUT I GUESS THAT WOULD BE SOMETHING I WOULD LIKE TO BRING UP ABOUT, YOU KNOW, BEFORE WE ENACT THIS TAX INCREASE, YOU KNOW, WHAT ABOUT LOOKING AT A PERFORMANCE AUDIT OF THE DEPARTMENT OF ROADS AND SEEING WHERE THERE IS EFFICIENCIES TO BE MADE? SO THAT IS ALL I HAVE. THANK YOU, SIR. [LB610]

SENATOR KRIST: THANK YOU, SENATOR SCHNOOR AND SENATOR SMITH. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB610]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, COLLEAGUES. I'M GOING TO SUPPORT SENATOR GROENE'S AMENDMENT, AM1158, BUT ONLY IN HOPES THAT IT WILL WEAKEN THE UNDERLYING BILL, LB610, WHICH I WILL VOTE AGAINST NO MATTER WHICH FORM IT COMES OUT IN. THE PEOPLE OF NEBRASKA MADE IT VERY CLEAR THEY DON'T WANT FURTHER TAX INCREASES. THEY MADE IT VERY CLEAR THEY WANT PROPERTY TAX CUTS. WE CAN'T SEEM TO GET THERE. SENATOR NORDQUIST SAYS WE'RE GOING TO ADD \$60 MILLION TO THE TAX CREDIT. COLLEAGUES, I HAVE COPIES OF TAXES ON A PIECE OF GROUND, A LITTLE LESS THAN 300 ACRES, THAT I OWN. IN 2005, PROPERTY TAX ON IT WAS \$5,099. IN 2009, THAT SAME PIECE OF PROPERTY WAS \$8,950; 2014, \$15,259. WE TRIPLED IN TEN YEARS, AND YET WE'RE GOING TO PUT \$60 MILLION ACROSS THE STATE? THAT'S NO DECREASE. IT SLOWS THE RATE OF

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INCREASE. IT IS NOT A CUT IN PROPERTY TAX. AND THE IDEA THAT GIVING THIS LITTLE BIT MORE MONEY TO THE COUNTIES WE'RE GOING TO GIVE THEM WILL FACILITATE A PROPERTY TAX CUT, IT AIN'T GOING TO HAPPEN. THE LAST THING WE NEED TO BE DOING AT THIS POINT IS INCREASING TAXES ON PEOPLE INSTEAD OF CUTTING THEM. GOVERNOR RICKETTS SPOKE AT A CATTLE FEEDERS' THING IN WEST POINT THE OTHER NIGHT AND HE TALKED ABOUT WHAT I MENTIONED HERE BEFORE, IS THAT WE NEED TO REDUCE OVERREGULATION ON THE COUNTIES. LET THEM REPLACE A TUBE WITH A TUBE, INSTEAD OF A THREE-SECTION CEMENT BRIDGE WHERE IT'S REALLY NOT NEEDED. I THINK THERE'S A LOT OF MONEY CAN BE SAVED THERE, PROBABLY NOT ENOUGH TO ELIMINATE THE ISSUE, BUT A LOT OF MONEY CAN BE SAVED IF WE ELIMINATE SOME OVERREGULATION. I'D YIELD THE REMAINDER OF MY TIME TO SENATOR KINTNER. [LB610]

SENATOR KRIST: SENATOR KINTNER, 2:00. [LB610]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. AND, YOU KNOW, I THINK WHEN A LOT OF US GET ELECTED AND WE JOIN THIS ELITE CLUB CALLED THE LEGISLATURE AND WE THINK OUR IQ GOES UP 50 POINTS, WE NOW THINK WE'RE SMARTER THAN THE PEOPLE THAT SENT US DOWN HERE. WE'VE KNOCKED ON DOORS. THEY'VE TOLD US DEFINITELY, TAXES, TAXES, TAXES, DO SOMETHING ABOUT MY TAXES. AND WE COME DOWN HERE AND WE JUST THINK WE'RE SMARTER THAN THEY ARE, WE'VE...WE'RE GOING TO FIX THINGS FOR THEIR OWN GOOD. NOT ONLY ARE WE NOT GOING TO CUT YOUR TAXES, WE'RE GOING TO RAISE YOUR TAXES BECAUSE WE'RE SO MUCH SMARTER THAN YOU, WE JUST KNOW WHAT'S BETTER THAN YOU. WELL, LADIES AND GENTLEMEN, I'M NOT SMARTER THAN THE PEOPLE THAT SENT ME DOWN HERE. I AM THE PEOPLE THAT SENT ME DOWN HERE. I AM HERE TO REPRESENT THEM. I'M ASKING THE QUESTIONS THAT THEY WOULD ASK. AND I THINK WHEN YOU GET ARROGANT LIKE THAT AND YOU THINK YOU'RE SMARTER THAN THE PEOPLE THAT SENT YOU DOWN HERE, THAT'S WHEN YOU CEASE TO REPRESENT YOUR CONSTITUENTS AND YOU START TO REPRESENT THE PEOPLE BEHIND THE GLASS AND THE PEOPLE THAT WANT TO REACH IN OUR POCKET AND SPEND OUR MONEY AND THE PEOPLE THAT WANT TO MAKE OUR LIFE BETTER,... [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR KINTNER: ...THE PEOPLE THAT THINK THAT THEY CAN SPEND OUR MONEY BETTER THAN WE CAN. JUST REMEMBER, YOU'RE NOT SMARTER THAN

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THE PEOPLE THAT SENT YOU DOWN HERE. IF YOU'RE REALLY SMART, YOU'RE STILL ONE OF THEM; YOU'RE NOT ONE OF US. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR KINTNER AND SENATOR BLOOMFIELD. SENATOR HILKEMANN, YOU ARE RECOGNIZED. [LB610]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I RISE TO OPPOSE LB610, SOMEWHAT RELUCTANTLY. WHEN I FIRST SAW THIS, THERE'S NO QUESTION THAT THERE'S A NEED THAT'S HERE AND I THINK THAT WE...IT'S INCUMBENT UPON US TO ADDRESS THIS NEED. I'M NEW AT THIS PROCESS. I HAD A VISIT WITH THE GOVERNOR. HE SAID, SO YOU'RE WILLING TO RAISE TAXES WITHOUT EVEN GIVING ANOTHER OPTION A CHANCE. AND HE CONVINCED ME THAT THERE MAY BE ANOTHER OPTION, OTHER THAN RAISING TAXES. WHAT A NOVEL IDEA THAT WE COULD GET SOMETHING ACCOMPLISHED WITHOUT RAISING TAXES. I HAD ONE STRANGE PHONE...ONE STRANGE DOOR-TO-DOOR KNOCK WHILE I WAS GOING DOOR TO DOOR. I HAD ONE PERSON WHO SAID THEY WEREN'T PAYING TOO MUCH IN TAXES. ALL THE REST OF THEM, I BELIEVE, WERE PAYING TOO MUCH. OF COURSE THEY'D CONSIDER THE PROPERTY TAXES WE'RE PAYING TOO MUCH IN TAXES, WE NEED BREAKS, THESE TYPE OF THINGS. I DON'T KNOW WHETHER THE GOVERNOR IS GOING TO BE ABLE WITH HIS EXECUTIVE CHANGES...MAKE A DIFFERENCE, BUT I AM WILLING TO GIVE HIM A CHANCE. I HAVE NEVER...I'VE NOT EXPERIENCED TAX INCREASES THAT EVER GO AWAY. AND WE MIGHT CALL THIS THING TEMPORARY, BUT I'VE NEVER SEEN A TAX INCREASE THAT'S REALLY TEMPORARY. SO LET'S SEE IF WE CAN SOLVE THIS PROBLEM WITHOUT TAX INCREASE. MAYBE IN ANOTHER YEAR OR TWO, WE HAVEN'T SEEN ANY CHANGES OF THIS, I'LL BE ON THE BANDWAGON. I'LL BE LEADING THE...TRY TO GET THIS CHANGED. BUT LET'S GIVE ANOTHER SHOT. WE ELECTED A NEW GOVERNOR. LET'S GIVE HIM AN OPPORTUNITY TO LEAD. THANK YOU VERY MUCH, MR. SPEAKER. [LB610]

SENATOR KRIST: THANK YOU, SENATOR HILKEMANN. SENATOR McCOY, YOU'RE RECOGNIZED. [LB610]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. I'M GOING TO CONTINUE WITH WHAT I WENT OVER A LITTLE EARLIER ON MY FIRST TIME ON THE MICROPHONE ON THIS. AND THAT IS...WOULD SENATOR SMITH YIELD TO A QUESTION, PLEASE? [LB610]

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SENATOR KRIST: SENATOR SMITH, WILL YOU YIELD TO SENATOR McCOY? [LB610]

SENATOR SMITH: YES. [LB610]

SENATOR McCOY: THANK YOU, SENATOR. I WANT TO TRY TO DIG DOWN A LITTLE BIT HERE AND TALK ABOUT SPECIFICALLY AM1158 FOR JUST A SECOND HERE. YOU TALKED ABOUT AND SENATOR HADLEY, AMONG OTHERS, HAVE TALKED ABOUT THE BRIDGE SITUATION THAT EXISTS ACROSS THE STATE. SO HELP ME UNDERSTAND A LITTLE MORE OF WHERE...SENATOR GROENE'S AMENDMENT I THINK SEEKS TO ADDRESS THAT ISSUE. WHAT'S...WHAT IS THE OPPOSITION IN YOUR MIND TO THAT? I WANT TO HAVE YOU...I KNOW YOU'VE ARTICULATED THAT A COUPLE OF TIMES. BUT YOU'VE TALKED ABOUT WE'VE GOT THIS MASSIVE BRIDGE SITUATION, BURGEONING PROBLEM ACROSS THE STATE, WHICH I THINK ALL OF US ARE AWARE OF. SO WHEN YOU LOOK AT AN AMENDMENT LIKE AM1158, SENATOR SMITH, THAT IS GOING TO RESTRICT THIS TO ESSENTIALLY ADDRESS WHAT IS THE GREATEST PROBLEM THAT WE HAVE, IS IT THE ACTUAL MECHANICS OF THE AMENDMENT OR DO YOU OPPOSE THAT APPROACH? [LB610]

SENATOR SMITH: I OPPOSE CARVING OUT THE STATE ALLOCATION OF LB610. [LB610]

SENATOR McCOY: AND IS THAT BECAUSE, SENATOR, YOU THINK THAT THERE ARE MORE IMPORTANT NEEDS AT THE STATE LEVEL THAN AT THE COUNTY LEVEL, OR WHY WOULD THAT BE? [LB610]

SENATOR SMITH: WELL, WE HAVE ONE-THIRD OF OUR EXPRESSWAY SYSTEMS THAT ARE YET TO BE ADDRESSED THROUGH THE ESTABLISHMENT OF THE EXPRESSWAY SYSTEM IN 1988, AND THAT'S ALMOST \$800 MILLION OF BACKLOG YET ON OUR EXPRESSWAY SYSTEM. IT DOESN'T EVEN BEGIN TO TOUCH THE FOUR-LANE NEBRASKA THAT WE'VE HEARD SO MUCH ABOUT LATELY. AND THEN WE HAVE THE DEFICIENCY OF ONE IN TEN STATE-OWNED BRIDGES, AS WELL, SO THERE IS A TREMENDOUS BACKLOG REMAINING WITH OUR STATE. [LB610]

SENATOR McCOY: WELL, THANK YOU, SENATOR. I JUST HAVE AN ISSUE WITH, AGAIN, HOW A \$75 MILLION TAX INCREASE IS GOING TO SOLVE THAT PROBLEM. WE WERE JUST HERE A COUPLE OF YEARS AGO AND TALKED ABOUT THE BUILD NEBRASKA ACT WHICH DEVOTED A QUARTER CENT, AS WE ALL KNOW, OF OUR

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SALES TAX REVENUE TO BUILDING ROADS. HERE, WE'RE TALKING ABOUT A 6 CENT GAS TAX INCREASE OVER A PERIOD OF FOUR YEARS, WHICH IS GOING TO ULTIMATELY RESULT, AS WE ALL KNOW, IN A \$75 MILLION TAX INCREASE. WELL, I WOULD DARESAY, MEMBERS, AND I WON'T BE HERE TO SEE IT, MANY OF YOU WILL, I WOULD DARESAY THAT WE WOULD BE BACK, AND I SAY "WE" COLLECTIVELY, AS THE BODY, TALKING ABOUT ROADS FUNDING AGAIN BEFORE THIS BILL EVEN FULLY IS IMPLEMENTED FOUR YEARS IN. NOW I HOPE I'M WRONG IN THAT. I HOPE OUR...THE LEGISLATURE AFTER I'M GONE ISN'T HERE TALKING ABOUT ANOTHER TAX INCREASE, BUT I DON'T KNOW HOW THE LEGISLATURE COULDN'T BE, BECAUSE HOW IS THIS BILL GOING TO EVEN SCRATCH THE SURFACE ON THE PROBLEM THAT'S IN FRONT OF US? WHY AREN'T WE TALKING ABOUT ANOTHER QUARTER-CENT OF SALES TAX REVENUE BEING DEVOTED SPECIFICALLY TO THIS ISSUE ON BRIDGES? WILL THEY BE AT THE STATE LEVEL, COUNTY LEVEL, WHATEVER THE CASE MAY BE? WE COULD DO THAT. WE COULD BE USING A COMPONENT FROM THE GENERAL FUND. WE COULD BE USING A COMPONENT OF THE RECORD-HIGH CASH RESERVE THAT WE'RE SITTING ON. WE COULD BE TALKING ABOUT BONDING, WHICH WAS ALSO A COMPONENT OF THE BUILD NEBRASKA ACT IN 2011 AND WAS AMENDED OUT DURING DEBATE IN COMMITTEE. WE COULD BE TALKING ABOUT BONDING. WE COULD BE TALKING ABOUT PUBLIC-PRIVATE PARTNERSHIPS. I HAVE IN FRONT OF ME THE ERNIE GOSS STUDY THAT WAS JUST RELEASED LAST WEEK, THE FOUR-LANE EXPANSION REPORT. THERE'S ALL...IT IS REplete, MEMBERS, REplete WITH ALL SORTS OF OPTIONS THAT DON'T INVOLVE A TAX INCREASE AND YET WE'RE NOT TALKING ABOUT A ONE OF THEM, NOT A ONE. LET ME REPEAT THAT. [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR McCOY: TO MY KNOWLEDGE, THERE ISN'T ONE OF THE OTHER OPTIONS THAT'S RECOMMENDED IN THIS REPORT THAT'S BEING DISCUSSED. INSTEAD, WE GO TOWARDS THE BIG-GOVERNMENT SOLUTION, WHICH IS A TAX INCREASE. THAT'S WHAT THIS IS. I DON'T THINK WE SHOULD EVER RESORT TO RAISING TAXES. THAT'S NOT WHAT I CAME HERE TO DO. AND SENATOR FRIESEN SAYS, WELL, HE EXPECTS THE COUNTIES TO LOWER THEIR LEVIES. WELL, MEMBERS, WHAT MECHANISM IS THERE IN LB610 TO HAVE THAT ACTUALLY HAPPEN? I DON'T SEE IT. HOW ARE COUNTIES GOING TO LOWER THEIR...HOW ARE WE GOING TO REQUIRE THEM TO LOWER THEIR LEVIES IF THIS PASSES? WE HOPE THEY WILL? I'VE HAD ENOUGH HOPE IN CHANGE. THANK YOU, MR. PRESIDENT. [LB610]

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SENATOR KRIST: THANK YOU, SENATOR McCOY. SENATOR SMITH, YOU ARE RECOGNIZED. NOT SEEING SENATOR SMITH, SENATOR...THOSE STILL WISHING TO SPEAK: SENATORS SCHUMACHER, BRASCH, McCOLLISTER, CAMPBELL, LARSON, AND OTHERS. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB610]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. SENATOR SMITH HAD ASKED FOR SOME TIME AND I WAS GOING TO GIVE IT TO HIM. BUT THE WAY IT LOOKS LIKE, I'M STUCK TALKING. UNTIL HE GETS BACK HERE, I WILL TALK. ONE OF THE THINGS THAT SOCIETY CANNOT EXPECT...AH! SAVED BY THE BELL. I'D YIELD THE REST OF MY TIME TO SENATOR SMITH. [LB610]

SENATOR KRIST: SENATOR SMITH, 4:30. [LB610]

SENATOR SMITH: THANK YOU SO MUCH, SENATOR SCHUMACHER. AND, YOU KNOW, TODAY IT'S KIND OF LIKE THE SAMSON EFFECT THAT YOU HAVE WITH THAT HAIRCUT OF YOURS, AND I HOPE YOU HAVEN'T LOST YOUR POWER, BECAUSE I KNOW YOU'RE SUPPORTIVE OF THIS BILL AND I APPRECIATE IT VERY MUCH. WELL, WE TALKED ABOUT, A LITTLE BIT EARLIER, ABOUT COUNTIES AND CITIES AND WHERE THE MONIES GO WITH THIS INCREASE. AND FOR ANYONE WHO IS WANTING TO LOOK AT THE STATUTES, WE HAVE...STATUTE 39-2517 ADDRESSES CITIES AND 39-2507 ADDRESSES COUNTIES. AND, COLLEAGUES, YOU CAN SEE THAT THE MONIES THAT WE'RE SEEKING TO INCREASE GO TOWARD ROADS AND BRIDGES. AND THE JURISDICTIONS THAT HAVE CONTROL OF OUR CITIES AND COUNTIES...IN FACT, WE HAVE A FEW FORMER MAYORS SITTING IN HERE AND I KNOW WE HAD AT LEAST A FORMER COUNTY COMMISSIONER IN HERE AT ONE TIME. BUT I KNOW THAT THEY HAVE COMPLETE KNOWLEDGE AND AWARENESS OF THE NEEDS THAT THEY HAVE IN THEIR COMMUNITIES. AND, COLLEAGUES, I BELIEVE THEY'RE GOING TO ADDRESS THOSE NEEDS, BUT THEY HAVE TO HAVE THE FUNDS TO DO IT AND THEY DON'T NEED TO RELY ON PROPERTY TAX AND WHEEL TAXES TO DO IT. IN TERMS OF THE STATE NEEDS, AS I EXCHANGED WITH SENATOR McCOY ON THE MIKE, THE STATE HAS NEEDS. OUR EXPRESSWAY SYSTEM, ESTABLISHED IN 1988, WE'VE ONLY COMPLETED ABOUT TWO-THIRDS OF THOSE EXPRESSWAYS AND WE STILL HAVE HUNDREDS OF THOUSANDS OF...HUNDREDS OF MILLIONS OF DOLLARS REMAINING IN NEEDS IN OUR EXPRESSWAY SYSTEMS AND THAT CAN BE FUNDED THROUGH THE STATE FUNDING. AND THOSE IMPACT OUR RURAL COMMUNITIES. AND THE STATE HAS A DEFICIENCY IN THEIR BRIDGES AND IN THEIR ROADS. SO, COLLEAGUES, PLEASE DON'T BE DISTRACTED. WHAT WE HAVE HERE IS A BILL, A MODEST INCREASE IN OUR USER-FEE GAS TAX, MODEST, TO ADDRESS THE NEEDS THAT

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WE HAVE IN OUR CITIES AND OUR COUNTIES AND OUR STATE. AND WE KEEP TALKING ABOUT STATE, BUT STATE IS ONLY ONE-THIRD OF THE JURISDICTION OF OUR ROADS AND OUR BRIDGES IN THIS STATE. CITIES AND COUNTIES ARE REALLY GETTING THE SHORT END OF THE STICK AND WE NEED TO HELP THEM OUT A GREAT DEAL. AND ON THE STATE SIDE, WE NEED TO PUT THAT FUNDING IN THERE TO HELP WITH OUR EXPRESSWAY SYSTEMS AND OUR STATE NEEDS. AND IF WE CAN FIND GAINS AND EFFICIENCIES IN OUR STATE SYSTEM, I AM 100 PERCENT BEHIND THAT AND I'M GOING TO DO EVERYTHING IN MY ABILITY, IN MY POWER, TO HELP FIND WAYS IN WHICH WE CAN IMPROVE THE EFFICIENCIES IN OUR INFRASTRUCTURE EXPENDITURES. I THINK SENATOR SCHNOOR WAS RIGHT ON THE MONEY AND I APPRECIATE HIS THOUGHTFULNESS ON THIS. COLLEAGUES, WE HAVE A CHOICE: WE CAN FUND OUR INFRASTRUCTURE NEEDS THROUGH THE USER-FEE GAS TAX OR WE CAN COME BACK TO THE GENERAL FUNDS AND COME BACK AND BEG FOR AN EXPENDITURE OUT OF THE GENERAL FUNDS WHICH WILL COMPETE WITH TRUE TAX REFORM. I KNOW SENATOR BRASCH HERE HAS BEEN A CHAMPION OF THE TAX REFORM, AS HAVE I, IN THE REVENUE COMMITTEE. LET'S NOT COMPETE WITH THE GENERAL FUNDS FOR THOSE DOLLARS, COLLEAGUES. AND OTHER THAN THAT... [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR SMITH: ...WE COULD GO BORROW MONEY. THANK YOU, MR. PRESIDENT. WE CAN GO BORROW MONEY, BUT THIS IS A WAY IN WHICH WE CAN ADDRESS IT AS WE GO. WE CAN MEET THE NEEDS OF OUR STATE, MEET THE NEEDS OF OUR RURAL COMMUNITIES, MEET THE NEEDS OF OUR CITIES, AND MEET THE NEED OF OUR STATE. THE INFRASTRUCTURE, IT'S PROCOMMERCE; IT'S PROBUSINESS; IT'S PROCOMMUNITY. EVERY ONE OF US RELY ON IT. THIS IS COMMON SENSE. LET'S TAKE A COMMONSENSE VOTE. LET'S OPPOSE SENATOR GROENE'S AMENDMENT AND SUPPORT LB610. AND THE REASON I SAY SENATOR GROENE AND I DON'T CALL THE NUMBER IS BECAUSE I ONLY HAVE MY GLASSES ON AND I CAN'T SEE WHAT THAT NUMBER IS UP THERE. (LAUGHTER) THANK YOU, COLLEAGUES. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: IT WOULD BE AM1158, SENATOR SMITH. THANK YOU, SENATOR SMITH. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB610]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. AND, COLLEAGUES, YOUR ATTENTION NEEDS TO BE FOCUSED HERE. LOOK CLOSELY AT WHAT YOU ARE DOING, WHAT YOU ARE THINKING. MOMENTS AGO I HEARD ONE OF THE

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SENATORS HERE, AND ACTUALLY I WAS IN MY OFFICE BUT I'M THINKING IT WAS SENATOR NORDQUIST, I...HE WAS TALKING ABOUT THE DIFFERENCE BETWEEN A POLITICIAN AND A STATESMAN, WHAT YOU SAY FOR VOTES AND WHAT YOU SAY FOR THE GREATER GOOD. I BELIEVE WE ARE STEWARDS. WE ARE STEWARDS HERE. WE HAVE A JOB TO DO, A HUGE JOB, AND MANY OF YOU KNOW, FOR YEARS NOW, IT'S NOT EASY. AND MANY OF YOU THAT ARE NEW TO THIS INSTITUTION, IT GETS MORE AND MORE DIFFICULT EVERY YEAR, EVERY DAY. THE LAST TEN DAYS, BUCKLE UP, PUT YOUR HELMET ON, SENATOR BLOOMFIELD, (LAUGH) IT GETS WORSE. IT'S THE WATCHFULNESS OF THE CITIZENS THAT IS THE SALVATION OF THE STATE. YOU SEE THAT ON OUR CAPITOL. PEOPLE DRIVE BY THERE. THEY WALK BY THERE. WE COME IN HERE EVERY DAY, NOT BECAUSE WE'RE POLITICIANS, NOT BECAUSE WE'RE STATESMEN, BECAUSE WE ARE STEWARDS. AND THIS MORNING YOU DEBATED INSTITUTIONAL KNOWLEDGE--KEEP ME HERE LONGER BECAUSE I NEED TO LEARN MORE, I WANT MORE TIME. WELL, THERE HAVE BEEN MANY BODIES BEFORE YOU. THIS IS MY FIFTH YEAR. THERE'S GOING TO BE ABOUT A DOZEN OF US THAT WILL BE HERE AND YOU WILL STILL BE HERE TO MAKE SOME DIFFICULT DECISIONS, VERY DIFFICULT, AND IT'S WITH TAXPAYERS' DOLLARS. WHEN I FIRST CAME HERE FOUR YEARS AGO, THE RECESSION WAS RAGING BUT SLOWLY COMING TO AN EBB. AS AN AGRICULTURE STATE WE WEATHERED THAT STORM. BUT MY FIRST YEAR WE HAD NEARLY A BILLION DOLLAR SHORTFALL, AND THAT'S WITH A "B." THAT WAS TOUGH, TO MAKE CUTS. IT WASN'T EASY. THERE ARE A LOT OF CALLS, A LOT OF LONGER LINES, PEOPLE WHO NEEDED HELP THAT WE COULD NOT HELP. DURING THE NEXT TWO YEARS, WE FOUND THAT THROUGH THE AG ECONOMY, THROUGH GRAIN PRICES, CHANGES, AND WE WERE ABLE TO COME OUT OF THAT RECESSION AND WE DID WELL. WE ACTUALLY HAD...WHAT WAS IT? THE SURPLUS, THE RAINY-DAY FUND WAS OVER \$200 MILLION OF WHAT IT SHOULD BE. SEVEN HUNDRED MILLION DOLLARS IS WHAT WE WERE ABLE TO END UP WITH AFTER A FOUR-YEAR PERIOD THERE AND BALANCE THE BUDGET. WE WORKED TO THE GOOD. NOW WE HAVE A POINT HERE WHERE WE HAVE INFRASTRUCTURE BUT OUR TAXPAYERS THAT WE ARE STEWARDS FOR, CALL YOURSELF WHAT YOU WANT, A STATESMAN, A POLITICIAN, BUT AS STEWARDS THEY HAVE ASKED FOR US TO LOWER THOSE TAXES. LET'S LEARN TO BE MORE EFFICIENT. LET'S LEARN HOW TO TAKE EVERY DOLLAR AND MAKE IT MEANINGFUL AND GO A LONG, LONG WAYS. AS THOSE THAT WERE HERE BEFORE YOU, THEY VOTED IN LB84, IT JUST STARTED IN 2013. YOU WANT INSTITUTIONAL KNOWLEDGE, BUT IS IT YOUR INSTITUTIONAL KNOWLEDGE, JUST WHAT YOU SAY, BECAUSE YOU HAD NO OPPONENT OR...? THE PEOPLE WE WORK FOR TELL US TO CUT OUR TAXES. THE GOVERNOR HEARD IT FROM A STATE OF 1.8 MILLION INDIVIDUALS. [LB610]

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SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR BRASCH: WE EACH HEAR FROM 36,000 OR MORE. WE NEED TO USE SOME WISDOM HERE. AND BEFORE WE GO TO INCREASE ANY TAX, I BELIEVE THAT AS STEWARDS WE WERE CALLED HERE TO LOWER TAXES AND THAT IS SOMETHING WHICH I INTEND TO DO MOVING FORWARD. AND I BELIEVE, IF YOU WANT INSTITUTIONAL KNOWLEDGE, TALK TO SOME OF YOUR COLLEAGUES THAT HAVE BEEN HERE LONGER. SOME ARE TERM LIMITED; MANY ARE. BUT IF YOU GO BACK A GENERATION, YOU WILL SEE THAT THEY MADE VERY DIFFICULT DECISIONS, AND RAISING TAXES IS NOT ONE OF THEM. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LB610]

SENATOR KRIST: THANK YOU, SENATOR BRASCH. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. SENATOR McCOLLISTER, YOU ARE RECOGNIZED. [LB610]

SENATOR McCOLLISTER: QUESTION. [LB610]

SENATOR KRIST: THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO SEE FIVE HANDS. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LB610]

CLERK: 28 AYES, 0 NAYS, MR. PRESIDENT, TO CEASE DEBATE. [LB610]

SENATOR KRIST: DEBATE CEASES. SENATOR GROENE, YOU'RE RECOGNIZED TO CLOSE ON YOUR AM1158. [LB610]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. AS I SAID EARLIER, I DON'T WANT TO RAISE TAXES. I DIDN'T COME HERE TO DO THAT. I CAME HERE FOR PROPERTY TAX RELIEF. WHEN I SEEN LB610, I LOOKED AT THAT AND I SAID, WELL, THAT'S JUST A TAX INCREASE THAT WOULD MAKE US THE HIGHEST TAX IN OUR REGION OVER IOWA. THAT'S TOO MUCH, EVEN THOUGH IT WOULD TAKE THREE TO FOUR YEARS TO GET THERE, AND THERE WAS NOTHING IN THERE TO GUARANTEE ME OR ANY TAXPAYER THAT IT WOULD BE USED FOR THE BRIDGES AND THE CULVERTS AND THE THINGS THAT WE...AND THE MAINTENANCE THAT WE ARE CONCERNED ABOUT. IT'S A GOOD THING OUR STATE IS GROWING IN CERTAIN AREAS. IT'S GROWING IN NORTH PLATTE. BUT THE PRESSURE TO USE THE FUNDS FOR NEW DEVELOPMENT AND TO OVERLOOK MAINTENANCE IS

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THERE ON EVERY COUNTY COMMISSIONER, EVERY CITY COUNCILPERSON, EVERY STATE LEGISLATURE, AND GOVERNOR. SO I THOUGHT, WELL, WHY DON'T WE DEDICATE MONEY DIRECTLY TO THE COUNTIES AND CITIES FOR BRIDGES AND CULVERTS, REPAIRS AND REPLACEMENTS? AND I HOPE THE GOVERNOR'S NEW PERSON DOES LOOK AT THE STANDARDS, THE MINIMUM STANDARDS, AND REALIZE THAT WE HAVE DIFFERENT SITUATIONS ACROSS THE STATE ON HOW MUCH RAIN WE GET, HOW MANY FLOODS WE GET, WHAT THE SLOPE OF OUR LANDS ARE, BECAUSE I'VE HEARD THAT FROM COUNTY COMMISSIONERS, THAT THE STANDARDS ARE WAY MORE THAN WHAT WE NEED IN CERTAIN AREAS, BUT THAT'S ANOTHER ISSUE. ANYWAY, IT'S THE PERFECT TIMING. GASOLINE AND FUEL IS DOWN. INPUTS FOR CONSTRUCTION ARE DOWN ASSOCIATED WITH IT. IT'S THE PERFECT TIMING TO GIVE SOME MONEY TO OUR COUNTIES AND CITIES AND HAVE THEM FIX OUR INFRASTRUCTURE, BRIDGES, AND CULVERTS. WE...AND GET...PUT A SUNSET ON IT. THERE'S OTHER THINGS THAT A SUNSET DOES: IT REMINDS US AGAIN. THINGS GO, TIME GOES BY, AND WE DID THIS AND WE DID THAT AND SOMEBODY COMES UP WITH ANOTHER TAX INCREASE, AND WE SAY, WELL, WAIT A SECOND, LET'S SEE WHAT WE DID WITH THAT LAST ONE WHEN IT SUNSETS HERE. DID WE DO WHAT WE WANTED TO DO FOR THE PEOPLE? DID IT DO ITS JOB? DID IT FIX THE BRIDGES AND THE CULVERTS? DRIVE SOME OF YOUR COUNTY ROADS OUT THERE FOR...YOU KNOW, AND I BELIEVE THE COUNTIES, I DON'T HAVE THE CITY NUMBERS, BUT I HAVE THE INFORMATION, EXCUSE ME, JUST THE RANDOM AMOUNT. THE CITIES HAVE TO...AND COUNTIES HAVE TO MATCH 25 PERCENT OF STATE ROADS FUNDING NOW. LINCOLN COUNTY, MY COUNTY, IS MATCHING AT 47 PERCENT WITH PROPERTY TAXES. HALL COUNTY...THESE ARE RANDOM. I DIDN'T PICK ON ANY LEGISLATOR OR HIS DISTRICT. I GOT THIS FROM THE COUNTY OFFICIALS: 43 PERCENT, HALL COUNTY; CUMING COUNTY, 32 PERCENT; NEMAHA COUNTY, 47 PERCENT; GARDEN COUNTY, 70 PERCENT; SALINE COUNTY, 49 PERCENT; LANCASTER COUNTY, 59 PERCENT. THEY ARE TRYING TO FIX THE INFRASTRUCTURE AND THEY ARE HAVING TO PUMP A LOT OF PROPERTY TAXES INTO THAT TO DO IT. THERE IS A CAUSE AND EFFECT HERE AND THERE IS A REASON TO CONCENTRATE ON THE COUNTIES AND THE CITIES IF WE DO ANYTHING TO EARMARK IT, AS YOU SAY. THAT'S A BAD WORD IN WASHINGTON, BUT SOMETIMES, AS A BODY, NOT AS AN INDIVIDUAL, WE EARMARK SOMETHING FOR A PROJECT. IT IS NOT A BAD IDEA. IT IS A GOOD THING. AS ONE OF THE SENATORS HERE SAYS, COUNTIES AND CITIES ARE AN INVENTION AND A CREATION OF THIS BODY. WE CAN DICTATE TO THEM. AND EVERY COUNTY OFFICIAL THAT I'VE TALKED TO, INDIVIDUAL COUNTY OFFICIAL, SAYS, BOY, THIS WOULD BE GREAT, IF WE HAD THOSE FUNDS AND WE COULD EARMARK THEM FOR THOSE PROJECTS FOR THE NEXT FIVE YEARS, WE WOULD DO SO IF YOU GAVE US THAT ABILITY. [LB610]

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SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR GROENE: SO I ASK YOU TO SUPPORT MY AMENDMENT. I DON'T...THIS IS ONE ISSUE I DO NOT WANT TO BE STANDING HERE, BUT WE'VE GOT TO DO WHAT'S GOOD, WE'VE GOT TO DO WHAT'S RIGHT, AND FIXING OUR INFRASTRUCTURE OUT THERE IN THE RURAL AREAS AND THE CITIES IS AN IMPORTANT THING THAT THIS BODY AND ELECTED OFFICIALS ARE SUPPOSED TO DO AND STAND UP TO DO IT. SO THANK YOU, AND HOPEFULLY YOU WILL SUPPORT MY AMENDMENT. AND LET'S KEEP US BELOW THE TOP TAX RATE IN OUR REGION, BUT LET'S DO WHAT'S RIGHT. THANK YOU. [LB610]

SENATOR KRIST: THANK YOU, SENATOR GROENE. SENATOR SMITH, FOR WHAT REASON DO YOU RISE? [LB610]

SENATOR SMITH: CALL OF THE HOUSE, REVERSE ORDER, PLEASE. [LB610]

SENATOR KRIST: THERE HAS BEEN A REQUEST FOR A CALL OF THE HOUSE. THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB610]

CLERK: 41 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB610]

SENATOR KRIST: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. THE HOUSE IS UNDER CALL. SENATORS WATERMEIER, CHAMBERS, AND LARSON, THE HOUSE IS UNDER CALL. PLEASE RETURN TO THE CHAMBER. SENATOR WATERMEIER, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. EVERYONE IS ACCOUNTED FOR. SENATOR SMITH, DO I UNDERSTAND, ROLL CALL VOTE, REGULAR ORDER? [LB610]

SENATOR SMITH: REVERSE ORDER, PLEASE, MR. PRESIDENT. [LB610]

SENATOR KRIST: OKAY. MR. CLERK, REVERSE ORDER, PLEASE. [LB610]

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CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 1147-1148.) 6 AYES, 28 NAYS, MR. PRESIDENT, ON THE AMENDMENT. [LB610]

SENATOR KRIST: THE AMENDMENT FAILS. LIFT THE CALL. MR. CLERK, YOU HAVE AN AMENDMENT? [LB610]

CLERK: MR. PRESIDENT, SENATOR MURANTE WOULD MOVE TO AMEND WITH AM1120. (LEGISLATIVE JOURNAL PAGES 1148-1150.) [LB610]

SENATOR KRIST: SENATOR MURANTE, YOU ARE RECOGNIZED. [LB610]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD AFTERNOON. I BELIEVE AM1120 ACCOMPLISHES THE GOAL STATED BY SENATOR SMITH WHILE TAKING INTO CONSIDERATION THE REGRESSIVE NATURE OF THE GAS TAX AND ENSURING THAT THE LEAST AMONG US HAVE AN UP OR DOWN VOTE ON THIS FLOOR. SO WHAT THIS AMENDMENT DOES IS IT RETAINS ALL THE LANGUAGE SENATOR SMITH INITIALLY DRAFTED. THE GAS TAX WILL CONTINUE TO GO UP AND THE MONEY WHICH HE INTENDS TO RAISE WOULD BE SPENT IN THE SAME WAY. HOWEVER, IT STATES IN THIS AMENDMENT THAT THE MOTOR VEHICLE FUEL TAXES WHICH ARE PAID BECOME ESSENTIALLY TAX DEDUCTIBLE FOR THE CITIZENS OF NEBRASKA MAKING LESS THAN \$25,000 A YEAR. THIS IS THE FIRST AND PERHAPS THE ONLY TIME THIS SESSION THAT WE WILL HAVE AN OPPORTUNITY TO PROVIDE SOME BASIC TAX RELIEF TO THE LEAST AMONG US. AND IT'S DONE, IMPORTANTLY, I BELIEVE, ON LB610 BECAUSE OF THE REGRESSIVE NATURE OF GAS TAXES AND THE INHERENT WAY IN WHICH GAS TAXES IMPACT AND ARE DIRECTED TOWARDS THE POOR. AND LET ME EXPLAIN TO THOSE WATCHING AT HOME EXACTLY HOW GAS TAXES ARE TARGETED TOWARDS THE POOR RELATIVE TO THE OTHER TAXES THAT WE LEVY HERE IN THE STATE OF NEBRASKA BECAUSE, YOU SEE, WITH INCOME TAXES, IN NEBRASKA AND ON THE FEDERAL LEVEL, THE MORE YOU MAKE, THE HIGHER RATE YOU PAY, SO THE WEALTHIEST AMONG US PAY THE MOST. ON SALES TAXES, WE ALL PAY THE SAME. HOWEVER, THE PRACTICAL REALITY IS IT'S MORE REGRESSIVE THAN THE INCOME TAX. BUT THE PRACTICAL REALITY IS THAT WEALTHY NEBRASKANS BUY MORE THINGS AND MORE EXPENSIVE THINGS THAN THE POOREST NEBRASKANS. SO WHILE THE WEALTHY NEBRASKAN CAN AFFORD TO GO OUT AND BUY A PRIUS, THE POOREST AMONG US HAVE TO BUY OLDER VEHICLES AND, ACCORDINGLY, IN AS FAR AS SALES TAX GOES, THE WEALTHIEST AMONG US DO PAY MORE. THAT'S NOT HOW IT WORKS WITH THE GAS TAX BECAUSE THE OLDER THE VEHICLES ARE, GENERALLY SPEAKING, THE

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CHEAPER THEY ARE AND THE WORSE GAS MILEAGE THEY HAVE, AND THE NEWER A VEHICLE IS, THE BETTER GAS MILEAGE. SO TWO PEOPLE, ONE MAKING A MILLION DOLLARS AND ONE MAKING \$20,000 A YEAR, DRIVES DOWN THE ROAD, BUT THE POOR PERSON IS PAYING MORE. AND THAT IS ON THOSE PEOPLE'S BACKS THAT WE ARE GOING TO PAVE THE ROADS IN THE STATE OF NEBRASKA. AND LB610, IF IT IS AMENDED BY AM1120, SAYS THAT THE GAS TAXES YOU PAY ARE TAX DEDUCTIBLE TO YOU, TO THOSE MAKING LESS THAN \$25,000 A YEAR. SO WE ARE NOT GOING TO PAVE THE BRIDGES AND PAVE THE ROADS, REBUILD THE BRIDGES AND PAVE THE ROADS OF NEBRASKA ON THE BACKS OF THE POOREST AMONG US. I HAVE A LOT OF ARTICLES FROM AROUND THE COUNTRY, BECAUSE WE ARE NOT THE ONLY STATE IN THIS NATION WHO IS...WHO ARE DEALING WITH THE ISSUE OF HOW TO PAVE OUR ROADS AND WHO ARE STRUGGLING TO FIND A WAY WITH THE GAS TAX TO ADEQUATELY SUPPORT THE INFRASTRUCTURE IN A WORLD WHERE VEHICLES ARE BECOMING MORE FUEL EFFICIENT. MARYLAND, DEALING WITH A GREAT ARTICLE FROM MARYLAND, I'M GOING TO QUOTE DIRECTLY: THE GAS TAX IS, FIRST AND FOREMOST, A TAX ON THE POOR WHO MUST SPEND A GREATER SHARE OF THEIR INCOME ON GAS THAN THE REST OF US AND, BECAUSE PUBLIC TRANSPORTATION IS SO INCONVENIENT TO LINKING RESIDENTS WITH THEIR PLACE OF WORK, THE POOR HAVE LITTLE ABILITY TO SWITCH THE WAY THEY COMMUTE. AND THE ARTICLE CONCLUDES: THE STATE'S POOREST RESIDENTS SHOULD NOT BE PENALIZED FOR THE BAD FINANCIAL DECISIONS OF STATE LEGISLATORS AND WASTE AND FRAUD, BUT LET THIS BE A WARNING TO EVERYONE THAT GOVERNMENT WILL REACH INTO THE POCKETS OF RICH AND POOR ALIKE TO GRAB ITS, QUOTE UNQUOTE, FAIR SHARE. CALIFORNIA, DEALING WITH COMPARABLE PROBLEMS WHICH WE ARE FACING, A GREAT ARTICLE WHICH OUTLINES THAT THE GAS TAX IS, QUOTE, THE LAST POLICY THEY SHOULD CONSIDER: LOW GAS PRICES AT THE PUMP ARE GREAT FOR CALIFORNIANS, ESPECIALLY LOWER-INCOME FAMILIES AND THE MIDDLE CLASS. WE HAVE AN OPPORTUNITY WITH THIS AMENDMENT TO ACHIEVE THE GOALS WHICH HAVE BEEN ARTICULATED WITH LB610 BUT TO DO IT IN A WAY THAT DOES NOT TARGET THOSE MOST IN NEED IN THE STATE OF NEBRASKA. I'VE TRIED TO DEVELOP ALTERNATIVES TO LB610, AND WE MAY HAVE AN OPPORTUNITY TO TALK ABOUT THOSE YET TODAY. BUT THIS IS NOT...AM1120 IS NOT AN ALTERNATIVE TO LB610. AM1120 COMPLEMENTS LB610 AND BY ADOPTING THIS AMENDMENT WE ARE STATING OUR PRIORITIES, AS LEGISLATORS, AND WHAT WE THINK IS IMPORTANT. THIS IS A VERY SERIOUS AMENDMENT. I HOPE YOU WILL LOOK UPON IT FAVORABLY. THANK YOU, MR. PRESIDENT. [LB610]

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SENATOR KRIST: THANK YOU, SENATOR MURANTE. THOSE STILL IN THE QUEUE: SENATOR CAMPBELL, LARSON, JOHNSON, GROENE, MURANTE, AND OTHERS. SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB610]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. I WANT TO ANSWER A QUICK QUESTION FOR SENATOR SCHNOOR. WE HAVE DONE PERFORMANCE AUDITS ON THE DEPARTMENT: WE DID ONE IN 2012 ON HOW THEY PRIORITIZE THEIR PROJECTS AND WE DID ONE IN 2001 WHICH HAD TO DO WITH PRECONSTRUCTION BIDDING AND CONTRACTS. PERFORMANCE AUDITS ARE DONE BASICALLY ON VERY SPECIFIC QUESTIONS, SO, IN TERMS OF THE EFFICIENCIES, WE MIGHT NOT HAVE ASKED THAT QUESTION, BUT WE HAVE DONE THEM. AND I WILL YIELD THE REST OF MY TIME TO SENATOR NORDQUIST. [LB610]

SENATOR KRIST: SENATOR NORDQUIST, 4:20. [LB610]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. I'D LIKE TO ASK SENATOR MURANTE A COUPLE QUESTIONS. [LB610]

SENATOR KRIST: SENATOR MURANTE, WILL YOU YIELD? [LB610]

SENATOR MURANTE: SURE. [LB610]

SENATOR NORDQUIST: I GUESS FIRST, ADMINISTRATIVELY, SENATOR MURANTE, TO QUALIFY FOR THIS CREDIT, WOULD SOMEBODY HAVE TO COLLECT EVERY GAS RECEIPT THAT THEY HAD THROUGHOUT THE YEAR? [LB610]

SENATOR MURANTE: HOW A PERSON REPORTS THEIR MILEAGE WOULD BE THE SAME AS I BELIEVE WE CURRENTLY HAVE. IT'S A...WE CERTAINLY...WE ALREADY CONTEMPLATE THAT MOTOR...WHAT WE...HOW MUCH WE DRIVE RELATIVE TO OUR WORK IS TAX DEDUCTIBLE. THIS IS USING THAT LOGIC AND APPLYING IT IN A SLIGHTLY DIFFERENT WAY. [LB610]

SENATOR NORDQUIST: BUT HOW MUCH YOU DRIVE DOESN'T HAVE ANY IMPACT ON...IT DOESN'T DETERMINE HOW MUCH GAS TAX YOU PAY, BECAUSE IF YOU DRIVE A CAR THAT GETS 15 MILES TO THE GALLON OR A CAR THAT GETS 40, YOU'RE PAYING A LOT DIFFERENT IN GAS TAX THROUGHOUT THE YEAR. [LB610]

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SENATOR MURANTE: CERTAINLY. [LB610]

SENATOR NORDQUIST: SO YOU ARE SAYING THEY WOULD HAVE TO COLLECT ALL THEIR RECEIPTS. I MEAN, THAT'S THE ONLY WAY I COULD SEE THIS AS BEING AT ALL VERIFIABLE BY THE DEPARTMENT OF REVENUE. [LB610]

SENATOR MURANTE: WELL, I THINK THEY CERTAINLY...I DON'T THINK THEY WOULD HAVE TO DO ALL OF IT. THE TAX RELIEF THAT WE'RE TALKING ABOUT HERE IS AN AMOUNT WHICH AMOUNTS TO I BELIEVE \$18 A YEAR. SO A PERSON WOULD HAVE TO DEMONSTRATE THAT THEY DROVE SUFFICIENTLY TO PAY GAS TAX FOR \$18. I DON'T THINK THAT'S TOO DIFFICULT TO PROVE FOR THE AVERAGE NEBRASKAN. [LB610]

SENATOR NORDQUIST: IF THIS IS A SERIOUS AMENDMENT, DO YOU HAVE A FISCAL IMPACT ON WHAT THIS WOULD...HOW IT WOULD IMPACT THE GENERAL FUND? [LB610]

SENATOR MURANTE: I DO NOT HAVE A FISCAL NOTE AT THIS TIME, NO. [LB610]

SENATOR NORDQUIST: OKAY. [LB610]

SENATOR MURANTE: IF IT GETS ADOPTED, THEN THE FISCAL OFFICE WILL DO ITS NORMAL THING. [LB610]

SENATOR NORDQUIST: ALL RIGHT. LET'S STEP BACK AND TALK BIGGER PICTURE HERE. WHEN WE'RE TALKING ABOUT CHALLENGES AND OUR HIGH LEVEL OF DEFICIENT BRIDGES, CERTAINLY, IN MY DISTRICT, I HEAR A LOT OF COMPLAINTS ABOUT POTHOLES IN THE CITY, NOT GETTING ON TOP OF THOSE ENOUGH. DO YOU THINK WE HAVE ROADS-FUNDING CHALLENGES IN OUR STATE? [LB610]

SENATOR MURANTE: YES, I'VE ALREADY ARTICULATED THAT POINT. [LB610]

SENATOR NORDQUIST: OKAY. AND WHAT WOULD BE YOUR PROPOSED SOLUTION FOR THAT? [LB610]

SENATOR MURANTE: WELL, I DON'T THINK THERE IS LIKELY TO BE A SINGLE, SILVER BULLET, SENATOR NORDQUIST. I THINK SENATOR BOLZ IN HER SPEECH

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VERY ABLY ARTICULATED THE VARIOUS IDEAS THAT HAVE BEEN BROUGHT BEFORE THE NEBRASKA STATE LEGISLATURE IN YEARS PAST. AND ALTHOUGH PREVIOUS LEGISLATURES HAD MADE SOME DECISIONS, I'M NOT SURE THAT WE SHOULD CLOSE OUR MINDS TO ANY OF THOSE IDEAS WHICH HAVE BEEN PRESENTED PREVIOUSLY AND WE SHOULD ENTERTAIN ALL OF THEM. [LB610]

SENATOR NORDQUIST: DID YOU SUPPORT THE BONDING BILL THAT WAS ON THE FLOOR LAST YEAR? [LB610]

SENATOR MURANTE: I SUPPORTED IT UNTIL IT BECAME GENERAL OBLIGATION BONDS. I WAS CONCERNED ABOUT THAT NATURE, BUT I SUPPORTED IT ON GENERAL FILE AND SELECT FILE, IF MEMORY SERVES, BUT I WOULD HAVE TO GO BACK AND CHECK. [LB610]

SENATOR NORDQUIST: I WAS LOOKING AT A COUPLE. SENATOR McCOY MENTIONED SENATOR (SIC) GOSS'S STUDY, SO I WAS LOOKING AT A FEW OF THOSE OPTIONS. WASHINGTON STATE PUT A NEW TAX ON ELECTRIC VEHICLES OR HYBRIDS. WOULD YOU SUPPORT THAT NEW TAX, A NEW TAX LIKE THAT? [LB610]

SENATOR MURANTE: I MEAN, WE COULD SIT HERE RIGHT NOW AND GO THROUGH A LITANY OF WHAT OTHER STATES ARE DOING. [LB610]

SENATOR NORDQUIST: WELL, LET'S DO THAT. [LB610]

SENATOR MURANTE: OKAY. (LAUGH) AS MUCH AS I LIKE TO JUST SHOOT FROM THE HIP, I TYPICALLY WILL RESEARCH SOMETHING A LITTLE BIT BEFORE COMING TO A CONCRETE DECISION ON IT, AND THAT'S WHAT I WOULD PROBABLY DO IN THE CASE OF THOSE STUDIES THAT I HAVE JUST NEVER SEEN BEFORE. [LB610]

SENATOR NORDQUIST: HOW ABOUT...HAVE YOU LOOKED AT THE GPS TRACKING WHERE GOVERNMENT IS ABLE TO TRACK THE DRIVING PATTERNS OF CITIZENS? [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR MURANTE: I'VE HEARD ABOUT IT. [LB610]

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SENATOR NORDQUIST: SO THAT'S NOT SOMETHING YOU WOULD BE WILLING TO SUPPORT AT THIS TIME? [LB610]

SENATOR MURANTE: IF YOU WOULD LIKE TO TRY THAT ON AN AMENDMENT TO LB610, SENATOR NORDQUIST, YOU CAN GO AHEAD AND INTRODUCE IT AND I'LL... [LB610]

SENATOR NORDQUIST: NO, NO. I'M SUPPORTING LB610 AS IT IS. [LB610]

SENATOR MURANTE: ...(LAUGH) I'LL TAKE A LOOK AT IT. [LB610]

SENATOR NORDQUIST: HOW ABOUT...THE OTHER GOSS SOLUTION WAS PUBLIC-PRIVATE PARTNERSHIPS, WHICH ULTIMATELY HAVE TO HAVE A FUNDING STREAM, SO USUALLY THAT AMOUNTS TO TOLL ROADS. WHAT ARE YOUR THOUGHTS ON TOLL ROADS? [LB610]

SENATOR MURANTE: I KNOW THAT THEY HAVE BEEN USED TO SOME SUCCESS ELSEWHERE. I KNOW A LOT OF THAT DEPENDS ON COMMUTER TRAFFIC AND ISSUES LIKE THAT. AND I JUST, AGAIN, BEFORE JUMPING IN THE DEEP END OF PUBLIC POLICY, I PROBABLY NEED TO DO SOME RESEARCH BEFORE... [LB610]

SENATOR KRIST: TIME, GENTLEMEN. [LB610]

SENATOR NORDQUIST: THANK YOU. [LB610]

SENATOR KRIST: THANK YOU, SENATOR CAMPBELL, NORDQUIST, AND MURANTE. SENATOR LARSON, YOU'RE RECOGNIZED. [LB610]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF AM1120. AND JUST ON A QUICK NOTE, I WAS LISTENING TO THE EXCHANGE BETWEEN SENATOR NORDQUIST AND SENATOR MURANTE AND SENATOR NORDQUIST ASKED THE QUESTION IN WHAT I THOUGHT WAS AN AWKWARD WAY WHEN HE ASKED, WOULD THEY HAVE TO PROVIDE THE RECEIPTS? AND AS I READ THROUGH THE AMENDMENT, AND MAYBE SENATOR MURANTE WILL BE ABLE TO BETTER CLARIFY ON HIS TURN ON THE MIKE, BUT IT ESSENTIALLY JUST SAYS IF AN INDIVIDUAL MAKES LESS THAN \$25,000 A YEAR ON THEIR INCOME TAX--WE ALL JUST EITHER DID OUR INCOME TAXES OR ARE GETTING READY TO DO IT--THEY RECEIVE THIS CREDIT. IT DOESN'T REQUIRE THEM TO PAY RECEIPTS. IT

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DOESN'T REQUIRE THEM TO PROVE THAT THEY PAID THAT MUCH. IT JUST SAYS, IF YOU MAKE LESS THAN THIS AMOUNT, YOU ARE GOING TO RECEIVE THE CREDIT. AND SENATOR MURANTE IS RIGHT IN THE SIMPLE FACT THAT THIS IS A REGRESSIVE TAX. I HEARD, TWO YEARS AGO ON LB84, COLLEAGUES STAND UP AND TALK ABOUT HOW THE GAS TAX IS ONE OF THE MOST REGRESSIVE TAXES THERE ARE. AND, YES, WE WERE TAKING IT OUT OF GENERAL FUNDS AT THAT TIME, BUT A LOT OF THE SAME PEOPLE THAT ARE NOW SUPPORTING THIS LOBBIED AGAINST IT BECAUSE THEY DIDN'T WANT IT COMING OUT OF THE EDUCATION BUDGET OR THEY DIDN'T WANT IT COMING OUT OF "X." AND THEY CAN SAY, WELL, THIS IS A USER TAX NOW, SO WE CAN SUPPORT IT. WELL, FRANKLY, THEY ARE TAXING, OR SUPPORTING, SOME OF THOSE THAT ARE THE MOST VULNERABLE, IF YOU WANT TO SAY, AMONG US. AND THIS IS A DIRECT TAX BREAK TO ENSURE THAT THOSE PEOPLE THAT ARE THE MOST VULNERABLE, THAT ARE MAKING LESS THAN \$25,000 A YEAR, RECEIVE THIS CREDIT. AND THAT IS IMPORTANT BECAUSE, AS SENATOR MURANTE SAID, THIS IS TAX RELIEF FOR THE LOWER MIDDLE CLASS, AND THAT IS IMPORTANT AS YOU MOVE FORWARD. AND, FRANKLY, I UNDERSTAND WHAT SENATOR NORDQUIST WAS TRYING TO DO WHEN HE WAS ASKING FOR RECEIPTS AND, LIKE I SAID, AS I READ IT, THAT'S NOT HOW THIS IS WORDED. BUT EVEN IF IT WAS WORDED LIKE THAT, WHAT IS THE PROBLEM WITH SAVING YOUR GAS RECEIPTS IF YOU KNOW THAT YOU WERE GOING TO RECEIVE THE CREDIT? LIKE I SAID, BY MY READING, I DON'T THINK THAT YOU HAVE TO. AND MAYBE SOMEBODY CAN CORRECT ME, BUT THE POINT OF IT COMES BACK. WE HAVE TO STAND UP FOR ALL TYPES OF TAX RELIEF. I STAND UP FOR PROPERTY TAX RELIEF ALL THE TIME. BUT THIS IS ONE THAT DIRECTLY HITS THE POCKETBOOKS OF WHAT MANY WOULD CONSIDER LOWER- TO MIDDLE-CLASS FAMILIES. AND IF YOU CAN'T SUPPORT A DIRECT TAX, AS IT SAYS IN THE AMENDMENT, A DIRECT TAX CREDIT TO THE LOWER MIDDLE CLASS, THOSE INDIVIDUALS THAT ARE RECEIVING THAT...OR MAKING LESS THAN \$25,000 A YEAR, I'D BE DISAPPOINTED, ESPECIALLY WHEN WE'RE ADDING A 6 CENT TAX ON THEM. SO IF YOU'RE PUTTING A TAX ON THEM AND YOU OPENLY ADMIT THAT THIS TAX IS REGRESSIVE BUT YOU HAVE AN OPPORTUNITY RIGHT HERE TO ENSURE THAT THEY WILL NOT HAVE TO PAY THAT REGRESSIVE TAX OR AT LEAST GET SOME OF IT REFUNDED BACK TO THEM, I DON'T UNDERSTAND WHY YOU WOULDN'T WANT TO DO THAT. AND I THINK IT WILL BE AWFUL INTERESTING TO SEE HOW MEMBERS VOTE ON THIS ONE WHEN THEY LOOK AT IT... [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

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SENATOR LARSON: ...IF THEY ARE WILLING TO GIVE THOSE LOWER- AND MIDDLE-CLASS PEOPLE, THOSE THAT ARE MAKING LESS THAN \$25,000 A YEAR, A CREDIT WHEN THEY DO THEIR TAXES TO ENSURE THAT WE ARE NOT UNFAIRLY PUTTING A HEAVY BURDEN ON THEM BECAUSE--SENATOR MURANTE IS RIGHT--SOME OF US CAN AFFORD MORE ENERGY-EFFICIENT CARS AND OTHERS HAVE TO BUY OLDER MODELS THAT DON'T HAVE AS MUCH ENERGY EFFICIENCY. IT WILL BE INTERESTING TO SEE, AS MANY STAND UP AND VOTE ON AM1120, IF THEY TRULY BELIEVE ON TAX CUTS FOR THE POOR AND MIDDLE CLASS AFTER THEY'RE TRYING TO RAISE THE TAXES ON THEM. THIS ESSENTIALLY TAKES AWAY THAT TAX BURDEN. THIS TAKES AWAY THE REGRESSIVE NATURE OF THE GAS TAX. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR LARSON. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB610]

SENATOR JOHNSON: MR. PRESIDENT, I'LL YIELD MY TIME TO SENATOR GLOOR. [LB610]

SENATOR KRIST: SENATOR GLOOR, 4:54. [LB610]

SENATOR GLOOR: THANK YOU, MR. SPEAKER. AND THANK YOU, SENATOR JOHNSON. I WOULD CHALLENGE THE GERMANENESS OF THIS AMENDMENT. [LB610]

SENATOR KRIST: SENATOR GLOOR, COULD YOU STATE WHY YOU BELIEVE THAT THIS AMENDMENT IS NOT GERMANE TO...THAT AM1120 IS NOT GERMANE TO LB610? [LB610]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. AND, YES, I WILL AND I'LL TRY AND BE BRIEF. THIS IS A FLAT-OUT INCOME TAX REFUND EVEN THOUGH IT'S PURPORTED TO RELATE TO THE REGRESSIVE NATURE OF THE FUEL TAX. AS SENATOR NORDQUIST AND SENATOR MURANTE ENGAGED IN THAT DISCUSSION, IT WAS CLEAR THAT THERE IS NOTHING IN PLACE THAT WOULD REQUIRE THAT. SO WE'RE DEALING WITH AN INCOME TAX REFUND. IT'S NOT HAD A HEARING. WE HAVE...WE SHOULD HAVE A HEARING ON SOMETHING LIKE THIS AT A MINIMUM. IF THERE'S NEVER ANY OPPORTUNITY TO BRING FORWARD SOME SORT OF PROOF, THEN WE'RE DEALING WITH A WHOLE DIFFERENT CHAPTER OF TAX LAW AND TAX STATUTE ON THIS. AND SO THIS IS AN INCOME TAX REFUND, HAS BEEN PROPOSED AS AN INCOME TAX REFUND CONNECTED IN SOME WAY,

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SHAPE, OR FORM TO THE FUEL TAX, BUT NOTHING IS IN PLACE TO ACTUALLY REQUIRE THAT. THAT WOULD BE MY ARGUMENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR GLOOR. SENATOR MURANTE, WOULD YOU LIKE TO RESPOND? [LB610]

SENATOR MURANTE: SURE. FIRST, I APPRECIATE WHAT MY FRIEND SENATOR GLOOR HAS TO SAY. PAGE 4, LINE 10, THE BILL PERTAINS TO THE RATE OF MOTOR VEHICLE TAXES. MY AMENDMENT PERTAINS EXCLUSIVELY TO MOTOR VEHICLE TAXES AND, TO THOSE MAKING LESS THAN \$25,000 A YEAR, PROVIDES AN INCOME TAX CREDIT FOR THE MOTOR VEHICLE TAXES THAT THEY PAY. I'M NOT 100 PERCENT SURE WHETHER OR NOT A NEW PUBLIC HEARING WOULD BE NEEDED BUT, QUITE FRANKLY, THAT'S NOT RELEVANT TO THE QUESTION OF GERMANENESS. A BILL CAN BE GERMANE AND STILL REQUIRE A NEW PUBLIC HEARING. AND THIS IS A QUESTION OF WHO IS GOING TO PAY FOR THE UNDERLYING BILL IN LB610 AND THE AMENDMENT PERTAINS DIRECTLY TO THE TAXES THAT LOW-INCOME PEOPLE PAY FOR THEIR MOTOR VEHICLE FUEL TAXES. THAT SEEMS DIRECTLY ON POINT TO ME, SO I BELIEVE THAT IT IS GERMANE, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR MURANTE. SENATOR GLOOR, SENATOR MURANTE, UNDER ADVICE OF THE CLERK...AND I DO AGREE THAT THE AMENDMENT IS NOT GERMANE. IT DEALS WITH AN ENTIRELY DIFFERENT CHAPTER IN THE TAX LAWS AND I...OR IN DIFFERENT CHAPTER OF STATUTE, SO I'M RULING IT NOT GERMANE. SENATOR MURANTE, FOR WHAT PURPOSE DO YOU RISE? [LB610]

SENATOR MURANTE: MR. PRESIDENT, I RISE TO OVERRULE THE RULING OF THE CHAIR. [LB610]

SENATOR KRIST: SENATOR MURANTE, PLEASE APPROACH THE CHAIR. COLLEAGUES, PLEASE JUST STAND AT EASE FOR A MINUTE. THERE HAS BEEN A MOTION TO CHALLENGE THE CHAIR, SO, COLLEAGUES, THIS IS HOW THIS WORKS: SENATOR MURANTE WILL OPEN AND CLOSE ON HIS CHALLENGE. I'LL RECOGNIZE HIM TO OPEN. HE GETS TEN MINUTES. HE'LL CLOSE. THAT WILL TAKE FIVE MINUTES. EACH OF YOU HAS AN OPPORTUNITY TO SPEAK ONE TIME IF YOU WISH TO DO SO. SENATOR MURANTE, YOU'RE RECOGNIZED TO OPEN ON YOUR CHALLENGE. [LB610]

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SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD AFTERNOON. AND I DO HAVE TO SAY THAT BEFORE I...I DO...WHILE I DISAGREE WITH THE RULING OF THE CHAIR, I DO RESPECT HIS OPINION IN MY CONVERSATION UP-FRONT. I BELIEVE THE POINT WAS ABLY MADE. AND I DON'T--CERTAINLY DON'T--MEAN BY THIS MOTION TO CAUSE ANY AMOUNT OF...TO BE A SIGN OF DISRESPECT OR ANYTHING LIKE THAT FOR THE CHAIR--I CERTAINLY DON'T HAVE THAT--JUST A REASONABLE DISAGREEMENT OF OPINION. SO LET ME READ TO YOU RULE 7 AND THE DEFINITION OF WHAT IS AND WHAT IS NOT GERMANE, THAT ANY AMENDMENT THAT IS NOT GERMANE IS OUT OF ORDER AND THAT GERMANE AMENDMENTS RELATE ONLY TO THE DETAILS OF THE SPECIFIC SUBJECT OF THE BILL AND MUST BE IN A LOGICAL AND NATURAL SEQUENCE TO THE SUBJECT MATTER OF THE ORIGINAL PROPOSAL. A NONGERMANE AMENDMENT INCLUDES ONE THAT RELATES TO A SUBSTANTIALLY DIFFERENT SUBJECT. COLLEAGUES, I WOULD SUBMIT TO YOU THAT MY AMENDMENT, AM1120, IS DIRECTLY ON POINT WITH LB610. LB610 ATTEMPTS TO ADDRESS NEBRASKA'S ROADS PROBLEM. AM1120 RECOGNIZES THOSE CHALLENGES AND DISCUSSES WHO IS GOING TO PAY FOR THEM. THE AMENDMENT DEALS DIRECTLY AND IS DIRECTLY ON POINT WITH MOTOR VEHICLE FUEL TAXES. IT SAYS IT DIRECTLY IN THE AMENDMENT. AND THE MOTOR VEHICLE FUEL TAXES WHICH ARE PAID HAS A TAX CREDIT ATTACHED TO THEM. I BELIEVE THAT THAT MAKES IT CERTAINLY...IT IS CERTAINLY NOT A SUBSTANTIALLY DIFFERENT SUBJECT MATTER, WHICH THE RULES REQUIRE, BUT THAT IT IS A NATURAL AND LOGICAL SEQUENCE OF THE EVENTS, BECAUSE I DON'T KNOW HOW WE COULD HAVE A CONVERSATION ABOUT RAISING THE GAS TAX AND NOT HAVE A CONVERSATION ABOUT WHO IS PAYING FOR IT, WHICH IS ULTIMATELY WHAT AM1120 IS ALL ABOUT. AM1120 IS TRYING TO GIVE THOSE PEOPLE WHO CAN LEAST AFFORD TO PAY MOTOR VEHICLE TAXES A LITTLE BIT OF A BREAK. THAT IS NOT A DIFFERENT SUBJECT MATTER. THAT IS DIRECTLY ON POINT. AND IF THIS AMENDMENT...CERTAINLY THE SPIRIT OF THE AMENDMENT IS DIRECTLY ON POINT, AND IF IT'S...IF IT IS NOT GERMANE, THEN I THINK THAT WE ARE SETTING OURSELVES A VERY DANGEROUS PRECEDENT WITH HOW NARROW WE ARE CONSTRUING THAT GERMANENESS RULE. SO WITH RESPECT I RISE TO OVERRULE THE CHAIR BECAUSE I BELIEVE THAT AM1120 IS GERMANE, IT SHOULD BE DISCUSSED AS A MATTER OF PUBLIC POLICY, BECAUSE ULTIMATELY WE CANNOT HAVE A DISCUSSION ON AM1120 IF THE BODY AGREES THAT IT'S NOT GERMANE. SO LET'S HAVE THAT DISCUSSION. I ENCOURAGE YOU...I'M LOOKING FORWARD TO HEARING WHAT EVERYONE HERE HAS TO SAY, BUT I DO BELIEVE THAT AM1120 IS GERMANE TO THE BILL, EVEN IF YOU SUPPORT LB610. AND TO BE CLEAR, AM1120 DOES NOT UNDERMINE LB610. AM1120 KEEPS INTACT THE GAS TAX INCREASE AND WHERE THE MONEY GETS

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SPENT. THIS IS NOT AN EFFORT TO UNDERMINE OR KILL THE BILL. THIS IS AN EFFORT ON AM1120 TO ENSURE THAT WE AREN'T ACCOMPLISHING THE GOALS OF LB610 ON THE BACK OF THE POOREST AMONG US. THOSE TWO CONVERSATIONS ARE RELATED TO EACH OTHER, THEY ARE GERMANE, AND I ENCOURAGE YOU TO OVERRULE THE CHAIR. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR MURANTE. THE RULING OF THE CHAIR HAS BEEN CHALLENGED SO EACH MEMBER IS ALLOWED TO SPEAK ONCE AND ONE TIME ONLY. MEMBERS MAY NOT YIELD TIME TO ANOTHER MEMBER. SENATOR...THOSE WISHING TO SPEAK: SENATOR GROENE, KUEHN, FRIESEN, MORFELD, AND OTHERS. SENATOR GROENE, YOU'RE RECOGNIZED. [LB610]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I GUESS I DIDN'T PUSH THE BUTTON TO TALK ON THIS MATTER. I WANTED TO TALK ON THE AMENDMENT. BUT I THINK THIS IS PERTINENT TO THE BILL, THE AMENDMENT. IT ADDRESSES THE FACT THAT WE ARE ABOUT TO, IF WE PASS LB610, THAT WE'RE GOING TO PUT A VERY HIGH BURDEN ON OUR PEOPLE, AND ESPECIALLY THOSE IN LOWER INCOME LEVELS. IT'S A DIRECT RELATIONSHIP OF WHERE DOES THAT MONEY COME FROM BECAUSE WE'RE GOING TO BE AT THE HIGHEST...IT'S...WELL, YOU ADD 6 CENTS, A 22.5 PERCENT INCREASE. I HEARD ONE OF THE PROPONENTS SAY IT WAS A MINOR, MINOR INCREASE. BUT 6 CENTS IS 22.5 PERCENT. IT PUTS A BURDEN ON THEIR...ON FAMILIES AND IT'S A DIRECT RATIO. WE'RE TALKING ABOUT RAISING THE FUEL TAXES ON THESE FOLKS AND THEN WE TURN AROUND AND WE GIVE THE FOLKS WHO CAN'T...LEAST AFFORD IT A DIRECT DEDUCTION OFF THEIR TAXES SO THAT THOSE WHO CAN AFFORD IT WILL PAY FOR IT AND OUR VISITORS TO OUR STATE THAT COME THROUGH WILL PAY FOR THIS TAX INCREASE, WHICH I HOPE WILL NOT HAPPEN. BUT I THINK IT'S GERMANE. IT'S DIRECTLY RELATED TO THE ISSUE OF PAYING TAXES, ONE TAX VERSUS ANOTHER ONE, AS WE DO THIS ALL THE TIME WHERE YOU SHOW THAT YOU PAID YOUR PROPERTY TAXES AND YOU TAKE IT OFF YOUR INCOME TAXES. SOMEHOW THOSE TWO HAVE TO BE RELATED IN LAW. AND ANY DEDUCTION OF TAXES OFF OF ANOTHER TAX, I DON'T KNOW HOW THAT'S WRITTEN UP ON OTHER LAWS, BUT I'M ASSUMING THEY HAVE TO BE TIED TOGETHER. SO I WOULD HOPE THAT WE RETHINK THIS AND WE CONTINUE THE DEBATE ON AM1120. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR GROENE. SENATOR FRIESEN, YOU'RE RECOGNIZED. AND WHILE SENATOR FRIESEN IS MAKING HIS WAY TO THE MIKE, LET ME REMIND YOU, THE SAME QUEUE STAYS IN EFFECT. SO IF YOU PUNCHED

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FOR A DIFFERENT REASON AND YOU WANT TO WAIVE, WAIVE. SENATOR FRIESEN. [LB610]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I WILL ARGUE THAT IT IS NO LONGER GERMANE. I APPRECIATE THE DIRECTION MY COLLEAGUES WANT TO GO, BUT IT'S...AS A FRESHMAN SENATOR, I FIND IT FASCINATING HOW AT SOME TIMES PEOPLE WANT TO DEFEND THE MOST NEEDY AND THE MOST DOWNTRODDEN OF OUR SOCIETY WHEN IT'S CONVENIENT FOR THEM. THIS IS...I JUST FEEL THAT THIS IS NOT GERMANE AT THE MOMENT. I WOULD LOVE TO DISCUSS IT. I'M NOT EVEN OPPOSED TO THE IDEA BEHIND IT. I THINK IT'S GREAT. BUT WHEN IT DOES NOT SPELL OUT ANY METHOD OF HAVING TO PROVE WHETHER OR NOT YOU EVEN OWN A VEHICLE, IF YOU PAY 1 CENT OF FUEL TAX, SUPPOSEDLY, THEN YOU WOULD GET THE CREDIT. IT IS MORE OF JUST A STRAIGHT INCOME TAX REBATE. THAT'S THE WAY I LOOK AT IT. I WOULD...I STILL...I'M NOT NECESSARILY OPPOSED TO THE IDEA BEHIND IT. IT'S JUST...IT DOESN'T FIT WITH WHAT WE'RE DISCUSSING AT THE MOMENT. I WOULD ARGUE THAT ALL OF OUR CITIZENS, WHEN WE TALK ABOUT AN INFRASTRUCTURE LIKE THIS, ARE GOING TO PAY FOR THAT INFRASTRUCTURE, REGARDLESS OF WHETHER IT'S IN A FUEL TAX OR IN THE COST OF DELIVERY TO PRODUCTS TO THEIR HOME. SO THIS TAKES IT IN A WHOLE NEW DIRECTION. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR FRIESEN. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB610]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. I'M STILL DECIDING HOW I WILL VOTE ON THE MOTION TO OVERRULE THE CHAIR. HOWEVER, I DID WANT TO ADDRESS SOME COMMENTS THAT WERE MADE BY ONE OF OUR COLLEAGUES ABOUT NEVER SEEING OR NEVER HEARING OF A TAX THAT ACTUALLY WENT AWAY, AND I WANTED TO NOTE A FEW THINGS FOR THE RECORD. FIRST, LB312, WHICH WAS ENACTED IN 2005, CREATED THE NEBRASKA ADVANTAGE ACT WHICH EXEMPTED SOME COMPANIES FROM SALES, INCOME, AND PROPERTY TAX TO THE TUNE OF ABOUT \$181 MILLION BY FY '24. LB968, WHICH WAS ENACTED IN 2006, EXPANDED THE INCOME TAX AND IS ESTIMATED TO CUT ABOUT \$159 MILLION IN TAXES IN YEAR...BY YEAR 2024 AGAIN. LB367 ELIMINATED THE ESTATE TAX. THIS ONE IS A REAL DOOZIE. IT ELIMINATED ABOUT \$248 MILLION, AGAIN BY FISCAL YEAR 2024. LB888, WHICH INCREASED THE CUTOFF OF THE TOP CORPORATE INCOME TAX, A LITTLE BIT LESS: \$4.7 MILLION PER YEAR. THAT WAS ENACTED IN 2008. I CAN KEEP GOING ON AND ON, BUT THE FACT OF THE MATTER IS, IS TO SAY THAT THERE'S NEVER A TAX THAT WE DECREASED OR CUT IS

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DISINGENUOUS. WE DO IT ALL THE TIME AND I THINK THAT WE HAVE BEEN FAIRLY CONSERVATIVE AND PRUDENT IN THE WAY THAT WE BOTH CUT TAXES AND INCREASE TAXES. I WOULD ALSO NOTE THAT, IN REGARD TO AM1120 BY SENATOR MURANTE, IT'S INTERESTING THAT THE PEOPLE THAT ARE SUPPORTING THAT ARE BRINGING UP FOLKS THAT CAN'T AFFORD THINGS, BEING AS THOUGH ALL OF THOSE INDIVIDUALS OPPOSE MEDICAID, WHICH 2,200 PEOPLE IN MY DISTRICT NOW CANNOT AFFORD BASIC HEALTH CARE. SO I OPPOSE AM1120 AND I WILL DECIDE HOW I VOTE ON THE MOTION TO OVERRULE THE CHAIR IN A BIT HERE. THANK YOU, COLLEAGUES. [LB610]

SENATOR KRIST: THANK YOU, SENATOR MORFELD. SENATOR McCOY, YOU'RE RECOGNIZED. [LB610]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. I RISE TO OVERRULE THE CHAIR. I BELIEVE THAT AM1120 IS MOST CERTAINLY GERMANE TO THE ISSUE AT HAND. I JUST FIND IT ENTIRELY PROBABLE THAT THERE ARE A NUMBER OF FOLKS ON THIS FLOOR WHO REALLY DON'T WANT TO TAKE A VOTE ON THIS AMENDMENT. LET ME REPEAT THAT: THERE ARE A LOT OF FOLKS WHO KNOW THAT THIS IS THE MOST REGRESSIVE TAX THERE IS AND WHO DON'T WANT TO TAKE A VOTE ON IT, SO WE SCREAM, IT'S NOT GERMANE, WHICH IS FINE. IT'S ENTIRELY WITHIN THE RULES. BUT LET ME TELL YOU, MEMBERS, AS WE ALL KNOW, IT'S GOING TO BE A LONG, LONG ROAD THE REST OF SESSION IF THIS IS NOT GERMANE BECAUSE THERE MOST CERTAINLY WILL BE MANY OTHER OCCASIONS WHEN MANY OF YOU RISE TO AMEND SOME BILL THAT MAYBE HASN'T MADE IT OUT OF COMMITTEE YET WHICH SEEMS TO FIT. AND IF THIS IS THE WATERMARK BY WHICH WE JUDGE GERMANENESS, THEN THERE'S GOING TO BE A LOT OF OCCASIONS WHEN WE CAN RECALL THIS MOMENT THE REST OF SESSION AND HERE FORWARD. AND, I DARESAY, SENATOR CHAMBERS HAS SEEN OCCASIONS LIKE THIS MANY, MANY TIMES IN HIS YEARS HERE AND HE KNOWS EXACTLY WHAT I'M TALKING ABOUT, ALTHOUGH I'M NOT GOING TO SPEAK FOR HIM. HIS LIGHT IS ON AND I ASSUME HE'LL SPEAK AND IN DUE COURSE. THIS IS ABSOLUTELY GERMANE, IN MY MIND. THIS AMENDMENT SPEAKS TO THOSE WHO ARE GOING TO DEAL WITH THIS TAX INCREASE, \$75 MILLION TAX INCREASE, THE MOST. I THINK IT'S HIGHLY DISINGENUOUS THAT WE TALK ABOUT THE IMPLEMENTATION OF THIS TAX INCREASE BUT NOT WANT TO TALK ABOUT WHO IT'S GOING TO AFFECT: THE NEBRASKANS WHO MOST LIKELY DON'T HAVE A LOBBYIST BEHIND THE GLASS TO SPEAK FOR THEM, WHO MAY OR MAY NOT BE WATCHING US AT HOME TODAY OR WATCHING WHAT'S GOING ON IN THE NEWSPAPER, WONDERING, IS SOMEBODY GOING TO SPEAK UP FOR ME? WELL, WE ARE. THAT'S WHAT AM1120 DOES. IT'S ENTIRELY GERMANE. IT MAY BE

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THAT WE DON'T GET TO A VOTE ON IT, BUT I THINK THAT'S BECAUSE THERE'S PLENTY OF PEOPLE WHO DON'T WANT TO TAKE A VOTE ON THIS AMENDMENT. GO BACK AND LOOK AT THE TRANSCRIPTS, MEMBERS. GO BACK TO 2008. I HAVE THEM RIGHT HERE. I'VE BEEN THROUGH THEM ALL. LOOK AT THE DEBATE ON LB959 IN 2008. SENATOR CHAMBERS WOULD HAVE BEEN THE ONLY ONE ON THIS FLOOR WHO WAS HERE. IT WAS A NASTY, VICIOUS FIGHT OVER THE LAST TIME THE GAS TAX WAS INCREASED. AND DO YOU KNOW WHAT? WHAT WE'RE TALKING ABOUT HERE BEING THE MOST REGRESSIVE TAX THAT WE HAVE IN NEBRASKA WAS DISCUSSED FOR HOURS, AD NAUSEAM. THIS IS ENTIRELY GERMANE. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR McCOY. THOSE STILL WISHING TO SPEAK: SENATOR BLOOMFIELD, SMITH, SCHUMACHER, LARSON, NORDQUIST, AND OTHERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB610]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, SENATOR BRASCH SUGGESTED A LITTLE BIT AGO THAT MAYBE I BETTER STRAP THE HELMET ON AS WE APPROACH THE LAST FEW DAYS OF THE LEGISLATURE. YOU KNOW, IF I THOUGHT THE HELMET WOULD BE ANY MORE EFFECTIVE UP HERE IN PREVENTING BAD BILLS THAN IT IS IN HELPING THE STATE OF NEBRASKA, I WOULD ALREADY HAVE IT ON. BUT AS TO OVERRIDING THE CHAIR ON THIS, I WANT TO THANK SENATOR GLOOR FOR CALLING THE GERMANENESS ON THIS. I DO NOT BELIEVE THAT AN INCOME TAX REFUND IS GERMANE TO A GAS TAX INCREASE. COLLEAGUES, WE NEED TO JUST KILL THIS BILL OFF AND BE DONE WITH IT. THE PEOPLE OF NEBRASKA DON'T WANT AN INCREASE IN TAXES. THEY DIDN'T SAY, GIVE SOME PEOPLE A TAX INCREASE BUT NOT THE REST OF US. YOU KNOW, WHAT WE'RE LOOKING AT DOING HERE AGAIN IS CUTTING OUT A LITTLE NICHE AND WE DO IT ALL THE TIME. IT'S TIME TO STOP THAT HERE. IF THE BODY DECIDES THAT THIS IS, IN FACT, GERMANE, I WILL ADD AN AMENDMENT TO THE AMENDMENT AND SAY THAT ANYBODY THAT LIVES MORE THAN 30 MILES FROM A METROPOLITAN AREA SHOULD GET A TAX BREAK BECAUSE THEY HAVE TO DRIVE THERE TO SHOP. WHERE DO WE STOP WITH THIS? OVERRIDING THE CHAIR IS SOMETHING WE CAN DO. I DON'T THINK IT'S A WISE PRACTICE TO GET INTO. IT'S A SERIOUS, SERIOUS ISSUE. IT'S BEEN DONE BEFORE, IT WILL BE DONE AGAIN, BUT I DON'T BELIEVE IN THIS INSTANCE WE SHOULD. I BELIEVE THERE IS CLEAR SEPARATION BETWEEN AN INCOME TAX AND A GAS TAX, AND OVERRIDING THE CHAIR SHOULD NOT BE DONE IN THIS CASE. THANK YOU, MR. PRESIDENT. [LB610]

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SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD. SENATOR SMITH, YOU'RE RECOGNIZED. [LB610]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND, COLLEAGUES, I RISE IN SUPPORT OF THE CHAIR'S RULING ON THIS. AND I THINK ACTUALLY SENATOR BLOOMFIELD EXPLAINED MY THOUGHTS ON THIS VERY WELL. THERE'S A BROAD DIFFERENCE BETWEEN AN INCOME TAX AND A GAS TAX, USE TAX, AND I THINK THAT STANDS WITH MY ARGUMENT ALL ALONG. SO I DON'T THINK I'M BEING INCONSISTENT HERE AT ALL, ALTHOUGH I WOULD TELL YOU I'M HALFWAY TEMPTED TO SUPPORT THIS, THE OVERRULING OF THE CHAIR, ONLY IF NOT...IF NOT ONLY TO JUST LOOK AT THE FISCAL NOTE. I GOT SOME INITIAL BALLPARK ESTIMATES FROM FISCAL OFFICE AND, COLLEAGUES, YOU MIGHT BE QUITE SURPRISED BY WHAT THIS AMENDMENT, AS SOMEWHAT IN HASTE, WOULD COST TAXPAYERS IN THE STATE OF NEBRASKA. BUT MY GOOD JUDGMENT PREVAILS AND I SUPPORT THE CHAIR'S RULING. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR SMITH. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB610]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. I SUPPORT THE CHAIR'S RULING IN REGARD TO THIS BECAUSE WHAT THIS PROPOSES TO DO IS GIVE A REFUNDABLE TAX CREDIT. THAT'S A CHECK. FILE A RETURN, YOU GET A CHECK, NO RELATIONSHIP AT ALL TO WHETHER OR NOT YOU DRIVE A CAR OR PAY GAS TAX. EVERYBODY GETS A CHECK. IT'S UNCLEAR WHETHER OR NOT ON A JOINT RETURN YOU'D GET TWO CHECKS OR JUST ONE CHECK. THAT INDICATES HOW WELL THOUGHT OUT THIS AMENDMENT WAS AND WHAT ITS REAL PURPOSE IS. PERHAPS THERE WOULD HAVE BEEN GERMANENESS IF YOU HAD TO TURN IN YOUR RECEIPTS, BUT YOU DON'T. IF YOU LIVE AND BREATHE, YOU GET A CHECK. THE FISCAL IMPACT OF THAT, I DON'T KNOW; I DON'T KNOW EVEN IF YOU HAVE TO BE A TAXPAYER, IF IT EXCLUDES MINORS, IF YOU HAVE TO BE AN ADULT, IF YOU HAVE TO HAVE INCOME. AND IT MAY EXCLUDE THE PEOPLE OF MOST NEED BECAUSE THERE ARE SOME PEOPLE WHO DON'T FILE A TAX RETURN. THEY WOULDN'T GET A CHECK. THEY'D BE THE ONLY ONES THAT WOULDN'T GET A CHECK. THE WAY THIS IS WORDED, IT'S ASTRONOMICAL AND IT'S NOT RELATED TO THE PURPOSE OF THE BILL, WHICH IS THE GAS TAX. THIS IS SIMPLY THE STATE WRITING CHECKS. THAT'S NOT GERMANE. THAT DOES NOT LOGICALLY FLOW FROM AN IMPOSITION OF WHAT AMOUNTS TO BE A FAIRLY MINOR GAS TAX OF ABOUT \$30 A YEAR. SO I BELIEVE THAT THE CHAIR RULED PROPERLY. THERE'S NOT SUFFICIENT NEXUS BETWEEN

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THE PROPOSED AMENDMENT AND THE BILL, THE CHAPTER OF THE BILL, AND ITS PURPOSES. THANK YOU. [LB610]

SENATOR KRIST: THANK YOU, SENATOR SCHUMACHER. SENATOR LARSON, YOU'RE RECOGNIZED. [LB610]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I KNOW THERE'S 18 NEW ONES IN HERE AND I THINK THIS IS PROBABLY THE FIRST TIME YOU'VE GONE THROUGH THIS. AND AS WE START TO GET A LITTLE LATER IN SESSION AND YOU LOOK AT THAT WORKSHEET AND YOU SEE 174 BILLS ON GENERAL FILE YET ONLY 107 WITH PRIORITIES, THERE'S GOING TO BE A FEW MORE THAT COME OUT, AND A LOT OF YOU ARE GOING TO TRY TO DO ONE THING: YOU'RE GOING TO TRY TO HANG THEM ON THINGS THAT ARE ON THE AGENDA. YOU'RE GOING TO TRY TO GET YOUR BILL PASSED BY AMENDING IT ONTO SOMETHING ELSE. THIS IS SOMETHING THAT WE'VE DONE QUITE OFTEN IN THE NEBRASKA LEGISLATURE. AND I'D HAVE TO AGREE...OR DISAGREE, I SHOULD SAY. I'D HAVE TO DISAGREE WITH MY COLLEAGUE SENATOR SCHUMACHER ON THE SIMPLE FACT THAT THIS DOES LOGICALLY FLOW WITH THE ORIGINAL BILL. THE AMENDMENT AS INTRODUCED IS ESSENTIALLY THE ORIGINAL BILL, LB610, AND IT ADDS IN, FOR THOSE THAT ARE MAKING LESS THAN \$25,000, THEY GET A REFUND. IT LOGICALLY FLOWS. LET ME GIVE SOME OF THE NEW ONES HERE SOME THINGS THAT HAVEN'T LOGICALLY FLOWED IN THE PAST THAT WE'VE DONE. LAST YEAR, LB699, IT'S A BILL OF MINE. IT DEALS WITH HUNTING PERMITS. SENATOR MCGILL INTRODUCED AN AMENDMENT, WHICH WE ADOPTED, THAT DEALT WITH SENDING REPORTS ON WHEN SOMEONE BUYS A GUN TO DHHS AND THEN ONTO THE FEDERAL GOVERNMENT, ON HUNTING LICENSES. SENATOR LATHROP ALSO TACKLED ON AN AMENDMENT THAT REPEALED AN OLD GUN LAW. I HAVE LB330, WHICH WILL MAKE IT TO THE AGENDA SOON, I HOPE, THAT'S MY ALCOHOL OMNIBUS BILL OUT OF COMMITTEE, THAT I KNOW SOME PEOPLE WANT TO HANG OTHER AMENDMENTS TO THAT DOESN'T NECESSARILY GO STRAIGHT IN LINE WITH LOWERING BEER OR TAKING...CHANGING CIDER FROM WINE AND LIQUOR TO BEER. IF WE WANT TO TALK ABOUT LOGICALLY FOLLOWING, THIS DOES THAT. AND IF YOU WANT TO SET THE PRECEDENT HERE, BECAUSE YOU MIGHT DISAGREE WITH AM1120, OF GERMANENESS IN YOUR FIRST TIME, THIS IS YOUR FIRST TIME RULING HERE, IF THIS IS THE STANDARD YOU WANT TO SET, IT'S A DANGEROUS ONE. IT'S A VERY DANGEROUS ONE BECAUSE, WHEN IT COMES TIME THAT YOU WANT TO HANG SOMETHING ON THERE AND IT MIGHT NOT BE AS CONTROVERSIAL AS AM1120 BUT YOU WANT TO HANG SOMETHING ON SOME BILL TO MAKE SURE IT GETS DONE, YOU BETTER WATCH THAT GERMANENESS BECAUSE IN THIS RULING

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IT'S VERY, VERY NARROW. AND IF YOU WALK DOWN THAT, I'M GUESSING SENATOR MURANTE OR OTHERS WILL REMEMBER THAT IN THE SENSE OF, WELL, THE BODY HAS ALREADY SAID THIS IS WHAT GERMANENESS...YOU BETTER BE CAREFUL. THIS IS YOUR FIRST TIME ON THIS RULING. DO YOU REALLY WANT TO DEFINE THAT SCOPE AND PUT THAT CHAIR IN THIS POSITION THE REST OF THE YEAR? FRANKLY, ON LB330, THE AMENDMENT THAT I KNOW THAT WANTS TO COME I THINK PROBABLY IS GERMANE, BUT I THINK AM1120 IS GERMANE AS WELL. [LB610 LB330]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR LARSON: BUT IF WE RULE AM1120 NONGERMANE, I'M NOT SURE UNDER WHAT THIS IS THAT I COULD SAY THE AMENDMENT THAT WANTS TO GET HUNG ON IS GERMANE. IF WE'RE GOING TO DEFINE IT THIS NARROWLY, IT WILL HAVE CONSEQUENCES, VERY, VERY DEEP AND DIRE CONSEQUENCES FOR ALMOST EVERYBODY ON THIS FLOOR. AND I DON'T THINK THAT'S WHAT YOU WANT BECAUSE YOU'LL WANT SOMETHING DONE, YOU'LL WANT AN EASY BILL THAT COULDN'T GET ON CONSENT OR WHATEVER ELSE PASSED, AND IT'S NOT GOING TO HAPPEN BECAUSE IT'S NOT GOING BE GERMANE BECAUSE YOU DON'T WANT TO TAKE A VOTE ON THIS OR YOU DISAGREE WITH AM1120. THAT'S NOT WHAT THIS IS ABOUT. THIS IS WHETHER OR NOT IT FLOWS LOGICALLY AND IT DOES. AND TO SAY THAT...TO SAY THAT IT DOESN'T, YOU'RE GOING BE RESTRICTING YOURSELF AND THE REST OF THE BODY IN ABOUT 15 DAYS, SEVERELY. THIS IS YOUR FIRST OPPORTUNITY. DON'T SQUANDER IT. THANK YOU. [LB610]

SENATOR KRIST: TIME, SENATOR. THANK YOU, SENATOR LARSON. SENATOR NORDQUIST, YOU'RE RECOGNIZED. [LB610]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. YOU KNOW, SENATOR MORFELD KIND OF GOT ME OFF TRACK MENTIONING MEDICAID EXPANSION. AND IT'S NOT LOST ON ME THAT PRETTY MUCH EVERYONE WHO IS FALLING BELOW THE \$25,000 CUTOFF FOR THIS BILL PRETTY MUCH QUALIFIES FOR MEDICAID EXPANSION. THIS IS THE 77,000 PEOPLE WE'RE TALKING ABOUT. SO, YOU KNOW, I THINK THERE'S A COUPLE THINGS WE NEED TO POINT OUT HERE. FIRST OF ALL, THE NEBRASKA REVENUE ACT OF 1967 ONLY APPLIES TO SALES AND INCOME TAXES. THAT'S ALL THAT'S IN THE NEBRASKA REVENUE ACT OF 1967. THAT'S EXACTLY WHAT THIS IS TALKING ABOUT. AND IT WAS THE REASON I ASKED THE QUESTION INITIALLY OF SENATOR MURANTE BECAUSE, AFTER READING THIS AMENDMENT, I WAS NOT SURE OF WHETHER OR NOT YOU

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NEEDED TO ACTUALLY VERIFY THE AMOUNT OF CREDIT THAT YOU WERE CLAIMING. AND IN HIS EXPLANATION, THE EXPLANATION FROM OTHER PROPONENTS, IT WAS CRYSTAL CLEAR THAT WHAT YOU PAID IN MOTOR VEHICLE...FUEL TAX PAID HAD NO IMPACT ON THE CREDIT. WE COULD TAKE THIS AMENDMENT RIGHT NOW AND SAY, THERE SHALL BE ALLOWED TO A QUALIFIED RESIDENT, INDIVIDUAL, FOR COST OF OWNING A PURPLE MONKEY, A REFUNDABLE CREDIT AGAINST INCOME TAXES AND, WHETHER THAT PERSON OWNS A PURPLE MONKEY OR NOT, THEY CAN STILL GET THE INCOME CREDIT. THAT'S MY DAUGHTER'S FAVORITE TOY, HER PURPLE STUFFED MONKEY. OR WE COULD SAY THAT THERE SHALL BE ALLOWED A QUALIFIED CREDIT TO A QUALIFIED RESIDENT INDIVIDUAL FOR THE COST OF BEING UNINSURED AND EVERYONE, WHETHER THEY ARE UNINSURED OR NOT, AS LONG AS THEY MAKE LESS THAN \$25,000, CAN GET THIS. THIS SHOWS THAT THIS AMENDMENT HAS ZERO TIE TO MOTOR FUEL TAXES. AND FOR THAT REASON, WE SHOULD RULE IT...SUSTAIN THE RULING OF THE CHAIR THAT IT IS NOT GERMANE. AND JUST TALKING HISTORICALLY, IN THIS BODY I'VE BEEN AROUND AS A LEGISLATIVE STAFF AND SENATOR NOW FOR ABOUT 11 YEARS IN THIS BODY. AND I THINK IT WAS BACK IN '07 WHEN WE ESTABLISHED THE PROPERTY TAX CREDIT FUND. THERE WAS AN ATTEMPT BY SOME PEOPLE WHO WANTED A DIFFERENT APPROACH TO THAT. THEY WANTED A REFUNDABLE \$500 FLAT INCOME TAX CREDIT FOR PROPERTY TAXES PAID, VERY SIMILAR TO THIS, AND AT THAT TIME THE BODY RULED THAT THAT AMENDMENT WAS NOT GERMANE TO THE PROPERTY TAX CREDIT FUND. VERY MUCH THE LOGIC OF THAT DECISION, OF THIS HISTORICAL INSTITUTION, SHOULD APPLY HERE THAT, EVEN THOUGH YOU PUT IN THE AMENDMENT THAT THIS IS FOR MOTOR FUEL TAXES PAID, JUST LIKE THAT SAID FOR PROPERTY TAXES PAID, ULTIMATELY, THIS COMES DOWN TO AN INCOME TAX CREDIT. IF WE'RE REALLY CONCERNED ABOUT THESE INDIVIDUALS, WE HAVE TWO GREAT APPROACHES. ONE, CERTAINLY, WAS MEDICAID EXPANSION. THE OTHER ONE IS SIGNING ONTO THE BILL THAT SENATOR PANSING BROOKS INTRODUCED AND THAT I COSIGNED, LB495, THE EARNED INCOME TAX CREDIT WHICH ACTUALLY, FOR THAT TAX CREDIT, YOU HAVE TO DEMONSTRATE THAT YOU'VE EARNED INCOME AND YOU CAN GET A CREDIT FOR THAT WAY. SO THERE ARE MULTIPLE APPROACHES THAT MANY OF US HAVE BEEN WORKING ON FOR A LONG, LONG TIME TO PROVIDE TAX RELIEF TO LOW-INCOME WORKING FAMILIES. THIS IS A NOT-GERMANE APPROACH TO LB610 AND I ENCOURAGE THE BODY TO NOT OVERRULE THE CHAIR. THANK YOU. [LB610 LB495]

SENATOR KRIST: THANK YOU, SENATOR NORDQUIST. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB610]

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SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I THINK THE LEGISLATURE NEEDS TO BE IN A POSITION TO LEGISLATE. TOO STRINGENT AN INTERPRETATION OF THE SO-CALLED GERMANENESS RULE CAN BE PLAYED WITH IN A POLITICAL FASHION JUST BECAUSE OF THE DISLIKE OF A CERTAIN AMENDMENT. I DON'T LIKE THE AMENDMENT BUT I ALSO DON'T LIKE THE RULING OF THE CHAIR. THIS IS NOT AN INCOME TAX CREDIT. YOU'VE HAD A SITUATION, AND THOSE WHO WERE NOT HERE ARE UNAWARE OF IT AND IT'S WHY YOU NEED TO LET PEOPLE STAY AROUND AWHILE. I WAS INSTRUMENTAL IN GETTING RID OF THE TAX ON FOOD, AND THERE WAS A REBATE THAT PEOPLE GOT. THERE WAS A PRESUMPTION THAT EVERYBODY ATE. SO WITHOUT KEEPING RECEIPTS OR ANYTHING ELSE, THERE WAS A FLAT AMOUNT THAT ANYBODY COULD CLAIM WHO FILED FOR THE INCOME TAX...FOR THE FOOD TAX REBATE. AND A REBATE IS SIMPLY RETURNING A PART OF A TAX THAT WAS PAID. AN ASSUMPTION IS MADE HERE, A PRESUMPTION IS MADE HERE IN THE SAME WAY THAT, WHEN OUR EXPENSES ARE FIGURED, YOU DON'T HAVE TO HAVE A RECEIPT FOR EVERY SINGLE ITEM THAT YOU ARE GOING TO USE TO JUSTIFY RECEIVING YOUR PER DIEM. THE PER DIEM IS A SPECIFIC AMOUNT, AND EVEN IF YOU SPENT MORE THAN THAT, YOU'RE NOT GOING TO GET ANY MORE. SO WHEN YOU HAVE A BILL SUCH AS THIS AND WITHIN THE LANGUAGE OF THE BILL, FOR EXAMPLE, ON PAGE 3, IT TALKS ABOUT HOW "FUEL EXPANDERS," SUCH AS ETHANOL, METHANOL, AND SO FORTH, "SHALL BE EXEMPT FROM THE TAXES IMPOSED BY THIS SECTION...WHEN THE FUELS ARE USED FOR BUSES EQUIPPED TO CARRY MORE THAN SEVEN PERSONS FOR HIRE AND ENGAGED ENTIRELY IN THE TRANSPORTATION OF PASSENGERS FOR HIRE WITHIN MUNICIPALITIES OR WITHIN A RADIUS OF SIX MILES THEREOF," THAT HAS NOTHING TO DO WITH THE FUEL THAT YOU USE. IT'S TALKING ABOUT HOW YOU USE IT, THE CONDITION THAT IS MET WHEN YOU CAN GET THIS KIND OF EXEMPTION. THEN ON PAGE 5, IN LINE 10, YOU TALK ABOUT THESE TYPES OF THINGS THAT ARE ALLOWED WHEN YOU'RE DEALING WITH AN EXCISE TAX, "EXEMPTIONS, DEDUCTIONS, AND RIGHTS OF REIMBURSEMENT." NOW YOU'RE TALKING ABOUT THAT WITHIN THIS BILL ITSELF, THE EXISTING LANGUAGE. IF YOU CAN JUSTIFIABLY TALK ABOUT IMPOSING A TAX AND AT THE SAME TIME YOU'RE IMPOSING THE TAX YOU CAN TALK ABOUT EXEMPTIONS THAT PEOPLE CAN GET IN THIS FUEL TAX AREA OF THE LAW, IF THEY MEET CERTAIN CONDITIONS, THEY GET AN EXEMPTION, THEY GET A DEDUCTION, THEY GET A REBATE. THIS THAT IS BEING TALKED ABOUT IN THIS BAD AMENDMENT IS A REBATE. AND I THINK IT WOULD BE A MISTAKE, BECAUSE YOU DON'T LIKE THE AMENDMENT, TO ALLOW THE RULING OF THE CHAIR TO STAND. BUT IF YOU'RE GOING TO MAKE IT THAT STRINGENT, THEN WE'RE GOING TO BE CHALLENGING THE CHAIR AND WE'RE GOING TO BE

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CHALLENGING GERMANENESS AT OTHER TIMES DURING THE SESSION WHEN IT'S CONVENIENT TO DO SO. AND THE CHALLENGE WON'T BE ON WHETHER OR NOT THE AMENDMENT OFFERED HAS A LOGICAL RELATIONSHIP TO THE OVERALL SUBJECT OF THE BILL. IT WILL BE BASED ON A DISLIKE OF OR FOR THE AMENDMENT. THAT'S WHAT I THINK HAPPENED IN THIS INSTANCE. LET'S SAY THE MOTIVATION... [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR CHAMBERS: ...OF THOSE WHO BROUGHT THE AMENDMENT IS SULLIED, NOT SINCERE, OR ALL THAT. THAT HAS NOTHING TO DO WITH WHAT WE'RE TALKING ABOUT. I'M CONCERNED ABOUT HOW THE RULES ARE CONSTRUED. THE CHAIR MADE A RULING THAT THE CHAIR BELIEVED TO BE CORRECT. I THINK THAT IS INCORRECT, AND I HOPE WE WILL VOTE TO OVERRULE THE CHAIR. I DON'T KNOW WHAT ELSE I COULD SAY. BUT IN THIS LAW RIGHT HERE, EXISTING LANGUAGE, IT TALKS ABOUT EXEMPTIONS, DEDUCTIONS, AND RIGHTS OF REIMBURSEMENT. NOW HOW ARE YOU GOING TO HAVE DEDUCTIONS IN HERE? AND IT HAS NOTHING DO WITH INCOME TAX OR SALES TAX. THOSE ARE RATIONALIZATIONS PULLED OUT OF THIN AIR OR MADE FROM WHOLE CLOTH AND I THINK THEY DON'T APPLY. THIS AMENDMENT IS AS GERMANE AS ANYTHING ELSE THAT MAY BE OFFERED TO THIS BILL THAT FLOWS FROM THIS... [LB610]

SENATOR KRIST: TIME, SENATOR. [LB610]

SENATOR CHAMBERS: ...TAX. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR HADLEY, YOU'RE RECOGNIZED. [LB610]

SPEAKER HADLEY: MR. PRESIDENT, MEMBERS OF THE BODY, I AGREE WITH SENATOR SCHUMACHER. HE'S A LOT SMARTER THAN I AM AND SAYS IT MORE ARTICULATEDLY, BUT IF I HAD BEEN SITTING IN THE CHAIR, I WOULD RULE THIS NOT GERMANE. AND THE PRIMARY REASON I WOULD HAVE DONE THAT IS THAT I DO NOT SEE THE RELATIONSHIP BETWEEN THE GAS TAX AND THE FACT WE'RE GIVING AN INCOME TAX REBATE. WHEN WE...SENATOR CHAMBERS BRINGS UP FOOD. IT'S PRETTY HARD TO LIVE WITHOUT GETTING FOOD AND PAYING FOR FOOD. BUT NOT EVERYBODY HAS A CAR. NOT EVERYBODY PAYS FOR GAS. WOULD THIS BE GERMANE IF WE GAVE A CREDIT ON PROPERTY TAXES? IF WE

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SAID, HEY, THIS IS THIS IS A GAS TAX AND WE'LL GIVE YOU, IF YOUR PROPERTY TAXES ARE MORE THAN...ARE LESS THAN \$2,000 A YEAR, WE'LL GIVE YOU A CREDIT ON YOUR PROPERTY TAX BECAUSE YOU PAY GAS TAX? SO I JUST WANTED TO SAY THAT I WOULD HAVE RULED EXACTLY THE SAME WAY THE CHAIR DID ON THE GERMANENESS ISSUE BECAUSE I DID NOT...DO NOT SEE IT FLOWING LOGICALLY. I GUESS ANOTHER CONCERN I HAVE, AND I DON'T KNOW WHETHER THE OPPONENTS ARE ENTERING INTO EXTENDED DEBATE ON THIS ISSUE, BUT I'M SURPRISED WITH THIS KIND OF AMENDMENT AND THE NEXT AMENDMENT THAT MIGHT BE UP ON EXTENDED DEBATE. IF YOUR GOAL IS JUST TO FORCE US TO FOUR HOURS, FINE. DO IT. CHANGE...SENATOR CHAMBERS IS AN EXPERT IN THAT. CHANGE A WORD IN THE BILL, WE CAN DEBATE IT. CHANGE ANOTHER WORD IN THE BILL, WE CAN DEBATE IT. PUT A BRACKET MOTION UP. SO I JUST AM CURIOUS AS TO WHAT THE REASON IS FOR THESE KINDS OF AMENDMENTS. IS IT TO ACTUALLY CHANGE THE WAY WE'RE LOOKING AT THIS? OR IS THE GOAL JUST TO GET TO 5:35 OR 5:40 WHEN WE'LL HAVE A CLOTURE VOTE? SO I GUESS I DON'T KNOW. AND IN THIS TYPE OF SITUATION, YOU CAN'T ASK QUESTIONS. BUT THAT LINGERS OUT IN MY MIND AS TO, IF YOU'RE GOING TO HAVE AN EXTENDED DEBATE, IS THERE A WAY TO DO EXTENDED DEBATE IF THE GOAL IS JUST BASICALLY TO SPEND FOUR HOURS TALKING? THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR HADLEY. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB610]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. YOU KNOW, I WAS...BEEN SAYING THAT THIS WHOLE BILL IS THE TAX FIRST, ASK QUESTIONS LATER, AND FINALLY WE GET SOMEONE TO ASK A QUESTION, IT'S THE WRONG ONE. THE QUESTION WE SHOULD BE ASKING IS, WHY ARE WE TRYING TO RAISE TAXES FIRST RATHER THAN LOOKING FOR OTHER WAYS TO DO IT, MAYBE CUTTING SOME TAXES OR DOING...LOOKING FOR MONEY ELSEWHERE, AND THEN IF WE STILL HAVE TO RAISE TAXES, DO THAT. YOU KNOW, I... YOU KNOW, YOU RULE ON THIS, YOU'RE IN THE SPEAKER'S CHAIR, AND YOU RULE ON THESE THINGS AS KIND OF A GUESS YOUR BEST. YOU KNOW, THE...WHOEVER IS IN THE SPEAKER'S CHAIR DOES THEIR BEST JOB, AND THEN WE HAVE TO FIGURE IF WE AGREE WITH IT. AND QUITE OFTEN THIS IS WHAT HAPPENS IS THAT WE HAVE TO DO A RULING, CHALLENGE THE RULING OF THE CHAIR. AND I THINK IT COULD HAVE GONE EITHER WAY. BUT I THINK THAT THIS IS ABOUT AS GERMANE AS ANYTHING WE'VE SEEN. I'M NOT SURE EXACTLY EVERYTHING THAT SENATOR CHAMBERS SAID, BUT I THINK I AGREED WITH THE GIST OF WHAT HE WAS SAYING THERE, THAT THIS IS ABOUT AS GERMANE AS ANYTHING THAT WE'RE

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GOING TO DEAL WITH THIS YEAR AS WE GET CLOSER TO THE END AND WE START SEEING MATCHING BILLS COME TOGETHER THAT ARE A CONGLOMERATION OF THREE OR FOUR DIFFERENT BILLS. I DON'T WANT TO CALL IT A CHRISTMAS TREE BILL BECAUSE I DON'T WANT TO DENIGRATE CHRISTMAS LIKE THAT. IT'S A HOLY DAY. BUT I THINK THAT, YOU KNOW, THIS IS REALLY WHAT WE'RE ABOUT. AND I CAN'T FOR THE LIFE OF ME SEE...IF THIS IS GOING TO BE NOT GERMANE, IT'S GOING TO BE A LONG SIX WEEKS COMING UP HERE. AND I THINK THAT WE SHOULD ADD A LITTLE CORRECTIVE HAND HERE. AND WITH RESPECT TO THE CHAIR, AND THAT WAS A TOUGH RULING, I UNDERSTAND THAT, BUT I THINK THAT AT THIS TIME WE NEED TO KIND OF CLARIFY WHAT THE RULES ARE THAT WE'RE GOING PLAY WITH. AND I THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR KINTNER. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB610]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I DO BELIEVE WE ARE AT A CRITICAL POINT HERE. I DO SUPPORT OVERRULING THE CHAIR BECAUSE THIS TAX DOES HAVE AN IMPACT ON MANY FAMILIES ACROSS OUR STATE. AND I DON'T BELIEVE COMPARING IT TO HEALTHCARE IS ABSOLUTELY SOME...THE GERMANENESS OF THAT I WOULD QUESTION BECAUSE THIS IS FISCALLY RESPONSIBLE. THIS IS WITHIN OUR GRASP TO MAKE SURE THAT INDIVIDUALS ARE ABLE TO CONTROL THE COSTS OF THEIR FUEL. AND TO TAKE A LOOK AT TRYING TO TIE US TO FEDERAL GOVERNMENT OBLIGATIONS, TO MILLIONS OF DOLLARS OF DEBT AS WELL, AN INCREASE IN TAXES, THEY'RE JUST DIFFERENT. THIS IS A WAY TO BE ABLE TO HELP BRING BACK SOME VALUABLE DOLLARS, KEEP THEM IN SOMEONE'S POCKET, RATHER THAN SPENDING MONEY THAT THE FEDERAL GOVERNMENT DOESN'T HAVE AND OBLIGATING THE STATE OF NEBRASKA FOR SOMETHING THAT WE CANNOT SUSTAIN MOVING FORWARD. THAT REQUIRES CLOSER EXAMINATION. THIS IS SOMETHING THAT I BELIEVE IS GERMANE AND SOMETHING THAT WE DO HAVE THE ABILITY TO DO WITH AM1120 SHOULD LB610 PASS. AGAIN, WHEN WE DISCUSSED HOW TO CARE FOR OUR INFRASTRUCTURE, THERE ARE 31 DIFFERENT WAYS AND METHODS TO DO THAT. WE CAN LOOK AT FUEL-EFFICIENT VEHICLES. WE COULD LOOK AT TOLLS. THERE'S A LIST. I CAN GIVE YOU THE LINK TO THE SOLUTIONS BROUGHT OUT AT THE 2010 TRANSPORTATION FUNDING SYMPOSIUM THAT WAS HELD WHERE 33 SENATORS WERE PRESENT, OVER 300 PEOPLE ATTENDED, AND LB84 WAS THE RESULT. THAT FUND IS JUST NOW STARTING TO COME IN, AND WE ARE NOW SEEING THE DOLLARS REALIZED FROM THAT. I'M CURIOUS HOW MANY COUNTIES REALIZE THAT IT'S THE BYPASS

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LEGISLATION AND NOT NECESSARILY A BRIDGES BILL. EVEN THE FOUR-LANE GROUP CAME IN AS A NEUTRAL TESTIMONY. I HOPE COUNTIES ARE FULLY AWARE THAT NOT EVERYONE WANTS A BYPASS. WE'VE SEEN WHAT'S HAPPENED TO SOME OF THE COUNTIES NEAR OUR AREA WHERE THE COMMUNITY OF HOOPER HAD A BYPASS GO THROUGH AND THE TOWN HAS BECOME VERY SMALL, ROADS VERY LESS TRAVELED. BUSINESSES WERE IMPACTED. AND SO I AM IN SUPPORT OF OVERRULING THE CHAIR. I THINK WE ARE, AGAIN, TALKING ABOUT INCREASING TAXES HERE. WE'RE TALKING ABOUT TRYING TO ESTABLISH A METHOD TO KEEP SOME DOLLARS WITH A GROUP OF INDIVIDUALS WHO HAVE ALREADY EXPRESSED A SHORTAGE AND A NEED FOR A TAX DECREASE. SO, SENATORS, COLLEAGUES, AGAIN,... [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR BRASCH: ...I AM OPPOSED TO LB610. I WOULD CONSIDER AM1120, AND I DO BELIEVE IT'S GERMANE. THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. [LB610]

SENATOR KRIST: THANK YOU, SENATOR BRASCH. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB610]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, I'M A SENIOR MEMBER WHEN IT COMES TO HOW OLD YOU ARE AND SENIOR MEMBER OF THE LEGISLATURE, AND I JUST WANTED TO PUT IN MY OPINION THAT OVERRULING THE CHAIR IS REALLY A VERY SERIOUS MATTER. YOU'VE GOT TO BE SURE THAT IT'S BASED ON THE ISSUE OF OUR RULES, NOT WHETHER OR NOT YOU'RE FOR A PARTICULAR BILL OR NOT. AND JUST BECAUSE SOMETHING SAYS GAS TAX DOESN'T MEAN THAT IT'S GERMANE. IF IT'S IN DIFFERENT CHAPTERS, AS THIS ONE IS, I TRULY BELIEVE THAT WE SHOULD NOT OVERRULE THE CHAIR. AND THEN I JUST GOT TO SAY THIS, I THINK IT'S DISINGENUOUS TO TALK ABOUT CONCERN FOR THE POOR. THEY WON'T HAVE TO DRIVE TO THEIR DOCTOR BECAUSE WE DIDN'T PASS MEDICAID EXPANSION. SO WE DON'T HAVE TO WORRY ABOUT ALL THE DRIVING THAT THEY'RE GOING TO DO. SO ONCE AGAIN, I WOULD EXPRESS THE FACT THAT I WILL NOT VOTE TO OVERRULE THE CHAIR. I DO NOT SUPPORT AM1120. BUT I DO SUPPORT LB610. THE ROADS AND ALL OUR OTHER INFRASTRUCTURE IS SOMETHING THAT WE HAVE TO KEEP WORKING ON. WE WILL NEVER, NEVER COME UP WITH A PERFECT SOLUTION TO SUPPORT OUR INFRASTRUCTURE AND I BELIEVE LB610 IS PART OF THAT SOLUTION AND IT

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DESERVES OUR ATTENTION IN THIS LEGISLATIVE SESSION. THANK YOU VERY MUCH. [LB610]

SENATOR KRIST: THANK YOU, SENATOR HAAR. SENATOR SCHEER, YOU'RE RECOGNIZED. [LB610]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. I RISE TO SUPPORT THE CHAIR IN ITS DECISION AND IN OPPOSITION TO OVERRULE. I'M NOT AN ATTORNEY BY TRADE. THOSE THAT ARE HAVE SPOKEN AND HAVE MADE A LOGICAL ARGUMENT TO ME. JUST BECAUSE SOMETHING IS A TAX DOESN'T MEAN IT'S ALL GERMANE IN THE SAME SENSE. I FEEL...I REALLY BELIEVE THAT'S PROBABLY THE CASE HERE. WE'RE TALKING ABOUT AN INCOME TAX CREDIT THAT HAS REALLY NOTHING TO DO WITH FUEL. IT'S AUTOMATIC, BY THE BILL. REGARDLESS IF YOU HAVE A DRIVER'S LICENSE OR IF YOU DRIVE A CAR OR IF YOU EVEN BOUGHT A GALLON OF GAS, YOU STILL GET THE REDUCTION AS FAR AS A CREDIT. FOR ME, TO BE GERMANE IT HAS TO HAVE SOME TYPE OF LINK TOWARDS THE PURCHASE OF FUEL. THIS DOES NOT. IT'S SIMPLISTIC BUT THAT'S MY THOUGHTS AND SO I APPRECIATE THOSE THAT LISTENED. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR SCHEER. SEEING NO ONE ELSE WISHING TO SPEAK, SENATOR MURANTE, YOU'RE RECOGNIZED TO CLOSE ON YOUR OVERRULE. [LB610]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD EVENING. I THINK WE'VE HAD A GOOD DISCUSSION. I PARTICULARLY WANT TO THANK THE SPEAKER AND SENATOR KRIST. IN SIDE CONVERSATIONS, I THINK THEY ABLY EXPLAINED THEIR POSITIONS. AND ALTHOUGH I RESPECTFULLY DISAGREE, I DO UNDERSTAND WHERE THEY'RE COMING FROM AND I DON'T MEAN TO IMPLY ANY DISRESPECT OR CERTAINLY NOT TO IMPLY THAT I FEEL THEIR RULING WAS BIASED IN ANY WAY, JUST A REASONABLE DISAGREEMENT OF OPINION. AND SENATOR HADLEY ASKED WHAT I BELIEVE IS A GOOD QUESTION AND PROBABLY DESERVES AN ANSWER, WHICH WAS, WHY OFFER THIS AMENDMENT? IF THIS IS ALL ABOUT PUSHING TO FOUR HOURS OR FOR EXTENDED DEBATE, WHY PUSH AN AMENDMENT LIKE THIS? AND I'D LIKE TO ANSWER THAT BECAUSE, WHETHER YOU BELIEVE IT OR NOT, THIS BILL IS GOING TO HAVE A DISPROPORTIONATE IMPACT ON CERTAIN NEBRASKANS. AND AM1120 IS MEANT TO MITIGATE THAT BURDEN THAT WE ARE PLACING THROUGH LB610. THAT, I BELIEVE, IS A LAUDABLE GOAL. IT IS ALSO A GOAL WHICH MAKES AM1120

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PERFECTLY GERMANE TO LB610. LB610 CREATES PROBLEMS. AM1120 MITIGATES THOSE PROBLEMS. LB610 PUTS A BURDEN ON THE NEBRASKANS WHO CAN LEAST AFFORD IT. AM1120 HELPS PAY FOR THAT BURDEN. IT HELPS THOSE PEOPLE WHO ARE GOING TO BE BURDENED THE MOST RECUPERATE JUST A LITTLE BIT. THAT IS AT THE CORE OF GERMANENESS. THOSE TWO ARE LINKED TO EACH OTHER. SO THIS ISN'T SIMPLY A STALLING MOTION. THIS ILLUSTRATES A CHALLENGE AND PROVIDES A VERY SERIOUS REMEDY. IT'S NOT MUCH. I'M NOT GOING TO SIT HERE AND TELL YOU THAT, IF WE ADOPT AM1120, THAT THE CHALLENGES FACING THE POOR PEOPLE OF NEBRASKA WILL GO AWAY. BUT IT'S A LITTLE BIT. AND IT'S THE ONLY OPPORTUNITY THAT WE HAVE TO DIRECT SOME TAX RELIEF, EVEN IF IT IS JUST A LITTLE BIT, TO THOSE WHO NEED IT MOST. I THINK THAT'S A GOOD GOAL. AND I WOULD LIKE TO ECHO THE DANGER ALARM SOUNDED BY SENATOR CHAMBERS AND SENATOR LARSON, THAT IF WE ARE ESTABLISHING A PRECEDENT THAT IN ORDER FOR AN AMENDMENT TO BE DEEMED GERMANE IT MUST BE IN THE SAME SECTION, THAT'S A DANGEROUS ROAD TO TAKE, COLLEAGUES. AND IT IS GOING TO HAVE FAR GREATER IMPACT THAN A GERMANENESS RULE OR GERMANENESS RULING OR LB610, BECAUSE IT WILL COLOR EVERYTHING ELSE WE DO FOR THE REMAINDER OF THIS SESSION. AS I SAID IN MY PREVIOUS TIME ON THE MICROPHONE, LB610 ATTEMPTS IN SOME WAY TO HELP DEAL WITH THE ROADS CHALLENGES THAT THIS STATE FACES. AM1120 ADDRESSES WHO PAYS FOR THAT. LB610 PLACES A TAX BURDEN ON THOSE WHO CAN LEAST AFFORD IT. AM1120 PROVIDES THOSE SAME PEOPLE JUST A LITTLE BIT OF RELIEF FOR THE TAXES THAT THEY PAID. THE TWO ARE RELATED TO EACH OTHER. [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. AND I THINK THAT IS SOMETHING WE NEED TO HAVE. SENATOR MORFELD I THINK BROUGHT UP A REASONABLE POINT ABOUT A PIECE OF LEGISLATION WHICH HE SUPPORTED. BUT JUST BECAUSE MANY OF US OPPOSED THAT MEASURE BECAUSE WE WERE CONCERNED ABOUT THE OVERALL WELL-BEING OF THE STATE DOESN'T MEAN WE CAN'T DO ANYTHING. WE OUGHT TO DO WHAT WE CAN, AND THIS IS JUST A LITTLE BIT. THIS IS JUST A STEP IN THE RIGHT DIRECTION. WE'RE NOT...IF WE ADOPT AM1120, WE'RE NOT GOING TO LOOK BACK ON IT AS GROUNDBREAKING LEGISLATION, BUT IT IS THE RIGHT THING TO DO. AND IT IS GERMANE TO LB610. I ENCOURAGE YOU TO VOTE TO OVERRULE THE CHAIR AND WE CAN PROCEED WITH A DEBATE ON AM1120. THANK YOU, MR. PRESIDENT. [LB610]

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SENATOR KRIST: THANK YOU, SENATOR MURANTE. YOU'VE HEARD THE CLOSING. SENATOR MURANTE, YOU'RE RECOGNIZED. [LB610]

SENATOR MURANTE: ON THIS MOTION, I'LL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE, PLEASE. THANK YOU. [LB610]

SENATOR KRIST: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB610]

CLERK: 40 AYES, 1 NAY, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB610]

SENATOR KRIST: HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE OF THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR KEN HAAR, SENATOR BURKE HARR, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. SENATOR BURKE HARR, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. SENATOR BURKE HARR, PLEASE RETURN TO THE CHAMBER. THE HOUSE IS UNDER CALL. EVERYONE IS PRESENT AND ACCOUNTED FOR. HOW WOULD YOU LIKE TO PROCEED, SENATOR MURANTE? IN REGULAR ORDER? [LB610]

SENATOR MURANTE: YES. [LB610]

SENATOR KRIST: OKAY. THERE'S A REMINDER FROM THE CHAIR. THE CHAIR MADE A RULING. SENATOR MURANTE CHALLENGED THAT RULING. THIS RULING IS TO OVERRIDE THE CHAIR. THAT MEANS A YES VOTE OVERRIDES THE CHAIR, A NO VOTE SUSTAINS THE CHAIR'S RULING. PLEASE PROCEED, MR. CLERK. [LB610]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1151.) 15 AYES, 29 NAYS, MR. PRESIDENT, ON THE MOTION TO OVERRULE THE CHAIR. [LB610]

SENATOR KRIST: THE CHAIR RULING STANDS. MR. CLERK. [LB610]

CLERK: MR. PRESIDENT, IF I MAY READ A FEW ITEMS?

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SENATOR KRIST: RAISE THE CALL, PLEASE. [LB610]

CLERK: MR. PRESIDENT, A FEW ITEMS FOR THE RECORD. ENROLLMENT AND REVIEW REPORTS LB519, LB449, LB132, LB561, LB243, LB243A, LB292, LB292A, LB265A, AND LB500A, ALL TO SELECT FILE. SENATOR CRAWFORD, AN AMENDMENT TO LB67 TO BE PRINTED; SENATOR JOHNSON TO LB67. (LEGISLATIVE JOURNAL PAGES 1151-1155.) [LB67 LB519 LB449 LB132 LB561 LB243 LB243A LB292 LB292A LB265A LB500A]

MR. PRESIDENT, RETURNING TO LB610, SENATOR McCOY WOULD MOVE TO AMEND WITH AM1118. (LEGISLATIVE JOURNAL PAGE 1155-1156.) [LB610]

SENATOR KRIST: SENATOR McCOY, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB610]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. WHAT YOU'LL FIND IN AM1118 DOVETAILS INTO WHAT I'VE SPOKEN ON EARLIER IN MY OPPOSITION TO THIS BILL. AM1118, IF YOU PULL OUT YOUR FISCAL NOTES FOR LB610, WOULD IN FISCAL YEAR 2015-2016, AND THEN FISCAL YEAR 2016-2017, WOULD IN THE FIRST INSTANCE TAKE \$2.5 MILLION, IN THE SECOND INSTANCE \$8.5 MILLION OUT OF OUR RECORD CASH RESERVE, WHICH IS SITTING AT JUST A LITTLE OVER \$693 MILLION CURRENTLY, AND APPLY IT INTO THE FUND TO BE USED FOR THE PURPOSES OF LB610. NOW HERE'S WHY: AS I'VE SAID NUMEROUS TIMES ON THE MICROPHONE ON THIS BILL, BOTH ON GENERAL FILE AND HERE ON SELECT FILE, I DON'T THINK WE'VE EXPLORED THE OPTIONS SUCH THAT THERE ARE OPTIONS, AND I BELIEVE THAT THERE ARE, IN LOOKING AT A HOLISTIC APPROACH TO HOW DO WE HANDLE THE SITUATION GOING FORWARD, NOT JUST WITH OUR BRIDGES AT THE COUNTY, CITY, AND STATE LEVEL, BUT ALSO OUR HIGHWAYS. THIS BUYS US SOME TIME, COLLEAGUES, BY USING THE CASH RESERVE FOR A SHORT PERIOD OF TIME. AND IF I'VE HEARD HIM SAY IT ONCE--WELL, AND HE IS IN THE ROOM--I'VE HEARD SENATOR MELLO SAY IT A HUNDRED TIMES. IN HIS VIEW, NOT MINE, BUT IN HIS, THE CASH RESERVE IS TO BE USED FOR TEMPORARY EXPENDITURES NOT ONGOING EXPENDITURES. WELL, THIS CERTAINLY FITS WITHIN THAT RUBRIC. IT GIVES THE LEGISLATURE TIME TO--HOLD YOUR BREATH--STUDY THE ISSUE, BECAUSE CLEARLY, AND I'M NOT BEING SARCASTIC BY SAYING THAT, I'VE BEEN ON THE RECEIVING END OF A LOT OF STUDY WHEN IT COMES TO TAXES. WE'RE ABOUT, POTENTIALLY, TO EMBARK ON ANOTHER STUDY ON HOW DO WE FUND SCHOOLS. WELL, I THINK THERE NEEDS TO BE SOME ADDITIONAL STUDY ON HOW TO FUND ROADS AND BRIDGES

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IN NEBRASKA. I DON'T THINK THERE'S BEEN ENOUGH. THIS BUYS THE TIME NECESSARY TO COMPLETE THAT STUDY. IT ACCOMPLISHES THE SAME GOALS AND PURPOSES THAT LB610 IS DESIGNED TO DO. POURS THAT MONEY INTO THE FUND IN ORDER TO EMBARK ON THOSE ROADS PROJECTS WHILE ALLOWING THE LEGISLATURE THE TIME TO THOROUGHLY EXPLORE WHAT OTHER OPTIONS ARE OUT THERE. THIS \$75 MILLION TAX INCREASE DOESN'T SCRATCH THE SURFACE OF HOW TO TAKE CARE OF THIS PROBLEM. WHAT IT CAN DO THROUGH THIS AMENDMENT IS GIVE US THE OPPORTUNITY TO FIND OUT WHAT OTHER OPTIONS ARE OUT THERE. LET ME JUST GIVE YOU ONE THAT'S RECEIVED SCARCELY A MENTION WHICH I THINK WOULD BEAR SOME FURTHER STUDY, AND THAT IS BONDING. OF MEMBERS IN THE BODY, THIS WOULD BE...THESE WERE THE MEMBERS THAT ARE STILL HERE IN THE LEGISLATURE THAT VOTED FOR BONDING JUST LAST YEAR FOR ALL BENEFIT OF YOU MEMBERS, NEW MEMBERS, WHO WEREN'T HERE: SENATOR BOLZ, CAMPBELL, COOK, CRAWFORD, DAVIS, KEN HAAR, BURKE HARR, HOWARD, JOHNSON, KOLOWSKI, KRIST, LARSON, McCOY, MELLO, MURANTE, NORDQUIST, SCHEER, SCHUMACHER, SEILER, AND SULLIVAN. THOSE ARE THE SENATORS, MEMBERS, THOSE OF YOU WHO ARE NEW, WHO VOTED TO ADVANCE BONDING. I WAS ONE OF THEM, AS SENATOR MURANTE SAID EARLIER. UNTIL THE BONDS BECAME GENERAL OBLIGATION BONDS BETWEEN SELECT OR AT THE PROCESS OF SELECT FILE, I SUPPORTED BONDING. I STILL DO. COLLEAGUES, 48 OTHER STATES USE BONDING FOR ROADS. OUR NEIGHBORING STATE, GREAT STATE OF WYOMING, IS THE ONLY OTHER STATE BESIDES NEBRASKA THAT DOES NOT. CLOSEST TO SENATOR STINNER'S DISTRICT, AS I'M SURE HE'S WELL AWARE, IT'S...WYOMING DOES IT A LITTLE DIFFERENTLY THAN WE DO. THEY HAVE A VERY, VERY HEALTHY, AS I JUST HEARD SENATOR STINNER SAY AND HE TOOK THE WORDS RIGHT OUT OF MY MOUTH, THEY HAVE A SEVERANCE TAX ON THE WONDERFUL NATURAL RESOURCE THAT IS COAL THAT PAYS FOR THE ROADS IN THE STATE OF WYOMING. THEY REALLY DON'T NEED TO BOND. YOU COULD AT LEAST MAKE THAT ARGUMENT. NOW THE FEDERAL GOVERNMENT MIGHT SEE FIT TO CHANGE THE COAL INDUSTRY, AND THEY MAY LOOK AT BONDING FOR HIGHWAYS. BUT AM1118, MEMBERS, GIVES US THE OPPORTUNITY TO ACCOMPLISH WHAT SENATOR SMITH, SENATOR FRIESEN, AND OTHERS THAT WOULD LIKE TO SEE THIS BILL PASSED, BUYS THE TIME FOR THE LEGISLATURE TO LOOK AT WHAT OTHER OPTIONS ARE OUT THERE. I THINK THAT'S NECESSARY. I THINK IT'S PRUDENT. I'M NEVER OF THE VIEW THAT WE SHOULD JUMP TO A TAX INCREASE. EVER. BUT I CERTAINLY AM NOT...WOULDN'T GO ALONG WITH THAT REASONING WHEN WE HAVEN'T EVEN THIS SESSION LOOKED...I MEAN, I WOULD CHALLENGE THE PROPONENTS OF THIS LEGISLATION TO OUTLINE FOR ME WHAT OTHER OPTION WE'VE EVEN DISCUSSED THIS SESSION THAT MADE IT TO THE FLOOR FOR EVEN DISCUSSION

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OTHER THAN THIS LEGISLATION. WE'RE SITTING ON A RECORD CASH RESERVE, MEMBERS. WHY NOT USE THIS AS A SMALL...USE A SMALL PORTION OF THAT CASH RESERVE TO ACCOMPLISH THE GOALS OF LB610 WHILE GIVING THE LEGISLATURE TIME TO SEE WHAT OTHER OPTIONS ARE OUT THERE? AND IT ISN'T JUST BONDING. SENATOR NORDQUIST TALKED ABOUT A NUMBER OF OPTIONS. THERE ARE ALL SORTS OF OTHER OPTIONS THAT OTHER STATES ARE USING. DR. ERNIE GOSS IN HIS STUDY CAME UP WITH A WHOLE LONG LIST. NOW OBVIOUSLY I DON'T...YOU KNOW, SENATOR NORDQUIST MAYBE GOING TO GET ME UP HERE IN A MINUTE AND RUN DOWN THROUGH THE LIST AND SAY, WOULD YOU SUPPORT THIS, THIS, OR THIS? I CERTAINLY, JUST BEFORE HE JUMPS TO THAT CONCLUSION I'LL SAY, I DON'T SUPPORT GPS TRACKING OF VEHICLES. THAT'S NOT SOMETHING I WOULD SUPPORT AMONG THE OTHER THINGS THAT HE ASKED SENATOR MURANTE. BUT THERE ARE SOME GOOD IDEAS THAT OTHER STATES ARE USING. TECHNOLOGY TODAY, MEMBERS, GIVES US THE...AFFORDS US THE OPPORTUNITY NOT ONLY FOR GREATER FUEL EFFICIENCY IN OUR HEAVY VEHICLE FLEETS AND OUR PERSONAL AND AG...AND FARM-USE VEHICLES, BUT TECHNOLOGY ALSO GIVES US THE OPPORTUNITY TO THINK SMART ABOUT HOW WE GO ABOUT FINANCING ROADS PROJECTS. I TALKED EARLIER TODAY AND I'LL CONTINUE TO TALK ABOUT ADDING ANOTHER QUARTER CENT OF EXISTING SALES TAX REVENUE, THE BUILD NEBRASKA ACT, MEMBERS. IT COULD BE DEVOTED JUST TO BRIDGES. WE HAVEN'T TALKED ABOUT THAT OPTION. THIS AMENDMENT GIVES US THE OPPORTUNITY TO ACCOMPLISH WHAT SENATOR SMITH AS THE SPONSOR AND SENATOR FRIESEN AS A PRIORITIZER ARE TRYING TO DO WITH THIS LEGISLATION, BUT ALSO MAKES A COMMITMENT TO THE PEOPLE OF NEBRASKA THAT WE ARE GOING TO LOOK AT WHAT OTHER OPTIONS ARE OUT THERE. WE'RE NOT JUST GOING TO JUMP TO A TAX INCREASE WITH NO IDEA IN MIND. OR ARE WE GOING TO COME BACK IN A YEAR OR TWO AND MAKE ANOTHER REQUEST FOR ANOTHER TAX INCREASE? YOU KNOW, I HAVEN'T HEARD ANYBODY STAND UP ON THIS FLOOR AND SAY, YOU KNOW WHAT, IF LB610 PASSES, THE REST OF MY TIME IN THE LEGISLATURE, THIS IS THE LAST TIME WE'RE GOING TO TALK ABOUT A GAS TAX INCREASE. HAVE YOU HEARD ANYBODY SAY THAT YET? I HAVEN'T, UNLESS I MISSED IT. SO WHAT KIND OF A COMMITMENT DO WE HAVE TO THE PEOPLE OF NEBRASKA THAT WE AREN'T GOING TO BE RIGHT BACK HERE IN A YEAR OR TWO HAVING THE SAME CONVERSATION, THE SAME KNEE-JERK REACTION TO RAISE TAXES? [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR McCOY: THANK YOU, MR. PRESIDENT. I THINK THIS IS A GOOD-FAITH ATTEMPT TO TRY TO SOLVE THE GOALS OF THIS BILL WHILE GIVING US THE

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TIME TO LOOK AT WHAT OTHER OPTIONS ARE OUT THERE, AND THERE ARE MANY, NOT ONLY...THERE...A LOT OF OPTIONS FOR EXPRESSWAY AND HIGHWAY PROJECTS, BUT BRIDGE PROJECTS AS WELL. WE OWE IT TO THE PEOPLE OF NEBRASKA TO LOOK AT EVERY OPTION, TO LEAVE NO STONE UNTURNED ON THIS ISSUE. IT'S THAT BIG OF AN ISSUE. THANK YOU, MR. PRESIDENT. [LB610]

SENATOR KRIST: THANK YOU, SENATOR McCOY. THOSE WISHING TO SPEAK, SENATOR NORDQUIST, LARSON, MURANTE, SMITH, AND OTHERS. SENATOR NORDQUIST, YOU'RE RECOGNIZED. [LB610]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. YOU KNOW, ULTIMATELY AT THE END OF THE DAY WE'RE HERE TO SOLVE PROBLEMS AND SOMETIMES, YOU KNOW, WE'RE FORCED INTO COMING UP WITH TEMPORARY SOLUTIONS BECAUSE WE CAN'T FIND THE POLITICAL WILL TO SOLVE PROBLEMS, TO SOLVE BIG PROBLEMS. SOMETIMES THAT'S JUST THE RIGHT COURSE TO TAKE AS WE NEED TO LOOK AT THINGS A LITTLE FURTHER. BUT THIS CERTAINLY IS AN ISSUE THAT HAS BEEN STUDIED AND STUDIED AND STUDIED. I'VE CERTAINLY REVIEWED THE LR152 REPORT THAT SENATOR FISCHER SPENT AN ENTIRE INTERIM ON TO LOOK AT THE OPTIONS THAT ARE OUT THERE. AND THE OPPONENTS OF THIS APPROACH IN LB610 HAVE, YOU KNOW, REALLY HAVEN'T STEPPED FORWARD TO SAY, THESE ARE THE THINGS THAT I WOULD GET BEHIND. I KNOW SENATOR McCOY SUPPORTED BONDING IN THE PAST. AT SOME POINT I THINK SENATOR MURANTE DID, TOO, ON GENERAL FILE. BUT THE OPTIONS THAT WERE LAID OUT--AS SENATOR BRASCH SAID, THERE WERE 31 OPTIONS--YOU KNOW, NONE OF THEM, OR I SHOULDN'T SAY NONE, THERE ARE A COUPLE, BUT THE VAST MAJORITY OF THEM INCLUDE INCREASED FEES OR TAXES. AT THE END OF THE DAY, IF WE WANT TO MAINTAIN OUR INFRASTRUCTURE IN THIS STATE, IT'S PROBABLY GOING TO COME DOWN TO SOME SORT OF INCREASED FEE OR TAX. HERE JUST A...I'M GOING TO READ THROUGH THE LIST FROM LR152. WE HAVE: A FUEL TAX INCREASE, THAT'S THE FIRST RECOMMENDATION, WHICH IS WHAT LB610 IS; INDEX THE FUEL TAX TO INFLATION; INDEX THE FUEL TAX TO HIGHWAY AND MAINTENANCE CONSTRUCTION COSTS; STATE REGISTRATION FEE INCREASE; MOTOR VEHICLE TAX REFORMULATION--IT DOESN'T SAY A REDUCTION, IT SAYS A REFORMULATION, SO THE JURY IS OUT ON THAT ONE--BASE MOTOR VEHICLE FEE; ELECTRIC VEHICLE FEE; RESCIND TAX-EXEMPT VEHICLE STATUS--SO I ASSUME NONPROFITS, CHURCHES, THOSE TYPE OF ORGANIZATIONS WOULD THEN BE PAYING TAXES ON IT--RV REGISTRATION INCREASE; A LOCAL-OPTION FUEL TAX, SALES TAX; COUNTYWIDE SALES TAX OR WHEEL TAX; DRIVER'S LICENSE FEE INCREASE; TIRE TAX; A TRAIN TAX INCREASE; CAR RENTAL FEE; LODGING TAX INCREASE; INCREASE OVERWEIGHT

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PERMITS; AN ETHANOL TAX; A TAX ON FOOD AND SODA; TOLL ROADS; BONDING; VEHICLE MILES TRAVELED TAX--SENATOR SCHUMACHER STILL HERE?--ONE OF THE OPTIONS WAS GAMBLING EXPANSION; AND REST STOP PRIVATIZATION. SO WE MIGHT, WITH REST STOP PRIVATIZATION, POTENTIALLY, MAYBE WOULD BE ABLE TO SAVE SOME MONEY, BUT IT CERTAINLY ISN'T THE LONG-TERM SOLUTION THAT WE'RE LOOKING FOR. SO, YOU KNOW, WE CAN STAND UP HERE AND SAY, WELL, THIS ISN'T THE RIGHT SOLUTION. WELL, THERE WERE 31 SOLUTIONS PUT FORWARD TO THIS LEGISLATURE, AND THIS WAS SIX YEARS AGO, AND WE'VE STILL YET TO COME UP WITH A SUSTAINABLE SOLUTION THAT THIS STATE NEEDS. AND WE HEAR IT EVERY YEAR. MEMBERS OF THE TRANSPORTATION COMMITTEE SIT DOWN WITH MEMBERS OF THE APPROPRIATIONS COMMITTEE AND JUST ON OUR STATE ROADS WE'RE TALKING AT...I WISH I HAD THE REPORT IN FRONT OF ME, BUT IT'S NEAR A BILLION DOLLARS OVER THE NEXT 20 YEARS OF SHORTFALL IN OUR ROAD MAINTENANCE PROGRAM, A BILLION DOLLARS. THAT'S INCLUDING ALL OF THE BUILD NEBRASKA MONEY. THAT'S INCLUDING ALL OF THE CURRENT GAS TAX THAT WE'RE STILL SHORT IN THE NEIGHBORHOOD OF ABOUT A BILLION DOLLARS OVER THE NEXT 20 YEARS TO KEEP OUR INFRASTRUCTURE IN QUALITY CONDITION. SO WITHOUT OTHER OPTIONS BEING PUT FORWARD, I CERTAINLY AM GOING TO CONTINUE TO SUPPORT LB610. AS FAR AS THE AMENDMENT THAT SENATOR McCOY HAS PROVIDED, IT ESSENTIALLY TAKES A REVENUE BILL AND MAKES IT AN APPROPRIATIONS BILL, WHICH IS A CHALLENGE, AND IT CERTAINLY ISN'T A LONG-TERM SOLUTION LIKE LB610 IS. [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR NORDQUIST: THANK YOU. [LB610]

SENATOR KRIST: THANK YOU, SENATOR NORDQUIST. SENATOR MURANTE, YOU'RE RECOGNIZED. [LB610]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. I'LL YIELD MY TIME TO SENATOR McCOY. [LB610]

SENATOR KRIST: SENATOR McCOY, 4:45. [LB610]

SENATOR McCOY: THANK YOU, MR. PRESIDENT. AT THIS TIME, I'D LIKE TO WITHDRAW AM1118. [LB610]

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SENATOR KRIST: WITHOUT OPPOSITION, AM1118 IS WITHDRAWN. [LB610]

CLERK: AT THIS TIME, MR. PRESIDENT, I HAVE NOTHING FURTHER PENDING TO THE BILL. [LB610]

SENATOR KRIST: SENATOR SMITH, YOU'RE RECOGNIZED. BACK TO DEBATE ON THE BILL ITSELF, LB610, I HAVE FOUR IN THE QUEUE: SENATOR SMITH, GROENE, FRIESEN, AND McCOLLISTER. SENATOR SMITH, YOU'RE RECOGNIZED. [LB610]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND I DO APPRECIATE SENATOR McCOY WITHDRAWING THAT AMENDMENT. I WAS GOING TO MAKE MENTION THAT THE ALLOCATION OF THOSE FUNDS IN SENATOR McCOY'S AMENDMENT WOULD GO ENTIRELY TO THE DEPARTMENT OF ROADS. THE HIGHWAY CASH FUND IS THAT CASH FUND WHICH FUNDS THE DEPARTMENT OF ROADS. AND AS I MENTIONED IN MY BILL, WE'RE TRYING TO ALLOCATE NEW FUNDS TO NOT ONLY THE DEPARTMENT OF ROADS, THE STATE'S JURISDICTION OF ROADS AND BRIDGES, BUT ALSO TO CITIES AND COUNTIES WHICH HAVE SIGNIFICANT NEEDS. COLLEAGUES, I THINK WE'RE GOING BE GOING TO...I DON'T KNOW IF IT'S GOING TO BE A CLOTURE VOTE HERE OR IF WE'RE GOING TO JUST GO STRAIGHT TO A VOTE. BUT, COLLEAGUES, I APPRECIATE YOU BEARING WITH ME ON THIS LONG DISCUSSION WE'VE HAD TODAY. I THINK IT'S BEEN GOOD. I THINK ONE FACT THAT HAS COME OUT AND I THINK EVEN THOSE IN OPPOSITION TO LB610 HAVE RECOGNIZED, AND THAT IS WE HAVE SERIOUS NEEDS IN OUR INFRASTRUCTURE, IN OUR CITIES, IN OUR COUNTIES, AND THOSE UNDER THE JURISDICTION OF THE DEPARTMENT OF ROADS IN THE STATE. WE HAVE A BACKLOG OF EXPRESSWAY SYSTEMS THAT NEED TO BE FUNDED. WE HAVE A BACKLOG OF CAPITAL IMPROVEMENT PROJECTS FOR STATE ROADS. COLLEAGUES, AGAIN, WE'RE IN THE HUNDREDS OF MILLIONS OF DOLLARS OF BACKLOG IN DEFICIENCIES IN OUR INFRASTRUCTURE. AND IT'S GOING TO TAKE A LONG TIME TO DIG US OUT. BUT THIS IS A GOOD START. THIS IS A MODEST, FAIR, REASONABLE START IN FUNDING OUR WAY OUT OF THAT BACKLOG. I SINCERELY THANK MY COLLEAGUES FOR THE DISCUSSION. THIS IS A VERY TOUGH DISCUSSION TO HAVE. I'M NOT ONE THAT WANTS TO RAISE TAXES. BUT I DO SEE THIS AS A USER FEE AND I DO SEE IT AS A BETTER ALTERNATIVE THAN TO BORROWING AGAINST FUTURE LEGISLATURES. AND I SEE IT AS A BETTER OPTION THAN GOING AND TAKING OUT OF THE GENERAL FUNDS AND COMPETING WITH FUTURE TAX RELIEF. I THINK THIS IS THE PRUDENT APPROACH TO FUNDING OUR INFRASTRUCTURE. AND THIS DOESN'T GO WITHOUT TOUCHING EACH OF YOUR DISTRICTS. WE'VE SEEN THE NUMBER OF BRIDGES THAT ARE DEFICIENT. YOU HAVE HEARD FROM COUNTIES AND CITIES IN YOUR DISTRICTS. AND, COLLEAGUES, I JUST BELIEVE

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IN MY HEART THAT THIS IS THE RIGHT THING TO DO. AND THIS IS NOT A REPUBLICAN-DEMOCRAT ISSUE. THIS IS NOT AN URBAN-RURAL ISSUE. THIS IS NOT A CONSERVATIVE-PROGRESSIVE ISSUE. COLLEAGUES, THIS ISSUE, IT CROSSES ALL THOSE DIVIDES. AND IT'S THE RIGHT THING DO. I'M CONFIDENT OF THAT. IT'S MODEST, AGAIN, A THIRD TO THE CITIES, A THIRD TO THE COUNTIES, A THIRD TO THE STATE. IT HELPS DIG US OUT OF OUR HOLE WITH THESE DEFICIENT BRIDGES AND ROAD SYSTEMS AND BACKLOG EXPRESSWAY SYSTEMS. THIS IS THE RIGHT WAY OF DOING IT. AND I BELIEVE IT LEAVES OPEN THE OPPORTUNITY TO DO MORE WITH THE GENERAL FUND IN THE FORM OF TAX RELIEF. [LB610]

SENATOR KRIST: ONE MINUTE. [LB610]

SENATOR SMITH: COLLEAGUES, AGAIN, I APPRECIATE THE DISCUSSION. AND I ASK YOU TO VOTE GREEN ON LB610 SO WE CAN MOVE NEBRASKA FORWARD IN THIS PROBUSINESS, PROCOMMERCE APPROACH TO FUNDING OUR INFRASTRUCTURE. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LB610]

SENATOR KRIST: SENATOR SMITH, THERE IS NO ONE ELSE IN THE QUEUE. DO I CONSIDER THAT YOUR CLOSE OR WOULD YOU LIKE TO CLOSE? [LB610]

SENATOR SMITH: I WILL WAIVE MY CLOSING. I THINK WE'VE HAD ENOUGH TALKING THIS AFTERNOON. [LB610]

SENATOR KRIST: SENATOR SMITH, FOR WHAT REASON DO YOU RISE? [LB610]

SENATOR SMITH: CALL OF THE HOUSE, PLEASE, IN REVERSE ORDER. [LB610]

SENATOR KRIST: OKAY. LET'S DO AWAY WITH THE E&R AMENDMENT FIRST, IF YOU WOULD, PLEASE. SENATOR HANSEN FOR A MOTION. [LB610]

SENATOR HANSEN: MR. PRESIDENT, I MOVE THAT LB610 ADVANCE TO E&R FOR ENGROSSING. [LB610]

SENATOR KRIST: NOW THERE'S A REQUEST FOR A CALL OF THE HOUSE. THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS,

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SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB610]

CLERK: 45 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB610]

SENATOR KRIST: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR OF THE HOUSE. THE HOUSE IS UNDER CALL. EVERYONE IS HERE. DO I UNDERSTAND YOU WANT A ROLL CALL VOTE IN REGULAR ORDER TO MOVE... [LB610]

SENATOR SMITH: IN REVERSE ORDER, PLEASE, MR. PRESIDENT. [LB610]

SENATOR KRIST: IN REVERSE ORDER, AND THIS WILL BE TO ADVANCE LB610 TO E&R FOR ENGROSSING. MR. CLERK. [LB610]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1157.) 27 AYES, 14 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB610. [LB610]

SENATOR KRIST: LB610 ADVANCES TO E&R FOR ENGROSSING. ITEMS, MR. CLERK? RAISE THE CALL. NEXT ITEM, MR. CLERK. [LB610]

CLERK: MR. PRESIDENT, LB610A. I HAVE NO AMENDMENTS TO THE BILL, SENATOR HANSEN. SENATOR HANSEN. [LB610A]

SENATOR KRIST: SENATOR HANSEN FOR A MOTION. FOLKS, WE'RE NOT DONE YET, SO LET'S PAY ATTENTION. SENATOR HANSEN FOR A MOTION. [LB610A]

SENATOR HANSEN: MR. PRESIDENT, I MOVE TO ADVANCE LB610A TO E&R FOR ENGROSSING. [LB610A]

SENATOR KRIST: YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR. OPPOSED. IT ADVANCES. [LB610A]

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CLERK: MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR EBKE WOULD MOVE TO ADJOURN THE BODY UNTIL TUESDAY, APRIL 14, AT 9:00 A.M.

SENATOR KRIST: YOU'VE HEARD THE MOTION. ALL THOSE IN FAVOR, AYE. OPPOSED, NAY. WE ARE ADJOURNED UNTIL TOMORROW MORNING AT 9:00.