

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

Floor Debate
May 14, 2015

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SENATOR WATERMEIER PRESIDING

SENATOR WATERMEIER: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE EIGHTIETH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS PASTOR DOYLE KARST FROM THE CORNERSTONE LUTHERAN CHURCH IN BEATRICE, NEBRASKA, SENATOR BAKER'S DISTRICT. WOULD YOU PLEASE RISE.

PASTOR KARST: (PRAYER OFFERED.)

SENATOR WATERMEIER: THANK YOU. I CALL TO ORDER THE EIGHTIETH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. WOULD THE MEMBERS PLEASE RECORD YOUR PRESENCE. WE'LL BEGIN SHORTLY. RECORD, MR. CLERK.

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

SENATOR WATERMEIER: THANK YOU, MR. CLERK. FIRST ITEM ON THE AGENDA, GENERAL FILE.

CLERK: MR. PRESIDENT, I HAVE SOME MESSAGES IF I MAY. MR. PRESIDENT, I HAVE AN APPOINTMENT LETTER FROM THE GOVERNOR THAT WILL BE REFERRED TO THE EXECUTIVE BOARD FOR REFERENCE TO STANDING COMMITTEE FOR CONFIRMATION HEARING. I ALSO HAVE AN ATTORNEY GENERAL'S OPINION ADDRESSED TO SENATOR RIEPE REGARDING LB619. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 1573-1589.)

[LB619]

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SENATOR WATERMEIER: THANK YOU, MR. CLERK. NOW PROCEED TO GENERAL FILE.

CLERK: YES, SIR. MR. PRESIDENT, LB623, DISCUSSED YESTERDAY. (READ TITLE.) BILL WAS CONSIDERED YESTERDAY. SENATOR NORDQUIST AND THE TRANSPORTATION COMMITTEE PRESENTED THE BILL AND THE COMMITTEE AMENDMENTS. THOSE WERE ADOPTED. WHEN THE LEGISLATURE LEFT THE ISSUE, SENATOR KINTNER HAD PENDING FA63. (LEGISLATIVE JOURNAL PAGE 1567.) [LB623]

SENATOR WATERMEIER: THANK YOU, MR. CLERK. SENATOR NORDQUIST, WOULD YOU REFRESH US ON LB623? [LB623]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. LB623 IS A BILL THAT WOULD REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE DRIVER'S LICENSES TO ANY INDIVIDUAL WHO HAS AUTHORIZED DEFERRED ACTION STATUS UNDER THE REAL ID ACT. WE ARE REITERATING OUR INTENT THAT THAT IS OUR INTENT, THAT ALL INDIVIDUALS WHO HAVE DEFERRED ACTION CAN GET A DRIVER'S LICENSE. WE KNOW RIGHT NOW THAT THERE ARE CATEGORIES OF INDIVIDUALS WITH DEFERRED ACTION THAT ARE GETTING DRIVER'S LICENSES AND SOME ARE NOT. AND THAT OBVIOUSLY CREATES A LEGAL JEOPARDY FOR THE STATE AND THAT IS WHY THERE IS LITIGATION PENDING RIGHT NOW ON THIS ISSUE. WE DID ADOPT LANGUAGE WORKING WITH A NUMBER OF EXPERTS IN THE FIELD YESTERDAY, MY AMENDMENT TO THE COMMITTEE AMENDMENT. IT'S OUR BEST ATTEMPT TO CLARIFY AND BE AS CRYSTAL CLEAR FOR THE DEPARTMENT OF MOTOR VEHICLES. BUT I WILL MAKE THIS OFFER ON THE FLOOR: WE HAVE...MY OFFICE HAS REACHED OUT TO THE ATTORNEY GENERAL'S OFFICE ABOUT THE LANGUAGE AND ABOUT THIS BILL IN GENERAL, AND REALLY HAVEN'T RECEIVED MUCH OF A RESPONSE. BUT WE STAND HERE TODAY BETWEEN NOW AND SELECT FILE ASKING, I'LL ASK ON THE FLOOR, THE DEPARTMENT OF MOTOR VEHICLES, THE ATTORNEY GENERAL, THE GOVERNOR'S OFFICE, WE WILL ADOPT ANY LANGUAGE THAT WILL TECHNICALLY PUT IT IN LINE WITH WHAT THEY WOULD PREFER IT TECHNICALLY TO BE. THE INTENT IS CLEAR THOUGH. AND I THINK PASSING THE BILL WITH THE LANGUAGE WE HAVE MAKES THE INTENT CRYSTAL CLEAR. AND I FIRMLY DOUBT THAT IF WE PASS THIS LEGISLATION, AS SENATOR McCOY SUGGESTED YESTERDAY, THAT THEY WOULD REFUSE TO IMPLEMENT IT. THE INTENT OF THE LEGISLATURE COULD NOT BE MORE CLEAR IN MOVING FORWARD WITH LB623. THIS BILL IS ABOUT ECONOMIC GROWTH AND OPPORTUNITY. IT'S ABOUT THE FUTURE OF

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NEBRASKA. IT'S ABOUT REMOVING BARRIERS FOR EDUCATED YOUNG NEBRASKANS. AND THAT'S WHAT THEY ARE. THIS IS THEIR HOME. THEY HAVE BEEN IN NEBRASKA NEARLY THEIR ENTIRE LIVES AND THEY DESERVE THE RIGHT TO DRIVE. ON MY DRIVE HOME LAST NIGHT, I FELT A FAIR AMOUNT OF DISCOURAGEMENT, NOT BECAUSE OF THE BILL, NOT BECAUSE OF WHERE WE ARE WITH THE BILL, BECAUSE I FEEL VERY OPTIMISTIC ABOUT THAT, BUT DISCOURAGED THINKING ABOUT DREAMERS, DACA RECIPIENTS, OR JUST ANY YOUNG LATINO IN NEBRASKA SITTING, AND THERE WERE A LOT YESTERDAY, TUNING IN TO THIS DEBATE. WE HAD OVER 200 INDIVIDUALS SHOW UP AT THE COMMITTEE HEARING ALONE. I'M SURE THERE WERE HUNDREDS, IF NOT THOUSANDS, WATCHING THIS DEBATE YESTERDAY AND DISCOURAGED ABOUT THE MESSAGE THEY WERE HEARING. AND I JUST WANT TO SPEAK TO THEM FOR A MINUTE, BECAUSE I'M AFRAID THAT THEY GOT THE WRONG PERCEPTION MAYBE ABOUT THIS BODY. AND WE WILL SEE WHEN WE GET TO A CLOTURE VOTE IN AN HOUR AND A HALF THAT THE RHETORIC FROM YESTERDAY DOESN'T REPRESENT A MAJORITY VIEW IN THIS LEGISLATURE. AND TO THE DACA RECIPIENTS, IT'S YOUR LEGISLATURE TOO. IT DOESN'T REPRESENT THE MAJORITY VIEW OF YOUR LEGISLATURE. IT DOESN'T REPRESENT THE MAJORITY VIEW OF YOUR STATE. I WAS DISCOURAGED THINKING ABOUT THE LANGUAGE YESTERDAY AND HOW THEY MUST FEEL ABOUT THE STATE THAT THEY'VE CALLED HOME THEIR ENTIRE LIVES. AND I JUST WANT TO CLARIFY FOR THEM THAT THE MAJORITY OF THIS BODY, A SUPERMAJORITY OF THIS BODY IS GOING TO SHOW YOU SHORTLY THAT WE WANT YOU HERE. YOU ARE A POSITIVE TO OUR STATE. YOU KNOW, THE RHETORIC FROM YESTERDAY, IT'S A VIEW OF THE PAST. IT'S A VIEW OF ISOLATION. IT'S A VIEW THAT WOULD, IN MY OPINION, WEAKEN THE STATE AND WEAKEN OUR NATION'S FUTURE. BY PASSING THIS BILL, WE WILL STRENGTHEN OUR STATE AND ALLOW OUR STATE TO KEEP OUR EDUCATED SONS AND DAUGHTERS HERE AT HOME. A WHILE BACK I WAS AT A LECTURE OF AN AUTHOR, HE'S A FIRST GENERATION CHINESE-AMERICAN. HIS PARENTS IMMIGRATED FROM TAIWAN. AND ONE OF THE QUESTIONS THAT WAS RAISED TO HIM DURING THE Q&A PORTION WAS, ARE YOU CONCERNED ABOUT CHINA OVERTAKING THE U.S. AS A SUPER POWER? [LB623]

SENATOR WATERMEIER: ONE MINUTE. [LB623]

SENATOR NORDQUIST: AND HIS RESPONSE WAS, NO. THE GREATEST STRENGTH OF AMERICA ISN'T OUR ECONOMY OR OUR POLITICAL SYSTEM. HE SAID, WE MAKE CHINESE-AMERICANS; CHINA DOESN'T MAKE AMERICAN-CHINESE. WE ACCEPT GENERATIONS OF IMMIGRANTS. IT BUILDS OUR INNOVATION. IT BUILDS OUR ENTREPRENEURSHIP. IT STRENGTHENS OUR DIVERSITY. IT BRINGS NEW

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IDEAS TO OUR COUNTRY. AND BECAUSE OF THAT, HE SAID, I AM NOT WORRIED ABOUT AMERICA LOSING OUT TO CHINA BECAUSE WE WILL...IF, HE SAID, IF WE CONTINUE TO BE A TRUE MELTING POT AND ACCEPTING OF PEOPLE WITH DIVERSITY AND DIFFERENT VIEWS, DIFFERENT NATIONALITIES, THAT'S THE STRENGTH OF AMERICA. THAT'S THE VISION WE HAVE TO HAVE IN OUR COUNTRY AND IN OUR STATE, AND LB623 IS A PART OF THAT--ACCEPTING DREAMERS AND SAYING WE WANT YOU HERE BECAUSE YOU ARE AN ASSET TO OUR STATE. THANK YOU. [LB623]

SENATOR WATERMEIER: TIME. THANK YOU, SENATOR NORDQUIST. (VISITORS INTRODUCED.) MR. CLERK, FOR AN...I'M GOING TO RECOGNIZE SENATOR KINTNER FOR THE AMENDMENT. WOULD YOU PLEASE REFRESH US ON THE AMENDMENT, SENATOR KINTNER. [LB623]

SENATOR KINTNER: YES. WHAT THIS DOES IS IT STRIKES LINE 17 AND LINE 18 ON PAGE 2. YOU KNOW WHAT? I...I LISTEN TO MY COLLEAGUES. I CLEARLY HEARD WHAT PEOPLE WERE SAYING YESTERDAY. WHEN YOU HAVE 49 STATES DOING IT ONE WAY, AND ONE STATE DOING IT ANOTHER WAY, CLEARLY NEBRASKA IS THE OUTLIER. AND THERE'S SOMETHING SAID FOR THE COLLECTIVE WISDOM OF THE BODY. I UNDERSTAND THAT. AND IT IS POWERFUL WHEN 49 STATES DO IT ONE WAY AND ANOTHER STATE DOES IT THE OTHER WAY. SO I PROPOSE THAT WE SCRAP THE UNICAMERAL SYSTEM AND GO TO A TWO-HOUSE PARTISAN LEGISLATURE. IF 49 STATES ARE DOING IT THAT WAY, WHY AREN'T WE? OBVIOUSLY THEY KNOW SOMETHING THAT WE DON'T KNOW. OBVIOUSLY THEY'VE LOOKED AT OUR SYSTEM AND REJECTED IT, AND THEY FOUND THE BETTER WAY TO DO IT. WHY ARE WE SO OUT OF STEP WITH THE REST OF THE COUNTRY? IT JUST, YOU KNOW, JUST DOESN'T MAKE ANY SENSE TO ME. NOW I THINK I HEARD YOU GUYS CORRECTLY. CORRECT ME IF I'M WRONG. PLEASE TELL ME IF I'M WRONG. BUT I CERTAINLY HAVE HEARD WHAT YOU WERE SAYING YESTERDAY. AND I THINK THAT...I THINK THAT WE PROBABLY NEED TO JUST SCRAP THIS UNICAMERAL SYSTEM AND GO TO A TWO-HOUSE PARTISAN LEGISLATURE, SO WE CAN LEGISLATE AS WELL AS THE OTHER 49 STATES. AND I DO THINK THAT WE SOMETIMES THINK WE'RE ISOLATED AND WE CAN DO IT BETTER. AND I THINK THAT'S PROBABLY THE TAKEAWAY I HAD FROM YESTERDAY. SO I THINK YOU GUYS ARE ON TO SOMETHING, AND I THINK I DO EMBRACE WHAT YOU GUYS WERE TELLING ME YESTERDAY. SO I APPRECIATE THAT. IF I'M WRONG, TELL ME, BUT THAT'S EXACTLY WHAT I HEARD YOU TELL ME YESTERDAY, THAT WE SHOULDN'T BE THE OUTLYING STATE. YOU KNOW, I...PEOPLE AT HOME MAY THINK THAT SENATOR NORDQUIST AND I HATE EACH OTHER AND THAT, YOU KNOW, WE'RE LIKE THIS WITH EACH OTHER. AND WE DO

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HAVE SPIRITED DEBATES. YOU DIDN'T SEE IT BEFORE ON CAMERA BUT WE JUST SHOOK HANDS AND SAID LET'S GO AT IT TODAY AND WE'RE GOING TO BE GENTLEMEN ABOUT IT. WE'RE GOING TO BE RESPECTFUL OF EACH OTHER. BUT YOU KNOW WHAT? I THINK WE NEED TO BE RESPECTFUL OF ALL THE PEOPLE THAT HAVE IMMIGRATED TO OUR COUNTRY LEGALLY, THE PEOPLE THAT HAVE GONE THROUGH THE...WHAT I CAN ONLY CALL OUR HORRIBLE PROCESS, AND THE EXPENSIVE PROCESS OF BECOMING A U.S. CITIZEN AND DOING IT LEGALLY. I CERTAINLY THINK THAT THE CURRENT SITUATION WE HAVE NOW SLAPS THOSE PEOPLE IN THE FACE. MY COLLEAGUE, SENATOR NORDQUIST, JUST ELOQUENTLY SAID THAT PEOPLE COMING TO OUR COUNTRY AND WANTING TO IMMIGRATE MAKE US STRONGER AND MAKE US BETTER. AND WE'RE IN AGREEMENT ON THAT. I THINK WE TRULY ARE A BETTER NATION FOR THE IMMIGRANTS THAT COME HERE. HOWEVER, I DON'T THINK PEOPLE SNEAKING ACROSS THE BORDER AND BREAKING OUR LAWS MAKE US A BETTER AND STRONGER COUNTRY. WE HAVE AN IMMIGRATION SYSTEM THAT WAS PURPOSELY BROKEN, IN MY OPINION. IT MAKES IT HARDER FOR PEOPLE THAT TRULY WANT TO COME HERE AND ENCOURAGES PEOPLE TO COME HERE AND TO MAKE A BETTER LIFE FOR THEMSELVES AND ENCOURAGES PEOPLE TO CIRCUMVENT THAT PROCESS, BREAK THE LAW, AND THEN HOPE THAT WE'LL...CONGRESS WILL OR PRESIDENT WILL JUST GIVE THEM AMNESTY AND LET THEM STAY. OBVIOUSLY THAT DIDN'T WORK IN 1986 WITH THE SIMPSON-MAZZOLI ACT. AND I THINK IF WE FIND THAT WE JUST GIVE BLANKET AMNESTY IN OUR COUNTRY NOW WE'RE GOING TO FIND THAT WE'RE GOING TO BE IN THE SAME SITUATION IN 15 OR 20 YEARS WITH A WHOLE GROUP OF NEW PEOPLE THAT SNUCK IN. [LB623]

SENATOR WATERMEIER: ONE MINUTE. [LB623]

SENATOR KINTNER: AND THAT IS A SERIOUS PROBLEM. AND I DON'T THINK THAT WE ADDRESS IT WITH THIS BILL. WE'RE TRYING TO PUT A BAND-AID ON THE PROBLEM. I GOT TO TELL YOU, MY HEART GOES OUT TO THOSE KIDS THAT WERE BROUGHT HERE BY NO ACT OF THEIR OWN, AND NOW THEY'RE HERE AND THEY'RE CAUGHT UP IN THE MIDDLE OF A SYSTEM. AND YOU CAN'T HELP BUT HAVE COMPASSION FOR THEM. BUT I THINK WASHINGTON NEEDS TO FIX THIS PROBLEM AND QUIT RELYING ON US TO BAIL OUT THEIR HORRIBLE AND MISGUIDED PROGRAMS FOR IMMIGRATION. AND I WOULD ENCOURAGE PEOPLE TO BE SUPPORTIVE OF LEGAL IMMIGRATION AND CELEBRATE THE DIVERSITY OF PEOPLE COMING TO OUR COUNTRY LEGALLY BECAUSE THEY TRULY MAKE US A BETTER COUNTRY. THANK YOU, MR. PRESIDENT. [LB623]

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SENATOR WATERMEIER: THANK YOU, SENATOR KINTNER. (VISITORS INTRODUCED.) MEMBERS, YOU'VE HEARD THE REFRESHER ON THE AM63 TO LB623. THOSE IN THE QUEUE WISHING TO SPEAK: SENATOR EBKE, SENATOR SCHUMACHER, SENATOR KEN HAAR, SENATOR BRASCH, AND OTHERS. SENATOR EBKE, YOU'RE RECOGNIZED. [LB623]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. I RISE TODAY IN SUPPORT OF LB623 AND I'VE BEEN PRETTY QUIET THROUGH ALL OF THIS EXCEPT FOR A FEW QUESTIONS AND ANSWERS THAT I HAD WITH SENATOR KINTNER YESTERDAY. BUT I WANTED TO SAY JUST A FEW WORDS ABOUT THIS BILL BECAUSE I COME FROM A COMMUNITY THAT HAS A SIGNIFICANT IMMIGRANT POPULATION. FIRST OF ALL, LET ME JUST SAY THAT THE KNEE-JERK REACTION OF SAYING THESE KIDS ARE ILLEGAL, SO THEY SHOULDN'T GET ANY BENEFITS, THAT ALMOST MAKES SENSE. YOU KNOW, AFTER ALL, ILLEGAL IS ILLEGAL, AND WE DON'T WANT TO ENCOURAGE ILLEGAL ACTIVITY. BUT THE CALCULUS CHANGES FOR ME ANYWAY WHEN WE START TALKING ABOUT KIDS. FIRST CONSIDERATION, I'M NOT SURE THAT A DRIVER'S LICENSE OR A PERMIT IS A BENEFIT IN THE STRICTEST SENSE OF THE TERM. IT'S NOT AN ENTITLEMENT THAT ONE GETS BY VIRTUE OF BEING HERE. YOU HAVE TO TAKE A TEST, SOMETHING I WOULD ARGUE IS A GOOD THING, TO SHOW MINIMUM COMPETENCY. AND YOU HAVE TO PAY A FEE. SECOND, AND PERHAPS MOST IMPORTANT TO CONSIDER FOR ME, THESE DACA-ELIGIBLE FOLKS OR DREAMERS WERE KIDS, OFTENTIMES VERY YOUNG KIDS WHEN THEY CAME HERE. IN MANY CASES, THEY WERE BABIES. WE DON'T, THE LAST TIME I CHECKED, HOLD TODDLERS WHO LIVED IN A METH HOUSE RESPONSIBLE FOR WHAT THEIR PARENTS DID AND THEN TAG THEM FOR LIFE AS DRUG MANUFACTURERS, NOR DO WE REQUIRE BONNIE AND CLYDE'S CHILDREN, METAPHORICALLY SPEAKING, STRAPPED IN THE BACK OF A GETAWAY CAR TO PAY RESTITUTION TO THE BANKS THAT THEIR PARENTS ROBBED. AT SOME POINT YESTERDAY, THERE WAS SOME DISCUSSION OF JUSTIFYING HOLDING THESE CHILDREN ACCOUNTABLE FOR THE SINS OF THEIR PARENTS, IF YOU WILL, BASED ON A BIBLICAL UNDERSTANDING. AND WHILE I'M NOT AS INCLINED AS SENATOR CHAMBERS TO QUOTE FROM SCRIPTURE, THERE IS AT LEAST SOME SCRIPTURE OUT THERE, INCLUDING ONE FROM EZEKIEL, WHICH SUGGESTS THAT THE SON SHALL NOT SUFFER FOR THE INIQUITY OF HIS FATHER NOR THE FATHER SUFFER FOR THE INIQUITY OF THEIR SON. WE ARE, IN OTHER WORDS, PERHAPS RESPONSIBLE FOR OUR OWN ACTIONS. PERSONALLY, I THINK THAT WE WOULD ALL BE HAPPIER IF WE LOOKED AT ONE ANOTHER AS INDIVIDUALS RATHER THAN AS PART OF SOME GROUP. NONE OF US WOULD LIKE TO BE HELD ACCOUNTABLE FOR THE SINS OF OUR ANCESTORS. MOST OF US, IF WE DO ENOUGH DIGGING, WILL FIND THAT SOMEWHERE IN THE FAMILY TREE

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WE HAVE SLAVEHOLDERS, THIEVES, ADULTERERS, OR SOME OTHER MANNER OF RIFFRAFF. TO ME, HOLDING KIDS ACCOUNTABLE FOR WHAT THEIR PARENTS DID WHILE THEY WERE STILL IN DIAPERS MAKES LITTLE SENSE AND IS OF QUESTIONABLE MERIT WHEN ONE CONSIDERS THE AMERICAN WAY. AS ONE WHO HAS SAT THROUGH 12 HIGH SCHOOL GRADUATIONS IN THE LAST 13 YEARS AND SIGNED DIPLOMAS OF CRETE HIGH SCHOOL GRADUATES FOR 10 OF THOSE YEARS AS THE BOARD SECRETARY, AND WHO HAS HAD CHILDREN GOING TO SCHOOL DURING ALL OF THAT TIME, I FIRMLY BELIEVE THAT MOST OF THESE KIDS, AND I DON'T KNOW WHICH OF THEM ACTUALLY QUALIFY FOR THE DREAMERS BILL, BUT I'M SURE THAT SOME DO, ARE TRYING TO LIVE THE AMERICAN DREAM, JUST AS MOST OF OUR GRANDPARENTS AND GREAT-GRANDPARENTS DID. THEY'RE RECEIVING AN EDUCATION. THEY HANG OUT WITH THEIR FRIENDS OF ALL ETHNICITIES, AND THEY WANT TO BE HERE BECAUSE HERE IS HOME FOR THEM. THEY WANT TO PURSUE THEIR EDUCATION OR GO TO WORK. THEY WANT TO DO ALL OF THE THINGS HERE IN NEBRASKA THAT WE SAY WE WANT MORE OF OUR NEBRASKA KIDS TO DO. MY MATERNAL GRANDPARENTS WERE BORN IN JEFFERSON COUNTY, WHICH IS A COUNTY THAT I REPRESENT. THEY WERE BORN IN ONE CASE TO...IN ONE CASE TO A GERMAN-BORN IMMIGRANT AND IN THE CASE OF THREE OF MY GREAT GRANDPARENTS, AMERICAN-BORN CHILDREN OF GERMAN IMMIGRANTS. MY COUSIN AND I HAVE TRIED TO FIND DOCUMENTATION ON ONE OF MY GREAT-GRANDFATHERS, BUT WE CAN'T FIND ANYTHING OTHER THAN THAT HE HAD A RESIDENT ALIEN DRAFT CARD DURING WORLD WAR I. WE DON'T KNOW HOW HE GOT HERE. WE CAN'T FIND ANY RECORD THAT HE EVER BECAME A CITIZEN. [LB623]

SENATOR WATERMEIER: ONE MINUTE. [LB623]

SENATOR EBKE: IT'S POSSIBLE THAT HE SNUCK IN AND WAS AN ILLEGAL IMMIGRANT SO MAYBE I NEED TO BE SENT AWAY, AS WELL. MY GRANDPARENTS SPOKE BOTH...BOTH SPOKE GERMAN WHEN THEY WENT TO SCHOOL. THEY SPOKE GERMAN MOST OF THE TIME AT HOME, EVEN THOUGH MOST OF THEIR PARENTS HAD BEEN BORN IN THE UNITED STATES. AND BY THE TIME I KNEW THEM, SOME 40 YEARS LATER, THEIR PARENTS HAD DIED AND I NEVER KNEW THEM TO SPEAK ANYTHING BUT ENGLISH IN A PERFECT NEBRASKA DIALECT. THIS IS JUST MY OPINION AND I'M SURE MANY WILL AGREE, BUT IT'S IMPORTANT FOR US TO TAKE ADVANTAGE OF THESE YOUNG FOLKS WHO ARE HERE. THEY'RE HERE. THEY'VE BEEN EDUCATED BY US. THE SCHOOL DISTRICTS DON'T QUESTION THEIR CITIZENSHIP. WE HAVE AN OBLIGATION AS SCHOOL DISTRICTS TO EDUCATE ANYBODY WHO WALKS IN OUR DOOR. WE DO THAT. IF THERE'S SOME CONCERN...SENATOR GROENE HAD AN AMENDMENT YESTERDAY

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THAT I SUPPORTED, WHICH WOULD HAVE ALLOWED FOR A DIFFERENT TYPE OF CERTIFICATE OR PERMISSION, BUT I THINK WE NEED TO MOVE ON. WE NEED TO LET THESE KIDS DRIVE BECAUSE IF WE DON'T, WE'RE GOING TO END UP WITH PROBLEMS THAT WE CAN'T IMAGINE AS THEY HAVE NO WAY TO GET TO WORK OR TO SCHOOL. THANK YOU, MR. PRESIDENT. [LB623]

SENATOR WATERMEIER: THANK YOU, SENATOR EBKE. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB623]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. AS YOU KNOW, I'M...THE MAIN TOWN IN MY DISTRICT IS COLUMBUS. I THINK IT'S FAIR TO SAY THAT BUT FOR THE HISPANIC MIGRATION, COLUMBUS WOULD HAVE LOST POPULATION IN THE LAST DECADE OR SO. AND I TALKED TO SOME OF THE YOUNG PEOPLE WHO WOULD BE AFFECTED BY THIS LEGISLATION, TALKED TO A YOUNG MAN, I THINK HE HAD TWO KIDS, STRUGGLING, WORKED AT THE ETHANOL PLANT. ABOUT TWO...HE LIVED ABOUT TWO MILES FROM THE ETHANOL PLANT AND HE DROVE, WENT TO WORK ON A BICYCLE. AND I ASKED HIM, WHAT IS IT LIKE TO PEDAL NORTH AGAINST THAT WIND? WHAT DO YOU DO THEN? AND HE SAID, I PEDAL HARDER. TALKED TO A YOUNG MOTHER WHO TOLD ME A STORY OF HER BABY THROWING UP IN THE MIDDLE OF THE NIGHT, WITH A FEVER. SHE LIVED IN A TRAILER COURT. SHE HAD TO GO DOOR TO DOOR TO FIND SOMEBODY TO TAKE HER TO THE HOSPITAL. I ASKED THEM, WHY DON'T YOU JUST LEAVE THIS STATE? AND THEY SAID, BECAUSE THIS IS OUR HOME; IT IS THE ONLY HOME WE'VE EVER KNOWN. HOW DID IT BECOME THEIR HOME? I REMEMBER GOING TO A REPUBLICAN CENTRAL COMMITTEE MEETING IN THE EARLY 1990s, MAYBE IT WAS LATE IN THE 1980s, AND ONE OF THE PILLARS OF THE REPUBLICAN PARTY, A WOMAN FROM NORTH PLATTE WAS THERE, AND SHE WAS REALLY MAD. AND WHAT SHE WAS MAD ABOUT WAS THAT THE STATE OF NEBRASKA, THROUGH ONE MECHANISM OR ANOTHER, WAS PUTTING UP BILLBOARDS AT THE MEXICAN BORDERS SAYING GOOD JOBS IN NEBRASKA, COME WORK IN OUR PACKING PLANTS. WHY WERE WE DOING THAT? WE WANTED TO BUST THE UNIONS IN THE PACKING PLANTS, AND WE COULD BUST THE UNIONS IF WE COULD PROVIDE CHEAP LABOR. THESE PEOPLE WERE INVITED TO OUR COUNTRY. AND THEIR CHILDREN ARE STRUGGLING HERE NOT THROUGH ACTS OF THEIR OWN, BUT THROUGH ACTS OF OUR STATE. THEY'RE NOT THE CHILDREN OF DEADBEATS LOOKING FOR A WELFARE CHECK COMING TO THIS COUNTRY. THEY'RE THE CHILDREN OF PEOPLE LOOKING FOR WORK AND A BETTER LIFE FOR THEIR CHILDREN. THAT'S WHO WE'RE TALKING ABOUT. LET US NOT FORGET THAT POEM ON THAT MAGNIFICENT LADY IN THE HARBOR AT NEW YORK. "NOT LIKE THE BRAZEN GIANT OF GREEK FAME, / WITH

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CONQUERING LIMBS ASTRIDE FROM LAND TO LAND; / HERE AT OUR SEA-
WASHED, SUNSET GATES SHALL STAND / A MIGHTY WOMAN WITH A TORCH,
WHOSE FLAME / IS THE IMPRISONED LIGHTNING, AND HER NAME / MOTHER OF
EXILES. FROM HER BEACON-HAND / GLOWS WORLD-WIDE WELCOME; HER MILD
EYES COMMAND / THE AIR-BRIDGED HARBOR THAT TWIN CITIES FRAME. / 'KEEP,
ANCIENT LANDS, YOUR STORIED POMP!' CRIES SHE / WITH SILENT LIPS. 'GIVE ME
YOUR TIRED, YOUR POOR, / YOUR HUDDLED MASSES YEARNING TO BREATHE
FREE, / THE WRETCHED REFUSE OF YOUR TEEMING SHORE. / SEND THESE, THE
HOMELESS, TEMPEST-TOST TO ME, / I LIFT MY LAMP BESIDE THE GOLDEN
DOOR!'" THANK YOU. [LB623]

SENATOR WATERMEIER: THANK YOU, SENATOR SCHUMACHER. SENATOR KEN
HAAR, YOU'RE RECOGNIZED. [LB623]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, SENATOR EBKE, I
PLEDGE THAT IF THERE IS A BILL TO SEND YOU BACK TO WHEREVER BECAUSE
YOUR GRANDFATHER MAY HAVE SNUCK INTO THE COUNTRY, I WILL FILIBUSTER
THAT BILL. I WANT TO FOLLOW UP ON WHAT SENATOR NORDQUIST SAID. I THINK
SOME OF THE COMMENTS YESTERDAY FROM MEMBERS OF THE LEGISLATURE
WERE DEMEANING AND DISMISSIVE AND I'M EMBARRASSED. AND MY
MESSAGE...AND MEAN-SPIRITED AS WELL. I'VE MET WITH A NUMBER OF THESE
KIDS. THEY WORK HARD. THEY'RE AMERICANS, FOR GOD'S SAKES. THEY SPEAK
THE LANGUAGE PROBABLY BETTER THAN MANY OF US. THEY HAVE BEEN HERE.
THIS IS WHERE THEY BELONG. THEY'RE MAKING A CONTRIBUTION. MY
MESSAGE, AND I THINK THE MESSAGE WILL COME ACROSS LATER TODAY, THAT
YOU ARE WELCOME. DREAMERS, YOU ARE WELCOME IN THIS COUNTRY. WE
APPRECIATE YOUR CONTRIBUTION AND WE'RE GLAD YOU'RE HERE. THERE'S
BEEN A LOT OF E-MAIL ON THIS ISSUE, TO MY OFFICE AT LEAST, AND
OVERWHELMINGLY PEOPLE SAY THAT DREAMERS SHOULD GET DRIVER'S
LICENSES, AND I TOTALLY AGREE WITH THAT. SO AGAIN, THE MESSAGE IS YOU
ARE WELCOME. AND AS THE AMERICAN POPULATION GROWS OLDER AND
OLDER, I WANT TO THANK THE DREAMERS FOR BEING HERE TO HELP PAY FOR
MY SOCIAL SECURITY. THANK YOU VERY MUCH. [LB623]

SENATOR WATERMEIER: THANK YOU, SENATOR HAAR. SENATOR BRASCH, YOU
ARE RECOGNIZED. [LB623]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND GOOD MORNING,
COLLEAGUES. THE STORY OF THE DACA CHILDREN THAT CAME HERE IS TRULY

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COMPELLING, AND I CELEBRATE THEIR VICTORIES, THEIR VICTORIES IN EDUCATION, IN THE LIVES THEY'RE BUILDING. BUT THERE ARE FACTS THAT REMAIN. WHEN YOU TALK ABOUT DREAMERS, THERE ARE 4.4 MILLION LEGAL DREAMERS, PEOPLE WHO DREAM OF IMMIGRATING TO THIS GREAT COUNTRY. DESPITE OUR FLAWS, OUR TRIALS, OUR TRIBULATIONS, OUR POLITICS, OUR FABRIC, 4.4 MILLION PEOPLE WAIT PATIENTLY, LEGALLY IN LINE FOR THE AMERICAN DREAM. THEY ARE DREAMERS TOO. THEY WOULD HAVE LOVED TO HAVE THAT SAME OPPORTUNITY TO BRING THEIR CHILDREN INTO OUR PUBLIC SCHOOLS, TO BE ABLE TO COME TO OUR HOSPITALS. THERE ARE GENERATIONS OF AMERICAN DREAM DREAMERS, AND THEY ARE STILL THERE. THEY ARE STILL WAITING. THERE IS A DIFFERENCE. THEY CHOOSE TO BE LAW-ABIDING. THE TALE THAT WE HEAR OF THE DIFFICULTY THAT ONE MAY HAVE IS COMPELLING. BUT I'LL TELL YOU THE STORY OF OLGA, MY MOTHER, WHO WAS A DREAMER, A LEGAL IMMIGRANT, THAT TELLS ME ABOUT WHEN THEY WERE IN THE FORCED GERMAN LABOR CAMP, AND YOU CAN PULL THAT UP ON YOUR SEARCH ENGINE. TWO OF MY OLDER BROTHERS WERE BORN IN THIS CAMP. HER FIRST DAUGHTER DIDN'T MAKE IT THROUGH THE HOSPITAL THERE. AND MY MOTHER SAID, I WAS SO SICK, I DIDN'T THINK I COULD LIVE, SO I DIDN'T CRY. I WENT TO THE...THE NURSE BROUGHT ME IN THIS LIFELESS LITTLE GIRL, DRESSED IN THIS BEAUTIFUL WHITE GOWN, AND MY MOTHER SAID, I KNEW I WAS GOING TO GO AND GO TO HEAVEN WITHIN A FEW HOURS AND MEET MY DAUGHTER. AND MY MOTHER SAID THAT SHE MADE IT THROUGH THE NIGHT. THEY WENT THE NEXT DAY, THEY WALKED WITH A WOODEN BOX THROUGH THE COLD WINTER. SHE SAID IT WAS LIKE A LITTLE STONE ROLLING IN THE BOX TO BURY HER ONLY DAUGHTER AT THAT TIME. AND SHE SAID SHE ASKED THEM, I WANT TO KISS THIS GIRL ONE MORE TIME, AND SHE OPENED THE BOX AND THERE WAS A NAKED LITTLE BABY. THE DRESS WAS GONE BUT MY MOTHER SAID, I DIDN'T CRY, I KNEW THERE WOULD BE ANOTHER BABY THAT NEEDED THAT DRESS. THOSE STORIES EXIST TODAY--MAYBE NOT IN THE UKRAINE, MAYBE NOT IN GERMANY, BUT POSSIBLY IN KENYA OR OTHER PLACES OF THIS WORLD, OF THE DREAMERS WAITING. THERE'S DOCUMENTARY SHOWS, PEOPLE WHO WOULD LOVE TO BE HERE, BUT THEY ARE CHOOSING THE LAW--4.4 MILLION INDIVIDUALS. IN NEBRASKA, WE HAVE A POPULATION OF 5,000 DACA STUDENTS, INDIVIDUALS WHO BY WHATEVER MEANS HAVE NOT BEEN CRUELLY, UNJUSTLY PUNISHED. THEY'VE BEEN GOING TO SCHOOL, PUBLIC SCHOOL. THEY'VE BEEN GOING TO OUR CLINICS, TO OUR HOSPITALS. THEIR MOTHERS DID NOT HAVE TO WALK WITH A WOODEN BOX ACROSS THE COLD WINTER OF THE UKRAINE OR GERMANY OR WHEREVER. THEY WERE HERE IN A BLESSED COUNTRY. THEY IMMIGRATED HERE. WE ARE A NATION OF IMMIGRANTS. WE

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WILL CONTINUE TO BE A NATION OF IMMIGRANTS. BUT WILL WE BE A NATION OF LAW? [LB623]

SENATOR WATERMEIER: ONE MINUTE. [LB623]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. THAT'S THE QUESTION. THE LAW--IS IT IMPORTANT TO LAWMAKERS OR DO WE JUST CHANGE THE LAW, TWEAK IT HERE, TWEAK IT THERE? WE TALKED ABOUT PUBLIC OPINION, PUBLIC POLICY, DOING THE RIGHT THING. THE RIGHT THING WOULD BE TO FIND A LEGAL WAY TO ADDRESS INDIVIDUALS AND HELP IMMIGRATION, LEGAL IMMIGRATION. THIS IS A DIFFICULT PLACE TO BE, A DIFFICULT QUESTION WE'RE MAKING. BUT DON'T TURN A BLIND EYE TO THOSE WHO CHOOSE TO OBEY IMMIGRATION LAWS. THANK YOU, MR. PRESIDENT. AND THANK YOU, COLLEAGUES. [LB623]

SENATOR WATERMEIER: THANK YOU, SENATOR BRASCH. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB623]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. SENATOR NORDQUIST, DURING HIS REFRESHING OF OUR MEMORIES THIS MORNING IN HIS ELOQUENT OPENING, STATED THAT THESE FOLKS SHOULD HAVE THE RIGHT TO DRIVE. COLLEAGUES, BACK WHEN WE WERE DEBATING LB31, THE MOTORCYCLE HELMET BILL, IT WAS POINTED OUT TO ME MANY, MANY TIMES THAT WE DON'T HAVE A RIGHT TO DRIVE IN THIS COUNTRY. IT'S A PRIVILEGE. SO IF IT'S A PRIVILEGE TO RIDE A MOTORCYCLE, IT MUST ALSO BE A PRIVILEGE, NOT A RIGHT, TO OBTAIN AN OPERATOR'S LICENSE. I JUST ASK THAT WE KEEP THE LANGUAGE STRAIGHT AND THAT WE DEBATE THIS FAIRLY, WITHOUT BRINGING OUT THE HAND TOWELS, DRYING OUR EYES, AND CRYING THAT WE ARE DEPRIVING THESE PEOPLE OF THEIR RIGHTS. GOD HAS GRANTED MANY RIGHTS TO US IN THIS NATION, INALIENABLE RIGHTS. LIFE, LIBERTY, AND THE PURSUIT OF HAPPINESS ARE AMONG THEM. UNFORTUNATELY, WHEN IT COMES TO MY HELMET BILL, DRIVING IS NOT ONE OF THEM. BUT APPARENTLY WHEN IT COMES TO OBTAINING A LICENSE FOR AN IMMIGRANT THAT DID NOT GET HERE LEGALLY, AT THAT POINT IT BECOMES A RIGHT. I REALLY HAVE QUESTIONS WITH THAT PHILOSOPHY. I'D YIELD THE REMAINDER OF MY TIME TO SENATOR KINTNER. [LB623 LB31]

SENATOR WATERMEIER: SENATOR KINTNER, 3:00. [LB623]

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SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I LISTEN TO WHAT PEOPLE SAY, AND WHEN I HEARD ONE OF MY COLLEAGUES SAY THAT WE GOT TO DO THIS FOR THE KIDS, HOW MANY GOVERNMENT PROGRAMS HAVE WE CREATED FOR THE KIDS? WASN'T "DO IT FOR THE KIDS" THE RALLYING CRY FOR EVERY EXPANSION OF GOVERNMENT WE'VE HAD, EVERY EXPANSION OF MEDICAID, AND EVERY EXPANSION OF ABOUT ANY PROGRAM IS DO IT FOR THE KIDS, DO IT FOR THE KIDS, AND DO IT FOR THE KIDS? I'M NOT SAYING THAT EVERY TIME WE SAY WE NEED TO DO SOMETHING FOR THE KIDS IT'S WRONG, BUT IT KIND OF GOT TO BE A JOKE IN THE '90s THAT THE MOST RIDICULOUS THINGS THAT WERE PROPOSED BY THE EXPANDERS OF GOVERNMENT WERE "DO IT FOR THE KIDS." IT WAS QUITE A STRETCH VERY OFTEN. AND I THINK SENATOR BRASCH HAD IT CORRECT. WHEN WE DO THESE THINGS, WE ARE VERY DISRESPECTFUL TO THE PEOPLE THAT HAVE COME TO AMERICA FOR A BETTER LIFE AND THAT HAVE GONE THROUGH THE HORRIBLE PROCESS OF LEGAL IMMIGRATION. IT'S A VERY TOUGH PROCESS. AND WE'RE SLAPPING THEM IN THE FACE EVERY TIME THAT WE MAKE ACCOMMODATIONS FOR PEOPLE THAT CAME HERE ILLEGALLY. THAT DOESN'T QUITE ADDRESS THE PROBLEM THAT WE HAVE WITH PARENTS WHO ARE INVOLVED IN CRIMINAL ACTIONS. [LB623]

SENATOR WATERMEIER: ONE MINUTE. [LB623]

SENATOR KINTNER: CRIMINAL ACTION WOULD BE ILLEGALLY COMING INTO OUR COUNTRY AND BRINGING YOUNG MINORS WITH THEM. AND THAT PUTS US INTO A VERY, VERY TOUGH SITUATION. AND I'M GOING TO SAY IT, I'M GOING TO SAY IT, AND I'M GOING TO SAY IT AGAIN, THAT THERE ARE SOME COMPELLING YOUNG PEOPLE THAT ARE IN THAT SITUATION. AND I KNOW THEY'VE ONLY KNOWN THE UNITED STATES AS THEIR ONLY REAL COUNTRY. AND WE'RE BEING ASKED TO FIX WHAT THE FEDERAL GOVERNMENT IS GIVING US, WHAT A LAWLESS PRESIDENT HAS GIVEN US. AND I'M NOT HERE TO ENABLE LAWLESSNESS BY OUR PRESIDENT. THAT'S NOT WHY I WAS ELECTED. THAT'S NOT WHY I WAS SENT HERE. AND I'VE HEARD PEOPLE SAY THAT MY DISTRICT WANTS THIS. WELL, I THINK I KNOW MY DISTRICT AS WELL OR BETTER THAN ANYBODY, 20,000 DOORS KNOCKED ON. [LB623]

SENATOR WATERMEIER: TIME, SENATOR. YOU ARE NEXT IN THE QUEUE. [LB623]

SENATOR KINTNER: WELL, THAT WORKS OUT PRETTY GOOD. THANK YOU, MR. PRESIDENT. AND THEY TELL ME THREE THINGS WHAT I HEARD: CUT MY TAXES, AND USUALLY ALONG WITH THAT, QUIT SPENDING MONEY; KEEP EDUCATION

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STRONG, WHICH WE DO THAT; AND DON'T DO ANYTHING TO ENABLE ILLEGAL IMMIGRATION AND ILLEGAL IMMIGRANTS. DON'T SPEND ANY TAX MONEY ON THEM. DON'T GIVE THEM ANY OF THE BENEFITS THAT CITIZENS OF OUR COUNTRY HAVE BY RIGHT OF BEING CITIZENS. AND IF PEOPLE WANT THOSE, THEY NEED TO BECOME CITIZENS OR AT LEAST LEGAL RESIDENTS. AND THAT WAS VERY CLEAR TO ME. I DON'T RECALL ANYONE SAYING PLEASE GIVE MORE TAX DOLLARS OR MORE BENEFITS TO PEOPLE WHO ARE NOT LEGAL RESIDENTS. THESE CHILDREN OF ILLEGALS ARE PROBABLY A LITTLE BIT DIFFERENT. BUT I DON'T THINK, AS I TALKED TO PEOPLE AND AS I READ MY E-MAILS, THAT PEOPLE ARE SAYING, HEY, WE HAVE TO DO SOMETHING FOR THESE PEOPLE. THEY'RE SAYING, NO, YOU KNOW, IF I CAN...IF I'M...IF I CAN PARAPHRASE WHAT I'M GETTING FROM MY CONSTITUENTS, IS, HEY, LIFE'S NOT FAIR, THINGS ARE TOUGH, BUT IF WE ENABLE ILLEGAL IMMIGRATION THROUGH OUR POLICIES, IT WILL ONLY GET WORSE. AND SINCE WE'VE CREATED SUCH A PROBLEM BY OUR OWN DOING, THERE'S NOT AN EASY WAY OUT OF IT. AND I JUST DON'T THINK THAT THIS IS THE RIGHT WAY TO GO. THE OTHER THING I WOULD SAY IS THAT WE TOOK WHAT I THINK JEREMY NORDQUIST, SENATOR NORDQUIST HAD, A WELL-MEANING BILL, A MISGUIDED BILL BUT WELL-MEANING, AND WE AMENDED IT AND MADE IT WORSE. AND I DON'T EVEN THINK THAT MANY OF THE MEMBERS EVEN READ THAT AMENDMENT. THEY JUST PASSED IT. AND THEN WE HAD A VERY THOUGHTFUL AMENDMENT BY SENATOR GROENE THAT WAS BASED ON WHAT OTHER STATES HAVE DONE AND YOU CHUCKED IT. YOU DIDN'T ADOPT IT. SO YOU TOOK A MISGUIDED BILL AND MADE IT A BAD BILL, AND THEN WITH AN ATTEMPT TO FIX IT SOMEWHAT, MAKE IT A LITTLE BIT BETTER BILL, MAKE IT A LITTLE BIT MORE WORKABLE, YOU REJECTED IT. SO I AM AT WIT'S END WITH THAT ONE. I JUST DON'T UNDERSTAND WHAT'S GOING ON HERE, EXCEPT THAT I THINK THERE'S A RUSH TO DO THIS. AND WHO CARES IF WE DO IT POORLY? LET'S JUST GET IT DONE AND MOVE ON. WELL, YOU DIDN'T GET TO MOVE ON. YOU GOT TO SIT HERE FOR EIGHT HOURS. AND SOMETIMES THAT'S THE WAY IT GOES. IF YOU'RE GOING TO PUT POOR LEGISLATION UP HERE, WE'RE GOING TO TALK ABOUT IT A LITTLE BIT. AND IF YOU DON'T WANT TO MAKE IT BETTER, WELL, THAT'S...I THINK WE MAY BE CREATING MORE PROBLEMS DOWN THE ROAD, AS SENATOR GROENE TALKED ABOUT AND SENATOR McCOY TALKED ABOUT. SO I'M KIND OF AT WIT'S END HERE AND HOW TO REASONABLY APPROACH THIS. BUT ON THE OTHER SIDE... [LB623]

SENATOR WATERMEIER: ONE MINUTE. [LB623]

SENATOR KINTNER: I THINK WE CAN ALL REJOICE IN ILLEGAL IMMIGRATION. YOU KNOW, I WANT TO TELL YOU SOMETHING. THERE ARE SO MANY GREAT

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PEOPLE THAT COME HERE TO STUDY COLLEGE AND SCIENTISTS AND DOCTORS AND PEOPLE THAT REALLY, REALLY ADD A LOT TO OUR COUNTRY. AND WE NEED TO BE LOOKING TO MAKE IT EASIER FOR THOSE PEOPLE TO COME IN, AS WELL AS MAKE IT EASIER FOR PEOPLE ESCAPING ECONOMIC MISERY TO COME HERE. AND OUR FEDERAL GOVERNMENT AND OUR ADMINISTRATION HAVE NO INTEREST IN DOING THAT. THEY HAVE NO INTEREST IN HAVING MORE SCIENTISTS HERE. THEY HAVE AN INTEREST IN HAVING MORE DEMOCRATIC VOTERS HERE. BUT THAT'S ABOUT WHERE THEIR INTEREST GOES. AND I HAVE NO DESIRE AT ALL TO HELP THEM DO THAT. THANK YOU, MR. PRESIDENT. [LB623]

SENATOR WATERMEIER: THANK YOU, SENATOR KINTNER AND SENATOR BLOOMFIELD. THOSE IN THE QUEUE WISHING TO SPEAK: SENATOR HILKEMANN, SENATOR GROENE, SENATOR DAVIS, SENATOR KEN HAAR, AND OTHERS. SENATOR HILKEMANN, YOU ARE RECOGNIZED. [LB623]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. YESTERDAY'S DEBATE WAS DIFFICULT FOR ME TO HEAR. I SUSPECT IT WAS HARD FOR A LOT OF NEBRASKANS IN THIS BODY AND THOSE WHO ARE WATCHING. AS I WAS PONDERING THE DEBATE OF THAT DAY AS I WAS GOING HOME LAST NIGHT, I THOUGHT IT MIRRORS OUR COUNTRY'S IMMIGRATION POLICY--CONFUSING, COMPLICATED, SOMETIMES BITTER. I HAVE BEEN TOLD THAT THERE'S ONLY ONE THING MORE COMPLICATED THAN OUR TAX CODE, AND THAT IS OUR IMMIGRATION POLICY. WE LIKE TO TELL STORIES OF OUR ANCESTORS WHO GOT IN LINE AND DID IT THE RIGHT WAY. I APPRECIATED SENATOR EBKE'S STORY JUST A FEW MOMENTS AGO. IT MIRRORS SOMEWHAT MY STORY. MY GRANDPARENTS CAME OVER FROM GERMANY. MY FATHER WENT TO A ONE-ROOM SCHOOLHOUSE NEAR THEIR FARM, AND THEY NEVER SPOKE ANYTHING BUT GERMAN IN THAT SCHOOL UNTIL HE WENT OFF TO HIGH SCHOOL. IN FACT, THEIR FAMILY STARTED SPEAKING ENGLISH WHEN MY OLDEST UNCLE WENT TO HIGH SCHOOL AND COULDN'T COMPLETE HIGH SCHOOL BECAUSE HE DIDN'T KNOW HIS ENGLISH WELL ENOUGH, AND THEY DECIDED THEY BETTER START SPEAKING ENGLISH AROUND HOME. I WANT TO THANK SENATOR BLOOMFIELD. ABOUT THREE DAYS AGO, HE SHOWED ME THAT HE'S BEEN TAKING CARE OF THE CEMETERY IN WINSIDE, NEBRASKA, WHERE THE REMAINS OF MY GREAT-GRANDPARENTS, BOTH SIDES OF MY FAMILY ARE BURIED, AND I THANK HIM FOR TAKING CARE OF THEM AND TENDING TO THAT CEMETERY. YOU KNOW, IF WE TALK TO THOSE WHO ARE DACA, THEY WOULD WELCOME GETTING INTO A LINE. BUT WHICH LINE DO THEY GET IN? I KNOW SOME WHO HAVE BEEN IN LINE ONLY TO BE TOLD AFTER YEARS OF WAITING IN THAT LINE, YOU'RE NOT IN THE RIGHT LINE. START OVER AGAIN. START IT AGAIN. TRY THAT LINE OVER THERE.

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MAYBE, AND I EMPHASIZE MAYBE, THAT'S THE ONE THAT WILL GET YOU TO WHERE YOU WANT TO BE. HOW CONFUSING IS IT? SOME SENATORS SAID YESTERDAY, WELL, YOU CAN'T SERVE IN THE MILITARY AND BE A DACA. THEN WE HAD ANOTHER SENATOR HERE, SENATOR GARRETT, WHO TALKED ABOUT 53 YOUNG PEOPLE WHO WERE APPROVED JUST LAST MONTH TO SERVE IN THE MILITARY THROUGH THE DACA PROGRAM. SOME SAY, WELL, THEY DON'T PAY TAXES, BUT THEN WE HAD ANOTHER SENATOR UP HERE SAY, WELL, THEY HAVE TO HAVE A SOCIAL SECURITY CARD IF THEY'RE WORKING. SOME LIKE TO TALK ABOUT HOW WE SHOULD BE DOING IMMIGRATION IN THIS COUNTRY. FELLOW SENATORS, EVERYONE KNOWS THAT THE NATIONAL IMMIGRATION POLICY IS UNEQUIVOCALLY BROKEN. BUT DOES IT BOTHER YOU THAT NEBRASKA, YES, GOOD, OLD NEBRASKA, IS THE ONLY STATE IN THE UNION THAT IS NOT ACKNOWLEDGING THE DACA FOR DRIVER'S LICENSES? YOU KNOW, WE DEBATED YESTERDAY OVER LEGAL STATUS, OVER LEGAL PRESENCE. NO ONE REALLY HAD A GOOD ANSWER FOR THAT. AND SO WHILE OUR FEDERAL GOVERNMENT WRANGLES OVER HOW TO FIGURE OUT IMMIGRATION, WE HAVE 2,300 PEOPLE LIVING IN NEBRASKA WHO WOULD LIKE TO JUST DRIVE TO SCHOOL, WORK, AND BE PRODUCTIVE CITIZENS; AND WE WANT TO PUT A BARRIER FOR THEM. MEMBERS OF THIS BODY,... [LB623]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR HILKEMANN: ...I HAVE DECIDED IF THESE DACA CAN MEET THE CRITERIA TO PRACTICE MEDICINE IN THIS STATE, TO PRACTICE LAW IN THIS STATE, THEY CAN SERVE IN OUR MILITARY, IF THEY HAVE A JOB THEY HAVE TO HAVE A SOCIAL SECURITY CARD, THEY ARE PAYING TAXES, THEN I WANT TO MAKE TODAY A GOOD DAY TO BE A DACA IN NEBRASKA. AND I URGE ALL OF YOU WHO HAVE BEEN ON THE FENCE ON THIS SUBJECT TO JOIN ME IN VOTING GREEN ON LB623. THANK YOU, MR. SPEAKER. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR HILKEMANN. (VISITORS INTRODUCED.) THOSE IN THE QUEUE ARE SENATORS GROENE, DAVIS, KEN HAAR, SCHNOOR, BRASCH, AND OTHERS. SENATOR GROENE, YOU'RE RECOGNIZED. [LB623]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I'M A RULE OF LAW GUY. GOT A LOT OF E-MAILS FROM FOLKS, CALLS THAT SAID THANK YOU, SENATOR, FOR

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BEING A SENATOR AND LOOKING AT LAW, NOT YOUR SHIRTSLEEVE THAT IS WET, BUT LAW. IT IS OUR RESPONSIBILITY TO CREATE GOOD LAW THAT REFLECTS PRESENT LAW AND FITS INSIDE OF IT. I REMEMBER BACK IN ORIENTATION SENATOR ADAMS CAME IN AND I ASKED HIM IN FRONT OF ALL THE OTHER FRESHMEN SENATORS, WHAT DO YOU THINK ABOUT THIS SIGNING ON TO SOMEBODY ELSE'S BILL? AND HE JUST SMILED REAL BIG AND SAID, DON'T DO IT. DON'T SIGN ON TO OTHER PEOPLE'S BILL BECAUSE YOU FEEL YOU AGREE WITH THE FINAL INTENT. HE SAID IT'S IN THE DETAIL. HOW DO YOU GET TO THAT FINAL INTENT? HE SAID DON'T DO IT. AND I'VE SEEN HIS WORDS PROVEN OUT. I'VE SIGNED ON TO TWO BILLS, AND THANK GOD, ONE OF THEM WAS LB599, AND I SHARE AN OFFICE WITH SENATOR EBKE, AND I WAS IN ON AMENDING...AGREED TO WHAT SHE AMENDED IT. I WAS ON THE AGRITOURISM WITH SENATOR SCHILZ. I CHOKED REAL HARD WHEN I SEEN THE AMENDMENT ABOUT TRIAL LAWYERS, BUT MY HONOR SAID SUPPORT IT. DID YOU READ THE DETAILS, FOLKS, WHEN 27 OF YOU SIGNED ON FOR THIS GOOD INTENT? DID YOU? DID YOU KNOW ABOUT JUDGE LAURIE SMITH CAMP'S RULING IN 2014? THE DIFFERENCE IN OUR DISTRICT, IN OUR FEDERAL DISTRICT, THE DIFFERENCE BETWEEN THE TWO STATUS AND PRIVILEGE OF BEING HERE? DID YOU READ THAT? DID YOU LOOK INTO OUR DMV LAWS IN 2012 THAT WAS CHANGED BY SENATOR DEB FISCHER'S LAW THAT INCLUDED...ONLY STATE THAT INCLUDES THE REAL ID, FEDERAL ID INTO OUR DMV LAWS AND OUR IDENTIFICATION LAWS? DID YOU? THIS AS IT STANDS, LB623, DOES NOT FIT INTO THOSE PRESENT LAWS, DOES NOT FOLLOW SENATOR (SIC) LAURIE SMITH CAMP'S RULING. MY AMENDMENT DID. I DID LOOK INTO IT. I'M NOT GOING TO TAKE ALL THE CREDIT. YOU'VE ALL MET CHARLES, MY AIDE. HE DID A LOT OF WORK. AND HE WORKED WITH THE DEPARTMENT OF DVM (SIC) FOR INFORMATION. IF THIS THING GOES THROUGH TO SELECT, I'M GOING TO BRING A FORM--I HOPE ONE OF THE OTHER SENATORS WOULD DO IT FOR ME--BRING A FORM OF MY AMENDMENT, AM1620, BACK. IF WE'RE GOING TO DO IT, LET'S DO IT RIGHT. LET'S DO IT CORRECT. LET'S HONOR THESE YOUNG PEOPLE BY PUTTING AN IDENTIFICATION CARD THAT STRICTLY APPLIES TO THEM. I'M ASSUMING THEY'RE ALL LAW-ABIDING. THEIR PARENTS WEREN'T, BUT THEY ARE. WE CAN HONOR THEM BY DOING IT THE RIGHT WAY. DO MANY OF YOU THAT SIGNED ON AGREE THAT WE SHOULD GIVE DRIVER'S LICENSE ILLEGAL IMMIGRANTS? WELL, YOU BETTER LOOK AT THIS LAW. IT AIN'T A HARD FOOT IN THE DOOR. IT'S A BIG FOOT IN THE DOOR TO JUST GO FROM THIS LAW TO INCLUDING ALL OF THOSE FOLKS. THE PEOPLE BEHIND THIS KNOW THAT. MY AMENDMENT WOULD ABSOLUTELY REPLY...INTENT WOULD BE DIRECTLY TO THE DACA KIDS AND ONLY THEM. I CAME HERE TO MAKE GOOD GOVERNMENT, GOOD LAW. DO I THINK THESE KIDS SHOULD HAVE A SHOT? YEAH. SHOULD THEY HAVE A SHOT BECAUSE THEY STOOD UP, I HOPE, EVERY DAY IN HIGH

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SCHOOL AND DID THE PLEDGE OF ALLEGIANCE? IT'S IN OUR LAWS THAT THEY SHOULD. SADLY, I'VE HEARD STORIES WHERE TEACHERS HAVE SAT AND ALLOWED THEIR KIDS TO SIT DURING THE READING, BUT THAT HAPPENS IN AMERICA. THOSE KIDS... [LB623 LB599]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR GROENE: ...EVERY DAY IN HIGH SCHOOL SAID THE PLEDGE OF ALLEGIANCE. IT'S NOT THEIR FAULT THEY'VE BEEN INDOCTRINATED INTO OUR SOCIETY. THEY KNOW NO OTHER SOCIETY. BUT LET'S DO IT RIGHT. SO MANY OF YOU THAT COSIGNED WHEN THIS COMES AROUND AGAIN I HOPE YOU RECONSIDER MY AMENDMENT. YOU HONORED YOUR COMMITMENT TO SIGN ON, BUT BY GOLLY, IN THE FUTURE I'M NOT SIGNING ON TO ANYTHING UNTIL THE FINAL VERSION BECAUSE I SEEN BILLS COMPLETELY CHANGED BY A FLOOR AMENDMENT OR A COMMITTEE AMENDMENT TO THE ORIGINAL BILL. AND IF I GIVE ADVICE TO THE NEW FRESHMAN CLASS COMING IN IN TWO YEARS, IT'S GOING TO BE THAT. WHEN A SENATOR COMES AROUND TO YOU AND PUTS YOUR ARM AROUND YOU AND ASKS YOU TO COSIGN A BILL, BE WARY BECAUSE WHAT YOU SIGNED ONTO MIGHT NOT BE EXACTLY WHAT YOU INTENDED FOR THE END PRODUCT. SO I WILL BRING THIS BACK, THIS AMENDMENT, IN A DIFFERENT FORM. I WILL FIX THE IDENTIFICATION PROBLEM AND I AGREE THERE IS A PROBLEM THERE. THAT CARD NEEDS TO BE USED FOR GENERAL IDENTIFICATION. [LB623]

SPEAKER HADLEY: TIME, SENATOR. [LB623]

SENATOR GROENE: THANK YOU. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE. SENATOR DAVIS, YOU ARE RECOGNIZED. [LB623]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I REALLY WASN'T GOING TO SPEAK ON THIS UNTIL I READ THE PAPER YESTERDAY. AND ONE OF THE THINGS THAT REALLY JUMPED OUT AT ME WAS THE EXPRESSION THAT THIS WAS SOME KIND OF LIBERAL DECISION. I THINK IT'S A CONSERVATIVE DECISION THAT'S BEING MADE AND HAS BEEN PUT FORWARD IN LARGE PART BY THE BUSINESS COMMUNITY IN THIS STATE. WE'VE GOT THE THREE CHAMBERS OF COMMERCE ON BOARD: THE NEBRASKA CHAMBER, THE OMAHA CHAMBER, THE LINCOLN CHAMBER, THE NEBRASKA CATTLEMEN. THESE ARE NOT ENTITIES THAT ARE

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KNOWN AS RABID LIBERAL CREATURES WHO ARE INTENT ON DESTROYING THE NATURE OF OUR STATE. THIS IS GOOD...A GOOD POLICY THAT WE'RE LOOKING AT BECAUSE WE'VE GOT LOW UNEMPLOYMENT. WE NEED THESE WORKERS. I'VE SAID THIS BEFORE ON THE FLOOR AND I'M GOING TO SAY IT AGAIN. WHEN WE WERE IN KEARNEY LAST SUMMER ON THE TAX ADVANTAGE ACT AND THINGS STUDYING THAT AND THE KEARNEY CHAMBER OF COMMERCE REPRESENTATIVE THERE SAID TO US, WE'VE GOT 500 JOBS AROUND HERE THAT ARE UNFILLED--250 OF THOSE ARE UNSKILLED JOBS, ANOTHER 250 ARE SOMEWHAT SKILLED JOBS-- BUT 500 JOBS IN THE KEARNEY AREA ALONE. TWO PERCENT UNEMPLOYMENT IN THIS STATE AND YET WE'RE WILLING TO RUN THESE YOUNG PEOPLE OUT WHO WANT TO STAY HERE AND WORK, RUN THEM OUT BECAUSE THIS IS SOME KIND OF CRAZY, LIBERAL IDEA. WE NEED THE WORKERS. IF YOU WANT TO RUN ILLEGAL IMMIGRANTS OUT OF THE COUNTRY, THEN THERE ARE WAYS TO DO THAT, TO RUN THEM OUT OF THE STATE. WE CAN DO IT BY MANDATING THAT EMPLOYERS NOT HIRE THEM. BUT WHAT WE'RE DOING WITH THIS POLICY IS THE RIGHT THING. I HEARD THE TESTIMONY OF THESE PEOPLE IN COMMITTEE. I WAS CONVINCED THAT WHAT WE WERE DOING FOR THEM BY PUTTING THIS FORWARD WAS ABSOLUTELY THE BEST THING FOR THE STATE OF NEBRASKA. WE'VE EDUCATED THEM. THEY'VE GONE TO OUR SCHOOLS. THIS HAS BEEN SAID BEFORE. THEY'VE BEEN EDUCATED BY THE TAXPAYERS. NOW THEY HAVE THE OPPORTUNITY TO STEP UP AND REPAY SOME OF THAT BY WORKING. AND IF WE'RE GOING TO DENY THEM A DRIVER'S LICENSE, WE'RE GOING TO DENY THEM THE ABILITY TO WORK. SO THEY'RE GOING TO GO TO IOWA, COLORADO, WHO KNOWS WHERE. YOU'VE HEARD TESTIMONY ABOUT PEOPLE WHO HAVE COME BACK, WANT TO COME BACK, BE WITH THEIR FAMILY, MAYBE HAVE TO MOVE TO COUNCIL BLUFFS TO DO THAT. DOES THAT MAKE ANY SENSE WHEN THE OTHER 50...THE OTHER 49 STATES HAVE GIVEN THEM LICENSES? NO. DO WE WANT TO BE THE NEXT MISSISSIPPI IN THE COUNTRY KNOWN AS A BACKWARDS STATE? NO, WE DON'T. AND THE OTHER THING I'M GOING TO SAY, LET'S REMEMBER WHO THE FIRST ILLEGAL IMMIGRANTS WERE IN THIS COUNTRY. THEY CAME OVER HERE FROM EUROPE IN THE 1600s AND THE 1500s AND TOOK OVER THE COUNTRY. THEY WERE THE FIRST ILLEGAL IMMIGRANTS. AND NOW WE ALL SIT HERE AND PONTIFICATE ABOUT HOW, YOU KNOW, WE HAVE TO FOLLOW THE RULE OF LAW AND WE'RE GOING TO DENY THESE YOUNG PEOPLE THE RIGHT TO DRIVE. IT'S JUST RIDICULOUS, MR. SPEAKER. I WISH THE BODY WOULD DROP THE FILIBUSTER AND WE COULD GET ON WITH THE VOTE BECAUSE IT'S THE RIGHT THING TO DO. THANK YOU. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR DAVIS. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB623]

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SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, SOMETIMES I SIT HERE AND LISTEN AND I THINK I SHOULD JUST LET PEOPLE TALK ON AND ON. BUT SOMETIMES THINGS HAVE TO BE RESPONDED TO. AND A COMMENT WAS MADE THIS MORNING, WE'RE ALWAYS REFERRING TO CHILDREN, WE ALWAYS USE THAT AS AN EXCUSE. WELL, GEE, I'D LIKE TO REFER YOU TO MATTHEW 19:14 IS A REALLY INTERESTING COMMENTARY ON CHILDREN BECAUSE SOME CHILDREN WERE BROUGHT TO JESUS AND THE DISCIPLES SAID, JESUS IS TIRED, HE DOESN'T HAVE TIME FOR THEM TODAY. AND JESUS SAID HE...TO QUOTE THE BIBLE, THE DISCIPLES REBUKED THE PEOPLE THAT BROUGHT THE CHILDREN. BUT JESUS SAID, LET THE CHILDREN ALONE AND DO NOT HINDER THEM FROM COMING TO ME FOR THE KINGDOM OF HEAVEN BELONGS TO SUCH AS THESE. AND I TRULY THINK THE KINGDOM OF HEAVEN BELONGS TO CHILDREN. I WILL NEVER APOLOGIZE FOR MY CONCERN FOR CHILDREN AND USING THEM AS A REASON FOR WHAT WE DO OR WHAT WE'RE TALKING ABOUT. HAVING SAID THAT, I WANT TO GO, THOUGH, AND AGAIN, SORT OF...NOT SORT OF, BUT APOLOGIZE FOR SOME OF THE MEAN-SPIRITED THINGS SAID YESTERDAY. AND I WANT THE DREAMERS TO KNOW THEY ARE WELCOME. AND THIS MAY NOT MAKE SOME OF THEM FEEL ANY BETTER, BUT I WANT YOU TO KNOW WHAT WAS SAID ABOUT IMMIGRANTS IN THE 1800s. AND THIS FIRST ONE IS FROM BENJAMIN FRANKLIN IN 1751 COMPLAINING ABOUT GERMAN IMMIGRATION, PRIMARILY INTO THE COLONY OF PENNSYLVANIA. MY GERMAN ANCESTORS CAME LATER AS GERMANS FROM RUSSIA. BUT HERE'S WHAT BENJAMIN FRANKLIN SAID, QUOTE, WHY SHOULD PENNSYLVANIA FOUNDED BY THE ENGLISH BECOME A COLONY OF ALIENS WHO WILL SHORTLY BE SO NUMEROUS AS TO GERMANIZE US INSTEAD OF OUR ANGLIFYING THEM AND WILL NEVER ADOPT OUR LANGUAGE OR CUSTOMS ANY MORE THAN THEY CAN ACQUIRE OUR COMPLEXION? AND BENJAMIN FRANKLIN CONSIDERED THAT GERMANS HAD THIS REDDISH COMPLEXION AND MAYBE I SHOW THAT BECAUSE FROM BOTH SIDES I'M GERMAN. HERE'S WHAT ANOTHER PERSON SAID, SAMUEL MORSE, IN 1836. "THE QUESTION IS NOW PLACED...BEFORE THE WHOLE AMERICAN PEOPLE, WHETHER IT IS OR IS NOT EXPEDIENT THAT THE NATURALIZATION LAWS BE SO ALTERED AS TO PUT A STOP TO EVILS UNDER WHICH OUR DEMOCRATIC INSTITUTIONS ARE SUFFERING, AND TO GUARD AGAINST DANGERS WITH WHICH THEY ARE THREATENED FROM THE INFLUX OF A VICIOUS, IGNORANT FOREIGN POPULATION; DANGERS ENHANCED BY THE COMBINATIONS OF THESE FOREIGNERS THROUGHOUT THE COUNTRY," SAMUEL MORSE, 1836, "THEY," "THEY," "THE VICIOUS, IGNORANT FOREIGN POPULATION." AND THIS WAS SAID IN THE JERSEY CITY STANDARD IN 1859 ABOUT THE IRISH: THEY, THE IRISH, ARE NOTHING BUT IMPORTED BEGGARS, ANIMALS, A MONGREL MASS OF IGNORANCE AND CRIME AND SUPERSTITION, AS UTTERLY UNFIT FOR SOCIETY'S DUTIES AS THEY ARE FOR

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THE COMMON COURTESIES AND DECENCIES OF CIVILIZED LIFE, JERSEY CITY STANDARD, 1859. SO THIS ANTIIMMIGRANT HAS BEEN ALIVE AND WELL IN AMERICA. BUT LUCKILY THE MAJORITY OF US WELCOME IMMIGRANTS. AND IN THE CASE OF DREAMERS RIGHT NOW, YOU ADD VITALITY TO OUR ECONOMY, YOU'RE DOING IMPORTANT THINGS IN OUR SOCIETY. [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR HAAR: AND I WANT YOU TO KNOW THAT YOU ARE WELCOME AND WE HOPE THAT THE DO-NOTHING CONGRESS WILL COME UP WITH A NATIONAL KIND OF SOLUTION. BUT IN THE MEANTIME, WE HOPE TO BRING THIS SOLUTION BY ALLOWING YOU THE PRIVILEGE OF HAVING A NEBRASKA DRIVER'S LICENSE. THANKS SO MUCH. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR KEN HAAR. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB623]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. YOU KNOW, I WAS ASKED BY SEVERAL PEOPLE WHY I STAND WHERE I DO ON THIS ISSUE. AND IN MY DISTRICT OF DODGE COUNTY, THERE WAS A BIG BATTLE OF AN IMMIGRATION ORDINANCE TO NOT RENT TO ILLEGAL IMMIGRANTS. NOW IS THAT ILLEGAL IMMIGRANTS AND DACA, ARE THOSE TWO DIFFERENT CLASSES OF PEOPLE? YOU KNOW, THAT'S ANOTHER ISSUE THAT COULD BE ARGUED FOR ANOTHER EIGHT HOURS. BUT OVERWHELMINGLY IN MY DISTRICT IN FREMONT, THEY VOTED IN FAVOR OF THE ORDINANCE AND ACTUALLY DID IT TWICE. THE FIRST TIME WAS VOTED IN FAVOR AND THEN IT WAS OVERTURNED BY THE CITY COUNCIL AND THEN THE...THE PUBLIC DID A PETITION DRIVE AND THEY GOT IT PUT ON A BALLOT FOR A SPECIAL ELECTION. AND 60 PERCENT OF THE VOTERS VOTED IN FAVOR OF THE ORDINANCE. SO IN MY DISTRICT, AT LEAST IN FREMONT, WHICH IS TWO THIRDS OF MY DISTRICT, THEY ARE IN FAVOR OF THESE TYPE OF ORDINANCES. AND THEY ARE...THEY WOULD BE OPPOSED TO LB623. SO THAT'S WHY I'M BATTLING AND I'M TAKING THIS STAND AGAINST THAT. YOU KNOW, WE TALKED A LOT YESTERDAY ABOUT DACA AND HOW THIS ALL CAME ABOUT. CONTROVERSIAL, YES. AND THIS IS, AS I'M READING, A TWO-YEAR REPRIEVE. SO, YOU KNOW, IF THAT...YOU KNOW, IS THAT GOING TO CONTINUE TO BE OUR FEDERAL LAW? I DON'T KNOW. BUT, YOU KNOW, ANOTHER ARTICLE IN THE WORLD-HERALD BY A CONCERNED CITIZEN ON APRIL 26 OF THIS YEAR, IT SAYS: ACCORDING TO OUR IMMIGRATION LAWS, THOSE WHO ENTER OUR COUNTRY ILLEGALLY OR OVERSTAY THEIR VISA ARE TO BE DEPORTED. LAWS THAT GRANT

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BENEFITS LIKE IN-STATE TUITION AND FREE PRENATAL CARE ARE A MAGNET FOR MORE ILLEGAL IMMIGRATION TO OUR STATE. SO ARE THOSE THINGS HAPPENING? I BELIEVE THEY ARE. IS IT COSTING OUR STATE? I BELIEVE IT IS. WHAT IS THE AMOUNT? IT'S HARD TO SAY. BUT LIKE SENATOR GROENE SAID, LET'S PAY ATTENTION TO THE DETAILS BECAUSE LITTLE THINGS CAN TURN INTO BIG THINGS. AND IT SEEMS THAT WE TEND TO FORGET THAT BECAUSE WE DON'T TALK IN HUNDREDS OF DOLLARS OR THOUSANDS OF DOLLARS HERE. [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR SCHNOOR: WE TALK IN MILLIONS OF DOLLARS WHERE WE THINK \$10 MILLION IS NO BIG DEAL. BUT IT IS A BIG DEAL. SO I GUESS THAT'S WHY I'M TAKING THE STAND THAT I AM. THE FOLKS IN MY DISTRICT ARE NOT IN FAVOR OF THIS. I HAVE RECEIVED NUMEROUS E-MAILS SUPPORTING THAT. AND I JUST WANTED TO GIVE A LITTLE BIT OF A HISTORY OF WHAT HAS HAPPENED IN MY DISTRICT TO LET PEOPLE KNOW WHY I'M ON THIS SIDE OF THE ISSUE. SO HOW MUCH TIME DO I HAVE, MR. PRESIDENT? [LB623]

SPEAKER HADLEY: FOUR SECONDS. [LB623]

SENATOR SCHNOOR: WOW, OKAY. [LB623]

SPEAKER HADLEY: TIME, SENATOR. [LB623]

SENATOR SCHNOOR: THANK YOU. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR SCHNOOR. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB623]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. THANK YOU, MR. SPEAKER. I HAVE A SENSE OF DEEP OBLIGATION TODAY TO TALK FOR THE 4.4 MILLION WAITING TO IMMIGRATE LEGALLY. IT'S DIFFICULT BECAUSE THEY CAN'T LOOK ME IN THE EYE AND TELL ME THEIR STORY. THE DACA INDIVIDUALS, I HAVE COMPASSION FOR THEM. BUT THEY CAN LOOK ME IN THE EYE. THEY'RE HERE. BUT THERE'S 4.4 MILLION WHO CANNOT LOOK ME IN THE EYE BECAUSE THEY WAIT IN LONG LINES, RESPECTING THE LAWS OF THIS COUNTRY, WANTING TO COME HERE THROUGH THE PROCESS THAT WE HAVE IN PLACE. BUT I CAN TELL YOU MY PERSONAL STORY OF THE

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IMMIGRANTS, OLGA AND ELIA. THEY CAME HERE WITH BASIL, VLADIMIR. THEN THREE YEARS LATER, I WAS BORN. AND THEY GIVE THANKS TO AMERICA BECAUSE AMERICA IS THEIR AMERICAN DREAM. NOT ONLY WERE THEY DREAMERS, BUT AMERICA WAS THE ANSWER TO THEIR PRAYERS. AND THOSE PRAYERS CONTINUE ON THROUGH MANY NATIONS OF INDIVIDUALS WAITING TO COME HERE FOR POLITICAL ASYLUM, FOR OTHER REASONS. BUT THEY'RE WAITING FOR LEGAL PROCESS TO TAKE PLACE. I WANT TO EXPRESS MY GRATITUDE. THIS MORNING, OUR PASTOR AND OUR DOCTOR I BELIEVE ARE FROM BEATRICE. IT WAS BECAUSE OF A FARM FAMILY, THE BRUBAKERS OF BEATRICE, THAT HAD BIG HEARTS AND WERE GENEROUS AND OFFERED TO BE SPONSORS OF MY PARENTS WHO STRUGGLED TO LEARN ENGLISH, WHO WERE DESPERATE TO TAKE THE WORST OF WORST JOBS. MY FATHER TOOK A JOB AT THE BURLINGTON RAILROAD. HE CAME HOME CHARRED, PHYSICALLY EXHAUSTED BUT HE WAS EARNING MONEY FOR HIS FAMILY, FOR THE TWO...MY TWO OLDER BROTHERS THAT THEY BROUGHT HERE IN TOW, FOR THE FUTURE THAT AMERICA OFFERED LEGALLY. MY MOTHER WAS A SEAMSTRESS UNTIL SHE LEARNED ENGLISH WELL ENOUGH TO FILL OUT A JOB APPLICATION BECAUSE THERE WAS MONEY TO BE MADE AT GOODYEAR. SHE DIDN'T CARE HOW HARD SHE HAD TO WORK. BUT WHAT SHE CARED ABOUT IS HER CHILDREN COULD HAVE AN EDUCATION. THEY WEREN'T ABLE TO GET AN EDUCATION. THEY WERE DESPERATE TO LEAVE GERMANY, TO LEAVE THE UKRAINE. AND, IN FACT, THEY ALMOST TOOK A BOAT OVER TO BRAZIL BECAUSE THEY WANTED TO GET OUT SO BAD. BUT THEIR PRAYERS WERE ANSWERED. IT WAS AMERICA. IT WAS THE AMERICAN DREAM. SO I HAVE AN OBLIGATION TODAY AS WE GIVE A SHOUT OUT TO THOSE VERY GOOD, YOUNG DACA RECIPIENTS OF A PRESIDENTIAL ORDER. MY PARENTS WERE NOT FORTUNATE TO HAVE THAT. MANY OTHERS, 4.4 MILLION, DO NOT HAVE THAT ORDER. MR. SPEAKER, I WOULD LIKE TO YIELD THE REST OF MY TIME TO SENATOR GROENE. [LB623]

SENATOR GROENE: I ACCEPT IT. [LB623]

SPEAKER HADLEY: SENATOR GROENE, YOU'RE YIELDED 1:33. [LB623]

SENATOR GROENE: I'LL TRY TO GET THIS DONE. THE WORDS, "YOUR HUDDLED MASSES YEARNING TO BREATHE, THE WRETCHED REFUSE OF YOUR TEEMING SHORES," DO YOU KNOW, FOLKS, THAT WAS NEVER PART OF OUR NATIONAL IMMIGRATION POLICY? YOU KNOW THE HISTORY OF THAT ? I WENT TO A GOOD SCHOOL. I WAS TAUGHT ACTUAL HISTORY. EMMA LAZARUS WROTE THAT IN 1883 AS A CONTEST. BACK IN THE DAY WHEN WE DIDN'T RELY ON GOVERNMENT,

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FRANCE GAVE US THAT STATUE TO REPRESENT WHAT WE DID TO INCREASE FREEDOM ACROSS THE WORLD, FIRST TIME A REPUBLIC SINCE GREECE. [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR GROENE: THAT'S WHY THAT STATUE WAS GIVEN TO US. THE PEDESTAL IT WAS PUT ON WAS BID BY PRIVATE DONATIONS. SHE WROTE THAT POEM AS PART OF A CONTEST BY AN ART GUILD. SHE WON THE CONTEST. IT WAS READ WHEN THEY OPENED THE FOUNDATION FOR THAT STATUE. SHE PASSED AWAY AND ONE OF HER FRIENDS PUSHED REAL HARD TO PUT A PLAQUE ON THE WALL OF HER POEM. IT'S NEVER BEEN PART OF OUR NATIONAL IMMIGRATION POLICY. GOOD GOVERNMENT IMMIGRATION POLICY WAS TO SETTLE THE OPEN LANDS, HOMESTEAD EXEMPTION. YOU WANT TO GIVE UP HALF YOUR YARD AND GIVE IT UP FOR IMMIGRANTS TO COME HOMESTEAD THERE? THE LOUISIANA PURCHASE TO SETTLE IT; WE NEEDED PEOPLE THERE TO KEEP THE FRENCH HONEST AND THE SPANISH TO THE SOUTH HONEST. IT WAS ALWAYS GOOD GOVERNMENT POLICY IS WHY IMMIGRATION. IT WAS NEVER EVER THAT YOUR SLEEVE WAS WET FROM CRYING. [LB623]

SPEAKER HADLEY: TIME, SENATOR. [LB623]

SENATOR GROENE: THANK YOU. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR BRASCH AND SENATOR GROENE. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB623]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I HOPE WE LISTENED CLOSELY TO SENATOR BRASCH'S STORY. SHE IS PROBABLY THE CLOSEST THING WE HAVE TO UP-FRONT EXPERIENCE ON IMMIGRATION TO THIS COUNTRY. I WAS FORTUNATE ENOUGH THAT MY FOREFATHERS CAME HERE BEFORE IT WAS A COUNTRY. SO I WONDER IF SENATOR BRASCH HAS ANY MORE SHE WOULD CARE TO SAY AT THIS TIME. [LB623]

SPEAKER HADLEY: SENATOR BRASCH, YOU'RE YIELDED 4:10... [LB623]

SENATOR BLOOMFIELD: THAT WAS NOT A YIELD. [LB623]

SPEAKER HADLEY: I'M SORRY. I COULD NOT HEAR YOU. [LB623]

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SENATOR BLOOMFIELD: I JUST ASKED IF SHE HAD ANYTHING MORE TO SAY. SO I'M ASKING HER TO YIELD TO A QUESTION. [LB623]

SPEAKER HADLEY: OKAY. SENATOR BRASCH, WILL YOU YIELD TO A QUESTION? [LB623]

SENATOR BRASCH: I WILL YIELD. [LB623]

SENATOR BLOOMFIELD: SENATOR BRASCH, DO YOU HAVE FURTHER WORDS TO SAY AT THIS TIME? [LB623]

SENATOR BRASCH: THERE'S MANY THINGS I BELIEVE PEOPLE NEED TO KNOW ABOUT IMMIGRATION. [LB623]

SENATOR BLOOMFIELD: DO YOU CARE TO ELABORATE ON THAT? IF NOT, I'M GOING TO YIELD THE REMAINDER OF MY TIME TO SENATOR GROENE. [LB623]

SENATOR BRASCH: YOU MAY YIELD TO SENATOR GROENE. [LB623]

SENATOR BLOOMFIELD: THANK YOU, SENATOR BRASCH. MR. SPEAKER, I WOULD YIELD TO SENATOR GROENE THE REMAINDER OF MY TIME. THANK YOU. [LB623]

SPEAKER HADLEY: SENATOR GROENE, YOU'RE YIELDED 3:25. [LB623]

SENATOR GROENE: THANK YOU. I JUST WANT TO MAKE IT CLEAR AS ELECTED OFFICIALS WE NEED TO DO WHAT'S BEST FOR THIS COUNTRY. THESE YOUNG PEOPLE WITH THE DACA STATUS, YES, THEY'RE GOOD. I DON'T KNOW. JUST LIKE ANY SUBSET, THERE'S GOOD AND THERE'S BAD. THEY'VE BEEN INDOCTRINATED INTO OUR SYSTEM THROUGH OUR PUBLIC SCHOOL SYSTEM. WE NEED TO PROBABLY DO HELP THEM BECOME CITIZENS DOWN THE ROAD. BUT THAT'S WHAT WE'RE TALKING ABOUT, THAT SMALL GROUP OF PEOPLE HERE. WE NEED TO MAKE SURE THIS LEGISLATION ONLY COVERS THEM BECAUSE I LOOK AT THE BIG PICTURE. IF TOMORROW, IF I WANTED TO LET MY HEART BLEED, LET'S OPEN UP OUR BORDERS. FOR ONE YEAR, ANYBODY WHO WANTS TO COME HERE CAN COME HERE. I'LL GUARANTEE YOU PEOPLE IN BANGLADESH WOULD FIND A WAY. WE WOULD HAVE BILLIONS HERE AS QUICK AS THEY COULD GET HERE. BUT IS THAT WHAT'S BEST FOR THE WORLD? IS THAT WHAT'S BEST FOR OUR COUNTRY? NO? SO YOU GOT TO MEASURE IT. WHAT I HEAR FROM MY PUBLIC,

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NOBODY IS A RACIST OUT THERE THAT I KNOW OF THAT I DEAL WITH. THEY WANT OUR LAWS HONORED. THEY UNDERSTAND THAT OUR FOREFATHERS CAME HERE GRADUALLY. IMMIGRATION WAS CONTROLLED. WE WERE INDOCTRINATED INTO THE SYSTEM. WE LEARNED ABOUT OUR FOUNDING FATHERS. WE UNDERSTOOD. NONE OF MY ANCESTORS EVER TOLD ME THEY WERE GERMAN OR IRISH. THEY WERE AMERICANS BECAUSE THEY CAME HERE AND SLOWLY THEY WERE INDOCTRINATED INTO THE SYSTEM TO BECOME AMERICANS. WE HAVE A PROBLEM WITH OUR IMMIGRATION. WE HAVE PEOPLE COMING HERE WHO HAVE NO IDEA WHAT IT IS TO BE A CITIZEN. THEY WANT TO COME HERE FOR JOBS OR SOMETHING, AND WE'RE OVERLOADING THE SYSTEM. WE GOT PEOPLE SITTING IN CLASSROOMS WHO WILL NOT STAND UP AND SAY THE PLEDGE OF ALLEGIANCE BECAUSE THEY WERE NOT TOLD THE GREATNESS OF THIS COUNTRY. AS ELECTED OFFICIALS, WE NEED TO DO IT RIGHT. WE NEED TO DO IT RIGHT. IF YOU WANT TO OPEN UP YOUR HOUSE AND HAVE SOMEBODY LIVE IN YOUR BASEMENT, THAT'S FINE, THAT'S THE AMERICAN WAY. BUT DON'T FORCE YOUR NEIGHBOR THROUGH TAXATION AND THROUGH GOVERNMENT REGULATIONS TO BELIEVE WHAT YOU BELIEVE. WE HAVE A SITUATION HERE OF A SMALL SUBSET OF PEOPLE THAT WE NEED TO TAKE CARE OF. THAT'S WHAT THIS LAW SHOULD DO AT THE END OF THE DAY. FIRST I THOUGHT THIS FILIBUSTER, I TOLD SENATOR KINTNER I REALLY DON'T WANT TO DO IT. I'LL HELP YOU BECAUSE YOU'VE BEEN AN ALLY ON OTHER THINGS. [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR GROENE: BUT NOW THAT I THINK ABOUT IT...IS IT TIME OR A MINUTE? DID YOU SAY TIME? [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR GROENE: ALL RIGHT. THANK YOU, SPEAKER. BUT A LOT HAS BEEN SAID HERE. A LOT HAS BEEN BROUGHT OUT. THAT'S WHAT DEBATE IS ALL ABOUT. SURE, YOU'RE GOING TO RUBBER STAMP IT AND YOU'RE UPSET. I READ SOME COMMENTS IN THE PAPER BECAUSE THIS ISSUE YOU'RE POSITIVE ABOUT. WELL, OTHERS AREN'T. AND I THANK SENATOR KINTNER NOW AFTER I GOT A GOOD NIGHT'S REST--ABOUT 7:00 LAST NIGHT I WAS CUSSING HIM--BUT ANYWAY, HE BROUGHT OUT SOME GOOD INFORMATION. I WAS ABLE TO, THROUGH MY STAFF, FIND OUT SOME GOOD INFORMATION. SENATOR McCOY SHARED SOME GREAT INFORMATION. SENATOR MURANTE DID ABOUT VOTER ID AND VOTER RIGHTS. THIS HAS BEEN A GOOD DEBATE. AND MAYBE IN SELECT FILE WE CAN

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CORRECT THIS THING. WE CAN COME TO THE MIDDLE, IT'S CALLED COMPROMISE, AND DO IT RIGHT. BUT I THANK SENATOR KINTNER FOR DOING IT AND FOR HAVING MORE STAMINA THAN I DID AND DRAGGING ME ALONG YESTERDAY. [LB623]

SPEAKER HADLEY: TIME, SENATOR. [LB623]

SENATOR GROENE: THANK YOU. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD AND SENATOR GROENE. SENATOR COOK, YOU'RE RECOGNIZED. [LB623]

SENATOR COOK: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. I RISE IN OPPOSITION TO FA63 AND IN SUPPORT OF LB623 IN ITS CURRENT FORM. FIRST OF ALL, FOR THOSE OF YOU WHO THINK YOU WENT TO A GOOD SCHOOL AND IMAGINE THAT YOU'RE WELL EDUCATED AND JUMP UP ON THE MICROPHONE AND TALK ABOUT AMERICA AS A NATION OF IMMIGRANTS, YOU'RE MISSING A GIGANTIC PIECE OF AMERICAN HISTORY AND THAT WAS THE UNITED STATES SLAVE TRADE. MOST OF MY ANCESTORS DID NOT IMMIGRATE TO THE UNITED STATES. AND YOU KNEW THAT AND YOU TOOK IT ON THE QUIZ BUT THEN YOU WANT TO ACT LIKE IT DOESN'T IMPACT EVERYTHING THAT WE DO IN HERE. SO PLEASE STOP SAYING IT. YOU CAN THINK THAT THAT'S TRUE. BUT THESE FANTASTICAL SPINNINGS OF TALES ABOUT HOW GREAT AMERICA IS HAS TO INCLUDE ITS BACKGROUND THAT INCLUDES A SLAVE TRADE AND INCLUDES AN IMMIGRATION POLICY THAT...AND MY FRIEND SENATOR BRASCH HAS SHARED WITH ME MANY STORIES ABOUT THE FORMER SOVIET UNION AND STALIN'S CRUEL REIGN IN THE FORMER SOVIET UNION AND THE IMPACT ON THE PEOPLE OF UKRAINE. YOU KNOW WHAT I THINK HELPED HER FAMILY IMMIGRATE HERE? IT MIGHT HAVE HAD SOMETHING TO DO WITH THE FACT THAT THE UNITED STATES HAD EMBARKED UPON A COLD WAR AGAINST THE USSR AT THE TIME. DO YOU THINK MAYBE THAT HAD ANYTHING TO DO WITH THE FACT THAT THEY WERE INTERESTED IN INCLUDING HER FAMILY IN THE FABRIC, IN THE QUILT OF THE UNITED STATES? THINK. WE'RE HERE TO MAKE POLICY. SENATOR GROENE LOVES TO WAX PHILOSOPHIC ABOUT HOW WE'RE HERE TO THINK AND NOT BE...CRY INTO OUR SLEEVES, ETCETERA, ETCETERA. THINK ABOUT THE UNITED STATES' IMMIGRATION POLICY AND HOW WE HERE, IN THE STATE OF NEBRASKA, END UP HAVING TO CREATE A POLICY LIKE DACA-- PER TRADITION, THE LAST STATE IN THE UNION TO DO IT, BY THE WAY--WE UPHOLD THAT TRADITION REALLY WELL, DRAGGING OUR HEELS, KICKING AND

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SCREAMING. I TOOK A COURSE MY SECOND SEMESTER AT GEORGETOWN UNIVERSITY CALLED AMERICAN IMMIGRATION SINCE 1945. A PRIEST TAUGHT THE COURSE. HIS NAME WAS FATHER BRADLEY (PHONETIC). I LIKED IT A LOT. HE WAS FROM KANSAS CITY. HE WAS VERY STRAIGHTFORWARD, LIKE MIDWESTERNERS ARE TYPICALLY, ACTUAL MIDWESTERNERS. AND HE SPOKE OF A TIME IN VISITING A CAFETERIA, A RESTAURANT IN NEW YORK CITY. AND A LOVELY YOUNG WOMAN WITH AN IRISH BROGUE CAME TO SERVE HIM. AND HE SAID, YOU KNOW WHAT, KIDS? I CAN GET AWAY WITH A LOT WEARING THIS COLLAR. AND I SAID TO THE YOUNG WOMAN, EXCUSE ME, MISS, ARE YOU AN ILLEGAL? AND SHE SAID, YES, FATHER, I AM. THE POLICIES THAT WE HAVE IN PLACE THAT CREATE THESE IMAGINARY LINES TO WAIT IN ARE CREATED BY THE SAME CONGRESS THAT IS INTERESTED IN CREATING THE LINES AND THE NUMBERS OF PEOPLE THAT CAN GET IN LINE BASED ON HOW THEY LOOK, BASED ON WHERE THEIR ANCESTORS CAME FROM, BASED ON HOW WE WANT TO POSITION OURSELVES POLITICALLY AND MILITARILY WITH THOSE COUNTRIES. I BET THERE'S A WIDE OPEN LINE IF YOU NEED AN I-9 VISA TO COME IN AND WRITE PROGRAMMING, TO COME TO THE UNITED STATES. IF YOU'RE JUST PLAIN POOR IN A COUNTRY, YOU'RE A PERSON OF COLOR,... [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR COOK: ...THERE IS NO LINE. SO LET'S STOP AND THINK A LITTLE BIT ABOUT WHAT YOU'RE TALKING ABOUT AND QUIT POPPING YANG ABOUT THIS FANTASY THAT YOU IMAGINE THE UNITED STATES IS. DO I LOVE IT HERE? SURE. IT'S PROBABLY GIVEN ME THE BEST SHOT I WOULD HAVE IN MY GENDER AND IN MY SKIN COLOR. BUT IT'S NOT PERFECT. THIS STATE IS FAR FROM PERFECT. I AM SO GLAD I DON'T REPRESENT SENATOR SCHNOOR'S DISTRICT AND HAVE TO GET UP AND BRAG ABOUT THE ORDINANCES THAT THEY PASSED BY 60 PERCENT, THANK YOU, JESUS, SO GLAD. I CANNOT IMAGINE. THANK YOU, MR. PRESIDENT. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR COOK. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB623]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. WELL, SENATOR COOK, I GOT GOOD NEWS FOR YOU. SLAVERY WAS A PROBLEM. WE FIXED IT--600,000 LIVES IT COST US, BUT WE FIXED IT. AND I'M DARN GLAD THAT I LIVE IN A COUNTRY THAT FIXES THOSE THINGS. THE OTHER THING, I DON'T THINK WE NEED TO PUT DOWN OTHER PEOPLE'S DISTRICTS. I THINK WE'RE ALL PROUD OF

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OUR DISTRICTS. AND I DON'T BEGRUDGE ANYONE FOR REPRESENTING THEIR DISTRICT AND DOING WHAT THEY THINK IS THE BEST THING FOR THEIR DISTRICT. SO I CAN'T GO ALONG WITH THAT. I JUST THINK THAT'S A LITTLE BEYOND WHAT WE SHOULD BE TALKING ABOUT HERE. BUT I'M GOING TO READ TWO LETTERS, ONE PRO AND ONE AGAINST THAT I RECEIVED, E-MAILS, OBVIOUSLY. AND I DON'T AGREE WITH EITHER TOTALLY. I WOULDN'T SAY WHAT THEY SAID, EITHER LETTER, TOTALLY. BUT HERE'S THE FIRST ONE: SENATOR KINTNER, I'M PROUD OF YOU TO HOLD YOUR GROUND ON DREAMERS DRIVING. THIS ISSUE NEEDS STRONG MINDS TO STOP AND SOMETIMES SLAP THE FACE OF LIBERALS AND RHINOS WHEN IT'S NEEDED AND WARRANTED. I'M TIRED OF THIS FALSE OUTRAGE. I APPRECIATE YOUR WORK. THERE'S THE FIRST ONE. THE SECOND ONE, I'M NOT GOING TO READ THE WHOLE THING, BUT IN BETWEEN CALLING ME A RACIST AND ALL THAT, I'M JUST GOING TO...BECAUSE IT'S PRETTY LONG. BILL, NOT THAT YOU CARE OR EVEN REALIZE IT, BUT YOU SINGLE-HANDEDLY HAVE MADE PAPPILLION LOOK LIKE THE BIGOT CAPITAL OF NEBRASKA. YOUR IGNORANT, BIGOTED USE OF THE TERM "WETBACKS" SHOWS YOUR OBVIOUS DISDAIN FOR ALL THE PEOPLE AND THE RESPECT AND DIGNITY THEY DESERVE. BUT THEN HE GOES ON TO TALK ABOUT OUR BROKEN IMMIGRATION SYSTEM AND HOW SOMEONE HE KNEW WAS TRYING TO GET INTO THE COUNTRY, HOW EXPENSIVE IT WAS, HOW DIFFICULT IT WAS. SO OBVIOUSLY BETWEEN CALLING ME A RACIST AND ALL OF THE CRAZY STUFF HE SAID, HE ACTUALLY MADE SOME PRETTY GOOD POINTS. BUT, OF COURSE, I E-MAILED HIM BACK AND SAID, WELL, IF I CAN'T SAY "OPERATION WETBACK," WHAT AM I SUPPOSED TO SAY? WHAT AM I SUPPOSED TO CALL IT? IF YOU DON'T IDENTIFY WHAT IT IS, HOW DO YOU DEAL WITH THAT? SO FAKE LIBERAL OUTRAGE BUT, NONETHELESS, HE DID MAKE A GOOD POINT ABOUT OUR IMMIGRATION SYSTEM THAT'S BEEN PURPOSELY BROKEN AND THAT I DON'T SEE IT BEING FIXED AT LEAST UNTIL 2017. BUT I DO APPRECIATE PEOPLE WRITING ME, AND I DO GENERALLY ANSWER ALL OF THEM, EVEN THE ONES THAT CALL ME RACIST AND THE CRAZY LIBERAL ONES. I THINK THEY AT LEAST DESERVE AN ANSWER. AND IF THEY'VE TAKEN THE TIME TO WRITE ME, I THINK IT'S JUST THE RIGHT THING TO DO IS TO WRITE THEM BACK. AND ACTUALLY IT FEELS GOOD TO BE RESPECTFUL EVEN WHEN SOMEONE IS NOT. SO I DO TAKE PRIDE THAT I ANSWER EACH OF MY E-MAILS THEMSELVES. BUT, YOU KNOW, I THINK WE'RE WORKING TOWARD AN END HERE. AND I DO APPRECIATE THE PEOPLE IN THIS CHAMBER THAT HAVE MADE COHERENT ARGUMENTS, THAT HAVE AVOIDED PERSONAL ATTACKS, THAT HAVE STATED THEIR POSITION, BOTH SUPPORTING AND OPPOSING THIS BILL. I THINK THE VAST MAJORITY OF PEOPLE THAT HAVE SPOKEN ON THIS HAVE BEEN RESPECTFUL OF THE PROCESS AND RESPECTFUL OF THEIR POSITION AND THE POSITION OF THE OTHER PEOPLE. AND I THINK THAT'S

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OUR WAY. THAT'S THE WAY WE DO THINGS. SOME OF THE PEOPLE I'M DISAGREEING WITH NOW, WE'RE GOING TO BE WORKING HARD IN ABOUT AN HOUR AND A HALF TOGETHER. AND THAT'S JUST THE WAY IT IS AND THAT'S THE WAY IT SHOULD BE. SO I CERTAINLY APPRECIATE THAT. YOU KNOW, THE OTHER THING I HEARD SOMEONE SAY... [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR KINTNER: WELL, LET ME SAY ONE OTHER THING ABOUT SLAVERY. YOU KNOW, WE FIXED THAT WITH THE FOURTEENTH AMENDMENT, WE FIXED IT LEGALLY TO MAKE PEOPLE BORN HERE AMERICAN CITIZENS AND WE TOOK THAT AWAY FROM STATES THAT DIDN'T WANT TO LET FORMER SLAVES BE CITIZENS AND WE FIXED IT WITH THE FOURTEENTH AMENDMENT LEGALLY. I THINK THAT'S THE WAY TO DO IT. AND THE OTHER THING, ONE OF MY COLLEAGUES MENTIONED THE KINGDOM OF HEAVEN IS FOR CHILDREN. NO. THE KINGDOM OF HEAVEN IS FOR PEOPLE WHO HAVE ACCEPTED THE GIFT OF SALVATION BY JESUS CHRIST. AND LET'S NOT CONFUSE THINGS HERE. THE BIBLE IS VERY CLEAR ON THAT. IF YOU PICK IT UP AND READ IT ONCE IN A WHILE, YOU LEARN THOSE THINGS. AND I APPRECIATE THE TIME TO CLARIFY A FEW THINGS. THANK YOU, MR. PRESIDENT. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. SENATOR KRIST, YOU'RE RECOGNIZED. [LB623]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES, AND GOOD MORNING, NEBRASKA. EIGHT MINUTES LEFT AND WE CAN TAKE A VOTE ON THE SUBJECT MATTER. I THINK THE DEBATE HAS BEEN ALL OVER FROM ONE SIDE TO THE OTHER, MY OPINION. BUT I'VE WAITED TOWARDS THE END OF THIS DISCUSSION TO GET UP AND TALK ABOUT A COUPLE OF THINGS. FIRST OF ALL, I HAVE TO HAND IT TO SENATOR GROENE BECAUSE HE IS ONE OF THE ONLY PEOPLE THAT THE DEPARTMENT OF MOTOR VEHICLES WORKED WITH IN TERMS OF PUTTING SOME IDEAS AND SOME TECHNICAL ISSUES TOGETHER. AND I THINK HIS SUGGESTION OF TALKING ABOUT THIS BETWEEN GENERAL AND SELECT IS WARRANTED. AND I BELIEVE THAT WE SHOULD TALK TO THEM. AND I'M SEEING FROM SENATOR NORDQUIST IN THE BALCONY A HEAD NOD MEANING THAT WE WILL. AGAIN, MY COMMENT IS WE SPENT AN INORDINATE ABOUT OF TIME TALKING ABOUT THIS. WE COULD HAVE SPENT FOUR HOURS FILIBUSTERING IT AND KILLING IT IF THAT WAS THE INTENT ON SELECT. BUT EVERY ONE OF THE 49 OF US CAN DO EXACTLY WHAT WE WANT TO DO. I WANT

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TO MAKE ONE COMMENT AND THAT IS THAT SENATOR GROENE'S WORK WITH THE DEPARTMENT OF MOTOR VEHICLES WAS NOT THE EXPERIENCE THAT MANY OF US HAD IN CALLING THE DEPARTMENT OF MOTOR VEHICLES AFTER THE DEBATE STARTED TRYING TO TALK ABOUT TECHNICAL ISSUES AND CHANGES AND POTENTIAL NEGOTIATION WITH THEM, THEIR EXPERTISE. NOW REST ASSURED, MANY OF YOU ARE GOOD AT DRY BEANS AND MANY OF YOU ARE GOOD AT OTHER THINGS AND I'M PRETTY GOOD AT FLYING AIRPLANES. BUT ONE OF THE THINGS I DON'T KNOW EVERYTHING ABOUT IS DACA AND HOW IT SUPPORTS OR HOW WE HAVE NOT SUPPORTED THE ISSUE AND HOW OUR DEPARTMENT OF MOTOR VEHICLES COULD HELP US CRAFT A PIECE OF LEGISLATION THAT IF WE DECIDE TO SEND IT FORWARD, IF WE DECIDE TO SUPPORT IT, IS CORRECT AND WE DON'T HAVE THE SUPREME COURT TELLING US WE'VE GONE THE WRONG DIRECTION BECAUSE SOMEONE CHALLENGES US IN COURT, OR THE ACLU CONTINUES TO SUE US WHICH IS SOMETHING WE DON'T NEED. THOSE ARE DOLLARS THAT CAN BE SPENT FOR KIDS OR FOR ADULTS OR FOR INCENTIVES IN AGRICULTURE AS OPPOSED TO BEING SPENT ON A DEFENSE OF WHY THE STATE HAS DECIDED TO DO SOMETHING THAT MAY OR MAY NOT OR SHOULD OR SHOULD NOT HAVE DONE. SO AFTER WE GET THE CLOTURE VOTE AND IT PROCEEDS ON FROM GENERAL TO SELECT, THEN MANY OF YOU WILL, AS SENATOR KINTNER SAID, JOIN FORCES TRYING TO KILL IT AGAIN IF THAT'S WHAT YOU WANT TO DO. BUT IN THE MEANTIME, I THINK SENATOR GROENE'S RELATIONSHIP WITH DMV SHOULD BE EXPLOITED BECAUSE HE'S BEEN ABLE TO WORK WITH THEM AND GET ANSWERS THAT SOME OF US HAVE NOT BEEN ABLE TO GET. AND I WOULD HOPE THAT IF THE ADMINISTRATION IS LISTENING, BECAUSE THAT DEPARTMENT BELONGS TO THE EXECUTIVE BRANCH WHETHER THEY AGREE WITH IT OR NOT, BECAUSE I THINK BY THIS VOTE WE'RE GOING TO SHOW THAT THERE IS SOME SUPPORT FOR THIS ISSUE. LET'S GET THE TECHNICAL EXPERTS INVOLVED AND DO IT RIGHT IF WE'RE GOING TO DO IT. I THINK THAT MAKES PERFECT SENSE. AND I THINK THAT THE EXPERTS NEED TO BE INVOLVED. THEY NEED TO HELP US CRAFT LEGISLATION THAT'S GOOD FOR 1.9 MILLION PEOPLE IN THIS STATE. THANK YOU. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR KRIST. SENATOR GROENE, YOU'RE RECOGNIZED. [LB623]

SENATOR GROENE: THANK YOU, SENATOR KRIST. NINETY DAYS WORKS OUT. WE'RE FRIENDS NOW. (LAUGH) WE UNDERSTAND EACH OTHER. I WANT TO MAKE IT CLEAR THAT I WENT TO DEPARTMENT OF MOTOR VEHICLES; THEY DID NOT COME TO ME. I MEAN, I'M USED TO KICKING DOORS IN. I'VE GOT A SALES BACKGROUND AND A MANAGEMENT BACKGROUND. AND I ASKED QUESTIONS,

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AND MY AIDE ASKED QUESTIONS. AND THEY ANSWERED THEM HONESTLY. AND WE ASKED THEM AND THEY BASICALLY SAID OUR...MY FIRST AMENDMENT THAT WE DID ON OUR OWN MATCHED UTAH AND WOULD NOT WORK IN WHAT THIS BODY PASSED IN 2012, DEB FISCHER'S BILL. AND IT PROBABLY HAD LEGAL PROBLEMS. I WAS ADVISED BY A STRONG CONSERVATIVE, DON'T INTRODUCE THE AMENDMENT YOU DID BECAUSE IT PROBABLY WILL BE UPHELD BY THE COURTS. IF WE LET THE OTHER ONE GO, IT PROBABLY WILL GET OVERTURNED. WELL, I DON'T...I'M BULLHEADED AND WENT AHEAD ANYWAY. BUT ANYWAY, I WANT TO MAKE SURE YOU UNDERSTAND, FOLKS, THAT ONE OF THE REASONS THAT WAS POINTED OUT TO US WAS THAT COURT CASE AND THE RULING BY THE JUDGE LAURIE SMITH CAMP, CHIEF UNITED STATES DISTRICT JUDGE. IN HER WORDS: "DEFERRED ACTION IS A LONG-STANDING FORM OF PROSECUTORIAL DISCRETION, THROUGH WHICH IMMIGRATION AUTHORITIES MAKE A DISCRETIONARY DETERMINATION NOT TO REMOVE AN INDIVIDUAL FROM THE UNITED STATES DURING A SPECIFIED PERIOD, BUT DEFERRED ACTION DOES NOT CONFER AN INDIVIDUAL WITH LAWFUL STATUS." OUR PRESENT LAWS, DMV LAWS REFERRED IT "LAWFUL STATUS," SOMEBODY WHO HAS IMMIGRATED HERE, LIKE SENATOR BRASCH'S PARENTS, WHO ARE WAITING BETWEEN THE TIME THEY IMMIGRATED HERE UNTIL THE TIME THEY TAKE THE CITIZEN TEST, TO POLITICAL ASYLUM--WE LOST A COUPLE OF WARS AND WE'VE HAD PEOPLE COME HERE IN VIETNAM IN HERE BECAUSE WE ALLOWED OUR ALLIES THAT WERE GOING TO GET BUTCHERED OVER THERE TO FOLLOW US HERE, SOME OF THEM, MANY WE LEFT BEHIND--THOSE TYPES OF FOLKS. THAT'S DEFERRED ACTION. THAT'S LAWFUL STATUS. HER FOLLOWING WORDS LATER ON SAY: "THE UNCONTROVERTED EVIDENCE NOW DEMONSTRATES THAT THE DMV ISSUES DRIVER'S LICENSES AND STATE IDENTIFICATION CARDS ONLY TO PERSONS WITH LAWFUL STATUS IN THE UNITED STATES, AS DETERMINED BY THE FEDERAL GOVERNMENT AND VERIFIED THROUGH THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS PROGRAM." THIS IS NOT DEFERRED STATUS. THESE YOUNG PEOPLE DO NOT HAVE IT. SO IN THEIR BEST INTEREST...SO IF SOMEBODY TAKES IT TO COURT, THAT WE DO IT RIGHT, THAT THEY KNOW THAT WE HONORED THEM BY DOING IT RIGHT, THAT WE'RE NOT USING IT FOR ULTERIOR MOTIVES, TO SOMEHOW USE THIS LAW TO ALLOW ILLEGAL ALIENS TO HAVE DRIVER'S LICENSES. LET'S DO THIS RIGHT. AND THEN IF YOU WANT TO BRING UP AGAIN THAT SOMEHOW WE WANT INDIVIDUALS TO COME INTO THIS COUNTRY, HAVE PRIVILEGES BECAUSE THEY CAME HERE ILLEGALLY, THEN LET'S DEBATE IT. BUT LET'S DON'T PUT A FOOT IN THE DOOR BY USING THESE KIDS FOR THOSE PURPOSES. SWORE I'D NEVER DO THIS, BUT ON THE SLAVERY THING, IT WAS OUR IMMIGRANTS, THE GERMANS AND IRISH, CZECHOSLOVAKIANS THAT CAME HERE LATER AFTER SLAVERY WAS ALREADY STARTED THAT SERVED IN THE UNION

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ARMY. MY GREAT-GRANDFATHER AT THE AGE OF 14 THROUGH 18 AS AN IRISH IMMIGRANT WAS IN THE UNION ARMY, AND AFTER HE SURVIVED AND MOVED TO NEBRASKA. THERE ISN'T A RACIST BONE IN MY FAMILY BECAUSE WE GO BACK IN HISTORY... [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR GROENE: ...AND WE HONOR THE STRIFE THEY HAD, POTATO FAMINES. THE GERMAN SIDE GOT OUT OF GERMANY BECAUSE THEY DIDN'T LIKE THE METHODS AND THE THINGS THEY DID IN THE WARS. THEY WANTED OUT. BUT DON'T PAINT ALL OF US WITH THE SAME BRUSH. THAT IS RACISM. THAT IS RACISM. THAT IS THE PURE DEFINITION OF RACISM, WHEN YOU LOOK AT AN INDIVIDUAL IF THEIR EYES ARE BLUE OR THEIR HAIR IS BLOND AND YOU SAY THEY'RE ALL ALIKE. IT GOES BOTH WAYS, AND YOU'LL NEVER HEAR ME DO THAT. SO THANK YOU. LET'S DO THIS LAW RIGHT AND BRING IT BACK IN SELECT. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB623]

SENATOR McCOLLISTER: THANK YOU, MR. SPEAKER. GOOD MORNING, COLLEAGUES. AS THIS DEBATE COMES TO AN END, I'D LIKE JUST TO SAY A FEW WORDS HAVING PRIORITIZED THE BILL. FIRST OFF, A FEW KIND WORDS ABOUT MY GOOD FRIEND AND ASSOCIATE, MIKE GROENE: I'VE KNOWN MIKE FOR SIX TO EIGHT YEARS. YES, HE IS OUTSPOKEN. YES, HE'S A FISCAL CONSERVATIVE. WE HAVE DEFINITELY LEARNED THAT. COMMITTED, DOGGED, HE IS DEFINITELY THAT. SOMETIMES WHEN I WAS AT THE PLATTE INSTITUTE, I WANTED TO CHOKE HIM, BUT HE HAS A BIG, BIG HEART AND I HAVE A WORLD OF RESPECT FOR HIM. SECONDLY, BILL KINTNER: AS BIG AS THE GREAT OUTDOORS, MAGNANIMOUS, DOESN'T HOLD GRUDGES. I HAVE THAT TO SAY ABOUT BILL. BUT HE DID MENTION SOMETHING THIS MORNING I THOUGHT WAS FAIRLY IMPORTANT. HE TALKED ABOUT FEDERALISM, FEDERALISM. AND THAT'S WHEN WE LOOK AT THE REST OF THE STATE GOVERNMENTS IN THIS WONDERFUL COUNTRY AND WE FIND OUT BEST PRACTICES. AND WE TRY TO EMULATE THOSE BEST PRACTICES IN OUR STATE. AND WE SHOULD. AND HE INDICATED THAT NEBRASKA IS THE ONLY STATE THAT DOESN'T GIVE THE SO-CALLED DREAMERS DRIVER'S LICENSES. SO WE REALLY DO NEED TO ASK, WHY IS IT NEBRASKA DOESN'T OFFER DRIVER'S LICENSES TO THE DREAMERS? AND I WOULD CONTEND THE BURDEN OF PROOF IS ON THE OPPONENTS OF LB623. THEY'RE THE ONES THAT

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HAVE TO TELL YOU WHY YOU SHOULD WITHHOLD LICENSES TO DREAMERS. IT'S NOT ENOUGH TO SAY IT'S ILLEGAL. WE CAN DEBATE THAT QUESTION. BUT TELL ME WHY IT'S A GOOD IDEA. AND WE HAVEN'T HEARD THAT IN THIS DEBATE. I ALSO NEED TO EXPRESS MY GRATITUDE TO SENATOR NORDQUIST. I'VE TRULY ENJOYED THIS PROCESS. IT WAS INTERESTING TO PRIORITIZE THIS BILL AND ASSEMBLE THE COALITION, THE VERY WIDE-RANGING COALITION THAT CAME OUT IN SUPPORT OF THIS BILL. AND IT'S BEEN A FUN PROCESS AND A FUN RIDE, AND I'M GRATEFUL FOR THAT. WE'VE BEEN TALKING ABOUT OUR FOREBEARS. SENATOR BRASCH HAS TALKED ABOUT HER FOREBEARS, AND I'LL TALK ABOUT MINE NOW. MY FOREBEARS WERE SCOTCH-IRISH, CAME TO THIS COUNTRY IN THE EARLY 1700s. AND THEY CAME OVER AS INDENTURED SERVANTS. SO AS I COMPARE MY FOREBEARS WITH THOSE DACA APPLICANTS, THEY HAVE IT ALL OVER MY FOREBEARS. THEY'RE EDUCATED, SPEAK ENGLISH, AND THEY'RE GOING TO DO GREAT THINGS FOR AMERICA. I'LL END UP BY QUOTING THE ECONOMIST ARTICLE, THE LAST PARAGRAPH. "AMERICA HAS BEEN GRANTED AN EXTRAORDINARY STROKE OF LUCK: A BIG DOSE OF YOUTH AND ENERGY, JUST AS ITS GLOBAL COMPETITORS ARE GREYING. MAKING THE MOST OF THIS CHANCE WILL TAKE PRAGMATISM AND GOODWILL. GET IT RIGHT, AND A DIVERSE, OUTWARD-FACING AMERICA WILL HAVE MUCH TO TEACH THE WORLD." THANK YOU VERY MUCH, MR. PRESIDENT. AND I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR NORDQUIST. [LB623]

SPEAKER HADLEY: SENATOR NORDQUIST, YOU'RE YIELDED 1:43. [LB623]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. JUST TWO THINGS: FIRST, I WILL--TO SENATOR KRIST'S COMMENTS AND I MADE THIS COMMENT IN MY OPENING--I CERTAINLY BETWEEN GENERAL AND SELECT AM WILLING TO WORK WITH THE DEPARTMENT OF MOTOR VEHICLES ON ANY TECHNICAL CHANGES. WE DID, AS I SAID, HAD REACHED OUT TO THE ATTORNEY GENERAL'S OFFICE AT ONE POINT IN TIME AND DIDN'T HAVE TOO MUCH OF A DISCUSSION WITH THEM UNFORTUNATELY. BUT IF THERE ARE TECHNICAL CHANGES, I SUPPORT IT. AS FAR AS GOING BACK TO THE AMENDMENT WE DEFEATED ALREADY ON GENERAL FILE, THAT IS NOT SOMETHING I'M GOING TO SUPPORT AND WOULD ACTIVELY WORK AGAINST. THAT IS SOMETHING THAT THE COMMITTEE CONSIDERED. THAT IS SOMETHING THAT THIS BODY CONSIDERED AND VOTED DOWN. SO, ANYONE CAN OFFER THAT AMENDMENT ON SELECT FILE, BUT I WOULD AGAIN OPPOSE IT. [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

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SENATOR NORDQUIST: BUT WE ARE WILLING TO WORK ON TECHNICAL ASPECTS OF THE BILL. THE SECOND THING IS IN ABOUT EIGHT TO TEN MINUTES OR SO, WE'RE GOING TO HAVE A CLOTURE VOTE. I JUST WANT TO REMIND THE BODY THAT I WOULD ENCOURAGE YOU TO VOTE GREEN ON CLOTURE, VOTE AGAINST SENATOR KINTNER'S FA63, AND THEN GREEN ON PASSAGE OF LB623. THANK YOU, MR. PRESIDENT. [LB623]

SPEAKER HADLEY: THANK YOU, SENATOR McCOLLISTER AND SENATOR NORDQUIST. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB623]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. YOU KNOW, I GOT TO TELL YOU, I LEFT OFF YESTERDAY. I WAS READING THE 22 QUOTES THAT PROVE PRESIDENT OBAMA KNOWS HIS ILLEGAL AMNESTY DECREE IS UNCONSTITUTIONAL. AND I STOPPED IT HALFWAY THROUGH AT NUMBER 12. AND WE'RE JUST READING THROUGH WHAT CANDIDATE OBAMA AND WHAT PRESIDENT OBAMA EARLY IN HIS ADMINISTRATION SAID, AND THEN KIND OF HOW IT'S CHANGED AS WE'VE GOTTEN LATER IN HIS PRESIDENCY. SO THIS ONE IS A GOOD ONE. QUOTE--THIS IS WHAT THE PRESIDENT SAID--NOW WHAT I'VE ALWAYS SAID IS AS HEAD OF THE EXECUTIVE BRANCH--THIS IS PRESIDENT OBAMA SPEAKING--THERE'S A LIMIT TO WHAT I CAN DO. PART OF THE REASON THAT THE DEPORTATIONS WERE UP IS BECAUSE CONGRESS PUT A WHOLE LOT OF MONEY IN IT. BUT WE'RE STILL GOING TO ULTIMATELY HAVE TO CHANGE THE LAWS IN ORDER TO AVOID SOME OF THE HEARTBREAKING STORIES THAT YOU SEE COMING UP OCCASIONALLY. AND THAT'S WHY THIS CONTINUES BE A TOP PRIORITY OF MINE. WE WILL CONTINUE TO MAKE SURE THAT HOW WE ENFORCE IS DONE FAIRLY AND JUSTLY. BUT WE'RE GOING TO HAVE TO...WE'RE GOING TO CONTINUE TO BE BOUND BY LAW. SO PART OF THE CHALLENGE AS PRESIDENT IS CONSTANTLY SAYING, WHAT AUTHORITIES DO I HAVE? NOW THIS WAS 9-20-12. ONCE AGAIN, I LIKE THAT PRESIDENT OBAMA BETTER THAN THE 2014 VERSION OR '15 VERSION. THE IS HIS NEXT QUOTE: WE ARE A NATION OF IMMIGRANTS. BUT WE'RE ALSO A NATION OF LAWS. SO WHAT I'VE SAID IS WE NEED TO FIX A BROKEN IMMIGRATION SYSTEM AND I'VE DONE EVERYTHING THAT I CAN ON MY OWN. THAT WAS 2012, WELL, 10-16-2012. WELL, I GUESS HE FOUND SOME MORE THINGS HE COULD DO, JUST WRITE UP HIS OWN EXECUTIVE ORDERS. NEXT ONE WAS: I'M NOT A KING. I AM THE HEAD OF THE EXECUTIVE BRANCH OF GOVERNMENT. I'M REQUIRED TO FOLLOW THE LAW. AND THAT'S WHAT I'VE DONE. BUT WHAT I'VE ALSO SAID IS LET'S MAKE SURE WE'RE APPLYING THE LAW IN A WAY THAT TAKES INTO ACCOUNT PEOPLE'S HUMANITY. WITHIN THE CONFINES OF THE LAW WE SAID, WE HAVE SOME DISCRETION IN TERMS OF HOW WE APPLY A LAW. BUT CLEARLY HE SAYS THERE ARE CONFINES OF LAW. THAT

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WAS 1-30-13. NEXT ONE WAS: I'M NOT A KING. YOU KNOW, MY JOB AS THE HEAD OF THE GOVERNMENT EXECUTIVE BRANCH ULTIMATELY IS TO CARRY OUT THE LAW. AND, YOU KNOW, WHEN IT COMES TO ENFORCEMENT OF OUR IMMIGRATION LAWS, WE HAVE SOME DISCRETION. WE CAN PRIORITIZE WHAT WE DO. BUT CAN'T SIMPLY IGNORE THE LAW. THAT IS WHY WE NEED COMPREHENSIVE IMMIGRATION REFORM, TO MAKE SURE THAT ONCE AND FOR ALL, IN A WAY THAT IS, YOU KNOW, RATIFIED BY CONGRESS. IF THIS WAS AN ISSUE THAT I COULD DO UNILATERALLY I WOULD HAVE DONE IT A LONG TIME AGO. THE WAY OUR SYSTEM WORKS IS CONGRESS HAS TO PASS LEGISLATION AND THEN I GET THE OPPORTUNITY TO SIGN AND IMPLEMENT IT. WELL, WHAT HAPPENED, FOLKS? WHAT HAPPENED? OBVIOUSLY HE HAD A CHANGE OF HEART SOMEWHERE AND HERE WE ARE DEALING WITH IT. NEXT QUOTE: THIS IS SOMETHING I'VE STRUGGLED WITH THROUGHOUT MY PRESIDENCY. THE PROBLEM IS THAT I'M THE PRESIDENT OF THE UNITED STATES, I'M NOT THE EMPEROR OF THE UNITED STATES. AND WHAT THAT MEANS IS WE HAVE CERTAIN OBLIGATIONS TO ENFORCE THE LAWS THAT ARE IN PLACE. AND THAT WAS 2-14-13. NEXT QUOTE: I THINK THIS IS... [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR KINTNER: ...VERY IMPORTANT FOR US TO RECOGNIZE THAT THE WAY TO SOLVE THIS PROBLEM IS TO BE LEGISLATIVE. AND THIS IS A PROBLEM THAT NEEDS TO BE FIXED LEGISLATIVELY. THAT WAS 7-16-13. LAST ONE FROM 9-17-13: MY JOB IN THE EXECUTIVE BRANCH IS SUPPOSED TO BE TO CARRY OUT THE LAWS WE PASS. BUT IF WE START BROADENING THAT, THEN ESSENTIALLY WE'D BE IGNORING THE LAW IN A WAY THAT I THINK WOULD BE DIFFICULT TO DEFEND LEGALLY. SO THAT'S NOT AN OPTION. WELL, JEEZ, HIS JUSTICE DEPARTMENT IS TRYING TO DEFEND IT LEGALLY. I WANT THE OLD OBAMA BACK. HE WAS BAD, BUT HE WASN'T A LAWBREAKER LIKE THE CURRENT ONE. THANK YOU, MR. PRESIDENT. [LB623]

SPEAKER HADLEY: SENATOR BRASCH, YOU'RE RECOGNIZED. [LB623]

SENATOR BRASCH: THANK YOU, MR. SPEAKER AND COLLEAGUES. I DID NOT PLAN TO SPEAK MY THIRD TIME, BUT I DID WANT TO RESPOND TO MY GOOD FRIEND AND COLLEAGUE, SENATOR COOK. WOMEN ARE SOLD INTO SLAVERY TODAY--HUMAN TRAFFICKING. WE TALKED ABOUT IT ON THE FLOOR. IT IS NOT A PERFECT WORLD. AND AMERICA IS THE GOOD LIFE. IT IS THE AMERICAN DREAM. PROBLEMS HAVE OCCURRED THROUGHOUT OUR HISTORY IN

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COUNTRIES ACROSS OUR GLOBE. A DEAR FRIEND OF MINE IS ARMENIAN AND HE SPEAKS HARSHLY OF THE GENOCIDE THE ARMENIANS SUFFERED AT THE HANDS OF THE TURKS. WHEN IT COMES TO EASTERN EUROPEANS, MY FATHER WAS IN THE PROCESS OF BEING LOADED ONTO A FREIGHT TRAIN TO BE EXECUTED WITH THE JEWISH FRIENDS THEY HAD. MY FATHER HAS BROWN HAIR, BROWN EYES, MY MOTHER, BLOND HAIR--IT'S REALLY RED, BUT WE WEREN'T SUPPOSED TO SAY THAT--AND BLUE EYES. MY UNCLE HELPED HIM ESCAPE, TO GET OFF OF THAT TRAIN. THERE MIGHT NOT HAVE BEEN A FAMILY. THERE MIGHT NOT HAVE BEEN AN AMERICAN DREAM. WE HAVE A PLANET THAT HAS FLAWS. BUT MOST OF ALL, WE DO HAVE GRACE, BEAUTY, FORGIVENESS. THE GERMANS, THE RUSSIANS, THEY WERE CRUEL. BUT I'VE FORGIVEN THE GERMANS. I MARRIED A GERMAN; BRASCH IS A GERMAN NAME. WE HAVE COMPASSION. AND AS I SAID, AS I LOOK INTO THE EYES, I CAN SEE THE EYES OF THE DACA INDIVIDUALS. BUT DEEPER IN MY HEART I FEEL THE PAIN OF THE LEGAL IMMIGRANTS WHO WANT TO COME HERE. I JUST CAN'T LOOK INTO THEIR EYES. BUT I CAN FEEL THEM IN MY HEART. WE RELY ON OUR LAWS SO WE'RE NOT A COUNTRY THAT WILL EXECUTE PEOPLE, GENOCIDE. THERE ARE SO MANY THINGS WE CAN DO BETTER AND WE CAN CONTINUE TO DO BETTER. AND SLAVERY IS TERRIBLE. IT'S NOT JUST IN AMERICA THAT THIS OCCURRED AND IS OCCURRING. WE NEED TO MAKE CHANGES, HUGE CHANGES. AND WE'RE WORKING ON IT. BUT I BELIEVE THE EASTERN EUROPEANS BECAUSE OF THE AMOUNT OF SUFFERING, STARVATION, EXECUTION. MY GRANDFATHER HAD HIS EYES PUT OUT BY STALIN AND HE WAS SENT OFF TO SIBERIA TO DIE. HIS HEIRS HAD TO FLEE AND CHANGE THEIR NAMES, GO INCOGNITO IN EUROPE BECAUSE THEY HAD FARMLAND THAT WAS SEIZED. AND IF STALIN KNEW SOMEONE WAS LIVING AND COULD CLAIM THE LAND BACK, THEY WERE DEAD TOO. THERE'S BEEN HARDSHIP ONGOING. AND BECAUSE WE ARE ABOUT LEGISLATION, ABOUT LAWS, ABOUT ORDER, ABOUT DOING WHAT IS RIGHT, I'M SAYING DON'T FORGET ABOUT THE 4.4 MILLION PEOPLE WHO WOULD HAVE LOVED TO BE HERE REGARDLESS OF WHAT MAY BE BAD ABOUT US BECAUSE THERE IS SO MUCH THAT IS GREAT ABOUT AMERICA AND WHAT WE HAVE. AND THAT'S WHY WE HAVE OUR MILITARY FIGHTING FOR US ACROSS THIS GLOBE... [LB623]

SPEAKER HADLEY: ONE MINUTE. [LB623]

SENATOR BRASCH: ...TO DEFEND EVERYTHING THAT WE'VE DONE RIGHT. WE ARE A COMPASSIONATE COUNTRY. AND I GIVE THANKS TO EVERYONE WHO DID COME HERE LEGALLY, RESPECTFULLY OF THE LAW BECAUSE IT'S NOT EASY. I'M NOT GOING TO TAKE MORE FLOOR TIME TO TELL YOU THE STORIES OF THE HARDSHIPS WE SUFFERED AS A YOUNG FAMILY IN THIS COUNTRY BECAUSE

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WE'RE GRATEFUL. AND I WANT TO GIVE BACK AND I WILL. THANK YOU, MR. SPEAKER, AND THANK YOU, COLLEAGUES. [LB623]

SPEAKER HADLEY: MR. CLERK, YOU HAVE A MOTION ON THE DESK. [LB623]

CLERK: MR. PRESIDENT, SENATOR NORDQUIST WOULD MOVE TO INVOKE CLOTURE PURSUANT TO RULE 7, SECTION 10. [LB623]

SPEAKER HADLEY: IT IS THE RULING OF THE CHAIR THAT THERE HAS BEEN FULL AND FAIR DEBATE ACCORDED TO LB623. SENATOR NORDQUIST. [LB623]

SENATOR NORDQUIST: CAN I GET A CALL OF THE HOUSE? CAN I GET A CALL OF THE HOUSE? [LB623]

SPEAKER HADLEY: THERE HAS A BEEN REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB623]

CLERK: 30 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB623]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR NORDQUIST, FOR WHAT PURPOSE DO YOU RISE? [LB623]

SENATOR NORDQUIST: CAN I GET A ROLL CALL VOTE IN REVERSE ORDER, PLEASE? [LB623]

SPEAKER HADLEY: THANK YOU. SENATOR MORFELD, SENATOR BURKE HARR, SENATOR SMITH, SENATOR DAVIS, SENATOR SCHILZ, SENATOR LARSON, SENATOR KINTNER, SENATOR GARRETT. SENATOR DAVIS, THERE HAS BEEN A CALL OF THE HOUSE. THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE IN REVERSE ORDER. MR. CLERK. [LB623]

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CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1590.) 39 AYES, 6 NAYS, MR. PRESIDENT, ON THE MOTION TO INVOKE CLOTURE. [LB623]

SPEAKER HADLEY: THE MOTION TO INVOKE CLOTURE IS ADOPTED. MEMBERS, THE NEXT VOTE IS ON THE ADOPTION OF THE FA63 TO LB623. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL THOSE VOTED? RECORD, MR. CLERK. [LB623]

CLERK: SENATOR, HOW ARE YOU TRYING TO VOTE? YES? RIGHT, OKAY. 6 AYES, 38 NAYS, MR. PRESIDENT, ON THE AMENDMENT. [LB623]

SPEAKER HADLEY: THE AMENDMENT FAILS. MEMBERS, WE WILL NOW VOTE ON ADVANCEMENT OF LB623 TO E&R INITIAL FOR ENGROSSING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL THOSE VOTED THAT WISH? RECORD, MR. CLERK. [LB623]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1590-1591.) 37 AYES, 8 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB623. [LB623]

SPEAKER HADLEY: THE BILL IS ADVANCED TO E&R INITIAL. MR. CLERK, NEXT IS THE FINAL READING. I AM ADDING LB656 AS A BILL FOR WHICH WE WILL VOTE TO SUSPEND THE AT-LARGE READING. SOME ITEMS? I'M RAISING THE CALL. ITEMS, MR. CLERK. [LB623 LB656]

CLERK: THANK YOU, MR. PRESIDENT. I HAVE A REFERENCE REPORT REFERRING GUBERNATORIAL APPOINTEES AND A SERIES OF STUDY RESOLUTIONS: LR285, SENATOR KOLOWSKI; LR286, SENATOR GARRETT; SENATOR LARSON, LR287, LR288, LR289, AND LR290; SENATOR CAMPBELL, LR291, LR292; SENATOR MORFELD, LR293; SENATOR MURANTE, LR294; SENATOR BOLZ, LR295, LR296; AND SENATOR MELLO, LR297. I ALSO HAVE AN AMENDMENT TO BE PRINTED FROM SENATOR BOLZ TO LB243. (LEGISLATIVE JOURNAL PAGES 1591-1599.) [LR285 LR286 LR287 LR288 LR289 LR290 LR291 LR292 LR293 LR294 LR295 LR296 LR297 LB243]

SPEAKER HADLEY: MR. CLERK, WE WILL NOW GO TO FINAL READING. THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB656]

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CLERK: 45 AYES, 1 NAY TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB656]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB656]

CLERK: (READ TITLE OF LB656.) [LB656]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB656 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB656]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1600.) 49 AYES, 0 NAYS, MR. PRESIDENT. [LB656]

SPEAKER HADLEY: LB656 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. (VISITORS INTRODUCED.) WE WILL NOW PROCEED TO LB657. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB656 LB657]

CLERK: 45 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB657]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB657]

CLERK: (READ TITLE OF LB657.) [LB657]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB657 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB657]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1601.) 49 AYES, 0 NAYS, MR. PRESIDENT, ON FINAL PASSAGE. [LB657]

SPEAKER HADLEY: LB657 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW PROCEED TO LB658. [LB657 LB658]

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CLERK: (READ LB658 ON FINAL READING.) [LB658]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB658 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB658]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1602.) 49 AYES, 0 NAYS, MR. PRESIDENT, ON THE PASSAGE OF LB658. [LB658]

SPEAKER HADLEY: LB658 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW PROCEED TO LB659. [LB658 LB659]

CLERK: (READ LB659 ON FINAL READING.) [LB659]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB659 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB659]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1602-1603.) 48 AYES, 1 NAY, MR. PRESIDENT, ON THE FINAL PASSAGE. [LB659]

SPEAKER HADLEY: LB659 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW PROCEED TO LB660. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB659 LB660]

CLERK: 44 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB660]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB660]

CLERK: (READ TITLE OF LB660.) [LB660]

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SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB660 PASS WITH THE EMERGENCY CLAUSE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB660]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1603.) 48 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB660]

SPEAKER HADLEY: LB660 PASSES WITH THE EMERGENCY CLAUSE. WE WILL NOW PROCEED TO LB661. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR...MR. CLERK. [LB660 LB661]

CLERK: MR. PRESIDENT, I HAVE A MOTION WITH RESPECT TO LB661. SENATOR CHAMBERS WOULD MOVE TO RETURN THE BILL FOR A SPECIFIC AMENDMENT FOR PURPOSES OF STRIKING THE ENACTING CLAUSE. [LB661]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB661]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. THE MOTION WAS PHRASED IN THE WAY THAT IT IS PURSUANT TO THE RULES, BUT MY PURPOSE IS TO HAVE A WORD OR TWO TO SAY ABOUT THIS BILL. BUT FIRST, I'D LIKE TO ASK SENATOR MELLO A QUESTION IF HE WILL YIELD. [LB661]

SPEAKER HADLEY: SENATOR MELLO, WILL YOU YIELD? [LB661]

SENATOR MELLO: OF COURSE. [LB661]

SENATOR CHAMBERS: SISTER,...EXCUSE ME. (LAUGHTER) SENATOR MELLO, THIS BILL IS THE ONE THAT CONTAINS WHAT HAS BEEN REFERRED TO AS THE CREIGHTON DENTAL TRAINING PROGRAM INFORMATION, IS THAT CORRECT? [LB661]

SENATOR MELLO: THAT, FROM THE ORIGINAL LB584, THAT HAS NOW BEEN MORPHED INTO A DIFFERENT COMPONENT. IT STILL INCORPORATES, YES, THE ORAL HEALTH TRAINING AND SERVICES FUND, CORRECT. [LB661 LB584]

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SENATOR CHAMBERS: AND THE NEXT BILL HAS A BEARING FOR A DIFFERENT REASON. BUT TO MAKE THE TRANSACTION AND CARRYING OUT OF THAT PROGRAM NECESSARY, THE NEXT BILL WILL HAVE A BEARING ON THAT SAME PROGRAM, IS THAT CORRECT? [LB661]

SENATOR MELLO: THIS BILL CREATES THE FUND AND THE CRITERIA FOR BOTH DENTAL SCHOOLS IN THE STATE TO APPLY FOR THE FUND. THE NEXT BILL, LB662, IS THE ACTUAL TRANSFER OF THE FUNDING, THE ONE-TIME FUNDING FROM THE CASH RESERVE INTO THE FUND THAT'S BEING HELD AT THE COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION, THAT'S CORRECT. [LB661 LB662]

SENATOR CHAMBERS: THANK YOU, SENATOR MELLO. MR. PRESIDENT, I WANTED TO BE SURE THAT THESE ARE THE TWO BILLS WHICH I OPPOSE FOR THE REASONS THAT I GAVE RELATIVE TO GIVING THIS MONEY TO A PRIVATE INSTITUTION. PERSONALLY, I DO NOT BELIEVE THAT THIS STATE PROPERLY DISCHARGES ITS RESPONSIBILITIES WHERE PUBLIC EDUCATION IS INVOLVED. SINCE THAT WHICH, IN MY VIEW, IS A PRIMARY RESPONSIBILITY OF THE STATE IS NOT BEING FUNDED ADEQUATELY, I CANNOT VOTE FOR ANYTHING THAT WILL DIVERT MONEY TO AN ENTITY WHICH I THINK SHOULD BE LEFT TO STAND OR FALL ON ITS OWN. THERE SHOULD BE AN IMPREGNABLE WALL STRETCHING FROM THE CORE OF THE EARTH TO THE FARREST FLUNG GALAXY SEPARATING CHURCH AND STATE ON THIS EARTH, IN THIS COUNTRY. THIS THAT IS BEING DONE BREACHES THAT WALL, IN MY OPINION, AND I DEFINITELY WILL VOTE AGAINST THESE TWO BILLS. BUT I HAD TO OFFER THE MOTION TO BE SURE THAT MY AIM WAS CORRECT. AND I DID FIND THE INFORMATION IN LB661. BUT WE FINISHED THE OTHER BILL BEFORE I COULD GO THROUGH LB662 TO BE CERTAIN. I WILL NOW WITHDRAW THAT MOTION. THANK YOU, MR. PRESIDENT. [LB661 LB662]

SPEAKER HADLEY: MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB661]

CLERK: 43 AYES, 1 NAY, MR. PRESIDENT, ON THE MOTION TO DISPENSE WITH THE AT-LARGE READING. [LB661]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB661]

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CLERK: (READ TITLE OF LB661.) [LB661]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB661 PASS WITH THE EMERGENCY CLAUSE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB661]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1604-1605.) 40 AYES, 9 NAYS, MR. PRESIDENT, ON THE FINAL PASSAGE OF LB661. [LB661]

SPEAKER HADLEY: LB661 PASSES WITH THE EMERGENCY CLAUSE. WE WILL NOW PROCEED TO LB662. [LB661 LB662]

CLERK: (READ LB662 ON FINAL READING.) [LB662]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB662 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB662]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1605.) 42 AYES, 7 NAYS, MR. PRESIDENT, ON THE PASSAGE OF LB662. [LB662]

SPEAKER HADLEY: LB662 PASSES WITH THE EMERGENCY CLAUSE. WE WILL NOW PROCEED TO LB663. [LB662 LB663]

CLERK: (READ LB663 ON FINAL READING.) [LB663]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB663 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB663]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1606.) 47 AYES, 2 NAYS, MR. PRESIDENT, ON THE FINAL PASSAGE OF LB663. [LB663]

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SPEAKER HADLEY: LB663 PASSES WITH THE EMERGENCY CLAUSE. WE WILL NOW PROCEED TO LB663A. [LB663 LB663A]

CLERK: (READ LB663A ON FINAL READING.) [LB663A]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB663A PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB663A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1606-1607.) 46 AYES, 2 NAYS, 1 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB663A]

SPEAKER HADLEY: LB663A PASSES WITH THE EMERGENCY CLAUSE. WE WILL NOW PROCEED TO LB554. [LB663A LB554]

CLERK: (READ LB554 ON FINAL READING.) [LB554]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB554 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB554]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1607.) 49 AYES, 0 NAYS, MR. PRESIDENT. [LB554]

SPEAKER HADLEY: LB554 PASSES WITH THE EMERGENCY CLAUSE. MR. CLERK. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB554 LB294]

CLERK: 46 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB294]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB294]

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CLERK: (READ TITLE OF LB294.) [LB294]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB294 PASS WITH THE EMERGENCY CLAUSE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB294]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1608.) 49 AYES, 0 NAYS, MR. PRESIDENT, ON THE FINAL PASSAGE OF LB294. [LB294]

SPEAKER HADLEY: LB294 PASSES WITH THE EMERGENCY CLAUSE. WE WILL NOW GO TO LB360. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB294 LB360]

CLERK: 44 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB360]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB360]

CLERK: (READ TITLE OF LB360.) [LB360]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB360 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB360]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1609.) 48 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB360]

SPEAKER HADLEY: LB360 PASSES. MR. CLERK, WE WILL NOW PROCEED TO LB360A. [LB360 LB360A]

CLERK: (READ LB360A ON FINAL READING.) [LB360A]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB360A PASS? ALL THOSE IN

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FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK.
[LB360A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1610.) 48 AYES, 0
NAYS, 1 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB360A]

SPEAKER HADLEY: LB360A PASSES. MR. CLERK, LB575. THE FIRST VOTE IS TO
DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL
THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB360A LB575]

CLERK: 42 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE
READING. [LB575]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK,
PLEASE READ THE TITLE. [LB575]

CLERK: (READ TITLE OF LB575.) [LB575]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING
BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB575 PASS? ALL THOSE IN
FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB575]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1611.) 43 AYES, 2
NAYS, 3 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR.
PRESIDENT. [LB575]

SPEAKER HADLEY: LB575 PASSES WITH THE EMERGENCY CLAUSE. WE WILL NOW
GO TO GENERAL FILE. [LB575]

CLERK: MR. PRESIDENT, THE FIRST BILL, LB226. (READ TITLE.) INTRODUCED ON
JANUARY 13, REFERRED TO THE BANKING, COMMERCE AND INSURANCE
COMMITTEE, THERE ARE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM585,
LEGISLATIVE JOURNAL PAGE 772.) [LB226]

SPEAKER HADLEY: SENATOR COASH, YOU ARE RECOGNIZED TO OPEN ON YOUR
BILL. [LB226]

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SENATOR COASH: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. THANK YOU IN ADVANCE FOR YOUR SUPPORT OF LB226 AND THE UPCOMING COMMITTEE AMENDMENT. LB226 IS A BILL THAT AUTHORIZES CROWDFUNDING AS PRESCRIBED AND EXEMPTS CROWDFUNDING UNDER THE SECURITIES ACT OF NEBRASKA. I WANT TO THANK SENATOR MURANTE FOR PRIORITIZING THIS BILL AND THE BANKING COMMITTEE FOR ADVANCING IT UNANIMOUSLY TO GENERAL FILE. I WOULD ALSO LIKE TO THANK THE NEBRASKA DEPARTMENT OF BANKING FOR WORKING WITH ME ON THIS BILL TO MAKE SURE THE LANGUAGE ADHERES TO SEC GUIDELINES, WHICH CAN BE COMPLICATED. FOR THOSE OF YOU UNFAMILIAR WITH CROWDFUNDING, A LITTLE BACKGROUND: CROWDFUNDING ALLOWS AN INDIVIDUAL OR BUSINESS THE OPPORTUNITY TO RAISE MONEY THROUGH SMALL CONTRIBUTIONS FROM A LARGE NUMBER OF INVESTORS. YOU MAY HAVE HEARD OR CONTRIBUTED TO CROWDFUNDING WEB SITES LIKE KICKSTARTER. KICKSTARTER IS A NATIONAL POPULAR WEB SITE WHERE YOU HAVE AN IDEA FOR A PRODUCT...OR SELL...SUCH AS AN IDEA TO BUILD A NEW PLAYGROUND IN YOUR NEIGHBORHOOD, YOU'D GO TO KICKSTARTER, CREATE A CAMPAIGN WEB SITE IN ORDER TO RAISE FUNDS FOR THE PROJECT. IN EXCHANGE FOR PEOPLE DONATING FUNDS TO YOUR PROJECT, YOU WOULD GIVE THE DONOR A GIFT DEPENDING ON THE SIZE OF THE DONATION--MAYBE A KEY CHAIN, A HAT, OR A T-SHIRT. THE MARKETING, FUNDING GOALS, TIME FRAME, AND RESPONSIBILITY IS ALL IN YOUR HANDS BUT KICKSTARTER PROVIDES THE PORTAL FOR YOU TO RAISE AWARENESS AND FUNDS FOR THE PROJECT. HOWEVER, WHEN YOU CONTRIBUTE TO A PROJECT ON KICKSTARTER, TYPICALLY YOU RECEIVE A PROMOTIONAL GIFT DEPENDING ON THE SIZE OF THE CONTRIBUTION BUT HAVE NO MONETARY STAKE IN THE PROJECT. THE PURPOSE OF LB226 IS THAT INSTEAD OF A DONATION FOR THE PROJECT, AN INVESTOR WILL RECEIVE A MONETARY STAKE IN THE COMPANY. CROWDFUNDING LEGISLATION CREATES INCREDIBLE OPPORTUNITIES FOR START-UP COMPANIES THAT OTHERWISE DO NOT HAVE EASY ACCESS TO CAPITAL. IT ALLOWS INDIVIDUALS WORKING OUT OF HIS GARAGE, FOR EXAMPLE, LOOKING FOR A WAY TO EXPAND TO ACTUALLY MOVE FORWARD AND RAISE THE FUNDS TO MEET INVESTORS. IN NEBRASKA, THIS BILL ALLOWS PROJECTS TO HAVE ACCESS TO A MARKET OF OVER ONE MILLION POTENTIAL NEW INVESTORS. AS OF LAST MONTH, 18 STATES HAVE PASSED CROWDFUNDING LEGISLATION AND 21 STATES ARE CONSIDERING IT. AFTER CONSULTING WITH THE DEPARTMENT OF BANKING, LB226 WAS MODELED AFTER INDIANA'S CROWDFUNDING LEGISLATION AND IS SIMILAR THE TO THAT FOUND IN TEXAS AND WISCONSIN. THERE ARE SEVERAL SAFEGUARDS IN PLACE THAT PROTECT BOTH THE INVESTOR AND BUSINESS SEEKING FUNDING IN THIS BILL. ONE SAFEGUARD IS THAT NEBRASKA RESIDENTS AND BUSINESSES CAN RAISE UP TO,

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BUT NOT MORE THAN, \$2 MILLION FROM BOTH ACCREDITED OR UNACCREDITED INVESTORS WITHIN 12 MONTHS. AN ACCREDITED INVESTOR IS A PERSON WHO HAS AN INDIVIDUAL NET WORTH OR JOINT NET WORTH WITH THEIR SPOUSE AT THE TIME OF HIS OR HER PURCHASE THAT EXCEEDS \$1 MILLION DOLLARS, EXCLUDING THE VALUE OF PRIMARY PROPERTY. ADDITIONAL SAFEGUARDS INCLUDE PROJECTS WOULD REQUIRE APPROVAL FROM THE NEBRASKA DEPARTMENT OF BANKING, INVESTORS MUST SIGN A CERTIFICATION ACKNOWLEDGING THAT THEY COULD LOSE ALL OF THEIR INVESTMENT, AND UNACCREDITED INVESTOR INVESTMENTS ARE LIMITED TO A PERCENTAGE OF THE INVESTOR'S INCOME OR A CAP OF \$5,000. THIS BILL IS MUCH MORE THAN PROVIDING A WAY FOR SMALL INVESTORS TO RAISE CAPITAL. ACCORDING TO CNBC, NEBRASKA RANKS 4th OVERALL IN THE BEST STATES FOR BUSINESS BUT ONLY 40th IN TECHNOLOGY AND 35th IN ACCESS TO CAPITAL. AND CROWDFUNDING IS A WAY TO SPUR THIS INNOVATION. CROWDFUNDING CAPABILITIES WILL NO LONGER GIVE ANYONE WORKING OUT OF THEIR GARAGE WITH THE NEXT BIG IDEA AN EXCUSE TO COMPLAIN ABOUT THE DIFFICULTY IN RAISING CAPITAL. THIS PROVIDES A WAY TO GET OUT OF YOUR BASEMENT, BUILD THE NEXT BIG THING. DOES THIS MEAN WE HAVE THE NEXT FACEBOOK, INSTAGRAM, HUDL, OR TWITTER ON THEIR HANDS? PROBABLY NOT. BUT THIS PROVIDES THE AVENUE TO SHARE IDEAS ON A MUCH LARGER SCALE. THIS IS WORKING IN INDIANA, AND IT CAN WORK HERE. THE AMENDMENT FORTHCOMING MAKES SOME TECHNICAL CHANGES, ADDS A DEFINITION THAT SHOULD BE INCLUDED, BUT MAINLY ALLOWS FOR THE FUNDING PORTAL TO BE CREATED AND MAINTAINED OUTSIDE OF NEBRASKA. THERE ARE COMPANIES THAT SPECIFICALLY RUN THESE PORTALS WITH EXPERTISE. AND WE WERE CONCERNED THAT IF NO ONE IN NEBRASKA RAN A FUNDING PORTAL LIKE THIS, ORIGINALLY WRITTEN, THERE WOULD BE NO CROWDFUNDING IN OUR STATE. HOWEVER, THE INVESTORS AND COMPANIES STILL NEED TO BE NEBRASKA COMPANIES AND RESIDENTS. COLLEAGUES, THIS IS A BILL FOR NEBRASKA BUSINESSES TO RAISE MONEY FROM NEBRASKANS TO SUPPORT NEBRASKANS, ALL WITHIN THE FRAMEWORK THAT WE ARE ALLOWED TO UNDER FEDERAL GUIDELINES. SO I ASK FOR YOUR SUPPORT OF LB226. THANK YOU, MR. PRESIDENT. [LB226]

SPEAKER HADLEY: AS THE CLERK STATED, THERE ARE COMMITTEE AMENDMENTS. SENATOR SCHEER, YOU'RE RECOGNIZED, AS CHAIR OF BANKING AND INSURANCE, TO OPEN ON THOSE AMENDMENTS. [LB226]

SENATOR SCHEER: THANK YOU, MR. SPEAKER. THE COMMITTEE AMENDMENTS WOULD MAKE TECHNICAL CHANGES TO THE CROWDFUNDING...SECURITIES

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WOULD BE MARKETED. THE BILL PROVIDES FOR THE OFFERING MUST BE MADE THROUGH ONE OR MORE INTERNET WEB SITES, AND THAT AN INTERNET WEB SITE OPERATOR MUST BE A BUSINESS ENTITY ORGANIZED UNDER THE LAWS OF NEBRASKA AND AUTHORIZED TO DO BUSINESS IN NEBRASKA. IT WAS POINTED OUT AT THE HEARING THAT SOME INTERNET WEB SITE OPERATORS MAY ACTUALLY BE ORGANIZED UNDER THE LAWS OF ANOTHER STATE AND THAT IT WOULD BE UNFAIR TO SHUT THEM OUT AS AN OPPORTUNITY TO DO BUSINESS UNDER THE NEW EXEMPTION CREATED BY THIS BILL. THE COMMITTEE AMENDMENTS WOULD CHANGE THE TERMINOLOGY FROM "INTERNET WEB SITE OPERATOR" TO "PORTAL OPERATOR." A PORTAL OPERATOR WOULD BE DEFINED AS AN ENTITY AUTHORIZED TO DO BUSINESS IN THIS STATE WHICH OPERATES A FUNDING PORTAL AND HAS REGISTERED WITH THE DEPARTMENT...NEBRASKA DEPARTMENT OF BANKING AND FINANCE. THUS, THE PORTAL OPERATOR COULD BE A BUSINESS ENTITY ORGANIZED IN ANOTHER STATE. HOWEVER, THE COMMITTEE AMENDMENT WOULD MAKE NO CHANGES IN THE REQUIREMENT THAT THE INSURER OF CROWDFUNDING SECURITY MUST BE A BUSINESS ENTITY ORGANIZED UNDER THE LAWS OF NEBRASKA AND AUTHORIZED TO DO BUSINESS IN THE STATE OF NEBRASKA, AND THAT THE PURCHASER MUST BE A RESIDENT OF THE STATE OF NEBRASKA. THESE CHANGES RESULT IN TERMINOLOGY CHANGES ALL THROUGHOUT THE NEW LANGUAGE OF THE BILL. AND THAT IS THE REASON IT HAS BEEN PREPARED AS A WHITE COPY BY THE BILL DRAFTING OFFICE. I WOULD URGE YOUR ADOPTION OF THE COMMITTEE AMENDMENTS AND THE ADVANCEMENT OF THE BILL ITSELF. THANK YOU, MR. SPEAKER. [LB226]

SPEAKER HADLEY: (VISITORS INTRODUCED.) SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB226]

SENATOR SCHUMACHER: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY. I WANT TO COMPLIMENT SENATOR COASH ON THIS EFFORT TO HELP NEBRASKA ENTREPRENEURS AND COMPANIES RAISE MONEY. ONE OF THE BIG, BIG PROBLEMS WE HAVE IN THIS STATE IS THAT WE ARE NOT VERY GOOD AT ORGANIZING THE MILLIONS, PERHAPS BILLIONS OF DOLLARS IN CAPITAL THAT'S SITTING AROUND THIS STATE INTO ENTREPRENEURIAL VENTURES. WE JUST DON'T KNOW HOW TO DO IT. WE ARE INEXPERIENCED BUT FOR A PITIFULLY SMALL NUMBER OF LAW FIRMS AND ACCOUNTING FIRMS IN USING THE MECHANISM OF SELLING STOCK IN AN ENTERPRISE. AND THIS ATTEMPTS TO FOLLOW SOME OF THE PATTERNS IN OTHER STATES WITH TRYING TO USE THE INTERNET TO DO THAT. AND WHILE I SUPPORT THE BILL, I AM HIGHLY SKEPTICAL THAT IT WILL HAVE MUCH EFFECT. AND I AM HIGHLY SKEPTICAL

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THAT IT WILL HAVE MUCH SUCCESS BECAUSE WE HAVE ANOTHER PROVISION IN OUR LAW, 8-1118, WHICH MAKES IT EXTREMELY DANGEROUS FOR ANYBODY TO OFFER SECURITIES AND, QUITE FRANKLY, UNLESS YOU ARE IN ONE OF THE HANDFUL OF LAW FIRMS WHO IS ENGAGED IN SECURITIES LAW, EXTREMELY DANGEROUS FOR AN ACCOUNTANT OR A LAWYER TO DABBLE WITH IT, OR EVEN TO ENCOURAGE A COMPANY TO DABBLE WITH THE ISSUANCE OF SECURITIES. AT SOME POINT, WE'RE GOING HAVE TO ADDRESS THE EXTREMELY HARSH NATURE OF 8-1118, WHICH MAKES YOU LIABLE EVEN IF YOU HONESTLY AND NEGLIGENTLY OFFER A SECURITY. AND WHERE THIS REALLY STYMIES THINGS IS MOST PEOPLE WHEN THEY WANT TO START AN ENTERPRISE, THEY GO TO AN ATTORNEY OR AN ACCOUNTANT SKILLED IN IT AND TRY TO PUT A CORPORATION TOGETHER IN SOME KIND OF STOCK OR LLC MEMBERSHIP THINGS. AND THE MINUTE YOU DO THAT AND YOU HELP ANYBODY OUTSIDE OF MAYBE JUST A SMALL GROUP OF TWO OR THREE FRIENDS, YOU--BASICALLY BECAUSE OF THE SECURITIES ACT LAWS FEDERALLY AND MORE PARTICULARLY THIS 8-1118--YOU HAVE TO DECLARE THAT ON YOUR MALPRACTICE INSURANCE APPLICATION THE NEXT TIME IT GOES AROUND. AND ONE OF THE BIG QUESTIONS IS, HAVE YOU ENGAGED IN ANY SUCH ACTIVITY OF SECURITIES ISSUANCE? IF YOU CHECKED THE BOX YES, GRAB YOUR WALLET BECAUSE YOUR MALPRACTICE INSURANCE PREMIUMS ARE GOING TO GO WAY, WAY UP. AND AS A RESULT OF THAT INTERACTION, UNTIL WE PRESENT SOME WAY FOR LAWYERS AND ACCOUNTANTS TO ESCAPE EXPOSURE UNDER THE NEBRASKA SECURITIES ACT AND LIMIT THE EXPOSURE THEY HAVE OTHERWISE UNDER OUR SECURITIES ACTS, NOT MANY PEOPLE ARE GOING TO FOOL WITH THIS IF THEY HAVE ANY BRAINS BECAUSE IT IS...WHEN YOU DO, YOU ARE PUTTING YOUR PERSONAL ASSETS AT RISK AND RISK OF ATTORNEY FEES AND RISK OF JUST A BIG BUNCH OF HEADACHES. I DON'T KNOW IF THE OTHER STATES THAT HAVE DONE WHAT IS DONE IN LB226 HAVE HAD ANY LUCK WORKING AROUND IT. I PRESUME THEY MAY HAVE MORE LENIENT LAWS THAN WE HAVE IN OTHER CHAPTERS. BUT I THINK THIS IS SOMETHING THAT IS WORTH PURSUING, WORTH GAINING EXPERIENCE ON, SEEING IF MY PREDICTION HERE, THAT IT WON'T BE USED VERY MUCH FOR THIS VERY REASON, IS TRUE. AND I WILL SUPPORT THE BILL. I THINK IT IS AN EFFORT THAT IS WORTHY OF IT. BUT UNTIL WE ADDRESS THESE UNDERLYING BARRIERS TO THE FORMATION OF CAPITAL IN NEBRASKA, SELF-IMPOSED BARRIERS UNDER OUR SECURITIES ACTS, WHICH, OF COURSE,...

[LB226]

SPEAKER HADLEY: ONE MINUTE. [LB226]

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SENATOR SCHUMACHER: ...IN THE MOOD OF THE BODY IS TO PROTECT EVERYBODY FROM EVERYTHING, THOSE SECURITIES ACTS REMAIN ON THE BOOKS AND PROBABLY NEED TO BE EXAMINED. BUT I WOULD ENCOURAGE US INTO THIS VENTURE OF CROWDFUNDING. SENATOR COASH HAS WORKED HARD ON THIS BILL. AND IT IS PROBABLY A STEP THAT WE CAN KIND OF STICK OUR TOE IN THE WATER ON IT. THANK YOU. [LB226]

SPEAKER HADLEY: SENATOR WILLIAMS, YOU'RE RECOGNIZED. [LB226]

SENATOR WILLIAMS: THANK YOU, MR. SPEAKER. AND I ALSO SUPPORT THIS BILL AND THE AMENDMENT. AND I APPRECIATE THE COUNSEL THAT SENATOR SCHUMACHER JUST GAVE US ON THIS. BUT MORE IMPORTANTLY, I APPRECIATE THE ENTREPRENEURIAL SPIRIT THAT SENATOR COASH EVIDENCED IN BRINGING THIS BILL FORWARD AND RECOGNIZING THAT MANY TIMES IN OUR STATE, LIKE OTHER STATES, TRADITIONAL FINANCING METHODS JUST SIMPLY DON'T WORK FOR NEW AND CREATIVE IDEAS. MOST OF THESE OPPORTUNITIES, IF THEY CAME TO A NORMAL BANK, THEY WOULD NOT HAVE COLLATERAL, THEY WOULD NOT HAVE PROVEN PERFORMANCE, THEY WOULD NOT HAVE CASH FLOW--ALL OF THE THINGS NECESSARY TO GET A TRADITIONAL LOAN. THIS OPENS UP THE OPPORTUNITY FOR THEM TO OBTAIN A LEVEL OF FINANCING TO MOVE FORWARD AND BRING AN IDEA TO THE TABLE. I'VE ACTUALLY HAD A CUSTOMER PARTICIPATE WITH KICKSTARTER AND START VERY SMALL BUT GOOD BUSINESS WHERE SHE NEEDED ABOUT \$30,000 TO PUT TOGETHER A PROTOTYPE OF HER PRODUCT, BRING IN SOME INVENTORY, HAVE SOME PRODUCT MADE, AND GET IT READY FOR SHIPPING. AS A CONSERVATIVE BANKER, I WAS KIND OF SHOCKED HOW IT DID NOT TAKE HER LONG TO RAISE \$30,000 FROM THESE SOURCES THAT JUST SORT OF POURED IN. THERE ARE MANY PEOPLE OUT THERE THAT WANT TO SEE THESE KIND OF IDEAS COME TO FRUITION. THEY'RE NOT GENERALLY EXPECTING THAT THEY WILL ALWAYS GET REPAYED ON THESE LOANS. A BANK EXPECTS TO BE REPAYED ON THESE LOANS. FOR THOSE REASONS AND THE FACT THAT THIS CAME OUT OF COMMITTEE ON AN 8-0 VOTE, I WOULD APPRECIATE YOUR SUPPORT OF AM585 AND THE UNDERLYING BILL, LB226. THANK YOU, MR. SPEAKER. [LB226]

SPEAKER HADLEY: SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB226]

SENATOR CRAWFORD: THANK YOU, SPEAKER. AND I RISE IN SUPPORT OF LB226. I THINK IT'S A VERY IMPORTANT EFFORT IN OUR STATE TO OPEN UP A FIELD FOR

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ENTREPRENEURS. I WOULD LIKE TO ASK SENATOR SCHUMACHER IF HE WOULD YIELD TO A QUESTION, PLEASE. [LB226]

SPEAKER HADLEY: SENATOR SCHUMACHER, WILL YOU YIELD TO A QUESTION? [LB226]

SENATOR SCHUMACHER: YES. [LB226]

SENATOR CRAWFORD: THANK YOU, SENATOR SCHUMACHER. I RECALL MY FIRST YEAR HERE, YOUR PRIORITY BILL WAS ONE MY FAVORITE BILLS OF THAT SESSION. YOU OFFERED A BILL THAT ACTUALLY OFFERED SOME PROTECTIONS FOR SMALL INVESTORS FROM SOME OF THE CONCERNS THAT YOU RAISED JUST ON YOUR FLOOR SPEECH JUST NOW, ISN'T THAT TRUE? [LB226]

SENATOR SCHUMACHER: THAT'S TRUE. [LB226]

SENATOR CRAWFORD: SO SOMEONE NEXT YEAR COULD OFFER A SIMILAR BILL TO REALLY GRANT THOSE KINDS OF PROTECTIONS FOR PEOPLE WHO ARE USING THIS DEVICE, IS THAT TRUE? [LB226]

SENATOR SCHUMACHER: YES. I'M NOT SURE THE EXPERIENCE WE'VE HAD WITH THE BILL I HAD HAS BEEN THAT GOOD IN THIS AREA. BUT THE BILL THAT I HAD REQUIRED YOU TO KNOWINGLY LIE TO TRY TO CHEAT PEOPLE IN ORDER TO FALL INTO THE TRAP. THE DOWNSIDE OF THAT IS THE...IT'S STILL, YOU'D HAVE TO CHECK OFF THAT MALPRACTICE INSURANCE QUERY THAT, YES, YOU DABBLE IN RAISING MONEY THROUGH THE SECURITIES ACTS. AND YOUR MALPRACTICE INSURANCE GOES THROUGH THE ROOF. [LB226]

SENATOR CRAWFORD: WE MIGHT NEED TO DO SOMETHING ON THAT LINE, AND WE MIGHT STILL WANT TO COME BACK TO MAKE IT EVEN MORE EFFECTIVE TO DEAL WITH THE MALPRACTICE INSURANCE? [LB226]

SENATOR SCHUMACHER: THAT'S CORRECT. [LB226]

SENATOR CRAWFORD: ALL RIGHT. SO I APPRECIATE YOUR ANSWERS FOR THE RECORD, SO WE HAVE THAT ON THE RECORD AS WE'RE MOVING FORWARD. I THINK IT'S A GREAT MOVE FORWARD AND I FULLY SUPPORT LB226, BUT JUST WANTED TO GET THAT ON THE RECORD AS WE MOVE FORWARD, THE THINGS WE

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MIGHT WANT TO ALSO DO IN FUTURE YEARS TO CONTINUE TO MAKE THIS AN EVEN MORE EFFECTIVE TOOL FOR ENTREPRENEURS IN OUR STATE. THANK YOU, MR. PRESIDENT. [LB226]

SPEAKER HADLEY: SEEING NO ONE IN THE QUEUE, SENATOR SCHEER, YOU'RE RECOGNIZED. SENATOR SCHEER WAIVES CLOSING. THE QUESTION FOR THE BODY IS THE ADOPTION OF AM585. ALL IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB226]

CLERK: 25 AYES, 0 NAYS ON ADOPTION OF COMMITTEE AMENDMENTS. [LB226]

SPEAKER HADLEY: THE AMENDMENTS ARE ADOPTED. SENATOR COASH, SEEING NO ONE IN THE QUEUE, YOU'RE RECOGNIZED TO CLOSE. [LB226]

SENATOR COASH: THANK YOU, MR. PRESIDENT. COLLEAGUES, PLEASE DON'T GO ANYWHERE. I JUST WANT TO THANK EVERYBODY FOR THEIR WORK ON THIS. THIS IS NOT INSIGNIFICANT BY ANY MEANS. THIS A BIG DEAL FOR THE GROWTH OF BUSINESS IN OUR STATE AND URGE YOUR ADVANCEMENT OF LB226. THANK YOU, MR. PRESIDENT. [LB226]

SPEAKER HADLEY: THE QUESTION IS THE ADOPTION OF LB226. ALL IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB226]

CLERK: 33 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF THE BILL. [LB226]

SPEAKER HADLEY: LB226 ADVANCES. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LB656, LB657, LB658, LB659, LB660, LB661, LB662, LB663, LB663A, LB554, LB294, LB360, LB360A, AND LB575. MR. CLERK FOR AN ANNOUNCEMENT. [LB226 LB656 LB657 LB658 LB659 LB660 LB661 LB662 LB663 LB663A LB554 LB294 LB360 LB360A LB575]

CLERK: MR. PRESIDENT, YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB382, LB382A, LB325, LB547, LB547A, LB591, LB591A, LB605A, LB598A, LB173A, LB629A TO SELECT FILE. I ALSO HAVE A CONFIRMATION REPORT FROM THE NATURAL RESOURCES COMMITTEE. THAT'S ALL THAT I HAVE, MR.

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PRESIDENT. (LEGISLATIVE JOURNAL PAGES 1612-1614.) [LB382 LB382A LB325 LB547 LB547A LB591 LB591A LB605A LB598A LB173A LB629A]

SPEAKER HADLEY: THE BODY WILL STAND AT EASE UNTIL 12:35.

EASE

SENATOR KRIST PRESIDING

SENATOR KRIST: GOOD AFTERNOON. WE'LL START UP AGAIN. MR. CLERK.

CLERK: MR. PRESIDENT, THE FIRST BILL THIS AFTERNOON IS LB586, A BILL ORIGINALLY INTRODUCED BY SENATOR MORFELD. (READ TITLE.) INTRODUCED ON JANUARY 21 OF THIS YEAR, REFERRED TO THE JUDICIARY COMMITTEE, THE BILL WAS ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM289, LEGISLATIVE JOURNAL PAGE 521.) [LB586]

SENATOR KRIST: THANK YOU, MR. CLERK. SENATOR MORFELD, YOU'RE RECOGNIZED TO OPEN ON YOUR BILL. [LB586]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, WE HAVE A PROBLEM. IN NEBRASKA, SOMEONE CAN BE FIRED SIMPLY FOR BEING GAY. OVERWHELMINGLY, BUSINESS, FAITH, AND OTHER LEADERS HAVE COME OUT IN SUPPORT OF THESE PROTECTIONS THAT ENSURE A LEVEL PLAYING FIELD AND DIGNITY FOR ALL HARDWORKING NEBRASKANS. THAT IS THE BASIS FOR MY INTRODUCTION OF LB586 AND WHY I RISE TODAY TO URGE YOU TO SUPPORT LB586, WHICH WOULD ENSURE THAT LGBT NEBRASKANS ARE TREATED EQUALLY IN THE WORKPLACE. NOBODY SHOULD BE FIRED FOR HOW THEIR CREATOR MADE THEM OR WHO THEY LOVE. THESE ARE CRITICAL PROTECTIONS THAT EXIST IN 21 STATES, INCLUDING THE DISTRICT OF COLUMBIA, NEIGHBORING STATES IOWA AND COLORADO, 225 CITIES AND COUNTIES, AND OVER 600 PRIVATE BUSINESSES, INCLUDING 66 PERCENT OF FORTUNE 500 COMPANIES, AND ARE SUPPORTED STRONGLY BY THE OMAHA AND LINCOLN CHAMBERS OF COMMERCE, CIVIL RIGHTS GROUPS, AND RELIGIOUS INSTITUTIONS THROUGHOUT THE STATE. LB586 MAKES IT UNLAWFUL TO FIRE OR NOT HIRE SOMEONE ON THE BASIS OF THEIR SEXUAL ORIENTATION OR IF THEY ARE TRANSGENDER. THIS IS INCREASINGLY COMMONPLACE PROTECTIONS TO ENSURE THAT NEBRASKA REMAINS COMPETITIVE IN A NATIONAL AND

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GLOBAL MARKETPLACE AND THAT ALL NEBRASKANS ARE PROVIDED EQUAL PROTECTION UNDER THE LAW. JUST AS WE DO NOT ALLOW PEOPLE TO BE FIRED ON THE BASIS OF RACE, SEX, OR MARITAL STATUS, NOR SHOULD WE ALLOW PEOPLE TO BE FIRED BECAUSE OF WHO THEY LOVE. EMPLOYEES CAN STILL BE LET GO FOR ANY NUMBER OF REASONS--INCOMPETENCE, NOT SHOWING UP FOR WORK, DRESS CODE VIOLATIONS, THE LIST GOES ON--BUT SIMPLY NOT FOR BEING GAY OR TRANSGENDER. FOR TOO MANY YEARS I'VE WATCHED TALENTED NEBRASKANS, MANY OF THEM MY FRIENDS, LEAVE THIS STATE BECAUSE OF A LACK OF FUNDAMENTAL PROTECTIONS COMMONPLACE IN OTHER STATES, TOO AFRAID TO START A FAMILY IN A STATE WHERE THEY COULD BE FIRED IF THEIR WORKPLACE FOUND OUT ABOUT WHO THEY LOVED. MANY OF THESE FORMER NEBRASKANS ARE DOCTORS, ATTORNEYS, CAPTAINS OF INDUSTRY, NEBRASKANS WHO LIKELY OTHERWISE WOULD BE HERE RAISING THEIR FAMILIES, INVESTING IN OUR STATE, AND BUILDING COMMERCE AND INDUSTRY. NO ONE SHOULD HAVE TO HIDE THEIR FAMILY, LOVED ONES FOR FEAR OF LOSING THEIR LIVELIHOOD. OUR BUSINESS COMMUNITY AGREES, WHICH IS WHY OUR TWO LARGEST CITIES' CHAMBERS OF COMMERCE HAVE COME OUT IN STRONG SUPPORT OF LB586 ALONG WITH MANY OF OUR LARGEST EMPLOYERS IN THE STATE SUCH AS UNION PACIFIC, CONAGRA, NELNET, MUTUAL OF OMAHA, HUDL, PAYPAL, TYSON FOODS, AND MANY, MANY OTHERS, OVER 200 BUSINESSES STATEWIDE. FURTHER, OVER 270 RELIGIOUS CLERGY FROM ACROSS THE STATE HAVE COME OUT IN SUPPORT OF LB586 ALONG WITH THREE BISHOPS OF THE FOLLOWING DENOMINATIONS: THE EPISCOPAL CHURCH, THE LUTHERAN CHURCH...ELCA, AND THE UNITED METHODIST CHURCH. SUCH PROTECTIONS HAVE BEEN IN PLACE FOR OMAHA FOR FOUR YEARS NOW AND THE CITY OF OMAHA'S ECONOMY AND RELIGIOUS COMMUNITIES ARE THRIVING. THE WORLD HAS NOT COLLAPSED. NO BUSINESSES HAVE CLOSED. AND OMAHA IS PROOF THAT THESE PROTECTIONS WILL NOT INHIBIT PROGRESS OR COMMERCE, BUT RATHER FOSTER AND GROW IT. HOWEVER, WE SHOULD NOT ENACT LB586 SIMPLY BECAUSE IT WILL ENSURE FINANCIAL OPPORTUNITY AND SUCCESS FOR OUR STATE, WHICH IT WILL; OR BECAUSE IT PROTECTS THE DIGNITY AND EQUAL RIGHTS OF ALL NEBRASKANS, WHICH IT DOES; BUT BECAUSE IT IS WHAT IS RIGHT AND JUST. AND WHILE IN SOME CIRCLES LB586 IS CONTROVERSIAL, I HAVE FOUND IN MY SHORT TIME ON THIS EARTH THAT RARELY DOING ANYTHING THAT IS RIGHT IS EASY. ATTITUDES AND PERCEPTIONS ON THIS ISSUE ARE RAPIDLY CHANGING. AN INDEPENDENT POLL CONDUCTED LAST YEAR SHOWED THAT OVER 60 PERCENT OF NEBRASKANS ON A TWO-TO-ONE MARGIN SUPPORT EQUAL PROTECTION EMPLOYMENT PROTECTION FOR LGBT CITIZENS. IT IS IMPORTANT TO NOTE THAT THIS LAW DOES NOT PROVIDE ADDITIONAL PROTECTIONS BUT RATHER EQUAL PROTECTION. CURRENTLY, IT'S UNLAWFUL

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NOT TO HIRE SOMEONE BECAUSE THEY ARE FEMALE OR OVER THE AGE OF 40 OR BASED ON THEIR RACE. BASING EMPLOYMENT DECISIONS ON THESE CHARACTERISTICS IS UNLAWFUL BECAUSE THESE CHARACTERISTICS ARE INHERENT TO A PERSON IN WHO THEY ARE. THE SAME IS TRUE FOR LGBT NEBRASKANS. IT IS INHERENTLY WHO THEY ARE AND THUS FUNDAMENTAL PROTECTIONS MUST BE PROVIDED. LB586 IS COMMONSENSE LEGISLATION THAT HELPS DRIVE ECONOMIC GROWTH AND ENSURES WORKING NEBRASKANS ARE JUDGED ON THE QUALITY OF THEIR WORK AND NOT WHO THEY LOVE. SOME OF YOU HAVE NOTED THAT YOU DO NOT BELIEVE ANYONE SHOULD BE DISCRIMINATED AGAINST, INCLUDING LGBT NEBRASKANS, BUT THEY SHOULD NOT CREATE SPECIAL PROTECTIONS. COLLEAGUES, THOSE WERE THE SAME ARGUMENTS MADE DURING THE 1960s WHEN BLACK AMERICANS WERE NOT BEING HIRED OR FIRED BECAUSE OF THEIR RACE. IT WAS THE SAME ARGUMENTS WHEN PROTECTIONS WERE PROPOSED FOR WOMEN FOR NOT BEING HIRED BECAUSE THEY WERE WOMEN. THEY WERE DISCRIMINATED AGAINST BASED ON FUNDAMENTALLY WHO THEY ARE. AND THAT IS WHY THESE TYPES OF PROTECTIONS MUST EXIST TO ASSURE AN EQUAL AND LEVEL PLAYING FIELD. IN MY PRIVATE CONVERSATIONS WITH MANY OF YOU, YOU HAVE BROUGHT UP GAY FAMILY MEMBERS AND CLOSE FRIENDS AND TOLD ME THAT IN YOUR HEART YOU ARE WITH ME ON THIS ISSUE. COLLEAGUES, I UNDERSTAND THAT THERE ARE CERTAIN POLITICAL REALITIES. BUT THIS IS NOT SIMPLY ABOUT A ROAD BEING BUILT OR SOMEONE GETTING A TAX CREDIT TO BE ABLE TO INVEST A BIT MORE MONEY IN THE ECONOMY, BUT RATHER ABOUT PROVIDING NEBRASKANS, OUR SONS AND DAUGHTERS, WITH DIGNITY AND RESPECT. I ASK THAT YOU NOT ONLY STAND WITH ME IN YOUR HEART BUT ALSO WITH YOUR VOTE. I WAS RAISED UNDER THE PRINCIPLE THAT ACTIONS SPEAK LOUDER THAN WORDS. AND THESE NEBRASKANS DESERVE ACTION, NOT JUST WORDS. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR MORFELD. AS THE CLERK STATED, THERE ARE COMMITTEE AMENDMENTS. SENATOR PANSING BROOKS, AS A MEMBER OF THE JUDICIARY COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THOSE AMENDMENTS. [LB586]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I RISE TO ADD AM289, WHICH WAS ATTACHED TO LB586 IN THE JUDICIARY COMMITTEE ON A 6-1 VOTE WITH ONE MEMBER NOT VOTING. LB586 WAS ADVANCED FROM THE COMMITTEE ON A 5-2 VOTE WITH ONE MEMBER NOT VOTING. THIS AMENDMENT MERELY CHANGES THE WORD "ANY" TO THE WORD "AN" IN 48-1103(2). THIS IS A

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NONSUBSTANTIVE CHANGE AND I'D LIKE TO YIELD THE REST OF MY TIME TO SENATOR MORFELD. [LB586]

SENATOR KRIST: SENATOR MORFELD, 9:30. [LB586]

SENATOR MORFELD: THANK YOU, SENATOR PANSING BROOKS. THANK YOU, MR. PRESIDENT. I WANT TO MAKE SOMETHING VERY CLEAR. THERE WAS A BIT OF CONTROVERSY AND I THINK A BIT OF CONFUSION ABOUT THE CURRENT RELIGIOUS EXEMPTION AS IT FALLS UNDER THE FAIR EMPLOYMENT ACT. WHAT WE DID WITH THIS COMMITTEE AMENDMENT WAS SIMPLY REMIND PEOPLE THAT THERE IS CURRENTLY A RELIGIOUS EXEMPTION, ALBEIT PERHAPS SOME PEOPLE CAN DISAGREE ON HOW STRONG IT IS, BUT THERE IS A CURRENT RELIGIOUS EXEMPTION TO THE FAIR EMPLOYMENT ACT. AND WITH THAT EXEMPTION, WE WANTED TO NOTE AND REMIND EVERYBODY THAT IT REMAINS IN THERE BECAUSE, AS ALL OF US KNOW, IN THE GREEN COPY WE ONLY INCLUDE THINGS THAT WE CHANGE. AND SO THERE WERE A LOT OF PEOPLE LOOKING AT THE GREEN COPY WONDERING, IS THERE A RELIGIOUS EXEMPTION? WELL, THE FACT OF THE MATTER IS THAT THERE'S BEEN A RELIGIOUS EXEMPTION TO THE FAIR EMPLOYMENT ACT FOR THE LAST 60 YEARS. AND WE WANTED TO POINT OUT THAT FACT BY CHANGING ONE WORD SO THAT IT WOULD APPEAR ON THE COMMITTEE STATEMENT AND THEN ALSO IN THE NEW COPY OF THE BILL. SO THIS IS REALLY A NONSUBSTANTIVE CHANGE JUST TO REMIND PEOPLE THAT THERE CURRENTLY IS A RELIGIOUS EXEMPTION TO THE FAIR EMPLOYMENT ACT, WHICH THIS PROTECTION WOULD FALL UNDER, AND THAT IT'S BEEN AROUND FOR 60 YEARS. NOW, THERE'S BEEN SOME CONTROVERSY AS TO WHETHER OR NOT THAT RELIGIOUS EXEMPTION IS BROAD ENOUGH OR DOES WHAT EVERYBODY WANTS IT TO DO. THAT'S A FAIR CONVERSATION TO HAVE, IT'S A FAIR DEBATE TO HAVE. AND I KNOW THAT THERE'S GOING TO BE A COLLEAGUE THAT IS GOING TO BRING I THINK A GOOD RELIGIOUS COMPROMISE TO ENSURE THAT WE HAVE...WE, NUMBER ONE, PROTECT RELIGIOUS FREEDOM BUT THEN ALSO BALANCE THE DIGNITY AND RIGHTS OF OTHERS IN THE WORKPLACE. AND SO I DO WANT TO POINT OUT THAT THERE'S NOTHING TRICKY ABOUT THIS, IT WAS SIMPLY JUST REMINDING PEOPLE THAT A CURRENT RELIGIOUS EXEMPTION DOES EXIST. AND I KNOW THAT THERE'S A BUNCH OF GROUPS THAT DON'T LIKE THE CURRENT RELIGIOUS EXEMPTION--PARTICULARLY FOR THIS BILL--BUT WE'VE BEEN WORKING HARD WITH PEOPLE IN THIS BODY ON AN AMENDMENT THAT I THINK WOULD BE MORE ACCEPTABLE AND WOULD PROVIDE STRONGER PROTECTIONS AND PROVIDE THE RIGHT BALANCE BETWEEN RELIGIOUS FREEDOM AND PROTECTING THE DIGNITY OF LGBT NEBRASKANS. THANK YOU. [LB586]

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SENATOR KRIST: THANK YOU, SENATOR PANSING BROOKS AND SENATOR MORFELD. MR. CLERK. [LB586]

CLERK: MR. PRESIDENT, THE FIRST AMENDMENT I HAVE FILED TO THE COMMITTEE AMENDMENTS IS SENATOR MORFELD, AM998. DO I UNDERSTAND, SENATOR, YOU MAY WISH TO WITHDRAW THAT? [LB586]

SENATOR MORFELD: MR. CLERK, I'D LIKE TO WITHDRAW THAT AND THEN REPLACE IT WITH SENATOR CAMPBELL'S AMENDMENT. [LB586]

CLERK: MR. PRESIDENT, SENATOR CAMPBELL WOULD MOVE TO AMEND WITH AM1644. (LEGISLATIVE JOURNAL PAGES 1614-1615.) [LB586]

SENATOR KRIST: SENATOR CAMPBELL, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB586]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. IN THE PAST WEEKS, I'VE STAYED IN COMMUNICATION WITH SENATOR MORFELD TO SEE HOW THIS BILL WAS PROCEEDING. AND I OFFERED TO HIM AT ANY POINT IF HE NEEDED HELP OR HE WANTED ME TO DO SOMETHING, BECAUSE I FEEL VERY STRONGLY ABOUT THE BILL THAT HE HAS BROUGHT FORWARD. HE CAME TO ME AND SAID, I THINK THAT WE SHOULD WORK ON A STATEMENT THAT PROVIDES MORE CLARITY TO THE RELIGIOUS EXEMPTION. AND WE'VE ALL--AND WE SHOULD HAVE BEEN-- ALL PAYING VERY CLOSE ATTENTION TO THE LETTERS AND E-MAILS SENT TO US. AND IT APPEARED TO ME THAT SOME MORE CLARITY TO THE EXEMPTION IN THE BILL FOR RELIGIOUS ORGANIZATIONS WOULD BE HELPFUL. THE AMENDMENT PROVIDES SUCH A STATEMENT THAT GIVES MORE CLARITY TO THE RELIGIOUS EXEMPTION AND HOPEFULLY CAN ADDRESS SOME OF THE CONCERNS EXPRESSED BY OUR CONSTITUENTS ACROSS THE STATE. IN PARTICULAR, IT RELATES TO THE RELIGIOUS EDUCATIONAL INSTITUTIONS. I BELIEVE IT STRIKES A BALANCE AND IT HELPS US MOVE FORWARD TO ENSURE WE ARE COMPETITIVE AS WE CAN BE AS A STATE WHILE RECOGNIZING THE RELIGIOUS CONCERNS OF OUR FELLOW NEBRASKANS. I STAND FULLY BEHIND THE AMENDMENT AND I AM PLEASED TO BE ABLE TO ASSIST SENATOR MORFELD IN HIS WORK ON LB586. I WOULD ASK THAT YOU TAKE A CLOSE LOOK AT IT. IF YOU HAVE QUESTIONS WITH REGARD TO THE LEGAL NATURE OF IT, I WOULD HOPE THAT YOU WOULD ADDRESS THOSE TO SENATOR MORFELD BECAUSE I AM NOT AN ATTORNEY AND PROBABLY CANNOT GIVE YOU AS DEFINITIVE AN ANSWER AS YOU MAY NEED. AND YOU MAY SAY, WHAT'S

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SENATOR CAMPBELL'S INTEREST HERE? AND I APOLOGIZE TO MY COLLEAGUES WHO WERE IN THE BODY LAST YEAR BECAUSE I'M GOING TO REPEAT A STORY THAT WOULD GIVE YOU SOME IDEA OF WHY I HAVE SUCH AN INTEREST IN LB586. A NUMBER OF YEARS AGO, IN FACT, THE LATE 1970s, AND MY HUSBAND HAD RETURNED FROM HIS STINT IN THE MILITARY AND WE HAD MOVED BACK TO LINCOLN AND HE WAS IN CHARGE OF THE LANDSCAPE DEPARTMENT OF OUR NURSERY. AND A YOUNG MAN CAME IN AND APPLIED TO BE ONE OF THE LANDSCAPE DESIGNERS. AND HE WAS VERY HONEST WITH MY HUSBAND AND SAID, I WANT YOU TO KNOW THAT I AM GAY. AND DICK SAID, THAT'S FINE WITH ME BUT LET ME TALK TO MY FATHER. AND BOB CAMPBELL AT THAT POINT WAS THE PRESIDENT OF OUR COMPANY, CAMPBELL'S NURSERIES. AND SO DICK WENT TO HIS DAD AND EXPLAINED TO HIM THAT HE WANTED TO HIRE THIS YOUNG MAN. AND BOB CAMPBELL'S QUESTION TO DICK WAS, IS HE A GOOD LANDSCAPE DESIGNER? AND DICK SAID, BASED ON WHAT I'VE SEEN, I THINK HE'S PROBABLY ONE OF THE BEST THAT WE HAVE LOOKED AT FOR THE JOB. AND BOB SAID, DO YOU THINK HE CAN COMMUNICATE WELL WITH OUR CUSTOMERS, THAT HE WILL TREAT THEM IN THE BEST SERVICE MODEL THAT WE'VE TRIED TO ESTABLISH FOR OUR COMPANY? AND DICK SAID, OH, ABSOLUTELY. AND BOB CAMPBELL SAID, THAT'S ALL I NEED TO KNOW, CAN HE DO THE JOB? THAT REALLY OUGHT TO BE THE QUESTION HERE WHEN ANYONE WALKS IN TO APPLY FOR A JOB. AND SO OUR COMPANY HAS STOOD BEHIND BOB CAMPBELL'S QUESTION FOR A NUMBER OF YEARS. I WOULD HOPE THAT YOU WOULD TAKE A SERIOUS LOOK AT THE AMENDMENT. I THINK ALL THE WORK THAT HAS GONE INTO LB586 AND THE WORK THAT HAS GONE INTO THIS AMENDMENT IS AN ATTEMPT TO CLARIFY THE RELIGIOUS EXEMPTION AND SET, AT LEAST FOR MANY PEOPLE WHO HAVE WRITTEN TO US, AN ANSWER TO THEIR QUESTIONS. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR CAMPBELL. YOU'VE HEARD THE OPENING ON AM1644 TO AM289 AND LB586. THOSE WISHING TO SPEAK, SENATOR PANSING BROOKS, SENATOR KEN HAAR, SENATOR CRAWFORD, SENATOR BURKE HARR, SENATOR CRAIGHEAD, AND SENATOR McCOLLISTER. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB586]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I AM HAPPY AND PROUD TO COSPONSOR LB586 AND TO MAKE IT MY PRIORITY BILL. AS A MOM, I AM DRIVEN BY A FERVENT DESIRE TO PROTECT AND HONOR LGBT RIGHTS. AND AS A FRIEND, NEIGHBOR, COWORKER, I AM DETERMINED TO ENSURE THAT PEOPLE ARE MEASURED BY THEIR TALENTS AND THEIR CONTRIBUTIONS TO OUR COMMUNITY AND NOT BY THE RIDICULOUS STANDARD OF WHOM THEY

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LOVE. OUR FUTURE FOR NEBRASKA DEPENDS ON WELCOMING BUSINESS. IT DEPENDS ON MAKING SURE THAT WE HAVE AS MANY VALUABLE PEOPLE PARTICIPATING IN OUR ECONOMY AS POSSIBLE. AND THAT CANNOT BE DONE WITHOUT THE WORKERS THAT WE HAVE AROUND US. TODAY I WANT TO REMIND EVERYBODY, IN MY FAITH THE GREATEST COMMANDMENT IS LOVE. LOVE OF GOD IS THE FIRST AND GREATEST COMMANDMENT. LOVE OF NEIGHBOR AND SELF WAS STATED TO BE THE SECOND COMMANDMENT. YESTERDAY I WAS TALKING TO SOME OF MY COLLEAGUES AND ONE WHOM I RESPECT ASKED ME NOT TO MAKE ANY OF THIS PERSONAL. IN FACT, HE ASKED ME TO PULL THE BILL SO THAT NEBRASKA DOESN'T HAVE TO LOOK BAD WHEN PEOPLE VOTE THIS DOWN. MY RESPONSE WAS, VOTE FOR THE BILL SO NEBRASKA DOESN'T HAVE TO LOOK BAD. WHICH OF YOU ON A BILL WHICH DIRECTLY AFFECTS A CHILD OF YOURS WOULD NOT MAKE IT PERSONAL? BUSINESSES HAVE COME FORWARD. HOPEFULLY, YOU'LL BE SEEING ALL THESE LETTERS: THE OMAHA CHAMBER, THE LINCOLN CHAMBER. ALL SORTS OF BUSINESSES HAVE COME FORWARD AND SAID IT'S TIME FOR A CHANGE. WE MUST MOVE FORWARD. THIS IS INEVITABLE. WE DON'T WANT TO BE INDIANA, WE WANT TO BE WELCOMING. WE WANT GOOD WORKERS HERE. WE CANNOT STAND ON THIS INCORRECT PRINCIPLE. SO THEY'VE COME FORWARD SUPPORTING THIS. BUT STILL, THIS IS PERSONAL TO ME. CHURCHES HAVE COME FORWARD. WE HAVE A COUPLE CHURCHES THAT HAVE VEHEMENTLY SPOKEN AGAINST THIS BILL. SENATOR McCOLLISTER HAS PASSED OUT SOMETHING ELSE REGARDING 270 CLERGY WHO ARE SUPPORTING THIS BILL. SO, AGAIN, MANY HAVE COME FORWARD AND SPOKEN. BUT, AGAIN, THIS IS PERSONAL TO ME. CHURCHES, BUSINESSES, ALL COME FORWARD WITH THEIR OWN STORIES OF WHY THIS AFFECTS THEM, WHAT'S SO IMPORTANT ABOUT THE TREATMENT OF PEOPLE EQUALLY AND MAKING SURE THAT EVERYBODY HAS THE RIGHT TO WORK AND HAVE A JOB AND MOVE FORWARD IF THEY MEET THE QUALIFICATIONS. I BELIEVE THAT IF I ASKED ANY ONE OF YOU HERE, DO YOU AGREE WITH MAKING SURE THAT PEOPLE HAVE AN ABILITY TO MOVE FORWARD IN THEIR JOBS IF THEY MEET THE REQUIREMENTS, YOU WOULD ALL SAY YES. I WANT TO TAKE A MOMENT OF PERSONAL PRIVILEGE. I DON'T USUALLY BRAG ABOUT MY CHILDREN, BUT I HAVE A SON WHO GRADUATED ON SATURDAY WITH DISTINCTION FROM THE UNIVERSITY OF NEBRASKA LAW SCHOOL. HE WON HONORS AT LINCOLN SOUTHEAST HIGH SCHOOL. HE WENT ON TO EMORY UNIVERSITY IN ATLANTA AND WAS A TOP 100 SENIOR HONORARY STUDENT. HE WENT ON TO BECOME A FULBRIGHT SCHOLAR AND TAUGHT ENGLISH IN VIETNAM FOR A YEAR. [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

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SENATOR PANSING BROOKS: HE CURRENTLY HOLDS THE SECOND HIGHEST SECURITY CLEARANCE GIVEN TO ANYONE IN OUR NATION. HE HAS BEEN GIVEN A SCOVILLE FELLOWSHIP WHICH ALLOWS HIM TO WORK AT THE CARNEGIE ENDOWMENT IN PEACE, CYBER WARFARE, AND NUCLEAR PROLIFERATION. I AM VERY PROUD OF THIS SON OF MINE. HE'S GAY. THAT HAS NOTHING TO DO WITH ALL OF THIS OTHER INFORMATION. BUT WE ARE LOSING HIM TO WASHINGTON, D.C., AND WE ARE LOSING OTHER PEOPLE, BECAUSE HE CANNOT STAY HERE AND WORK AND BE ASSURED OF EQUAL PROTECTION IN HIS ABILITY TO WORK, HIS ABILITY TO BE GAINFULLY EMPLOYED IN OUR COMMUNITIES, IN OUR STATE. WHICH OF YOU THINKS THAT IS A REASONABLE STAND FOR YOU TO TAKE? WE ARE LOSING...YES, HE'S WON MANY AWARDS. AND THERE ARE MANY WONDERFUL PEOPLE WHO HAVEN'T WON ALL OF THOSE WONDERFUL AWARDS. [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR PANSING BROOKS. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB586]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, WHAT'S REALLY INTERESTING ABOUT THE WHOLE ISSUE OF GAY RIGHTS TO ME IS HOW IT'S FADING, REALLY, IN A WAY, FROM PUBLIC INTEREST BECAUSE YOUNG PEOPLE AREN'T BOTHERED BY THIS. THEY'RE NOT BOTHERED BY GAY MARRIAGE, GENERALLY. IT'S A GOOD CHANGE IN AMERICAN SOCIETY AND THOSE OF US OLDER PEOPLE ARE GOING TO HAVE TO GET ON BOARD. MY ATTITUDE IS PRETTY MUCH, I MEAN, IT'S VERY SIMPLE AND I'M GOING TO READ AN E-MAIL THAT EXPRESSES IT WELL. AND THIS IS FROM BRUCE BOHRER WHO WORKS FOR THE LINCOLN CHAMBER OF COMMERCE. AND THE SUBJECT IS, THANK YOU FOR SUPPORTING LB623 (SIC.) THANK YOU FOR SUPPORTING A FORWARD-THINKING POLICY THAT MAKES CLEAR THAT NEBRASKA IS A WELCOMING, INCLUSIVE STATE. THE LINCOLN CHAMBER UNDERSTANDS WE BUILD A STRONGER FUTURE BY SUPPORTING THE PROMISE AND POTENTIAL OF ALL PEOPLE. AGAIN, THANK YOU VERY MUCH. WE APPRECIATE YOUR SUPPORT. BUT THE FIRST ONE, IT'S A FORWARD-THINKING POLICY THAT MAKES CLEAR THAT NEBRASKA IS A WELCOMING, INCLUSIVE STATE. FOR ME, IT'S THAT SIMPLE. BUT I WILL GET ON THE MIKE A NUMBER OF TIMES. ALL OF US HAVE GOTTEN SOME E-MAILS AND THERE'S SOME THAT ARE VERY MEANINGFUL TO ME, SO I'M GOING TO READ A

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NUMBER OF THOSE. DEAR MEMBER OF THE NEBRASKA LEGISLATURE, THIS PERSON IS WRITING AS A BUSINESS LEADER, AS A REPUBLICAN, AND AS A PARENT TO SUPPORT LB623 (SIC). SENATOR MORFELD'S BILL WHICH UPDATES NEBRASKA'S EMPLOYMENT NONDISCRIMINATION LAWS TO INCLUDE SEXUAL ORIENTATION AND GENDER IDENTITY IS KEY TO ENSURING NEBRASKA CAN ATTRACT TOP TALENT FOR OUR GROWING ECONOMY. SO MANY YOUNG PEOPLE, TALENTED YOUNG PEOPLE THESE DAYS WILL NOT TOLERATE A LOCATION ANYMORE THAT TURNS ITS BACK ON SOMEBODY JUST BECAUSE THEY'RE GAY. DURING MY TIME AS AN EXECUTIVE AT CONAGRA FOODS AND LATER AS CEO OF THE GAVILON GROUP LLC, I SAW FIRSTHAND HOW WE STRUGGLE TO RECRUIT AND RETAIN TALENT IN OUR STATE. THE OMAHA AND LINCOLN CHAMBERS OF COMMERCE HAVE CONNECTED THIS STRUGGLE TO THE ISSUES THAT WOULD BE REMEDIATED BY LB586. I ALSO SUPPORT LB586 AS A LIFELONG REPUBLICAN AND I URGE ALL MEMBERS OF THE LEGISLATURE TO PRIORITIZE NEBRASKA'S ECONOMIC FUTURE BY HELPING NEBRASKA BUSINESS RECRUIT AND RETAIN TALENT. AND PEOPLE WILL STAY AWAY FROM NEBRASKA IF WE DON'T DO THIS. FINALLY, I WRITE TO YOU AS A PARENT. MY TWO YOUNGEST CHILDREN ATTEND CATHOLIC ELEMENTARY SCHOOL AT ST. MARGARET MARY IN OMAHA. MY 21-YEAR-OLD DAUGHTER GRADUATED LAST WEEKEND FROM A JESUIT UNIVERSITY IN CALIFORNIA. YOU MAY ALREADY KNOW MY OLDEST SON, DREW (PHONETIC), WHO IS A FIELD ORGANIZER FOR HUMAN RIGHTS CAMPAIGN NEBRASKA. THOUGH HE GRADUATED AT THE TOP OF HIS CLASS AT AN IVY LEAGUE UNIVERSITY AND COULD HAVE GONE ANYWHERE IN THE WORLD, HE CHOSE TO COME BACK TO NEBRASKA TO WORK TOWARDS THE BASIC PROTECTIONS THAT GAY NEBRASKANS LIKE HIM STILL LACK EVEN IN 2015. IF LB586 IS NOT ADOPTED INTO LAW, DREW AND OTHER NEBRASKANS WILL FEEL AN EVEN GREATER PULL TOWARD STATES THAT BELIEVE THEY ARE WORTHY OF PROTECTION FROM DISCRIMINATION. I URGE YOU TO SUPPORT LB586... [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR HAAR: ...FOR NEBRASKA'S ECONOMY AND THE FUTURE OF OUR STATE. AND THE POINT OF THIS LETTER, OF COURSE, YOU KNOW, IF YOU LOOK CLOSELY IS WE NEED TALENTED PEOPLE IN NEBRASKA. WE KEEP TALKING ABOUT ECONOMIC DEVELOPMENT AND DEVELOPING INDUSTRIES AND SO ON. AND IF WE'RE SO NARROW-MINDED AS TO EXCLUDE SOME OF THESE VERY BRIGHT AND TALENTED PEOPLE, THEN WE'RE GOING TO STAY RIGHT WHERE WE ARE. THANK YOU SO MUCH. [LB586]

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SENATOR KRIST: THANK YOU, SENATOR HAAR. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB586]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF LB586 AND ALSO RISE TO THANK SENATOR CAMPBELL FOR HER WORK TO CLARIFY AND OUTLINE SPECIFIC RELIGIOUS LIBERTY PROTECTIONS AND I YIELD THE REST OF MY TIME TO SENATOR McCOLLISTER. [LB586]

SENATOR KRIST: SENATOR McCOLLISTER, 4:45. [LB586]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR CRAWFORD, FOR SOME OF THE TIME. I RISE IN SUPPORT OF LB586 AND THE UNDERLYING AMENDMENTS. I THINK MOST OF US HAVE RECEIVED A GOOD NUMBER OF E-MAILS ON THIS PARTICULAR TOPIC. AND I'VE RECEIVED OVER 100 E-MAILS. AND IT'S, IN FACT, THE BIGGEST ISSUE BASED ON E-MAILS THAT I'VE SEEN THIS YEAR. A GOOD HALF OF THOSE E-MAILS ARE IN OPPOSITION TO LB586. AND THE E-MAILS GO LIKE THIS, AND I'M SURE IT'LL SOUND FAMILIAR TO YOU: PLEASE OPPOSE LB586 REGARDLESS OF ANY AMENDMENTS THAT MAY BE PROPOSED OR MADE TO THE BILL. NO SURPRISE IN THAT. THIS PARTICULAR E-MAIL IS A "ROBO" E-MAIL OR A CUT AND PASTE KIND OF E-MAIL THAT'S COME FROM THE CATHOLIC CHURCH. AND I CONTEND THAT THIS POSITION EXPRESSED BY THE CATHOLIC CHURCH DOESN'T REPRESENT ALL CATHOLICS. IT CERTAINLY DOESN'T REPRESENT ALL CHRISTIANS. IT DOESN'T REPRESENT ALL RELIGIONS. IT CERTAINLY DOESN'T REPRESENT ALL CITIZENS OF THIS COUNTRY. A GOOD 25 PERCENT OF THE CITIZENS DON'T PRACTICE RELIGION IN THIS COUNTRY. AND IT CERTAINLY DOESN'T REPRESENT THE OPINION OF ALL PEOPLE. SO WE SHOULD TAKE THIS E-MAIL AND THEIR POSITION AS IT STANDS. SECONDLY, AS INDICATED, THERE ARE A GREAT MANY CHRISTIANS THAT HAVE A DIFFERENT OPINION ON THIS TOPIC. THE CLERGY IN MY CHURCH HELPED ORGANIZE WHAT IS CALLED THE HEARTLAND PROCLAMATION. AND I'LL READ THE PROCLAMATION, IT'S SOMEWHAT SHORT: AS CHRISTIAN CLERGY WE PROCLAIM THE GOOD NEWS CONCERNING LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PERSONS AND PUBLICLY APOLOGIZE WHERE WE HAVE BEEN SILENT. AS DISCIPLES OF CHRIST, WHO ASSUMES...ALL TRUTH SETS US FREE, WE RECOGNIZE THAT THE DEBATE IS OVER. THE DEBATE IS OVER. WE FIND THERE IS NO RATIONAL BIBLICAL OR THEOLOGICAL BASIS TO CONFIRM OR DENY THE RIGHTS TO ANY GAY PERSON BASED ON SEXUAL ORIENTATION. SILENCE BY MANY HAS ALLOWED POLITICAL AND RELIGIOUS RHETORIC TO MONOPOLIZE PUBLIC PERCEPTION CREATING THE IMPRESSION THAT THERE IS ONLY ONE CHRISTIAN PERSPECTIVE ON THIS ISSUE. YET WE RECOGNIZE AND CELEBRATE

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THAT WE ARE FAR FROM ALONE AS CHRISTIANS IN AFFIRMING THAT LGBT PERSONS ARE DISTINCTIVE, HOLY, AND PRECIOUS GIFTS TO ALL WHO STRUGGLE TO BECOME PART OF THE FAMILY OF GOD. THAT IS THE HEARTLAND PROCLAMATION. I'M PROUD THAT MY CHURCH HAS EMBRACED IT. AND I CERTAINLY DO, TOO, AND I'M PROUD TO ONCE AGAIN SUPPORT LB586. [LB586]

SENATOR KRIST: THANK YOU, SENATOR McCOLLISTER AND SENATOR CRAWFORD. SENATOR BURKE HARR, YOU'RE RECOGNIZED. [LB586]

SENATOR HARR: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR McCOLLISTER, FOR THOSE NICE WORDS. IT IS ABOUT DIVERSITY. AND IT'S NOT JUST ABOUT DIVERSITY WITHIN YOUR FAITH, IT'S ABOUT DIVERSITY IN OUR BUSINESS COMMUNITY AND WHAT'S BEST TO GROW THE STATE OF NEBRASKA. THERE IS AN AMICUS BRIEF IN THE RECENT SUPREME COURT HEARING, OBERGEFELL v. HODGES. THREE HUNDRED AND SEVENTY-NINE EMPLOYERS AND ORGANIZATIONS REPRESENTING EMPLOYERS DID AN AMICUS BRIEF, WHICH MEANS A FRIEND OF THE COURT BRIEF. I JUST WANTED TO CITE A LITTLE BIT OF THAT BRIEF WHERE THEY SAY: TODAY DIVERSITY AND INCLUSION ARE A GIVEN. THEY ARE AMONG THE CORE PRINCIPLES OF BUSINESS AND THE CONDUCT OF BUSINESS. THE VALUE OF DIVERSITY AND INCLUSION IN THE WORKPLACE HAS BEEN WELL DOCUMENTED FOLLOWING RIGOROUS ANALYSIS. WE AND OTHER ORGANIZATIONS THAT RECOGNIZE THAT DIVERSITY IS CRUCIAL TO INNOVATION AND MARKETPLACE SUCCESS...MEMBERS OF THE LESBIAN, GAY, BISEXUAL, AND TRANSGENDER COMMUNITY ARE ONE SOURCE OF THAT DIVERSITY. A MAY 2013 SMALL BUSINESS MAJORITY SURVEY REPORTED THAT 69 PERCENT OF SMALL BUSINESS OWNERS--THE JOB CREATORS, THAT'S MINE--SUPPORT NONDISCRIMINATION LAWS PROTECTING LGBT WORKERS. AS OF 2015, 89 PERCENT--89--OF FORTUNE 500 COMPANIES PROVIDE NONDISCRIMINATION PROTECTION FOR THEIR LGBT EMPLOYEES AND 69 PERCENT OFFER BENEFITS TO SAME-SEX PARTNERS. WE INVEST TIME AND RESOURCES TO ACHIEVE AND MAINTAIN DIVERSITY AND INCLUSION. IT IS THE RIGHT THING TO DO AND IT YIELDS TANGIBLE RESULTS. A DIVERSE, INCLUSIVE WORKPLACE ENVIRONMENT INCREASES THE TOTAL HUMAN ENERGY AVAILABLE TO THE ORGANIZATION. PEOPLE CAN BRING FAR MORE OF THEMSELVES TO THEIR JOBS BECAUSE THEY ARE REQUIRED TO SUPPRESS FAR LESS. INCLUSIVE COMPANIES ARE MORE OPEN TO NEW IDEAS AND OPPORTUNITIES WHILE LESS PRONE TO OVERCONFIDENCE WHEN APPROACHING CHALLENGES. COMPANIES THAT ARE DIVERSE AND INCLUSIVE OBTAIN BETTER PROFITS AND OTHER OUTPUTS THANKS TO IMPROVED TEAM COLLABORATION AND COMMITMENT. BY CONTRAST, CORPORATE CULTURES THAT DON'T ENCOURAGE OPENNESS AND

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INCLUSIVENESS LEAVE EMPLOYEES FEELING ISOLATED AND FEARFUL AND LOSING MARKETING POTENTIAL IN REACHING OUT TO LGBT CONSUMERS. EMPIRICAL EVIDENCE SHOWS THE BUSINESS VALUE OF INVESTMENT AND DIVERSITY. THE WILLIAMS INSTITUTE AT UCLA SCHOOL OF LAW RECENTLY REVIEWED 36 STUDIES AND FOUND THAT WORKING IN AN LGBT-SUPPORTIVE WORK FORCE RESULTS IN GREATER JOB COMMITMENT, IMPROVED WORKPLACE RELATIONSHIPS, INCREASED JOB SATISFACTION, IMPROVED THE HEALTH OUTCOMES, AND INCREASED PRODUCTIVITY. A 2013 STUDY OF APPROXIMATELY 300 FIRMS THAT ADOPTED SAME-SEX DOMESTIC PARTNERSHIP BENEFITS FROM 1990 TO 2006 SHOWED AN APPROXIMATE 10 PERCENT AVERAGE STOCK PRICE INCREASE OVER THE SAMPLE PERIOD, A PERFORMANCE BETTER THAN 95 PERCENT OF ALL U.S. PROFESSIONAL MUTUAL FUNDS, SO THEY OUTPERFORM. BUT IT ISN'T JUST FOR THOSE INDIVIDUALS. HETEROSEXUAL INDIVIDUALS, TOO, MAY DECIDE THAT STATES HOSTILE TO MARRIAGE EQUALITY OR EQUALITY ARE NOT STATES WHERE THEY WANT TO LIVE AND WORK. RICHARD FLORIDA, A LEADING URBAN STUDIES THEORIST, STATED THAT: MEMBERS OF THE CREATIVE CLASS, ROUGHLY 50 MILLION PEOPLE, INCLUDING SCIENTISTS, ENGINEERS, ENTREPRENEURS, RESEARCHERS, ACADEMICS, ARCHITECTS AND DESIGNERS, ARTISTS, ENTERTAINERS, AND PROFESSIONALS IN BUSINESS, MEDIA, MANAGEMENT, HEALTHCARE, AND LAW... [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR HARR: ...USE DIVERSITY AS A PROXY FOR DETERMINING WHETHER A CITY WOULD PROVIDE A WELCOMING HOME. SO WE LIVE IN A STATE THAT HAS VERY, VERY LOW UNEMPLOYMENT. WE NEED MORE BODIES HERE. WE NEED WARM BODIES. WE NEED TO ENCOURAGE AND FIND WAYS SO THAT WE CAN CONTINUE TO GROW AS AN ECONOMY. THE MORE BODIES WE HAVE, THE MORE INCOME TAX WE'LL HAVE, THE MORE SALES TAX WE'LL HAVE, THE LOWER PROPERTY TAX WE'LL HAVE. YOU HAVE MORE INDIVIDUALS LIVING ON THE SAME AMOUNT OF PROPERTY, WE CAN LOWER THE PROPERTY TAX. THAT'S JUST A GIVEN. WE NEED TO SUPPORT THESE FAMILIES AND WE NEED TO FIND A WAY. WE HAVE THIS ALREADY IN OMAHA. AND IT'S PROVEN TO BE AT BEST A NONFACTOR AS FAR AS THE THREAT OF LAWSUITS. IN ADDITION, I HAVE--WE ALL HAVE--SENATOR MORFELD PASSED AROUND, A LETTER FROM THE GREATER OMAHA CHAMBER. [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

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SENATOR HARR: THANK YOU. [LB586]

SENATOR KRIST: THANK YOU, SENATOR HARR. SENATOR CRAIGHEAD, YOU'RE RECOGNIZED. [LB586]

SENATOR CRAIGHEAD: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, COLLEAGUES. NEBRASKA IS A RIGHT-TO-WORK STATE. I HAVE THE RIGHT TO HIRE YOU AND YOU HAVE THE RIGHT TO WORK FOR ME. AS A SMALL BUSINESS OWNER FOR MANY YEARS, MY EMPLOYEES HAVE BEEN WOMEN, MEN, BLACK, WHITE, STRAIGHT, GAY, HISPANIC, ASIAN, DISABLED, AND PREGNANT. IF EMPLOYEES WERE TERMINATED, THE ONLY REASON WAS BECAUSE THEY DIDN'T DO THE JOB THEY WERE HIRED TO DO. AS SMALL BUSINESS OWNERS, WE DEVELOP A BUSINESS PLAN, GET A HUGE BANK LOAN, START THE BUSINESS, CLEAN THE BATHROOMS, SIGN BOTH SIDES OF A PAYCHECK, AND EVERYTHING ELSE INVOLVED IN RUNNING A BUSINESS, INCLUDING BEING THE LAST PERSON TO GET PAID IF THERE'S ANYTHING LEFT OVER. LB586 IS NOT JUST ABOUT HIRING AND FIRING OF PEOPLE WHO VIEW THEMSELVES AS GAY. AS HUMANS, WE ALL WANT ACCEPTANCE AND AFFIRMATION. WE ARE CREATING A BILL FOR A PROBLEM THAT ISN'T THERE. IN FOUR YEARS THE CITY OF OMAHA HAS HAD 11 LAWSUITS RELATING TO THIS ISSUE WITH NO CONVICTIONS. PEOPLE WHO CHOOSE TO LIVE AND WORK IN OUR STATE LIVE THERE BECAUSE THEY BELIEVE THAT WE ARE INCLUSIVE AND ACCEPTING. WHAT WE NEED TO DO IS CHANGE OUR STATE LAWS AND BECOME MORE BUSINESS FRIENDLY SO THAT COMPANIES WILL WANT TO START OR RELOCATE TO NEBRASKA. LAST WEEK I HAD THE OPPORTUNITY TO MEET WITH TWO DYNAMIC WOMEN, NATALIE (PHONETIC) AND REBECCA (PHONETIC), AND THEIR BEAUTIFUL BABY DAUGHTER, HAVEN (PHONETIC). THEY ARE FORMER NEBRASKANS WHO CURRENTLY RESIDE AND WORK IN BOSTON. THEY TOLD ME THAT A JOB OFFER HAD BEEN EXTENDED HERE IN LINCOLN BUT WAS RESCINDED WHEN THE COMPANY WAS ASKED ABOUT PARTNER BENEFITS. I DON'T KNOW THE REST OF THAT STORY. I'M SURE YOU'RE ALL AWARE THAT UNMARRIED MEN AND WOMEN IN COMMITTED RELATIONSHIPS CANNOT RECEIVE SPOUSAL BENEFITS EITHER. YOU CAN'T COLLECT SOCIAL SECURITY BENEFITS UNLESS YOU'RE A HUSBAND, WIFE, WIDOW, OR WIDOWER. IF A MAN AND WOMAN COHABITATE AND ARE NOT MARRIED, THEIR EMPLOYMENT BENEFITS AND TAX CONSEQUENCES ARE DIFFERENT THAN A MARRIED COUPLE. IS THERE DISCRIMINATION IN OUR STATE, IN THIS COUNTRY? ABSOLUTELY, FOR ALL OF US, NO MATTER WHAT LABEL WE CHOOSE TO GIVE OURSELVES. A TEACHER WHO TAUGHT AT PAROCHIAL SCHOOL IN OMAHA WAS RECENTLY TERMINATED BECAUSE HE INFORMED THE SCHOOL THAT HE WAS ENGAGED TO A MAN, HIS LIFE PARTNER. HE AND THE SCHOOL

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DECIDED QUIETLY THAT HIS CONTRACT WOULD NOT BE RENEWED AFTER THIS YEAR AND BOTH PARTIES WERE ACCEPTING OF THAT BECAUSE THE TEACHER KNEW THE RULES OF HIS EMPLOYMENT WHEN HE WAS HIRED AT THAT PAROCHIAL SCHOOL. UNFORTUNATELY, THE TEACHER BECAME THE VICTIM IN THIS SITUATION. IT WAS DRAMATIZED AND BLASTED ALL OVER THE MEDIA. HE WAS MADE A POSTER CHILD, UNFORTUNATE AND VERY UNFAIR. ANOTHER EXAMPLE OF DISCRIMINATION: DID YOU KNOW THAT A WIDOW OR A WIDOWER OF A VETERAN CAN RECEIVE A HOMESTEAD EXEMPTION IF THEY ARE 57 OR OLDER? FEDERALLY, AT AGE 57, THESE WIDOWS AND WIDOWERS CAN BE REMARRIED AND RECEIVE THE EXEMPTION. IN NEBRASKA, YOU MUST REMAIN UNMARRIED. SINCE I'M INCLUDED IN THIS GROUP, I CONSIDER THIS DISCRIMINATION. NOW, I KNOW THAT SENATOR STINNER AND SENATOR WILLIAMS HAVE NEVER HAD THIS HAPPEN AT THEIR BANKS, BUT HERE'S ANOTHER EXAMPLE OF DISCRIMINATION. AS A WOMAN WITH ASSETS AND EXCELLENT CREDIT, I APPLIED FOR A BANK LOAN AS A BUSINESS. I WAS TOLD THE ONLY WAY I COULD GET THE LOAN WAS TO HAVE MY HUSBAND COSIGN ON THE NOTE. I THINK THAT'S DISCRIMINATION AS WELL. I'M ACCEPTING OF PEOPLE AND I DON'T BELIEVE WE NEED THIS BILL. WE ARE CREATING A BILL... [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR CRAIGHEAD: ...FOR A PROBLEM THAT'S NOT THERE AND I ASK YOU TO VOTE NO ON LB586. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR CRAIGHEAD. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB586]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. I APPRECIATE ALL THE COMMENTS. I WANT TO ADDRESS JUST A FEW DIFFERENT THINGS. FIRST, THIS BILL IS NOT COMPLICATED TO COMPLY WITH. I RUN A NONPROFIT WITH 30 FULL- AND PART-TIME STAFF. WE HAVE ONE LINE IN THERE IN OUR EMPLOYEE MANUAL THAT SAYS WE DO NOT DISCRIMINATE ON THE BASIS OF LGBT OR TRANSGENDER STATUS ALONG WITH A LOT OF OTHER WAYS THAT WE WILL NOT DISCRIMINATE WITH. IT TOOK PUTTING IN ONE SENTENCE. HOW DO YOU COMPLY WITH THIS? WELL, YOU SIMPLY DON'T NOT HIRE OR FIRE SOMEBODY BECAUSE THEY'RE GAY OR TRANSGENDER. IT'S PERHAPS ONE OF THE EASIEST EMPLOYMENT RULES AND LAWS TO COMPLY WITH. THERE'S NO PAPERWORK INVOLVED. THERE'S NONE OF THAT. SIMPLY DON'T NOT HIRE SOMEBODY OR FIRE THEM FOR BEING GAY OR TRANSGENDER. IT'S VERY SIMPLE. ONE OF THE OTHER

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THINGS THAT I WANT TO ADDRESS HERE IS THAT THERE ISN'T A PROBLEM. SO I WANT TO READ SOME HEADLINES, WITHIN THE LAST YEAR ACTUALLY, FROM THE OMAHA WORLD-HERALD, QUOTE, SURVEY--THESE ARE HEADLINES--SURVEY OF LGBT NEBRASKANS FIND DISTURBINGLY HIGH LEVELS OF DISCRIMINATION, END OF QUOTE. OMAHA WORLD-HERALD: OMAHA LIBRARY DIRECTOR'S NEW JOB A GREAT OPPORTUNITY BUT HE SAYS NEBRASKA'S GAY RIGHTS STANCE ALSO A FACTOR IN HIM LEAVING. I ACTUALLY KNEW HIM. HE WAS AN OUTSTANDING LIBRARY DIRECTOR AND WE WERE SAD TO LOSE HIM TO ANOTHER STATE THAT WAS A BIT MORE ACCOMMODATING. NEXT ONE: "NEBRASKA MUST NOT RESEMBLE ANOTHER 'ARKANSAS OR INDIANA,' EXEC WARNS AT REAL ESTATE SUMMIT." AND I'D LIKE TO NOTE, ALL OF THE OTHER EXECUTIVES AGREED AT THAT SUMMIT, OMAHA WORLD-HERALD. THE NEXT ONE: 20 YEARS AFTER "BOYS DON'T CRY" MURDERS, TRANSGENDER VIOLENCE STILL HAPPENS, JOURNAL STAR. NBC NEWS: MAN ACCUSED OF BURNING NEBRASKA COUPLE'S RAINBOW FLAG FACES ARSON CHARGE. ANOTHER ONE: TEACHER, SPEECH COACH OUSTED FROM OMAHA CATHOLIC SCHOOL FOR BEING GAY MAY HAVE LITTLE RECOURSE. I'D LIKE TO NOTE THAT UNDER THE RELIGIOUS EXEMPTION PROVIDED BY SENATOR CAMPBELL, THERE STILL WOULDN'T BE RECOURSE BUT I THINK THAT, LIKE MUCH OF WHAT WE DO IN THIS BODY, WE HAVE TO COMPROMISE FROM TIME TO TIME AND MOVE THE BALL FORWARD. ANOTHER HEADLINE: NEBRASKA WOMAN FILES SUIT AGAINST ALL GAY PEOPLE. ANOTHER ONE: ASSAULT ON MARINE DEFENDING GAY FRIENDS TO BE INVESTIGATED AS HATE CRIME. YOU KNOW, COLLEAGUES, IT DOES SOUND LIKE EVERYTHING IS ABOVEBOARD HERE. MAYBE WE SHOULD JUST MOVE ON TO MORE IMPORTANT TOPICS. BUT I'LL SUBMIT TO YOU THAT WE DO HAVE A PROBLEM. AND I WOULDN'T SPEND THE LAST SIX MONTHS OF MY LIFE HERE WORKING VERY HARD ON THIS BILL IF THERE WASN'T A PROBLEM. AND AS I NOTED IN MY INTRODUCTION OF THIS ISSUE, I PERSONALLY KNOW LAWYERS, DOCTORS, AND OTHER VERY SUCCESSFUL PEOPLE THAT HAVE LEFT THIS STATE BECAUSE WE ARE NOT ACCOMMODATING, BECAUSE WE DO NOT PROTECT THE DIGNITY AND HUMANITY OF ALL NEBRASKANS. THEY DON'T WANT TO START A FAMILY HERE BECAUSE IF THEY PUT A PICTURE OF THEIR SIGNIFICANT OTHER ON THEIR DESK, THEY COULD BE FIRED IN THIS STATE AND THEY HAVE NO RECOURSE. HOW IS THAT JUSTICE? HOW IS THAT EQUALITY? HOW IS THAT "EQUALITY BEFORE THE LAW" THAT IS ON MANY OF THE PINS THAT WE WEAR IN THIS BODY? WE NEED TO LIVE UP TO THE SAME STANDARDS THAT WE TAKE AN OATH TO AND EQUALITY BEFORE THE LAW IS ONE OF THEM. THERE IS A PROBLEM HERE. AND THE FACT THAT THERE WERE TEN COMPLAINTS--THEY WEREN'T ACTUAL LAWSUITS, I'D LIKE TO NOTE THAT--THE FACT THAT WE HAD TEN COMPLAINTS FILED IN OMAHA SHOWS THAT THERE IS

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SOME KIND OF PROBLEM. BUT I'D ALSO LIKE TO NOTE THAT THINGS ARE RUNNING FINE IN OMAHA. RELIGIOUS COMMUNITIES AND INDUSTRY AND COMMERCE ARE THRIVING SINCE THEY... [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT...SINCE THEY INTRODUCED AND PASSED THE ORDINANCE ABOUT FOUR YEARS AGO. NOTHING HAS COLLAPSED IN OMAHA. BUSINESSES ARE NOT FLEEING. BUSINESSES ARE STARTING. IT'S ONE OF THE LOWEST UNEMPLOYMENT RATES IN THE ENTIRE COUNTRY. BUT TIME AFTER TIME, BUSINESS EXECUTIVES IN THE CITY OF OMAHA--AND SENATOR PANSING BROOKS SENT OUT A WHOLE LIST OF THEM THAT SIGNED ON TO AN EQUALITY PLEDGE SUPPORTING THIS LEGISLATION AND THE OMAHA CHAMBER OF COMMERCE, WHOSE LETTER IS BEFORE YOU HERE TODAY, I ENCOURAGE YOU TO READ IT--HAVE COME OUT IN SUPPORT, ALONG WITH THE LINCOLN CHAMBER OF COMMERCE AND BUSINESSES ACROSS THE STATE, NOT JUST IN LINCOLN AND IN OMAHA. PROVIDING THESE PROTECTIONS ARE NOT JUST A FEEL-GOOD PIECE OF LEGISLATION OR ACT. IT ADDRESSES A REAL PROBLEM. AND IF YOU LOOK AT THE HEADLINES JUST IN THE PAST YEAR AND TELL ME THAT THERE ISN'T A PROBLEM... [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR MORFELD. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB586]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. SENATOR MORFELD IS CORRECT. THIS IS A PROBLEM. INEQUALITY IS A PROBLEM. BUT WHAT WE ARE FORTUNATE TO HAVE IN NEBRASKA AND IN THE LINCOLN COMMUNITY, SPECIFICALLY, ARE SOLUTIONS. THIS BILL IS A SOLUTION. SENATOR CAMPBELL'S AMENDMENT IS A SOLUTION THAT REFLECTS RELIGIOUS LIBERTIES AND PRACTICES. AND WE HAVE SOLUTIONS AND PRACTICES THAT WE CAN LOOK TOWARD HERE IN THE LINCOLN COMMUNITY. I WANT TO SHARE WITH YOU A LETTER FROM NELNET THAT I THINK ARTICULATES THE BUSINESS PERSPECTIVE VERY NICELY. IT IS FROM MIKE DUNLAP, THE EXECUTIVE CHAIRMAN. I'M WRITING TO YOU IN SUPPORT OF LB586, WHICH PROVIDES PROTECTION AGAINST WORKPLACE DISCRIMINATION BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY. THIS

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IMPORTANT LEGISLATION STRENGTHENS NEBRASKA'S COMMITMENT TO TREAT ALL PEOPLE FAIRLY AND ENSURES OUR STATE IS WELCOMING AND INCLUSIVE OF ALL PEOPLE. SINCE THE BEGINNING IN 2010, NELNET HAS INCREASED ITS EMPLOYMENT SIGNIFICANTLY IN NEBRASKA FROM JUST OVER 700 ASSOCIATES TO MORE THAN 202,000 TODAY. WE CHOSE TO GROW HERE, TO BE COMPETITIVE, AND TO CONTINUE TO ADD JOBS HERE. RECRUITING AND RETAINING THE BEST AND THE BRIGHTEST IS A PRIORITY FOR NELNET AS WELL AS OTHER EMPLOYERS. THAT IS WHY LB586 IS IMPORTANT. THIS BILL PROVIDES PROTECTIONS THAT ARE EXPECTED BY TODAY'S WORKERS--EXPECTED, COLLEAGUES, BY TODAY'S WORKERS--ESPECIALLY YOUNGER PROFESSIONALS WHO SEEK OUT RESPECTFUL, DIVERSE, AND COLLABORATIVE COMMUNITIES TO LIVE AND WORK. VOTING FOR LB586 ENSURES NEBRASKA IS ON THE MAP FOR THEIR FUTURE CAREERS. PLEASE SUPPORT LB586 TO PROMOTE A NEBRASKA THAT'S FAIR AND RESPECTFUL. AS ALWAYS, PLEASE LET ME KNOW IF YOU HAVE ANY QUESTIONS ABOUT OUR SUPPORT. I'M PLEASED TO HEAR FROM NELNET. I'M PLEASED TO HEAR FROM THE OTHER LINCOLN COMPANIES THAT PRACTICE FAIR EMPLOYMENT PRACTICES. I'VE ALSO HEARD FROM THE FOLKS AT BULU BOX, COCA-COLA, A VARIETY OF OTHER EMPLOYERS INCLUDING, COLLEAGUES, THE UNIVERSITY OF NEBRASKA-LINCOLN, WHICH HAS LED THE WAY AND SHOWN US THE DIRECTION WE NEED TO TAKE IN ORDER TO RECRUIT THE MOST HIGHLY EDUCATED, BEST, MOST TALENTED PROFESSIONALS AS WELL AS ALL THE REST. THE UNIVERSITY OF NEBRASKA-LINCOLN IMPLEMENTED THEIR CHANGES YEARS AGO, IN 2012. AND PRESIDENT MILLIKEN AT THE TIME SAID, I SUPPORT EXTENDING EQUITABLE BENEFITS TO UNIVERSITY OF NEBRASKA EMPLOYEES; THIS INCLUDES PROVIDING BENEFITS FOR EMPLOYEES' PARTNERS. EVERY OTHER BIG TEN UNIVERSITY PROVIDES SUCH BENEFITS. COLLEAGUES, IF WE WANT TO COMPETE IN THE BIG TEN LIKE THE UNIVERSITY DOES, WE NEED TO HAVE THE WHOLE STATE ON BOARD. FURTHER, I THINK IT'S IMPORTANT TO RECOGNIZE THAT THIS IS A NATIONAL APPROACH. MORE THAN 80 PERCENT OF FORTUNE 100 COMPANIES AND ALMOST 60 PERCENT OF FORTUNE 500 COMPANIES OFFER HEALTH INSURANCE BENEFITS TO EMPLOYEE PARTNERS. IN NEBRASKA, A NUMBER OF MAJOR COMPANIES OFFER SUCH BENEFITS, INCLUDING CONAGRA FOODS, UNION PACIFIC, PETER KIEWIT AND SONS, MUTUAL OF OMAHA, AMERITAS, HDR, BAKER'S SUPERMARKETS, BAIRD HOLM, AND KUTAK ROCK LLP. COLLEAGUES, IT'S TIME FOR US AS A LEGISLATURE TO JOIN IN THIS WORK, IN THESE SOLUTIONS TO CREATE MORE WORKPLACE EQUALITY TO MAKE NEBRASKA A PLACE WHERE THEY WANT TO BE, LIVE, WORK, AND GROW. I ENCOURAGE YOUR SUPPORT FOR LB586. THANK YOU, MR. PRESIDENT. [LB586]

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SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: THANK YOU, SENATOR BOLZ. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB586]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. AGAIN, I WANT TO CONTINUE SOME OF MY DISCUSSION ABOUT THE FACT THAT I WAS ASKED NOT TO MAKE THIS PERSONAL, NOT TO BRING UP THE THINGS THAT SPEAK MOST TO MY HEART, THE FACT THAT I HAVE A GAY SON IN WHICH I AM VERY PROUD AND I'M VERY PROUD OF HIM. I WOULD ARGUE THAT NO PARENT SHOULD HAVE TO ENCOURAGE A CHILD TO LEAVE THE STATE TO ASSURE THAT THERE'S NO THREAT OF ECONOMIC DISCRIMINATION. SHOULD I NOT MAKE THAT PERSONAL? WHERE IS THE LOVE FOR OTHERS OF WHICH WE'VE BEEN TALKING ABOUT, WHICH SO MANY PEOPLE QUOTE THE BIBLE AND PARTS OF THEIR FAITH? WHERE IS THE EVIDENCE OF FOLLOWING THE SECOND GREATEST COMMANDMENT, LOVING OTHERS AND NEIGHBORS AS OURSELVES? WE'VE HAD PERSONAL STATEMENTS ON DRY BEANS, ON HELMETS, ON MEDICAL MARIJUANA, ON BANKING, ON TAXES, ON SCHOOLS. IT'S VERY EASY FOR SOMEBODY IN THE BODY TO COME TO ME AND SAY, PLEASE DON'T MAKE THIS PERSONAL, PLEASE DON'T MAKE NEBRASKA LOOK BAD. BY OPENING UP THE DISCUSSION, THAT IS WHAT MAKES NEBRASKA LOOK BAD? I WOULD ARGUE THAT VOTING AGAINST EQUITY IN EMPLOYMENT, THE ABILITY FOR PEOPLE THAT ARE QUALIFIED TO WORK AND SAYING, OH, NO, WE GET TO DISCRIMINATE AGAINST YOU, WE GET TO TELL YOU THAT YOU'RE NOT WORTHY TO WORK IN OUR BUSINESS. WELL, BECAUSE I'M NOT PERFORMING? NO. WELL, BECAUSE I DON'T DRESS APPROPRIATELY AT WORK? NO. WELL, BECAUSE I'M IRREVERENT AND NOT POLITE AT WORK? NO, BECAUSE YOU'RE GAY. OH. THAT'S THE MESSAGE THAT A VOTE, MY FRIENDS AND COLLEAGUES, WILL BE TODAY. IT IS A VOTE TELLING THE LGBT COMMUNITY THAT YOU DO NOT RESPECT THEM, YOU DO NOT THINK THAT THEY ARE WORTHY OF EQUAL PROTECTION UNDER THE FOURTEENTH AMENDMENT AND UNDER THE LAWS AND THE ABILITY TO HAVE THE RIGHT TO BE GAINFULLY EMPLOYED. WHAT ISN'T EASY TO DO, BECAUSE IT'S EASY FOR ME TO MAKE THIS PERSONAL, BUT I THINK WHAT IS NOT EASY TO DO IS TO SAY TO A GROUP OF CITIZENS THAT YOU ARE NOT WORTHY OF THE PROTECTIONS AGAINST DISCRIMINATORY PRACTICES IN YOUR EMPLOYMENT. YOU KNOW, I HEARD A LOT OF WONDERFUL COMMENTS YESTERDAY FROM SOME PEOPLE I RESPECT A LOT. I HEARD A LOT OF WONDERFUL COMMENTS WHEN WE WERE TALKING ABOUT THE DREAMERS. SENATOR STINNER TALKED ABOUT WHAT A HARDWORKING GROUP THEY ARE AND THAT WE SHOULDN'T PENALIZE THEM FOR SOMETHING THAT THEY COULDN'T CONTROL; THAT THEY'RE FILLING

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BADLY NEEDED JOBS AND PAYING TAXES AND HELPING OUR COMMUNITIES TO GROW; THAT WE NEED TO STOP PLACING ADDITIONAL BARRIERS IN THEIR WAY. WE NEED JOBS AND ECONOMIC DEVELOPMENT. I WOULD ARGUE THE EXACT SAME ARGUMENTS WORK HERE WITH OUR LGBT FRIENDS. AGAIN, SENATOR GLOOR MENTIONED THAT WITH THE DREAMERS THAT HE WORRIES THAT THE STATE DOESN'T WELCOME THEM. I WORRY ABOUT THE EXACT SAME THING HERE WITH THE LGBT. SENATOR WILLIAMS SAID THAT WE'RE SPENDING A LOT OF MONEY TO EDUCATE THE DREAMERS AND WE HELP TO RAISE THEM AND THEN THEY LEAVE BECAUSE WE DON'T PROVIDE OPPORTUNITIES AND THAT THEY ARE SHINING STARS IN OUR COMMUNITIES AND THEY'RE COLLEGE EDUCATED... [LB586]

SPEAKER HADLEY: ONE MINUTE. [LB586]

SENATOR PANSING BROOKS: ...AND THAT WHAT THEY WANT IS THE ABILITY TO HAVE EMPLOYMENT OPPORTUNITIES. I CAN SEE FULL WELL WHY THESE TWO BILLS WERE PLACED BY EACH OTHER BECAUSE BASICALLY THEY'RE THE SAME ARGUMENTS. THIS IS ABOUT PEOPLE BEING ABLE TO WORK, TO WORK IN OUR COMMUNITIES, TO MAKE A DIFFERENCE, AND TO STAND UP AGAINST THE LGBT COMMUNITY, AGAINST HUMANS WHO HAVE THE EQUAL PROTECTION OF THE LAWS THAT WERE BORN IN OUR STATE, THAT ARE RESIDENTS OF OUR STATE SO FULLY, FULLY SUBJECT TO THE EQUAL RIGHTS AMENDMENT, THE FOURTEENTH AMENDMENT OF THE U.S. CONSTITUTION. I JUST...I WANT YOU TO LOOK INTO YOUR HEARTS AND TELL ME THAT YOU THINK CERTAIN PEOPLE ARE LESS VALUABLE... [LB586]

SPEAKER HADLEY: TIME, SENATOR. [LB586]

SENATOR PANSING BROOKS: ...AND LESS WORTHY OF ECONOMIC BENEFITS THAN OTHERS. THANK YOU, MR. PRESIDENT. [LB586]

SPEAKER HADLEY: THANK YOU, SENATOR PANSING BROOKS. MR. CLERK, FOR AN ANNOUNCEMENT. [LB586]

CLERK: MR. PRESIDENT, SOME ITEMS. NEW RESOLUTIONS: LR298, SENATOR WATERMEIER; LR299, SENATOR KOLOWSKI; SENATOR CAMPBELL, LR300; RETIREMENT SYSTEMS, LR301; SENATOR SCHUMACHER, LR302, THOSE ALL CALLING FOR INTERIM STUDIES. BILLS READ ON FINAL READING WERE PRESENTED TO GOVERNOR AT 12:37 (RE LB656, LB657, LB658, LB659, LB660, LB661,

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LB662, LB663, LB663A, LB554, LB294, LB360, LB360A, LB575). NEW A BILL: LB468A BY SENATOR NORDQUIST. (READ LB468A BY TITLE FOR FIRST TIME.) AND AN AMENDMENT BY SENATOR SCHUMACHER TO BE PRINTED TO LB591. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 1615-1622.) [LR298 LR299 LR300 LR301 LR302 LB656 LB657 LB658 LB659 LB660 LB661 LB662 LB663 LB663A LB554 LB294 LB360 LB360A LB575 LB468A LB591]

SPEAKER HADLEY: MR. CLERK, WE WILL NOW GO TO THE 1:30 AGENDA ITEM.

CLERK: MR. PRESIDENT, SENATOR SMITH WOULD MOVE THAT LB610 BECOME LAW NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR. [LB610]

SPEAKER HADLEY: SENATOR SMITH, YOU ARE RECOGNIZED TO OPEN ON YOUR MOTION. [LB610]

SENATOR SMITH: THANK YOU, MR. PRESIDENT, AND GOOD AFTERNOON, COLLEAGUES. I KNOW MANY OF YOU TODAY ARE THINKING TO YOURSELF, CAN WE JUST STOP TALKING ABOUT THE GAS TAX? WELL, MY COMMENT TO THOSE THOUGHTS IS SIMPLY, AMEN. SO IT'S CERTAINLY NOT WITH ANY ENJOYMENT OR SENSE OF SATISFACTION, COLLEAGUES, THAT I TAKE UP GOVERNOR RICKETTS' VETO OF LB610 AND LB610A. I HAVE RESPECT FOR GOVERNOR RICKETTS AND I WISH HIM AND I WISH OUR STATE SUCCESS IN HIS TERM. AND I BELIEVE I SHARE THAT SENTIMENT WITH ALL OF YOU AND WITH OTHER NEBRASKANS. RATHER, COLLEAGUES, THIS DISCUSSION TODAY IS ABOUT A DIFFERENCE OF OPINION OF POLICY BETWEEN TWO EQUAL BRANCHES OF GOVERNMENT. AND I THINK THAT'S WORTH REPEATING, COLLEAGUES, AND PLEASE LISTEN. RATHER, THIS DISCUSSION TODAY IS ABOUT A DIFFERENCE OF OPINION OF POLICY BETWEEN TWO EQUAL BRANCHES OF GOVERNMENT, POLICY THAT AFFECTS THE SAFETY AND WELL-BEING OF EVERY NEBRASKAN AND THAT DRIVES THE COMMERCE AND ECONOMIC VIABILITY AND SUSTAINABILITY OF OUR GREAT STATE. AS I HAVE SAID BEFORE, THIS IS A COMPLEX ISSUE AND ONE THAT CANNOT BE ARGUED WITH SOUND BITES. AND BECAUSE OF THAT, I APPRECIATE, I GREATLY APPRECIATE THE DISCUSSION THAT WE HAVE HAD ON GENERAL FILE AND AGAIN ON SELECT FILE. I CAN CERTAINLY APPRECIATE THE GOVERNOR'S SENTIMENTS OF HOW HE HAS HEARD FROM HARDWORKING NEBRASKANS ABOUT THEIR NEED FOR TAX RELIEF. BUT, COLLEAGUES, WE, TOO, HAVE HEARD FROM CONSTITUENTS. WE'VE HEARD FROM PROPERTY OWNERS, BUSINESSES, AND TAXPAYERS ACROSS OUR STATE. AND FOR THAT REASON, MANY OF US HAVE SUPPORTED LB610 AS A RESPONSIBLE MEANS TO PROVIDING REAL TAX

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RELIEF. SOME, LIKE MYSELF, RECOGNIZE THAT A USER FEE, LIKE THE GAS TAX, IS BETTER ALTERNATIVE THAN COMPETING FOR GENERAL FUND DOLLARS, THE SAME GENERAL FUND DOLLARS THAT WILL BE SOUGHT TO FUND REAL TAX REFORM SUCH AS LB357, WHICH WAS MY PRIORITY BILL THIS YEAR. OTHERS OF YOU, RIGHTFULLY, ARGUE THAT ROADS FUNDING FOR CITIES AND COUNTIES WILL REDUCE THE FINANCIAL PRESSURE ON LOCAL COMMUNITIES, PRESSURE THAT IS TOO OFTEN SATISFIED BY WHEEL TAXES AND THE EVER-INCREASING PROPERTY TAX. REGARDLESS, FUNDING ROAD AND BRIDGE INFRASTRUCTURE NEEDS THROUGH A USER FEE IS GOOD TAX POLICY. AND THAT'S A POSITION, COLLEAGUES, THAT IS SHARED BY MANY POLICY THINK TANKS. AND WE HAVE HEARD FROM SOME THEM INCLUDING THE PLATTE INSTITUTE, TAX FOUNDATION, AND OPENSKY. I WOULD ALSO LIKE TO PAUSE BRIEFLY TO ADDRESS TAX REGRESSIVITY. WE TOOK THIS POINT UP ON GENERAL FILE AND MY RESPONSE TODAY IS OWED TO AND DIRECTED TO MY COLLEAGUES THAT ARE CONSISTENT CHAMPIONS OF THE POOR AND THE UNDERSERVED, CHAMPIONS SUCH AS SENATOR CHAMBERS, HOWARD, KRIST, CAMPBELL, AND COOK AND THERE'S MANY OTHERS. WHILE I WILL NOT ARGUE THE POINT OF REGRESSIVITY IN AND OF ITSELF, I WILL ARGUE THAT THIS FORM OF INFRASTRUCTURE FUNDING HAS THE LEAST TOTAL IMPACT ON THE POOR OF ANY VIABLE AND AVAILABLE ALTERNATIVE. FIRST, UNRESOLVED INFRASTRUCTURE REPAIRS THREATEN COSTLY AND UNEXPECTED AUTOMOTIVE REPAIRS THAT ARE DEVASTATING TO THE LOW-INCOME AND FIXED-BUDGET FAMILIES. SECOND, 10 TO 20 PERCENT OF REVENUES FROM THE USER GAS TAX FUND ARE PAID BY NONRESIDENTS OF OUR STATE. THAT'S A SUBSIDY, COLLEAGUES, PAID FOR BY OUT-OF-STATE DOLLARS. AND THEN FINALLY AND MOST IMPORTANT, SEEKING FUNDING OF OUR ROADS AND BRIDGES THROUGH THE GENERAL FUND, AS OPPOSED TO THE HIGHWAY TRUST FUND, WILL NECESSARILY, AGAIN, WILL NECESSARILY COMPETE WITH NEEDS SUCH AS MEDICAID, HHS, AND EDUCATION, AREAS OF FUNDING THAT BENEFIT THOSE IN OUR SOCIETY WITH THE GREATEST NEED. THERE'S NO QUESTION THAT STATE AND FEDERAL GAS TAX FUNDS ARE DECLINING IN BOTH REAL AND NOMINAL DOLLARS. THE PURCHASE POWER OF THE DOLLAR AGAINST SUCH ITEMS AS STEEL, CONCRETE, AND ASPHALT IS DROPPING DRAMATICALLY. REMEMBER, THE FEDERAL TAX RATE HAS NOT INCREASED IN 20 YEARS. AND JUST TODAY IN THE WASHINGTON TIMES HEADLINES, WE READ HOW UNCERTAIN FUTURE FUNDS ARE FOR FEDERAL FUNDING. STATE FUNDS HAVE ONLY INCREASED ONE CENT IN 20 YEARS. ON TOP OF ALL OF THIS, COLLEAGUES, CONSUMPTION IS ALSO DROPPING DUE TO INCREASED FUEL EFFICIENCIES, WHILE ALL ALONG POPULATION AND USE OF OUR ROADS AND BRIDGES IS EVER-INCREASING AND FEDERAL FUNDING IS BECOMING LESS PREDICTABLE. AS FOR NEEDS,

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REMEMBER, THERE ARE THREE JURISDICTIONS OF BRIDGES AND ROADS IN NEBRASKA: STATE, COUNTY, AND CITY. THE OMAHA WORLD-HERALD REPORTED USING DATA FROM THE DOR ITSELF THAT NEARLY \$200 MILLION IN BACKLOG OF WORK EXISTS TO GET ROADS AND BRIDGES UP TO THE MINIMUM LEVELS OF ACCEPTABLE CONDITION AND THAT THE GAP BETWEEN FUTURE AND FUNDING BUDGET AND BUDGET NEEDS FOR STATE ROADS AND BRIDGES ARE EXPECTED TO EXCEED AN ADDITIONAL \$50 MILLION ANNUALLY. THAT'S JUST THE STATE ALONE. BY FAR, RURAL INFRASTRUCTURE IS IN THE GREATEST IMMEDIATE NEED. THE COUNTIES HAVE IDENTIFIED A BACKLOG NORTH OF \$1 BILLION, INCLUDING APPROXIMATELY \$800 MILLION FOR THE ONE OUT OF FOUR BRIDGES THAT ARE STRUCTURALLY DEFICIENT. SUCH BRIDGES ARE DANGEROUS AND UNABLE TO MANAGE THE WATER FLOW BENEATH AND THE AXLE WEIGHTS ATOP THE BRIDGES. COLLEAGUES, I HAVE PASSED OUT SOME PICTURES FOR YOU AND I ASKED SENATOR EBKE'S PERMISSION TO SHOW THESE PICTURES. THESE ARE SOME OF HER BRIDGES THAT WERE DESTROYED IN THE STORM THAT WE HAD A FEW DAYS AGO. THESE WERE DEFICIENT BRIDGES. WHEN BRIDGES ARE WEAKENED BECAUSE THEY'RE DEFICIENT, THIS IS WHAT HAPPENS--THEY CANNOT HANDLE THE WATERS. THAT GIVES YOU AN EXAMPLE OF WHAT WE'RE FACING. NONE OF THOSE BRIDGES DESTROYED WERE NEW OR REPLACED. THOSE ARE OUR DEFICIENT BRIDGES AND THAT'S WHAT HAPPENS WHEN THEY ARE WEAKENED. ACCORDING TO A RECENT OMAHA WORLD-HERALD ARTICLE, OMAHA ALONE, AND NOW WE'RE TALKING ABOUT THE CITIES, OMAHA ALONE HAS \$194 MILLION IN IMMEDIATE CAPITAL IMPROVEMENT NEEDS AND AN ANNUAL BACKLOG OF \$60 MILLION. LINCOLN'S BACKLOG IS BETWEEN \$7 MILLION TO \$11 MILLION ANNUALLY. SO THAT'S THE FULL PICTURE. GOVERNOR RICKETTS ASKED TO GIVE HIS NEW DIRECTOR OF ROADS TIME, TIME TO SATISFY THE NEEDS THROUGH P3 INITIATIVES, ADMINISTRATIVE EFFICIENCIES, AND REGULATORY FLEXIBILITY. I AM EXCITED TO WORK WITH THE NEW DIRECTOR TO INCORPORATE SUCH IMPROVEMENTS. HOWEVER, IT'S UNREALISTIC TO EXPECT SUCH GAINS TO MAKE UP THE HUNDREDS OF MILLIONS OF DOLLARS NEEDED JUST TO CATCH UP. THIS IS NOT TO EVEN MENTION THAT THE NEW DIRECTOR WILL HAVE NO JURISDICTION OVER CITY AND COUNTY INFRASTRUCTURE, ONLY OVER STATE. COLLEAGUES, WAITING IS SIMPLY NOT A STRATEGY. AGAIN WORTH NOTING, WAITING IS NOT A STRATEGY. THE FUNDING NEEDS ARE MASSIVE AND OUR COMMUNITIES ARE DESPERATE FOR OUR HELP NOW. I HAVE EVERY INTENTION OF WORKING WITH OUR NEW GOVERNOR AND HIS FORWARD-THINKING HEAD OF DOR TO EXPLORE INNOVATIVE IDEAS FOR OUR STATE'S INFRASTRUCTURE. HOWEVER, TODAY I ASK YOU TO STAND WITH ME AND TO RESPECTFULLY AND THOUGHTFULLY VOTE TO MAKE LB610 AND

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LB610A LAW NOTWITHSTANDING THE VETO OF THE GOVERNOR. COLLEAGUES, IT'S THE RIGHT THING TO DO FOR OUR STATE. THANK YOU. [LB610 LB610A LB357]

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

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I WANT TO THANK SENATOR SMITH FOR ALL THE HARD WORK THAT HE HAS DONE AND FOR BRINGING THIS BILL IN THE FIRST PLACE. WHEN I FIRST GOT HERE AND WAS LOOKING FOR A PRIORITY BILL, THIS IS ONE THAT POPPED UP AMONGST FOUR OTHERS. FOUR OTHERS WERE EASY; THIS ONE IS NOT. I DIDN'T COME HERE TO DO EASY THINGS. WHEN I LOOKED AT THIS BILL, I LOOKED AT IT AND I...MY MAIN MISSION HERE, AGAIN, WAS PROPERTY TAX RELIEF. THE WAY THIS MONEY IS DISTRIBUTED DOWN TO THE CITIES AND COUNTIES, AND THOSE THINGS CAN ALWAYS BE READJUSTED, IF WE HAVE TOO MUCH MONEY IN OUR STATE ROADS DEPARTMENT, WE CAN TRANSFER MORE OF IT DOWN TO THE COUNTY LEVEL. BUT I DO LOOK AT IT AS PROPERTY TAX RELIEF. I ALSO LOOKED AT THE BRIDGE STUDY THAT WAS DONE LAST SUMMER AND WE DO HAVE A BILLION DOLLAR BRIDGE PROBLEM. WE HAVE SOME COUNTIES WHO ARE RELATIVELY CAUGHT UP IN THEIR PROGRAMS, SOME COUNTIES ARE NOT. EITHER WAY, IT'S GOING TO HELP REDUCE PROPERTY TAXES, OR AT LEAST HOLD THEM STEADY. ROADS SHOULD BE FUNDED WITH GAS TAX; IT MAKES SENSE FOR A USER FEE. AND WE ALL HAVE TO REMEMBER THERE IS A COST TO DOING NOTHING. WE CAN CONTINUE TO LET OUR ROADS AND BRIDGES DETERIORATE AND THE COST OF THOSE BRIDGES TO REPLACE THEM DOWN THE ROAD JUST GOES UP. IT WILL JUST COST MORE DOWN THE ROAD. AND THEN WHEN WE HAVE DEFICIENT BRIDGES THAT IN A STORM GET WASHED OUT LIKE SOME OF THOSE WE'VE SEEN, WE HAVE EMERGENCY REPAIRS NEED TO BE MADE. WE HAVE COSTS ABOVE AND BEYOND. AND WHEN WE HAVE A LOT OF INCONVENIENCE IN THE MEANTIME, THERE IS A TREMENDOUS COST TO DOING NOTHING. AND WE CAN SIT BACK AND CONTINUE TO ADMIT THAT WE HAVE A LARGE PROBLEM AND JUST CONTINUE TO FUND IT AS WE DO AND LET THE PROBLEM GET WORSE. I JUST PASSED OUT A...IT WAS IN THE WASHINGTON POST, I BELIEVE, AND IT TALKS AGAIN ABOUT HOW CONGRESS IS...AND THEIR FUNDING OF THE FEDERAL PROGRAM. AND IT TALKS ABOUT HOW THE FUNDING FOR HIGHWAY AND BRIDGE TRANSIT WILL END AT THE...EXPIRE AT THE END OF THE MONTH AND UNLESS CONGRESS ACTS THERE WILL BE NO NEW OBLIGATIONS FOR FEDERAL AID TO HELP FUND HIGHWAY DEPARTMENT PROJECTS. THIS HAS BEEN AN ON AGAIN/OFF AGAIN BATTLE THERE FOREVER. THE HIGHWAY TRUST FUND IS, BASICALLY, BANKRUPT. WE HAVE TO START WORKING MORE ON OUR LOCAL

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LEVEL OURSELVES. THIS IS OUR PROBLEM. LET'S FUND IT WITH GAS TAX. YOU CAN ARGUE THAT IT'S REGRESSIVE. I'VE HEARD THAT BEFORE. BUT IN THE END IT COSTS YOU, REGARDLESS. THIS IS ONE OF THE FUNCTIONS OF STATE GOVERNMENT IS TO PROVIDE OUR INFRASTRUCTURE. IT PROVIDES FOR ECONOMIC DEVELOPMENT, IT PROVIDES FOR OUR PRODUCTS TO GET TO MARKET, IT BRINGS ALL THE PRODUCTS TO OUR CITIES. AND IF WE INCREASE THOSE COSTS THROUGH BAD ROADS, POTHOLES, THE FREIGHT COMPANIES JUST PASS THAT COST ON IN THE PRICE OF THE PRODUCTS THAT ARE DELIVERED. THERE IS A COST. AND EITHER WAY, SOMEONE HAS TO PAY. EVERY PRODUCT WE PURCHASED IS BASED ON THE COST OF GETTING IT TO US, THE COST OF DELIVERING OUR GOODS TO MARKET. AND IF WE INCREASE THOSE COSTS THROUGH BAD ROADS, HAVING TO BYPASS BRIDGES AND TRAVEL AROUND, ADD MILES TO OUR SYSTEM, THAT RAISES THE PRICE OF THOSE PRODUCTS. AND THAT, TOO, IS REGRESSIVE BECAUSE EVERYONE NEEDS TO PURCHASE THINGS WHETHER IT'S YOUR BASIC, SIMPLEST FOOD SUPPLIES. A RECENT STUDY, YOU KNOW, THERE'S MORE TRANSPORTATION COSTS IN A BOX OF CORN FLAKES THAN THERE ARE CORN...THE PRICE OF THE CORN IN THE BOX. THOSE FREIGHT COSTS ARE REFLECTED IN YOUR FOOD--THE PRICE. SO EVERYTHING WE DO IS BASED ON TRANSPORTATION HERE IN THIS STATE. WE HAVE MILES AND MILES OF ROADS. IN SOME AREAS WE DON'T HAVE ENOUGH POPULATION, AND I AS A RURAL SENATOR,... [LB610]

SPEAKER HADLEY: ONE MINUTE. [LB610]

SENATOR FRIESEN: ...I REALIZE--THANK YOU, MR. PRESIDENT--I REALIZE THAT I HAVE TO SOMETIMES TRAVEL FURTHER THAN OTHER PEOPLE, BUT I AM WILLING TO PAY THAT EXTRA COST TO HAVE A GOOD ROAD IN MY NEIGHBORHOOD. THOSE ARE SOME OF THE COSTS I'M WILLING TO BEAR BECAUSE I SEE THE RESULTS OF IT. IF I HAVE TO DRIVE MY TRUCK ON A ROUGH, PITTED, POTHOLED ROAD, IT COSTS ME MORE THAN THE SMALL AMOUNT OF ROAD TAX THAT IS GOING TO GET INCREASED DOWN THE ROAD. I HOPE YOU ALL JOIN IN VOTING GREEN ON THIS BILL. THANK YOU. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR FRIESEN. THOSE IN THE QUEUE ARE SENATORS CAMPBELL, PANSING BROOKS, LARSON, CRAIGHEAD, STINNER, AND OTHERS. SENATOR CAMPBELL, YOU ARE RECOGNIZED. [LB610]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. I RISE TO SUPPORT THE MOTION TO OVERRIDE THE GOVERNOR'S VETO. I'VE TALKED A LOT IN THIS BODY

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ABOUT BEING A FORMER COUNTY COMMISSIONER. AND I'M SURE AT SOME POINT YOU'RE GOING TO GO, ALL RIGHT, I'VE HEARD THAT ENOUGH. BUT TODAY IT REALLY IS IMPORTANT TO ME THAT I BRING THAT EXPERIENCE OF 16 YEARS THAT I SERVED ON THE LANCASTER COUNTY BOARD TO GIVE YOU SOME IDEA OF HOW MUCH I APPRECIATE THE WORK THAT SENATOR SMITH HAS PUT INTO THIS AND HOW WE SHOULD CONTINUE THAT WORK IN LB610. HAVING SPENT THAT TIME, I CAN FULLY APPRECIATE THE NEED EXPRESSED BY OUR CITIES AND COUNTIES ACROSS THE STATE THAT LB610 WOULD HELP. WITH THE LOSS OF BRIDGES FROM THE STORM, AND I MUCH APPRECIATE SENATOR SMITH USING SENATOR EBKE'S PICTURES BECAUSE I THINK IT GIVES YOU AN IDEA, WE CAN BEGIN TO UNDERSTAND THESE LOCAL COMMUNITIES IN OUR COUNTIES DO NOT HAVE THE RESOURCES TO ADDRESS OUR BRIDGES AND ROADS. WE NEED TO BE MINDFUL OF THE LIABILITY ISSUES THAT EXIST FOR OUR CITIES AND COUNTIES SHOULD WE NOT ADDRESS THIS PROBLEM. AND I UNDERSCORE THAT BECAUSE IF WE DON'T ADDRESS THE PROBLEM AND WE DON'T HELP CITIES AND COUNTIES DO THAT AND THERE IS AN ACCIDENT, OUR CITIES AND COUNTIES WILL SHOULDER A VERY LARGE LIABILITY PROBLEM. WHEN WE DISCUSSED LB84 A NUMBER OF YEARS AGO, I WAS ASKED, WHY, WHY WOULD THE CHAIRMAN OF HEALTH AND HUMAN SERVICES SUPPORT SUCH A BILL? AND WHY WOULD I? AS SENATOR SMITH VERY ABLY POINTED OUT, BEEN AN ADVOCATE FOR CHILDREN, THOSE WHO SUFFER IN POVERTY, AND OTHER HUMAN SERVICE ISSUES, SO WHY WOULD THE HUMAN SERVICES CHAIR SUPPORT ROADS? AND I'LL TELL YOU THAT ONE OF THE MOST IMPORTANT THINGS THAT I BELIEVE IN, AND I KNOW SHARED BY A NUMBER OF YOU, IS THAT WHAT WE DRUM BEAT CONSTANTLY IS HOW WE NEED JOBS, ECONOMIC DEVELOPMENT IN THIS STATE. AND THAT GOES FOR THE PEOPLE THAT I ADVOCATE FOR. I WANT THOSE JOB OPPORTUNITIES FOR THEM. I WANT THEIR ABILITY TO GET OUT OF POVERTY. I WANT THEM TO BE SELF-SUFFICIENT. WE HAVE TO RECOGNIZE THAT ROADS AND THE TRANSPORTATION NETWORK THAT THEY REPRESENT IS A MAJOR ASSET THAT WE NEED FOR OUR ECONOMIC DEVELOPMENT. A NUMBER OF YEARS AGO, I CHAIRED A STATEWIDE TRANSPORTATION TASK FORCE FOR THEN-GOVERNOR JOHANNIS. AND I HEARD OVER AND OVER IN 12 PUBLIC HEARINGS ACROSS THE STATE HOW IMPORTANT OUR ROADS AND TRANSPORTATION NETWORK ARE TO THE ECONOMIC DEVELOPMENT. AND IT DIDN'T MAKE ANY DIFFERENCE IF THAT HEARING WAS IN OMAHA OR GERING OR BEATRICE OR GRAND ISLAND, IT WAS THE SAME. IF WE WANT TO CONTINUE TO DRIVE THE ECONOMIC DEVELOPMENT ASPECTS AND PROVIDE JOBS FOR EVERYONE ACROSS THE STATE, WE HAVE TO RECOGNIZE THIS INFRASTRUCTURE... [LB610]

SPEAKER HADLEY: ONE MINUTE. [LB610]

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SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT...ASSET IS CRITICAL. AND WE CANNOT EXPECT THAT WE CAN COVER ALL OF THIS FROM THE GENERAL FUNDS BECAUSE THAT IS WHERE YOU BEGIN TO SAY, WELL, ROADS SHOULD COMPETE WITH EDUCATION OR HUMAN SERVICES. WE HAVE THE ABILITY THROUGH LB610 TO ADDRESS THAT. AND THE MOST CALLS I EVER GOT AS A COUNTY COMMISSIONER WAS: I WANT GOOD ROADS; WHAT ARE YOU GOING TO DO ABOUT MY ROAD? THE ELECTORATE ACROSS THE STATE CAN UNDERSTAND THE NEED FOR GOOD ROADS AND THAT WE HAVE TO MAKE A FINANCIAL COMMITMENT TO THEM. THANK YOU, MR. PRESIDENT. [LB610]

SPEAKER HADLEY: SENATOR LARSON, YOU'RE RECOGNIZED. [LB610]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I RISE IN OPPOSITION TO OVERRIDING THE GOVERNOR'S VETO ON LB610. I HAVE YET TO VOTE FOR LB610. AND I UNDERSTAND THE CONCEPT. I RECEIVED THE CALLS FROM MY COUNTY COMMISSIONERS AND SUPERVISORS. WE ALL CARE ABOUT PROPERTY TAXES. WELL, MY CONCEPT IS, WE DO HAVE TO LOOK AT WAYS TO LOWER PROPERTY TAXES, BUT RAISING TAXES TO LOWER THEM ISN'T THE WAY TO GO ABOUT THAT. WHY WOULD I RAISE A TAX TO LOWER ANOTHER? IT'S NOT LIKE WE'RE GETTING RID OF EXEMPTIONS. WE CAN TALK ABOUT THE FLAT TAX AND THE ECONOMIC POLICIES AND BENEFITS OF THAT WHEN YOU GET RID OF ALL THE DEDUCTIONS. BUT JUST IN A HOPE TO LOWER PROPERTY TAXES, WE'RE GOING TO RAISE THIS TAX DOES NOT COMPUTE. IF WE WANT TO CONTINUE TO WORK ON PROPERTY TAXES, THERE ARE WAYS TO DO THAT; THERE ARE INNOVATIVE WAYS. THE LEGISLATURE HAS WORKED A LITTLE BIT THIS SESSION WITH PUTTING MORE MONEY INTO THE PROPERTY TAX CREDIT RELIEF FUND. BUT IF WE'RE GOING TO CONTINUE TO WORK TO LOWER PROPERTY TAXES, WE HAVE TO CONTINUE TO LOOK OUTSIDE THE BOX. RAISING TAXES IS NOT LOOKING OUTSIDE THE BOX. I REPRESENT A DISTRICT THAT IS 6,600 SQUARE MILES. IT'S THE SIZE OF CONNECTICUT AND RHODE ISLAND COMBINED. IT'S THE THIRD LARGEST DISTRICT IN THE STATE; SENATOR DAVIS' AND SENATOR SCHILZ'S ARE MARGINALLY BIGGER. MY CONSTITUENTS DRIVE A LOT. AND, YES, I UNDERSTAND THAT AT TIMES THIS COULD BE SOME OF THEIR ROADS THAT ARE GOING TO GET FIXED WITH THIS TAX INCREASE. BUT AT THE SAME TIME, OUR RANCH IS 15 MILES FROM TOWN. IF YOU GO TO TOWN JUST TWICE, THAT'S 60 MILES. DEPENDING ON WHAT VEHICLE YOU TAKE INTO TOWN, YOU HAVE TO FILL UP ABOUT EVERY SECOND OR THIRD DAY. IF YOU DON'T THINK THIS IS GOING TO HIT RURAL NEBRASKA HARDER THAN ANYONE ELSE, YOU'RE FOOLING YOURSELF. IF YOU DON'T THINK IT'S GOING TO HIT THE FARMERS AND RANCHERS IN OUR DISTRICTS HARDER, SENATOR DAVIS', SENATOR SCHILZ'S,

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AND MINE THE HARDEST, YOU'RE FOOLING YOURSELF, BECAUSE IT IS. IT'S SENATOR DAVIS' DISTRICT THAT WILL PROBABLY GET HIT THE HARDEST OUT OF ALL OF US. IT'S HIS INDIVIDUALS THAT ARE GOING TO BE DRIVING 60 MILES TO MULLEN OR 60 MILES TO VALENTINE, 120 MILES ROUND TRIP TO GET FUEL. RURAL NEBRASKA WILL PAY MORE FOR THIS THAN EVERYONE ELSE. AND OUR ECONOMIES ARE FRAGILE ENOUGH ALREADY. IF WE WANT TO LOOK AT FOCUSING ON PROPERTY TAXES, LOOK OUTSIDE THE BOX. AS A MATTER OF FACT, I HAVE ONE OF THOSE BILLS THAT ARE OUTSIDE THE BOX AND ALL THE MONEY WILL GO TO PROPERTY TAX RELIEF AND TO THE CITIES AND COUNTIES. IF YOU'RE SERIOUS ABOUT PROPERTY TAX RELIEF, WHICH I THINK MANY OF YOU ARE, I LOOK FORWARD TO THE DEBATE ON THAT BILL. OR I WONDER IF MORALITY AND YOUR WANT TO RESTRICT OTHER PEOPLE'S FREEDOMS WILL TRUMP YOUR WANT TO LOWER TAXES AND REDUCE PROPERTY TAXES BECAUSE THAT'S WHAT IT'S GOING TO COME DOWN TO: WHETHER YOU KNOW BETTER THAN YOUR NEIGHBOR ON HOW TO SPEND YOUR MONEY OR HOW THEY SHOULD SPEND THEIR MONEY OR IF YOU WANT TO LOWER PROPERTY TAXES. COLLEAGUES, YOU DON'T TRY TO LOWER TAXES BY RAISING ANOTHER ONE. THERE ARE SOLUTIONS TO THE ROADS PROBLEM. THOSE SOLUTIONS MIGHT BE BONDING. I VOTED FOR BONDING LAST YEAR. [LB610]

SPEAKER HADLEY: ONE MINUTE. [LB610]

SENATOR LARSON: IT MIGHT BE LOOKING AT SOMETHING OF THE NATURE OF EXPANDING LB84 AND WHAT WE DID MY FIRST YEAR IN THE LEGISLATURE. THOSE IN RURAL NEBRASKA--MINE, SENATOR SCHILZ'S, SENATOR SULLIVAN'S, AND SENATOR DAVIS' DISTRICT, MAYBE THAT'S ONLY FOUR OF US, BUT I THINK WE PROBABLY COVER A QUARTER OF THE STATE, PROBABLY MORE THAN THAT, MIGHT BE A THIRD OF THE STATE BETWEEN THE FOUR OF US, STILL, ACTUALLY, MIGHT BE MORE THAN THAT--ARE THE ONES THAT ARE GOING TO GET HIT THE HARDEST--SMALL TOWNS, SMALL FARMERS, AND RANCHERS--AND IT'S NOT RIGHT. THANK YOU, MR. PRESIDENT. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR LARSON. THOSE IN THE QUEUE: SENATORS CRAIGHEAD, STINNER, JOHNSON, SCHEER, McCOY, KRIST, AND OTHERS. SENATOR CRAIGHEAD. [LB610]

SENATOR CRAIGHEAD: THANK YOU, MR. PRESIDENT. I'D LIKE TO KNOW IF SENATOR SMITH WOULD YIELD TO A QUESTION, PLEASE. [LB610]

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SPEAKER HADLEY: SENATOR SMITH, WILL YOU YIELD? [LB610]

SENATOR SMITH: YES, I WILL. [LB610]

SENATOR CRAIGHEAD: OKAY, SENATOR SMITH, I NEED YOUR HELP. I CAN'T FIND IN THE BILL WHERE IT SAYS THAT DOLLARS MUST BE SPENT ON ROADS AND BRIDGES. IF YOU CAN HELP ME...AND I GUESS I'M LOOKING AT IT, IT'S LIKE, COULD THESE DOLLARS BE SPENT ON BIKE TRAILS BY THE COUNTY BECAUSE THERE'S NO ACCOUNTABILITY? [LB610]

SENATOR SMITH: IF YOU WOULD LIKE FOR ME TO ADDRESS ON THE MIKE FOR YOU, I WILL, SENATOR CRAIGHEAD, OR I CAN ADDRESS IT OFF THE MIKE TO YOU. YOU HAVE TO REFERENCE THE OTHER PORTIONS OF THE STATUTE THAT EXPLAINS HOW THE FUNDS MUST BE USED. [LB610]

SENATOR CRAIGHEAD: OKAY. [LB610]

SENATOR SMITH: THIS PORTION OF THE BILL ONLY TALKS ABOUT THE INCREASE IN FUNDING. BUT THE OTHER PORTION THAT EXPLAINS HOW THOSE FUNDS WILL BE USED IS IN STATUTE. THAT HAS NOT CHANGED. [LB610]

SENATOR CRAIGHEAD: OKAY. WE'LL HAVE A CHAT. THANK YOU SO MUCH. AND I'LL YIELD THE REST OF MY TIME BACK TO THE CHAIR. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR CRAIGHEAD. SENATOR STINNER, YOU'RE RECOGNIZED. [LB610]

SENATOR STINNER: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, I RISE IN RESPECTFUL OPPOSITION TO GOVERNOR RICKETTS' VETO OF THE GAS TAX. I SUPPORTED GOVERNOR RICKETTS IN HIS ELECTION AND HAVE A GREAT DEAL OF RESPECT FOR HIM AS AN INDIVIDUAL AND LEADER OF OUR STATE. HOWEVER, THERE ARE TIMES WHEN WE'RE NOT GOING TO AGREE. THE LEGISLATURE NEVER SEEMS TO RUN OUT OF CHALLENGES AND THINGS THAT NEED TO BE FIXED. THE GENIUS OF LEADERSHIP IS WHEN THERE IS A DEFINED PROBLEM, THAT WE CRAFT A PERMANENT AND VIABLE SOLUTION. SOMETIMES THESE SOLUTIONS ARE NOT POPULAR, BUT IT IS IMPERATIVE THAT WE DO THE RIGHT THINGS. INTERESTINGLY, THE GAS TAX IS A SOLUTION TO ADDRESS A DEFINED BIG PROBLEM THAT WE ALL ACKNOWLEDGE EXISTS. IT

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MAY NOT BE POPULAR, BUT IT IS NECESSARY. AS I HAVE STATED BEFORE, I HATE RAISING TAXES. BUT WHEN I DID RUN FOR OFFICE, THIS WAS ONE OF THE TAXES THAT I SAID I WOULD CONSIDER BECAUSE I BELIEVE THAT IT'S MORE OF A USE TAX. AND I DO GET THE FACT THAT IT IS REGRESSIVE IN NATURE AND AFFECTS THE POOR AND FIXED-INCOME PEOPLE IN A MORE PROFOUND WAY. BUT AS WE ANALYZE THE OVERALL PROBLEM AND FUNDING GAP NOTED BY SENATOR SMITH, WE NEED TO FIND A MORE PERMANENT FUNDING SOURCE WHICH IS STABLE AND MEANINGFUL. ROADS AND BRIDGES DO HAVE A DIRECT IMPACT ON OUR SAFETY AND A DIRECT IMPACT, POSITIVELY AND NEGATIVELY, ON OUR ECONOMY. THE FEDERAL HIGHWAY ADMINISTRATION ESTIMATES THAT A DOLLAR SPENT ON ROAD HIGHWAY AND BRIDGE IMPROVEMENTS RESULTS IN AN AVERAGE BENEFIT OF \$5.20 IN THE FORM OF REDUCED VEHICLE MAINTENANCE COSTS, REDUCED DELAYS, REDUCED FUEL CONSUMPTION, IMPROVED SAFETY, REDUCED BRIDGE AND MAINTENANCE COSTS, AND REDUCED EMISSIONS AS A RESULT OF IMPROVED TRAFFIC FLOWS. A REPORT FROM TRIP, A NATIONAL TRANSPORTATION RESEARCH GROUP, REPORTS THAT 75 PERCENT OF THE \$76 BILLION WORTH OF COMMODITIES DELIVERED ANNUALLY FROM SITES IN NEBRASKA IS TRANSPORTED BY TRUCKS ON OUR STATE HIGHWAYS. AN ADDITIONAL 13 PERCENT IS DELIVERED BY PARCEL, U.S. POSTAL SERVICE, OR COURIER. AND I'LL GO ON TO READ SOME OF THE THINGS THAT TRIP HAS COME UP WITH SO I CAN SHARE THIS INFORMATION. TWENTY-FOUR PERCENT OF NEBRASKA'S BRIDGES ARE STRUCTURALLY DEFICIENT OR FUNCTIONALLY OBSOLETE. VEHICLE TRAVEL ON NEBRASKA'S HIGHWAYS INCREASED 38 PERCENT FROM 1990 TO 2013. NEBRASKA'S POPULATION GREW BY 18 PERCENT DURING THAT SAME PERIOD OF TIME. VEHICLE TRAVEL ON AMERICA'S HIGHWAYS INCREASED BY 39 PERCENT FROM 1990 TO 2013, WHILE NEW ROAD MILEAGE INCREASED BY ONLY 4 PERCENT AND THE NATION'S POPULATION GREW BY 26 PERCENT. UNDER THE HEADING OF SAFETY ISSUES, ROADWAY CONDITIONS ARE A SIGNIFICANT FACTOR IN APPROXIMATELY ONE-THIRD OF TRAFFIC FATALITIES. THERE WERE 211 TRAFFIC FATALITIES IN 2013 IN NEBRASKA. A TOTAL OF 1,017 PEOPLE DIED IN NEBRASKA ON HIGHWAYS FROM 2009 TO 2013. THE FATALITY RATE ON THE STATE'S RURAL ROADS IS DISPROPORTIONATELY HIGHER THAN ALL OTHER ROADS IN THE STATE--1.6 FATALITIES PER 100 MILLION MILES OF TRAVEL VERSUS 0.6. [LB610]

SPEAKER HADLEY: ONE MINUTE. [LB610]

SENATOR STINNER: IN THE PAST, I HAVE RELATED HOW MANDATES BY THE FEDERAL AND STATE GOVERNMENT HAVE SIGNIFICANTLY INCREASED OVER THE LAST 10 TO 20 YEARS, CROWDING OUT BADLY NEEDED RESOURCES FOR

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INFRASTRUCTURE IMPROVEMENTS, AND STATE AID TO MUNICIPALITIES AND COUNTIES HAVE BEEN TOTALLY CUT IN 2011. THE NEED FOR INFRASTRUCTURE FUNDING WAS ONE OF THE MAJOR CONCERNS EXPRESSED TO ME DURING MY CAMPAIGN. IN SCOTTS BLUFF COUNTY, BRIDGE REPLACEMENT COSTS FROM A STUDY BASED ON 2012 INFORMATION INDICATED BRIDGES THAT WERE BORDERLINE, \$9.6 MILLION; OBSOLETE BRIDGES WERE \$5.2 MILLION TO FIX; AND DEFICIENT BRIDGES WERE \$9.2 MILLION; OR \$24.1 MILLION TO FIX OUR BRIDGES IN SCOTTS BLUFF COUNTY. FISCAL PROJECTIONS FOR SCOTTS BLUFF COUNTY ON THIS SHARE OF THE TAX... [LB610]

SPEAKER HADLEY: TIME, SENATOR. [LB610]

SENATOR STINNER: THANK YOU. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR STINNER. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB610]

SENATOR JOHNSON: THANK YOU, MR. SPEAKER. GOOD AFTERNOON, COLLEAGUES. I SUPPORT THE ACTIONS THAT THE GOVERNOR HAS TAKEN RUNNING THE BUSINESS...RUNNING THE GOVERNMENT SOMEWHAT LIKE A BUSINESS, ONE OF THOSE FACTORS BEING BRINGING IN OUTSIDE PEOPLE INSTEAD OF SOMETIMES BRINGING UP PEOPLE WITHIN THE SYSTEM WHEN WE KNOW WE'VE HAD ISSUES, AND SO I SUPPORT THAT CONCEPT. BUT I ALSO BELIEVE THAT THERE'S NO MAGIC WAND THAT A NEW DIRECTOR CAN BRING TO OUR SITUATION AS FAR AS OUR ROADS AND BRIDGES. I STARTED WHEN I WAS ON CITY COUNCIL ATTENDING THE MEETING THAT SENATOR DEB FISCHER HAD IN OMAHA WHEN WE TALKED ABOUT ROAD FUNDING. I CONTINUED TO SUPPORT THAT AS IT MOVED TOWARD LB84. LAST YEAR, I SUPPORTED SENATOR DUBAS IN OUR EFFORT TO, MAYBE, TRY BONDING. THAT DIDN'T SEEM TO BE THE ROUTE. SO I CONTINUE TO BE ON THAT MISSION. I SUPPORT THE OVERRIDE, OF COURSE. AS I THOUGHT ABOUT IT AND I THOUGHT, OKAY, HOW ARE PEOPLE GOING TO REACT TO MY VOTING FOR INCREASE IN GAS TAX, WELL, WE JUST GOT OR ARE GETTING THE NEW BYPASS AROUND WAHOO COMPLETED. AND SOME OF THEM SAY, WELL, I SUPPOSE YOU'RE GOING TO BACK OFF NOW ON ROAD FUNDING BECAUSE YOU GOT WHAT YOU WANTED. I SAID, WE GOT WHAT WAS PROMISED TO US IN 1988 AND LB84 IS TAKING CARE OF THAT. WE STILL HAVE AREAS WITHIN THE DISTRICT THAT ARE GOING TO BE BENEFICIAL TO THAT OR ARE GOING TO BE BENEFACTORS OF THAT IN THE SCHUYLER AREA. WE'VE GOT EXPRESSWAYS COMING IN AND OUT OF MY DISTRICT THAT WILL BENEFIT FROM

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THAT, BUT THAT'S A DIFFERENT PROGRAM. WHEN I SAT AS MAYOR, WE TALKED ABOUT...WE DIDN'T TALK ABOUT WHEEL TAX, BUT WE TALKED ABOUT OTHER WAYS BECAUSE REVENUES WERE DROPPING. WE TALKED ABOUT OCCUPATION TAXES WHEN WE HAD ISSUES WITH NOBODY...THERE WERE A LOT OF PEOPLE GOING AWAY FROM LAND LINES AND GOING TO CELL PHONES. WE TRIED TO FIND DIFFERENT WAYS LIKE THAT. I DO KNOW THAT PROPERTY TAXES ARE USED TO FUND OR HELP ON MAINTAINING CITY STREETS. I KNOW THAT'S TRUE ON THE COUNTY BOARD STANDPOINT. IN FACT, I HAD TWO COUNTY BOARD MEMBERS SITTING AT THE BREAKFAST TABLE WITH ME THIS MORNING OVER AT THE NEBRASKA CLUB. THE E-MAILS I RECEIVED ARE PROBABLY 4-1 IN FAVOR. THE PEOPLE I HAVE TALKED TO PERSONALLY, I WOULD SAY, THAT'S A LOT HIGHER THAN THAT, MAYBE EVEN 7 OR 8-1. SO PEOPLE IN MY DISTRICT SUPPORT GAS TAX INCREASE. SOMETIMES YOU LOOK AT IT AS A SHIFT. WHEN I CAMPAIGNED, I DID NOT CAMPAIGN STRICTLY ON LOWERING TAXES. I LEARNED THAT WHEN I CAMPAIGNED FOR CITY COUNCIL AND MAYOR. I KNEW THAT'S NOT ALWAYS EASY TO DO. I CAMPAIGNED ON A PROMISE TO TRY AND BALANCE OUR TAX LOAD BETWEEN PROPERTY, SALES, AND INCOME TAX. AND THEN THERE'S OTHER TAXES INVOLVED IN THINGS THAT NEED TO BE ADJUSTED. I LOOK AT THE GAS TAX AS A USE TAX. THOSE THAT USE IT WILL PAY FOR IT. I LOOK AT IT ALSO AS A BALANCING ACT IN ORDER TO RELIEVE SOME OF OUR PROPERTY TAX DEMANDS AT THE COUNTY AND CITY AND STATE LEVEL, PROBABLY NOT PROPERTY TAX AT THE STATE LEVEL, BUT COUNTY AND CITY, MOVING SOME OF THAT FROM THE TAX LOAD OF PROPERTY TAX AND SHIFTING IT TO A USE TAX. THAT'S PART OF WHAT I BELIEVE... [LB610]

SPEAKER HADLEY: ONE MINUTE. [LB610]

SENATOR JOHNSON: ...IS LOOKING AT A BALANCE IN TAXATION. I SUPPORT THE OVERRIDE. I ENCOURAGE MY COLLEAGUES TO ALSO SUPPORT THE OVERRIDE OF LB610. THANK YOU, MR. SPEAKER. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR JOHNSON. (VISITORS INTRODUCED.)
SENATOR SCHEER, YOU ARE RECOGNIZED. SENATOR SCHEER. [LB610]

SENATOR SCHEER: THANK YOU, MR. SPEAKER. I RISE IN SUPPORT OF THE OVERRIDE. I DO THAT WITH REGRET BECAUSE WHAT WE HAVE IN FRONT OF US, IN RELATIONSHIP TO ROADS, IS NOT OUR CURRENT GOVERNOR'S DEALINGS. THEY, TO ME, ARE MUCH AKIN TO THE HEALTH AND HUMAN SERVICES PROBLEM, OUR CORRECTIONAL PROBLEMS. THEY HAVE BEEN MOUNTING OVER

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THE LAST NUMBER OF YEARS. AND OUR CURRENT GOVERNOR INHERITED THEM. I BELIEVE THAT ADMINISTRATION IS BETWEEN THE ROCK AND THE HARD SPOT. WE HAVE A TERRIBLE NEED, WE HAVE NOT ENOUGH DOLLARS, WE HAVE A NEW PERSON ON-LINE AS FAR AS THE DIRECTOR. WE HAVE TO DEVELOP A MAP. I UNDERSTAND THAT. BUT "TRUST ME AND WAIT TILL NEXT YEAR" ISN'T THE RIGHT ANSWER. WE HAVE TO BE ABLE TO DO SOMETHING. THE ROADS NOT ONLY IN CITIES, THE COUNTY ROADS, THE COUNTY BRIDGES, AND THE STATE HIGHWAYS ALL ARE IN NEED OF SUBSTANTIAL IMPROVEMENT. NOW, HAVING SAID THAT, I WANT TO MAKE SURE THAT WE'RE ALL VOTING FOR THE RIGHT PURPOSES. IF YOU'RE GOING TO VOTE TO OVERRIDE THIS SIMPLY BECAUSE YOU DON'T CARE FOR THE GOVERNOR, DON'T VOTE THAT WAY. THIS ISN'T A VOTE AGAINST OR FOR THE GOVERNOR. THIS IS NOTHING PERSONAL WITH THE GOVERNOR'S OFFICE AT ALL. THIS IS PHILOSOPHICAL. IF YOU BELIEVE THAT THE ROADS AND THE BRIDGES IN THE STATE OF NEBRASKA, BOTH IN COMMUNITIES AND COUNTIES AND IN THE STATE, NEED MORE HELP THAN WHAT WE CURRENTLY HAVE TO OFFER, THEN YOU WILL VOTE TO SUPPORT THIS. IF YOU TRULY DO NOT AND YOU DID NOT BEFORE, THEN YOU WOULD VOTE NOT TO SUPPORT THE OVERRIDE. THIS IS JUST ANOTHER VOTE. IT IS AN IMPORTANT VOTE, WITHOUT QUESTION. BUT IT IS AN ISSUE. AND THE ISSUE IS ROADS. THE ISSUE IS NOT THE GOVERNOR OR THE GOVERNOR'S OFFICE. IT'S HOW WE'RE GOING TO ADDRESS A PROBLEM. WE'VE ALL BEEN CONTACTED BY THE GOVERNOR'S OFFICE, OR SOMEBODY THEREIN. WE HAVE ALL HAD COMMUNICATION. WE ALL NEED TO MAKE OUR OWN DECISIONS NOW. SO MAKE THOSE BASED ON YOUR INFORMATION, YOUR KNOWLEDGE BANK, WHAT YOU SEE IN THE ROADS, WHAT YOU HAVE BEEN TOLD BY YOUR COUNTY COMMISSIONERS OR COUNTY SUPERVISORS, BY YOUR MAYOR OR YOUR STREETS DIRECTOR, OR WHEN YOU'RE DRIVING DOWN THE HIGHWAYS AND YOU'RE HITTING POTHOLES, OR YOU'RE SEEING BRIDGES THAT ARE TURNED INTO ONE LANE. WE HAVE A PROBLEM. WAITING DOES NOT SOLVE ANY PROBLEM. I HAVE NEVER EXPERIENCED A PROBLEM THAT SIMPLY WAITING WAS GOING TO SOLVE. WE'RE GOING TO ADDRESS THESE PROBLEMS, BUT LET'S BE HONEST--ROADS COST MONEY, MAINTENANCE COSTS MONEY. WE'VE BEEN VERY FRUGAL. WE'VE KEPT THE SAME RATE LITERALLY FOR THE LAST 20 YEARS. OUR FUEL EFFICIENCY IN OUR VEHICLES HAS PROBABLY DOUBLED IN THE LAST 20 YEARS FROM WHAT THE VEHICLES WE WERE DRIVING BACK IN THE EARLY '90s. TRUCKS' EFFICIENCY HAVE PROBABLY DOUBLED. [LB610]

SPEAKER HADLEY: ONE MINUTE. [LB610]

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SENATOR SCHEER: THANK YOU, MR. SPEAKER. THIS IS AN IMPORTANT ISSUE. MOST THINGS THAT WE TALK ABOUT...ALMOST ALL THINGS WE TALK ABOUT HERE ARE IMPORTANT. THIS IS VERY IMPORTANT. THE ROADS ARE THE LIFEBLOOD OF THE STATE. IF WE CAN'T GET SOMEWHERE, IF WE CAN'T HAUL PRODUCT ON THOSE ROADS, THAT HURTS OUR ECONOMY. IT'S A SERIOUS QUESTION, IT'S A SERIOUS THOUGHT, IT'S A SERIOUS DECISION ON YOUR PART. MAKE IT CAREFULLY, BUT MAKE IT BASED ON THE IMPORTANCE OF ROADS-- NOTHING MORE, NOTHING LESS. THANK YOU, MR. SPEAKER. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR SCHEER. SENATOR McCOY, YOU'RE RECOGNIZED. [LB610]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. I RISE IN OPPOSITION TO THE OVERRIDE OF THE GOVERNOR'S VETO. I HAVE NOT SUPPORTED LB610 THROUGHOUT ITS ARDUOUS JOURNEY THROUGH THE LEGISLATIVE PROCESS THIS SESSION. I DON'T...CONTRARY TO WHAT SOME HAVE SAID ON THE MICROPHONE, IT'S MY PERSONAL OPINION, CERTAINLY THE OPINION OF THE MAJORITY OF THE VOTERS IN MY DISTRICT, THAT IT'S NEVER GOOD TAX POLICY TO RAISE TAXES. LET ME GIVE YOU A LITTLE BIT OF A SENSE OF PERSPECTIVE ON WHY I HAVE THAT VIEW. I CAME TO THE LEGISLATURE WITH THAT VIEW AS A PRETTY YOUNG BUSINESSMAN, YOUNG FATHER, HAD TWO KIDS, NOW WE HAVE FOUR. MY WIFE SHAUNA HAD HEARD ME TALK ENOUGH ABOUT HOW HIGH TAXES WERE HURTING OUR BUSINESS AND OUR FAMILY AND THOSE WE KNEW. SHE SAID, WHY DON'T YOU DO SOMETHING ABOUT IT? WHY DON'T YOU RUN FOR THE LEGISLATURE? SO WE DID. AFTER A YEAR CAMPAIGN, 9,000 DOORS, I HAVE YET TO EVER TALK TO ONE PERSON IN MY DISTRICT, I'M SURE THERE ARE SOME, BUT I HAVE YET TO EVER TALK TO ONE PERSON IN MY DISTRICT THAT ASKED FOR HIGHER TAXES. OF COURSE WE ALL WANT GOOD SCHOOLS AND GOOD ROADS, GREAT INFRASTRUCTURE, GOOD PUBLIC SAFETY, BUT NO ONE ASKED FOR HIGHER TAXES. WE FACED A BIG CHALLENGE WHEN I FIRST ARRIVED HERE IN THE LEGISLATURE AND ALL OF US WHO GOT HERE IN THE BEGINNING OF 2009 KNOW EXACTLY WHAT I'M TALKING ABOUT--THE ECONOMIC DOWNTURN. IT WAS A SCARY TIME. SPECIAL SESSION ON THE BUDGET, OUR FIRST YEAR AFTER A LONG SESSION THAT WAS BRUISING, EVERY DAY OF IT, WASN'T A WHOLE LOT OF FUN BEING DOWN HERE. BUT LET ME TELL YOU SOMETHING, WE WENT THROUGH THAT TIME, AND, YES, THERE WERE THOSE WHO TALKED ABOUT IT, BUT THE LEGISLATURE MADE A CONSCIOUS DECISION IN 2009 THAT WE WERE GOING TO SOLVE OUR WAY OUT OF THAT ECONOMIC DOWNTURN WITHOUT RAISING \$1 OF TAXES. AND WE DID IT. NOW I'M SURE SOMEBODY IS GOING HOP UP AND SAY, WELL, IF IT WOULDN'T HAVE BEEN

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FOR THE ARRA FUNDS, THAT WOULDN'T HAVE HAPPENED. WELL, SOME STATES RAISED TAXES AND GOT THE RECOVERY FUNDS FROM THE FEDERAL GOVERNMENT; WE DIDN'T. I SUPPORTED SENATOR FISCHER'S BUILD NEBRASKA ACT WHOLEHEARTEDLY. I SUPPORTED IT WHEN IT WAS A HALF CENT OF SALES TAX, NOT JUST THE QUARTER CENT THAT WE HAVE TODAY. AND FURTHERMORE, I NOW SUPPORT UNITED STATES SENATOR FISCHER'S PLAN FOR BUILD AMERICA ACT AND A NATIONAL INFRASTRUCTURE BANK FOR TRANSPORTATION FUNDING. IT'S A GREAT IDEA, IT'S ONE THAT OUGHT TO BE EXPLORED. THERE ARE OTHER OPTIONS, MEMBERS; I SAID THAT ON GENERAL FILE. THIS HITS LOW-INCOME NEBRASKANS, WORKING NEBRASKA FAMILIES HARDER THAN ANYTHING ELSE, THE ELDERLY. WE JUST LAST NIGHT TALKED ABOUT LB607 WITH LB89 AMENDED IN AND HOW IT WOULD HELP LOW-INCOME NEBRASKANS. WHERE IS OUR SAME CONCERN FOR THOSE, THE WORKING POOR, THE ELDERLY, THOSE ON A FIXED INCOME, THOSE IN RURAL NEBRASKA WHO HAVE TO DRIVE THE MILES? THIS HURTS EVERYONE IN THEIR DAILY LIVES. YOU HAVE TO GO TO THE GROCERY STORE, YOU HAVE TO GO TO THE DOCTOR'S OFFICE. I HEARD SENATOR EBKE SAY, IF I'M REMEMBERING THE STORY RIGHT, HER MOTHER-IN-LAW, WHO DRIVES 18 MILES, IN HER LATE 80s, TO GO TO A GROCERY STORE. DOES SHE HAVE A CHOICE IN THAT? NO. [LB610 LB607 LB89]

SPEAKER HADLEY: ONE MINUTE. [LB610]

SENATOR McCOY: THIS HURTS WORKING NEBRASKANS THE MOST. IT'S THE MOST REGRESSIVE. YOU EVEN HEARD THOSE WHO SUPPORT THIS BILL ADMIT THAT ON THE FLOOR TODAY. THERE ARE OTHER OPPORTUNITIES, MEMBERS. BUT YET, WE DIDN'T EVEN EXPLORE THEM THIS YEAR. INSTEAD, WE DID THE KNEE-JERK REACTION OF LET'S RAISE TAXES IN A WAY THAT DOESN'T EVEN SOLVE THE PROBLEM WE HAVE BEFORE US. IT'S JUST A PITTANCE OF THE PROBLEM. LET'S THINK CREATIVELY AND SAY NO TO THIS OVERRIDE AND WORK HARDER NEXT YEAR. THANK YOU, MR. PRESIDENT. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR McCOY. (VISITORS INTRODUCED.)
SENATOR KRIST, YOU'RE RECOGNIZED. [LB610]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, COLLEAGUES, AND GOOD AFTERNOON, NEBRASKA. I DO NOT TAKE THIS STANCE LIGHTLY. I STAYED RELATIVELY NEUTRAL THROUGHOUT THE DEBATE, DID NOT SUPPORT ANYTHING EXCEPT THE A BILL BECAUSE THE BILL PASSING WITHOUT THE A BILL WOULD HAVE BEEN DISASTROUS. AND THAT'S HOW I, NORMALLY,

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WILL WEIGH OUT MY OPTIONS AND DO BUSINESS. BUT I TALKED WITH SENATOR SMITH, WITH THE GOVERNOR, AND WITH OTHERS, AND MY CONCERN IS THIS. WE HAVE A SYSTEM IN THIS STATE THAT HAS BEEN POLITICALLY CORRUPT IN TERMS OF FUNDING ROADS. BY CORRUPT, YOU MAY GENERALIZE THAT TO SAY THAT, IN MY OPINION, AS SENATOR STUTHMAN USED TO SAY, IN MY OPINION, THERE WAS TOO MUCH EMPHASIS GOING ON FIXING ROADS THAT WERE IN THE BEST INTEREST OF CERTAIN FOLKS WITHIN THE STRUCTURE, AGAIN, MY OPINION. I BELIEVE THAT THE COUNTIES AND BELOW, THAT IS THE COUNTIES AND THE MUNICIPALITIES IN THIS STATE, HAVE A RESPONSIBILITY FOR THOSE COUNTY ROADS AND THOSE CITY ROADS, THOSE BYPASSES. AND I'M JUST NOT SURE THEY'RE GETTING THE KIND OF SUPPORT THAT THEY NEED FROM THE STATE LEVEL. IN A DISCUSSION WITH OTHER FOLKS, I WAS REMINDED THAT IN OTHER STATES, LIKE KANSAS, THE DOT HAS A DIFFERENT FORMULA IN TERMS OF TAKING CARE OF ROADS. I'LL ACKNOWLEDGE THAT. AND I'LL ALSO ACKNOWLEDGE THAT THE PERSON THAT THE GOVERNOR HAS BROUGHT IN, BEING FROM KANSAS, CAN BRING THAT MENTALITY HERE. BUT I HAVE SAID FOR THE ENTIRE SIX YEARS I HAVE BEEN HERE, WE DON'T HAVE A DOT. IF WE HAD A DOT, THE STRUCTURE MAY BE AND MAY LOOK COMPLETELY DIFFERENT. WE HAVE A DOR. IT'S TOO BIG; IT'S TOO CUMBERSOME. THERE'S TOO MANY ENGINEERS. AND THE ONE THING I'VE LEARNED IN MY LIFE: TOO MANY ENGINEERS ARE TROUBLE. SO I'M SURE WE'RE GOING TO STREAMLINE DOR OR MAYBE EVEN MOVE INTO A MODE OF HAVING A DOT. BUT WE CAN'T ALWAYS SIT BACK, COLLECT DATA, AND NOT ACT. AND I THINK WHAT WE ARE SEEING AT TECUMSEH AND CORRECTIONS TODAY IS ANOTHER EXAMPLE OF AN AGENCY THAT'S TRYING TO TAKE THEIR TIME METHODICALLY AND DO IT RIGHT WITHOUT ACTING IN A MANNER THAT AVOIDS THE PROBLEMS THAT ARE AT HAND. AND I'M NOT POINTING ANY FINGERS OR ANY BLAME IN ANYONE IN CORRECTIONS, BECAUSE THEY ARE MOVING IN A DIRECTION. BUT SOMETIMES YOU HAVE TO LOOK AT THE DATA THAT YOU HAVE, MAKE SOME CORRECTIONS ALONG THE WAY, AND THEN CHANGE STRUCTURE TO ACCOMMODATE FURTHER CHANGE AND FURTHER GROWTH. IT IS FOR ALL OF THOSE REASONS THAT I WILL SUPPORT THE OVERRIDE MOTION AND THAT THIS LAW WOULD GO INTO EFFECT NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR. THIS IS ONE OF THE TOUGHEST VOTES YOU WILL MAKE IN THIS BODY, TO TELL THE GOVERNOR OF THIS STATE THAT YOU ARE OVERRIDING HIS BILL. AND AGAIN, I DO NOT TAKE IT LIGHTLY. THANK YOU, MEMBERS. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR KRIST. THOSE IN THE QUEUE:
SENATORS BLOOMFIELD, PANSING BROOKS, GARRETT, KEN HAAR, BAKER AND OTHERS. SENATOR BLOOMFIELD. [LB610]

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SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, COLLEAGUES. I RISE IN OPPOSITION TO THE OVERRIDE OF THE GOVERNOR'S VETO. I HAVE OPPOSED LB610 SINCE ITS INCEPTION. AS SENATOR LARSON SAID, IT HITS RURAL PEOPLE. I MENTIONED IN EARLIER DEBATE, I BOUGHT A CAR TO DRIVE BACK AND FORTH DOWN HERE, THE 130 MILES OR SO THAT I GO BACK AND FORTH. THE CAR GETS ABOUT 30 MILES A GALLON. WHEN I'M INVOLVED IN THINGS AT HOME OR WHEN I HAVE TO BRING THE PICKUP DOWN, IT'S ABOUT 12 MILES TO THE GALLON. IF I HAPPEN TO HOOK ONTO THE STOCK TRAILER, THAT DROPS DOWN TO ABOUT EIGHT. COLLEAGUES, RAISING THIS TAX WHEN I'M TOLD THAT WE HAVE MORE MONEY NOW IN THE DEPARTMENT OF ROADS FOR REPAIRS THAN WE'VE HAD IN THE LAST 10 YEARS, AND LB84 IS KICKING IN MONEY NOW THAT WASN'T THERE BEFORE, TO ME DOESN'T SEEM TO MAKE SENSE. SENATOR McCOY TALKED ABOUT THE PEOPLE THAT DRIVE BACK AND FORTH TO WORK. COLLEAGUES, YOU TAKE SOMEBODY THAT DRIVES 30 MILES EACH WAY BACK AND FORTH, 60 MILES A DAY, IF THEY CAN'T AFFORD A NEW, MORE EFFICIENT VEHICLE, IF THEY ARE DRIVING THE OLD PICKUP, FOUR GALLONS, FIVE GALLONS A DAY, THAT ADDS UP PRETTY QUICKLY. MAYBE AT THE END OF THE YEAR IT'S ONLY \$80 OR \$100 INCREASE. PUT THAT ON TOP OF THE PROPERTY TAX INCREASE THAT THEY HAVE ALREADY SUFFERED THROUGH, THE DECLINING PRICES THEY ARE GETTING FOR AGRICULTURAL GOODS, AND THIS HITS THEM PRETTY HARD. WE HAVE A NEW DIRECTOR OF ROADS COMING IN. I THINK HE HAS SOME FAIR IDEAS. WE'VE GOT MONEY THERE. PROBABLY NOT ALL THE MONEY HE WOULD LOVE TO HAVE, BUT THERE IS MORE THERE THAN THERE HAS BEEN. SO LET'S SEE WHAT HE CAN DO WITH IT. I THINK, AGAIN, PART OF OUR PROBLEMS, AND I HAVE SPOKEN WITH THE GOVERNOR ABOUT THIS, IS OVERREGULATION OF OUR COUNTIES, THE BRIDGES THEY HAVE TO PUT IN WHEN A CULVERT WOULD WORK. I MENTIONED THAT JUST A MILE WEST OF MY HOUSE THEY PUT IN A THREE-SECTION CEMENT CULVERT, A CEMENT BRIDGE AT THE COST OF OVER \$200,000 TO A STREAM THAT DOESN'T CARRY WATER YEAR-ROUND. A GOOD CULVERT, A GOOD 48-INCH TUBE WOULD HAVE TAKEN CARE OF THAT PROBLEM. BUT DUE TO GOVERNMENT REGULATIONS, WE SPENT WAY MORE THAN WE NEEDED TO. ANOTHER HALF MILE DOWN THAT ROAD, WHICH IS MINIMUM MAINTENANCE, TO ANOTHER MINIMUM MAINTENANCE ROAD THERE NOW LAY, THE LAST TIME I WAS PAST THERE, THREE BIG STEEL CULVERTS, BOXED-IN STEEL CULVERTS, THAT THE COUNTY IS GOING TO HAVE TO PUT IN TO REPLACE A SMALL 36-INCH TUBE THAT HAS WORKED FOR THE LAST 50, 60 YEARS. BUT UNDER THE REGULATIONS THEY ARE FACED WITH NOW, THEY HAVE TO PUT IN THREE BECAUSE THERE MIGHT BE A FLOOD ALONG THAT MINIMUM MAINTENANCE ROAD SOMETIME IN THE NEXT 500 YEARS. COLLEAGUES, IF THEY HAD A FLOOD EVERY TEN YEARS, THEY COULD REPLACE THAT... [LB610]

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SPEAKER HADLEY: ONE MINUTE. [LB610]

SENATOR BLOOMFIELD: ...SMALL TUBE AND BE DONE WITH IT. BUT, NO, WE HAVE TO BUILD TO THE 500-YEAR PLAN BECAUSE THE CORPS OF ENGINEERS DECIDES THAT MIGHT BE A NAVIGABLE STREAM OR IT'S CONNECTED TO ONE WHEN THAT BRIDGE IS PROBABLY 20 MILES...12 MILES FROM ANY STREAM THAT I COULDN'T WALK OR WADE ACROSS. LET THE NEW GUY COMING IN HAVE A SHOT AT WHAT HE'S DOING. WE'VE DONE THAT WITH HHS, WE'VE GIVEN SOME CONSIDERATION TO THE CORRECTIONS GUY, LET'S DO THE SAME THING WITH THIS NEW FELLOW. LET'S GIVE HIM A CHANCE WITH THE MONEY THAT'S THERE. THROWING MONEY AT AN ISSUE IS NOT THE ANSWER. WE DON'T PAVE ROADS WITH DOLLAR BILLS. THANK YOU, MR. PRESIDENT. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB610]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF THE GAS TAX. INFRASTRUCTURE IS, OBVIOUSLY, VITAL TO OUR ECONOMIC GROWTH, IT'S HOW WE MOVE PEOPLE AND GOODS AND SERVICES. EVERY BUSINESS, EVERY FAMILY, EVERY PUBLIC SERVICE ORGANIZATION AND PUBLIC SAFETY ORGANIZATION IN OUR STATE USE OUR ROADS, OUR BRIDGES, EVERYTHING. AND WHILE SENATOR McCOY TALKED ABOUT THE FACT THAT HIS CONSTITUENTS, THAT NOBODY ASKED HIM TO RAISE THE TAXES, I HAD MANY PEOPLE TALKING ABOUT MAINTAINING OUR PUBLIC SAFETY AND OUR ABILITY TO GET TO JOBS AND MAINTAINING A GOOD INTRA- AND INTERSTATE SYSTEM WHICH ALLOWS US TO HAVE INTRASTATE AND INTERSTATE COMMERCE. THOSE WERE GIVENS. SO HOW DOES THAT HAPPEN? HOW WILL WE DO THAT? WE HAVE TO MAKE TOUGH DECISIONS, THERE'S NO QUESTION. SENATOR BLOOMFIELD ASKED, HOW DO BAD ROADS HIT RURAL PEOPLE? WELL, THEY HIT RURAL PEOPLE AND THEY HIT CITY PEOPLE A LOT. AND THE COST OF GAS, YES, THAT'S SOMETHING OF IMPORT. BUT THE COST OF NEW TIRES AND BROKEN-DOWN CARS BECAUSE OF POOR ROADS, THAT ALSO COSTS OUR FAMILIES AND OUR BUSINESSES A LOT OF DOLLARS. THE U.S. USED TO BOAST THE MOST SOPHISTICATED AND EFFECTIVE INFRASTRUCTURE IN THE WORLD. I WOULD ARGUE THAT THAT'S HAPPENING NO LONGER. ARGUABLY, THIS IS A NATIONAL SECURITY ISSUE. IF WE DON'T HAVE GOOD ROADS AND GOOD INFRASTRUCTURE TO BE ABLE TO PROTECT OUR STATE AND OUR COMMUNITIES, THAT'S DEFINITELY A NATIONAL SECURITY ISSUE. THERE'S A REPORT FROM THE SENATE BUDGET COMMITTEE THAT TALKS ABOUT, AS A PERCENTAGE OF THE GDP, THE UNITED STATES IS NOW SPENDING LESS ON INFRASTRUCTURE THAN AT ANY

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POINT IN THE LAST 20 YEARS. PRIOR TO THE '80s, WE DEVOTED 3 PERCENT OF OUR GROSS DOMESTIC PRODUCT ANNUALLY TO PUBLIC INFRASTRUCTURE SPENDING. OVER THE PAST 20 YEARS, THIS DROP IN INVESTMENT HAS ADDED UP TO \$1.7 TRILLION DEFICIT IN TRANSPORTATION INFRASTRUCTURE INVESTMENT. THIS IS AFFECTING NEBRASKA JUST AS MUCH AS THE REST OF THE COUNTRY. MEANWHILE, THE REST OF THE WORLD IS OUTPACING THE UNITED STATES IN OVERALL INFRASTRUCTURE INVESTMENT. EUROPE SPENDS 5 PERCENT OF ITS GDP ON INFRASTRUCTURE. CHINA SPENDS 9 PERCENT; CHINA IS TAPPING INTO VAST ECONOMIC POTENTIAL OF ITS RISING MIDDLE CLASS BY BUILDING RAILS AND ROADS AND CONNECTING RURAL WORKERS TO THE DENSELY POPULATED HUBS OF BEIJING AND SHANGHAI. AGAIN, THESE ARE ISSUES OF ECONOMIC IMPORTANCE TO OUR STATE. ARGUABLY, THESE ARE ISSUES OF NATIONAL SECURITY. AND IF WE DON'T DO THIS NOW AND PROTECT OUR ROADS AND DO WHAT WE CAN IN OUR INFRASTRUCTURE, THEN WHEN? AND IF NOT IN THIS WAY, HOW ELSE? HOW LONG SHOULD WE WAIT? I'D LIKE TO GIVE THE REST OF MY TIME TO SENATOR CAMPBELL, MR. PRESIDENT. [LB610]

SPEAKER HADLEY: SENATOR CAMPBELL, YOU'RE YIELDED 1:15. [LB610]

SENATOR CAMPBELL: THANK YOU, SENATOR PANSING BROOKS; AND, MR. PRESIDENT, THANK YOU. I JUST WANTED TO QUICKLY ADD TO THE SIGNIFICANCE OF THE STORM THAT HAPPENED AND HOW OUR LOCAL COUNTIES AND OUR LOCAL COMMUNITIES CANNOT... [LB610]

SPEAKER HADLEY: ONE MINUTE. [LB610]

SENATOR CAMPBELL: ...HANDLE THAT. THANK YOU, MR. PRESIDENT. IN LANCASTER COUNTY, DUE TO THE STORM, THE COUNTY BRIDGES ARE...THE COST OF REPAIRING ARE OVER \$1 MILLION: ROAD AND CULVERT DAMAGE IS \$500,000; 20 BRIDGES WERE DAMAGED; AND OVER 400 LOCATIONS OF SIGNIFICANT ROADWAY DAMAGE. FOR ALL OF US WHO HAVE CONSTITUENTS IN LANCASTER COUNTY AND FOR THE SENATORS TO GIVE YOU SOME IDEA OF THE MAGNITUDE, WE FELT THOSE NUMBERS WERE IMPORTANT TO PUT INTO THE RECORD. OUR LOCAL COUNTIES AND CITIES CANNOT CARRY THIS BURDEN WITHOUT OUR HELP. THANK YOU, MR. PRESIDENT. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR PANSING BROOKS AND SENATOR CAMPBELL. SENATOR GARRETT, YOU'RE RECOGNIZED. [LB610]

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SENATOR GARRETT: THANK YOU, MR. SPEAKER, COLLEAGUES; GOOD AFTERNOON, NEBRASKA. I RISE IN OPPOSITION TO THE OVERRIDE OF THE GOVERNOR'S VETO. I CAMPAIGNED FOR THIS OFFICE LAST YEAR. AND MUCH LIKE SENATOR McCOY AND MANY OF YOU, I THINK, WHO CAMPAIGNED, THE MESSAGE CAME THROUGH LOUD AND CLEAR--TAXES ARE TOO DARN HIGH. PROPERTY TAXES, INCOME TAXES, CORPORATE TAXES, TAXES, TAXES, TAXES, WE HAVE TO FIX TAXES. AND GUESS WHAT? GOVERNOR RICKETTS, WHO WAS ON THE CAMPAIGN, PETE RICKETTS AT THE TIME, AND I KNOW HE HEARD THE SAME THING. AND HE'S BEEN IN THE OFFICE NOW FOR FIVE MONTHS. WELCOME TO THE JOB, CAREFUL WHAT YOU ASK FOR. AND, YOU KNOW, IT..HE REALLY HAD NO CHOICE BUT TO LOOK AT THIS. AND IT WOULD BE VERY DISINGENUOUS FOR HIM TO CAMPAIGN ON A PLATFORM OF DOING SOMETHING ABOUT TAXES AND THEN TURNING AROUND AND INCREASING TAXES. AND I FEEL THE SAME WAY. I SERVE ON THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE. I KNOW BRIDGES AND ROADS ARE IN ROUGH SHAPE. MY OFFICE MOTTO: STUFF NEEDS FIXING. BUT, LADIES AND GENTLEMEN, COLLEAGUES, THIS 6 CENT PER GALLON GAS TAX IS GOING TO BE IMPLEMENTED OVER FOUR YEARS, SO IT WOULD BE ONE AND A HALF CENT IN THE NEAR TERM. I THINK WE CAN WAIT A YEAR. THE GOVERNOR HAS JUST APPOINTED A NEW DIRECTOR OF ROADS. LET'S GIVE HIM A CHANCE TO GET IN THERE AND FIND OUT WHAT HE CAN DO. HE MAY NOT BE ABLE TO DO ANYTHING, BUT THEN AGAIN, HE MIGHT. SO LET'S NOT PUT ANOTHER TAX ON NEBRASKANS. AND YOU HEARD SENATOR CHAMBERS EARLIER WHEN WE DEBATED ON GENERAL FILE HOW IT IMPACTS THE LESS ADVANTAGED FOLKS AND THE FOLKS LIVING OUT IN THE RURAL COMMUNITIES WHO HAVE LONG COMMUTES AND EVERYTHING. LET'S GIVE IT A YEAR. LET'S TAKE A GOOD, HARD LOOK AT IT AGAIN NEXT YEAR. BUT I STAND WITH THE GOVERNOR AND I ASK YOU TO STAND WITH THE GOVERNOR AS WELL AND LET'S NOT OVERRIDE THE GOVERNOR'S VETO. THANK YOU, MR. PRESIDENT. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR GARRETT. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB610]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, I DON'T SEE THIS REALLY ABOUT AN OVERRIDE SO MUCH OF THE GOVERNOR'S VETO AS EXHIBITING LEADERSHIP AS A STATE SENATOR. AND SOME OF YOU FEEL THAT BEING IN THAT LEADERSHIP ROLE MEANS THAT WE SHOULD NOT INCREASE THIS GAS TAX. I'M ON THE OTHER SIDE. I BELIEVE THAT EXHIBITING LEADERSHIP IN THIS CASE MEANS THAT WE SHOULD DO THE OVERRIDE. I KNOW TAX IS ALWAYS A FOUR-LETTER WORD. BUT ON THE OTHER HAND, OUR ROADS AND BRIDGES AND INFRASTRUCTURE OF THIS SORT NEED THE MONEY. NOT TOO LONG AGO IN

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THE LINCOLN JOURNAL STAR THERE WAS AN ARTICLE AND, BASICALLY, BOILED DOWN TO THIS: PEOPLE WANT LESS TAXES AND MORE IN THE WAY OF SERVICES THAT THEY NEED. AND I BELIEVE WE ALL NEED, TO ONE EXTENT OR ANOTHER, OUR ROADS, GOOD ROADS AND GOOD BRIDGES. THOSE OF US WHO DRIVE TO THE LEGISLATURE EVERY DAY DO GET COMPENSATED FOR THAT WITH A MILEAGE FEE. AND SO I LOOK AT, INSTEAD OF A TAX, I LOOK AT IT AS A USER FEE THAT MAKES A LOT OF SENSE. AND I LOOK AT IT AS AN INVESTMENT IN PUBLIC INFRASTRUCTURE. AND TO ME, THAT MAKES A LOT OF SENSE. AND SO, JUST AS I VOTED ON LB610 IN THE AFFIRMATIVE TO BEGIN WITH, I'M GOING TO VOTE TO OVERRIDE BECAUSE I THINK IT'S AN EXPRESSION OF LEADERSHIP. THANK YOU VERY MUCH. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR HAAR. SENATOR BAKER, YOU'RE RECOGNIZED. [LB610]

SENATOR BAKER: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF THE OVERRIDE. LET ME REFLECT ON THE CONVERSATIONS THAT OCCURRED HERE ON THE FLOOR YESTERDAY. THERE WAS SOME TALK ABOUT ASSERTING A LEGISLATIVE BRANCH OF THE GOVERNMENT AS INDEPENDENT FROM AND EQUAL TO THE EXECUTIVE BRANCH. I, FOR ONE, APPRECIATE THE APPROACH THAT GOVERNOR RICKETTS HAS TAKEN IN WORKING WITH ME AS A STATE SENATOR. AND I SUSPECT MANY OF THE REST OF YOU HAVE EXPERIENCED THE SAME. I MAY BE NAIVE, BUT THAT'S WHAT I WANT--FOR THE LEGISLATURE, THE GOVERNOR TO WORK TOGETHER. AND I APPRECIATE GOVERNOR RICKETTS VERY MUCH. WITH REGARDS TO LB610, I RESPECTFULLY DISAGREE WITH GOVERNOR RICKETTS. I HAVE ALWAYS BELIEVED THAT LETTING INFRASTRUCTURE SLIDE TO SAVE TAXES IS FALSE ECONOMY. I WAS ONE OF THE FIRST COSIGNERS TO LB610. OUR GREAT-GRANDPARENTS, OUR GRANDPARENTS, AND OUR PARENTS HELPED BUILD THE INFRASTRUCTURE OF THIS STATE THAT WE INHERITED. IT IS OUR RESPONSIBILITY TO HAND IT OFF TO OUR CHILDREN AND GRANDCHILDREN IN JUST AS GOOD A SHAPE AS IT WAS WHEN WE...WHEN OUR GENERATION INHERITED IT. THANK YOU. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR BAKER. SENATOR GROENE, YOU'RE RECOGNIZED. [LB610]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I'M NOT GOING TO REHASH ALL THE FACTS WE WENT OVER...I WENT OVER WHEN WE DEBATED THIS THE FIRST TIME. BUT REMEMBER, WE'RE IN THE TOP FIVE, NOBODY WILL DENY THAT, THAT

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OUR ROADS ARE RATED. LAST...I HAVEN'T SEEN IT, BUT I WAS TOLD WE'RE...THE LATEST RATINGS, WE'RE NUMBER TWO, OUR STATE ROADS. WE HAVE TAKEN GOOD CARE OF OUR ROADS BECAUSE WE HAVE ALREADY PAID HIGH GAS TAX. JUST RECENTLY IN A YEAR OR TWO WE HAVE ADDED A QUARTER PERCENT SALES TAX TO THAT. A BIG CHUNK, \$75 MILLION, IT'S ESTIMATED, WILL BRING IN. IT'S SUPPOSED TO BE FOR OUR FOUR LANES AND OUR BYWAYS WHICH WILL FREE UP MONEY FOR OTHER PROJECTS. GAS PRICE IS DOWN, SO, THEREFORE, THE STATE ROADS DEPARTMENT'S BUDGET WILL BE DOWN; THE COUNTY ROADS DEPARTMENT'S BUDGET WILL BE DOWN BECAUSE FUEL IS A HUGE COST TO THAT. THEY WILL HAVE EXTRA MONEY. I'M A FISCAL CONSERVATIVE. AND I HAVEN'T SEEN ANYTHING ON THIS FLOOR, BUSINESS PROPERTY TAX, THAT HASN'T PASSED YET, BUT A VERY SMALL ONE. I HAVE SEEN NO BILLS TO MAKE GOVERNMENT SMALLER. BUT YOU WANT ME TO COME DOWN HERE, AS ONE OF THE FIRST THINGS I DO IS TO PASS A 23.5 PERCENT INCREASE IN OUR GAS TAX. AM I THE ONLY FISCAL CONSERVATIVE DOWN HERE, BESIDES ABOUT 18 OR 19 OTHERS? I HEAR RUMORS THAT, WELL, WE'LL PASS THIS TAX AND THEN WE'LL COME BACK AND FIX THE FORMULA OF HOW WE SPEND IT. FISCAL CONSERVATIVES FIXES THE FORMULA FIRST, MAKES IT MORE...GOVERNMENT MORE EFFICIENT. YOU DON'T RAISE TAXES FIRST. THE GOVERNOR SAYS HE WILL LOOK AT THE MANDATES, THE MINIMUM STANDARDS WITH HIS NEW DIRECTOR SO THAT COUNTIES CAN BUILD BRIDGES MORE EFFICIENTLY. THERE'S NO GUARANTEE THIS MONEY IS GOING TO BE SPENT ON BRIDGES OR CULVERTS. THE CITIES ARE OUT GIVING PROPERTY TAXES AWAY LEFT AND RIGHT IN TIF, TAX INCREMENT FINANCING. THEY, APPARENTLY, DON'T NEED THEIR PROPERTY TAX TO FIX THEIR BRIDGES AND THEIR STREETS. THEY ARE GIVING IT AWAY. THEY'RE GIVING THE COUNTIES AWAY AND THE SCHOOLS AWAY AND EVERY OTHER TAX ENTITY TOO. WHY WOULD I TRUST THEM WITH ANOTHER 23.5 PERCENT INCREASE IN FUEL TAXES? IN THREE YEARS, IN THREE YEARS. WE WILL BE NUMBER ONE IN THE AREA IN GAS TAX AGAIN. I WAS 31 PERCENT AT THE END OF THIRD YEAR, GOING INTO THE FOURTH YEAR. WE WILL BE 31.6 CENTS, PLUS \$75 MILLION QUARTER-CENT SALES TAX. THIS IS UNNECESSARY. WHEN A TRANSITIONARY PERIOD BETWEEN A NEW GOVERNOR AND NEW DEPARTMENT OF ROADS, EFFICIENCIES ARE LOOKED AT AND WE'RE RAISING THE TAXES 23.5 PERCENT, 23.5 PERCENT. I SPONSORED AN AMENDMENT EARLIER TO DO SOME FINE-TUNING TO...DEDICATED DIRECTLY TO THE BRIDGES AND CULVERTS OF OUR COUNTIES AND CITIES. IT WAS REJECTED. IT WAS A MODEST AMOUNT, 2.8 PERCENT INCREASE, THAT WOULD HAVE FORCED THEM TO USE IT ON EXISTING MAINTENANCE. WHO'S GOING TO GUARANTEE THEY DON'T GIVE THEIR MONEY AWAY AND THEY DO A TIF PROJECT AND THEY NEED A FOUR-LANE AROUND TO THE NEW PROJECT? THEY ARE GOING TO BUILD THAT.

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THEY'RE GOING TO IGNORE THE MAINTENANCE ON THE EXISTING BRIDGES AND CULVERTS. I HAVE SEEN IT. I HAVE EXPERIENCED IT. TWENTY THREE AND A HALF PERCENT INCREASE IN TAXES, A CONSERVATIVE STATE WITH 35 PEOPLE WHO CLAIM THEY'VE GOT CONSERVATIVE ROOTS; 35 PEOPLE IN THIS BODY CLAIM THEY HAVE FISCAL CONSERVATIVE ROOTS. WE'RE THE SECOND BEST ROADS IN THE NATION AND WE'RE THROWING A 23.5 PERCENT INCREASE AT IT. SOMETHING IS WRONG HERE. NOBODY TOLD ME THEY NEEDED NEW ROADS. THEY TOLD ME THE BRIDGES NEEDED TO BE FIXED. BUT WE CAN DO THAT IN A MORE MODEST WAY. AND WE CAN DO THAT NEXT YEAR WITH A BETTER BILL, WITH WORK WITH THE DEPARTMENT OF ROADS. [LB610]

SPEAKER HADLEY: ONE MINUTE. [LB610]

SENATOR GROENE: EARLIER YOU SAID I WORKED WITH THE DMV ON CITIZENSHIP OF THE...THE DACA KIDS. WELL, THIS BODY OUGHT TO WORK WITH THE NEW GOVERNOR AND THE NEW DEPARTMENT OF ROADS DIRECTOR BECAUSE WHEN WE PASS THIS, WE'RE OUT OF THE PICTURE. OUR DEPARTMENT OF ROADS RUNS INDEPENDENTLY WITH A BOARD. WOULDN'T YOU RATHER WORK HAND IN HAND WITH THAT BOARD INSTEAD OF START DICTATING THINGS AND THROWING MONEY? WELL, WE DON'T KNOW HOW IT'S GOING TO GET SPENT. THANK GOD WE'VE GOT A CONSERVATIVE GOVERNOR COMING IN AND A NEW DIRECTOR BECAUSE THEY PROBABLY WILL SPEND IT CONSERVATIVELY AND ACCURATELY WHERE IT NEEDS TO BE. TWENTY-THREE AND A HALF PERCENT, IS THAT WHERE WE WANT TO BE KNOWN AS, THIS BODY, THIS YEAR RAISING TAXES 23.5 PERCENT ON THE PEOPLE WHO DIDN'T ASK FOR IT? I'VE GOT A LOT OF PEOPLE TELLING ME THEY DIDN'T ASK FOR IT IN VERY STRONG LANGUAGE. YOU NEED 20 VOTES, FOLKS. [LB610]

SPEAKER HADLEY: TIME, SENATOR. [LB610]

SENATOR GROENE: THANK YOU. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB610]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I'M JUST GOING TO ADDRESS A COUPLE ISSUES THAT HAVE POPPED UP. AND I GUESS THE FIRST ISSUE THAT JUST HAPPENS TO POP UP INTO MY MIND IS WHEN WE TALK ABOUT A 23.5 PERCENT INCREASE. WELL, IF WE DON'T INCREASE IT EVERY YEAR, OR REASONABLY

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EVERY OTHER YEAR, WE'RE GOING TO HAVE LARGE INCREASES. THIS IS WHAT HAPPENS. FIRST ANOTHER ITEM, EVERYBODY KEEPS BRINGING UP BONDING. EXPLAIN TO ME SOMETIME HOW BONDING MAKES THINGS CHEAPER. IT DOESN'T. ALL WE DO IS PAY A LITTLE INTEREST AND WE SPREAD OUT OUR COSTS AND MAYBE WE MAKE OUR KIDS PAY FOR IT. BONDING IS NOT THE ANSWER. BONDING CAN HELP YOU DO MORE PROJECTS WITH SOME LIMITED AMOUNT OF MONEY, BUT IN THE END IT COSTS US MORE. IT DOES NOT SAVE MONEY AND IT DOESN'T FIX ANY ROADS. WHEN PEOPLE KEEP SAYING HOW IT HITS RURAL AREAS THE HARDEST, I'M WHAT I'D CONSIDER IN A RURAL AREA. AND WHEN YOU WANT TO TALK ABOUT MAYBE SENATOR LARSON OR SENATOR DAVIS, SOME OF THOSE AREAS, LET'S TALK ABOUT THAT. LET'S TALK ABOUT HAVING TO DRIVE 50 MILES ROUND TRIP TO GO TO A TOWN. AND IF THEY'RE DRIVING ON A BLACKTOP ROAD THAT MAYBE SERVES 12 TO 15 PEOPLE, AND THAT ROAD IS GOING TO COST \$2.3 MILLION FOR A 25-MILE STRETCH JUST TO PUT ON A TWO-INCH OVERLAY, WHO'S GETTING HIT HARDEST THERE? THE RURAL PEOPLE? THE PEOPLE USING THAT ROAD? I DON'T THINK SO. WE'RE COST-SHARING ON THAT ROAD. AND I APPRECIATE THAT. YOU TAKE THE AVERAGE COST OF A TWO-INCH OVERLAY JUST TO FIX ONE OF OUR ROADS, AND WE'RE NOT EVEN STARTING WITH BRIDGES YET. WE CAN TALK ABOUT AN AVERAGE COST SOMEWHERE IN THAT \$93,000...\$90,000 PER MILE. WHEN I TALK ABOUT DRIVING, IF I DRIVE 35,000 MILES A YEAR, 15 MILES TO THE GALLON IN MY PICKUP, IT'S GOING TO COST ME \$140. THAT'S NOT GOING TO PAY FOR ONE MILE OF TWO-INCH RESURFACED BLACKTOP. WE HAVE A HUGE COST HERE. AND THE REASON OUR COSTS ARE HIGHER MAYBE THAN SOME OTHERS IS WE DON'T HAVE ENOUGH PEOPLE IN RURAL NEBRASKA DRIVING ON THOSE ROADS. WE HAVE A LOW POPULATION STATE WITH A LOT OF MILES OF BLACKTOP. IT COSTS A LOT OF MONEY PER MILE. WE CAN'T IGNORE THAT FACT. IT'S EXPENSIVE. AND WHEN YOU PUT ON TOP OF THAT THE BRIDGES THAT ARE DEFICIENT AND THE INCREASED COSTS YEAR AFTER YEAR, WE HAVE A SERIOUS PROBLEM. I DON'T...I WOULD LOVE WORKING WITH THE NEW DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION, DEPARTMENT OF ROADS, BUT HE IS NOT GOING TO SOLVE THE FINANCIAL PROBLEM OF GETTING THESE ROADS FIXED. THANK YOU, MR. PRESIDENT, AND I'LL YIELD THE REST OF MY TIME TO SENATOR SMITH. [LB610]

SPEAKER HADLEY: SENATOR SMITH, YOU'RE YIELDED 2:00. SENATOR SMITH WAIVES. THANK YOU, SENATOR FRIESEN AND SENATOR SMITH. SENATOR NORDQUIST, YOU'RE RECOGNIZED. [LB610]

SENATOR NORDQUIST: THANK YOU, MR. PRESIDENT AND MEMBERS. I'VE PROBABLY BEEN AROUND THIS BODY LONG ENOUGH WHERE I GET REALLY

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FRUSTRATED WHEN PEOPLE QUESTION YOUR MOTIVES OR YOUR VALUES ON ANY GIVEN VOTE. AND, YOU KNOW, WHEN SENATOR McCOY STOOD UP AND SAID, WHERE IS THE CONCERN FOR THE ELDERLY, WHERE'S THE CONCERN FOR THE FIXED INCOME, THAT REALLY FRUSTRATES ME WHEN HE QUESTIONS MY MOTIVES AND THE MOTIVES OF OTHER PEOPLE SUPPORTING THIS BILL. WHEN SENATOR McCOY CAME JUST A COUPLE OF YEARS AGO WITH LB405, WE DIDN'T STAND ON THIS FLOOR AND SAY: SENATOR McCOY, WHERE IS YOUR CONCERN FOR THE ELDERLY WHEN YOU START PUTTING A SALES TAX ON PRESCRIPTION DRUGS? SENATOR McCOY, WHERE IS YOUR CONCERN FOR FARMERS WHEN YOU START TAXING EGG INPUTS? SENATOR McCOY, WHERE IS YOUR CONCERN FOR BUSINESSES WHEN YOU START TAXING INPUTS ON MANUFACTURING? WE DIDN'T DO THAT. SO LET'S AVOID IT ON THIS BILL. SENATOR BLOOMFIELD SAID WE DON'T PAVE ROADS WITH DOLLAR BILLS. THAT'S TRUE, THAT'S A FACTUAL STATEMENT. BUT IT'S ALSO A FACT THAT WHAT WE DO PAVE ROADS WITH COSTS DOLLAR BILLS. AND WE HAVE A LOT OF PEOPLE...I THINK EVERYONE IN THIS BODY HAS MADE SOME COMMENT ABOUT THE NEED TO ADDRESS OUR INFRASTRUCTURE. AND WE'VE HAD PEOPLE POINT TO THE BIG STUDY SENATOR FISCHER DID IN OMAHA WHICH WAS HELD IN DISTRICT 7 AT THE EMBASSY SUITES, AND A GREAT HOTEL DOWNTOWN, THAT I ATTENDED. AND THE REPORT THAT CAME OUT THAT GAVE US A LOT OF RECOMMENDATIONS. AND A VAST, VAST, VAST MAJORITY OF THOSE RECOMMENDATIONS WERE INCREASED FEES OR TAXES BECAUSE, AT THE END OF THE DAY, IF WE HAVE TO BUILD AND MAINTAIN OUR ROADS, IT TAKES DOLLARS TO DO THAT. AND NOBODY ELSE HAS BROUGHT FORWARD A SENSIBLE ALTERNATIVE EITHER IN OUR STATE OR EVEN NATIONALLY, AN ALTERNATIVE TO THE GAS TAX. AT THE END OF THE DAY, IT'S ABOUT THE ONLY SOLUTION THAT'S BEEN WIDELY ACCEPTED AS A POLICY, A SOLUTION TO BRINGING DOLLARS IN TO BUILD OUR ROADS. EVERY ONE OF US HAD AN OPPORTUNITY TO INTRODUCE LEGISLATION LAST YEAR, THIS YEAR, SINCE SENATOR FISCHER DID THE LR152 STUDY. AND REALLY AT THE END OF THE DAY, THE OPTIONS WERE EITHER TAKING MONEY, AS SENATOR SMITH HAS SAID, FROM THE GENERAL FUND OR FINDING ANOTHER FEE OR ANOTHER TAX TO TAKE. AND WE LOOK AT THE OPTIONS THAT WERE LAID OUT: A FUEL TAX INCREASE, INDEX THE FUEL TAX, INDEX THE FUEL TAX TO HIGHWAY CONSTRUCTION, STATE REGISTRATION FEE, MOTOR VEHICLE TAX REFORMULATION, MOTOR VEHICLE TAX SHIFT, BASE MOTOR VEHICLE FEE, REAPPORTION VEHICLE REGISTRATION RATE INCREASE, ELECTRIC VEHICLE FEE, RESCIND TAX EXEMPT VEHICLE STATUS, RECREATIONAL REGISTRATION INCREASE, A LOCAL OPTION FUEL SALES TAX, COUNTYWIDE SALES TAX, HIGHWAY ALLOCATION DOLLARS PLACED OUTSIDE THE COUNTY LEVY LIMIT-- WHICH WOULD BE A PROPERTY TAX INCREASE--DRIVER'S LICENSE FEE

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INCREASE, TIRE TAX, TRAIN TAX, CAR RENTAL TAX, LODGING TAX, INCREASED OVERWEIGHT PERMITS, ETHANOL TAX, SALES TAX ON FOOD AND SODA TO PAY FOR ROADS, TOLL ROADS, VEHICLE MILES TRAVELED TAX, OR GAMBLING EXPANSION. THAT WOULD GO TO SENATOR SCHUMACHER AND SENATOR LARSON I THINK. BUT THE OPTIONS, QUITE FRANKLY, ARE LIMITED. WHO DO YOU WANT TO TAX AND HOW MUCH TO PAY FOR THE ROADS THAT WE NEED IN OUR STATE, THE INFRASTRUCTURE WE NEED IN OUR STATE? AND I THINK SENATOR SMITH HAS BROUGHT FORWARD A SENSIBLE ALTERNATIVE THAT IS GOING TO HELP US ADDRESS THE SIGNIFICANT... WE HEAR IT EVERY YEAR, APPROPRIATIONS AND TRANSPORTATION COMMITTEE HAVE A JOINT HEARING, DEPARTMENT OF ROADS COMES IN AND SHOWS THAT OUR SHORTFALL BETWEEN MAINTAINING OUR CURRENT ROADS AND WHAT WE NEED OVER THE NEXT 20 YEARS IS AROUND \$10 BILLION. THAT'S WITH OUR CURRENT MONEY... [LB610]

SPEAKER HADLEY: ONE MINUTE. [LB610]

SENATOR NORDQUIST: ...GOING INTO THE SYSTEM RIGHT NOW. WE NEED ANOTHER \$10 BILLION TO MAINTAIN OUR CURRENT SYSTEM OVER THE NEXT 20 YEARS. THIS BILL MAY NOT EVEN GET US ALL THE WAY THERE, BUT IT CERTAINLY IS A STEP IN THE RIGHT DIRECTION. THANK YOU. [LB610]

SPEAKER HADLEY: THANK YOU, SENATOR NORDQUIST. THOSE IN THE QUEUE: SENATORS GLOOR, HILKEMANN, BRASCH, BLOOMFIELD, LARSON, AND OTHERS. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB610]

SENATOR GLOOR: QUESTION, MR. SPEAKER. QUESTION. [LB610]

SPEAKER HADLEY: THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB610]

CLERK: 25 AYES, 3 NAYS TO CEASE DEBATE, MR. PRESIDENT. [LB610]

SPEAKER HADLEY: DEBATE DOES CEASE. SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE. [LB610]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND AGAIN, THANK YOU, COLLEAGUES. AT THE CONCLUSION OF MY CLOSING, I WILL BE PLACING A CALL

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OF THE HOUSE, SO TO KIND OF PUT EVERYONE ON FAIR NOTICE. COLLEAGUES, MY GAS TAX BILL FOR MY BUSINESS IS PROBABLY LARGER THAN ANYONE ELSE'S IN THIS CHAMBER TODAY. AND IT'S NOT BECAUSE WE'RE WEALTHY. WE JUST HAVE A SMALL BUSINESS; WE JUST HAVE A LOT OF VEHICLES. AND THAT'S A COST OF DOING BUSINESS. WE USE THE ROADS, WE PAY FOR IT. I THINK IT'S THE FAIR WAY OF DOING THINGS. COLLEAGUES, THE NEED IS GREAT. THE OPTIONS ARE FEW. WAITING IS NOT AN OPTION. I STARTED OUT BY SAYING THAT THIS IS CERTAINLY NOT WITH ANY ENJOYMENT OR SENSE OF SATISFACTION THAT I'M TAKING UP GOVERNOR RICKETTS' VETO OF LB610 AND LB610A. AS I SAID, I DO HAVE RESPECT FOR GOVERNOR RICKETTS. I WISH HIM WELL. I WISH OUR STATE WELL. AND I BELIEVE I SHARE THE SENTIMENTS OF ALL OF YOU. COLLEAGUES, AS I SAID BEFORE, THIS DISCUSSION IS ABOUT A DIFFERENCE OF OPINION OF POLICY BETWEEN TWO EQUAL BRANCHES OF GOVERNMENT, POLICY THAT AFFECTS THE SAFETY AND THE WELL-BEING OF EVERY NEBRASKAN AND THAT DRIVES THE COMMERCE AND ECONOMIC VIABILITY AND SUSTAINABILITY OF OUR GREAT STATE. BUT, AS I SAID BEFORE ALSO, WAITING IS SIMPLY NOT A STRATEGY. I APPRECIATE SENATOR SCHEER, I HEARD HIS COMMENTS, I THINK HE SAID IT VERY, VERY WELL. AND HE INDICATED THE SAME, THAT HE BELIEVES WAITING IS NOT A STRATEGY. THE FUNDING NEEDS ARE MASSIVE AND OUR COMMUNITIES ARE DESPERATE FOR OUR HELP. AND WE NEED TO PROVIDE THAT HELP NOW. I HAVE EVERY INTENTION OF WORKING WITH OUR NEW GOVERNOR AS CHAIR OF THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE AND WITH HIS FORWARD-THINKING HEAD OF DOR TO EXPLORE INNOVATIVE IDEAS FOR OUR STATE'S INFRASTRUCTURE. BUT, COLLEAGUES, ONCE AGAIN, TODAY I ASK YOU TO STAND WITH ME AND TO RESPECTFULLY AND THOUGHTFULLY VOTE TO MAKE LB610 AND LB610A LAW, NOTWITHSTANDING THE VETO OF THE GOVERNOR. I ASK YOU TO VOTE GREEN. I BELIEVE IT'S THE RIGHT THING TO DO FOR OUR STATE, COLLEAGUES. AND, MR. PRESIDENT, MR. CLERK, I WOULD ASK FOR A CALL OF THE HOUSE AND I WOULD LIKE TO HAVE A ROLL CALL VOTE IN REVERSE ORDER. [LB610 LB610A]

SPEAKER HADLEY: 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; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB610]

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

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER

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PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR MORFELD AND SENATOR SCHEERS (PHONETIC)...NOT SCHEERS (PHONETIC), SCHILZ...KIND OF LOOK THE SAME. (LAUGHTER) THIS MOTION REQUIRES 30 VOTES. THE QUESTION IS, SHALL LB610 BECOME LAW NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR?THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE IN REVERSE ORDER. ALL THOSE IN FAVOR SHOULD VOTE AYE; ALL THOSE OPPOSED SHOULD VOTE NAY. MR. CLERK. [LB610]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1623.) 30 AYES, 16 NAYS, MR. PRESIDENT, ON THE MOTION THAT LB610 BECOME LAW NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR. [LB610]

SPEAKER HADLEY: THE MOTION IS ADOPTED. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN...FORGET THAT. OKAY. WE WILL OPEN ON LB610A. RAISE THE CALL. [LB610 LB610A]

CLERK: MR. PRESIDENT, SENATOR SMITH WOULD MOVE THAT LB610A BECOME LAW NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR. [LB610A]

SPEAKER HADLEY: SENATOR SMITH, YOU'RE RECOGNIZED TO OPEN UP ON LB610A. [LB610A]

SENATOR SMITH: THANK YOU. AND, COLLEAGUES, BEFORE YOU RUN OFF, SO I DON'T HAVE TO DO ANOTHER CALL OF THE HOUSE, WE'LL MAKE THIS VERY, VERY QUICK. THIS IS THE TRAILING A BILL. THIS WAS ALSO VETOED BY THE GOVERNOR. I'M ASKING YOU TO VOTE TO OVERRIDE AND...OVERRIDE THE VETO OF LB610A. AGAIN, IT'S THE TRAILING A BILL. THANK YOU, COLLEAGUES. [LB610A]

SPEAKER HADLEY: SENATOR HILKEMANN, YOU'RE RECOGNIZED. SENATOR HILKEMANN WAIVES. SENATOR BRASCH. [LB610A]

SENATOR BRASCH: THANK YOU, MR. CHAIRMAN. I WOULD LIKE TO YIELD MY TIME TO SENATOR LARSON. [LB610A]

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SPEAKER HADLEY: SENATOR LARSON, YOU'RE RECOGNIZED. [LB610A]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. WOULD SENATOR SMITH YIELD TO A QUESTION? [LB610A]

SPEAKER HADLEY: SENATOR SMITH, WILL YOU YIELD TO A QUESTION? [LB610A]

SENATOR SMITH: YES, I WILL YIELD. [LB610A]

SENATOR LARSON: THANK YOU, SENATOR SMITH, FOR YIELDING. OBVIOUSLY, WE JUST OVERRODE THE GOVERNOR ON LB610 AND THIS IS THE APPROPRIATION BILL TO FOLLOW. JUDGING BY YOUR ADAMANT NATURE, YOU'RE PRETTY MUCH WILLING TO DO A LOT TO RAISE GAS TAXES AT THIS POINT, AREN'T YOU? [LB610A LB610]

SENATOR SMITH: IS THERE A QUESTION THERE, SENATOR LARSON? [LB610A]

SENATOR LARSON: WELL, THERE IS. I'M GETTING THERE IN THE SENSE THAT YOU'RE WILLING TO RAISE SIX-TENTHS OF A TAX. WOULD YOU BE WILLING TO POSSIBLY EXPAND GAMING UNDER THE BILL IF THAT...IF A PORTION OF THAT FUNDING WENT TO ROADS FUNDING IN THE STATE OF NEBRASKA? [LB610A]

SENATOR SMITH: I'M NOT GOING TO ENTERTAIN THAT QUESTION, SENATOR LARSON. IT IS NOT SERIOUS. [LB610A]

SENATOR LARSON: NO, IT'S A VERY SERIOUS QUESTION. I THINK SENATOR KARPISEK, ACTUALLY, INTRODUCED A BILL LAST YEAR THAT PART OF THAT MONEY WOULD HAVE WENT TO ROADS FUNDING. AND I WAS JUST WONDERING WHAT YOUR THOUGHTS ON SOMETHING OF THAT NATURE WOULD BE. [LB610A]

SENATOR SMITH: THE ISSUE AT HAND, SENATOR LARSON, IS LB610 AND LB610A WHICH IS 6 CENTS OVER A FOUR-YEAR PERIOD OF TIME TO CATCH UP ON THE BACKLOG OF INFRASTRUCTURE NEEDS WE HAVE IN OUR STATE. AND THAT'S WHAT...THAT'S WHAT I'M WILLING TO DISCUSS WITH YOU, SENATOR LARSON. [LB610 LB610A]

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SENATOR LARSON: I APPRECIATE...I APPRECIATE THAT, SENATOR SMITH, IN THE SENSE THAT IF WE ARE GOING TO LOOK FOR SOLUTIONS TO COVER THAT BACKLOG, IT HAS TO BE A MULTITUDE OF SOLUTIONS. AND I'M NOT IN FAVOR OF RAISING TAXES TO DO THAT. I WILL LOOK OUTSIDE THE BOX. I WILL CONTINUE TO DO SO. AND TO SAY THAT ONE THING, ESPECIALLY A TAX INCREASE, IS BETTER THAN LETTING PEOPLE DECIDE HOW TO SPEND THEIR MONEY OR HAVE A MORAL OBJECTION TO HOW PEOPLE DECIDE TO SPEND THEIR MONEY IS BETTER THAN A TAX INCREASE, YOU WOULD RATHER FORCE PEOPLE TO PAY THE TAXES THAN LET THEM DECIDE TO PAY THE TAXES. THAT'S...IF YOU DON'T THINK THAT'S A SERIOUS QUESTION, IT'S A VERY SERIOUS QUESTION. THIS IS REGRESSIVE AND PEOPLE CALL GAMING A REGRESSIVE TAX. COLLEAGUES, THIS IS A REAL ISSUE. AND IT WILL BE INTERESTING WHEN SENATOR SCHUMACHER OR MYSELF HAVE THE ABILITY TO KICK OUT ANOTHER BILL OUT OF GENERAL AFFAIRS THAT DOES DEDICATE ROAD FUNDING, PART OF THE...ALL THE GAMBLING MONEY TO ROADS AND THINGS LIKE WATER FUNDING AND THE PROPERTY TAX CUT RELIEF PROGRAM. I FEEL LIKE WE RECEIVE A LOT OF LIP SERVICE AND WE JUST RAISE TAXES, FUEL TAXES, BUT YET WE DO NOT THINK...OR WE DO NOT BELIEVE THAT OTHER PEOPLE SHOULD BE ABLE TO DO WHAT THEY WANT WITH THEIR OWN MONEY. TO BE ABLE TO HAVE THAT CHOICE, THAT FREEDOM OF CHOICE IS SOMETHING THAT I CARE DEEPLY ABOUT. I UNDERSTAND THAT SOME PEOPLE LIKE TO RESTRICT THOSE CHOICES AND TELL PEOPLE HOW THEY CAN AND CAN'T SPEND THEIR MONEY, BUT I DON'T BELIEVE THAT. WE ARE ADULTS. AND I WILL WORK TO PUT ROADS FUNDING IN THE NEXT GAMING BILL, WHETHER THAT'S SENATOR SCHUMACHER'S OR MY OWN. SO I'M SORRY IF I'M VOLUNTEERING YOU, SENATOR SCHUMACHER, ON WHAT'S GOING TO BE IN YOUR NEXT GAMING BILL,... [LB610A]

SPEAKER HADLEY: ONE MINUTE. [LB610A]

SENATOR LARSON: ...BUT ROADS FUNDING WILL BE IN THERE. AND WHATEVER YOU INTRODUCE, THE GENERAL AFFAIRS COMMITTEE, IF THEY KICK IT OUT, THAT WILL BE PART OF THE COMMITTEE AMENDMENT. I CAN TELL YOU THAT RIGHT NOW. I HOPE YOU'RE OKAY WITH THAT BECAUSE IF WE HAVE TO FIX ROADS, LET'S LOOK OUTSIDE THE BOX. LET'S NOT JUST GO TO THE FIRST THING THAT WE CAN DO AND THAT'S RAISE TAXES. I FEEL SORRY FOR THE PEOPLE OF NEBRASKA TODAY IN THE SENSE THAT WE DID NOT LOOK OUTSIDE THE BOX. NOW, AS I SAID, LB619 IS COMING UP. WHETHER WE GET TO IT THIS YEAR OR THE BEGINNING OF NEXT YEAR, I HAVE BEEN CONFIRMED THAT IT WILL HOLD ITS PRIORITY NEXT YEAR. WE'RE GOING TO HAVE AN ISSUE THAT'S OUTSIDE THE BOX THAT WILL LOWER PROPERTY TAXES. AND I'M LOOKING FORWARD TO THAT

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DEBATE AND I'M LOOKING FORWARD TO HEARING THE PEOPLE ARGUE BOTH SIDES OF THAT. THANK YOU, MR. PRESIDENT. [LB610A LB619]

SPEAKER HADLEY: SENATOR BRASCH, YOU'RE RECOGNIZED. [LB610A]

SENATOR BRASCH: THANK YOU, MR. SPEAKER. AND, COLLEAGUES, I WAS ASKED IF I WOULD YIELD TIME TO SENATOR LARSON, WHICH I DID. BUT HE IS VERY MUCH AWARE OF THAT I AM NOT IN SUPPORT OF GAMING, EXPANSION OF GAMBLING IN OUR STATE FOR ANY MEANS, AND I WANT THAT ON RECORD. WHAT I AM ON RECORD FOR IS VERY SAD FOR INDIVIDUALS THAT I KNOW WE'VE ALL SEEN THEM THAT RUN INTO THE GAS STATION WITH A \$5 BILL SO THEY CAN GET THEIR KIDS TO SCHOOL. MY EXPERIENCE WAS ONE RAN IN, THOUGHT THEY HAD...AND THIS IS TWO BLOCKS FROM THE CAPITOL. SHE THOUGHT SHE HAD \$5 ON HER GAS CARD OR CREDIT CARD. IT WAS DENIED. I HAD GIVEN HER...AND IT WAS JUST ONE OF THOSE MORNINGS, FOR MY PETTY CASH, AND IT WAS MEANINGFUL. I HAD \$20 I'D JUST STUCK IN MY POCKET TO LAST THE WEEK AND I LAID IT ON THE COUNTER AND I GAVE IT TO THAT WOMAN. SHE CRIED; SHE HUGGED ME; SHE SAID, YOU JUST PAID FOR MY DAUGHTER TO GET TO SCHOOL. NOT EVERYONE EVEN HAS \$5, SO THIS IS WHAT SADDENS ME. AND IT ALSO SADDENS ME THAT WE HIRED A NEW DIRECTOR WHO IS NOT GOING TO BE ABLE TO MAKE HIS RECOMMENDATIONS. IT ALSO CONCERNS ME THAT JUST TWO DAYS AGO, WE WERE TALKING ABOUT PATIENCE AND FOLLOWING THE COMMITTEE, COMMITTEE VOTES, THE COMMITTEE CHAIRS, THE PROTOCOL, AND TO WAIT AND TO BE PATIENT. WELL, WE CAN'T WAIT. BUT FOR THE RECORD AGAIN, I WILL NOT SUPPORT ANY EXPANSION OF GAMBLING IN OUR STATE. AND I THINK WE'RE GOING TO NEED TO EXPAND SOME SORT OF SERVICES TO HELP PEOPLE WITH GASOLINE HERE THAT CAN'T AFFORD IT. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LB610A]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB610A]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, I THINK THE HORSE HAS LEFT THE BARN HERE, BUT IT TOOK US LESS THAN AN HOUR AND A HALF THIS AFTERNOON TO RAISE TAXES ON EVERYBODY IN THE STATE OF NEBRASKA. CONSIDER THAT WHEN YOU'RE VOTING ON THE A BILL. NOBODY LIKES TO OPPOSE AN A BILL AFTER WE'VE PASSED THE BILL ITSELF. BUT AN HOUR AND A HALF IS WHAT IT TOOK US TO RAISE TAXES ON EVERYBODY. SENATOR LARSON TALKS ABOUT THINKING OUTSIDE THE BOX. I THINK HE'S GOT A LEGITIMATE QUESTION THERE. WE SHOULD LOOK AT SOME OTHER THINGS.

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EARLIER THIS YEAR WE TOLD THOUSANDS OF PEOPLE THAT WOULD HAVE SPENT MILLIONS OF DOLLARS IN NEBRASKA NOT TO COME. AND YET WE RAISED TAXES ON THOSE THAT LIVE HERE. THANK YOU, MR. PRESIDENT. [LB610A]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB610A]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, ORDINARILY, EVEN IF I OPPOSE A BILL, I WILL SUPPORT THE A BILL. BUT I FEEL VERY DIFFERENTLY WHEN THE PEOPLE THAT I'M VERY CONCERNED ABOUT, WHICH ARE THE POOR, ARE GOUGED IN THIS FASHION. I STAYED OUT OF THE DEBATE. I LISTENED TO WHAT PEOPLE SAID. NOBODY ON THIS FLOOR CAN SAY IN HONESTY THAT I'M BEING HYPOCRITICAL WHEN I TALK ABOUT THE POOR, THE ELDERLY, HOW WHEN YOU TAKE A FEW PENNIES FROM A POOR PERSON, IT CAN MAKE ALL THE DIFFERENCE IN THE WORLD. EVEN TODAY, BECAUSE I'M ONE OF THOSE POLITICIANS WHO LIVE IN THE MIDDLE OF MY NEIGHBORHOOD WHICH IS POOR, I GO INTO THE STORE AND I SEE ELDERLY WOMEN WITH THESE LITTLE COIN PURSES TRYING TO COUNT OUT THE MONEY THAT THEY NEED TO PAY FOR WHATEVER THEY HAVE. AND THIS IS THE ONLY REASON I MENTIONED IT BECAUSE I'M MAKING A POINT. I GIVE MONEY AND I'LL TELL THE WOMAN, IT'S A LIE, THAT...BECAUSE IT'S CLEAR THAT MY GRANDMOTHER WOULDN'T BE ALIVE, THAT WHEN I WAS A KID, I WOULD GO TO THE STORE, I'D SEE MY GRANDMOTHER OPEN THIS LITTLE COIN PURSE AND SHE'S COUNTING OUT THE MONEY. AND I DIDN'T REALIZE AT THE TIME--THIS IS THE LIE THAT I'M TELLING--THAT SHE WAS HAVING TROUBLE PAYING FOR WHAT SHE WAS BUYING. THEN WHEN I FOUND OUT WHAT IT WAS, THEN I FELT VERY BADLY THAT I WASN'T ABLE TO HELP HER. THAT'S WHAT I'M TELLING THIS ELDERLY WOMAN IN FRONT OF ME TRYING TO COUNT OUT THE MONEY. I SAID, SO YOU REMIND ME OF WHAT HAPPENED TO MY GRANDMOTHER AND I HOPE YOU'LL LET ME DO SOMETHING FOR YOU; IT'S NOT REALLY FOR YOU, IT'S FOR ME AND FOR MY GRANDMOTHER AND WHAT I WASN'T ABLE TO DO TO HER...FOR HER WHEN I WAS A LITTLE BOY. AND I GIVE HER \$20. I NEVER GIVE ANYBODY LESS THAN THAT. I SEE OLDER PEOPLE, I SEE SOME WOMEN WITH SEVERAL LITTLE CHILDREN, I WALK BY THEIR BASKET, I'LL PUT MONEY IN THE BASKET. I KNOW WHAT IT MEANS TO BE POOR. AND I AM POOR. I'VE ALWAYS BEEN POOR. I DON'T HAVE TO BE POOR. I COULD MAKE MONEY. I COULD GET MONEY. AND I NEED MONEY. BUT THERE ARE THINGS I WON'T DO TO GET MONEY AND THERE ARE THINGS MORE IMPORTANT TO ME THAN MONEY. SO WHEN PEOPLE STAND ON THIS FLOOR AND ACT LIKE THIS IS A SMALL THING, THEY DON'T KNOW WHAT IT MEANS TO BE POOR. AND YOU'RE GOING TO KEEP RAISING THIS TAX AUTOMATICALLY NOW. IT'S 26 OR 27 CENTS A GALLON ON THE GAS NOW. THIS

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ISN'T THE ONLY TAX ON THE GAS. AND IT'S GOING TO CONTINUE TO GO. AND YOU KNOW, ALL THAT YOU PEOPLE HAVE DONE, ALL THAT YOU PEOPLE HAVE DONE IS TO SAY THE POOR PERSON HAS TWO POCKETS. IN ONE POCKET IS THE MONEY THAT WE WOULD TAKE IF WE WERE GOING TO RAISE THE SALES TAX. IN THE OTHER POCKET IS THE HIDDEN TAX THAT WE CAN PLAY LIKE IS NOT GOING TO AFFECT HIM. SO WE'RE NOT GOING TO TAKE THE MONEY OUT OF THE POOR MAN'S SALES TAX POCKET, BUT WE'LL TAKE IT OUT OF THE POOR WOMAN'S POCKET BY WAY OF THE GAS TAX. I KNOW WHAT THIS MEANS. YOU ALL DON'T CARE. I SAY YOU DON'T CARE. I'M BEGINNING TO HAVE SECOND THOUGHTS. I WILL ALWAYS SUPPORT THE EXPANSION OF MEDICAID BECAUSE I'M CONCERNED ABOUT THE POOR IN EVERY CONTEXT, NOT JUST WHEN THERE IS A POLITICAL ISSUE LIKE THE AFFORDABLE CARE ACT AND WHETHER SOME REPUBLICAN GOVERNORS ARE GOING TO SAY WE WON'T EXTEND MEDICAID BECAUSE OF THEIR ARGUMENT WITH PRESIDENT OBAMA. THAT DOESN'T ENTER INTO IT FOR ME. I WOULDN'T CARE WHO THE GOVERNOR IS, I WOULDN'T CARE WHO THE PRESIDENT IS, IF THERE IS SOME WAY THAT THE LEGISLATURE HAS THE POWER TO HELP THE POOR AND THEY WON'T DO IT, THEN I'M GOING TO CONDEMN THE LEGISLATURE. AND I CONDEMN THE LEGISLATURE RIGHT NOW TODAY. WHAT YOU DID WAS WRONG! WHAT YOU DID WAS UNETHICAL! WHAT YOU DID WAS UNMORAL AND IT WAS DEFINITELY UNCHRISTIAN! YOU ARE SUPPOSED TO BE CONCERNED FOR THE POOR AND YOU JUST SHOWED THAT YOU CARE NOT ONE WHIT. [LB610A]

SPEAKER HADLEY: ONE MINUTE. [LB610A]

SENATOR CHAMBERS: AND I WISH SOMEBODY WOULD STAND ON THIS FLOOR AND SAY I'M BEING A HYPOCRITE FOR WHAT I'M SAYING AND I WILL SHOW THAT THE ONE WHO SAYS IT IS A BIGGER HYPOCRITE THAN I'M ACCUSED OF BEING! I'M ALWAYS TRYING TO HELP THE POOR! AND YOU ALL TALK ABOUT IT, BUT YOU DON'T DO IT. YOU KNOW WHAT I WAS TOLD? THIS IS A GOOD CHANCE FOR ME TO STICK MY FINGER IN THE GOVERNOR'S FACE BECAUSE OF THE THREATS HE'S MADE AGAINST MY BILLS. I SAID, YOU MEAN I'M GOING TO VOTE TO HURT POOR PEOPLE TO GET EVEN WITH THE GOVERNOR? ARE YOU OUT OF YOUR MIND? I'M NOT LIKE THOSE KIND OF PEOPLE RUNNING AROUND HERE. SO IF YOU'RE GOING TO START CRITICIZING PEOPLE BECAUSE FOR WHATEVER REASON THEY SPEAK A WORD ON BEHALF OF THE POOR, WHATEVER THEIR MOTIVE, I ACCEPT WHAT THEY SAY IF THEY'RE GOING TO FOLLOW THOSE WORDS WITH ACTION. AND I KNOW MY WORDS MEAN NOTHING... [LB610A]

SPEAKER HADLEY: TIME, SENATOR. [LB610A]

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SENATOR CHAMBERS: ...BECAUSE IF A MAN YOU ALL...YOU SAID TIME? THEN I'LL TURN ON MY LIGHT. [LB610A]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB610A]

SENATOR CHAMBERS: IF THE WORDS SPOKEN TO YOU BY A MAN YOU SUPPOSEDLY WORSHIP MEANS NOTHING TO YOU, I KNOW THAT WHAT I SAY WILL MEAN NOTHING. AND THAT MAN YOU ALL WORSHIP GAVE A MESSAGE TO ME WITHOUT ME REALIZING IT WHEN I WAS A LITTLE BOY AND READ IT. DO YOU KNOW WHAT HE SAID? HE DIDN'T PUT MY NAME ON IT THEN. BUT WHEN HE CAME TO ME IN A VISION, SENATOR BLOOMFIELD, HE CALLED ME BY NAME. HE SAID, ERNIE, LET ME TELL YOU SOMETHING, SON. I SAID, WHAT ARE YOU GOING TO TELL ME? HE SAID THEY WOULDN'T BELIEVE IT, THE ONE CAME BACK FROM THE DEAD AND TOLD THEM. IF ONE ROSE FROM THE DEAD AND TOLD THEM THEY WOULDN'T BELIEVE IT. AND I WASN'T GOING TO CONTEST IT. BUT IN CASE I HADN'T READ THE VERSE IN THE VISION, HE SAID: I TELL YOU THIS FROM PERSONAL EXPERIENCE. I DID COME BACK FROM THE DEAD AND I DID TELL THEM WHAT TO DO AND THEY DIDN'T BELIEVE ME. SO DON'T EXPECT THEM TO BELIEVE YOU BECAUSE I CAN SEE RIGHT NOW WHAT YOU CANNOT SEE IN YOUR FUTURE. YOU DON'T BELIEVE IN ME. OH, YOU DO NOW BECAUSE YOU'RE A LITTLE BOY AND YOU BELIEVE ANYTHING YOUR PARENTS TELL YOU. YOU BELIEVE ANYTHING THAT SOMEBODY YOU RESPECT WILL TELL YOU, EVEN IF IT'S HARD TO BELIEVE, BECAUSE YOU WANT TO BELIEVE THAT WHICH THOSE YOU RESPECT TELL YOU. BUT YOU DON'T REALLY BELIEVE IN ME. AND A DAY IS GOING TO COME WHEN YOU THINK I'M JUST A MYTH, THAT I NEVER EXISTED AT ALL. BUT YOU'RE GOING TO THINK BACK TO THIS LITTLE CONVERSATION WE'RE HAVING NOW AND IT'S GOING TO COME IN HANDY BECAUSE YOU'RE GOING TO BE IN THE MIDST OF THOSE WHO CLAIM TO BELIEVE ME EVEN WHEN YOU DON'T MAKE THAT CLAIM AND YOU'RE GOING TO TELL THEM WHAT I TOLD YOU AND YOU GO TO THIS PLACE IN THIS BOOK THAT THEY'RE GOING TO READ AND THEY CAN FIND IT FOR THEMSELVES AND THEY'RE NOT GOING TO BELIEVE IT WHEN YOU TELL THEM, THEY'RE NOT GOING TO BELIEVE IT WHEN THEY READ IT BECAUSE THEIR FOREBEARS DIDN'T BELIEVE IT WHEN I TOLD THEM. AND SURE ENOUGH, THAT'S WHAT HAPPENED. AND I WATCH AND I LISTEN AND I OBSERVE AND I KNOW THIS WAS A POLITICAL ISSUE FOR SOME PEOPLE AND IT WILL ALWAYS BE THAT. BUT WHAT GOT ME HERE TO SAY SOMETHING IS WHEN THE POOR BECAME THE PING-PONG BALL AND SOMEBODY IS GOING TO SAY, WELL, YOU DON'T HAVE THE RIGHT TO SPEAK FOR THE POOR BECAUSE ON ANOTHER OCCASION, YOU DIDN'T DO SOMETHING TO HELP THE POOR. AND THEN THAT ONE SAYS, YEAH, BUT YOU ALWAYS TALK FOR THE POOR, BUT YOU'RE DOING

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SOMETHING AGAINST THE POOR TODAY. WELL, SHAKESPEARE JUMPED INTO THE CONVERSATION AT THAT POINT AND SAID, A PLAGUE UPON BOTH THEIR HOUSES, A PLAGUE UPON BOTH THEIR HOUSES. AND YOU WILL UNDERSTAND WHAT THE TERM "WHIPSAW" MEANS BECAUSE AS A LITTLE BOY, YOU DON'T EVEN KNOW WHAT I'M TALKING ABOUT. BUT AS YOU GROW OLDER, YOU GET MORE KNOWLEDGE AND WITH THAT A TOUCH OF WISDOM, YOU WILL UNDERSTAND. IN FACT, FOR MOST OF YOUR LIFE, YOU'RE NOT EVEN GOING TO REMEMBER THIS CONVERSATION. BUT THINGS WILL HAPPEN AND THEY WILL TRIGGER THINGS AND YOU WON'T KNOW WHETHER YOU'RE REMEMBERING IT, WHETHER YOU READ IT SOMEWHERE, OR WHETHER YOU GENERATED THE THOUGHT ON YOUR OWN. BUT REGARDLESS OF WHAT YOU THINK THE SOURCE OF IT IS, WHAT I'M TELLING YOU NOW IS THE MESSAGE THAT YOU'RE GOING TO CONVEY. SO DON'T YOU ALL BE MAD AT THE MESSENGER. IF I'M LYING AND YOUR JESUS DIDN'T SAY IT, CALL ME A LIAR AND PROVE I'M A LIAR. AND IF YOU'RE A FOLLOWER OF JESUS,... [LB610A]

SPEAKER HADLEY: ONE MINUTE. [LB610A]

SENATOR CHAMBERS: ...LET YOUR WORKS SHOW IT BECAUSE A TREE IS KNOWN BY THE FRUIT IT BEARS. AND HE TOLD ME TO TELL YOU ALL SOMETHING ELSE. WHY CALL YE ME LORD, LORD, AND YOU DO NOT THE THINGS THAT I SAY? WHY DO YOU DRAW NEAR TO ME WITH YOUR MOUTH, BUT YOUR HEART IS FAR FROM ME? AND THEN WHY DO YOU UTTER THIS MEANINGLESS PRAYER EVERY DAY? YOU HAVE THE POWER TO ANSWER THAT PRAYER. THE WAY YOU SHOULD PRAY IS BY THE ACTIONS THAT YOU PLACE AND YOUR PRAYERS WILL NOT ALWAYS BE BEGGING AND ASKING FOR WHAT YOU CAN TAKE CARE OF YOURSELF. SO I'VE UNBURDENED MY LIVER. NOW, SENATOR FRIESEN, IF HE SAID THIS, HE'D SAY HE UNBURDENED HIS HEART AND HE COULD BE TELLING THE TRUTH. BUT SINCE I LACK THAT, I HAD TO PICK SOME ORGAN THAT IS VERY IMPORTANT AND ESSENTIAL TO LIFE BECAUSE I DON'T THINK A PERSON COULD LIVE WITHOUT A LIVER. [LB610A]

SPEAKER HADLEY: TIME, SENATOR. [LB610A]

SENATOR CHAMBERS: SO I'VE UNBURDENED MY LIVER AND I'VE SPOKEN FROM MY KIDNEYS. THANK YOU, MR. PRESIDENT. [LB610A]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR LARSON, YOU'RE RECOGNIZED. [LB610A]

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SENATOR LARSON: THANK YOU, MR. PRESIDENT. I WANTED TO ADDRESS ONE THING THAT I DID HEAR DURING THE DEBATE ON LB610 IN TERMS OF BONDING AND HOW IT'S CHEAPER. ESSENTIALLY, OBVIOUSLY, YOU DO PAY INTEREST ON THOSE BONDS, BUT IT MAKES THE ROADS CHEAPER BECAUSE YOU BUILD THEM ALL IMMEDIATELY. OBVIOUSLY, I UNDERSTAND THAT THE GAS TAX INCREASE WILL GIVE YOU SUSTAINED MONEY OVER A SET AMOUNT OF TIME THE NEXT 20 YEARS OR 25 YEARS. BONDING, YOU WOULD HAVE BONDED ALL THE MONEY PRETTY MUCH ALL AT ONCE AND WOULD HAVE BUILT THE ROADS AND DONE ALL THE ROADS PRETTY MUCH ALL AT ONCE. SO YOU COULD HAVE ACTUALLY DONE THEM ALL NOW WHEN IT IS CHEAPER THAN 10, 15 YEARS DOWN THE ROAD. SO BONDING DOES OFFER THAT ADVANTAGE AND SENATOR DUBAS, OR FORMER SENATOR DUBAS, I THINK WHICH WAS SENATOR FRIESEN'S PREDECESSOR, MADE THAT ARGUMENT QUITE CLEARLY LAST YEAR ON THE MIKE. I ALSO WANTED TO TOUCH ON WHAT SENATOR BLOOMFIELD SAID BECAUSE HE BROUGHT UP A GREAT POINT. THE HELMET BILL THIS YEAR, WE HEAR HOW MUCH PEOPLE LOVE THE GAS TAX AND ECONOMIC DEVELOPMENT, WELL, WHEN WE VOTED DOWN THE HELMET BILL AND THOSE INDIVIDUALS THAT DIDN'T VOTE FOR CLOTURE VOTE DOWN THE HELMET BILL BECAUSE THEY'RE WORRIED ABOUT HOW A WRECK LOOKS, ESSENTIALLY NOT ONLY TOOK SALES TAX MONEY OUT OF THE STATE WHICH GOES TO LB84 MONEY, THEY ESSENTIALLY TOOK MOTORCYCLE RIDERS OUT OF THE STATE WHEN THEY JUST INCREASED THE...THEY WON'T GET THOSE GUYS THAT THEY INCREASED THE GAS TAX FOR. THEY'RE PROBABLY GOING TO LOSE ANOTHER 100,000, 200,000 RIDERS GOING THROUGH THE STATE. THAT WAS THEIR WHOLE ARGUMENT-- MAKE EVERYBODY PAY IT--YET THEY'RE NOT WILLING TO VOTE FOR THE HELMET BILL TO BRING TOURISM TO NEBRASKA, OR BRING ECONOMIC DEVELOPMENT TO RURAL NEBRASKA. IT'S INTERESTING, THOSE THAT TRULY BELIEVE IN THAT FREEDOM AND THOSE THAT DON'T. SO I APPRECIATE SENATOR BLOOMFIELD BRINGING THAT UP AND I APPRECIATE HIS WILLINGNESS TO LOOK AT THE POSSIBILITY OF NEW SOLUTIONS BECAUSE TAX INCREASES ARE NOT THE SOLUTION. THERE ARE NUMEROUS WAYS TO MOVE ABOUT THIS. IT'S JUST GETTING PAST THAT CONCEPT OF WHAT OR HOW FAR OUTSIDE THE BOX YOU'RE WILLING TO THINK. WE HEARD THE LAST TWO DAYS, WE'RE THE ONLY STATE TO DO X. AND I'VE HARPED ON THE ISSUE OF CHARTER SCHOOLS THROUGHOUT THIS WHOLE SESSION. BUT IT COMES BACK TO THE FACT THAT AT TIMES, MANY TIMES, INDIVIDUALS ARE OVER HERE ON AN ISSUE YET DON'T APPLY THE SAME LOGIC, WHAT I WOULD CONSIDER VERY FREE MARKET LOGIC OR INDIVIDUAL RESPONSIBILITY LOGIC, OVER HERE. SO DON'T SAY THAT YOU ARE FREE MARKET OR "RANDIAN" OR WHATEVER ELSE IF YOU CAN'T APPLY IT ACROSS THE BOARD. THANK YOU, MR. PRESIDENT. [LB610A LB610]

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SPEAKER HADLEY: SEEING NO ONE IN THE QUEUE, SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE ON LB610A. [LB610A]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND I'M GOING TO SEE HOW THE BOARD VOTE GOES. IF WE DON'T HAVE THE VOTES, I WILL DO A CALL OF THE HOUSE AND, AGAIN, THIS IS THE TRAILING A BILL. I THINK IT'S IMPORTANT TO KEEP IT WITH LB610. WE'VE HAD OUR DISCUSSION ON THE OVERRIDE OF LB610. THIS IS A GOOD PROCESS TO FOLLOW TO KEEP THOSE TWO BILLS TOGETHER. WITH THAT, MR. PRESIDENT, I WILL DO A CALL OF THE HOUSE, PLEASE. [LB610A LB610]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST FOR A CALL OF THE HOUSE. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB610A]

CLERK: 29 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB610A]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. [LB610A]

SENATOR SMITH: (RECORDER MALFUNCTION)...PLEASE. [LB610A]

SPEAKER HADLEY: ROLL CALL IN REVERSE ORDER. SENATOR SCHNOOR, SENATOR McCOLLISTER, SENATOR WATERMEIER, SENATOR McCOY, SENATOR DAVIS, SENATOR SCHILZ, SENATOR KINTNER, SENATOR CHAMBERS. SENATOR CHAMBERS, THE HOUSE IS UNDER CALL. [LB610A]

SENATOR SMITH: YOU MAY CONTINUE. [LB610A]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE, REVERSE ORDER. MR. CLERK. [LB610A]

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CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1624.) 30 AYES, 13 NAYS, MR. PRESIDENT, ON THE MOTION THAT LB610A BECOME LAW NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR. [LB610A]

SPEAKER HADLEY: LB610A DOES BECOME LAW NOTWITHSTANDING THE OBJECTIONS OF THE GOVERNOR. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN THE CERTIFICATE THAT READS: LB610 AND LB610A, HAVING BEEN RETURNED BY THE GOVERNOR WITH HIS OBJECTIONS THERETO AND AFTER RECONSIDERATION HAVING PASSED THE LEGISLATURE BY THE CONSTITUTIONAL MAJORITY, HAS BECOME LAW THIS 15th DAY OF MAY, 2015. RAISE THE CALL. MR. CLERK, FOR ANNOUNCEMENTS. [LB610A LB610]

CLERK: YES, MR. PRESIDENT, THANK YOU. NEW RESOLUTIONS: LR303, SENATOR KRIST; LR304, SENATOR CAMPBELL; SENATOR MELLO, LR305; SENATOR McCOLLISTER, LR306; SENATOR LARSON, LR307; LR308, SENATOR BURKE HARR; LR309, SENATOR BURKE HARR, LR310, LR311, LR312, ALL CALLING FOR INTERIM STUDIES. MR. PRESIDENT, I HAVE THE COMMUNICATION FROM THE CLERK, AS WELL AS THE CERTIFICATE TO THE SECRETARY OF STATE REGARDING THE TRANSMITTALS OF LEGISLATIVE BILLS LB610 AND LB610A. SENATOR SULLIVAN WOULD LIKE TO PRINT AN AMENDMENT TO LB525. THAT'S ALL THAT I HAVE. (LEGISLATIVE JOURNAL PAGES 1624-1631.) [LR303 LR304 LR305 LR306 LR307 LR308 LR309 LR310 LR311 LR312 LB610 LB610A LB525]

SENATOR KRIST PRESIDING

SENATOR KRIST: THANK YOU, MR. CLERK. RETURNING TO THE AGENDA, MR. CLERK.

CLERK: MR. PRESIDENT, PER THE AGENDA, RETURNING TO LB586; WHEN THE LEGISLATURE LEFT THE ISSUE, SENATOR CAMPBELL HAD PENDING AM1644 AS AN AMENDMENT TO THE COMMITTEE AMENDMENTS. (LEGISLATIVE JOURNAL PAGES 1614-1615.) [LB586]

SENATOR KRIST: WE WILL CONTINUE WITH THE QUEUE AS IT WAS LINED UP BEFORE WE STOPPED DEBATE ON THE BILL. SO THOSE IN THE QUEUE: CRAWFORD, HANSEN, KEN HAAR, AND CHAMBERS. SENATOR CRAWFORD, YOU'RE RECOGNIZED. SENATOR CRAWFORD WAIVES. SENATOR HANSEN, YOU'RE RECOGNIZED. SENATOR HANSEN WAIVES. SENATOR KEN HAAR WAIVES.

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SENATOR CHAMBERS WAIVES. SEEING NO ONE ELSE WANTING TO SPEAK, SENATOR CAMPBELL, YOU'RE RECOGNIZED TO CLOSE ON AM1644. [LB586]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. I WILL BE VERY BRIEF. I WANT TO REMIND YOU THAT WHAT WE ARE TRYING TO DO IN AM1644 IS TO MAKE SURE THAT WE HAVE A MORE CLEAR STATEMENT ABOUT THE RELIGIOUS EXEMPTION. WHILE IT WAS IN THE COMMITTEE AMENDMENT, IT WAS FELT BY A NUMBER OF PEOPLE, BASED ON WHAT WE WERE HEARING, THAT WE NEEDED TO MAKE A BROADER STATEMENT TO THAT. SO I WOULD ASK FOR YOUR GREEN VOTE ON AM1644. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR CAMPBELL. YOU HAVE HEARD THE CLOSING ON AM1644. [LB586]

SENATOR CAMPBELL: MR. PRESIDENT. [LB586]

SENATOR KRIST: SENATOR CAMPBELL. [LB586]

SENATOR CAMPBELL: I WOULD LIKE A CALL OF THE HOUSE, PLEASE. [LB586]

SENATOR KRIST: THERE HAS BEEN A REQUEST TO PUT THE HOUSE UNDER CALL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB586]

CLERK: 27 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB586]

SENATOR KRIST: THE HOUSE IS UNDER CALL. SENATORS PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR CAMPBELL, FOR WHAT REASON DO YOU RISE? [LB586]

SENATOR CAMPBELL: I WOULD REQUEST A ROLL CALL VOTE IN REGULAR ORDER. [LB586]

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SENATOR KRIST: OKAY, THANK YOU. SENATOR SULLIVAN, PLEASE CHECK IN. SENATOR CRAIGHEAD, PLEASE RETURN TO THE CHAMBER, THE HOUSE IS UNDER CALL. SENATOR SMITH, PLEASE CHECK IN. SENATOR BURKE HARR, PLEASE RETURN TO THE CHAMBER, THE HOUSE IS UNDER CALL. SENATOR SEILER, PLEASE RETURN TO THE CHAMBER, THE HOUSE IS UNDER CALL. SENATOR RIEPE, PLEASE CHECK IN. SENATOR SEILER AND SENATOR CRAIGHEAD, PLEASE RETURN TO THE CHAMBER, THE HOUSE IS UNDER CALL. SENATOR CAMPBELL. [LB586]

SENATOR CAMPBELL: MR. PRESIDENT, THANK YOU VERY MUCH, WE CAN PROCEED. [LB586]

SENATOR KRIST: AND YOU WANTED A ROLL CALL, REGULAR ORDER? [LB586]

SENATOR CAMPBELL: CORRECT. [LB586]

SENATOR KRIST: MR. CLERK. [LB586]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 1631.) 20 AYES, 12 NAYS, MR. PRESIDENT, ON THE AMENDMENT. [LB586]

SENATOR KRIST: AM1644 IS NOT ADOPTED. MR. CLERK. RAISE THE CALL, PLEASE. [LB586]

CLERK: MR. PRESIDENT, SENATOR HANSEN WOULD MOVE TO RECONSIDER THE VOTE JUST TAKEN WITH RESPECT TO AM1644. [LB586]

SENATOR KRIST: SENATOR HANSEN, YOU'RE RECOGNIZED ON YOUR MOTION. [LB586]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. I'D LIKE TO YIELD MY TIME TO SENATOR MORFELD. [LB586]

SENATOR KRIST: SENATOR MORFELD, 9:57. [LB586]

SENATOR MORFELD: THANK YOU, SENATOR HANSEN. AND IT'S BECOME CLEAR TO ME THAT SINCE WE ARE KIND OF STARTED RIGHT AFTER LUNCH AND THEN WE WENT STRAIGHT INTO THE GAS TAX AND THEN BACK TO HERE, THAT

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PERHAPS WE DIDN'T DEBATE THE AMENDMENT WHICH PROVIDES A MUCH MORE CONCISE AND BROADER RELIGIOUS EXEMPTION TO THE BILL. I'LL ASK THAT YOU ALL PLEASE PULL UP AM1644 PROVIDED BY SENATOR CAMPBELL. ONE OF THE BIG CONCERNS THAT SOME OF THE RELIGIOUS ORGANIZATIONS THAT ARE OPPOSED TO THIS HAD WAS THAT THE CURRENT RELIGIOUS EXEMPTION UNDER THE FAIR EMPLOYMENT ACT, THAT'S BEEN IN EXISTENCE SINCE 1965, IS NOT CLEAR ENOUGH, THAT IT DOES NOT SPECIFICALLY PROVIDE EXEMPTIONS FOR TEACHERS OF CERTAIN RELIGIOUS INSTITUTIONS, UNIVERSITY ADMINISTRATORS, ADMINISTRATORS OF CERTAIN SCHOOLS, AND THEN ALSO SPECIFICALLY FOR THE CHURCH. AM1644 DOES EXACTLY THAT. IT'S A MINISTERIAL AND TEACHER AND RELIGIOUS EXEMPTION. AND I'M JUST GOING TO READ FROM THE ACTUAL EXEMPTION WHAT IT SAYS: THE HIRING OR TERMINATION OF INDIVIDUALS WHOSE DUTIES ARE MINISTERIAL AND THAT THEY CONSIST OF TEACHING OR SPREADING THEOLOGICAL DOCTRINE OR BELIEF, RELIGIOUS GOVERNANCE, SUPERVISION OF A RELIGIOUS ORDER, SUPERVISION OF PERSONS TEACHING OR SPREADING THEOLOGICAL DOCTRINE OR BELIEF, OR SUPERVISION OR PARTICIPATION IN RELIGIOUS RITUAL OR WORSHIP BY ANY RELIGIOUS CORPORATION, ASSOCIATION, OR SOCIETY. AND IT ALSO HAS LANGUAGE THAT PROVIDES A STATEMENT THAT WAS TAKEN LARGELY FROM UTAH'S SIMILAR BILL THAT WAS PASSED, I THINK, JUST A FEW MONTHS AGO, TO MAKE SURE THAT INDIVIDUALS IN THE WORKPLACE, WHO HAVE RELIGIOUS BELIEFS, ARE FREE TO EXERCISE THOSE BELIEFS AND FREE TO EXERCISE THEIR RELIGION AND THEIR BELIEFS. AS MANY OF YOU KNOW, I'M NOT A HUGE FAN OF RELIGIOUS EXCEPTIONS TO THIS, BUT I ALSO UNDERSTAND AND RESPECT THAT THERE ARE DIFFERENCES, REASONABLE DIFFERENCES BETWEEN PEOPLE OF FAITH WHO HAVE GOOD INTENT, AND I'M WILLING TO WORK WITH AND COMPROMISE AND HAVE A RELIGIOUS EXEMPTION THAT IS A BIT MORE CLEAR. SO I WOULD HOPE THAT WE DEBATE ON THIS RECONSIDERATION MOTION, THIS RELIGIOUS EXEMPTION, JUST A LITTLE BIT MORE AND THAT WE TAKE A DEEP DIVE INTO THIS. AND I KNOW THAT MY BILL HAS BEEN KIND OF IN AND OUT BETWEEN LUNCH AND THE GAS TAX OVERRIDE, BUT PLEASE LOOK AT THIS EXEMPTION. I THINK THIS IS A FAIR COMPROMISE. AND IF YOU HAVE ANY QUESTIONS, I'D BE MORE THAN HAPPY TO ANSWER THEM. THANK YOU. [LB586]

SENATOR KRIST: THANK YOU, SENATOR MORFELD AND SENATOR HANSEN. THOSE WISHING TO SPEAK: SENATOR CHAMBERS AND SENATOR PANSING BROOKS. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB586]

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SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I SUPPORT THE BILL. I HAVE BROUGHT VERSIONS OF THIS BILL TIME AFTER TIME AFTER TIME. THEN THE THING THAT I CAN NEVER UNDERSTAND IS THAT THE CHURCH--AND WHEN I SAY THAT, I MEAN WITH A LITTLE "c"--ALL OF THEM WHO ARE AGAINST BEING FAIR TO EVERYBODY, WILL FORGET WHAT JESUS SAID ABOUT ALL OF THESE PEOPLE ON EARTH BEING HIS CHILDREN AND THEN THE CHURCH SAYS, BUT WE WANT TO BE ABLE TO DISCRIMINATE. AS I LISTENED TO THE READING OF THAT SO-CALLED EXEMPTION, YOU OUGHT TO TAKE AWAY THE HYPOCRISY AND SAY CHURCHES AND ANYBODY WHO PROFESSES TO BE RELIGIOUS HAS THE RIGHT TO DISCRIMINATE. THAT'S WHAT IT'S SAYING. IF I WERE RELIGIOUS, I WOULD BE INSULTED. I WOULD BE AFFRONTED AND I WOULD SAY THE SO-CALLED EXEMPTION IS BLASPHEMOUS, IT'S SACRILEGIOUS, AND ANY CHURCH THAT WOULD INSIST ON THAT IS MORE LIKE THE SYNAGOGUE OF SATAN. JESUS IS THE ONE WHO TALKED ABOUT LOVE. YOU TELL ME SATAN IS THE ONE WHO TALKS ABOUT HATE. JESUS IS THE ONE WHO TOLD HIS DISCIPLES, WHEN THEY HAD AN ATTITUDE LIKE PEOPLE HERE AND THESE PEOPLE WERE NOT ORTHODOX ENOUGH SO HIS DISCIPLES WANTED TO CALL FIRE DOWN ON THEM, AND JESUS SAID, YOU DON'T EVEN KNOW WHAT SPIRIT YOU'RE OF. OTHER SHEEP I HAVE THAT ARE NOT OF THIS FOLD, IN OTHER WORDS, PEOPLE WHO ARE NOT IN YOUR CHURCH. I WILL VOTE FOR THE BILL, BUT I WON'T VOTE FOR ANYTHING LIKE THIS. I'M GOING TO VOTE FOR A BILL THAT PROFESSES TO BE AGAINST DISCRIMINATION, THEN I'M GOING TO MAKE THE KEYSTONE OF THAT BILL THE RIGHT TO DISCRIMINATE? THERE IS A DISCONNECT HERE. IT MAKES NO SENSE TO ME WHATSOEVER. YOU THINK GOD WANTS YOU TO DISCRIMINATE? IS THAT WHAT I'M TO UNDERSTAND BY THIS EXEMPTION, THAT GOD IS AFFRONTED IF YOU SAY THAT NONE OF HIS CHILDREN SHOULD BE DISCRIMINATED AGAINST WHEN IT COMES TO THE RIGHT TO EARN AN HONEST LIVING? AND IF SOME OF HIS CHILDREN ARE OF A CERTAIN ORIENTATION, GOD HAS TOLD YOU, DISCRIMINATE AGAINST THEM, THEY'RE NOT MY CHILDREN. AND THEN THESE HYPOCRITICAL CHURCHES SAY HATE THE SIN AND LOVE THE SINNER, ALL OF THESE THINGS, BUT THEY MEAN NOTHING, NOTHING. IF IT WERE MY BILL, WHICH IT'S NOT, I WOULDN'T EVEN CONSIDER SOMETHING LIKE THAT. I'D TELL THEM KILL THE BILL, BUT YOU'RE NOT GOING TO GET ME TO SAY THAT THIS IS A BILL PROHIBITING DISCRIMINATION AND YET IT ALLOWS DISCRIMINATION. HAVING BEEN DISCRIMINATED AGAINST ALL MY LIFE, YOU WILL NEVER GET ME TO PUT MY NAME OR MY VOTE BEHIND SOMETHING THAT DISCRIMINATES AGAINST SOMEBODY ELSE BECAUSE OF WHAT THEY ARE. THEY DIDN'T MAKE THEMSELVES THIS WAY. THEY DIDN'T ASK TO BE BORN IN THE FIRST PLACE. WHY DON'T YOU PUNISH THEIR PARENTS? YOU THINK SOMEBODY'S GOING TO CHOOSE TO BE HATED, TO BE DEMEANED, TO BE

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DEGRADED, TO BE PHYSICALLY ASSAULTED BY THE POLICE, TO LITERALLY BE KILLED, MURDERED BECAUSE OF WHAT THEY ARE IN AMERICA IN 2016? AND WE HAVE A GROUP WHO PRAYS EVERY MORNING IN THIS BUILDING, HYPOCRITES WALKING AROUND HERE SAYING THESE PRAYERS AND THEN SAY, I THINK THE CHURCH SHOULD BE ABLE TO DISCRIMINATE, AND BY GOD, IF THERE IS A BILL THAT SAYS THEY WON'T DISCRIMINATE, I'LL VOTE AGAINST THAT BILL AND FIGHT AGAINST IT. [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR CHAMBERS: YOU ALL ARE THE ONES WHO TELL ME YOUR RELIGION IS NOT WORTH ANYTHING, YOUR CONDUCT. JESUS SAID LET YOUR LIGHT SO SHINE; PRACTICE WHAT YOU PREACH, AND DO YOU A LOT OF PREACHING. AND IT'S HYPOCRITICAL AND IT HAS NO VALUE ANY MORE THAN ASHES, IN FACT, LESS THAN ASHES. BUT I GET TO SEE YOU AND I KNOW WHAT YOU ARE. YOU'RE BRAVE TOWARD MEN AND COWARDS...YOU'RE BRAVE TOWARD GOD AND COWARDS TOWARD MEN BECAUSE YOU WILL SHOW GOD YOUR REAR END. BUT YOU TRY TO SHOW MEN SOMETHING THAT YOU'RE NOT, BECAUSE YOU'RE MORE CONCERNED ABOUT WHAT THEY THINK OF YOU THAN THIS GOD YOU PROFESS TO WORSHIP, THIS GOD YOU PREACH TO PEOPLE ABOUT. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. THOSE STILL WISHING TO SPEAK: SENATOR PANSING BROOKS, SENATOR CAMPBELL, HANSEN AND CHAMBERS. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB586]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. WELL, ONE THING THAT'S POSITIVE FROM YESTERDAY IS THAT WE DON'T HAVE A LOT OF VITRIOLIC THINGS BEING SPEWED ABOUT A CERTAIN GROUP OF PEOPLE. THE OPPONENTS HAVE DECIDED TO SIT DOWN, NOT SAY ANYTHING, WHICH I THINK IS JUST AS WELL BECAUSE THEY KNOW FULL WELL WHAT THEY WOULD SAY WOULD MAKE PEOPLE QUITE ANGRY. SO I WILL START TALKING ABOUT THE FACT THAT WE HAVE MANY BUSINESSES...YOU'VE RECEIVED A LIST OF BUSINESSES IN NEBRASKA THAT ARE SUPPORTING LB586. AND I'D LIKE TO READ YOU A LETTER FROM LINDA DUGAN, WHO IS VICE PRESIDENT OF THE GLOBAL OPERATIONS FROM PAYPAL, ONE OF OUR BUSINESSES THAT'S SITUATED IN OMAHA. DEAR SENATOR SCHUMACHER AND STINNER: I'M WRITING YOU TO CONVEY PAYPAL'S STRONG SUPPORT OF LB586 BY SENATOR MORFELD, WHICH WOULD PROHIBIT DISCRIMINATION BASED ON ONE'S GENDER IDENTITY OR SEXUAL ORIENTATION.

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AT PAYPAL WE BELIEVE IN CREATING A WORK ENVIRONMENT THAT RESPECTS THE DIGNITY OF ALL OF OUR EMPLOYEES. WE STRIVE TO MAINTAIN A COMPANY CULTURE THAT CHERISHES THE DIFFERENCES AMONGST OUR TEAM MEMBERS AND THAT PROTECTS THOSE THAT ARE MOST VULNERABLE. AS A PRIVATE EMPLOYER IN THE GREAT STATE OF NEBRASKA, WE ARE ABLE TO MAINTAIN A PROFESSIONAL SETTING FOR OUR TEAMMATES THAT IS NURTURING, SUPPORTIVE, AND STEADFASTLY PROTECTIVE OF THEM AND THEIR FAMILIES AS THAT'S HOW WE VIEW OURSELVES, AS ONE BIG PAYPAL FAMILY. UNFORTUNATELY, THOSE SAME PROTECTIONS CAN PROVIDE OUR TEAM MEMBERS...THOSE SAME PROTECTIONS WE CAN PROVIDE OUR TEAM MEMBERS WHEN THEY ARE ON CAMPUS DO NOT NECESSARILY EXTEND TO THEM OR THEIR FAMILIES ONCE THEY STEP OFF OF THE CAMPUS AND HEAD BACK TO THE COMMUNITIES IN WHICH THEY LIVE. WHILE MANY OF US HAVE THE LUXURY OF NOT HAVING TO GIVE IT A SECOND THOUGHT, SOME OF OUR TEAM MEMBERS ORGANIZE (SIC) OVER THE VERY REAL POSSIBILITY THAT THEY AND THEIR FAMILIES' LIVELIHOODS COULD BE THREATENED FOR NO REASON OTHER THAN SEXUAL ORIENTATION OR GENDER IDENTITY. WE SUPPORT LB586 BECAUSE WE BELIEVE THAT IT IS...THAT THIS IS A FEAR THAT NOBODY SHOULD HAVE TO LIVE WITH. FURTHERMORE, AS A LARGE EMPLOYER WITH OVER 2,400 EMPLOYEES IN THE STATE, THE UNCERTAINTY THAT THE STATUS QUO HAS PRODUCED REMAINS AN IMPORTANT RECRUITMENT--RECRUITMENT, HELLO, EVERYONE--RECRUITMENT AND RETENTION ISSUE FOR PAYPAL. IF OUR TEAMMATES AND THEIR FAMILIES DON'T FEEL SAFE LIVING AND WORKING IN THE STATE, THEN OUR JOB OF RECRUITING AND RETAINING SOME OF THE BEST TALENT THAT NEBRASKA HAS TO OFFER IS MADE THAT MUCH MORE DIFFICULT. AS I'M SURE YOU KNOW, THE MODERN WORK FORCE IS HIGHLY MOBILE AND THERE ARE OPPORTUNITIES TO BE FOUND ELSEWHERE IF CURRENT OR PROSPECTIVE EMPLOYEES FEEL THAT THEIR SECURITY AND THE SECURITY OF THEIR FAMILY IS THREATENED. BY SUPPORTING LB586, YOU CAN HELP TO ENSURE THAT EMPLOYEES THROUGHOUT THE STATE REMAIN SUCCESSFUL IN THIS HIGHLY COMPETITIVE LABOR MARKET. WE KNOW THIS IS AN ISSUE THAT HAS CAUSED A LOT OF DEBATE AT THE CAPITOL. HOWEVER, WE BELIEVE THAT LB586 SHOULD RECEIVE YOUR AYE VOTE TO INSURE THAT SOME VERY BASIC PROTECTIONS ARE EXTENDED TO SOME OF THE MOST VULNERABLE FAMILIES IN NEBRASKA. THANK YOU FOR YOUR CONSIDERATION. SHOULD YOU HAVE ANY QUESTIONS ABOUT PAYPAL'S POSITION ON THE ISSUE, PLEASE FEEL FREE TO CONTACT ME OR DEVIN WHITNEY AT OUR GOVERNMENTAL RELATIONS TEAM. SINCERELY, LINDA DUGAN, VICE PRESIDENT, GLOBAL OPERATIONS. AGAIN, WE HAVE SENT OUT AN INCREDIBLE LIST OF BUSINESSES THAT ALL SUPPORT LB586 AND

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GENDER...SEXUAL ORIENTATION AND LGBT PROTECTIONS IN THE WORKPLACE.
[LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR PANSING BROOKS: YOU CAN LOOK AT IT. I HOPE YOU HAVE ALL TAKEN THE CHANCE TO LOOK AT THIS RATHER THAN JUST SHUTTING OUR MINDS TO WHAT IS GOING ON. AGAIN, IF WE DON'T VOTE FOR THIS, THEN LET'S JUST FORGET ABOUT EVER TRYING TO WORRY ABOUT PAYING INCENTIVES TO CORPORATIONS TO COME TO NEBRASKA AS WE'RE JUST SAYING, WELL, WE'LL TAKE YOU IF YOU AREN'T SUPPORTIVE OF LGBT; WE'LL TAKE YOU IF YOU'RE ONLY A CERTAIN TYPE OF PERSON AND ACT A CERTAIN WAY THAT WE APPROVE; WE'LL TAKE YOU IF YOU ONLY FIT OUR LIMITED VISION OF WHOM WE WANT IN OUR STATE. WE DO NOT WANT A CERTAIN TYPE OF PERSON AND WE WILL DO EVERYTHING WE CAN TO MAKE SURE THAT THEY ARE NOT PROTECTED--IN THE BUSINESS WORLD, ECONOMICALLY, FISCALLY, ALL THAT. SO KISS THE MAJOR CORPORATIONS GOODBYE BECAUSE YOU CAN ALL SIT HERE AND THINK IT'S NOT GOING TO AFFECT US OR OUR POCKETBOOKS OR OUR FAMILIES OR OUR NEIGHBORS, BUT YOU'RE WRONG. [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR PANSING BROOKS. SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB586]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. WE ARE GOING TO USE A LITTLE OF THIS TIME TO GIVE YOU AN OPPORTUNITY TO TAKE A SECOND LOOK OR MORE THOROUGH LOOK AT THE AMENDMENT, AM1644. I THINK WHAT SENATOR MORFELD AND I DISCUSSED AND LOOKED AT IN THIS AMENDMENT WAS TRYING TO BE RESPONSIVE, TO FIND A COMPROMISE, TO PUT THE LANGUAGE IN THAT'S NECESSARY BECAUSE WE RECEIVED A LOT OF E-MAILS AND TOOK THEM VERY SERIOUSLY, BOTH THOSE WHO SUPPORTED THE UNDERLYING BILL AND THOSE WHO WERE OPPOSED. I WOULD HOPE THAT YOU TAKE THE TIME TO TAKE A LOOK AT THAT LANGUAGE BECAUSE IT IS A SINCERE EFFORT TO REACH OUT AND FIND THAT COMPROMISE, AS SENATOR MORFELD SAID. THIS IS AN ISSUE IN WHICH I DO BELIEVE THAT MANY OF OUR YOUNG PEOPLE LOOK AT FAR DIFFERENTLY THAN THOSE OF US WHO ARE PROBABLY

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CLASSIFIED AS THE BABY BOOMERS. AND I HOPE THAT IN THE FILES THAT YOU BRING TO THE FLOOR OR TO THE MATERIALS THAT YOU LOOKED AT, THAT YOU TOOK TIME TO REVIEW A VERY THOUGHTFUL LETTER AND PIECE THAT CAME TO US FROM A GROUP OF STUDENTS AT KEARNEY HIGH SCHOOL. AND I WAS STRUCK BY THE LETTER AND THE THOROUGHNESS OF IT AND THESE YOUNG PEOPLE WHO I BELIEVE ARE TRYING TO REACH OUT AND SAY TO US, THERE IS A NEW VISION, THERE IS A NEW WAY IN WHICH WE BRING PEOPLE TOGETHER. AND SENATOR MORFELD'S BILL REPRESENTS THAT. WE SHOULD NOT DISMISS THE WORDS OF THE YOUNG PEOPLE THAT SEND US LETTERS OR E-MAILS, BUT HEED THEM BECAUSE THEY ARE GOING TO BE THE FUTURE LEADERS IN NEBRASKA IF WE PROVIDE A PATHWAY FOR THEM TO STAY. SO I WOULD URGE YOUR RECONSIDERATION OF THE AMENDMENT SO THAT WE CAN MOVE ON TO SUPPORT LB586. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR CAMPBELL. SENATOR HANSEN, YOU'RE RECOGNIZED. [LB586]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. THIS IS MY FIRST CHANCE TO SPEAK ON THIS BILL, SO I RISE AS A COSPONSOR OF LB586 AND A SUPPORTER OF THE AMENDMENT. LIKE I SAID, I DIDN'T HAVE A CHANCE TO SPEAK ON THIS UNTIL NOW. I THINK OTHERS HAVE DONE A VERY GOOD JOB OF ADDRESSING WHY WE NEED THIS BILL AND SHARED VERY TOUCHING STORIES OF PEOPLE THEY KNOW WHO WOULD BE IMPACTED AND THEN BE BENEFITED BY THIS BILL. I JUST WANTED TO RISE AND ADDRESS A COUPLE OF ISSUES THAT I HAVE ALREADY HEARD TODAY ON FLOOR DEBATE AND HOPE THAT WE COULD STAND AND STEER AWAY FROM THEM LATER. THERE WAS SOME NOTION THAT THIS ISN'T A PROBLEM, THIS ISN'T AN ISSUE, PEOPLE ARE NOT DISCRIMINATED AGAINST BASED ON GENDER IDENTITY OR SEXUAL ORIENTATION. WELL, ADD ME TO A LIST OF...I CAN TELL YOU PERSONAL ACCOUNTS OF FRIENDS OF MINE WHO DO FEEL THAT'S THE CASE. AND THAT IS TRUE. THAT DOES HAPPEN IN NEBRASKA. THAT DOES HAPPEN HERE IN LINCOLN. IT MAY NOT BE AN OVERWHELMING NUMBER. IT MAY NOT BE AN OVERWHELMING NUMBER, SURE, BUT A SINGLE CASE STILL IS TOO MUCH FOR ME TO...FOR ME TO HANDLE, WHICH IS WHY I RISE IN SUPPORT. SO I CERTAINLY HOPE THAT THERE IS NOT ACCUSATIONS THAT THIS DOESN'T HAPPEN. IF YOU WANT TO ARGUE THAT IT HAPPENS IN TOLERABLE AMOUNT, I SUPPOSE THAT WOULD BE A MORE HONEST ARGUMENT AND (INAUDIBLE) WE COULD GO FROM THERE AS TO WHETHER ANY AMOUNT IS TOLERABLE. THE OTHER THING I WANTED TO ADDRESS IS THERE WAS SOME NOTION OF, WELL, OTHER FORMS OF DISCRIMINATION ARE HAPPENING MORE OFTEN OR WORSE OR STRONGER. THAT'S CERTAINLY

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SOMETHING YOU...AN OPINION YOU CAN HOLD, AND I WOULD RESPECT THAT OPINION. BUT I WOULD DISAGREE WITH THE CONCLUSION FROM THAT THAT IF OTHER FORMS OF DISCRIMINATION ARE MORE PRESSING OR STRONGER, THAT WE SHOULD INSTEAD NOT FOCUS ON THIS ONE, THAT WE, INSTEAD, SHOULD SEEMINGLY NOT FOCUS ON ANY OF THEM, OR THAT THIS ONE ISN'T THE PRIORITY SO WE SHOULDN'T WORRY ABOUT IT. BY ALL MEANS, IF THERE ARE OTHER THINGS WE NEED...AS A LEGISLATURE, NEED TO LOOK AT, NEED TO DO TO ADDRESS SEXISM, RACISM, WHAT HAVE YOU, LET'S BRING THAT ONTO THE FLOOR FOR DEBATE. LET'S RAISE THE ISSUE IN THE EYES OF NEBRASKANS. LET'S MAKE IT CLEAR THAT WE HAVE NOTICED. SO I CERTAINLY HOPE THAT THERE IS NOT, AGAIN, ANOTHER ATTEMPT TO WAVE THIS AWAY AS NOT THE MOST PRESSING ISSUE, BECAUSE IT CERTAINLY IS A PRESSING ISSUE AND IT DOES AFFECT MANY OF NEBRASKANS. NOW I UNDERSTAND THAT, AS SENATOR CAMPBELL ALLUDED TO, DIFFERENT GENERATIONS LOOK AT THIS ISSUE DIFFERENTLY AND WE'RE, CERTAINLY, GOING TO HAVE DIFFERENT VIEWPOINTS, BUT I, CERTAINLY, WANT TO HAVE A FULL AND FAIR DEBATE ABOUT THE MERITS OF THIS. AND SO I HOPE WE CAN CONTINUE TO DO SO. AND I HOPE IN THE END YOU ALL JOIN ME IN SUPPORTING SENATOR MORFELD AND SENATOR PANSING BROOKS IN SUPPORTING LB586. WITH THAT, I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR CHAMBERS, IF HE COULD USE IT. [LB586]

SENATOR KRIST: SENATOR CHAMBERS, 2:00. [LB586]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THANK YOU, MY YOUNG COLLEAGUE. NOW THAT I'VE HAD A CHANCE TO VENT MY SPLEEN ON THAT SO-CALLED RELIGIOUS EXEMPTION, I CAN SPEAK A LITTLE MORE CALMLY. AND I NOTICE THAT SENATOR LARSON IS HERE WITH US TODAY AND TO SHOW YOU HOW VERSATILE I AM, HE LIKES TO TALK ABOUT GAMBLING, SO I'M GOING TO GIVE HIM A QUICK TEST AND SEE HOW MUCH HE COULD DO IN TERMS OF HELPING ME IF I AM A BRAND-NEW NEOPHYTE WHO WANTS TO LEARN HOW TO GAMBLE OR PLAY POKER. SENATOR, SUPPOSE WE ARE GOING TO BET A DOLLAR. YOU PUT YOUR DOLLAR DOWN. I PUT MY DOLLAR DOWN. YOU GOT THAT? NOW... [LB586]

SENATOR KRIST: SENATOR LARSON, WILL YOU YIELD? [LB586]

SENATOR LARSON: YES. YES. [LB586]

SENATOR KRIST: THANK YOU. [LB586]

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SENATOR CHAMBERS: OKAY. NOW WE HAVE FOUR FACE CARDS. I PUT A PAIR OF ACES, I PUT A PAIR OF KINGS, I PUT A PAIR OF QUEENS, AND I PUT A PAIR OF JACKS AND I SAY, YOU CAN TAKE ANY PAIR YOU WANT. WHICH PAIR WOULD YOU TAKE? [LB586]

SENATOR LARSON: THE ACES. [LB586]

SENATOR CHAMBERS: NO, I'D TAKE THE TWO DOLLARS. (LAUGHTER) SEE? AND HE KNOWS ABOUT GAMBLING? SEE, WHEN YOU'RE GOING TO GAMBLE, YOU NEED TO KNOW MORE ABOUT IT THAN JUST WHAT'S ON THE FACE OF THE CARDS. YOU HAVE TO BE THINKING ABOUT THE PHILOSOPHY OF GAMBLING. YOU HAVE TO BE WILY. YOU HAVE TO BE CUNNING. AFTER I JUST GOT THROUGH QUOTING THE "BIBBLE," YOU PROBABLY THOUGHT I DIDN'T KNOW ABOUT ANYTHING ELSE IN THIS WORLD, DID YOU? WELL, I KNOW A LITTLE BIT MORE ABOUT THINGS THAN PEOPLE MIGHT THINK I KNOW. BUT I DECIDED TO USE THE TWO MINUTES THAT I WAS GIVEN FOR THAT AND WHEN I'M RECOGNIZED, I'LL THEN GET BACK ON THE BILL. THANK YOU. [LB586]

SENATOR KRIST: YOU ARE UP ON YOUR OWN TIME NOW. [LB586]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, WHEN I GREW UP, I WAS IN THE KIND OF CHURCH WHERE THEY FELT THAT HOMOSEXUALITY IS A SIN. SO I DIDN'T EVEN KNOW WHAT IT WAS. BUT AS A CHILD, IT WAS A SIN. SO THERE WERE ALL KIND OF NEGATIVE WORDS USED TO DESCRIBE PEOPLE WHO WERE HOMOSEXUAL. AND I'M NOT GOING TO GO THROUGH THE LIST. BUT WHEN ONE OF THOSE WORDS WERE SAID, WE KNEW THAT'S ONE OF THOSE PEOPLE YOU HAVE TO BE AFRAID OF, BUT THEY DIDN'T LOOK ANY DIFFERENT FROM ANYBODY ELSE. BUT WHEN YOU'RE TAUGHT THAT, THAT'S THE WAY YOU COME UP. SO I HAD GROWN UP WITH THAT NOTION THAT HOMOSEXUALITY IS A SIN, ALONG WITH ALL OTHER KINDS OF SINS. THEN I BECAME AWARE, BECAUSE IT WAS NOT AN ISSUE MUCH DISCUSSED IN THE COMMUNITY, SO IT'S NOT SOMETHING THAT WAS ALWAYS IN MY MIND, BUT A SENATOR NAMED TIM HALL BEGAN TO BRING BILLS THAT WOULD PROHIBIT DISCRIMINATION BASED ON SEXUAL ORIENTATION. I SAID, TIM, I'M GOING TO SIGN ONTO THAT BILL WITH YOU BECAUSE I KNOW WHAT PEOPLE ARE GOING TO SAY ABOUT YOU FOR BRINGING A BILL LIKE THIS AND NOBODY SHOULD HAVE TO STAND AGAINST THAT ALONE, SO I'M GOING TO COSIGN YOUR BILL. I DIDN'T EVEN KNOW WHAT THE BILL SAID. AND I STILL HAVE THAT ATTITUDE THAT THESE ARE PEOPLE WHO DO WHAT THEY WANT TO DO. IT'S SOMETHING I WOULD

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NEVER DO. BUT I STILL DIDN'T THINK THEY OUGHT TO BE DISCRIMINATED AGAINST IN TERMS OF EMPLOYMENT, EDUCATION, HOUSING, AND ALL THE BASIC THINGS THAT IN A JESUIT UNIVERSITY THEY TEACH YOU EVERY HUMAN BEING IS ENTITLED TO. SO I BEGAN TO WORK ON THIS ISSUE. AND WHEN I UNDERTAKE TO DEAL WITH AN ISSUE, I TRY LEARN AS MUCH ABOUT IT AS I CAN. THAT'S WHEN I BEGAN TO READ ARTICLES AND SEE HOW PEOPLE WHO CARRIED THAT LABEL OF HOMOSEXUAL WERE TREATED, MISTREATED. AND AT FIRST I THOUGHT THEY WERE JUST CALLED NAMES. WELL, I'VE BEEN CALLED NAMES ALL MY LIFE. BUT THEN I SAW THAT THEY WOULD BE ATTACKED PHYSICALLY. WELL, BLACK PEOPLE WERE LYNCHED. BUT THEN IT AFFECTED CHILDREN. BUT BLACK CHILDREN WERE MISTREATED. THAT, BELIEVE IT OR NOT, CREATED AN AFFINITY. WHEN THERE IS A GROUP TREATED THE WAY MINE IS TREATED, FROM CHILDREN ON UP, THEN THERE MUST BE SOMETHING WE HAVE IN COMMON. AND WHAT I FOUND IN COMMON IS THAT THE SAME KIND OF PEOPLE WHO HATED THEM ARE THE ONES WHO HATED ME AND MY KIND EVER SINCE I WAS ON THE FACE OF THE EARTH. SO MY ENEMY MADE SOMEBODY MY FRIEND WHOM I DIDN'T EVEN KNOW ANYTHING ABOUT. AND I BEGAN TO SEE POINTS OF COMMONALITY. THEN I BECAME AWARE OF THE FACT THAT THERE WERE REALLY NOT THAT MANY OF THEM COMPARED TO HOW MANY OTHER WHITE PEOPLE THERE WERE IN THIS WORLD. SO THEY COULD QUALIFY AS WHAT IS CALLED A MINORITY. SINCE THEY WERE IN THAT CATEGORY BECAUSE OF WHAT THEY WERE, NOT BECAUSE THEY BOTHERED ANYBODY, NOT BECAUSE THEY HAD DONE ANYTHING, THEN I DIDN'T FEEL IT WAS RIGHT TO MISTREAT THEM. SO THEY BECAME ONE OF THOSE CAUSES AND THEY WERE AMONG THE DOWNTRODDEN. I WOULDN'T TOLERATE ANYBODY USING THOSE DEGRADING TERMS AROUND ME AND I WOULD EXPLAIN WHY THEY COULDN'T SAY THOSE THINGS AROUND ME. AND IF I SAW SOMEBODY WHO, AS THEY SAY, WALKED FUNNY, OR TALKED FUNNY, I'D WATCH AND IF I SAW ANYBODY DOING ANYTHING THAT WAS INAPPROPRIATE AND I WAS IN A POSITION TO SAY SOMETHING, I WOULD. I'VE MENTIONED THIS BEFORE, BUT I'M GOING TO SPEAK ON THIS SO I DON'T HAVE TO RUSH BECAUSE WE HAVE A WHILE TO SPEND TOGETHER. AND I CAN TALK A LITTLE MORE LEISURELY. SENATOR RAIKES... [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR CHAMBERS: ...AND I HAD WORKED ON THE LEARNING COMMUNITY, AND SENATOR RAIKES WAS A VERY SMART MAN, HIS BROTHER IS, TOO, AND HE KNOWS ALL THESE RICH GUYS--THAT RICHEST GUY IN THE WORLD WHO DEALS WITH COMPUTERS, AND THEY EVEN LOOK ALIKE. BUT AT ANY RATE, THEY

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WERE IN THE CAFETERIA, AND ONE OF MY BILLS WAS UP AND ONE OF THESE SENATORS HAD SAID, THOSE PEOPLE, TALKING ABOUT GAY AND LESBIAN PEOPLE, ARE TRYING TO TAKE OVER THE WORLD, OR WORDS TO THAT EFFECT. AND SENATOR RAIKES LOOKED AT HIM AND SAID, OH, WE ARE? AND THE SENATOR WENT QUIET. YOU DON'T KNOW WHO IS AND WHO IS NOT. SO THE BEST THING TO DO IS TREAT EVERYBODY RIGHT. TREAT PEOPLE THE WAY YOU'D WANT TO BE TREATED. TREAT PEOPLE'S CHILDREN THE WAY YOU'D WANT YOUR CHILDREN TREATED IF YOU HAD A CHILD. [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB586]

CLERK: MR. PRESIDENT. [LB586]

SENATOR CRAWFORD: THANK... [LB586]

SENATOR KRIST: I'M SORRY. ONE SECOND. MR. CLERK, FOR ANNOUNCEMENTS. [LB586]

CLERK: SENATOR SEILER, DO YOU STILL WANT TO...OR HAVE YOU? SO YOU DON'T NEED THIS? SORRY. EXCUSE ME, SENATOR. [LB586]

SENATOR KRIST: I APOLOGIZE, MR. CLERK. AND, SENATOR CRAWFORD, GO AHEAD. [LB586]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF THE RECONSIDER MOTION. COLLEAGUES, I WAS NOT SURPRISED AT ALL THAT SENATOR CHAMBERS VOTED AGAINST AM1644, BUT I HAVE TO ADMIT SURPRISE THAT MANY OF THE REST OF YOU VOTED AGAINST AM1644. AND SO I'M GLAD WE HAVE ANOTHER CHANCE TO CONSIDER THIS AMENDMENT. AND I HOPE IF YOU DID NOT GET A CHANCE BEFORE YOUR VOTE TO READ THE AMENDMENT, I DO HOPE THAT YOU WILL READ THAT AMENDMENT. AS HAS BEEN SAID BEFORE ON THE FLOOR, THERE ARE PEOPLE OF FAITH WITH DIFFERING VIEWS ON SEXUAL ORIENTATION. AND I KNOW AND RESPECT PEOPLE OF FAITH WHO HAVE

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DIFFERING VIEWS. WHEN I TALK TO PEOPLE WHO HAVE MORE CONSERVATIVE VIEWS THAN I DO, I THINK THE TWO MAIN CONCERNS THEY RAISE WHEN I ASK THEM...TALK TO THEM ABOUT MAKING SURE THAT WE STILL PROTECT PEOPLE'S EMPLOYMENT RIGHTS, THE TWO MAIN CONCERNS THEY RAISE ARE THEIR CONCERNS ABOUT THE PAROCHIAL SCHOOLS OR RELIGIOUS INSTITUTIONS AND THEIR CONCERNS ABOUT FREE EXERCISE AND THEIR ABILITY TO EXPRESS THEIR OWN PERSPECTIVE ON HOMOSEXUALITY TO OTHERS AND FOR THAT NOT TO BE CONSIDERED HARASSMENT, BUT INSTEAD TO RECOGNIZE THAT WHEN WE'RE PROTECTING RIGHTS, IT'S ALWAYS COMPLEX AND WE ARE PROTECTING A VARIETY OF RIGHTS. AND SO AS WE PROTECT ONE RIGHT, WE HAVE TO BALANCE THAT AGAINST ANOTHER RIGHT. AND THAT IS, I THINK, THE BALANCE THAT SENATOR CAMPBELL'S AMENDMENT IS STRIKING HERE. AND IT'S A THOUGHTFUL, CAREFULLY CONSIDERED BALANCE TO PROTECT RELIGIOUS INSTITUTIONS MORE FULLY AND COMPLETELY THAN OUR CURRENT RELIGIOUS EXEMPTION. AND ALSO TO EXPLICITLY PROTECT RELIGIOUS EXPRESSION SO THAT IF YOU ARE IN A WORKPLACE AND YOU ARE EXPRESSING YOUR RELIGIOUS BELIEFS, THAT THAT WOULD NOT BE CONSIDERED HARASSMENT. AND I THINK THOSE ARE IMPORTANT PROTECTIONS. SO I URGE MY COLLEAGUES WHO VOTED NO OR NOT VOTING ON AM1644, IF YOU HAVE EITHER OF THOSE TWO CONCERNS ABOUT PROTECTING THIS EMPLOYMENT...PROTECTING PEOPLE AGAINST DISCRIMINATION, I URGE YOU TO READ AM1644. WHILE I KNOW THERE ARE DIFFERING VIEWS ABOUT SEXUAL ORIENTATION AND SEXUAL MORALITY, I DO NOT BELIEVE THAT RELIGIOUS VALUES ENCOURAGE DISCRIMINATION. THAT'S NOT AT ALL WHAT I HAVE SEEN IN SACRED SCRIPTURES ABOUT THE MORALITY OF THE WORKPLACE. IT'S MUCH MORE ABOUT FAIR WAGES AND TREATING PEOPLE WELL. AND I HAVE NOT SEEN ANY TEACHINGS ABOUT EMPLOYMENT DISCRIMINATION. AND SO I THINK THE AMENDMENT, AM1644, DOES A VERY NICE JOB OF CLARIFYING THE TRADE-OFFS THAT WE MAKE IN PROTECTING THE MIX OF RIGHTS THAT ARE AT PLAY HERE AS WE PROTECT PEOPLE IN EMPLOYMENT SITUATIONS AND ALSO PROTECT FREE EXERCISE RIGHTS, RELIGIOUS RIGHTS AS WELL. IT'S A CAREFULLY CRAFTED BALANCE AND I URGE YOU TO RECONSIDER YOUR VOTE ON AM1644 AND TO PASS IT AND THEN TO BE ABLE TO SUPPORT LB586. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR CRAWFORD. (VISITORS INTRODUCED.) THOSE STILL WISHING TO SPEAK: SENATOR KEN HAAR, SENATOR BURKE HARR, SENATOR McCOY, LARSON, KINTNER, AND OTHERS. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB586]

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SENATOR HAAR: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. US OLDER GUYS HAVE TO JUST GET UP AND STRETCH ONCE IN AWHILE OR WE'LL NOT BE ABLE TO GET UP AT ALL, SO. WELL, OBVIOUSLY, I...FROM WHAT I'VE SAID BEFORE, I STAND IN SUPPORT OF LB586. AND FIRST OF ALL, IT'S THE RIGHT THING TO DO BECAUSE, AT LEAST IN MY BOOKS, HOW WE TREAT EACH OTHER IS THE MAIN MEASURE OF WHO WE ARE AND HOW WE DO THINGS. BUT IT'S REALLY INTERESTING TO ME THAT...THAT ALL THE BUSINESS GROUPS ARE COMING OUT AND SUPPORTING THIS. AND I'VE...THE LETTER FROM THE OMAHA CHAMBER OF COMMERCE AND I'M GOING TO READ IT BECAUSE THIS IS NOT ABOUT MORALITY SO MUCH AS IT IS ABOUT MONEY AND GETTING GOOD PEOPLE. ON BEHALF OF THE GREATER OMAHA CHAMBER, OUR EXECUTIVE COMMITTEE AND A BROAD ARRAY OF OUR MEMBER COMPANIES REPRESENTING NEARLY 250,000 EMPLOYEES IN THE GREATER OMAHA AREA, WE ARE PLEASED TO SUPPORT LB586. OUR ORGANIZATION'S SUPPORT IS BASED ON SEVERAL FACTORS. WE BELIEVE PASSING A LAW LIKE THIS IS THE RIGHT THING TO DO. EMPLOYEES OF COMPANIES IN NEBRASKA AND JOB APPLICANTS TO THESE FIRMS SHOULD HAVE THE EXPECTATION THAT THEY WILL NOT BE DISCRIMINATED AGAINST BY THEIR EMPLOYER BECAUSE OF WHO THEY ARE, JUST AS THEY ARE PROTECTED FROM DISCRIMINATION BASED ON GENDER, ETHNICITY, OR RELIGIOUS BELIEFS. WE BELIEVE IT'S THE RIGHT THING TO DO. I AGREE. WE BELIEVE THIS BILL WOULD HAVE TREMENDOUS IMPLICATIONS FOR ECONOMIC DEVELOPMENT IN OUR STATE. WE KEEP TALKING ABOUT HOW WE NEED TO BRING ECONOMIC DEVELOPMENT TO OUR STATE AND THE OMAHA CHAMBER OF COMMERCE IS SAYING THIS IS AN IMPORTANT PIECE. AT THE CHAMBER, WE WORK EVERY DAY WITH EMPLOYERS THAT ARE ATTEMPTING TO RECRUIT EMPLOYEES TO THEIR COMPANIES. EVERY DAY THEY HEAR DIRECT FEEDBACK FROM TALENTED PEOPLE WHO DO NOT WANT TO WORK IN NEBRASKA BECAUSE THE STATE DOES NOT OFFER PROTECTION FROM DISCRIMINATION BASED ON SEXUAL ORIENTATION. IN OTHER WORDS, YOU CAN'T JUST PUT "NEBRASKA NICE" ON A BROCHURE AND EXPECT PEOPLE TO COME HERE. THEY LOOK AT WHO WE ARE AND HOW WE TREAT PEOPLE. WITH AN UNEMPLOYMENT RATE AS LOW AS IT HAS EVER BEEN, TALENT RECRUITMENT IS CRUCIAL TO BUILDING UP NEBRASKA'S WORK FORCE. TALENTED EMPLOYEES WANT TO WORK IN AN ENVIRONMENT THAT'S OPEN, WELCOMING, AND NONDISCRIMINATORY. THE STATE OF NEBRASKA SHOULD BE SUCH A PLACE. INCREASINGLY, EMPLOYERS CONSIDER THIS ISSUE WHEN THEY MAKE LOCATION DECISIONS. ANOTHER REASON--NOT ONLY ARE WE TRYING TO RECRUIT PEOPLE TO COME AND WORK IN NEBRASKA, BUT WE'RE TRYING TO RECRUIT NEW BUSINESS TO NEBRASKA. EMPLOYERS CONSIDER THIS ISSUE WHEN THEY MAKE LOCATION DECISIONS THAT WILL IMPACT THE GROWTH AND

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FUTURE OPPORTUNITIES AVAILABLE IN OUR STATE. AND WE JUST HEARD ONE EARLIER FROM PAYPAL. IT'S CLEAR THAT THEY BELIEVE AN INCLUSIVE BUSINESS CLIMATE IS A COMPETITIVE BUSINESS CLIMATE. THIS IS ALL ABOUT BUSINESS. THERE ARE SOME WHO WILL ARGUE THAT THIS BILL WILL CREATE A BURDEN OF UNNECESSARY COST ON BUSINESS. THAT CONCERN IS NOT SUPPORTED BY THE FACTS. SINCE THE CITY OF OMAHA PASSED A SIMILAR ORDINANCE IN 2012, THERE HAVE BEEN VERY FEW CLAIMS OF COST TO BUSINESS AS A RESULT. [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR HAAR: THANK YOU. ALSO, MANY COMPANIES WHO OPERATE IN NEBRASKA ALREADY HAVE POLICIES ALIGNED WITH THIS BILL. THESE COMPANIES SEE TALENTED, HARDWORKING, AND ENGAGED EMPLOYEES WHO LOVE WORKING IN A PLACE WHERE THEY CAN USE THEIR TALENTS FULLY, WITHOUT FEAR OF LAWFUL DISCRIMINATION, AND THEY WOULD LIKE TO SEE MORE. AND I'LL FINISH UP THIS LETTER FROM THE OMAHA CHAMBER OF COMMERCE IN MY NEXT TIME AT THE MIKE. THANK YOU. [LB586]

SENATOR KRIST: THANK YOU, SENATOR HAAR. SENATOR BURKE HARR, YOU ARE RECOGNIZED. [LB586]

SENATOR HARR: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. YOU KNOW, LAST NIGHT AS I...AFTER I GOT HOME, AND I WAS SPOONING A CUP OF ICE CREAM, I WAS THINKING ABOUT WHAT I CAN AND CAN'T DO VERSUS WHAT OTHER COUPLES CAN AND CAN'T DO. AND, YOU KNOW, I COME FROM A WONDERFUL FAMILY, I HAVE A WONDERFUL WIFE, AND I'M VERY PROUD OF THE TIME WE CAN SPEND TOGETHER AND THAT WE CAN TALK ABOUT THE TIME WE SPEND TOGETHER. AND I CAN TALK TO PEOPLE ON THE FLOOR ABOUT THE TIME WE SPEND TOGETHER, AND I DON'T HAVE TO WORRY ABOUT LOSING MY JOB. NOW THAT'S BECAUSE OF TWO THINGS: NUMBER ONE, I'M ELECTED; AND, NUMBER TWO, BECAUSE MY RELATIONSHIP HAS BEEN OKAYED. BUT THERE ARE A LOT OF OTHER RELATIONSHIPS OUT THERE WHERE PEOPLE IN THE WORK FORCE ARE AFRAID TO TALK ABOUT WHAT THEY DO AT HOME. NOW THEY MAY NOT LOSE THEIR JOB. AND THEY MAY DO A GREAT JOB AT WORK. BUT THEY CAN'T EXPRESS WHO THEY ARE AND WHAT THEY ARE. THERE MAY BE WONDERFUL TRIPS TO HAWAII IN WHICH KEY EMPLOYEES GET TO GO TO, AND OTHER EMPLOYEES CAN BRING THEIR SPOUSES, AND OTHERS ARE AFRAID TO BRING THEIR SIGNIFICANT OTHER. IN OMAHA WE'RE LUCKY, WE HAVE A

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NONDISCRIMINATION CLAUSE. BUT WE'RE NOT IN OMAHA RIGHT NOW, WE'RE IN LINCOLN, AND IF I WERE IN CERTAIN JOBS, I COULD PROBABLY BE FIRED JUST FOR HAVING A SPOUSE THAT IS OF THE SAME SEX. I ALSO KNOW OF ANOTHER CHILD THAT IS TRANSGENDER. ONE DAY SHE WILL GROW UP AND GET A JOB. AND IT'S MY HOPE THAT WE'VE INVESTED A LOT OF MONEY IN HER THROUGH A K-12 EDUCATION, SHE GOES TO PUBLIC SCHOOL. IT'S MY HOPE THAT SHE WILL BE ABLE TO GET A JOB AND STAY IN NEBRASKA AND NOT BE FIRED, AND BE ABLE TO GO ANYWHERE IN NEBRASKA AND NOT BE LIMITED BY THE CITY OF OMAHA. IT'S FUNNY BECAUSE THIS YOUNG GIRL, THEY HAVE A CAMP FOR ALL SIXTH GRADERS IN THE SCHOOL DISTRICT, IN THE SCHOOL, AND IT'S KIDS FROM DIFFERENT SCHOOLS. AND KIDS AT ONE SCHOOL, THEY ALL KNOW. BUT THERE'S ANOTHER SCHOOL, AND THE TWO SCHOOLS SLEEP, HAVE AN OVERNIGHT AT THIS CAMP, AND THERE WAS SOME CONCERN THAT PERHAPS ONE OR MORE OF THE CHILDREN OR PARENTS WOULD HAVE A PROBLEM. YOU KNOW WHAT? NOT ONE DID. NOT ONE PERSON RAISED AN ISSUE. I DON'T KNOW WHY WE'RE AFRAID TO SAY IT'S OKAY TO LOVE WHOMEVER YOU WANT. I JUST DON'T GET IT. WE'RE IN A MODERN WORLD. WE NEED DIVERSITY. WE WANT A WORK FORCE THAT ENCOURAGES ALL TYPES, OPEN THOUGHT, THAT'S COLLABORATION. AND IF SOME PERSON LOVES SOMEBODY DIFFERENT THAN YOU DO, I DON'T SEE THE REAL ISSUE. I HAVE A LOT OF PEOPLE I RESPECT, AND RESPECT A LOT, WHO DON'T AGREE WITH ME ON THIS ISSUE, BUT I'VE SEEN IT FIRSTHAND. I REMEMBER...I DID JESUIT VOLUNTEER CORPS YEARS AGO, 20 YEARS AGO. [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR HARR: THANK YOU. AND THE HOUSE THAT I LIVED IN, WE WERE ALL VOLUNTEERS, WE HAD FOUR WOMEN AND TWO MEN. AND MY ROOMMATE, WHO I SHARED A ROOM WITH, WAS PETER, IS AND WAS GAY. AND, YOU KNOW, FIRST YEAR OUT OF COLLEGE, WHAT DO WOMEN WANT TO TALK ABOUT? MARRIAGE. AND THEY WERE ALL EXCITED ABOUT MARRIAGE. AND HE COULDN'T TALK ABOUT MARRIAGE AND HE HAD TO TALK ABOUT...HE JUST DIDN'T WANT TO GET FIRED FOR BEING GAY. THAT'S WHAT HE LOOKED FOR. THAT'S WHAT HE ASPIRED FOR. WE NEED TO GET BEYOND THAT, FOLKS. WE NEED TO GET TO A TIME WHERE WE ACCEPT PEOPLE BASED ON WHO THEY ARE AND WHAT THEY DO AND NOT WHO THEY LOVE. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR HARR. SENATOR McCOY, YOU'RE RECOGNIZED. [LB586]

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SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. WOULD SENATOR MORFELD YIELD TO SOME QUESTIONS, PLEASE? [LB586]

SENATOR KRIST: SENATOR MORFELD, WILL YOU YIELD TO SENATOR McCOY FOR SOME QUESTIONS? [LB586]

SENATOR MORFELD: YES, I WILL. [LB586]

SENATOR McCOY: THANK YOU, SENATOR. I HAVE SOME QUESTIONS ABOUT THIS UNDERLYING AMENDMENT. OBVIOUSLY IT'S COMPLETELY WITHIN THE PREROGATIVE OF ANYONE TO ADD TO OR TAKE FROM PIECES OF LEGISLATION AT ANY GIVEN POINT THROUGH THE PROCESS. HOWEVER, I DON'T BELIEVE ANY OF US, OR AT LEAST I WASN'T ANYWAY, WERE AFFORDED THE OPPORTUNITY TO GO THROUGH THIS UNTIL WE STARTED DEBATE ON THIS...ON THIS BILL EARLIER THIS AFTERNOON. BUT I HAVE HAD THE TIME TO GO THROUGH AM1644 FAIRLY THOROUGHLY, AND I DO HAVE SOME QUESTIONS FOR YOU. STARTING WITH LINE 13, ON PAGE 1, CAN YOU WALK ME THROUGH HOW THE...HOW WE GOT TO WHERE WE GOT TO IN THIS AMENDMENT, OR YOU GOT TO, AS FAR AS DEFINING WHAT IS SOMEONE WHOSE DUTIES ARE MINISTERIAL? [LB586]

SENATOR MORFELD: WELL, SENATOR, I WOULD HAVE TO PULL UP THE COURT CASES, BUT THE COURT HAS DEFINED WHO IS MINISTERIAL AND WHO IS NOT. AND PART OF THAT IS TEACHING THE FAITH AND PREACHING THE FAITH AND THERE'S A LITMUS TESTS AND SOME FACT-BASED TESTS THAT THE COURT USES TO DETERMINE THAT. [LB586]

SENATOR McCOY: WHAT COURT CASE ARE YOU REFERRING TO, SENATOR? [LB586]

SENATOR MORFELD: WELL, I DON'T HAVE THEM RIGHT OFFHAND, BUT I CAN CERTAINLY PULL THEM UP FOR YOU, SENATOR. [LB586]

SENATOR McCOY: OKAY. SO WAS THIS AMENDMENT BROUGHT TO YOU THEN? OR...IF YOU'RE NOT...I GUESS I'M TRYING TO UNDERSTAND, IF YOU'RE NOT FAMILIAR WITH THE DEFINITIONS IN HERE, WHO WOULD BE FAMILIAR WITH THAT? [LB586]

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SENATOR MORFELD: THE COURT CASES WOULD, SO I'M MORE THAN HAPPY TO BRING UP THE COURT CASES, BUT I DON'T HAVE THAT MEMORIZED. [LB586]

SENATOR McCOY: OKAY. I'LL MOVE ON TO SOME OTHER QUESTIONS THEN. I WANT TO GO DOWN STARTING IN LINE...IN LINE 19, WE HAVE A DIFFERENT SECTION OF THIS AMENDMENT, AND...WELL, ACTUALLY, I'M GOING TO SKIP DOWN TO...TO LINE...STARTING ON LINE 22 WHERE IT SAYS: AN EMPLOYEE MAY EXPRESS THE EMPLOYEE'S RELIGIOUS OR MORAL BELIEFS AND COMMITMENTS IN THE WORKPLACE IN A REASONABLE, NONDISRUPTIVE, AND NONHARASSING WAY. WHAT ARE THE DEFINITIONS OF THAT? [LB586]

SENATOR MORFELD: WELL, THAT WOULD BE PLAIN MEANING. SO IF YOU HAVE A DICTIONARY, YOU'D BE ABLE TO PULL THOSE OUT AND... [LB586]

SENATOR McCOY: I'M SORRY, WHAT WAS THAT, AGAIN? [LB586]

SENATOR MORFELD: THAT WOULD BE INTERPRETED AS PLAIN MEANING. SO YOU WOULD BE ABLE TO PULL OUT A DICTIONARY AND LOOK AT THOSE DEFINITIONS. [LB586]

SENATOR McCOY: BUT, SENATOR, THIS IS THE LEGISLATURE, AND PLAIN MEANINGS OFTEN TIMES DON'T MEAN ONE AND THE SAME WHEN WE'RE TALKING ABOUT STATUTES. [LB586]

SENATOR MORFELD: WELL, ACTUALLY, SENATOR, COURTS...UNLESS THERE IS A DEFINITION PROVIDED BY THE LEGISLATURE, THE COURT LOOKS AT THE PLAIN MEANING. [LB586]

SENATOR McCOY: WELL, THAT IS WHY WE HAVE COURTS, THOUGH, SENATOR, IS TO OFTEN TIMES ARGUE AND DEBATE AND LITIGATE OVER THE MEANING OF WORDS. [LB586]

SENATOR MORFELD: YES, AND... [LB586]

SENATOR McCOY: SO IN THIS AMENDMENT, SENATOR, WHAT IS THE MEANING OF THOSE WORDS? WHO PROVIDES THAT INTERPRETATION? WHO DEFINES WHAT "REASONABLE," "NONDISRUPTIVE," AND "NONHARASSING," WHAT DOES THAT MEAN? WHAT IS THE DEFINITION FOR THAT? [LB586]

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SENATOR MORFELD: WELL, TO ANSWER YOUR FIRST QUESTION, WHO WOULD DECIDE THAT WOULD BE THE COURTS. TO ANSWER YOUR SECOND QUESTION, AS I NOTED EARLIER, SINCE WE DON'T PROVIDE A DEFINITION IN HERE, IT WOULD BE PLAIN MEANING, SO THEY WOULD LOOK AT A DICTIONARY AND THE COMMON USAGE. [LB586]

SENATOR McCOY: WELL, BUT YOUR INTERPRETATION OR MY INTERPRETATION OF "NONHARASSING," "NONTHREATENING," OR...SORRY, EXCUSE ME, "REASONABLE," "NONDISRUPTIVE," AND "NONHARASSING" MAY BE COMPLETELY DIFFERENT, SENATOR. CORRECT? [LB586]

SENATOR MORFELD: THAT'S WHY WE HAVE COURTS, SENATOR. [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR McCOY: SO IS THE PURPOSE OF THIS...SO ARE YOU TELLING ME THE PURPOSE OF THIS AMENDMENT IS TO CREATE A SITUATION IN WHICH THE COURTS WILL INTERPRET WHAT THIS MEANS? [LB586]

SENATOR MORFELD: NO, BUT I THINK THAT'S WHAT YOU'RE TRYING TO GET AT. [LB586]

SENATOR McCOY: THAT'S NOT AT ALL WHAT I'M TRYING TO GET AT, SENATOR. I'M, MERELY, ASKING A SIMPLE QUESTION THAT I'VE ASKED MANY TIMES IN SEVEN YEARS IN THE LEGISLATURE, AND THAT IS, WHAT IS THE MEANING OF SAID LANGUAGE IN EITHER A BILL OR AN AMENDMENT? [LB586]

SENATOR MORFELD: THE MEANING OF IT IS THE INTENT OF THE LEGISLATURE. [LB586]

SENATOR McCOY: WELL, PERHAPS WE NEED TO COME UP WITH SOME DEFINITIONS OF THESE WORDS. [LB586]

SENATOR MORFELD: I WOULD BE MORE THAN HAPPY TO WORK WITH YOU, SENATOR. [LB586]

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SENATOR McCOY: BECAUSE I THINK THAT...THIS IS VAGUE, IT'S AMBIGUOUS, AND YOUR INTERPRETATION OF THIS AND MINE COULD BE COMPLETELY DIFFERENT. AND THANK YOU, SENATOR MORFELD. I APPRECIATE THE GIVE-AND-TAKE. [LB586]

SENATOR MORFELD: THANK YOU. [LB586]

SENATOR McCOY: MEMBERS, THIS JUST IS A SCRATCH...JUST SCRATCHES THE SURFACE OF WHAT'S PROBLEMATIC ABOUT THIS AMENDMENT. IF ANYTHING, THIS AMENDMENT MAKES THIS LEGISLATION WORSE THAN THE ORIGINAL BILL AND COMMITTEE AMENDMENT, IN MY VIEW. THIS AMENDMENT DOESN'T HELP, IT MAKES IT WORSE. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR McCOY AND SENATOR MORFELD. SENATOR LARSON, YOU'RE RECOGNIZED. [LB586]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. WILL SENATOR CHAMBERS YIELD TO A QUESTION? [LB586]

SENATOR KRIST: SENATOR CHAMBERS, WILL YOU YIELD? [LB586]

SENATOR CHAMBERS: YES. [LB586]

SENATOR LARSON: THANK YOU, SENATOR CHAMBERS. I APPRECIATED YOUR DIALOGUE AND LITTLE GAME OUR LAST TIME AT THE MIKE, AND I HAD A QUESTION FOR YOU. WHEN YOU ASKED ME THOSE QUESTIONS AND MADE ME MAKE A CHOICE, DID I HAVE A...THE ABILITY TO MAKE A RATIONAL CHOICE ON WHAT PAIR TO TAKE? [LB586]

SENATOR CHAMBERS: EVERYTHING YOU NEEDED WAS STATED IN THE WAY I LAID IT OUT. [LB586]

SENATOR LARSON: SO I DID HAVE THE ABILITY TO MAKE A RATIONAL CHOICE? [LB586]

SENATOR CHAMBERS: YES, YOU DID. YOU JUST DIDN'T. [LB586]

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SENATOR LARSON: YES. AND DID YOU HAVE THAT SAME ABILITY TO MAKE A RATIONAL CHOICE? [LB586]

SENATOR CHAMBERS: WELL, WITH ME, IT WAS KNOWLEDGE ON MY PART. WITH YOU, IT WOULD HAVE REQUIRED ANALYSIS AND CLOSE ATTENTION. SO WE WERE SITUATED DIFFERENTLY AS FAR AS OUR KNOWLEDGE AND UNDERSTANDING OF THE ISSUE THAT WAS PRESENTED TO YOU. [LB586]

SENATOR LARSON: SO, ESSENTIALLY, YOU COULD SAY THAT YOU WERE ACTUALLY...YOU UNDERSTOOD THAT YOU WERE IN A BETTER POSITION, BUT I STILL COULD HAVE OVERCOME THE PROBLEM. [LB586]

SENATOR CHAMBERS: I WAS THE HOUSE AND DEMONSTRATED THAT CARDINAL RULE OF GAMBLING--NEVER BET AGAINST THE HOUSE. AND YOU BET AGAINST THE HOUSE AND THE HOUSE WON. [LB586]

SENATOR LARSON: BUT I DID HAVE THAT RATIONAL CHOICE. [LB586]

SENATOR CHAMBERS: AS FAR AS YOUR KNOWLEDGE TOOK YOU, YES. [LB586]

SENATOR LARSON: YES. WELL, YOU KNOW, AND AS...I WOULDN'T QUITE CALL YOU THE HOUSE IN THAT SITUATION, SENATOR CHAMBERS, BUT I APPRECIATE THE CONCEPT, BECAUSE YOU HELPED ME HIGHLIGHT THE TRUE FACT THAT I'M GETTING TOWARDS IS THAT EVEN IN THAT CASE, THERE WAS THE OPTION OF HUMAN RATIONALE AND HUMAN THINKING TO BE USED IN THAT EQUATION. AND WITH THAT, AS I WILL CONTINUALLY SAY, AS WE WORK THROUGH THESE ISSUES, WHEN THE HUMAN MIND HAS THAT ABILITY AND CAN AND SHOULD USE CERTAIN ANALYTICS, WHETHER OR NOT I DID AT THAT POINT OR NOT, THAT MAKES THAT ISSUE MORE A GAME OF SKILL THAN CHANCE. AND, ON THAT POINT, WHERE OUR NEBRASKA CONSTITUTION COMES INTO PLACE, IF A CERTAIN ISSUE OR A CERTAIN THING SUCH AS THAT IS 50.1 PERCENT MORE A GAME OF SKILL THAN CHANCE, OUR SUPREME COURT HAS ALREADY RULED THAT IT IS NOT UNCONSTITUTIONAL. SO I APPRECIATE THE GAME THAT SENATOR CHAMBERS BROUGHT ME TO, AND THE POINT THAT HE OUTLINED WAS EXCELLENT, AND THAT SIMPLE FACT THAT WHEN WE'RE USING THE HUMAN BRAIN, AND THAT HUMAN BRAIN HAS THE ABILITY TO KNOWINGLY MAKE CHOICES WITH ALL THE FACTS OUT THERE, AND UNDERSTAND THAT THOSE...AND I'LL SPEAK SPECIFICALLY TO TEXAS HOLD 'EM AND OMAHA HOLD 'EM HERE, THAT THOSE IS THE MORE THEY SEE CERTAIN HANDS OVER AND OVER

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AND OVER, WILL RISE TO THE TOP, STUDY AFTER STUDY HAS SHOWN SO. SO SENATOR CHAMBERS ROSE TO THE TOP IN THE FIRST CONFRONTATION, AND I APPRECIATE THAT, BECAUSE HE HELPS ME OUTLINE A REALLY GOOD POINT--SKILL OUTWEIGHS CHANCE ON MANY GAMES. POKER IS ONE OF THOSE GAMES. I WOULD EVEN ARGUE THAT BLACKJACK DOES, AND THAT'S A COMBINATION FOR ANOTHER TIME, BECAUSE BLACKJACK, YOU PLAY THE HOUSE...YES, SENATOR CHAMBERS, I AM DONE, SORRY...BLACKJACK YOU DO PLAY THE HOUSE, POKER YOU PLAY OTHER PLAYERS. I DO HAVE ONE OTHER QUESTION FOR SENATOR PANSING BROOKS, IF SHE WOULD YIELD, THOUGH. [LB586]

SENATOR KRIST: SENATOR PANSING BROOKS, WILL YOU YIELD? AND ONE MINUTE. [LB586]

SENATOR LARSON: THANK YOU. [LB586]

SENATOR PANSING BROOKS: HAPPY TO YIELD. [LB586]

SENATOR LARSON: I'VE REALLY APPRECIATED YOUR COMMENTS TODAY, SO I JUST WANTED...BUT I WANT TO CLARIFY SOMETHING. YOU BELIEVE...THAT ONE ENTITY...OR ONE SUBSET OF INDIVIDUALS SHOULDN'T BE TREATED ANY DIFFERENT THAN ANOTHER SUBSET OF INDIVIDUALS. CORRECT? [LB586]

SENATOR PANSING BROOKS: I DON'T KNOW OF WHAT SUBSET YOU SPEAK, SO IF YOU'RE TRYING TO TRICK ME INTO SAYING SOMETHING...IF YOU WANT TO ASK ME A SPECIFIC QUESTION, I'M WILLING TO ANSWER IT. [LB586]

SENATOR LARSON: THE LGBTQ DESERVE...OR ESSENTIALLY WANT...DESERVE THE SAME PROTECTIONS WITHIN THE NEBRASKA STATUTES AS EVERYBODY ELSE HAS, CORRECT? [LB586]

SENATOR PANSING BROOKS: YES, I BELIEVE ALL PEOPLE DESERVE... [LB586]

SENATOR LARSON: THANK YOU. AND THAT BRINGS ME TO THE NEXT COMMENT, AND I WISH I HAD MORE TIME, IN THE SIMPLE FACT WE'RE GOING TO SEE IN THE NEXT BILL WHERE THE STATE IS TREATING TWO ENTITIES VERY DIFFERENTLY. THEY'RE TREATING INDIVIDUALS THAT ARE JUST INDIVIDUALS VERSUS INDIVIDUALS THAT MIGHT OWN A PACKING PLANT. SO WE DON'T WANT TO

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TREAT PEOPLE DIFFERENTLY HERE, BUT WE ARE WILLING TO TREAT THEM DIFFERENTLY OVER HERE IN BUSINESS. [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

SENATOR LARSON: THANK YOU. [LB586]

SENATOR KRIST: THANK YOU, SENATOR LARSON, SENATOR CHAMBERS, AND SENATOR PANSING BROOKS. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB586]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. A COUPLE THINGS, I GUESS THE FIRST THING, WE WERE TALKING ABOUT THE CHAMBER OF COMMERCE SUPPORTS IT. YOU KNOW, THE SMALL BUSINESSES I TALK TO...AND, YOU KNOW, UNLIKE THE CHAMBER OF COMMERCE, THESE SMALL BUSINESSES ALL HAVE TO MAKE MONEY. THERE'S PLENTY OF NONPROFITS AND STUFF IN THE CHAMBER OF COMMERCE. THEY DON'T LIKE PROTECTED CLASSES. PROTECTED CLASSES, THEY OPEN THEM UP TO LAWSUITS, MAKES IT TOUGH TO FIRE PEOPLE. THEY JUST DON'T LIKE IT. AND, YOU KNOW, I QUITE...MORE OFTEN THAN NOT, I'M WITH THE CHAMBER OF COMMERCE ON ISSUES, BUT, YOU KNOW, WHEN PUSH COMES TO SHOVE, I REPRESENT THE PEOPLE OF LEGISLATIVE DISTRICT 2 AND THE PEOPLE OF THE STATE, NOT ANY BUSINESS ORGANIZATIONS OR ANY OTHER ORGANIZATIONS AT ALL, WORK WITH THEM WHEN I CAN. WHEN WE DISAGREE, WE AGREE TO DISAGREE. SO I, YOU KNOW, I THINK THAT AS I TALK TO PEOPLE, THIS ISN'T MAYBE...THIS ISN'T THEIR TOP 15 OR SO ISSUES. THERE'S AN AWFUL LOT OF THINGS THEY'RE CONCERNED ABOUT. THIS DOESN'T MAKE THE TOP 15 OR SO. ONE THING I WANT TO SAY, WHEN WE TALKED ABOUT, YOU KNOW, HOMOSEXUALS, OR GAYS I THINK WOULD BE A BIT BETTER, MORE ACCURATE WAY TO STATE IT, AS BEING...NEEDING PROTECTION AND HOW TOUGH THEIR LIFE IS AND THEY WERE BORN WITH THIS AND, BOY, YOU KNOW, IT'S JUST THE WAY IT IS, WELL, LET ME TELL YOU THE WAY IT IS. IF I'VE GOT A GROUP...ARTICLE HERE FROM CNNMONEY. IT SAYS LESBIAN, GAY, BISEXUAL, AND TRANSGENDER PEOPLE ARE BETTER AT MANAGING THEIR MONEY THAN THE AVERAGE AMERICAN, THEY HAVE...THEY'VE REPORTED SIGNIFICANTLY HIGHER ANNUAL INCOMES--\$61,500 COMPARED TO THE NATIONAL MEDIAN OF \$50,000. BUT THEY ALSO ARE...THEY HAVE \$4,000 LESS IN DEBT THAN THE AVERAGE AMERICAN, \$6,000 MORE IN SAVINGS. AND THEY WERE SLIGHTLY MORE LIKELY TO HAVE JOBS IN THE FIRST PLACE, AN UNEMPLOYMENT RATE OF--AND THIS IS A YEAR OR TWO AGO--WAS 7 PERCENT WHEN THE NATIONAL RATE WAS 7.9 PERCENT. WE'RE NOW A LITTLE BIT OVER 5 PERCENT. THE

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COMBINATION OF FACTORS THAT PLAYED, THERE ARE ALL KIND OF COMBINATION OF FACTORS, BUT THEY'RE GENERALLY WELL EDUCATED WITH MORE THAN HALF OF THE GAY PEOPLE THEY SURVEYED HAVING A BACHELOR'S DEGREE. AND THEY TEND TO LIVE IN THE HIGHER-INCOME AREAS. IT FLOWS DOWN FROM THERE. I'M READING THE ARTICLE. YOU HAVE A HIGHER LEVEL OF EDUCATION, ACCESS TO HIGHER-PAYING JOBS, IN AREAS WHERE THERE'S GOOD SALARIES, MORE DISPOSABLE INCOME. DOES IT SOUND LIKE WE'RE DESCRIBING SOMEBODY THAT NEEDS A LOT OF HELP? DOESN'T STRIKE ME AS...THAT WE'RE DESCRIBING PEOPLE THAT ARE IN GREAT NEED, THAT IF WE DON'T PASS THIS BILL, I DON'T KNOW WHAT, THEY'RE GOING TO MAKE LESS MONEY? THEY'RE MAKING MORE MONEY THAN PEOPLE...THAN THE AVERAGE PERSON ANYWAY. AND I'M LOOKING AT AN EDITION OF U.S. NEWS AND WORLD REPORT. WOMEN WHO ARE IN SAME-SEX COUPLE RELATIONSHIPS AND IN THE LABOR FORCE TEND TO MAKE FAR MORE MONEY THAN SIMILAR MONEY...WOMEN IN HETEROSEXUAL COUPLES. I MEAN, THAT...THAT'S PRETTY AMAZING. SO I'M JUST NOT BUYING THAT, JEEZ, THESE POOR, DOWNTRODDEN PEOPLE, THEY JUST NEED THIS GOVERNMENT INTERVENTION, THEY NEED THIS LAW... [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR KINTNER: ...JUST TO TWEAK THEIR LIFE AND JUST MAKE IT A LITTLE BIT BETTER. I'LL TELL YOU WHAT, IF THEY'RE MAKING ALL THIS MONEY, THEY'RE NOT HAVING TROUBLE GETTING JOBS, AND IF THEY'RE AT THIS LEVEL OF INCOME AND THIS LEVEL OF MONEY, THEY'RE VERY TALENTED, THEY'RE VERY IN DEMAND. I DON'T SEE ANYTHING IN ANY STATISTICS THAT WOULD SUGGEST THAT WE NEED TO PASS ANY SPECIAL LEGISLATION OR CREATE ANY SPECIAL CLASSES FOR PEOPLE TO MAKE MORE MONEY THAN THE AVERAGE PERSON, ARE BETTER EDUCATED THAN THE AVERAGE PERSON, HAVE MORE DISPOSABLE INCOME, MORE SAVINGS, AND LESS DEBT THAN THE AVERAGE PERSON. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR KINTNER. THOSE STILL WISHING TO SPEAK: SENATOR BOLZ, CHAMBERS, BRASCH, PANSING BROOKS, HANSEN, AND OTHERS. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB586]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. I JUST RECEIVED AN E-MAIL FROM BRUCE BOHRER AT THE LINCOLN CHAMBER OF COMMERCE AND I THOUGHT IT WAS WORTH SHARING. I THINK IT ELEVATES THE CONVERSATION. WHAT WE'RE TALKING ABOUT HERE IS THE FUTURE VISION FOR OUR STATE AND WHERE WE

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WANT TO GO. AND IT SOUNDS TO ME AS THOUGH THE CHAMBER OF COMMERCE THINKS THAT THIS HELPS MOVE THE HEALTH AND WELL-BEING AND ECONOMY OF OUR STATE FORWARD. SO MR. BOHRER SAYS, EARLIER THIS SESSION I PROVIDED SUPPORTIVE TESTIMONY ON BEHALF OF THE LINCOLN CHAMBER AT THE HEARING ON LB586 TO PROMOTE...TO PROHIBIT DISCRIMINATION BASED ON SEXUAL ORIENTATION AND GENDER IDENTITY. SINCE THE HEARING, SUPPORT FOR SENATOR MORFELD'S PROPOSAL FOR WORKPLACE FAIRNESS HAS ONLY GROWN AMONG LINCOLN BUSINESS LEADERS. YOU PROBABLY HAVE RECEIVED LETTERS OR E-MAILS FROM MANY OF OUR LEADING BUSINESS OWNERS. THE LINCOLN CHAMBER REMAINS VERY COMMITTED TO THIS PROPOSAL AND BELIEVES IT IS IMPORTANT TO BE ENACTED THIS SESSION. AS I MENTIONED EARLIER THIS YEAR AT THE JUDICIARY COMMITTEE HEARING ON LB586, THIS PROPOSAL TRULY IS ABOUT PRINCIPLES WE AS NEBRASKANS CHERISH: FAIRNESS, EQUALITY, AND MERIT. AND I THOUGHT THAT WAS VERY COMPELLING. IF WE MAKE THIS A VALUES DEBATE, THE VALUES OF FAIRNESS, EQUALITY, AND MERIT, I THINK, ARE AMONG THE TOP OF THE LIST FOR MANY NEBRASKANS. FURTHER, HE SAYS, JUST LOOK AT THE LANGUAGE OF SECTION 48-1101 WITH REGARD TO IT BEING THE POLICY OF THE STATE TO FOSTER THE EMPLOYMENT OF ALL EMPLOYABLE PERSONS IN THE STATE ON THE BASIS OF MERIT AND TO SAFEGUARD THEIR RIGHT TO OBTAIN AND HOLD EMPLOYMENT WITHOUT DISCRIMINATION. DENYING EQUAL OPPORTUNITY FOR EMPLOYMENT IS CONTRARY TO THE PRINCIPLES OF FREEDOM AND IS A BURDEN, AS IS ALSO POINTED OUT IN OUR CURRENT STATUTES. COLLEAGUES, ONE OF THE COMPELLING REASONS FOR CHANGE IS THAT THE BUSINESS COMMUNITY IS TELLING US THAT THE STATUS QUO IS A BURDEN. DENYING EQUALITY IS A BURDEN TO THEM. WHY WOULDN'T WE REMOVE A BURDEN THAT HELPS TO DEVELOP OUR ECONOMIC GROWTH? FINALLY, MR. BOHRER SAYS: LB586 IS THE RIGHT THING TO DO IN FAIRNESS AND PROMOTING EQUALITY BUT IS ALSO GOOD BUSINESS. THE LINCOLN CHAMBER OF COMMERCE ASKS FOR YOUR SUPPORT IN ENACTING LB586 THIS YEAR. WE SHOULD BE VIEWED AS WE TRULY ARE: A STATE FULL OF CITIZENS WHO VALUE AND WELCOME DIVERSITY AND OPPOSE DISCRIMINATION. SO I HOPE...I THINK HE SAID IT WELL. I THINK HE SAID IT...JUST THE WORDS THAT WE NEED TO HEAR ON THE FLOOR THIS AFTERNOON. AND WITH THAT, I BELIEVE SENATOR MORFELD HAS A FEW ITEMS THAT HE WANTED TO CLARIFY, AND I'LL YIELD THE REMAINDER OF MY TIME TO HIM. [LB586]

SENATOR KRIST: SENATOR MORFELD, 2:20. [LB586]

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SENATOR MORFELD: THANK YOU, SENATOR BOLZ. AND THANK YOU, MR. PRESIDENT. JUST TO FOLLOW UP ON SENATOR McCOY'S QUESTION ON WHAT THE CASE IS, IT'S ACTUALLY HOSANNA-TABOR LUTHERAN CHURCH AND SCHOOL v. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION. IT WAS DECIDED JUST A YEAR OR TWO AGO AND THERE'S A GOOD RECAP, ACTUALLY, ON SCOTUSBLOG. AND IT PROVIDES A LOT OF THOSE DEFINITIONS THAT SENATOR McCOY WAS CURIOUS ABOUT. I'D LIKE TO ALSO NOTE THAT IN TERMS OF WHERE THE LANGUAGE FROM THE AMENDMENT CAME FROM, IT ACTUALLY CAME FROM UTAH. IT WAS AN AMENDMENT THAT WAS PROVIDED BY RELIGIOUS INTERESTS IN UTAH TO BE ABLE TO PROTECT RELIGIOUS FREEDOM THERE AND THE RELIGIOUS RIGHTS OF THE CITIZENS OF UTAH. AND SO THIS IS LANGUAGE, ACTUALLY, THAT HAS BEEN TRIED AND TRUE, PASSED IN ANOTHER STATE, AND A STATE THAT I THINK POLITICALLY, YOU KNOW, IS PROBABLY VERY SIMILAR TO NEBRASKA IN THAT SENSE. AND SO I THINK THAT WHEN WE'RE TALKING ABOUT DEFINITIONS AND CASE LAW, THE CASE LAW ON THIS HAS BEEN ON THE BOOKS, IN SOME CASES, FOR 60 YEARS, BECAUSE I'D LIKE TO POINT OUT ONCE AGAIN THAT THERE HAS BEEN A RELIGIOUS EXEMPTION TO FAIR LABOR EMPLOYMENT ACTS IN THE VARIOUS STATES AND ON THE FEDERAL LEVEL... [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR MORFELD: ...FOR THE LAST 60 YEARS. THANK YOU, MR. PRESIDENT. ALSO, I'D LIKE TO POINT OUT THAT WE'RE NOT CREATING A SPECIAL CLASS HERE. WE'RE SIMPLY BRINGING BUSINESS STANDARD...OUR STATE LAWS BACK UP TO COMMON, MODERN-DAY BUSINESS STANDARDS, BUSINESS STANDARDS THAT, AS MANY OF MY COLLEAGUES HAVE TALKED BEFORE ME, ARE COMMONPLACE AND EXPECTED IN STATES THAT ATTRACT GLOBAL COMPANIES, NATIONAL COMPANIES, AND START-UP COMPANIES. AND IF YOU LOOK AT THE LIST OF BUSINESSES THAT WE'VE SENT OUT TODAY THAT ARE IN SUPPORT OF THIS, NOT JUST ANY BUSINESSES BUT NEBRASKA BUSINESSES FROM ACROSS THE STATE, NOT JUST LINCOLN AND OMAHA, THAT ARE IN SUPPORT OF THIS AND TALK ABOUT THEIR NUMBER-ONE PROBLEM RIGHT NOW IS RECRUITMENT; AND, GRANTED, THAT'S A GOOD PROBLEM TO HAVE, BUT WE'RE MISSING OUT ON TALENT AND THE ABILITY TO ATTRACT THAT TALENT, TO BE ABLE TO BE COMPETITIVE IN THE MARKETPLACE AND REACH OUR FULL POTENTIAL ON THE STATE LEVEL. WE TALK ABOUT TAX RELIEF. WELL, I TELL YOU WHAT, BROADENING THE TAX BASE IS ONE OF THE EASIEST WAYS TO PROVIDE TAX RELIEF IN MANY WAYS. [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

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SENATOR MORFELD: THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR MORFELD. SENATOR CHAMBERS, YOU'RE RECOGNIZED. THIS IS YOUR THIRD TIME. [LB586]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I'M A STICKLER FOR MEANING AND CLARITY WHEN WE WRITE LEGISLATION, BUT IT'S FOOLISH FOR SOMEBODY TRAINED IN THE LAW TO ARGUE WITH SOMEBODY NOT TRAINED IN THE LAW. THEN THE ONE NOT TRAINED IN THE LAW IS GOING TO TRY TO TELL THE ONE TRAINED IN THE LAW WHAT THE COURTS ARE GOING TO SAY. COURTS HAVE SAID REPEATEDLY THEY WILL NEVER CONSTRUE OR INTERPRET LANGUAGE AND THE LEGISLATIVE ENACTMENT IF IT'S CLEAR IN WHAT IT SAYS. AND IN DETERMINING WHETHER IT'S CLEAR, UNLESS THE LEGISLATURE SAYS OTHERWISE, WORDS WILL BE TAKEN IN THEIR ORDINARY AND POPULAR MEANING. AND COURTS THEMSELVES HAVE USED DICTIONARIES, NOT BLACK'S LAW DICTIONARY, DICTIONARIES TO GET WHAT THAT MEANING IS. SO IF SENATOR McCOY DOESN'T KNOW WHAT THESE WORDS ARE, I WOULDN'T WASTE MY TIME. SENATOR MORFELD DID THE RIGHT THING. GET A DICTIONARY. IF YOU DON'T KNOW WHAT "REASONABLE" IS, GET A DICTIONARY. AND IF THE DICTIONARY DEFINITION ISN'T GOOD ENOUGH, YOU CAN FIND CASES WHERE COURTS HAVE SAID REPEATEDLY WHAT IS...WHAT REASONABLE MEANS. NOW SENATOR HILKEMANN IS TRAINED IN MEDICINE, I'M NOT, SO I'M GOING TO BE REAL SLICK WITH HIM. AND SENATOR HILKEMANN IS GOING SAY, WELL, BLOOD IS PUMPED THROUGH THE HEART. I SAY: AHA! WHAT IS BLOOD? TELL ME THE CHEMICAL MAKEUP OF BLOOD. HE WOULD SAY, WELL, SENATOR CHAMBERS, WITH ALL DUE RESPECT, IN THE MEDICAL PROFESSION AND IN THE WORLD, THE TERM "BLOOD" IS UNDERSTOOD AND HAS A COMMON MEANING TO EVERYBODY, SO WHENEVER WE SAY BLOOD, PEOPLE OF ORDINARY INTELLIGENCE UNDERSTAND WHAT WE MEAN. I'D SAY, OKAY, YOU GOT ME THERE. AND THEN SENATOR HILKEMANN MIGHT SAY, SENATOR CHAMBERS, DO YOU KNOW WHAT AN AUTOMOBILE IS? I'D SAY, SURE. HE'D SAY, WELL, WHAT IS AN AUTOMOBILE? AND THEN I'D SAY, WELL, IT CAN EITHER...IT HAS A MOTOR, IT CAN BE GAS POWERED, IT CAN BE POWERED DIFFERENT MEANS, IT CAN HAVE A BATTERY, AND ON AND ON. HE SAID, BUT HERE'S WHAT I'M GETTING AT, IF I ASK YOU TO TELL ME WHAT A CAR IS OR WE'RE DISCUSSING A MOTOR VEHICLE, DO YOU THINK, BEFORE WE CAN DISCUSS THAT, EITHER ONE OF US HAS TO SAY IT HAS FOUR WHEELS, THE WHEEL HAS RIMS, IT HAS FOUR TIRES, IT HAS A STEERING WHEEL, A STEERING COLUMN, A CARBURETOR, A BATTERY, AND ON AND ON? NO. THERE ARE CERTAIN COLLECTIVE WORDS, AND WHEN YOU SAY THAT WORD, IT COVERS SEVERAL THINGS. SO SENATOR McCOY HAS TROUBLE

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UNDERSTANDING ORDINARY ENGLISH, AND MAYBE HE'S DEALING WITH WHAT SENATOR KINTNER TOLD US ABOUT THE OTHER DAY, ABOUT THESE PEOPLE WHO ARE THE DACA CHILDREN WHO DON'T UNDERSTAND ENGLISH, DON'T SPEAK ENGLISH WELL. WELL, WE SEE EXAMPLES OF THAT ALL THE TIME. BUT IT'S GOOD FOR PEOPLE ON THE FLOOR WHEN THEY DON'T UNDERSTAND THINGS TO ASK QUESTIONS AND HAVE THEIR EDUCATION IMPROVED BY PEOPLE WHO CAN EXPLAIN IT. NOW I WAS AGAINST THAT DEFINITION OF THIS SO-CALLED EXEMPTION. IT GOES INTO GREAT DETAIL AND THAT'S WHY I WAS AGAINST IT. IF THEY PUT IT IN, I WOULDN'T OPPOSE THE BILL BECAUSE THE LANGUAGE EVEN BEFORE THAT TOLD THE CHURCHES WHAT THEY WANT: YOU WANT TO DISCRIMINATE? WELL, YOU CAN DISCRIMINATE. AND THEY SAY, WELL, YOU GOT TO TELL US EVERY KIND OF WAY WE CAN DISCRIMINATE. SO YOU TRY TO ACCOMMODATE THEM. THEN SOMEBODY WHO THINKS HE'S SPEAKING FOR THE CHURCH SAYS, WELL, THAT AIN'T GOOD ENOUGH, I DON'T UNDERSTAND IT. WELL, SENATOR HILKEMANN, GOING BACK TO MY ANALOGY, WOULD SAY, WELL, SENATOR CHAMBERS, YOU DON'T HAVE TO UNDERSTAND IT, WE DON'T EVEN HAVE TO DISCUSS THIS,... [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR CHAMBERS: ...YOU GO TALK ABOUT BLOOD TO SOMEBODY WHO MIGHT CAN GIVE YOU THE DETAIL YOU WANT, AND MIGHT I SUGGEST THIS DOCTOR. AND HE'D WRITE ON A PAPER D-R, PERIOD, A-C-U-L-A. I SAY, OH, DR. ACULA. HE'D SAY, YES, DR. ACULA IS VERY FAMILIAR WITH BLOOD. BUT IF YOU REMOVE THE ZERO...THE PERIOD AND PUT THEM TOGETHER, YOU WOULD PRONOUNCE IT DRACULA. SEE, HE DIDN'T EVEN READ IT RIGHT. HE DIDN'T GET WHAT WAS THERE. SO WHEN YOU DEAL WITH PEOPLE LACKING IN KNOWLEDGE AND UNDERSTANDING, DON'T TAKE THEM BEYOND WHAT THEY KNOW, BUT DON'T TRY TO REDUCE WHAT YOU'RE TRYING TO DO TO THE LEVEL WHERE THEY ARE OR NOBODY ELSE WILL PAY ATTENTION, NOBODY ELSE WILL UNDERSTAND. WE ALL KNOW WHAT IS AT STAKE HERE. [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB586]

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SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I WOULD LIKE TO GIVE CREDIT TO SENATOR CRAIGHEAD THIS MORNING. I THINK HER WORDS WERE VERY BOLD AND VERY ON TASK THAT WE'RE MAKING A PROBLEM HERE, THAT THE MAJORITY, IF NOT GREATER THAN THE MAJORITY OF BUSINESSES, THEY DO HIRE AND THEY HAVE ENOUGH LAWS AND REGULATIONS TO FOLLOW. THE OMAHA WORLD-HERALD EDITORIAL, WHO ARE PROPONENTS OF THIS BILL, WROTE THAT TEN COMPLAINTS HAVE BEEN FILED AND NO VIOLATIONS WERE FOUND. AND I HEARD THAT, YOU KNOW, THE LIST OF BUSINESSES THAT SUPPORTED THIS...I DID NOT HEAR THAT THE LINCOLN INDEPENDENT BUSINESS ASSOCIATION SUPPORTS THIS BILL. AND THEY ARE COMPRISED OF MANY SMALL BUSINESSES. I ALSO AM CURIOUS HERE TODAY THAT, FROM OUR DIALOGUE EARLIER THIS MORNING, I BELIEVE OUR ACTIONS HAVE MUCH MORE POWER AND CAN BE MORE EFFECTIVE AS HUMAN BEINGS, NOT AS A LEGISLATURE. THERE'S A LOT OF LAWS. THERE'S LAWS AGAINST RACISM. HOWEVER, WE GET ACCUSED OF IT REGULARLY IN THIS LEGISLATURE. AND IT DOESN'T SEEM TO BE EFFECTIVE. BUT IT...THAT'S A VIEW. THAT IS A VIEW. THERE IS EVIDENCE THERE. THERE IS DATA. BUT IT IS HANDLED, I BELIEVE, THOUGHTFULLY. BUT IT IS SAID OFTEN THAT THAT'S HAPPENING. I WOULD AGREE THAT HUMANITY NEEDS HELP, BUT THE HELP IT NEEDS IS FROM A POWER MUCH HIGHER THAN THE LEGISLATURE. THE LEGISLATURE IS NOT GOING TO HELP THOSE PEOPLE WHO WOULD NOT BE KIND, CONSIDERATE, FAIR TO OTHERS. THEY WILL CONTINUE TO BREAK THOSE LAWS. I WOULD LIKE TO YIELD THE REST OF MY TIME TO SENATOR McCOY. THANK YOU, COLLEAGUES. [LB586]

SENATOR KRIST: SENATOR McCOY, 2:30. [LB586]

SENATOR McCOY: THANK YOU, MR. PRESIDENT, AND THANK YOU, SENATOR BRASCH. IT'S INTERESTING THAT SENATOR MORFELD WOULD BRING UP THE HOSANNA-TABOR UNITED STATES SUPREME COURT DECISION BECAUSE I WAS ABOUT TO BRING IT UP. AND FOR THE BENEFIT OF THE MEMBERS--YOU COULD LOOK THIS UP ON YOUR OWN--THE HOSANNA SUPREME COURT CASE WAS VERY CLEAR IN THIS AREA. THAT'S WHY I BELIEVE THIS AMENDMENT IS UNCONSTITUTIONAL AND WHY THIS BILL WOULD BE UNCONSTITUTIONAL IF THIS AMENDMENT ADVANCED. IN THAT CASE, ALL NINE--IT WAS A UNANIMOUS DECISION--ALL NINE JUSTICES CAME DOWN ON ONE SIDE ON THIS ISSUE AND THAT WAS...AND I'LL QUOTE FROM CHIEF JUSTICE JOHN ROBERTS WHO WROTE THE RULING AND DECISION IN THIS AND, QUOTE, THE ESTABLISHMENT CLAUSE PREVENTS THE GOVERNMENT FROM APPOINTING MINISTERS, AND THE FREE EXERCISE CLAUSE PREVENTS IT FROM INTERFERING WITH THE FREEDOM OF

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RELIGIOUS GROUPS TO SELECT THEIR OWN, UNQUOTE. WELL, MEMBERS, THAT'S WHAT AM1644 DOES. IT HANDCUFFS RELIGIOUS ORGANIZATIONS INTO A STRICT INTERPRETATION OF WHAT IS AND WHAT IT...OR WHO IS AND WHO IS NOT A MINISTER. IT'S UNCONSTITUTIONAL. AND I WOULD REMIND SENATOR CHAMBERS, BY THE WAY, NOT ALL OF US IN THIS BODY ARE ATTORNEYS. AND THAT'S PROBABLY A GOOD THING BECAUSE I BET, IF YOU WENT AND LOOKED, THE LOW POPULARITY AND LOW APPROVAL RATINGS OF POLITICIANS WOULD ONLY BE SURPASSED BY THOSE OF ATTORNEYS. SO, SENATOR CHAMBERS, I'M NOT AN ATTORNEY. [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR McCOY: BUT IN THE EYES OF THE LAW, ALL OF US IN THIS BODY ARE EQUAL, WHETHER WE ARE ATTORNEYS OR NOT. AND I DON'T HAVE TO BE AN ATTORNEY TO LOOK UP A SUPREME COURT CASE AND TELL YOU THAT IT PRETTY...VERY CLEARLY DEFINES WHAT IS ALLOWED AND WHAT IS NOT. AND THAT IS THE HIGHEST COURT IN THE LAND, I MIGHT ADD, AS WE ALL KNOW, AND THEY SPOKE CLEARLY ON THIS ISSUE. THAT'S WHY I THINK THIS AMENDMENT MAKES THIS BILL WORSE. IT WAS RIGHT TO HAVE BEEN VOTED DOWN, AND I AM NOT IN FAVOR OF THE AMENDMENT OR THE BILL. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR McCOY AND SENATOR BRASCH. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB586]

SENATOR PANSING BROOKS: WELL, I'M NOT EXACTLY SURE WHAT VERSION OF THE MINISTERIAL EXCEPTION YOU'RE READING FROM, WHICH WAS WRITTEN BY ROBERTS, BUT THE CASE TALKS ABOUT ANY EMPLOYEE CONSIDERED TO BE ADVANCING THE RELIGIOUS MISSION...IN THE CASE, THE OPINION DISMISSED THE PETITION OF LIMITING ANY MINISTERIAL EXCEPTION SOLELY TO WORKERS WHO PERFORM EXCLUSIVELY RELIGIOUS FUNCTIONS. AND, YES, IT WAS WRITTEN BY ROBERTS IN 2012. THE POINT OF THAT CASE IS THAT THERE ARE MINISTERIAL EXCEPTIONS. IT'S WELL ACCEPTED IN LAW. AND IT'S JUST SO INTERESTING HOW WE GO FROM ONE THING WHERE WE'RE TALKING TO PEOPLE AND THEY'RE LIKE, OH, THERE'S NO RELIGIOUS EXCEPTION, OH, WELL, THERE'S TOO STRICT A RELIGIOUS EXCEPTION. HOW CAN...WHAT YOU'RE REALLY SAYING WITHOUT SPECIFICALLY SAYING IT IS WE WANT TO BE ABLE TO DISCRIMINATE AGAINST ANYBODY WHOM WE THINK. AND IT'S TOTALLY A DIFFERENT THING, SENATOR BRASCH. WHEN SENATOR CHAMBERS TALKS ABOUT RACISM, HE'S

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MAKING POINTS. HE'S NOT CLAIMING THAT HE'S GOING TO FILE A CLAIM FOR RACISM AGAINST THE BODY, ALTHOUGH I WOULDN'T PUT THAT AGAINST HIM AT SOME POINT. BUT THOSE DISCUSSIONS AND THOSE STORIES HE USES AS A MEANS OF TEACHING. WE HAVE JUST PAID IN THE PAST WEEK HUNDREDS OF THOUSANDS OF DOLLARS FOR DISCRIMINATION AGAINST WOMEN FOR GENDER BIAS AND DISCRIMINATION AGAINST AFRICAN-AMERICANS FOR RACIAL BIAS. SO TO SAY, OH, THESE THINGS DON'T WORK, WE'RE...THIS ISN'T IMPORTANT...AND AT ONE POINT I HEARD PEOPLE SAYING, OH, WELL, YOU KNOW, EVERYBODY SAYS SOMETHING WRONG ONE TIME OR ANOTHER. YOU CAN'T JUST SAY ONE LITTLE THING WRONG AND BE FOUND GUILTY OF GENDER DISCRIMINATION OR RACIAL BIAS. THOSE EXAMPLES SHOWED HISTORIC, PERVASIVE, REPEATED BIAS. AND THAT'S WHAT WE'RE TALKING ABOUT AND YOU'RE ALL FINE WITH THAT. WE SHOULD TREAT EVERYBODY EQUALLY. FORTUNATELY, GENERALLY, THE LAW DOES NOT WANT TO TRUST THAT THOSE OF US IN THE MAJORITY...BECAUSE WE DON'T SEE IT--I'VE NEVER SEEN GENDER BIAS; IT DOESN'T EXIST; I'VE NEVER SEEN PEOPLE MISTREATED OR HATED BECAUSE OF THE WAY...OF HOW THEY WERE BORN. AND I WANT TO TELL YOU, I KNEW WHEN MY SON WAS BORN THAT HE WAS DIFFERENT. SO WHATEVER YOU ALL MAY WANT TO THINK ABOUT WHEN YOU CHOSE TO BE HETEROSEXUAL, BECAUSE MY SON DID NOT CHOOSE TO BE A HOMOSEXUAL, BUT WHATEVER DATE THAT WAS THAT YOU SAID, HMM, I'M SORT OF THINKING ABOUT HOMOSEXUALITY BUT TODAY I'M DECIDING FOR THE REST OF MY LIFE I'M GOING TO BE A HETEROSEXUAL, SO WHATEVER YOU THINK ABOUT THAT, PEOPLE ARE HOW THEY ARE WHEN THEY'RE BORN. AND I JUST THINK IT'S SO SHOCKING TO HAVE PEOPLE SAY, YOU KNOW, WELL, THE CHURCH SAYS THIS, THE CHURCH SAYS THAT. ONE CHURCH SAYS THIS; ONE CHURCH SAYS THAT; 270 HAVE COME FORWARD OUT OF COMPASSION AND OUT OF LOVE. I WAS GOING TO SPECIFICALLY ASK ONE OF YOU, BUT I'M JUST NOT GOING TO DO IT BECAUSE I THINK PEOPLE WOULD BE EMBARRASSED IF THEY DIDN'T KNOW, GUESS HOW MANY TIMES JESUS SPOKE ABOUT HOMOSEXUALITY? SENATOR HILKEMANN, SENATOR WILLIAMS, SENATOR McCOY, SENATOR BRASCH, ZERO, ZERO TIMES DID HE EVER MENTION IT. IT WAS MENTIONED IN THE BIBLE SEVEN TIMES, JUST SO WE CAN GET IT ALL OUT. PAUL WROTE IT... [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR PANSING BROOKS: ...AND IT WAS IN THE OLD TESTAMENT, NOT PETER, THE ROCK UPON WHOM THE CHURCH WAS BUILT, NOT JESUS, WHO TAUGHT LOVE ONE ANOTHER, LOVE GOD WITH ALL YOUR HEART, SOUL, AND MIND, AND LOVE YOUR NEIGHBOR AS YOURSELF AND ALL THE OTHER LAWS WILL FALL INTO PLACE. I'M SORRY I HAD TO BRING IT UP BECAUSE...AND PEOPLE HAVE

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SAID, YOU DON'T NEED TO GO INTO THE RELIGIOUS. I HAVE A VERY STRONG FAITH. I'VE GROWN UP WITH THAT FAITH BOTH THROUGH MY REPUBLICAN YEARS AND MY DEMOCRAT YEARS. AND YESTERDAY, SENATOR STINNER SAID, OH, WELL, HE SHOULD BE A REPUBLICAN BECAUSE HE HAS A STRONG FAITH. I HAVE A STRONG FAITH AND I RESENT THAT. AND I KNOW IN MY HEART THAT EVERY PART OF MY FAITH LOVES MY SON... [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

SENATOR PANSING BROOKS: ...AND LOVES WHO HE IS. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR PANSING BROOKS. SENATOR HANSEN, YOU'RE RECOGNIZED, AND THIS IS YOUR LAST TIME EXCEPT FOR CLOSING. [LB586]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. DIDN'T REALIZE IT HAD GOTTEN UP TO MY THIRD TIME. I APPRECIATE SENATOR BEAU McCOY PULLING UP THE HOSANNA-TABOR CASE, AND, AS I BELIEVE, SENATOR MORFELD DID TOO. I AM CONFUSED BY HIS CONCLUSION OF THE CASE, ALTHOUGH I MUST HAVE TO ADMIT MY OWN UNFAMILIARITY OF...WITH IT. FROM THE QUOTE HE READ, WHICH I'VE FOUND AGAIN ON THE WIKIPEDIA PAGE, SO I THANK HIM FOR READING OFF THE WIKIPEDIA PAGE, "THE ESTABLISHMENT CLAUSE PREVENTS THE GOVERNMENT FROM APPOINTING MINISTERS, AND THE FREE EXERCISE CLAUSE PREVENTS IT FROM INTERFERING WITH THE FREEDOM OF RELIGIOUS GROUPS TO SELECT THEIR OWN." I BELIEVE THAT'S THE INTENT OF AM1644. THE INTENT OF AM1644 IS TO SAY, PROVIDE A RELIGIOUS EXEMPTION, PROVIDE A STRONG ONE, TO PROVIDE ONE THAT I AS A COSIGNER WAS ACCUSED OF NOT WANTING AND NOT NEEDING AND NOT HAVING. THE GOAL IS, IF SOMEONE IS IN A MINISTERIAL POSITION, TO ALLOW THE CHURCH THE FREEDOM THAT THE SUPREME COURT HAS DECIDED THAT THEY ALREADY HAVE. SO, AND I CAN LOOK INTO THIS MORE AND I'M SURE WE CAN HAVE MORE PEOPLE WEIGH IN, BUT I FRANKLY JUST HAVE TO DISAGREE WITH SENATOR McCOY'S INTERPRETATION BASED ON THAT QUICK LITTLE SNIPPET. I DO NOT, I ABSOLUTELY DO NOT, THINK IT IS A SLAM-DUNK CASE OF THIS ENTIRE STATUTE, THIS ENTIRE IDEA, BEING UNCONSTITUTIONAL. SO FROM THEN...AND THEN I WANTED TO ADDRESS SENATOR KINTNER'S REMARKS. SENATOR KINTNER'S REMARKS WAS BASICALLY HE HAD, FOR ANYBODY WHO DOESN'T REMEMBER, FOR THOSE WHO MISSED IT, WAS THAT OUR LGBT POPULATION TENDS TO HAVE

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A HIGHER INCOME, TENDS TO LIVE IN...HAVE A HIGHER EDUCATION LEVEL, AND SEVERAL OTHER POSITIVE THINGS ABOUT THEM WHERE THEY APPEAR TO BE EXCEEDING THE NATIONAL AVERAGE SO, THEREFORE, IT WAS IMPOSSIBLE FOR THEM TO BE DISCRIMINATED AGAINST IS, I THINK, THE INTENT, OR VERY MINIMUM, THAT ANY DISCRIMINATION HAS TO BE MINOR AND INCONSEQUENTIAL. WELL, I WILL CHALLENGE...I WOULD CHALLENGE, YOU KNOW,...SENATOR KINTNER, I DON'T SEE HIM AT THE MOMENT BUT...OH, LOOK AT ONE ROW, TWO HEAD. SENATOR KINTNER, WILL YOU YIELD TO A QUESTION? [LB586]

SENATOR SCHEER PRESIDING

SENATOR SCHEER: SENATOR KINTNER, WILL YOU YIELD? [LB586]

SENATOR KINTNER: I CERTAINLY WILL. [LB586]

SENATOR HANSEN: SENATOR KINTNER, WOULD YOU FEEL THAT IT WAS APPROPRIATE FOR PEOPLE TO BE FIRED FOR THEIR CHRISTIAN FAITH? [LB586]

SENATOR KINTNER: TO BE WHAT? [LB586]

SENATOR HANSEN: FIRED BECAUSE OF THEIR CHRISTIAN FAITH. [LB586]

SENATOR KINTNER: NO. [LB586]

SENATOR HANSEN: I AGREE. IF I TOLD YOU THAT CHRISTIANS WERE ONE OF...AMONG THE HIGHER EARNING RELIGIOUS DENOMINATION, WOULD THAT CHANGE YOUR OPINION ON THAT? [LB586]

SENATOR KINTNER: NO. [LB586]

SENATOR HANSEN: ALL RIGHT. THANK YOU, SENATOR KINTNER. I DON'T SEE HOW THAT NECESSARILY COMPARES. I'M VERY GLAD THAT APPARENTLY OUR LGBT POPULATION DOES WELL ON AVERAGE, BUT THAT DOESN'T MEAN THERE AREN'T SOME SITUATIONS, THERE AREN'T CASES, THERE AREN'T SITUATIONS WHERE DISCRIMINATION DOES HAPPEN, WHERE BIASES AND OTHER THINGS CREATE ROADBLOCKS TO THEM. SO JUST BECAUSE ON AVERAGE THEY MIGHT

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BE BETTER OFF OR ON AVERAGE, THAT DOESN'T MEAN THERE'S STILL NOT CASES WHERE THEY CAN BE TREATED TERRIBLY. AND THAT'S WHY I STOOD UP, AS WELL, AS A COSPONSOR OF LB586. AND I THANK SENATOR KINTNER AGAIN FOR YIELDING. WITH THAT, MR. CHAIR, I WOULD YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS IF HE'D HAVE ANYTHING TO ADD. [LB586]

SENATOR SCHEER: SENATOR CHAMBERS, YOU'RE YIELDED 1:10. [LB586]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, MY YOUNG COLLEAGUE. MEMBERS OF THE LEGISLATURE, FIRST OF ALL, I CHALLENGE SENATOR KINTNER'S STATISTICS. HE WROTE THEM HIMSELF. HE ALWAYS DOES THAT. FIRST OF ALL, A LOT OF PEOPLE WHO ARE GAY OR LESBIAN WILL NOT ACKNOWLEDGE IT. SO WHERE DID HE EVEN GET HIS FIGURES? HE DOESN'T KNOW WHO IS GAY AND WHO IS NOT. AND WHOEVER WROTE THAT CLAPTRAP THAT HE READ KNOWS NO MORE THAN HE KNOWS. BUT EVERY TIME HE BRINGS STATISTICS, IT'S TO DEMEAN, DEGRADE, AND JUSTIFY DISCRIMINATING AGAINST SOMEBODY ELSE. SO THAT SHOULD BE DISMISSED. AS FAR AS SENATOR McCOY TAKING ONE SENTENCE THAT CAME FROM A CASE THAT DID NOT INVOLVE WHAT WE'RE TALKING ABOUT AND TRY TO APPLY IT TO THIS AND SAY THE COURT WOULD RULE THIS UNCONSTITUTIONAL, SHOWS WHAT HAPPENS WHEN YOU HAVE A NONLAWYER OR A DUMB LAWYER TRYING TO INTERPRET A SUPREME COURT CASE. THAT'S WHY YOU READ THE CASE. FIRST THING YOU LEARN IN LAW SCHOOL: READ THE CASE. DON'T READ ONE OF THESE LITTLE-- WHAT DO THEY CALL THEM?--CLIFF'S NOTES ON A CASE. HE DOESN'T KNOW HOW TO READ A CASE. HE ADMITTED HE'S NOT A LAWYER AND HE PROVED IT. YOU WILL NEVER SEE A COURT... [LB586]

SENATOR SCHEER: TIME, SENATOR. [LB586]

SENATOR CHAMBERS: ...TAKE ONE SENTENCE OUT OF A CASE... [LB586]

SENATOR SCHEER: TIME, SENATOR. [LB586]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB586]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS, SENATOR HANSEN, AND SENATOR KINTNER. SENATOR BAKER, YOU'RE RECOGNIZED. [LB586]

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SENATOR BAKER: THANK YOU, MR. PRESIDENT. IN SOME SENSE, I'M PROBABLY UNLIKELY PERSON TO BE UP SPEAK BEING ON LB586, AM1644. I'VE NEVER IN MY LIFE BEEN A CRUSADER FOR OR AGAINST GAY AND LESBIAN RIGHTS. I HAVE, HOWEVER, ALWAYS STOOD UP FOR TREATING ALL INDIVIDUALS WITH DIGNITY AND RESPECT. TAKE THE ACRONYM LGBT. RIGHT NOW IS THE FIRST TIME IN MY LIFE THAT THAT ACRONYM HAS ROLLED OFF MY TONGUE. TODAY I RISE IN SUPPORT OF LB586 AND AM1644. I PERCEIVE THAT IT IS RIGHT AND APPROPRIATE TO CONSIDER PROHIBITING DISCRIMINATION BASED ON SEXUAL ORIENTATION. THE MOTTO OF THE STATE OF NEBRASKA IS "EQUALITY BEFORE THE LAW." OUR MOTTO WAS ADOPTED IN 1867, APPEARS ON THE STATE SEAL, THE STATE FLAG. EQUALITY BEFORE THE LAW IS A WORTHY IDEAL. PEOPLE OF NEBRASKA HAVE MOVED TOWARD THAT IDEAL OVER THE YEARS. IN 1879, STANDING BEAR ARGUED SUCCESSFULLY IN COURT THAT NATIVE AMERICANS ARE PERSONS WITHIN THE MEANING OF THE LAW. IN 1919, THE NEBRASKA LEGISLATURE RATIFIED THE NATIONAL AMENDMENT GIVING WOMEN THE RIGHT TO VOTE. THE RIGHTS OF THE HANDICAPPED AND THE DISABLED HAVE BEEN ENHANCED OVER THE YEARS. WE HAVE A WAYS TO GO BEFORE WE CAN TRULY SAY THAT WE HAVE FULLY ATTAINED THE IDEAL OF EQUALITY BEFORE THE LAW FOR ALL NEBRASKANS. RECENT NATIONAL EVENTS ARE REMINISCENT OF THE RACIAL UNREST OF THE 1960s. WE'RE NOT THERE YET WITH MATTERS OF RACE IN NEBRASKA. NOW WE'RE TALKING ABOUT TAKING ANOTHER STEP FORWARD, ENDING DISCRIMINATION BASED ON SEXUAL ORIENTATION. BEING GAY, LESBIAN, TRANSSEXUAL, OR BISEXUAL, IS NOT AGAINST THE LAW. THEY DESERVE EQUALITY BEFORE THE LAW. IN MY LIFE I'VE BEEN INVOLVED WITH THE HIRING OF HUNDREDS, MAYBE 1,000, PEOPLE. I'VE NEVER KNOWINGLY HIRED A PERSON WHO WAS LGBT, NOR DID I EVER KNOWINGLY NOT HIRE ANYONE WHO WAS. ON THE JOB, IT'S PERFORMANCE AND THE QUALITY OF WORK THAT MATTERS. MOST OF US PROUDLY WEAR THE STATE LEGISLATURE BUTTON ON OUR LAPEL. READ IT. ON THE TOP IT SAYS, NEBRASKA LEGISLATURE. ON THE BOTTOM IT SAYS, EQUALITY BEFORE THE LAW. THE CONCEPT OF EQUALITY SHOULDN'T MEAN THAT SOME CITIZENS ARE A WHOLE LOT MORE EQUAL THAN OTHERS. IF WE WEAR THE BUTTON ON OUR LAPELS, OUR ACTIONS SHOULD INDICATE THAT WE MEAN IT. THANK YOU. [LB586]

SENATOR SCHEER: THANK YOU, SENATOR BAKER. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB586]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. AND GOOD AFTERNOON, COLLEAGUES. I WANT TO EXPRESS MY SUPPORT FOR LB586, THE UNDERLYING AMENDMENTS, AND THE RECONSIDER MOTION. AND I ALSO APPRECIATE THE

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LACK OF VITRIOL THAT WE'VE HAD TODAY, VERY DIFFERENT CHANGE FROM THE QUALITY OF THE DEBATE THAT WE HAD YESTERDAY, SO I COMPLIMENT MY COLLEAGUES ON THAT FACT. I GAVE A STATISTIC THIS MORNING WHEN I MENTIONED THE RELIGIOUS LEADERS THAT SUPPORT LB586 AND I WAS UP TO OVER 105 E-MAILS ON THIS PARTICULAR TOPIC. AND WE'RE NOW AT ABOUT 143, SO IT...THIS IS DEFINITELY A TOPIC OF INTEREST. WHEN WE'VE RESEARCHED THIS ISSUE WHEN IT FIRST CAME UP SIX OR EIGHT WEEKS AGO, WE WROTE A STATEMENT THAT WE COULD SEND PEOPLE THAT WOULD GIVE THEM SOME INFORMATION ABOUT THE TOPIC. AND WE DID MENTION THE CITY OF OMAHA AND THE FACT THAT THERE HAD BEEN ONLY TEN INSTANCES OF CASES FILED IN THE TWO OR THREE YEARS SINCE THAT ORDINANCE WAS PASSED BY THE CITY COUNCIL. AND I THINK WE ALL KNOW THE DISPOSITION OF THOSE TEN CASES. THERE HASN'T BEEN A SINGLE INSTANCE THAT THEY HAD A GENDER-RELATED ISSUE THAT, OR A VIOLATION, THAT WAS INDICATED. I THINK SOME OF YOU KNOW THAT I RAN A SMALL BUSINESS FOR 35 YEARS. MY BROTHER AND FAMILY AND I RAN A MANUFACTURING COMPANY AND HAD ABOUT 75 EMPLOYEES. AND DURING THAT TIME, OF COURSE, EEOC ISSUES WERE OF PRIME IMPORTANCE TO US. SO I'M WELL AWARE OF THE...IN THE EMPLOYMENT ISSUES, THE PROTECTED CLASSES. AND LET'S NAME THOSE PROTECTED CLASSES: RACE, COLOR, RELIGION, NATIONAL ORIGIN, AGE--40 AND OVER, AND I'M IN THAT CLASS--SEX, PREGNANCY, CITIZENSHIP, FAMILIAR STATUS, DISABILITY, VETERAN STATUS, GENETIC INFORMATION. THOSE ARE THE CLASSES. AND WE KNEW THAT WE HAD TO PAY ATTENTION TO THOSE ISSUES WHEN WE HIRED PEOPLE AND WHEN WE DID THE EMPLOYMENT REVIEWS. AND I DON'T...I CONTEND THAT ADDING ANOTHER CLASS IS NOT THAT BIG A DEAL, IS NOT THAT BIG A DEAL, PARTICULARLY IF WE HAVE THE EXEMPTION THAT SENATOR MORFELD HAS SUGGESTED. BUT SO I...THIS DOES NOT UNDULY CONCERN ME THAT THIS MAY PASS, AND I HOPE THAT IT DOES. FINALLY, FINALLY, THIS ISSUE COMES TO HOME WHEN IT'S PERSONAL, WHEN IT'S PERSONAL. AND IN OUR EXTENDED FAMILY, THERE...WE HAVE A GAY INDIVIDUAL. AND I KNOW FOR A FACT THAT HE'S BEEN DISCRIMINATED IN HIS LIFE. AND WHEN THAT OCCURS IN YOUR FAMILY, IT'S...IT REALLY COMES HOME TO ROOST. AND MY SUPPORT OF THIS BILL IS NOT ONLY INTELLECTUAL, BUT IT'S BASED ON THE EXPERIENCE MY WIFE'S UNCLE HAS HAD IN HIS LIFE. AND IT'S BEEN A TOUGH ROW FOR HIM TO HOE. SO WITH THAT, I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR CHAMBERS. [LB586]

SENATOR SCHEER: SENATOR CHAMBERS, YOU ARE YIELDED 1:20. [LB586]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR McCOLLISTER. WHAT WE HAVE TO KEEP IN MIND, OR SHOULD, IF WE CAN, FIRST

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OF ALL, WE'RE DEALING WITH HUMAN BEINGS. ANYTHING BORN OF THE UNION BETWEEN A MAN AND A WOMAN, THE SPERM AND THE EGG, EVEN IF IT TAKES PLACE IN A DISH, IS A HUMAN BEING. WE ALL ARE MADE OF ONE BLOOD, I'M TOLD. THE DIFFERENT BLOOD TYPES ARE FOUND IN EVERY SO-CALLED RACE. THE TERM "RACE" IS NOT A SCIENTIFIC TERM. IF YOU LOOK AT THE NEGRO RACE, AS PEOPLE SAY, THERE ARE PEOPLE WHITER THAN EVERYBODY IN HERE, HAIR BLONDER THAN EVERYBODY'S GOT, EYES BLUER. IF YOU SAW MY MOTHER, YOU'D HAVE THOUGHT SHE WAS WHITE. AND SOME PEOPLE IN THE STORE THOUGHT I WAS HUGGING AN OLD WHITE WOMAN. AS THIS GUY ASKED ME, CHAMBERS, WHAT YOU DOING HUGGING THAT OLD WHITE WOMAN? I SAID, SOMETIMES WE OUGHT TO FIND OUT WHO WE'RE TALKING ABOUT BECAUSE THAT OLD WHITE WOMAN, AS YOU REFER TO HER, IS MY MOTHER. OH, MAN, I DIDN'T KNOW THAT. I SAID, THAT'S WHY I TOLD YOU FIND OUT BEFORE YOU MAKE CERTAIN COMMENTS. AND WHEN YOU TALK AGAINST GAY AND LESBIAN PEOPLE, YOU DON'T KNOW WHO IS AND WHO ISN'T. TAKE MICHELANGELO. [LB586]

SENATOR SCHEER: TIME, SENATOR. [LB586]

SENATOR CHAMBERS: (LAUGH) THANK YOU, MR. PRESIDENT. [LB586]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. WAITING TO SPEAK ARE SENATORS BURKE HARR, KEN HAAR, SENATOR MURANTE, CRAWFORD, AND OTHERS. SENATOR BURKE HARR. [LB586]

SENATOR HARR: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. I WANT TO KIND OF RETURN THIS BACK TO...IT'S GETTING A LITTLE EMOTIONAL. AND I UNDERSTAND THAT BECAUSE THIS IS AN EMOTIONAL ISSUE. BUT, YOU KNOW, I'M GOING TO TAKE YOU BACK TO A STUDY THAT SAYS EVERY DAY GAY AND TRANSGENDER EMPLOYEES FACE ALARMINGLY HIGH RATES OF DISCRIMINATION IN THE WORKPLACE. FOR INSTANCE, ACCORDING TO THE WILLIAMS INSTITUTE, A THINK TANK OUT OF THE UNIVERSITY OF CALIFORNIA-L.A. SCHOOL OF LAW, 15 PERCENT TO 43 PERCENT OF GAY AND TRANSGENDER WORKERS HAVE EXPERIENCED SOME FORM OF DISCRIMINATION ON THE JOB. SEVENTEEN PERCENT REPORT BEING FIRED BECAUSE OF THEIR SEXUAL ORIENTATION. THIRTEEN PERCENT REPORT BEING DENIED A PROMOTION OR RECEIVING A NEGATIVE JOB EVALUATION. AND 20 PERCENT REPORTED BEING HARASSED VERBALLY OR IN WRITING ON THE JOB BECAUSE THEY ARE GAY OR TRANSGENDER. TRANSGENDER PEOPLE, IN PARTICULAR, FACE

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EXTRAORDINARILY HIGH RATES OF EMPLOYMENT DISCRIMINATION. NINETY PERCENT OF TRANSGENDER INDIVIDUALS IN A 2011 SURVEY REPORTED ENCOUNTERING SOME FORM OF HARASSMENT OR MISTREATMENT ON THE JOB OR TOOK ACTIONS TO AVOID IT. FORTY-SEVEN PERCENT OF THOSE INDIVIDUALS EXPERIENCED SOME SORT OF ADVERSE JOB OUTCOME, INCLUDING 26 PERCENT WHO WERE FIRED OR FORCED INTO RANKS OF UNEMPLOYMENT DUE TO GENDER IDENTITY DISCRIMINATION. NOW I'VE HEARD TWO ARGUMENTS HERE TODAY. THE FIRST ONE I'LL REFER TO AS THE DROUGHT THEORY, WHICH IS THAT "NOT REALLY A PROBLEM, YOU KNOW, NOBODY HAS REALLY FILED A LAWSUIT ON THIS." AND THE SECOND IS THE FLOOD: WE ARE GOING TO BE INUNDATED WITH LAWSUITS AND WHAT ARE WE GOING TO DO AND HOW ARE WE GOING TO KNOW WHAT THE DEFINITIONS ARE AND WHAT IS THE PLAIN MEANING OF THAT WORD AND LITIGATION AND EXPENSE TO EMPLOYMENT. WELL, I THINK THE TRUTH IS PROBABLY SOMEWHERE IN THE MIDDLE. YOU KNOW, WE'VE TALKED A LOT ABOUT RACE AND SEX DISCRIMINATION. AND IN CALIFORNIA THEY HAVE ALL THREE. THEY HAVE IT BASED ON...YOU CAN'T DISCRIMINATE BASED ON SEXUAL IDENTITY, TRANSGENDER OR SEXUAL IDENTITY OR PREFERENCE. THEY HAVE SEX AND RACE. THEN YOU HAVE 1,200 SUITS--1,200--BASED ON SEXUAL IDENTITY AND ORIENTATION. NOW THAT SEEMS LIKE A LOT. BUT WHEN YOU COMPARE THAT TO THE 11,500 FOR RACE AND 13,800 FOR SEX, RESPECTIVELY, IT PUTS IT IN CONTEXT. SO WILL THERE BE SOME LAWSUITS? PROBABLY, BUT THAT PROBABLY MEANS USUALLY WHERE THERE'S SMOKE THERE'S FIRE, AND I DON'T THINK WE WANT TO BE KNOWN AS A STATE WHERE WE ALLOW DISCRIMINATION OF THIS SORT TO EXIST. I'M GOING TO GO BACK TO AGAIN THIS AMICUS BRIEF BY THE 379 EMPLOYERS AND ORGANIZATIONS IN THE SUPREME COURT CASE THAT WE'RE GOING TO HEAR HERE PRETTY SOON. AND HERE'S WHAT IT SAYS IN THE TEXT. IT SAYS, AS EMPLOYERS, WE RECOGNIZE THE VALUE OF DIVERSITY AND WE WANT THE JURISDICTIONS WHERE WE OPERATE TO RECOGNIZE THE NEED TO ENABLE ALL MARRIED PERSONS TO LIVE WITH PRIDE IN THEMSELVES AND IN THEIR UNION AND TO HONOR THEIR PERSONAL DIGNITY AND AUTONOMY OF ALL OUR EMPLOYEES. WE DEVELOP AND IMPLEMENT NONDISCRIMINATORY POLICIES NOT ONLY BECAUSE THEY ARE THE RIGHT THING TO DO BUT BECAUSE THE POLICIES ARE CRUCIAL TO OUR ABILITY TO RECRUIT AND RETAIN EXCELLENT EMPLOYEES. THE ABILITY TO HIRE THE BEST HUMAN CAPITAL HELPS AMICI, WHICH IS THE PEOPLE WHO WROTE THE BRIEF, CREATE AND INNOVATE AND ULTIMATELY INCREASE OUR PROFESSIONAL AND ECONOMIC VALUE. [LB586]

SENATOR SCHEER: ONE MINUTE. [LB586]

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SENATOR HARR: THANK YOU. OUR EMPLOYEES ARE OUR MOST VALUABLE ASSETS AND, YET, THE LAW TREATS MANY OF THEM AS SECOND-CLASS CITIZENS. THE RESULT IS THAT EVEN A SMALL DIFFERENCE IN HOW PEOPLE ARE TREATED CONVEYS A STRONG MESSAGE ABOUT THEIR PERCEIVED RELATIVE VALUE. DIVERSITY PROVIDES MANY BENEFITS BUT MUST BE WELL MANAGED WITHIN EACH ORGANIZATION. IN 2011, AN INTERVIEW STUDY PRESENTED SUBSTANTIAL ANECDOTAL EVIDENCE THAT PERCEPTIONS OF INEQUALITY IN THE WORK FORCE CAN LEAD TO HIGHER TURNOVER, LOSS OF TALENTED EMPLOYEES, LITIGATION, AND BAD PUBLICITY. THIS ISN'T JUST ABOUT, ALTHOUGH I THINK IT'S IMPORTANT, THE SANCTITY AND...OF THE INDIVIDUAL, BUT ALSO IT'S GOOD BUSINESS, FOLKS. WE NEED TO WORK HARD TO RECRUIT MORE PEOPLE. WE NEED MORE PEOPLE IN NEBRASKA. THAT'S WHAT THIS DOES. IT HELPS PROVIDE AN INVITING CIRCUMSTANCE FOR INDIVIDUALS, AN ENVIRONMENT TO COME AND TO STAY IN NEBRASKA SO THAT WE CAN BE NEBRASKA PROUD AND NEBRASKA NICE. THAT'S THE NEBRASKA WAY. THANK YOU. [LB586]

SENATOR SCHEER: THANK YOU, SENATOR HARR. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB586]

SENATOR HAAR: MR. PRESIDENT AND MEMBERS OF THE BODY, AS I'VE THOUGHT ABOUT THIS MORE TODAY, YOU KNOW, WE SEEM TO JUDGE PEOPLE ON THEIR PARTS. AND I'M GOING TO TELL YOU A PERSONAL STORY. I HAD FRIENDS AT ONE POINT IN MY LIFE AND IT WAS A LESBIAN COUPLE. AND ONE OF THEM'S (SIC) NAME WAS JACKIE (PHONETIC). AND THEN ONE TIME THEY CAME TO OUR HOUSE AND IT WAS JACK (PHONETIC) AND...OKAY. AND THE WORST MISTAKE YOU COULD MAKE WAS TO USE THE WRONG PRONOUN. IT BECAME VERY DIFFICULT. BUT, YOU KNOW, JACK FINALLY WENT THROUGH HORMONE TREATMENT AND ACTUALLY SOME OPERATIONS THAT CHANGED HIS PARTS. AND FINALLY, THIS COUPLE, AS NOW A HETERO COUPLE, I GUESS, GOT MARRIED IN THE CATHOLIC CHURCH. I THINK IT WAS IN SCHUYLER. SO SOMEHOW THIS COUPLE GOT JUDGED BY THEIR PARTS. AND AT ONE POINT IT WASN'T OKAY, AND ANOTHER TIME IT WAS OKAY. WHAT DIFFERENCE DOES IT MAKE? YOU KNOW, WHY SHOULD IT MAKE A DIFFERENCE? BUT APPARENTLY IT DOES. AND I THINK, ESPECIALLY TO MANY MALES, IT SCARES US, YOU KNOW. THIS WHOLE IDEA SCARES US AND I THINK IT'S SOMETHING THAT WE JUST HAVE TO SAY WE'RE MORE CIVILIZED THAN THAT NOW AND IT DOESN'T MATTER WHEN IT COMES TO HOW PEOPLE PERFORM ON THEIR JOBS. AND THEN I'D LIKE TO GO BACK TO...IN OTHER WORDS, LET'S STOP JUDGING PEOPLE ON THEIR PARTS AND HOW THEY USE THEM. IT DOESN'T HAVE ANYTHING TO DO WITH HOW THEY DO THEIR JOB. AND I

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WANT TO GO BACK TO THE LETTER THAT I WAS TALKING ABOUT EARLIER FROM THE OMAHA CHAMBER OF COMMERCE AND THE REASONS THEY GAVE FOR THEIR SUPPORT OF LB586. FIRST OF ALL, IT'S THE RIGHT THING TO DO BECAUSE EMPLOYEES NEED TO BE TREATED WITH DIGNITY AND NOT DISCRIMINATED AGAINST. THE SECOND REASON IS THAT AS COMPANIES TRY TO RECRUIT GOOD EMPLOYEES, THAT IT BECOMES MORE DIFFICULT WHEN YOU'RE TRYING TO RECRUIT IN A STATE WHERE THE LAWS DON'T PROTECT THE SEXUAL ORIENTATION OF PEOPLE. AND YOUNG PEOPLE TODAY ARE MUCH MORE AWARE OF THIS, SEEING THIS AS HYPOCRISY, BECAUSE THEY DON'T SEE THAT IT MAKES ANY DIFFERENCE. AND SO THEY'RE SAYING, WHY SHOULD I GO TO A STATE THAT DISCRIMINATES LIKE THIS? IT'S PROBABLY NOT THE ONLY WAY THEY DISCRIMINATE. AND THAT'S THE PERCEPTION OF NEBRASKA. AND THEN FINALLY, IN TRYING TO RECRUIT NEW BUSINESSES TO NEBRASKA, AND WE'RE ALWAYS TALKING ABOUT ECONOMIC DEVELOPMENT AND HOW IMPORTANT IT IS, AND THE WAY WE DO THAT IS THROUGH GROWTH OF BUSINESSES. AND THE OMAHA CHAMBER IS SAYING THAT NEW BUSINESSES COMING TO NEBRASKA LOOK AT THIS PART OF OUR LAW AND THEY WANT TO BE IN A PLACE WHERE THERE IS NOT DISCRIMINATION BASED ON SEXUAL ORIENTATION. AND I WOUND UP IN THAT THIRD PARAGRAPH IN THE LETTER. AND THE FIRST ONE IS THE RIGHT THING TO DO. IT...WE NEED IT FOR RECRUITING EMPLOYEES. AND THE THIRD ONE... [LB586]

SENATOR SCHEER: ONE MINUTE. [LB586]

SENATOR HAAR: THANK YOU...IN TERMS OF RECRUITING NEW BUSINESS. AND SO THEY SAY: INCREASINGLY EMPLOYERS CONSIDER THIS ISSUE WHEN THEY MAKE THEIR LOCATION DECISIONS THAT WILL IMPACT THE GROWTH AND FUTURE OPPORTUNITIES AVAILABLE IN OUR STATE. IT'S CLEAR THAT THEY BELIEVE AN INCLUSIVE BUSINESS CLIMATE IS A COMPETITIVE BUSINESS CLIMATE. THERE ARE SOME WHO WILL ARGUE THAT THIS BILL WILL CREATE A BURDEN OR UNNECESSARY COST ON BUSINESS. THAT CONCERN IS NOT SUPPORTED BY THE FACTS. AGAIN, THIS IS THE OMAHA CHAMBER TALKING. SINCE THE CITY OF OMAHA PASSED A SIMILAR ORDINANCE, THERE HAVE BEEN VERY FEW CLAIMS OR COST TO BUSINESSES AS A RESULT. ALSO, MANY COMPANIES WHO OPERATE IN NEBRASKA ALREADY HAVE POLICIES ALIGNED WITH THIS BILL. THESE COMPANIES SEE TALENTED, HARDWORKING, AND ENGAGED EMPLOYEES WHO LOVE WORKING IN A PLACE WHERE THEY CAN USE THEIR TALENTS FULLY WITHOUT FEAR OF LAWFUL DISCRIMINATION AND THEY WOULD LIKE TO SEE MORE. [LB586]

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SENATOR SCHEER: TIME, SENATOR. [LB586]

SENATOR HAAR: THANK YOU. [LB586]

SENATOR SCHEER: SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB586]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF LB586. I JUST WANT TO DISCUSS THIS IN LIGHT OF A UNIQUE SITUATION IN MY DISTRICT. I REPRESENT DISTRICT 45, WHICH IS HOME TO ONE OF OUR LARGEST EMPLOYERS IN THE STATE WITH OVER A \$1 BILLION ECONOMIC IMPACT: OFFUTT AIR FORCE BASE. WE HAVE OFFUTT AIR FORCE BASE IN OUR STATE. AND SO ONE OF OUR OBLIGATIONS, I FEEL, IS TO MAKE OUR STATE A GOOD STATE FOR OUR AIRMEN AND THEIR FAMILIES WHEN THEY'RE STATIONED HERE. THEY ARE SERVING OUR COUNTRY, PUTTING THEMSELVES IN HARM'S WAY. AND FOR SOMETIMES A TWO-YEAR STINT, THREE-YEAR STINT, THEY ARE IN NEBRASKA DOING THAT JOB. THEIR SPOUSE AND FAMILY ARE OFTEN WITH THEM. THEY ARE OFTEN DEPLOYED AND THEIR SPOUSE AND FAMILY ARE STILL HERE IN NEBRASKA. NOW ONE OF THE CHALLENGES OF BEING A MILITARY SPOUSE IS THAT YOUR CAREER HAS TO COME SECOND. AND YOUR SPOUSE WHO IS IN THE MILITARY IS REQUIRED TO MOVE FREQUENTLY. AND YOU ALSO THEN MOVE TO STAY WITH YOUR SPOUSE AND YOU MOVE FROM BASE TO BASE, STATE TO STATE, AND NEED TO FIND A NEW JOB WHEN YOU LAND THERE. NOW IT IS THE CASE THAT OUR MILITARY ALLOWS SAME-SEX COUPLES TO BE PART OF THE MILITARY. THEY ARE PART OF THE POPULATION THAT ARE FIGHTING FOR US AND SERVING THE COUNTRY. THEY ARE PART OF THE PEOPLE WHO WILL BE COMING TO SERVE AT OFFUTT AIR FORCE BASE IN NEBRASKA. NOW ONE OF MY PASSIONS HERE HAS BEEN TO TRY TO MAKE SURE OUR STATE IS A WELCOMING STATE FOR THESE PEOPLE WHO ARE SERVING OUR COUNTRY, INCLUDING BEING ATTENTIVE TO THE SPOUSE BECAUSE THE SPOUSE IS SOMETIMES THE IGNORED PART OF THE EQUATION. AND THIS BILL, IN MY MIND, IS A VERY IMPORTANT PART OF MAKING SURE THAT OUR STATE IS ATTENTIVE TO THE NEEDS OF THE SPOUSE AND CHILDREN OF THOSE AIRMEN AND PEOPLE WHO ARE WORKING FOR US AND SERVING OUR COUNTRY AT OFFUTT AIR FORCE BASE. IT'S VERY IMPORTANT THAT WE ARE A WELCOMING STATE. IT'S VERY IMPORTANT THAT WHEN THAT SPOUSE, WHETHER IT'S A SAME-SEX SPOUSE OR NOT, IS SEEKING EMPLOYMENT IN OUR STATE, THEY FEEL IT IS A WELCOMING PLACE, NOT ONLY BECAUSE THAT, I THINK, IS AN IMPORTANT OBLIGATION WE OWE THEM FOR THEIR SACRIFICE TO US, BUT ALSO BECAUSE THE EXPERIENCES THAT OUR FAMILIES HAVE WHEN THEY ARE AT OFFUTT AIR FORCE BASE IS AN IMPORTANT PART OF WHAT THEY CONSIDER WHEN THEY DECIDE WHERE TO LOCATE WHEN THEY LEAVE THE

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MILITARY. WHERE SHOULD THEY GO WHEN THEY ARE LEAVING THE MILITARY? AND PART OF THAT DECISION SOMETIMES IS THE SPOUSE'S CAREER. THE MILITARY MEMBER IN A GRACIOUS WAY SAYS TO HIS OR HER SPOUSE, DEAR, I KNOW THAT YOU'VE SACRIFICED FOR MY CAREER FOR 20 YEARS, NOW I WANT TO MAKE SURE YOU GET TO HAVE YOUR CAREER. SO I WOULD HOPE THAT THAT SPOUSE'S EXPERIENCE HERE IN NEBRASKA HAS BEEN A GOOD ONE AND THAT THAT SPOUSE IN MAKING THAT CHOICE WOULD SAY, I'D LIKE TO GO TO NEBRASKA BECAUSE I WAS TREATED WELL THERE, I FEEL THAT'S AN INVITING ENVIRONMENT, AN INCLUSIVE ENVIRONMENT, ONE WHERE I FEEL I CAN MAKE THE MOST OF MY SKILLS AND ABILITIES. [LB586]

SENATOR SCHEER: ONE MINUTE. [LB586]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. MY FINAL MOMENT, LET ME JUST COMMENT ON THE LAWSUIT ISSUE. I BELIEVE THAT WHEN OMAHA CONSIDERED A SIMILAR ORDINANCE, THE QUESTION WAS A CONCERN THAT IT WOULD LEAD TO MANY LAWSUITS. AND THAT HAS NOT BEEN THE CASE, AS WE'VE HEARD ALREADY. NOW THAT DOESN'T MEAN THAT THE LAW IS NOT WORKING OR THAT THERE AREN'T PROBLEMS BECAUSE THE WAY A PROTECTION LIKE THIS WORKS IS THAT IT ONLY TAKES A VERY SMALL NUMBER OF LAWSUITS TO MAKE EVERYONE ELSE VIGILANT. IT'S THE VIGILANCE YOU'RE AFTER, THAT PEOPLE ARE INTENTIONAL AND VIGILANT ABOUT NOT DISCRIMINATING. SO IT DOESN'T TAKE VERY MANY LAWSUITS FOR PEOPLE TO BECOME INTENTIONAL AND VIGILANT TO MAKE SURE THEY ARE NOT BEING DISCRIMINATORY. AND THAT IS THE AIM THAT WE HAVE IN LB586 AND I URGE YOUR SUPPORT. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR SCHEER: THANK YOU, SENATOR CRAWFORD. SENATOR LARSON, YOU'RE RECOGNIZED. [LB586]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I RISE NOT SO MUCH ON LB586 OR THE RECONSIDERATION MOTION. I JUST WANTED TO MAKE SURE MY COLLEAGUES WERE AWARE OF IT FOR THE RECORD, AND I UNDERSTAND AND I DIDN'T EXPECT IT TO COME UP ON THE AGENDA, BUT FIVE DAYS AGO I FILED A MOTION TO RECONSIDER THE CLOTURE VOTE ON LB423, WHICH WAS SENATOR NORDQUIST'S BILL (SIC--SCHILZ'S), I BELIEVE. AND OUT OF KIND CONSIDERATION TO THE BODY, I DID NOT FILE A MOTION TO CHANGE THE AGENDA. I'M SURE SPEAKER HADLEY WOULD HAVE BEEN THRILLED WITH THAT CONCEPT, BUT LB423 WILL DIE TODAY, ESSENTIALLY, SINCE I DID NOT MAKE

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THAT MOTION TO CHANGE THE AGENDA, NOR DID SENATOR NORDQUIST OR...I'M NOT SURE WHO PRIORITIZED IT, BUT ON THE SIMPLE FACT THAT WE WERE...HAD THE POSSIBILITY AND WE DIDN'T. AND LIKE I SAID, WE'RE RUNNING OUT OF TIME AND I WANT TO GET TO THE OTHER GENERAL FILE BILLS AND THAT'S PART OF THE REASON THAT I DIDN'T DO IT. BUT I JUST WANTED TO MAKE SURE MY COLLEAGUES KNEW THAT THE MOTION HAD BEEN FILED AND I APPRECIATE THE...IT GETTING INTO THE RECORD. AND I UNDERSTAND WHAT SPEAKER HADLEY DID AND I DON'T, I ACTUALLY DON'T, BLAME HIM AT ALL FOR NOT SCHEDULING IT. BUT AT THE SAME TIME, I DIDN'T MAKE A MOTION TO CHANGE THE AGENDA EITHER. SO I APPRECIATE EVERYBODY THAT WORKED HARD ON THAT BILL AND WORKED HARD TO GET THROUGH IT AND I'M SURE WE'LL SEE IT AGAIN NEXT YEAR. THANK YOU, MR. PRESIDENT. [LB586 LB423]

SENATOR SCHEER: THANK YOU, SENATOR LARSON. SENATOR MORFELD, YOU'RE RECOGNIZED. SENATOR MORFELD WAIVES. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB586]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. AND FIRST I WOULD LIKE TO ADD THAT THE STATE CHAMBER DID NOT TAKE A POSITION ON LB586. I WANTED TO BE CLEAR ON THAT. SECOND IS, I DID WANT TO THANK SENATOR CHAMBERS FOR ANOTHER TEACHING MOMENT HERE, FOR SOME, POSSIBLY. HE HAD STATED THAT ONE EGG PLUS ONE SPERM EQUALS ONE HUMAN BEING. I JUST...I APPRECIATE HIS SAYING THAT. THAT WAS A VERY GOOD TEACHING MOMENT. AND THE OTHER IS I WANTED TO ALSO CLARIFY THAT, ALTHOUGH MANY OF US, LIKE MYSELF, ARE NOT ATTORNEYS, BUT WE HAVE EXCELLENT ATTORNEYS POSSIBLY--I KNOW I DO IN MY...AS MY STAFF--BUT WE RELY ON THEM VERY HEAVILY FOR INFORMATION. AND I DO WANT TO THANK MY STAFF FOR HELPING ME TO UNDERSTAND WHY THAT...THE AMENDMENT AM1644 TO AM289 IS WRONG. IT'S ABSOLUTELY SOMETHING THAT WOULD GET US INTO A LOT OF LEGAL PROBLEMS. I'M JUST GOING TO READ TO YOU HERE. AND IT SAYS THAT IN A UNANIMOUS DECISION WRITTEN BY CHIEF JUSTICE JOHN ROBERTS, THE COURT HELD THAT PERICH WAS A MINISTER FOR THE PURPOSES OF THE CIVIL RIGHTS ACT'S MINISTERIAL EXCEPTION, DISMISSING PERICH'S SUIT AND HER CLAIMS FOR DAMAGES. CHIEF JUSTICE ROBERTS DESCRIBED THE HISTORY OF THE, AND I QUOTE, MINISTERIAL EXCEPTION, END QUOTE, ESTABLISHED BY COURTS TO PREVENT STATE INTERFERENCE WITH THE GOVERNANCE OF CHURCHES, A VIOLATION OF THE FIRST AMENDMENT'S ESTABLISHMENT AND FREE EXERCISE CLAUSES. HE REJECTED THE EEOC AND PERICH'S ARGUMENT THAT THESE CLAUSES OF THE FIRST AMENDMENT ARE IRRELEVANT TO HOSANNA-TABOR'S RIGHT TO CHOOSE ITS MINISTERS. CHIEF JUSTICE ROBERTS

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CONCLUDED THAT PERICH, INDEED, FUNCTIONED AS A MINISTER IN HER ROLE AT HOSANNA-TABOR IN PART BECAUSE HOSANNA-TABOR HELD HER OUT AS A MINISTER WITH A ROLE DISTINCT FROM THAT OF ITS LAY TEACHERS. I HAVE NOT READ THE CASE, BUT I HAVE THE GREATEST CONFIDENCE THAT MY STAFF HAS READ THE CASE. I AM NOT A LAWYER. I DON'T BELIEVE THAT SENATOR HANSEN IS A LAWYER. [LB586]

_____ : HE IS. HE IS. [LB586]

_____ : HE IS (INAUDIBLE). [LB586]

SENATOR BRASCH: OH, YOU ARE A LAWYER. DID YOU READ THE CASE? NO, HE HAS NOT READ THE CASE. BUT WITH THIS INFORMATION, WE NEED TO TAKE A LOOK AT THIS. YOU KNOW, I AM AGAINST THE AMENDMENTS. I AM ALSO GOING TO VOTE RED ON THE BILL, NOT BECAUSE I BELIEVE THAT THE...ANYONE DESERVES LESS OR GREATER TREATMENT BECAUSE OF THEIR SEXUALITY OR THEIR POSITIONS THAT THEY BELIEVE. THAT'S NOT SOMETHING THAT I JUDGE. AS A CHRISTIAN, I BELIEVE EVERYONE ANSWERS TO GOD. [LB586]

SENATOR SCHEER: ONE MINUTE. [LB586]

SENATOR BRASCH: AND THAT IS WHAT I EXPECT, NOTHING MORE THAN THAT. BUT AS A LAWMAKER, I WANT TO MAKE SURE THAT OUR LAWS ARE SOUND AND THAT WE AS HUMAN BEINGS ARE THE GREATEST LAWS ON HOW WE CONDUCT THE LAWS WE HAVE IN PLACE. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LB586]

SENATOR SCHEER: THANK YOU, SENATOR BRASCH. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB586]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. I'D LIKE TO YIELD MY TIME TO SENATOR CHAMBERS IF HE SHOULD CHOOSE TO USE IT. [LB586]

SENATOR SCHEER: SENATOR CHAMBERS, YOU'RE WAIVED (SIC) 4:52. [LB586]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I ENDED BY SAYING, "TAKE MICHELANGELO." THE SISTINE CHAPEL HOLDS A VERY UNIQUE POSITION IN THE VATICAN. THE VATICAN IS

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WHERE THE POPE RESIDES. YOU CAN SAY IT IS THE FOCAL POINT, CENTER, THE LOCUS OF THE CATHOLIC CHURCH ETHOS. NOW, IF THE VATICAN WHEN JULIUS II WAS POPE HAD THE ATTITUDE THAT WE SEE TODAY, YOU WOULDN'T HAVE THE SISTINE CHAPEL BECAUSE MICHELANGELO WAS KNOWN TO BE A HOMOSEXUAL. SOME PEOPLE KNOW OF MICHELANGELO AS A PAINTER. OTHERS KNOW OF HIM AS A SCULPTOR. BUT HE WAS BOTH OF THOSE PLUS A POET. AND HE WROTE VERY EXPLICIT POETRY TO HIS MALE LOVER. AND SOME PEOPLE SUGGESTED THAT MAYBE HE SHOULDN'T DO THAT. BUT I GUESS WHEN A PERSON'S LOVE COMES DOWN ON HIM OR HER, WHOEVER THE OBJECT OF THAT AFFECTION HAPPENS TO BE IS GOING TO RECEIVE ALL THOSE SWEET NOTHINGS, EITHER SPOKEN OR WRITTEN. AND THAT'S THE WAY MICHELANGELO WAS. BUT HE HAD SO MUCH TALENT AND ABILITY AS AN ARTIST THAT ALL THAT WAS OVERLOOKED. AND NOT ONLY DID HE PAINT THE SISTINE CHAPEL, HE MADE A 40-FOOT BRASS STATUE OF JULIUS II WHICH WAS PULLED DOWN WHEN THE PEOPLE RAN OUT THE ROMAN TROOPS. BUT ANYWAY, KNOWN TO BE A HOMOSEXUAL BUT TO DO PAINTING IN THE HOLIEST PLACE IN THE VATICAN WOULD SEEM TO FLY IN THE FACE OF WHAT WE'RE BEING TOLD BY PEOPLE WHO ARE CATHOLICS TODAY, THAT MAGNIFICENT CEILING BASED ON SCENES FROM THE "BIBBLE," CREATION, AND PEOPLE KNEW OF THAT BIG FINGER REACHING DOWN TO THE OTHER FINGER REACHING UP. STORIES OF NOAH WERE DEPICTED. THE 40 GENERATIONS OF JESUS CHRIST WERE DEPICTED. TWELVE HUGE FIGURES WERE DEPICTED, EVEN A HALF-DOZEN SIBYLS, WHICH WERE FEMALE PROPHETS. AND IT WAS UNUSUAL BUT NOT UNHEARD OF TO HAVE FEMALES DEPICTED IN SCENES SUCH AS THAT. IT TOOK HIM ABOUT FOUR YEARS. SO FOR A PERIOD OF FOUR YEARS, THE SISTINE CHAPEL, THE VATICAN, THE SISTINE CHAPEL WAS DEFILED BY THE PRESENCE OF THIS HOMOSEXUAL WHO WAS PAINTING DEPICTIONS FROM THE CHRISTIANS' BIBLE BECAUSE HE COULD DO IT BETTER THAN ANYBODY ELSE. AND IT DIDN'T MAKE JULIUS II ANY DIFFERENCE ABOUT THIS MAN'S SEXUAL ORIENTATION. SO MAYBE IF PEOPLE KNEW A LITTLE BIT MORE EVEN ABOUT THEIR OWN CHURCH'S HISTORY, THEY WOULDN'T BE SO HIDEBOUND AND ROCK-HEADED TODAY. AND YOU HAVE SOME OF THESE STAFF MEMBERS RUNNING AROUND HERE TALKING ABOUT THIS IS WHAT THE LAW MEANS. THEY'LL GIVE IT TO A SENATOR, A SENATOR QUOTES IT, AND IT WOULDN'T BE UTILIZED AND ACCEPTED BY A COURT IF THERE WAS A CASE OR ANYTHING IN LITIGATION. NO COURT TAKES ONE SENTENCE FROM A CASE AND ACCEPTS THAT AS THE MEANING OF THAT CASE. BUT IN THIS LEGISLATURE, WHERE PEOPLE DON'T KNOW ANYTHING ABOUT THE LAW, THEY PRESENT A SENTENCE... [LB586]

SENATOR SCHEER: ONE MINUTE. [LB586]

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SENATOR CHAMBERS: ...THAT CAME FROM A CASE THAT DIDN'T EVEN INVOLVE WHAT WE'RE TALKING ABOUT HERE. THE CASE WOULD HAVE NO RELEVANCE. AND YOU CAN FIND MANY CASES WHERE YOU HAVE A GENERAL STATEMENT MADE. AND SOME PEOPLE DON'T DISTINGUISH BETWEEN DICTA, WHICH WERE JUST OPINIONS EXPRESSED BY THE COURT THAT HAVE NO BEARING ON THE DECISION ITSELF. THE DECISION IS THE FINAL CONCLUSION. THE OPINION IS THE RATIONALE FOR IT. MANY THINGS ARE CONTAINED IN THE OPINION THAT ARE NOT PRECEDENTIAL, P-R-E-C, NOT P-R-E-S-I. THEY HAVE NO PRECEDENTIAL VALUE. SO WHEN YOU HAVE THESE NONLAWYERS OR DUMB LAWYERS RUNNING AROUND HERE TRYING TO TAKE ONE SENTENCE FROM HERE AND ONE FROM THERE AND THEN TRYING TO APPLY IT TO A CASE THAT IS NOT EVEN IN THE LAW YET IS FOOLISH. BUT THAT HAPPENS AND THAT'S THE NATURE OF WHERE WE WORK AND THE CONDITIONS UNDER WHICH WE TOIL. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR BURKE HARR. NOT SEEING SENATOR HARR, SENATOR KEN HAAR, YOU'RE RECOGNIZED. SENATOR HAAR, THIS IS YOUR THIRD TIME. [LB586]

SENATOR HAAR: THANK YOU. I WANT TO GET BACK TO THE LETTER AGAIN FROM THE GREATER OMAHA CHAMBER. THEY SAY IT'S THE RIGHT THING TO DO. IT'S NECESSARY WHEN ATTEMPTING TO RECRUIT EMPLOYEES TO THEIR COMPANIES AND, FINALLY, THAT WHEN WE'RE TRYING TO RECRUIT BUSINESSES TO NEBRASKA THIS IS AN IMPORTANT THING TO HAVE IN OUR LAWS. THE LAST PARAGRAPH: LASTLY, AND VERY IMPORTANTLY, WE WOULD URGE THE MEMBERS TO PASS THIS BILL NOW, IN 2015, RATHER THAN WAITING FOR ANOTHER TIME. OTHER STATES HAVE SIMILAR MEASURES BEFORE THEIR LEGISLATURES AND THE LONGER WE WAIT, THE MORE OUR IMAGE APPEARS TO BE THAT OF A STATE THAT'S NOT WELCOMING TO ALL. IN PARTICULAR, IT'S WORTH NOTING THAT THERE ARE NEIGHBORING...THAT OUR NEIGHBORING STATES OF IOWA AND COLORADO PROHIBIT SUCH DISCRIMINATION, AS DO MINNESOTA, WISCONSIN, AND ILLINOIS. IN AN ERA WHERE LABOR IS INCREASINGLY MOBILE, WE CANNOT AFFORD TO GIVE GOOD PEOPLE A REASON TO LEAVE OUR STATE OR CHOOSE ANOTHER STATE IN WHICH TO PURSUE THEIR CAREERS. NEBRASKA IS A WONDERFUL STATE. OUR GREATEST ASSET AS A STATE IS OUR PEOPLE. WE WOULD RESPECTFULLY ASK THE LEGISLATURE TO PASS LB586 AND ALLOW OUR STATE TO FURTHER GROW AND BENEFIT ALL OF ITS PEOPLE FOR GENERATIONS TO COME. THEN THE SECOND E-MAIL THAT I PARTICULARLY LIKE IS...I'M GOING TO QUOTE FROM THIS ONE AS WELL. I'M WRITING YOU TODAY AS A MEMBER OF THE NEBRASKA BUSINESS COMMUNITY,

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A DIRECTOR OF THE LINCOLN CHAMBER OF COMMERCE, AN ACTIVE MEMBER OF MY CHURCH, AND A CONCERNED CITIZEN IN YOUR STATE. I'M A REGISTERED REPUBLICAN. I WANT YOU TO VOTE FOR LB586 AND I WANT YOU TO HELP YOUR FELLOW SENATORS UNDERSTAND THE IMPORTANCE OF DOING THE SAME. IT'S TIME WE MOVE PAST OUR CURRENT INTERPRETATION OF RELIGIOUS FREEDOM. LB586 IS A CONTROVERSIAL TOPIC. FOR SOME TIME...FOR SOME OF YOU IT PROBABLY FEELS POLITICALLY RISKY GIVEN AN OUTSPOKEN MINORITY OF THE CONSERVATIVE BASE IS ADAMANTLY OPPOSED TO THIS LEGISLATION. TO ME, A SIMPLE COST BENEFIT SHOULD HELP YOU DECIDE HOW TO VOTE. WHAT DO WE LOSE BY VOTING IN FAVOR OF THIS LEGISLATION? THE MORE CONSERVATIVE MEMBERS OF OUR UNICAMERAL PROBABLY LOSE THE FAVOR OF A VOCAL MINORITY OF THEIR BASE, MOST OF WHOM WILL CONTINUE TO VOTE FOR CONSERVATIVE CANDIDATES NONETHELESS. WHAT DO WE LOSE BY VOTING AGAINST IT? NEBRASKA AND OUR BACKWARDS WAYS ARE ON THE FRONT PAGE OF EVERY MAJOR NEWS WEB SITE IN THE COUNTRY, FURTHER BRANDING US A PLACE THAT PLODS ALONG 30 YEARS BEHIND THE TIMES. MY BUSINESS AND OTHER GROWING BUSINESSES LIKE MINE NEED OUR STATE TO SHAKE THAT REPUTATION. WHILE WE MAY NOT MAKE MANY WAVES BY PASSING LB586, YOU CAN BE SURE THE NATIONAL MEDIA WILL COME CALLING IF THE LEGISLATION FAILS. I AGREE WITH THE CHRISTIAN RIGHT IN THAT I BELIEVE THE FAMILY UNIT IS THE MOST IMPORTANT INSTITUTION FOR OUR ELECTED LEADERS TO PROTECT. IT'S THE SOURCE OF THE BEGINNING AND END OF ALL OF OUR MOST IMPORTANT PROBLEMS IN THIS COUNTRY. AS A FATHER, I BELIEVE IT'S MY JOB TO UPHOLD STANDARDS AND VALUES WITH MY FAMILY IN A MANNER THAT EMPOWERS EACH MEMBER LIFE A FULL, HAPPY LIFE IN THE IMAGE OF JESUS. WHETHER OR NOT YOU BELIEVE IN ANY SINGLE WORD WRITTEN IN THE BIBLE, IT'S IMPOSSIBLE TO LOOK AT THE LIFE OF JESUS, A PERSON DOCUMENTED IN HISTORY BOOKS AND BOOKS OF FAITH, AS ANYTHING BUT A MODEL FOR HOW WE SHOULD LIVE ALL OF OUR LIVES. THE MOST IMPORTANT THINGS JESUS TAUGHT US... [LB586]

SENATOR SCHEER: ONE MINUTE. [LB586]

SENATOR HAAR: THANK YOU...WERE TO LOVE AS HE LOVED AND TO TREAT OTHERS AS WE WISH TO BE TREATED. AS AN ELECTED LEADER, I BELIEVE IT'S YOUR JOB TO PROTECT MY FAMILY'S RIGHT TO LIVE, WORSHIP, AND HAPPILY GO ABOUT OUR LIVES, NOT ENCUMBERED, BUT EMPOWERED BY THE WILL OF GOVERNMENT. AND BY THE WAY, THE MODEL OF LOVE AS HE LOVED AND TO TREAT OTHERS AS WE WISH TO BE TREATED IS REALLY THE BASIC PREMISE OF EVERY ONE OF THE WORLD'S RELIGIONS AND ESPECIALLY CHRISTIANITY. LET'S

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GET THIS PASSED AND MOVE FORWARD AS A BETTER PLACE TO LIVE AND WORK FOR ALL NEBRASKANS. AND AGAIN, THIS IS FROM A MEMBER OF THE BUSINESS COMMUNITY, A DIRECTOR OF THE LINCOLN CHAMBER OF COMMERCE, AN ACTIVE MEMBER OF HIS CHURCH, AND A CONCERNED CITIZEN AND A REGISTERED REPUBLICAN. AND SO I ALSO ASKED A QUESTION... [LB586]

SENATOR SCHEER: TIME, SENATOR. [LB586]

SENATOR HAAR: THANK YOU. [LB586]

SENATOR SCHEER: THANK YOU, SENATOR HAAR. SENATOR HOWARD, YOU'RE RECOGNIZED. WAITING IN THE QUEUE, SENATOR CAMPBELL, MORFELD, BOLZ, AND CRAWFORD. [LB586]

SENATOR HOWARD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF LB586 AND I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR CHAMBERS. [LB586]

SENATOR SCHEER: SENATOR CHAMBERS, YOU HAVE 4:50. [LB586]

SENATOR CHAMBERS: THANK YOU, SENATOR HOWARD. THANK YOU, MR. PRESIDENT. WHAT SENATOR HAAR WAS READING IS AN OPINION SHARED BY A LOT OF PEOPLE WHEN THEY MAKE JUDGMENTS ABOUT NEBRASKA. AND ONE PERSON HAD SAID THAT HE SPENDS A LOT OF TIME TRYING TO EXPLAIN TO SOME OF HIS FRIENDS IN EUROPE, BUT HE WAS TALKING ABOUT THE COUNTRY AS A WHOLE, IT'S NOT AS BACKWARD, IT'S NOT AS IGNORANT AS IT MIGHT APPEAR, AND WITH PROPER EDUCATION THEY COULD BE MANIFESTING MORE IN THE WAY OF CIVILIZATION. BUT THEN HE STARTED READING H.L. MENCKEN. AND HE SAID, THE MORE THAT I READ OF MENCKEN AND THEN LOOK AROUND ME AT WHAT'S GOING ON, AND I WOULD SAY IN NEBRASKA, IT MAKES YOU INCLINED TO START LOOKING AT THE KNUCKLES OF YOUR COLLEAGUES TO SEE IF THEY GOT CALLOUSES FROM TOO MUCH CONTACT WITH THE GROUND. I HAVE CALLOUSES ON THE PALMS OF MY HAND BECAUSE I HOLD...I HANDLE A MODERATE AMOUNT OF IRON FROM TIME TO TIME. BUT I DON'T HAVE CALLOUSES ON MY KNUCKLES FROM DRAGGING ON THE FLOOR. SO WHEN THEY TALK ABOUT KNUCKLE-DRAGGERS, THEY'RE TALKING ABOUT PEOPLE WHO ARE WAY, WAY BEHIND TIME. WHAT THEY NEED TO DO IS START TAKING SOME POLLS AMONG THESE YOUNG PEOPLE, ESPECIALLY THOSE WHO HAVE A CHANCE TO SIT AND LISTEN TO SOME OF THESE IGNORAMUS KIND OF STATEMENTS THAT

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ARE UTTERED BY PEOPLE IN PUBLIC OFFICE TALKING THIS CRAZY, IDIOTIC STUFF WHICH WOULD BE INSULTING TO MEMBERS OF THEIR FAMILIES. THERE WAS A SENATOR HERE WHO WAS AGAINST MY BILLS EVERY TIME I OFFERED THEM, THEN HE FOUND OUT HE HAD A GAY SON. HE HAD BEEN VOTING AGAINST THE BILL. I SAID, YOU GOING TO VOTE FOR THE BILL NOW? HE SAID, WELL, I CAN'T. AND I SAID, WHY CAN'T YOU? BECAUSE I'VE ALWAYS BEEN VOTING AGAINST IT, HE SAID, BUT WHAT I WONDER IS WHY MY SON NEVER TOLD ME HE WAS GAY. I SAID, WELL, I'VE LISTENED TO YOU ON THIS FLOOR AND YOUR SON, I'M SURE, ATE DINNER WITH YOU AND YOUR FAMILY AND HE HAD A CHANCE TO HEAR WHAT YOU AND YOUR FAMILY MEMBERS THOUGHT ABOUT HIM. HE SAID, WE DIDN'T EVER SAY ANYTHING ABOUT HIM BECAUSE WE DIDN'T KNOW HE WAS GAY. I SAID, BUT YOU SAID IT ABOUT PEOPLE WHO ARE WHAT HE IS. YOU KNOW HOW THAT GUY SLAPS HIS SELF ON THE FOREHEAD AND SAID, I COULD HAVE HAD A V8? THAT WOULD BE SOME OF THE IGNORAMUSES, IF THAT'S WHAT THEY ARE, FOR THESE STATEMENTS THEY MAKE AROUND HERE, AND THEY'D WONDER WHY THEY'D COME TELL SENATOR CHAMBERS THIS BUT WON'T TELL THEM: BECAUSE SENATOR CHAMBERS SHOWS MORE UNDERSTANDING THAN THEY DO. WHEN THEY MAKE THESE STATEMENTS, THEY DON'T KNOW WHO THEY'RE SPEAKING AGAINST AND RIDICULING. SENATOR KINTNER, AS I SAID, ALWAYS WANTS TO READ STATISTICS. I DON'T TRUST A ONE OF THEM. HE DOESN'T SAY WHERE THEY CAME FROM. THEN HE MENTIONED SOME OUT-OF-THE-WAY GROUP. AND THEN THE MEDIA WILL GET THIS STUFF AND RUN OFF WITH HIS STATISTICS AS THOUGH THEY'RE VALID, THAT THEY'VE BEEN VALIDATED. HE DOESN'T KNOW, NOR DO ANY OF THE PEOPLE WHO CITE THESE STATISTICS KNOW HOW MANY GAY PEOPLE THERE ARE IN OMAHA. WHO CAN SAY THAT THERE'S NOT A GAY PERSON IN THIS LEGISLATURE AS A MEMBER OF THE LEGISLATURE? SOMETIMES THE ONES WHO ARE MOST ADAMANTLY AGAINST IT ARE IT. AND THAT HAS COME OUT IN OTHER LEGISLATURES WHERE ONE OF THEM WOULD HAVE TO COME OUT OF THE CLOSET BECAUSE HE WAS CAUGHT SOMEPLACE WHERE HE SHOULDN'T HAVE BEEN AND HE NO LONGER COULD DENY IT. AND THEY SAY, WELL, HE WAS ONE OF THE MOST ANTIGAY PEOPLE IN THE LEGISLATURE. THAT WAS WHY. IT WAS HIS COVER. AND YOU KNOW WHY HE HAD TO COVER IT: BECAUSE HE KNEW WHAT PEOPLE THOUGHT BY THE WAY HIS COLLEAGUES TALKED ABOUT PEOPLE LIKE WHAT HE WAS AND THEY DIDN'T KNOW HE WAS ONE OF THEM. THAT'S HOW CRAZY THIS SOCIETY IS,... [LB586]

SENATOR SCHEER: ONE MINUTE. [LB586]

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SENATOR CHAMBERS: ...HOW TOTALLY UNBALANCED. SO THEY NEED TO STATE...TAKE THEIR POLLS AMONG YOUNGER PEOPLE WHO WONDER WHAT ALL THE SILLINESS IS ABOUT, LISTENING TO THESE PEOPLE STAND ON THE FLOOR AND SAY THE HATEFUL THINGS THAT THEY SAY, WHO WANT TO SAY THERE IS NO NEED TO HAVE LEGISLATION SUCH AS THIS BECAUSE THERE IS NO PROBLEM. I'D TELL SENATOR BRASCH THE MAJORITY OF PEOPLE IN THIS COUNTRY ARE NOT CRIMINALS BUT THEY HAVE CRIMINAL LAWS FOR THOSE WHO COMMIT CRIMES. AND YOU WANT BUSINESSES TO REFRAIN FROM THIS KIND OF CONDUCT BECAUSE THERE IS A PRICE TO PAY. STREET CRIMINALS DON'T TAKE ANY CONSIDERATION OF THE LAW BUT COMPANIES DO. THEY HAVE LAWYERS THAT WARN THEM. SENATOR McCOLLISTER TOLD YOU HOW MUCH AWARENESS THEY HAVE OF LAWS AGAINST DISCRIMINATION, MORE THAN SENATOR McCOY WHO HAS BECOME A CONSTITUTIONAL LAW SCHOLAR AROUND HERE TODAY. [LB586]

SENATOR SCHEER: TIME, SENATOR. [LB586]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB586]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS AND SENATOR HOWARD. SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB586]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. I JUST WANTED TO MAKE A FEW COMMENTS AND THEN I WILL YIELD SOME TIME TO SENATOR CHAMBERS. I DO THANK SENATOR MORFELD AND SENATOR PANSING BROOKS. THEY HAVE WORKED EXTENSIVELY AND VERY HARD ON THIS ISSUE. AND WHEN WE BEGIN TO LOOK AT THE CHAMBERS--THE STATE CHAMBER, THE LINCOLN CHAMBER, THE OMAHA CHAMBER--COMING AND APPEARING BEFORE A COMMITTEE AND SENDING LETTERS AND E-MAILS SAYING WE SUPPORT THIS, THAT IS MAKING GREAT STRIDES. WE NEED TO CONTINUE TO TALK ABOUT THESE ISSUES AND NOT JUST SHOVE THEM AWAY AND SAY, WELL, YOU KNOW, WE DON'T NEED TO TALK ABOUT THAT ANYMORE. CHANGE COMES BECOMES WE RECOGNIZE THE CHANGE IN EACH OTHER. I FIRMLY BELIEVE THAT AS YOU GO ABOUT YOUR BUSINESS YOU KNOW FRIENDS AND PEOPLE THAT YOU WORK WITH WHO ARE GAY OR LESBIAN OR BISEXUAL OR TRANSGENDER. I DO. I HAVE A NUMBER OF FRIENDS. I WOULD NOT WANT FOR THEM TO NOT HAVE AN OPPORTUNITY. BUT WE ALL HAVE TO BE COMMITTED, THOSE OF US WHO SUPPORT LB586, WE HAVE TO BE COMMITTED TO KEEP WORKING, KEEP TALKING, AND HOPEFULLY SEE THAT CHANGE FOR OUR STATE. AND I'D YIELD THE REST OF MY TIME TO SENATOR CHAMBERS. [LB586]

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SENATOR KRIST PRESIDING

SENATOR KRIST: SENATOR CHAMBERS, YOU'RE YIELDED 3:00. [LB586]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT. THANK YOU, SENATOR CAMPBELL. MEMBERS OF THE LEGISLATURE, IF THESE PEOPLE COULD GET THEIR NOSES OUT OF OTHER PEOPLE'S CROTCHES, IF THEY COULD GET THEIR EARS AWAY FROM THE BEDROOM DOORS AND WALLS OF PEOPLE, GET THEIR EYE AWAY FROM THE KEYHOLE OF OTHER PEOPLE'S BEDROOMS AND MIND THEIR OWN BUSINESS, THEY'D HAVE QUITE ENOUGH TO OCCUPY THEMSELVES. WHAT DIFFERENCE DOES IT MAKE TO ME IF SOMEBODY IS A HOMOSEXUAL? FIRST OF ALL, EVERY MALE HOMOSEXUAL IS NOT DRAWN TO EVERY MALE, JUST LIKE A HETEROSEXUAL MAN IS NOT DRAWN TO EVERY WOMAN AND EVERY HETEROSEXUAL WOMAN IS NOT DRAWN TO EVERY MAN. YOU ALL STOP USING COMMON SENSE, THESE PEOPLE WHO ARE AGAINST WHAT WE ARE TALKING ABOUT HERE. I'VE TALKED TO SENATOR BRASCH ABOUT THE SHAMEFUL ROLE THAT UKRAINIANS PLAYED IN HELPING TO OPERATE TREBLINKA, ONE OF THE WORST DEATH CAMPS IN POLAND. BUT SHE WOULDN'T WANT ALL UKRAINIANS JUDGED BY THOSE, AND THAT'S A MATTER OF HISTORY. THEY WERE SINGLED OUT. THEN THEY HAVE THE NERVE TO WANT TO DISCRIMINATE AGAINST PEOPLE AND DON'T HAVE A LAW THAT WOULD PROTECT THEM. THEY NEED TO KNOW THEIR HISTORY. AND THAT'S WHY I GET EXERCISED. MAYBE I SHOULDN'T READ HISTORY. MAYBE I SHOULD BE IGNORANT, NOT KNOW ANYTHING. THEY SAY IGNORANCE IS BLISS. IGNORANCE IS DANGEROUS WHEN YOU HAVE PEOPLE WIELDING THE POWER OF THE LEGISLATURE AND THEY ARE IGNORANT. AND THAT'S WHAT I'M WATCHING AND LISTENING TO ALL THE TIME. AND SOME OF THEM ALWAYS MANIFEST THEIR IGNORANCE AGAINST PEOPLE TO MAKE SURE THEY DON'T ENJOY THEIR RIGHTS, TO MAKE SURE THEY ARE NOT TREATED FAIRLY. THEY PONTIFICATE AND WANT TO ACT LIKE THEY KNOW SO MUCH, BUT IT'S ALWAYS AGAINST PEOPLE WHO CANNOT HELP THEMSELVES BECAUSE THEY ARE BULLIES AND THEY ARE COWARDLY. THAT'S WHAT THEY ARE AND THAT'S WHAT THEY DO. [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR CHAMBERS: AND I WILL SAY IT ON THIS FLOOR BECAUSE IT'S NEEDED TO BE SAID. THEY ARE NOT SHY ABOUT EXPRESSING THEIR WRONGFUL COMMENTS, SO I'M NOT GOING TO BE SHY ABOUT TAKING THEM TO TASK. SOME OF THE PEOPLE AROUND HERE SLURP UP THE FOOD OF THE LOBBYISTS AND

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THEN SPEAK AGAINST HELPING PEOPLE WHO ARE POOR SAYING THEY GOT THEIR HAND STUCK OUT. AND THEY ARE OVER THERE EVERY DAY SWILLING DOWN THE FOOD OF THE LOBBYISTS, NOT PAYING FOR THEIR OWN MEALS, SPONGING AND MOOCHING AND HAVE REPUTATIONS AND THEY'RE RIDICULED BY THE LOBBYISTS. THEY SAY, YOU CAN ALWAYS FIND HIM OVER THERE AND HE BELCHES AND BURPS LIKE A HOG. THAT'S WHAT THE LOBBYISTS SAY. I DON'T KNOW IT. I'M NOT THERE. I DON'T HEAR IT. THEY THINK THAT THEY ARE HONORED AND RESPECTED BECAUSE THEY'RE AT THE TROUGH. THEN, WHILE THEY'RE SPONGING AND MOOCHING AT THE TROUGH, "URPING" AND BURPING, THEY COME OVER HERE AND SAY, THESE POOR PEOPLE, THEY...THAT'S THE NANNY STATE, THEY DON'T NEED ANYTHING, THE GOVERNMENT DOESN'T NEED TO TAKE CARE OF THEM. [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

SENATOR CHAMBERS: TIME FOR WHAT? OH, EXCUSE ME, MR. PRESIDENT. [LB586]

SENATOR KRIST: (LAUGHTER) THANK YOU, SENATOR CHAMBERS. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB586]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. TIME TO GIVE SENATOR CHAMBERS FIVE MORE MINUTES. I YIELD MY TIME TO SENATOR CHAMBERS. [LB586]

SENATOR KRIST: (LAUGHTER) SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB586]

SENATOR CHAMBERS: THANK YOU, MR. MORFELD...SENATOR MORFELD. THANK YOU, MR. PRESIDENT. YOU KNOW WHY I TALK LIKE THIS? BECAUSE, I TELL YOU, I OBSERVE. I OBSERVE. I DON'T EAT OFF THE LOBBYISTS. BUT I'M ALWAYS WILLING TO SAY THAT THE PEOPLE WHO ARE HUNGRY OUGHT TO BE HELPED BY THOSE WHO HAVE GOT PLENTY TO EAT. YOU KNOW WHY I DON'T HAVE TO WEAR A COAT? BECAUSE I DON'T HAVE ANYTHING IN FRONT OF ME TO HIDE. I COULD TAKE MY SHIRT OFF, EXCEPT I WON'T. I DON'T WANT ALL THE LADIES SWOONING, IF YOU KNOW WHAT I MEAN. (LAUGHTER) BUT I WOULDN'T DARE HAVE A COAT I COULD BARELY BUTTON AND BE SITTING DOWN AT THIS TABLE, AT THE TROUGH. EVERY TIME THERE'S FOOD, FREE FOOD, THERE I AM. THEN I'M THE ONE CONDEMNING PEOPLE WHO GENUINELY KNOW WHAT HUNGER IS. YOU KNOW WHAT HUNGER IS FOR SOME OF THESE "CAPTAIN LUNCH-HUNTERS" AND

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"LIEUTENANT HUNGRY" IS? DO YOU KNOW WHAT HUNGER IS FOR THEM? IF THERE'S A LUNCH SERVED BY THE LOBBYISTS, THEN THE TIME BETWEEN THE LUNCH AND THE TIME WHEN THE DINNER IS SERVED. AND THEY HAVE THE NERVE TO STAND ON THIS FLOOR AND SPEAK AGAINST THE POOR. THAT'S WHAT IS CONTEMPTIBLE. THAT IS WHAT IS IMMORAL. AND IT'S WHY I DON'T HAVE ANY USE FOR ANYTHING THEY SAY AND I HAVE NO RESPECT FOR THEM. THEN THEY'RE GOING TO TRY TO ACT LIKE THEY KNOW SO MUCH. I WAS LISTENING...BY THE WAY, THIS IS A DISCONNECT, BUT I WAS LISTENING TO SENATOR KINTNER READING 22 COMMENTS FROM PRESIDENT OBAMA THAT SHOWED HE KNEW THAT WHAT HE WAS SUGGESTING WITH REFERENCE TO TAKING CARE OF THESE CHILDREN WAS UNCONSTITUTIONAL. AND I LISTENED TO HIM. HE'S READING WORD FOR WORD EACH ONE OF THESE STATEMENTS. THEN HE GETS TO ANOTHER ONE AND HE STARTED READING IT. AND I COULD SEE WHEN HE STOPPED IT WASN'T GOING WHERE HE WANTED, SO HE SAID, WELL, HERE HE WAS TALKING ABOUT...AND HE BEGAN TO INTERPRET. BUT HE DIDN'T READ THE QUOTATION AS HE HAD READ THE OTHER ALLEGED QUOTATIONS. SO WHEN HE WAS SCRATCHING AROUND, HE PROBABLY SCRATCHED UP A SNAKE THAT HE DIDN'T REALIZE WAS THERE BECAUSE HE DIDN'T READ IT AT FIRST. AND IF YOU LOOK AT THE TRANSCRIPT, YOU WILL SEE HE HAD GOTTEN TO ABOUT THE 12th OR THE 13th ONE. THEN HE DIDN'T READ IT WORD FOR WORD. HE STARTED TELLING YOU WHAT IT MEANT. BUT EVERYTHING ELSE HAD BEEN READ VERBATIM. I LISTEN TO THESE PEOPLE. WHEN I WAS IN THE BARBERSHOP CUTTING HAIR AND I'D BE COMPLAINING AFTER ONE OF THESE NUTTY PEOPLE HAD LEFT, YOU KNOW WHAT THE BARBERS WOULD TELL ME? ERNIE, YOU HAVEN'T LEARNED THE SECRET OF TUNING THESE PEOPLE OUT. YOU LISTEN TO THEM. YOU PAY ATTENTION TO THEM. YOU HAVE TO LEARN TO DISREGARD THEM. WHEN THEY START TALKING JUST TURN THAT BUTTON THAT CLICKS THEM OFF. PART OF MY PROBLEM IS THAT I LISTEN TO THESE PEOPLE AROUND HERE, BUT I MUST, BECAUSE SOME OF YOU ALL LISTEN TO THEM AND TAKE THEM SERIOUSLY. HE'LL BE READING THESE STATISTICS AND YOU DON'T EVEN ASK WHERE THEY CAME FROM. HE DOESN'T KNOW WHERE THEY CAME FROM. SOMEBODY GAVE IT TO HIM. THEN THE MEDIA, AS I SAY, WILL QUOTE THEM ALSO AS THOUGH THEY'RE VALID. AND IT'S ALWAYS IN THE NEGATIVE. THEY OUGHT TO ASK HIM, WHERE'S HIS STATISTICS, WHERE THEY COME FROM? WHY IS THERE SO MUCH HATRED AGAINST GAYS BY SOME OF MY COLLEAGUES? SENATOR BRASCH MENTIONED WHAT ONE OF OUR COLLEAGUES SAID, AND TALKED ABOUT HOW GREAT WHAT SHE SAID WAS. AND WHEN I WAS LISTENING TO HER, IT DIDN'T EVEN MAKE SENSE TO ME. IF ANYTHING, IT SHOULD HAVE PUT HER ON THE SIDE OF THIS

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BILL BECAUSE OF THE KIND OF DISCRIMINATION THAT'S OUT THERE. NOW WHY IS IT THAT THEY CAN SAY ALL THESE THINGS OPENLY? [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR CHAMBERS: THEY CAN BE SO CRITICAL OF PEOPLE WHO HAVE NO VOICE HERE, THEN THEY ARE NOT TO BE TAKEN TO TASK. WHAT THEY SAID IS NOT TO BE ANALYZED. I WANT PEOPLE TO KNOW THAT I'M SEPARATED FROM ALL OF THAT NONSENSE. LISTEN TO THEM THE REST OF THE SESSION. WHENEVER THEY TALK, THEY'RE GOING TO BE TRYING TO PUT SOMEBODY DOWN. I'M GLAD THAT MANY OF MY COLLEAGUES HERE WHO ARE SPEAKING FOR THIS BILL ARE TAKING THE TIME TO LAY FACTS ON THE RECORD. BUT, IN A SENSE, THEY'RE PREACHING TO THE CHOIR, BECAUSE THE INTELLIGENT PEOPLE KNOW THAT THIS IS WHAT OUGHT TO BE DONE. WHAT DOES SENATOR BRASCH SPEND HER TIME DOING? WELL, I DON'T SEE WHERE THE STATE CHAMBER OF COMMERCE SPOKE FOR THIS, UM-HUM. WELL, IF THEIR NOT SPEAKING FOR IT MEANS SO MUCH, WHY DOES NOT THOSE WHO SPOKE FOR IT MEAN A LOT? HMM, I DON'T SEE WHERE THE SMALL BUSINESS PEOPLE IN LINCOLN CAME AND SPOKE FOR IT. AND WHAT DOES THAT MEAN? [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

SENATOR CHAMBERS: YOU SAID TIME? [LB586]

SENATOR KRIST: YES, SIR. [LB586]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR BOLZ, YOU ARE RECOGNIZED. [LB586]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. I WOULD LIKE TO YIELD MY TIME TO SENATOR MORFELD. I DON'T SEE HIM ON THE FLOOR. SLOWLY, MAYBE SENATOR MORFELD WILL JOIN US ON THE FLOOR. ALL RIGHT. SENATOR CHAMBERS, SENATOR MORFELD SAYS THAT YOU ARE DOING AN EXCELLENT JOB AND HE WOULD LIKE YOU TO CONTINUE, AND SO WOULD I. [LB586]

SENATOR KRIST: SENATOR CHAMBERS, 4:40. [LB586]

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SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BOLZ. MEMBERS OF THE LEGISLATURE, YOU ALL HAVE HEARD THE STORY OF THE ELEPHANT MAN, JOHN MERRICK. HE HAD THESE TUMOROUS GROWTHS, AND THEY WERE SO STRONG THEY CAUSED HIS SKULL TO BE MISSHAPEN. SO HE WORE A HIDEOUS, GROTESQUE HOOD THAT WAS MADE FOR HIM OUT OF A PIECE OF BURLAP WITH ONE BIG PIECE CUT OUT SO THAT HE COULD SEE. AND IT AFFECTED THE WAY HE WALKED AND HE WALKED WITH KIND OF A SHUFFLING, LIMPING GAIT. AND THEY HAD HIM IN FREAK SHOWS AND THERE WAS A MOVIE MADE ABOUT IT. AND WE KNOW THAT THEY DRAMATIZE, BUT IN THIS MOVIE THERE WERE OTHERS IN THESE SHOWS, PEOPLE, OUR BROTHERS AND SISTERS, WHO WERE REFERRED TO AS FREAKS. AND PEOPLE PAID TO COME AND SEE THEM AND MAKE FUN OF THEM. AND JOHN MERRICK WAS THERE. BUT SOME OF THEM, HIS FELLOW FREAKS, HAD A COMPASSION FOR HIM THAT THE GOOD, WELL-FORMED CHRISTIANS DIDN'T, AND THEY HELPED HIM GET OUT OF THIS COUNTRY AND HE WOUND UP OVER IN ENGLAND. WELL, HE WOUND UP IN A TRAIN STATION. AND HE...HIS CLOTHES DIDN'T FIT HIM THAT WELL EITHER, AND HE HAD THIS HOOD. SO HE WAS MAKING HIS WAY ALONG THIS PLATFORM AND PEOPLE STARTED LOOKING AT THE WAY HE WAS DRESSED AND THEY STARTED POINTING AT HIM AND THEY STARTED BECOMING AFRAID OF HIM. THEY STARTED RIDICULING HIM. AND THEN SOME LITTLE BOYS JUMPED UP AND STARTED CHASING HIM AND THROWING THINGS AT HIM. SO LIKE ANY LIVING THING WHICH IS ATTACKED, THERE'S EITHER THE FIGHT OR FLIGHT REACTION. AND HE CHOSE THE FLIGHT REACTION BECAUSE HE WAS OUTNUMBERED. THAT'S THE WAY HIS WHOLE LIFE HAD GONE. SO HE WAS RUNNING AND AS HE WAS RUNNING HE RAN AGAINST THIS LITTLE GIRL AND SHE FELL. THEN THAT BROUGHT A WHOLE GROUP OF PEOPLE AFTER HIM. SO HE TURNED INTO WHAT HE THOUGHT WAS AN ALLEY, BUT IT WAS REALLY JUST A PATHWAY TO A CUTOFF PLACE WHERE I GUESS A TRUCK WOULD BRING SUPPLIES TO A WAREHOUSE. SO HE'S UP AGAINST THIS WALL AND ALL THESE PEOPLE ARE SCREAMING AND HOLLERING AT HIM. AND THEN ONE OF THE MEN CAME UP AND SNATCHED THAT HOOD OFF, AND THE PEOPLE WERE ASTONISHED. THERE WAS AN AUDIBLE GASP, AND THEY PAUSED AND THEY FELL BACK. AND MERRICK SAID--I WISH I COULD REPLICATE FOR YOU THE VOICE, A QUAVERING VOICE WITH TEARS--AND HE SAID, I AM A HUMAN BEING. I AM A HUMAN BEING. AND WHEN HE SAID THAT, SOME OF THE PEOPLE IN THE CROWD REALIZED THAT THAT'S EXACTLY WHAT THEY WERE DEALING WITH AND THEY HAD ALLOWED THEMSELVES TO LOSE THEIR HUMANITY. AND THEY BROKE UP THE MOB. AND THAT'S WHAT I SEE ON THIS FLOOR. THEY RUN DOWN JOHN MERRICK AND SOME OF US HAVE TO SAY, HE/THEY ARE HUMAN BEINGS--MORE HUMANITY THAN YOU HAVE, THAN YOU DEMONSTRATE WHEN YOU'RE OVER THERE SLURPING UP AT THE LOBBYISTS'

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TROUGH, THEN YOU COME OVER HERE IN YOUR SELF-RIGHTEOUS SANCTIMONIOUSNESS AND ARE GOING TO SAY THESE PEOPLE HAVE NO RIGHT TO BE PROTECTED FROM DISCRIMINATION. THIS IS NOT SPECIAL LEGISLATION. THIS IS SAYING YOU'VE PUT PEOPLE IN THE SUBBASEMENT AND ALL WE'RE TRYING TO DO IS PUT SOMETHING UNDER THEM AND LIFT THEM TO THE LEVEL WHERE YOU ARE AND WHERE YOU WALK EVERY DAY. [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR CHAMBERS: TAKING HANDOUTS, EATING WITH THE LOBBYISTS, YOU OUGHT TO BE ASHAMED OF YOURSELF. YOU OUGHT TO HAVE TOO MUCH PRIDE, EVEN IF IT'S FALSE PRIDE. THEN YOU'RE GOING TO COME HERE AND CONDEMN PEOPLE. YOU OUGHT TO BE ASHAMED, BUT YOU HAVE NO SHAME. IT'S SO EASY TO HURT OTHERS WHEN YOU CAN FEEL NO PAIN. AND YOU LIKE TO INFLICT PAIN. I WONDER HOW MANY OF YOU STUCK PINS IN BEETLES' EYES AND PULLED THE WINGS OFF BUTTERFLIES. THAT WHAT YOU DID AS A CHILD? THAT'S HOW YOU GOT YOUR JOLLIES AS A CHILD? NOW YOU TAKE IT TO THE ADULT LEVEL AND YOU PICK HUMAN BEINGS WHO HAVE NOT HARMED YOU AT ALL, DON'T EVEN KNOW YOU, AND YOU WANT TO DO ALL YOU CAN TO MAKE THEIR LIFE AS MISERABLE, AS DIFFICULT AS POSSIBLE. NOBODY IS SAYING YOU HAVE TO HAVE A HOMOSEXUAL PERSON FOR A FRIEND. NOBODY IS SAYING THEY WANT TO COME LIVE WITH YOU. THEY WOULDN'T WANT TO LIVE WITH YOU. THEIR STANDARDS ARE TOO HIGH. ALL THEY WANT TO DO IS HAVE A CHANCE TO WORK, TO EARN AN HONEST LIVING LIKE YOU WERE ALLOWED TO DO. AND YOU WOULDN'T WANT ANYBODY TO TURN YOU AWAY BECAUSE OF YOUR AGE OR ANYTHING ELSE, BUT YOU WILL SIT HERE AND DO THAT TO OTHERS. I PAY TOO MUCH ATTENTION TO THE THINGS THAT THEY ATTRIBUTED TO JESUS, WHETHER JESUS REALLY LIVED OR NOT: AS YOU WOULD THAT MEN SHOULD DO UNTO YOU, DO EVEN SO TO THEM LIKEWISE. BUT YOU DON'T DO IT. NEXT TIME YOU PRAY, KNOW THAT I'M DOWN IN MY OFFICE MOCKING YOU, SCOFFING AT YOU. [LB586]

SENATOR KRIST: TIME, SENATOR. [LB586]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB586]

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SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I YIELD MY TIME TO SENATOR MORFELD. [LB586]

SENATOR KRIST: SENATOR MORFELD, 5:00. [LB586]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR CRAWFORD, FOR YIELDING YOUR TIME. I KNOW THAT I'M PROBABLY GOING TO BE THE LAST PERSON SPEAKING TONIGHT, AS AT 6:00 WE'RE TRANSITIONING OVER TO THE NEXT ROUND OF DEBATE ON DIFFERENT BILLS ON THE SPEAKER PRIORITIES. I DO WANT TO TELL EVERYBODY THAT I APPRECIATE THE ROBUST DEBATE, THE GOOD QUESTIONS, AND THE DISCUSSION TONIGHT. AND I ALSO AM AWARE THAT WE ARE AT A POINT WHERE WE NEED TO GO BACK TO THE DRAWING BOARD A LITTLE BIT, SIT DOWN WITH SOME INDIVIDUALS AND DECIDE WHAT STEPS TO TAKE NEXT, AND THAT WE'RE WILLING TO WORK WITH BOTH THE OPPONENTS AND SOME OF THE PROPONENTS THAT MAY HAVE CONCERNS WITH THE BILL BUT ARE IN SUPPORT OF THE OVERALL, OVERARCHING CONCEPT OF ENSURING THAT WE HAVE EQUALITY FOR ALL NEBRASKANS BUT WE RESPECT...BUT WE RESPECT PEOPLE'S RELIGIOUS BELIEFS AS WELL. AND THERE'S JUST A FEW THINGS THAT I WOULD LIKE TO POINT OUT, BASED ON THE DEBATE, BEFORE WE END HERE. FIRST, THIS IS NOT ABOUT RELIGION. IT'S ABOUT ADDING TWO PHRASES, "SEXUAL ORIENTATION" AND "GENDER IDENTITY," TO OUR STATE'S EMPLOYMENT NONDISCRIMINATION LAWS. AND AS WE NOTED TIME AFTER TIME, THE STATE'S BUSINESS LEADERS ARE IN SUPPORT OF THIS FROM ALL OVER THE STATE, NOT JUST OMAHA AND LINCOLN. AND IT'S BEEN SAID SEVERAL TIMES THE OMAHA AND LINCOLN CHAMBER ARE ON BOARD WITH THIS, NOT ONLY IN NAME. BUT THEIR BUSINESS LEADERS, THEIR BOARDS, THEIR BUSINESSES THAT THEY REPRESENT HAVE COME OUT STRONGLY, BECAUSE THEY UNDERSTAND THE VALUE OF THIS. AND I HOPE THAT AS WE END DEBATE TONIGHT AND AS WE END THE SESSION, THAT WE TAKE A LONG, HARD LOOK AT OURSELVES AND HOW WE WANT NOT ONLY FOR US TO VOTE AND BE ABLE TO GO TO SLEEP AT NIGHT, BUT THEN ALSO HOW DO WE WANT THE PERCEPTION OF THE STATE OF NEBRASKA TO BE. I'VE HAD FAR TOO MANY FRIENDS, GOOD FRIENDS, LEAVE THIS STATE WHO ARE INCREDIBLY SUCCESSFUL ELSEWHERE NOW BECAUSE WE LACK FUNDAMENTAL PROTECTIONS TO PROTECT NOT JUST ANYBODY, NOT JUST AN ANONYMOUS PERSON, BUT OUR SONS AND OUR DAUGHTERS, OUR GRANDDAUGHTERS AND OUR GRANDSONS. AND I WANT TO BE CLEAR ABOUT THE OPPOSITION TO THIS BILL. A LOT OF THE CITES THAT WE'VE HAD TODAY HAVE BEEN SURFACE LEVEL NEWS ARTICLE, DEBUNKED RESEARCH, AND OUTDATED CASE LAW, OR, QUITE FRANKLY, A COMPLETE MISREADING OF THE CASE LAW. THE RELIGIOUS

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EXEMPTION THAT WE BROUGHT TODAY THAT SENATOR McCOY CITED WAS ACTUALLY CRAFTED OUT OF THAT CASE. IT WAS CRAFTED IN RESPONSE TO THAT CASE TO PROVIDE VERY SPECIFIC DEFINITIONS AND SO THAT IT WAS NOT VAGUE, WHICH WAS THE PROBLEM IN HOSANNA-TABOR. SO I WOULD LIKE TO NOTE THAT THE REASON WHY WE HAVE SOME OF THESE DIFFERENT CASES IN THIS LITIGATION IS BECAUSE THERE'S AN ACTUAL PROBLEM. AND BEFORE I END, I JUST WANT TO RESTATE THE DIFFERENT HEADLINES THAT HAVE EXEMPLIFIED THIS PROBLEM OVER THE LAST YEAR: OMAHA WORLD-HERALD, "SURVEY OF LGBT NEBRASKANS FINDS 'DISTURBINGLY HIGH LEVELS' OF DISCRIMINATION"; OMAHA WORLD-HERALD, OMAHA LIBRARIES DIRECTOR'S NEW JOB A 'GREAT OPPORTUNITY,' BUT HE SAYS NEBRASKA GAY RIGHTS STANCE ALSO A FACTOR IN HIS LEAVING; NEBRASKA MUST NOT RESEMBLE ANOTHER ARKANSAS OR INDIANA... [LB586]

SENATOR KRIST: ONE MINUTE. [LB586]

SENATOR MORFELD: DISCRIMINATION HAPPENS, AND EVEN THOSE OF YOU OPPOSING THIS BILL HAVE ADMITTED IT. AND SO IN A WAY, BY REFUSING TO ADVANCE THIS BILL, MANY OF US HAVE SAID TO NEBRASKA AND THE WORLD AND OUR STATE THAT WE DON'T THINK GAY PEOPLE AND TRANSGENDER PEOPLE ARE WORTHY OF PROTECTION FROM DISCRIMINATION. AND THERE ARE TOO MANY PEOPLE THAT HAVE TOLD ME, I DON'T BELIEVE IN DISCRIMINATION, I WANT TO PROTECT PEOPLE FROM DISCRIMINATION, BUT I DON'T WANT TO MAKE SURE THAT THEY HAVE PROTECTION UNDER THE LAW. ACTIONS SPEAK LOUDER THAN WORDS, COLLEAGUES. AND WE NEED TO TAKE ACTION ON THIS. AND THAT'S WHY SENATOR PANSING BROOKS AND I HAVE DECIDED TO REQUEST THAT THE SPEAKER NOT SCHEDULE THIS BILL FOR THE AGENDA AGAIN THIS YEAR, AND WE'LL BE BACK NEXT YEAR. THANK YOU, MR. PRESIDENT. [LB586]

SENATOR KRIST: THANK YOU, SENATOR MORFELD. MR. CLERK. [LB586]

CLERK: MR. PRESIDENT, I DO HAVE SOME ITEMS. ENROLLMENT AND REVIEW REPORTS LB607, LB607A, AND LB196 TO SELECT FILE WITH E&R AMENDMENTS ATTACHED. YOUR COMMITTEE ON JUDICIARY REPORTS LB326 TO GENERAL FILE WITH COMMITTEE AMENDMENTS ATTACHED. I HAVE AN AMENDMENT BY SENATOR CRAWFORD TO LB390 TO BE PRINTED. AND A SERIES OF STUDY RESOLUTIONS: LR313, SENATOR SCHEER; LR314, SENATOR KOLOWSKI; LR315, SENATOR SCHILZ; SENATOR LINDSTROM, LR316; SENATOR SMITH, LR317, LR318, LR319; SENATOR MURANTE, LR320; SENATOR MORFELD, LR321; SENATOR

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KOLOWSKI, LR322; SENATOR GROENE, LR323; SENATOR KOLTERMAN, LR324; SENATOR DAVIS, LR325, LR326, LR327, LR328; SENATOR GLOOR, LR329, LR330, LR331, LR332; SENATOR WATERMEIER, LR333; SENATOR MORFELD, LR334; SENATOR HANSEN, LR335; SENATOR HANSEN, LR336; SENATOR RIEPE, LR337; AND SENATOR DAVIS, LR338. THAT'S ALL THAT I HAD, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 1632-1656.) [LB607 LB607A LB196 LB326 LB390 LR313 LR314 LR315 LR316 LR317 LR318 LR319 LR320 LR321 LR322 LR323 LR324 LR325 LR326 LR327 LR328 LR329 LR330 LR331 LR332 LR333 LR334 LR335 LR336 LR337 LR338]

SENATOR KRIST: I'D REFER YOU TO YOUR SCHEDULE. AT 6:00 P.M., WE'RE GOING TO GENERAL FILE, SPEAKER PRIORITY BILLS. AND I'D ALSO REFER YOU TO THE SECOND CATEGORY THERE, THE FIRST ONE BEING LB231. THERE IS AN ERROR ON THE SCHEDULE. THAT IS NOT SELECT FILE. THAT, AGAIN, IS GENERAL FILE. MR. CLERK, FIRST ITEM. [LB231]

CLERK: MR. PRESIDENT, LB361 WAS A BILL ORIGINALLY INTRODUCED BY SENATOR BURKE HARR. (READ TITLE.) INTRODUCED ON JANUARY 15, REFERRED TO THE REVENUE COMMITTEE. THE BILL WAS ADVANCED TO GENERAL FILE. I HAVE NO AMENDMENTS AT THIS TIME, MR. PRESIDENT. [LB361]

SENATOR KRIST: THANK YOU, MR. CLERK. SENATOR HARR, YOU'RE RECOGNIZED TO OPEN ON YOUR BILL. [LB361]

SENATOR HARR: THANK YOU, MR. PRESIDENT AND MEMBERS OF BODY. I WANT TO FIRST THANK SPEAKER HADLEY FOR DESIGNATING THIS AS A SPEAKER PRIORITY BILL THIS SESSION. LB361 WILL CLARIFY THE LANGUAGE IN STATUTES THAT PERMIT SANITARY DRAINAGE DISTRICTS, SANITARY AND IMPROVEMENT DISTRICTS, SPECIAL IMPROVEMENT DISTRICTS, COUNTIES, CITIES OF ALL CLASSES, AND VILLAGES TO LEVY SPECIAL ASSESSMENTS FOR THE IMPROVEMENT MADE BY POLITICAL SUBDIVISIONS FOR THE BENEFIT OF INDIVIDUAL PROPERTIES. THE BILL AMENDS STATUTES PERTAINING TO COLLECTION OF ASSESSMENTS TO CLARIFY THE COLLECTIONS ARE SPECIAL ASSESSMENTS, QUOTE. THE BILL IS IN RESPONSE TO AN EIGHTH CIRCUIT COURT DECISION IN 2002 INVOLVING THE CITY OF TECUMSEH. THE COURT HELD THAT IN NEBRASKA ANY STATUTORY AUTHORIZATION TO LEVY ASSESSMENTS MUST BE STRICTLY CONSTRUED AGAINST A MUNICIPALITY. IT MUST BE CLEAR THAT THE CHARGES ARE, "SPECIAL ASSESSMENTS." BECAUSE OF THE COURT'S DECISION, LB361 AMENDS STATUTES THAT LEVY A SPECIAL ASSESSMENT TO CLARIFY THE LANGUAGE OF THE STATUTE TO MAKE IT CLEAR THAT THE

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STATUTES CONTAIN THE PROPER LANGUAGE TO MEET ORIGINAL INTENT OF THE STATUTE. WITHOUT SPECIAL ASSESSMENT DESIGNATION, THE LIEN ON THE PROPERTY LOSES ITS PRIORITY AND IT MAKES IT DIFFICULT OR IMPOSSIBLE TO COLLECT. SPECIAL ASSESSMENTS ARE LEVIED AGAINST A PROPERTY WHEN A LOCAL GOVERNMENT TAKES ACTION FOR THE BENEFIT OF THE PROPERTY. EXAMPLES ARE WHEN A STREET IS PAVED OR A WATER LINE IS EXTENDED TO PROVIDE WATER TO THE PROPERTY. THE PROPERTY IS CHARGED OR ASSESSED BASED ON THE BENEFIT THAT THE PROPERTY RECEIVES. SPECIAL ASSESSMENTS ARE ALSO LEVIED WHEN A CITY HAS TO REMOVE A NUISANCE OR CLEAN UP PROPERTY WHEN A LANDOWNER OR LANDLORD FAILS TO DO SO. THIS OFTEN OCCURS ON ABANDONED PROPERTY. NEBRASKA LAW 77-209 PROVIDES THAT, QUOTE: SPECIAL ASSESSMENT SHALL BE A LIEN ON THE REAL ESTATE ON WHICH ASSESSED AND SHALL TAKE PRIORITY OVER ALL OTHER ENCUMBRANCES AND LIENS THEREON, EXCEPT FOR THE FIRST LIEN OF GENERAL TAXES. LB361 AMENDS THESE STATUTES TO CLARIFY...TO CLEARLY STATE THAT WHEN A PROPERTY IS CHARGED FOR SPECIAL BENEFIT, IT IS A SPECIAL ASSESSMENT. THIS PRESERVES ITS LIEN PRIORITY. RETAINING A LIEN PRIORITY ON SPECIAL ASSESSMENTS WILL HELP CITIES AND OTHER POLITICAL SUBDIVISIONS TO COLLECT THESE SPECIAL ASSESSMENTS. WITHOUT THE PRIORITY, THE TAXPAYER, AS A WHOLE, END UP PAYING FOR THE COST THAT BENEFIT ONE PROPERTY. THERE WERE NO OPPONENTS TO THE BILL AT THE PUBLIC HEARING AND THE REVENUE COMMITTEE ADVANCED THE BILL TO GENERAL ON AN 8-0 VOTE. WITH THAT, I WOULD ASK FOR YOUR SUPPORT ON LB361. [LB361]

SENATOR KRIST: YOU HAVE HEARD THE OPENING ON LB361. FLOOR IS NOW OPEN FOR DEBATE. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB361]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. WOULD SENATOR HARR YIELD TO A QUESTION? [LB361]

SENATOR KRIST: SENATOR HARR, WILL YOU YIELD? [LB361]

SENATOR HARR: YES, I WILL. [LB361]

SENATOR BLOOMFIELD: THANK YOU, SENATOR HARR. THAT SPECIAL ASSESSMENT THAT YOU WANT TO HAVE PRESERVED, CAN THAT CHARGE BE MADE FOR SOMETHING WHETHER THE PROPERTY OWNER WANTS IT OR NOT? [LB361]

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SENATOR HARR: YES. [LB361]

SENATOR BLOOMFIELD: I WAS AFRAID OF THAT. THANK YOU. [LB361]

SENATOR KRIST: SEEING NO ONE ELSE IN THE QUEUE, SENATOR HARR, YOU'RE RECOGNIZED TO CLOSE ON YOUR BILL. [LB361]

SENATOR HARR: THANK YOU, MR. PRESIDENT. SO THE ANSWER IS, CAN YOU DO IT FOR SOMETHING YOU DON'T WANT? YES. IF YOU DON'T KEEP UP YOUR LAWN OR IF YOU...THE CITY...THIS ORIGINALLY STARTED IN 1931, THE BILL, ORIGINAL BILL, AND IT WAS AT A TIME WHEN WE WERE PROVIDING ELECTRICITY AND WATER TO A LOT OF HOMES THAT DIDN'T HAVE THEM. THAT'S THE HISTORY OF IT. YOU KNOW, WE NEED TO MAKE SURE THAT THE PROPERTY IN NEIGHBORHOODS ARE WELL KEPT AND THAT THEY HAVE ACCESS TO ELECTRICITY AND WATER. SO WHILE THEY MAY NOT LIKE IT, WE ALSO HAVE TO HAVE PAVED STREETS. SO WITH THAT, I WOULD ASK FOR YOUR SUPPORT ON LB361. [LB361]

SENATOR KRIST: YOU'VE HEARD THE CLOSING ON LB361. THE QUESTION BEFORE YOU IS THE ADVANCEMENT TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB361]

CLERK: 29 AYES, 1 NAY, MR. PRESIDENT, ON THE ADVANCEMENT OF THE BILL. [LB361]

SENATOR KRIST: LB361 ADVANCES. NEXT ITEM. [LB361]

CLERK: LB231 WAS A BILL INTRODUCED BY SENATOR SMITH. (READ TITLE.) INTRODUCED ON JANUARY 13, REFERRED TO TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE, ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM296, LEGISLATIVE JOURNAL PAGE 605.) [LB231]

SENATOR KRIST: SENATOR SMITH, YOU'RE RECOGNIZED TO OPEN ON LB231. [LB231]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND GOOD AFTERNOON, COLLEAGUES. LB231 WOULD CREATE THE DEFINITION OF AUTOCYCLE TO

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ENSURE THIS NEW MODEL OF VEHICLE BEING MANUFACTURED SOON WILL COMPLY WITH OUR REGISTRATION AND LICENSING REQUIREMENTS, SAFETY REQUIREMENTS, AND RULES OF THE ROAD. THE COMMITTEE AMENDMENT BECOMES THE BILL, SO I WILL WAIVE FURTHER OPENING AND GO AHEAD AND BEGIN OPENING ON THE COMMITTEE AMENDMENT, WHICH WILL BE AM296, MR. PRESIDENT. [LB231]

SENATOR KRIST: AS THE CLERK STATED, THERE ARE COMMITTEE AMENDMENTS. AND, SENATOR SMITH, AS THE CHAIR OF TRANSPORTATION AND TELECOMMUNICATIONS, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB231]

SENATOR SMITH: VERY GOOD. THANK YOU AGAIN, MR. PRESIDENT. FIRST, I DO WANT TO THANK SPEAKER HADLEY FOR RECOGNIZING THE IMPORTANCE OF THIS LEGISLATION AND FOR DESIGNATING IT AS A SPEAKER PRIORITY BILL. AS I SAID, AN AUTOCYCLE IS A NEW TYPE OF MOTOR VEHICLE THAT IS EXPECTED TO BE AVAILABLE IN THE NEXT YEAR OR TWO. I HAVE BEEN CONTACTED BY SOME NEBRASKANS WHO HAVE ALREADY PREORDERED THIS VEHICLE AND IT IS IMPERATIVE WE KEEP UP WITH INNOVATION IN THE TRANSPORTATION INDUSTRY. A PUBLIC HEARING ON LB231 WAS HELD IN FRONT OF THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE ON FEBRUARY 2. THERE WAS NO OPPOSITION AND THE COMMITTEE VOTED UNANIMOUSLY TO ADVANCE LB231 TO GENERAL FILE. AM296 PROVIDES CLARIFICATION AND INCLUDES SOME HARMONIZING LANGUAGE. IT WAS DRAFTED WITH INPUT FROM THE DEPARTMENT OF MOTOR VEHICLES. AN AUTOCYCLE IS DEFINED AS A MOTOR VEHICLE HAVING A SEAT THAT DOES NOT REQUIRE THE OPERATOR TO STRADDLE OR SIT ASTRIDE IT. IT IS DESIGNED TO TRAVEL ON THREE WHEELS IN CONTACT WITH THE GROUND. IT HAS A COMPLETELY ENCLOSED SEATING AREA WITH A REMOVABLE OR FIXED TOP IN WHICH THE OPERATOR AND PASSENGER RIDE EITHER SIDE BY SIDE OR IN TANDEM. AND IT IS EQUIPPED WITH THE MANUFACTURER-INSTALLED AIR BAGS, ROLL CAGE, THREE-POINT SAFETY BELT SYSTEM. IT HAS ANTILOCK BRAKES AND IS DESIGNED TO BE CONTROLLED WITH A STEERING WHEEL AND PEDALS, LIKE A NORMAL VEHICLE. AUTOCYCLES WOULD BE SUBJECT TO THE SAME REGISTRATION FEES AS AUTOMOBILES, \$15 ANNUALLY, AND THE SAME MOTOR VEHICLE TAX SCHEDULE AS AUTOMOBILES, WHICH IS BASED ON VALUE WHEN NEW. OPERATORS OF AUTOCYCLES WOULD HAVE TO FOLLOW ALL THE RULES OF THE ROAD, INCLUDING SEAT BELT REQUIREMENTS, CHILD SEAT REQUIREMENTS, AND LICENSING REQUIREMENTS. THAT IS LB231 IN A NUTSHELL. IT SIMPLY PROVIDES A DEFINITION FOR THIS VEHICLE SO WE CAN ENSURE IT'S SAFE AND LEGAL AND IN LEGAL OPERATION

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ON OUR ROADWAYS. I LOOK FORWARD TO SEEING SENATOR CHAMBERS AT ONE POINT OWNING ONE OF THESE VEHICLES AND DRIVING IT BACK AND FORTH TO LINCOLN. WITH THAT, I WILL CLOSE ON MY INTRODUCTION AND ASK THAT YOU VOTE YES ON AM296 AND ADVANCE LB231. THANK YOU, MR. PRESIDENT. [LB231]

SENATOR KRIST: THANK YOU, SENATOR SMITH. YOU'VE HEARD THE OPENING ON AM296 AND THE UNDERLYING BILL, LB231. THOSE WISHING TO SPEAK: SENATOR NORDQUIST AND CHAMBERS. SENATOR NORDQUIST, YOU'RE RECOGNIZED. [LB231]

SENATOR NORDQUIST: WOULD SENATOR SMITH YIELD TO A QUESTION OR TWO? [LB231]

SENATOR KRIST: SENATOR SMITH, WILL YOU YIELD? [LB231]

SENATOR SMITH: YES. [LB231]

SENATOR NORDQUIST: SENATOR SMITH, DO THE AUTOCYCLES USE GASOLINE? [LB231]

SENATOR SMITH: THEY DO. I IMAGINE THEY CAN PROBABLY ALSO BE A HYBRID OR COULD BE ELECTRIC IN THE FUTURE. [LB231]

SENATOR NORDQUIST: OKAY. AND DO YOU NEED A DRIVER'S LICENSE TO OPERATE AN AUTOCYCLE? [LB231]

SENATOR SMITH: YES, I BELIEVE IT WOULD NEED TO COMPLY WITH THE SAME RULES AS AN AUTOMOBILE. [LB231]

SENATOR NORDQUIST: THOSE ARE MY QUESTIONS. THANK YOU. [LB231]

SENATOR KRIST: THANK YOU, SENATOR NORDQUIST AND SENATOR SMITH. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB231]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I'D LIKE TO ASK SENATOR SMITH SOME QUESTIONS IF I MAY. [LB231]

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SENATOR KRIST: SENATOR SMITH, WILL YOU YIELD? [LB231]

SENATOR CHAMBERS: SENATOR SMITH, IS THERE WHAT YOU COULD CALL A BODY OR A SHELL OR A CABIN SITTING ON THREE WHEELS LIKE A MINIATURE CAR? IS THAT WHAT WE'RE TALKING ABOUT? OR WOULD IT BE LIKE A MOTORCYCLE WITH AN UMBRELLA, MORE OR LESS, WITH WALLS? DESCRIBE WHAT IT WOULD LOOK LIKE. [LB231]

SENATOR SMITH: WELL, THERE'S ONE PARTICULAR MODEL I'VE SEEN, AND IT LOOKS LIKE SENATOR BAKER IS SHOWING YOU ONE. IT'S KIND OF A TEARDROP DESIGN. IT HAS A TRUNK. THAT PARTICULAR MODEL HAS TANDEM SEATING. SO, YES, IT IS ENCLOSED. AND I THINK I HAVE SEEN WHERE IT CAN TRAVEL UP TO 120 MILES PER HOUR, NOT THAT I WOULD WANT TO DRIVE THAT FAST. [LB231]

SENATOR CHAMBERS: THEN, MR. PRESIDENT, MAY I CONTINUE? [LB231]

SENATOR KRIST: YES, SIR. [LB231]

SENATOR CHAMBERS: SENATOR SMITH, WOULD ONE OF THESE DEVICES, WOULD ONE OF THESE VEHICLES... YOU SAY THEY WOULD HAVE TANDEM SEATS. HOW WIDE WOULD EACH SEAT BE ROUGHLY? WOULD EACH SEAT ACCOMMODATE TWO PEOPLE AT LEAST? [LB231]

SENATOR SMITH: WELL, I KNOW SOME MODELS WOULD BE SIDE-BY-SIDE SEATING. THAT PARTICULAR MODEL YOU'RE LOOKING AT LOOKS LIKE IT HAS TANDEM SEATING. I THINK THAT SEAT WOULD BE THE SAME AS A REGULAR BUCKET SEAT LIKE YOU WOULD HAVE IN YOUR AUTOMOBILE. [LB231]

SENATOR CHAMBERS: AND I THINK YOU SAID ABOUT CHILD RESTRAINTS, YOU'D PUT CHILDREN IN THESE VEHICLES ALSO? [LB231]

SENATOR SMITH: YES. THEY WOULD HAVE TO COMPLY WITH CHILD RESTRAINT SYSTEMS. [LB231]

SENATOR CHAMBERS: AND YOU THINK THIS WOULD BE SAFE TO DRIVE ON THE ROAD WITH A CHILD IN IT? I'M NOT BEING FACETIOUS AT ALL, BY THE WAY. [LB231]

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SENATOR SMITH: YES, I BELIEVE SO. I KNOW THAT IN COMPARISON TO SOME OF THE OTHER SMALL VEHICLES TODAY THAT HAVE FOUR WHEELS, IT'S COMPARABLE IN SIZE AND SAFETY. [LB231]

SENATOR CHAMBERS: SO IT WOULD HAVE THE SAME STRUCTURAL INTEGRITY OF SOME OF THESE SMALLER CARS, BASED ON WHAT YOU KNOW ABOUT IT? WHAT IS THE CABIN OR THAT WHICH SITS ON TOP OF IT MADE OF: PLASTIC, METAL, ALUMINUM, STEEL? WHAT WOULD IT BE MADE OF? [LB231]

SENATOR SMITH: I THINK IT MAY VARY BY MANUFACTURER, BUT WE TALK HERE ABOUT IT HAVING A ROLL CAGE. SO IT WOULD HAVE TO AT LEAST HAVE SOME TYPE OF STEEL REINFORCEMENT. [LB231]

SENATOR CHAMBERS: BUT COULD IT HAVE A FIBERGLASS BODY? [LB231]

SENATOR SMITH: YES, SIR, I SUPPOSE IT COULD. [LB231]

SENATOR CHAMBERS: DOES THIS BILL AUTHORIZE THEIR USE ON THE ROADS OR JUST ESTABLISH A DEFINITION OF THE VEHICLE? [LB231]

SENATOR SMITH: IT ESTABLISHES THE DEFINITION OF THE VEHICLE. [LB231]

SENATOR CHAMBERS: BUT IF IT'S DEFINED AS A MOTOR VEHICLE, WOULD IT BE SUBJECT TO ALL OF THE THINGS THAT CURRENTLY ARE IN THE STATUTES RELATIVE TO MOTOR VEHICLES? [LB231]

SENATOR SMITH: YES, IT WOULD. [LB231]

SENATOR CHAMBERS: SO IT COULD BE USED ON THE ROADS? [LB231]

SENATOR SMITH: YES. THAT'S THE INTENT. [LB231]

SENATOR CHAMBERS: AND WHAT'S THE MAXIMUM SPEED IT WILL GO? [LB231]

SENATOR SMITH: I BELIEVE THAT PARTICULAR MODEL YOU ARE LOOKING AT, THE TOP SPEED IS 120 MILES PER HOUR. [LB231]

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SENATOR CHAMBERS: SO IT COULD BE ON THE INTERSTATE... [LB231]

SENATOR SMITH: YES. [LB231]

SENATOR CHAMBERS: ...WITH A CHILD IN IT. [LB231]

SENATOR SMITH: YES. [LB231]

SENATOR CHAMBERS: AND YOU'RE ASKING US TO APPROVE OF THAT WITH THIS BILL? [LB231]

SENATOR SMITH: NOT DRIVING 120 MILES PER HOUR BUT, YES, THAT WE WOULD ALLOW THAT VEHICLE TO OPERATE ON THE HIGHWAYS. [LB231]

SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, I KNOW WHAT SENATOR SMITH SAID ABOUT KEEPING ABREAST OF TECHNOLOGY, BUT I'M NOT PREPARED, FROM WHAT LITTLE I'VE SEEN, EVEN WITH THE DEPICTIONS THAT SOME OF MY COLLEAGUES SHOWED ME ON THEIR GADGETS, TO PUT THIS IN THE CATEGORY OF A MOTOR VEHICLE, MAYBE SOMETHING LIKE A GOLF CART THAT COULD BE USED IN LIMITED AREAS UNDER RESTRICTED CIRCUMSTANCES. BUT TO ALLOW CHILDREN TO BE PUT IN THESE VEHICLES IS NOT SOMETHING I WILL APPROVE OF. I'M NOT GOING TO TRY TO KILL THE BILL,... [LB231]

SENATOR KRIST: ONE MINUTE. [LB231]

SENATOR CHAMBERS: ...BUT I CAN'T SUPPORT IT AT THIS POINT. AND I WOULD HOPE THAT THOSE OF YOU WHO SUPPORT IT WOULD INSIST THAT IT NOT BE APPROVED FOR USE ON THE INTERSTATE. IN FACT...WELL, I'M NOT GOING TO SUPPORT IT, SO YOU ALL CAN DRAW YOUR OWN CONCLUSIONS. IF YOU FEEL THAT IT'S SAFE, THEN YOU WILL SUPPORT IT. BUT I CANNOT. THANK YOU, MR. PRESIDENT. [LB231]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS AND SENATOR SMITH. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB231]

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SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD EVENING. I WONDER IF SENATOR SMITH WOULD YIELD TO A QUESTION. [LB231]

SENATOR KRIST: SENATOR SMITH, WILL YOU YIELD? [LB231]

SENATOR SMITH: YES, I WILL. [LB231]

SENATOR BLOOMFIELD: THANK YOU, SENATOR SMITH. I UNDERSTAND THAT THIS IS ALSO AVAILABLE IN A CONVERTIBLE TYPE WHERE YOU TAKE THE TOP OFF? [LB231]

SENATOR SMITH: I DON'T KNOW. I ASSUME SO, IN THE WAY WE DESCRIBE IT, THAT IT MUST BE ABLE TO HAVE A RETRACTABLE ROOF. [LB231]

SENATOR BLOOMFIELD: OKAY. I THINK YOU KNOW WHERE I'M GOING HERE. BUT WITH THE TOP REMOVED, WOULD IT BE YOUR INTENTION THAT THE OPERATOR WOULD HAVE TO WEAR A HELMET? [LB231]

SENATOR SMITH: NO MORE THAN A PERSON RIDING IN A JEEP WITH THE ROOF REMOVED WOULD HAVE TO. [LB231]

SENATOR BLOOMFIELD: SO IT WOULD NOT BE YOUR INTENT THAT THE OPERATOR WOULD WEAR A HELMET? [LB231]

SENATOR SMITH: IT WOULD NOT BE DEFINED AS A MOTORCYCLE, SENATOR BLOOMFIELD. IT WOULD BE DEFINED AS AN AUTOCYCLE AND IT WOULD HAVE THE SAFETY FEATURES OF AN AUTOMOBILE. [LB231]

SENATOR BLOOMFIELD: OKAY. THANK YOU. COLLEAGUES, THIS IS THE BILL I WAS TELLING YOU ABOUT BEFORE WOULD BE AN IDEAL PLACE TO AMEND THE HELMET BILL ONTO. I UNDERSTAND WHAT SENATOR SMITH IS WANTING HERE AND I'M NOT GOING TO ATTEMPT TO ATTACH ANY SUCH AMENDMENT. I AM, IN FACT, GOING TO SUPPORT THE BILL. BUT AS WE'RE DOING THIS, TAKE A LOOK, BECAUSE WE'RE ALLOWING THEM IN AN OPEN-TOP VEHICLE, THREE WHEELS, LIKE A TRICYCLE MOTORCYCLE, TO GO WITHOUT A HELMET. I ASK YOU REMEMBER THAT NEXT YEAR AND I'LL BE SURE TO REMIND YOU WHEN THE MOTORCYCLE HELMET REPEAL BILL COMES AROUND AGAIN. IF SENATOR SMITH

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WOULD LIKE A LITTLE MORE TIME, I WOULD YIELD HIM THE REMAINDER OF MINE. [LB231]

SENATOR KRIST: 3:00. [LB231]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. REGARDING SENATOR BLOOMFIELD'S COMMENTS, I DO REMEMBER THE MOTORCYCLE HELMET REPEAL BILL. WE ADVANCED IT OUT OF COMMITTEE FOR YOU TO HAVE IT ON THE FLOOR FOR DISCUSSION. SO THANK YOU, SENATOR BLOOMFIELD. [LB231]

SENATOR KRIST: THANK YOU, SENATOR SMITH AND SENATOR BLOOMFIELD. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB231]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. AND THANK YOU, COLLEAGUES. AS I WAS LISTENING CLOSELY TO SENATOR CHAMBERS' DIALOGUE, IT REMINDED ME OF A LETTER I HAVE FROM A VERY IMPORTANT CONSTITUENT IN THE 4th GRADE: DEAR SENATOR BRASCH, I THINK THAT YOU SHOULD MAKE A LAW THAT ELECTRIC SCOOTERS, CRAZY CARTS, AND ETCETERA. IT WOULD HELP US GET TO SCHOOL FASTER AND "FUNNER." SINCERELY, COOPER (PHONETIC). WRITE BACK SOON. WELL, MY STAFF AND I CALCULATED HE MUST BE 10 YEARS OLD, THAT HE NEEDS TO BE 21 TO BE ELECTED TO OFFICE. THAT WOULD BE LEGISLATION FOR THE YEAR 2026. I DO SUPPORT THIS BILL. I WILL CONTINUE SUPPORTING THIS BILL, BUT THERE MAY BE A 4th GRADE "COOPER" AMENDMENT IN THE MAKING. I ASK YOU TO SUPPORT THE AMENDMENT AND SUPPORT THE BILL AS IT STANDS. THANK YOU, COLLEAGUES. [LB231]

SENATOR KRIST: THANK YOU, SENATOR BRASCH. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB231]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. IT'S INTERESTING THAT THIS CONVERSATION COMES UP. WHEN I WAS GOING DOOR TO DOOR, I MET AN INDIVIDUAL WHO TALKED TO ME AND SAID, YOU OUGHT TO TRY TO BRING IN A COMPANY LIKE ELIO MOTORS. AND I SAID, TELL ME ABOUT ELIO MOTORS. AND SO I WENT ON-LINE AND I LOOKED UP ELIO MOTORS, E-L-I-O. AND IF YOU GO TO THAT WEB SITE, YOU WILL LEARN A WHOLE LOT ABOUT THE VEHICLES THAT WE'RE TALKING ABOUT. FOR ABOUT \$8,000 YOU CAN GET A VEHICLE THAT DOES ABOUT 80 MILES PER GALLON AND IT APPEARS TO BE SAFE. AND YOU MIGHT WANT TO GET YOUR NAME ON THE WAITING LIST, BECAUSE IT'S YEARS LONG TO

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GET ONE OF THESE. SO AT EITHER RATE, THOUGHT THIS WAS KIND OF INTERESTING THAT THIS ALL CAME TO PASS HERE TODAY. THANK YOU VERY MUCH. [LB231]

SENATOR KRIST: THANK YOU, SENATOR HILKEMANN. SENATOR SCHUMACHER, YOU ARE RECOGNIZED. [LB231]

SENATOR SCHUMACHER: THANK YOU, MR. CHAIRMAN, MEMBERS OF THE BODY. JUST A LITTLE HISTORIC NOTE HERE: IN 1974 AT THE SIDNEY, NEBRASKA, AIRPORT, THERE WAS A THREE-WHEEL VEHICLE. YOU CAN GOOGLE IT AND LOOK AT IT. IT'S VERY INTERESTING. IT WAS CALLED THE FASCINATION, DESIGNED BY A GUY NAMED PAUL LEWIS, RAN ON A FOUR-CYLINDER ENGINE, ALL KINDS OF MILEAGE. WE RACED UP AND DOWN THE RUNWAY ON IT, REALLY SLICK. HE CLAIMED YOU COULD HIT A POLE WITH IT AND IT WOULD JUST GLANCE OFF AND SPIN AROUND AND YOU WOULDN'T GET HURT. BUT GOOGLE 1974 FASCINATION CONCEPT CAR, REALLY COOL. I BET YOU IT'S BETTER THAN THESE THINGS THAT ARE BEING PROPOSED NOW, IF WE'D HAVE JUST GOT IN ON THE MONEY. THANK YOU. [LB231]

SENATOR KRIST: THANK YOU, SENATOR SCHUMACHER. SENATOR KOLTERMAN, YOU'RE RECOGNIZED. [LB231]

SENATOR KOLTERMAN: THANK YOU, MR. PRESIDENT. I WAS WONDERING IF SENATOR SMITH WOULD YIELD TO A QUESTION. [LB231]

SENATOR KRIST: SENATOR SMITH, WILL YOU YIELD? [LB231]

SENATOR SMITH: YES, I WILL. [LB231]

SENATOR KOLTERMAN: SENATOR SMITH, AS I UNDERSTAND THIS AND LOOKING AT THE PICTURES--THIS IS ALL NEW TO ME AS WELL--IT'S A THREE-WHEEL CAR, REALLY, AND...OR IT'S A THREE-WHEEL MOTORCYCLE WITH A BODY AROUND IT. I KNOW IT HAS AIR BAGS AND IT HAS SEAT BELTS. HOW IS THIS DIFFERENT FROM THE THREE-WHEEL, OTHER THAN THE BODY AROUND IT, THREE-WHEEL ATVs THAT HAVE BEEN ON THE MARKET FOR YEARS AND THEY'VE KIND OF GONE AWAY FROM THOSE BECAUSE OF THEIR SAFETY CHALLENGES? [LB231]

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SENATOR SMITH: WELL, I'M GOING TO DO MY BEST TO DESCRIBE, SENATOR. THE SAFETY COMPONENTS, THE SAFETY FEATURES OF THIS PUT IT MORE IN LINE WITH AN AUTOMOBILE THAN WITH A MOTORCYCLE, WHICH THAT THREE-WHEEL ATV WOULD BE SIMILAR TO, IN THAT YOU SIT ASTRADDLE TO THE MOTOR OR THE ENGINE OR THE FUEL TANK. THIS ALSO HAS THE ROLL CAGE, THE ANTILOCK BRAKES, THE SEAT BELT SYSTEM, ALL THOSE COMPONENTS OF SAFETY THAT ARE SIMILAR TO AN AUTOMOBILE. IT SIMPLY HAS THREE WHEELS INSTEAD OF FOUR WHEELS. [LB231]

SENATOR KOLTERMAN: THANK YOU. THE REASON I QUESTION THAT IS I HAVE A LOT OF FRIENDS THAT HAVE BEEN ON THREE WHEEL-TYPE OF VEHICLES AND THEY'RE VERY SUSCEPTIBLE TO ACCIDENTS AND TIP OVER AND PEOPLE BREAK THEIR LEGS. I UNDERSTAND THAT WE HAVE A BODY AROUND THIS, BUT TO ME THE STABILITY OF A THREE-WHEELER IS PRETTY SLIM. I KNOW THERE'S MOTORCYCLES, BUT I'M A LITTLE BIT LIKE SENATOR CHAMBERS. IT SCARES ME A LITTLE BIT FROM THE PERSPECTIVE OF A SAFETY ISSUE. THANK YOU. [LB231]

SENATOR KRIST: THANK YOU, SENATOR KOLTERMAN AND SENATOR SMITH. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB231]

SENATOR BLOOMFIELD: THANK YOU AGAIN, MR. PRESIDENT. COLLEAGUES, IF YOU LOOK AT THIS ELIO MOTOR, AND I DON'T KNOW ABOUT THE REST OF THEM, THIS HAS THE TWO WHEELS IN FRONT INSTEAD OF ONE. TWO WHEELS IN FRONT AFFORDS A LOT MORE STABILITY THAN ONE IN FRONT AND TWO IN BACK BECAUSE YOUR STEERING ACTION IS ON TWO WHEELS AND IS STABLE. I DON'T SEE AN INSTABILITY PROBLEM WITH THIS. THIS WOULD BE LIKE THE CAN-AM MOTORCYCLE, IF...PEOPLE THAT ARE FAMILIAR WITH THAT. THEY ARE FAR MORE STABLE. AND I SEE NO REASON TO THINK THIS VEHICLE WOULDN'T BE SAFE. YOU KNOW, I CERTAINLY THINK IT WOULD BE SAFE IN TOWN, BUT I DON'T BELIEVE WE OUGHT TO BAN IT FROM THE INTERSTATES. THAT'S THE SAFEST PLACE TO DRIVE A VEHICLE, WITH BE IT 2 WHEELS, 3 WHEELS, 4 WHEELS, OR 18. YOU'RE BETTER OFF ON THE INTERSTATE. BUT I THINK THIS LITTLE VEHICLE WOULD BE ALL RIGHT. I THINK IT WOULD BE WONDERFUL IF WE COULD ATTRACT A PLANT HERE TO NEBRASKA TO ACTUALLY BUILD THEM. THANK YOU AGAIN, MR. PRESIDENT. [LB231]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD. SEEING NO ONE IN THE QUEUE, SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE ON THE COMMITTEE AMENDMENT. [LB231]

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SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND I APPRECIATE SENATOR BLOOMFIELD'S LAST COMMENTS, VERY REASONABLE. I THINK HE NAILED IT PRETTY WELL. WE ALSO HEARD FROM SENATOR SCHUMACHER THAT POINTED OUT, AND ACTUALLY SENATOR GLOOR CAME OVER TO ME AND POINTED ME TO SOME THREE-WHEEL VEHICLES THAT HAVE BEEN VERY POPULAR IN EUROPE FOR A NUMBER OF YEARS. A THREE-WHEEL AUTOMOBILE IS NOTHING NEW. AND WITH OUR DRIVE TOWARDS--AND PARDON THE PUN ON THAT--BUT OUR DRIVE TOWARDS FUEL EFFICIENCIES AND NEWER FORMS OF TRANSPORTATION, I THINK WE CERTAINLY HAVE TO LOOK AT THIS AS A VIABLE OPTION FOR MANY OF OUR CITIZENS THAT NEED A MORE AFFORDABLE MEANS OF TRANSPORTATION. THESE VEHICLES ARE MUCH LESS EXPENSIVE THAN A TRADITIONAL VEHICLE AND THEY HAVE THE SAME STABILITY, THE SAME PERFORMANCE, THE SAME HANDLING AS A REGULAR AUTOMOBILE. AND THEY HAVE THE SAFETY COMPONENTS OF A REGULAR AUTOMOBILE. I THINK THIS IS SOMETHING GOOD FOR NEBRASKA. OTHER STATES ARE MOVING THIS DIRECTION. I WOULD NOT WANT TO SEE IT LIMITED ON THE ROADWAYS. BUT IT WOULD NEED TO ABIDE BY THE SAME SAFETY FEATURES AS OUR OTHER AUTOMOBILES UNDER THESE TERMS. SO WITH THAT, I ASK YOUR GREEN VOTE ON THE AMENDMENT AND THEN TO THE BILL. THANK YOU, MR. PRESIDENT. [LB231]

SENATOR KRIST: THANK YOU, SENATOR SMITH. YOU HEARD THE CLOSING ON AM296. THE QUESTION IS THE ADOPTION OF AM296. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB231]

CLERK: 36 AYES, 1 NAY, MR. PRESIDENT, ON THE ADOPTION OF COMMITTEE AMENDMENTS. [LB231]

SENATOR KRIST: COMMITTEE AMENDMENTS ARE ADOPTED. SEEING NO ONE ELSE IN THE QUEUE, SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE. SENATOR SMITH WAIVES CLOSING. THE QUESTION IS THE ADVANCEMENT OF LB231 TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB231]

CLERK: 37 AYES, 1 NAY, MR. PRESIDENT, ON THE ADVANCEMENT OF LB231. [LB231]

SENATOR KRIST: LB231 ADVANCES. NEXT ITEM. [LB231]

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CLERK: LB539 WAS A BILL ORIGINALLY INTRODUCED BY SENATOR WATERMEIER. (READ TITLE.) INTRODUCED ON JANUARY 21; REFERRED TO THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE; ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM487, LEGISLATIVE JOURNAL PAGE 618.) [LB539]

SENATOR KRIST: SENATOR WATERMEIER, YOU'RE RECOGNIZED TO OPEN ON LB539. [LB539]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. GOOD EVENING, NEBRASKA AND OTHER MEMBERS. TO START OFF WITH, I WOULD LIKE TO THANK THE SPEAKER FOR MAKING THIS A SPEAKER PRIORITY BILL. LB539 WAS BROUGHT TO ME BY THE STATE AUDITOR JANSSEN AND IT ADDRESSES NEEDS TO HIS OFFICE AND OF OUR LEGISLATIVE AUDIT OFFICE. THE BILL WOULD BETTER EQUIP BOTH OFFICES TO CARRY OUT THEIR RESPECTIVE TASKS BY ENSURING THAT THEY ARE EQUALLY EMPOWERED TO REQUIRE AUDITED ENTITIES TO RESPOND IN A TIMELY MANNER FOR REQUESTS OF AUDITED INFORMATION. SPECIFICALLY, LB539 DOES TWO THINGS. FIRST, IT REQUIRES AN AUDITED ENTITY TO RESPOND TO A REQUEST FOR AN AUDIT INFORMATION WITHIN THREE BUSINESS DAYS OF THE REQUEST. THIS LANGUAGE IS MODELED ON OUR CURRENT PUBLIC RECORDS LAW. UNDER LB539, THE RESPONSE CAN EITHER BE: ONE, TO PROVIDE THE REQUESTED INFORMATION; TWO, TO DECLINE TO PROVIDE THE INFORMATION BECAUSE BY LAW IT MAY NOT BE PROVIDED, IN WHICH CASE THE RESPONSE MUST EXPLAIN WHY THE INFORMATION MAY NOT BE TURNED OVER TO THE AUDITORS; OR THE THIRD RESPONSE, TO STATE THAT THE AUDITED ENTITY NEEDS ADDITIONAL TIME TO RESPOND BECAUSE OF THE DIFFICULTY OR THE EXTENSIVENESS OF THE REQUEST. IN THAT CASE, THE AUDITED ENTITY MUST PROVIDE THE INFORMATION WITHIN THREE WEEKS. THESE DEADLINES ARE NEEDED BECAUSE CURRENTLY THE LAWS GRANTING BOTH THE LEGISLATIVE AUDIT OFFICE AND THE AUDITOR OF PUBLIC ACCOUNTS ACCESS TO NEEDED AUDIT INFORMATION DO NOT SPECIFY WHEN SUCH INFORMATION MUST BE MADE AVAILABLE. WHILE THERE CAN BE GOOD REASONS AN AGENCY IS UNABLE TO PROVIDE THIS INFORMATION WITHIN A DAY OR TWO OF AN AUDITOR'S REQUEST, IT IS ALSO POSSIBLE FOR AN AGENCY TO UNNECESSARILY DELAY AN AUDIT BY NOT PROVIDING THE INFORMATION IN A TIMELY FASHION. ON THAT POINT, I WANT TO MAKE IT CLEAR FOR THE RECORD THAT THE LEGISLATIVE INTENT IS THAT THE AUDITORS WILL BE REASONABLE IN THEIR EXPECTATIONS ABOUT HOW QUICKLY THEY CAN GET INFORMATION NEEDED FOR THE AUDIT, AND THAT THE AUDITED ENTITY WILL BE REASONABLE IN PROVIDING THE REQUESTED INFORMATION AS QUICKLY AS IT IS ABLE TO DO

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SO. WE DEFINITELY DO NOT EXPECT AUDITED ENTITIES TO RESPOND TO EVERY REQUEST FOR INFORMATION BY SAYING IT WILL TAKE THREE WEEKS TO COMPLETE IT. SHOULD WE FIND THAT...THAT HAPPENING, WE WILL NEED TO REVISIT THIS ISSUE. LB539 ALSO ADDS A PENALTY PROVISION TO THE AUDITOR OF PUBLIC ACCOUNTS FOR WILLFUL FAILURE TO MEET THE NEW DEADLINES. THE LEGISLATIVE AUDIT OFFICE STATUTES ALREADY CONTAIN SUCH A PENALTY. THE SECOND PART OF LB539 IS TO PROHIBIT RETALIATORY PERSONNEL ACTION AGAINST GOVERNMENT EMPLOYEES WHO COOPERATE WITH THE AUDITORS. THE LEGISLATIVE PERFORMANCE AUDIT STATUTES ALREADY PROHIBIT RETALIATION AGAINST AN EMPLOYEE WHO PARTICIPATES IN A PERFORMANCE AUDIT, BUT THIS BILL IMPROVES THE EXISTING LANGUAGE BY MAKING IT MORE LIKE LANGUAGE CONTAINED IN THE STATE GOVERNMENT EFFECTIVENESS ACT, COMMONLY KNOWN AS THE WHISTLE-BLOWER ACT. THE BILL WOULD ALSO ADD THE RETALIATION "PROHIBITATION" TO THE AUDITOR OF PUBLIC ACCOUNTS STATUTES AND IT WOULD ADD A PENALTY PROVISION TO BOTH OFFICES' STATUTES. IT IS IMPORTANT TO HAVE THESE PROTECTIONS FOR EACH AUDIT OFFICE BECAUSE THE CURRENT WHISTLE-BLOWER ACT DOES NOT COVER ALL OF THE AUDIT SITUATIONS. THE GREEN COPY OF LB539 CONTAINED ONE ADDITIONAL PROVISION TO CLARIFY THAT BOTH AUDIT OFFICES MAY REVIEW, BUT NOT DISCLOSE, MATERIALS DEEMED SUBJECT TO ATTORNEY-CLIENT PRIVILEGE. HOWEVER, THE COMMITTEE AMENDMENT WILL REMOVE THAT PROVISION. THE COMMITTEE AMENDMENT WOULD ALSO ADD THE PROVISIONS OF SEVERAL OTHER BILLS RELATING TO THE STATE AUDITOR AND I AM IN SUPPORT OF THESE PROVISIONS AS WELL. THANK YOU, MR. PRESIDENT. [LB539]

SENATOR KRIST: THANK YOU, SENATOR WATERMEIER. AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS. AND, AS CHAIR, SENATOR MURANTE, YOU ARE RECOGNIZED TO OPEN. [LB539]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD EVENING. LB539 WAS HEARD BY THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE ON FRIDAY, FEBRUARY 6, AND WAS ADVANCED OUT OF COMMITTEE WITH UNANIMOUS SUPPORT. LB539 WAS AMENDED TO ADD LANGUAGE FROM LB503 STATING THAT THE AUDITOR OF PUBLIC ACCOUNTS MAY ISSUE SUBPOENAS TO COMPEL THE ATTENDANCE OF WITNESSES AND THE PRODUCTION OF ANY PAPERS, BOOKS, ACCOUNTS, DOCUMENTS, TESTIMONY, AND MAY DISPOSE...AND MAY DEPOSE WITNESSES. SHOULD A PERSON REFUSE TO COMPLY WITH A SUBPOENA, A COURT ORDER MAY BE REQUESTED. THE AMENDMENT INCLUDES LANGUAGE FROM LB552 WHICH STATES THAT THE

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AUDITOR OF PUBLIC ACCOUNTS OR HIS OR HER DESIGNEE MAY, BUT IS NOT REQUIRED, TO ATTEND A WRITTEN REVIEW OF ALL AUDIT, ACCOUNTING, OR FINANCIAL REPORTS OF A POLITICAL SUBDIVISION, INCLUDING PUBLIC RETIREMENT SYSTEM PLAN REPORTS. THE AMENDMENT CLARIFIES THAT IT WILL CONTINUE TO BE OPTIONAL FOR THE AUDITOR TO PREPARE A WRITTEN REVIEW OF THE PUBLIC RETIREMENT SYSTEM PLAN REPORTS THAT MUST BE SUBMITTED TO THE STATE AUDITOR AND TO THE NEBRASKA RETIREMENT SYSTEMS COMMITTEE IF A POLITICAL SUBDIVISION'S DEFINED BENEFIT PLAN IS UNDERFUNDED. FINALLY, THE BILL IS AMENDED WITH LANGUAGE FROM LB487 TO ALLOW THE AUDITOR OF PUBLIC ACCOUNTS TO EXAMINE THE BOOKS, ACCOUNTS, VOUCHERS, RECORDS, AND EXPENDITURES OF ANY SERVICE CONTRACTOR OR SUBRECIPIENT OF STATE OR FEDERAL FUNDS. THE AMENDMENT DEFINES SERVICE CONTRACTOR OR SUBRECIPIENT AS ANY ENTITY THAT EXPENDS STATE OR FEDERAL FUNDS TO CARRY OUT A STATE OR FEDERAL PROGRAM OR FUNCTION. IT DOES NOT INCLUDE AN INDIVIDUAL WHO IS A DIRECT BENEFICIARY OF SUCH A PROGRAM OR FUNCTION OR A LICENSED HEALTHCARE PROVIDER OR A FACILITY RECEIVING DIRECT PAYMENT FOR MEDICAL SERVICES PROVIDED FOR A SPECIFIC INDIVIDUAL. I URGE MY COLLEAGUES TO SUPPORT LB539 WITH THE ATTACHED AMENDMENTS. AND I'D ALSO LIKE TO THANK THE STATE AUDITOR FOR BRINGING MANY OF THESE PROPOSALS, SENATOR WATERMEIER FOR THE CORE OF THE BILL, SENATOR SCHILZ, SENATOR KRIST AND, AGAIN, SENATOR WATERMEIER FOR THE BILLS THAT ARE BEFORE US TODAY. THANK YOU, MR. PRESIDENT. [LB539 LB503 LB552 LB487]

SENATOR KRIST: THANK YOU, SENATOR MURANTE. MR. CLERK. [LB539]

CLERK: SENATOR CRAWFORD WOULD MOVE TO AMEND THE COMMITTEE AMENDMENTS, AM653. (LEGISLATIVE JOURNAL PAGE 792.) [LB539]

SENATOR KRIST: SENATOR CRAWFORD, YOU ARE RECOGNIZED. [LB539]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. AND GOOD EVENING, COLLEAGUES. AM653 IS AN AMENDMENT THAT I'M OFFERING ON BEHALF OF THE URBAN AFFAIRS COMMITTEE, AND I WANT TO THANK SENATOR WATERMEIER FOR ALLOWING THE COMMITTEE TO USE LB539 AS A VEHICLE TO ADDRESS THIS ISSUE. AS MANY MEMBERS OF THE LEGISLATURE KNOW, THE TOPIC OF TAX INCREMENT FINANCING, OR TIF, WAS THE SUBJECT OF THREE BILLS HEARD BY THE URBAN AFFAIRS COMMITTEE THIS SESSION. TWO OF THESE BILLS CALLED

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FOR GREATER STATE OVERSIGHT OVER TIF, WHICH SEVERAL COMMITTEE MEMBERS WERE CONCERNED WOULD DILUTE LOCAL CONTROL OVER WHAT HAS ALWAYS BEEN A LOCAL TOOL. ALTHOUGH THE COMMITTEE WAS NOT COMFORTABLE WITH THE BROADER CHANGES TO TIF THAT WERE PROPOSED, THERE WAS A CONSENSUS AMONG COMMITTEE MEMBERS TO ADDRESS ONE KEY ISSUE: CLARIFYING THAT THE STATE AUDITOR HAS THE AUTHORITY TO AUDIT TIF PROJECTS. SECTION 84-304 CURRENTLY LISTS THE TYPES OF POLITICAL SUBDIVISIONS THAT CAN BE AUDITED BY THE STATE AUDITOR. WHILE MUNICIPALITIES ARE CLEARLY INCLUDED ON THAT LIST, THE USE OF TIF INVOLVES THE CREATION OF A COMMUNITY REDEVELOPMENT AUTHORITY OR LIMITED COMMUNITY REDEVELOPMENT AUTHORITY, WHICH IS A SEPARATE POLITICAL SUBDIVISION FROM THE MUNICIPALITY. AM653 WOULD ADD COMMUNITY REDEVELOPMENT AUTHORITIES AND LIMITED COMMUNITY REDEVELOPMENT AUTHORITIES TO THE LIST, ENSURING THAT THE STATE AUDITOR WOULD HAVE THE AUTHORITY TO AUDIT THESE AUTHORITIES AND, THUS, AUDIT TIF PROJECTS. IT'S WORTH NOTING THAT IN 2009 FORMER STATE AUDITOR MIKE FOLEY ATTEMPTED TO AUDIT A NUMBER OF TIF PROJECTS, BUT THAT WAS UNSUCCESSFUL DUE TO THE UNAVAILABILITY OF RECORDS FOR SOME PROJECTS. PRIOR TO 2009, THE RECORDS RETENTION SCHEDULES FOR POLITICAL SUBDIVISIONS ONLY REQUIRED THAT RECORDS BE MAINTAINED FOR BETWEEN THREE AND FIVE YEARS. SINCE THE LENGTH OF A TIF PROJECT COULD BE UP TO 15 YEARS, THESE SHORTER RETENTION SCHEDULES PREVENTED THE AUDITOR'S OFFICE FROM REVIEWING TIF PROJECTS FOR WHICH THE RETENTION PERIOD HAD ALREADY RUN. THE STATE RECORDS BOARD CHANGED THE RECORDS RETENTION SCHEDULES IN 2009 TO REQUIRE THAT SUPPORTING DOCUMENTS RECEIVED OR GENERATED BY A CITY OR VILLAGE THAT PROVIDES SUPPORT FOR RECEIPTS OR PAYMENTS ASSOCIATED WITH A TIF PROJECT MUST BE RETAINED FOR AT LEAST THREE YEARS FOLLOWING THE END OF THE TIF PERIOD. WITH AM653, AUDITING OF TIF PROJECTS WOULD MIRROR THE EXISTING PROCESS FOR AUDITING OTHER POLITICAL SUBDIVISIONS. AUDITS COULD BE UNDERTAKEN EITHER AT THE REQUEST OF THE CITY OR IF THE AUDITOR DETERMINES THAT AN AUDIT IS NECESSARY AND WOULD BE CONDUCTED AT THE CITY'S EXPENSE. OVER THE INTERIM, THE URBAN AFFAIRS COMMITTEE WILL BE CONDUCTING AN INTERIM STUDY ON ALL THE ECONOMIC DEVELOPMENT TOOLS AVAILABLE TO MUNICIPALITIES, INCLUDING TIF, AND SENATOR DAVIS RECENTLY INTRODUCED AN INTERIM STUDY ON TIF, AS WELL. WHILE AM653 ADMITTEDLY REPRESENTS A SMALLER CHANGE THAN SOME WOULD LIKE, IT'S A MEANINGFUL PIECE THAT WILL PROVIDE AN AVENUE FOR CONCERNED CITIZENS TO CONTACT THE STATE AUDITOR AND REQUEST AUDITS OF TIF PROJECTS THEY FEEL MAY NOT BE MEETING STATUTORY REQUIREMENTS.

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AGAIN, I WANT TO THANK SENATOR WATERMEIER FOR ALLOWING THE COMMITTEE TO INTRODUCE THIS AMENDMENT ON LB539, AND I WOULD ASK FOR YOUR GREEN VOTE TO ADOPT AM653. THANK YOU, MR. PRESIDENT. [LB539]

SENATOR KRIST: THANK YOU, SENATOR CRAWFORD. THOSE WISHING TO SPEAK: SENATOR McCOLLISTER AND SENATOR DAVIS. SENATOR McCOLLISTER, YOU ARE RECOGNIZED. [LB539]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. AND GOOD EVENING, COLLEAGUES. I RISE IN SUPPORT OF LB539 AND THE UNDERLYING AMENDMENTS. DURING MY TIME AT THE PLATTE INSTITUTE, WE DID A NUMBER OF WORK WITH VARIOUS STATE AGENCIES AND WE HAD A HARD TIME GETTING INFORMATION FROM THESE AGENCIES. SO THIS BILL WILL GO A LONG WAY IN MAKING THOSE STATE AGENCIES MORE WILLING TO DIVULGE INFORMATION. WE ALSO HAD AN OPPORTUNITY TO TALK TO MIKE FOLEY LAST FALL, A NUMBER OF THE CANDIDATES, AND HE AGREED THAT THIS BILL WILL DO A VERY...HAVE A VERY GOOD EFFECT IN IMPROVING TRANSPARENCY AND ACCOUNTABILITY IN THE STATE GOVERNMENT. SO I FEEL GREAT ABOUT THIS BILL AND I HOPE IT'S ADOPTED. THANK YOU, MR. PRESIDENT. [LB539]

SENATOR KRIST: THANK YOU, SENATOR McCOLLISTER. SENATOR DAVIS, YOU'RE RECOGNIZED. [LB539]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, I JUST WANT TO ECHO WHAT SENATOR McCOLLISTER SAID AND, FIRST OF ALL, THANK SENATOR CRAWFORD FOR INTRODUCING THE AMENDMENT. AND I ALSO RISE IN STRONG SUPPORT OF THE BILL BECAUSE I THINK IT'S ONE OF THE MOST IMPORTANT THINGS THAT WE AS LEGISLATORS CAN DO IS MAKE SURE THAT THERE IS ACCOUNTABILITY OUT THERE FOR THE TAXPAYERS IN THE STATE. EVEN AT THE LOCAL LEVEL, IT'S IMPORTANT. THESE...THE AMENDMENT AND THE UNDERLYING BILL WILL MAKE US GO A LONG WAY TOWARDS FULFILLING THAT OBLIGATION. SO I RISE IN STRONG SUPPORT AND URGE YOUR GREEN VOTE ON BOTH. [LB539]

SENATOR KRIST: THANK YOU, SENATOR DAVIS. SENATOR MURANTE, YOU'RE RECOGNIZED. [LB539]

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SENATOR MURANTE: THANK YOU, MR. PRESIDENT. I WON'T ADD ANYTHING BEYOND TO SAY THAT I SUPPORT THE AMENDMENT BY SENATOR CRAWFORD, AS DOES THE STATE AUDITOR AND HIS OFFICE. THANK YOU, MR. PRESIDENT. [LB539]

SENATOR KRIST: THANK YOU, SENATOR MURANTE. SEEING NO ONE ELSE IN THE QUEUE, SENATOR CRAWFORD, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. SENATOR CRAWFORD WAIVES CLOSING. THE QUESTION BEFORE YOU IS THE ADOPTION OF AM653. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB539]

CLERK: 35 AYES, 1 NAY, MR. PRESIDENT, ON THE ADOPTION OF SENATOR CRAWFORD'S AMENDMENT. [LB539]

SENATOR KRIST: AM653 IS ADOPTED. SEEING NO ONE ELSE IN THE QUEUE, SENATOR MURANTE, YOU'RE RECOGNIZED TO CLOSE ON YOUR COMMITTEE AMENDMENT. [LB539]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. I NEGLECTED ONE OF THE MEMBERS WHO INTRODUCED A BILL WHICH IS NOW PART OF THE COMMITTEE AMENDMENT, IS SENATOR NORDQUIST. I NEGLECTED TO THANK HIM. THANK YOU, SENATOR NORDQUIST, FOR ALL THAT YOU DO FOR THE STATE OF NEBRASKA. YOU'RE A GREAT HUMAN BEING, SENATOR NORDQUIST. (LAUGHTER) THANK YOU, MR. PRESIDENT. [LB539]

SENATOR KRIST: AND WITH THAT, THE QUESTION IS THE ADOPTION OF AM487. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB539]

CLERK: 34 AYES, 0 NAYS, MR. PRESIDENT, ON THE COMMITTEE AMENDMENTS. [LB539]

SENATOR KRIST: THE COMMITTEE AMENDMENTS ARE ADOPTED. SEEING NO ONE ELSE IN THE QUEUE, SENATOR WATERMEIER, YOU'RE RECOGNIZED TO CLOSE. [LB539]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. I HATE TO TURN DOWN A CHANCE TO CLOSE BECAUSE IF...I WOULDN'T MISS...SENATOR STINNER MAY VOTE AGAINST MY BILL. SO I APPRECIATE THE DISCUSSION ON LB539. I DO

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THINK THAT THIS PUTS A NUMBER OF TOOLS TO THE LEGISLATIVE OFFICE AND THE AUDITOR OF PUBLIC AFFAIRS (SIC). BOTH THESE OFFICES PROVIDE US WITH CRUCIAL INFORMATION ABOUT THE FUNCTIONING OF STATE PROGRAMS AND THIS BILL WILL HELP THEM TO DO THEIR JOBS. AND I DO WANT TO THANK ALL THE PARTNERS HERE, ESPECIALLY THE STAFF UPSTAIRS IN PERFORMANCE AUDIT. IT HELPED ME, EVEN THOUGH THIS WAS MY BILL, NOT THROUGH...DIRECTLY THROUGH THE PERFORMANCE AUDIT DIVISION. SO I DO WANT TO THANK ALL THE PARTNERS THAT SENATOR MURANTE HAD MENTIONED. SO I APPRECIATE YOUR GREEN VOTE ON LB539. [LB539]

SENATOR KRIST: THANK YOU, SENATOR WATERMEIER. YOU'VE HEARD THE CLOSING ON LB539. THE QUESTION IS THE ADVANCEMENT TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB539]

CLERK: 37 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF THE BILL. [LB539]

SENATOR KRIST: LB539 ADVANCES. NEXT ITEM. [LB539]

CLERK: LB200 IS A BILL BY SENATOR DAVIS. (READ TITLE.) INTRODUCED JANUARY 13, REFERRED TO THE REVENUE COMMITTEE, ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM646, LEGISLATIVE JOURNAL PAGE 716.) [LB200]

SENATOR KRIST: THANK YOU, MR. CLERK. SENATOR DAVIS, YOU'RE RECOGNIZED TO OPEN. [LB200]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. LB200 WOULD DIRECT THE FIRST YEAR OF SALES TAX RECEIPTS ON INTERNET TRANSACTIONS TO THE PROPERTY TAX CREDIT CASH FUND ONCE THE UNITED STATES CONGRESS ENACTS LEGISLATION PERMITTING STATES TO COLLECT THESE RECEIPTS. THE PURPOSE OF LB200 IS TO GIVE THE NEBRASKA DEPARTMENT OF REVENUE STATUTORY DIRECTION TO IMPLEMENT THE TAX COLLECTION PROCESS AS SOON AS THE OPPORTUNITY IS MADE AVAILABLE. THE FEDERAL ENABLING LEGISLATION, KNOWN AS THE MARKETPLACE FAIRNESS ACT OF 2013, PASSED THE U.S. SENATE IN MAY OF 2013 ON A BIPARTISAN VOTE OF 69 TO 27. IT WAS INTRODUCED IN THE HOUSE BUT NEVER CAME UP FOR A VOTE. A SIMILAR BILL, THE MARKETPLACE FAIRNESS ACT OF 2015, WAS INTRODUCED ON MARCH 11 OF THIS YEAR. IF PASSED, IT WOULD ALLOW STATES TO START

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COLLECTING THESE TAXES ONCE IT IS SIGNED INTO LAW. NEBRASKA IS ALREADY A MEMBER OF THE MULTISTATE STREAMLINED SALES AND USE TAX AGREEMENT, WHICH IS THE MECHANISM THE FEDERAL GOVERNMENT WOULD USE TO ALLOW THE STATES TO COLLECT THESE TAXES. LB200 WOULD FURTHER ENSURE THAT NEBRASKA HAS THE STATUTORY AUTHORITY IN PLACE TO TAKE IMMEDIATE ADVANTAGE OF THE CHANGE IN FEDERAL LAW. I INTRODUCED THIS BILL LAST YEAR AS LB1057 AND IT WAS ADVANCED FROM THE REVENUE COMMITTEE ON A 7-0 VOTE WITH 1 MEMBER NOT VOTING. IT SIMPLY RAN OUT OF TIME TO GET ON THE AGENDA FOR GENERAL FILE DEBATE BEFORE WE ADJOURNED. THIS YEAR LB200 WAS ADVANCED BY THE REVENUE COMMITTEE 8-0 AND THE SPEAKER HAS DESIGNATED IT AS A SPEAKER PRIORITY BILL, AND I WANT TO THANK SENATOR HADLEY FOR DOING SO. WHY IS MARKETPLACE FAIRNESS IMPORTANT TO NEBRASKA AND OUR RETAILERS? SHOPPERS TODAY ARE ABLE TO QUICKLY AND EASILY DETERMINE THE LOWEST PRICE FOR ANY PARTICULAR PURCHASE, THANKS TO ADVANCING TECHNOLOGY. YOU CAN EVEN USE AN APP ON YOUR SMART PHONE TO DO IT FOR YOU. THIS MEANS RETAILERS SEE CUSTOMERS WALK INTO THEIR STORES, LOOK AT THE GOODS, CONSULT THEIR PHONES ABOUT WHERE TO ORDER IT AT THE LOWEST PRICE, AND LEAVE WITHOUT SPENDING A DIME IN THE STORE. IT IS NOT WRONG TO BARGAIN HUNT AND IT'S GREAT THAT OUR TECHNOLOGY LETS US DO IT EASIER. BUT THE FACT IS THAT ON-LINE RETAILERS HAVE AN UNFAIR ADVANTAGE OVER OUR BRICK-AND-MORTAR NEBRASKA STORES BY VIRTUE OF THE FACT THAT THEY ARE AVOIDING HAVING TO CHARGE THE SAME SALES TAX. ANY MERCHANT WITH A PRESENCE IN NEBRASKA IS REQUIRED AND OBLIGATED TO COLLECT SALES TAX ON BEHALF OF THE STATE AND REMIT IT TO THE DEPARTMENT OF REVENUE. THIS IS NOT THE CASE FOR MERCHANTS OUTSIDE OF NEBRASKA. AND SINCE MOST NEBRASKANS DO NOT VOLUNTARILY PAY THE APPROPRIATE TAXES TO THE DEPARTMENT OF REVENUE, THE ON-LINE MERCHANT HAS A 5.5 PERCENT ADVANTAGE OVER THE RESIDENT MERCHANT OR AN EVEN HIGHER ADVANTAGE IF THE PURCHASE IS MADE IN ONE OF NEBRASKA COMMUNITIES WHERE A LOCAL SALES TAX IS COLLECTED. RESIDENT BRICK-AND-MORTAR RETAILERS CONTRIBUTE TO THE STATE IN WAYS THAT ON-LINE MERCHANTS DO NOT. THEY PAY RENT ON THEIR STOREFRONTS, WHICH CONTRIBUTES TO THE PROPERTY TAXES THAT SUPPORT OUR SCHOOLS AND LOCAL GOVERNMENT ENTITIES. BRICK-AND-MORTAR RETAILERS ALSO EMPLOY PEOPLE WHO ARE ABLE TO CONTRIBUTE TO OUR COMMUNITIES AND OUR ECONOMY WHILE PAYING TAXES THAT SUPPORT STATE AND LOCAL GOVERNMENT. THIS IS AN OPPORTUNITY TO SUPPORT BOTH OUR NEBRASKA RETAILERS AND OUR LOCAL TAXING ENTITIES WITH NO COST TO THE STATE. IT IS JUST GOOD BUSINESS. LB200 MAKES SENSE FROM A FISCAL PERSPECTIVE AS WELL AS FAIRNESS TO OUR NEBRASKA

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RETAILERS. THE FISCAL OFFICE ESTIMATES THAT IF FEDERAL LEGISLATION PASSES, THIS WOULD GENERATE ADDITIONAL SALES TAX REVENUE OF \$45 (MILLION) TO \$50 MILLION ANNUALLY. PUTTING A ONE-YEAR TIME LIMIT ON THE DESIGNATED USE OF THE MONEY WOULD ALLOW FUTURE LEGISLATURES TO MAKE POLICY JUDGMENTS ABOUT THE BEST USE OF THE FUNDS ONCE IT ESTABLISHES HOW MUCH REVENUE THE TAX WILL GENERATE. LB200 DESIGNATES THE FIRST YEAR OF THESE SALES TAX RECEIPTS TO THE PROPERTY TAX CREDIT FUND. I DON'T HAVE TO TELL ANYONE HERE THAT HIGH PROPERTY TAXES ARE A MAJOR ISSUE OF CONCERN TO NEBRASKANS AND MANY OF THEM ARE DESPERATE FOR RELIEF NOW. THIS BILL WOULD GIVE A MUCH NEEDED SURGE OF PROPERTY TAX RELIEF AT NO COST TO THE STATE AND WOULD SEND A MESSAGE TO NEBRASKANS THAT THE LEGISLATURE IS PAYING CLOSE ATTENTION TO THEIR PLEAS FOR IMMEDIATE RELIEF. SOME OF OUR REPRESENTATIVES IN THE HOUSE HAVE BEEN RELUCTANT TO PASS THE FEDERAL LEGISLATION BECAUSE IT IS VIEWED AS A NEW TAX. BUT THESE FUNDS WOULD GO TO TAX RELIEF, NOT TO ADDITIONAL SAVINGS FOR THE STATE. OUR PASSAGE OF LB200 WOULD SEND A VERY IMPORTANT MESSAGE TO OUR FEDERAL DELEGATION IN WASHINGTON THAT PASSING THE MARKETPLACE FAIRNESS ACT WOULD PROVIDE TAX RELIEF WHERE IT IS NEEDED MOST IN OUR STATE. I WOULD HOPE THIS COULD GREASE THE WHEELS FOR THE BILL TO MOVE FORWARD IN CONGRESS AND FINALLY BECOME LAW. THIS IS AN ISSUE OF TAX FAIRNESS AND IT IS AN ISSUE OF TAX RELIEF: TWO WORTHY GOALS, TWO GREAT OBJECTIVES. IT'S RARE THAT WE SEE A BILL THAT IS A WIN FOR EVERYONE, BUT THAT'S WHAT LB200 IS. I URGE YOU TO ADVANCE THE BILL TO SELECT FILE. THANK YOU, AND I'D BE HAPPY TO ANSWER ANY QUESTIONS. [LB200]

SENATOR KRIST: THANK YOU, SENATOR DAVIS. AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE REVENUE COMMITTEE. SENATOR GLOOR, AS CHAIR, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB200]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. I WOULD THANK SENATOR DAVIS FOR BRINGING THIS BILL. IT'S A GOOD BILL. THE REVENUE COMMITTEE AMENDMENT ADDS A THREE-YEAR SUNSET TO THE BILL WHICH WOULD ALLOW LEGISLATURES, FUTURE LEGISLATORS, TO DECIDE IF THE FUND SHOULD CONTINUE TO BE ALLOCATED TO THE PROPERTY TAX CREDIT FUND OR WHETHER THERE SHOULD BE ANOTHER ALLOCATION FOR THOSE PARTICULAR FUNDS. THE BILL ADVANCED ON AN 8-0 VOTE WITH THIS AMENDMENT, THIS THREE-YEAR SUNSET. THANK YOU, MR. PRESIDENT. [LB200]

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SENATOR KRIST: THANK YOU, SENATOR GLOOR. YOU HEARD THE OPENING ON AM646 AND LB200. THOSE WISHING TO SPEAK: SENATOR WILLIAMS AND SENATOR HADLEY. SENATOR WILLIAMS, YOU ARE RECOGNIZED. [LB200]

SENATOR WILLIAMS: THANK YOU, MR. PRESIDENT. AND GOOD EVENING, COLLEAGUES. I CERTAINLY SUPPORT BOTH THE AMENDMENT AND THE UNDERLYING BILL, LB200, AND THANK SENATOR DAVIS FOR BRINGING IT. WHAT A GREAT OPPORTUNITY TO BENEFIT OUR RETAILERS ALL ACROSS OUR STATE, WHETHER THEY'RE IN RURAL AREAS OR IN OUR LARGER COMMUNITIES, AND HELP THEM BE MORE COMPETITIVE. BUT ALSO, WHAT AN OPPORTUNITY TO LOOK TO BENEFIT THOSE PEOPLE IN OUR STATE THAT HAVE BEEN CRYING FOR RELIEF FROM HIGH PROPERTY TAXES. USING THESE SALES TAX DOLLARS TO OFFSET THOSE UNDERLYING PROPERTY TAXES MAKES GREAT SENSE AND I WOULD ENCOURAGE EVERYONE TO VOTE FOR THIS AMENDMENT AND THE UNDERLYING BILL. THANK YOU, MR. PRESIDENT. [LB200]

SENATOR KRIST: THANK YOU, SENATOR WILLIAMS. SENATOR HADLEY, YOU'RE RECOGNIZED. [LB200]

SPEAKER HADLEY: MR. PRESIDENT, MEMBERS OF THE BODY, LAST YEAR, AS CHAIR OF THE REVENUE COMMITTEE, THE REVENUE COMMITTEE PASSED A RESOLUTION ENCOURAGING OUR HOUSE DELEGATION TO ADOPT THIS MARKETPLACE FAIRNESS ACT. I ACTUALLY HAND-CARRIED THE THREE BILLS TO WASHINGTON AND DELIVERED THEM TO OUR THREE MEMBERS OF OUR CONGRESSIONAL DELEGATION. AS BEEN STATED EARLIER, IT HAS PASSED THE SENATE ON A 75-25 VOTE. IT IS BEING HELD UP IN THE HOUSE OF REPRESENTATIVES AT THIS POINT IN TIME. THANK YOU, MR. PRESIDENT. [LB200]

SENATOR KRIST: THANK YOU, SPEAKER HADLEY. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB200]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I CERTAINLY THINK THIS IS GREAT. I WONDER IF SENATOR GLOOR WOULD YIELD TO A COUPLE OF QUESTIONS. [LB200]

SENATOR KRIST: SENATOR GLOOR, WILL YOU YIELD? [LB200]

SENATOR GLOOR: CERTAINLY. [LB200]

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SENATOR HILKEMANN: NOW WITH THE AMENDMENT, AM646, YOU SAID THIS IS A THREE-YEAR SUNSET? [LB200]

SENATOR GLOOR: CORRECT, FROM THE DATE OF ENACTMENT OF THE LAW. [LB200]

SENATOR HILKEMANN: OKAY. AND DURING THAT THREE-YEAR PERIOD OF TIME, THE ONLY THING THAT WE'LL BE DOING WITH THIS ADDITIONAL REVENUE IS FOR PROPERTY TAX RELIEF FUND. IS THAT CORRECT? [LB200]

SENATOR GLOOR: THAT IS CORRECT, SHOULD CONGRESS ALLOW US TO DO THIS. [LB200]

SENATOR HILKEMANN: WELL, I'M CERTAINLY...WE CERTAINLY NEED RELIEF FROM PROPERTY TAXES. I WOULD ALSO SAY WE HAVE DONE NOTHING TO...FOR INCOME TAXES. WE'VE CERTAINLY DONE NOTHING FOR OUR SENIOR CITIZENS WHO ARE PAYING...THAT ARE CONCERNED ABOUT BEING TAXED IN THEIR...WITH THEIR SOCIAL SECURITY BENEFITS. I THINK THAT I'M GOING TO SUPPORT THIS BILL, BUT I ALSO THINK THAT WE NEED TO START LOOKING AT OTHER THINGS OTHER THAN JUST THE PROPERTY TAX. WE NEED PROPERTY TAX RELIEF...OR WE NEED TAX RELIEF ACROSS THE BOARD. I WOULD JUST POINT THAT OUT FOR YOU. THANK YOU. [LB200]

SENATOR KRIST: THANK YOU, SENATOR HILKEMANN AND SENATOR GLOOR. SEEING NO ONE ELSE IN THE QUEUE, SENATOR GLOOR, YOU'RE RECOGNIZED TO CLOSE ON THE COMMITTEE AMENDMENT. SENATOR GLOOR WAIVES CLOSING. THE QUESTION BEFORE YOU IS THE ADOPTION OF AM646. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB200]

CLERK: 34 AYES, 0 NAYS ON ADOPTION OF COMMITTEE AMENDMENTS. [LB200]

SENATOR KRIST: COMMITTEE AMENDMENTS ARE ADOPTED. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB200]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. WHAT THIS BILL IS INTENDED TO DO IS TO SIGNAL TO OUR CONGRESSIONAL DELEGATION THAT THE MONEY THAT WE WOULD GET FROM THE MARKETPLACE FAIRNESS ACT WON'T JUST BE MORE SPENDING, THAT WE WILL DIRECT IT

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TOWARD LOCAL TAX RELIEF. AND THE BILL SPECIFIES, AT LEAST IN THE EARLY YEARS, THAT BE PROPERTY TAX RELIEF. IT IS RIGHT NOW NO MONEY TOWARD PROPERTY TAX RELIEF FROM A TAX WE DON'T HAVE, SO THERE'S NO REASON TO VOTE AGAINST THE BILL. WE HAVE DONE THINGS FOR INCOME TAX. THREE YEARS AGO WE IMPLEMENTED A TAX CUT THAT AMOUNTED TO, I THINK, \$50 (MILLION), \$60 MILLION A YEAR. THIS YEAR IS ITS FIRST IMPLEMENTATION. WE'VE INDEXED LAST YEAR FOR INFLATION. THAT SAVES INCOME TAXPAYERS \$10 MILLION A YEAR, UP \$10 MILLION A YEAR EVERY YEAR, SO AT THE END OF TEN YEARS, THAT'S \$100 MILLION TOWARD INCOME TAX. WE EXEMPTED SOCIAL SECURITY INCOME FROM STATE TAXATION. OF THE FEDERAL ADJUSTED GROSS INCOME IT IS \$58,000 OR BELOW FOR MARRIED TAXPAYERS FILING JOINTLY, AND \$43,000 OR BELOW FOR OTHERS. WE ALSO DID OTHER THINGS FOR HOMESTEAD EXEMPTIONS, A LITTLE FOR MILITARY RETIREES. WE'VE BEEN WORKING A LITTLE BIT IN EVERY DIRECTION ON TAX RELIEF, RECOGNIZING THAT WE'RE IN AN ENVIRONMENT WHERE WE'RE PROBABLY GOING TO HAVE INCREASING BUDGETS DUE TO THE VERY NATURE OF OUR AGING POPULATION AND OUR POPULATION DUE TO NECESSARY AID TO CHILDREN UNDER FIVE YEARS OLD FOR EDUCATION AND OTHER THINGS. SO WE'RE IN A TOUGH SITUATION, BUT THIS BILL IS GOOD LEGISLATION IN THAT ITS PRIMARY PURPOSE IS TO SIGNAL THAT WE INTEND TO USE ANY ADDITIONAL MONEY PRINCIPALLY FOR TAX RELIEF. AND IT HAS SUFFICIENT SUNSET CLAUSES AND OTHER PROVISIONS SO THAT WE CAN REEXAMINE FROM TIME TO TIME WHICH CATEGORY OF TAX RELIEF WE WOULD LIKE TO DIRECT IT TO. AND, OF COURSE, ALL THIS IS SUBJECT TO FUTURE DECISIONS OF FUTURE LEGISLATURES. THANK YOU. [LB200]

SENATOR KRIST: THANK YOU, SENATOR SCHUMACHER. SEEING NO ONE ELSE IN THE QUEUE, SENATOR DAVIS, YOU'RE RECOGNIZED TO CLOSE ON YOUR BILL. [LB200]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I'D LIKE TO JUST POINT OUT A FEW THINGS. THE MAP THAT WAS POINTED OUT TO OF THE UNITED STATES WITH E-FAIRNESS LEGISLATION ON IT, IT TALKS A LITTLE BIT ABOUT STATES THAT DON'T HAVE A SALES TAX, WHICH YOU CAN SEE THERE IN THE RED. THE GREEN STATES ARE STATES THAT HAVE PASSED LEGISLATION DEALING WITH E-FAIRNESS. THE GREEN ONES...OR THE BLUE STATES, AND NEBRASKA, OF COURSE, IS ONE OF THOSE BECAUSE IT'S PENDING. AND THEN YOU CAN SEE THE STARS ON THE MAP. THOSE ARE WHERE THE AMAZON LOCATIONS ARE. THAT'S...AMAZON IS ONE OF THE BIG PLAYERS, OF COURSE, IN WHAT WE'RE DOING HERE. I THINK THAT'S IMPORTANT. THE OTHER LITTLE HANDOUT THAT WAS HANDED OUT TALKS ABOUT THE POTENTIAL NEW JOBS THAT COULD COME

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INTO THE STATE BY THE GENERATION OF THIS REVENUE FOR OUR PROPERTY TAX CREDIT FUND. I RECOGNIZE WHAT SENATOR HILKEMANN SAYS, BUT I WOULD CERTAINLY APPRECIATE WHAT SENATOR SCHUMACHER HAD TO SAY ABOUT THE TAXES THAT HAVE BEEN RELIEVED OVER THE PAST SEVERAL YEARS. PROPERTY TAXES ARE THE THING THAT MOST OF US HEAR ABOUT ALL THE TIME. IF WE PUT THE MONEY TOWARDS THE PROPERTY TAX CREDIT FUND, IT REALLY SENDS A MESSAGE. AND IT SENDS A MESSAGE TO THE FOLKS IN WASHINGTON THAT NEBRASKA IS SERIOUS ABOUT SAVING MONEY AND USING THIS FOR TAX RELIEF AND NOT USING IT FOR SPENDING. SO I WOULD URGE YOUR GREEN VOTE ON THE BILL. THANK YOU. [LB200]

SENATOR KRIST: THANK YOU, SENATOR DAVIS. YOU HAVE HEARD THE CLOSING ON LB200. THE QUESTION IS THE ADVANCEMENT TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB200]

CLERK: 37 AYES, 0 NAYS ON THE ADVANCEMENT OF LB200. [LB200]

SENATOR KRIST: LB200 ADVANCES. NEXT ITEM. [LB200]

CLERK: LB200A, A BILL BY SENATOR DAVIS. (READ TITLE.) [LB200A]

SENATOR KRIST: SENATOR DAVIS, YOU'RE RECOGNIZED TO OPEN ON YOUR A BILL. [LB200A]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. UNFORTUNATELY, WE HAVE AN A BILL WITH THIS PIECE OF LEGISLATION BECAUSE THE DEPARTMENT OF REVENUE THINKS THAT THERE WILL BE A NEED FOR SOME PROGRAMMING. OBVIOUSLY, THERE WILL BE NO NEED TO DO THAT PROGRAMMING UNTIL THE MARKETPLACE FAIRNESS BILL IS PUT THROUGH, BUT WE NEED TO ALLOCATE THE REVENUE IN CASE THAT HAPPENS BETWEEN NOW AND THE END OF THE SESSION IN WASHINGTON. SO YOU KNOW THE A BILL IS AROUND \$41,000, I BELIEVE, AND I WOULD URGE YOUR GREEN VOTE ON THAT. THANK YOU. AND I SHOULD ALSO SAY IF IN THREE YEARS THAT DOESN'T TAKE PLACE, I BELIEVE...WOULD SENATOR MELLO YIELD TO A QUESTION? [LB200A]

SENATOR KRIST: SENATOR MELLO, WILL YOU YIELD? [LB200A]

SENATOR MELLO: OF COURSE. [LB200A]

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SENATOR DAVIS: SENATOR MELLO, WE TALKED ABOUT THIS EARLIER. IF THE BILL DOESN'T PASS THE FEDERAL GOVERNMENT IN THREE YEARS, WHAT HAPPENS TO THE A BILL MONEY? [LB200A]

SENATOR MELLO: THE A BILL ESSENTIALLY HAS A SMALL, ONE-TIME APPROPRIATION FOR COMPUTER PROGRAMMING THAT'S NEEDED TO IMPLEMENT THE BILL. AND IF, ESSENTIALLY, THE FEDERAL LAW DOES NOT PASS, THE GENERAL FUND THAT IS ASSOCIATED WITH LB200 AND THE BILL IN FRONT OF US, TOO, LB200A, WOULD SIMPLY COME BACK TO THE GENERAL FUND AFTER THAT THREE-YEAR PERIOD. [LB200A LB200]

SENATOR DAVIS: THANK YOU, SENATOR MELLO. SO WITH THAT, I WOULD RECOMMEND...REMINDE YOU THAT THERE'S REALLY NO COST TO THE STATE IF THE BILL DOESN'T GET ENACTED. AND IF THE BILL DOES GET ENACTED, WE'VE GOT \$40 MILLION, AND THE \$40,000 ISN'T GOING TO AMOUNT TO A WHOLE LOT. SO I WOULD URGE YOUR GREEN VOTE ON THIS. THANK YOU. [LB200A]

SENATOR KRIST: THANK YOU, SENATOR DAVIS AND SENATOR MELLO. SENATOR DAVIS, THERE'S NO ONE IN THE QUEUE. YOU'RE RECOGNIZED TO CLOSE ON YOUR A BILL. SENATOR DAVIS WAIVES CLOSING. THE QUESTION BEFORE US IS THE ADVANCEMENT OF LB200A TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB200A]

CLERK: 38 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB200A. [LB200A]

SENATOR KRIST: LB200A ADVANCES. ITEMS? [LB200A]

CLERK: MR. PRESIDENT, PURSUANT TO THE INTRODUCTION OF LR338, I HAVE A COMMUNICATION FROM THE SPEAKER DIRECTING IT BE REFERRED TO REFERENCE COMMITTEE FOR REFERRAL TO STANDING COMMITTEE FOR PUBLIC HEARING PURPOSES. AN AMENDMENT TO LB320A BY SENATOR BOLZ; SENATOR COOK TO LB382. SENATOR GARRETT, LR339, ONE LAST STUDY RESOLUTION. (LEGISLATIVE JOURNAL PAGES 1657-1659.) [LB320A LB382 LR339]

MR. PRESIDENT, SENATOR NORDQUIST WOULD MOVE WE ADJOURN THE BODY UNTIL FRIDAY MORNING, MAY 15, AT 9:00 A.M.

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

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