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Transcriber's Office

Floor Debate  
May 21, 2015

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PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE EIGHTY-FIFTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. OUR CHAPLAIN FOR TODAY IS PASTOR MIKE WING OF THE GRACE COMMUNITY BIBLE CHURCH IN NORTH PLATTE, NEBRASKA, SENATOR GROENE'S DISTRICT. PLEASE RISE.

PASTOR WING: (PRAYER OFFERED.)

PRESIDENT FOLEY: THANK YOU, PASTOR WING. I CALL TO ORDER THE EIGHTY-FIFTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, FIRST SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

ASSISTANT CLERK: THERE'S A QUORUM PRESENT, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, MR. CLERK. ARE THERE ANY CORRECTIONS FOR THE JOURNAL?

ASSISTANT CLERK: NO CORRECTIONS THIS MORNING.

PRESIDENT FOLEY: THANK YOU. ARE THERE ANY MESSAGES, REPORTS, OR ANNOUNCEMENTS?

ASSISTANT CLERK: THERE ARE, MR. PRESIDENT. I HAVE A REFERENCE REPORT ON THE VARIOUS INTERIM STUDIES. THE BILLS THAT WERE READ YESTERDAY AFTERNOON ON FINAL READING WERE PRESENTED TO THE GOVERNOR AT 5:10 P.M. (RE LB334, LB342, LB365, LB375, LB408, LB412, LB422, LB424, LB455, LB456,

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LB464, LB477, LB479, LB511, LB513, LB515, LB541, LB570, AND LB640.) AND AN ANNOUNCEMENT THAT VARIOUS AGENCY REPORTS THAT HAVE BEEN SUBMITTED ELECTRONICALLY FOR THE CURRENT WEEK ARE AVAILABLE THROUGH THE LEGISLATURE'S WEB SITE. THAT'S ALL I HAVE. (LEGISLATIVE JOURNAL PAGES 1779-1791.) [LB334 LB342 LB365 LB375 LB408 LB412 LB422 LB424 LB455 LB456 LB464 LB477 LB479 LB511 LB513 LB515 LB541 LB570 LB640]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. MEMBERS, WE HAVE A VERY FULL AGENDA TODAY OF FINAL READING, I'D ASK THAT YOU PROCEED TO YOUR DESK SO WE CAN GET RIGHT TO IT. MR. CLERK, WE'LL NOW MOVE TO FINAL READING. THE FIRST BILL IS LB623E. [LB623]

ASSISTANT CLERK: (READ LB623 ON FINAL READING.) [LB623]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB623E PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? [LB623]

SENATOR NORDQUIST: (MICROPHONE MALFUNCTION)...CHECK IN. [LB623]

PRESIDENT FOLEY: WOULD EVERYONE PLEASE CHECK IN. FORTY-ONE SENATORS PRESENT. SENATOR NORDQUIST, HOW WOULD YOU LIKE TO PROCEED? [LB623]

SENATOR NORDQUIST: CAN WE DO A ROLL CALL VOTE? IS THAT POSSIBLE? [LB623]

PRESIDENT FOLEY: MR. CLERK, PLEASE CALL THE ROLL. [LB623]

SENATOR NORDQUIST: IN REGULAR ORDER. [LB623]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 1791-1792.) THE VOTE IS 34 AYES, 9 NAYS, 2 PRESENT AND NOT VOTING, 4 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB623]

PRESIDENT FOLEY: LB623E PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE'LL NOW MOVE TO LB70E, AND THE FIRST VOTE, MR. CLERK, WILL BE TO

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DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD PLEASE, MR. CLERK. [LB623 LB70]

ASSISTANT CLERK: 33 AYES, 2 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB70]

ASSISTANT CLERK: (READ TITLE OF LB70.) [LB70]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEEDINGS HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB70E PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? [LB70]

SENATOR SCHUMACHER: (MICROPHONE MALFUNCTION)...CALL VOTE. [LB70]

PRESIDENT FOLEY: SENATOR, WE NEED TO WAIT FOR THE THREE MINUTES TO EXPIRE. RECORD, MR. CLERK. MR. CLERK, PLEASE CALL THE ROLL. [LB70]

ASSISTANT CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 1792-1793.) THE VOTE IS 32 AYES, 12 NAYS, 1 PRESENT AND NOT VOTING, 4 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: MR. CLERK FOR A MOTION. [LB70]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR SCHUMACHER WOULD MOVE TO RECONSIDER LB70 WITH THE EMERGENCY CLAUSE ATTACHED. [LB70]

PRESIDENT FOLEY: SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB70]

SENATOR SCHUMACHER: THANK YOU, MR. LIEUTENANT GOVERNOR, MEMBERS OF THE BODY. THE EMERGENCY CLAUSE ON THIS BILL IS HIGHLY DESIRABLE BECAUSE WHAT THE BILL DOES IS IMPOSE A HIGH...CALL IT ALMOST CONFISCATORY TAX ON THE OPERATION OF ILLEGAL GAMBLING DEVICES IN THE STATE, AND PROVIDES FOR A REGULATORY MECHANISM FOR THE

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APPLICATION FOR EXEMPTION FROM THAT TAX IF THE MACHINE IS LEGAL AND FOUND TO BE LEGAL BY ACTION OF BOTH THE ATTORNEY GENERAL AND THE REVENUE DEPARTMENT. THE REVENUE DEPARTMENT, IN ORDER TO GEAR UP FOR IMPOSITION OF THE TAX AT THE END OF THE YEAR, WOULD BE VERY DESIRABLE TO HAVE THAT IN PLACE SO THEY CAN BEGIN THEIR...THE NECESSARY FORMS AND THE NECESSARY TYPE OF ANALYSIS PREPARATION THAT THEY'RE GOING TO BE ABLE TO DO IN ORDER TO DO THIS. I KNOW THAT THERE'S BEEN A FAIR AMOUNT OF MISINFORMATION THAT'S BEEN SPREAD OUT THERE, I WOULD...BY A CERTAIN GROUP. I WOULD POINT SPECIFICALLY TO THE ATTORNEY GENERAL'S OPINION THAT'S BEEN RENDERED IN THIS MATTER... [LB70]

PRESIDENT FOLEY: SENATOR SCHUMACHER, I APOLOGIZE. COULD YOU PLEASE APPROACH THE DESK FOR A MOMENT? [LB70]

SENATOR SCHUMACHER: SURE. [LB70]

PRESIDENT FOLEY: SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB70]

SENATOR SCHUMACHER: AS A PROCEDURAL MATTER, I'D MOVE TO WITHDRAW THE MOTION TO RECONSIDER AND PROCEED WITH THE VOTE WITHOUT THE EMERGENCY CLAUSE. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. THE QUESTION IS, SHALL THE BILL PASS WITH THE EMERGENCY CLAUSE STRICKEN? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD PLEASE, MR. CLERK. [LB70]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1793-1794.) THE VOTE IS 30 AYES, 11 NAYS, 4 PRESENT AND NOT VOTING, 4 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: LB70 PASSES WITH THE EMERGENCY CLAUSE STRICKEN. I NOW HAVE A MOTION TO RECONSIDER FROM SENATOR BLOOMFIELD. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB70]

SENATOR BLOOMFIELD: MR. PRESIDENT, I WOULD LIKE TO RECONSIDER THE FIRST VOTE WE TOOK ON THE EMERGENCY CLAUSE. [LB70]

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PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR McCOY, THIS IS A DEBATABLE MOTION, YOU MAY SPEAK. [LB70]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. I'M GOING TO STAND UP AND TAKE THIS OPPORTUNITY WHICH NORMALLY I WOULDN'T HAVE TAKEN ON THIS BILL TO EXPRESS MY OVERALL OPPOSITION TO LB70, AND TO REMIND THE MEMBERS AGAIN WHAT THIS BILL DOES SINCE SENATOR SCHUMACHER HAD AN OUT OF ORDER OPPORTUNITY AND, OF COURSE, HE CAN STAND UP AND TALK AGAIN HERE TO TALK ABOUT, IN HIS VIEW, THE MERITS OF THIS BILL. I'M GOING TO TALK AGAIN ABOUT WHY I OPPOSE THIS BILL. THIS BILL PROPOSES A NEW OCCUPATION TAX HERETOFORE NOT INSTITUTED ON MACHINES THAT ARE ACKNOWLEDGED TO BE ILLEGAL. THAT IS AS BACKWARDS OF A WAY OF GOING ABOUT DOING THINGS AS I'VE EVER HEARD IN THIS PLACE. I DON'T KNOW WHY WE WOULDN'T JUST SAY, THEY ARE ILLEGAL MACHINES, WE'RE NOT GOING TO TAX THEM, WE'RE GOING TO KEEP THEM ILLEGAL. THIS IS OFFENSIVE ON TWO PARTS, AS I'VE TALKED ABOUT THROUGHOUT THE PROCESS ON THIS BILL, ON TWO FRONTS. ONE, IT'S A NEW TAX. TWO, IT'S EXPANDED GAMBLING. SO, IT FAILS ON BOTH ACCOUNTS AS FAR AS I'M CONCERNED. THAT'S WHY I OPPOSE THIS BILL. THAT'S WHY I'M GLAD I DIDN'T RECEIVE THE EMERGENCY CLAUSE AND WHY I HOPE IT DOESN'T RECEIVE IT NOW, AND WHY I HOPE IT FAILS, AND IF IT DOES, I HOPE WE TALK ABOUT THIS AGAIN NEXT WEEK ON A POTENTIAL OVERRIDE. THIS BILL IS PROBLEMATIC. IT'S NOT GOOD LEGISLATION. THANK YOU, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR McCOY. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB70]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. WILL SENATOR SCHUMACHER YIELD TO A QUESTION OR TWO? [LB70]

PRESIDENT FOLEY: SENATOR SCHUMACHER, WOULD YOU YIELD, PLEASE? [LB70]

SENATOR SCHUMACHER: YES, I WILL. [LB70]

SENATOR KINTNER: I'M NOT IN FAVOR OF THIS, BUT I DO WANT TO SEE IF WE JUST CAN'T GET TO THE BOTTOM OF IT. I THINK IT'S THE RIGHT THING TO DO, AND I'VE ALWAYS BEEN FAIR AND HONEST WITH YOU AND YOU HAVE ALWAYS BEEN FAIR AND HONEST WITH ME. WHY WOULD WE WANT TO TAX SOMETHING THAT'S ILLEGAL? [LB70]

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SENATOR SCHUMACHER: AS A PRACTICAL MATTER, IT'S THE ONLY WAY TO GET RID OF THE MACHINES. [LB70]

SENATOR KINTNER: BUT DOESN'T THAT OPEN THE DOOR...DOESN'T THAT STRENGTHEN THE CASE TO SAY THEY'RE LEGAL AS THEY'RE TRYING TO LEGALIZE IT? [LB70]

SENATOR SCHUMACHER: NOBODY CAN LEGALIZE AN ILLEGAL GAMBLING MACHINE IN NEBRASKA. THAT'S BEYOND THE POWER OF THE LEGISLATURE. THE ATTORNEY GENERAL IN REVIEWING THIS CASE MADE THAT VERY, VERY CLEAR THAT THIS DOES NOTHING TO LEGALIZE THESE MACHINES. HOWEVER, THIS IS A TOOL TO SUPPRESS THEIR EXPANSION ACROSS THE STATE. [LB70]

SENATOR KINTNER: THEN MY NEXT BIGGEST QUESTION IS AND YOU WERE ONE OF THE BIGGEST ADVOCATES FOR LEGALIZED GAMBLING IN OUR STATE AND YOU LIKE TO POINT OUT THAT IF WE HAD LEGALIZED GAMBLING, WE'D HAVE HUNDREDS OF MILLIONS DOLLARS MORE IN OUR COFFERS FOR ROADS AND FOR VARIOUS ACTIVITIES, AND THAT'S PROBABLY TRUE. BUT IF YOU'RE ONE OF THE BIGGEST ADVOCATES FOR GAMBLING, LEGALIZED GAMBLING IN OUR STATE, WHY WOULD YOU TRY TO TAX IT OUT OF EXISTENCE? WHY WOULDN'T YOU BE TRYING TO LEGALIZE IT? I'M TRYING TO SQUARE THE TWO THINGS TOGETHER. [LB70]

SENATOR SCHUMACHER: THIS IS A TAX ON ILLEGAL GAMBLING ACTIVITY. I HAVE NEVER SUPPORTED ILLEGAL GAMBLING ACTIVITY. I DO ADVOCATE FOR KEEPING THE MONEY IN NEBRASKA WITH A PROGRAM OF LEGAL ACTIVITY, BUT IN ORDER TO DO THAT IT'S GOT TO FALL WITHIN AN EXCEPTION OF THE CONSTITUTION, OR WE HAVE TO AMEND THE CONSTITUTION TO GIVE THIS BODY THE AUTHORITY TO CREATE OTHER FORMS OF LEGAL GAMBLING USUALLY THOUGHT OF AS CASINOS. [LB70]

SENATOR KINTNER: SO YOU WOULD SAY THIS...THIS ACTIVITY YOU'RE TRYING TO TAX OUGHT TO BE LEGAL, BUT IT'S NOT LEGAL NOW, SO WE SHOULDN'T HAVE IT. BUT IN THE PERFECT WORLD, IT WOULD BE LEGAL. [LB70]

SENATOR SCHUMACHER: IN THE PERFECT WORLD, IT WOULD BE LEGAL AND WE WOULD BE BRINGING IN AROUND \$100 MILLION A YEAR AND SAVING ABOUT \$400 MILLION FROM GOING OVER TO IOWA A YEAR, BUT THIS ISN'T THE PERFECT WORLD. WE HAVE A SYSTEM WHERE WE'RE EITHER GOING TO ENFORCE OUR

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LAWYERS AND USE EVERY MECHANISM WE CAN TO DO THAT. IT'S ABUNDANTLY CLEAR THAT THE STATE PATROL IS HAVING GREAT DIFFICULTY ENFORCING THE LAW AGAINST THESE KINDS OF MACHINES BECAUSE OF THE EXPENSE OF DETERMINING WHETHER THEY ARE MORE CHANCE THAN SKILL. AND WE'LL HEAR MORE ABOUT THAT ARGUMENT WHEN WE GET TO SENATOR LARSON'S POKER BILL, BUT THEY CAN'T DO IT. THEY'RE NOT DOING IT. AND THIS WOULD BE A USEFUL TOOL. READ THE ATTORNEY GENERAL'S OPINION. HE HAD PLENTY OF OPPORTUNITY TO SAY WAIT A MINUTE, THIS IS SQUIRRELY, THIS IS WRONG, THIS WON'T WORK, AND HE DIDN'T. IN FACT, HE GAVE SUGGESTIONS AS TO HOW WE CAN MAKE THE BILL BETTER AND WE INCORPORATED THOSE SUGGESTIONS INTO THE BILL. [LB70]

SENATOR KINTNER: THANK YOU, SENATOR SCHUMACHER. APPRECIATE IT. YEAH, I JUST HAVE ALWAYS THOUGHT IT WAS WEIRD TO TAX...TRY TO TAX SOMETHING OUT OF EXISTENCE. YOU JUST STRENGTHEN THE LAW AND IT WOULD BE A BETTER WAY TO DO IT, JUST STRENGTHEN THE LAW TO MORE CLEARLY SAY THAT THESE GAMES ARE NOT LEGAL AND THAT WE SHOULDN'T HAVE THEM AND I THINK THAT WOULD PROBABLY SAIL THROUGH HERE A LOT EASIER IF YOU JUST SAID, THAT IS A GAME THAT WE SHOULD NOT HAVE AND BAN IT OUTRIGHT LIKE THAT. THAT SEEMS TO ME THE BETTER WAY TO DO IT. I'M SURE THERE WILL BE OTHER PEOPLE SPEAKING ON IT. AND THANK YOU, MR. PRESIDENT, AND THANK YOU, SENATOR SCHUMACHER. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR KINTNER. (VISITORS INTRODUCED.) IN THE SPEAKING QUEUE ARE SENATORS SCHUMACHER, BLOOMFIELD, CHAMBERS, AND McCOY. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB70]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. THE EMERGENCY CLAUSE IS IMPORTANT SO THE REVENUE DEPARTMENT CAN GET RAMPED UP IN ORDER TO IMPLEMENT THIS PARTICULAR LAW. IT COULD LIVE WITHOUT IT, BUT IT WOULD CREATE SOME DIFFICULTIES IN ADMINISTRATION. THIS PARTICULAR PIECE OF LEGISLATION IS DESIGNED TO AUGMENT LAW ENFORCEMENT'S ABILITY TO DEAL WITH A PROBLEM. IT IS, ACCORDING TO OUR SUPREME COURT DECISION, INCUMBENT UPON LAW ENFORCEMENT TO PROVE BEYOND A REASONABLE DOUBT BEFORE IT CAN SEIZE AN ILLEGAL MACHINE, OR BEFORE IT CAN CHARGE SOMEBODY WITH A CRIME WITH REGARD TO THAT MACHINE, THAT THE MACHINE'S FUNCTION IS MORE CHANCE THAN SKILL, AND THAT'S A TERRIBLY EXPENSIVE PROCESS. AND TO DATE, IT IS ONE THAT'S NOT BEEN UNDERTAKEN IN THE STATE OF NEBRASKA. IF SENATOR KINTNER WANTS TO BRING A BILL THAT MAKES IT DOUBLY ILLEGAL

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TO HAVE AN ILLEGAL MACHINE, THEN FINE, GO AHEAD AND DO IT. I'D WELCOME THAT BILL, BUT BEING DOUBLY OR TRIPLY ILLEGAL DOESN'T MAKE IT ANY MORE THAN ILLEGAL. NOW, THE GROUP THAT HAS BEEN SPREADING THE MISINFORMATION ON THIS ACTUALLY SAID, YOU KNOW, WE COULD GO KUMBAYA WITH YOU, BUT THIS IS WHAT WE WANT TO BE KUMBAYA. WE WANT THESE ILLEGAL MACHINES TO BE PROHIBITED FROM BEING CONNECTED TO THE INTERNET. AND I SAID, WAIT A MINUTE, THEY'RE PROHIBITED FROM BEING CONNECTED TO A POWER CORD, FOR GOSH SAKE. THEY SAID, WELL, WE WANT IT TO REQUIRE THAT WHEN YOU PUT A DOLLAR IN YOU GET 10 PERCENT TAXED AND 90 PERCENT BACK EVERY TIME, YOU CAN'T AVERAGE. SO, WAIT A MINUTE, THAT'S NOT GAMBLING. IF YOU PUT A DOLLAR IN AND ARE SURE OF GETTING 90 CENTS BACK, THAT'S NOT GAMBLING, THAT'S JUST STUPID. WE CANNOT TELL AN ILLEGAL MACHINE OPERATOR WHAT HE'S GOT TO PAY BACK BECAUSE WHAT HE'S DOING IS ILLEGAL. WELL, IT WOULD BE OKAY THEIR LETTER SAYS, WE'LL GO ALONG AND SING KUMBAYA IF WE GIVE THE MONEY FROM THIS TAX, WHICH HOPEFULLY THERE WON'T BE VERY MUCH BECAUSE THEY WON'T BE IN EXISTENCE, TO THE STATE PATROL FUND INSTEAD OF TO THE GENERAL FUND. WELL, THAT WOULD BE FINE, BUT YOU KNOW WHAT, THE GENERAL FUND'S GOT TO ADVANCE WHATEVER IT IS, \$40,000-\$50,000 IN ORDER TO GET THE REVENUE DEPARTMENT GEARED UP SO THE GENERAL FUND SHOULD GET THE MONEY AS FAR AS I'M CONCERNED. THEY WANTED A...PUT A DEFINITION OF CONSTANT WITH THE NATURE OF BANK SHOT. THE SUPREME COURT WENT ON AND ON IN ITS OPINION ABOUT WHAT THAT MEANT, AND THERE'S NO NEED FOR US TO GO ON AND ON TELLING THE SUPREME COURT WHAT IT WENT ON AND ON TO DO. THEY WANT THE SUPREME COURT'S LANGUAGE AND ITS OPINION REPHRASED, SO THE SUPREME COURT WOULD KNOW WHAT IT SAID, PRESUMABLY. NO SUBSTANTIVE OBJECTIONS. WHAT THIS IS, IS AN ATTEMPT TO JUST CONFUSE THIS ISSUE AND TO TAKE AN IRRATIONAL POSITION WITH REGARD TO IT. THIS IS A SIMPLE BILL. IT IS STRAIGHTFORWARD. THE ATTORNEY GENERAL HAS PASSED ON IT. HIS SUGGESTIONS HAVE BEEN IMPLEMENTED IN THE BILL. IT WILL ACT AS A SUPPRESSANT ON THE EXPANSION OF ILLEGAL GAMBLING IN NEBRASKA, AND I WOULD APPRECIATE THE 33rd VOTE SO THAT THE IMPLEMENTATION OF THE BILL COULD GO A LITTLE BIT BETTER, AND THE REVENUE DEPARTMENT NOT BEING UNDER THE SCRUNCH THAT THEY WOULD BE UNDER IF WE WAIT UNTIL SEPTEMBER FOR THE BILL TO GO INTO EFFECT. THIS IS GOOD LEGISLATION. WE DO A TAX ON ILLEGAL ACTIVITY IN CASES OF MARIJUANA. THERE'S A TAX ON THAT... [LB70]

PRESIDENT FOLEY: ONE MINUTE. [LB70]



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SENATOR SCHUMACHER: ...AS AN ADDITIONAL TOOL. THIS WILL BE AN ADDITIONAL TOOL FOR LAW ENFORCEMENT. IT DOES NOT LEGALIZE ANYTHING. IT'S NOT SQUIRRELY. IT IS STRAIGHTFORWARD, AND WHAT IT WILL DO IS SUPPRESS THE EXPANSION OF THESE MACHINES ACROSS THE STATE OF NEBRASKA. AND THAT IS WHY IT'S SO BAFFLING THAT THIS ANTIGAMBLING GROUP IS HAVING SUCH A FIT OVER THIS. THANK YOU. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB70]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, JUST TO EXPLAIN WHAT JUST HAPPENED, WHY I MADE THAT MOTION. OCCASIONALLY WE WILL ALL FIND OURSELVES IN A POSITION WHERE WE NEED TO HAVE SOMETHING DONE WE CAN'T DO OURSELVES. SENATOR SCHUMACHER ASKED ME TO THROW IN THAT RECONSIDERATION MOTION. I WAS HAPPY TO DO IT. I'M NOT WILD ABOUT THE BILL. I WAS NOT VOTING EITHER WAY ON IT. I WILL CONTINUE IN THAT POSITION, BUT I THINK ANYTIME WE HAVE AN OPPORTUNITY TO DISCUSS SOMETHING THAT WE MAYBE DON'T UNDERSTAND FOR A FEW MINUTES AND HAVE IT EXPLAINED TO US, WE PROBABLY SHOULD TAKE THAT OPPORTUNITY. AND I SEE SENATOR CHAMBERS SUPPORTED THIS, WHERE HE DOES NOT NORMALLY SUPPORT GAMBLING BILLS, SO I WOULD YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS IF HE WOULD LIKE TO EXPLAIN HIS POSITION ON THIS. THANK YOU, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR CHAMBERS, 4:00. [LB70]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR BLOOMFIELD. THE THREE KINDS OF GAMBLING THAT I AM ADAMANTLY OPPOSED TO ARE SLOT MACHINES, HORSE RACING AND CASINO. OTHER TYPES BECAUSE...AND I'LL TALK ABOUT THIS MORE WHEN SENATOR LARSON'S BILL COMES UP. IN THE PAST I BROUGHT LEGISLATION TO LEGALIZE SPORTS BETTING AND I WILL EXPLAIN THAT WHEN THE RIGHT TIME COMES, BUT THIS BILL HAS NOTHING TO DO WITH GAMBLING. IF I THOUGHT IT WAS SLOT MACHINE, I WOULD GIVE YOU ALL AN INTELLIGENT RATIONALE FOR IT INSTEAD OF A CAMPAIGN SPEECH HAVING FAILED TO WIN ONE OFFICE, AND DECIDED TO USE THE REST OF THE SESSION TO GET SOME SOUND BYTES AND OTHER PREPARATORY CAMPAIGN SPEECHES, FOR EXAMPLE, FOR THE CONGRESS IN OMAHA. THERE ARE PEOPLE ON THIS FLOOR SPREADING RUMORS ABOUT VOTE

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TRADING, BESMIRCHING THE REPUTATION OF VARIOUS MEMBERS OF THE BODY. THIS BILL JUST SHOWS HOW FAR SOME INDIVIDUALS ARE WILLING TO GO TO TRY TO PREPARE THE WAY FOR A POLITICAL CAMPAIGN. THE ATTORNEY GENERAL HAS ALREADY MADE IT CLEAR, AS SENATOR SCHUMACHER POINTED OUT, WHAT KIND OF BILL THIS IS. THE GOVERNOR IS CHARGED BY THE CONSTITUTION TO SEE THAT THE LAWS ARE EXECUTED AND THE AFFAIRS OF THE STATE TAKEN CARE OF IN AN EFFICIENT MANNER. THAT IS ADVICE THAT WILL APPLY TO US WHEN IT COMES TO SEEING THAT THE AFFAIRS OF THE STATE ARE HANDLED IN AN EFFICIENT MANNER. THE BILL WILL PASS. SINCE IT'S GOING TO PASS, WHY NOT ALLOW THE STATE AGENCY, WHICH IS CHARGED WITH CERTAIN RESPONSIBILITY UNDER THE BILL, TO GO AHEAD AND GET STARTED ON WHAT IT ULTIMATELY IS GOING TO HAVE TO DO. I HOPE THAT MY COLLEAGUES WILL SEE THIS BILL FOR WHAT IT IS. IT'S NOT GAMBLING. LOOK, IF WE STILL HAD KINGS AND THE KING ISSUED A DIRECTIVE THAT THE EARTH IS FLAT, THE EARTH IS NOT FLAT, IT REMAINS ROUND. WHOEVER WANTS TO MISCHARACTERIZE THIS BILL CANNOT THROUGH THAT MISCHARACTERIZATION MAKE IT SOMETHING OTHER THAN WHAT IT IS. SO, IF MY GOOD FRIEND, AND I DON'T USE THAT TERM ADVISEDLY, I MEAN IT. IF MY GOOD FRIEND, SENATOR BLOOMFIELD CAN SEE HIS WAY, I WISH HE WOULD VOTE FOR THIS BILL. HE KNOWS THAT I WOULD NOT MISLEAD HIM ON ANYTHING. IF THIS WERE A SLOT MACHINE BILL, AS FORMER SENATOR LAUTENBAUGH'S BILL, TALKING ABOUT... [LB70]

PRESIDENT FOLEY: ONE MINUTE. [LB70]

SENATOR CHAMBERS: ...PLAYING THE MACHINE ON THESE DEAD HORSE RACES OR WHATEVER, THAT WAS A SLOT MACHINE, AND COMBINED WITH HORSE RACING, DOUBLE WHAMMY. I EVEN LINED UP WITH SENATOR McCOY ON THE BILL AGAINST IT, YOU KNOW IT HAD TO BE BAD. BUT THIS BILL DOES NOT FALL INTO THAT CATEGORY. AND I ASSURE YOU ALL, I'M NOT RUNNING FOR ANOTHER OFFICE. I HOPE THAT WE WILL DO THE CORRECT AND PROPER THING. THE BILL IS GOING TO PASS. THE BILL IS GOING TO PASS. ALLOW THE STATE AGENCY TO BEGIN TO DO THE JOB IT'S GOING TO BE CHARGED UNDER THIS LAW WITH DOING. THANK YOU, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR McCOY, YOU'RE RECOGNIZED. [LB70]

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SENATOR McCOY: THANK YOU, MR. PRESIDENT. JUST FOR THE BENEFIT OF THE BODY SINCE SENATOR CHAMBERS DIDN'T SAY MY NAME, BUT I'M ASSUME HE WAS TALKING ABOUT ME, I HAVE NOT BEEN AND WILL NOT BE A CANDIDATE FOR CONGRESS, FOR THE RECORD. THIS BILL HAS NOTHING TO DO WITH THAT. THIS BILL HAS EVERYTHING TO DO WITH MY ADAMANT OPPOSITION TO TAX INCREASES AND EXPANDED GAMBLING. PURE AND SIMPLE. AND I FULLY EXPECTED SENATOR CHAMBERS TO VOTE FOR THIS BILL BECAUSE HE HAS OTHER LEGISLATION THAT HE'D REALLY LIKE TO GET TO SEE PASSED INTO FINAL LAW, AND SO I FULLY EXPECTED HIM TO VOTE FOR THIS THE SAME AS HE DIDN'T ENGAGE ON THIS ISSUE THROUGHOUT THE PROCESS. I DID. SO, HE CAN CAST DISPERSIONS ALL HE WANTS, AND THAT'S FINE. THAT'S HIS PREROGATIVE. I'M GOING TO TALK ABOUT WHY I DON'T LIKE THIS BILL, AND IT HAS NOTHING TO DO WITH ANYTHING OUTSIDE THIS CHAMBER. IT HAS EVERYTHING TO DO WITH MY ADAMANT OPPOSITION TO TAX INCREASES AND EXPANDED GAMBLING BECAUSE, LET'S JUST CLARIFY. WE'RE TAXING MACHINES THAT ARE ILLEGAL, BUT THE TAXING OF THESE MACHINES THAT ARE ILLEGAL DOESN'T ACTUALLY SHUT THE MACHINES DOWN. IT JUST TAXES THEM. AND SENATOR SCHUMACHER ADMITTED TO SENATOR KINTNER, AN EARLIER TIME ON THE MICROPHONE, THAT IN A PERFECT WORLD, THESE MACHINES WOULD BE LEGAL. WELL, IF IN A PERFECT WORLD IN HIS EYES THESE MACHINES WILL BE LEGAL, THEN HOW IS THIS NOT AN EXPANSION OF GAMBLING? I'M NOT GOING TO TALK ANYMORE ON THE MICROPHONE ABOUT THIS ISSUE. I WASN'T GOING TO TALK AT ALL ABOUT THIS ISSUE UNTIL THIS BILL CAME BACK. I WAS GOING TO VOTE LIKE ALL OF US WERE GOING TO VOTE, EITHER YEA, NAY, OR PRESENT, NOT VOTING. BUT THIS BILL CAME BACK AS A DEBATABLE MOTION AND NOW I RISE TO SAY AGAIN, AND VOICE AGAIN, MY OPPOSITION TO IT. THIS IS A BAD BILL ON TWO FRONTS. IT'S A NEW TAX INCREASE, AND NO ONE DENIES THAT. IT'S A NEW OCCUPATION TAX WE'VE NEVER LEVIED BEFORE. AND IT'S AN EXPANSION OF GAMBLING, PURE AND SIMPLE. SENATOR SCHUMACHER SAID, WHICH I'LL SAY AGAIN, WELL, IN A PERFECT WORLD THESE MACHINES WOULD BE LEGAL. IT'S AN EXPANSION OF GAMBLING. IT'S BAD ON TWO FRONTS. THANK YOU, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR McCOY. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB70]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I WONDER IF SENATOR McCOY WOULD YIELD TO A QUESTION OR TWO? [LB70]

PRESIDENT FOLEY: SENATOR McCOY, WOULD YOU YIELD, PLEASE? [LB70]

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SENATOR McCOY: I'D BE DELIGHTED TO. [LB70]

SENATOR CHAMBERS: SENATOR McCOY, IF I UNDERSTOOD YOU CORRECTLY, YOU SAID I HAD NOT BEEN ENGAGED ON THIS BILL, BUT YOU HAD BEEN. WHAT DID YOU MEAN BY THAT COMMENT? [LB70]

SENATOR McCOY: WELL, I THINK ON A COUPLE EARLIER ROUNDS OF DEBATE, SENATOR CHAMBERS, I DON'T RECALL YOU BEING ON THE FLOOR OR VOTING ON EITHER OF THOSE ROUNDS, I DON'T BELIEVE. [LB70]

SENATOR CHAMBERS: OKAY, AND THAT CAN EASILY BE SOMETHING YOU MIGHT NOT REMEMBER, BUT I SPOKE FOR THE BILL AT AN EARLIER TIME, AND I MADE IT CLEAR THAT IF I THOUGHT IT WAS GAMBLING, IF I THOUGHT IT WAS A SLOT MACHINE, I WOULD HAVE VOTED AGAINST IT, SO I SPOKE THEN ATTEMPTING TO OFFER CLARIFICATION AS I AM NOW. I WOULD LIKE TO ASK YOU ANOTHER QUESTION. ARE YOU AWARE THAT THERE'S A TAX ON ILLEGAL MARIJUANA? [LB70]

SENATOR McCOY: I AM. [LB70]

SENATOR CHAMBERS: DO YOU THINK WE OUGHT TO REMOVE THAT TAX? [LB70]

SENATOR McCOY: I THINK IT'S ABSURD TO HAVE A TAX LISTED FOR A PRODUCT THAT'S ILLEGAL. [LB70]

SENATOR CHAMBERS: DO YOU THINK WE SHOULD REMOVE IT? [LB70]

SENATOR McCOY: I DO. [LB70]

SENATOR CHAMBERS: AND WOULD YOU SUPPORT A BILL THAT WOULD DO THAT? [LB70]

SENATOR McCOY: I WOULD. [LB70]

SENATOR CHAMBERS: AND DO YOU THINK THAT HAVING THE TAX ON MARIJUANA WAS ENVISIONED AS REDUCING OR IN ANY WAY IMPEDING ITS SALE OR OTHER ILLEGAL USE? [LB70]

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SENATOR McCOY: I DON'T KNOW THE BACKGROUND OF HOW LONG THAT'S BEEN IN STATUTE OR WHAT THE REASON WAS FOR PUTTING IT THERE, SENATOR CHAMBERS. [LB70]

SENATOR CHAMBERS: IT'S BEEN HERE A LONG TIME. [LB70]

SENATOR McCOY: I'M SURE IT HAS. [LB70]

SENATOR CHAMBERS: AND I MIGHT HAVE SPOKEN AGAINST IT AT THE TIME IT CAME UP. ARE YOU AWARE THAT ILLEGAL GAMBLING WINS...WINNINGS HAVE TO BE...YOU HAVE TO PAY TAXES TO THE INTERNAL REVENUE SERVICE AS INCOME ON THESE ILLEGAL WINNINGS? [LB70]

SENATOR McCOY: ARE YOU TALKING STATE LAW OR FEDERAL LAW, SENATOR CHAMBERS? [LB70]

SENATOR CHAMBERS: FEDERAL LAW. I'M ASKING YOU IF YOU'RE AWARE. I'M NOT SAYING IT TO ARGUE, BUT WERE YOU AWARE OF THAT? [LB70]

SENATOR McCOY: I PROBABLY HAVE HEARD THAT A TIME OF TWO. I DON'T KNOW...I'M NOT AWARE OF THE SPECIFICS OF HOW THAT WORDING IS LISTED. [LB70]

SENATOR CHAMBERS: AND IF THAT IS TRUE, DO YOU THINK REQUIRING THAT TAX HAS DONE ANYTHING, AND I'M ASKING YOU TO SPECULATE, TO SLOW DOWN ILLEGAL GAMBLING? [LB70]

SENATOR McCOY: WELL, I WOULD DARE SAY, SENATOR CHAMBERS, ILLEGAL GAMBLING HAS BEEN SOMETHING THAT'S BEEN A PROBLEM IN OUR COUNTRY FOR A GREAT, LONG TIME. AND I DON'T KNOW, HONESTLY, WHETHER THAT'S INHIBITED OR PROVIDED SOME SORT OF A SLOWING DOWN PROCESS OF ILLEGAL GAMBLING OR NOT, BUT THE FACT REMAINS, IT'S ILLEGAL GAMBLING. [LB70]

SENATOR CHAMBERS: THAT'S ALL I'LL ASK YOU, THANK YOU. MEMBERS OF THE LEGISLATURE, I'M NOT IN ANY WAY CHALLENGING SENATOR McCOY'S SINCERE OPPOSITION TO GAMBLING, BUT THIS BILL HAS NOTHING WHATSOEVER TO DO WITH GAMBLING. IT DOES NOT EXPAND GAMBLING. LET'S SAY THERE ARE 1,000 OF THESE MACHINES IN NEBRASKA IN OPERATION, AND LET'S SAY THAT

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THEY'RE ILLEGAL. THIS BILL IS NOT EXPANDING THE NUMBER OF MACHINES, IT'S NOT AUTHORIZING ANYTHING. IT IS DOING WHAT THE FEDERAL GOVERNMENT HAS DONE, WHAT THE STATE GOVERNMENT DOES WITH REFERENCE TO ILLEGAL SALES IN WHATEVER OF MARIJUANA, SAYING THAT THIS IS SOMETHING THAT GOES ON AND WE'RE GOING TO TAX IT. SOME PEOPLE HAVE SAID, IT MAY HAVE BEEN SENATOR GROENE, IF YOU LIKE SOMETHING AND IT'S GOOD, THEN YOU SUBSIDIZE IT. THAT MAY NOT HAVE BEEN HIS WORD. IF YOU DON'T LIKE IT, YOU TAX IT. SOMETHING ALONG THAT LINE. SO, IF THE TAX IS WHAT'S BEING LEVIED, THE PURPOSE IS NOT TO SPREAD GAMBLING. THE ATTORNEY GENERAL, I'M SURE, WOULD NOT HAVE HESITATED TO MAKE THAT CLEAR. SO WHAT YOU'RE BEING ASKED THIS MORNING TO DO IS TO CONSIDER TWO DIFFERING POSITIONS. THE ATTORNEY GENERAL,... [LB70]

PRESIDENT FOLEY: ONE MINUTE. [LB70]

SENATOR CHAMBERS: ...WHO IS A PERSON THAT I HAVE NO AFFINITY WITH, HAS STATED THAT THIS IS NOT A GAMBLING BILL. ON THE OTHER HAND, SENATOR McCOY SAYS THAT IT IS. CHOOSE YOU THIS DAY WHOSE OPINION YOU THINK HAS MORE VALIDITY ON A LEGAL ISSUE THAT WE'RE ADDRESSING HERE. I DO HOPE...AND THIS WILL BE THE ONLY TIME I WILL SPEAK AGAIN SINCE I'VE BEEN YIELDED TIME, WE WILL GET THE 33 VOTES TO ALLOW THE EFFICIENT CARRYING OUT OF THE BUSINESS OF THE STATE. THANK YOU, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR SMITH, YOU'RE RECOGNIZED [LB70]

SENATOR SMITH: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. JUST PHILOSOPHICALLY, I JUST WANTED TO SHARE THAT I DO BELIEVE THAT WHAT YOU TAX DOES HAVE AN IMPACT ON HOW MUCH OF THAT PRODUCT WE PRODUCE. THAT'S ONE OF THE REASONS I'D LIKE TO SEE A REDUCTION IN INCOME TAX SO WE CAN ENCOURAGE PEOPLE TO KEEP MORE OF THEIR MONEY. SO, I THINK TAXATION IS A POWERFUL INSTRUMENT TO AFFECT OUTCOMES. I THINK THAT'S WHAT THE OPPONENTS TO SMOKING HAVE DONE WITH TOBACCO TAX. SO, I ABSOLUTELY AGREE WITH THAT. I SIT ON THE REVENUE COMMITTEE AND I JUST WANT TO GIVE YOU A LITTLE BACKGROUND FOR THOSE OF YOU WHO MAY NOT KNOW MY POSITION ON EXPANDED GAMBLING, AND SENATOR SCHUMACHER KNOWS THIS VERY WELL. I AM IN STRONG OPPOSITION TO EXPANDED GAMBLING, TO THE POINT THAT I HAVE

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VOTED AGAINST REDUCING THE TIME INCREMENTS FOR KENO GAMBLING BECAUSE, YES, I EVEN BELIEVE THAT WHEN YOU CAN SPEED UP GAMBLING TIME, THAT INCREASES GAMBLING. THAT'S EXPANDED GAMBLING. I OPPOSED HISTORIC HORSE RACING AND I'VE OPPOSED SENATOR SCHUMACHER ON EVERY ONE OF HIS OTHER...I SHOULDN'T SAY CRAZY IDEAS FOR GAMBLING EXPANSION, BUT I HAVE, SENATOR SCHUMACHER. AND SO, I WAS VERY CONCERNED ABOUT THIS PARTICULAR BILL TO THE POINT THAT I DID ASK THE ATTORNEY GENERAL FOR AN OPINION, AND I RECEIVED THAT OPINION. NOT BEING AN ATTORNEY MYSELF, I SAT DOWN WITH THE ATTORNEY GENERAL STAFF TO INTERPRET, TO UNDERSTAND BECAUSE I WANTED TO KNOW, DOES THIS SET US UP FOR EXPANDED GAMBLING. I AM COMING AWAY FROM THOSE CONVERSATIONS, COMING AWAY FROM THE ATTORNEY GENERAL'S OPINION, I DO NOT BELIEVE THIS LENDS ITSELF FOR EXPANDED GAMBLING. HOWEVER, COLLEAGUES, IF YOU HAVE AN INKLING OF SUSPICION THAT THIS EXPANDS GAMBLING, DON'T VOTE FOR THE BILL BECAUSE I CERTAINLY DON'T WANT TO EXPAND GAMBLING IN THE STATE. BUT I WILL TELL YOU THAT I TOOK ACTION AND I ASKED THE ATTORNEY GENERAL AND THE ATTORNEY GENERAL WAS GRACIOUS ENOUGH TO RENDER AN OPINION BEFORE WE HAD A VOTE ON THE FLOOR BECAUSE I WANTED TO KNOW THAT BEFORE I CASTED A VOTE...I CAST A VOTE. AND SENATOR SCHUMACHER WAS GRACIOUS ENOUGH TO SUSPEND OR TO DELAY MOVEMENT OF THIS BILL UNTIL WE GOT THAT ATTORNEY GENERAL'S OPINION BACK. YOU NEED TO MAKE THIS DECISION YOURSELF, BUT DO NOT WALK AWAY FROM HERE THINKING THAT MY VOTE ON THIS BILL IS A VOTE FOR EXPANDED GAMBLING. THANK YOU. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR SMITH. SENATOR GLOOR, YOU'RE RECOGNIZED. [LB70]

SENATOR GLOOR: QUESTION. [LB70]

PRESIDENT FOLEY: IT'S A RULING OF THE CHAIR THAT THERE'S NOT BEEN SUFFICIENT DEBATE. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB70]

SENATOR SCHUMACHER: THANK YOU, MR. LIEUTENANT GOVERNOR. JUST A COUPLE OF BRIEF QUESTIONS OR BRIEF STATEMENTS. THERE WAS SOME STATEMENTS THAT WERE MADE THAT IMPLICATED THERE'S SOME VOTE TRADING GOING ON OR CONSIDERATION BACK AND FORTH. I WANT TO MAKE IT VERY CLEAR, IN MY FIVE YEARS DOWN HERE, I CANNOT RECALL AND DO NOT BELIEVE I HAVE EVER TRADED A VOTE FOR ANYTHING. IF I HAVE, AND ANY OF

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YOU OUT THERE REMEMBER, REFRESH MY MEMORY, BUT I DO NOT VOTE TRADE. AND THE SECOND THING IS, WHEN YOU HAVE INCOME FROM ANY SOURCE DERIVED, THAT'S THE FEDERAL GOVERNMENT'S LANGUAGE, YOU HAVE TO REPORT THAT INCOME ON YOUR FEDERAL INCOME TAX WHETHER IT'S FROM A LEGAL ACTIVITY OR AN ILLEGAL ACTIVITY, THAT'S HOW THEY GOT OLD AL CAPONE BECAUSE OF TAXES. YOU HAVE GOT TO REPORT ALL OF YOUR INCOME FROM WHATEVER SOURCE DERIVED. NEBRASKA'S INCOME TAX IS BASED UPON WHAT YOU REPORT FOR YOUR FEDERAL INCOME TAX. SO, IF YOU ARE MAKING MONEY FROM ILLEGAL ACTIVITY, BE IT SELLING DRUGS, OR ILLEGAL GAMBLING ACTIVITY, NEBRASKA IS TAXING YOU RIGHT NOW. AND I DON'T THINK ANYBODY IN THIS BODY WOULD TURN AROUND AND SAY, UH, WE DON'T WANT TO TAX IT, WE'LL CREATE AN EXEMPTION FOR INCOME DERIVED FROM AN ILLEGAL ACTIVITY. THIS IS A STRAIGHTFORWARD BILL. THE EMERGENCY CLAUSE WOULD BE DESIRABLE IN THE IMPLEMENTATION OF IT. AND THERE'S BEEN ALL KINDS OF PEOPLE LOOKING THROUGH THIS TO SEE IF THERE'S SOME WAY OR ANOTHER, SOMETHING SQUIRRELY BURIED IN IT, AND THERE ISN'T. THE ATTORNEY GENERAL COULDN'T FIND IT. THE OPINION FROM THE ANTIGAMBLING GROUP, NOWHERE DID THEY SAY IN THERE, LOOK IT, THIS IS WHERE YOU DO IT, THIS IS THE SNEAKY PART. IT ISN'T THERE. THIS IS A LAW ENFORCEMENT TOOL. READ THE GIST OF THE ATTORNEY GENERAL'S OPINION. IF HE WANTED TO NIX THIS, IF HE THOUGHT THERE WAS A SMIDGEN OF A CHANCE IT OPENED UP ILLEGAL GAMBLING, HE'D SAID SO, BUT HE WOULD HAVE SAID SO BUT, IN FACT, IN THAT OPINION HE SAYS STRAIGHT OUT THIS BILL CANNOT DO THAT. THANK YOU. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB70]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. THIS IS JUST FLAT OUT BAD TAX POLICY. WE LEVY TAXES TO GENERATE REVENUE TO RUN OUR GOVERNMENTS. WHEN YOU TAX SOMETHING TO GET RID OF IT, YOU CAUSE ALL KIND OF PROBLEMS. ONCE YOU GET USED TO A REVENUE STREAM OF MONEY, IT'S PRETTY NICE. AND THEN WHEN PEOPLE SAY, YOU KNOW WHAT, THIS IS COSTING ME A LOT OF MONEY, AND THEY STOP DOING IT, NOW YOU'VE GOT THIS REVENUE STREAM YOU'VE BEEN SPENDING, AND YOU'VE GOT PROGRAMS YOU FINANCED WITH IT, AND PEOPLE START CEASING TO DO THE ACTIVITY THAT'S BEEN TAXED, NOW, YOU'VE GOT A PROBLEM. THAT'S WHAT HAPPENS WHEN YOU TAX THE HECK OUT OF TOBACCO. AT SOME POINT YOU START GETTING TOO HIGH. PEOPLE START BUYING THEIR SMOKES SOMEWHERE ELSE THAT DOESN'T TAX IT AS MUCH. YOUR TAX REVENUE GOES DOWN AND THOSE USUALLY



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HEALTH PROGRAMS, WHATEVER YOU'VE BEEN FUNDING, DON'T HAVE ENOUGH MONEY AND THEN, GEES, THEY COME DOWN TO APPROPRIATIONS TO SAY, WE NEED MORE MONEY. OUR TAX POLICY NEEDS TO BE TO GENERATE REVENUE, AND IF THERE'S ACTIVITY TAKING PLACE WHICH IS WRONG, WE SHOULD JUST OUTLAW IT. WE SHOULDN'T TRY TO MERGE THE TWO. THIS IS BAD ON THREE OR FOUR DIFFERENT LEVELS. THIS IS NOT THE KIND OF POLICY OUR STATE SHOULD BE ENGAGING IN. IF THERE'S A BAD ACTIVITY, BAN IT. IF WE NEED MONEY, TAX, OR CUT SPENDING, OR CUT SPENDING, OR CUT SPENDING. THANK YOU, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR KINTNER. SENATOR GROENE, YOU'RE RECOGNIZED. [LB70]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I ALSO DID NOT PLAN ON STANDING UP TODAY AT ALL. I KNOW YOU GUYS DISAGREE WITH ME, BUT IF I KEEP YOU HERE UNTIL 4:00 OR 5:00, I MIGHT HAVING ROTTEN FRUIT THROWN AT ME. BUT FIRST, I CHANGED MY VOTE ON THIS. I VOTED WITH SENATOR SCHUMACHER THE FIRST TWO TIMES, AND I WANTED TO MAKE SURE EVERYBODY UNDERSTOOD, I LIKE SENATOR SCHUMACHER. I LIKE HIS POLITICS. I LIKE HIS HONESTY. I DIDN'T CHANGE VOTES TO GET RETRIBUTION OR SOMETHING, A VOTE TRADE OR ANYTHING. I WAS INFORMED...BETTER INFORMED ABOUT THE BILL. I DON'T LIKE GAMBLING AND WHEN WE GET TO SENATOR LARSON'S BILL I'LL EXPLAIN WHY, MY PERSONAL EXPERIENCES AND THINGS, BUT NOT TODAY, TODAY ISN'T THE DAY. I WOULD LIKE TO STAND UP AND AGREE WITH SENATOR SMITH TOO. THE REASON WE TAX THINGS SOMETIMES IS FOR REGRESSIVE REASONS, SO THERE'S LESS USE. THAT'S WHY I STOOD AGAINST THE GAS TAX. THERE WILL BE SOME OF MY PEOPLE IN THE LOWER-INCOME LEVELS THAT REGRESSIVE TAX MIGHT KEEP THEM HOME IN THE FUTURE ON MEMORIAL DAY. WE TAX THINGS A LOT OF TIMES TO DISCOURAGE CONSUMPTION. THE 23.5 PERCENT GAS TAX DOES THAT, SO I AGREE WITH SENATOR SMITH. WE DO TAX THINGS TO SLOW DOWN CONSUMPTION AND THAT ONE SURE WILL. BUT I'M CONFUSED ON THIS THING TOO. THE WAY I UNDERSTAND IT, IF THE PROPERTY OWNER, THE BUSINESS OWNER SENDS IN HIS TAX TO THE STATE ON AN INCOME HE'S GOTTEN FROM ILLEGAL MACHINE, WILL NOT THE STATE COME OUT AND THEN CONFISCATE IT? TOTALLY CONFUSED HERE. WHY WOULD ANYBODY ADMIT THEY HAD AN ILLEGAL MACHINE AND PAY TAXES ON IT. IT'S JUST LIKE THE MARIJUANA TAX, WHICH SENATOR CHAMBERS BROUGHT UP, WHICH I AGREE WITH SENATOR CHAMBERS AND McCOY. THAT'S FOOLISHNESS TO TAX SOMETHING THAT'S ILLEGAL, YOU ELIMINATE WHAT'S ILLEGAL. THAT'S COMMON SENSE. SO, I DIDN'T

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UNDERSTAND ALL THOSE PARTS OF THIS BILL. I WAS UNDER THE ASSUMPTION THAT THESE MACHINES WERE LEGAL AND THAT WE WERE GOING TO TAX THEM. LET'S JUST CONFISCATE THEM IF THEY'RE ILLEGAL. LET'S GET THEM OFF THE COUNTERS IN THE BARS. AND I HAPPEN TO THINK, LIKE SENATOR McCOY DOES, THAT IF ONCE YOU GIVE CREDENCE TO IT THAT YOU ADMIT THEY'RE THERE AND YOU TAX THEM, THEN YOU'VE SAID IT'S OKAY. SO, THAT'S ALL I WANTED TO SAY AND I CHANGED MY VOTE ON LB70 BECAUSE I LOOKED INTO IT FURTHER, WAS BETTER EDUCATED ON IT, AND NOTHING...FOR NO OTHER REASON. SENATOR SCHUMACHER IS ABOUT AS STRAIGHT A SHOOTER AS I'VE RAN INTO IN THIS LEGISLATURE AND WHEN I GO TO HIM FOR A LOT OF ADVICE, BUT I GOT TO DISAGREE WITH HIM ON THIS. THANK YOU. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB70]

SENATOR PANSING BROOKS: QUESTION. [LB70]

PRESIDENT FOLEY: THE QUESTION HAS BEEN CALLED. DO I SEE FIVE HANDS? I DO. THE QUESTION IS, SHALL DEBATE CEASE? ALL THOSE IN FAVOR OF CEASING DEBATE VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB70]

ASSISTANT CLERK: 38 AYES, 0 NAYS TO CEASE DEBATE, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: DEBATE DOES CEASE. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED TO CLOSE ON YOUR MOTION. [LB70]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. WE ACHIEVED WHAT I WANTED. VOTE THE WAY YOU WILL, BUT YOU HAVE A LITTLE BETTER EXPLANATION OF WHAT'S GOING ON. THANK YOU, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATORS, YOU'VE HEARD THE DEBATE AND CLOSING ON THE RECONSIDERATION MOTION. JUST TO ADD A WORD OF CLARITY REGARDING RULES AND PROCEDURES, LB70 PASSED PURSUANT TO AN EARLIER VOTE. THE FIRST VOTE IS A VOTE TO RECONSIDER WHICH WOULD ENABLE THE ATTACHMENT OF THE EMERGENCY CLAUSE WHICH WOULD REQUIRE A SECOND VOTE. THIS FIRST VOTE IS RECONSIDERATION MOTION. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD PLEASE, MR. CLERK. [LB70]

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ASSISTANT CLERK: 36 AYES, 0 NAYS ON THE MOTION TO RECONSIDER, MR. PRESIDENT. [LB70]

PRESIDENT FOLEY: THANK YOU. THE MOTION PASSES. NOW THE QUESTION IS, SHALL LB70E PASS WITH THE EMERGENCY CLAUSE ATTACHED? THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB70]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1794-1795.) VOTE IS 35 AYES, 11 NAYS, 2 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING ON THE FINAL PASSAGE OF THE BILL WITH THE EMERGENCY CLAUSE ATTACHED. [LB70]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. LB70E PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE'LL NOW PROCEED TO LB70AE. MR. CLERK. [LB70 LB70A]

ASSISTANT CLERK: (READ LB70A ON FINAL READING.) [LB70A]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB70AE PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD PLEASE, MR. CLERK. [LB70A]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1795.) VOTE IS 34 AYES, 11 NAYS, 3 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB70A]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. LB70AE PASSES WITH THE EMERGENCY CLAUSE ATTACHED. MR. CLERK, THE NEXT BILL IS LB81. [LB70A LB81]

ASSISTANT CLERK: (READ LB81 ON FINAL READING.) [LB81]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB81 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, MR. CLERK. [LB81]

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ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1796.) VOTE IS 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB81]

PRESIDENT FOLEY: LB81 PASSES. WE'LL NOW PROCEED TO LB81A. [LB81 LB81A]

ASSISTANT CLERK: (READ LB81A ON FINAL READING.) [LB81A]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB81A PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD PLEASE, MR. CLERK. [LB81A]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1797.) THE VOTE IS 45 AYES, 1 NAY, 2 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB81A]

PRESIDENT FOLEY: LB81A PASSES. WE WILL NOW PROCEED TO LB106. [LB81A LB106]

ASSISTANT CLERK: (READ LB106 ON FINAL READING.) [LB106]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB106 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, MR. CLERK. [LB106]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1797-1798.) VOTE IS 44 AYES, 2 NAYS, 2 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB106]

PRESIDENT FOLEY: LB106 PASSES. WE'LL NOW PROCEED TO LB106A. [LB106 LB106A]

ASSISTANT CLERK: (READ LB106A ON FINAL READING.) [LB106A]

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PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB106A PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD PLEASE, MR. CLERK. [LB106A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1798.) VOTE IS 46 AYES, 2 NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB106A]

PRESIDENT FOLEY: LB106A PASSES. WE'LL NOW PROCEED TO LB156E. [LB106A LB156]

ASSISTANT CLERK: (READ LB156 ON FINAL READING.) [LB156]

PRESIDENT FOLEY: ALL PROCEDURES OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB156E PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, MR. CLERK. [LB156]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1799.) VOTE IS 46 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB156]

PRESIDENT FOLEY: LB156E PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE'LL NOW PROCEED TO LB175E. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB156 LB175]

ASSISTANT CLERK: 45 AYES, 0 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB175]

PRESIDENT FOLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB175]

ASSISTANT CLERK: (READ TITLE OF LB175.) [LB175]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB175E PASS WITH THE

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EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. MR. CLERK, PLEASE RECORD. [LB175]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1800.) VOTE IS 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB175]

PRESIDENT FOLEY: LB175E PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE'LL NOW PROCEED TO LB183. [LB175 LB183]

ASSISTANT CLERK: (READ LB183 ON FINAL READING.) [LB183]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB183 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB183]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1801.) THE VOTE IS 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB183]

PRESIDENT FOLEY: LB183 PASSES. WE'LL NOW PROCEED TO LB196. AND THE FIRST VOTE, MR. CLERK, IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB183 LB196]

ASSISTANT CLERK: 48 AYES, 0 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB196]

PRESIDENT FOLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB196]

ASSISTANT CLERK: (READ TITLE OF LB196.) [LB196]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB196 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD PLEASE, MR. CLERK. [LB196]

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ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1801-1802.) VOTE IS 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING. [LB196]

PRESIDENT FOLEY: LB196 PASSES. WE'LL NOW PROCEED TO LB199. [LB196 LB199]

ASSISTANT CLERK: (READ LB199 ON FINAL READING.) [LB199]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB199 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD PLEASE, MR. CLERK. [LB199]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1802-1803.) VOTE IS 45 AYES, 0 NAYS, 3 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB199]

PRESIDENT FOLEY: LB199 PASSES. THE CHAIR RECOGNIZES SPEAKER HADLEY FOR AN ANNOUNCEMENT. [LB199]

SPEAKER HADLEY: THANK YOU, MR. PRESIDENT. I'D LIKE TO JUST MAKE A COUPLE ANNOUNCEMENTS ABOUT NEXT WEEK. I APPRECIATE ALL YOUR HARD WORK THIS PAST WEEK. WE'VE ACCOMPLISHED A LOT. WE HAVE A FEW THINGS LEFT TO GET THROUGH TODAY. NEXT WEEK WE WILL BE TAKING UP GENERAL FILE ON TUESDAY AND SELECT FILE ON WEDNESDAY. WE WILL CONVENE AT 9:00 ON BOTH TUESDAY AND WEDNESDAY. A LUNCH BREAK WILL BE PROVIDED BOTH DAYS WHILE WE TAKE A 20-MINUTE, STAND-AT-EASE BREAK. ADJOURNMENT TIMES FOR TUESDAY AND WEDNESDAY WILL BE DEPENDENT UPON PROGRESS FOR THE DAY. WHETHER OR NOT AN EVENING MEAL WILL BE PROVIDED TO FACILITATE OUR WORKING BEYOND 7:00 P.M. WILL BE ANNOUNCED MIDAFTERNOON EACH DAY. THE SCHEDULE FOR THURSDAY AND FRIDAY WILL BE DETERMINED AND ANNOUNCED NEXT WEEK. AGAIN, THANK YOU FOR ALL YOUR WORK THIS WEEK.

PRESIDENT FOLEY: THANK YOU, MR. SPEAKER. WE'LL NOW PROCEED TO LB199A. [LB199A]

ASSISTANT CLERK: (READ LB199A ON FINAL READING.) [LB199A]

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PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB199A PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD PLEASE, MR. CLERK? [LB199A]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1803.) VOTE IS 45 AYES, 0 NAYS, 3 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB199A]

PRESIDENT FOLEY: LB199A PASSES. WE'LL NOW PROCEED TO LB200. [LB199A LB200]

ASSISTANT CLERK: (READ LB200 ON FINAL READING.) [LB200]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB200 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD PLEASE, MR. CLERK. [LB200]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1804.) VOTE IS 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB200]

PRESIDENT FOLEY: LB200 PASSES. WE'LL NOW PROCEED TO LB200A. [LB200 LB200A]

ASSISTANT CLERK: (READ LB200A ON FINAL READING.) [LB200A]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB200A PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD PLEASE, MR. CLERK. [LB200A]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1804-1805.) VOTE IS 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING. [LB200A]



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PRESIDENT FOLEY: LB200A PASSES. WE'LL NOW PROCEED TO LB226. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD PLEASE, MR. CLERK. [LB200A LB226]

ASSISTANT CLERK: 46 AYES, 0 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB226]

PRESIDENT FOLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB226]

ASSISTANT CLERK: (READ TITLE OF LB226.) [LB226]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB226 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. MR. CLERK, PLEASE RECORD. [LB226]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1805-1806.) VOTE IS 48 AYES, 0 NAYS, 1 EXCUSED AND NOT VOTING. [LB226]

PRESIDENT FOLEY: LB226 PASSES. WE'LL NOW PROCEED TO LB231. AND, MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. PLEASE RECORD. [LB226 LB231]

ASSISTANT CLERK: 45 AYES, 0 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB231]

PRESIDENT FOLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB231]

ASSISTANT CLERK: (READ TITLE OF LB231.) [LB231]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB231 PASS? ALL THOSE IN

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FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. MR. CLERK, PLEASE RECORD.  
[LB231]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1806-1807.) 48 AYES, 0  
NAYS, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB231]

PRESIDENT FOLEY: LB231 PASSES. WE'LL NOW PROCEED TO LB243E. MR. CLERK,  
THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN  
FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. PLEASE RECORD. [LB231 LB243]

CLERK: 43 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE  
READING. [LB243]

PRESIDENT FOLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK,  
PLEASE READ THE TITLE. [LB243]

CLERK: (READ TITLE OF LB243.) [LB243]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING  
BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB243E PASS WITH THE  
EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; THOSE  
OPPOSED VOTE NAY. MR. CLERK, PLEASE RECORD. [LB243]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1808.) 39 AYES, 5  
NAYS, 4 PRESENT AND NOT VOTING, AND 1 EXCUSED AND NOT VOTING, MR.  
PRESIDENT. [LB243]

PRESIDENT FOLEY: LB243E PASSES WITH THE EMERGENCY CLAUSE ATTACHED.  
(VISITORS INTRODUCED.) WE WILL NOW PROCEED TO LB243A. [LB243 LB243A]

CLERK: (READ LB243A ON FINAL READING.) [LB243A]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING  
BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB243A PASS? ALL THOSE IN  
FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE  
TO? RECORD PLEASE, MR. CLERK. [LB243A]

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CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1808-1809.) 39 AYES, 5 NAYS, 4 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB243A]

PRESIDENT FOLEY: LB243A PASSES. WE'LL NOW PROCEED TO LB259. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD PLEASE. [LB243A LB259]

CLERK: 45 AYES, 0 NAYS TO DISPENSE WITH THE AT-LARGE READING. [LB259]

PRESIDENT FOLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB259]

CLERK: (READ TITLE OF LB259.) [LB259]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB259 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. MR. CLERK, PLEASE RECORD. [LB259]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1809-1810.) 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB259]

PRESIDENT FOLEY: LB259 PASSES. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LB623E, LB70E, LB70AE, LB81, LB81A, LB106, LB106A, LB156E, LB175E, LB183, LB196, LB199, LB199A, LB200, LB200A, LB226, LB231, LB243E, LB243A, AND LB259. (LEGISLATIVE JOURNAL PAGE 1810.) [LB259 LB623 LB70 LB70A LB81 LB81A LB106 LB106A LB156 LB175 LB183 LB196 LB199 LB199A LB200 LB200A LB226 LB231 LB243 LB243A]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: WE'LL NOW PROCEED TO LB259A. [LB259A]

CLERK: (READ LB259A ON FINAL READING.) [LB259A]

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SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB259A PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB259A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1810-1811.) 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB259A]

SPEAKER HADLEY: LB259A PASSES. WE WILL NOW PROCEED TO LB265. 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. [LB259A LB265]

CLERK: 40 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB265]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB265]

CLERK: (READ TITLE OF LB265.) [LB265]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB265 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB265]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1812.) 45 AYES, 1 NAY, 2 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING. [LB265]

SPEAKER HADLEY: LB265 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW PROCEED TO LB265A. [LB265 LB265A]

CLERK: (READ LB265A ON FINAL READING.) [LB265A]

SPEAKER HADLEY: ALL...LB265A IS ON THE AGENDA. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB265A]

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CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1812-1813.) 43 AYES, 1 NAY, 4 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB265A]

SPEAKER HADLEY: LB265A PASSES. WE'LL NOW GO TO LB292. 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. [LB265A LB292]

CLERK: 42 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB292]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB292]

CLERK: (READ TITLE OF LB292.) [LB292]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB292 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB292]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1813-1814.) 46 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB292]

SPEAKER HADLEY: LB292 PASSES. WE'LL NOW GO TO LB292A. [LB292 LB292A]

CLERK: (READ LB292A ON FINAL READING.) [LB292A]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB292A PASS? ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB292A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1814-1815.) 47 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB292A]

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SPEAKER HADLEY: LB292A PASSES. WE'LL...WE'RE GOING TO LB320, MR. CLERK. [LB292A LB320]

CLERK: MR. PRESIDENT, I HAVE A MOTION ON THE DESK. SENATOR DAVIS WOULD MOVE TO RETURN THE BILL FOR SPECIFIC AMENDMENT, AM1734. (LEGISLATIVE JOURNAL PAGE 1775.) [LB320]

SPEAKER HADLEY: SENATOR DAVIS, YOU ARE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB320]

SENATOR DAVIS: THANK YOU, MR. SPEAKER AND MEMBERS OF THE BODY. I HAVE DISCUSSED THIS MOTION WITH SENATOR BOLZ AND I WANT TO BE CLEAR THAT IT IS NOT INTENDED IN ANY WAY TO HOLD UP OR EVEN TO MODIFY LB320. IN FACT, PART OF LB320 IS MY ALZHEIMER'S PLAN, SO I'M A VERY STRONG SUPPORTER OF THE BILL. I ASK THAT YOU VOTE GREEN ON THIS MOTION SO WE CAN HAVE THE OPPORTUNITY TO DISCUSS SOME ISSUES THAT HAVE COME TO LIGHT RECENTLY WITH THE CLARITY AND SUFFICIENCY OF CURRENT LAW REGARDING CASES WHERE A LONG-TERM CARE FACILITY IS PUT INTO RECEIVERSHIP. THIS RELATES TO A CURRENT SITUATION IN BOTH MY DISTRICT AND SENATOR BRASCH'S. EVEN THOUGH TIME HAS RUN OUT TO ADDRESS THIS DIRECTLY IN THIS SESSION, MY INTENT IS TO HAVE THIS ON THE FOREFRONT OF OUR RADAR GOING INTO THE INTERIM. THANK YOU VERY MUCH, AND I'D ASK YOU TO SUPPORT MY MOTION TO RETURN. [LB320]

SPEAKER HADLEY: YOU'VE HEARD THE MOTION TO RETURN TO SELECT FILE FOR AN AMENDMENT. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB320]

CLERK: 37 AYES, 0 NAYS, MR. PRESIDENT, ON THE MOTION TO RETURN THE BILL. [LB320]

SPEAKER HADLEY: SENATOR DAVIS, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION. [LB320]

SENATOR DAVIS: THANK YOU, MR. SPEAKER, MEMBERS OF THE BODY, FOR AGREEING TO RETURN LB320 TO SELECT FILE SO WE CAN ADDRESS A VERY REAL ISSUE WITH THE TRANSFER OF LONG-TERM BEDS WHEN A NURSING FACILITY IS PUT INTO RECEIVERSHIP. A RECEIVERSHIP IS A PROCESS INITIATED

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AT COURT BY THE DEPARTMENT OF HHS AND ATTORNEY GENERAL WHEN THE SAFETY AND WELL-BEING OF FACILITY RESIDENTS IS IN QUESTION DUE TO THE ACTIONS OR INACTION OF THE FACILITY OWNER OR OPERATOR. THIS DOES NOT HAPPEN OFTEN AT ALL IN NEBRASKA BUT, ON MAY 7, THE STATE DID PURSUE A RECEIVERSHIP FOR THE LONG-TERM CARE FACILITIES IN AINSWORTH AND LYONS AND IT COULD HAPPEN AGAIN IN THE FUTURE. FOR A BIT OF BACKGROUND, A UTAH-BASED COMPANY OWNS THESE FACILITIES, A DIFFERENT COMPANY MANAGES THEM, AND A THIRD LEASES AND HOLDS THE LICENSE TO THE FACILITY. IN LATE APRIL, THE MANAGEMENT COMPANY NOTIFIED RESIDENTS, THEIR FAMILIES, AND THE DEPARTMENT THAT THEY WOULD CLOSE JUNE 26 BUT WITH NO PLANS OR SIGNS THAT THE MANAGEMENT COMPANY OR THE LICENSES WOULD ASSIST WITH ALTERNATIVE PLACEMENT FOR THE RESIDENTS. SINCE THE NOTICE OF CLOSURE, THE COMPANY HAS NOT PAID EMPLOYEES THEIR APRIL PAYCHECKS OR PROVIDED FUNDS TO CONTINUE OPERATING THE FACILITY. EVEN THOUGH THEY WERE WORKING WITHOUT PAY, THE STAFF AT THE AINSWORTH CARE CENTER STAYED TO CARE FOR THE RESIDENTS. NOW SOME HAVE HAD TO QUIT AND HAVE FILED FOR UNEMPLOYMENT AS THEY CAN NO LONGER AFFORD TO VOLUNTEER THEIR TIME. IN EARLY MAY, SENATOR BRASCH AND I MET WITH GOVERNOR RICKETTS, THE SENIOR MANAGEMENT OF DHHS, AND THE DEPARTMENT OF LABOR AND MEMBERS OF THEIR STAFF TO URGE THEM TO TAKE WHATEVER ACTION POSSIBLE TO PROTECT THE RESIDENTS AND EMPLOYEES IN AINSWORTH AND LYONS. SHORTLY THEREAFTER, THE ATTORNEY GENERAL AND DHHS BEGAN PURSUING A RECEIVERSHIP FOR THE FACILITIES WHICH WAS APPROVED BY THE DISTRICT COURT ON MAY 7. AN OMAHA-BASED, LONG-TERM CARE COMPANY WAS SELECTED AS THE RECEIVER AND THEY HAVE STEPPED IN TO OPERATE THE FACILITY AND ASSIST WITH TRANSFER OF THE RESIDENTS THROUGH THE FACILITY'S CLOSING DATE. UNFORTUNATELY, ASIDE FROM THE FEW PRIVATE-PAY AND MEDICAID DOLLARS THAT HAVE BEEN REDIRECTED TO THE RECEIVER, THERE IS VERY LITTLE FUNDING TO MAINTAIN THE FACILITY, EVEN FOR A VERY FEW WEEKS. THIS HAS BEEN A CHAOTIC AND DISHEARTENING MONTH FOR THE ENTIRE AINSWORTH COMMUNITY, ESPECIALLY IN LIGHT OF THE FACT THAT THE CITY AND COUNTY HAVE LONG BEEN INTERESTED IN PURCHASING AND OPERATING THE FACILITY. IT IS MY UNDERSTANDING, CURRENT LAW IS UNCLEAR ON HOW THEY CAN DO SO WITHOUT POTENTIALLY BECOMING INVOLVED IN LENGTHY LITIGATION. WE HAVE A STATUTORY MORATORIUM IN PLACE ON THE OPENING OF NEW NURSING FACILITY BEDS. BUT THERE ARE EXCEPTIONS WHEN THE CURRENT BEDS ARE TRANSFERRED WITHIN THE STATE. IT IS UNCLEAR, HOWEVER, WHO HAS THE AUTHORITY TO TRANSFER THE BEDS. IT MAY BE THE OWNER OF THE PROPERTY OR IT MAY BE THE LICENSEE. THIS

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HAS NOT BEEN AN ISSUE WHEN A FACILITY HAS CLOSED OR SOLD IN THE NORMAL COURSE OF BUSINESS. WHEN THE LEASED FACILITY IS PLACED IN RECEIVERSHIP TO PROTECT THE RESIDENTS, HOWEVER, THE INTEREST OF THE RECEIVER MAY BE VERY DIFFERENT THAN THE INTERESTS OF THE OWNER OR EVEN THE INTERESTS OF THE LICENSEE. UNDER THE CURRENT LAW'S MORATORIUM, IF THE AINSWORTH FACILITY CLOSES AND ITS LICENSE IS TERMINATED BEFORE THE BEDS CAN BE TRANSFERRED, THERE IS NO WAY THAT A NURSING HOME CAN BE LICENSED IN AINSWORTH AGAIN. I WOULD ALSO CONTEND THAT THE CURRENT EXCEPTION TO THE LONG-TERM-CARE BED MORATORIUM, WHICH APPLIES IF THE DEPARTMENT DETERMINES THAT THE BEDS HAVE BEEN SOLD OR TRANSFERRED, COULD APPLY HERE EVEN THOUGH THE LAW IS NOT CLEAR. A FACILITY IN RECEIVERSHIP COULD BE INTERPRETED AS A TRANSFER OF ASSETS AS IT TRANSFERS ALL FUNDS, CERTIFICATES, AND CREDENTIALS TO THE RECEIVING PARTY. IF THE RECEIVER IS THE RECIPIENT OF MEDICARE AND MEDICAID FUNDS AND IS RESPONSIBLE FOR UTILIZING THEM FOR OPERATION OF THE FACILITY, THAT COULD BE CONSIDERED AS A TRANSFER, ALLOWING THE EXCEPTION TO THE MORATORIUM ON BEDS AND CERTIFICATES OF NEED TO APPLY. AM1734 WOULD SPECIFICALLY ALLOW FOR AN EXCEPTION TO THE MORATORIUM ON LONG-TERM BEDS WHEN A FACILITY GOES INTO RECEIVERSHIP AND THE BEDS ARE NOT RETAINED BY A NEW ENTITY IN THE COMMUNITY OR TRANSFERRED MORE THAN THE 25 MILES REQUIRED BY CURRENT LAW. THE NEW LANGUAGE IN AM1734 READS, WHEN A LONG-TERM CARE FACILITY HAS BEEN PLACED IN RECEIVERSHIP AND ITS LICENSE IS TERMINATED WITHOUT THE LICENSED BEDS HAVING BEEN SOLD OR TRANSFERRED TO ANOTHER PERSON, THE DEPARTMENT MAY GRANT AN EXCEPTION TO THE MORATORIUM AND ISSUE A CERTIFICATE OF NEED TO A POLITICAL SUBDIVISION OR A...ON A JOINT UNDERTAKING BY MORE THAN ONE POLITICAL SUBDIVISION UNDER THE INTERLOCAL COOPERATION ACT OR THE JOINT PUBLIC AGENCY ACT. THE CERTIFICATE OF NEED SHALL BE LIMITED TO THE NUMBER OF LICENSED BEDS THAT WERE PLACED IN THE RECEIVERSHIP. ALTHOUGH I HOPE WE CAN HAVE A GOOD DISCUSSION ON THIS AMENDMENT, I DO NOT INTEND TO TAKE IT TO A VOTE DUE TO THE TIME CONSTRAINTS IN THIS SESSION FOR LB320 TO PASS WITH ANY NEW LANGUAGE ATTACHED. IN FACT, WE JUST LEARNED OF THE SITUATION IN AINSWORTH AND THE DIRE NEED FOR FUNDING THERE LAST FRIDAY WHEN IT WAS TOO LATE TO ADDRESS THIS ISSUE LEGISLATIVELY. ACCORDINGLY, I WILL WITHDRAW THE AMENDMENT BEFORE WE WOULD VOTE, AND I DO URGE YOU TO SUPPORT THE PASSAGE OF LB320, A GOOD BILL THAT SENATOR BOLZ HAS BROUGHT TO ADDRESS AGING-RELATED ISSUES IN OUR VERY NEAR FUTURE. IF OUR AGING AND VULNERABLE PEOPLE ARE NO LONGER ABLE TO REMAIN IN THEIR HOMES, THE NEXT-BEST THING,



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AND OFTEN THE SAFEST THING, IS FOR THEM TO REMAIN NEAR THEIR HOMES, FRIENDS, AND FAMILY. I CAN TELL YOU, ONE OF THE MAJOR CONCERNS IN THE WAKE OF THE AINSWORTH CARE CENTER SITUATION IS SOMETHING KNOWN AS TRANSFER TRAUMA. WHEN PEOPLE ARE TRANSFERRED FROM A LONG-TERM CARE FACILITY THEY HAVE BECOME ACCUSTOMED TO, ESPECIALLY IF THEY HAVE ALZHEIMER'S OR RELATED DEMENTIA, THEY ARE OFTEN UNABLE TO ADJUST TO THEIR NEW PLACEMENT AND MAY SUFFER A MAJOR PHYSICAL OR MENTAL SETBACKS, SOMETIMES EVEN DEATH, SHORTLY THEREAFTER. WE HAVE RECEIVED WORD THAT AT LEAST ONE FORMER AINSWORTH RESIDENT THAT HAS ALREADY BEEN PLACED ELSEWHERE BECAME UNRESPONSIVE FOLLOWING THAT PLACEMENT. WE CANNOT IN GOOD CONSCIENCE LET THIS HAPPEN UNNECESSARILY TO ANY MORE OF OUR CITIZENS. WE NEED TO BE BETTER ABLE TO KEEP BEDS IN GREATER NEBRASKA AND HAVE CLEARER DIRECTION ON HOW TO HANDLE SITUATIONS SUCH AS WHAT HAS OCCURRED IN AINSWORTH. I WOULD ALSO LIKE TO TAKE THIS OPPORTUNITY TO SUGGEST THAT THE ISSUE THAT HAS COME TO LIGHT IN THE AINSWORTH AND LYONS SITUATIONS, WHICH SHOULD BE OF GREAT CONCERN TO ALL OF US, SHOULD BE ONE OF THE SUBJECTS OF A STUDY FOR THE HEALTH AND HUMAN SERVICES COMMITTEE THIS INTERIM. LR250 IS A VEHICLE BY WHICH SENATOR CAMPBELL AND THE HHS COMMITTEE CAN HOLD HEARINGS ON ISSUES THAT COME UP AFTER THE EIGHTIETH LEGISLATIVE DAY AND OVER THE INTERIM. I BELIEVE THIS IS ONE OF THOSE CRITICAL SITUATIONS. THERE ARE CURRENTLY FEW CLEAR GUIDELINES ON HOW TO PROTECT THE INTEGRITY OF LONG-TERM CARE FACILITIES THAT ARE PLACED IN RECEIVERSHIP. THE PROBLEM SEEMS TO BE A RESULT IN AT LEAST SOME INSTANCES OF THE MORATORIUM ON LONG-TERM CARE BEDS. THIS IS A DELICATE AND COMPLEX TOPIC THAT NEEDS TO BE LOOKED AT CAREFULLY AND THOUGHTFULLY SO THAT ALL INTERESTED PARTIES AND STAKEHOLDERS ARE INCLUDED. THANK YOU, MR. PRESIDENT. [LB320 LR250]

SPEAKER HADLEY: SENATOR GLOOR, YOU'RE RECOGNIZED. [LB320]

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. I FEEL THE NEED TO SPEAK ABOUT THIS BECAUSE I'VE BEEN INVOLVED IN LEGISLATION THAT RELATES TO THIS VERY ISSUE. AND BY THE WAY, I'M SUPPORTIVE OF...I GUESS I'LL SAY I'M SUPPORTIVE OF AM1734 INSOMUCH AS IT RAISES A FLAG OF CONCERN AND WOULD JOIN SENATOR DAVIS IN SAYING THIS IS SOMETHING THAT MERITS FURTHER STUDY. BUT I'VE CARRIED LEGISLATION AS RELATES TO LONG-TERM BEDS IN THIS STATE, AS HAS SENATOR SULLIVAN. MEMBERS, THERE IS STILL, IF THE NAME MEAN...OR THE TERM MEANS ANYTHING TO YOU, A CERTIFICATE-OF-NEED PROCESS IN THIS STATE. IT NO LONGER APPLIES TO ACUTE CARE. THAT

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WAS GOTTEN RID OF A DECADE AGO, I BELIEVE. BUT IT DOES RELATE TO LONG-TERM CARE BEDS. AND THE DISTRIBUTION OF THOSE BEDS AROUND THE STATE IS STILL REGULATED TO A CERTAIN EXTENT BY THE STATE OF NEBRASKA. THERE ARE COMPONENTS OF IT THAT TEND TO BE PROBLEMATIC AS THE POPULATION SHIFTS TO MORE URBAN AREAS, AS MORE RURAL COMMUNITIES CAN'T SUSTAIN, BY SOME OF THE PROPRIETARY VENTURES ANYWAY, LONG-TERM CARE FACILITIES AND KNOWING THAT THESE LONG-TERM CARE FACILITIES ARE VITAL TO THE ECONOMIC HEALTH OF THOSE COMMUNITIES. IT'S A COMPLEX ISSUE AND ONE THAT MERITS TAKING A LOOK AT AND LOOKING AT WAYS THAT CURRENT STATUTES AND REGULATIONS THAT GOVERN THE DISTRIBUTION OF LONG-TERM CARE BEDS ARE LOOKED AT, ENACTED, AND ENFORCED. WE SHOULD BE LOOKING AT THIS. CERTAINLY, THIS COULD BE A BILL THAT COMES BACK NEXT YEAR, BUT SENATOR DAVIS IS FACED WITH SOME CHALLENGES RIGHT NOW WITH TIMING. BUT HE RAISES A REAL ISSUE AND ONE THAT WE MAY BE FACED WITH A BILL NEXT YEAR TO TAKE A HARD LOOK AT AGAIN. I RAISE THAT ISSUE JUST SO YOU UNDERSTAND THIS ISN'T JUST RELATED TO A SINGLE COMMUNITY. IT'S NOT AN ISOLATED INSTANCE. IT'S SOMETHING THAT WE HAVE WORKED ON AND TRIED TO LEGISLATE, TO MOLLIFY IN SOME WAYS IN RECENT YEARS AND I BELIEVE WILL CONTINUE TO HAVE TO DO SO. I WOULD ALSO BE REMISS IF I DIDN'T POINT OUT THE ISSUE OF TRANSFER TRAUMA. AND I DO THIS NOT FOR THIS BODY SO MUCH AS FOR THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE DIVISION OF VETERANS AFFAIRS AND THE CONCERN THAT I STILL MAINTAIN AND OTHERS MAINTAIN THAT TO THE DEPARTMENT SPEND SPECIAL AMOUNTS OF TIME AND ENERGY AND STAFFING TO DEAL WITH THE TRANSFER OF THOSE PATIENTS FROM THE GRAND ISLAND VETERANS' HOME TO THE NEW KEARNEY VETERANS' HOME WHEN THAT OCCURS. THERE WILL BE TRANSFER TRAUMA. IT IS A REAL ISSUE. IT'S A MEDICAL TERM AND ONE THAT SENATOR DAVIS HAS BROUGHT UP AND GIVEN SPECIFIC INSTANCES. WE HAVE TO MAKE SURE THAT WE DO THIS TRANSFER CORRECTLY, APPROPRIATELY, AND RECOGNIZE THE THREAT TO PATIENT SAFETY THAT MIGHT BE OUT THERE IF NOT DONE WELL. THANK YOU, MR. PRESIDENT. [LB320]

SPEAKER HADLEY: SENATOR LARSON, YOU'RE RECOGNIZED. [LB320]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I WOULD RISE IN SUPPORT OF AM1734. I THINK SENATOR DAVIS IS DOING A LOT TO WORK...TO SOLVE A PROBLEM. I THINK I HEARD THAT HE WAS GOING TO PULL THE AMENDMENT IN THE END AND THAT'S UNFORTUNATE. I UNDERSTAND THE PROBLEMS THAT THE AGING COMMUNITIES IN MY DISTRICT FACE, AS WELL AS SENATOR DAVIS'. AND

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THOUGH AINSWORTH IS ABOUT FIVE MILES, SEVEN MILES OUTSIDE MY LEGISLATIVE DISTRICT, IT COMES AWFUL CLOSE. AND THERE ARE COMMUNITIES, SUCH AS BASSETT, THAT ARE SERVED IN AINSWORTH. AND IT'S IMPORTANT THAT WE CONTINUE TO WORK ON ISSUES SUCH AS THIS. I REPRESENT THE OLDEST DISTRICT IN THE STATE, HAVING THE MOST PEOPLE AGED 65 AND OVER IN MY LEGISLATIVE DISTRICT AND THE FEWEST AGED 18-64. AND IT'S ONE OF THOSE ISSUES, IT'S ONE OF THESE ISSUES THAT MAKE ECONOMIC DEVELOPMENT SO IMPORTANT TO ME AND GETTING PEOPLE MY AGE BACK TO RURAL NEBRASKA. BUT WE ALSO HAVE TO TAKE CARE OF THOSE THAT ARE THERE. SO AS MUCH AS I WISH AM1734 WAS STAYING OR COULD BE ADOPTED OR WE COULD SOLVE THESE PROBLEMS THIS YEAR, I UNDERSTAND WHY SENATOR DAVIS IS GOING TO PULL IT. I APPRECIATE SENATOR BOLZ LETTING THE CONVERSATION HAPPEN ON LB320. AND I HOPE SENATOR DAVIS CONTINUES TO WORK ON THIS ISSUE. AND IF HE NEEDS HELP, I'D BE HAPPY TO HELP HIM ON THE ISSUE. SO THANK YOU, MR. PRESIDENT. [LB320]

SPEAKER HADLEY: SENATOR SULLIVAN, YOU'RE RECOGNIZED. [LB320]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. AND I APPRECIATE SENATOR DAVIS BRINGING FORTH THIS TOPIC. I STAND IN SUPPORT OF THE CONCEPT AND REALIZE THAT HE'S GOING TO PULL THE AMENDMENT. BUT AS SENATOR GLOOR ALLUDED TO, I WAS VERY DEEPLY INVOLVED IN THIS ISSUE AND HELPED PASSED SOME LEGISLATION THAT I INTRODUCED THAT DEALT WITH A SITUATION IN A COMMUNITY IN MY DISTRICT. AND THAT WAS A LITTLE DIFFERENT SITUATION THAN WHAT SENATOR DAVIS PRESENTS HERE BECAUSE, IN THAT SITUATION, THE BEDS WERE MOVED TO ANOTHER LOCATION. BUT WITH THE LEGISLATION THAT WE ENDED UP PASSING, IT ALLOWED THE COMMUNITY TO NOT HAVE TO DEAL WITH A CERTIFICATE OF NEED BUT STILL MAINTAIN THEM, IF THEY WERE SUCCESSFUL IN BUILDING A NEW FACILITY, WHICH THE COMMUNITY IS STILL IN THE PROCESS OF TRYING TO RAISE MONEY TO DO, THEY WOULD NOT ALSO HAVE TO STAND THE EXTRA EXPENSE OF PURCHASING SOME BEDS AS LONG AS THE NUMBER OF BEDS STAYED WITHIN THE NUMBER THAT THEY HAD. BUT THE LARGER ISSUE HERE, EVEN THOUGH WE HAVE VARIATIONS OF THIS CONCERN WITHIN DIFFERENT COMMUNITIES, IS THE ISSUE OF DEALING WITH LONG-TERM CARE IN NEBRASKA. WHEN YOU OVERLAY THE DEMOGRAPHICS OF THIS STATE, THE SPARSITY, THE RURAL...THE VERY SMALL RURAL COMMUNITIES, BUT THE PEOPLE LIVING THERE AND THE AGING POPULATION, I KEEP THINKING THAT WE NEED TO ADDRESS THIS IN CREATIVE WAYS. AND TO DO THAT, IT DOES TAKE STUDY AND THOUGHTFUL CONSIDERATION AND I THINK THAT'S WHAT SENATOR DAVIS IS ASKING US AND THE BODY TO DO IN THE LONG HAUL. AND SO WHILE

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WE AREN'T GOING TO GO FORWARD WITH THIS AMENDMENT, I THINK IT DOES DESERVE A SHORT AMOUNT OF DISCUSSION, BUT CLEARLY SOME CAREFUL CONSIDERATION OVER THE LONG HAUL. THANK YOU. [LB320]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE RECOGNIZED. [LB320]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. AND I...FIRST THING I DID WAS I LOOKED AT THE FISCAL NOTE: \$606,000 THE FIRST YEAR; \$925,000 SECOND YEAR. SO AT THAT POINT, NOW IT'S A LITTLE BIT OF A PROBLEM, TO ME, TO SPEND MORE MONEY. SO I WENT AROUND AND I ASKED FOUR DIFFERENT SENATORS, DO YOU KNOW WHAT THIS DOES? NO. NO. NO. AND THE FIFTH...FOURTH ONE SAID, YEAH, SHE THOUGHT SHE DID. NOW WE'RE ABOUT TO VOTE ON SOMETHING THAT NOBODY KNOWS WHAT IT IS. I DON'T KNOW IF IT'S EXACTLY GOOD OR BAD. I DO KNOW THAT TWIDDLING WITH AN EXISTING GOVERNMENT PROGRAM TO MAKE IT BETTER PROBABLY ISN'T GOING TO FIX ANYTHING. THE BEST WE CAN HOPE FOR WITH A GOVERNMENT PROGRAM IS WE DON'T MAKE THINGS WORSE. SO WE'RE LOOKING AT \$1.5 MILLION. AND AT THIS POINT, I DON'T THINK I'D VOTE FOR IF YOU BUILT A GOLD, YELLOW-BRICK ROAD RIGHT TO MY HOUSE. I DON'T THINK I'D VOTE FOR THAT MONEY. I'VE BEEN HERE THREE YEARS. I JUST HAVEN'T SEEN RESULTS OUT OF THE MONEY WE'VE SPENT. EVERY TIME WE TRY TO FIX A PROGRAM, I'VE YET TO SEE A PROGRAM WE ACTUALLY FIXED. WE KEEP SPENDING MORE AND MORE MONEY. AND, YOU KNOW, I KNOCKED ON 20,000 DOORS IN THREE YEARS. AND THE FIRST THING I HEARD WAS, CUT MY TAXES. THE SECOND THING I HEARD WAS, QUIT HELPING OTHER PEOPLE WITH MY MONEY. I'M SURE, IF YOU ASK THEM IN A LITTLE MORE DETAIL, THEY WOULD SAY, WELL, WE'VE GOT TO HELP SOME PEOPLE. THEY DON'T WANT TO HELP NOBODY. BUT QUIT EXPANDING PROGRAMS. QUIT SPENDING MORE MONEY. WHY DON'T WE HELP LESS PEOPLE AND HELP THE ONES THAT REALLY NEED IT WITH MORE MONEY? IF YOU DUG DOWN, YOU PROBABLY FOUND SOMETHING LIKE THIS. SO I THINK I NEED A LITTLE MORE CONVINCING BEFORE I'M READY TO SPEND THIS MONEY. AND I THINK A COUPLE OTHER SENATORS MAY SPEAK THAT MAY ENLIGHTEN ME. BUT AT THIS POINT, THAT'S A LOT OF MONEY TO SPEND AND I THINK WE'VE SPENT ABOUT ENOUGH MONEY FOR THE YEAR. AT THIS POINT, I WOULD SAY, WE SHOULD LOOK AT THIS PROBABLY NEXT YEAR AND, IF IT'S IMPORTANT, WE MOVE IT TO THE FRONT OF THE LIST. AND NO ONE'S EVER COME AND TALKED TO ME ABOUT THIS. I...JUST ANOTHER GOVERNMENT PROGRAM, MAYBE SOME MORE INITIALS IN THERE. AND I DO KNOW IT'S A LOT MORE OF HARD-EARNED TAXPAYERS' MONEY, AND WE ASK THEM TO GIVE AN AWFUL LOT. AND THE ONLY WAY WE'RE GOING TO STOP ASKING THEM TO GIVE MONEY IS TO STOP SPENDING IT. AND THAT'S WHAT

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I THINK WE NEED TO DO. SO I'M GOING TO LISTEN TO SOME OTHER SENATORS AND SEE IF SOMEONE COMES UP WITH A, YOU KNOW, GOOD REASON WHY WE SHOULD SPEND MORE MONEY. AS WE TWIDDLE TO ADJUST OR FIX ANOTHER GOVERNMENT PROGRAM, THERE MIGHT BE A GOOD REASON. AND MY EARS ARE OPEN. I'M GOING TO LISTEN. THANK YOU, MR. PRESIDENT. [LB320]

SPEAKER HADLEY: SENATOR DAVIS, YOU ARE RECOGNIZED. [LB320]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I WOULD LIKE TO SAY, FIRST AND FOREMOST, THAT I WORKED ON THE AGING TASK FORCE WITH SENATOR BOLZ, AND THE INTENT OF THIS LEGISLATION THAT SHE HAS PUT FORWARD, ONE OF THE INTENTS IS TO TRY TO KEEP PEOPLE OUT OF NURSING HOMES BECAUSE THAT IS A HUGE DRAIN ON THE STATE OF NEBRASKA AND THE RESOURCES THAT WE HAVE AVAILABLE. SO I THINK IT'S A GOOD BILL. WITH THAT, I'D LIKE TO...I WONDER IF SENATOR CAMPBELL WOULD YIELD TO A FEW QUESTIONS. [LB320]

SPEAKER HADLEY: SENATOR CAMPBELL, WILL YOU YIELD TO A QUESTION?  
[LB320]

SENATOR CAMPBELL: CERTAINLY. THANK YOU, MR. PRESIDENT. [LB320]

SENATOR DAVIS: THANK YOU, SENATOR CAMPBELL. WOULD YOU AGREE THAT THIS PARTICULAR ISSUE COULD FALL UNDER THE LR250 INTERIM STUDY THAT YOU HAVE GOING FORWARD? [LB320 LR250]

SENATOR CAMPBELL: SENATOR DAVIS, THANK YOU FOR YOUR QUESTION. WE GENERALLY PUT IN AN OVERARCHING INTERIM STUDY FOR JUST SUCH A SITUATION AS THIS. WHEN SOMETHING ARISES AND A SENATOR FEELS THERE ARE ISSUES OF A HEALTH AND HUMAN SERVICES NATURE, WE THEN CAN UTILIZE THIS INTERIM STUDY TO HOLD A HEARING OR CONDUCT MORE WORK. BUT CERTAINLY I MUCH APPRECIATE YOUR COMING TO TALK WITH ME ABOUT THE SITUATION THERE. WE CERTAINLY WORKED WITH SENATOR SULLIVAN ON HER ISSUES AND WOULD BE HONORED TO TRY TO WORK THROUGH WHATEVER NEEDS TO BE DONE. [LB320]

SENATOR DAVIS: THANK YOU, SENATOR CAMPBELL. WOULD YOU...SO YOU'RE WILLING TO WORK WITH US OVER THE INTERIM ON THIS PARTICULAR ISSUE

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AND ANY OTHERS THAT WE SEE THAT DEVELOP OUT OF THE DISCUSSION THAT WE'VE HAD? [LB320]

SENATOR CAMPBELL: YES. IN FACT, THE LEGAL COUNSEL TO THE HEALTH AND HUMAN SERVICES COMMITTEE IS TALKING TO SENATOR BRASCH'S OFFICE AND YOUR OFFICE SO THAT WE CAN GET UP TO SPEED. I'D LIKE TO JUST TAKE A MOMENT TO ENCOURAGE MY COLLEAGUES TO SUPPORT THE UNDERLYING BILL HERE, LB320. ONE OF THE THINGS WE NEED TO KEEP IN MIND IS THIS PUTS OUT RESOURCE CENTERS IN THE STATE TO HELP AGING NEBRASKANS WHO HAVE HELPED TO BUILD THIS STATE AND THROUGH THEIR TAX DOLLARS SUPPORTED THE STATE THROUGH MANY YEARS. NOW IS THE TIME, WHEN THEY NEED ASSISTANCE, THAT WE SHOULD BE THERE FOR THEM. THANK YOU, MR. PRESIDENT. AND THANK YOU, SENATOR DAVIS. [LB320]

SENATOR DAVIS: THANK YOU, SENATOR CAMPBELL. SO, COLLEAGUES, HERE'S THE SITUATION THAT I THINK IS VERY, VERY DIRE AND SOMETHING THAT WE'RE GOING TO HAVE TO THINK ABOUT BECAUSE IT COULD DEVELOP IN THE FUTURE. ESSENTIALLY WHAT'S HAPPENED TO THE NURSING HOMES IN AINSWORTH AND LYONS AND THE OTHER TWO IS THAT THEY ARE OWNED AND OPERATED BY ENTITIES WHICH ARE BASICALLY BANKRUPT. SO, EVEN THOUGH THERE ARE RESIDENTS IN THOSE NURSING HOMES--AND THANK GOD FOR THE STAFF THAT'S GONE FORWARD AND VOLUNTEERED THEIR TIME TO BE THERE--THE RESOURCES ARE NOT AVAILABLE TO CONTINUE OPERATING THE NURSING HOME FOR EVEN A VERY SHORT PERIOD OF TIME. FINDING LOCATIONS FOR PEOPLE IS VERY DIFFICULT. THOSE RESIDENTS NEED TO BE MOVED SOMEWHERE AND, YOU KNOW, SOME OF THEM ARE GOING LONG, LONG DISTANCES. UNFORTUNATELY, I THINK THIS IS A PROBLEM THAT COULD DEVELOP AND BECOME MORE AND MORE EXTENSIVE AS TIME GOES ON. SO I THINK THE STATE NEEDS TO DEVELOP A PROACTIVE APPROACH BECAUSE, YOU KNOW, WE CAN'T LET PEOPLE BE SITTING IN NURSING HOMES WITH NO STAFF, NO FOOD. WE WERE DOWN TO JUST A FEW DAYS OF FOOD AT ONE POINT BEFORE THE RECEIVER STEPPED IN AT AINSWORTH. IT'S A MUCH MORE SERIOUS PROBLEM THAN ANYONE WOULD PERCEIVE IT TO BE. I THINK SENATOR BRASCH IS GOING TO SPEAK AND THEN I'M GOING TO PULL MY AMENDMENT. THANK YOU, MR. PRESIDENT. [LB320]

SPEAKER HADLEY: SENATOR BRASCH, YOU'RE RECOGNIZED. [LB320]

SENATOR BRASCH: AND THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES, FOR YOUR ATTENTION TO THIS, THIS MORNING, AND SENATOR

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DAVIS, FOR BRINGING THIS TO THE FLOOR. AND I DO SUPPORT SENATOR BOLZ'S BILL AND THE "E" TO IT, AS WELL. ALZHEIMER'S IS AN INCREASING PROBLEM. AND THESE NURSING HOMES THAT WE ARE TALKING ABOUT TODAY, MANY OF THEM DO HAVE MEMORY CARE UNITS. AND I DID GO ON OUR LAST RECESS DAY AND VISIT WITH THE STAFF THERE AND LOOKED THROUGHOUT THE FACILITY ON THE CONDITION. AND FIRST OF ALL, I DO WANT TO TELL YOU THAT THE RESIDENTS, MANY ARE FRAIL. THEM AND THEIR FAMILIES ARE VERY CONCERNED. THEY HAVE HEALTH CONDITIONS AND THEY'RE UNCERTAIN OF THEIR FUTURES. AND I ALSO WANT TO GIVE A HUGE ACCOLADE AND SHOUT-OUT TO THOSE EMPLOYEES. THE ONES THAT I SPOKE WITH, THEY WERE FATIGUED. THEY WERE KIND AND CARING ON THE RESIDENTS THERE. THEY EXPLAINED TO ME VERY PROUDLY THAT THERE WERE NO OPEN SORES, THERE WERE NO FALLS, THAT THE HEALTHCARE THEY WERE GIVING WAS THE BEST, DESPITE NOT HAVING BEEN COMPENSATED. THEY ARE NOT PAID AT THIS POINT. THEY STILL HAVE NOT BEEN PAID. AND THESE ARE INDIVIDUALS WHO DO NOT HAVE CASH, EXTRA MONEY TO FALL BACK ON. THEY'RE CONCERNED ABOUT MEETING THE NEEDS OF THOSE WHO ARE...WHO THEY OWE DEBTS TO. AND THEN FINALLY, THE COMMUNITY, THEY ARE CONCERNED, TOO, ABOUT THE STAFF AND THE RESIDENTS AND MORE SO ABOUT THE LACK OF THIS FACILITY IN THEIR COMMUNITY. IT WAS GOOD TO HAVE PEOPLE NEARBY THEIR HOMES AND THEIR FAMILIES AND NOT HAVE TO LEAVE THE AREA. AND THEY ARE ALSO CONCERNED ABOUT THE JOBS AND THAT THOSE JOBS WERE VERY IMPORTANT. SO THE LEGISLATURE AND, COLLEAGUES, WE NEED TO LOOK AT HOW TO CREATE A SAFETY BREAKERS, A SAFETY NET FOR THOSE CITIZENS WHO ARE THERE, TAXPAYERS. WE'RE TAXING THEIR SOCIAL SECURITY. THEY WERE TAXPAYERS IN THE PAST. LET'S TAKE CARE OF THEM WHEN THEY CAN NO LONGER TAKE CARE OF THEIRSELVES. THANK YOU FOR THIS TIME ON THE FLOOR. AND THANK YOU, SENATOR DAVIS AND SENATOR BOLZ. THANK YOU, MR. PRESIDENT, COLLEAGUES. [LB320]

SPEAKER HADLEY: SENATOR DAVIS, FOR WHAT PURPOSE DO YOU RISE? [LB320]

SENATOR DAVIS: POINT OF ORDER: I'D LIKE TO PULL MY AMENDMENT, PLEASE. [LB320]

SPEAKER HADLEY: AMENDMENT IS PULLED. MR. CLERK, WE WILL RETURN TO FINAL READING WITH LB320. SENATOR HANSEN, WE NEED A MOTION TO READVANCE THE BILL. [LB320]

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SENATOR HANSEN: YES, MR. PRESIDENT. I MOVE THAT LB320E ADVANCE TO E&R FOR ENGROSSING. [LB320]

SPEAKER HADLEY: ALL IN FAVOR VOTE...SAY AYE. ALL OPPOSED VOTE NAY. ALL OPPOSED SAY NAY. THE MOTION IS ADOPTED. THE BILL IS BACK ON FINAL READING. 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. [LB320]

CLERK: 37 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB320]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB320]

CLERK: (READ TITLE OF LB320.) [LB320]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB320 PASS WITH THE EMERGENCY CLAUSE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB320]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1816.) 42 AYES, 3 NAYS, 3 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB320]

SPEAKER HADLEY: LB320 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW PROCEED TO LB320A. [LB320 LB320A]

CLERK: (READ LB320A ON FINAL READING.) [LB320A]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB320A PASS? ALL IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB320A]



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CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1816-1817.) 40 AYES, 3 NAYS, 5 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB320A]

SPEAKER HADLEY: LB320A PASSES. WE WILL NOW PROCEED TO LB325. [LB320A LB325]

CLERK: MR. PRESIDENT, I HAVE A MOTION ON THE DESK. SENATOR GROENE WOULD MOVE TO RETURN THE BILL FOR A SPECIFIC AMENDMENT, THAT AMENDMENT BEING TO STRIKE THE ENACTING CLAUSE. (FA77, LEGISLATIVE JOURNAL PAGE 1817.) [LB325]

SPEAKER HADLEY: SENATOR GROENE, YOU'RE RECOGNIZED. [LB325]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I'M ABOUT AS BIG A FAN AS YOU CAN GET OF RURAL VOLUNTEER FIRE DEPARTMENTS, GOT FAMILY MEMBERS IN IT. AND WHEN SENATOR DAVIS BROUGHT ME THIS...TO THIS BILL, I SAID, OH, I JUST RIGHT AWAY SAID, YEAH, THAT'S GREAT, THAT'S GREAT, THAT'S GREAT. YOU KNOW, HOW PUSHED WE ARE AND THEN I READ THE BILL, AND I CAN'T SUPPORT THIS. THERE'S TOO MUCH IN IT, FOLKS. I DON'T KNOW IF YOU'VE READ IT, BUT WE HAVE A LIMIT ON COUNTIES THAT THEIR LEVY CAN ONLY BE 50 CENTS. THIS BILL REMOVES THAT LIMIT WHEN IT COMES TO...IT TAKES THE RURAL FIRE DISTRICTS OUTSIDE OF THAT LIMIT. SO, SENATOR DAVIS GAVE A LOT OF GOOD INFORMATION, BUT THERE'S SENATOR KINTNER, GLOOR, LARSON, DAVIS, SCHILZ, AND STINNER HAVE COUNTIES WHERE THEY ARE UP AGAINST THE LIMIT RIGHT NOW, OR PRETTY CLOSE TO IT. WHAT THIS WOULD ALLOW TO DO IS, YOUR COUNTY...IT SAYS ONLY THE COUNTIES THAT ARE AFFECTED RIGHT NOW THAT DON'T HAVE A RURAL FIRE BECAUSE THEY'RE UP AGAINST THE LIMIT, THEY COULD TAKE UP TO 10.5 CENTS--AND I'LL ASK SENATOR DAVIS TO CORRECT ME--OUTSIDE OF THAT LIMIT NOW AND PUT IT OUTSIDE OF THAT LIMIT AS A LEVY FOR RURAL FIRE. AND THAT'S SUBURB. ALL OF YOU FOLKS IN THE SUBURBS THAT HAVE...WHICH SHOCKED ME WHEN I SEEN SOME OF YOUR MILL LEVIES...THEY CAN TAKE THAT OUTSIDE OF THE COUNTY, MILL LEVY OF 50 CENTS NOW AND THEN FILL BACK IN WITH YOUR GENERAL FUND BACK UP TO 50 CENTS. YES, THERE ARE SOME COUNTIES THAT THERE'S FEUDS, OR WHATEVER YOU WANT TO TALK ABOUT, BETWEEN THE COUNTY COMMISSIONER AND RURAL FIRE, WHERE THE COUNTY COMMISSIONERS ARE BASICALLY CHARGING FOR THE RURAL FIRE BUT NOT GIVING IT TO THE RURAL FIRE. THAT NEEDS TO

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BE FIXED. AND THAT CAN BE DONE WITH ANOTHER BILL. BUT, SENATOR DAVIS, WOULD YOU YIELD FOR A QUESTION? [LB325]

SPEAKER HADLEY: SENATOR DAVIS, WILL YOU YIELD FOR A QUESTION? [LB325]

SENATOR DAVIS: I WILL. [LB325]

SENATOR GROENE: RIGHT NOW, ACCORDING TO THE INFORMATION YOU PASSED OUT, I DIDN'T RESEARCH IT ALL, COUNTIES ARE AUTHORIZED, BUT NOT REQUIRED TO ALLOCATE UP TO 15 CENTS ON LEVY AUTHORITY FROM MISCELLANEOUS POLITICAL SUBDIVISIONS UNDER THEIR JURISDICTION, INCLUDING FIRE PROTECTION. THAT'S CEMETERIES, I'M ASSUMING. WE HAVE ONE FOR AMBULANCES BECAUSE WE HAVE A JOINT AGREEMENT WITH THE CITY. SOME OF THE RURAL FIRE DOES. SO, NOW YOU'RE GOING TO GO...IS THIS CORRECT, YOU'RE GOING TO, WITH THIS BILL, ADD ANOTHER 10.5 PERCENT SPECIFICALLY FOR THE FIRE DISTRICTS? IS THAT CORRECT? [LB325]

SENATOR DAVIS: NO, SENATOR GROENE. WHAT THE BILL DOES IS, THE COUNTIES HAVE A LEVYING AUTHORITY OF 50 CENTS. THEY CAN KICK THE FIRE DISTRICTS OUT ON THEIR OWN. THAT HAS HAPPENED IN PERKINS COUNTY. I THINK THE LEVY THERE IS 27 CENTS, OR SOMETHING. I DON'T HAVE MY FILE HERE WITH ME, BUT ESSENTIALLY, THE COUNTY JUST KICKS THEM OUT AND SAYS YOU GO RAISE YOUR OWN FUNDS SOME OTHER WAY. SO THE COUNTY...YOU KNOW, WHAT YOU'RE TRYING TO DO, I UNDERSTAND WHAT YOU'RE TRYING TO DO, BUT THEY ALREADY HAVE THE AUTHORITY RIGHT NOW TO KICK THEM OUT. ALL THEY DO IS TO VOTE TO KICK THEM OUT AND THE FIRE DISTRICT HAS TO HOLD AN ELECTION OF ITS OWN, WHICH MEANS THEY HAVE TO SPEND MONEY, ADVERTISING, ELECTION EXPENSES, AND EVERYTHING ELSE, EVERY FIVE YEARS TO AUTHORIZE THEIR LEVY. THE 10.5 CENTS WAS IN THE...WAS AUTHORIZED BY THE LEGISLATURE LONG BEFORE THAT '98 BILL WHICH PUT THEM UNDER THE COUNTY OR IN THE COUNTY. [LB325]

SENATOR GROENE: IF, SIR...EXCUSE ME, BUT THEN WHY ON PAGE 3, LINE 29, DO YOU STRIKE WHERE IT SAYS, ALL FIRE PROTECTION DISTRICTS, AND THEN YOU STRIKE, SUBJECT TO A MUNICIPAL COUNTY LEVY AUTHORITY UNDER SECTION 73-343. YOU STRIKE THAT. SO, NOW TELL ME IF I'M CORRECT. YOU'RE TAKING THE FIRE DISTRICT'S MILL LEVY OUTSIDE THE LID, RIGHT, BY STRIKING THAT? [LB325]

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SENATOR DAVIS: THEY CAN ALREADY BE KICKED OUT OF THE LID, SENATOR GROENE. [LB325]

SENATOR GROENE: BUT YOU'RE DOING IT AUTOMATICALLY BY STRIKING THAT. [LB325]

SENATOR DAVIS: WHY, I WOULDN'T NECESSARILY SAY THAT, BUT I GUESS YOU COULD PERCEIVE IT THAT WAY. IT JUST PERMITS THE FIRE DISTRICTS TO GO AHEAD AND ESTABLISH THEIR OWN LEVIES AT A PUBLIC MEETING RATHER THAN GOING THROUGH THE LENGTHY ELECTION PROCESS. [LB325]

SENATOR GROENE: WELL, THANK YOU. THANK YOU, BUT THAT'S MY POINT. IT'S OUTSIDE THE LID. IT'S ANOTHER OPPORTUNITY TO RAISE TAXES, PROPERTY TAXES AT THE COUNTY LEVEL WITHOUT BEING SUBJECT TO THE LID. YOU KNOW, WE'VE GOT TOO MUCH OF THIS INTERLOCAL AGREEMENT STUFF. IF ANYBODY PAYS ATTENTION TO THEIR LOCAL COUNTY, AND CITY BUDGETS TO GET AROUND THE LID, ALL YOU'VE GOT TO DO IS CLAIM YOU'RE WORKING TOGETHER AND THEN WHATEVER THE COST OF THAT PROGRAM IS, IS AUTOMATIC BECAUSE IT'S SUPPOSEDLY SUPPOSE TO SAVE MONEY BECAUSE OF COOPERATION YOU GET OUT OF THE LID. I JUST READ THIS THING FINALLY REALLY CLOSE, LOOKED AT IT. IT'S A TAX...IT'S AN ABILITY TO RAISE YOUR PROPERTY TAXES. IT NEEDS TO BE DONE BETTER. YOU KNOW, WE COULD JUST WRITE A SMALL BILL AND SAY THE COUNTIES HAVE TO ALLOW UP TO 5 CENTS OR SOMETHING FOR THE FIRE DISTRICTS NO MATTER WHAT UNDER THEIR LID, THAT WOULD SOLVE A LOT OF THIS PROBLEM. I DON'T THINK WE NEED TO GO OUTSIDE OF THE LID, CREATE MORE TAXING AUTHORITY. THIS COULD BE FIXED AND MAINTAIN OUR LIDS. BUT YOU FOLKS THAT HAVE HIGH PROPERTY TAX LEVIES ALREADY, YOU'RE GOING TO GET HIGHER BECAUSE EVEN IF YOU LIVE IN A SUBURB OUTSIDE OF OMAHA, I LIVE IN ONE OUTSIDE OF...NOT A SUBURB, BUT YOU KNOW OUTSIDE THE CITY LIMITS AND OUR RURAL FIRE DISTRICT REALLY DOESN'T EXIST BECAUSE WE JUST...THEY CHARGE US A TAX THAT GOES TO THE CITY AND THEN THEY TAKE CARE OF US. WE HAVE A RURAL FIRE BOARD, BUT THAT'S ALL WE HAVE. WE DON'T HAVE ANY EQUIPMENT. BUT YOU'RE GOING TO GET HIT HIGHER, YOU'RE GOING TO GET HIT WITH ANOTHER TAX INCREASE BECAUSE THE FIRST THING THEY WILL DO, IF POSSIBLE, IS TO MOVE THAT FIRE DISTRICT OUTSIDE OF THE LID AND THEN RAISE THEIR MILL LEVIES. SO, ALL I'M ASKING IS TO RECONSIDER IT. I'M NOT TRYING TO FILIBUSTER OR ANYTHING LIKE THAT. I WANT TO PROTECT THE RURAL FIRE DISTRICTS. THOSE VOLUNTEERS, TO ME, ARE HEROES. I MEAN, THOSE GUYS GET UP AT 3:00 IN THE MORNING AND GO ON FIRE, ON EMT CALLS AND THEN THEY GET BACK HOME

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ABOUT 6:00, AND THEN AT 8:00 THEY'RE BACK AT THEIR JOB. YOU CAN'T DEFINE A GROUP OF PEOPLE MORE AS HEROES THAN THOSE FOLKS. THEY DON'T ASK FOR MUCH, BUT WE NEED TO TAKE CARE OF THEM, BUT THIS ISN'T THE ANSWER. I HAVEN'T HAD ANY OF MY RURAL FIRE DISTRICTS ASK ME FOR THIS. I'VE GOT A SON-IN-LAW THAT'S HEAVILY INVOLVED IN A RURAL VOLUNTEER FIRE DISTRICT. HE DIDN'T...I ASKED HIM ABOUT IT, HE DIDN'T EVEN KNOW THERE WAS A PROBLEM AND HE'S INVOLVED IN THE MANAGEMENT END OF IT OF THE DISTRICT. SO ANYWAY, THIS GOES...IT'S ONE OF THOSE THINGS AGAIN WHERE WE JUST GO TOO FAR. WE TRY TO PUSH THINGS TOO FAR. LET'S JUST FIX THE LITTLE PROBLEM AND HELP THOSE COUNTIES LIKE...THE LIST HERE WAS WEBSTER, FRANKLIN, NUCKOLLS, SHERIDAN, PERKINS, CHEYENNE, DEUEL, MORRILL. THEY'RE ALL OUT WEST. AND WE COULD HELP THOSE TOP OF THE LID ONES BY JUST SAYING SO MUCH HAS TO BE AVAILABLE FOR FIRE DISTRICTS WITHIN THE LID. WE DON'T NEED TO GO OUTSIDE THE LID. SO, ALL I ASK IS...I'M GOING TO PULL THIS, BUT WHEN YOU GO TO VOTE ON FINAL READING, THINK HARD THAT MAYBE THIS WENT TOO FAR, ESPECIALLY YOU FOLKS IN THE SUBURBAN AREAS AROUND THE BIGGER CITIES THAT ARE PAYING 2.7, PUSHING 3 MILLS. YOU'RE GOING TO GET HIT. YOU'RE GOING TO GET HIT WITH A TAX INCREASE IF THIS IS ALLOWED TO BE PUSHED TO ITS LIMITS. ALL RIGHT, THANK YOU. AND I'D PULL THE...THE RETURN TO SELECT FILE. [LB325]

SPEAKER HADLEY: THE RETURN TO SELECT FILE IS PULLED. MR. CLERK, WE WILL RETURN TO FINAL READING ON LB325. 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. [LB325]

CLERK: 40 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB325]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB325]

CLERK: MR. PRESIDENT, LB325 WAS A BILL ORIGINALLY INTRODUCED BY SENATOR DAVIS AND SCHILZ. (READ TITLE OF LB325.) [LB325]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB325 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB325]

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CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1818.) 40 AYES, 2 NAYS, 6 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB325]

SPEAKER HADLEY: LB325 PASSES. WE WILL NOW PROCEED TO LB329. [LB325 LB329]

CLERK: (READ LB329 ON FINAL READING.) [LB329]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB329 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB329]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1818-1819.) 46 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB329]

SPEAKER HADLEY: LB329 PASSES. WE WILL NOW GO TO LB330E. [LB329 LB330]

CLERK: MR. PRESIDENT, BEFORE WE PROCEED, SENATOR KINTNER HAD AN AMENDMENT, AM1690, WHICH HE WITHDRAWS. SENATOR McCOY, A FLOOR AMENDMENT, FA69; SENATOR LARSON, AM1565; AND SENATOR McCOY, FA70. I UNDERSTAND THOSE ARE ALL TO BE WITHDRAWN. [LB330]

SPEAKER HADLEY: MR. CLERK, THE FIRST BILL IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB330]

CLERK: 43 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB330]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB330]

CLERK: (READ TITLE OF LB330.) [LB330]

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SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB330 PASS WITH THE EMERGENCY CLAUSE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB330]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1820.) 44 AYES, 1 NAY, 4 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB330]

SPEAKER HADLEY: LB330 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW PROCEED TO LB330A. [LB330 LB330A]

CLERK: (READ LB330A ON FINAL READING.) [LB330A]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB330A PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB330A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1821.) 44 AYES, 1 NAY, AND 4 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB330A]

SPEAKER HADLEY: LB330A PASSES WITH THE EMERGENCY CLAUSE ATTACHED. MR. CLERK, WE WILL NOW GO TO LB347. 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. [LB330A LB347]

CLERK: 44 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB347]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB347]

CLERK: (READ TITLE OF LB347.) [LB347]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB347 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB347]

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ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1822.) THE VOTE IS 47 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB347]

SPEAKER HADLEY: LB347 PASSES. WE WILL NOW PROCEED TO LB347A. [LB347 LB347A]

ASSISTANT CLERK: (READ LB347A ON FINAL READING.) [LB347A]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB347A PASS? ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB347A]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1822-1833.) THE VOTE IS 45 AYES, 0 NAYS, 4 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB347A]

SPEAKER HADLEY: LB347A PASSES. WE WILL NOW PROCEED TO LB361. 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. [LB347A LB361]

ASSISTANT CLERK: 44 AYES, 1 NAY TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB361]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB361]

ASSISTANT CLERK: (READ TITLE OF LB361.) [LB361]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB361 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB361]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1823-1824.) THE VOTE IS 49 AYES, 0 NAYS. ALL MEMBERS ARE PRESENT, MR. PRESIDENT. [LB361]

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SPEAKER HADLEY: LB361 PASSES. WE WILL NOW PROCEED TO LB366. [LB361 LB366]

ASSISTANT CLERK: (READ LB366 ON FINAL READING.) [LB366]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB366 PASS? ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB366]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1824.) THE VOTE IS 37 AYES, 8 NAYS, 4 PRESENT AND NOT VOTING ON THE FINAL PASSAGE OF THE BILL, MR. PRESIDENT. [LB366]

SPEAKER HADLEY: LB366 PASSES. WE WILL NOW PROCEED TO LB366A. [LB366 LB366A]

ASSISTANT CLERK: (READ LB366A ON FINAL READING.) [LB366A]

SPEAKER HADLEY: LB366A. ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB366A PASS? RECORD, MR. CLERK. [LB366A]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1825.) THE VOTE IS 37 AYES, 6 NAYS, 6 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB366A]

SPEAKER HADLEY: LB366A PASSES. WE WILL NOW PROCEED TO LB382. [LB366A LB382]

ASSISTANT CLERK: (READ LB382 ON FINAL READING.) [LB382]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB382 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB382]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1825-1826.) THE VOTE IS 46 AYES, 0 NAYS, 3 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB382]



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SPEAKER HADLEY: LB382 PASSES. WE WILL NOW PROCEED TO LB382A. [LB382 LB382A]

ASSISTANT CLERK: (READ LB382A ON FINAL READING.) [LB382A]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB382A PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB382A]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1826-1827.) THE VOTE IS 46 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB382A]

SPEAKER HADLEY: LB382A PASSES. WE WILL NOW PROCEED TO LB390. 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. [LB382A LB390]

ASSISTANT CLERK: 39 AYES, 1 NAY TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB390]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB390]

ASSISTANT CLERK: (READ TITLE OF LB390.) [LB390]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB390 PASS WITH THE EMERGENCY CLAUSE? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB390]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1827-1828.) THE VOTE IS 44 AYES, 2 NAYS, 2 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB390]

SPEAKER HADLEY: LB390 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. MR. CLERK, WE WILL NOW GO TO LB390A. [LB390 LB390A]

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ASSISTANT CLERK: (READ LB390A ON FINAL READING.) [LB390A]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB390A PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB390A]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1828.) THE VOTE IS 42 AYES, 2 NAYS, 3 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB390A]

SPEAKER HADLEY: LB390A PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW PROCEED TO LB419. [LB390A LB419]

ASSISTANT CLERK: (READ LB419 ON FINAL READING.) [LB419]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB419 PASS? ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB419]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1829.) THE VOTE IS 39 AYES, 5 NAYS, 3 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB419]

SPEAKER HADLEY: LB419 PASSES. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF CONDUCTING BUSINESS, I PROPOSE TO SIGN AND WILL HEREBY SIGN LB259A, LB265E, LB265A, LB292, LB292A, LB320E, LB320A, LB325, LB329, LB330, LB330A, LB347, LB347A, LB361, LB366, LB366A, LB382, AND LB382A. MR. CLERK, WE WILL NOW PROCEED TO LB469E. THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL IN FAVOR VOTE AYE; OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB419 LB259A LB265 LB265A LB292 LB292A LB320 LB320A LB325 LB329 LB330 LB330A LB347 LB347A LB361 LB366 LB366A LB382 LB382A LB469]

ASSISTANT CLERK: 40 AYES, 0 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB469]

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SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB469]

ASSISTANT CLERK: (READ TITLE OF LB469.) [LB469]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB469 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB469]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1830-1831.) THE VOTE IS 43 AYES, 1 NAY, 2 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB469]

SPEAKER HADLEY: LB469 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. MR. CLERK, WE WILL NOW GO TO LB469A. [LB469 LB469A]

ASSISTANT CLERK: (READ LB469A ON FINAL READING.) [LB469A]

SPEAKER HADLEY: ALL PROVISIONS OF LAW HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB469A PASS? ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB469A]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1831.) THE VOTE IS 43 AYES, 0 NAYS, 4 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB469A]

SPEAKER HADLEY: LB469A PASSES. WE WILL NOW GO TO LB480. 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. [LB469A LB480]

ASSISTANT CLERK: 41 AYES, 0 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB480]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB480]

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ASSISTANT CLERK: (READ TITLE OF LB480.) [LB480]

SPEAKER HADLEY: ALL PROVISIONS OF LAW HAVING BEEN COMPLIED WITH, THE VOTE IS ON THE PASSAGE OF LB480. ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB480]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1832.) THE VOTE IS 46 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB480]

SPEAKER HADLEY: LB480 PASSES. [LB480]

SENATOR KRIST PRESIDING

SENATOR KRIST: LB500E. MR. CLERK. [LB500]

ASSISTANT CLERK: (READ LB500 ON FINAL READING.) [LB500]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB500 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB500]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1833.) THE VOTE IS 40 AYES, 1 NAY, 5 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB500]

SENATOR KRIST: LB500 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE'LL NOW PROCEED TO LB500A. [LB500 LB500A]

ASSISTANT CLERK: (READ LB500A ON FINAL READING.) [LB500A]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB500A PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB500A]

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ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1834.) THE VOTE IS 41 AYES, 2 NAYS, 3 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB500A]

SENATOR KRIST: LB500A PASSES. WE'LL NOW PROCEED TO LB504. [LB500A LB504]

ASSISTANT CLERK: (READ LB504 ON FINAL READING.) [LB504]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB504 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE RECORD, MR. CLERK. [LB504]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1834-1835.) THE VOTE IS 43 AYES, 0 NAYS, 3 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB504]

SENATOR KRIST: LB504 PASSES. WE'LL NOW PROCEED TO LB504A. [LB504 LB504A]

ASSISTANT CLERK: (READ LB504A ON FINAL READING.) [LB504A]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB504A PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB504A]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1835.) THE VOTE IS 44 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB504A]

SENATOR KRIST: LB504A PASSES. WE'LL NOW PROCEED TO LB538. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE. I'M SORRY, NEXT BILL, LB504...LB525. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE AND ALL THOSE OPPOSED VOTE NAY. PLEASE RECORD, MR. CLERK. [LB504A LB525]

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ASSISTANT CLERK: 41 AYES, 0 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB525]

SENATOR KRIST: THE AT-LARGE READING IS DISPENSED WITH. PLEASE READ THE TITLE. [LB525]

ASSISTANT CLERK: (READ TITLE OF LB525.) [LB525]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB525 PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. PLEASE RECORD, MR. CLERK. [LB525]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1836-1837.) 46 AYES, 0 NAYS, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB525]

SENATOR KRIST: LB525 PASSES. NEXT BILL IS LB538. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE AND THOSE OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB525 LB538]

CLERK: 40 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH AT-LARGE READING. [LB538]

SENATOR KRIST: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB538]

CLERK: (READ TITLE OF LB538.) [LB538]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB538 PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB538]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1837-1838.) 46 AYES, 0 NAYS, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB538]

SENATOR KRIST: LB538 PASSES. WE WILL NOW PROCEED TO LB538A. [LB538 LB538A]

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CLERK: (READ LB538A ON FINAL READING.) [LB538A]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB538A PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB538A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1838.) 43 AYES, 0 NAYS, 3 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB538A]

SENATOR KRIST: LB538A PASSES. WE'LL NOW PROCEED TO LB539E. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE RECORD, MR. CLERK. [LB538A LB539]

CLERK: 43 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB539]

SENATOR KRIST: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB539]

CLERK: (READ TITLE OF LB539.) [LB539]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB539E PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB539]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1839.) 46 AYES, 0 NAYS, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB539]

SENATOR KRIST: LB539E PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE'LL NOW PROCEED TO LB547. [LB539 LB547]

CLERK: (READ LB547 ON FINAL READING.) [LB547]

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SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB547 PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB547]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1840.) 42 AYES, 0 NAYS, 4 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB547]

SENATOR KRIST: LB547 PASSES. WE'LL NOW PROCEED TO LB547A. [LB547 LB547A]

CLERK: (READ LB547A ON FINAL READING.) [LB547A]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB547A PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB547A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1840-1841.) 42 AYES, 0 NAYS, 4 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB547A]

SENATOR KRIST: LB547A PASSES. WE'LL NOW PROCEED TO LB559E. [LB547A LB559]

CLERK: (READ LB559 ON FINAL READING.) [LB559]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB559E PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE RECORD, MR. CLERK. [LB559]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1841-1842.) 45 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB559]

SENATOR KRIST: LB559E PASSES WITH THE EMERGENCY CLAUSE. WE'LL NOW PROCEED TO LB566. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-



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LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB559 LB566]

CLERK: 41 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB566]

SENATOR KRIST: THE AT-LARGE READING IS DISPENSED WITH. PLEASE READ THE TITLE. [LB566]

CLERK: (READ TITLE OF LB566.) [LB566]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB566 PASS WITH THE EMERGENCY CLAUSE ATTACHED? THERE IS NO EMERGENCY CLAUSE. I'M VERY SORRY. ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB566 PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB566]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1842-1843.) 45 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB566]

SENATOR KRIST: LB566 PASSES. WE'LL NOW PROCEED TO LB566A. [LB566 LB566A]

CLERK: (READ LB566A ON FINAL READING.) [LB566A]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB566A PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB566A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1843.) 43 AYES, 0 NAYS, 3 PRESENT AND NOT VOTING, 3 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB566A]

SENATOR KRIST: LB566A PASSES. WE'LL NOW PROCEED TO LB591E. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN

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FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE RECORD, MR. CLERK.  
[LB566A LB591]

CLERK: 41 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE  
READING. [LB591]

SENATOR KRIST: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK,  
PLEASE READ THE TITLE. [LB591]

CLERK: (READ TITLE OF LB591.) [LB591]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING  
BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB591E PASS WITH THE  
EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED,  
NAY. PLEASE RECORD, MR. CLERK. [LB591]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1844.) 47 AYES, 0  
NAYS, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB591]

SENATOR KRIST: LB591E PASSES WITH THE EMERGENCY CLAUSE ATTACHED.  
WE'LL NOW PROCEED TO LB591AE. [LB591 LB591A]

CLERK: (READ LB591A ON FINAL READING.) [LB591A]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING  
BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB591AE PASS WITH THE  
EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED,  
NAY. PLEASE RECORD, MR. CLERK. [LB591A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1845.) 45 AYES, 0  
NAYS, 2 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR.  
PRESIDENT. [LB591A]

SENATOR KRIST: LB591A PASSES WITH THE EMERGENCY CLAUSE ATTACHED.  
WE'LL NOW PROCEED TO LB598. THE FIRST VOTE, MR. CLERK, WILL BE TO  
DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE;  
OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB591A LB598]

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CLERK: 44 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB598]

SENATOR KRIST: AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB598]

CLERK: (READ TITLE OF LB598.) [LB598]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB598 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE RECORD, MR. CLERK. [LB598]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1846-1847.) 47 AYES, 0 NAYS, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB598]

SENATOR KRIST: LB598 PASSES. WE'LL NOW PROCEED TO LB598A. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB598 LB598A]

CLERK: 39 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB598A]

SENATOR KRIST: AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB598A]

CLERK: (READ TITLE OF LB598A.) [LB598A]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB598A PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE RECORD, MR. CLERK. I'M SORRY, WE NEED TO WAIT. RECORD, MR. CLERK. [LB598A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1847.) 45 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB598A]

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SENATOR KRIST: LB598A PASSES. WE'LL NOW PROCEED TO LB605. THE FIRST VOTE, MR. CLERK, WILL BE TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. [LB598A LB605]

CLERK: 40 AYES, 0 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB605]

SENATOR KRIST: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB605]

CLERK: (READ TITLE OF LB605.) [LB605]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB605 PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB605]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1849.) 45 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB605]

SENATOR KRIST: LB605 PASSES. WE'LL NOW PROCEED TO LB605A. [LB605 LB605A]

CLERK: (READ LB605A ON FINAL READING.) [LB605A]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB605A PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB605A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1849-1850.) 44 AYES, 3 NAYS, 1 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB605A]

SENATOR KRIST: LB605A PASSES. WE'LL NOW PROCEED TO LB607E. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. PLEASE RECORD, MR. CLERK. [LB605A LB607]

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CLERK: 38 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB607]

SENATOR KRIST: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB607]

CLERK: (READ TITLE OF LB607.) [LB607]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB607E PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB607]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1850-1851.) 45 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB607]

SENATOR KRIST: LB607E PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE WILL NOW PROCEED TO LB607A. [LB607 LB607A]

CLERK: (READ LB607A ON FINAL READING.) [LB607A]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB607A PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB607A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1851-1852.) 44 AYES, 0 NAYS, 3 PRESENT AND NOT VOTING, AND 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB607A]

SENATOR KRIST: LB607A PASSES. WE WILL NOW PROCEED TO LB629E. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB607A LB629]

CLERK: 38 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB629]

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SENATOR KRIST: AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB629]

CLERK: (READ TITLE OF LB629.) [LB629]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB629 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB629]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1852-1853.) 47 AYES, 0 NAYS, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB629]

SENATOR KRIST: LB629 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE'LL NOW PROCEED TO LB629AE. [LB629 LB629A]

CLERK: (READ LB629A ON FINAL READING.) [LB629A]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB629AE PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB629A]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1853.) 47 AYES, 0 NAYS, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB629A]

SENATOR KRIST: LB629AE PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE'LL NOW PROCEED TO LB642. [LB629A LB642]

CLERK: (READ LB642 ON FINAL READING.) [LB642]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB642 PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB642]

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CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1854.) 46 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, 2 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB642]

SENATOR KRIST: LB642 PASSES. ITEMS, MR. CLERK? [LB642]

CLERK: I DO, MR. PRESIDENT. BILLS READ ON FINAL READING EARLIER TODAY WERE PRESENTED TO THE GOVERNOR AT 11:08 AND THEN AGAIN AT 12:48. (RE: LB623, LB70, LB70A, LB81, LB81A, LB106, LB106A, LB156, LB175, LB183, LB196, LB199, LB199A, LB200, LB200A, LB226, LB231, LB243, LB243A, LB259, LB259A, LB265, LB265A, LB292, LB292A, LB320, LB320A, LB325, LB329, LB330, LB330A, LB347, LB347A, LB361, LB366, LB366A, LB382, AND LB382A.) EXPLANATION OF VOTE FROM SENATOR McCOY. (RE: LB591, LB591A, LB605, AND LB605A.) RESOLUTIONS: SENATOR BLOOMFIELD OFFERS LR356; KOLOWSKI, LR357, LR358, AND LR359. I HAVE A NAME ADD, MR. PRESIDENT: SENATORS MELLO, DAVIS, KOLOWSKI TO LB448. THAT'S ALL THAT I HAVE. (LEGISLATIVE JOURNAL PAGES 1854-1857.) [LB623 LB70 LB70A LB81 LB81A LB106 LB106A LB156 LB175 LB183 LB196 LB199 LB199A LB200 LB200A LB226 LB231 LB243 LB243A LB259 LB259A LB265 LB265A LB292 LB292A LB320 LB320A LB325 LB329 LB330 LB330A LB347 LB347A LB361 LB366 LB366A LB382 LB382A LB591 LB591A LB605 LB605A LR356 LR357 LR358 LR359 LB448]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LB390, LB390A, LB419, LB469, LB469A, LB480, LB500E, LB500A, LB504, LB504A, LB525, LB538, LB538A, LB539, LB547, LB547A, LB559E, LB566, LB566A, LB591E, LB591AE, LB598, LB598A, LB605, LB605A, LB607E, LB607A, LB629A, AND LB642. I WANT TO TAKE JUST A SECOND TO THANK YOU ALL AGAIN FOR YOUR PATIENCE. HAVE A GOOD WEEKEND. OH, I MISSED LB629, GOT TO GET THAT IN THERE. THANK YOU ALL, AND THE STAFF ALSO, FOR ALL THE WORK IN THE LAST TWO WEEKS. THANK YOU. MR. CLERK FOR AN ANNOUNCEMENT. [LB390 LB390A LB419 LB469 LB469A LB480 LB500 LB500A LB504 LB504A LB525 LB538 LB538A LB539 LB547 LB547A LB559 LB566 LB566A LB591 LB591A LB598 LB598A LB605 LB605A LB607 LB607A LB629 LB629A LB642]

CLERK: MR. PRESIDENT, SENATOR GARRETT WOULD MOVE TO ADJOURN THE BODY UNTIL TUESDAY MORNING, MAY 26, AT 9:00 A.M.

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SPEAKER HADLEY: ALL IN FAVOR SAY AYE. OPPOSED, NAY. WE ARE ADJOURNED.