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Floor Debate  
March 01, 2016

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[LB83 LB371 LB549 LB673 LB676 LB694 LB700 LB703 LB718 LB729 LB734 LB735  
LB746A LB753 LB758 LB776 LB778 LB786 LB798 LB807 LB811 LB840 LB843 LB859  
LB864 LB890 LB898 LB908 LB910 LB915 LB919 LB919A LB921 LB928 LB929 LB954  
LB1016 LB1019 LB1035 LB1077 LB1081 LB1082 LR403 LR413 LR418 LR443 LR444  
LR445 LR446 LR447 LR448 LR458]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE THIRTY-FIFTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN FOR TODAY IS SENATOR RIEPE. PLEASE RISE.

SENATOR RIEPE: (PRAYER OFFERED.)

PRESIDENT FOLEY: THANK YOU, SENATOR RIEPE. I CALL TO ORDER THE THIRTY-FIFTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. SENATORS, PLEASE RECORD YOUR PRESENCE. ROLL CALL. MR. CLERK, PLEASE RECORD.

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

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

CLERK: I HAVE NO CORRECTIONS.

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

CLERK: MR. PRESIDENT, YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB676, LB700, LB703, LB729, LB778, LB798, LB864 AS CORRECTLY ENGROSSED. LEGISLATIVE RESOLUTION, LR403, IS REPORTED AS CORRECTLY ENROLLED. AND YOUR COMMITTEE ON GOVERNMENT, CHAIRED BY SENATOR MURANTE, REPORTS LB694 TO GENERAL FILE. MR. PRESIDENT, AN ANNOUNCEMENT--RETIREMENT COMMITTEE WILL HAVE AN EXECUTIVE SESSION IN THE NORTH BALCONY AT 10:00; RETIREMENT, 10:00, NORTH BALCONY.

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THAT'S ALL THAT I HAVE, MR. PRESIDENT. [LB676 LB700 LB703 LB729 LB778 LB798 LB864 LR403 LB694]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS I PROPOSE TO SIGN AND DO HEREBY SIGN LR443, LR444, LR445, (LR446,) LR447, AND LR448. (DOCTOR OF THE DAY INTRODUCED.) AND MEMBERS, IN CELEBRATION OF SENATOR SULLIVAN'S BIRTHDAY AND NEBRASKA'S 149th BIRTHDAY TODAY, SENATOR SULLIVAN IS SHARING BEEF STICKS MADE FROM NEBRASKA BEEF WITH ALL OF YOU. HAPPY BIRTHDAY, SENATOR SULLIVAN. AND IN HONOR OF SENATOR BOLZ'S BIRTHDAY, PLEASE ENJOY THE CUPCAKES PROVIDED BY HER MOTHER, PAM EISENHAUER. HAPPY BIRTHDAY, SENATOR KATE BOLZ. WE'LL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA, LEGISLATIVE CONFIRMATION REPORTS. MR. CLERK. [LR443 LR444 LR445 LR446 LR447 LR448]

CLERK: MR. PRESIDENT, THE RETIREMENT SYSTEMS COMMITTEE, CHAIRED BY SENATOR KOLTERMAN, REPORTS ON THE APPOINTMENT OF J. RUSSELL DERR TO THE PUBLIC EMPLOYEES RETIREMENT BOARD. (LEGISLATIVE JOURNAL PAGE 704.)

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR KOLTERMAN, YOU'RE RECOGNIZED TO OPEN ON THE FIRST CONFIRMATION REPORT.

SENATOR KOLTERMAN: THANK YOU, MR. LIEUTENANT GOVERNOR; AND COLLEAGUES, GOOD MORNING. THE HONORABLE J. RUSSELL DERR...

PRESIDENT FOLEY: EXCUSE ME, SENATOR KOLTERMAN. MEMBERS, PLEASE COME TO ORDER. SENATOR KOLTERMAN.

SENATOR KOLTERMAN: NEBRASKA RETIREMENT SYSTEMS COMMITTEE HELD A CONFIRMATION HEARING ON FEBRUARY 22 FOR JUDGE J. RUSSELL DERR WHO HAS BEEN APPOINTED BY THE GOVERNOR TO FILL THE JUDGE'S SEAT ON THE NEBRASKA PUBLIC EMPLOYEES RETIREMENT BOARD. THIS IS A FIVE-YEAR TERM. JUDGE DERR WAS IN PRIVATE PRACTICE FOR 20 YEARS BEFORE HIS APPOINTMENT TO THE DISTRICT COURT 4th JUDICIAL DISTRICT IN 2003 WHERE HE CONTINUES TO SERVE. HE GRADUATED FROM THE UNIVERSITY OF NEBRASKA-OMAHA IN 1978 WITH A B.S. IN BUSINESS ADMINISTRATION; FROM CREIGHTON LAW SCHOOL IN 1981 WHERE HE RECEIVED HIS JURIS DOCTORATE. HE HAS SERVED ON THE JUDICIAL ETHICS COMMITTEE SINCE 2009. HIS

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BACKGROUND WILL MAKE HIM A VALUABLE MEMBER OF THE NEBRASKA PUBLIC EMPLOYEES RETIREMENT BOARD WHICH OVERSEES ALL THE STATE RETIREMENT PLANS. THE RETIREMENT COMMITTEE UNANIMOUSLY VOTED TO MOVE JUDGE RUSSELL DERR'S REAPPOINTMENT TO THE LEGISLATURE FOR CONFIRMATION. I ASK FOR YOUR SUPPORT IN CONFIRMING THIS APPOINTMENT TO THE PUBLIC EMPLOYEES RETIREMENT BOARD.

PRESIDENT FOLEY: THANK YOU, SENATOR KOLTERMAN. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR KOLTERMAN, YOU'RE RECOGNIZED TO CLOSE ON THE REPORT; AND HE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT FROM RETIREMENT SYSTEMS COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 760.) 38 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

CLERK: A SECOND REPORT FROM THE RETIREMENT SYSTEMS COMMITTEE, REPORTS ON THE APPOINTMENT OF KEITH OLSON OF THE (NEBRASKA) INVESTMENT COUNCIL. (LEGISLATIVE JOURNAL PAGE 704.)

PRESIDENT FOLEY: SENATOR KOLTERMAN, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR KOLTERMAN: THANK YOU, MR. LIEUTENANT GOVERNOR. THE NEBRASKA RETIREMENT SYSTEMS COMMITTEE HELD A CONFIRMATION HEARING ON FEBRUARY 22 FOR KEITH OLSON. THIS IS MR. OLSON'S FIRST APPOINTMENT TO THE NEBRASKA INVESTMENT COUNCIL. THE GOVERNOR APPOINTED HIM TO A FIVE-YEAR TERM ON THE COUNCIL. NEBRASKA INVESTMENT COUNCIL MANAGES THE INVESTMENTS OF 30 DIFFERENT ENTITIES FOR THE STATE, INCLUDING OUR PENSION FUNDS AND ENDOWMENT FUNDS. MR. OLSON RECEIVED HIS BACHELOR OF SCIENCE DEGREE IN 1981 IN BUSINESS ADMINISTRATION IN ECONOMICS FROM THE UNIVERSITY OF NEBRASKA-KEARNEY, AND HIS MASTERS OF BUSINESS ADMINISTRATION DEGREE IN 1986 FROM THE UNIVERSITY OF NEBRASKA-OMAHA. IN 1986, HE RECEIVED HIS CERTIFICATION AS A CHARTERED FINANCIAL ANALYST. FOR OVER 30 YEARS, MR.

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OLSON HAS WORKED IN THE FIELD INVESTMENTS THROUGHOUT THE WORLD, INCLUDING HONG KONG, MONTREAL, TOKYO, AND NEW YORK. HE CURRENTLY WORKS AND RESIDES IN OMAHA. HE WILL BRING REAL WORLD BUSINESS AND INVESTMENT EXPERIENCE TO THE NEBRASKA INVESTMENT COUNCIL AND IS WELL QUALIFIED TO MAKE DECISIONS REGARDING THE INVESTMENT OF PUBLIC FUNDS. RETIREMENT COMMITTEE UNANIMOUSLY VOTED TO MOVE MR. OLSON'S APPOINTMENT TO THE LEGISLATURE FOR CONFIRMATION. I WOULD ASK FOR YOUR SUPPORT IN CONFIRMING THIS APPOINTMENT TO THE NEBRASKA INVESTMENT COUNCIL.

PRESIDENT FOLEY: THANK YOU, SENATOR KOLTERMAN. SEEING NO MEMBERS WISHING TO SPEAK ON THE CONFIRMATION REPORT, SENATOR KOLTERMAN, YOU'RE RECOGNIZED TO CLOSE ON THE REPORT, AND HE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT FROM THE RETIREMENT SYSTEMS COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 761.) 40 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE CONFIRMATION REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

CLERK: MR. PRESIDENT, THE THIRD REPORT THIS MORNING BY THE EDUCATION COMMITTEE INVOLVES THE APPOINTMENT OF CHARLES WARD TO THE BOARD OF EDUCATIONAL LANDS AND FUNDS. (LEGISLATIVE JOURNAL PAGE 725.)

PRESIDENT FOLEY: SENATOR SULLIVAN, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT, AND MEMBERS OF THE LEGISLATURE. I BRING FOR YOUR CONFIRMATION THE APPOINTMENT OF CHARLES WARD OF VALENTINE TO THE NEBRASKA BOARD OF EDUCATIONAL LANDS AND FUNDS. THIS IS A REAPPOINTMENT TO THE BOARD FOR MR. WARD WHO PARTICIPATED IN HIS FEBRUARY 16 HEARING VIA CONFERENCE CALL AND ANSWERED ALL QUESTIONS POSED TO HIM TO THE SATISFACTION OF THE COMMITTEE. THE COMMITTEE ADVANCED MR. WARD'S NOMINATION BY AN 8-0 VOTE. MR. WARD IS A LOCKSMITH, RANCHER, AND LANDOWNER IN NEBRASKA, OWNING COMMERCIAL, PASTURE, AND FARM GROUND WITH A CENTER PIVOT. MR. WARD HAS EXPRESSED A GREAT INTEREST IN GIVING BACK TO HIS

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COUNTRY, COMMUNITY, AND STATE, AND HAS DEMONSTRATED THAT COMMITMENT BY SERVING IN OUR COUNTRY'S MILITARY AND BY HIS WILLINGNESS TO CONTINUE TO SERVE ON THE BOARD OF EDUCATIONAL LANDS AND FUNDS. MR. WARD TAKES SERIOUSLY HIS RESPONSIBILITY ON THE BOARD AND IS KEENLY AWARE OF THE FISCAL IMPACT THAT HIS DECISIONS HAVE ON NEBRASKA SCHOOL CHILDREN. I BELIEVE IF REAPPOINTED, MR. WARD WILL CONTINUE TO BE A BENEFIT TO OUR SCHOOL CHILDREN BY ABIDING BY HIS FIDUCIARY DUTY AS IT PERTAINS TO THE SCHOOL LANDS AND WILL CONTINUE TO SEEK THE BEST RETURN POSSIBLE FROM THOSE SCHOOL LANDS. AND FOR THAT REASON I ASK FOR YOUR GREEN VOTE ON MR. WARD'S CONFIRMATION. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR SULLIVAN. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT FROM THE EDUCATION COMMITTEE. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR SULLIVAN, YOU'RE RECOGNIZED TO CLOSE ON THE REPORT; AND SHE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT FROM THE EDUCATION COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGES 761-762.) 38 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

CLERK: MR. PRESIDENT, SENATOR SULLIVAN OFFERS A SECOND EDUCATION COMMITTEE REPORT INVOLVING THE APPOINTMENT OF COLLEEN ADAM TO THE COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION. (LEGISLATIVE JOURNAL PAGE 726.)

PRESIDENT FOLEY: SENATOR SULLIVAN, YOU'RE RECOGNIZED TO OPEN ON THE SECOND CONFIRMATION REPORT.

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. I BRING FOR YOUR CONFIRMATION THE APPOINTMENT OF MRS. COLLEEN ADAM OF HASTINGS, NEBRASKA, TO THE COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION REPRESENTING DISTRICT 5. THIS IS A REAPPOINTMENT TO THE COMMISSION FOR MRS. ADAM, WHO APPEARED BEFORE THE EDUCATION COMMITTEE ON FEBRUARY 23 AND ANSWERED ALL QUESTIONS ASKED OF HER

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TO THE SATISFACTION OF THE COMMITTEE. THE COMMITTEE ADVANCED MRS. ADAM'S NOMINATION BY AN 8-0 VOTE. MRS. ADAM IS A VERY INVOLVED MEMBER OF THE HASTINGS COMMUNITY AS EVIDENCED BY HER SERVING OR HAVING SERVED ON THE BOARDS OF DIRECTORS OF THE HASTINGS MUSEUM, THE MARY LANNING HOSPITAL, AND HER LOCAL CHURCH. MRS. ADAM IS VERY INVOLVED IN THE POLICY RECOMMENDATIONS MADE BY THE COMMISSION AND EXPRESSED A STRONG GRASP OF THE STATUTORY OBLIGATIONS OF THE COMMISSION AND THE IMPORTANT ROLE THAT THEY PLAY IN OUR STATE POSTSECONDARY EDUCATIONAL LANDSCAPE. I BELIEVE THAT MRS. ADAM IS A VALUED MEMBER OF THE COMMISSION AND HER PRESENCE ON THE COMMISSION SHOULD BE MAINTAINED. I WOULD ASK FOR YOUR SUPPORT IN CONFIRMING MRS. ADAM. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SENATOR SULLIVAN. DEBATE IS NOW OPEN ON THE SECOND CONFIRMATION REPORT. SEEING NO SENATORS WISHING TO SPEAK, SENATOR SULLIVAN, YOU'RE RECOGNIZED TO CLOSE, AND SHE WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT FROM THE EDUCATION COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 762.) 36 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MR. CLERK.

CLERK: MR. PRESIDENT, THE EDUCATION COMMITTEE OFFERS A REPORT INVOLVING THE APPOINTMENT OF RONALD HUNTER WITH THE COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION. (LEGISLATIVE JOURNAL PAGE 726.)

PRESIDENT FOLEY: SENATOR SULLIVAN, YOU'RE RECOGNIZED TO OPEN ON THE THIRD CONFIRMATION REPORT.

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. I BRING FOR YOUR CONFIRMATION, COLLEAGUES, THE APPOINTMENT OF DR. RONALD HUNTER OF HAY SPRINGS, NEBRASKA, TO THE COORDINATING COMMISSION FOR POSTSECONDARY EDUCATION REPRESENTING DISTRICT 6. THIS IS A REAPPOINTMENT TO THE COMMISSION FOR DR. HUNTER WHO PARTICIPATED IN HIS FEBRUARY 23 HEARING VIA CONFERENCE CALL AND ANSWERED ALL

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QUESTIONS POSED TO HIM TO THE SATISFACTION OF THE COMMITTEE. THE COMMITTEE ADVANCED DR. HUNTER'S NOMINATION BY AN 8-0 VOTE. DR. HUNTER, AFTER GRADUATING FROM THE DENTAL COLLEGE AT THE UNIVERSITY, SERVED HIS COUNTRY AS AN ARMY DENTIST FROM 1970 THROUGH 1992; RETIRING AT THE RANK OF COLONEL. AFTER HIS MILITARY SERVICE, DR. HUNTER BECAME A RANCHER AND FARMER IN HAY SPRINGS WHERE HE HAS BEEN ACTIVELY INVOLVED IN VARIOUS CIVIC AND COMMUNITY ENDEAVORS. DR. HUNTER EXPRESSED A STRONG INTEREST IN CONTINUING TO SERVE ON THE COMMISSION AND PROVIDING A STRONG VOICE FOR THE NEED FOR POSTSECONDARY EDUCATION AND A RURAL PERSPECTIVE ON THE COMMISSION. I ASK FOR YOUR GREEN VOTE ON THE CONFIRMATION OF DR. HUNTER.

PRESIDENT FOLEY: THANK YOU, SENATOR SULLIVAN. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT. SEEING NO MEMBERS WISHING TO SPEAK, SENATOR SULLIVAN WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF THE CONFIRMATION REPORT FROM THE EDUCATION COMMITTEE. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED? RECORD, PLEASE, MR. CLERK.

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 763.) 36 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MEMBERS, WE'RE NOW GOING TO PROCEED TO FINAL READING. I'D ASK ALL OF YOU TO PLEASE RETURN TO YOUR DESKS SO WE CAN MOVE ON WITH FINAL READING. MEMBERS, IF YOU COULD PLEASE RETURN TO YOUR DESK SO WE CAN BEGIN WITH FINAL READING. PURSUANT TO THE AGENDA, WE'RE NOW IN FINAL READING. MR. CLERK.

CLERK: MR. PRESIDENT, LB954. [LB954]

PRESIDENT FOLEY: 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. [LB954]

CLERK: 46 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB954]

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PRESIDENT FOLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB954]

CLERK: (READ TITLE OF LB954.) [LB954]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB954E PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, PLEASE, MR. CLERK. [LB954]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 764.) 49 AYES, 0 NAYS, MR. PRESIDENT, ON THE FINAL PASSAGE. [LB954]

PRESIDENT FOLEY: LB954E PASSES WITH THE EMERGENCY CLAUSE ATTACHED. WE'LL NOW PROCEED TO LB1016. MR. CLERK. [LB954 LB1016]

CLERK: (READ LB1016 ON FINAL READING.) [LB1016]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB1016 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB1016]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 764-765.) 49 AYES, 0 NAYS ON THE PASSAGE OF LB1016, MR. PRESIDENT. [LB1016]

PRESIDENT FOLEY: LB1016 PASSES. PURSUANT TO THE AGENDA, WE'LL NOW PROCEED TO GENERAL FILE. SENATOR KRIST, YOU'RE RECOGNIZED FOR AN ANNOUNCEMENT. [LB1016]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES; GOOD MORNING, NEBRASKA. I HANDED AROUND A SHEET...A SINGLE SHEET THAT HAS THE THREE LRS THAT WE VOTED ON YESTERDAY, LR403--ELECTION TECHNOLOGY COMMITTEE; LR413--MENTAL AND BEHAVIORAL HEALTH COMMITTEE; AND THE LR418, WHICH IS THE ACCESSNEBRASKA OVERSIGHT COMMITTEE. YOU WILL SEE ON THAT SHEET THE DELINEATION OF THE COMMITTEE MEMBERS. I WOULD ASK YOU IF YOU HAVE ANY INTEREST IN BEING PART OF THESE COMMITTEES THAT YOU HAVE IT INTO MY OFFICE BY TUESDAY MORNING AT 10:00; TUESDAY MORNING AT 10:00. WE ARE GOING TO

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MEET AS AN EXECUTIVE BOARD AND COMMITTEE ON TUESDAY AT NOON AND THEN ON WEDNESDAY. AND BETWEEN THOSE TWO DAYS, WE ARE GOING TO TRY TO ASSIGN WHAT NEEDS TO BE ASSIGNED IN TERMS OF THIS COMMITTEE MEMBERSHIP. SO TUESDAY, 10:00, IF YOU WANT TO BE PART OF EITHER OF THESE...OR ALL THESE COMMITTEES. THANK YOU. [LR403 LR413 LR418]

PRESIDENT FOLEY: THANK YOU, SENATOR KRIST. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LB954E AND LB1016. PROCEEDING NOW TO GENERAL FILE, 2016- SENATOR PRIORITY BILLS. MR. CLERK. [LB954 LB1016]

CLERK: MR. PRESIDENT, LB371, CONSIDERED YESTERDAY, IT'S A BILL BY SENATOR SULLIVAN. (READ TITLE.) SENATOR SULLIVAN HAS PRESENTED HER BILL. THE COMMITTEE AMENDMENTS WERE CONSIDERED. THEY WERE NOT ADOPTED. MR. PRESIDENT, I DO HAVE A MOTION. SENATOR HANSEN HAD FILED A MOTION TO RECONSIDER THE VOTE; UNDERSTAND HE WISHES TO WITHDRAW THAT MOTION TO RECONSIDER. [LB371]

PRESIDENT FOLEY: WITHOUT OBJECTION SO ORDERED. BEFORE WE PROCEED TO THE SPEAKING QUEUE, SENATOR SULLIVAN, WOULD YOU LIKE TO TAKE JUST A MOMENT TO REFRESH US ON THE BILL? [LB371]

SENATOR SULLIVAN: CERTAINLY. THANK YOU, MR. PRESIDENT; AND GOOD MORNING, COLLEAGUES. AS THE CLERK INDICATED, THE COMMITTEE AMENDMENT ON LB371 LOST YESTERDAY. SO WHAT WE ARE DEALING WITH TODAY IS LB371 AS ORIGINALLY INTRODUCED. I WANT YOU, THOUGH, TO ALSO KNOW THAT I VIEW THIS STILL AS A WORK IN PROGRESS. I'VE BEEN IN CONVERSATION WITH THE GOVERNOR'S OFFICE AND REALIZE AND ACCEPT HIS CONCERNS AND AM WILLING TO WORK WITH HIS OFFICE, AS WELL AS ANY OF YOU WHO HAVE EXPRESSED CONCERNS. AND TO THAT END, I WOULD HOPE THAT IN THE CONVERSATION THAT ENSUES THIS MORNING THAT CONSIDERATION WOULD BE GIVEN TO ACTUALLY ADVANCING LB371 TO SELECT FILE AND GIVE US A CHANCE TO WORK ON THOSE AMENDMENTS. BUT JUST TO BRIEFLY RECAP WHAT LB371 DOES, AS INTRODUCED, IT DOES CREATE THE NEBRASKA COUNCIL FOR EDUCATIONAL SUCCESS, AN OPPORTUNITY TO BRING ALL EDUCATION ENTITIES ALONG THE EDUCATION CONTINUUM FROM PRE-K THROUGH HIGHER EDUCATION, COME TO THE TABLE UNDER LB371. THE COUNCIL WOULD BE CO-CHAIRLED BY THE COMMISSIONER OF EDUCATION, AS WELL AS THE EXECUTIVE DIRECTOR OF THE COORDINATING COMMISSION FOR POSTSECONDARY

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EDUCATION. IT CREATES IN STATUTE AN ENTITY THAT WOULD HAVE SOME PERMANENCY. IT IS A RESULT, IN MY ESTIMATION, OF THE VISIONING THAT THE LEGISLATIVE EDUCATION COMMITTEE EMBARKED ON A COUPLE OF YEARS AGO. AND SO IT WOULD TAKE AS ITS FIRST STEPS THE GOALS THAT WERE IDENTIFIED BY THAT VISIONING AND START TO WORK ON THOSE ISSUES THAT WERE IDENTIFIED BY CITIZENS WHO HAD AN OPPORTUNITY TO PROVIDE INPUT ALL ACROSS THE STATE. ONE OF THE RESPONSIBILITIES OF THE COUNCIL UNDER LB371, AS INTRODUCED, WOULD MEAN THAT THEY WOULD HAVE TO MEET FOUR TIMES A YEAR, AND THEN AT THE END OF THE YEAR ISSUE AN ANNUAL REPORT ALONG WITH RECOMMENDATIONS THAT WOULD BE GIVEN TO THE LEGISLATURE, AS WELL AS THE GOVERNOR. I FEEL THAT THIS IS IMPORTANT TO DO BECAUSE WE KNOW THAT OF OUR STATE BUDGET, 47 PERCENT OF IT, APPROXIMATELY, GOES TO EDUCATION. SO WHY NOT HAVE AN ENTITY THAT LOOKS AT THE PRIORITIES OF EDUCATION, LOOKS AT THOSE TRANSITIONS BETWEEN THE DIFFERENT LEVELS OF EDUCATION AND BRINGS TO US SOME RECOMMENDATIONS BECAUSE WE ARE THE POLICY-MAKING BODY WITH RESPECT TO EDUCATION AND THE OTHER SUBJECT MATTER AREAS. SO AGAIN, I WANT YOU TO KNOW THAT THIS IS A WORK IN PROGRESS. I'M OPEN TO AMENDMENTS, BUT THAT IS WHERE WE STAND RIGHT NOW WITH LB371. THANK YOU, MR. PRESIDENT. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR SULLIVAN. PROCEEDING NOW TO DEBATE ON LB371, SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB371]

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, I RISE IN SUPPORT OF LB371. AND FOR SIX YEARS, I SERVED ON THE EDUCATION COMMITTEE AND IT KEPT OCCURRING TO ME THAT WITH TERM LIMITS IN PLACE AND THE FACT THAT WE SPEND A BILLION DOLLARS EVERY YEAR, APPROXIMATELY, ON EDUCATION, THAT WE NEED TO HAVE A MECHANISM THAT HAS SOME HISTORY BUILT INTO IT. IT'S LOOKING TO ME, AS I SERVE MY LAST YEAR, THAT WHEN IT COMES TO IMPORTANT ISSUES LIKE EDUCATION AND SO ON, THE MAIN HISTORY FOR THIS IS GOING TO BE CARRIED BY THE LOBBYISTS AND THAT'S NOT ALL BAD. BUT WE NEED SOME ONGOING PERSONNEL WITH A HISTORY IN EDUCATION. AND AS WE LOOK TO THE FUTURE, THERE ARE THINGS DOWN THE ROAD THAT ARE COMING AT US IN TERMS OF PRESCHOOL FOR ALL CHILDREN, YEAR-ROUND SCHOOL. AND I BELIEVE THAT WE CAN'T DO ANY SUBSTANTIVE CHANGE IN EDUCATION IF WE DON'T HAVE SOME PEOPLE IN THE BODY, OR IN A COMMITTEE LIKE THIS, WITH EXPERIENCE, WITH THE HISTORY GOING FORWARD TO NOT MAKE THE SAME MISTAKES AGAIN, AND TO BE ABLE TO SUGGEST A

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PATH FORWARD. SO ONCE AGAIN, I RISE IN FULL SUPPORT OF LB371. I THINK IT'S ACTUALLY LONG PAST DUE. THANK YOU SO MUCH. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR HAAR. SENATOR SULLIVAN, YOU'RE RECOGNIZED. [LB371]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. I WANTED TO RESPOND TO A FEW OF THE CONCERNS THAT WERE BROUGHT UP BY SOME OF THE SENATORS YESTERDAY. MY GOOD FRIEND, SENATOR BLOOMFIELD, SAID THAT THIS WAS A DUPLICATION. WELL, SOME MIGHT SAY THAT BECAUSE HE LISTED THE MEMBERSHIP ON WHAT IS NOW KNOWN AS THE EDUCATION WORKFORCE ROUNDTABLE. BUT FOLKS, THAT WAS THE ONLY TIME WE EVER HEARD WHO WAS ON THAT COMMITTEE AND THAT ROUNDTABLE, BECAUSE THAT ENTITY EXISTS UNDER EXECUTIVE ORDER. IT'S NOT BOUND BY OPEN MEETING LAWS. IT'S NOT FULLY TRANSPARENT. NOT THAT THEY'RE TRYING TO HIDE ANYTHING, BUT BECAUSE OF ITS...HOW IT CAME TO BE IN EXISTENCE, WE SIMPLY ARE LIMITED IN TERMS OF WHAT WE KNOW AND WHAT ARE THE DECISIONS BEING MADE AND THE TOPICS TO BE DISCUSSED. UNDER LB371, WE HAVE THE OPPORTUNITY, AS WE ARE DOING RIGHT NOW, TO WEIGH IN ON THE MAKEUP OF NCES, AND WHAT ARE THE PRIORITIES THAT IS GOING TO BE IN TERMS OF STUDYING IT, AND THEN WE WILL ALSO GET AN ANNUAL REPORT AT THE END OF THEIR...THEIR FOUR TIMES OF MEETING. SO I THINK THAT ONE OF THE THINGS THAT I'VE SOUGHT TO ACHIEVE IN THIS IS, AS WE HEAR A LOT IN THIS BODY, TALKING ABOUT THE NEED FOR TRANSPARENCY, I THINK WE GET THAT WITH THE NEBRASKA COUNCIL FOR EDUCATION AND SUCCESS. AND SENATOR BLOOMFIELD WAS A LITTLE CONCERNED ABOUT THE DOLLARS. KEEP IN MIND, AGAIN, THERE CURRENTLY ARE BEING USED \$100,000 OUT OF THE UNIVERSITY'S BUDGET, AND \$50,000 OUT OF THE DEPARTMENT OF EDUCATION'S BUDGET, NEITHER OF WHICH WE HAD A ROLE IN APPROPRIATING. AND THEN...SO THERE'S...I'M PROPOSING IN MY A BILL, THAT ACCOMPANIES LB371, THAT THOSE DOLLARS BE USED FOR LB371, FOR THE NEBRASKA COUNCIL OF EDUCATIONAL SUCCESS. SO THOSE AREN'T NEW DOLLARS. THE ONLY NEW DOLLARS I'M TALKING ABOUT ARE AN ADDITIONAL \$20,000 THAT WOULD GO TO THE DEPARTMENT OF EDUCATION FOR ADMINISTRATION OF THE COUNCIL. SENATORS HUGHES AND FRIESEN TALKED ABOUT, GEE, ARE WE REALLY DOING THIS FOR ALL THE RIGHT REASONS? SENATOR FRIESEN TALKED ABOUT WHAT MIGHT BE THE FOCUS OF IT. WELL, AGAIN, I REMIND YOU THAT THE STEPPING-OFF POINT FOR THIS COUNCIL WILL BE THE VISIONING THAT THE EDUCATION COMMITTEE EMBARKED ON TWO YEARS AGO WHERE WE ENLISTED INPUT FROM CITIZENS ALL ACROSS THE STATE. WE HAD ROUNDTABLE DISCUSSIONS WITH

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EDUCATIONAL ENTITIES, AND WE CAME UP WITH GOALS THAT SHOULD BE SOME OF THE EDUCATIONAL PRIORITIES FOR OUR STATE. THAT WILL BE THE STEPPING-OFF POINT FOR THIS COUNCIL, THE VERY FIRST THINGS THAT THEY WILL WORK ON. AND I THINK SENATOR FRIESEN TALKED ABOUT, WELL, WHAT IF THE FOCUS IS GOING TO BE TOO MUCH ON COLLEGE RATHER THAN...A FOUR-YEAR COLLEGE RATHER THAN A TWO-YEAR CERTIFICATE, SPEAKING TO THE NEED FOR WORKFORCE NEEDS IN THIS STATE. AGAIN, THESE WILL BE RECOGNIZED IN THIS NEBRASKA COUNCIL FOR EDUCATIONAL SUCCESS. WE WILL FOCUS ON NOT ONLY THE WORKFORCE, BUT THE WHOLE TRANSITION, TRANSITIONING FROM EARLY CHILDHOOD EDUCATION TO MAKE SURE THAT A LITTLE KID COMES TO KINDERGARTEN READY TO LEARN; AND WHEN THEY LEAVE GRADE SCHOOL, THEY'RE READY TO STEP INTO POSTSECONDARY EDUCATION. AND WHEN THEY LEAVE THAT TRANSITION, THEY'RE READY TO ENTER THE WORKFORCE. SO TO SAY THAT IT'S GOING TO BE FOCUSED ON ONE TRACK IS TOTALLY INACCURATE. AND LASTLY, SENATOR BRASCH TALKED ABOUT--DOES THIS GET US TO WHERE WE WANT TO BE? WELL, WHO IS THE WE? I THINK... [LB371]

PRESIDENT FOLEY: ONE MINUTE. [LB371]

SENATOR SULLIVAN: ...THE LEGITIMATE ANSWER TO THAT IS WE HERE IN THIS LEGISLATURE. WE'RE HAVING A DISCUSSION ABOUT HOW EDUCATIONAL POLICY IS DECIDED AND WHAT WE BASE THAT ON. AND I THINK THE IMPORTANT THING IS NEBRASKA COUNCIL FOR EDUCATIONAL SUCCESS BRINGS TOGETHER THE RIGHT MINDS TO DISCUSS WHAT THOSE EDUCATIONAL PRIORITIES ARE AND THEN TO MAKE RECOMMENDATIONS TO US, THE POLICY MAKING BODY, OF WHAT DIRECTIONS WE SHOULD FOCUS ON. SO I HOPE THAT IN SOME WAY RESPONDS TO SOME OF THE CONCERNS THAT WERE MENTIONED. THANK YOU, MR. PRESIDENT. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR SULLIVAN. SPEAKER HADLEY, YOU'RE RECOGNIZED. [LB371]

SPEAKER HADLEY: MR. PRESIDENT, MEMBERS OF THE BODY, I'M STANDING TODAY...NEITHER SPEAKING IN FAVOR OR AGAINST LB371. BUT I WOULD SAY THAT IN THE PAST, IN MY EIGHT YEARS HERE, IT HAS NOT BEEN UNCOMMON TO PASS A BILL ON TO SELECT FILE WITH THE IDEA THAT IT WILL BE WORKED ON BETWEEN GENERAL AND SELECT. AND SO THAT IS NOT UNCOMMON AT ALL. SECONDLY, THE SPEAKER'S OFFICE ALWAYS STANDS READY IF ANY PARTIES TO A BILL WOULD LIKE TO HAVE DISCUSSION AND SUCH AS THAT, THE SPEAKER'S

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OFFICE WOULD CERTAINLY STAND AS A NONPARTISAN PERSON TO CALL A MEETING AND GETTING GROUPS TOGETHER TO SEE IF THINGS CAN BE WORKED OUT. SO I WOULD TELL YOU THAT IF THIS IS PASSED ON TO SELECT AND THEY WISH TO HAVE A MEETING WHERE WE GET BOTH PARTIES TOGETHER TO TALK ABOUT WHETHER THERE ARE COMMON GROUND THAT COULD BE GIVEN AND THEY ASK THE SPEAKER'S OFFICE TO DO THAT, I WOULD CERTAINLY SUPPORT THAT. THANK YOU, MR. PRESIDENT. [LB371]

PRESIDENT FOLEY: THANK YOU, MR. SPEAKER. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB371]

SENATOR SCHNOOR: THANK YOU, SIR. I HAVE A SIMPLE QUESTION I'D LIKE TO ASK THE BODY. HOW MANY LEGISLATIVE OVERSIGHT COMMITTEES DO WE HAVE TO HAVE? THE GOVERNOR APPOINTS MANY DIRECTORS. WE HAVE THE OPPORTUNITY TO VET THOSE THROUGH OUR PROCESS. WE HEARD SEVERAL OF THEM TODAY. BUT YET WE CONTINUE TO PASS RESOLUTIONS THAT HAVE OVERSIGHT COMMITTEES. SO ARE WE NOT TRUSTING THE PEOPLE THAT ARE DOING THEIR JOB? WE JUST PASSED THREE YESTERDAY, THREE MORE OVERSIGHT COMMITTEES. SO HOW MANY ARE THERE? ARE THERE 10? ARE THERE 20? SO WHERE ARE WE GOING TO SAY...WHEN ARE WE GOING TO SAY THAT WE TRUST THE PEOPLE THAT ARE DOING THEIR JOB? SO I WOULD JUST LIKE EVERYBODY TO THINK ABOUT THAT AS WE CONTINUE THE ARGUMENTS ABOUT THIS ONE TODAY, WHETHER YOU'RE FOR IT OR AGAINST IT, OBVIOUSLY THAT'S UP TO YOU. BUT HOW MANY OF THESE COMMITTEES DO WE HAVE TO HAVE TO OVERSEE WHAT WE'RE DOING? BECAUSE ISN'T THAT WHAT WE'RE HERE FOR? SO JUST THINK ABOUT THAT AS YOU LISTEN MORE. WE ADDED THREE MORE OVERSIGHT COMMITTEES YESTERDAY. WE'RE TALKING ABOUT ONE TODAY. SO WHEN IS IT GONNA END? SO THAT'S ALL I HAVE. THANK YOU, SIR. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHNOOR. SENATOR KOLOWSKI, YOU'RE RECOGNIZED. [LB371]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT; GOOD MORNING, COLLEAGUES. I STAND IN FULL SUPPORT OF LB371, SENATOR SULLIVAN AND THIS WORK. YOU'VE HEARD SENATOR HAAR AND OTHERS TALK THIS MORNING. SENATOR SULLIVAN'S COMMENTS ARE RIGHT ON TARGET AS FAR AS THE DIRECTION WE HOPE TO GO WITH THE EDUCATIONAL MOVEMENT WITHIN THE STATE OF NEBRASKA. AND I WANT TO SPEAK JUST BRIEFLY ON THE P-16 HISTORY

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THAT I HAVE. I HAVE ATTENDED THOSE MEETINGS IN THE PAST. THERE WAS A TERRIBLE DISCONNECT. OTHERS HAVE BEEN VERY TACTFUL ABOUT THEIR COMMENTS ABOUT P-16, WHERE IT WAS, WHERE IT IS, OR WHERE IT MAY BE GOING, OR WHATEVER DIRECTION THAT MIGHT BE LED BY THE GOVERNOR, WHOEVER THE SITTING GOVERNOR IS AT THE TIME. WE HAD A TERRIBLE DISCONNECT WITH THE PRACTITIONERS IN THE STATE AND THE GOVERNOR'S OFFICE DURING THE TIME I ATTENDED P-16 MEETINGS. THAT DISCONNECT SERVED NO ONE WELL. IT WAS BLOCKAGE. IT WAS SOME GOOD OLE BOY NETWORKS. ALL SORTS OF THINGS TOOK PLACE THAT IMPEDED THE PROGRESS OF A MAJOR STRATEGIC PLANNING THAT SHOULD BE GOING ON FOR THE SIZE OF THE BUDGET AND THE ISSUE OF IMPORTANCE FOR THE STATE OF NEBRASKA CONCERNING EDUCATION, ALL LEVELS OF EDUCATION. YOU HEARD PRESCHOOL BEING MENTIONED, YOU HEARD K-12, COMMUNITY COLLEGES, THE COLLEGES AND UNIVERSITIES. THERE NEEDS TO BE A BIG PICTURE OF THIS THAT IS DISRUPTED BY TERM LIMITS. WHEN YOU PLUG NEW PEOPLE INTO A SYSTEM, BUT THEY DON'T ALL HAVE THE SAME BACKGROUND, AND THEY DON'T HAVE THE CONTINUITY, IT'S DISCONNECTED FROM OUR EDUCATION COMMITTEE, THE STATE DEPARTMENT OF EDUCATION, AND OTHER LOCATIONS THROUGHOUT THE STATE THAT PLAY A VITAL ROLE IN EDUCATION. I COMMEND SENATOR SULLIVAN ON THIS IDEA. BRINGING THIS FORWARD WOULD BE A MASSIVE IMPROVEMENT COMPARED TO WHERE WE'VE BEEN IN THE PAST, AND WOULD BRING SOME GREAT EFFICIENCY AND EFFECTIVENESS TO OUR EFFORTS IN EDUCATION FOR ALL LEARNERS IN NEBRASKA. THANK YOU VERY MUCH. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR KOLOWSKI. SENATOR SULLIVAN, YOU'RE RECOGNIZED. [LB371]

SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. JUST WANTED TO FOLLOW UP ON SOME COMMENTS MADE BY SENATOR SCHNOOR. THE NEBRASKA COUNCIL FOR EDUCATIONAL SUCCESS IS NOT AN OVERSIGHT COMMITTEE. IT IS ONE THAT BRINGS TOGETHER ALL THE RIGHT MINDS THAT, I THINK WHAT HE WAS SAYING, WHY DO WE NOT TRUST THEIR JUDGMENT? WE DO. THAT'S WHY WE WANT ALL OF THESE EDUCATIONAL COMMITTEES...ENTITIES TO COME TOGETHER TO COLLABORATE AND TO COMMUNICATE, BECAUSE TOO MANY TIMES I HAVE HEARD, PARTICULARLY LIKE, FOR EXAMPLE, WHEN A CHILD LEAVES HIGH SCHOOL AND NEEDS REMEDIAL EDUCATION GOING INTO POSTSECONDARY EDUCATION, THERE IS A LITTLE BIT OF FINGER POINTING GOING ON. WHY AREN'T THEY PREPARED? WELL IF THERE WAS MORE COMMUNICATION GOING ON BETWEEN THE ENTITIES, MAYBE SOME OF THESE PROBLEMS COULD BE SOLVED, IDENTIFIED, AND RECOMMENDATIONS COULD BE MADE TO IMPROVE

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SOME OF THESE EDUCATIONAL TRANSITIONS. THAT'S HOW I VIEW THIS EDUCATIONAL...COUNCIL FOR EDUCATIONAL SUCCESS. ALSO THERE HAS BEEN...I WOULDN'T CALL IT A PROLIFERATION, BUT AT THIS SESSION AT LEAST, THERE WERE TWO DIFFERENT BILLS INTRODUCED AND BROUGHT TO EDUCATION THAT WERE WANTING TO CREATE TASK FORCES. AND OUR SPEAKER HAD TO ACTUALLY SEND OUT A REMINDER OF HOW YOU HAVE TO BE VERY CAREFUL IN FORMING A TASK FORCE SO YOU DON'T HAVE AN OVERLAP BETWEEN THE BRANCHES OF GOVERNMENT AND TO BE VERY CAREFUL ON THEIR MAKEUP. WELL, I TALKED WITH BOTH OF THE SENATORS WHO INTRODUCED THOSE TASK FORCES AND SAID--LOOK, THE VERY THING THAT YOU WANT TO ACCOMPLISH AND TALK ABOUT CAN BE ACCOMPLISHED IN LB371. SO IF ANYTHING, I THINK IT SPEAKS TO NOT ONLY TRUSTING THE PEOPLE WHO ARE DOING THE JOB OF EDUCATION IN THIS STATE, BUT TRYING TO MAKE IT RUN AND OPERATE MORE EFFICIENTLY. AND LASTLY, I WOULD REMIND THE BODY THAT THE EDUCATION COMMITTEE OF WHICH SENATOR SCHNOOR IS A MEMBER, VOTED TO ADVANCE LB371 AS AMENDED ON AN 8-0 VOTE. THANK YOU, MR. PRESIDENT. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR SULLIVAN. SENATOR BAKER, YOU'RE RECOGNIZED. [LB371]

SENATOR BAKER: THANK YOU, MR. PRESIDENT. I'LL BE BRIEF. AFTER I RETURNED TO THE STATE OF NEBRASKA IN 1997, AT SOME POINT THE P-16 COORDINATING COUNCIL WAS IN EXISTENCE, AND I WAS PRETTY EXCITED ABOUT THAT BECAUSE AS WE WERE HAVING MORE AND MORE HIGH SCHOOL STUDENTS TAKING DUAL CREDIT CLASSES, AS CAREER ACADEMIES PROGRESSED, AND WE WERE COORDINATING WITH COMMUNITY COLLEGES FOR THINGS LIKE WELDING PROGRAMS AND THE LIKE, I THOUGHT IT WAS A GREAT IDEA IF WE COULD SMOOTH THAT TRANSITION OF HIGH SCHOOL STUDENT TO COMMUNITY COLLEGE TO FOUR-YEAR SCHOOL, WHO, QUITE FRANKLY, IT DIDN'T HAPPEN. EVENTUALLY, I STOPPED GOING TO THAT MEETING BECAUSE IT DIDN'T SEEM TO TOUCH ME AT ALL AS BEING A SUPERINTENDENT OF A PK DISTRICT. SO I ENDED UP BEING DISAPPOINTED. I THINK WHAT SENATOR SULLIVAN IS PROPOSING IN HER BILL WILL GO A LONG WAY...IT'S IMPORTANT NOW. AS I'VE SAID OVER AND OVER, IT'S NOT ENOUGH FOR 99 PERCENT OF OUR STUDENTS TO THINK THAT HIGH SCHOOL IS THE END OF THE ROAD. THERE HAS TO BE SOMETHING MORE, WHETHER IT'S A CERTIFICATE PROGRAM THAT TAKES ONE YEAR, AN ASSOCIATE PROGRAM THAT TAKES TWO YEARS, OR A CAREER THAT TAKES FOUR OR MORE YEARS OF COLLEGE, IT'S IMPORTANT THAT WE HAVE SMOOTH TRANSITIONS SO THAT THINGS FLOW WELL FROM HIGH SCHOOL

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RIGHT ON INTO THE NEXT LEVELS. SO I SUPPORT THE BILL AND THINK IT WOULD BE A BIG STEP FORWARD FOR US. THANK YOU. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR BAKER. SENATOR SCHEER, YOU'RE RECOGNIZED. [LB371]

SENATOR SCHEER: THANK YOU, LIEUTENANT GOVERNOR. I RISE IN RELATIONSHIP TO LB371 JUST FOR A COUPLE COMMENTS. WE DON'T HAVE AN AMENDMENT THAT WE'RE WORKING WITH AND I'M HAVING TO THINK MORE DILIGENTLY ON SUPPORTING THE BILL TO SELECT. I DO HAVE A COUPLE CONCERNS AS I'VE HAD TIME TO THINK ABOUT IT SINCE LAST WEEK WHEN IT WAS FIRST INTRODUCED ON THE FLOOR. IT IS A STATUTORY CHANGE. IT PUTS THIS INTO THE STATUTES OF OUR LAWS. IT PUTS THOSE SPECIFIC INDIVIDUALS REPRESENTING THOSE GROUPS INTO OUR STATUTES. IF WE EVER WANT TO CHANGE THAT COMMITTEE, IT LITERALLY HAS TO COME BACK TO THIS BODY. I CAN UNDERSTAND SENATOR SULLIVAN'S REQUEST FOR SUCH A GROUP, AND I THINK IT HAS LEGITIMACY TO HELP THE EDUCATION COMMITTEE WITH ITS DUTIES. BUT I THINK IT SHOULD BE A COMMITTEE THAT REPORTS TO THE EDUCATION COMMITTEE AND BE ABLE TO BE CHANGED FUNDAMENTALLY BY THAT COMMITTEE AS TIMES CHANGE. IN LOOKING AGAIN, THE AMENDMENT WASN'T ADOPTED, AND I'M NOT SURE IF THERE WAS CHANGES THERE, I WASN'T ON THE FLOOR YESTERDAY WHEN THEY DISCUSSED IT, BUT LOOKING AT THE GROUP AND MEMBERSHIP, ONE THING DOES TROUBLE ME--IT IS ALMOST EXCLUSIVELY EDUCATION. AND PART OF THE DISCONNECT THAT WE HAVE RIGHT NOW, IF YOU TALK TO BUSINESS, IS THE DISCONNECT BETWEEN BUSINESS, I DON'T CARE IF IT'S AGRICULTURAL INDUSTRY, MANUFACTURING, OR SERVICE INDUSTRY, AN EDUCATION KNOWING WHAT WE NEED TO HAVE COMING OUT OF OUR SCHOOLS TO ATTAIN THOSE JOBS THAT ARE OUT THERE. AS FAR AS I CAN TELL BY LOOKING AT MY VIEWER, THERE IS ONLY ONE PERSON ON THE COMMITTEE THAT REPRESENTS ANY TYPE OF BUSINESS ACTIVITY, REGARDLESS IF IT WOULD BE FARMING OR MANUFACTURING. IT COULD BE THE STATE CHAMBER; IT COULD BE AN INDIVIDUAL COMMUNITY CHAMBER MEMBER; BUT ONLY ONE SPEAKING ON BEHALF OF BUSINESS. AND BY AND LARGE, WE'RE TRYING TO EDUCATE OUR YOUTH TO BECOME PRODUCTIVE MEMBERS OF SOCIETY, TO EARN A LIVING, TO BE PRODUCTIVE AND PAY TAXES AND GROW AND EARN AND HAVE CHILDREN TO REPLENISH THE STATE. AND TO DO THAT, I THINK WE HAVE TO HAVE MORE OF AN INPUT FROM BUSINESS AND INDUSTRY IF WE'RE GOING TO FOCUS EDUCATION ON WHAT WE NEED, I THINK THERE HAS TO BE MORE INVOLVEMENT ON THOSE THAT ARE HIRING THE END RESULTS OF EDUCATION. AND THIS COMMITTEE, FROM MY VANTAGE POINT, HAS EVERYONE

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THAT ONE COULD THINK OF ON AN EDUCATIONAL BASIS, BUT ONLY ONE REPRESENTING THE BUSINESS AND INDUSTRY, REGARDLESS OF WHAT BUSINESS OR INDUSTRY. AND SECONDLY, AGAIN, FROM A STATUTE STANDPOINT, I WOULD FEEL MORE COMFORTABLE HAVING IT BE AN ADVISORY GROUP TO THE COMMITTEE, THE EDUCATION COMMITTEE, SO THEY WOULD HAVE SOME ADDITIONAL INFORMATION AND INPUT ON HOW IT CAN DEVELOP EDUCATIONAL PRIORITIES FOR THE STATE, BECAUSE THAT'S, BY AND LARGE, WHERE ALL OF OURS COME...WE'RE A COMMITTEE-DRIVEN BODY. EDUCATION SHOULD COME FROM THE EDUCATION COMMITTEE. AND I SUPPORT HAVING THIS PRODUCT, BUT NOT STATUTORILY. AND I DO THINK IT SHOULD BE THE EXCLUSIVE OWNERSHIP OF THE EDUCATION COMMITTEE AS A RESOURCE... [LB371]

PRESIDENT FOLEY: ONE MINUTE. [LB371]

SENATOR SCHEER: ...NOT NECESSARILY THAT OF THE BODY. SO I'M GOING TO CONTINUE TO THINK ABOUT IT, BUT I DO HAVE THOSE CONCERNS AS WE MOVE FORWARD. THANK YOU, MR. LIEUTENANT GOVERNOR. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHEER. SENATOR BURKE HARR, YOU'RE RECOGNIZED. [LB371]

SENATOR HARR: THANK YOU, MR. LIEUTENANT GOVERNOR, MEMBERS OF THE BODY. I MISSED THE DEBATE YESTERDAY AND I APOLOGIZE. BUT I PAID A LOT OF ATTENTION TO WHAT WAS GOING ON TODAY. AND I WANT TO START BY COMMENDING THE GOVERNOR FOR FORMING A COMMITTEE. EDUCATION IS SO IMPORTANT TO THIS STATE. IT IS LITERALLY THE FUTURE OF OUR STATE. WE SPEND HUNDREDS OF THOUSANDS OF DOLLARS ON EDUCATING OUR CHILDREN. AND WE HAVE A REAL PROBLEM. SENATOR SCHEER IS EXACTLY RIGHT. WE SPEND ALL THIS MONEY AND THERE IS A DISCONNECT. WE DON'T HAVE THAT CRITICAL MASS AND WE DON'T HAVE OUR KIDS ALIGNED FOR THE JOBS THAT ARE AVAILABLE OUT THERE. AND THEY LEAVE OUR STATE. THAT'S A REAL ISSUE. WE GOT TO DO SOMETHING ABOUT IT. BUT I'M NOT SURE...AND I APPRECIATE THE GOVERNOR FILLING THE VACUUM AND DOING SOMETHING, BUT THAT IS NOT THE ROLE OF THE GOVERNOR'S OFFICE. WE, IN THE LEGISLATURE, WE'RE THE POLICY MAKERS; WE HAVE THAT RESPONSIBILITY. WE HAVE TO MAKE SURE THAT AS WE SPEND THIS MONEY ON OUR CHILDREN, THAT WE'RE DOING IT IN THE PROPER WAY. WE APPROPRIATE THE FUNDS. WE WORK WITH THE DEPARTMENT OF EDUCATION, WHICH BY THE WAY, IS SEPARATE FROM THE GOVERNOR. THE HEAD OF THE DEPARTMENT OF EDUCATION, THE

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COMMISSIONER, IS NOT APPOINTED BY THE GOVERNOR. THAT INDIVIDUAL IS APPOINTED BY MEMBERS WHO ARE ELECTED TO THE STATE BOARD OF EDUCATION. WE HAD TO DO SOMETHING. WE CAN'T CONTINUE IN THIS WAY. WE HAVE FLAT-LINE NEW JOB GROWTH. I WOULD LOVE TO SAY THAT EDUCATION IS AN END IN AND OF ITSELF IN THAT IT'S GOOD AND THAT'S WHAT WE SHOULD BE DOING, EDUCATION FOR EDUCATION SAKE. UNFORTUNATELY, IT'S ALSO, UNFORTUNATELY, IT'S ALSO A MEANS TO A JOB. AND SO WE HAVE TO MAKE SURE THAT WE ARE ALIGNING BETWEEN WHAT WE'RE TEACHING OUR CHILDREN AND WHAT'S AVAILABLE OUT THERE. DO WE NEED MORE BUSINESS INPUT? SURE. SENATOR SULLIVAN SAID THIS IT'S A WORK IN PROGRESS. AND SHE'S TAKING ALL THIS INFORMATION DOWN. I WANT TO THANK HER FOR DOING THAT. BUT IF WE DON'T DO ANYTHING AND THERE IS A FAILURE, WHAT DO WE DO? TURN TO GOVERNOR AND BLAME THE GOVERNOR? NO. WE'RE THE POLICY MAKERS. WE'RE THE ONES THAT HAVE TO DO THIS. SO I SUPPORT LB371 AND SENATOR SULLIVAN AND I HOPE YOU CAN, TOO. THANK YOU VERY MUCH. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR HARR. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB371]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT; AND GOOD MORNING, COLLEAGUES. I STAND AGAIN QUESTIONING THE NEED FOR LB371. SENATOR BURKE HARR, WILL YOU YIELD TO A QUESTION? [LB371]

PRESIDENT FOLEY: SENATOR HARR, WILL YOU YIELD, PLEASE? [LB371]

SENATOR HARR: YES. [LB371]

SENATOR BRASCH: YOU HAD MENTIONED YOU WEREN'T HERE FOR YESTERDAY'S DIALOGUE AND SOME OF THE KEY THINGS THAT YOU'RE SAYING RIGHT HERE, WHEN I SPOKE YESTERDAY, I ADDRESSED THAT FORMER SPEAKER ADAMS, WHO IS FORMER CHAIR OF EDUCATION, HE AND FORMER DIRECTOR LANG HAVE FORMED A PRIVATE ORGANIZATION CALLED ACCESSNebraska (SIC--ACCELERATE NEBRASKA). ARE YOU FAMILIAR WITH THAT ORGANIZATION? [LB371]

SENATOR HARR: I'M VERY FAMILIAR WITH THAT ORGANIZATION. [LB371]

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SENATOR BRASCH: AND THEY ARE ADDRESSING THE JOBS TO EDUCATION, AND THEY HAVE AN ENTITY THAT IS ABOUT COLLABORATION OF MANY OF THESE SAME PIECES OF THIS BILL. DO YOU AGREE? [LB371]

SENATOR HARR: YES. AND THEY JUST DID A NEW REPORT, IF I COULD PUMP IT FOR A SECOND, THAT WAS SPONSORED BY FSG. IT'S A WONDERFUL REPORT. I HAD A CHANCE TO READ IT AND I WOULD ENCOURAGE EVERYONE TO READ IT AS WELL. IT'S ON ACCESSNEBRASKA.NET, (SIC) I BELIEVE. OH, NO, THAT'S NOT ACCESS...ACCELERATE NEBRASKA. [LB371]

SENATOR BRASCH: I'M NOT SURE THE DOT, BUT THIS IS WHERE I WANT TO REITERATE WHAT I SAID YESTERDAY BECAUSE YOU SEEM TO BE SAYING IT IN A DIFFERENT MANNER THAT DO WE NEED LB371 WHEN FIRST THERE IS ALREADY A ROUNDTABLE OF SAID ENTITIES, STAKEHOLDERS IN EDUCATION FOR MANY AREAS. THERE IS A PRIVATE ORGANIZATION, AND ONE OF THE CONCERNS THAT WE HEARD DURING OUR SUMMER SESSION WAS MANDATES, THERE ARE SO MANY MANDATES, LEGISLATION THAT COMES INTO EFFECT, THAT COST MONEY, THAT BURDENS EDUCATORS, THAT BURDENS OUR CLASSROOMS. SO I DON'T HAVE ANY MORE QUESTIONS FOR YOU ON THIS, BUT TODAY I ENCOURAGE MY COLLEAGUES HERE TO LOOK AT WHAT WE NEED, WHAT WE WANT, THE FACT THAT IT IS SAID THIS NEEDS MORE WORK, AND WE HAVE 26 DAYS OF SESSION LEFT. SO MY CONCERNS AT THIS POINT IS PERHAPS WE SHOULD LET THOSE ENTITIES, WHICH ARE ALREADY ACTIVE, IN PROGRESS, ESTABLISHED, HAVE A CHANCE TO MAKE CHANGE AND BE EFFECTIVE INSTEAD OF ADDING ONE MORE ENTITY TO THIS SOLUTION. AGAIN, I BELIEVE CHANGE HAPPENS IN THE CLASSROOM. IT HAPPENS WITH THE SCHOOL BOARDS. IT HAPPENS WITH EACH INDIVIDUAL COMMUNITY, WITH YOUR MAIN STREETS, WITH YOUR OCCUPATIONS, WITH VOLUNTEERISM, IT HAPPENS IN THE CLASSROOM. THAT ALL THE MEETINGS THAT YOU HAVE TAKING PLACE ADD MORE BURDEN AT TIMES THAN SOLUTIONS. SO AS I GET CLOSER TO VOTING ON THIS, I CANNOT SUPPORT IT UNTIL I SEE ACCESSNebraska (SIC-ACCELERATE NEBRASKA) AND THE EXISTING COMMITTEE STRUCTURED TO FOCUS ON EDUCATION AND ORGANIZATIONS...THAT EFFECT ORGANIZATIONS TO HAVE A CHANCE TO BECOME EFFECTIVE. THANK YOU, MR. PRESIDENT; AND THANK YOU, COLLEAGUES. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. SENATOR BURKE HARR. [LB371]

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SENATOR HARR: THANK YOU, MR. LIEUTENANT GOVERNOR, MEMBERS OF THE BODY. I JUST WANT TO CLARIFY THE RECORD A LITTLE BIT. ACCELERATE NEBRASKA, IT'S ACCELERATENEBRASKA.ORG IS WHERE YOU'LL FIND THE REPORT. AND IT'S A GREAT ORGANIZATION. DO NOT GET ME WRONG, I SUPPORT WHOLEHEARTEDLY WHAT THEY ARE DOING. BUT THE QUESTION IS, NUMBER ONE, DO THEY HAVE THE FUNDING? I KNOW THAT'S ALWAYS A CHALLENGE FOR ANY ORGANIZATION, ESPECIALLY START-UP. THEY MAY NOT BE AROUND IN SIX MONTHS. AND GUESS WHAT? OUR OBLIGATION TO THE TAXPAYERS IS STILL AROUND. WE HAVE A FIDUCIARY DUTY TO OUR TAXPAYERS TO MAKE SURE THAT WE SPEND THOSE DOLLARS PROPERLY AND ACCORDINGLY. THAT DOESN'T MEAN WE SHOULDN'T TAKE INPUT FROM OUTSIDE ORGANIZATIONS. HECK, YES, WE SHOULD. AND WHEN WE DO, WE SHOULD LOOK TO SEE WHEN, WHERE, AND HOW THEY'RE FOUNDED BECAUSE THAT IS IMPORTANT, THAT COULD HAVE A CONSEQUENCE. WHAT WE NEED TO BE IS A NEUTRAL ARBITRATOR. WE NEED TO BE ABLE TO SAY WHAT OUR GOALS AND OUR AMBITIONS AND HOW DO WE WORK WITH THOSE OUTSIDE GROUPS TO MAKE SURE THAT OUR GOALS AND AMBITIONS MATCH THEIRS, IF WE THINK THEY'RE RIGHT. BUT IF ALL WE DO IS ADVOCATE TO OUTSIDE INTEREST GROUPS, WELL, THEN WE ADVOCATE OUR POWER AND FOR WHAT REASON DO WE EXIST AT ALL? SO I UNDERSTAND WHAT SENATOR BRASCH IS SAYING, AND, QUITE FRANKLY, I THINK A LOT OF THE GROUPS SHE MENTIONS ARE GREAT. IF YOU ASK ME IF THERE IS A PROBLEM, I WOULD SAY THERE ARE TOO MANY CONFLICTING VOICES AND THERE ARE A LOT OF OUTSIDE GROUPS. SO WE NEED ONE ORGANIZATION, US, THE POLICYMAKERS, TO TAKE IN ALL THAT INFORMATION, SYNTHESIZE IT, AND COME UP WITH A CLEAR, CONCISE POLICY. THAT'S WHAT WE WERE ELECTED TO DO AND SO THAT'S WHY I AM IN FAVOR OF LB371. THANK YOU. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR HARR. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB371]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT; AND THANK YOU, ONCE AGAIN, COLLEAGUES. SENATOR BURKE HARR IS ENTHUSIASTIC ABOUT ACCESSNebraska (SIC), AS AM I. AND I DO NOT SEE OR PERCEIVE THAT THEY'RE AN ORGANIZATION THAT HAS CONFLICTING INTERESTS WITH THE ENTITIES THAT THEY HAVE BROUGHT TOGETHER. THEY HAVE THE LONG-TERM EXPERIENCE TO SEE IT SUCCESS THROUGH. THIS MORNING BEFORE SESSION, I WAS READING AN ARTICLE ABOUT THE SUCCESS OF NON-PROFIT AND CHARITABLE ORGANIZATIONS. AND IT SPOKE ABOUT OUR FOUNDING FATHERS WHO LAUNCHED A COUNTRY FROM VOLUNTEERISM AND POSITIONS THAT DID NOT REQUIRE CONFLICTING INTERESTS. AND THE MANY ENTITIES THAT WE SEE

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ON OUR EDUCATION BILLS, OR EVEN IN THE REVENUE DEPARTMENT, I BELIEVE MOST OF THE TIME THEY ALL COME IN ON THE SAME SIDE OF AN ISSUE. IT IS UNUSUAL TO SEE THEM TESTIFY IN OPPOSITION OF EACH OTHER. I WONDER IF SENATOR BURKE HARR WOULD YIELD TO ANOTHER QUESTION? [LB371]

PRESIDENT FOLEY: SENATOR BURKE HARR, WOULD YOU YIELD, PLEASE? [LB371]

SENATOR HARR: YES, I WILL. [LB371]

SENATOR BRASCH: THANK YOU. HAVE YOU NOTICED THAT ALL OF THE EDUCATION ENTITIES ON ANY COMMITTEE, DO THEY VARY IN THEIR VIEWS? THEY'RE USUALLY EITHER PROPONENTS OR OPPONENTS OR WHAT HAVE YOU...YOU'VE BEEN HERE AS LONG AS I HAVE, WHAT DO YOU SEE? [LB371]

SENATOR HARR: YEAH. I WOULD SAY, ON THE EDUCATION COMMITTEE, I HAVE INTRODUCED A HANDFUL OF BILLS. AND I HAVE SEEN...THERE ARE CERTAIN ORGANIZATIONS THAT ALWAYS APPLY TO ONE SIDE, AND CERTAIN...BUT I WOULDN'T SAY IT'S UNIFORM. [LB371]

SENATOR BRASCH: THERE IS NOT UNIFORMITY BETWEEN THE ASSOCIATION OF SCHOOL BOARDS AND THE NSCA AND THE, YOU KNOW, SCHOOL-SPECIFIC, EDUCATION-SPECIFIC GROUPS, THEIR MISSION. [LB371]

SENATOR HARR: IF YOU'RE ASKING DO THEY COMMUNICATE WITH EACH OTHER? I THINK THEY DO. BUT I DON'T THINK THEY ALWAYS AGREE HAND IN GLOVE. [LB371]

SENATOR BRASCH: ALL RIGHT, I HAVE NO OTHER QUESTIONS. THANK YOU, SENATOR HARR. COLLEAGUES, AGAIN, 26 DAYS, WHAT DO WE NEED TO MOVE FORWARD? WHAT WOULD WE LIKE TO SEE IN EDUCATION? I BELIEVE THAT, YOU KNOW, OUR LIKES ARE VERY SIMILAR. THE GOALS ARE TO HAVE STUDENTS GRADUATE SUCCESSFULLY, CAREER READY, EDUCATION, VO-TECH AND MOVE FORWARD. BUT I THINK THERE ARE MANY ORGANIZATIONS, MANY NONPROFITS, THE DEPARTMENT OF EDUCATION, OUR FUNDING, OUR APPROPRIATIONS, WE SUPPORT EDUCATION, AND I AM SURPRISED THAT WE NEED TO DUPLICATE, REPLICATE, OR HAVE OVERSIGHT ON THE OVERSIGHT. THIS IS MY CONCERN IS THAT HOW MANY MANDATES WILL FLOW FROM THIS PIECE? THANK YOU, MR. PRESIDENT; AND THANK YOU, COLLEAGUES. [LB371]

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PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB371]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I'VE BEEN SILENT ON THIS BILL; I'VE BEEN LOOKING AT IT AND I CERTAINLY WANT TO BE A GOOD PROPONENT FOR STRONG EDUCATION POLICY IN THIS STATE. BUT I DON'T...I REALLY DON'T SEE THE NEED FOR LB371 AND FOR THE ESTABLISHMENT OF THIS COMMISSION. AND I WOULD ENCOURAGE EVERYBODY, IF YOU HAVE NOT LOOKED AT THE FISCAL NOTE FOR THIS, WE'RE LOOKING AT AN ORGANIZATION HERE THAT'S GOING TO BE RUNNING ABOUT...FROM WHAT I FIGURE ABOUT A QUARTER OF A MILLION DOLLARS A YEAR. THERE'S NO SUNSET PROVISION IN THIS. AND WE ALL KNOW THAT ONCE THIS ORGANIZATION GETS STARTED, THERE'S GOING BE...THEY'RE GOING TO HAVE TO GO TO CONFERENCES AND SO FORTH. IT'S GOING TO BECOME A VERY EXPENSIVE ORGANIZATION DOWN THE LINE. BUT I'M REALLY CONCERNED ABOUT THEN IS GO BACK TO THE INTRODUCER'S STATEMENT OF INTENT ON THIS BILL AND I QUESTION HOW CAN YOU MEASURE ANY OF THE GOALS THAT THEY HAVE? FOR EXAMPLE, A SEAMLESS EDUCATION SYSTEM THAT ENABLES CHILDREN TO ENTER SCHOOL READY TO LEARN, RECEIVE CHALLENGING INSTRUCTION THROUGHOUT THEIR SCHOOL CAREERS. ISN'T THIS THE ROLE OF OUR STATE BOARD OF EDUCATION? ISN'T THIS THE ROLE OF EACH OF OUR SCHOOLS ON A LOCAL BASIS? AND I'M JUST...I HAVEN'T BEEN AROUND HERE VERY LONG, BUT I CAN SEE THEM COMING VERY QUICKLY TO THE APPROPRIATIONS COMMITTEE ASKING FOR ADDITIONAL MONEY FOR SUCH AND SUCH A PROJECT THAT THEY MAY COME UPON. SO I'M NOT GOING TO BE BEHIND LB371; NOT THAT I'M NOT FOR STRONG QUALITY EDUCATION IN THE STATE OF NEBRASKA, I JUST DON'T THINK...FEEL THAT THIS PARTICULAR COUNCIL THAT WE WANT TO SET UP IS NECESSARY AT THIS TIME. THANK YOU, MR. SPEAKER. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR HILKEMANN. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB371]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT, I'LL BE VERY BRIEF. SENATOR HILKEMANN MENTIONED SOME OF THE PEOPLE THAT ARE RESPONSIBLE FOR GETTING THE KIDS READY TO GO TO SCHOOL. YOU LEFT OUT THE MOST IMPORTANT ONE--THE PARENTS' OBLIGATION. I DON'T THINK WE NEED LB371. I SPOKE ON IT A LITTLE BIT YESTERDAY. AND THAT'S ALL I'LL HAVE TO SAY TODAY. LET'S GET THE PARENTS INVOLVED IN THIS INSTEAD OF THE LEGISLATURE. [LB371]

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PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR MELLO, YOU'RE RECOGNIZED. [LB371]

SENATOR MELLO: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. I JUST SIMPLY NEED TO STAND UP AND MAKE A COUPLE OF POINTS OF CLARIFICATION. IT WAS JUST DISCUSSED THE FISCAL NOTE ON LB371. I WOULD POINT TO EVERYONE, IF YOU LOOK AT THE FISCAL NOTE ON YOUR COMPUTER, THE ACTUAL NOTE IS REALLY \$20,000 AND CHANGE, SO TO SPEAK, OF GENERAL FUNDS ASSOCIATED WITH LB371. THERE'S \$200,000 THAT WOULD BE TRANSFERRED FROM THE UNIVERSITY OF NEBRASKA'S BUDGET TO LB371'S COUNCIL FOR EDUCATIONAL SUCCESS BECAUSE THAT'S CURRENTLY WHERE THE P-16 COUNCIL IS BEING HOUSED. AND SO TO SOME RESPECT, THERE'S NOT AN ONGOING LARGE NEW FISCAL COMPONENT TO THIS BECAUSE WE'RE SIMPLY TRANSFERRING EXISTING FUNDING THAT'S BEING SPENT AT THE UNIVERSITY FOR A SIMILAR CONCEPT THAT'S BEING RUN AND MANAGED BY THE UNIVERSITY OVER TO AN INDEPENDENT ENTITY WHICH IS THE COUNCIL FOR EDUCATIONAL SUCCESS. TO SOME EXTENT, COLLEAGUES, I WANT TO DRAW EVERYONE BACK, I THINK, TO THE CONCEPT OF WHAT LB371 IS. IT'S NOT CREATING A NEW ORGANIZATION FOR THE SAKE OF CREATING A NEW ENTITY IN STATE GOVERNMENT FOR EDUCATIONAL PLANNING AND COLLABORATION AS WE LOOK TO TRY TO BUILD A STRONGER P-16 SYSTEM. THE ISSUE IS, TO SOME EXTENT, IS THE CURRENT SYSTEM AS WE HAVE IT NOW IS RUN BY THE UNIVERSITY OF NEBRASKA. AND TO SOME EXTENT, THERE'S A QUESTION WHETHER OR NOT IT FALLS UNDER PUBLIC RECORDS LAWS, OPEN MEETINGS LAWS. JUST BECAUSE THEY HAVE IT DOESN'T MEAN THE PUBLIC CAN ALWAYS GO TO IT. AND IT WAS MENTIONED YESTERDAY IN REGARDS TO SOME CONCERNS ABOUT THE GOVERNOR CHOOSING TO DO A SIMILAR STRUCTURE OF HIS OWN. COLLEAGUES, I WOULD BE REMISS NOT TO SAY IF THE GOVERNOR WOULD CHOOSE TO DO SOMETHING OF HIS OWN, THOSE DO NOT FALL UNDER PUBLIC RECORDS LAWS AS FAR AS WE KNOW UNLESS YOU TRY TO MAKE A PUBLIC RECORDS REQUEST, AND THEY'RE NOT OPEN TO THE PUBLIC, THEY'RE NOT OPEN MEETINGS. SO THE REALITY IS, IS WE'VE GOT EDUCATIONAL PLANNING SYSTEMS IN PLACE THAT ARE NOT OPEN TO THE PUBLIC, THEY'RE NOT OPEN TO OPEN MEETINGS OR OPEN RECORDS LAWS. AND I THINK WITH WHAT SENATOR SULLIVAN IS TRYING TO DO WITH LB371 IS TAKE THAT CONCEPT AND MAKE IT A MORE PUBLIC PROCESS FOR OBVIOUSLY STATE GOVERNMENT TO COLLABORATE TOGETHER. BUT ALSO FOR THE PUBLIC TO BE ENGAGED IN THIS PLANNING PROCESS. AND I THINK THAT, COLLEAGUES, IS PROBABLY ONE OF THE REASONS WHY I CO-SPONSORED LB371 BECAUSE THIS STRUCTURE IS NOT EXISTING IN STATE GOVERNMENT AS WE KNOW IT. AND JUST BECAUSE THE

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UNIVERSITY CHOOSES TO DO SOMETHING AND THE GOVERNOR CHOOSES TO DO SOMETHING, DOESN'T MEAN THEY HAVE TO INVOLVE THE LEGISLATURE, DOESN'T MEAN THEY HAVE TO INVOLVE THE PUBLIC THE WAY THEY WANT TO INVOLVE THE PUBLIC. THEY GET TO SELECT WHO THEY WANT TO SELECT TO BE ON THEIR GROUPS OR THEIR MECHANISMS OR THEIR COMMITTEES OR THEIR COUNCILS. AND I GET THAT TO SOME EXTENT. PEOPLE MAY SAY--LOOK, I TRUST THE UNIVERSITY AND I TRUST THE GOVERNOR, THEY'RE GOING TO TELL US WHAT TO DO AND I'M GOING TO DO GREAT WITH IT. I'M GOING TO MOVE FORWARD AND GIVE MY STAMP OF APPROVAL WHATEVER THEY SAY WE WANT TO DO. COLLEAGUES, OBVIOUSLY, POLICY MAKING AND APPROPRIATING FALLS IN THIS BRANCH OF GOVERNMENT'S REALM. IN LB371, I TALKED...I KNOW SENATOR SULLIVAN IS LOOKING AT SOME CHANGES TO LB371 TO TRY TO ADDRESS SOME OF THE CONCERNS RAISED BY THE EXECUTIVE BRANCH, IS REALLY THE LONG-TERM PLANNING, THE LONG-TERM POLICY MAKING, AND LONG-TERM APPROPRIATING FALLS WITH OUR BRANCH OF GOVERNMENT AND OUR BRANCH OF GOVERNMENT SHOULD BE AT THE TABLE LEADING THIS EFFORT. BECAUSE I CAN TELL YOU THIS, THE UNIVERSITY AND THE GOVERNOR DO NOT MAKE APPROPRIATIONS TO K-12 FUNDING FORMULA EVERY YEAR, THEY DON'T MAKE IT TO THE POSTSECONDARY (INAUDIBLE) COMMISSION, THEY DON'T EVEN MAKE IT TO THEIR OWN OFFICES, THE LEGISLATURE DOES. AND I THINK WITH WHAT WE HAVE IN FRONT OF US IN LB371, WHILE IT MAY NOT BE PERFECT IN THE EYES OF THE ENTIRE BODY, I THINK SENATOR SULLIVAN IS TRYING TO FIND A WAY TO MOVE FORWARD WITH THIS CONCEPT TO ENSURE WE HAVE LONG-TERM STRATEGIC PLANNING WHEN IT COMES TO EDUCATION THAT MOVES BEYOND TERM LIMITS OF A LEGISLATURE, IN TERM LIMITS OF A GOVERNOR. AND EVEN TO SOME EXTENT,... [LB371]

PRESIDENT FOLEY: ONE MINUTE. [LB371]

SENATOR MELLO: ...CONTRACTS ASSOCIATED WITH A UNIVERSITY PRESIDENT, A STATE COLLEGE CHANCELLOR, AND A DEPARTMENT OF EDUCATION COMMISSIONER, ALL HAVE CONTRACTS, ALL COME AND GO. THIS IS A MECHANISM, COLLEAGUES, TO BUILD LONGEVITY INTO OUR EDUCATION SYSTEM. TO KNOW WHAT WAS GOING RIGHT, WHAT'S GOING WRONG, AND TO LEARN FROM OUR MISTAKES AS THE PLAYERS CHANGE IN THE PLAY FROM ACT ONE TO ACT TWO. I'D URGE THE BODY TO STRONGLY CONSIDER ADVANCING LB371. I KNOW SENATOR SULLIVAN HAS GOT SOME CHANGES SHE WANTS TO MAKE. I THINK THERE WILL BE GOOD CHANGES TO MAKE TO THE BILL, BUT I THINK WE'RE BEING SHORTSIGHTED, COLLEAGUES, IN REGARDS TO NOT IDENTIFYING THE REALITY OF TERM LIMITS' IMPACT ON EDUCATION PLANNING,

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EDUCATION FUNDING, AND EDUCATION POLICY. THANK YOU, MR. PRESIDENT.  
[LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR MELLO. SENATOR SCHEER, YOU'RE  
RECOGNIZED. [LB371]

SENATOR SCHEER: THANK YOU, MR. LIEUTENANT GOVERNOR. I DIDN'T REALIZE I WOULD BE UP QUITE AS QUICKLY AS I WAS, BUT I DO WANT TO RESPOND TO SENATOR MELLO ON A COUPLE OF ITEMS. I THINK WE'RE BEING A LITTLE DISINGENUOUS IF WE SAY THAT THE UNIVERSITY CAN DO WHATEVER IT WANTS WHEN PART OF THIS BILL TAKES THE MONEY THEY WERE SPENDING ON THE PROGRAM THEY HAD AND MOVES IT OVER TO THE NEW PROGRAM. SO HOW ARE THEY SUPPOSED TO CONTINUE THEIR PROGRAM IF YOU TAKE THE MONEY AWAY FROM THEM? I STILL HAVE A PROBLEM IN RELATIONSHIP TO DOING SOMETHING STATUTORILY. IF THE EDUCATION COMMITTEE WANTS TO HAVE A BODY THAT CONSULTS AND RECOMMENDS TO IT, I THINK THAT'S GREAT. BUT I DON'T THINK WE SHOULD PUT IT IN STATUTE. AND LASTLY, ACCORDING TO SENATOR MELLO, NONE OF THE OTHER PROCESSES ARE OPEN MEETINGS LAW REQUIREMENTS. WELL, IT'S JUST AS EASY TO CHANGE THOSE COMMITTEES AND MAKE THEM COMPLIANT WITH THE OPEN MEETINGS LAW THAN TO DEVELOP A WHOLE OTHER PROCESS. I MEAN, WHICH IS EASIER? TO SAY SOMEBODY THEY HAVE TO GO BY AN OPEN MEETING LAW OR DEVELOP A WHOLE NEW PROCESS? SO I'M JUST...I'M TRYING TO BE AS FAIR AS I CAN HERE, BUT WE CAN'T SAY THE UNIVERSITY CAN HAVE WHATEVER IT WANTS IF WE'RE TAKING THE MONEY THAT THEY'RE UTILIZING RIGHT NOW FOR THE PROGRAMS THAT THEY THINK ARE IMPORTANT AND TURN THEM IN TO SOMETHING THAT WE HAVE. SO WE HAVE...WE HAVE TAKEN THAT MONEY AWAY FROM THE UNIVERSITY WITH THIS BILL AND ITS FUNDING. AND SO IT DOES COST \$260,000 OR \$230,000. IF THE UNIVERSITY DECIDES THAT IT WANTS TO CONTINUE THEIR CURRENT PROGRAM AND THEY CAN FIND THE MONEY, THEN IT COSTS ADDITIONAL \$200,000 ABOVE THAT FOR THEIR...TO CONTINUE THEIR PROGRAM. IF THE OPEN MEETINGS LAW IS A BIG DEAL, THEN LET'S GO AHEAD AND PUT THAT ON ANY OF THOSE COMMITTEES SO THAT THE PUBLIC HAS THE ABILITY TO SEE WHAT'S GOING ON AND TO WITNESS ANY COMMENTS OR DISCUSSION AS IT TAKES PLACE. BUT WE STILL ARE LOOKING AT DOING SOMETHING STATUTORILY. THAT TAKES A LOT OF WORK TO CHANGE. A COMMITTEE THAT HAS AN ADVISORY GROUP THAT PROVIDES INFORMATION CAN CHANGE THAT ON A VOTE OF THE COMMITTEE AND MUCH MORE QUICKLY, QUICKER STREAMLINED PROCESS THAN WHAT WE'RE TRYING TO PUT INTO LAW RIGHT NOW. THERE MAY BE A NEED, BUT I

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DON'T THINK THERE IS A STATUTORY NEED. THANK YOU, MR. LIEUTENANT GOVERNOR. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHEER. SENATOR MELLO, YOU'RE RECOGNIZED. [LB371]

SENATOR MELLO: THANK YOU, MR. PRESIDENT; MEMBERS OF THE LEGISLATURE. JUST A COUPLE OF POINTS OF CLARIFICATION, TO MY GOOD FRIEND AND COLLEAGUE, SENATOR SCHEER. FIRST OFF, THE LEGISLATURE APPROPRIATES THAT \$200,000 TO THE UNIVERSITY FOR THEIR P-16 COUNCIL. SO THE REALITY IS, IF THE LEGISLATURE CHOOSES TO TRANSFER THAT \$200,000 AWAY FROM THE UNIVERSITY TO ANOTHER ENTITY, THAT'S THE PREROGATIVE OF THE LEGISLATURE THAT WE HAVE EVERY YEAR THROUGH THE LEGISLATIVE PROCESS. SO, IN SOME RESPECT, THAT'S SOMETHING THAT NEEDS TO BE CLARIFIED, I THINK, IN REGARDS TO THE REAL COST OF THIS BILL AS IT RELATES TO THE FISCAL NOTE. IT'S A TRANSFER OF MONEY THAT'S BEEN APPROPRIATED TO AN ENTITY THAT'S BEING RETRANSFERRED BACK TO ANOTHER ENTITY. THAT'S THE FIRST COMPONENT. THE SECOND COMPONENT IS-- I DON'T DISAGREE WITH SENATOR SCHEER THAT IF THE WILL OF THE BODY IS TO ENSURE THAT A GOVERNOR OR A UNIVERSITY OR STATE COLLEGE SYSTEM WOULD NEVER BE ALLOWED TO HOLD, SO TO SPEAK, THEIR OWN ADVISORY COUNCILS, THEIR OWN ORGANIZATIONS THAT ARE THERE IN ADVISORY NATURE AND THAT WE PUT ALL OF THAT UNDER PUBLIC RECORDS LAWS AND OPEN MEDIA LAWS, I WOULD BE 100 PERCENT SUPPORTIVE OF THAT IF THAT'S WHAT THE BODY WOULD CHOOSE TO DO IN REGARDS TO TAKING AWAY THAT PREROGATIVE FROM THE EXECUTIVE BRANCH AND MAKING THEM FOLLOW, I WOULD SAY, SOMETHING THAT IS JUST, ARGUABLY, NOT IN THEIR BEST INTEREST IN REGARDS TO TRYING TO DEVELOP PUBLIC POLICY. AND I THINK, COLLEAGUES, I SAY THAT WITH A LITTLE BIT OF SARCASM BECAUSE NO ONE IS SUGGESTING THAT WE REQUIRE THE GOVERNOR OR THE UNIVERSITY OF NEBRASKA, IF THEY CREATE A POLICY ADVISORY COUNCIL, THAT THAT ADVISORY COUNCIL HAS TO HAVE OPEN MEETING LAWS...HAVE TO FOLLOW OPEN MEETINGS LAWS OR OPEN RECORDS LAWS. THAT'S NOT HOW A...I JUST DON'T SEE HOW YOU CAN MAKE AN ARGUMENT THAT WOULD BE IN THE BEST INTEREST OF WHAT WE'RE TRYING TO DO WITH LB371. MY POINT IS, IF THIS IS A PLANNING ORGANIZATION ON BEHALF OF THE STATE WHICH THE ARGUMENTS HAVE BEEN MADE ACROSS THE SPECTRUM IN THE BODY IS THAT THE P-16 COUNCIL THROUGH THE UNIVERSITY, IN THEORY, IS A PLANNING ORGANIZATION FOR THE STATE WHEN IT COMES TO PUBLIC EDUCATION FROM PRESCHOOL TO HIGHER EDUCATION. THE REALITY, THOUGH, IS THAT IT'S A

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PLANNING ORGANIZATION FOR THE UNIVERSITY, RUN BY THE UNIVERSITY WITH THE UNIVERSITY'S INTEREST AT HEART. IT'S NOT BEING DRIVEN, SO TO SPEAK, BY THE DEPARTMENT OF EDUCATION WHO HAS, OBVIOUSLY, OVERSIGHT FROM PRESCHOOL THROUGH K...THROUGH 12th GRADE, SECONDARY EDUCATION. IT'S NOT BEING DRIVEN BY STATE COLLEGES OR THE COMMUNITY COLLEGES OR PRIVATE COLLEGES FOR THAT MATTER. I THINK WITH WHAT YOU HAVE IN FRONT OF YOU IN LB371 IS AN EFFORT TO MOVE SOMETHING AWAY FROM ONE STATE AGENCY TO BE MORE INCLUSIVE TO ALL OF THE STATE AGENCIES THAT INVOLVE EDUCATION. STATE COLLEGES, COMMUNITY COLLEGES, THE DEPARTMENT OF EDUCATION, THE POSTSECONDARY COORDINATING COMMISSION, AND THE UNIVERSITY OF NEBRASKA, THAT'S WHAT YOU HAVE IN LB371. AND MY POINT DOES RING CLEAR, THIS WOULD FALL UNDER OPEN MEETINGS LAW. THIS WOULD FALL UNDER PUBLIC RECORDS LAW IN THAT CASE BECAUSE IT'S A PUBLIC ORGANIZATION AND IT'S DOING PUBLIC WORK, PUBLIC POLICY PLANNING ACTIVITIES THAT YOU WOULDN'T EXPECT THE GOVERNOR'S OFFICE TO DO, AND YOU WOULDN'T EXPECT THE UNIVERSITY TO DO IF THEY'RE SIMPLY BEING AN ADVISORY ROLE TO THE UNIVERSITY PRESIDENT. SO I THINK WE'RE TRYING TO MUDDY THE WATER A LITTLE BIT IN REGARDS TO THE PURPOSE OF AN ADVISORY P-16 COUNCIL TO WHAT YOU HAVE IN LB371 WHICH IS A PERMANENT STRUCTURE IN STATUTE. BUT, COLLEAGUES, I THINK IF YOU LOOK ACROSS THE COUNTRY, MOST STATES HAVE THEIR P-16 COUNCIL IN STATUTE. IT PROVIDES MORE TRANSPARENCY IN REGARDS TO THE PLANNING THAT GOES IN TO THE EDUCATIONAL SYSTEM ACROSS THE STATE. THE REALITY IS THIS--WITHOUT DOING LB371, EVERYONE WILL JUST CONTINUE TO DO THEIR OWN THING. AND THAT'S...IF THAT'S THE WILL OF THE BODY, THAT'S THE WILL OF THE BODY. I THINK WHAT IT DOES DO IS IT SHORTCHANGES THE LEGISLATURE; IT SHORTCHANGES STATE GOVERNMENT MOVING FORWARD IN LIGHT OF TERM LIMITS WHERE ACTORS COME AND GO. AND TO SOME EXTENT, THEY CONTINUALLY PLAY THE SAME PART OVER AND OVER AGAIN BECAUSE THERE WAS NOT A LONG-TERM MECHANISM TO KEEP THAT INFORMATION MOVING FORWARD TO LEARN FROM OUR MISTAKES AND TO CHART A PATHWAY FORWARD THAT IS MORE COLLABORATIVE IN NATURE INSTEAD OF SILOED IN NATURE WHICH IS WHAT YOU HAVE NOW WITH MULTIPLE P-16 ENTITIES TRYING TO DO THEIR OWN THING TO MEET THEIR OWN SPECIFIC AGENDA ITEM. THANK YOU, MR. PRESIDENT. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR MELLO. SEEING NO OTHER SENATORS WISHING TO SPEAK TO THE BILL, SENATOR SULLIVAN, YOU'RE RECOGNIZED TO CLOSE ON LB371. [LB371]

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SENATOR SULLIVAN: THANK YOU, MR. PRESIDENT. AND AS I MOVE INTO MY CLOSING, I WANTED TO COMMENT ON SOME OF THE DISCUSSION THAT HAD TAKEN PLACE AMONG SOME OF THE OTHER SENATORS. TO SENATOR SCHEER'S COMMENTS ABOUT BUSINESS INVOLVEMENT, TRUE, THERE IS ONE INDIVIDUAL REPRESENTING THE BUSINESS COMMUNITY TO BE APPOINTED TO THE NEBRASKA COUNCIL. THAT'S NO DIFFERENT THAN WHAT IS CURRENTLY HAPPENING WITH THE EDUCATION WORKFORCE ROUNDTABLE. THE COMMITTEE AMENDMENT WOULD HAVE ALLOWED THE COUNCIL TO UTILIZE EXPERTISE FROM OTHER AREAS. SO IT'S FAIR TO SAY THAT THEY WOULD INVOLVE...OR COULD INVOLVE OTHER PEOPLE THAT WOULD BE FROM THE BUSINESS COMMUNITY. WITH TERM LIMITS, AND SENATOR MELLO ALLUDED TO THIS, WE NEED A SENSE OF PERMANENCY. IN THE NEBRASKA COUNCIL FOR EDUCATIONAL SUCCESS BECAUSE WE ARE USING ALMOST HALF OF OUR BUDGET FOR EDUCATION, THERE NEEDS TO BE SOME PERMANENT ELEMENT THAT IS CONSTANTLY LOOKING AT HOW EDUCATION IS OPERATING AND OFFERING US SOME RECOMMENDATIONS TO THIS BODY. COULD IT BE AN ADVISORY CAPACITY? WELL, SUPPOSE IT COULD BE. BUT I MAINTAIN THAT THERE IS REAL REASON TO HAVE THIS IN STATUTE, NOT ONLY FOR PERMANENCY, NOT ONLY FOR TERM LIMITS, BUT SIMPLY BECAUSE THE FUNDING FOR EDUCATION IS NEVER GOING TO GO AWAY. WE'RE ALWAYS GOING TO BE DEALING WITH EDUCATION IN THIS BODY. AND SO WHY NOT HAVE THE BEST MINDS LOOKING AT IT AND BRINGING US RECOMMENDATIONS. AND TO SPEAK TO SENATOR BRASCH AND SENATOR BLOOMFIELD, AS FAR AS MEMBERSHIP, SHE HAD REFERRED SEVERAL TIMES TO ACCELERATE NEBRASKA, IN THE MEMBERSHIP...PROPOSED MEMBERSHIP OF THE COUNCIL, THE GOVERNOR WOULD HAVE THE ABILITY TO APPOINT SOMEONE FROM AN EDUCATIONAL NONPROFIT ORGANIZATION. SO IT'S CONCEIVABLE THAT SOMEONE LIKE ACCELERATE NEBRASKA WOULD BE INVITED TO BE ON THE COUNCIL. THE SAME WOULD APPLY TO PARENTS, AGAIN, A GUBERNATORIAL APPOINTMENT WOULD BE FOR A PARENT TO SERVE ON THE COUNCIL. SO I THINK A LOT OF THOSE CONCERNS WOULD BE ADDRESSED IN HOW THE MEMBERSHIP IS MADE UP. SENATOR HILKEMANN, IT'S NOT A GROUP THAT WOULD BE GOING TO ALL SORTS OF CONFERENCES AND THE APPROPRIATION CONCEIVABLY WOULD GROW AND GROW AND GROW. AS I INDICATED, THESE ARE...WE'RE NOT ASKING FOR NEW DOLLARS. THESE ARE DOLLARS THAT ARE ALREADY APPROPRIATED, BUT THAT WE DIDN'T HAVE A LOT OF SAY ON, THAT \$100,000 TO THE UNIVERSITY; \$50,000 TO THE DEPARTMENT OF EDUCATION, BUT ONLY \$20,000 IN NEW MONEY ALL TO WHICH WOULD BE USED BY THE DEPARTMENT OF EDUCATION AND THE COMMISSIONER TO ADMINISTER THIS COUNCIL. YOU KNOW, I'M NOT TRYING TO UPSTAGE OR TAKE AWAY. I AM SIMPLY

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BELIEVING THAT THROUGH THE VISIONING PROCESS THE EDUCATION COMMITTEE EMBARKED ON, WHAT I KEEP HEARING ABOUT THE NEED FOR COLLABORATION AND COMMUNICATION AMONG THE EDUCATION BODIES AND FOR US IN THIS BODY TO HAVE SOME MORE DIRECTION ON WHAT EDUCATIONAL PRIORITIES SHOULD BE, THAT'S WHY I THOUGHT IT WAS IMPORTANT TO CREATE THE NEBRASKA COUNCIL FOR EDUCATIONAL SUCCESS. AND IT WAS VERY INTERESTING. YES, I SERVE ON WHAT NOW IS THE EDUCATION WORKFORCE ROUNDTABLE THAT THE GOVERNOR LEADS. AND IN THE EARLY DAYS, AFTER HE HAD COME ON BOARD, AND PRESIDENT BOUNDS FROM THE UNIVERSITY HAD COME ON BOARD, DR. BOUNDS BROUGHT AN IDEA FROM HIS PREVIOUS STATE OF MISSISSIPPI THAT THEY HAD PUT IN STATUTE VIRTUALLY THE VERY SAME THING THAT THE NEBRASKA COUNCIL FOR EDUCATIONAL SUCCESS SEEKS TO ACCOMPLISH. SO YES,... [LB371]

PRESIDENT FOLEY: ONE MINUTE. [LB371]

SENATOR SULLIVAN: ...IT IS BEING DONE IN OTHER STATES. COLLEAGUES, I HOPE YOU WILL TAKE SERIOUSLY WHAT I SAID IN MY OPENING AND ALSO WHAT THE SPEAKER SAID. I AM WILLING TO WORK BETWEEN NOW AND SELECT FILE, AND THERE IS TIME, WE ARE FOLLOWING THE PROCESS THAT EVERY BILL HAS TO FOLLOW IN THIS BODY GOING FROM GENERAL FILE TO SELECT FILE AND HAVING THE APPROPRIATE DEBATE ON EACH PIECE OF LEGISLATION. I AM WILLING TO WORK WITH THE GOVERNOR'S OFFICE. I AM WILLING TO WORK WITH SOME OF THE CONCERNS EXPRESSED HERE AND HOPE YOU WILL TAKE ME SERIOUSLY AND PLEASE VOTE GREEN TO ADVANCE LB371. THANK YOU VERY MUCH. [LB371]

PRESIDENT FOLEY: THANK YOU, SENATOR SULLIVAN. MEMBERS, YOU'VE HEARD THE DEBATE AND CLOSING ON LB371. THE QUESTION IS THE ADVANCE OF THE BILL. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. SENATOR SULLIVAN, FOR WHAT PURPOSE DO YOU RISE? [LB371]

SENATOR SULLIVAN: YES, I WOULD LIKE A CALL OF THE HOUSE, PLEASE. [LB371]

PRESIDENT FOLEY: THERE'S BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, PLEASE, MR. CLERK. [LB371]

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CLERK: 37 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL.  
[LB371]

PRESIDENT FOLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS SEILER, GLOOR, SMITH, AND GARRETT, THE HOUSE IS UNDER CALL. SENATORS GLOOR AND GARRETT, THE HOUSE IS UNDER CALL. MR. CLERK, ALL MEMBERS ARE PRESENT. SENATOR SULLIVAN, I UNDERSTAND YOU WANT A ROLL CALL VOTE, IS THAT CORRECT? [LB371]

SENATOR SULLIVAN: YES, IT IS, MR. PRESIDENT. [LB371]

PRESIDENT FOLEY: MEMBERS, THE QUESTION IS THE ADVANCE OF LB371 TO E&R INITIAL. MR. CLERK, PLEASE CALL THE ROLL. [LB371]

CLERK: (ROLL CALL VOTE TAKEN. LEGISLATIVE JOURNAL PAGES LB765-766.) 21 AYES, 21 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF THE BILL. [LB371]

PRESIDENT FOLEY: LB371 DOES NOT ADVANCE. I RAISE THE CALL. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LR403, LR413 AND LR418. ITEMS FOR THE RECORD, MR. CLERK. [LB371 LR403 LR413 LR418]

CLERK: THANK YOU, MR. PRESIDENT. I HAVE A REFERENCE REPORT REFERRING LR455 TO THE EXECUTIVE BOARD FOR PURPOSES OF CONDUCTING A PUBLIC HEARING. TRANSPORTATION COMMITTEE, CHAIRED BY SENATOR SMITH, REPORTS LB1077 TO GENERAL FILE. NATURAL RESOURCES CHAIRED BY SENATOR SCHILZ REPORTS LB1019 AND LB1082 TO GENERAL FILE. I HAVE CONFIRMATION REPORTS FROM THE TRANSPORTATION COMMITTEE. BILLS READ ON FINAL READING THIS MORNING WERE PRESENTED TO THE GOVERNOR AT 9:33 A.M. (RE LB954 AND LB1016). SENATOR JOHNSON OFFERS A NEW RESOLUTION--LR458. SENATOR CAMPBELL, LB746A, (READ BY TITLE FOR THE FIRST TIME). AND, MR. PRESIDENT, YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS IT EXAMINED AND ENGROSSED LEGISLATIVE BILLS: LB735, LB758, LB811, LB840, LB921, LB929, THOSE ARE REPORTED CORRECTLY ENGROSSED. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 766-769.) [LB1077 LB1019 LB1082 LB954 LB1016 LR458 LB746A LB735 LB758 LB811 LB840 LB921 LB929]

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PRESIDENT FOLEY: THANK YOU, MR. CLERK. WE'LL PASS OVER LB371A. NEXT BILL, MR. CLERK.

CLERK: MR. PRESIDENT, LB919 WAS A BILL ORIGINALLY INTRODUCED BY SENATOR WILLIAMS. (READ TITLE.) INTRODUCED ON JANUARY 12 OF THIS YEAR, AT THAT TIME REFERRED TO THE JUDICIARY COMMITTEE, ADVANCED TO GENERAL FILE. THERE ARE JUDICIARY COMMITTEE AMENDMENTS PENDING. (AM2171, LEGISLATIVE JOURNAL PAGE 643.) [LB919]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. SENATOR WILLIAMS, YOU'RE RECOGNIZED TO OPEN ON LB919. [LB919]

SENATOR WILLIAMS: THANK YOU, MR. PRESIDENT. AND GOOD MORNING, COLLEAGUES, AND GOOD MORNING TO ALL OF OUR FRIENDS IN NEBRASKA. AS LEGISLATORS, WE OFTEN GATHER AND HAVE AN OPPORTUNITY TO ADDRESS PUBLIC POLICY, AND THAT IS CERTAINLY WHAT WE'RE DOING TODAY WITH LB919, AND LOOKING AT A CHANGE TO OUR JUDICIAL SYSTEM THAT NOT ONLY SAVES MONEY AND MAKES SENSE, BUT IT ALSO HAS BETTER OUTCOMES. I THINK MANY OF US HAVE HAD THE OPPORTUNITY TO SEE IN OUR JUDICIAL SYSTEM WHAT HAS HAPPENED WITH THE USE OF DRUG COURTS IN OUR STATE. AND DRUG COURTS WERE ACTUALLY STARTED IN OUR STATE IN 1997, SO WE'RE ALMOST 20 YEARS INTO THAT PROCESS. AND TODAY WE HAVE OVER 15 ADULT AND JUVENILE DRUG COURTS OPERATING ACROSS OUR STATE, SERVING OVER A THOUSAND NEBRASKANS. AND I WOULD STRESS THAT THESE ARE PEOPLE THAT ARE ALREADY IN THE CRIMINAL JUSTICE SYSTEM. AND RATHER THAN TAKE THESE OFTENTIMES LOW-LEVEL, NONVIOLENT OFFENDERS AND PUT THEM IN PRISON, WE HAVE THE ABILITY WITH THE ADVENT OF DRUG COURTS TO TAKE THEM THROUGH A PROCESS THAT WORKS OUT VERY WELL. AND WE SAY, WELL, WHY IS THIS NEEDED AND WHY IS LB919 NEEDED? THE GOAL BEHIND LB919 IS TO GIVE THE SUPREME COURT THE ABILITY TO GO BEYOND DRUG COURTS AND LOOK AT OTHER SPECIALTY COURTS, COURTS LIKE VETERANS COURTS, MENTAL HEALTH COURTS, DUI COURTS, AND OTHER COURTS AS THEY SEE THE NEED. THESE COURTS WORK, THEY COST LESS MONEY AND, MAYBE MOST IMPORTANTLY, THEY HAVE BETTER OUTCOMES. I WOULD READ TO YOU A QUICK STATEMENT DONE IN 2012 BY THE PUBLIC POLICY CENTER AT THE UNIVERSITY OF NEBRASKA WHEN THEY CONDUCTED AN EVALUATION. AND FIRST THEY FOUND NEBRASKA'S PROBLEM-SOLVING COURTS REDUCE CRIME AND ADDICTION; NUMBER TWO, GRADUATION RATES MEET OR EXCEED NATIONAL RATES; AND NUMBER THREE, THE PROGRAMS ARE COST-EFFECTIVE. AND WHAT DO WE MEAN WHEN WE SAY COST-EFFECTIVE? DRUG COURT COSTS

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APPROXIMATELY \$5,000 PER YEAR FOR A PERSON THAT PARTICIPATES IN THE COURT; COMPARE THAT TO THE COST OF INCARCERATION AT AROUND \$36,000 PER YEAR FOR THAT SAME INDIVIDUAL. I'VE BEEN ASKED THE QUESTION AT TIMES WITH DRUG COURTS, ARE WE BEING SOFT ON THESE PEOPLE? ARE WE BEING SOFT ON CRIME? AND I WILL TELL YOU I HAVE HAD THE OPPORTUNITY, AS HAVE OTHER MEMBERS OF THIS BODY, TO SIT IN DRUG COURT AND WATCH WHAT HAPPENS. PARTICIPANTS IN DRUG COURT, FOR INSTANCE, ARE REQUIRED TO HAVE JOBS. THEY'RE REQUIRED TO APPEAR IN COURT AT LEAST EVERY TWO WEEKS. IN THE DRUG COURT THAT I ATTENDED IN LEXINGTON, NEBRASKA, EACH PARTICIPANT IN DRUG COURT IS EXPECTED TO ATTEND FOUR OR FIVE MEETINGS PER WEEK, MEANING EITHER ALCOHOL OR DRUG ABUSE SUPPORT KINDS OF MEETINGS. SO IT'S NOT AN EASY PATH. IT TAKES APPROXIMATELY TWO YEARS TO GO THROUGH AND COMPLETE A PROGRAM THROUGH THE DRUG COURTS, AT WHICH TIME A PERSON ACHIEVES GRADUATION. AND THE GOOD PART IS, WHEN THEY GRADUATE, AFTER SPENDING A FRACTION OF THE AMOUNT OF MONEY, THE SUCCESS RATE OF RECIDIVISM IS CUT SUBSTANTIALLY. IT'S ESTIMATED THAT DRUG COURTS THEMSELVES ARE SAVING OUR STATE RIGHT NOW SOMEWHERE BETWEEN \$2.6 MILLION AND \$9.7 MILLION. BUT AGAIN, THE MOST IMPORTANT PART OF THE WHOLE PROGRAM IS THAT THOSE WHO GRADUATE FROM SPECIALTY COURTS ARE THE PARTICIPANTS; THEY HAVE A MUCH BETTER CHANCE OF RETURNING TO EVERYDAY LIFE IN A REHABILITATED AND PRODUCTIVE MANNER. WHAT LB919 DOES IS TAKE THE SAME CONCEPT THAT WE HAVE IN DRUG COURT AND EXPAND IT TO OTHER SPECIALTY AREAS. I'VE BEEN ASKED THE QUESTION, WELL, DOES THIS JUST CREATE NEW SILOS FOR PEOPLE WHERE WE HAVE SILOS OF PEOPLE THAT ARE IN VETERANS COURTS, SILOS OF PEOPLE THAT ARE IN MENTAL HEALTH COURT? THAT'S NOT THE INTENT OF THE SUPREME COURT IN DEVISING THESE COURTS. FOR INSTANCE, IF YOU ALREADY HAVE AN ESTABLISHED DRUG COURT THAT HAS THE MACHINERY NECESSARY TO OPERATE THAT, ADDING A VETERANS COURT IS SIMPLY USING THE SAME MACHINERY THAT YOU HAVE SET UP, BUT USING THOSE OPPORTUNITIES TO ACCESS SERVICES THAT ARE NECESSARY AND DEMANDED BY VETERANS. AND DON'T FORGET, THESE ARE VETERANS THAT ARE ALREADY IN THE CRIMINAL JUSTICE SYSTEM. SO IF WE DON'T HANDLE THEM IN VETERANS COURT, WE HANDLE THEM NORMALLY, WHICH IS THEY'RE ON THEIR WAY TO PRISON. THE TESTIMONY WE HAD ON LB919 WAS REALLY SOLID AND REALLY GOOD. DISTRICT COURT JUDGE JAMES DOYLE FROM LEXINGTON TESTIFIED IN SUPPORT OF LB919 AND WHAT IT CAN DO. HE HAS BEEN INSTRUMENTAL IN FOUNDING THE MIDWEST DRUG COURT IN LEXINGTON AND NORTH PLATTE. THE COURT ADMINISTRATOR, THE STATE BAR ASSOCIATION, THE ACLU, AND OTHERS TESTIFIED IN FAVOR. THERE WAS NO OPPOSITION TESTIMONY AND THIS BILL

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WAS VOTED OUT OF COMMITTEE ON AN 8-0 VOTE. THE BILL DOES HAVE, AND IF WE DO MOVE FORWARD UNDER THE SUPREME COURT'S GUIDANCE, THERE IS SOME COST. THE GOAL OF THE SUPREME COURT IS TO BEGIN BY ESTABLISHING A VETERANS COURT IN DOUGLAS COUNTY. AND YOU'LL SEE THAT ON THE FISCAL NOTE ATTACHED TO LB919. THE FIRST YEAR'S COST IS \$190,000 AND THE SECOND YEAR'S COST IS \$250,000, A SMALL PRICE TO PAY FOR THE ADVENT OF CREATING A BETTER RESULT FOR THESE PEOPLE, AND IT IS STILL SUBSTANTIALLY LESS THAN THE \$36,000 PER YEAR IF WE SEND THEM TO THE CORRECTIONS SYSTEM. ON AN ONGOING BASIS, WHAT WE WILL SEE FROM THE SUPREME COURT IS THEM BRINGING TO THE APPROPRIATIONS COMMITTEE THEIR GOAL OF MOVING FORWARD AS THEY SLOWLY, BUT SURELY, ESTABLISH THESE OTHER PROBLEM-SOLVING COURTS IN OUR STATE. CHIEF JUSTICE HEAVICAN STOOD IN THIS CHAMBER IN JANUARY AND ADDRESSED US DURING THE STATE OF THE JUDICIARY ADDRESS AND TALKED ABOUT HIS GOAL OF MOVING FORWARD WITH THESE TYPES OF COURTS IN NEBRASKA, AGAIN, BASED ON THE FACT THAT THEY'RE MORE EFFICIENT, LESS COST, AND HAVE BETTER OUTCOMES. I WOULD STRONGLY URGE YOU TO SUPPORT LB919. IT DOES HAVE A COMMITTEE AMENDMENT, WHICH CHAIRMAN SEILER WILL ADDRESS, AND THEN WE'LL BE BACK TO TALK MORE ABOUT THE FISCAL NOTE. THANK YOU, MR. PRESIDENT. [LB919]

PRESIDENT FOLEY: THANK YOU, SENATOR WILLIAMS. AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE JUDICIARY COMMITTEE. SENATOR SEILER, AS CHAIR OF THE COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THE COMMITTEE AMENDMENTS. SENATOR SEILER. [LB919]

SENATOR SEILER: MR. LIEUTENANT GOVERNOR AND MEMBERS OF THE LEGISLATURE, LB919 WITH AM2171 ADVANCED FROM JUDICIARY BY UNANIMOUS VOTE WITH ALL EIGHT MEMBERS PRESENT AND VOTING. AM2171 WOULD MAKE THE FOLLOWING CHANGES: IN SECTION 1, CLARIFYING LANGUAGE UPDATING THE LEGISLATIVE FINDINGS REGARDING PROBLEM-SOLVING COURTS. AS AMENDED, THIS SECTION WOULD STATE THAT UNTREATED SUBSTANCE USE DISORDERS AND UNTREATED MENTAL ILLNESS CAN CONTRIBUTE TO INCREASED CRIME. THE GREEN COPY OF THE BILL INCORRECTLY IMPLIES THAT, ON THEIR OWN, MENTAL HEALTH SYMPTOMS CAN CONTRIBUTE TO CRIME. IT'S MORE ACCURATE TO STATE THAT UNTREATED SYMPTOMS OR THE LACK OF ACCESS TO TREATMENT MAY CONTRIBUTE TO CRIME. IN SECTION 2, STRIKE UNNECESSARY LANGUAGE THAT IS A REPETITIVE LANGUAGE AND RESTRICTIVE LANGUAGE. THE GREEN COPY OF THE BILL WOULD HAVE LISTED ONE TYPE OF EVIDENCE-BASED INTERVENTION, MEDICATION-ASSISTED TREATMENT, AND

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WOULD GIVE THE PROBLEM-SOLVING COURTS EXPLICIT AUTHORIZATION TO PROVIDE IT. THE PROBLEM WITH THAT IS THAT THE COURT'S ALREADY GOT THE BROAD...PROBLEM-SOLVING COURTS ARE EXPECTED TO PROVIDE EVIDENCE-BASED INTERVENTION AND ARE ALREADY AUTHORIZED TO DO SO, SO IT'S REPETITIVE LANGUAGE. IN SECTION 1 AND SECTION 2, STRIKE THE APOSTROPHE FROM THE WORD "VETERAN'S." IT GOES FROM POSSESSIVE TO ACTUALLY PLURAL, AND WE WANT THE WORD PLURAL IN THERE BECAUSE THERE WILL EVENTUALLY BE MORE THAN ONE COURT. SECTIONS 1, 2, AND 3 REFER TO PROBLEM-SOLVING COURTS INSTEAD OF PROBLEM-SOLVING COURT PROGRAMS. IT'S MORE ACCURATE TO TALK ABOUT PROBLEM-SOLVING COURTS. THE COMMITTEE AMENDMENT DOES NOT INCLUDE ANY LANGUAGE FROM LB915, SENATOR McCOLLISTER'S BILL REGARDING VETERANS TREATMENT COURTS PROGRAMS, BECAUSE THE LANGUAGE USED IN LB915 WOULD BE MORE APPROPRIATE IN LB919A. I WANT TO RECOGNIZE THE VETERAN ADVOCATES WHO WORKED WITH SENATOR McCOLLISTER ON LB915. AND THE COMMITTEE IS SUPPORTIVE OF THE ONGOING EFFORTS OF SENATOR WILLIAMS AND McCOLLISTER TO SECURE FUNDING FOR THE VETERANS COURTS. I ASK YOU TO SUPPORT AM2171 TO LB919. THANK YOU. [LB919 LB915 LB919A]

PRESIDENT FOLEY: THANK YOU, SENATOR SEILER. MEMBERS, YOU'VE HEARD THE OPENING ON LB919 AND THE COMMITTEE AMENDMENT. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB919]

SENATOR McCOLLISTER: THANK YOU, MR. LIEUTENANT GOVERNOR. AND GOOD MORNING, COLLEAGUES. I WANT TO THANK CHAIRMAN SEILER AND THE JUDICIARY COMMITTEE FOR THEIR UNANIMOUS VOTE TO ADVANCE LB919 TO GENERAL FILE, INCLUDING THE PROVISIONS FROM LB915 AND ITS FISCAL NOTE IN THE A BILL FOR LB919. MY THANKS, AS WELL, TO SENATOR WILLIAMS FOR DESIGNATING LB919 AS HIS PERSONAL PRIORITY FOR THE 2016 LEGISLATIVE SESSION. I WOULD BE REMISS IF I DID NOT ALSO EXPRESS MY GRATITUDE TO THE DEDICATED PEOPLE WHO HAVE WORKED WITH ME SINCE LAST SUMMER TO CRAFT PLANS FOR A VETERANS TREATMENT COURT IN DOUGLAS COUNTY. WHILE MOST VETERANS RETURN HOME STRENGTHENED BY THEIR MILITARY SERVICE, COMBAT EXPERIENCE HAS UNFORTUNATELY LEFT A GROWING NUMBER OF VETERANS SUFFERING FROM SUBSTANCE ABUSE, MENTAL HEALTH DISORDERS, AND TRAUMA. NOTE THE FOLLOWING: ONE IN FIVE VETERANS HAS SYMPTOMS OF MENTAL DISORDER OR COGNITIVE IMPAIRMENT. LEFT UNTREATED, MENTAL HEALTH DISORDERS COMMON AMONG VETERANS, SUCH AS TRAUMATIC BRAIN INJURY AND POSTTRAUMATIC STRESS DISORDER CAN DIRECTLY LEAD TO HOMELESSNESS AND INVOLVEMENT IN THE CRIMINAL

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JUSTICE SYSTEM. EIGHTY-ONE PERCENT OF JUSTICE-INVOLVED VETERANS HAD SUBSTANCE ABUSE PROBLEMS PRIOR TO INCARCERATION, AND 25 PERCENT WERE IDENTIFIED AS MENTALLY ILL. TWENTY-THREE PERCENT OF JUSTICE-INVOLVED VETERANS WERE HOMELESS AT SOME POINT IN THE YEAR PRIOR TO THEIR ARREST. LESS THAN 1 PERCENT OF AMERICANS SERVE IN THE ARMED FORCES, YET 25 PERCENT TO 30 PERCENT OF AMERICAN PRISONERS ARE VETERANS. ACCORDING TO THE COUNCIL OF STATE GOVERNMENTS, ABOUT 1,100 VETERANS ARE CURRENTLY BEING HELD BY VETERAN TREATMENT COURTS. BASED ON OUR RESEARCH, VETERAN TREATMENT COURTS ARE A COST-EFFECTIVE AND UNUSUALLY EFFECTIVE WAY TO DEAL WITH VETERANS COMING TO THE JUSTICE SYSTEM. VETERAN TREATMENT COURTS, VTC, OPERATE IN MOST STATES IN THE MIDWEST, AND THERE ARE MORE THAN 220 VTCs NATIONWIDE. MOST VTCs ARE RUN BY COUNTY OR OTHER LOCAL COURT SYSTEMS. THEY'RE USED TO DIVERT OFFENDERS INTO TREATMENT PROGRAMS INSTEAD OF SENDING THEM TO PRISON. NEBRASKA ALREADY HAS A SYSTEM OF PROBLEM-SOLVING COURTS, AS YOU HEARD FROM SENATOR WILLIAMS. A VETERAN'S TREATMENT COURT IN DOUGLAS COUNTY WOULD BE A FIRST FOR NEBRASKA, WHICH CURRENTLY SERVES ABOUT 1,200 CRIMINAL OFFENDERS A YEAR IN 14 ADULT DRUG COURTS, 2 JUVENILE DRUG COURTS, 6 FAMILY COURTS, AND ONE YOUNG ADULT COURT. SAVINGS FROM PROBLEM-SOLVING COURTS CAN BE SUBSTANTIAL. A 2012 REPORT BY THE UNIVERSITY OF NEBRASKA AT LINCOLN PUT THE COST OF A PROBLEM-SOLVING COURT AT \$12 TO \$46 PER DAY COMPARED TO A COST OF \$92 PER DAY FOR A CELL IN THE STATE PRISON. BUT WHEN WE CONSIDER WHAT OUR VETERANS HAVE DONE FOR US, IT BECOMES IMPERATIVE THAT WE NOT IGNORE THE CHALLENGES THEY EXPERIENCE FROM THEIR MILITARY SERVICE. OUR VETERANS DESERVE OUR BEST EFFORT TO RESTORE THEM TO FULL HEALTH. I ASK FOR YOUR SUPPORT FOR LB919, AM2171, AND PLEASE PASS THE A BILL AS WELL. THANK YOU VERY MUCH, MR. PRESIDENT. [LB919 LB915]

PRESIDENT FOLEY: THANK YOU, SENATOR McCOLLISTER. SENATOR KRIST, YOU'RE RECOGNIZED. [LB919]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. GOOD MORNING, NEBRASKA. IT COULD BE SAID THAT NO ONE CAN TEACH THEMSELVES HOW TO FLY AN AIRPLANE. YOU HAD AN INSTRUCTOR NEXT TO ME THE ENTIRE TIME I WAS RAISED IN THE MILITARY SYSTEM FLYING AIRPLANES. PART OF THAT TRAINING IS TO INTENTIONALLY PUT YOURSELF INTO A STALL AND WHAT CAN BE CALLED A DEATH SPIRAL. NONE OF US WHEN WE FIRST GOT INTO THAT SPIRAL COULD RECOVER THAT AIRPLANE BY OURSELVES. AN

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INSTRUCTOR WHO SAT NEXT TO US WAS VERY KIND...WELL, I'LL TAKE THAT BACK...SOMETIMES VERY ABRUPT IN MAKING SURE THAT THE RIGHT RUDDER, THE RIGHT PEDAL, THE RIGHT AMOUNT OF POWER, THE RIGHT BACK FORCE, THE RIGHT METHODS WERE EMPLOYED. WE HAVE A GROUP OF PEOPLE THAT COME BACK FROM SERVICE AS VETERANS, AND THEY'RE IN A DEATH SPIRAL. THEY FIND THEMSELVES WITH PTSD OR ANY NUMBER OF OTHER ISSUES AT A POINT WHEN THEIR LIFE IS OUT OF CONTROL. IN THE ARTICLE THAT WAS HANDED OUT BY SENATOR McCOLLISTER, ON SECOND TO LAST PAGE, PAGE 5, IT QUOTES ONE OF THOSE VETERANS THAT'S IN ONE OF THOSE FACILITIES. HE SAYS THERE'S A BIG DIFFERENCE BETWEEN THE VETERANS UNIT AND THE GENERAL POPULATION IN JAIL; IT KIND OF SEPARATES US FROM THE NEGATIVE PEOPLE IN HERE WHO ARE NOT TRYING TO BETTER THEMSELVES THE WAY THAT PEOPLE...WE ARE AWAY FROM REALLY BAD PEOPLE, NOT POSITIVE OUTLOOKS. THEY HELP HEAL THEMSELVES. THESE COURTS ARE WONDERFUL THINGS. THESE UNITS, AS THE ONE IN DOUGLAS COUNTY, ARE WORKING MIRACLES. BESIDES THE FACT THAT THEY'RE SAVING US MONEY, THEY ARE RETURNING VETERANS TO A STATUS THAT THEY ARE LEVEL, WINGS LEVEL, AND FLYING OUT OF THE SPIRAL. THANK YOU. [LB919]

PRESIDENT FOLEY: THANK YOU, SENATOR KRIST. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB919]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF LB919. I APPRECIATE ALL THE HARD WORK THAT HAS BEEN DONE ON THIS PIECE OF LEGISLATION. BUT I DO FEEL COMPELLED TO RISE AND TALK ABOUT A REPORT THAT I RECEIVED FROM THE DIRECTOR OF NEBRASKA'S PROBLEM-SOLVING COURTS THAT TALKS ABOUT THE CONSIDERATIONS OF BUILDING A PROBLEM-SOLVING COURT SYSTEM. AND THE COMMENT IS REALLY THAT WE NEED TO BE THOUGHTFUL ABOUT THE EFFECT OF PROBLEM-SOLVING COURTS ON OVERALL SERVICE CAPACITY AND THE RELATIONSHIP OF PROBLEM-SOLVING COURTS TO OUR CURRENT MENTAL AND BEHAVIORAL HEALTH SYSTEMS AND SERVICES. MENTAL HEALTH COURTS HAVE RISEN IN PART BECAUSE OF INADEQUATE TREATMENT SERVICES AND RESOURCES IN COMMUNITY MENTAL HEALTH SYSTEMS. SOMETIMES THE LACK OF ACCESS TO PREVENTATIVE CARE IS WHAT LEADS AN INDIVIDUAL TO A CRISIS POINT. AND SO I THINK IT'S IMPORTANT THAT WE THINK ABOUT BUILDING CAPACITY WITHIN OUR COMMUNITY-BASED MENTAL AND BEHAVIORAL HEALTH SYSTEMS AS WE TRY TO BUILD CAPACITY IN OUR PROBLEM-SOLVING COURTS. SIMILARLY, RIGHT NOW OUR TREATMENT SERVICES FOR BRAIN INJURY ARE INSTITUTIONAL BASED. WE DON'T HAVE ANY SPECIFIC PROGRAMS AND SERVICES THAT PROVIDE COMMUNITY-BASED BRAIN

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INJURY TREATMENTS. WE HAVE THAT IN SOME PATCHWORK SORT OF WAYS, BUT NOT IN A STRATEGIC AND INTENTIONAL DEVELOPED WAY. AND SO I RISE IN SUPPORT OF THIS LEGISLATION. I THINK IT'S SMART, STRATEGIC STRATEGY. BUT I ALSO ASK THAT ANYONE WHO PUSHES A GREEN LIGHT FOR THIS BILL, ANYONE WHO SUPPORTS THIS CONCEPT, ANYONE WHO BELIEVES IN USING THESE STRATEGIES TO ADDRESS INDIVIDUALS WHO ARE ENGAGED WITH OUR CRIMINAL JUSTICE SYSTEM, ALSO THINK THOUGHTFULLY AND CAREFULLY ABOUT FUTURE INITIATIVES TO BETTER FUND OUR COMMUNITY-BASED BEHAVIORAL AND HEALTH SYSTEMS TO PROVIDE MORE PREVENTIVE CARE, MORE ACCESS TO SERVICE CAPACITY AND ENSURE THAT THESE PROBLEM-SOLVING COURTS HAVE THE PARTNERSHIPS IN THE COMMUNITIES THAT THEY NEED TO SUCCEED. THANK YOU, MR. PRESIDENT. [LB919]

PRESIDENT FOLEY: THANK YOU, SENATOR BOLZ. SENATOR EBKE, YOU'RE RECOGNIZED. [LB919]

SENATOR EBKE: THANK YOU, MR. PRESIDENT. AND I RISE IN SUPPORT OF AM2171 AND LB919 AND THANK SENATOR WILLIAMS AND SENATOR McCOLLISTER FOR BRINGING THOSE TO US. AS WITH MANY OF MY COLLEAGUES, I'VE HAD AN OPPORTUNITY TO SIT THROUGH A PROBLEM-SOLVING COURT, THE DRUG COURT WHICH OPERATES OUT OF SALINE COUNTY, VERY IMPRESSED WITH WHAT THEY DO. ONE OF THE THINGS THAT I NOTICED IS THAT INDEED IT IS NOT A...IT IS NOT A FREE PASS. I SAW TWO OF THE MEMBERS OF DRUG COURT, WHO WERE PART OF DRUG COURT, WHO HAD VIOLATED THE TERMS OF THE COURT WERE SENT TO JAIL AS I WAS SITTING THERE. BUT I THINK, AS A WHOLE, IN WATCHING THE COMMENTS MADE AND LISTENING TO THE JUDGES AND PROBATION OFFICERS WHO WORK THE DRUG COURTS, IT SEEMS TO ME THAT THESE PROBLEM-SOLVING COURTS IN THE LONG RUN, AND MAYBE IN THE SHORT RUN, ARE BETTER FOR THE OFFENDERS WHO ARE THEN HELD ACCOUNTABLE. THIS IS SOMETHING OF AN ONGOING INTERVENTION FOR THEM. IT'S BETTER FOR TAXPAYERS WHO WILL BE SAVED PAYING PUTTING THESE FOLKS IN PRISON AND PAYING FOR EXTENDED INCARCERATION. AND IN THE LONG RUN, AND PROBABLY EVEN MOST IMPORTANTLY, IT'S BETTER FOR SOCIETY. THESE ARE PEOPLE WHO NEED HELP. THESE ARE PEOPLE WHO HAVE TAKEN A WRONG TURN SOMEWHERE ALONG THE LINE OR, IN THE CASE OF VETERANS, WHO HAVE HAD TROUBLE READJUSTING TO THEIR NEW LIVES BACK HOME. AND WE OWE IT TO THEM TO HELP THEM BUT ALSO TO MAKE SURE THAT SOCIETY ISN'T HARMED AS A RESULT OF THE PROBLEMS THAT THEY'RE INCURRING. SO I WOULD ENCOURAGE A GREEN VOTE ON BOTH AM2171 AND LB919. [LB919]

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PRESIDENT FOLEY: THANK YOU, SENATOR EBKE. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB919]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF LB919 AND AM2171 AND ECHO THE THANKS TO OUR COLLEAGUES, SENATOR WILLIAMS AND SENATOR McCOLLISTER AND THE JUDICIARY COMMITTEE, FOR THEIR WORK ON THIS ISSUE AND ALSO DOUGLAS COUNTY'S WORK ON THIS ISSUE AND OTHER COUNTIES WHO ARE WORKING THIS DIRECTION AS WELL. IN 2013, I SPONSORED LR201 WHICH WAS AN INTERIM STUDY TO LOOK AT POLICY OPTIONS TO SUPPORT NEBRASKA'S MILITARY INSTALLATIONS, MILITARY MEMBERS, VETERANS, AND THEIR FAMILIES. AND ONE OF OUR RECOMMENDATIONS OUT OF THAT STUDY IN 2013 WAS TO WORK WITH NEBRASKA COURTS TO DEVELOP VETERAN TREATMENT OPTIONS FOR VETERANS WITH MENTAL HEALTH CONDITIONS OR SUBSTANCE ABUSE ADDICTIONS, SO I'M THRILLED TO SEE THAT THIS EFFORT IS COMING TO FRUITION. IT IS AN IMPORTANT EFFORT TO SUPPORT OUR VETERANS. I ALSO THOUGH AM HAPPY TO SEE THAT THE BILL IS ADDRESSING PROBLEM-SOLVING COURTS MORE BROADLY. WE'VE HAD MANY DISCUSSIONS IN THIS BODY ABOUT THE CHALLENGES THAT WE HAVE IN OUR MENTAL HEALTH SYSTEM AND THE FACT THAT TOO MANY PEOPLE LAND IN OUR CRIMINAL JUSTICE SYSTEM WHO NEED MENTAL HEALTH HELP, AND I'M PLEASED TO SEE THAT WE'RE ADDRESSING THAT IN THIS BILL AS WELL. ALSO WANT TO COMMENT ON THE IMPORTANT WORK THAT I'VE SEEN IN MY OWN COUNTY, SARPY COUNTY, IN WORKING WITH DUI COURTS AND, AGAIN, HOW SUCCESSFUL THOSE HAVE BEEN IN TERMS OF REQUIRING PEOPLE TO GET THE TREATMENT THAT THEY NEED AND REALLY MAKING SURE THAT PEOPLE HAVE OPPORTUNITIES TO GET THE HELP TO REDUCE FUTURE DUIs. AND I APPRECIATE THE WORK THAT THE JUDICIARY COMMITTEE HAS DONE, THAT SENATOR WILLIAMS HAS DONE TO TRY TO MAKE SURE THAT WE'RE EXPANDING THIS EVIDENCE-BASED EFFORT OF PROBLEM-SOLVING COURTS TO REDUCE CRIME AND IMPROVE PUBLIC SAFETY IN OUR COMMUNITIES AND TO MAKE SURE THAT PEOPLE HAVE THE MENTAL HEALTH AND SUBSTANCE ABUSE HELP THAT THEY NEED SO THEY CAN BE PRODUCTIVE CITIZENS AND WE CAN HAVE SAFER STREETS AND NEIGHBORHOODS. THANK YOU, MR. PRESIDENT. [LB919]

PRESIDENT FOLEY: THANK YOU, SENATOR CRAWFORD. (VISITORS INTRODUCED.) RETURNING NOW TO DEBATE, SENATOR SEILER, YOU'RE RECOGNIZED. [LB919]

SENATOR SEILER: MR. LIEUTENANT GOVERNOR AND MEMBERS OF THE LEGISLATURE, I RISE TO TALK ABOUT A FACT ON VETERANS COURTS. THE FACT IS THAT IN MY 50 YEARS OF PRACTICING LAW, I SAW A MAJOR CHANGE. THE

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MAJOR CHANGE WAS THAT YOUNG MEN USED TO BE BROUGHT BEFORE THE COUNTY JUDGE AND WERE ASKED, YOU'VE GOT...OR TOLD, YOU'VE GOT A WEEK TO SIGN UP FOR THE MILITARY OR YOU'RE GOING TO JAIL. THAT CHANGED AFTER VIETNAM. YOU CAN'T GET IN THE MILITARY IF YOU'VE GOT A CRIMINAL RECORD. SO WHAT ABOUT THESE PEOPLE COMING BACK NOW? THEY WEREN'T CRIMINALS WHEN THEY LEFT. THEY NOW ARE MIXED UP AND NEED TREATMENT AND IT'S UP TO US TO STEP FORWARD. THANK YOU. [LB919]

PRESIDENT FOLEY: THANK YOU, SENATOR SEILER. SENATOR RIEPE, YOU'RE RECOGNIZED. [LB919]

SENATOR RIEPE: THANK YOU, MR. PRESIDENT AND MEMBERS OF THIS CHAMBER. I COME AND STAND BEFORE YOU NOT IN OPPOSITION, I SIMPLY WANT TO TAKE SOME TIME FOR CONSIDERATION, SOME VERY CAUTIOUS NOTATION, IF YOU WILL. I COME WITH THE SUPPORT AND HEART FOR THOSE THAT HAVE SERVED OUR GREAT COUNTRY. I COME AS A VETERAN, MUCH AS SENATOR KRIST HAS, NOT WITH HIS RANK OR NOR HIS LENGTH OF SERVICE, BUT I WAS A MEMBER OF THE MILITARY. ONE OF THE CONCERNS AND CAUTIONARY NOTES THAT I HAVE IS MY CONCERN GETS TO BE, A LITTLE BIT GOES TO, I THINK, WITH SENATOR BOLZ'S COMMENTS IN TERMS OF AS WE BUILD MORE SILOS, BUILD ON A HALO EFFECT, THAT WE WILL DISTRACT FROM OTHER BEHAVIORAL PROGRAMS. MY SENSE IS I KNOW WE ARE GOING FORWARD ON SOME BEHAVIORAL PLANNING AND I WOULD SAY THAT WE CERTAINLY NEED THAT IN MENTAL HEALTH. WE NEED MORE CONTINUITY OF...I'M AFRAID THAT IF WE GET MORE SILOS, WE END UP WITH MAYBE MORE COST, WE END UP WITH MORE SPECIALTY, WE END UP WITH MORE COMPLICATIONS. AND AT SOME TIME IN THE FUTURE, WE WILL COME THEN AND TAKE ALL THE SILOS APART AND WE GO BACK TO THE GENERAL LOOK AT THINGS. I THINK WE JUST NEED TO TAKE A CAUTIOUS LOOK AT THIS. I THINK IT'S HARD TO SAY NO TO ANYTHING THAT WE CAN DO SOME GOOD. BUT I WILL STAY OPEN; I WILL LISTEN PRIOR TO THE FINAL VOTE. AND THANK YOU. [LB919]

SENATOR KRIST PRESIDING

SENATOR KRIST: THANK YOU, SENATOR RIEPE. SENATOR GROENE, YOU ARE RECOGNIZED. [LB919]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. IN THEORY, I'M FOR LB919. JUDGE DOYLE IS FROM LEXINGTON, BUT HE HOLDS COURT IN NORTH PLATTE.

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AND THE DRUG COURT HAS BEEN VERY SUCCESSFUL AND I TRUST JUDGE DOYLE. I JUST HAVE SOME QUESTIONS AS A LAYPERSON ON THIS BILL. AND MAYBE SENATOR WILLIAMS WOULD ANSWER A FEW? [LB919]

SENATOR KRIST: SENATOR WILLIAMS, WILL YOU YIELD TO A QUESTION? [LB919]

SENATOR WILLIAMS: CERTAINLY. [LB919]

SENATOR GROENE: THE WAY I UNDERSTAND THIS, THIS IS JUST DRUG AND ALCOHOL OFFENSES THAT ARE RELATED BACK TO MENTAL ILLNESS OF VETERAN, OR DRIVING UNDER THE INFLUENCE. I DO NOT UNDERSTAND WHAT "AND OTHER OFFENSES ALTERNATIVES" MEANS. [LB919]

SENATOR WILLIAMS: THERE IS...I THINK, SENATOR GROENE, YOU MAY HAVE A MISCONCEPTION. WHAT THE BILL DOES IS ALLOW FOR THE ESTABLISHMENT OF/ CONTINUATION OF A DRUG COURT, WHICH YOU'RE ACQUAINTED WITH, YOU KNOW HOW DRUG COURT IS. THE VETERANS COURT WOULD NOT NECESSARILY BE VETERANS THAT HAVE DRUG OR ALCOHOL ISSUES. THEY COULD BE OTHER CRIMINAL BEHAVIOR BESIDES THAT. [LB919]

SENATOR GROENE: WHICH IS THE OTHER OFFENSE IN THE STATUTE. [LB919]

SENATOR WILLIAMS: THERE COULD BE ANY OFFENSES THAT THEY HAD COMMITTED THAT WOULD HAVE THEM IN THE CRIMINAL JUSTICE SYSTEM. [LB919]

SENATOR GROENE: WELL, I HAVE A CONCERN, SIR, OF EQUALITY UNDER THE LAW. AND IF YOU'RE A VETERAN, YOU'RE TREATED ONE WAY FOR A VIOLENT OFFENSE; IF YOU'RE NOT A VETERAN, YOU'RE TREATED ANOTHER WAY. AM I SEEING THIS HERE? [LB919]

SENATOR WILLIAMS: I DON'T THINK SO, ALTHOUGH THAT'S A MATTER OF INTERPRETATION. OUR GOAL WITH THE CRIMINAL JUSTICE SYSTEM IS TO END UP REHABILITATING PEOPLE SO WHEN THEY COME BACK OUT OF THE SYSTEM THEY CAN FUNCTION NORMALLY IN OUR SYSTEM, OKAY? THAT'S WHERE WE START WITH THIS. EVERYBODY, WHETHER THEY WOULD BE A PARTICIPANT IN THE DRUG COURT, MENTAL HEALTH COURT, VETERANS COURT, ARE PEOPLE

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THAT ARE ALREADY IN THE CRIMINAL JUSTICE SYSTEM. IF WE TAKE THAT VETERAN, FOR INSTANCE... [LB919]

SENATOR GROENE: EXCUSE ME. LET ME HAVE YOU CLARIFY SOMETHING. ALREADY IN THE CRIMINAL JUSTICE SYSTEM, THAT MEANS THEY'RE ALREADY IN OUR PRISONS? OR ARE THESE NEW CASES THAT ARE COMING THROUGH THE COURTS? [LB919]

SENATOR WILLIAMS: THEY'RE NEW CASES THAT ARE COMING TO THE COURTS, BUT THEY ARE ALREADY IN THE PROCESS OF...THEY'VE ALREADY COMMITTED A CRIME. THEY'RE NOT A VETERAN THAT JUST IS HOMELESS, ON THE STREET, AND NEEDS HELP. [LB919]

SENATOR GROENE: AND IT'S ARBITRARY TO THE JUDGE AS HE HELD UP A CONVENIENCE STORE? WHICH TRUMPS, THE STATUTES OF ARMED ROBBERY OR THE FACT THAT THE INDIVIDUAL IS A VETERAN? [LB919]

SENATOR WILLIAMS: THAT'S UP TO THE...NOT JUST THE JUDGE, BUT THE PROSECUTING ATTORNEY AS TO HOW THEY WORK THROUGH...THAT'S HOW THEY DO IT IN DRUG COURT RIGHT NOW. DRUG COURT IS ONLY AVAILABLE TO THOSE THAT THE PROSECUTOR BRINGS FORWARD AND SAYS, I THINK THIS IS A CANDIDATE FOR DRUG COURT, VERSUS THIS IS A CANDIDATE (INAUDIBLE). [LB919]

SENATOR GROENE: AS I SAID, I'M A LAYPERSON IN THE LEGAL SYSTEM. [LB919]

SENATOR WILLIAMS: UM-HUM. [LB919]

SENATOR GROENE: SO WOULD THAT NOT GIVE AN ATTORNEY FOR A VETERAN GROUNDS TO TAKE IT ON TO APPELLATE COURT AND SAYING, WAIT A SECOND, MY CLIENT IS A VETERAN, BUT THE PROSECUTOR, COUNTY ATTORNEY DECIDED HE'S GOING TO GO TO JAIL, BUT THE OTHER VETERANS IS GOING TO TREATMENT? [LB919]

SENATOR WILLIAMS: I DON'T BELIEVE THAT GIVES RISE TO WHAT YOU'RE TALKING TO, BUT THERE POSSIBLY IS A BURKE HARR SITTING HERE THAT IS A PROSECUTOR THAT COULD DIRECTLY ANSWER THAT QUESTION. [LB919]

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SENATOR GROENE: I'M JUST PLAYING DEVIL'S ADVOCATE HERE. [LB919]

SENATOR WILLIAMS: RIGHT, AND I UNDERSTAND THAT (INAUDIBLE). [LB919]

SENATOR KRIST: ONE MINUTE. [LB919]

SENATOR GROENE: IF SENATOR HARR WOULD ANSWER A QUESTION? [LB919]

SENATOR HARR: YES. [LB919]

SENATOR GROENE: YES, HE COULD SUE, THE ATTORNEY COULD SUE? [LB919]

SENATOR HARR: NO, YOU CANNOT SUE, YOU CAN'T SUE. FIRST OF ALL, I WANT TO BE...AND I DON'T WANT TO TAKE UP TOO MUCH OF YOUR TIME. [LB919]

SENATOR GROENE: NO. [LB919]

SENATOR HARR: BUT THIS IS ONLY AVAILABLE FOR NONVIOLENT CRIMES, SO IT'S LOW-LEVEL FELONIES AND MISDEMEANORS... [LB919]

SENATOR GROENE: THAT'S WHAT I WONDERED. [LB919]

SENATOR HARR: ...SO NO ARMED ROBBERIES. AND THEN, SECOND OF ALL, NO, YOU CAN'T... [LB919]

SENATOR GROENE: WHERE DOES IT SAY THAT IN STATUTE IT'S ONLY LOW LEVEL? [LB919]

SENATOR HARR: IT DOESN'T BECAUSE IT'S A BENEFIT, SO YOU CAN'T APPEAL BASED ON THAT, JUST LIKE YOU CAN'T APPEAL TODAY IF YOUR CLIENT DOES NOT RECEIVE DRUG COURT. [LB919]

SENATOR GROENE: YOU CAN'T? [LB919]

SENATOR HARR: IT'S A BENEFIT. IT'S AT THE DISCRETION OF THE PROSECUTOR. [LB919]

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SENATOR GROENE: AND THE JUDGE. ALL RIGHT, THANK YOU. I MIGHT HAVE OTHER QUESTIONS, BUT THANK YOU. [LB919]

SENATOR KRIST: THANK YOU, SENATOR GROENE, SENATOR WILLIAMS, AND SENATOR HARR. SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB919]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. I, TOO, STAND IN SUPPORT OF LB919. I THINK THAT OUR ALTERNATE COURTS IN THE STATE HAVE SERVED AN EXTENSIVE PURPOSE, AND CERTAINLY IN LANCASTER COUNTY WE HAVE BENEFITED BY A PERIOD OF TIME IN WHICH WE HAVE HAD A DRUG COURT. BUT I, TOO, WANT TO UNDERSCORE THE COMMENTS THAT SENATOR BOLZ MADE WITH REGARD TO THE SERVICE NEEDS THAT WILL ARISE FROM THESE COURTS AND HER CAUTION TO US IN TERMS OF MAKING SURE THAT THOSE SERVICES ARE AVAILABLE SHOULD BE TAKEN TO HEART. I WOULD ASK, MR. PRESIDENT, IF SENATOR WILLIAMS WOULD ENTERTAIN A QUESTION. [LB919]

SENATOR KRIST: SENATOR WILLIAMS, WILL YOU YIELD TO A QUESTION FROM SENATOR CAMPBELL? [LB919]

SENATOR WILLIAMS: YES, I WOULD. [LB919]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. SENATOR WILLIAMS, YOU HAD INDICATED YOU WERE GOING TO TALK A LITTLE BIT MORE ABOUT THE FISCAL NOTE, AND I DO THINK THAT WE NEED TO LOOK AT THE LONG TERM HERE. IN THE FISCAL NOTE, THE SUPREME COURT HAS INDICATED A \$1.2 MILLION COST PER COURT. HOW DO YOU SEE THOSE COSTS BEING TAKEN CARE OF AND HOW WILL WE PAY FOR THE MENTAL HEALTH SERVICES THAT MIGHT ARISE FROM PEOPLE PARTICIPATING IN THESE COURTS? [LB919]

SENATOR WILLIAMS: THANK YOU FOR THAT QUESTION. THE FIRST THING THAT I WOULD POINT OUT IS THAT THE A BILL THAT WILL COME FOLLOWING THIS IS DIFFERENT THAN THE FISCAL NOTE, WILL END UP DIFFERENT, AND YOU WILL SEE A DIFFERENT FISCAL NOTE AFTER THE A BILL. THE A BILL THAT IS ACCOMPANYING THIS HAS A \$191,000 COST THE FIRST YEAR AND A ROUGHLY \$240,000 TO \$250,000 COST THE SECOND YEAR. WHAT WAS ESTIMATED IN THE ORIGINAL FISCAL NOTE WAS THAT IF YOU WERE ESTABLISHING A SPECIALTY COURT FROM SCRATCH, IT COULD COST SOMEWHERE BETWEEN \$1.2 MILLION AND \$1.5 MILLION. THE ISSUE BECOMES, SENATOR CAMPBELL, THAT WE WILL NOT BE CREATING A NEW SPECIALTY COURT FROM SCRATCH. FOR INSTANCE,

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THE JUDGE IN DOUGLAS COUNTY THAT HAS VOLUNTEERED TO STEP FORWARD AND START THIS PROCESS IS ALREADY WORKING IN A SPECIALITY COURT ENVIRONMENT IN DRUG COURT. SO THE VETERANS COURT THAT IS THE RESULT OF SENATOR McCOLLISTER'S WORK WILL BE AN EXTENSION OF THE WORK OF THAT CURRENT DRUG COURT. AND THAT'S WHY THEY'RE SUGGESTING THAT THE FISCAL NOTE WILL BE THE \$190,000 THE FIRST YEAR AND THE \$240,000 THE SECOND YEAR. ONGOING, THOUGH, I THINK WE HAVE TO LOOK AT THE PROVEN SUCCESS OF DRUG COURTS AND WHAT THAT CAN DO AND MAKE HAPPEN IN OTHER SPECIALTY AREAS. AND THAT'S WHY WE HAVE THESE NUMBERS THAT HAVE A...SOMEWHERE BETWEEN A \$2 MILLION AND A \$9 MILLION SAVINGS TO OUR STATE RIGHT NOW WITH DRUG COURTS ALONE. AND THAT'S THE SAVINGS BASED ON THE FACT THAT, GENERALLY, DRUG COURTS COST ABOUT \$5,000 PER YEAR PER PARTICIPANT, VERSUS THAT SAME PERSON, THE ALTERNATIVE IS INCARCERATION, WHICH IS \$36,000 PER PERSON PER YEAR. WE HAVE 80 PEOPLE IN DRUG COURT, IN THE MIDWEST DRUG COURT, BETWEEN NORTH PLATTE AND LEXINGTON. THOSE ARE 80 PEOPLE THAT ARE HAVING A BETTER RESULT AND COSTING \$5,000 A YEAR VERSUS \$36,000 A YEAR. [LB919]

SENATOR CAMPBELL: DO THE COSTS, SENATOR WILLIAMS, INCLUDE SERVICES FOR PEOPLE WHO NEED MENTAL HEALTH SERVICES? [LB919]

SENATOR KRIST: ONE MINUTE. [LB919]

SENATOR WILLIAMS: THE COSTS FOR THE MENTAL HEALTH SERVICES ARE NOT INCLUDED IN THE FISCAL NOTE AND THE A BILL THAT YOU SEE RIGHT NOW BECAUSE IT IS LIMITED TO VETERANS COURT. ON AN ONGOING BASIS, WHAT WE WILL SEE IS THE SUPREME COURT COMING WITH THEIR BIENNIAL BUDGET AND APPROPRIATIONS TO THIS BODY AND SAYING, FOR INSTANCE, WE WANT TO EXPAND INTO MENTAL HEALTH COURTS IN WHEREVER. AND THEY WILL BUDGET AN AMOUNT AND IT WILL BE IN THEIR BUDGET WHICH WE, AGAIN, WILL GET TO LOOK AT AND ADOPT HERE. [LB919]

SENATOR CAMPBELL: THANK YOU, SENATOR WILLIAMS, FOR THOSE EXPLANATIONS. AND I'M SURE THAT AS WE HAVE CONVERSATIONS WITH REGARD TO OTHER BILLS THAT WILL BE COMING FORWARD FOR MENTAL HEALTH SERVICES, WE CAN CERTAINLY LOOK AT THE PATHWAY TO THE FUTURE. THANK YOU, MR. PRESIDENT. [LB919]

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SENATOR KRIST: THANK YOU, SENATOR CAMPBELL AND SENATOR WILLIAMS. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB919]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. AND AGAIN, GOOD MORNING, COLLEAGUES. I THINK WE STRAIGHTENED OUT THE SITUATION WITH REGARD TO THE OFFENSE. A VETERAN WILL COME INTO THE CRIMINAL JUSTICE SYSTEM AND HE IS CHARGED OR SHE IS CHARGED WITH A CRIME, JUST AS ANY OTHER PERSON. THE DIFFERENCE IS IT'S AN ALTERNATIVE COURT PROCESS, WHEREAS THE JUDGE OR SOMETHING WILL DIVERT THAT PERSON INTO THE...A VETERANS TREATMENT COURT AND THE PROCESS DIFFERS. VERY SIMILAR TO THE SITUATION THAT OCCURRED TO ME TEN YEARS AGO, I GOT A SPEEDING TICKET AND I WAS ABLE TO TAKE A DRIVER'S TRAINING COURSE AND NOT END UP PAYING A FINE OR LOSING ANY POINTS, WHICH IS A GOOD PERSON. LET'S REVIEW THE FISCAL NOTE, AND IT IS SLIGHTLY DIFFERENT THAN SENATOR WILLIAMS PORTRAYED IT TO BE. IT'S A THREE-YEAR PROGRAM AND THE FIRST YEAR'S FISCAL NOTE IS \$200,001 RATHER THAN THE AMOUNT INDICATED...HE INDICATED. SO IT'S SOMEWHAT DIFFERENT. BUT WHAT WILL THAT MONEY BE USED FOR? IT'S PRIMARILY FOR TRAINING, ATTENDING A VETERANS TREATMENT COURT LEGISLATIVE EVENT OR THEY LOOK AT HOW TO OPERATE THAT COURT. AND IT'S ALSO ONE STAFF PERSON, BUT YOU UTILIZE THE RESOURCES OF AN EXISTING COURT SO YOU'RE NOT CREATING A NEW COURT. AND WE SHOULD ALSO REMEMBER THAT WE'LL BE UTILIZING THE SERVICES OF THE VA, SO WE'LL BE UTILIZING RESOURCES THAT WILL COME FROM THE FEDERAL GOVERNMENT. AND I UNDERSTAND THAT ABOUT \$15 MILLION WAS PUT INTO THE BILL BEFORE CONGRESS TO EXPAND VETERANS TREATMENT COURTS. SO I THINK WE'RE GOING TO BE ABLE TO UTILIZE OTHER RESOURCES OTHER THAN JUST STATE MONEY. THANK YOU, MR. PRESIDENT. [LB919]

SENATOR KRIST: THANK YOU, SENATOR McCOLLISTER. SENATOR BURKE HARR, YOU'RE RECOGNIZED. [LB919]

SENATOR HARR: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. I JUST WANT TO BE CLEAR, THESE TYPE OF ALTERNATIVE COURTS ALREADY EXIST. WE DO IT WITH DRUG COURT, WE DO IT WITH DIVERSION, WE DO IT WITH MENTAL HEALTH COURT, WE DO IT WITH YOUTH ADULT COURT. THIS IS ANOTHER TOOL IN THE TOOLBOX. THE ONE DIFFERENCE IS THAT, AS SENATOR McCOLLISTER SAID, WE CAN ACTUALLY ACCESS SOME FEDERAL DOLLARS TO HELP WITH OUR VETERANS WHO HAVE NOBLY SERVED OUR COUNTRY AND, AS A RESULT, HAVE SOME ISSUES WHEN THEY DO RETURN. AND THIS COURT IS NOT LIMITED TO THOSE WHO HAVE RECENTLY SERVED, BUT IT GOES BACK TO, HECK, IF THEY'RE

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STILL GETTING IN TROUBLE, WORLD WAR II VETS, BUT KOREAN, VIETNAM, GULF WAR I, AND THEN THE CURRENT SITUATION THAT WE'RE IN. AND IT DOESN'T HAVE TO BE EVEN SERVICE RELATED, THEIR MENTAL HEALTH ISSUE. SO THIS IS VERY IMPORTANT THAT WE REALIZE THAT WE NEED TO HONOR THOSE WHO SERVED OUR COUNTRY. AND IT ISN'T GOING TO BE...I WANT TO ADDRESS SENATOR GROENE'S ISSUE BECAUSE IT IS A VALID CONCERN AND I ANSWERED IT BUT IN A VERY BRIEF, QUICK MANNER. THERE ARE CRITERIA THAT WILL BE LAID OUT AHEAD OF TIME, JUST LIKE THERE ARE FOR THESE OTHER ALTERNATIVE COURTS. AND IF YOU COMMIT A VIOLENT CRIME, YOU DO NOT QUALIFY; IF YOU COMMIT A SERIOUS FELONY, YOU DO NOT QUALIFY. THIS IS MEANT FOR LOW-LEVEL FELONIES AND MISDEMEANORS. THESE ARE INDIVIDUALS WHO HAVE PROBLEMS COPING WITH OUR SOCIETY THAT ARE EITHER SELF-MEDICATING THEMSELVES OR HAVE A REAL ADDICTION PROBLEM. AND THE SELF-MEDICATING IS PROBABLY DUE TO AN UNDERLYING MENTAL HEALTH ISSUE. WE THEN TREAT THOSE INDIVIDUALS USING THEIR MILITARY EXPERIENCE TO THEIR ADVANTAGE TO HELP THEM FORM A COHESIVE GROUP TO WORK TOGETHER TO FIND SOLUTIONS. THAT COULD BE SOMETHING, WHILE THEY'RE IN CUSTODY, AS SIMPLE AS GETTING UP EARLY AND DOING EXERCISES TOGETHER. IT CAN BE SITTING AROUND TALKING TO EACH OTHER ABOUT THE ISSUES THEY WENT THROUGH THAT, QUITE FRANKLY, I DON'T KNOW AND, GOD BLESS THEM, I DON'T HAVE TO KNOW, BUT THEY'RE REAL ISSUES. THEY'VE SEEN SOME REALLY GRUESOME STUFF IN CLOSE QUARTERS. AND SO THAT'S WHAT THIS IS TO HELP ADDRESS. YOU CAN'T JUST GET IN. AND SO THEN YOU'RE IN THE COURT. IF YOU ARE DENIED, THERE IS NO APPEAL PROCESS BECAUSE IT'S A BENEFIT. YOU CAN'T APPLY TO A HIGHER COURT...EXCUSE ME, YOU CAN'T APPEAL TO A HIGHER COURT EITHER. IT IS AT THE DISCRETION OF THE PROSECUTOR, THAT SIMPLE. AND IT'S AT THE DISCRETION OF ALL OF THEM, WHILE WORKING COLLABORATIVELY, THE JUDGE, THEIR DEFENSE ATTORNEY, AND THE PROSECUTOR, AS TO WHAT IS THE BEST RESULT IF THEY AREN'T FOLLOWING THE PROGRAM. OR IF THEY DO SUCCESSFULLY COMPLETE THE PROGRAM, IT MAYBE A DISMISSAL OF THE CHARGE, IT MAY BE LOWERING THE CHARGE, IT MAY BE PLACED ON PROBATION, IT MAY BE GIVING THEM A SHORT TIME AND COST SERVED. BUT THESE COURTS ARE A VERY EFFECTIVE TOOL TO GET MEMBERS OF SOCIETY BACK AS PRODUCTIVE TAXPAYERS. AND MORE IMPORTANTLY, THEY ARE MORE EFFICIENTLY FINANCIALLY, SO IT'S A WIN-WIN SITUATION. I WANT TO THANK ALL THE INDIVIDUALS WHO DID THE HARD WORK ON JUDICIARY, SENATOR WILLIAMS FOR INTRODUCING, SENATOR KRIST FOR HIS HARD WORK INDIVIDUALLY. IF YOU HAVE QUESTIONS BETWEEN GENERAL AND SELECT, I'D BE MORE THAN WILLING TO TALK TO ANY INDIVIDUALS. BUT I WANT TO THANK EVERYONE FOR THEIR HARD WORK BECAUSE THIS IS

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TRANSFORMATIONAL AND IT'S A GREAT PROGRAM THAT HELPS US ACCESS OUR VETERANS TO MAKE THEM, LIKE I SAID, GOOD MEMBERS OF SOCIETY, BUT ALSO ACCESS FEDERAL DOLLARS. SO THANK YOU, MR. PRESIDENT. [LB919]

SENATOR KRIST: THANK YOU, SENATOR HARR. SENATOR GROENE, YOU'RE RECOGNIZED. [LB919]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. MORE QUESTIONS--THE WAY I READ IT, THE LEGISLATURE ALSO FINDS AND DECLARES THAT PROBLEM-SOLVING COURTS, INCLUDING DRUG, VETERANS, MENTAL HEALTH, DRIVING UNDER THE INFLUENCE, REENTRY, AND OTHER PROBLEM-SOLVING COURTS ARE EFFECTIVE. TO ME THAT SAYS FOR EVERYBODY. THAT DOESN'T SAY WE PICK AND CHOOSE. I READ DOWN BELOW. IT SAYS, SHALL BE SUBJECT TO RULES WHICH SHALL BE PROMULGATED BY THE SUPREME COURT FOR PROCEDURES TO BE IMPLEMENTED IN THE ADMINISTRATION OF SUCH COURTS. THERE I'M ASSUMING THE SUPREME COURT SETS UP THE GUIDELINES, TELLS THE DISTRICT ATTORNEYS--THERE'S A QUESTION FOR YOU, SENATOR HARR, COMING--AND TELLS THE DISTRICT ATTORNEYS OR COUNTY ATTORNEYS THAT UNDER THESE GUIDELINES YOU CAN PICK AND CHOOSE A VETERAN OR A DRUNK DRIVER OR SOMEBODY, A 20-YEAR-OLD KID PICKED UP FOR DRUGS, OR SOMEBODY IN THE STREET THAT HAS MENTAL ILLNESS PROBLEMS, OR JUST ANY INDIVIDUAL DRIVING UNDER THE INFLUENCE. THIS BILL CHANGES A LOT MORE THAN JUST VETERANS. ANOTHER QUESTION I HAVE: SO NOW YOU'VE BEEN PICKED UP FOR DRUGS, FIRST TIME OFFENSE, MADE A DUMB MISTAKE. YOU'RE NOT A VETERAN AND ANOTHER INDIVIDUAL IS A VETERAN. ONE GOES TO DRUG COURT. ONE GOES WHERE, TO VETERANS COURT OR DO YOU SEND HIM TO DRUG COURT? [LB919]

SENATOR KRIST: SENATOR HARR, WILL YOU YIELD? [LB919]

SENATOR HARR: YES. SO, YES, THE ANSWER IS LET'S SAY YOU HAVE TWO IDENTICAL 20-YEAR-OLDS. LET'S CALL THEM TWINS. ONE TWIN SERVED OUR COUNTRY PROUDLY; THE OTHER ONE DID NOT, WENT TO COLLEGE OR IS IN THE PROCESS OF GOING TO COLLEGE. AND THEY HAVE A NIGHT OF PARTYING AND THEY'RE BOTH PICKED UP FOR DRUGS, RIGHT? I THINK THAT'S THE SCENARIO YOU'RE ASKING. THE ANSWER IS, YES, THE VETERAN WOULD GO TO VETERANS COURT AND THE OTHER INDIVIDUAL WOULD GO TO DRUG COURT. [LB919]

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SENATOR GROENE: WOULD WE HAVE TWO SEPARATE DRUG TREATMENT PROGRAMS OR WOULD THEY BOTH END UP IN THE SAME DRUG TREATMENT PROGRAM AND IN THE SAME PROBATION? [LB919]

SENATOR HARR: GOOD QUESTION, AND THAT'S VERY FACT SPECIFIC AND IT WOULD DEPEND ON WHERE THEY LIVE AND WHAT THEIR UNDERLYING ADDICTION IS. IF THEY WERE...THEY MAY GO TO THE SAME ADDICTION CENTER, BUT HOW THEY'RE TREATED OUTSIDE OF THERE WOULD BE DIFFERENT, MEANING ONE WOULD BE WORKING WITH FELLOW VETERANS AND ONE WOULD BE WORKING WITH OTHER PEOPLE WHO ARE ADDICTED. [LB919]

SENATOR GROENE: ANOTHER QUESTION: ALL OF THESE WOULD HAVE GUIDANCE, THEY'D ALL BE PUT IN THE PROBATION SYSTEM, RIGHT? [LB919]

SENATOR HARR: NOT NECESSARILY...WELL... [LB919]

SENATOR GROENE: WHO OVERSEES THAT THEY'RE TAKING THEIR TREATMENT? [LB919]

SENATOR HARR: WELL, THEY'RE OVERSEEN BY THE COURTS. THIS IS A POSTCONVICTION, OKAY? SO WHAT HAPPENS IS THE PERSON IS FOUND...OR PLED NO CONTEST OR GUILTY AND FOUND GUILTY, AND MOST OF THESE COURTS TAKE EFFECT BETWEEN THE TIME THEY PLEAD AND THE TIME THEY ARE SENTENCED. SO WHILE IT'S NOT PROBATION, IT IS PROBATIONLIKE AND THEY WORK WITH PROBATION OFFICE, THEY WORK WITH DRUG AND ALCOHOL COUNSELORS, BUT... [LB919]

SENATOR GROENE: BECAUSE WHEN YOU SAY THEY WORK WITH THE COURT, THEY WORK WITH THE PROBATION OFFICER WHO IS AN EMPLOYEE OF THE COURT, RIGHT? [LB919]

SENATOR HARR: NOT NECESSARILY. THEY WORK WITH INDIVIDUALS WHO...THEY MIGHT...AND IT VARIES FROM COUNTY TO COUNTY. I CAN SPEAK TO WHAT THEY DO IN DOUGLAS COUNTY. BUT THE ANSWER IS THEY COULD BECAUSE THEY ARE NOW IN THE JURISDICTION OF THE COURTS. ONCE YOU PLEAD, YOU'RE IN THE JURISDICTION OF THE COURTS. IF YOU DO IT BEFORE YOU PLEAD, IT'S IN THE JURISDICTION OF THE EXECUTIVE BRANCH. AND SO THAT'S WHY IT'S IMPORTANT THAT IT'S POSTPLEA, THESE COURTS. [LB919]

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SENATOR GROENE: BUT LIKE I SAID EARLIER, I STAND IN SUPPORT OF THE BILL, BUT JUST SOME CLARITY. I, YOU KNOW, WAS IN THE...HAD AN EMPLOYEE ONCE, A YOUNG MAN WHO GOT IN TROUBLE WITH ALCOHOL, AND HE TOLD ME HE WAS JUST GOING TO STAND IN FRONT OF THE JUDGE. AND I SAID, NO, YOU'RE NOT,... [LB919]

SENATOR KRIST: ONE MINUTE. [LB919]

SENATOR GROENE: ... BECAUSE IF YOU JUST STAND IN FRONT OF THAT JUDGE WITHOUT A...YOU GOT TO UNDERSTAND: THE JUDGE IS A LAWYER, THE DISTRICT ATTORNEY IS A LAWYER, AND THE GUY YOU HIRE IS A LAWYER, THEY'LL SCRATCH EACH OTHER'S BACK. YOU GO IN THERE WITH A LAWYER, YOU'LL GET PROBATION. YOU GO IN THERE WITHOUT A LAWYER, THE DISTRICT...COUNTY ATTORNEY WILL GETS VOTES FOR BEING TOUGH ON CRIME AND YOU'LL END UP IN JAIL. I GUESS, LONG STORY SHORT, IT CONCERNS ME THAT MAYBE THE SAME THING HAPPENS HERE, THAT THE VETERAN WHO HAS THE MONEY, THAT HAS THE HELP, IS GOING TO GET INTO THE VETERANS COURT, THE ONE THAT'S LAYING IN THE GUTTER AND HAS NO LAWYER GOES TO JAIL. JUST A FEW SKEPTICISMS ABOUT THE WHOLE BILL BUT I STAND IN SUPPORT OF IT. THANK YOU. [LB919]

SENATOR KRIST: THANK YOU, SENATOR GROENE AND SENATOR HARR. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB919]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I STAND IN SUPPORT OF AM2171 AND ALSO THE UNDERLYING LB919. JUST TO SPEAK A LITTLE BIT TO SENATOR GROENE'S QUESTIONS, THERE WAS DISCUSSION ABOUT THE FACT THAT WE HAVE ADDED IN THE LANGUAGE OTHER PROBLEM-SOLVING COURT PROGRAMS. AND THE INTENTION OF THIS BILL IS TO MAKE IT SO THAT, AS TIME GOES ON, IF THE SUPREME COURT DETERMINES THAT THERE'S NEED FOR ANOTHER TYPE OF COURT THAT'S SPECIFIC TO PROBLEMS AND ISSUES THAT ARE HAPPENING FREQUENTLY WITHIN OUR JUDICIAL SYSTEM, THEN THERE'S SOME FLEXIBILITY TO ALLOW THEM TO CREATE ANOTHER TYPE OF PROBLEM-SOLVING COURT. SO...AND THAT'S IN LINE...WELL, IT'S TWO PLACES: LINE 10 OF THE BILL AND ALSO LINES 20 TO 22. IT TALKS ABOUT OTHER PROBLEM-SOLVING COURT PROGRAMS "SHALL BE SUBJECT TO RULES WHICH SHALL BE PROMULGATED BY THE SUPREME COURT FOR PROCEDURES TO BE IMPLEMENTED IN THE ADMINISTRATION OF SUCH PROGRAMS." SO AGAIN, I COULD NOT MORE WHOLEHEARTEDLY SUPPORT THE WORK OF SENATOR

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WILLIAMS AND SENATOR McCOLLISTER AND I APPRECIATE THIS. VETERANS HAVE ISSUES AND NEEDS THAT ARE SPECIFIC TO THEIR SPECIAL STATUS WITHIN OUR COMMUNITY AND WITHIN OUR COUNTRY AS VETERANS. AND IT'S IMPORTANT TO ALLOW THE COURTS TO HAVE THIS TOOL TO DEAL WITH THOSE SPECIFIC ISSUES OF VETERANS. AND AGAIN, ONE LAST THING I'D LIKE TO SAY IS THAT IF YOU HAVE NOT GONE TO A DRUG COURT GRADUATION, YOU SHOULD DO SO. NOT ONLY DOES IT GIVE YOU GREAT HOPE AT WHAT CAN BE DONE IN OUR COMMUNITIES, BUT IT'S VERY INTERESTING BECAUSE THEY SHOW BEFORE AND AFTER PICTURES OF THE PEOPLE. AND THE BEFORE IS WHEN THEY'RE IN THE MIDDLE OF THE CRISIS AND WITHIN THE DRUGS THEY'RE USING, AND THE AFTER PICTURE SHOWS THEM HEALED AND HEALING. AND IT'S JUST SO IMPORTANT. THIS IS SOMETHING THAT...THIS IS A TOOL THAT IS BEING USED VERY SUCCESSFULLY AND HAS BEEN USED SUCCESSFULLY AND THEY CAN DEAL WITH ISSUES SPECIFIC TO THE PROBLEM BEING RECTIFIED THROUGH THIS PROGRAM. SO AGAIN, I'D LIKE TO THANK SENATOR WILLIAMS AND SENATOR McCOLLISTER FOR THESE...FOR DEALING WITH THESE IMPORTANT ISSUES AND BRINGING SO MANY PEOPLE TO THE TABLE. THANK YOU, MR. PRESIDENT.

[LB919]

SENATOR KRIST: THANK YOU, SENATOR PANSING BROOKS. SEEING NO ONE ELSE IN THE QUEUE, SENATOR SEILER, YOU'RE RECOGNIZED TO CLOSE ON THE COMMITTEE AMENDMENT. [LB919]

SENATOR SEILER: I'LL WAIVE CLOSING. [LB919]

SENATOR KRIST: SENATOR SEILER WAIVES. THE QUESTION BEFORE YOU IS THE ADOPTION OF AM2171. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LB919]

CLERK: 33 AYES, 0 NAYS ON ADOPTION OF COMMITTEE AMENDMENTS. [LB919]

SENATOR KRIST: AM2171 IS ADOPTED. RETURNING TO DEBATE ON LB919, SEEING NO ONE ELSE IN THE QUEUE, SENATOR WILLIAMS, YOU'RE RECOGNIZED TO CLOSE ON YOUR BILL. [LB919]

SENATOR WILLIAMS: THANK YOU, MR. PRESIDENT. AND I WOULD LIKE TO THANK EVERYBODY FOR THEIR GREAT DISCUSSION THIS MORNING AND THE QUESTIONS THAT WE HAD. I SINCERELY APPRECIATE THAT. IT ALWAYS HELPS US ACHIEVE A BETTER RESULT WHEN WE IRON OUT THINGS AND HAVE A CLEAR

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UNDERSTANDING OF WHAT'S GOING ON. WE HAVE THE OPPORTUNITY, AS I STARTED TODAY ON THE INTRODUCTION OF LB919, TO DO SOMETHING THAT I THINK IS NOT JUST GOOD FOR VETERANS BUT IS GOOD PUBLIC POLICY IN GENERAL, WITH THE ESTABLISHMENT OF ADDITIONAL SPECIALTY COURTS AND GIVING THE SUPREME COURT THE OPPORTUNITY OVER TIME TO IMPLEMENT THESE AS THEY CRAWL, WALK, AND RUN. AND THROUGH ALL OF THAT, THIS LEGISLATURE AND THE APPROPRIATIONS COMMITTEE WILL HAVE THE OPPORTUNITY TO REVIEW THE SUCCESS AND TO ALLOCATE THE DOLLARS THAT ARE NECESSARY TO SEE IT DONE. AGAIN, I WOULD REALLY LIKE TO RECOGNIZE THE HARD WORK AND THE SUPPORT OF SENATOR McCOLLISTER AND ALLOWING HIS BILL, LB915, TO BE, IN ESSENCE, ROLLED INTO LB919, SO WE HAVE A PRODUCT THAT NOT ONLY ADDRESSES THE CURRENT CONCERNS IN DOUGLAS COUNTY OF THE VETERANS AND THE VETERANS' NEEDS, BUT THE LONGER TERM BASIS OF BEING ABLE TO ESTABLISH ADDITIONAL SPECIALTY COURTS AS WE MOVE FORWARD. I WOULD REMIND EVERYBODY THAT ALL MEMBERS OF THE JUDICIARY COMMITTEE SIGNED ON AS COSPONSORS OF THIS BILL, THEY ALSO VOTED IT UNANIMOUSLY OUT OF COMMITTEE AND IT HAD NO OPPOSITION TESTIMONY DURING THE HEARING. AT THE END OF THE DAY, WE HAVE THE OPPORTUNITY TO CREATE A SYSTEM WHICH IS MORE EFFICIENT, HAS LESS COST; BUT, MOST IMPORTANTLY FOR ME AT LEAST, IMPROVES THE OUTCOMES OF THESE INDIVIDUALS. AND AS WE HAVE TALKED OVER AND OVER IN THE TIME THAT I'VE BEEN IN THE LEGISLATURE WITH PRISON OVERCROWDING, THIS IS A PIECE OF HELPING THAT SITUATION. I WOULD ENCOURAGE YOUR GREEN VOTE ON LB919. THANK YOU, MR. PRESIDENT. [LB919 LB915]

SENATOR KRIST: THANK YOU, SENATOR WILLIAMS. COLLEAGUES, YOU'VE HEARD THE CLOSING ON LB919. THE QUESTION IS THE ADVANCEMENT TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LB919]

CLERK: 35 AYES, 0 NAYS ON THE ADVANCEMENT OF THE BILL, MR. PRESIDENT. [LB919]

SENATOR KRIST: LB919 ADVANCES. NEXT ITEM. [LB919]

CLERK: LB919A BY SENATOR WILLIAMS. (READ TITLE.) [LB919A]

SENATOR KRIST: SENATOR WILLIAMS, YOU'RE RECOGNIZED TO OPEN ON LB919A. [LB919A]

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SENATOR WILLIAMS: THANK YOU, MR. PRESIDENT. AND AGAIN, AS WE TALKED DURING THE DEBATE ON LB919, THERE IS AN A BILL WITH THIS THAT SHOWS A TOTAL COST THE FIRST YEAR OF SLIGHTLY OVER \$200,000. I WOULD ALSO REMIND YOU, THE REASON I CONTINUE TO TALK ABOUT \$190,000 IS \$10,000 OF THAT IS FUNDED BY THE COURT'S ALREADY ESTABLISHED COURT FUND. SO AGAIN, I WOULD APPRECIATE YOUR GREEN VOTE ON THE A BILL. THERE IS A COST ASSOCIATED WITH THIS. WE HEAR IT ALL TOO OFTEN THAT, IF WE INVEST HERE, IT WILL SAVE US ANOTHER SPOT. I WILL GUARANTEE YOU THAT'S THE CASE HERE. WHEN, AGAIN, AS I REMIND YOU, THE COST OF DRUG COURT IS ESTIMATED AT APPROXIMATELY \$5,000 PER YEAR PER PARTICIPANT, INCARCERATING THAT SAME PERSON COSTS \$36,000 A YEAR. I WOULD URGE YOUR GREEN VOTE ON LB919A. THANK YOU. [LB919A LB919]

SENATOR KRIST: THANK YOU, SENATOR WILLIAMS. COLLEAGUES, YOU'VE HEARD THE OPENING ON LB919A. SEEING NO ONE WISHING TO SPEAK, SENATOR WILLIAMS, YOU'RE RECOGNIZED TO CLOSE ON LB919A. SENATOR WILLIAMS WAIVES CLOSING. THE QUESTION BEFORE YOU IS THE ADVANCEMENT OF LB919A TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB919A]

CLERK: 34 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF LB919A. [LB919A]

SENATOR KRIST: LB919A ADVANCES. NEXT ITEM. [LB919A]

CLERK: LB83, A BILL OFFERED BY SENATOR COOK. (READ TITLE.) INTRODUCED ON JANUARY 8 OF LAST YEAR. AT THAT TIME REFERRED TO THE BUSINESS AND LABOR COMMITTEE. THE BILL WAS ADVANCED TO GENERAL FILE WITH BUSINESS AND LABOR COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM2191, LEGISLATIVE JOURNAL 677.) [LB83]

SENATOR KRIST: THANK YOU, MR. CLERK. GOOD MORNING, SENATOR COOK. YOU'RE RECOGNIZED TO OPEN ON YOUR BILL. [LB83]

SENATOR COOK: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. I RISE AS THE INTRODUCER OF LB83, THE WAGE DISCLOSURE BILL. I INTRODUCED LB83 BECAUSE, DESPITE PROGRESS IN MANY AREAS AND ASPECTS, WOMEN STILL EARN LESS THAN THEIR MALE COUNTERPARTS, EVEN FOR THE SAME POSITIONS, AND THE SAME LENGTH OF SERVICE. IT IS

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IMPORTANT THAT WE ADDRESS THIS UNFAIRNESS, WHICH HAS A NEGATIVE IMPACT AND CONSEQUENCES FOR WOMEN AND FAMILIES, FOR TAXPAYERS, AND FOR OUR OVERALL ECONOMY. STATE LAW PROHIBITS WAGE DISCRIMINATION ON THE BASIS OF SEX. THAT IS IN SECTION 48-1221. HOWEVER, THERE ARE EMPLOYERS WHO GET AROUND THE LAWS BY EITHER EXPRESSLY OR TACITLY PROHIBITING THEIR EMPLOYEES FROM DISCUSSING THEIR OWN WAGES. THIS KEEPS UNLAWFUL DISCRIMINATION HIDDEN. I INTRODUCED THE BILL TO ESTABLISH AND PROTECT AN EMPLOYEE'S RIGHT TO VOLUNTARY DISCLOSURE OF HIS OR HER OWN WAGES WHILE PRESERVING AN EMPLOYER'S RIGHT TO PROTECT PROPRIETY INFORMATION, TRADE SECRET INFORMATION, AND OTHER LEGALLY PRIVILEGED INFORMATION. IT DOES NOT REQUIRE EMPLOYERS TO PROVIDE THE WAGE INFORMATION. RESEARCH HAS SHOWN THAT MORE THAN 60 PERCENT OF ALL PRIVATE SECTOR WORKERS ARE EITHER FORBIDDEN OR DISCOURAGED FROM DISCUSSING THEIR PAY WITH COLLEAGUES. HAVING SUCH INFORMATION IS CENTRAL TO AN EMPLOYEE'S ABILITY TO NEGOTIATE SALARY. ADDITIONALLY, THE RIGHT TO FREELY DISCUSS ONE'S OWN WAGES IS A PROTECTION NEEDED TO HELP END WAGE DISCRIMINATION, WHICH, SADLY, REMAINS A FACT IN THIS TWENTY-FIRST CENTURY. EQUAL PAY IS AN IMPORTANT ECONOMIC SECURITY ISSUE FOR WOMEN AND THEIR FAMILIES. WITH A LARGE NUMBER OF WOMEN IN THE LABOR FORCE, THE ENTIRE OR A LARGE SHARE OF THEIR TOTAL HOUSEHOLD INCOME IS EARNED BY WOMEN. EQUAL PAY ALSO IS AN IMPORTANT ISSUE FOR TAXPAYERS. THERE ARE FULL-TIME WORKERS WHO ARE UNFAIRLY PAID LOW WAGES THAT PREVENT THEM FROM MEETING BASIC NEEDS. WHEN THEY HAVE TO TURN TO PUBLIC ASSISTANCE, TAXPAYERS ARE SUBSIDIZING BUSINESSES THAT OPT TO UNFAIRLY AND ILLEGALLY PAY LOW WAGES TO SPECIFIC WORKERS. AS IT TURNS OUT, WE ARE NOT GOING TO MAKE A DECISION ON WAGE DISCLOSURE THIS LEGISLATIVE SESSION. I HOPE THAT OTHERS IN THIS BODY, AND OTHERS WHO JOIN THE BODY, WILL CONTINUE TO PURSUE THIS POLICY. I THINK IT'S AN IMPORTANT ONE. TODAY WE WILL VOTE ON A PROPOSED AMENDMENT, AM2191, WHICH WILL REPLACE THE WAGE DISCLOSURE PROVISIONS IN LB83. THIS CHANGE HAS BEEN NEGOTIATED WITH THE BUSINESS COMMUNITY, AND I WANT TO THANK SENATOR MELLO FOR HIS WORK TOWARD GETTING THE PAY EQUITY ISSUE BEFORE US FOR NEEDED ACTION ON THE ONGOING WORK TO CHIP AWAY, TO MOVE THE NEEDLE ON WAGE DISCRIMINATION IN THE STATE OF NEBRASKA. I ASK THAT YOU SUPPORT THIS PROPOSED COMMITTEE AMENDMENT WHICH BUSINESS AND LABOR COMMITTEE CHAIR, SENATOR BURKE HARR, WILL PRESENT. THEN I ASK THAT YOU ADVANCE AND ULTIMATELY PASS THE AMENDED LB83. THANK YOU, MR. PRESIDENT. [LB83]

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SENATOR KRIST: THANK YOU, SENATOR COOK. (VISITORS INTRODUCED.) AS THE CLERK STATED, THERE ARE COMMITTEE AMENDMENTS. SENATOR HARR, AS THE COMMITTEE CHAIR, YOU'RE RECOGNIZED TO OPEN ON AM2191. [LB83]

SENATOR HARR: THANK YOU, MR. PRESIDENT, MEMBERS OF THE BODY. AND THANK YOU, SENATOR COOK, FOR THE UNDERLYING LB83. I WOULD BE REMISS IF WE DIDN'T ALSO MENTION TODAY IS SENATOR DEB FISCHER'S BIRTHDAY. SHE TURNS 39. (LAUGHTER) AND SHE SUPPORTS THE UNDERLYING CONCEPT OF LB83 AND HAS SAID SO MANY TIMES. HOWEVER, THAT BEING SAID, WE'RE NOT HERE ON LB83. THE COMMITTEE AMENDMENT BECOMES THE BILL. AM2191 REPLACES AND AMENDS NEBRASKA'S EQUAL PAY ACT WHICH HOLDS THAT IT'S UNLAWFUL TO DISCRIMINATE ON THE BASIS OF SEX BY PAYING WAGES TO ONE SEX AT A LESSER RATE THAN THE RATE PAID TO EMPLOYEES OF THE OPPOSITE SEX. CURRENTLY, THE EQUAL PROTECTION ACT ONLY APPLIES TO EMPLOYERS WITH 15 OR MORE EMPLOYEES. THIS AMENDMENT WOULD ALLOW THE ACT TO APPLY TO EMPLOYERS WITH TWO OR MORE EMPLOYEES. THIS AMENDMENT HAS THE SUPPORT OF THE NEBRASKA CHAMBER OF COMMERCE, THE ACLU, AND OTHER STAKEHOLDERS. AM2191 ADVANCED OUT OF COMMITTEE ON A 5-0 VOTE. I WOULD ASK FOR YOUR SUPPORT. THANK YOU VERY MUCH. [LB83]

SENATOR KRIST: THANK YOU, SENATOR HARR AND SENATOR COOK. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB83]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF THE...OF AM2191. I CAN'T IMAGINE A MORE GLORIOUS DAY WITH MORE GLORIOUS VISITORS TO OUR CHAMBER THAN ALL OF THESE MOSTLY WOMEN, THERE ARE SOME MEN THERE, BUT I SEE MOSTLY WOMEN UP THERE, AND THIS BILL IS FIGHTING FOR EACH OF YOU. THIS BILL OF SENATOR COOK'S IS TO MAKE SURE THAT PEOPLE ARE PAID EQUALLY, EQUAL PAY FOR THEIR EQUAL WORK. IN THE UNITED STATES, OVERALL, WOMEN TYPICALLY EARN 78 CENTS FOR EVERY DOLLAR EARNED BY MEN, AND WOMEN OF COLOR FARE WORSE. AFRICAN-AMERICAN WOMEN EARN JUST 64 CENTS AND HISPANIC WOMEN EARN ONLY 56 CENTS TO EVERY DOLLAR EARNED BY A WHITE NONHISPANIC MAN. NATIONALLY, THE WAGE GAP FOR A TYPICAL WOMAN TRANSLATES TO \$10,876 LESS IN MEDIAN ANNUAL EARNINGS LEAVING WOMEN AND THEIR FAMILIES SHORTCHANGED. FOR AFRICAN-AMERICAN WOMEN, THE GAP TRANSLATES TO AN ANNUAL LOSS OF \$19,399, AND \$23,279 PER YEAR FOR HISPANIC WOMEN. AGAIN, I DON'T THINK THAT ANYBODY IN THIS BODY THINKS THAT IF SOMEBODY IS WORKING EQUALLY, THAT THEY SHOULD BE PAID LESS. WE NEED TO...WE NEED TO COME FORWARD, WE NEED TO SUPPORT WOMEN, WE NEED TO

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SUPPORT ALL PEOPLE. AND I REALLY APPRECIATE SENATOR COOK AND I'LL GIVE HER THE REST OF MY TIME. [LB83]

SENATOR KRIST: SENATOR COOK, YOU'VE BEEN YIELDED 3:25. [LB83]

SENATOR COOK: THANK YOU VERY MUCH, SENATOR PANSING BROOKS. AND THANK YOU, MR. PRESIDENT. THANK YOU FOR THAT SUPPORT. I, TOO, WOULD LIKE TO WELCOME OUR SOCIAL WORKERS HERE TODAY. NOT ONLY AM I FIGHTING TO ENSURE THAT YOU GET YOUR OWN MONEY, AS YOU GROW IN YOUR CAREER, WHEREVER YOU CHOOSE TO DO THAT, BUT YOU DO NOT HAVE TO BE CONVINCED THAT THE IMPACT OF INCOME, A WOMAN'S INCOME, INCREASINGLY HEADS OF HOUSEHOLD, IS AN IMPORTANT ISSUE THAT WE NEED TO ADDRESS FOR ANY NUMBER OF REASONS. I'M GOING TO MAKE SOME ADDITIONAL POINTS ABOUT THE ISSUE OF EQUAL PAY OR PAY EQUITY IN GENERAL. NONE OF MY COLLEAGUES HAVE COME RIGHT OUT AND SAID IT, BUT SOMETIMES I HAVE HEARD TESTIFIERS OVER THE YEARS AS I HAVE WORKED ON THIS ISSUE--THIS IS NOW MY THIRD BILL ON EQUAL PAY IN MY TIME IN THE LEGISLATURE, AND I'M GRATEFUL FOR YOUR SUPPORT AS WE MOVE FORWARD ON THIS PROPOSAL--THERE SEEMS TO BE PERHAPS THE IDEA THAT WOMEN MAYBE DO NOT NEED THEIR OWN MONEY, FOR WHATEVER REASON BECAUSE THEY'VE, I DON'T KNOW, INHERITED MILLIONS OF DOLLARS TAX-FREE. PERHAPS THERE'S A PERCEPTION THAT SHE IS FOR SURE GOING TO GET MARRIED AND HE'S FOR SURE GOING TO HAVE A WHOLE BUNCH OF MONEY AND KNOW HOW TO KEEP IT AND SHARE IT WITH HER. THOSE ARE MYTHS. THE PAY GAP IS NOT A MYTH. IT IS MATH. AND IN A COUNTRY AND IN A STATE, UNFORTUNATELY, WHERE WE'VE NOT HAD THE OPPORTUNITY TO EXPAND MEDICAID OR SOCIETALLY AS WE HAVE FEWER AND FEWER DISCRETIONARY DOLLARS TO PUT TOWARD RETIREMENT, IT IS EVEN MORE IMPORTANT THAT WOMEN ARE ABLE TO EARN WHAT THEY ARE WORTH AND IT IS ON PAR WITH THAT OF THEIR MALE COLLEAGUES. SO I CANNOT OVEREMPHASIZE THIS. AND ONCE AGAIN, WHILE PEOPLE DO NOT SAY IT, I SOMETIMES THINK THAT PEOPLE PERCEIVE THAT WOMEN DO NOT NEED THE SAME AMOUNT OF MONEY TO SUPPORT THEMSELVES, EVEN IF THEY DO NOT HAVE A FAMILY OF THEIR OWN. SO THE PAY GAP IS NOT A MYTH, IT IS MATH. [LB83]

SENATOR KRIST: ONE MINUTE. [LB83]

SENATOR COOK: THANK YOU, MR. PRESIDENT. THERE IS A POPULAR PERCEPTION, OTHER THAN THE OTHER ONES I MENTIONED, ABOUT THE IMPACT

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OF, QUOTE UNQUOTE, LIFE CHOICES ON WOMEN'S SALARIES. THAT DO WOMEN...THE IDEA THAT WOMEN EARN LESS BECAUSE OF THE OCCUPATIONS THAT THEY CHOOSE, WHICH ARE OFTEN AS WE SEE, HELPING PROFESSIONS. NOT ALL OF THE WAGE GAP CAN BE EXPLAINED AWAY SO EASILY. AFTER ACCOUNTING FOR COLLEGE MAJORS, OCCUPATIONS, ECONOMIC SECTOR, HOURS WORKED, MONTHS UNEMPLOYED SINCE GRADUATION, GPA, TYPE OF UNDERGRADUATE INSTITUTION, INSTITUTION SOCIAL ACTIVITY, AGE, GEOGRAPHIC REGION, MARITAL STATUS, THERE IS STILL A DIFFERENCE IN THE EARNINGS BETWEEN MEN AND WOMEN COLLEGE GRADUATES AFTER ONE YEAR, ONLY ONE YEAR OF GRADUATION. TEN YEARS LATER, THERE IS A 12 PERCENT DIFFERENCE. [LB83]

SENATOR KRIST: TIME, SENATOR. [LB83]

SENATOR COOK: THANK YOU, MR. PRESIDENT. [LB83]

SENATOR KRIST: THANK YOU, SENATOR COOK AND SENATOR PANSING BROOKS. STILL WISHING TO SPEAK: SENATOR MELLO, KINTNER AND SCHUMACHER. SENATOR MELLO, YOU'RE RECOGNIZED. [LB83]

SENATOR MELLO: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. AS SENATOR COOK AND SENATOR HARR PREVIOUSLY NOTED, AM2191 REPRESENTS A COMPROMISE THAT WAS MADE WITH THE NEBRASKA CHAMBER OF COMMERCE AND THE NEBRASKA FEDERATION OF INDEPENDENT BUSINESSES REGARDING AN UPDATE TO NEBRASKA'S EQUAL PAY STATUTES. AS INTRODUCED EARLIER IN THE SESSION, LB928 WOULD HAVE MADE THREE MAJOR CHANGES TO UPDATE NEBRASKA STATUTES AROUND DISCRIMINATORY WAGE PRACTICES BASED ON SEX. FOLLOWING THE LB928 PUBLIC HEARING, NEGOTIATIONS WITH THOSE IN OPPOSITION TO BOTH LB83 AND LB928 BEGAN, AND THE TWO BILLS IN THE BUSINESS AND LABOR COMMITTEE AIMED AT CLOSING WHAT WE'VE ALREADY DISCUSSED, THE WAGE GAP BETWEEN MEN AND WOMEN. A COMPROMISE, AS I DISCUSSED, AND WILL GO OVER A LITTLE BIT MORE IN DETAIL, WAS REACHED THAT NOW BECOMES THE BILL OF LB83 WITH THE ADOPTION OF AM2191. AM2191 WOULD REQUIRE PROVISIONS RELATED TO WAGE DISCRIMINATION BASED ON SEX, APPLY TO EMPLOYERS IN NEBRASKA WITH TWO OR MORE EMPLOYEES. CURRENTLY, THAT THRESHOLD IS 15 OR MORE EMPLOYEES. COMPARED TO OTHER STATES, THERE IS ONE MAJOR GAP THAT STANDS OUT IN NEBRASKA'S POLICY AREA, THAT NEBRASKA'S DISCRIMINATORY WAGE PROTECTIONS ARE CURRENTLY LIMITED TO THOSE AT 50 OR MORE

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EMPLOYEES. IN COMPARISON, 45 STATES HAVE SOME TYPE OF PROTECTION IN PLACE FOR WAGE DISCRIMINATION BASED ON SEX, AND OF THOSE STATES, SIX STATES, INCLUDING NEBRASKA, EXEMPT CERTAIN EMPLOYERS BASED ON THE NUMBER OF EMPLOYEES THEY HAVE. OUT OF THOSE SIX STATES, HOWEVER, MAKES A VERY SIGNIFICANT DISTINCTION ON EMPLOYER SIZE, WITH NEBRASKA BEING THE ONLY STATE THAT PUTS THAT MARK AT 15 OR MORE EMPLOYEES. ALL OTHER STATES HAVE A SIGNIFICANTLY LOWER THRESHOLD. REQUIRING NEBRASKA'S WAGE DISCRIMINATION PROTECTIONS BASED ON SEX TO APPLY TO BUSINESSES OF ALL SIZES WOULD NOT GO BEYOND FEDERAL LAW. I REPEAT, THE ADOPTION OF THIS AMENDMENT, AM2191 WOULD NOT GO BEYOND EXISTING FEDERAL LAW WHEN IT COMES TO EQUAL PAY STATUTES AT THE FEDERAL LEVEL. INSTEAD, IT WOULD BRING NEBRASKA IN LINE WITH 39 OTHER STATES THAT BASE THEIR STATUTE ON THAT TWO OR FEWER EMPLOYEES. WITH THAT BEING SAID, COLLEAGUES, I'D LIKE TO RECOGNIZE SENATOR COOK FOR HER LEADERSHIP ON THIS ISSUE OVER A NUMBER OF YEARS, AS WELL AS THE BUSINESS AND LABOR COMMITTEE IN REGARDS TO GIVING SENATOR COOK AND MYSELF ENOUGH TIME TO WORK THROUGH A COMPROMISE WITH THE BUSINESS COMMUNITY TO BE ABLE TO BRING A COMPROMISED VERSION OF THIS BILL FORWARD THAT YOU HAVE IN FRONT OF YOU, WITH AM2191 THAT BECOMES THE UNDERLYING BILL, LB83. AS I DISCUSSED EARLY THIS SESSION ON LB928, AS A YOUNG FATHER WITH A DAUGHTER AND NOW A SON, AN ISSUE LIKE THIS BECOMES MUCH MORE PERSONAL IN REGARDS TO NOT WANTING TO SEE A CHILD OF YOURS EARN LESS THAN ANOTHER CHILD OF YOURS WHEN THEY WORK IN COMPARABLE INDUSTRIES AND DO COMPARABLE WORK. WITH WHAT WE SEE, I THINK, IN THIS COMPROMISE WITH AM2191, IT BEGINS TO LEVEL THAT PLAYING FIELD BETWEEN MEN AND WOMEN IN OUR STATE, PRIMARILY THOSE WHO WORK FOR SMALLER BUSINESSES UNDER THE SIZE OF 15 EMPLOYEES. AND NO DOUBT IT HAS AN IMPACT NOT JUST ON MY DAUGHTER SOME DAY DOWN THE LINE IF WE ADOPT LB83 MOVING FORWARD, BUT A NUMBER OF DAUGHTERS ACROSS THE STATE. I'D URGE THE BODY TO ADOPT AM2191 AND MOVE LB83 FORWARD. THANK YOU, MR. PRESIDENT. [LB83 LB928]

SENATOR KRIST: THANK YOU, SENATOR MELLO. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB83]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. YOU KNOW, I DON'T LIKE TO HAVE BIG PUBLIC DISAGREEMENTS WITH SENATOR COOK. YOU KNOW, I SIT NEXT TO HER IN APPROPRIATIONS. I'M QUITE FOND OF HER. BUT WE DO HAVE A FEW POLICY DIFFERENCES AND THIS IS GOING TO BE ONE OF THOSE TIMES. AND FOR EVERY STATISTIC YOU CAN COME UP WITH SHOWING THAT WOMEN ARE

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PAID SOME PERCENT OF WHAT MEN ARE PAID, I CAN COME UP WITH STATISTICS THAT SAYS YOU'RE WRONG, AND LET'S THINK ABOUT THIS. IF YOU REALLY COULD PAY WOMEN LESS THAN MEN, WHY WOULDN'T A COMPANY HIRE ALL WOMEN, IF I CAN SAVE 30 PERCENT, RIGHT? THE WHOLE ARGUMENT JUST FALLS APART. WHEN MEN AND WOMEN SOMETIMES HAVE DIFFERENT GOALS AND DIFFERENT LIFESTYLE CHOICES, IT'S VERY TOUGH TO MAKE THE ARGUMENT THAT WOMEN ARE SUFFERING AT THE HANDS OF MEN IN COMPANIES AND EVIL CORPORATIONS AND ALL OF THAT. I KNOW THAT THE CHAMBER OF COMMERCE MAY HAVE NEGOTIATED A COMPROMISE, BUT I DIDN'T COME DOWN TO NEGOTIATE HALF OF OUR LIBERTY AWAY. I'M GOING TO STAND FOR ALL OF OUR LIBERTY. THE GOVERNMENT NEEDS TO BUTT OUT OF THIS STUFF. WE HAVE NONDISCRIMINATION LAWS. THEY'RE ON THE BOOKS, YOU CANNOT DISCRIMINATE ON THE BASIS OF A WHOLE RANGE OF THINGS. AND, YES, IF YOU DON'T LIKE OUR STATE LAWS, YOU CAN GO TO FEDERAL COURT ON THIS STUFF, BUT OUR STATE NEEDS TO STAY OUT OF IT. WE NEED TO MOVE ON. WE NEED TO DO THE BUSINESS OF THE PEOPLE, AND THE BUSINESS OF THE PEOPLE IS NOT TAKING AWAY OUR LIBERTY, IT'S NOT RESTRICTING OUR LIBERTY, IT'S NOT TELLING BUSINESSES HOW TO DO THINGS, AND IT'S NOT TRYING TO FIX A PROBLEM THAT'S TRULY NOT THERE. I DIDN'T COME DOWN HERE TO GROW GOVERNMENT AND TO REGULATE BUSINESSES. WE HAVE ENOUGH REGULATION OF BUSINESSES. AND THE FACT THAT WE GO DOWN TO BUSINESSES OF TWO EMPLOYEES FROM 15, NOW YOU'RE SUBJECTING EVEN MORE BUSINESSES TO THE HEAVY HAND OF GOVERNMENT. AND I DIDN'T COME HERE TO DO THAT AND THIS BILL IS GOING NOWHERE IF I HAVE ANYTHING TO SAY ABOUT IT. THANK YOU, MR. PRESIDENT. [LB83]

SENATOR KRIST: THANK YOU, SENATOR KINTNER. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB83]

SENATOR SCHUMACHER: THANK YOU, MR. CHAIRMAN, MEMBERS OF THE BODY. I FIND THIS BILL DEEPLY CONCERNING AND WE NEED TO DISCUSS IT SOME, BECAUSE SUPPOSEDLY THE REASON FOR THE BILL IS BECAUSE, WELL, THERE'S A SIMILAR FEDERAL LAW SO WE'LL HAVE A NEBRASKA LAW AND A FEDERAL LAW AND THEY CAN CHOOSE BETWEEN THE TWO. AND IF THAT'S THE REASON FOR THE BILL, THEN LET'S HAVE A DISCUSSION ON IT AND THE PROS AND CONS ON THAT ISSUE. BUT FOLKS, RIGHT NOW OUR PRESENT LAW SAYS THAT IF YOU'RE UNDER 15 EMPLOYEES, YOU DON'T HAVE TO COMPLY WITH A WHOLE SLEW OF REQUIREMENTS. THIS CHANGES THAT TO SAY TWO EMPLOYEES, AND YOU HAVE TO COMPLY WITH A WHOLE SLEW OF REQUIREMENTS. I INVITE YOU TO PULL IT UP ON YOUR GADGET, STARTING AT 48-1220, 48-1221, 48-1222, 48-1223, 48-1224,

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48-1225, 48-1226, 48-1227, 48-1227.01, WHICH BRINGS IN SMALL COMMUNITIES OF SMALL TOWNS THAT HAVE MAYBE TWO OR THREE EMPLOYEES. THOSE ARE MEAN PROVISIONS THAT ARE DESIGNED TO DEAL WITH A SERIOUS PROBLEM OF WAGE DISCRIMINATION THAT EXISTS PERHAPS LESS TODAY THAN IT DID IN THE PAST. AND WE IN THIS BODY HAVE GOT TO BALANCE OURSELVES BETWEEN PUTTING ONEROUS RESTRICTIONS AND RULES ON SMALL BUSINESS AND PROTECTING PEOPLE FROM INVIDIOUS DISCRIMINATION AT SOME LEVEL. AND I SUBMIT THAT RIGHT NOW IN THIS DEBATE, I THINK 15 IS A BETTER NUMBER THAN TWO. LISTEN TO WHAT...SOME OF THE THINGS THAT YOU'VE GOT TO DO ONCE YOU'RE A FOUR-PERSON BUSINESS AND BROUGHT UNDER OUR ACT. YOU SHALL...WHOOPS, I GOT TO TURN MY PAGE HERE TO THE RIGHT PAGE. EVERY EMPLOYER SUBJECT TO THIS ACT SHALL MAKE AND KEEP AND MAINTAIN RECORDS OF THE WAGES AND WAGE RATES, JOB CLASSIFICATIONS, OTHER TERMS AND CONDITIONS OF EMPLOYMENT, OF PEOPLE EMPLOYED BY HIM, AND SHALL PRESERVE THE RECORDS FOR SUCH PERIODS OF TIME AND SHALL MAKE SUCH RECORDS AVAILABLE TO THE COMMISSION AS THE COMMISSION SHALL REQUIRE. EVERY PERSON SUBJECT TO THE PROVISIONS OF THIS ACT SHALL KEEP AN ABSTRACT OR COPY OF SECTION SUCH-AND-SUCH POSTED IN A CONSPICUOUS PLACE ON OR ABOUT THE PREMISES WHERE THE EMPLOYEE IS EMPLOYED, SHALL FURNISH COPIES OF THE ABSTRACT TO THE STATE ON REQUEST WITHOUT CHARGE. ANY PERSON WHO VIOLATES A PROVISION OF THIS ACT OR WHO DISCHARGES IN ANY MANNER AGAINST THIS, IS SUBJECT TO THIS AND THAT. THE STATE AND LOCAL POLITICAL SUBDIVISIONS MAY BE SUED UNDER THIS ACT. WHY DO WE NEED TO MAKE A CHANGE? IF THERE'S A FEDERAL LAW THAT COVERS IT AND WE'RE GETTING ALONG FINE, WHY? BUT I DON'T THINK WE NEED TO BURDEN SMALL BUSINESSES, GUYS WHO ARE STRUGGLING WHO WOULDN'T KNOW WHAT AN ABSTRACT TO MAINTAIN WAS IF YOU HIT HIM IN THE FACE WITH IT, WHO ARE INTERESTED IN GOING ABOUT THEIR CONSTRUCTION BUSINESS, GOING ABOUT THEIR SMALL ACCOUNTING BUSINESS, EMPLOYING TWO OR THREE PEOPLE, HAVE GOT TO BE SUBJECT TO THESE REQUIREMENTS. UNLESS WE HEAR OF TREMENDOUS WAGE DISCRIMINATION BEING DONE BY THOSE FOLKS, OF TREMENDOUS WRONGDOING, OF SOME TREMENDOUS ADVANTAGE TO HAVING A CHOICE THAT AN EMPLOYEE HAS BETWEEN A STATE AGENCY TO GO TO COMPLAIN AND A FEDERAL AGENCY TO GO TO COMPLAIN, THEN I DON'T THINK WE SHOULD MOVE THIS BILL. NOW, MAYBE WE WILL HEAR THAT, BUT TO DATE WE HAVE NOT HEARD IT, THIS FAR IN THIS DEBATE. AND BEFORE YOU SUBJECT ANY SMALL BUSINESS TO MORE AND MORE GOVERNMENT REGULATION WHEN WE'RE SUPPOSED TO BE TRYING TO BE BUSINESS FRIENDLY, HOLY SMOKES. [LB83]

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SENATOR KRIST: ONE MINUTE. [LB83]

SENATOR SCHUMACHER: I WOULD SOONER SEE LESS REGULATION THAN LESS TAXES BECAUSE IF YOU PAY TAXES, YOU'RE PROBABLY MAKING MONEY. BUT IF YOU'RE JUST WORKING AND HAVING TO COMPLY WITH REGULATIONS, IT'S PROBABLY COSTING YOU MONEY. SO, I'M SORRY, BUT THIS ONE KIND OF SET ME OFF THAT WHAT WE'RE DOING HERE, THAT WE SHOULDN'T DO WITHOUT GOOD THINKING AND GOOD CAUSE THAT THIS IS THE RIGHT THING TO DO AND WE AREN'T JUST CREATING A LOT OF HASSLE FOR PEOPLE. I'LL BE WILLING TO LISTEN TO THE COMMITTEE, TO WHOEVER WHO SAYS, OH, THERE'S A COMPELLING NEED BECAUSE THERE'S A FEDERAL LAW DOING THIS, ANYWAY, AND SOME KIND OF COMPROMISE WORKED OUT BEHIND THE SCENES. AT THIS POINT, I REMAIN EXTREMELY SKEPTICAL AND THE BALANCE IN MY MIND HAS NOT BEEN TILTED IN FAVOR OF FURTHER REGULATION OF THE LITTLE GUYS. THANK YOU. [LB83]

SENATOR KRIST: THANK YOU, SENATOR SCHUMACHER. THOSE STILL WISHING TO SPEAK: SENATOR BRASCH, PANSING BROOKS, CRAIGHEAD, MELLO, AND BURKE HARR. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB83]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I'VE BEEN WORKING MY WAY THROUGH THE BILL AS IT WAS, AND THE AMENDMENT THAT REPLACES THE BILL. I BELIEVE THE AMENDMENT DOES REPLACE THE BILL. AND ALSO LOOKING AT THE COMMITTEE STATEMENT, AND I'M HEARING THAT THE OPPONENTS WERE CONSULTED ON DEVELOPING THE AMENDMENT. WOULD SENATOR COOK PLEASE... [LB83]

SENATOR KRIST: SENATOR COOK, WILL YOU YIELD? [LB83]

SENATOR COOK: YES. [LB83]

SENATOR BRASCH: THANK YOU. AM I CORRECT THAT YOU MET WITH THE CHAMBER, THE FEDERATION OF BUSINESSES, AND THE GROCERY INDUSTRY ASSOCIATION IN DEVELOPING YOUR AMENDMENT, ALL THREE ENTITIES THAT OPPOSE? [LB83]

SENATOR COOK: THE AMENDMENT REPRESENTS NEGOTIATIONS BETWEEN AND AMONG THOSE GROUPS RELATED TO SENATOR MELLO'S BILL PROPOSAL,

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WHICH...PART OF WHICH IS THE AMENDMENT. MY BILL IS STRUCK. THE AMENDMENT REPRESENTS THE LANGUAGE THAT YOU SEE IN AM2191. AND THOSE WERE THE CONVERSATIONS THAT WERE HAD. [LB83]

SENATOR BRASCH: THANK YOU, SENATOR COOK. SENATOR MELLO, WILL YOU YIELD TO A QUESTION, PLEASE? [LB83]

SENATOR KRIST: SENATOR MELLO, WILL YOU YIELD? [LB83]

SENATOR MELLO: OF COURSE. [LB83]

SENATOR BRASCH: AS I AM TRYING TO READ THROUGH BOTH AND TAKE A HIGHLIGHTER AND FIND SOME COMMON INFORMATION, I BELIEVE IT HAS CHANGED SIGNIFICANTLY. CAN YOU TELL ME WHAT HAS CHANGED FROM THE INTRODUCED BILL TO YOUR AMENDMENT THAT THE OPPONENTS WOULD NO LONGER STAND OPPOSED? [LB83]

SENATOR MELLO: WELL, SENATOR BRASCH, I'LL DO MY BEST, ACTUALLY. AM2191 REPRESENTS A COMPONENT OF MY BILL, LB928, THAT WAS INTRODUCED EARLIER THIS SESSION IN THE BUSINESS AND LABOR COMMITTEE. AND THE MAIN OPPOSITION IN MY BILL CAME FROM THE CHAMBER OF COMMERCE, AND IT CAME FROM THE NEBRASKA FEDERATION OF INDEPENDENT BUSINESSES, NFIB. AND THE COMPONENT THAT YOU HAVE IN FRONT OF YOU, AM2191, WAS THE ONE COMPROMISE WE COULD COME TO AN AGREEMENT ON IN MY BILL, WHICH I WILL REFUTE MY GOOD FRIEND, SENATOR SCHUMACHER'S, UNFORTUNATELY, MISINFORMATION HE JUST DISCUSSED IN REGARDS TO THE AMENDMENT, IT BRINGS THE STATE LAW IN EXACTLY IN LINE WITH THE FEDERAL LAW WHEN IT COMES TO THE WAGE DISCRIMINATION...EXISTING FEDERAL STATUTE. SO IT SIMPLY CHANGES 15 EMPLOYEES TO 2 EMPLOYEES, WHICH IS EXACTLY THE SAME COMPONENT AS THE FEDERAL LAW, WHICH IS WHY WE CAME TO A COMPROMISE, WHICH SIMPLY IS GIVING EMPLOYERS IN THE STATE ANOTHER VENUE TO TAKE A WAGE DISCRIMINATION CASE TO...EMPLOYEES, I'M SORRY, ALLOWING EMPLOYEES TO TAKE A WAGE DISCRIMINATION CASE TO THE NEBRASKA EQUAL OPPORTUNITY COMMISSION INSTEAD OF SOLELY THE EQUAL OPPORTUNITY COMMISSION, THE FEDERAL LEVEL, IS WHAT'S ACCOMPLISHED IN AM2191. [LB83 LB928]

SENATOR BRASCH: VERY GOOD. THANK YOU, SENATOR MELLO. MY CONCERN IS THEY SEEM TO BE TWO SEPARATE BILLS, WHERE ONE DID REPLACE THE OTHER,

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AND I'M TRYING TO REVIEW THE RULES, RULE 6 SPECIFICALLY, AND THE SECTION THAT ADDRESSES A PUBLIC HEARING. AND WHEN PUBLIC HEARINGS FOR ONE BILL REPLACES THE OTHER BILL, YOU KNOW... [LB83]

SENATOR KRIST: ONE MINUTE. [LB83]

SENATOR BRASCH: ...ARE WE TRULY INTRODUCING SOMETHING THAT HAS HAD A PUBLIC HEARING? I DO WANT TO READ MORE. AT THIS POINT, I THINK IT WOULD AFFECT SMALLER EMPLOYERS IN OUR RURAL COMMUNITIES, SPECIFICALLY THOSE WHO OPPOSE THIS. I DO WANT TO TOUCH BASE WITH OTHERS BEFORE I WOULD SUPPORT OR...OR MOVE FORWARD IN DEBATE HERE. THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. [LB83]

SENATOR KRIST: THANK YOU, SENATOR BRASCH, SENATOR COOK, AND SENATOR MELLO. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB83]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. WELL, USUALLY I REALLY AGREE WITH A LOT OF WHAT SENATOR SCHUMACHER HAS TO SAY, AND AFTER THE COMMENTS ON THAT SIDE OVER THERE TODAY, I THINK IT'S JUST REALLY LUCKY THAT THE PEOPLE THAT ARE IN THE BALCONY DIDN'T BRING WATER BALLOONS TODAY BECAUSE I THINK YOU GUYS WOULD BE ALL WET RIGHT NOW. AGAIN, THIS IS TRYING TO ALIGN STATE LAW WITH FEDERAL LAW, THE NEOC WITH THE EEOC. AND THIS IS...WHAT WE'RE TALKING ABOUT HERE IS WAGE TRANSPARENCY. IN THE WORLD OF SECRECY, IF A WOMAN DOESN'T KNOW WHAT HER MALE COUNTERPARTS ARE MAKING AND SHE'S UNABLE TO EVEN ASK, THEN HOW FAIR IS THAT? AND HOW DOES THAT HELP US IN THE WORK WORLD? MY FRIEND SENATOR SCHUMACHER KEPT TALKING ABOUT, AND HE SAID IT MORE THAN ONCE SO I HAD TO WRITE IT DOWN, THAT HE'S WORRIED ABOUT THE, QUOTE, LITTLE GUYS. SENATOR SCHUMACHER, YOU'RE WORRIED ABOUT THE LITTLE GUYS. THAT WAS A QUOTE. AND, OF COURSE, I PRESUME YOU WERE INCLUDING BOTH GENDERS IN THAT WORRY THAT YOU HAD, AND THE FACT THAT YOU CONTINUED TO USE THE WORD "HE". HE WON'T KNOW. HOW WILL HE KNOW WHAT REGULATION HE IS SUPPOSED TO FOLLOW? THIS IS EXACTLY THE PROBLEM THAT WE HAVE, MY FRIENDS. THIS IS NOT EVEN IN LAWS BUT IN OUR LANGUAGE. WE ABSENTLY, BECAUSE I DO NOT BELIEVE THAT SENATOR SCHUMACHER INTENDED THIS, BUT WE DISMISS AN ENTIRE PART OF OUR POPULATION. AND I THINK THAT BY HAVING TRANSPARENCY, BY OPENING THE INFORMATION AND ALLOWING WAGE TRANSPARENCY, WE CAN STOP THE...THE MANY COMPLAINTS ABOUT WAGE INEQUITY WHICH ARE MERITLESS.

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AND IF WORKERS KNOW THEY ARE PAID FAIRLY, THAT'S AN OPPORTUNITY. I THINK EVERYONE HERE IN THIS BODY KNOWS WHAT WE ARE EACH PAID. DO YOU HAVE A BIG PROBLEM WITH THAT? I DON'T THINK SENATOR BLOOMFIELD HAS A BIG PROBLEM WITH THE FACT THAT HE KNOWS WHAT I'M MAKING AND THAT I KNOW WHAT HE IS MAKING HERE IN THIS BODY. AND I DON'T THINK THAT SENATOR SCHUMACHER HAS A BIG PROBLEM AND I DON'T THINK THAT ANYBODY IN THE STATE IS REALLY CONCERNED ABOUT THE FACT THAT THEY HAVE TO CLARIFY I'M MAKING \$12,000 AND SENATOR SCHUMACHER IS MAKING \$12,000. ACTUALLY, I GET 7 CENTS AFTER INSURANCE, BUT THAT'S WHAT'S HAPPENING. ANYWAY, THIS IS AN IMPORTANT ISSUE, MY FRIENDS. AND I JUST...I WANT TO GET A COUPLE MORE FACTS ON THE LINE HERE. NATIONALLY, WORKING MOTHERS ARE THE PRIMARY BREADWINNERS IN 41 PERCENT OF FAMILIES WITH CHILDREN. WE KNOW THAT OVER 60 PERCENT OF WOMEN IN POVERTY ARE MOTHERS WITH CHILDREN. YET, WE WANT TO MAKE SURE THAT THEY DON'T HAVE INFORMATION. THEY DON'T HAVE INFORMATION TO HELP TAKE CARE OF THEIR FAMILIES. WE WANT TO MAKE SURE THAT THEY DON'T HAVE THE INFORMATION THAT'S IMPORTANT TO THEM TO BE THE BREADWINNERS IN THEIR FAMILIES. GUESS WHO THEY HAVE TO RELY ON IF THEY CAN'T BE THE BEST THEY CAN BE, IF WE ARBITRARILY TAKE AWAY THE INFORMATION FOR MAKING THOSE WOMEN THE BEST THEY CAN BE. GUESS WHO COMES UP NEXT? THE STATE. WHEN PEOPLE GO INTO POVERTY, WHO IS GOING TO HAVE TO HELP PAY FOR IT? THE STATE. SO ALIGNING STATE LAWS WITH FEDERAL LAWS, THAT'S NOT A BIG ISSUE. AND I'M SORRY IF THERE'S SOME MORE REGULATION. IF YOU DO IT PROPERLY, THERE WON'T BE A LOT OF EXTRA REGULATION. [LB83]

SENATOR KRIST: ONE MINUTE. [LB83]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. AGAIN, THESE WOMEN WHO ARE THE PRIMARY BREADWINNERS ARE BRINGING IN 25 PERCENT AND 50 PERCENT OF FAMILY EARNINGS, AND FOR FAMILIES IN THE BOTTOM 20 PERCENT OF INCOME DISTRIBUTION, NEARLY 70 PERCENT ARE WORKING WOMEN THAT ARE EITHER THE PRIMARY BREADWINNER OR THEY'RE EQUALLY RESPONSIBLE WITH THEIR PARTNER. I JUST DON'T EVEN GET IT. I DON'T THINK IF I TALKED TO EACH OF YOU INDIVIDUALLY, I DON'T BELIEVE THAT YOU WOULD THINK THIS IS REASONABLE. SENATOR BRASCH, I DON'T BELIEVE THAT YOU THINK IT'S UNREASONABLE AND THAT YOU WOULD THINK THAT WOMEN SHOULD BE PAID LESS THAN MEN. I REALLY DON'T. AND NO MATTER WHAT EACH OF YOU IS SAYING OR WHAT LITTLE NUANCE OF WHY IT IS THAT YOU THINK THAT THIS IS NOT A VALID BILL, I...I DON'T BELIEVE YOU. I DON'T BELIEVE THAT YOU THINK,

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IN YOUR HEARTS, AND IF YOU DO, I...I DON'T KNOW WHY YOU'RE HERE. YOU'RE NOT REPRESENTING OVER HALF OF THE PEOPLE IN THIS STATE. [LB83]

SENATOR KRIST: TIME, SENATOR. [LB83]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. [LB83]

SENATOR KRIST: THANK YOU, SENATOR PANSING BROOKS. MR. CLERK FOR ITEMS. [LB83]

CLERK: MR. PRESIDENT, CONFIRMATION REPORTS FROM HEALTH AND HUMAN SERVICES COMMITTEE. HEALTH COMMITTEE ALSO REPORTS LB908 TO GENERAL FILE; LB549 GENERAL FILE WITH AMENDMENTS; LB1081 GENERAL FILE WITH AMENDMENTS, THOSE SIGNED BY SENATOR CAMPBELL. JUDICIARY REPORTS LB673, LB843, LB910 TO GENERAL FILE WITH AMENDMENTS, AND LB890 INDEFINITELY POSTPONED; THOSE SIGNED BY SENATOR SEILER. ENROLLMENT AND REVIEW REPORTS LB718, LB734, LB753, LB776, LB786, LB807, LB859, LB898, AND LB1035 AS CORRECTLY ENGROSSED. I HAVE AN AMENDMENT TO LB83 TO BE PRINTED. (LEGISLATIVE JOURNAL PAGES 770-790.) [LB908 LB549 LB1081 LB673 LB843 LB910 LB890 LB718 LB734 LB753 LB776 LB786 LB807 LB859 LB898 LB1035 LB83]

AND SENATOR HUGHES WOULD MOVE TO ADJOURN THE BODY UNTIL WEDNESDAY, MARCH 2, AT 9:00 A.M.

SENATOR KRIST: YOU HAVE HEARD THE MOTION. ALL THOSE IN FAVOR, AYE. OPPOSED, NAY. WE ARE ADJOURNED UNTIL TOMORROW MORNING. AND AGAIN, THANK YOU, VISITORS, FOR COMING TO YOUR LEGISLATURE.