

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

Floor Debate  
March 15, 2016

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[LB381 LB447 LB467 LB467A LB605 LB610 LB685 LB698A LB710 LB722A LB722 LB733  
LB745 LB746A LB754 LB754A LB768A LB789 LB794 LB803 LB817 LB857 LB867  
LB867A LB884 LB889 LB894 LB897 LB900 LB901A LB906 LB908A LB910A LB910  
LB919 LB919A LB930 LB931 LB934 LB956 LB957 LB960A LB960 LB961 LB977 LB977A  
LB981 LB990 LB1003A LB1006 LB1022 LB1033 LB1082A LB1082 LB1092 LB1093  
LB1105 LB1109 LR378CA LR459 LR460 LR461 LR462 LR465 LR466 LR467 LR468 LR469  
LR477 LR478 LR479 LR480 LR481 LR482 LR483 LR484]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE FORTY-SECOND DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN FOR TODAY IS FATHER PAUL RUTTEN OF THE BONACUM HOUSE, LINCOLN, NEBRASKA, SENATOR BOLZ'S DISTRICT. FATHER RUTTEN IS CELEBRATING HIS ELEVENTH YEAR OF OFFERING PRAYERS IN THE NEBRASKA UNICAMERAL. WELCOME, FATHER. PLEASE RISE.

FATHER RUTTEN: (PRAYER OFFERED.)

PRESIDENT FOLEY: THANK YOU, FATHER RUTTEN. I CALL TO ORDER THE FORTY-SECOND 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 LB817, LB1109, LB794, LB867, LB867A, LB894, LB1092, LB803, LB1033, LB467, LB910, LB910A AND LB1093 TO SELECT FILE, SOME HAVING ENROLLMENT

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AND REVIEW AMENDMENTS ATTACHED. NEW A BILL: (READ LB754A BY TITLE FOR THE FIRST TIME.) MR. PRESIDENT, THE GUBERNATORIAL APPOINTMENT LETTER FROM...AN APPOINTMENT TO THE GAME AND PARKS COMMISSION. AND AN ANNOUNCEMENT: EDUCATION COMMITTEE WILL HAVE EXECUTIVE SESSION IN ROOM 2022 AT 9:30. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 955-964.) [LB817 LB1109 LB794 LB867 LB867A LB894 LB1092 LB803 LB1033 LB467 LB910 LB910A LB1093 LB754A]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. MEMBERS, THE PINK GLAZED DOUGHNUTS BEING PASSED ON THE FLOOR TODAY ARE IN CELEBRATION OF THE ARRIVAL OF A NEW GRANDDAUGHTER OF SENATOR JIM SCHEER. SENATOR SCHEER HAS PROVIDED SUFFICIENT DOUGHNUTS FOR THE CLERK'S OFFICE, THE SENATORS, THE RED COATS, THE TROOPERS, AND THE PAGE STAFF AS WELL. CONGRATULATIONS, SENATOR SCHEER, AND THANK YOU VERY MUCH. (VISITORS INTRODUCED.) THE PRESIDENT RECOGNIZES SPEAKER HADLEY FOR AN ANNOUNCEMENT. SPEAKER HADLEY.

SPEAKER HADLEY: MR. PRESIDENT, GOOD MORNING, COLLEAGUES. I KNOW YOU GET PROBABLY A LITTLE TIRED OF ME STARTING THE WEEK OF TELLING YOU WHERE WE'RE AT, BUT I'M GOING TO DO IT ANYWAY. I'M HANDING OUT A STATUS OF THE PRIORITY BILLS. WE HAVE 16 DAYS REMAINING FOR DEBATE OF BILLS ON GENERAL FILE, ONE ADDITIONAL DAY FOR SELECT FILE. TO DATE WE HAVE PASSED ONLY FIVE OF OUR 107 PRIORITY BILLS WITH 15 SITTING ON FINAL READING. TODAY, WE WILL BRING...WE BEGIN OUR SCHEDULE OF WORKING THROUGH THE LUNCH HOUR WITH ONLY A 20-MINUTE BREAK. THIS WEEK OUR ADJOURNMENT TIME FOR THE NEXT THREE DAYS WILL BE AROUND-- AROUND--5:00. I WANT TO...SPECIFICALLY, TODAY IS CANADA DAY IN THE LEGISLATURE. WE HAVE THE CONSUL GENERAL HERE WHO WILL BE INTRODUCED LATER THIS MORNING ON THE FLOOR. AND TONIGHT AT 5:00, THERE IS A RECEPTION FOR THE STATE OF NEBRASKA TO WELCOME OUR NEIGHBORS FROM THE NORTH, FROM CANADA, AT THE NEBRASKA CLUB AND YOU ARE ALL INVITED TO THAT RECEPTION, WHICH INCLUDES ALL OF NEBRASKA STATE GOVERNMENT WILL BE THERE. SO I ENCOURAGE YOU TO COME TO THAT. NEXT WEEK, WE WILL BEGIN TO WORK UNTIL AROUND 7:00, IN ADDITION TO WORKING THROUGH THE LUNCH HOUR. TODAY LUNCH WILL BE PROVIDED WITH A 20-MINUTE RECESS. A MOTION FOR CLOTURE, IF THERE IS ONE NECESSARY TODAY ON LB745, WILL BE AROUND 12:30. IT IS MY INTENTION TO HOLD OFF OUR LUNCH RECESS UNTIL AFTER THE CLOTURE MOTION IS TAKEN UP BY THE BODY. SO LUNCH WILL NOT BE UNTIL AFTER THE CLOTURE MOTION. TOMORROW, WE'LL TAKE A LUNCH RECESS FROM 12:00 TO 1:00 AND IT

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WILL BE ON YOUR OWN TOMORROW FOR LUNCH FROM 12:00 TO 1:00. THURSDAY, WE WILL RETURN TO THE 20-MINUTE RECESS FOR LUNCH, WITH A PROVISION OF A MEAL, WITH THE PLANS TO WORK UNTIL 5:00 ON THURSDAY. AND THEN FRIDAY, OUR FINAL DAY OF THE WORK WEEK, WE WILL WORK THROUGH LUNCH WITH NO MEAL PROVIDED, AND RECESS IN MID-AFTERNOON ON FRIDAY TO GET THROUGH. SO AGAIN, I JUST WANTED YOU TO KNOW WHERE WE WERE AT IN THE WAY OF SCHEDULING. I AM CONTINUING TO WORK ON SCHEDULING, AND TRYING TO GET THE BILLS HERE TO THE FLOOR. WE STILL HAVE 16 BILLS, 16 PRIORITY BILLS IN COMMITTEE YET. SO IT'S A LITTLE DIFFICULT SOMETIMES TO WORK ON SCHEDULING WHEN YOU HAVE 16 OUT OF THE 170 THAT ARE STILL IN COMMITTEE. THANK YOU, MR. PRESIDENT. I WOULD BE HAPPY TO ANSWER ANY QUESTIONS THAT ANYBODY MIGHT HAVE IF THEY WANT TO STOP BY THE DESK, BUT PLEASE LEAVE MY DOUGHNUT ALONE. THANK YOU.

PRESIDENT FOLEY: THANK YOU, SPEAKER HADLEY. WE'LL NOW MOVE TO THE FIRST ITEM ON THE AGENDA, GENERAL FILE, 2016 SENATOR PRIORITY BILLS. MR. CLERK.

CLERK: MR. PRESIDENT, SENATOR McCOLLISTER OFFERED LB745. (READ TITLE.) SENATOR McCOLLISTER PRESENTED HIS BILL ON MARCH 9 AND THEN AGAIN ON MARCH 10, MR. PRESIDENT. THE...I DO HAVE AMENDMENTS TO THE BILL. [LB745]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. BEFORE WE MOVE TO THE SPEAKING QUEUE, SENATOR McCOLLISTER AND SENATOR CHAMBERS, PERHAPS YOU COULD TAKE JUST A MOMENT EACH TO REFRESH US ON WHERE WE ARE ON THE BILL. SENATOR McCOLLISTER. [LB745]

SENATOR McCOLLISTER: THANK YOU, MR. LIEUTENANT GOVERNOR, AND GOOD MORNING, COLLEAGUES, AFTER A NICE BREAK. THE NEBRASKA GAME AND PARKS COMMISSION DEPENDS ON A VARIETY OF LICENSES, FEES, PERMITS, AND STAMPS FOR 87 PERCENT OF ITS REVENUE. IT'S THE LEGISLATURE'S RESPONSIBILITY TO ESTABLISH FEE RANGES WITHIN (WHICH) THE COMMISSION MUST OPERATE. THE COMMISSION THEN ADJUSTS THE FEES WITHIN THESE LIMITS. THE 20 SECTIONS OF LB745 WOULD AMEND 29 SECTIONS AND SUBSECTIONS OF THE CURRENT LAW. IT WOULD ALLOW THE COMMISSION TO ADJUST FEES FOR 48 CATEGORIES OF LICENSES, PERMITS, STAMPS, AND OTHER MISCELLANEOUS REVENUE. WITH THAT, MR. PRESIDENT, I'M PREPARED TO TAKE QUESTIONS. [LB745]

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PRESIDENT FOLEY: THANK YOU, SENATOR McCOLLISTER. MR. CLERK. [LB745]

CLERK: MR. PRESIDENT, I DO HAVE AMENDMENTS. I HAVE A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO BRACKET LB745 UNTIL APRIL 20 OF 2016. [LB745]

PRESIDENT FOLEY: SENATOR CHAMBERS, YOU'RE WELCOME TO OPEN ON YOUR BRACKET MOTION. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I'VE TOUCHED ON WHAT MY INTENTIONS ARE WITH SENATOR McCOLLISTER. THIS AMENDMENT IS NOT GOING TO BE TAKEN TO A VOTE. THE AMENDMENTS ON THE BILL THAT ARE OFFERED ARE MINE. THERE ARE MORE THAN A DOZEN PAGES, I BELIEVE, AND EACH SHEET HAS SEVERAL PROPOSED AMENDMENTS. MY ULTIMATE INTENT IS TO OFFER AN AMENDMENT WHICH IS MY BILL TO PROHIBIT OR TAKE FROM THE GAME AND PARKS COMMISSION THE AUTHORITY TO SET MOUNTAIN LION HUNTING SEASONS. BUT THERE ARE SOME PRELIMINARY THINGS I WANT TO GET OUT OF THE WAY FIRST. AND I THOUGHT I WOULD DO IT ON SOME OF THESE TYPES OF MOTIONS BEFORE I GET TO THE AMENDMENT, WHICH IS TO ADD MY MOUNTAIN LION BILL AS AN AMENDMENT TO THIS BILL. BUT FOR THE MOMENT, I'D LIKE TO SET ALL THAT ASIDE AND TOUCH ON THE BILL ITSELF. SENATOR McCOLLISTER FRANKLY TOLD YOU THAT THERE ARE SOME 20-SOME-ODD FEES BEING CHANGED. THE DEPARTMENT OR THE GAME AND PARKS COMMISSION IS GOING TO TRY FOR A SLAM DUNK AND RAISE ALL OF THESE FEES AT ONE FELL SWOOP. SOME OF THEM MIGHT HAVE A RATIONALE. OTHERS WERE JUST THROWN INTO THE POT AND THE AMOUNTS THAT THEY ARE TO BE INCREASED ARE, IN MY OPINION, UNREASONABLE. FOR EXAMPLE, THE PARK ENTRY FEE PER DAY AND EVEN PER YEAR. THE ECONOMY IS NOT GOOD FOR EVERYBODY. THE PARKS SHOULD BELONG TO ALL OF THE PEOPLE. THEY CAN BE PRICED OUT OF THE RANGE OF CERTAIN PEOPLE IN THIS SOCIETY, SO I WOULD HAVE AMENDMENTS DESIGNED TO REDUCE SOME OF THOSE FEES. BUT BECAUSE OF OTHER POLITICAL VAGARIES THAT HAVE INTERVENED, IT IS NECESSARY FOR ME TO PURSUE A DIFFERENT COURSE. IN THE SAME WAY THAT PEOPLE SAY ISIS IS TO BE RELENTLESSLY PURSUED, THERE ARE PEOPLE WHO ARE WILY SEEKERS AFTER FEDERAL GRANTS WHO RELENTLESSLY SEEK THOSE GRANTS. NEBRASKA ITSELF RELENTLESSLY SEEKS CERTAIN FEDERAL LARGESS. I AM RELENTLESSLY SEEKING THE TERMINATION OF THE GAME AND PARKS COMMISSION'S AUTHORITY TO ESTABLISH HUNTING SEASONS ON MOUNTAIN LIONS. THERE IS MUCH FACTUAL DATA SUPPORTING MY POSITION, NONE SUPPORTING GAME AND PARKS'. EVEN IF THE SENATORS

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CHOOSE NOT TO LISTEN TO THE DISCUSSION TODAY, THERE ARE THINGS I WANT ON THE RECORD THAT I WANT PEOPLE WHO WATCH US TO HEAR WHAT IS BEING STATED. SO, I WILL SAY THIS. IF MY AMENDMENT IS ADDED, IS IT GOING TO HINDER ANYTHING THAT THE GAME AND PARKS COMMISSION IS DOING OR CONTEMPLATING DOING IN THE NEAR FUTURE? NO. RIGHT NOW, THEY WOULD NOT DARE ESTABLISH A HUNTING SEASON WITH ME IN THE LEGISLATURE AND THAT'S WHY THEY HAD TO FIND A WAY TO AVOID DOING IT WITHOUT SEEMING THAT THEY WERE BACKING UP. SO TO SAVE FACE, THEY SAID THEY WERE GOING TO UNDERTAKE A MULTI-YEAR STUDY TO DETERMINE THE POPULATIONS OF THESE ANIMALS, WHERE THEY ARE LOCATED, THEIR MOVEMENTS AROUND THE STATE IN THEIR THREE MAIN AREAS, THE NIOBRARA RIVER AREA, WILDCAT HILLS, AND THE PINE RIDGE. GAME AND PARKS ALREADY DID SOME SCIENTIFIC STUDYING TO DETERMINE THE NUMBER OF MOUNTAIN LIONS IN THIS STATE. IN 2014, THAT NUMBER WAS SET AT BETWEEN 15 AND 22. I PUT FORTH WHAT COULD BE CALLED A FULL-COURT PRESS TO PUNISH, AND I'LL USE THAT TERM, GAME AND PARKS FOR THEIR INAPPROPRIATE ACTION. IN THAT YEAR, WE HAD A BETTER CHAIRPERSON, A WISER CHAIRPERSON, LET ME SAY, OF THE NATURAL RESOURCES COMMITTEE WHO SUPPORTED THE BILL, WHO MADE SURE IT WAS ADVANCED. SENATOR AVERY AND OTHERS WERE HERE WHO WORKED ON BEHALF OF GAME AND PARKS OVER A PERIOD OF TIME, WHO SUPPORTED THAT BILL. IT WAS ENACTED INTO LAW. THE GOVERNOR, UNDER SOME PRESSURE FROM CABELA'S, VETOED THE BILL. I WAS ABLE TO GET 28 VOTES TO OVERRIDE. TWO SENATORS DID NOT DO AS THEY HAD INDICATED THEY WOULD DO. SO I AM BACK AGAIN. IF MY AMENDMENT IS ADDED TO THE GAME AND PARKS COMMISSION BILL, I WOULD THEN LOOK AT SPECIFIC FEE INCREASES. THAT'S WHAT I'M INTENDING TO DO. BUT AS THAT POET SAID, THE BEST LAID SCHEMES OF MICE AND MEN, AFT GANG AGLEY, WHICH WE WHO DON'T SPEAK THAT FORM OF ENGLISH WILL SAY, OFT GO ASTRAY. SO INTENDING SOMETHING DOES NOT MEAN THAT INTENTION WILL SEE FRUITION. SO I HAVE A HOST OF AMENDMENTS. I CAN EASILY TAKE US TO CLOTURE TODAY, DO IT AGAIN ON SELECT FILE, DO IT AGAIN ON FINAL READING. DO YOU THINK GAME AND PARKS CARES WHAT HAPPENS IN THE LEGISLATURE ABOUT THE PROCESS, DAMAGE THAT MAY OCCUR IN THE POLITICAL SETTING WHICH IS GOING TO BECOME INCREASINGLY HIGH PRESSURE? THEY COULDN'T CARE LESS. SO, I HANDED OUT TODAY WHAT I TERMED AN ALLEGORY. I INTEND TO READ A NUMBER OF THINGS INTO THE RECORD. THEY WILL ALL BE PERTINENT, MEANING, RELEVANT, AND ON POINT. I DON'T KNOW WHAT THE MOOD OF THE BODY IS, BUT I KNOW THERE ARE AT LEAST A COUPLE OF SENATORS WHO HAVE TRIED TO PREPARE THE WAY FOR AN AMENDMENT TO BE ADDED TO THIS BILL. WHETHER THAT WILL BE

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SUCCESSFUL, TIME WILL TELL. HOW MUCH TIME DO I HAVE, MR. PRESIDENT?  
[LB745]

PRESIDENT FOLEY: 2:45. [LB745]

SENATOR CHAMBERS: THANK YOU. I'M GOING TO HAVE TO HAVE THESE TYPES OF MOTIONS DEBATED NOT FOR THE PURPOSE OF EVEN TAKING THEM TO A VOTE, BUT TO GET SOME OF THE SIDE ISSUES ON THE RECORD AND TO ESTABLISH MY INTENT TO TAKE US TO CLOTURE, AND MAYBE TO TEACH ME A LESSON ON THIS BILL. A CLOTURE VOTE WILL BE SUCCESSFUL, BUT IF YOU LOOK AT WHAT I DENOMINATED THIS ALLEGORY, YOU WILL SEE THAT I COPIED PART OF TODAY'S AGENDA AND THE AGENDA SAYS FORTY-SECOND DAY. BUT WHAT I DID WAS PUT THE NUMBER 60 AND A MINUS SIGN, WHICH WOULD SAY 60 MINUS 42 EQUALS 18 DAYS. WHEN I WAS IN THE ARMY AND WE WERE APPROACHING THE END OF BASIC AND WE'RE GOING TO GO TO ADVANCED BASIC, WE WERE TOLD YOU'VE COME THIS FAR, YOU CAN DO THE REST OF IT STANDING ON YOUR HEAD, STACKING BBs IN A CORNER. WELL, THAT WAS A BIT OF AN OVERSTATEMENT, BUT I CAN DO 18 DAYS STANDING ON MY HEAD, STACKING BBs IN A CORNER. THE SPEAKER HAS MENTIONED THE AGENDA AND WHAT HE WOULD LIKE TO SEE THE BODY DO. I HAVE GIVEN FORTHRIGHTLY MY AGENDA AND WHAT I WOULD LIKE TO DO. I HAVE NO INTEREST IN TRYING TO SAVE THESE ANIMALS OTHER THAN THE FACT THEY WERE NATIVE TO THIS COUNTRY... [LB745]

PRESIDENT FOLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...TO THIS STATE. THEY ARE PART OF THE STATE'S NATURAL RESOURCES. THEY DO NOT EXIST SIMPLY FOR THE FUN AND KILLING FOR SPORT OF THOSE WHO CALL THEMSELVES HUNTERS AND WHO HAVE BEEN ALLOWED TO USE DOGS, ONE OF THEM HAVING PAID \$13,500 FOR THAT, QUOTE, PRIVILEGE, UNQUOTE. THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. WE'LL NOW PROCEED TO DEBATE ON LB745 AND THE PENDING BRACKET MOTION. SENATOR SCHEER, YOU'RE RECOGNIZED. [LB745]

SENATOR SCHEER: THANK YOU, MR. LIEUTENANT GOVERNOR. WOULD SENATOR McCOLLISTER YIELD? [LB745]

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PRESIDENT FOLEY: SENATOR McCOLLISTER, WOULD YOU YIELD, PLEASE? [LB745]

SENATOR McCOLLISTER: SENATOR McCOLLISTER WILL YIELD. [LB745]

SENATOR SCHEER: SENATOR, IS THERE A LIFETIME PARKING PERMIT FEE? [LB745]

SENATOR McCOLLISTER: THERE IS A LIFETIME FEE THAT YOU CAN PAY TO THE GAME AND PARKS COMMISSION TO ENTER THE PARKS, AND THE CURRENT FEE, SENATOR SCHEER, IS \$25. [LB745]

SENATOR SCHEER: TWENTY-FIVE DOLLARS AND THAT'S FOR A LIFETIME. SO IN ORDER TO DO THINGS PROPERLY, I WANT TO MAKE SURE THAT WE'RE TALKING ABOUT A BILL HERE, BUT I JUST SO HAPPEN TO BE THE PROUD GRANDPARENT OF A GRANDDAUGHTER BORN LAST THURSDAY, STELLA RACHEL VRBICKY, THAT I'M EXTREMELY PROUD OF, AND SO IF I WERE TO BUY HER THAT LIFETIME PERMIT, LITERALLY SHE COULD GO IN THE PARK FOR THE NEXT 100 YEARS. [LB745]

SENATOR McCOLLISTER: THAT'S CORRECT, SENATOR SCHEER. AND LET ME BE THE FIRST TO CONGRATULATE YOU ON THE MIKE. BY THE WAY, THERE'S NO LIMIT TO THE NUMBER OF PEOPLE IN YOUR CAR, SO A NEW DAUGHTER, RACHEL, AND HER ENTIRE FAMILY CAN COME INTO THE PARK INSIDE ONE CAR FOR A CHARGE OF \$25. [LB745]

SENATOR SCHEER: WELL, THAT SOUNDS LIKE A BONUS PACK TO ME, SO THANK YOU VERY MUCH, SENATOR McCOLLISTER. THANK YOU, MR. LIEUTENANT GOVERNOR. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHEER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB745]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES. YOU JUST AS WELL STAY STANDING, SENATOR McCOLLISTER. SENATOR McCOLLISTER, TRUE TO HIS WORD, DID JOURNEY UP TO NORTHEAST NEBRASKA THIS LAST WEEKEND, AND WE TOOK A SMALL TOUR OF SOME OF WHAT GAME AND PARKS IS DOING. AND I'M SURE HE'LL GET TO WHERE HE COMMENTS ON THAT AT SOME POINT THIS MORNING. YOU KNOW, SENATOR CHAMBERS MENTIONED A LITTLE BIT AGO THAT THE PARKS ARE BY DESIGN

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FOR THE REGULAR PUBLIC TO USE. AND IN SOME CASES, THE PUBLIC CAN'T AFFORD TO DO SO. AND I SAID FROM THE ONSET THAT SOME OF THESE FEES PROBABLY DO NEED INCREASED. I'M NOT OPPOSED TO SOME OF THAT. I'M JUST A LITTLE BIT OPPOSED TO THE WAY THEY GO ABOUT THINGS. SENATOR McCOLLISTER PASSED OUT A PAPER LAST WEEK THAT SHOWED SOME OF THE DEFERRED MAINTENANCE ISSUES: \$1 MILLION OF THAT DEFERRED MAINTENANCE, QUOTE UNQUOTE, IS TEN NEW CABINS. THAT'S NOT MAINTENANCE, THAT'S NEW CONSTRUCTION. ANOTHER PART OF IT IS A COUPLE MILLION DOLLARS FOR A NEW WATER PARK. THE OLD SWIMMING POOL HAS BEEN THERE SINCE 1956. IT DEFINITELY NEEDED SOME UPDATING AND MAYBE EVEN REPLACED. BUT THE EXPANSION TO THE POINT THEY'RE GOING, WHILE IT WOULD BE VERY NICE, BE WELCOME IN THE COMMUNITY, THAT'S NOT ALL DEFERRED MAINTENANCE. THAT'S NEW SPENDING. AND AS FAR AS WHO CAN AFFORD TO GO TO THE PARKS AND STAY IN THESE CABINS, THOSE CABINS IN PEAK SEASON WHEN PEOPLE REALLY WANT TO GO TO THE PARK, 300-AND-SOME DOLLARS A NIGHT. I DON'T KNOW THAT A FAMILY OF SEVEN CAN AFFORD THAT NECESSARILY. IF WE WANT TO INCREASE SOME HUNTING FEES, RAISE THE ENTRANCE FEES ON OUT-OF-STATE VEHICLES, I CERTAINLY HAVE NO PROBLEM WITH THAT. BUT TO CALL EVERYTHING THEY'RE WANTING TO DO DEFERRED MAINTENANCE WHEN YOU SEE THEM ACQUIRING MORE LAND IN RECENT YEARS, AND LAND THAT SHOULD BE FARMED AND BE ON THE PROPERTY TAX ROLLS, WAS AT ONE TIME IRRIGATED FARM GROUND, JUST DOESN'T SEEM RIGHT TO ME. WE'LL SEE WHERE THIS GOES. I, LIKE SENATOR CHAMBERS, WOULD LIKE TO SEE SOME OF THESE FEES AMENDED, THE FEE INCREASES, BUT UNDER SENATOR CHAMBERS' PLAN, IT DOESN'T LOOK LIKE WE'RE GOING TO GET TO THAT UNLESS WE DO IT SOMETIME LATER ON. I WOULD REALLY LIKE TO SEE THIS BILL BROKEN UP AND BROUGHT BACK NEXT YEAR INSTEAD OF TRYING TO GET EVERYTHING IN ONE FELL SWOOP BECAUSE THERE IS A LOT TO DIGEST IN THERE IF YOU STUDY THROUGH THE BILL. THERE'S A LOT OF INCREASES. THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB745]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. I WOULD LIKE TO THANK SENATOR BLOOMFIELD AND HIS BROTHER, DAN, FOR AN EXTENSIVE TOUR OF THE PONCA STATE PARK. THAT PARK IS A JEWEL, AN ABSOLUTE JEWEL. I MET THE SUPERINTENDENT OF THE PARK, JEFF FIELDS, QUITE IMPRESSED WITH HIM. THE CONDITION OF THE PROPERTY IS FIRST CLASS, SO I GOT A GOOD VIEW OF THE PARK AND I'M GRATEFUL FOR THAT TOUR FROM SENATOR BLOOMFIELD



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AND HIS BROTHER. I EVEN BOUGHT HIM LUNCH IN NEWCASTLE AT WAYNE'S RESTAURANT, WHICH WAS QUITE TASTY. A FEW THINGS WE NEED TO GET STRAIGHT. FIRST OFF, YOU NEED TO UNDERSTAND THAT THIS SIMPLY INCREASES THE STATUTORY OF THE GAME AND PARKS COMMISSION TO ESTABLISH CAPS AS THEY GO ALONG. WE LAST DID THAT, WE LAST DID THAT, IN 2003. SO IT'S BEEN A GOOD LONG TIME. THEY THEN WILL TAKE A LOOK AT THOSE CAPS AND JUDICIOUSLY INCREASE THEM OVER A PERIOD OF TIME, AND THOSE FEES WERE LAST INCREASED IN 2010. SO YOU CAN SEE IT'S BEEN A GOOD NUMBER OF YEARS SINCE THAT OCCURRED. I SHOULD ALSO MENTION THAT THE CAPS ARE UNDER THE CPI. IF YOU WERE TO TAKE ANY OF THOSE FEES THAT WE PASSED OUT--AND I THINK YOU RECEIVED A DOCUMENT LAST WEEK--IT IS UNDER THE CONSUMER PRICE INDEX. SO I THINK YOU'D HAVE TO SAY THAT THEY'VE BEEN VERY JUDICIOUS IN TERMS OF HOW THEY'VE INCREASED THE FEES. FINALLY, WE NEED TO CHANGE THE NUMBER OF MOUNTAIN LIONS WE THINK OF IN THE STATE OF NEBRASKA. THE NUMBER COMMONLY THROWN OUT IS 20 TO 24...22 TO 24, BUT THAT IS IN JUST ONE OF THE THREE AREAS, AND THAT'S THE PINE RIDGE. SO IT COULD WELL BE A GREAT MANY MORE MOUNTAIN LIONS IN THE STATE THAT WE JUST DON'T KNOW ABOUT. AND I'M VERY HOPEFUL THAT THE STUDY, THE ONGOING STUDY FROM GAME AND PARKS WILL GIVE US A BETTER IDEA OF THE NUMBER OF MOUNTAIN LIONS. LASTLY, GAME AND PARKS HAS DONE A GOOD JOB WITH THAT POPULATION. YES, WE'VE HAD ONE HUNTING SEASON, BUT THEY AMONG ALL OF US HERE WANT TO SEE THE MOUNTAIN LION FLOURISH IN THE STATE, AND I'M POSITIVE THEY'LL DO A GOOD JOB MANAGING THAT POPULATION. THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR McCOLLISTER. SENATOR CHAMBERS. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, TOUCHING SOMEWHAT ON THE MONEY THAT GAME AND PARKS HAS, IN THEIR 2014 REPORT--ANNUAL REPORT--GAME AND PARKS SPENT \$5.5 MILLION FOR LAW ENFORCEMENT, \$5.5 MILLION. FOR COMMUNICATIONS, THEY SPENT \$4,600,000. A LITTLE LESS THAN A MILLION DOLLARS DIFFERENCE BETWEEN WHAT THEY SPENT FOR COMMUNICATIONS AND WHAT THEY SPENT FOR LAW ENFORCEMENT. COMMUNICATIONS WOULD BE...INCLUDE ADVERTISEMENTS, PROMOTING, PUTTING OUT THAT SLICK MAGAZINE THEY PUT OUT, WHICH I GET AND I READ. SO WHEN SENATOR McCOLLISTER WANTS CASUALLY TO SAY THEY HAVE BEEN JUDICIOUS, IF YOU LOOK AT THE FACTS, THERE COULD BE A LOT OF DIFFERENCES OF OPINION ABOUT THAT. AND WHERE THE GAME AND PARKS COMMISSION, NOT ONE THAT RICH PEOPLE LIKE, THERE

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WOULD BE MUCH GREATER SCRUTINY AS IS GIVEN HERE SOMETIMES TO THE POINT OF BEING RIDICULOUS OF VARIOUS STATE ENTITIES, WHICH HAVE AN OBLIGATION UNDER THE CONSTITUTION TO LOOK AFTER THE WELFARE OF THE CITIZENS AT LARGE, IN SOME INSTANCES CERTAIN CATEGORIES IN OTHERS. BUT AS SENATOR BLOOMFIELD POINTED OUT, SOME OF THAT WILL COME LATER. I'VE BEEN WATCHING GAME AND PARKS FOR SOME TIME. AND IT WOULD BE INTERESTING TO SEE WHAT KIND OF PERKS--PERQUISITES, CALLED PERKS,-- THAT THESE PEOPLE ON THE COMMISSION PROCURE. BUT THAT'S NOT WHAT I'M TALKING ABOUT. WHAT I WANT TO DO IS READ MY ALLEGORY. IT SAYS NO EXPLANATION OR, QUOTE, INTERPRETATION, UNQUOTE, WILL BE FORTHCOMING. THE LION, THE FOX, AND THE BEAST, AN ALLEGORY. ONCE A LION OF SULFUROUS BREATH, / PROCLAIMED WITH A ROAR UNDER PAIN OF DEATH, / NO BEASTS WITH HORNS SHALL DWELL IN THIS LAND. / LET EVERY HORNED BEAST, HEED THIS COMMAND. / A BEAST WITH A LUMP OF FLESH ON HIS HEAD, GREATLY AFFRIGHTED, THROUGH THE FOREST FLED. / LEAVES WERE SENT FLYING, ALONG WITH LOOSE ROCKS. / "WHY ARE YOU RUNNING SO?" QUERIED A FOX, / WHOSE SWIFTESS BROUGHT HIM ABREAST OF THE BEAST; / "TELL ME! PAUSE FOR AN INSTANT, AT LEAST." / "DID YOU, FOX, HEAR WHAT THE LION PROCLAIMED?" / "FOOLISH BEAST!", FOX LAUGHED, "HIS WORDS WERE NOT AIMED AT YOU!" / THAT'S NO HORN ATTACHED TO YOUR HEAD; / "YOU'VE NOTHING TO FEAR, BEAST, STAY PUT!" THE FOX SAID. / "I KNOW IT'S NO HORN, YOU KNOW IT'S NO HORN," THE BEAST CRIED, / "BUT HEAR ME, AS SURE AS WE'RE BORN, WHAT WE MAY KNOW DOES MEAN NOTHING AT ALL--FLESH IS A HORN IF A HORN IS HIS CALL. / THIS LUMP OF FLESH WHICH MY HEAD DOTH ADORN, NO LONGER IS FLESH IF HE CALLS IT A HORN. / COMPREHEND FULLY, MY TERROR AND PALLOR; FLEEING, O FOX, IS THE BEST PART OF VALOR." / "GOD HATES A COWARD" THE FOX SNARLED WITH SCORN; / "THERE IS NO WAY HE COULD CALL FLESH A HORN. / YOU ARE TOO TIMID O BEAST FOR YOUR GOOD. WHERE WE ARE STANDING, GREAT HEROES HAVE STOOD. SUMMON SOME COURAGE AND COMMON SENSE TOO--THIS LAND BELONGS TO THE LION AND YOU! / SCORN NOT MY COUNSEL, BEAST, FLEE NOT AWAY. / GIVE IT SOME THOUGHT, YOU'LL ACCEPT WHAT I SAY. / THERE IS NO NEED A GREAT DISTANCE TO ROAM. / BEAST, YOU ARE SAFE HERE FOR THIS IS YOUR HOME." / EYEING THE FOX WITH A GLINT IN HIS EYE, AND WICKEDLY SMILING, BEAST SAID "BY THE BY... [LB745]

PRESIDENT FOLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...YOU SHOW GREAT FORTITUDE COUNSELING ME NOT TO BE FEARFUL. / LET'S TURN THAT AND SEE IF WHAT YOU COUNSEL IS VALID AND

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TRUE. / LET US APPLY ALL THOSE BRAVE WORDS TO YOU." / WARY, THE FOX SAID, "FRIEND, BEAST, SPEAK YOUR MIND. / AND SO I SHALL. / BY THAT TACK WE SHALL FIND WHETHER THE FOX, KNOWN FOR CUNNING PLIES WILES, WEAVING A WORD-NET THAT TRICKS AND BEGUILLES." I'LL FINISH IT THE NEXT TIME I'M RECOGNIZED BECAUSE I THINK MY TIME IS UP, MR. CHAIR. [LB745]

PRESIDENT FOLEY: A HALF MINUTE, SENATOR. [LB745]

SENATOR CHAMBERS: I THINK I'LL WAIT UNTIL THE NEXT TIME. [LB745]

PRESIDENT FOLEY: THANKS, SENATOR CHAMBERS. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB745]

SENATOR McCOLLISTER: THANK YOU, MR. LIEUTENANT GOVERNOR. JUST A FEW COMMENTS RELATED TO SENATOR BLOOMFIELD AND SENATOR CHAMBERS' COMMENTS. AS I MENTIONED IN MY INTRODUCTION, 87 PERCENT OF THE FEES AND LICENSES AND STAMPS ARE THE REVENUE SOURCES FOR GAME AND PARKS. PEOPLE WHEN THEY ATTEND OUR PARKS, IT'S A VOLUNTARY EXERCISE OF THEIR FREEDOM. AND THEY CAN COME INTO THE PARKS, OR THEY CERTAINLY DON'T HAVE TO. SO A CERTAIN AMOUNT OF PROMOTION IS ABSOLUTELY NECESSARY IF WE'RE GOING TO GET GOOD ATTENDANCE AT OUR PARKS. I SHOULD ALSO POINT OUT THAT THOSE PARKS OF OURS BRING IN \$2.4 BILLION WORTH OF REVENUE, SO I WOULD HAVE TO SAY THAT THOSE TWO EXAMPLES OF EXPENSE THAT SENATOR CHAMBERS NOTED IS A GOOD INVESTMENT. RELATED TO THE COMMISSIONERS, THIS IS SOMETHING WE NEED TO CLEAR UP THIS MORNING. COMMISSIONERS SERVE VOLUNTARILY. THEY DO NOT RECEIVE COMPENSATION, NO COMPENSATION AT ALL. THEY DO, HOWEVER, LIKE SENATORS IN THE BODY, RECEIVE EXPENSES. WHEN THEY USE THE FACILITIES WITH THEIR FAMILIES, THEY PAY THE SAME FEES THAT WE PAY OR ANY OTHER NEBRASKAN PAYS. SO, IT'S A VOLUNTARY ASSIGNMENT AND THEY WILLINGLY TAKE THAT ON, AND THEY ARE A VERY QUALIFIED BUNCH OF PEOPLE, SO I'M GRATEFUL THEY ARE WILLING TO SERVE. WITH THAT, THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR McCOLLISTER. SENATOR CHAMBERS. [LB745]

SENATOR CHAMBERS: THANK YOU. HERE IS THE CONCLUSION. "HAVE YOU CONSIDERED, FOX, YOU SHOULD HAVE FEARS? / SUPPOSING THE LION

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PROCLAIMS YOUR SHARP EARS REALLY ARE HORNS! / WHAT, THEN, WOULD YOU SAY?" / "YIKES," YIPPED THE FOX, "LET US HASTEN AWAY! / WE BEST NOT TARRY MY, LUMP-HEADED FRIEND, LEST LION DEALS BOTH OF US A BAD END." NEITHER WAS SEEN MORE, NOR HEARD OF AGAIN. MORAL: EASY TO COUNSEL, IGNORE DIREST DANGER WHEN IT DOES MENACE NOT THEE, BUT YON STRANGER. THIS IS A POSTSCRIPT HERE. GRANTING TO GAME AND PARKS WHAT IS THEIR DUE, / THEY ARE QUITE WILLING, A SENATOR OR TWO, / TO SACRIFICE --YES--ON THE ALTAR OF WRATH, / SO LONG AS SUCH SENATORS HEW TO THE PATH MARKED OUT BY GAMES AND PARKS. / WHAT DOES IT MATTER IF GOUTS OF BLOOD OF THOSE SENATORS SPATTER ALL OF CREATION? / NAUGHT WILL THEY SAY; 'TIS WORTH IT--IF GAMES AND PARKS DO GET THEIR WAY." FINALLY, ENDING THIS EXERCISE, THOUGH IT SOUNDS SNIDE, I MUST REMIND ALL THAT TIME'S ON MY SIDE. YES, IT IS. AND I'M AS SERIOUS AS A HEART ATTACK. I HAVE NOTHING BUT TIME DURING THESE REMAINING 18 DAYS. GAME AND PARKS IS SETTING THE AGENDA TODAY AND THE REST OF THE SESSION. TO MY KNOWLEDGE AND RECOLLECTION, THEY HAVE NOT BROUGHT A BILL THAT ATTEMPTED TO AMEND SO MANY FEES UPWARD. I REMEMBER WHEN...I THINK IT WAS SENATOR LARSON AND OTHERS WHO WERE CONCERNED ABOUT ONE OF THESE CHECK OFF PROGRAMS WHERE THE PEOPLE ON THE BOARD COULD DO CERTAIN THINGS IN TERMS OF RAISING FEES WITHOUT COMING BACK TO THE LEGISLATURE, AND IT WAS FELT THAT THERE WOULD BE NO OVERSIGHT, BECAUSE THE PEOPLE ON THOSE BOARDS HAD NOT BEEN ELECTED BY THOSE WHO WERE GOING TO PAY THESE COSTS. WELL, WHAT SENATOR McCOLLISTER IS DOING WITH THE BILL THAT WAS DRAFTED AND CRAFTED BY GAME AND PARKS IS CREATING RANGES OF FEES, NOT THAT THESE AMOUNTS ARE NEEDED, THEY ARE NOT NEEDED. IF THEY WERE NEEDED, THE REQUEST WOULD BE MADE FOR SUCH AND SUCH A DOLLAR AMOUNT. THEY WANT TO BE ABLE TO HAVE THIS SCALE SLIDE UPWARD WITHOUT COMING BACK TO THE LEGISLATURE. I WOULD LIKE TO ASK SENATOR McCOLLISTER A QUESTION OR TWO. [LB745]

PRESIDENT FOLEY: SENATOR McCOLLISTER, WOULD YOU YIELD, PLEASE? [LB745]

SENATOR McCOLLISTER: YES, I WILL. [LB745]

SENATOR CHAMBERS: SENATOR McCOLLISTER, ON THE AVERAGE, HOW MUCH TIME WOULD ELAPSE BEFORE THESE FEES WOULD BE RAISED TO THE MAXIMUM AMOUNT THAT IS ALLOWED UNDER YOUR BILL? [LB745]

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SENATOR McCOLLISTER: WELL, IF WE LOOK AT PAST EXPERIENCE THE...A BILL TO INCREASE THE CAPS WAS LAST PASSED IN 2003 AND THEN IT TOOK NEARLY SEVEN YEARS FOR THE GAME AND PARKS TO FINISH RAISING THE FEES UP TO THE ESTABLISHED CAPS. [LB745]

SENATOR CHAMBERS: WELL, SENATOR McCOLLISTER, IF THESE FEES RAISED AT SUCH A SLOW AMOUNT, WHY IS IT NECESSARY FOR US TO PUT A RANGE LIKE THIS? WHY NOT LET THEM COME WHEN THEY NEED THE MONEY, AS THE UNIVERSITY, AS THE DEPARTMENT OF CORRECTIONS, AS EVERY STATE DEPARTMENT MUST DO? [LB745]

SENATOR McCOLLISTER: WELL, I THINK THIS IS A CONVENIENT WAY TO DEAL WITH IT. THE COMMISSIONERS THAT SERVE ON THAT BODY ARE GOOD BUSINESS PEOPLE, AND THEY WILL CERTAINLY BE CAREFUL IN THE FEE INCREASES THAT THEY MAKE. RATHER THAN COME BEFORE THIS BODY EVERY YEAR FOR A DIFFERENT SET OF FEES, I THINK THIS IS THE EXPEDIENT WAY FOR US TO PROCEED. [LB745]

SENATOR CHAMBERS: WHAT ABOUT EVERY TWO YEARS? [LB745]

SENATOR McCOLLISTER: WELL, I THINK WE'RE LOOKING HERE AT EVERY 12, 13 YEARS. [LB745]

PRESIDENT FOLEY: ONE MINUTE. [LB745]

SENATOR McCOLLISTER: SO I THINK THAT'S PROBABLY A PRETTY GOOD SYSTEM. WE'VE GOT A GOOD PARK SYSTEM AND THIS INCREASE IN FEES POTENTIALLY... [LB745]

SENATOR CHAMBERS: OKAY, BEFORE MY TIME IS OUT, DON'T YOU THINK ALL OF THESE STATE AGENCIES WOULD LIKE THE SAME THING WHERE THEY DON'T HAVE TO COME BACK AND HAVE THESE BUDGETS PRESENTED TO THE LEGISLATURE ON A REGULAR BASIS? WOULDN'T THEY LIKE TO HAVE THE SAME CONSIDERATION GIVEN TO THEM? MOST OF THEM ARE HEADED BY APPOINTEES OF THE GOVERNOR. THEY'RE GOOD BUSINESS PEOPLE. THEY'RE HONEST PEOPLE. WHY NOT ENTRUST THEM WITH THE SAME THING YOU'RE GIVING TO GAME AND PARKS? [LB745]

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SENATOR McCOLLISTER: WELL, THAT'S UNDER THE CARE OF THE LEGISLATURE. IF THEY FEEL LIKE THAT'S WARRANTED, I'M SURE THEY'D AGREE TO IT, BUT I...WE'RE ON A TWO-YEAR BUDGET CYCLE, AND WE SHOULDN'T CHANGE A PATTERN THAT SEEMS TO BE WORKING. [LB745]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS AND SENATOR McCOLLISTER. SEEING NO OTHER SENATORS IN THE QUEUE, SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON THE BRACKET MOTION. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I SAID THIS WOULDN'T BE TAKEN TO A VOTE. I WILL HAVE TO DO THAT--I THOUGHT THERE MIGHT BE MORE DISCUSSION--BUT ONLY SO THAT I CAN OFFER A RECONSIDERATION MOTION. I WILL NOT ASK FOR A CALL OF THE HOUSE. I WILL JUST TAKE WHATEVER THE VOTE IS. IT WILL BE VOTED DOWN, I KNOW. BUT THEN I WILL HAVE TO RECONSIDER SO THAT I CAN GET SOME OF THESE OTHER ISSUES INTO THE RECORD. AND THE SPEAKER HAS POINTED OUT THAT WE'RE GOING TO STAY HERE UNTIL ABOUT 12:30, THAT'S WHEN THE CLOTURE MOTION WILL BE ALLOWED PURSUANT TO THE RULES. AND THEN, YOU'RE FREE TO DO WHATEVER YOU WANT TO DO. I FORGET WHAT ELSE HE SAID BECAUSE ONCE HE STOPPED TALKING ABOUT CLOTURE, I DIDN'T HAVE MUCH INTEREST IN THE REST OF WITH ALL DUE RESPECT. TODAY IS LB745 DAY, AS FAR AS I'M CONCERNED. I WOULD LIKE TO ASK SENATOR McCOLLISTER A...OH, THAT'S ALL RIGHT, IF YOU'RE NOT AT YOUR DESK. I WOULD LIKE TO ASK SENATOR McCOLLISTER A QUESTION IF HE WOULD YIELD. [LB745]

PRESIDENT FOLEY: SENATOR McCOLLISTER, WOULD YOU YIELD, PLEASE? [LB745]

SENATOR McCOLLISTER: YES, I WILL. [LB745]

SENATOR CHAMBERS: SENATOR McCOLLISTER, DID YOU PERSONALLY REVIEW EACH ONE OF THESE PROPOSED NEW CAPS AND DO SOME CALCULATING TO DETERMINE WHETHER EVERY ONE OF THEM WAS WARRANTED? [LB745]

SENATOR McCOLLISTER: WELL, WE HAVE ALL THOSE CAPS ON A SPREADSHEET AND I DID LOOK AT THEM, AND WE COMPARED THOSE WITH THE CPI AND THEY ALL SEEMED IN LINE TO ME, SENATOR. [LB745]

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SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, THAT'S NOT GOOD ENOUGH FOR ME. THIS BILL IS A TAX BILL. THEY LIKE TO SAY, WELL, IT'S NOT THE STATE DOING IT. YES, IT IS. THE LEGISLATURE IS DOING IT. AND THE GAME AND PARKS COMMISSION IS ITS AGENT, AND THE LEGISLATURE HAS NO OVERSIGHT OVER THE GAME AND PARKS COMMISSION. ITS MEMBERS ARE APPOINTED BY THE GOVERNOR. WITH ALL THIS TALK OF REDUCING TAXES, YOU ALWAYS PUT IT IN THE CONTEXT OF FARMERS AND RANCHERS, THE RURAL COMMUNITY AND AGRICULTURAL INTERESTS. NOW WE'RE TALKING ABOUT A DIRECT AMOUNT ON THE CITIZENS THEMSELVES. THIS AMOUNT GOES DIRECTLY ON THE CITIZENS THEMSELVES. THERE IS MONEY RAISED THROUGH ACTIVITIES BY THE DEPARTMENT OF MOTOR VEHICLES THAT WILL GO TO THE STATE DEPARTMENT OF ROADS, THEN FIND ITS WAY TO THE DEPARTMENT OF...TO THE GAME AND PARKS COMMISSION. THIS--EVEN IF YOU WANT TO SAY THAT IT'S A USER FEE--YOU'D RATHER NOT CALL IT A TAX, WHEN THOSE WHO DO NOT USE AN ACTIVITY OR FACILITY ARE CHARGED NEVERTHELESS, THEY'RE PAYING A TAX. THEY'RE NOT GETTING ANYTHING FOR THEIR MONEY. I'D VENTURE TO SAY SENATOR McCOLLISTER DOESN'T EVEN KNOW ALL OF THE INSTANCES WHERE DIFFERENT ENTITIES COLLECT MONEY THAT IS SENT TO THE TREASURY BUT MARKED TO THE BENEFIT OF GAME AND PARKS. RECREATION TRAILS, THINGS THAT THOSE WHOSE MONEY WILL BE TAKEN WITHOUT THEIR CONSENT, A LOT OF TIMES WITHOUT THEIR KNOWLEDGE BECAUSE IT'S ROLLED INTO SOME OTHER FEE SYSTEM AND THEY DO NOT GET ANY BENEFITS WHATSOEVER. THESE CONSERVATIVES ARE VERY FLEXIBLE WHEN IT COMES TO GETTING MONEY OUT OF THE PUBLIC'S POCKET. IF IT'S SOMETHING THAT'S GOING TO GO TO THOSE UPPER GROUPS THAT ARE FAVORED, THEN A TAX IS ALL RIGHT, BUT YOU'LL CALL IT SOMETHING ELSE. THESE FEES SHOULD BE EXAMINED, ONE BY ONE. AND BEFORE THE MORNING IS OVER, I'M GOING TO OFFER MY AMENDMENT TO TAKE FROM GAME AND PARKS THE AUTHORITY TO ESTABLISH A MOUNTAIN LION HUNTING SEASON. I STARTED EARLIER BY TELLING YOU HOW THEY WOULDN'T DARE SET ANOTHER HUNTING SEASON WHILE I'M HERE, AND THEY FOUND SOME CONVENIENT BASES FOR NOT HAVING A HUNTING SEASON THIS YEAR, NOT HAVING ONE NEXT YEAR... [LB745]

PRESIDENT FOLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...AND THEY'RE PRAYING THAT I WON'T GET REELECTED. BUT SHOULD EVERYTHING LINE UP AND I'D BE REELECTED, I'LL BE HERE FOUR ADDITIONAL YEARS. I DO NOT BELIEVE DURING THAT TIME GAME AND PARKS WILL ESTABLISH A MOUNTAIN LION HUNTING SEASON. IF YOU ADOPT MY AMENDMENT, IT WILL DO THE PROCESS SOME GOOD. IT WILL DO ME SOME

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GOOD IN TERMS OF MY ATTITUDE AND MY CONDUCT WITHOUT HARMING GAME AND PARKS IN ANY WAY, SHAPE, OR FORM. SO BEING POLITICAL, BEING PRAGMATIC, BEING REALISTIC, MY AMENDMENT, WHEN OFFERED, SHOULD BE ADOPTED. BUT IF THEY GET 33 VOTES THEY DON'T HAVE TO DO ANYTHING AT ALL. THEY DON'T HAVE TO MODIFY THOSE FEES. THEY DON'T HAVE TO DO ANYTHING. BUT IT WILL TAKE US A WHILE TO GET TO THAT POINT. [LB745]

PRESIDENT FOLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) MEMBERS, YOU'VE HEARD THE DEBATE AND THE CLOSING ON THE BRACKET MOTION. ALL THOSE IN FAVOR OF THE BRACKET MOTION VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK. [LB745]

CLERK: 1 AYE, 14 NAYS, MR. PRESIDENT, ON THE MOTION TO BRACKET THE BILL. [LB745]

PRESIDENT FOLEY: THE BRACKET MOTION IS NOT ADOPTED. MR. CLERK. [LB745]

CLERK: MR. PRESIDENT, A PRIORITY MOTION. SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE TAKEN ON THE BRACKET MOTION. [LB745]

PRESIDENT FOLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR RECONSIDERATION MOTION. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, ONE OTHER ISSUE THAT I HAVE RAISED REPEATEDLY IS THAT WHEN THIS FIRST AUTHORITY WAS GIVEN TO THE COMMISSION TO ESTABLISH A HUNTING SEASON ON MOUNTAIN LIONS, CONTRARY TO WHAT WAS INDICATED BY PEOPLE WHO WERE SPEAKING AGAINST MY BILL THE FIRST TIME I BROUGHT IT, THERE WAS NOT A LOT OF SERIOUS DISCUSSION GIVEN TO IT. THERE WAS NOTHING SHOWN THAT INDICATED THAT THESE ANIMALS OUGHT TO BE HUNTED. SO, WHAT I HAVE IS A COPY OF THE LEGISLATION OF WHICH THIS WAS A PART. HERE IS FROM LB928, APPROVED BY THE GOVERNOR, APRIL 17, 2012. SECTION 1: IT MENTIONS THAT THESE PARTICULAR SECTIONS WILL BECOME A



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PART OF THE GAME LAW. SECTION 2: THE COMMISSION MAY ISSUE PERMITS FOR HUNTING MOUNTAIN LIONS AND MAY ADOPT AND PROMULGATE RULES AND REGULATIONS THEREFORE, WITHIN THE LIMITATIONS PRESCRIBED IN SUBSECTION (1) OF SECTION 37-447, AND SECTION 37-452 FOR HUNTING DEER. ANY AUTHORIZED PERMITS SHALL BE ISSUED TO RESIDENTS OF NEBRASKA EXCEPT THAT PERMITS ISSUED BY AUCTION MAY BE ISSUED TO NONRESIDENTS. THAT AUCTION--DIGRESSING--WAS TO RAISE A LOT OF MONEY. AND THE FIRST ONE THEY HAD RAISED \$13,500 FOR A PERMIT TO KILL A MOUNTAIN LION, AND DOGS WERE ALLOWED. FOR EVERY OTHER PERSON WHO PURCHASED THE PERMIT TO HUNT MOUNTAIN LIONS, DOGS WERE SPECIFICALLY PROHIBITED. SUBSECTION (2) OF SECTION 2: THE COMMISSION SHALL PURSUANT TO SECTION 37-27 ESTABLISH AND CHARGE A NONREFUNDABLE APPLICATION FEE OF NOT MORE THAN \$25 FOR PERMITS ISSUED ONLY TO RESIDENTS. ANY NUMBER OF RESIDENTS-ONLY PERMITS AS AUTHORIZED BY THE COMMISSION, SHALL BE AWARDED BY RANDOM DRAWING TO ELIGIBLE APPLICANTS. NO PERMITS FEE SHALL BE CHARGED IN ADDITION TO THE NONREFUNDABLE APPLICATION FEE. SUBSECTION (3): NO MORE THAN ONE ADDITIONAL PERMIT MAY BE AUTHORIZED AND ISSUED PURSUANT TO AN AUCTION OPEN TO RESIDENTS AND NONRESIDENTS. THE AUCTION SHALL BE CONDUCTED ACCORDING TO RULES AND REGULATIONS PRESCRIBED BY THE COMMISSION. ANY MONEY DERIVED FROM THE SALE OF PERMITS BY AUCTION SHALL BE USED ONLY FOR PERPETUATION AND MANAGEMENT OF MOUNTAIN LIONS. THEY WANTED TO MAKE THAT AUCTION OPEN TO NONRESIDENTS BECAUSE THEY WERE HOPEFUL THAT SOME NONRESIDENTS WOULD BE WILLING TO PAY LARGE AMOUNTS OF MONEY. AND THE BEGINNING BID WAS FAR BEYOND THE REACH OF THE AVERAGE NEBRASKA HUNTER, AND THERE WERE COMPLAINTS ABOUT THAT WRITTEN IN LETTERS TO THE EDITOR. THEN IT GOES ON. SUBJECT TO RULES AND REGULATIONS ADOPTED AND SO FORTH, THERE IS A PROVISION MADE TO ALLOW THE DONATION OF DEER MEAT. THIS IS FROM SECTION 3 OF THE BILL: THE SECRETARY MAY DESIGNATE A DEPREDATION SEASON OR AN EXTENSION OF AN EXISTING DEER HUNTING SEASON WHENEVER HE OR SHE DETERMINES THAT DEER ARE CAUSING EXCESSIVE PROPERTY DAMAGE. THE SECRETARY SHALL SPECIFY THE BAG LIMIT FOR SUCH SPECIES INCLUDING DEER FOR DONATION IN ACCORDANCE WITH THE DEER DONATION PROGRAM ESTABLISHED PURSUANT TO SECTIONS 5 TO 14 OF THIS ACT. AND THAT IS WHAT MOST OF THAT BILL THAT PROVIDED FOR HUNTING MOUNTAIN LIONS WAS ABOUT. I'M GOING TO THAT SECTION 5 OF LB928: THE PURPOSE OF SECTIONS 5 TO 14 OF THIS ACT IS TO ESTABLISH PROCEDURES FOR THE ADMINISTRATION OF A DEER DONATION PROGRAM AND TO ENCOURAGE HUNTERS TO HARVEST DEER TO DONATE TO A PROGRAM TO FEED RESIDENTS OF NEBRASKA WHO ARE IN NEED. SECTION 6:

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FOR PURPOSES OF SECTION 5 TO 14 OF THIS ACT, DEER MEANS ANY WILD DEER LEGALLY TAKEN IN NEBRASKA AND DEER CONFISCATED AS LEGAL EVIDENCE, IF THE CONFISCATED CARCASS IS CONSIDERED BY A CONSERVATION OFFICER TO BE IN GOOD CONDITION FOR DONATION UNDER THE PROPOSAL; FIELD DRESSED MEANS PROPERLY BLED AND CLEANED OF THE INTERNAL ORGANS; MEAT PROCESSOR MEANS ANY BUSINESS THAT IS LICENSED TO PROCESS MEAT FOR RETAIL CUSTOMERS BY THE DEPARTMENT OF AGRICULTURE, THE UNITED STATES DEPARTMENT OF AGRICULTURE, OR A NEIGHBORING STATE'S DEPARTMENT THAT IS SIMILAR TO NEBRASKA'S; AND PROGRAM MEANS THE DEER DONATION PROGRAM ESTABLISHED PURSUANT TO SECTIONS 5 TO 14 OF THIS ACT. SECTION 7: DEER IS THE ONLY SPECIES OF WILDLIFE COVERED BY THE PROGRAM. TO BE ACCEPTED, THE ENTIRE FIELD DRESSED DEER CARCASS SHALL BE DONATED, BUT THE HUNTER MAY KEEP THE ANTLERS, HEAD, AND CAPE. SECTION 8: ON OR BEFORE JULY 1, 2012, THE COMMISSION SHALL PROVIDE SUCH APPLICANT THE OPTION ON THE APPLICATION FOR ANY TYPE OF HUNTING PERMIT AUTHORIZING THE TAKING OF DEER TO INDICATE THAT THE APPLICANT MAY DESIGNATE AN AMOUNT IN ADDITION TO THE PERMIT FEE TO BE CREDITED TO THE HUNTERS HELPING THE HUNGRY CASH FUND. SECTION 9: THE COMMISSION SHALL SET A FAIR MARKET PRICE FOR THE PROCESSING COST OF DEER DONATED TO THE PROGRAM. TO SET A FAIR MARKET PRICE, THE COMMISSION SHALL CONSIDER PRICES FOR SIMILAR DEER PROCESSING SERVICES PAID BY RETAIL CUSTOMERS IN NEBRASKA AND NEARBY STATES, AND SHALL ESTABLISH AN ANNUAL PER DEER PROCESSING PAYMENT TO BE MADE TO MEAT PROCESSORS TO THE EXTENT THAT MONEY IS AVAILABLE IN THE HUNTERS HELPING THE HUNGRY CASH FUND. SUBSECTION (2) OF SECTION 9. THE COMMISSION SHALL ADOPT AND PROMULGATE RULES AND REGULATIONS NECESSARY TO CARRY OUT THE PROGRAM. SECTION 10: THE COMMISSION SHALL PROMOTE THE HARVESTING OF DEER BY HUNTERS AND THE DONATION OF DEER AT MEAT PROCESSORS PARTICIPATING IN THE PROGRAM TO THE EXTENT THAT MONEY IS AVAILABLE AND THE HUNTERS HELPING THE HUNGRY CASH FUND. SECTION 11: THE COMMISSION MAY ENLIST AS MANY MEAT PROCESSORS AS AVAILABLE TO PARTICIPATE IN THE PROGRAM AND SHALL ENTER INTO CONTRACTS WITH MEAT PROCESSORS AS DESCRIBED IN SECTION 12 OF THIS ACT, SUBJECT TO AVAILABLE FUNDING IN THE HUNTER'S HELPING THE HUNGRY CASH FUND. THE COMMISSION SHALL PROVIDE FORMS FOR DONATION OF DEER BY HUNTERS AND POSTERS FOR MEAT PROCESSORS TO ADVERTISE THEIR PARTICIPATION. THE COMMISSION SHALL PROVIDE INFORMATION AND PROMOTIONAL MATERIALS TO MEAT PROCESSORS REGARDING THE PROGRAM. SECTION 12: TO PARTICIPATE IN THE PROGRAM, EACH MEAT PROCESSOR SHALL ENTER INTO AN ANNUAL CONTRACT WITH THE COMMISSION WHICH DETAILS

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THE MEAT PROCESSORS' PARTICIPATION. SUBSECTION (2): MEAT PROCESSORS SHALL ACCEPT THE ENTIRE FIELD DRESSED CARCASS OF A DONATED DEER ACCORDING TO THE TERMS OF THEIR RESPECTIVE CONTRACTS WITH THE COMMISSION AND SHALL NOT ASSESS ANY FEES OR COSTS TO DONORS, RECIPIENTS, OR PARTICIPANTS. INFORMATION FROM THE DONOR IS REQUIRED FOR EACH DONATED DEER AND SHALL BE SUBMITTED ON FORMS PROVIDED BY THE COMMISSION. PAYMENT SHALL NOT BE MADE TO A MEAT PROCESSOR WITHOUT THIS INFORMATION. SUBSECTION (3): MEAT PROCESSORS SHALL ACCEPT A DONATED DEER IF THE MEAT PROCESSOR DETERMINES THE VENISON IS IN ACCEPTABLE CONDITION. SUBSECTION (4): PRIOR TO RECEIVING PAYMENT, A MEAT PROCESSOR SHALL BE REQUIRED TO PROVIDE TO THE COMMISSION... [LB745]

PRESIDENT FOLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...A RECORD OF EACH DONATED DEER THAT INCLUDES INFORMATION REQUIRED BY THE COMMISSION. PAYMENTS SHALL BE MADE TO THE MEAT PROCESSORS WITHIN 45 DAYS AFTER SUBMITTAL OF A COMPLETE AND ACCURATE INVOICE ACCORDING TO THE TERMS OF THEIR RESPECTIVE CONTRACTS WITH THE COMMISSION. I'M READING THIS TO SHOW YOU HOW MUCH TIME WAS TAKEN WITH REFERENCE TO THIS DEER DONATION PROGRAM, AND I'M NOT GOING TO READ THE REST OF IT BECAUSE THAT DEALS WITH SOME OF THESE DETAILS THAT I HAD ALREADY TOUCHED ON. BUT THERE WAS VERY LITTLE, IF ANY, DISCUSSION ABOUT THE MOUNTAIN LION HUNTING. THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB745]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND GOOD MORNING, COLLEAGUES. I WANT TO STAND TODAY TO LET YOU KNOW THAT I HAVE NOT SUPPORTED OR VOTED AGAINST THIS BILL; I HAVE BEEN PRESENT, NOT VOTING. AND AT THE CURRENT TIME, I HAVE ASKED BILL DRAFTERS TO DRAFT AN AMENDMENT. SHOULD SENATOR CHAMBERS BE LISTENING AND WILLING TO CONSIDER THIS, THIS AMENDMENT STRIKES THE ENTIRE BILL UP UNTIL PAGE...ON PAGE 21, LINE 30, AND GOES TO PAGE 22, THROUGH LINE 4. THAT'S A VERY, VERY IMPORTANT PIECE OF THIS BILL IN MY VIEW. I HAVE RECEIVED PHONE CALLS IN MY DISTRICT AND IT HAPPENS THROUGHOUT THE STATE THAT THERE ARE PRIVATE CLUBS WHERE IT IS SAFE, WHERE IT IS CONTAINED, WHERE

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THERE ARE GAME THAT PEOPLE PRIVATELY HUNT. THERE ARE NO MOUNTAIN LIONS IN THESE GAME FACILITIES. AND THEY OFTEN HAVE BAD WINTERS. THIS PAST WINTER WAS SUCH A WINTER WHERE WHAT THIS BILL DOES IN THIS SECTION IS EXTENDS THEM AN ADDITIONAL TWO WEEKS FROM THE 1st TO THE 14th...15th. AND THOSE TWO WEEKS WOULD HELP MAKE OR BREAK A SEASON FOR THEM. THOSE ARE JOBS, THOSE ARE REVENUES, THOSE ARE ECONOMIC DEVELOPMENT IN THESE COMMUNITIES, AND FOR SPORTSMEN. I HAVE BEEN AT ONE OF THESE FACILITIES. THEY HAVE PRACTICE RANGES. THEY ARE VERY WELL THOUGHT OUT. SPORTSMANSHIP IS KEY TO ALL OF THEIR PRACTICES AND THERE IS NO DANGER FOR WILDLIFE WITHOUT THAT. THESE ARE GOOD FACILITIES AND GOOD ECONOMIC DEVELOPMENT. THE REASON THAT I HAVE NOT SUPPORTED LB745 IS...ALTHOUGH I DO SUPPORT AND THINK THAT GAME AND PARKS IS VITAL TO OUR STATE, THEY HAVE AN IMPORTANT FUNCTION. I'VE BEEN HERE SIX YEARS. MY FIRST YEAR WE DID VOTE ON AN INCREASE ON THE...TO \$5 AND \$25. I BELIEVE I WAS ONE OF THREE LIGHTS THAT WERE RED THEN. IT WAS SENATOR BLOOMFIELD, MYSELF, AND SENATOR PIRSCH THAT WE KNOW AN INCREASE CAN HURT SOME INDIVIDUALS' ABILITY TO ENJOY OUR PARKS. AND THEN WE ALSO HAD ANOTHER BILL THAT HELPED ON THE INFRASTRUCTURE. I THINK WE GAVE...AND I UNDERSTAND, OUR PARKS NEED TO BE ADA COMPLIANT. THAT'S IMPORTANT. THERE WAS \$17 MILLION. AND THEN WITH OTHER BILLS THAT CAME UP TO CLOSE TO \$40,000. I'VE BEEN VISITING WITH SENATOR SCHILZ ABOUT THIS. AND I ALSO KNOW THAT WE HAVE OUR NEBRASKA ENVIRONMENTAL TRUST. WE HAVE AVENUES TO HELP BUILD AND SUSTAIN OUR BEAUTIFUL SPOTS IN NEBRASKA BESIDES AGRICULTURE. AND I AM ASKING THAT ON MY WATCH OF THESE SIX YEARS... [LB745]

PRESIDENT FOLEY: ONE MINUTE. [LB745]

SENATOR BRASCH: ...THEN HOPEFULLY TWO YEARS, THAT I DON'T SEE ANOTHER INCREASE IN OUR GATES FOR A DAY OR FOR A PERMIT. WHAT I WOULD HOPE IS THAT WE CAN MAINTAIN THAT AND WE'D LOOK AT OTHER AVENUES, PERHAPS SOME OF THE LUXURY MOBILE HOME RVs, YOU KNOW, THOSE WHO HAVE THE GREATEST STAKE AND ABILITY TO PAY, CAN HELP UNDERWRITE FURTHER SOME OF GAME AND PARK'S NEEDS. BUT IF I COULD GET THIS AMENDMENT EITHER MOVING FORWARD, OR IF I CAN PUT IT IN TODAY YET, BEFORE WE TIME OUT HERE, IT'S VERY IMPORTANT. IT'S NOT AN INCREASE OF FEES AND IT'S NOT AN EXTENSION OF THE GAME THAT WE ARE CURRENTLY HUNTING. BUT IT ALLOWS THOSE FACILITIES... [LB745]

PRESIDENT FOLEY: TIME, SENATOR. [LB745]

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SENATOR BRASCH: ...THAT ARE ACROSS THE STATE. THANK YOU. THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB745]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR McCOLLISTER WOULD YIELD TO A COUPLE OF QUESTIONS. [LB745]

PRESIDENT FOLEY: SENATOR McCOLLISTER, WOULD YOU YIELD, PLEASE? [LB745]

SENATOR McCOLLISTER: YES, I WILL. [LB745]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. DURING OUR TOUR UP THERE LAST WEEKEND, YOU HAD MENTIONED YOU WERE GOING TO TRY TO FIND OUT A LITTLE SOMETHING ABOUT HOW THAT FARMLAND WAS ACQUIRED. DID YOU HAVE THE OPPORTUNITY TO DO THAT? [LB745]

SENATOR McCOLLISTER: NO, I HAVE NOT, SENATOR BLOOMFIELD. BUT, YOU KNOW, BASED ON WHAT I HEARD FROM JEFF FIELDS, THE PARK SUPERINTENDENT, I'M FAIRLY CONFIDENT THAT THAT LAND WAS PURCHASED ON A GOOD BASIS, BASED ON THE APPRAISALS, SO I HAVEN'T HAD AN OPPORTUNITY TO FULLY EXPLORE HOW THE PROPERTY CAME TO GAME AND PARKS. [LB745]

SENATOR BLOOMFIELD: OKAY, BUT YOU AGREE THAT IT WAS PURCHASED AND NOW THEY'RE TELLING US THEY DON'T HAVE THE MONEY TO TAKE CARE OF OTHER THINGS, PROBABLY IN PART BECAUSE THEY BOUGHT THAT IRRIGATED FARM GROUND? [LB745]

SENATOR McCOLLISTER: I'M NOT ABSOLUTELY CERTAIN OF THAT, SENATOR. IT COULD HAVE BEEN DONATED BY A MAJOR CONSERVANCY ON SOME KIND OF A REMEDIATION KIND OF ISSUE, SO. I DON'T THINK THAT WE CAN NECESSARILY ASSUME THAT THERE WAS A CASH OUTLAY. [LB745]

SENATOR BLOOMFIELD: OKAY. THANK YOU. I NOTICED, TOO, THAT ALL THREE OF US ON THAT SO-CALLED TOUR, ADMIRERD THE NICE NEW FENCE THAT WAS AROUND THE PARK. DID YOU FIND OUT WHY THEY FELT THE NEED TO SPEND

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THAT KIND OF MONEY TO BUILD A FENCE, AND WHO OR WHAT THEY'RE TRYING TO KEEP OUT OF THE PARK? [LB745]

SENATOR McCOLLISTER: I SHARE YOUR ASSESSMENT OF THE FENCE AND THEY EXCLAIMED THAT IT HAD SOMETHING TO DO WITH THE POSSIBLE...PUTTING CATTLE INTO THE AREA AND THEY NEEDED A GOOD FENCE TO MAKE SURE THE CATTLE DIDN'T STRAY. [LB745]

SENATOR BLOOMFIELD: (LAUGH) I'M SORRY. THERE WERE CATTLE IN THERE BEFORE THEY TOOK OVER THE LAND. THE FENCE SEEMED TO HAVE BEEN HOLDING THEM FOR YEARS, BUT, YEAH, THEY PUT IN GOOD FENCE. I'D REALLY LIKE TO KNOW WHAT THAT COST THEM A MILE TO PUT IN AND THEY PUT IN A LOT OF IT. THANK YOU, SENATOR. [LB745]

SENATOR McCOLLISTER: THANK YOU, SIR. [LB745]

SENATOR BLOOMFIELD: AGAIN, I'M NOT OPPOSED TO INCREASING A FEW FEES, BUT I REALLY THINK WE NEED TO LOOK AT HOW GAME AND PARKS SPENDS THEIR MONEY. THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. (VISITORS INTRODUCED.) SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I'VE JUST SPOKEN WITH SENATOR BRASCH TO SEE WHAT HER AMENDMENT WOULD DO AND IT WOULD STRIKE ALL THIS FEE FROM THE BILL. I WOULD SUPPORT THAT. AND IN ORDER TO MAKE IT POSSIBLE FOR HER TO OFFER THAT, I CAN PULL ALL OF MY AMENDMENTS AT ANYTIME I CHOOSE AND THEN REOFFER THEM IF THAT SHOULD BE NECESSARY. THERE WOULD BE NO WAY FOR HER TO GET IN, IN FRONT OF ME UNLESS I WOULD AGREE TO LET HER SUBSTITUTE HER AMENDMENT FOR ONE OF MINE, AND I AM NOT UNWILLING TO DO THAT. WHATEVER WILL FACILITATE THE PROCESS IS WHAT I AM PREPARED TO DO. BECAUSE OF THE PROVISIONS THAT THIS BILL, EVEN WITH SENATOR BRASCH'S AMENDMENT WOULD DO, WOULD MAKE MY MOUNTAIN LION HUNT HUNTING BILL GERMANE, I COULD STILL ATTEMPT THAT. BUT WHAT I WANT TO BE MAKE CLEAR AT THIS POINT, I WOULD BE WILLING TO ALLOW SENATOR BRASCH'S AMENDMENT TO REPLACE ONE OF MINE SO THAT WE COULD GET TO IT BEFORE 12:20 OR WHATEVER THAT TIME IS. THE BODY COULD THEN TAKE A VOTE ON HER AMENDMENT. IT WOULD BE A TEST VOTE FOR PURPOSES THAT I

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WILL MAKE CLEAR. IF SENATOR BRASCH'S AMENDMENT IS ADOPTED, THEN I DON'T HAVE TO WORRY ABOUT ALL OF THOSE FEES. HER AMENDMENT, IF ADOPTED, WOULD AUTOMATICALLY REMOVE THAT DOZEN OR SO PAGES OF AMENDMENTS THAT I HAVE, BECAUSE THEY ALL GO TO THE BILL ITSELF. SO IF YOU REMOVE ALL THAT FROM THE BILL TO WHICH MY AMENDMENTS WOULD ATTACH, MY AMENDMENTS AUTOMATICALLY BECOME TOTALLY IRRELEVANT. IF SENATOR BRASCH'S AMENDMENT IS REJECTED, THERE WILL BE A DISCUSSION PRIOR TO THAT VOTE, AND WE WILL BE ABLE TO DETERMINE IF GAME AND PARKS HAS 33 VOTES TO RAISE ALL OF THESE FEES IN THE WAY THEIR BILL SUGGESTS. BECAUSE IF HER AMENDMENT IS NOT ACCEPTED, I AM GOING TO HOLD THIS BILL HOSTAGE IN THE WAY THAT GAME AND PARK AND SENATOR SCHILZ AND THOSE RICH PEOPLE WANT TO HOLD THE MOUNTAIN LIONS CAPTIVE. SO, IF SENATOR SCHILZ WILL THINK FOR A MOMENT OF HIS DETERMINATION TO DO EVERYTHING HE CAN TO CUT THE GROUND FROM UNDER ME, MULTIPLY MY DETERMINATION TEN TIMES HIS, TO UNDERSTAND WHAT I'LL DO WITH THIS BILL AND WHAT THE BODY WILL DO WHEN YOU VOTE CLOTURE IS VOTE TO ACCEPT ALL OF THESE INCREASES, ALL OF THEM, THAT GAME AND PARKS IS ASKING FOR. THEY ARE NOT NECESSARY INCREASES, THEY ARE RANGES. TRUST US, IS WHAT THE GAME AND PARKS COMMISSION IS SAYING, FOR WHATEVER NUMBER OF YEARS. AND THEY COULD RAISE THOSE FEES IF THEY WANT TO IN ONE YEAR. THERE'S NO STIPULATION THAT I COULD FIND IN THE BILL. THEY ARE GIVEN CARTE BLANCHE. YOU ARE TO TRUST THEM... [LB745]

PRESIDENT FOLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...IMPLICITLY, WHICH I DON'T. SO, WHAT I'M GOING TO HAVE TO DO IS THINK ABOUT HOW TO ARRANGE FOR SENATOR BRASCH TO GET HER AMENDMENT OFFERED. I'M GOING TO SEE IF SOMEBODY ELSE IS GOING TO SPEAK AND THAT'S WHAT I CAN BE GIVING MY MIND TO, IF SOMEBODY ELSE DOES. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB745]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. I, OF COURSE, OBJECT TO MAKING THESE CHANGES IN STATUTE WHICH IS PROPERLY UNDER THE PURVIEW OF GAME AND PARKS. THEY DO A VERY GOOD JOB OF MANAGING OUR FACILITIES. THEY MANAGE THE GAME POPULATIONS. THEY PROPERLY SET UP

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THE SEASONS BASED ON THE POPULATIONS OF THE VARIOUS GAME BIRDS AND THE WATER FOWL. SO, ANY EFFORT TO ESTABLISH A PROHIBITION FOR MOUNTAIN LIONS OR EXTEND CERTAIN SEASONS OR SHORTEN ANY OTHERS, MAKES ABSOLUTELY NO SENSE FOR ME. I HAVE SOME INFORMATION ON THE PARK GROUND THAT SENATOR BLOOMFIELD WAS REFERRING TO. YOU KNOW, HE TALKS IN ONE OF HIS OPPORTUNITIES THAT WE SIMPLY ESTABLISHED A BUNCH OF WEEDS IN GOOD FARM GROUND COUNTRY. AND THAT FARM GROUND IS CURRENTLY CRP GROUND. AND I UNDERSTAND THE PHEASANT POPULATION--OF WHICH THERE'S A PROGRAM IN PLACE NOW--IS PERHAPS PRIME PHEASANT COUNTRY AND I'M THINKING ABOUT GOING UP THERE MYSELF. LET ME READ THE FOLLOWING DESCRIPTION: THE ACQUISITION OF THIS ADDITIONAL PROPERTY ALONG THE MISSOURI RIVER LOWLANDS PROVIDED A DIVERSITY THE PARK DID NOT OFFER AND, THEREFORE, NOW PROVIDES AN OPPORTUNITY FOR VISITORS TO HAVE AN ENTIRELY NEW AND ENHANCED EXPERIENCE THAT WAS NOT AVAILABLE BEFORE. THERE ARE MANY REASONS WHY ACQUIRING THE PROPERTY, IN ADDITION TO PONCA STATE PARK, IS IMPORTANT. THE PROPERTY PROVIDES IMPORTANT PUBLIC ACCESS TO A MORE DIVERSIFIED LANDSCAPE TO THE MISSOURI RIVER RECREATION RIVER WHICH IS...INCLUDES THREE ACCESS POINTS. PROTECTS AND ALLOWS THE ENHANCEMENT OF A VERY UNIQUE LOWLAND SAVANNAH AND OTHER TRACKS OF COTTONWOOD FOREST THAT HOST EAGLES. THIRDLY, HYDRIC SOIL SCATTERED ALONG THE PROPERTY THERE CONDUCIVE TO WETLAND RESTORATION. THESE ARE OLD MISSOURI RIVER CHANNELS. PROVIDES A WATERWAY FOR WATERFOWL, WHICH IS ALSO IMPORTANT. RESTORATION OF A NATURAL AND HISTORIC FLOOD PLAIN. ANOTHER GOOD REASON TO EXPAND THE PARK AS THEY DID. AND RESTORATION OF TALL GRASS PRAIRIE AND OTHER HABITAT ENHANCEMENT IS IMPORTANT TO NONGAME AND GAME WILDLIFE POPULATIONS. AND FINALLY, PROVIDES OUTDOOR EDUCATIONAL OPPORTUNITIES AND PUBLIC RECREATIONAL OPPORTUNITIES FOR FISHING, HUNTING, HIKING, WILDLIFE VIEWING, KAYAKING, AND CANOEING. WE SAW THE CONSTRUCTION OF ANOTHER BOAT RAMP. SO, THE KIND OF WORK THAT THE GAME AND PARKS IS DOING OUT IN THE PONCA STATE PARK, I THINK WE CAN ALL CONCEDE IS WELL DONE AND WELL...AND CERTAINLY NEEDED. THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR McCOLLISTER. (VISITORS INTRODUCED.) SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB745]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. SENATOR McCOLLISTER MENTIONED THE NUMBER OF PHEASANTS THAT MIGHT BE UP THERE. BOY, I



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HOPE THERE'S A BUNDLE OF THEM. TWELVE HUNDRED ACRES, \$6,500 AN ACRE WHICH WOULD BE CHEAP FOR IRRIGATED FARM GROUND, \$7,800,000. HOW MUCH PER BIRD ARE WE WILLING TO PAY TO HAVE A FEW PHEASANTS UP THERE? PHEASANTS SEEM TO BE DOING ALL RIGHT AROUND ME UP THERE ON MY PLACE. I'VE GOT QUITE A FEW OF THEM AROUND. HOW MUCH DID THAT INCREASE OR DECREASE THE PROPERTY TAX INTAKE? WE SAW THE OTHER DAY THAT ON AVERAGE ON THE LAND THAT'S CONTROLLED BY GAME AND PARKS THEY PAY LESS THAN \$4 AN ACRE. SO WE'VE GOT PHEASANTS PROBABLY AT \$20,000 A HEAD. WE'VE GOT REVENUE NOT COMING INTO THE COUNTY. HOW MUCH DO THE CO-OPS LOSE BECAUSE THEY DON'T HAVE FERTILIZER SALES? THEY DON'T HAVE SEED SALES OR ANYTHING ELSE THAT WOULD BE USED ON THAT FARM GROUND. I'LL ADMIT, IF YOU ARE ALL INTO THE STATE OWNING AND RUNNING...THE STATE GOVERNMENT OWNING AND RUNNING EVERYTHING, AND YOU DON'T CARE ABOUT PRIVATE ENTERPRISE, THAT'S PROBABLY A FINE THING. IT LOOKS LIKE SOMETHING GOVERNMENT WOULD DO. YOU KNOW, IT SEEMS TO ME LIKE \$10,000, \$20,000 IS QUITE A PRICE TO PAY FOR A PHEASANT. THAT WOULD BUY A LOT OF GOOD BEEF WHICH WE SEEM TO HAVE AN INTEREST IN IN NEBRASKA. I'VE TALKED TO SENATOR BRASCH A LITTLE BIT ABOUT HER AMENDMENT. SEEMS TO MAKE SENSE TO ME. I THINK IT'S SOMETHING WE'D OUGHT TO LOOK AT. BUT AGAIN, I WOULD ASK THAT WE REALLY TAKE A LOOK AT HOW GAME AND PARKS MANAGES THINGS. IT APPEARS TO ME, AND HAS APPEARED TO ME FOR A NUMBER OF YEARS, THAT THEY RUN A WEE BIT OUT OF CONTROL. I'D YIELD THE REMAINDER OF MY TIME TO SENATOR BRASCH IF SHE COULD USE IT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR BRASCH, 2:30. [LB745]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. AS YOU CAN SEE, IF YOU LOOK ON YOUR CHAMBER VIEWER, I DID OFFER AN AMENDMENT, AND THE AMENDMENT IS...WHAT IS THE MOST IMPORTANT PIECE IN MY VIEW TODAY AND URGENT BECAUSE MANY OF YOU, I KNOW SENATOR CAMPBELL, ORIGINALLY FROM NORFOLK, THE STANTON COUNTY AREA, YOU HAVE PRIVATELY-OWNED, FAMILY-OWNED HUNT CLUBS THAT OPERATE. AND BY GIVING THEM TWO MORE WEEKS, TWO SIMPLE WEEKS INTO WHETHER THAT MAY BE BETTER FOR HUNTING, THEY HAVE INCREASED THEIR INCOME. THEY'VE ADDED TO THE TAX ROLLS. THESE ARE JOBS AND ALSO THESE ARE SAFE, CONTAINED AREAS WHERE MEN AND WOMEN AND THEIR FAMILIES, YOUTH, CAN COME IN A SAFE PLACE WITH INSTRUCTORS AND HUNT. THE PLACE THAT CALLED ME IS CALLED PHEASANT BONANZA IN TEKAMAH. HE

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THOUGHT THIS BILL WAS VERY URGENT AND VERY IMPORTANT. AND I ASKED WHY. AND WHY WASN'T BECAUSE OF THE FEE INCREASE, IT WAS BECAUSE OF THAT AMENDMENT BUILT IN HERE THAT GAVE THEM TWO MORE WEEKS. [LB745]

PRESIDENT FOLEY: ONE MINUTE. [LB745]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. SENATOR McCOLLISTER, I AGREE, GAME AND PARKS DOES EVERYTHING RIGHT THAT YOU STATED. I'VE INTRODUCED BILLS FOR THEM IN THE PAST THAT WHEN SEASONS ARE IN JEOPARDY DUE TO DISEASE OR OTHER CAUSES, FISH DYING, THEY CAN CLOSE THE SEASON DOWN. I'VE GONE ON RIDE-ALONGS WITH OUR GAME WARDENS AND SAW HOW DILIGENTLY THEY WORK. ONE HELPED ME SANDBAG ALONG THE MISSOURI RIVER DURING THE FLOODING. THEY ARE HARDWORKING, DILIGENT INDIVIDUALS. HOWEVER, WE NEED TO PROTECT FEES FROM BECOMING BURDENSOME FOR THE GENERAL PUBLIC. THAT IS ON OUR WATCH. SOME OF THE FAMILIES, IT MAY MAKE A HUGE DIFFERENCE TO THEM TO GET A FEE OR NOT... [LB745]

PRESIDENT FOLEY: TIME, SENATOR, BUT YOU ARE NEXT IN THE QUEUE. YOU MAY CONTINUE FOR FIVE ADDITIONAL MINUTES. [LB745]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT...AND BECAUSE, SINCE I WAS ELECTED, FEES ALREADY WENT UP IN THE YEAR 2011. A COUPLE OF YEARS LATER WHEN I WAS ON NATURAL RESOURCES COMMITTEE, YES, IT WAS URGENT AND NECESSARY TO BECOME ADA COMPLIANT. I SUPPORTED THAT. I WOULD ALSO, YOU KNOW, IF WE NEED TO COME BACK, IF THERE'S MORE NEED, LET'S TALK TO OTHER ENTITIES. I SPOKE TO THE GAME AND PARKS THIS MORNING IN MY OFFICE. THEY CAME IN AND I TOLD THEM MY THOUGHTS AND MY SUPPORT FOR THEIR AGENCY. HOWEVER, I AM NOT IN SUPPORT OF A FEE INCREASE AT THIS TIME. I DO NOT WANT TO TAKE ANY MORE MONEY OUT OF ANYONE'S POCKET THAN WE CAN HELP. WE NEED TO FOCUS ON ADJUSTING OUR PROPERTY TAXES. THAT'S TAKING OUT MONEY OUT OF POCKETS. THAT NEEDS TO BE OUR PRIMARY FOCUS. AND I HOPE THAT IN TWO YEARS WHEN I AM TERM LIMITED, THEY COME BACK TO THIS BODY AND THE OTHER NEW MEMBERS AND THEY START FRESH. THEY WON'T HAVE THE INSTITUTIONAL KNOWLEDGE. THEY WON'T KNOW THAT WE'RE 40 MILLION PLUS, YOU KNOW, ALREADY OBLIGATED INTO HELPING GAME AND PARKS, BUT THIS IS AN IMPORTANT BILL IN THE SENSE THAT IF IT DIES, SENATOR McCOLLISTER, THAT IS ALREADY IN YOUR BILL. WHEN YOU SPOKE, IT GAVE ME THE IMPRESSION YOU THOUGHT I WAS TRYING TO

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CHANGE THEIR SEASONS. NO, THIS BILL DOES THAT. THAT IS WITHIN THIS BILL. I WAS SURPRISED TO SEE IT THERE. AND NOW THAT I KNOW IT'S THERE AND THAT THERE MAY NOT BE ENOUGH CLOTURE VOTES, AND WE CERTAINLY DON'T HAVE ENOUGH TIME TO TAKE THIS ON FOR DAYS AND DAYS WHEN OTHER BILLS ARE BEHIND IT, THAT I ASK FOR EVERYONE TO SUPPORT MY AMENDMENT AND REVISIT THE FEE STRUCTURE AND OTHER WAYS THAT WE COULD COLLECT FROM OTHERS WHO HAVE THE WHEREWITHAL TO SUPPORT OUR GAMES AND OUR PARKS, EXCUSE ME. THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, WE'RE ON THE RECONSIDER MOTION NOW. I STATED AT THE BEGINNING I WOULD ONLY OFFER THOSE KIND OF AMENDMENTS TO GIVE AN OPPORTUNITY TO GET SOME PRELIMINARY THINGS OUT OF THE WAY, THEN THE NEEDIER SUBJECTS WOULD BE DISCUSSED. HERE'S WHAT I AM PREPARED TO DO. I WILL PULL THE RECONSIDERATION MOTION. MY FIRST AMENDMENT THAT IS UP WOULD BE TO ADD MY MOUNTAIN LION HUNTING BILL AS AN AMENDMENT TO LB745. HERE IS WHAT I AM PREPARED TO DO. I WILL PULL THAT AMENDMENT. MY AMENDMENT IS THE FIRST ONE UP. I WILL PULL IT AND ALLOW SENATOR BRASCH TO SUBSTITUTE HER AMENDMENT. CONTRARY TO WHAT SOME PEOPLE THINK, I HAVE NEVER TRIED TO BAN HUNTING. THERE WAS ONE TIME I OFFERED AN AMENDMENT, OFFERED A BILL, AND I THINK IT MAY HAVE GONE TO THE JUDICIARY COMMITTEE OR SOMEWHERE THAT WOULD BAN HUNTING TO SHOW PEOPLE THAT IN NEBRASKA, THERE IS NO CHANCE WHATSOEVER THAT THIS STATE WOULD EVER BAN HUNTING, SO PLEASE DON'T PUT THAT INTO THE CONSTITUTION. AND I PREVAILED WHILE I WAS HERE, BUT AS SOON AS I LEFT, THEY PUT TRAPPING, HUNTING, AND FISHING INTO THE CONSTITUTION. BUT I HAVE NEVER LAUNCHED AN EFFORT TO BAN HUNTING. I DON'T HUNT. I DON'T LIKE HUNTING, BUT I AM REALISTIC. AND THERE ARE PEOPLE WHO HUNT AND THEY USE WHATEVER THEY KILL FOR FOOD. THERE IS THIS VENISON DONATION PROGRAM AND OTHER THINGS THAT CAN BE SHOWN TO BE BENEFICIAL. SO WHAT SENATOR BRASCH'S AMENDMENT WOULD DO IS TO HELP ACTIVITY THAT NEEDS TO BE ASSISTED. I DON'T REALLY KNOW WHETHER THIS BILL HAS 33 VOTES WITH ALL OF THE FEE INCREASES AS THEY EXIST, AND THAT'S THE FORM THAT YOU WILL VOTE ON, EVERY ONE OF THOSE 29 OR HOWEVER MANY FEE INCREASES THAT ARE THERE. I'VE TRIED TO MAKE CLEAR WHAT I INTEND TO DO. I WILL PULL MY RECONSIDERATION MOTION. THE NEXT THING UP WILL BE MY AMENDMENT TO ADD MY MOUNTAIN LION HUNTING BILL TO THIS BILL. I

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WILL ALLOW SENATOR BRASCH TO SUBSTITUTE HER AMENDMENT FOR THAT ONE AND THAT IS THE SUBJECT THAT WE WILL DISCUSS. MR. PRESIDENT, I WILL WITHDRAW THAT RECONSIDERATION MOTION. [LB745]

PRESIDENT FOLEY: HEARING NO OBJECTION, THE RECONSIDERATION MOTION IS NOW WITHDRAWN. MR. CLERK. [LB745]

CLERK: MR. PRESIDENT, SENATOR CHAMBERS, I NOW HAVE AM2498. BUT PER YOUR INSTRUCTION, SENATOR, I UNDERSTAND YOU WISH TO WITHDRAW AND ALLOW SENATOR BRASCH TO SUBSTITUTE AM2584. [LB745]

SENATOR CHAMBERS: THAT IS CORRECT. [LB745]

PRESIDENT FOLEY: HEARING NO OBJECTIONS, THE SUBSTITUTION IS MADE. [LB745]

CLERK: SENATOR BRASCH, AM2584. (LEGISLATIVE JOURNAL PAGE 964.) [LB745]

PRESIDENT FOLEY: SENATOR BRASCH, YOU'RE RECOGNIZED TO OPEN ON AM2584. [LB745]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. AND I DO WANT TO THANK SENATOR CHAMBERS FOR ALLOWING ME THE OPPORTUNITY TO BRING THIS AMENDMENT FORWARD BECAUSE IT IS IMPORTANT AND IT IS AN IMPORTANT PART OF THE EXISTING BILL. IT IS WITHIN LB745. I'M ALSO CONCERNED THAT WE ARE RUNNING OUT OF DAYLIGHT. WE NEED TO MAKE TIME COUNT. EVEN THOUGH IT IS DAYLIGHT SAVINGS TIME, OUR LEGISLATIVE DAYS ARE FLYING BY. WE CANNOT AFFORD TO MAKE TIME STAND STILL IN HERE. AND WHEN I SEE THERE MAY NOT BE CLOTURE VOTES AND THAT THIS BILL MAY POSSIBLY DIE WITH THIS AMENDMENT RIGHT IN THE BILL AS IT STANDS, THIS WOULD NOT HELP OUR FAMILY-OPERATED OPERATIONS THAT OFFER HUNTING AND OTHER SPORTSMAN'S ACTIVITIES. THEY CALLED. THEY'RE CONCERNED MOVING FORWARD ON WHETHER THEY CAN FINANCIALLY KEEP THEIR DOORS OPEN EVEN IN LONG WINTERS IF THIS REPEATS. THIS GIVES THEM MORE TIME, MORE HUNTERS TO COME. THE BILL WAS THE STATUTE AS IT STOOD APRIL 1 AND NOW IT GIVES THEM A SEASON UNTIL APRIL 15. THERE IS NO HIDDEN AGENDA HERE. THERE IS NO MARK AGAINST GAME AND PARKS. THEY WILL TELL YOU I AM ONE OF THEIR GREATEST SUPPORTERS, BUT I CANNOT SUPPORT A FEE INCREASE

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AGAIN DURING MY TWO TERMS. I ALSO KNOW THAT WE GAVE THEM CASH FOR URGENT ITEMS, ADA COMPLIANCE SO THE PARKS CAN BE MADE WHOLE FOR THOSE WITH DISABILITIES. I GET THAT. WE FUNDED THAT. AND NOW IF WE DO NEED TO INCREASE FEES, I WOULD ASK THAT IT WAIT, WAIT UNTIL THE DUST SETTLES HERE, WAIT UNTIL WE'RE NOT ON A SHORT SESSION. LET'S NOT DO THIS WHEN WE ONLY HAVE 16 DAYS TO GET IMPORTANT CRITICAL BUSINESS THROUGH THE FLOOR. BUT THIS ITEM IS IMPORTANT AND I REALIZE MANY OF YOU, MANY OF YOU HAVE SIMILAR OPERATIONS THROUGHOUT THE ENTIRE STATE WHERE SOMEONE MAY BE HOSTING PRIVATE HUNTS AND SAFETY CLASSES, INSTRUCTOR, DOG KENNELS, THE FACILITIES ARE PHENOMENAL. I PERSONALLY VISITED THE FACILITY IN TEKAMAH A COUPLE OF TIMES OR MORE. THEY ALSO HAVE RUNS THERE FOR PHILANTHROPY, FOR CHARITY. THE MUD RUN IS HELD THERE WHERE INDIVIDUALS FROM ACROSS THE STATE COME AND RUN THROUGH THE HILLS AND THE WOODS RAISING MONEY FOR A GREAT CAUSE. THESE FACILITIES ARE IMPORTANT AND THEY DO CONTRIBUTE. SO IF YOU REALLY BELIEVE THAT THERE ARE ENOUGH VOTES FOR CLOTURE, THAT THIS BILL WILL NOT GET KILLED ENTIRELY, THEN, FINE. DON'T SUPPORT MY AMENDMENT. BUT I HAVE MY DOUBTS. I DO HAVE MY DOUBTS THAT THIS BILL WILL SEE IT THROUGH TO THE ELEVENTH HOUR OF OUR 60-DAY SESSION. WE CAN BRING A FEE INCREASE BACK PERHAPS WHEN WE HAVE A LONGER SESSION AND WE HAVE MORE CLARITY AS TO THE NEED AND THE URGENCY. WE COULD POSSIBLY TAX...THE PERMITS...PERMITS, TAXES, FEES, THEY'RE ALL THE SAME. BUT PERHAPS THERE'S LUXURY ITEMS THAT A PARTICULAR GROUP OF INDIVIDUALS MAY NOT FEEL AN INCREASE FOR THE SAKE OF KEEPING OUR GAMES OPEN. MR. PRESIDENT, COLLEAGUES, I DO ASK FOR YOUR SUPPORT ON AM2584. IT'S IMPORTANT TO RURAL NEBRASKA. IT'S IMPORTANT TO HUNTERS NOT ONLY IN NEBRASKA, BUT WE HOST MANY HUNTERS ACROSS THE NATION IN BEAUTIFUL NEBRASKA. THANK YOU, MR. PRESIDENT AND COLLEAGUES. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. MEMBERS, YOU'VE HEARD THE OPENING ON AM2584. SENATOR McCOLLISTER. [LB745]

SENATOR McCOLLISTER: THANK YOU AGAIN, MR. PRESIDENT. I WOULD LIKE TO REMIND THOSE OF US IN THE CHAMBER AT THIS POINT THAT I'M NOT THE CAUSE OF THESE DELAYING TACTICS. IT IS NOW 10:30 IN THE AFTERNOON...IN THE MORNING AND WE'LL BE HERE FOR ANOTHER COUPLE HOURS ON THIS PARTICULAR SUBJECT. BUT THOSE PEOPLE THAT ARE PUTTING THE AMENDMENTS ON AND THE MOTIONS, THEY CAN QUIT AT ANY TIME, WE CAN TAKE A VOTE, AND MOVE ON. I'M AS ANXIOUS TO MOVE THE SCHEDULE FORWARD AS ANYBODY HERE, BELIEVE ME. THE WORLD-HERALD HAD A

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PRETTY GOOD EDITORIAL CONCERNING OUR CONSTANT USE OF FILIBUSTERS. IT'S NOT CONDUCIVE OR GOOD BUSINESS FOR THE LEGISLATURE. AND I'D BE HAPPY NOT TO PARTICIPATE IN THOSE EFFORTS AND I ENCOURAGE THE REST OF YOU TO DO THE SAME. THIS PARTICULAR MOTION BY SENATOR BRASCH GUTS THE BILL. IT ELIMINATES ALL OF THE FEE INCREASES AND INSERTS A VERY SMALL PIECE OF THE LEGISLATION THAT DOESN'T DO NEARLY WHAT IT SHOULD. SO I WOULD HOPE YOU WOULD VOTE AGAINST THE MOTION. THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR McCOLLISTER. SENATOR CHAMBERS. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THE WORLD-HERALD DOESN'T DICTATE TO ME WHAT I'M GOING TO DO. IN FACT, I WROTE A RHYME ABOUT THEM AND HOW THEY ARE THE MEDDLERS. WHAT SENATOR BRASCH IS OFFERING IS SOMETHING THAT SHOULD BE PALATABLE TO PEOPLE WHO FAVOR HUNTING. I CAN TAKE THE TIME. IF YOU VISIT MY DESK, YOU'LL SEE I HAVE PLENTY OF PAPER AND I THINK WE GO TO THE BUDGET BILLS NEXT. AND IF WE DO, I CAN TALK ABOUT THE BUDGET BILLS. AND I'LL MAKE SURE THERE'S SOMETHING DEALING WITH GAME AND PARKS IN THE BUDGET BILL AND WE'LL DO IT ON THAT BILL ALSO. I'M NOT YIELDING BECAUSE I DON'T HAVE THE TIME THAT I'M WILLING TO GIVE. I'M NOT YIELDING BECAUSE I AM TIRED. I HAD FOUR DAYS TO REST, ALTHOUGH I DIDN'T REST; THE DEVIL IS ALWAYS BUSY. BUT ON THIS ONE, SENATOR BRASCH HAS BROUGHT A MATTER THAT SHOULD HAVE SOME RESONANCE WITH THOSE WHO HUNT. I TELL YOU AGAIN, I DON'T HUNT. LET ME TELL YOU WHAT I DID ONE TIME. I LIVE ALONE. LITTLE "MEESES" DON'T EAT VERY MUCH. I DON'T HAVE A LOT OF FOOD AND THINGS LYING AROUND BECAUSE I DON'T KEEP A LOT OF FOOD IN MY HOUSE. I EVEN EAT FAST FOOD AND I EAT IT FAST, OR RAPIDLY. BUT ONE TIME I SAW A LITTLE "MEESE" RUN ACROSS THE FLOOR...NOT ACROSS THE FLOOR, THEY FOLLOW THE WALL. THEY FOLLOW THE BASEBOARD AND IT'S WHY A CAT CAN ALWAYS CATCH A MOUSE. THE CAT WILL RUN CATTY-CORNER AND WHEN THE MOUSE GOES AND MAKES HIS OR HER LEFT TURN, THE CAT IS WAITING THERE FOR THE MOUSE THEN PLAYS WITH ITS FOOD. HERE'S WHAT I DID. HERE'S WHAT I DID, BECAUSE I MADE THE MISTAKE OF MENTIONING IT TO SOME GUYS AT THE BARBERSHOP WHERE I USED TO WORK AND WHERE I STILL VISIT OCCASIONALLY. THEY BEGAN TO TELL ME ALL OF THE REASONS THAT NOBODY SHOULD ALLOW A "MEESE" TO LIVE IN THE HOUSE. WELL, LET ME BE CONSISTENT. YOU SHOULD NOT ALLOW A "MEESE" TO LIVE IN THE "HEESE." SO I PROMISED THEM THAT I WOULD SET A TRAP WHICH I DID. AND I NEVER CAUGHT

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THE LITTLE "MEESE" AND I'LL TELL YOU WHY, BECAUSE I DIDN'T PUT ANY BAIT IN THE TRAP. THE LITTLE "MEESE" HAD NOBODY IN THAT HOUSE TO DISTURB. THERE WAS NO FOOD CONTAINER FOR IT TO GNAW ITS WAY INTO. IT MAY HAVE JUST BEEN SEEKING SHELTER FROM THE ELEMENTS. AND I HAVE TO HEAT THE WHOLE HOUSE ANYWAY. DO I HAVE LESS HEAT FOR MYSELF BECAUSE A LITTLE "MEESE" SHARES THAT HEAT? CERTAINLY NOT. WOULD I SUGGEST THAT ANYBODY CONDUCT THEIR AFFAIRS IN THEIR "HEESE" THE WAY I DO WHEN DEALING WITH A "MEESE?" I'M NOT THE ONE TO SAY. BUT I SAY THAT TO SAY THIS. I DON'T LIKE TO SEE LIVING THINGS KILLED. HUNTING IS BASED ON THAT. BUT I HAVE NEVER TRIED TO PREVENT HUNTING. SOME PEOPLE I CALL FRIENDS HUNT. I'VE NEVER TOLD THEM IF YOU DON'T CEASE HUNTING, YOU WILL CEASE TO BE MY FRIEND. IT DOESN'T BOTHER ME TO HELP SENATOR BRASCH DO WHAT SHE IS ATTEMPTING TO DO. THE ONLY THING I THINK WOULD HAVE TO BE DONE ALSO...I'D LIKE TO ASK SENATOR BRASCH A QUESTION. [LB745]

PRESIDENT FOLEY: SENATOR BRASCH, WILL YOU YIELD, PLEASE? [LB745]

SENATOR BRASCH: I WILL YIELD. [LB745]

SENATOR CHAMBERS: SENATOR BRASCH, THIS NEEDS TO BE DONE IMMEDIATELY, IS THAT CORRECT? [LB745]

SENATOR BRASCH: ABSOLUTELY. [LB745]

SENATOR CHAMBERS: YOUR AMENDMENT DOESN'T CARRY THE EMERGENCY CLAUSE, DOES IT? [LB745]

PRESIDENT FOLEY: ONE MINUTE. [LB745]

SENATOR BRASCH: IT DOES NOT. [LB745]

SENATOR CHAMBERS: WE WOULD ADD...WE SHOULD HAVE TO ADD THE EMERGENCY CLAUSE, TOO, SO THAT IT DOES WORK. YOU CAN DO WHAT YOU PLEASE. SENATOR BRASCH AND I ARE NOT IN NOT IN LEAGUE. I HAD NO IDEA SHE WOULD OFFER THIS AMENDMENT. BUT IT IS REASONABLE. IT DOES NOT PREVENT ME FROM DOING WHAT I'M GOING TO DO. BUT I'LL TELL YOU, THE ONLY THING I WILL DO IF HER AMENDMENT IS ADOPTED, ALL OF MY AMENDMENTS EXCEPT ONE WILL GO AWAY. THAT ONE AMENDMENT IS TO ADD

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MY MOUNTAIN LION HUNTING BILL TO THIS BILL. WHAT I WOULD DO, BECAUSE ALL OF THOSE FEES ARE NO LONGER AT PLAY...IN PLAY, IS MAKE MY BEST ARGUMENT. IF I FAIL...I SHOULDN'T TELL YOU THIS. BUT IN THE INTEREST OF FULL DISCLOSURE, IF I FAIL TO ADD MY MOUNTAIN LION HUNTING BILL... [LB745]

PRESIDENT FOLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: ...TO THIS ONE. THANK YOU, MR. PRESIDENT. SAVED BY THE BELL. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB745]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. I HOPE WE CAN COME TO A VOTE. AND I HOPE WE CAN COME TO A VOTE SOON. MY AMENDMENT IS NOT AN UNFRIENDLY BILL TO GAME AND PARKS. I BELIEVE THEIR WANTING TO CHANGE THAT DATE WAS AND IS TO BENEFIT OUR PRIVATELY OWNED HUNT CLUBS THROUGHOUT THE STATE. THOSE CLUBS ARE IMPORTANT TO THE COMMUNITIES IN WHICH THEY RESIDE AND IN WHICH THEY DO BUSINESS. AND SO IF COLLEAGUES ARE IN THEIR OFFICES WHEN I DO GET TO COME TO A VOTE, I WILL ASK FOR A CALL OF THE HOUSE. I HOPE IT'S SOON BECAUSE WE ARE RUNNING OUT OF TIME ON THE AGENDA TODAY. MY PRIORITY BILL IS UP, LB960. I'M NOT DOING THIS AS A STALL TACTIC. I'M DOING IT IN HOPES TO MAKE ONE PIECE OF THAT BILL SURVIVE AND TO AVOID ANY FEE INCREASES FOR INDIVIDUALS AND FAMILIES WHO WANT TO ENJOY OUR PARKS ACROSS THE STATE. THAT'S NOT HOW TO INCREASE ATTENDANCE IS BY ASKING FOR MONEY. THERE'S GOT TO BE A BETTER SOLUTION AND IT'S NOT IN A FEE INCREASE. BUT SINCE WE CAN'T MAKE THIS BILL PERFECT, AGAIN, I'M JUST ASKING FOR SOME PROGRESS WITHIN THE BILL, THAT ONE PORTION WOULD BE PROGRESS. AND THEN WE CAN COME BACK AND WE CAN DISCUSS FINANCIAL ASSETS AND LIABILITIES FOR GAME AND PARKS BECAUSE THEY ARE A GREAT DIVISION. I LIKE WHAT THEY'VE DONE. I CAN GIVE A SHOUT-OUT TO ALL OF THE INDIVIDUALS THAT I HAVE MET WHO SPEND THEIR HOLIDAYS AND WEEKENDS AT OUR BEAUTIFUL PARKS SO YOU'RE SAFE AND ENJOYING IT, BUT NOT BY A FEE INCREASE. LET'S DO IT ANOTHER WAY. BUT WHAT WE CAN DO IS MAKE SOME PROGRESS TODAY IN HELPING THESE BUSINESSES AND THE BUSINESS OF HUNTING AND SPORTSMANSHIP HAVE THEIR REVENUES BE ONES THAT THEY CAN BE SUSTAINABLE, ONES THAT THEY CAN



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MAKE A LIVING AND PROVIDE FOR THEIR FAMILIES AND PROVIDE FOR THEIR COMMUNITIES IN A TAX BASE. I'M NOT CERTAIN THAT LB745 HAS THE CLOTURE VOTES. BUT I'M HOPING THAT AM2584 WHICH IS ONE PIECE OF THE BILL THAT BECOMES THE BILL DOES GET ENOUGH GREEN LIGHTS THAT WE CAN MOVE FORWARD TODAY AND SEE MY PRIORITY BILL ON THE FLOOR BEFORE WE ADJOURN AND HEAR OTHER BILLS. IT'S NOT GOING TO DO US ANY GOOD TO KEEP GOING ON THIS TO 12:30. IT'S GOING TO TAKE AWAY FROM OTHER BUSINESS WE NEED TO ACCOMPLISH. WE CAN COME BACK AND DISCUSS FEES AT A LATER DATE. SO, COLLEAGUES, WHEN THERE IS NO ONE, I AM GOING TO ASK FOR A CALL OF THE HOUSE. I SEE WE DON'T HAVE ENOUGH OF OUR MEMBERS HERE TO TAKE A VOTE. THANK YOU, MR. PRESIDENT. THANK YOU COLLEAGUES. [LB745 LB960]

PRESIDENT FOLEY: THANK YOU, SENATOR BRASCH. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB745]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WILL BE SUPPORTING THIS AMENDMENT. AND I WOULD ENCOURAGE YOU THAT WILL BE BACK NEXT YEAR TO COME BACK AND LOOK AT THESE FEES AGAIN IN A RATIONAL MANNER INSTEAD OF A HODGEPODGE IN ONE BIG PILE. SENATOR McCOLLISTER MENTIONED THE TALL GRASS THAT WAS SEEDED UP THERE IN THE FORMERLY IRRIGATED FARM GROUND. AND THE AG PEOPLE WILL APPRECIATE THIS, THAT AMONGST THE TALL GRASS IS LEAFY SPURGE, THISTLES, AND OTHER NOXIOUS WEEDS THAT REGULAR FARMERS WOULD BE FINED FOR HAVING ON THEIR PROPERTY. AND IF NOT FINED, THEY WOULD HAVE THE GOVERNMENT COME IN AND DESTROY THE WEEDS AND THEN ADD THAT AMOUNT TO THEIR PROPERTY TAX. AGAIN, MY PROBLEM WITH GAME AND PARKS IS NOT SO MUCH WHAT THEY DO BUT HOW THEY DO IT. LET'S GO AHEAD AND PASS AM2584. I AGREE WITH SENATOR McCOLLISTER, WE SHOULDN'T DO FILIBUSTERS. LET'S REMEMBER THAT WHEN LB900 COMES UP A LITTLE LATER ON AND LET'S GET TO WORK. THANK YOU, MR. PRESIDENT. [LB745 LB900]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB745]

SENATOR McCOLLISTER: I NEED TO BE PERFECTLY CLEAR, CRYSTAL CLEAR THAT THIS IS A HOSTILE AMENDMENT. I DO NOT SUPPORT IT. AND I WOULD ENCOURAGE THE BODY TO DO AS WELL. IN FACT, IF THIS AMENDMENT SUCCEEDS, IT PRETTY WELL GUTS THE BILL AND I WOULD STRONGLY CONSIDER

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JUST PULLING THE BILL. SO DON'T VOTE FOR THIS AMENDMENT. IT ELIMINATES ALL OF THE FEES AND EVERYTHING ELSE. SO WE NEED TO VOTE THIS AMENDMENT DOWN AND MOVE ON. WITH THAT, I THANK YOU, MR. PRESIDENT. [LB745]

PRESIDENT FOLEY: THANK YOU, SENATOR McCOLLISTER. SENATOR BRASCH, YOU'RE RECOGNIZED TO CLOSE ON AM2584. [LB745]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. THERE IS NO WAY THAT I WOULD BE CONSIDERED HOSTILE AGAINST GAME AND PARKS. I'M HOSTILE AGAINST A FEE INCREASE AT THIS POINT IN TIME. I VOTED FOR THE LAST NEEDS FOR ADA FOR GAME AND PARKS. I'VE SUPPORTED THEM AND WILL CONTINUE TO SUPPORT THEM IN SO MANY WAYS. SUPPORTING THIS PART OF AN AMENDMENT OR A BILL THEY I BELIEVE COMPILED, BECAUSE I HAVE INTRODUCED BILLS FOR THEM ON THEIR BEHALF, PRESERVES ONE IMPORTANT PART. I'M DOING IT FOR THE SURVIVAL OF THESE ORGANIZATIONS, THESE CLUBS, THESE BUSINESSES ACROSS THE STATE. AND YES, I WOULD LIKE AN EMERGENCY AMENDMENT TO IT THAT THEY CAN HAVE IT HAPPEN YET THIS YEAR. SO, COLLEAGUES, I'M ASKING YOU TO VOTE GREEN FOR MY AMENDMENT WHICH BECOMES THE BILL. AND IT IS NOT A TACTIC TO DELAY. I WANT YOU TO BE ABLE TO GO HOME AT INTERIM AND REALIZE THAT YOU DIDN'T RAISE ANY FEES FOR ANYONE GOING TO OUR GAMES AND PARKS OR ANYTHING AROUND THAT, THAT YOU HELPED A SMALL BUSINESS, AND THAT PERHAPS WE CAN FIND A SOLUTION ON REDUCING PROPERTY TAXES INSTEAD OF TYING UP THE FLOOR ON SOMETHING THAT WOULD RAISE FEES. I MAY NOT BE THE SHARPEST PENCIL, BUT I REALIZE THAT IF YOU RAISE THESE FEES IT IS GOING TO PREVENT SOMEONE FROM ENJOYING OUR BEAUTIFUL PARKS. PLEASE VOTE GREEN FOR AM2584 WHICH BECOMES THE BILL. THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LB745]

PRESIDENT FOLEY: MEMBERS, YOU'VE HEARD THE DEBATE AND CLOSING ON AM2584. SENATOR BRASCH, FOR WHAT PURPOSE DO YOU RISE? [LB745]

SENATOR BRASCH: CALL OF THE HOUSE AND A ROLL CALL VOTE IN REGULAR ORDER. [LB745]

PRESIDENT FOLEY: MEMBERS, THERE'S BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL

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THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, PLEASE, MR. CLERK. [LB745]

CLERK: 21 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB745]

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 MURANTE, HOWARD, WATERMEIER, HILKEMANN, GROENE, THE HOUSE IS UNDER CALL. SENATORS BOLZ, MURANTE, AND HOWARD, THE HOUSE IS UNDER CALL. ALL MEMBERS ARE PRESENT. THE QUESTION BEFORE US IS THE ADOPTION OF AM2584 OFFERED BY SENATOR BRASCH. THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE IN REGULAR ORDER. MR. CLERK, PLEASE CALL THE ROLL. [LB745]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 964-965.) 6 AYES, 28 NAYS, MR. PRESIDENT, ON THE AMENDMENT. [LB745]

PRESIDENT FOLEY: AM2584 IS NOT ADOPTED. I RAISE THE CALL. MR. CLERK. [LB745]

CLERK: MR. PRESIDENT, THE NEXT AMENDMENT I HAVE TO THE BILL, SENATOR CHAMBERS, AM2499. (LEGISLATIVE JOURNAL PAGE 965.) [LB745]

PRESIDENT FOLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON AM2499. [LB745]

SENATOR CHAMBERS: MR. PRESIDENT, I'M GOING TO HAVE TO COME UP THERE FOR A SECOND AND SEE WHICH ONE IT IS. I'M READY. [LB745]

PRESIDENT FOLEY: YOU MAY PROCEED, SENATOR. [LB745]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THIS IS AN AMENDMENT THAT WOULD ADD MY MOUNTAIN LION BILL TO THIS BILL, LB745. NOW THEY DIDN'T GET 33 VOTES. I DON'T KNOW WHAT THE SIGNIFICANCE OF THAT IS. BUT FROM THIS POINT ONWARD, YOU'RE GOING HAVE TO VOTE FOR

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EVERY ONE OF THOSE FEE INCREASES, ALL 29 OF THEM. AND IF YOU GIVE IT 33 VOTES THEN THAT WILL BE THE WAY IT GOES. AND YOU'LL GIVE 33 VOTES ON SELECT FILE. I WOULD LIKE TO ASK SENATOR MELLO A QUESTION, IF HE'S HERE. [LB745]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: SENATOR MELLO, WILL YOU YIELD? [LB745]

SENATOR MELLO: OF COURSE. [LB745]

SENATOR CHAMBERS: SENATOR MELLO, DO WE TAKE UP THE BUDGET BILLS NEXT? [LB745]

SENATOR MELLO: YES, WE DO, SENATOR CHAMBERS. [LB745]

SENATOR CHAMBERS: HOW MANY OF THEM ARE THERE? [LB745]

SENATOR MELLO: THERE ARE A TOTAL OF FOUR BILLS: TWO BILLS FROM THE COMMITTEE, A CLAIMS BILL, AND THEN LB960 WHICH CAME FROM THE COMMITTEE BUT IT WAS A SEPARATELY INTRODUCED AND PRIORITIZED BILL. [LB745 LB960]

SENATOR CHAMBERS: WHICH ONES HAVE ANYTHING TO DO WITH GAME AND PARKS? [LB745]

SENATOR MELLO: ACTUALLY THE MAINLINE BUDGET, LB956, BUT I WILL HAVE TO GO THROUGH MY BOOK A LITTLE BIT. I THINK FOR THE MOST PART IT WAS MOSTLY CHANGES IN THEIR EXISTING BUDGET FROM GENERAL FUNDS TO CASH FUNDS. THERE WAS NO NEW REAL INCREASE IN THE GENERAL FUNDS BUDGET FOR GAME AND PARKS. [LB745 LB956]

SENATOR CHAMBERS: IS THERE A DOLLAR AMOUNT THAT WOULD...? [LB745]

SENATOR MELLO: THERE'S ALWAYS A DOLLAR AMENDMENT, SENATOR CHAMBERS. (LAUGH) [LB745]

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SENATOR CHAMBERS: AND THOSE DOLLAR AMOUNTS CAN BE RAISED OR LOWERED BY INCREMENTS OF \$1, \$5, \$10, OR HOWEVER MANY DOLLARS THE AMENDMENT WOULD TAKE, ISN'T THAT CORRECT? [LB745]

SENATOR MELLO: YOU ARE ABSOLUTELY CORRECT. [LB745]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT, AND THANK YOU, SENATOR MELLO. MEMBERS OF THE LEGISLATURE, YOU ALL WANT TO TEST ME TODAY AND THIS IS AS GOOD A TIME AS ANY BECAUSE THE SPEAKER IS GOING TO MAKE US STAY HERE LONGER PERIODS OF TIME AND START EARLIER. I ASSURE YOU, I WILL SPEND TIME HERE, BUT I DON'T KNOW ABOUT MY COLLEAGUES AND THAT'S NOT MY CONCERN. BUT THIS AMENDMENT OF MINE WOULD ADD MY BILL TO THE EXISTING LEGISLATION THAT SENATOR McCOLLISTER HAS PRESENTED US WITH. AND I HAVE STATED THAT NOT A GOOD DEAL WAS SAID DURING THE DEBATE ON THE BILL THAT LED TO THE IMPLEMENTATION OF A MOUNTAIN LION HUNTING SEASON AND I'M GOING TO READ FROM THAT TRANSCRIPT. THIS IS THE FLOOR DEBATE OF APRIL 4, 2012. "SENATOR LOUDEN: THANK YOU, MR. PRESIDENT AND MEMBERS. GOOD AFTERNOON, MEMBERS. I WANT TO THANK SENATOR FLOOD FOR PUTTING THIS ON THE SPEAKER PRIORITY BILL. AND TODAY I BRING LB928 WHICH WOULD AUTHORIZE THE NEBRASKA GAME AND PARKS COMMISSION TO ISSUE PERMITS FOR HUNTING MOUNTAIN LIONS. LB928 IS A BILL I INTRODUCED IN THE NATURAL RESOURCES COMMITTEE ON BEHALF OF THE NEBRASKA GAME AND PARKS COMMISSION. AT THE PRESENT TIME, THERE ISN'T ANY WORDING IN STATUTE THAT ALLOWS THE GAME AND PARKS COMMISSION TO DECLARE HUNTING SEASON ON MOUNTAIN LIONS. MOUNTAIN LIONS ARE DESCRIBED IN STATUTE 37-228 AS A GAME ANIMAL, BUT THERE HAVE NEVER BEEN ANY PROVISIONS IN STATUTE TO ALLOW ANY KIND OF MANAGEMENT OR CONTROL OF THE POPULATION. WHAT LB928 DOES IS GIVE THE COMMISSION THE AUTHORITY TO IMPLEMENT A SEASON AND IT ALSO DESCRIBES IN STATUTE HOW THE SEASON WOULD BE IMPLEMENTED, HOW A LIMITED NUMBER OF PERMITS WOULD BE ALLOCATED, AND WHAT THE PROCEEDS FROM THE SALE OF PERMITS WOULD BE USED FOR. THE REASON FOR THIS BILL IS THAT IT IS THE OPINION OF THE GAME AND PARKS COMMISSION THAT THE MOUNTAIN LION POPULATION COULD ACHIEVE A HIGH ENOUGH LEVEL TO WARRANT AN OFFICIAL HUNTING SEASON. THERE ARE SIGNS OF A RESIDENT POPULATION OF MOUNTAIN LIONS IN NORTHWEST NEBRASKA. WITH SUCH A RESIDENT POPULATION, THESE ANIMALS THEN BEGIN MIGRATING TO OTHER AREAS OF THE STATE AS THERE HAVE BEEN SIGHTINGS OF MOUNTAIN LIONS STATEWIDE. LB928 IS A TOOL THAT THE GAME AND PARKS COMMISSION HAVE ASKED FOR TO HELP THEM IN THEIR MANAGEMENT OF WILDLIFE AND

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GAME ANIMALS IN NEBRASKA. I WOULD ASK THAT YOU ADVANCE LB928 TO SELECT FILE. THANK YOU, MR. PRESIDENT." THAT TESTIMONY BY SENATOR LOUDEN COMPRISED 20 LINES. THE NEXT PERSON TO SPEAK WAS SENATOR FULTON: "THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. FIRST, I WOULD LIKE TO THANK SENATOR LOUDEN FOR ALLOWING ME TO BRING THIS AMENDMENT ON HIS BILL." I HAVE TOLD YOU TIME AND TIME AGAIN THAT THE DEER DONATION PROGRAM WAS WHAT THE BULK OF THIS TESTIMONY DEALT WITH. SENATOR SCHILZ AND NOBODY ELSE HAS BEEN ABLE TO COUNTERACT THAT. THE MOUNTAIN LION HUNTING BECAME AN AFTERTHOUGHT. BUT TO CONTINUE: "THIS AMENDMENT WAS LB1163, WHICH IS A BILL I BROUGHT THIS YEAR AND IT'S ACTUALLY SOMETHING I'VE WORKED ON FOR A NUMBER OF YEARS. I SHOULD ALSO THANK SENATOR LANGEMEIER, AND THEN ALSO GAME AND PARKS COMMISSION. REALLY, SENATOR LANGEMEIER TOOK THE BULL BY THE HORNS ON THIS AND WE'RE ABLE TO PUT THIS TOGETHER. WHAT THIS IS...I'M JUST GOING TO GO AHEAD AND READ YOU SECTION 5. THE PURPOSE OF SECTIONS 5 TO 14 OF THIS ACT, AND THIS IS WHAT'S IN AM2667, IS TO ESTABLISH PROCEDURES FOR THE ADMINISTRATION OF A DEER DONATION PROGRAM AND TO ENCOURAGE HUNTERS TO HARVEST DEER TO DONATE TO A PROGRAM TO FEED RESIDENTS OF NEBRASKA WHO ARE IN NEED. SURROUNDING STATES HAVE SIMILAR PROGRAMS AND SINCE I BECAME INVOLVED WITH THE SPORTSMAN'S FORUM, I'VE RECEIVED E-MAILS AND REQUESTS AS TO WHY NEBRASKA DOES NOT HAVE SOMETHING SIMILAR IN PLACE. WE HAVE A...GAME AND PARKS DOES HAVE AN EXCHANGE IN PLACE, BUT NOT A FULL-BLOWN PROGRAM LIKE WE'RE PROPOSING HERE. AND SO I BROUGHT THIS IN THE FORM OF LB1163. GAME AND PARKS HAD SOME CONCERNS WITH HOW THIS WOULD GO FORWARD, WHETHER IT WOULD CASH FLOW PROPERLY AND THEY WERE DOING THEIR DUE DILIGENCE AS TO HOW THIS BILL COULD WORK. AND SO IT WAS VERY IMPORTANT THAT WE SIT DOWN WITH MR. DOUGLAS WITH GAME AND PARKS COMMISSION AND COME UP WITH A WAY FORWARD ON THIS. THE AMENDMENT IS PRETTY STRAIGHTFORWARD. THERE ARE...THE WAY I CAN EXPLAIN IT TO YOU QUICKLY, THERE ARE TWO COMPONENTS HERE. THOSE WHO ARE DEER HUNTERS, WHEN THEY FILL OUT THEIR PERMIT, THEY WOULD HAVE THE OPPORTUNITY TO CHECK OFF A BOX, AS WE ENVISION IT, TO DONATE MONEY TO THE HUNTER'S HELPING THE HUNGRY CASH FUND. AND IN RETURN THEY WOULD GET A TAG TO BE ABLE TO TAKE A DEER AND THEN DONATE THAT DEER TO A PARTICIPATING MEAT LOCKER. AND THAT'S ALL DEFINED IN THE AMENDMENT AND THEN THAT MEAT WOULD BE PROCESSED AND WOULD GO TO THOSE IN NEED THROUGH VARYING AGENCIES THAT PROVIDE FOOD FOR THOSE IN NEED. SO WE THINK THIS IS A WIN-WIN-WIN. THIS IS A WAY THAT WE CAN CONTROL...FURTHER CONTROL THE DEER POPULATION, WHICH IS A SAFETY

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ISSUE FOR THOSE OF US IN URBAN NEBRASKA, AND CERTAINLY AN ISSUE OF ECONOMIC DEVELOPMENT FOR THOSE IN RURAL NEBRASKA. WE PROVIDE THE MECHANISM BY WHICH WE CAN PROVIDE FOOD FOR THE NEEDY AND TO ALLOW HUNTERS TO ENGAGE IN THE SPORT THAT THEY LOVE. SO I WILL...I'LL STOP THERE. IT'S PRETTY SELF-EXPLANATORY. IT'S LAID OUT HERE. WE GIVE AUTHORITY TO THE GAME AND PARKS COMMISSION. I'LL ANSWER ANY QUESTIONS, IF YOU HAVE ANY. I JUST ASK YOU TO SUPPORT AM2667. THANK YOU, MR. PRESIDENT. THEN SENATOR KARPISEK IS CALLED ON. AND THE FIRST THING HE ASKS WAS SENATOR FULTON TO ANSWER QUESTIONS. [LB745]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: "SENATOR KARPISEK: THANK YOU, SENATOR FULTON, AND I REALLY SUPPORT THIS IDEA. I DID...I READ THE AMENDMENT A LITTLE BIT BUT NOT AS THOROUGHLY AS I SHOULD HAVE. WHAT DOES IT TAKE FOR THE MEAT LOCKER TO BE INVOLVED?" AND AS YOU ALL KNOW OR THOSE WHO WERE HERE KNOW, SENATOR KARPISEK HAD A GROCERY STORE. HIS TESTIMONY WENT ON FOR A COUPLE OF PAGES ABOUT THE DEER DONATION PROGRAM. AND THEN SENATOR HADLEY HAD SOMETHING TO SAY AND THAT'S WHOSE TESTIMONY I WILL READ NEXT. THANK YOU, MR. PRESIDENT. [LB745]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR SCHILZ, YOU'RE RECOGNIZED. [LB745]

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY, GOOD MORNING. AND I JUST WANTED TO...AND SENATOR CHAMBERS HAD MENTIONED THIS. THIS WAS LB961 BASICALLY. THE AMENDMENT IS...WHICH CAME TO THE NATURAL RESOURCES COMMITTEE THIS YEAR. WE HAD THE HEARING AND THE BILL WAS IPPed. I THINK IT WAS A UNANIMOUS VOTE, 8-0 OR 7-0 OR SOMETHING LIKE THAT, BUT I CAN FIND OUT. BUT IT WAS...SO WE DID IPP THE BILL AND I JUST WANTED TO MAKE SURE THAT EVERYBODY UNDERSTANDS THAT BECAUSE OF THAT, WE...IF WE'RE GOING TO MOVE FORWARD OR IF THERE IS INTEREST, WHICH I HOPE NOT, TO MOVE FORWARD, IT WILL REQUIRE 30 VOTES BECAUSE OF BEING BASICALLY THE SAME THING AS THE BILL THAT HE INTRODUCED THAT WAS IPPed. SO I DO NOT SUPPORT PUTTING THIS IN. WE'VE KILLED A BILL LIKE THIS OR THIS BILL A NUMBER OF TIMES NOW AND I DON'T BELIEVE THAT THIS IS THE PRUDENT THING TO DO. THANK YOU, MR. PRESIDENT. [LB745 LB961]

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SPEAKER HADLEY: THANK YOU, SENATOR SCHILZ. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB745]

SENATOR McCOLLISTER: THANK YOU, MR. SPEAKER. AM2499 IS LESS TOXIC TO MY BILL, LB745, THAN THE PREVIOUS AMENDMENT BY SENATOR BRASCH, AM2584, LESS TOXIC. HOWEVER, IT DOES REDUCE THE GAME AND PARKS'S ABILITY TO MANAGE THE POPULATION AS THEY SEE FIT. THERE IS NO QUESTION THAT MOUNTAIN LIONS ARE MAGNIFICENT CREATURES AND I'M GLAD THAT THEY HAVE RETURNED TO NEBRASKA. THEY HELP CONTROL THE DEER POPULATION, WHICH IS...HAS GROWN TOO NUMEROUS. AFTER HITTING TWO DEER IN MY CAR, I KNOW THE KIND OF DAMAGE THEY CAN DO TO AN AUTOMOBILE. SO IT'S...THEY SERVE AN IMPORTANT FUNCTION IN NEBRASKA. AND BESIDES, THERE ARE VERY FEW TIMES PEOPLE CAN SEE THEM, THEY ARE A MAGNIFICENT ANIMAL. SO I WOULD ENCOURAGE YOU TO VOTE AGAINST THE AMENDMENT, AND CONTINUE TO VOTE GREEN ON LB745. THANK YOU, MR. PRESIDENT. [LB745]

SPEAKER HADLEY: THANK YOU, SENATOR McCOLLISTER. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, AS I STATED, SENATOR HADLEY HAD SOME COMMENTS ON THIS BILL THAT I'M TALKING ABOUT WHICH DEALT WITH ESTABLISHING A MOUNTAIN LION HUNTING SEASON, AND SENATOR HADLEY DID NOT MENTION ANYTHING ABOUT THE MOUNTAIN LIONS, EITHER, BUT I'LL READ HIS TESTIMONY. ON PAGE 35 OF THE TRANSCRIPT: " SENATOR HADLEY: MR. PRESIDENT AND MEMBERS OF THE BODY, WOULD SENATOR FULTON YIELD TO A QUESTION?" SENATOR FULTON AGREED. "SENATOR HADLEY: SENATOR FULTON, WE HAD A SITUATION IN THE 37th DISTRICT AND HASTINGS WITHIN THE LAST COUPLE OF WEEKS DEALING WITH A LOCKER PLANT AND WANTING TO DONATE MEAT TO A MISSION, HOMELESS MISSION OUT THERE. AND WE WERE TOLD THEY COULDN'T DO IT BECAUSE OF THE FACT THAT THEY DID NOT HAVE A RETAIL LICENSE SO BASICALLY THEY COULD ONLY SEND THE MEAT BACK TO THE PERSON THAT THEY DID THE PROCESSING FOR. IS THAT TAKEN CARE OF IN THIS BILL?" "SENATOR FULTON: I BELIEVE SO. NOT...WHAT YOU DESCRIBED TO ME I BELIEVE WOULD BE ADDRESSED IN THIS BILL. PERHAPS THERE ARE MORE PARTICULARS I'M AWARE OF SIMILAR TO HOW I DESCRIBED TO SENATOR KARPISEK". AND HE GOES ON. THEN SENATOR HADLEY AGAIN: "OKAY, I WOULD JUST...THANK YOU, SENATOR FULTON. I JUST WANT TO MAKE SURE BECAUSE WE DID RUN INTO THIS LEGAL HASSLE AND IT HAD TO DO WITH THE FACT THAT THE U.S. DEPARTMENT



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OF AGRICULTURE WAS DOING INSPECTING AT THE SAME TIME THE STATE DEPARTMENT OF AGRICULTURE, AND THE PERSON AT THE PROCESSING PLANT DID NOT HAVE THE RIGHT KIND OF LICENSE SO THEY COULDN'T DO THIS. THEY LITERALLY COULD NOT GIVE THE MEAT TO A CHARITABLE ORGANIZATION. SO I ASSUME THAT YOU HAVE VETTED IT ENOUGH THAT THIS WOULD NOT BE A PROBLEM. THANK YOU". AND THAT WAS ALL SENATOR HADLEY SAID. THEN SENATOR KRIST SPOKE AND ALL HE SPOKE ABOUT WAS THE FOOD BANK, THE ANIMAL DONATION PROGRAM. THEN HERE'S SENATOR LOUDEN ENDING UP. "THANK YOU, MR. PRESIDENT AND MEMBERS. AND THIS IS A COLLABORATED EFFORT HERE AMONGST US THAT WE WOULD USE OUR SPORTSMEN AND ALSO OUR NATURAL RESOURCES TO A VERY GOOD USE, WHICH USING THE AMOUNT OF DEER OUT IN THERE THAT COULD BE USED FOR FOOD PROCESSED IN NEBRASKA IS A GREAT DEAL, AND GIVING THE GAME AND PARKS AUTHORITY TO DO SOMETHING SO THEY CAN HAVE A CONTROL OVER THE MOUNTAIN LION POPULATION." THAT'S ALL THAT WAS SAID. NOBODY TALKED HUNTING MOUNTAIN LIONS. NOBODY TALKED ABOUT HOW MUCH DANGER THERE WAS, NOTHING. GAME AND PARKS WANTED TO USE THIS TACTIC AND THEY BROUGHT THE BILL SO THAT THEY COULD HAVE THIS AUCTION. AND AT THAT AUCTION THEY GOT \$13,500 FOR ONE PERMIT, ONE PERMIT. AND BEFORE PEOPLE WANT TO SAY THAT THERE WERE MORE THAN 22 MOUNTAIN LIONS OUT THERE, THIS SAME GAME AND PARKS COMMISSION THAT THEY EXPRESS SO MUCH CONFIDENCE IN WAS THE ONE THAT HAD MADE THAT DETERMINATION. HAVE THEY DEVELOPED A MORE SCIENTIFIC METHOD NOW? HAD THEY NOT DONE THEIR JOB AS THEY SHOULD HAVE? OR DID THEY COME BACK WITH A CONCLUSION THAT DID NOT SUPPORT GAME AND PARKS AND THOSE HUNTERS WHO WANTED TO BE ABLE TO HUNT AND KILL THESE ANIMALS? THAT LATTER IS WHAT HAS HAPPENED. THERE STILL HAVE BEEN NO REPORTED OR CONFIRMED ATTACKS AGAINST ANY PERSON SINCE MOUNTAIN LIONS WERE FIRST SIGHTED AGAIN AFTER HAVING BEEN EXTERMINATED IN THE 1800s IN NEBRASKA. IN 1991 WAS THE FIRST CONFIRMED SIGHTING. NO HUMANS HAVE BEEN ATTACKED SINCE THEY WERE SIGHTED. NO CONFIRMED CASES OF ATTACKS... [LB745]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...AGAINST LIVESTOCK. HOWEVER, THERE IS STATUTORY AUTHORIZATION FOR ANY PERSON WHO FEELS HIS OR HER LIVESTOCK IS MENACED BY A MOUNTAIN LION CAN APPROACH GAME AND PARKS, ESTABLISH THE VALIDITY OF THEIR CLAIM, AND OBTAIN PERMISSION TO KILL SUCH ANIMAL IF THEY'RE ABLE TO. BUT THERE HAS BEEN NO NEED FOR ANYTHING LIKE THAT. AND MORE OF THESE ANIMALS HAVE BEEN KILLED FROM AUTO

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ACCIDENTS, BEING CAUGHT IN TRAPS, AND ILLEGAL HUNTING THAN BY ANY HUNTING SEASON. AND I HAVE SOME MATERIAL WHICH I WILL HAND OUT ON SELECT FILE OR BEFORE THAT TIME TO SHOW WHAT THIS SO-CALLED HUNTING CONSISTS OF. IT WILL SHOW HOW THE TWO PEOPLE WHO WERE FAVORED BY GAME AND PARKS--ONE BY MEANS OF AN AUCTION, ONE BY MEANS OF A LOTTERY--WHO WERE ALLOWED TO HUNT THESE ANIMALS WITH DOGS, AND THE ADMISSION WAS THAT WITH NO SNOW COVER... [LB745]

SPEAKER HADLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: ...THEY'D NEVER BE ABLE TO FIND ANY. YOU SAID TIME? [LB745]

SPEAKER HADLEY: YES, I DID. [LB745]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB745]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.)  
SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB745]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. AND SINCE WE'RE BEING BARE KNUCKLE HERE TODAY, I PROMISE THAT ON THAT BUDGET BILL WHEN IT COMES UP, WE'RE GOING TO TALK ABOUT GAME AND PARKS ON THAT BILL. YOU WANT TO GIVE GAME AND PARKS OVER A LOT OF THE TIMES...GIVE OVER TO GAME AND PARKS A LOT OF TIME THIS SESSION? GIVE IT TO THEM. THEY ARE NOT GOING TO HAVE A HUNTING SEASON WHILE I'M IN THE LEGISLATURE. ADOPT THIS AMENDMENT AND THEN WE'LL DISCUSS THESE FEES TO SEE WHETHER OR NOT THEY'RE VALID. AND THAT WILL NOT COMPRISE A FILIBUSTER. THAT WILL COMPRISE A DISCUSSION OF THESE FEES AND A JUSTIFICATION PROVIDED BY SENATOR McCOLLISTER. IT WILL BE ACCEPTED OR NOT. IF IT'S ACCEPTED, THE FEE INCREASE WILL GO FORWARD. IF NOT, IT WILL NOT. BUT THERE ARE 29, I THINK HE GAVE AS THE NUMBER, FEE INCREASES. AND I DON'T THINK THERE'S ANY STRAIGHT UP AND DOWN TAX BILL THAT WOULD HAVE THAT MANY PROVISIONS WHICH WOULD JUST BE TAKEN EN MASSE, OR ON MOSS (PHONETICALLY) AS SENATOR BRASHEAR USED TO SAY. THIS AMENDMENT THAT I'M OFFERING WOULD INDEED TAKE AWAY FROM THE GAME AND PARKS COMMISSION THE AUTHORITY TO ESTABLISH A MOUNTAIN LION HUNTING SEASON. IF MY AMENDMENT IS NOT ADOPTED, THEN WE WILL STAY ON THE BILL UNTIL 12:30 AND THEN SENATOR McCOLLISTER, IF HE CAN

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OBTAIN A CLOTURE VOTE, WILL DO SO. THEN SENATOR MELLO, I'M SURE, CAN GET A CLOTURE VOTE ON THE BUDGET BILL AND I THINK IT WILL TAKE THE REST OF THE DAY TO GET THROUGH THE BUDGET BILL, PERHAPS, PERHAPS, AND PERHAPS NOT. BUT THE OPPORTUNITY FOR THAT LOW-HANGING FRUIT IS BEING PRESENTED TO ME. AND I THINK SENATOR McCOLLISTER SHOULD STAY ON THE FLOOR DURING THE ENTIRE TIME OF THAT DISCUSSION, AS SHOULD EVERY MEMBER WHO WILL VOTE CLOTURE, BUT I KNOW YOU WON'T. AS I STATED THE OTHER DAY, YOU WILL BE SCARCER ON THIS FLOOR THAN MOUNTAIN LIONS ARE IN THIS STATE. BUT I WILL BE HERE AND I HAVE MANY, MANY ITEMS TO READ INTO THE RECORD. I EVEN HAVE TRANSCRIPTS OF OTHER DISCUSSIONS OF MOUNTAIN LIONS, TRANSCRIPTS OF DISCUSSIONS IN WHICH I PARTICIPATED. I WILL HAVE WHEN WE COME BACK THIS AFTERNOON THREE PICTURES IN ONE HANDOUT. ONE WILL SHOW...WELL, I WON'T TELL YOU. THAT WILL TAKE AWAY ALL OF THE ANTICIPATION, BUT IT WILL SHOW WHAT THIS KIND OF HUNTING IN NEBRASKA, SENATOR McCOLLISTER, CONSISTS OF. I WONDER HOW MUCH HUNTING SENATOR McCOLLISTER WOULD THINK IT WOULD TAKE TO HAVE A MEMBER OF THE CATTLE FAMILY WHO HAD LIVED IN A PASTURE FOR YEARS TO BE SHOT WITH A HIGH-CALIBER RIFLE AS A SPECTATOR SPORT, SEVEN PICKUP TRUCKS FULL OF PEOPLE AND THE SHOOTER SAYING I NEVER KNEW THAT IT WOULD BE SUCH A GOOD SPECTATOR SPORT TO SHOOT ONE OF THESE ANIMALS IN A PASTURE. THAT'S WHAT GOES ON IN NEBRASKA. I WOULD NOT HAVE THE BLOOD ON MY HANDS THAT THE GAME AND PARKS COMMISSION WOULD PUT THERE, DO THEIR DIRTY WORK, AND THEN SAY, BUT MY MOTIVES ARE ALTRUISTIC. THIS IS A WONDERFUL OPERATION. I'M GOING TO SHOW YOU WHAT THAT WONDERFUL OPERATION DOES. [LB745]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: AND I'M GOING TO LET YOU SEE THE PICTURE OF A MOUNTAIN LION TREED BY DOGS AND THEN SHOT OUT OF THE TREE, WHICH IS WHAT YOU APPROVE OF BECAUSE GAME AND PARKS SPECIFICALLY AUTHORIZED HUNTING WITH THE DOGS BECAUSE THEY WOULDN'T HAVE BEEN ABLE TO GET ONE OF THESE ANIMALS. THE ANIMAL IS ELUSIVE, SECRETIVE AND YOU ALL WANT TO KILL THEM. WELL, YOU CAN KILL THE ANIMALS AND I CAN KILL SOME TIME. AND I'M IN A VERY SOUR MOOD. I'M NOT GOING TO TRY TO SAY EVERYTHING I HAVE TO SAY, SPEAKING ONE TIME AND I HAVE OTHER MOTIONS THAT I'M GOING TO MAKE ALONG THE WAY JUST TO SHOW YOU HOW DETERMINED I AM. DO YOU KNOW THE MOTION THAT HAS THE HIGHEST PRIORITY? A MOTION TO RECESS. [LB745]

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SPEAKER HADLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB745]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB745]

SENATOR McCOLLISTER: QUESTION. [LB745]

SPEAKER HADLEY: THE CHAIR RULES THERE HAS NOT BEEN FULL AND FAIR DEBATE YET. SENATOR BLOOMFIELD. [LB745]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I AGAIN WANT TO THANK SENATOR McCOLLISTER FOR COMING UP TO NORTHEAST NEBRASKA OVER THE WEEKEND AND FOR LUNCH. HE AND I JUST HAVE A FUNDAMENTAL DISAGREEMENT ON WHAT SHOULD HAPPEN WITH GAME AND PARKS HERE. I WONDER, HAD HE KNOWN ALL THE DETAILS THAT HAVE BEEN BROUGHT OUT DURING THIS DEBATE, HOW EAGER HE WOULD HAVE BEEN TO BRING THIS BILL WITHOUT TUNING IT UP JUST A LITTLE BIT BEFORE IT CAME TO THE FLOOR. I DON'T DENY THE FACT THAT HE PROBABLY WOULD HAVE BROUGHT THE BILL, BUT I SUSPECT DOWN DEEP IN MY HEART THAT HE MIGHT HAVE LOOKED AT IT A LITTLE BIT DIFFERENTLY IF HE'D HAVE KNOWN WHAT WAS GOING ON IN SOME OF THE AREAS UP THERE, HOW THEY SPEND SOME OF THEIR MONEY. PERHAPS NOT. I GUESS PART OF MY LACK OF UNDERSTANDING OF HOW CITY FOLKS LIKE GAME AND PARKS IS THE FACT THAT I CAN STEP OUT OF MY HOUSE AND WITHIN 100 YARDS I'M IN TREES AND WHATNOT. PEOPLE IN DOWNTOWN OMAHA, I UNDERSTAND, DON'T HAVE THAT OPPORTUNITY. BUT AGAIN, I'M NOT OPPOSED TO GAME AND PARKS, JUST THE WAY THEY SOMETIMES DO THINGS. AND I'D YIELD THE REMAINDER OF MY TIME TO SENATOR CHAMBERS. [LB745]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 3:24. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, I SEE WHAT SENATOR McCOLLISTER IS GOING TO DO NOW AND I DON'T BLAME HIM. MY NEXT MOTION IS GOING TO BE TO RECESS, THEN WE'RE GOING TO...YOU'RE GOING TO VOTE THAT DOWN BUT I'M GOING TO HAVE A CALL OF THE HOUSE AND A ROLL CALL VOTE. THEN I'M GOING TO MAKE A MOTION TO ADJOURN AND WE'RE GOING TO DO THE SAME THING. AND THEN I HAVE THAT 12 OR 13 PAGES OF AMENDMENTS.

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WE'RE GOING TO GO UNTIL 12:30 TODAY OR WHATEVER THE SPEAKER SAID WE WILL GO TO AND THAT WILL BE THE FIRST TEST OF ME. DO I HAVE AN HOUR AND 15 MINUTES OF ENDURANCE IN ME, OR YOU THINK I DON'T? BUT REMEMBER, I HAVE OBLIGED MYSELF TO DO SOME WORK ON THE BUDGET BILL AND I SHALL. WE'RE NOT TALKING ABOUT ANYTHING HERE ANYMORE THIS SESSION EXCEPT TEACHING ME, SENATOR ERNIE CHAMBERS, A LESSON, TO TEACH SENATOR CHAMBERS HIS PLACE. AND I'M GOING TO SHOW YOU HOW DIFFICULT IT IS TO TEACH ME A LESSON AND TO PUT ME IN MY PLACE. MY PLACE IS ON THE FLOOR OF THIS LEGISLATURE DOING EVERYTHING I CHOOSE TO DO. BUT HE WHO LIVES BY THE RULES DIES BY THE RULES. SENATOR McCOLLISTER THE OTHER DAY WAS ABLE TO GET A MOTION MADE WHICH WASN'T NECESSARY BECAUSE THERE WAS NOBODY IN THE QUEUE AS IT'S CALLED. I HAD NO TIMES TO SPEAK. SO THERE WAS THE TERMINATION OF A LENGTHY DISCUSSION ON LB1109 OR WHATEVER THAT UNL BILL WAS. BUT IT WILL COME BACK AND WE WILL DEAL WITH IT THEN. AND I ASSURE YOU THERE ARE GOING TO BE OTHER BILLS THAT I SHALL TAKE MY TIME ON AND GIVE OTHERS OF YOU THE OPPORTUNITY TO PUT ME IN MY PLACE. YOU'LL BE ANGRY FOR 18 DAYS, THEN YOU'LL FORGET IT BY THE TIME WE GET HERE NEXT SESSION. AND SOME OF YOU WON'T EVEN BE COMING BACK. MAYBE I WON'T EVEN BE COMING BACK. BUT I CAN ONLY LIVE IN THE INSTANT. [LB745 LB1109]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: AND I'M GOING TO SPEND EACH INSTANT DOING WHAT I THINK IS RIGHT. BEFORE I MAKE A MOTION TO RECESS, I'M GOING TO SEE HOW WE DO ON MY MOTION TO AMEND THIS BILL AND WHATEVER ELSE I DECIDE TO ATTEMPT TO DO WITH THAT MOTION TO AMEND THE BILL. BUT THERE WILL BE AN OPPORTUNITY FOR US TO SEE WHAT KIND OF VERSATILITY IS AVAILABLE WITHIN THE RULES. THIS BILL...THIS AMENDMENT OF MINE, WILL NOT TAKE AWAY FROM THE GAME AND PARKS COMMISSION THE RIGHT TO MANAGE THESE ANIMALS. THEY CAN DO THAT THROUGH THE INHERENT AUTHORITY THEY HAVE...LET'S NOT SAY INHERENT, BUT THE AUTHORITY THEY'RE GIVEN TO MANAGE LIVESTOCK IN THIS STATE. IF THERE IS A PROBLEM BEAST, THEY CAN TRANQUILIZE IT, THEY CAN RELOCATE IT, OR IF THEY'RE BLOODTHIRSTY, THEY CAN JUST GO ON AND KILL IT. THEY WILL BE ABLE TO DO ALL OF THOSE THINGS. THEY SIMPLY CANNOT... [LB745]

SPEAKER HADLEY: TIME, SENATOR. [LB745]

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SENATOR CHAMBERS: ...ESTABLISH A HUNTING SEASON. THANK YOU, MR. PRESIDENT. [LB745]

SPEAKER HADLEY: NO ONE ELSE IN THE QUEUE, SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. [LB745]

SENATOR CHAMBERS: THANK YOU. I LAY BEFORE YOU TODAY TWO PATHS: ONE, THE PATH OF WISDOM, ADOPT THIS AMENDMENT WHICH WILL NOT HARM GAME AND PARKS AND WHAT THEY WANT TO DO FOR THE NEXT FEW YEARS IN ANY WAY. THEY'RE NOT GOING TO ESTABLISH A HUNTING SEASON ANYTIME SOON; OR THE OTHER WAY, WHILE WE'RE ON GENERAL FILE, PUT ME IN MY PLACE BY VOTING CLOTURE AND THEN DO IT AGAIN ON SELECT FILE. BUT I'M JUST REMINDING YOU THAT THE ONLY THING YOU WILL VOTE ON WHEN WE COME TO CLOTURE IS THE BILL AS IT STANDS WITH 29 FEE INCREASES, NOT ONE OF WHICH HAS BEEN JUSTIFIED. GAME AND PARKS HAS NOT TAKEN THIS APPROACH BEFORE. BUT THEY DECIDED, WHY NOT, WHAT HAVE THEY GOT TO LOSE? THEY KNEW THAT I DIDN'T LIKE ANY BILL THAT THEY BRING. THEY FIGURED THAT THEY WOULD BE ABLE TO GET A CLOTURE VOTE. AND MAYBE THEY WILL HAVE OUTFOXED EVERYBODY BY GETTING 29 FEE INCREASES WITHOUT HAVING HAD TO JUSTIFY ONE OF THEM. DO I CARE WHETHER THEY GET THOSE FEE INCREASES? CERTAINLY. BUT CIRCUMSTANCES HAVE COMBINED TO CREATE A SITUATION WHERE I AM NOT AT LIBERTY TO DO THE ANALYZING OF EACH ONE OF THOSE FEES AS SHOULD BE THE CASE. MY INDEPENDENT THINKING, CONSERVATIVE YOUNG FRIEND CARRYING THE WATER FOR GAME AND PARKS...I WONDER IF SENATOR McCOLLISTER HAS HEARD OF A FICTIONAL CHARACTER NAMED GUNGA DIN IN A POEM BY RUDYARD KIPLING. HE WAS A WATER CARRIER FOR THE BRITISH. BUT AT ANY RATE, WE ARE IN THE POSTERIOR PORTIONS OF THE LEGISLATIVE SESSION NOW AND WE'RE GOING TO SEE HOW THINGS UNFOLD. THERE ARE BILLS IN WHICH I HAVE AN INTEREST, AND MAYBE I WON'T GET TO THOSE BILLS THIS YEAR, BUT THERE IS ANOTHER YEAR. AND BEFORE THEN, MAYBE SOMEBODY WILL HAVE PROVOKED THE HEAD OF NORTH KOREA, BELIEVING THAT THEY'RE BLUFFING WHEN THEY SAY THEY HAVE A MISSILE THAT CAN REACH AMERICA. THEY HAVE REDUCED A NUCLEAR WARHEAD SMALL ENOUGH TO REST ATOP THAT MISSILE AND STRIKE AN AMERICAN CITY. IF THAT SHOULD BE DONE, I DON'T KNOW THAT FEE INCREASES FOR GAME AND PARKS WILL BE UPPERMOST ON ANYBODY'S MIND. I DON'T KNOW WHAT WILL BE UPPERMOST ON ANYBODY'S MIND. MAYBE THERE WON'T BE A WAR. MAYBE THE WORLD WILL END. MAYBE I'LL DIE. MAYBE EVERYBODY HERE WILL DIE. WE DON'T KNOW. BUT WE DO KNOW WHAT'S GOING ON RIGHT NOW. AND I THINK THAT THE ADOPTION OF THIS AMENDMENT IS A WISE MOVE

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TO MAKE. SENATOR McCOLLISTER SAID HE OPPOSES IT. HE SAID IT'S A LOT LESS TOXIC THAN WHAT SENATOR BRASCH OFFERED. LET THIS BE A TEST VOTE. GIVE SENATOR McCOLLISTER HIS 33 VOTES. AND BY GIVING HIM HIS 33 VOTES, MAKE IT CLEAR THAT YOU SUPPORT ALL 29 OF THOSE FEE INCREASES BECAUSE THAT IS GOING TO BE... [LB745]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...THE PRACTICAL EFFECT. I'M GOING TO WATCH THAT VOTE FOR THE ADOPTION OF MY AMENDMENT, AND AS USUAL, I HAVE PREPARED A RECONSIDERATION MOTION. AND WHEN I MAKE THOSE OTHER KIND OF MOTIONS LIKE RECESSING AND ADJOURNING, I WILL NOT RECONSIDER THOSE, WHATEVER HAPPENS. NOW IF THEY SUCCEED, THAT'S IT. IF THEY DON'T, THEY DON'T. BUT WE'LL VOTE DOWN RECESSING, YOU'LL VOTE DOWN ADJOURNING. WE'LL TALK AWHILE. THEN IT MIGHT BE TIME TO TRY TO RECESS AGAIN BECAUSE REMEMBER THIS, WE'RE GOING TO STAY HERE TODAY UNTIL 12-SOMETHING AND THE CLOTURE MOTION IS TAKEN. SO ALL OF THOSE OTHER MOTIONS I'M TALKING ABOUT WILL TAKE PLACE SOMETIME DURING THE AFTERNOON... [LB745]

SPEAKER HADLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: ...PROCEEDINGS. I WILL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB745]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB745]

CLERK: 20 AYES, 0 NAYS, MR. PRESIDENT, TO PLACE THE HOUSE UNDER CALL. [LB745]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS FOX, EBKE, WATERMEIER, BURKE HARR, PANSING BROOKS, SCHNOOR, KUEHN, GLOOR, MELLO, SMITH, COASH, HUGHES, KOLTERMAN,

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JOHNSON, HILKEMANN. SENATORS WATERMEIER, BURKE HARR, PANSING BROOKS, SENATORS GLOOR, SMITH, HUGHES, AND JOHNSON, THE HOUSE IS UNDER CALL. PLEASE RETURN TO THE CHAMBER. IT IS THE RULING OF THE CHAIR THAT THIS VOTE WILL TAKE 30 VOTES TO PASS AM2499. THERE HAS BEEN REQUEST FOR A ROLL CALL VOTE IN REGULAR ORDER. MR. CLERK. [LB745]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 966.) 10 AYES, 16 NAYS, MR. PRESIDENT, ON THE AMENDMENT. [LB745]

SPEAKER HADLEY: THE MOTION FAILS. THE CALL IS RAISED. [LB745]

CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO RECONSIDER THE VOTE JUST TAKEN WITH RESPECT TO AM2499. [LB745]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED ON THE RECONSIDERATION MOTION. [LB745]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, THIS TIME I WILL VOTE YES. I HAD TO BE IN A POSITION TO MOVE TO RECONSIDER. THEY DIDN'T COME ANYWHERE NEAR 33 VOTES. WHAT DOES THAT MEAN? MAYBE IT MEANS NOTHING. OR MAYBE THE BODY TALKING ABOUT REDUCING TAXES IS NOT GOING TO BE OF A MIND TO VOTE EN MASSE, 29 FEE INCREASES FOR ACCESS TO THOSE THINGS WHICH SHOULD BELONG TO THE PUBLIC ANYWAY. AND A CONSERVATIVE IS THE ONE BRINGING THESE TAX INCREASES AND THAT'S WHAT THEY ARE. I AM GOING TO DO AS I SAID. THE FIRST THING IS TO KEEP US HERE UNTIL 12:30. I SEE MY GOOD FRIEND SENATOR GARRETT COMING AND HE'S GOT A BILL DEALING WITH CANNABIS THAT I REALLY LIKE. AND I'D HATE TO SEE THAT BILL FALL PREY OR VICTIM TO WHAT IS IN STORE. YOU WANT YOUR WAY COLLECTIVELY. DO YOU HAVE ANY MORE RIGHT, EVEN THOUGH IT'S DONE COLLECTIVELY, TO YOUR WAY THAN I HAVE TO MY WAY? I AM TRYING TO CONSERVE A NATURAL RESOURCE THAT BELONGS TO ALL OF THE PEOPLE IN THIS STATE, NOT TO GAME AND PARKS. GAME AND PARKS DOES NOT OWN THESE ANIMALS. I'D LIKE TO ASK SENATOR...OH, I SEE SENATOR McCOLLISTER. I WANT TO ASK HIM A QUESTION. [LB745]

SPEAKER HADLEY: SENATOR McCOLLISTER, WILL YOU YIELD TO A QUESTION? [LB745]



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SENATOR McCOLLISTER: YES. YES, I WILL. [LB745]

SENATOR CHAMBERS: SENATOR McCOLLISTER, HAVE YOU EVER HUNTED BEFORE? [LB745]

SENATOR McCOLLISTER: I HAVE, SENATOR CHAMBERS. [LB745]

SENATOR CHAMBERS: DO YOU OWN LAND? [LB745]

SENATOR McCOLLISTER: DID AT ONE POINT BUT WE DON'T NOW. [LB745]

SENATOR CHAMBERS: DO YOU KNOW THAT THERE ARE...AND I DON'T MEAN BY NAME, BUT ARE YOU AWARE THAT THERE ARE PEOPLE IN THE RURAL AREAS WHO OWN LARGE TRACTS OF LAND? ARE YOU AWARE OF THAT? [LB745]

SENATOR McCOLLISTER: OF COURSE, YES. [LB745]

SENATOR CHAMBERS: ARE YOU AWARE THAT THERE ARE WILD ANIMALS THAT MAY LIVE ON THAT LAND? [LB745]

SENATOR McCOLLISTER: YES, I'M AWARE OF THAT. [LB745]

SENATOR CHAMBERS: DO THOSE ANIMALS BELONG TO THE LANDOWNER? [LB745]

SENATOR McCOLLISTER: NO, THEY DON'T. [LB745]

SENATOR CHAMBERS: TO WHOM DO THEY BELONG? [LB745]

SENATOR McCOLLISTER: TO THE CITIZENS OF THE STATE I WOULD GUESS. [LB745]

SENATOR CHAMBERS: SENATOR McCOLLISTER, YOU'RE CORRECT, OR TO THE PEOPLE AS A WHOLE BECAUSE THE PEOPLE COMPRISE THE STATE. WE'RE NOT TALKING ABOUT THE POLITICAL ENTITY OF THE LEGISLATURE. SENATOR, CAN A

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LANDOWNER HUNT ANY WILD ANIMAL ON HIS OR HER LAND WHENEVER HE OR SHE PLEASES? [LB745]

SENATOR McCOLLISTER: NO, YOU SURE CAN'T. I THINK THERE'S PRESCRIBED PERIODS OF TIME TO DO THAT, ALTHOUGH THEY MAY HAVE SOME RIGHTS IF A PARTICULAR ANIMAL IS THREATENING THE LAND OR... [LB745]

SENATOR CHAMBERS: BUT IN GENERAL. [LB745]

SENATOR McCOLLISTER: ...THREATENING THEIR FAMILY, I CAN UNDERSTAND THAT THOSE PROVISIONS MIGHT EXIST THAT WOULD GIVE THEM SPECIAL PRIVILEGES. [LB745]

SENATOR CHAMBERS: WOULD A LANDOWNER NEED TO HAVE A DEER HUNTING PERMIT TO HUNT DEER, EVEN THOUGH THEY'RE ON HIS OR HER OWN PROPERTY? [LB745]

SENATOR McCOLLISTER: I BELIEVE THAT'S CORRECT. [LB745]

SENATOR CHAMBERS: YOU'RE CORRECT. THANK YOU. MEMBERS OF THE LEGISLATURE, THESE ANIMALS DON'T BELONG TO HUNTERS. THEY DON'T BELONG TO GAME AND PARKS. THEY BELONG TO THE PEOPLE AS MUCH AS THE WATERWAYS BELONG TO THE PEOPLE. THERE ARE SOME INSTANCES WHERE SOMEBODY CANNOT EVEN USE THE WATER UNDER HIS OR HER LAND ANY WAY HE OR SHE PLEASES, AIRSPACE. THESE ANIMALS ARE A PART OF THE NATURAL RESOURCES OF THIS STATE. I AM TRYING TO CONSERVE THOSE NATURAL RESOURCES. YOU DON'T OWE IT TO GAME AND PARKS TO DO WHAT YOU'VE BEEN TOLD YOU MUST DO, BUT I'M GOING TO FORCE YOU TO DO IT. GAME AND PARKS, KNOWING THAT I KNOW THEM AS I KNOW THEM, ARE WELL AWARE THAT I WOULD PICK OUT SOME OF THOSE FEES THAT ARE EXCESSIVE AND WILL MANAGE TO GET SOME OF THEM LOWERED. THEY KNOW THAT. BUT THEY NEVER CONTEMPLATED IN THEIR WILDEST IMAGININGS THAT THEY WOULD GET EVERY ONE OF THOSE FEE INCREASES, EVEN THE EXORBITANT ONES, EVERY ONE OF THEM, ALL OF THEM VOTED FOR BY THIS LEGISLATURE DURING A SESSION WHEN EVERYBODY'S TALKING ABOUT PROPERTY TAX DECREASES. YOU TALK OUT OF ONE SIDE OF YOUR MOUTH ABOUT REDUCING PROPERTY TAXES, THEN YOU AGREE TO RAISE THE TAXES ON A SEGMENT OF THE POPULATION. THEY HAVE WHAT THEY CALL EXCISE TAXES. SENATOR McCOLLISTER AND OTHERS LIKE TO SAY USER FEES. THEY HAVE A DISTASTE FOR BEING

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FORTHRIGHT AND CALLING SOMETHING WHAT IT IS. IT IS A TAX. HERE IS SENATOR McCOLLISTER'S PHILOSOPHY: IF IT LOOKS LIKE A DUCK, IF IT WALKS LIKE A DUCK, IF IT QUACKS LIKE A DUCK, IT'S A CHICKEN. THAT'S HIS PHILOSOPHY. THIS IS A TAX INCREASE AND SOME OF THEM ARE GOING TO FALL ON PEOPLE WHO CANNOT WELL AFFORD THEM. SOMEBODY MIGHT SAY, LOOK AT THE GOOD DEAL YOU'RE GETTING HERE. WE'RE NOT TALKING ABOUT GOOD DEALS. WE SHOULD BE TALKING ABOUT EQUITY AND FAIRNESS, MAKING THE STATE'S RESOURCES AVAILABLE AND WITHIN THE REACH OF ALL OF ITS CITIZENS, NOT TO HELP SOME FREE-SPENDING AGENCY OF GOVERNMENT WHICH DOES NOT EVEN PROPERLY ADMINISTER THE MONEY AND THE LANDS THAT IT HAS UNDER ITS CONTROL AND JURISDICTION. BUT THERE WILL BE PLENTY OF TIME TO TALK ABOUT THIS NOT JUST THIS MORNING, NOT JUST THIS AFTERNOON, BUT DURING THE SESSION. I DON'T KNOW IF SENATOR MELLO IS ANYWHERE NEAR, BUT HE DOESN'T HAVE TO SHOW UP NOW IF HE'S NOT ON THE FLOOR, BUT I WILL ASK HIM A QUESTION OR TWO. [LB745]

SPEAKER HADLEY: SENATOR MELLO, WILL YOU YIELD TO A QUESTION? [LB745]

SENATOR MELLO: OF COURSE. [LB745]

SENATOR CHAMBERS: SENATOR MELLO, HOW MANY HOURS BEFORE A CLOTURE MOTION CAN BE INVOKED ON THE BUDGET BILL? [LB745]

SENATOR MELLO: SENATOR CHAMBERS, AS YOU AND I HAVE DISCUSSED THIS I BELIEVE EVERY YEAR I'VE BEEN THE APPROPRIATIONS COMMITTEE CHAIRMAN, THERE'S A GENERAL RULE OF THUMB THAT THE BUDGET BILL CANNOT BE FILIBUSTERED...OR CANNOT BE CALLED TO CLOTURE, I SHOULD SAY, AND THAT BECAUSE THE LEGISLATURE...IT'S THE ONE ITEM THE LEGISLATURE HAS TO ACCOMPLISH PER OUR CONSTITUTION, THAT THE BUDGET DEBATE COULD GO ON INDEFINITELY. [LB745]

SENATOR CHAMBERS: SENATOR MELLO, IN ALL OF THE YEARS THAT YOU HAVE BEEN HERE, HAVE I EVER TAKEN WHAT COULD BE CONSIDERED AN EXCESSIVE AMOUNT OF TIME ON THE BUDGET BILL SOLELY AS A TACTIC? [LB745]

SENATOR MELLO: NO, YOU HAVE NOT. [LB745]

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SENATOR CHAMBERS: SENATOR MELLO, BEING A MAN OF EXPERIENCE OF THE WORLD AND A READER OF MUCH LITERATURE, IS THERE A FIRST TIME FOR MANY THINGS? [LB745]

SENATOR MELLO: SENATOR CHAMBERS, ONE COULD SAY THERE'S A FIRST TIME FOR EVERYTHING. [LB745]

SENATOR CHAMBERS: THANK YOU, SENATOR MELLO. THAT'S ALL THAT I HAVE TO ASK YOU RIGHT NOW. MEMBERS OF THE LEGISLATURE, THERE'S NO NEED FOR THERE TO BE HARD FEELINGS. THERE'S NO NEED FOR THERE TO BE ACRIMONIOUS WORDS SPOKEN. BUT BEFORE WE GET THROUGH, ALL OF THAT IS GOING TO BE A PART OF IT. AND I TOLD YOU ALL EARLY IN THE SESSION WHEN WE START GETTING NEAR THE END OF IT, DON'T GET UPSET WITH ME BECAUSE I TOLD YOU WHAT WE WERE GOING TO DO. YOU HAVE AN OPPORTUNITY NOW TO PREVENT ONE OF THOSE OCCURRENCES. I ACKNOWLEDGE... [LB745]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...OVER AND OVER AND OVER THAT I WILL USE THE TACTICS AVAILABLE UNDER THE RULES TO ACHIEVE WHAT IT IS THAT I WANT. AND YOU ALL COLLECTIVELY DO THE SAME THING. WELL, I DO NOT ACCORD TO YOU GREATER RIGHT WHEN A PRINCIPLE IS AT STAKE THAN I HAVE. YOU STILL BREAK DOWN INTO A CERTAIN NUMBER OF INDIVIDUALS, AND NO INDIVIDUAL OF YOU HAS ANY MORE RIGHT THAN I HAVE ON THIS FLOOR. AND EVEN COLLECTIVELY YOU HAVE A GREATER RIGHT ONLY PURSUANT TO RULES THAT GRANT YOU THAT GREATER RIGHT WHEN YOU WANT TO SHUT SOMEBODY UP. AND YOU HAVE THAT RIGHT AND YOU WILL BE ALLOWED TO ENFORCE IT AT TWELVE-WHATEVER TIME. AND WHEN YOU CAST THAT CLOTURE VOTE... [LB745]

SPEAKER HADLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB745]

SPEAKER HADLEY: (VISITORS INTRODUCED.) THE MAPLE LEAF COOKIES ON YOUR DESK ARE IN HONOR OF CANADA DAY AND THEY WERE PROVIDED BY THE SPEAKER'S OFFICE. (VISITORS INTRODUCED.) SENATOR KRIST, YOU ARE RECOGNIZED. [LB745]

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SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING, COLLEAGUES, AND GOOD MORNING, NEBRASKA. I WONDER IF SENATOR CHAMBERS WOULD YIELD TO A QUESTION. [LB745]

SPEAKER HADLEY: SENATOR CHAMBERS, YIELD TO A QUESTION? [LB745]

SENATOR CHAMBERS: YES. [LB745]

SENATOR KRIST: THE PURPOSE OF YOUR MOTION ON THE FLOOR IS TO RECONSIDER A VOTE PREVIOUSLY TAKEN ON AM2499 AND AM2499 WOULD PROHIBIT THE OPEN SEASON...OR THE SEASON ON HUNTING REGARDING--AND YOU'VE CALLED THEM BY MANY NAMES--BUT THE MOUNTAIN LION OR THE COUGAR, IS THAT CORRECT? [LB745]

SENATOR CHAMBERS: THAT'S CORRECT. [LB745]

SENATOR KRIST: AND WHAT YOU'VE DONE HERE IS APPLIED THAT AMENDMENT TO A BILL THAT IS, AT LEAST IN MY OPINION, GERMANE IN THE FACT THAT IT DEALS WITH A DEPARTMENT THAT HAS REGULATED THAT HUNTING SEASON, IS THAT CORRECT? [LB745]

SENATOR CHAMBERS: YES, AND SOME OF THE VERY SECTIONS IN THAT BILL SURROUND THE SECTION INVOLVED IN MY BILL. [LB745]

SENATOR KRIST: OKAY. AND I APPRECIATE THAT. THANK YOU, SENATOR CHAMBERS, FOR YIELDING AND FOR YOUR CONSIDERATION. NOW I HAVE A FEW STATEMENTS TO PUT ON THE RECORD AND I'M HOPING THAT, WITH ALL THE OTHER COMMOTION THAT'S GOING ON, THOSE WHO ARE IN THEIR OFFICE AND THOSE WHO ARE ON THE FLOOR WILL LISTEN VERY CAREFULLY TO WHAT I HAVE TO SAY. IT SEEMS TO ME THAT THE MOTION TO RECONSIDER THE VOTE PREVIOUSLY TAKEN IS COMPLETELY IN LINE WITH SENATOR CHAMBERS' PREROGATIVE AND RIGHTS IN TERMS OF THE RULES OF THIS BODY. THE AMENDMENT, AM2499, I BELIEVE IS GERMANE TO PORTIONS OF, AS SENATOR CHAMBERS HAS CONFIRMED FOR US, PORTIONS OF SENATOR McCOLLISTER'S BILL DEALING WITH THE FUNDING MECHANISMS THAT ARE IN PLACE AND THE REVENUE THAT WOULD BE CREATED FROM EXTRACTING A LICENSE FEE OR AUCTIONING OFF A LICENSE FEE IN ORDER TO HUNT THE COUGARS. AND THE REASON WE'RE AT THE 30 THRESHOLD, 30-VOTE THRESHOLD, IS THAT THIS BILL

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WAS KILLED IN COMMITTEE. IT'S NOT UNCOMMON THAT SOMEONE WOULD BRING SOMETHING TO THIS FLOOR THAT IS KILLED IN COMMITTEE, AND THAT'S WHY THE 30-VOTE THRESHOLD IS THERE. SO FROM MY OWN PERSPECTIVE, COMPLETELY LEGITIMATE IN TERMS OF WHERE WE ARE, ALTHOUGH SENATOR CHAMBERS DOES NOT NEED MY PERMISSION. AND AS FAR AS OTHER BILLS ARE CONCERNED, IF THERE'S OTHER LIKE SUBSTANCE MATTER THAT IS THERE, THEN I WOULD SAY THAT SENATOR CHAMBERS, FROM NOW UNTIL THE END OF THE SESSION, CAN PUT A MOTION ONTO ANY BILL, IN MY OPINION, THAT WOULD BE GERMANE OR CONSISTENT WITH THE CONVERSATION THAT'S GOING ON. HOWEVER, HERE'S WHERE I DRAW THE LINE. I HAVE FOUGHT FOR THE LAST FEW YEARS TO GET A COPY OF BLACK'S LAW DICTIONARY BACK HERE FOR EVERYONE TO USE. AND I THINK IT'S VERY USEFUL SOMETIMES TO LOOK AT BLACK'S LAW IN ORDER TO GET NOT JUST THE POPULAR DEFINITION, THE WEBSTER DEFINITION, BUT THE LEGAL DEFINITION OF THOSE THINGS. I BELIEVE SINCERELY THAT HANGING UP A BILL OR SUBJECT MATTER OR THE JOB OR THE DUTY OF THIS LEGISLATURE BY IMPOSING WILL UPON OR TRYING TO GET OUR WAY IN ANY WAY AND TALKING ABOUT THINGS THAT ARE NOT GERMANE TO THE CONVERSATION, IS IN ESSENCE BLACKMAIL. I COULD READ IT TO YOU. I CAN READ YOU THE DEFINITION OF BLACKMAIL. BUT I THINK YOU GET THE POINT. THE POINT IS THAT WE ALL HAVE THE PREROGATIVE TO DO WHAT WE WANT TO DO AND CARRY ON THE WAY WE WANT TO CARRY ON AND GET OUR WAY. WE HAVE A JOB AHEAD OF US THIS AFTERNOON WITH THE BUDGET BILL, AND THERE ARE OTHER BILLS OUT THERE THAT SENATOR CHAMBERS CAN RIGHTFULLY ATTACH THIS AMENDMENT TO. THE BUDGET BILL IS NOT GERMANE. AND THE FACT THAT WE WOULD SAY THAT WE COULD PUT SOME MONEY TOWARDS AN AGENCY OR A DEPARTMENT WITHIN THE BUDGET BILL, AGAIN BECOMES... [LB745]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR KRIST: ...A POINT THAT IS NOT GERMANE. AS 1 OF 49, I HAVE NEVER NOR WILL I EVER ACQUIESCE TO BLACKMAIL ON THIS FLOOR. SO UNFORTUNATELY, MAYBE WE'LL HAVE TO TAKE ACTION, BUT I HOPE IT'S NOT NECESSARY. I SUPPORT AM2499, AS I HAVE EVERY TIME IT'S BEEN BROUGHT BEFORE US THAT SENATOR CHAMBERS HAS BEEN BACK AND WE HAVE PUT IT FORWARD. AND IN FACT, YOU KNOW THE HISTORY. WE VOTED IT OUT OF HERE AND THE GOVERNOR VETOED IT AND WE COULDN'T MUSTER ENOUGH VOTES TO OVERRIDE THE VETO. I WOULD SUPPORT THE RECONSIDER MOTION AND AM2499 BUT I'VE ISSUED MY ULTIMATUM AS WELL. THANK YOU. [LB745]

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SPEAKER HADLEY: THANK YOU, SENATOR KRIST. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LR459, LR460, LR461, LR462, LR465, LR466, LR467, LR468, AND LR469. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB745 LR459 LR460 LR461 LR462 LR465 LR466 LR467 LR468 LR469]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, IT IS NOT BLACKMAIL TO SEEK TO AMEND THE BUDGET BILL. HOW MANY TIMES HAVE WE SEEN ON THIS FLOOR AND IN LEGISLATURES AROUND THE COUNTRY AND CONGRESS SAYING THAT OVERSIGHT WILL BE EXERCISED BY WAY OF THE BUDGETING PROCESS? THAT IS DONE ALL THE TIME. OTHERS HAVE TAKEN POTSHOTS AT VARIOUS ASPECTS OF BUDGET BILLS DURING THE 42 YEARS THAT I'VE BEEN HERE, AND I WILL DO WHAT I THINK I OUGHT TO DO TO ACHIEVE MY GOAL. NOW SENATOR KRIST HAS SUPPORTED THIS PROPOSAL. OTHERS HAVE SUPPORTED IT. BUT THEN A NEW CROP CAME WHO KNEW NOT JOSEPH. SO NEW APPROACHES FOR THOSE PEOPLE MUST BE TAKEN. THEY ARE GOING TO HAVE TO GET 33 VOTES. SO WHAT SENATOR KRIST MAY HAVE SPENT HIS TIME BETTER DOING IS POINTING OUT THE CONSEQUENCES OF GIVING 33 VOTES FOR ACROSS-THE-BOARD INCREASES IN THESE GAME AND PARKS FEES. THAT'S WHAT WE'RE TALKING ABOUT HERE. I'M GOING TO TAKE YOU TO CLOTURE...OH, UNLESS, OF COURSE, YOU ACCEPT THIS AMENDMENT. IS THE AMENDMENT UNREASONABLE? I DOUBT THAT THERE'S A PERSON ON THIS FLOOR WHO IS CONVERSANT WITH THIS ISSUE OF MOUNTAIN LIONS THAT I HAVE RAISED EVER SINCE THEY HAD THAT FIRST BUTCHERY THAT THEY CALL HUNTING. EVEN IN STATES LIKE THE DAKOTAS, THEY WILL...AT ONE POINT THEY SET UP A HUNTING SEASON BECAUSE THEY HAD AN EXCESS OF MOUNTAIN LIONS AND THEY SAID NO DOGS WILL BE ALLOWED. AND THAT'S WHAT YOU ALL WHO ARE THE GREAT SPORTSMEN, THE GREAT HUNTERS, ARE ALLOWING TO RAISE MONEY. AND YOU'RE GOING TO TELL ME THAT THE GAME AND PARKS COMMISSION IS UNTOUCHABLE? THEY'RE NOT UNTOUCHABLE AS FAR AS I'M CONCERNED. I AM WELL AWARE THAT ACTIONS CARRY CONSEQUENCES, NOT ALL OF THEM DESIRABLE. BUT I ASSURE YOU THAT BEFORE I DO SOMETHING, I'M WELL AWARE OF WHATEVER CONSEQUENCES MAY ACCRUE. DO YOU THINK THERE'S ANYTHING THIS LEGISLATURE CAN DO TO ME THAT WOULD DETER ME FROM DOING WHAT I THINK I OUGHT TO DO AFTER ALL THE DEAL-MAKING THAT I'VE SEEN GO ON AROUND HERE? IF YOU THINK THAT, YOU ARE MISTAKEN. AND THIS IS AS GOOD A TIME AS ANY TO DISABUSE ANY OF MY COLLEAGUES OF THAT MISPERCEPTION IF THEY HOLD TO IT. THERE ARE BILLS COMING BEFORE US WHICH, REGARDLESS OF WHAT IS DONE WITH MY AMENDMENT, THAT I WILL DO EVERYTHING UNDER THE RULES I CAN TO

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DEFEAT. ONE OF THEM INVOLVES PROTECTING THE CONSTITUTION FROM DESECRATION WITH A SO-CALLED RIGHT-TO-FARM AMENDMENT. EVERYBODY ASSOCIATED WITH THAT KNOWS WE'RE GOING TO GO TO 33 VOTES, EVERYBODY KNOWS IT. AND I AM GOING TO BE ONE OF THE MAIN INSTIGATORS OF THAT, NO MATTER WHAT THE WORLD-HERALD SAYS ABOUT OUR DOING THE FILIBUSTERING. I'M NOT THE ONE WHO SELECTED THAT TERM. I REFER TO IT AS EXTENDED DEBATE. [LB745]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: I BELIEVE IN SECOND CHANCES. I'M GIVING EVERYBODY A SECOND CHANCE NOT TO BEND TO MY WILL, BUT TO REFUSE TO GIVE BLANKET APPROVAL TO 29 FEE INCREASES, THE IDENTIFICATION OF WHICH MEMBERS ON THIS FLOOR DON'T EVEN KNOW. I BET YOU IF YOU TOOK SENATOR McCOLLISTER'S BILL FROM HIM AND QUESTIONED HIM AND QUESTIONED ME ON THE DETAILS OF HIS BILL, I BET I COULD GIVE YOU MORE CORRECT ANSWERS THAN HE CAN BECAUSE I READ THEM WITH DIFFERENT EYES FROM THE EYES HE READ IT WITH. HE HAS GAME AND PARKS BEHIND HIM. HE HAS MEMBERS OF THE LEGISLATURE WHO WANT TO TEACH ME A LESSON BEHIND HIM. THERE'S NEVER BEEN A TIME THAT I CONTENDED WITH ANYBODY ON THIS FLOOR WHO... [LB745]

SPEAKER HADLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: ...DID NOT HAVE GOING...WAS THAT MY THIRD TIME? [LB745]

SPEAKER HADLEY: NO. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB745]

SENATOR CHAMBERS: YOU OUGHT TO CALL ME OLD MAN RIVER. I WOULDN'T MIND THE "OLD" PART EITHER BECAUSE I'M OLD. HE JUST KEEPS ROLLING ALONG AND THAT'S WHAT I'M GOING TO DO AND SOME OF YOU ALL DON'T BELIEVE IT. THESE ANIMALS DON'T HAVE A VOICE. THEY DON'T COME WHERE YOU ALL ARE. THEY DON'T WANT TO BE SEEN BY YOU. THEY DON'T WANT TO BOTHER YOU. THEY DON'T WANT YOU TO BOTHER THEM. THEY WOULD RATHER RUN THAN FIGHT. MOST ANIMALS ARE NOT AGGRESSIVE IN THE SENSE OF INITIATING THE AGGRESSION. IF CORNERED, THEY WILL FIGHT. NATURE BUILT THEM THAT WAY--THE FLIGHT OR FIGHT RESPONSE. AN ANIMAL, RATHER THAN RISK DYING, WOULD FLEE. I WAS DISCUSSING SNAKES WITH ONE OF MY



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COLLEAGUES. BY THE WAY, I HAVE A DEEP FONDNESS FOR SNAKES...OF SNAKES. THEY'RE SOME OF THE MOST BEAUTIFUL ANIMALS ON THIS PLANET. THEY MOVE IN A WAY THAT IS HYPNOTIC AND THEY ARE NOT AGGRESSIVE. IF YOU ENCROACH ON THEIR TERRITORY, IF YOU POSE A THREAT TO THEM, NATURE HAS GIVEN THEM A DEFENSIVE MECHANISM: DEFENSIVE IF IT IS THREATENED; FOOD PROCURING IF IT'S HUNTING. ALL OF THAT IS PURSUANT TO THE NATURE THAT YOU SAY IS RESPONSIBLE FOR YOU BEING HERE AND HAVING PUT CERTAIN RULES AND PRINCIPLES IN PLACE THAT ARE CALLED LAWS OF NATURE. SO WHEN THIS RECLUSIVE, NONAGGRESSIVE, SHY, PRACTICALLY INVISIBLE ANIMAL IS FOUND TO BE IN AN AREA, THE FIRST THING YOU WANT TO DO IS KILL IT. BUT BECAUSE OF THE WAY NATURE PUT IT TOGETHER, IT WILL ELUDE YOU SO YOU GET DOGS. YOU, THE HUNTER, THE SPORTSPERSON SHOW YOUR ACUMEN, YOUR ABILITY. AND YOU WILL RUN IT UP A TREE, WHICH IT DOES, SEEKING REFUGE, NOT TO BE IN A POSITION TO SPRING DOWN ON YOU, BUT TO BE LEFT ALONE. AND ONCE YOU, THE GREAT HUNTER, HAVE TREED THAT UNOFFENDING ANIMAL, YOU TAKE ONE OF YOUR HIGH-POWERED RIFLES AND SHOOT IT OUT OF THE TREE AND CALL IT A TROPHY. I THOUGHT TROPHIES WERE GRANTED TO PEOPLE WHO ARE IN AN EQUAL CONTEST AND WILL PREVAIL WITHOUT CHEATING. YOU MISNAME EVERYTHING. EVERYTHING THAT IS WRONGFUL, THAT IS LOW DOWN, MEAN, NASTY AND DIRTY, YOU GIVE IT A DIFFERENT NAME. AND BY CHANGING THE NAME, YOU CHANGE THE GAME. AND YOU ELEVATE SOMETHING FROM A SOW'S EAR TO A SILK PURSE. SO I'M GOING TO DO ALL I CAN TO DEFEND AND PROTECT THESE ANIMALS. NOW I DON'T BELIEVE IN THE RELIGION YOU ALL BELIEVE IN, BUT IF THERE IS A SUPREME BEING OF THE KIND YOU ALL PRAY TO AND RESPECT, I'D VENTURE TO SAY THAT MY CONDUCT IS MORE IN ACCORD WITH THE WILL OF THAT BEING THAN YOURS. THAT BEING GAVE YOU DOMINION OVER THE EARTH, MADE YOU STEWARDS, NOT SLAUGHTERERS, NOT KILLERS FOR FUN. YOU ARE HOMO SAPIEN BECAUSE YOU ARE THE WISE ONE, THE WISE ONE. AND IS THIS HOW WISDOM MANIFESTS ITSELF, KILLING UNOFFENDING ANIMALS FOR FUN, STUFFING THEM, HANGING THEIR HEADS ON THE WALL, MAKING RUGS FOR YOUR FLOORS, OR TROPHIES, THEIR PELTS, TO HANG ON YOUR DOORS? AND YOU'RE VERY PROUD AND YOU FEEL LIKE MORE OF A HUMAN BEING HAVING TAKEN THE LIFE OF SOMETHING THAT WAS NOT HARMING YOU IN THE LEAST BUT RATHER WAS FULFILLING NATURE'S PURPOSE. MAYBE THERE SHOULD BE A NUCLEAR EXPLOSION IN THIS COUNTRY. MAYBE NATURE WILL USE THAT METHOD TO PURGE ITSELF OF THE DESTRUCTIVE CREATURE KNOWN AS HUMANS. BUT I AM GOING TO DO EVERYTHING UNDER THE RULES OF THIS LEGISLATURE THAT I CAN. AND I ASSURE YOU, WHEN I EMBARK ON... [LB745]

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SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...WHAT YOU MIGHT CALL A MISSION, YOU MIGHT CALL A CAUSE, I WILL NOT GET TIRED. I AM GOING TO DO EXACTLY WHAT I SAID I WOULD DO AND I WILL LOOK FOR THOSE PLACES IN THE BUDGET WHERE GAME AND PARKS IS LOCATED AND I WILL DEMONSTRATE THAT BECAUSE THEY ARE NOT DOING THE JOB THEY SHOULD, THEY ARE NOT ENTITLED TO THE AMOUNT OF MONEY THEY ARE BEING GIVEN. HONEST PAY FOR AN HONEST DAY'S WORK. AND IF AN HONEST DAY'S WORK IS NOT DONE THE PAY IS DOCKED, UNLESS YOU'RE A MEMBER OF THE LEGISLATURE. SO I GUESS WE'LL BE TOGETHER FOR SOME TIME. WHEN TIME COMES TO VOTE ON THIS MOTION, IF YOU COULD REMOVE ME FROM THE EQUATION... [LB745]

SPEAKER HADLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB745]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB745]

SENATOR BLOOMFIELD: YIELD TO SENATOR CHAMBERS. [LB745]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE YIELDED 5:00. [LB745]

SENATOR CHAMBERS: THANK YOU, SENATOR BLOOMFIELD. IF YOU COULD REMOVE ME FROM THE EQUATION AND DO WHAT BLACK'S LAW DICTIONARY WOULD TELL YOU, WEIGH THE EQUITIES, YOU WOULD SEE THAT WHAT I'M OFFERING IS NOT UNREASONABLE AT ALL. IT IS NOT TAKING SOMETHING FROM GAME AND PARKS THAT GAME AND PARKS NEEDS. THOSE PEOPLE, SUCH AS SENATOR SCHILZ--I KEEP MENTIONING HIM BECAUSE HE'S HEAD OF THE NATURAL RESOURCES COMMITTEE--THEY KEEP TALKING ABOUT LETTING GAME AND PARKS MANAGE THESE ANIMALS. IS THAT WHAT YOU CONSIDER APPROPRIATE MANAGEMENT OF THESE ANIMALS, WHEN ONE IS RUN UP A TREE, CHASED BY DOGS, THEN PEOPLE WITH GUNS ON THE GROUND SHOOT THEM OUT OF THE TREE? THAT'S HOW GAME AND PARKS MANAGES WILDLIFE? THAT'S THE ONLY THING THEY KNOW TO DO? BUT THEY KNOW BETTER THAN THAT. BUT YOU ALL DON'T PAY ATTENTION TO WHAT IS DISCUSSED ON THIS FLOOR. YOU DON'T READ WHAT HAS BEEN MADE AVAILABLE IN INTERVIEWS THAT GAME

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AND PARKS PERSONNEL HAVE GIVEN TO THE MEDIA OR TESTIMONY THEY'VE GIVEN AT HEARINGS. DO YOU KNOW WHAT THEY'VE BEEN DOING? THEY HAVE BEEN CAPTURING MOUNTAIN LIONS, COUGARS, PUMAS, PAINTERS, PANTHERS, WHATEVER YOU WANT TO CALL THEM. THEY HAVE BEEN CAPTURING THESE ANIMALS NOT TO KILL. EVERY TIME GAME AND PARKS CAPTURES AN ANIMAL IT IS NOT TO KILL THAT ANIMAL. YOU KNOW WHAT THEY ARE CAPTURING THEM FOR? TO PUT GPS COLLARS ON THEM. DO YOU KNOW HOW THEY CAPTURE THEM? THEY GET A STEEL CAGE AND THEY BAIT IT WITH ROAD KILL, PREFERABLY A DEER. THE ANIMALS WANDER INTO THE CAGE THE TRAP IS SPRUNG AND THAT DOESN'T HURT THE ANIMAL. THAT DOESN'T RENDER THE ANIMAL UNCONSCIOUS. THEY SEDATE THE ANIMAL UNTIL THEY CAN PUT A COLLAR ON THE ANIMAL, A THICK LEATHER COLLAR, PUT AN EAR TAG, TAKE BLOOD AND HAIR SAMPLES SO THAT THEY CAN CHECK THE HEALTH OF THESE ANIMALS, THE GENDER OF THE ANIMALS, AND OTHER DNA INFORMATION SO THAT IF THEY GET SCAT OR ANY OTHER LEAVINGS OF AN ANIMAL THEY CAN COMPARE IT TO THE DNA EVIDENCE THEY MIGHT HAVE OF THAT ANIMAL IN ANOTHER LOCATION AND DETERMINE ITS MOVEMENTS OR THE MOVEMENTS BY WAY OF THE GPS COLLARS. THEY CAN CAPTURE THESE ANIMALS WITHOUT HURTING THEM AT ALL. IF THERE WERE A ROGUE MOUNTAIN LION, THEY COULD FIND WHERE THE ANIMAL HAD MADE A KILL. MOUNTAIN LIONS DO NOT KILL FOR THE LOVE OF KILLING. THEY DON'T KILL A DEER HERE THEN SAY THERE ARE PLENTY MORE WHERE THAT CAME FROM SO KILL ANOTHER ONE OVER THERE. THEY WILL TRY TO SECRETE THAT KILL. THESE PEOPLE WHO CALL THEMSELVES HUNTERS KNOW THAT, SO THEY WILL STAKE OUT THE KILL. THESE ANIMALS DON'T KILL FOR THE LOVE OF KILLING. BUT AT ANY RATE, GAME AND PARKS KNOWS HOW, IF THERE IS WHAT WOULD BE CONSIDERED A ROGUE ANIMAL SOMEPLACE WHERE IT OUGHT NOT BE, TO CAPTURE IT. THERE WAS A FEMALE IN ONE OF THE AREAS AND SHE HAD TAKEN A COUPLE BIGHORN SHEEP. ONE WAS A EWE. [LB745]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ONE WAS A LAMB. THE LAMB HAD HAD PNEUMONIA, SOMETHING MAY HAVE BEEN WRONG WITH EWE. AND OVERALL OVER A PERIOD OF TIME, SHE HAD KILLED THREE OF THESE ANIMALS TO FEED HER KITTENS. SO THEY CHASED HER OFF, BUT THEN THEY ALLOWED HER TO RETURN SO THAT SHE COULD RETRIEVE HER KITTENS AND TAKE THEM AWAY AND SHE DID NOT COME BACK. THAT'S MANAGEMENT WITHOUT KILLING. AND THEY KNOW HOW TO DO THIS WITHOUT KILLING. BUT A MAN NAMED WILSON SAID THEY WANTED THESE MOUNTAIN LION HUNTING SEASONS TO GIVE HUNTERS AN OPPORTUNITY,

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NOT TO MANAGE THESE ANIMALS. THAT'S WHEN GAME AND PARK'S BEST ESTIMATE WAS 22 ANIMALS. AND THEY SAID THEY WANTED TO GIVE HUNTERS AN OPPORTUNITY AND THAT'S WHAT GIVES HUNTERS A BAD NAME. THIS AMENDMENT THAT I'M OFFERING IS RATIONAL, REASONABLE,... [LB745]

SPEAKER HADLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: ...AND WORTHWHILE. THANK YOU, MR. PRESIDENT. [LB745]

SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD, AND THANK YOU, SENATOR CHAMBERS. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB745]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. THIS HAS BEEN AN ENLIGHTENING SITUATION FOR ME. THIS IS MY FIRST FILIBUSTER OR EXTENDED DEBATE OPPORTUNITY, SO I'M GRATEFUL TO SENATOR CHAMBERS. HIS REPUTATION IS WELL EARNED. I SHOULD TELL YOU THAT. AND I'M CERTAINLY IMPRESSED WITH HIS PERFORMANCE AND ALSO HIS BLADDER. A COUPLE OF OTHER THINGS THAT I SHOULD MENTION. I NEED TO STRAIGHTEN UP A FEW ERRORS IN THE DEBATE THAT HAVE OCCURRED. I NEED TO TELL SENATOR BLOOMFIELD THAT THE LAND IN QUESTION--AND HE BROUGHT THIS UP IN SOME OF HIS COMMENTS--WAS PURCHASED IN 2003 FROM A FAMILY THAT APPROACHED GAME AND PARKS. THE LAND HAD BEEN ON THE MARKET FOR A NUMBER OF YEARS AND SO GAME AND PARKS, UTILIZING THE APPRAISED VALUE, PURCHASED THE GROUND FOR \$1.1 MILLION; 627 OF THOSE ACRES WERE DEVOTED TO WILDLIFE MANAGEMENT; 480 ACRES WAS FOR PARKLAND, AND THE GAME AND PARKS PAID \$895,000 FOR THIS LAND. THE TOTAL PRICE FOR BOTH PARCELS WAS JUST UNDER \$2 MILLION, OR RIGHT AT \$1,708 PER ACRE. SO THIS WASN'T UNDERHANDED IN ANY WAY; ABOVEBOARD, AND USING APPRAISALS. YOU SHOULD ALSO KNOW THAT IN 2016, GAME AND PARKS WILL PAY \$52,558.22 IN LIEU OF TAXES ON 627 ACRES OF WILDLIFE MANAGEMENT AREA. SO IT'S...THEY ARE CERTAINLY PAYING THEIR DUES AND PAYING THE FEES AS WE GO ALONG. FINALLY, TO SENATOR SCHEER, I NEED TO CORRECT MY STATEMENT. IT WASN'T A LIFETIME PER PERSON. THE LIFETIME FEE OR THE FEE THAT I SPOKE OF IS FOR ONE YEAR WHICH IS \$25 AND IT'S BASED ON THE CAR RATHER THAN AN INDIVIDUAL. SO HE CAN LOAD UP HIS CAR AND TAKE RACHEL AND ALL HIS GRANDCHILDREN TO THE PARK ANYTIME THEY WANT FOR THAT \$25 DURING AN ENTIRE YEAR. WELL, THANK YOU, MR. PRESIDENT. AND I'M GRATEFUL FOR THE TIME WE'VE SPENT ON THIS BILL AND THE KIND ATTENTION OF THE SENATORS IN THE BODY. THANK YOU. [LB745]

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SPEAKER HADLEY: THANK YOU, SENATOR McCOLLISTER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB745]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR McCOLLISTER WOULD YIELD. [LB745]

SENATOR McCOLLISTER: YES, SIR. [LB745]

SPEAKER HADLEY: SENATOR McCOLLISTER, WILL YOU YIELD? [LB745]

SENATOR McCOLLISTER: YES, SIR. [LB745]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. I WISH YOU WOULD ELABORATE A LITTLE MORE ON THE LIFETIME MEMBER FEE THAT YOU TALKED ABOUT BECAUSE I HAD NEVER HEARD OF THAT. [LB745]

SENATOR McCOLLISTER: WELL, I MADE A MISTAKE, SENATOR, AND I CORRECTED MYSELF. WE'VE BEEN MONITORING ALL THE STATEMENTS THAT I'VE MADE DURING THIS DEBATE, AND I AM CERTAINLY SORRY TO MAKE AN ERROR. [LB745]

SENATOR BLOOMFIELD: NO, I'M CERTAINLY NOT CONDEMNING YOU FOR THAT. I JUST WANT THE ERROR CLEAR AND EVERYBODY TO UNDERSTAND THERE IS NO SUCH THING AT AGE ONE TO BUY A LIFETIME MEMBERSHIP FOR \$25. WE ALL MAKE AN OCCASIONAL ERROR WHEN WE'RE DOING THESE THINGS. [LB745]

SENATOR McCOLLISTER: THANK YOU, SENATOR. AND I'M GRATEFUL FOR THE OPPORTUNITY TO CORRECT THE RECORD. [LB745]

SENATOR BLOOMFIELD: IS THERE NOT SUCH A FEE OR A LICENSE WHEN YOU REACH 65, OR SOMETHING THAT RUNS IN MY MIND THERE IS, ARE YOU AWARE OF THAT? [LB745]

SENATOR McCOLLISTER: I BELIEVE THERE IS A FEE THAT FOR VETERANS AND EVERYTHING ELSE THAT IS A LIFETIME KIND OF FEE. BUT NO, FOR GETTING INTO THE PARK THERE'S NO LIFETIME FEE. [LB745]

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SENATOR BLOOMFIELD: OKAY. THANK YOU, MR. PRESIDENT. I'D YIELD THE REMAINDER OF MY TIME TO SENATOR McCOLLISTER IF HE HAS ANY USE FOR IT. [LB745]

SPEAKER HADLEY: SENATOR McCOLLISTER, YOU'RE YIELDED 3:35. HE WAIVES. SEEING NO ONE IN THE QUEUE, SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR RECONSIDERATION MOTION. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, WHEN I WAS SPEAKING OF THOSE FEES, I HAD SAID BEFORE TODAY THAT I HAVE PROBABLY READ SENATOR McCOLLISTER'S BILL MORE CAREFULLY THAN HE DID. I MENTIONED THAT THEY WOULD MAKE A DAILY FEE \$7 AND A YEARLY FEE \$25. MAYBE ONE OF THOSE FAMILIES DOESN'T HAVE \$25 THAT THEY CAN COUGH UP JUST TO BE ABLE TO GO TO THE PARK FROM NOW ON FOR THE REST OF THE YEAR. I WAS NOT THE ONE WHO MENTIONED A LIFETIME FEE, BECAUSE I READ THE BILL. THERE ARE OTHER BILLS THAT WILL COME BEFORE US. AND IF YOU WANT ME TO READ THEM WITH A MICROSCOPE, I WILL DO IT. IF YOU WANT ME TO CONSIDER MAKING GRAMMATICAL AND SYNTACTICAL CORRECTIONS, I WILL DO THAT. I HAVE ALLOWED A HUGE NUMBER OF BILLS TO GO ACROSS THIS FLOOR WITHOUT ANY COMMENT WHATSOEVER. MANY OF THOSE BILLS ARE FLAWED, BUT NOT IN A WAY THAT HURTS THE PUBLIC. THEY JUST HAVE VERY BUNGLESOME LANGUAGE AND DO NOT REFLECT WELL ON THE CARE WITH WHICH LEGISLATORS ARE SUPPOSED TO LEGISLATE. BUT NOT ALL OF THAT IS THIS ONE PERSON'S JOB. OTHER THINGS THAT I TAKE ON AS A RESPONSIBILITY I WILL DO WHAT IS NECESSARY IN MY OPINION TO DISCHARGE THAT RESPONSIBILITY THE BEST THAT I CAN. I AM DOING SOMETHING RIGHT NOW THAT WILL FACILITATE THE PROCESS, REMOVE ME FROM THE EQUATION. NOBODY ELSE WOULD CARE ENOUGH ABOUT THESE ANIMALS TO TRY TO DO THIS. THE ONLY WAY THE MATTER WILL GET BEFORE US IS IF I DO SOMETHING ALONG THESE LINES. AND UNTIL THE SESSION ENDS, THERE WILL BE OPPORTUNITIES--SOME READY-MADE, SOME THAT I WILL CREATE--TO RENEW OR CONTINUE THIS STRUGGLE. THE BUDGET BILL IS NOT GUARANTEED SMOOTH AND SAFE PASSAGE WITHOUT ANY MODIFICATION AND WITH UNIVERSAL APPROVAL. THEIR PRACTICE IS TO TRY TO GET AS MANY THINGS AS THEY CAN IF A VOTE IS TAKEN ON A 9-0 VOTE AND STAND BEHIND THAT NO MATTER HOW THEY FEEL PERSONALLY. THAT IS NOT ON US. WE DO NOT MEET, AS A COMMITTEE OF THE WHOLE AND THAT COMMITTEE IS CALLED THE APPROPRIATIONS COMMITTEE, WHEN THAT BUDGET BILL COMES OUT HERE. WE STILL ARE 49 DISCRETE--MEANING SEPARATE--DISTINGUISHABLE INDIVIDUALS. EVEN THE NINE MEMBERS ON THE APPROPRIATIONS COMMITTEE STILL HAVE

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THE OPPORTUNITY AND THE RIGHT TO DISSENT FROM WHAT COMES OUT OF THAT COMMITTEE, AND SOME HAVE. THE ONLY THING BEFORE US RIGHT NOW IS THIS AMENDMENT. IT'S A RECONSIDERATION MOTION. THE UNDERLYING ISSUE IS WHETHER OR NOT THIS... [LB745]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...BILL THAT WOULD TAKE AWAY FROM GAME AND PARKS THE AUTHORITY TO ESTABLISH OR AUTHORIZE A MOUNTAIN LION HUNTING SEASON, THE PURPOSE OF THAT UNDERLYING BILL IS TO TAKE AWAY THAT AUTHORITY. SO THAT'S WHAT I'M PRESENTING HERE. AND EVEN THOUGH WHEN SOMETHING IS WINDING DOWN THERE MIGHT BE A TENDENCY FOR THINGS TO KIND OF MELLOW OUT AND SMOOTH AS MIGHT SEEM TO BE THE CASE NOW. BUT I ASSURE YOU I DON'T HAVE TO SNARL TO SAY WHAT I'M GOING TO SAY. I DON'T HAVE TO RAISE MY VOICE TO SAY WHAT I'M GOING TO SAY. I DON'T EVEN HAVE TO FASHION MORE AMENDMENTS. IF YOU LOOK IN THE JOURNAL, YOU WILL SEE THAT I HAVE ENOUGH PAGES OF AMENDMENTS TO KEEP US ON THIS BILL FOR THE REST OF THE SESSION, BUT I ONLY HAVE TO DO IT FOR TWO MORE HOURS OR HOWEVER MANY... [LB745]

SPEAKER HADLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: ...WE HAVE ON SELECT. THANK YOU, MR. PRESIDENT. I WILL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB745]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PLACE THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB745]

CLERK: 23 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL. [LB745]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATORS FOX, McCOLLISTER, IF YOU WOULD PLEASE CHECK IN. SENATOR KEN HAAR, IF YOU WOULD PLEASE RETURN TO THE FLOOR. SENATOR RIEPE, SENATOR BURKE HARR, SENATOR MELLO, SENATOR SMITH, SENATOR

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BRASCH, THE HOUSE IS UNDER CALL. THERE HAS BEEN A REQUEST FOR A ROLL CALL VOTE IN REGULAR ORDER. MR. CLERK. [LB745]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 967.) 8 AYES, 24 NAYS, MR. PRESIDENT, ON THE MOTION TO RECONSIDER. [LB745]

SPEAKER HADLEY: THE MOTION TO RECONSIDER FAILS. I RAISE THE CALL. [LB745]

CLERK: MR. PRESIDENT, THE NEXT AMENDMENT I HAVE TO THE BILL, SENATOR CHAMBERS, I HAVE AM2513 IN FRONT OF ME, SENATOR. (LEGISLATIVE JOURNAL PAGE 967.) [LB745]

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION. [LB745]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, THIS IS THE SECOND PAGE OF 19 PAGES OF AMENDMENTS. WHAT THIS WILL DO, ON PAGE 15 IN LINES 16, 18, 21, 22, 23, AND 26, THEN FLIP THE PAGE TO 16, AND IN LINES 1, 24, 28, AND 30, STRIKE "MAY" AND INSERT "SHALL". AND RATHER THAN JUST HAVE YOU DO THAT BECAUSE I SUGGESTED IT, YOU SHOULD KNOW WHY. THIS SEGMENT OF STATUTE IS TALKING ABOUT THINGS THAT THE COMMISSION IS CHARGED WITH DOING. AND I WILL START READING LINE 14 TO LET YOU SEE WHERE THE FIRST "SHALL" WILL APPEAR AND YOU'LL GET AN IDEA. "THE COMMISSION MAY OFFER MULTIPLE-YEAR PERMITS OR COMBINATIONS OF PERMITS AT REDUCED RATES. THE COMMISSION MAY SPECIFY BY RULE AND REGULATION THE INFORMATION TO BE REQUIRED ON APPLICATIONS". INSTEAD OF SAYING IT "MAY" SPECIFY, IT SHOULD, IT "SHALL," IT'S MANDATORY SO THAT THE INFORMATION THAT IS GOING TO BE ON THAT PERMIT IS MANDATED, NOT WHERE THE COMMISSION "MAY" CHOOSE TO GIVE THE INFORMATION OR NOT. THEN IN THE NEXT LINE WHERE YOU WOULD CHANGE A "MAY" TO "SHALL" BEGINNING IN LINE 17, "RULES AND REGULATIONS FOR THE HUNTING, TRANSPORTATION, AND POSSESSION OF DEER "MAY" INCLUDE, BUT NOT BE LIMITED TO, RULES AND REGULATIONS" AND SO FORTH. THAT "MAY", THAT FIRST "MAY", SHOULD BE A "SHALL," THAT THE REGULATIONS "SHALL" INCLUDE BUT NOT BE LIMITED TO. AS SOON AS YOU USE THE LANGUAGE "SHALL" NOT BE LIMITED TO, YOU GIVE LEEWAY. THE COMMISSION MAY OR MAY NOT. BUT WHEN YOU HAVE THESE RULES AND REGULATIONS, THEY "SHALL" INCLUDE "THE TYPE, CALIBER, OTHER SPECIFICATIONS OF



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FIREARMS AND AMMUNITION" AND SO FORTH. THEN IN LINE 21, "SUCH RULES AND REGULATIONS" THE CURRENT LANGUAGE SAYS "MAY FURTHER SPECIFY AND LIMIT THE METHOD OF HUNTING DEER AND MAY PROVIDE FOR" CERTAIN THINGS. THIS WOULD SAY THAT THESE RULES AND REGULATIONS, IF YOU'RE GOING TO HAVE THEM, THEY "SHALL" SPECIFY THESE ITEMS THAT THE LEGISLATURE THINKS IS NECESSARY. THIS LANGUAGE WAS NOT DRAFTED BY PEOPLE FAMILIAR WITH LEGISLATIVE LANGUAGE. I'M NOT TALKING ABOUT THE BILL DRAFTER. THEY DO NOT FORMULATE POLICY. ANYBODY WHO IS GOING TO ESTABLISH RULES AND REGULATIONS AND PUT AN ITEMIZATION OF WHAT IS THERE, IT SHOULD BE A "SHALL." EITHER MAKE THE RULE AND REGULATION OR DON'T. BUT IF YOU MAKE IT, THIS IS THE WAY IT SHOULD BE DONE. SO ALL OF THESE PLACES WHERE IT WOULD CHANGE "MAY" TO "SHALL" SIMPLY ACHIEVES ONE IMPORTANT GOAL. IT SAYS THAT IF THE GAME AND PARKS COMMISSION IS GOING TO ACT BY RULE AND REGULATION--AND THEY MUST DO THAT--THEN THOSE RULES AND REGULATIONS "SHALL." WHEN THE LEGISLATURE SPECIFIES ITEMS THAT ARE TO BE CONSIDERED OR INCLUDED, IT SHOULD BE A "SHALL," NOT A "MAY." NOT ONE OF THESE ITEMS IS OF THE TYPE AND NATURE TO BE YEA, NAY, OR MAYBE. IT SHOULD BE THERE BECAUSE THE LEGISLATURE HAS SAID SO. THIS IS A VERY REASONABLE AMENDMENT. IT DOES NOT TAKE AWAY ANY AUTHORITY FROM GAME AND PARKS. IT IS OFFERED FROM THE TOP TO SEE IF THERE WILL BE ANY AMENDMENTS CONSIDERED AT ALL. THERE ARE OTHER AMENDMENTS WHICH SENATOR McCOLLISTER DID NOT SPECIFY, BUT HE HAD READ THEM. AND HE ACKNOWLEDGED THAT THEY WOULD IMPROVE THE BILL. I HAVE NO INTEREST IN IMPROVING THIS BILL. SOME OF MY AMENDMENTS SHOW HOW POORLY WRITTEN THE EXISTING LANGUAGE IN THE GAME LAW IS AND THAT BAD OR POOR LANGUAGE IS CARRIED OVER IN THIS LB745, BECAUSE THERE IS NO ATTEMPT TO CHANGE IT, TO IMPROVE IT, IN SOME CASES, TO CORRECT IT. BUT WHO READS THE GAME LAWS? NOBODY. YOU THINK I'D SPEND TIME GOING THROUGH ALL THIS STUFF IF THERE WERE NOT A BILL BEFORE US? I CERTAINLY WOULD NOT. BUT HAVING UNDERTAKEN TO DO THAT, I WANTED TO MAKE IT AS CORRECT AS I COULD. AND NOW MY INTENT IS TO TAKE EVERY ONE OF THESE AMENDMENTS UNTIL WE REACH THE POINT OF CLOTURE. AND WHEN WE GET TO SELECT FILE, I MAY CONSIDER FINDING A WAY TO OFFER MY BILL AGAIN TO TERMINATE THE GAME AND PARKS COMMISSION AUTHORITY TO ESTABLISH HUNTING SEASONS FOR MOUNTAIN LIONS. WHEN CLOTURE IS INVOKED, THE ONLY THING THAT YOU WILL VOTE ON...FIRST, YOU TAKE THE CLOTURE VOTE. IF YOU GET 33 VOTES, THEN YOU'LL VOTE ON THIS AMENDMENT THAT I'M TALKING ABOUT BECAUSE THAT'S WHAT'S BEFORE US, UP OR DOWN. THEN YOU'LL VOTE ON THE BILL. AND IF IT MAKES IT TO SELECT FILE, FOR HOWEVER MANY HOURS ARE ALLOWED, AND I'LL FIND OUT IN ADVANCE, THAT'S

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HOW LONG WE'LL SPEND ON IT AND YOU WILL NOT HAVE AN OPPORTUNITY TO OFFER ANY AMENDMENTS ON ANY OF THOSE FEES BECAUSE REMEMBER, BROTHERS AND SISTERS, FRIENDS, ENEMIES, AND NEUTRALS, I HAVE MORE THAN A DOZEN PAGES OF AMENDMENTS. AND ON EACH OF THOSE PAGES ARE MULTIPLE AMENDMENTS. YOU WILL NOT HAVE THE OPPORTUNITY TO AMEND LB745. YOU WILL VOTE FOR EVERY ONE OF THOSE INCREASES AS THEY ARE RIGHT NOW. AND YOU MIGHT DO YOURSELF, THE LEGISLATURE, AND YOUR CONSTITUENTS A SERVICE BY READING ALL OF THOSE PLACES WHERE INCREASES ARE PROPOSED. AND WHAT I MAY DO, EVEN THOUGH IT WOULD TAKE A LOT OF PAPER, IS PRINT UP FOR YOU A COPY OF LB745 WITH ALL OF THE AMENDMENTS I'M PROPOSING, LAID OUT WITH RED INK AND YOU CAN SEE WHETHER YOU THINK YOU LIKE THEM. A LOT OF THEM YOU'RE NOT GOING TO LIKE BECAUSE THEY UP THE FEES EVEN HIGHER. SINCE IT'S A TAX AND YOU'RE GOING TO TAX THE SUCKERS, STICK IT TO THEM REALLY. DON'T JUST STICK THE NEEDLE IN AN EIGHTH OF AN INCH, JAM IT IN ALL THE WAY UP TO THE SYRINGE. AND THAT'S WHAT SOME OF THOSE AMENDMENTS THAT I HAVE WILL DO. BUT OTHERS OF THEM WILL CORRECT LANGUAGE, TIGHTEN UP WHAT IS IN THE GAME LAW NOW. IN ANY CASE, WHEN WE COME BACK HERE THIS AFTERNOON, WE'RE GOING TO SEE WHAT WE SHALL SEE WITH THAT BUDGET BILL. AND YOU'VE ALREADY SHOWN ME THAT... [LB745]

SPEAKER HADLEY: ONE MINUTE. [LB745]

SENATOR CHAMBERS: ...YOUR INTENT IS TO PUT ME IN MY PLACE. SO THE PLACE YOU PUT ME IN IS ONE WHERE I HAVE NO CHOICE OTHER THAN TO COME OUT FIGHTING, SO TO SPEAK. BUT I WILL DO IT UNDER THE RULES AND PURSUANT TO THE RULES. THE FIRST THING UP I BELIEVE WILL BE THE BUDGET BILL. WE MIGHT GET TO MORE THAN ONE OF THEM. MAYBE I WON'T DO ANYTHING ON GAME AND PARKS. MAYBE I'LL SEE IF THERE'S SOMETHING THERE DEALING WITH UNL BECAUSE THEY'RE TRYING TO SHUT THE PUBLIC OUT IN TERMS OF TRANSPARENCY. AND I HEARD SOMEBODY ON THE FLOOR WHO SUPPORTED ENDING THE TRANSPARENCY. WAIT TILL YOU GET TO THE BUDGET BILL. WAIT TILL YOU GET TO THE BUDGET BILL. SO MAYBE UNL WILL SERVE MY PURPOSE BECAUSE IF ALL I WANT TO DO... [LB745]

SPEAKER HADLEY: TIME, SENATOR. [LB745]

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SENATOR CHAMBERS: ...IS TAKE TIME, ONE IS AS GOOD AS THE OTHER. THANK YOU, MR. PRESIDENT. I WILL ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB745]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PUT THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? SENATOR MELLO. [LB745]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. WOULD SENATOR CHAMBERS YIELD TO A QUESTION? [LB745]

SPEAKER HADLEY: SENATOR CHAMBERS, WILL YOU YIELD? [LB745]

SENATOR CHAMBERS: YES, I WILL. [LB745]

SENATOR MELLO: SENATOR CHAMBERS, IN 2014, DO YOU REMEMBER, DID I VOTE FOR YOUR BILL LB671? [LB745]

SENATOR CHAMBERS: WAS THAT THE MOUNTAIN LION BILL? [LB745]

SENATOR MELLO: YES. [LB745]

SENATOR CHAMBERS: I BELIEVE YOU DID. [LB745]

SENATOR MELLO: AND I...DO YOU BELIEVE I VOTED ALSO TO OVERRIDE THE GOVERNOR ON THAT BILL IN 2014? [LB745]

SENATOR CHAMBERS: YES. [LB745]

SENATOR MELLO: THANK YOU, SENATOR CHAMBERS. AND, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, I'M TRYING TO APPEAL TO MY COLLEAGUE SENATOR CHAMBERS' BETTER ANGELS IN LIGHT OF THE BUDGET DEBATE THAT'S COMING UP, IN PART BECAUSE WHILE I SUPPORTED SENATOR CHAMBERS' EFFORTS TO OVERTURN A PREVIOUS LAW REGARDING MOUNTAIN LIONS AND HUNTING, I'D PREFER TO SOME EXTENT THAT AS HE WELL KNOWS IF HIS BILL COMES OUT OF COMMITTEE I WOULD LIKELY VOTE FOR IT AGAIN. AND I WOULD VOTE FOR IT ON GENERAL, SELECT, FINAL READING. IF THE GOVERNOR VETOED

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IT, I'D LIKELY VOTE TO OVERRIDE THAT VETO. BUT IN MY COMMENTS OF TRYING TO APPEAL TO SENATOR CHAMBERS' BETTER ANGELS IS I DON'T BELIEVE SPENDING AN INORDINATE AMOUNT OF TIME REGARDING THE GAME AND PARKS'S VERY MINIMAL CHANGE IN BUDGET ITEM WITH THE UPCOMING BUDGET BILLS THAT INVOLVE SIMPLY A REDUCTION OF GENERAL FUNDS IN ONE PROGRAM AND INCREASE IN ANOTHER THAT HAS A NEUTRAL GENERAL FUND IMPACT WOULD SERVE THE PURPOSE OF WHAT SENATOR CHAMBERS, MYSELF, AND MANY OTHERS NO DOUBT WANT TO SEE FOR THE REMAINING PORTION OF THE NEXT 18 DAYS, WHICH THERE'S A NUMBER OF PRIORITY BILLS THAT SENATOR CHAMBERS AND I BOTH SUPPORT WHOLEHEARTEDLY THAT WE MAY NOT GET TO. WE MAY NOT BE ABLE TO GET TO SOME OF THE DEBATES ON BILLS, EVEN BILLS THAT WE MAY DISAGREE ON, BECAUSE WE SPEND AN UNGODLY AMOUNT OF TIME ON THE CONCERNS REGARDING THE GAME AND PARKS COMMISSION BUDGET. I WHOLEHEARTEDLY EXPECT WE'RE GOING TO HAVE A VERY HARDY BUDGET DEBATE ON A NUMBER OF ITEMS THAT THE COMMITTEE PUT OUT WITH OVERWHELMING SUPPORT FROM THE APPROPRIATIONS COMMITTEE THAT I THINK REALLY MOVES THE STATE FORWARD FOR THE REMAINDER OF THIS BIENNIUM. MY HOPE IS THOUGH THAT WE TRY TO KEEP OUR BUDGET DISCUSSION AND OUR BUDGET DEBATE ON THE ITEMS THAT I KNOW MEMBERS HAVE CONCERNS ABOUT OR QUESTIONS ABOUT, NOT SO MUCH IN REGARDS TO I KNOW SOME MEMBERS IN THE BODY WHO DON'T SUPPORT SENATOR CHAMBERS' EFFORTS TO REPEAL THE HUNTING BILL THAT CURRENTLY IS IN STATUTE. AS HE WELL KNOWS, MYSELF AND MANY OTHERS SUPPORT HIS EFFORTS. I SIMPLY JUST DON'T WANT TO SEE TIME BEING TAKEN AWAY FROM OTHER IMPORTANT PRIORITY BILLS AS WELL AS TIME BEING PUT ON THE BUDGET REGARDING ONE SMALL ITEM THAT DOES NOT HAVE A SIGNIFICANT OVERALL IMPACT ON THE OVERALL GENERAL FUND BUDGET SO TO SPEAK, DRAW A LOT OF TIME, DRAW A LOT OF CONTENTIOUS DEBATE, AND TRY TO I WOULD SAY PIT MEMBERS OF THE BODY AGAINST EACH OTHER ON AN ITEM THAT IS NOT RELATED AT ALL TO THE GAME AND PARKS BUDGET. MY HOPE IS THAT SENATOR CHAMBERS WILL HEAR MY CALL FOR HIS BETTER ANGELS TO LET US HAVE THE DEBATE ON LB745 MAYBE MORE ON SELECT FILE AND LESS ON LB956, LB957, OR LB960. THANK YOU, MR. PRESIDENT. [LB745 LB956 LB957 LB960]

SPEAKER HADLEY: THANK YOU, SENATOR MELLO. SEEING NO ONE IN THE QUEUE, SENATOR CHAMBERS, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. [LB745]

SENATOR CHAMBERS: MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, LET ME MAKE ONE THING CRYSTAL CLEAR, I HAVE NO ASSOCIATION WITH ANGELS

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OF ANY KIND BUT I DO HAVE A FUNCTIONING BRAIN. AND WHEN A BRAIN FUNCTIONS, IT IS AMENABLE TO RATIONAL, PERSUASIVE, CONVINCING ARGUMENTATION. I HAVE SAID ANY NUMBER OF TIMES THAT IF I TAKE A POSITION FORCEFULLY AND I BELIEVE IN THAT POSITION, I AM GOING TO STICK WITH IT. BUT I ALSO SAID IF SOMEBODY CAN PRESENT TO ME EVIDENCE TO THE CONTRARY THAT IS CONVINCING, THEN I WILL ACKNOWLEDGE IN THE SAME FORUM THAT MY MIND HAS CHANGED. SEE, THERE ARE TWO PARTS TO MY MIND: ONE THAT FUNCTIONS ON ITS OWN IN THE REALM OF ABSTRACTION, THEORY, SPECULATION, THEORIZATION, EXTRAPOLATION, JUST OUT THERE; THEN THERE IS ANOTHER PART WHERE WILL IS INVOLVED. THAT'S WHERE A KNOWING DECISION ABOUT ALL THESE THINGS IS MADE AND THAT DECISION CAN BE BASED ON VARIOUS INFLUENCES. SENATOR MELLO DID NOT APPEAL TO THAT WHICH I DON'T HAVE, WHICH IS BETTER ANGELS. BUT HE APPEALED TO THAT ABSTRACT CLOUD IF YOU WANT TO CALL IT THAT. AND THERE IS A CONVERSATION WITHIN MYSELF WITH THAT CLOUD AND WITH THAT REALM WHERE SOME PEOPLE USE THE TERM WILL OR VOLITION. AND THE ABSTRACT CLOUD WON FOR TODAY. HE IS RIGHT ABOUT THE INSIGNIFICANCE OF WHAT IS IN THAT BUDGET BILL THAT RELATES TO GAME AND PARKS. BUT HERE IS WHAT I'M LOOKING AT ALSO. THERE IS SUCH A THING AS A PYRRHIC VICTORY. A PYRRHIC VICTORY IS WHERE YOU WIN A BATTLE, BUT YOU EXPEND SO MUCH OF YOUR MATERIEL THAT YOU LOSE THE WAR. WHEN SENATOR McCOLLISTER GETS HIS CLOTURE VOTE, IF HE GETS IT, THAT'S A PYRRHIC VICTORY. YOU ALL ARE STILL GOING TO HAVE TO VOTE ON EVERY ONE OF THESE INCREASES IN ONE VOTE. YOU WILL SUPPORT EVERY ONE OF THOSE INCREASES WITHOUT EVEN KNOWING WHAT THEY ARE. NOT KNOWING HOW MUCH THEY ARE, NOT KNOWING HOW MUCH THEY IMPACT ON YOUR CONSTITUENTS, ESPECIALLY YOU CONSERVATIVES, ESPECIALLY YOU WHO ARE TALKING ABOUT REDUCING PROPERTY TAXES. IT'S GOING TO SHOW YOU DO NOT HAVE A PRINCIPLED POSITION ON TAXES AND TAKING FROM THE PUBLIC MONEY THEY SHOULDN'T HAVE TO GIVE OVER TO THE GOVERNMENT. THAT'S A PRINCIPLED POSITION. YOURS IS POLITICAL, NARROW, AND CYNICAL. YOU WANT TO LABEL IT PROPERTY TAX REDUCTION, BUT RAISE EVERYTHING ELSE AND HIT THE KIND OF PEOPLE, YEAH, THAT I'M CONCERNED ABOUT. BUT BECAUSE OF WHAT HAPPENED WITH THE MOUNTAIN LIONS, I COULDN'T GO INTO THESE INDIVIDUAL INCREASES. AND NOW A POINT HAS BEEN REACHED WHERE THAT IS IMPOSSIBLE. SO IF YOU GIVE SENATOR McCOLLISTER 33 VOTES, YOU ARE VOTING FOR THAT BILL AS IT STANDS, OBVIOUSLY. AND I'M GOING TO GET A ROLL CALL VOTE ON EVERY SINGLE THING, JUST FOR MY PURPOSES AND TO REMIND PEOPLE. AND THAT ROLL CALL VOTE WILL BE LIKE THAT SONG, THERE'S "ALWAYS SOMETHING THERE TO REMIND ME," BECAUSE I DON'T HAVE TO

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REMEMBER ALL THESE THINGS WHEN I CAN GO TO A REFERENCE AND LOOK IT UP. SO THE BUDGET BILLS ARE OFF MY RADAR SCOPE FOR TODAY. SENATOR MELLO IS NOT PERSUADING ME BECAUSE HE'S SENATOR MELLO AND I LIKE HIM. I DO LIKE HIM. HE'S A NICE KID. YOU'RE A GOOD KID, SONNY. (LAUGHTER) BUT HE WAS CORRECT IN WHAT HE SAID. [LB745]

SPEAKER HADLEY: TIME, SENATOR. [LB745]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB745]

SPEAKER HADLEY: THE QUESTION BEFORE THE BODY IS THE ADOPTION OF AM2513...SENATOR CHAMBERS. [LB745]

SENATOR CHAMBERS: AND NOW I ASK FOR A CALL OF THE HOUSE AND A ROLL CALL VOTE. [LB745]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST TO PUT THE HOUSE UNDER CALL. THE QUESTION IS, SHALL THE HOUSE GO UNDER CALL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB745]

CLERK: 40 AYES, 0 NAYS TO PLACE THE HOUSE UNDER CALL. [LB745]

SPEAKER HADLEY: THE HOUSE IS UNDER CALL. SENATORS, PLEASE RECORD YOUR PRESENCE. THOSE UNEXCUSED SENATORS OUTSIDE THE CHAMBER PLEASE RETURN TO THE CHAMBER AND RECORD YOUR PRESENCE. ALL UNAUTHORIZED PERSONNEL PLEASE LEAVE THE FLOOR. THE HOUSE IS UNDER CALL. SENATOR SCHNOOR, SENATOR KRIST, SENATOR KINTNER. WHAT TYPE OF VOTE WOULD YOU LIKE, SENATOR CHAMBERS? [LB745]

SENATOR CHAMBERS: ROLL CALL. [LB745]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST FOR ROLL CALL VOTE IN REGULAR ORDER. MR. CLERK. [LB745]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGE 968.) 8 AYES, 26 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE AMENDMENT. [LB745]

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SPEAKER HADLEY: THE AMENDMENT FAILS. MR. CLERK, YOU HAVE A MOTION ON THE DESK. [LB745]

CLERK: I DO, MR. PRESIDENT. SENATOR McCOLLISTER WOULD MOVE TO INVOKE CLOTURE PURSUANT TO RULE 7, SECTION 10. [LB745]

SPEAKER HADLEY: IT IS THE RULING OF THE CHAIR THAT THERE HAS BEEN FULL AND FAIR DEBATE ACCORDED TO LB745. MEMBERS, THE FIRST VOTE IS THE MOTION TO INVOKE CLOTURE. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL YOU VOTED THAT WISH? RECORD, MR. CLERK. [LB745]

CLERK: 42 AYES, 2 NAYS, MR. PRESIDENT, ON THE MOTION TO INVOKE CLOTURE. [LB745]

SPEAKER HADLEY: THE MOTION TO INVOKE CLOTURE IS ADOPTED. MEMBERS, THE NEXT VOTE IS THE ADOPTION OF LB745. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. THERE HAS BEEN A REQUEST FOR A ROLE CALL VOTE IN REGULAR ORDER. [LB745]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL 969.) 39 AYES, 3 NAYS, MR. PRESIDENT, ON THE MOTION TO ADVANCE THE BILL. [LB745]

SPEAKER HADLEY: LB745 ADVANCES TO E&R INITIAL. I WILL RAISE THE CALL ITEMS, MR. CLERK. [LB745]

CLERK: I DO, MR. PRESIDENT. MR. PRESIDENT, YOUR COMMITTEE ON ENROLLMENT AND REVIEW REPORTS LB710, LB722, LB857, LB897, LB919, LB919A, LB1022 AS CORRECTLY ENGROSSED. ENROLLMENT AND REVIEW REPORTS LB977, LB1105, LB754, LB1082, LB1082A, LB906, LB698A TO SELECT FILE, SOME HAVING ENROLLMENT AND REVIEW AMENDMENTS. I HAVE AMENDMENTS TO BE PRINTED: SENATOR BURKE HARR TO LR378CA; SENATOR KOLTERMAN TO LB447; SENATOR KUEHN TO LR378CA. A BILLS. (READ LB722A, LB1003A BY TITLE FOR THE FIRST TIME.) SENATOR SEILER, NEW RESOLUTION, LR477. THAT WILL BE LAID OVER AT THIS TIME. REVENUE COMMITTEE CHAIRED BY SENATOR GLOOR REPORTS LB685, LB884, LB889 TO GENERAL FILE WITH COMMITTEE AMENDMENTS ATTACHED. AND, MR. PRESIDENT, I HAVE A COMMUNICATION FROM THE EXECUTIVE BOARD REGARDING APPOINTMENTS TO CERTAIN SPECIAL

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COMMITTEES. THAT'S ALL I HAVE AT THIS TIME. (LEGISLATIVE JOURNAL PAGES 969-974.) [LB710 LB722 LB857 LB897 LB919 LB919A LB1022 LB977 LB1105 LB754 LB1082 LB1082A LB906 LB698A LR378CA LB447 LB722A LB1003A LR477 LB685 LB884 LB889]

SPEAKER HADLEY: THANK YOU, MR. CLERK. THE BODY WILL NOW STAND AT EASE UNTIL 1:05.

EASE

SENATOR KRIST PRESIDING

SENATOR KRIST: ATTENTION IN THE CHAMBER. WE ARE NOW COMMENCING THE AFTERNOON. IF YOU COULD BRING YOURSELF BACK IN, THAT WOULD BE GREAT. IT'S 1:05. MR. SPEAKER, FOR ITEMS.

CLERK: MR. PRESIDENT, THANK YOU. I HAVE A SERIES OF AMENDMENTS TO BE PRINTED TO LB745 BY SENATOR CHAMBERS. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (AM2514, AM2501, AM2502, AM2503, AM2504, AM2505, AM2506, AM2507, AM2508, AM2509, AM2510, AM2511, AM2512, AM2515, AM2516, AM2517, AND 2518, LEGISLATIVE JOURNAL PAGES 974-977.) [LB745]

SENATOR KRIST: THANK YOU, MR. CLERK. FIRST ITEM.

CLERK: MR. PRESIDENT. GENERAL FILE, LB956. (READ TITLE.) INTRODUCED ON JANUARY 14, REFERRED TO APPROPRIATIONS, ADVANCED TO GENERAL FILE. I DO HAVE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM2216, LEGISLATIVE JOURNAL PAGE 911.) [LB956]

SENATOR KRIST: THANK YOU, MR. CLERK. SENATOR MELLO, AS CHAIRMAN OF APPROPRIATIONS, YOU'RE RECOGNIZED TO OPEN ON LB956. [LB956]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. CAN I MOVE DIRECTLY TO THE COMMITTEE AMENDMENT, AM2216? [LB956]

SENATOR KRIST: ABSOLUTELY. [LB956]



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SENATOR MELLO: THANK YOU, MR. PRESIDENT, AND MEMBERS OF THE LEGISLATURE. THE APPROPRIATIONS COMMITTEE AM2216 IS A WHITE COPY AMENDMENT THAT BECOMES THE UNDERLYING BILL. THIS IS THE FIRST OF TWO BILLS THAT REPRESENT THE APPROPRIATIONS COMMITTEE'S MID-BIENNIAL BUDGET ADJUSTMENT RECOMMENDATIONS FOR FISCAL YEARS 2015-16; 2016-17, WITH A THIRD BILL, LB960, BEING INTRODUCED BY SENATOR SMITH. LB956 IS THE DEFICIT APPROPRIATIONS BILL AND IT CONTAINS THE APPROPRIATIONS COMMITTEE'S RECOMMENDATION FOR ADJUSTMENTS OF EXISTING APPROPRIATIONS TO BE MADE DURING THE CURRENT AND ENSUING FISCAL YEAR FOR STATE OPERATIONS AND STATE AID. ADDITIONALLY, STATUTORILY AUTHORIZED TRANSFERS AMONG FUNDS ARE BEING MADE IN CONFORMANCE WITH BUDGET REQUIREMENTS ALONG WITH CERTAIN TRANSFERS FROM THE GENERAL FUND. AS WE BEGIN DEBATING THE STATE BUDGET TODAY, I'D LIKE TO DIRECT EVERYONE TO THEIR COPY OF THE 2016 APPROPRIATIONS COMMITTEE BUDGET RECOMMENDATIONS BOOK. IT WAS DISTRIBUTED LAST WEEK ON THE FLOOR AS WELL AS THE GENERAL FUND FINANCIAL STATUS THAT IS ATTACHED TO TODAY'S AGENDA. THE GREEN SHEET ON TODAY'S AGENDA CONTAINS THE MOST UP-TO-DATE FINANCIAL STATUS AND BUDGET INFORMATION. LAST SESSION, THE LEGISLATURE PASSED THE BIENNIAL BUDGET THAT ADHERED TO THE LOWEST AVERAGE SPENDING GROWTH OUR STATE HAS SEEN IN 30 YEARS OUTSIDE OF THE 2003 AND 2009 BIENNIUMS WHEN THE STATE WAS BATTLING A SIGNIFICANT ECONOMIC RECESSION. THE DECISIONS IN THE BIENNIAL BUDGET RECOGNIZED THE PRIORITIES OF BOTH THE GOVERNOR AND THE LEGISLATURE, REFLECTED THE VALUES OF NEBRASKANS AND RESPONDED TO THE NEEDS OF OUR COMMUNITIES ACROSS THE STATE. WE FOCUSED ON PROPERTY TAX RELIEF, PUBLIC-PRIVATE PARTNERSHIPS, ECONOMIC DEVELOPMENT, AND AN ISSUE SURROUNDING THE DEPARTMENT OF CORRECTIONAL SERVICES. THIS SESSION, THE APPROPRIATIONS COMMITTEE APPROACHED OUR WORK BY CONTINUING THE SAME PATH OF FULFILLING THE STATE'S OBLIGATIONS AND FOCUSING ON INVESTMENTS IN LONG-TERM PRIORITIES WITH STATEWIDE IMPACT, ALL WHILE ENSURING THAT WE MAINTAIN A STRONG AND HEALTHY CASH RESERVE FOR A FUTURE RAINY DAY. SOME OF THESE IN PRIORITIES INCLUDE SIGNIFICANT INVESTMENTS IN INFRASTRUCTURE, ONGOING PRISON REFORMS, AND FOCUSING ON DEFERRED MAINTENANCE WITHIN OUR HIGHER EDUCATION SYSTEM. LIKE OTHER STATES THROUGHOUT THE COUNTRY, NEBRASKA IS EXPERIENCING A CRITICAL NEED FOR INVESTMENTS IN CRITICAL INFRASTRUCTURE. INCLUDED IN THE BUDGET RECOMMENDATIONS IS THE ESTABLISHMENT OF THE CRITICAL INFRASTRUCTURE FACILITIES CASH FUND. THIS FUND IS ESTABLISHED TO PROVIDE ASSISTANCE FOR MODIFICATION OF TWO FEDERALLY CONSTRUCTED LEVEE SYSTEMS LOCATED IN SARPY COUNTY

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THAT IMPACT OFFUTT AIR FORCE BASE, POTENTIALLY IMPACTING FUNDING OF ITS RUNWAY RESURFACING IN LIGHT OF BASE REALIGNMENT OR POTENTIAL CLOSURE CONSIDERATIONS AT THE FEDERAL LEVEL. I'D LIKE TO ESPECIALLY THANK SENATOR WATERMEIER AND SENATOR SCHILZ IN PARTICULAR FOR THEIR WORK ON THE AMENDMENT BROUGHT TO THE APPROPRIATIONS COMMITTEE, AS WELL AS SENATOR CRAWFORD, SENATOR GARRETT, SENATOR SMITH AND SENATOR KOLOWSKI FOR PASSIONATELY AND DIRECTLY ADVOCATING ON THIS CRITICAL NATURE OF THIS IMPORTANT FUNDING. I WILL SPEAK TO MORE OF THE INFRASTRUCTURE INVESTMENTS ADDRESSED IN THE BUDGET WHEN I INTRODUCE THE COMMITTEE AMENDMENT TO LB957 AND...OF THE COMMITTEE AMENDMENT TO LB960, THE TRANSPORTATION INNOVATION ACT, FURTHER ON THE AGENDA. AT THIS TIME, I'D LIKE TO DRAW EVERYONE'S ATTENTION TO THE FUNDING THAT THE COMMITTEE INCLUDED TO ADDRESS ONGOING PRISON REFORM EFFORTS. WHAT BEFORE YOU TODAY IS THE BUDGET ADJUSTMENTS THAT MIRROR GOVERNOR RICKETTS' RECOMMENDATION FOR THE DEPARTMENT OF CORRECTIONAL SERVICES WITH ONE EXCEPTION. THE COMMITTEE ADDED ONE-TIME...A ONE-TIME APPROPRIATION FOR STAFF RECRUITMENT AND RETENTIONS BASED OFF THE WORK OF SENATOR WATERMEIER'S LB733. A LONGER DESCRIPTION OF THIS ONE-TIME APPROPRIATION CAN BE FOUND ON PAGE 24 OF YOUR GREEN BUDGET BOOK. THE ACTIONS TAKEN BY THE APPROPRIATIONS COMMITTEE IN THIS AREA ARE A PIECE OF THE LARGER CONVERSATION AROUND HOW WE APPROACH CRIMINAL JUSTICE REFORM IN OUR STATE AND THE CRITICAL IMPACT IT HAS ON PUBLIC SAFETY FACING ALL OF OUR COMMUNITIES. IN 2014, A BROAD EFFORT BEGAN TO REFORM OUR TROUBLED AND NEGLECTED DEPARTMENT OF CORRECTIONAL SERVICES. THROUGH THE WORK OF A JUSTICE REINVESTMENT WORKING GROUP, THE LR34 DEPARTMENT OF CORRECTIONAL SERVICES SPECIAL INVESTIGATIVE COMMITTEE, THE JUSTICE REINVESTMENT OVERSIGHT COMMITTEE, THE LEGISLATURE'S JUDICIARY COMMITTEE, AND THE ONGOING PARTNERSHIP WITH THE COUNCIL OF STATE GOVERNMENTS THE LEGISLATURE HAS TAKEN STEPS TO INVESTIGATE THE SYSTEMATIC PROBLEMS IN OUR CORRECTIONAL SYSTEM, INCREASE OVERSIGHT, AND WORK WITH OUR CURRENT ADMINISTRATION TO CHART A NEW PATH FORWARD. THE PRISON REFORM LEGISLATION THAT WE PASSED LAST SESSION AND THE FUNDING INCLUDED IN THIS BUDGET WILL NOT SOLVE ALL OF THE CHALLENGES FACING NEBRASKA'S CORRECTIONAL SYSTEM, AND THERE IS NO QUESTION THAT THE WORK TO RIGHT THE SHIP, SO TO SPEAK, WILL CONTINUE BEYOND THIS BIENNIUM. ALONG WITH FOCUSING ON THE DEPARTMENT OF CORRECTIONS AND INFRASTRUCTURE FUNDING, THE COMMITTEE TOOK ACTION TO EXTEND EXISTING APPROPRIATIONS FOR NEBRASKA'S HIGHER EDUCATION SYSTEM. LB605 ENACTED IN 2006 PROVIDED

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FOR A SERIES OF GENERAL FUND APPROPRIATIONS BEGINNING WITH FISCAL YEARS 2006-07, AND CONTINUING THROUGH FISCAL YEARS 2019-20. THESE APPROPRIATIONS WERE TO SUPPORT VARIOUS DEFERRED MAINTENANCE REPAIR AND RENOVATION AND FACILITY REPLACEMENT CONSTRUCTION PROJECTS FOR BOTH THE NEBRASKA STATE COLLEGE SYSTEM AND THE UNIVERSITY OF NEBRASKA. LB605 ALSO PROVIDED FOR THE UNIVERSITY AND THE STATE COLLEGE INSTITUTIONAL MATCHING FUNDS DERIVED FROM TUITION AND FEES TO SUPPLEMENT THE GENERAL FUND APPROPRIATION FOR THE PROJECTS OVER THE TIME PERIOD LAID OUT IN THE ORIGINAL LEGISLATION. THE COMMITTEE TOOK ACTION IN THE BUDGET RECOMMENDATIONS THIS YEAR EXTENDING THE CURRENT SERIES OF GENERAL FUND APPROPRIATIONS ESTABLISHED BY LB605 THROUGH FISCAL YEARS 2029-30. THESE PRIORITIES AND OTHERS REPRESENTED IN THE MID-BIENNIUM BUDGET ADJUSTMENT PACKAGE ARE A REASONABLE BALANCE OF SLOW GROWTH, RESPONSIBLE INVESTMENTS, AND SAVING FOR NEBRASKA'S FUTURE IN THE FACE OF ECONOMIC UNCERTAINTY. OUR STATE HAS SUCCESSFULLY WEATHERED ECONOMIC DOWNTURNS IN THE PAST BECAUSE OF OUR ADHERENCE TO A BALANCED BUDGET AND MAINTAINING A STRONG AND HEALTHY RAINY DAY FUND. WITH THAT BEING SAID, I WOULD ESPECIALLY LIKE TO THANK THE WORK OF THE APPROPRIATIONS COMMITTEE MEMBERS IN CREATING WHAT I THINK IS A VERY RESPONSIBLE, I WOULD SAY VERY VISIONARY PACKAGE TODAY IN REGARDS TO LOOKING TO THE LONG TERM IN REGARDS TO INVESTING IN CRITICAL INFRASTRUCTURE, BOTH IN LB960 BUT ALSO THE UNDERLYING BILLS LB956 AND LB957. VICE CHAIRMAN SENATOR HILKEMANN, SENATOR BOLZ, SENATOR COOK, SENATOR KEN HAAR, SENATOR KINTNER, SENATOR KUEHN, SENATOR STINNER, AND SENATOR WATERMEIER, I APPRECIATE FROM THE BOTTOM OF MY HEART YOUR WORK OVER THE LAST TWO YEARS AND SOME OF THE DIFFICULT DISCUSSIONS WE'VE HAD AS A COMMITTEE IN REGARDS TO EVALUATING OUR STATE BUDGET PROCESS, ENCOURAGING, I THINK, MORE FEEDBACK FROM OUR NEW COLLEAGUES IN THIS PROCESS, AND PUTTING FORWARD A VERY RESPONSIBLE STATE BUDGET BOTH LAST YEAR FOR THEIR EXTENUATING THAT...THE RESPONSIBLE STATE BUDGET IN THIS YEAR'S PACKAGE. I'D ALSO ESPECIALLY LIKE TO THANK MY FRIEND AND COLLEAGUE, MIKE CALVERT, OUR LEGISLATIVE FISCAL ANALYST, FOR HIS COUNSEL AND ADVICE OVER THE LAST EIGHT YEARS, BOTH AS A COMMITTEE MEMBER AND AS CHAIRMAN OVER THE LAST FOUR YEARS. AS MIKE WELL KNOWS, AND MANY OF YOU IN THIS BODY TALK TO MIKE IN THE FISCAL OFFICE EVERY DAY, WITHOUT HIS GUIDANCE AND SUPPORT THIS PROCESS WOULD BE MUCH, MUCH MORE DIFFICULT NOT ONLY FOR ME, BUT FOR THE OTHER 48 MEMBERS OF THIS BODY. I'D ALSO LIKE TO THANK OUR ENTIRE LEGISLATIVE FISCAL OFFICE: TOM BERGQUIST, SCOTT DANIGOLE, MALICK DIARRASSOUBA,

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DOUG GIBBS, JEANNE GLENN, PHIL HOVIS, LIZ HRUSKA, MIKE LOVELACE, WANDA McNALLY, DOUG NICHOLS, SUSAN ROBINS, SANDY SOSTAD, KATHY TENOPIR. YOU'VE ALL SHARED I THINK A VERY, VERY IMPORTANT PART OF MY TIME IN PUBLIC SERVICE, PARTICULARLY THESE LAST FOUR YEARS AS COMMITTEE CHAIR, TO SO MANY QUESTIONS THAT I GET ASKED FROM COLLEAGUES ON THE FLOOR, SO MANY QUESTIONS ASKED FROM MEMBERS IN THE COMMITTEE. WE COULDN'T DO WHAT WE DO IN OUR STATE WITHOUT YOUR SUPPORT, WITHOUT YOUR HELP, AND I STILL BELIEVE THAT WE ARE THE ENVY OF ALL STATES IN THIS COUNTRY BASED ON THE WORK YOU DO. COLLEAGUES, IT'S TRULY BEEN A PRIVILEGE TO SERVE YOU AS APPROPRIATIONS CHAIR OVER THE LAST FOUR YEARS, BUT PRIMARILY IT'S BEEN A PRIVILEGE OVER THE LAST TWO YEARS WITH TERM LIMITS COMING INTO EFFECT, AND SO MANY NEW MEMBERS COMING INTO THIS BODY AND COMING ONTO THE COMMITTEE, IT'S REALLY SPOKE VOLUMES, I THINK, IN REGARDS TO WHAT YOU'VE ENTRUSTED ME AS CHAIR, BUT MORE IMPORTANTLY WHAT YOU'VE ENTRUSTED OUR COMMITTEE OF NEW MEMBERS GOING THROUGH A PROCESS FOR THE FIRST TIME MAKING CHANGES, HAVING THEIR VOICES BE HEARD, AND CONCLUDING WITH THE FINAL PRODUCT THAT I BELIEVE WE ALL CAN BE PROUD OF, NOT ONLY AS A LEGISLATURE, BUT BE PROUD OF AS A STATE. [LB956 LB957 LB960 LB733]

SENATOR KRIST: ONE MINUTE. [LB956]

SENATOR MELLO: AS WE END, I THINK TO SOME EXTENT, THIS PROCESS WITH AM2216, LB956 AND THE ENSUING BILLS, IT'S MY HOPE THAT WE ENGAGE IN THOUGHTFUL DEBATE. THE COMMITTEE VOTED OUT THE MAIN LINE BUDGET BILLS ON A 8-1 VOTE, AND LB960, WHICH IS THE LARGEST SPENDING BILL, ON A 9-0 VOTE. I CAN ONLY SAY ENOUGH OF HOW MUCH IT'S BEEN A HONOR AND A PRIVILEGE TO WORK WITH ALL OF YOU THROUGHOUT THIS PROCESS AND I LOOK FORWARD TO WHAT WILL, HOPEFULLY, BE A THOUGHTFUL, CANDID, AND REFRESHING DEBATE REGARDING THE FUTURE PRIORITIES OF THE STATE OF NEBRASKA. THANK YOU, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR MELLO. MR. CLERK. [LB956]

CLERK: MR. PRESIDENT, SENATOR MELLO WOULD OFFER AM2560 TO THE COMMITTEE AMENDMENTS. (LEGISLATIVE JOURNAL PAGE 978.) [LB956]

SENATOR KRIST: SENATOR MELLO, YOU'RE RECOGNIZED. [LB956]

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SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. IN CONVERSATIONS AND DISCUSSIONS WITH OUR COLLEAGUES AND FRIENDS IN THE EXECUTIVE BRANCH, IT WAS REQUESTED AND SUGGESTED THAT WITH A FEW OF THE ONE-TIME APPROPRIATIONS ITEMS THE LEGISLATURE'S APPROPRIATIONS COMMITTEE INCLUDED IN THE BUDGET THAT WE CONSIDER MOVING SOME OF THESE ONE-TIME ITEMS FROM FISCAL YEAR '16-17 TO FISCAL YEAR '15-16. ALL IT DOES WITH THIS AMENDMENT IS MORE TECHNICAL IN NATURE. IT CLARIFIES OUR ONE-TIME APPROPRIATIONS IN PURPOSE SO THAT TO SOME EXTENT IT'S VERY CLEAR FOR THE NEXT APPROPRIATIONS COMMITTEE MOVING FORWARD IN JANUARY 2017, THAT THESE ONE-TIME ITEMS WILL NOT BE INCLUDED IN ONGOING BASE BUDGET RECOMMENDATIONS. IT'S ONE OF THOSE TIMES WHERE OVER THE LAST COUPLE YEARS IT'S AN OLIVE BRANCH THAT I THINK THE EXECUTIVE BRANCH PROVIDED TO THE APPROPRIATIONS COMMITTEE AND WITH THIS AMENDMENT WE'RE SIMPLY PROVIDING THE OLIVE BRANCH BACK TO THE EXECUTIVE BRANCH TO HELP CLARIFY ONE-TIME APPROPRIATIONS IN NATURE. WITH THAT, I URGE THE BODY TO ADOPT AM2560. [LB956]

SENATOR KRIST: THANK YOU, SENATOR MELLO. YOU'VE HEARD THE OPENING ON AM2560 TO THE APPROPRIATIONS COMMITTEE AMENDMENT, AM2216, WHICH BECOMES THE BILL. THOSE WISHING TO SPEAK: SENATOR BOLZ, STINNER, KINTNER, COASH, AND GROENE. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB956]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. AND IN TURN, I WOULD LIKE TO THANK OUR TERM LIMITED MEMBERS OF THE COMMITTEE, OF COURSE OUR FEARLESS CHAIRMAN, SENATOR MELLO, SENATOR HAAR AND SENATOR COOK. I'M GRATEFUL FOR YOUR COOPERATION AND YOUR GUIDANCE AND YOUR LEADERSHIP OVER THE PAST YEAR. AS A CONTINUING MEMBER ON THE APPROPRIATIONS COMMITTEE, I WANT TO TALK A LITTLE BIT ABOUT SOME OF THE ONGOING COMMITMENTS THAT ARE A PART OF THIS DEFICIT BUDGET AND SPEAK A LITTLE BIT ABOUT LOOKING TOWARDS THE FUTURE IN OUR STATE BUDGET. SOMETIMES WHAT GETS LOST AS WE BEGIN DISCUSSING OUR VISION FOR OUR STATE AND OUR STATE BUDGET IS THE IMPORTANT PRIORITIES THAT ARE INCLUDED ESPECIALLY IN A DEFICIT BUDGET, INCLUDING TAX RELIEF, SLOWING THE GROWTH OF SPENDING, AND OUR COMMITMENT TO HIGHER EDUCATION. SO, AS AN EXAMPLE OF HOW TAX RELIEF IS REFLECTED IN OUR STATE BUDGET, EVERY YEAR IN OUR DEFICIT BUDGET WE MAKE SURE THAT WE'VE PUT THE APPROPRIATE RESOURCES TOWARDS THE HOMESTEAD EXEMPTION WHICH PROTECTS OUR SENIORS AND INDIVIDUALS WITH DISABILITIES. WE'VE AGAIN DONE THAT THIS YEAR. AND AGAIN, WE CONTINUE

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TO COMMIT TO THIS VISION IN PARTNERSHIP WITH THE ADMINISTRATION OF SLOWING THE GROWTH OF SPENDING AND MAKING SURE THAT WE'RE MANAGING PUBLIC BENEFITS PROGRAMS. AND I THINK THE BEST EXAMPLE OF THAT IN THIS STATE BUDGET IS THE WORK THAT WE'VE DONE TO MAKE SURE MANAGED CARE IS SUCCESSFUL IN OUR STATE. WE'RE BRINGING TOGETHER PHYSICAL AND BEHAVIORAL MANAGED CARE IN A WAY THAT I TRULY BELIEVE WILL BE SUCCESSFUL IN SLOWING THE GROWTH OF SPENDING IN THAT PROGRAM WHILE CONTINUING TO PROTECT THE BEST INTERESTS OF THE MOST VULNERABLE CITIZENS. ANOTHER EXAMPLE OF ONE OF OUR ONGOING COMMITMENTS, SENATOR MELLO REFERENCED, WHICH IS OUR ONGOING COMMITMENT TO HIGHER EDUCATION. AND IN PREPARATION FOR THIS LEGISLATIVE SESSION MANY OF US TOURED SOME OF THE FACILITIES IN HIGHER EDUCATION. THE ONE THAT STANDS OUT TO ME THE MOST IS THE CHEMISTRY LAB ON THE UNL CAMPUS. IF WE ARE TO GROW AND THRIVE AND BECOME THE BEST IN BIOMEDICAL SCIENCES AND BIOLOGY AND AGRICULTURAL RESOURCES, WE NEED EQUIPMENT THAT OUR STUDENTS AND OUR FACULTY MEMBERS CAN TRUST AND RELY ON. AND, COLLEAGUES, I'LL JUST NOTE FOR YOU THAT IF YOU LOOK OUT THE WINDOWS OF THE CHEMISTRY LAB ON THE UNL CAMPUS THAT NEEDS THE MOST RENOVATION, YOU CAN SEE THE CAPITOL BUILDING. SO I KNOW THOSE STUDENTS ARE LOOKING TO US TO MAKE SURE THAT WE'RE COMMITTING TO THEIR FUTURE. SO, WHILE WE NEED TO MAKE SURE THAT WE CONTINUE OUR COMMITMENTS AND THOSE COMMITMENTS WILL PULL THROUGH TO THE NEXT BUDGET IN THE NEXT BIENNIUM, WE ALSO NEED TO LOOK AHEAD FOR SOME THINGS THAT ARE ON THE HORIZON. AND I THINK THE ONGOING MEMBERS OF THE COMMITTEE WOULD BE HAPPY TO CHAT WITH YOU ABOUT SOME OF THE THINGS THAT WE CAN SEE IN THE FUTURE. AND SENATOR MELLO REFERENCED THAT CORRECTIONS IS SOMETHING THAT WE'LL ALL, AS A BODY, NEED TO CONTINUE THINKING ABOUT AND WORKING ON. WE HAVE A REQUEST IN FRONT OF US AS THE APPROPRIATIONS COMMITTEE TO DO WHAT'S CALLED A PROGRAM STATEMENT, AN ANALYSIS OF FUTURE NEEDS FOR THE FACILITIES IN THE DEPARTMENT OF CORRECTIONS. AND THE ESTIMATE FOR THOSE FUTURE NEEDS FOR A REGIONAL APPROACH TO COMBINING THE LINCOLN CORRECTIONAL CENTER AND THE DIAGNOSTIC AND EVALUATION CENTER IS SIGNIFICANT. IT'S \$76 MILLION. SO THE PROGRAM STATEMENT WILL ANALYZE THOSE NEEDS AND THE EXPECTED COSTS. I TELL YOU THAT BECAUSE THAT'S A POTENTIAL. THAT'S SOMETHING THAT COULD HAPPEN IN THE FUTURE. IT'S A DISCUSSION THAT WE WILL HAVE BECAUSE THAT PROGRAM STATEMENT WILL BE RETURNED TO US AS A BODY. MITIGATING STEPS THAT WE CAN TAKE AND HAVE TAKEN INCLUDE THE WORK THAT WE'RE DOING TO INVEST IN COMMUNITY CORRECTIONS AND EXPANDING COMMUNITY CORRECTIONS BEDS,

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AS WELL AS HELPING TO MAKE SURE THAT WE CAN UTILIZE ALL THE BEDS AND ADDITIONAL BEDS AT THE LINCOLN REGIONAL CENTER. THOSE TWO PIECES ARE IN OUR CURRENT BUDGET. AND THEY WILL HELP US MANAGE THE OVERCROWDING SITUATION THAT IS AT THE DEPARTMENT OF CORRECTIONS CURRENTLY. [LB956]

SENATOR KRIST: ONE MINUTE. [LB956]

SENATOR BOLZ: I ALSO THINK IT'S IMPORTANT THAT WE LOOK TOWARDS THE FUTURE IN TERMS OF MEDICAID WHICH IS ONE OF THE BIGGER PIECES OF OUR BUDGET. THIS YEAR WE REALLY HAVE BEEN ABLE TO RIGHT SIZE OUR MEDICAID BUDGET AND TO MAKE SURE THAT THE DOLLARS THAT WE'RE USING FOR MEDICAID ARE FITTING THE POPULATIONS AND THE UTILIZATION. BUT, COLLEAGUES, I THINK IT'S IMPORTANT TO RECOGNIZE THAT MEDICAID HAS BEEN STEADY AND WE HAVE BEEN FORTUNATE IN TERMS OF ELIGIBILITY AND UTILIZATION, BUT THINGS COULD CHANGE. IF THE ECONOMY CHANGES, IF THE BABY BOOMERS BEGIN TO CREATE MORE DEMANDS ON OUR MEDICAID BUDGET, THOSE THINGS ARE THINGS THAT WE'RE GOING TO HAVE TO PLAN FOR IN THE FUTURE AND I THINK IT REQUESTS A CAUTIOUS, THOUGHTFUL APPROACH FROM US. RIGHT SIZING THE BUDGET IN TERMS OF CHILD WELFARE IS ALSO SOMETHING THAT WE'VE DONE. WE'RE GOING TO BE ABLE TO AVOID HAVING TO HAVE AN EMERGENCY PIECE OF LEGISLATION TO FUND CHILD WELFARE AS WE DID LAST LEGISLATIVE SESSION. THAT'S GOOD, IMPORTANT, AND RIGHT, BUT AS WE CONTINUE TO RIGHT SIZE THE BUDGET, WE NEED TO CONTINUE THOSE COMMITMENTS AND WE NEED TO BECOME MORE CAUTIOUS BECAUSE WE'RE CLOSER TO THE RIGHT TARGET. [LB956]

SENATOR KRIST: TIME, SENATOR. [LB956]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR BOLZ. SENATOR STINNER, YOU'RE RECOGNIZED. [LB956]

SENATOR STINNER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. I STAND IN SUPPORT OF LB956 AND THE ACCOMPANYING AMENDMENTS. I FIRST WANT TO THANK CHAIRMAN MELLO FOR HIS LEADERSHIP AND DEEP UNDERSTANDING OF THE BUDGETING PROCESS AND PROGRAMS. HIS INSIGHT HAS BEEN EXTREMELY INFORMATIVE AND

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EDUCATIONAL TO ME AS A MEMBER. I ALSO WANT TO THANK MIKE CALVERT AND THE FISCAL OFFICE FOR THEIR DEDICATION, EXPERTISE, AND PATIENCE, FOR WITHOUT THEM, THIS PROCESS WOULD BE CLOSE TO IMPOSSIBLE. BUDGETS BY DEFINITION ARE ESTIMATES OF FUTURE REVENUES AND COSTS OVER A SPECIFIC PERIOD OF TIME, REFLECTING A READING OF FUTURE FINANCIAL CONDITIONS AND GOALS. TO ME IT IS ONE OF THE MOST IMPORTANT ADMINISTRATIVE TOOLS AS IT SERVES AS A PLAN OF ACTION FOR ACHIEVING QUANTIFIABLE OBJECTIVES. IT ALSO IS A STANDARD FOR PERFORMANCE AND A DEVICE FOR COPING WITH UNFORESEEABLE ADVERSE CONDITIONS. OUR STATE BUDGET IS A NUMERICAL DEPICTION OF OUR PRIORITIES RELATIVE TO PAST AND CURRENT LEGISLATURES AND SETS FORTH CURRENT INITIATIVES. THERE ARE THREE MAJOR PRIORITIES OR THEMES EMBEDDED IN OUR BUDGET. WITH THESE THEMES COMES CURRENT AND FUTURE CHALLENGES WHICH NEED TO BE ADDRESSED OR AT LEAST CATALOGED FOR FUTURE ACTION. ONE OF OUR MAJOR PRIORITIES, WHICH WE HAVE COMMITTED ALMOST HALF OF OUR GENERAL FUND BUDGET, IS EDUCATION. EDUCATION IS OUR FUTURE, AND WE AS NEBRASKANS UNDERSTAND THE IMPORTANCE OF PREPARING OUR FUTURE GENERATIONS FOR THE CHALLENGES THAT THEY WILL FACE IN OUR CONTINUING COMPLEX GLOBAL ECONOMY. WE ALL UNDERSTAND THAT THERE NEEDS TO BE AN ADDITIONAL INITIATIVE TO BETTER ADDRESS OUR CURRENT WORK FORCE SKILLS GAP. OUR CURRENT BUDGET PLACES A SMALL DOWN PAYMENT ON WORK FORCE DEVELOPMENT ISSUES. FUTURE LEGISLATURES WILL BE TASKED WITH FINDING THE RESOURCES TO SUCCESSFULLY TRANSITION OUR CURRICULUM TO CAREER ACADEMIES WHICH WILL BETTER LINK WORK FORCE NEEDS WITH OUR GRADUATING STUDENT POPULATIONS. ADDITIONALLY EMBEDDED IN OUR CURRENT BUDGET, WE TRIED TO ADDRESS THE DEFERRED MAINTENANCE NEEDS OF OUR UNIVERSITY AND STATE COLLEGES. ALTHOUGH WE EXTENDED THE CURRENT COMMITMENT FOR THE...FOR AN ADDITIONAL TEN YEARS, WE STILL HAVE CLOSE TO \$300 MILLION LEFT TO BE ADDRESSED IN THESE INSTITUTIONS. APPROXIMATELY 32 PERCENT OF OUR CURRENT GENERAL FUNDS BUDGET GOES TO SUPPORT PEOPLE IN NEED IN OUR STATE. AID TO INDIVIDUALS HAVE INCREASED AT AN UNSUSTAINABLE 6.1 PERCENT OVER THE PAST 20 YEARS, WHEN TAKEN IN THE CONTEXT OF AVERAGE REVENUE GROWTH OF 4.75 PERCENT. EFFORTS TO FIND CREATIVE SOLUTIONS AND CURTAIL SPENDING HAVE PROVEN SUCCESSFUL WITH THE CURRENT BIENNIUM TWO-YEAR AVERAGE CHANGE OF 3.6. FUTURE CHALLENGES CERTAINLY EXIST GIVEN THE DEMOGRAPHIC OF OUR AGING POPULATION AND COST ASSOCIATED WITH MEDICAL CARE. CORRECTIONS, COURT SYSTEMS, STATE PATROL IS OUR DEDICATION TO PUBLIC SAFETY. OUR CURRENT BUDGET INCLUDES A \$27 MILLION CASH RESERVE ALLOCATION,



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WHICH AGAIN IS A DOWN PAYMENT RELATIVE TO ADDRESSING OUR CURRENT OVERCROWDING SITUATION. I AM HOPEFUL WITH THE PASSAGE OF LB605 AND THE RECERTIFICATION OF OUR PRISON CLASSIFICATION TOOL, A COMPREHENSIVE LONG-TERM PLAN CAN BE DEVELOPED. TWO OTHER CURRENT INITIATIVES ARE REFLECTED IN OUR CASH RESERVE ALLOCATION. THE \$13,700,000 LEVEE EXPENDITURE FOR OFFUTT AIR FORCE BASE IS ABSOLUTELY CRITICAL AS TO THE ECONOMIC IMPACT ON THE REGION. THE LOSS OF OFFUTT WOULD NOT ONLY BE DEVASTATING TO THE OMAHA AREA, BUT IT WOULD ALSO HAVE A SIGNIFICANT DETRIMENTAL IMPACT ON STATE TAX REVENUES. THE \$50 MILLION FROM THE STATE'S CASH RESERVE FOR HIGHWAY INFRASTRUCTURE BANK... [LB956 LB605]

SENATOR KRIST: ONE MINUTE. [LB956]

SENATOR STINNER: ...IS A SIGNIFICANT PART OF GOVERNOR RICKETTS' PLAN TO GROW NEBRASKA. AS THE GOVERNOR SO OFTEN HAS POINTED OUT, OUR THREE LARGEST INDUSTRIES, AGRICULTURE, MANUFACTURING, AND TOURISM ALL REQUIRE A STRONG TRANSPORTATION SYSTEM. I VIEW THIS AS A CATALYST FOR ENSURING LONG-TERM ECONOMIC GROWTH FOR OUR STATE. EVEN THOUGH WE ARE BELOW OUR TARGET RATE OF 16 PERCENT IN THE CASH RESERVE, OUR NEW CASH RESERVE WILL BE 14.3, WHICH I DEEM TO BE A VERY STRONG CASH RESERVE. IN SUMMARY, I FEEL THIS BUDGET CONTINUES TO SHOW GOOD FISCAL CONSTRAINTS CONSISTENT WITH THE GOVERNOR'S PLAN TO LIMIT GOVERNMENT SPENDING AND GROWTH WHILE EFFECTIVELY ADDRESSING THE NEEDS OF OUR STATE. WITH THAT, I ENCOURAGE YOU TO VOTE GREEN. [LB956]

SENATOR KRIST: THANK YOU, SENATOR STINNER. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB956]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, I WAS THE ONLY MEMBER OF THE COMMITTEE TO VOTE AGAINST THE FINAL BUDGET PACKAGE. I WANT TO TAKE THIS OPPORTUNITY TO EXPLAIN MY THOUGHTS. AND BEFORE I DO, I ESPECIALLY WANT TO THANK CHAIRMAN MELLO FOR HIS HARD WORK AS A MEMBER OF THE COMMITTEE AND AS THE APPROPRIATIONS CHAIRMAN. I ALSO WANT TO THANK MY COLLEAGUES ON THE COMMITTEE, AND LEGISLATIVE FISCAL OFFICE. THAT'S WHY MY DECISION DID NOT COME EASILY. EASY FOR ME WOULD HAVE BEEN TO SIMPLY CAST A YES VOTE AND SIT QUIETLY DURING THE DEBATE AND BE CONTENT THE ITEMS IN THE BUDGET THAT I DO AGREE WITH GOT FUNDED. I VALUE AND RESPECT MY COLLEAGUES

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ON THIS COMMITTEE, AND I CANNOT SAY ENOUGH ABOUT THE LEVEL OF SINCERITY AND INTENSITY WE ALL BRING TO THE DIFFICULT TASK OF WRITING THE ENTIRE STATE BUDGET. AS I'VE SAID PREVIOUSLY, WE HAVE QUITE A DIFFERENCE OF PHILOSOPHY OR PHILOSOPHICAL APPROACHES AMONG THE NINE OF US ON THE COMMITTEE, YET WE SIT AND WE WORK AND WE ARGUE AND WE MAKE DECISIONS. LAST YEAR I VOTED FOR THE BUDGET. I ALSO VOTED FOR THE MAINLINE BIENNIAL BUDGET TWO YEARS AGO. HOWEVER, I FOUND MYSELF IN THE INTERESTING POSITION OF AGREEING WITH THE COMMITTEE AND OUR PROCESS WHEN WE CRAFT TWO-YEAR BUDGET IN THE ODD YEARS. I'M NOT COMFORTABLE WITH HOW WE'RE TURNING THE MID-BIENNIEUM BUDGET OR SHORT-YEAR BUDGET INTO ANOTHER CHANCE TO ADD ON NEW STATE SPENDING PROGRAMS. THE NEW SPENDING PROPOSALS OR SPENDING PROPOSED IN LB956, CONCERNS ME. WE'VE ALL WORKED SO HARD IN 2015 TO LIMIT STATE SPENDING GROWTH SO THAT WHAT WE SPEND TO GROW OUR STATE GOVERNMENT WAS CLOSER TO WHAT THE NEBRASKA TAXPAYERS SAW IN THEIR INCOME GROWTH. SO I WAS COMFORTABLE THAT WE FUNDED THE KEY PRIORITIES IN THE AGENCY OPERATIONS FOR TWO YEARS. THIS YEAR, I WENT INTO THE BUDGET CYCLE BELIEVING THAT WE WOULD MAKE NECESSARY BUT OVERALL SMALL ADJUSTMENTS TO FINE-TUNE THE TWO-YEAR BUDGET THAT WE JUST SET LAST YEAR. THIS BUDGET PROPOSES GROWTH I AM NOT COMFORTABLE WITH. COMMITTEE'S DOCUMENTS SHOW THE STATE SPENDING WOULD INCREASE TO 4 PERCENT IN THIS CURRENT YEAR AND WOULD RISE TO 3.7 PERCENT ACROSS THE BIENNIUM. NINETEEN BILLS WERE WRAPPED INTO THOSE TWO BUDGET BILLS, EITHER IN WHOLE OR IN PART. THE COMMITTEE'S TOTAL PACKAGE RELIES TO A LARGE DEGREE ON CAPTURING ONE-TIME SAVINGS BUT OBLIGATING ONGOING EXPENDITURES. ITEMS THAT ARE LISTED AS ONE-TIME FUNDING WHICH HAVE EVERY EXPECTATION OF COMING BACK NEXT YEAR TO SEEK ONGOING FUNDING ARE ALSO CONCERNING. COLLEAGUES, THE AMOUNT OF SPENDING IS BEFORE WE EVEN START TO CONSIDER THE FINAL PASSAGE OF EVERY OTHER PRIORITY BILL WITH APPROXIMATELY \$10 MILLION THAT WE'VE ALLOCATED FOR SPENDING ON THE FLOOR. I SUPPORT MANY OF THE IMPORTANT PRIORITIES THAT WERE INCLUDED IN THE BUDGET LIKE THE OFFUTT AIR FORCE BASE LEVEE PROJECT, THE HIGHWAY AND BRIDGE PROJECTS TO FUND LB960, AND THE CORRECTIONAL SYSTEM FUNDING. HOWEVER, THERE ARE A LOT OF OTHER SPENDING ITEMS INCLUDING NUMEROUS ENTIRE LEGISLATIVE BILLS THAT ARE ALSO PART OF THIS PACKAGE. AS I SAID WHEN I WAS THINKING OF HOW TO APPROACH THE 2014 MID-BIENNIUM BUDGET, WE SEEM TO BE GETTING CLOSER TO WHAT WE SEE IN THE FEDERAL SYSTEM. IN ORDER TO SUPPORT THE THINGS I LIKE, I'M BEING ASKED TO SUPPORT A WHOLE LOT OF ITEMS THAT I DO NOT LIKE. THE VOTE I HAD TO CONSIDER WAS A VOTE

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ON THE ENTIRE BUDGET PACKAGE, NOT A VOTE ON ANY SINGLE ITEM OR ITEMS CONTAINED IN BOTH BILLS. [LB956]

SENATOR KRIST: ONE MINUTE. [LB956]

SENATOR KINTNER: IN THE END, WE ALL MAKE A PERSONAL DECISION ON THESE BILLS. I HAD TO DIG DEEP ON THIS ONE. IT'S NOT FUN BEING THE LONE VOTE ON YOUR ONLY COMMITTEE. BUT I'VE STOOD ON THOUSANDS OF FRONT PORCHES OF MY CONSTITUENTS IN LEGISLATIVE DISTRICT 2. I'VE LOOKED THEM IN THE EYE, SHAKEN THEIR HAND, AND PROMISED THAT I WOULD COME HERE TO FIGHT FOR THE INTEREST OF THE TAXPAYERS, FIGHT TO CONTROL SPENDING. FOR ME THAT PROMISE STARTS WITH MY POSITION AS A COMMITTEE MEMBER AND A "NO" VOTE ON THIS BUDGET. THANK YOU, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR KINTNER. SENATOR COASH, YOU'RE RECOGNIZED. [LB956]

SENATOR COASH: THANK YOU, MR. PRESIDENT, AND GOOD AFTERNOON, COLLEAGUES. THERE ARE TWO ITEMS IN THIS BUDGET WHICH I WANT TO SPEAK TO AND PUT ON THE RECORD. THE FIRST ITEM I'D LIKE TO SPEAK TO IS THE \$1.5 MILLION APPROPRIATION THAT IS...WAS PUT IN FROM A BILL, I BELIEVE BY SENATOR WATERMEIER, TO ASSIST IN THE RECRUITMENT AND RETENTION OF STATE CORRECTIONAL WORKERS. WOULD SENATOR WATERMEIER YIELD TO A QUESTION? [LB956]

SENATOR KRIST: SENATOR WATERMEIER, WILL YOU YIELD? [LB956]

SENATOR WATERMEIER: YES, I WOULD. [LB956]

SENATOR COASH: THANK YOU, SENATOR WATERMEIER. THIS \$1.5 MILLION IS DESIGNED TO GO TO RECRUITMENT BONUSES...OR EXCUSE ME, STAFF BONUSES FOR CURRENT EMPLOYEES OF CORRECTIONS, IS THAT CORRECT? [LB956]

SENATOR WATERMEIER: WELL, YEAH, I'LL JUST GIVE YOU A LITTLE HISTORY ON THE BILL WHEN I BROUGHT IT UP. I WON'T TAKE TOO MUCH OF YOUR TIME, BUT ORIGINALLY I BROUGHT UP A \$2.5 MILLION BUDGET...BILL, AND A PART OF THAT WAS GOING TO BE FOR RECRUITMENT AND RETENTION, THE MAJORITY OF IT BEING RETENTION. WE DID WHITTLE IT DOWN TO \$1.5 MILLION, BUT WE DID PUT

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IT IN THE FIRST FISCAL YEAR SO IT'S GOING TO BE JUST A ONE-TIME APPROPRIATION, AND IT'S GOING TO BE UP TO THE DEPARTMENT OF CORRECTIONS TO ACTUALLY ADMINISTER THAT. I WOULD HAVE LIKED TO HAVE SEEN IT IN THE BASELINE BUDGET, BECAUSE I REALLY THINK IT'S GOING TO BE MORE OF A BASELINE BASE TO THEIR SALARY SO WE COULD RECOGNIZE THE WORK AND THE EFFORT THAT GOES ON INSIDE OF CORRECTIONS. BUT IT WAS DECIDED THAT WOULD BE TOO DIFFICULT TO GO UP AGAINST THE NEGOTIATION PART WITH, YOU KNOW, THE UNIONS. [LB956]

SENATOR COASH: THANK YOU, SENATOR WATERMEIER. SO AT THE END OF THE DAY, WHAT WE HAVE IS \$ 1.5 MILLION APPROPRIATION THAT IS FOR RETENTION THAT COULD BE ALLOCATED TO CORRECTIONS WORKERS, BUT IT WILL NOT BECOME PART OF THEIR BASELINE SALARY, CORRECT? [LB956]

SENATOR WATERMEIER: THAT'S CORRECT. [LB956]

SENATOR COASH: ALL RIGHT, THANK YOU, SENATOR WATERMEIER. I'M NOT SURE HOW I FEEL ABOUT THIS PARTICULAR PART OF THE BILL. I...100 PERCENT SUPPORT PAYING CORRECTIONS OFFICERS WHAT THEY ARE WORTH. AND ONE THING I'VE HEARD ON THE JUDICIARY COMMITTEE FOR EIGHT YEARS NOW, IS THAT WE CANNOT COMPETE WITH A SIMILAR JOB WITHIN THE COUNTIES OF COUNTY CORRECTIONS. HOWEVER, WE'RE NOT SOLVING THAT PROBLEM HERE. YOU CAN'T PAY FOR RETENTION, COLLEAGUES. YOU CAN ALLOCATE MORE MONEY, BUT UNLESS CULTURE CHANGES, RETENTION WILL CONTINUE TO BE AN ISSUE. CORRECTIONS DOES NOT HAVE A RECRUITMENT PROBLEM, CORRECTIONS HAS A RETENTION PROBLEM. A FACTOR IN THAT--A FACTOR--IS THEIR PAY. BUT I WOULD PUT TO YOU, COLLEAGUES, THAT IT IS MORE THAN PAY THAT NEEDS TO CHANGE IN ORDER TO PROVIDE FOR THE ONGOING SAFETY OF THE CORRECTIONS WORKERS IN OUR SYSTEM. HERE'S WHAT I PREDICT, COLLEAGUES, AND MANY OF YOU WILL BE HERE IN THE NEXT BUDGET, AND YOU WILL SEE IF I'M CORRECT OR NOT. I BELIEVE NOT ONE PENNY OF THAT \$1.5 MILLION WILL BE SPENT FOR THE RETENTION OF CORRECTIONS OFFICERS. THE DEPARTMENT WILL NOT SPEND IT. AND THIS IS WHY. THEY WILL BE CONCERNED THAT THAT SPENDING WILL OPEN UP A NEGOTIATION, AND THEY WILL NOT BE WILLING TO RISK THAT OPENING. SO THAT \$1.5 MILLION WILL BE RETURNED TO THE APPROPRIATIONS COMMITTEE AT THE END OF THIS BUDGET. THERE ARE PEOPLE WORKING CORRECTIONS THAT DESERVE THAT RETENTION PAY WHO WILL NOT GET IT BECAUSE IT WILL BE PUT AS "EVERYBODY GETS SOMETHING OR NOBODY GETS SOMETHING" AND THE DEPARTMENT WILL ERR ON THE SIDE OF "NOBODY WILL GET ANYTHING" SINCE WE CANNOT GIVE IT TO EVERYBODY.

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BECAUSE UNLESS WE GIVE IT TO EVERYBODY, IT IS SPECIAL, IT OPENS UP THE CONTRACT, AND NOBODY WILL GET IT. [LB956]

SENATOR KRIST: ONE MINUTE. [LB956]

SENATOR COASH: I HOPE I'M WRONG. I HOPE THE WARDENS IN OUR CORRECTIONS SYSTEM FIND A WAY TO TAKE THIS MONEY IN THIS BUDGET AND FIND THOSE CORRECTIONS OFFICERS WHO DESERVE IT, AND THEY GIVE IT TO THEM. BUT I BELIEVE THEY WILL RUN INTO A BARRIER, AND I BELIEVE THAT THEY WILL CHOOSE NOT TO ALLOCATE THAT MONEY. IF THEY DO, I APPLAUD THEM, BECAUSE THERE ARE MANY CORRECTIONS WORKERS THAT DESERVE THAT BONUS. I BELIEVE THE APPROPRIATE WAY, AS SENATOR WATERMEIER IN HIS ORIGINAL BILL WAS TO ADD IT TO THEIR BASELINE WAGES, BUT HERE'S WHAT WE HAVE IN FRONT OF US, WE HAVE A BONUS PAY. WE WILL SEE WHAT...YOU ALL WILL SEE WHAT THE DEPARTMENT DOES WITH THIS MONEY. AND IF THEY DON'T DO ANYTHING WITH IT, IT'S GOING TO COME BACK IN THE BUDGET, AND THEN WE'RE GOING TO HAVE TO DECIDE WHAT'S THE NEXT STEP IN FIXING THIS ISSUE WITH REGARD TO PAY FOR CORRECTIONS OFFICERS. THANK YOU, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR COASH. SENATOR GROENE, YOU'RE RECOGNIZED. [LB956]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I WOULD LIKE TO THANK THE MEMBERS OF THE APPROPRIATIONS COMMITTEE ALSO, LED BY SENATOR MELLO, ESPECIALLY SENATOR MELLO BECAUSE IT TAKES A SPECIAL SKILL TO COORDINATE AND DISTRIBUTE THE HARD-EARNED TAX DOLLARS OF TAXPAYERS TO THE MOB OF THOSE WHO WISH TO GAIN ACCESS TO THOSE DOLLARS. AND I'M SURE HIS OFFICE IS BUSY WITH THOSE WHO DO EVERY DAY, LOOKING TO ADD A LITTLE HERE TO THE BUDGET. HE HAS DONE AN APPRECIATED JOB, ALONG WITH THE MEMBERS OF THE COMMITTEE. I ALSO APPRECIATE SENATOR KINTNER'S "NO" VOTE TO THE BUDGET. WHEN YOU ARE IN A GROUP, IT'S HARD TO BE THE ODD MAN OUT, OR THE ODD PERSON OUT. BUT IN NEBRASKA AND IN AMERICA WE HAVE A SYSTEM WHERE WE NEED DEBATE, WE NEED THAT ONE IN THE INSIDE WHO SAYS NO, AND HERE'S WHY. WE NEED THAT PERSON FOR THE REPORTER TO BE ABLE TO ASK, WHY? WHAT'S WRONG WITH THE BUDGET? SENATOR KINTNER ALLOWED THAT. ALTHOUGH SYMBOLIC, HE DID THE CITIZENS OF NEBRASKA A FAVOR. A CLAIM OF THE SMALLEST INCREASE IN THE LAST 30 YEARS WAS TRUE BACK IN '15 WHEN THE PROPOSED

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BUDGET WAS IN THAT 3 PERCENT RANGE...3.1. IT RAISED UP THE RATINGS WHEN IT WENT TO 3.5 AFTER WE GOT DONE WITH THE BUDGET. NOW IT'S AT 3.7. WE'RE NOT TALKING ABOUT A NEW BUDGET, WE'RE TALKING ABOUT THE SAME ONE THAT WAS CLAIMED TO BE ONE OF THE LOWEST WHEN IT WAS PRESENTED AT 3 PERCENT. OVER THE LAST DECADE, THE AVERAGE IS 3.3. WE ARE WELL ABOVE THE AVERAGE OVER THE LAST DECADE. INFLATION...AND YOU'VE GOT TO LOOK AT THE TIMES WE LIVE IN, TOO, WHEN YOU COMPARE A BUDGET AND SPENDING. INFLATION OVER THE LAST DECADE HAS BEEN IN THAT 2 PERCENT OR LESS RANGE, BUT YET WE SPEND 3.5 TO 4, 5. THERE'S A RELATIONSHIP THERE, AND THAT SHOULD BE TAKEN INTO ACCOUNT WHEN YOU PAT YOURSELF ON THE BACK ON SPENDING. IS THE BUDGET ALL BAD? NO. THERE ARE NEEDS THAT HAVE BEEN FILLED, CORRECTIONS. BUT MY CONCERN WITH THE BUDGET PROCESS IS THE INTEGRITY OF THE PROCESS. THIS SYSTEM OF WHERE WE'VE SUDDENLY TAKEN AS THE NORM THAT WE SPEND PROFESSIONAL PROJECTS OUT OF THE CASH RESERVES DID NOT START UNTIL 2005 WHEN SENATOR JOHANNIS AND THE LEGISLATURE TOOK MONEY OUT TO PAY FOR THE NUCLEAR WASTE DUMP SETTLEMENT. IT BECAME COMMON PRACTICE AFTER THAT ONCE THE BARRIER WAS BROKE. I FEAR FOR THE SYSTEM. I FEAR FOR FUTURE APPROPRIATIONS COMMITTEES BEING BID FOR POSITIONS ON IT BECAUSE I HAVE A SPECIAL PROJECT BACK HOME. I NEED TO GET ON THE APPROPRIATIONS COMMITTEE BECAUSE I NEED TO GET THAT SPECIAL PROJECT PAID FOR. THAT SCARES ME. IT TAKES THE INTEGRITY OUT OF THE PROCESS. NOW, AGAIN, I HAVE NO CLAIM OR ANY ASPERSIONS ON THE PRESENT MEMBERS OF THE APPROPRIATIONS COMMITTEE, BUT WE ARE CREATING A BAD PRECEDENT. THE BIGGEST ONE ON THIS YEAR IS THE LEVEES AROUND OFFUTT AIR FORCE BASE. OFFUTT IS A GREAT...SUPPORT OUR MILITARY 100 PERCENT. YOU'VE SEEN MY VOTES ON THE VETERANS AFFAIRS...MILITARY AFFAIRS COMMITTEE. BUT AGRICULTURE IS BIG. IRRIGATED AGRICULTURE, USED CAR LOTS, BANKING, ALL OF THEM ARE BIG PARTS OF OUR ECONOMY. WHERE DO YOU STOP? PAPIO NRD IS RESPONSIBLE FOR THOSE LEVEES. I'VE RESEARCHED IT. IT'S UNDER THEIR CARE. SO MY COURTHOUSE BURNS DOWN, DO I COME TO THE APPROPRIATIONS COMMITTEE AND SAY, HEY, IT'S LOCAL GOVERNMENT BUT, BOY, I NEED SOME MONEY. THE SCHOOL BURNS DOWN. [LB956]

SENATOR KRIST: ONE MINUTE. [LB956]

SENATOR GROENE: WHAT DO WE DO? I COME TO THE APPROPRIATIONS COMMITTEE, I'M ON IT, AND I SAY I NEED MONEY TO REPLACE MY SCHOOL. WE'RE TALKING LOCAL GOVERNMENT HERE COMING TO THE STATE FOR APPROPRIATIONS DIRECTLY TO A LOCAL GOVERNMENT, NOT EVEN THROUGH

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THE BUDGET PROCESS, BUT THROUGH A CASH RESERVE TRANSFER. WE ARE CREATING PRECEDENT HERE THAT IS NOT GOOD FOR THIS STATE, NOT GOOD FOR THIS BODY. THANK YOU, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR GROENE. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB956]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT, AND THAT TIMING IS PERFECT BECAUSE THE THOUGHTS THAT I WASN'T ABLE TO COMMUNICATE WITH MY FIRST TIME ON THE MIKE ACTUALLY ADDRESSED SOME OF WHAT SENATOR GROENE IS DISCUSSING. AND I THINK IT IS A GOOD TIME FOR US TO TALK ABOUT SOME OF THE PROCESS-RELATED IMPROVEMENTS THIS COMMITTEE HAS EMBRACED, AND AS WE LOOK TOWARDS NEXT YEAR'S BUDGET AND HOW WE PUT TOGETHER THIS YEAR'S BUDGET, I THINK THEY'RE APPROPRIATE TO NOTE. AND THE FIRST IS THAT WE...ONE OF THE FIRST BILLS THAT WE WORKED ON THIS YEAR WAS AN INITIATIVE TO PROVIDE MORE EVIDENCE-BASED REQUIREMENTS TO BILLS THAT COME TO THE APPROPRIATIONS COMMITTEE. AND THOSE OF YOU WHO ARE BRINGING BILLS TO THE APPROPRIATIONS COMMITTEE NEXT YEAR, I HOPE YOU WILL TAKE NOTE OF THAT. BUT TO THE POINTS THAT HAVE BEEN MADE ON THE FLOOR, THAT IS THE CRITERIA AND THE LENS THAT I HAVE USED WHEN APPROPRIATING DOLLARS THIS YEAR, AND EVERY YEAR, BUT MORE SO THIS YEAR, GIVEN OUR WORK ON A PARTICULAR PIECE OF POLICY. SO LET ME GIVE YOU A GOOD EXAMPLE OF THAT. WE'VE PUT SOME ONE-TIME FUNDS INTO START-UP INITIATIVES FOR AFTER SCHOOL PROGRAMS CATALYZING VOLUNTEER PROGRAMS TO HELP KIDS DURING THOSE DANGEROUS THREE TO SIX HOURS. SO, IN TERMS OF HOW OUR BUDGET PROCESS IS WORKING, I THINK THAT'S A GREAT BEST PRACTICE THAT WE ARE IMPLEMENTING. WE'VE ALSO INCREASED TRANSPARENCY BY BREAKING OUT SOME OF OUR BUDGETING AND SPENDING, SPECIFICALLY THIS YEAR IN JUVENILE JUSTICE. YOU MAY RECALL, LAST YEAR WE WERE SURPRISED BY SOME EXPENDITURES, AND MOVING FORWARD BY PROVIDING MORE DETAIL AND REQUIRING MORE DETAIL IN OUR BUDGET PROCESS, WE WILL HAVE MORE TRANSPARENCY AND MAKE BETTER DECISIONS. OTHER STRATEGIES THAT WE HAVE MOVED FORWARD WITH AND OTHER POLICIES THAT I THINK MAKE GOOD SENSE ARE STICKING WITH OUR PRINCIPLES IN TERMS OF CASH RESERVE FUND TRANSFERS. WE TEND TO FOCUS ON ONE-TIME EXPENDITURES, ONE-TIME EXPENDITURES THAT HAVE A SIGNIFICANT IMPACT, AND WE TEND TO LEAN TOWARDS STRATEGIES AND INITIATIVES THAT INCREASE OUR INFRASTRUCTURE AND INCREASE OUR ECONOMIC DEVELOPMENT IN THE STATE. AND SO I THINK BOTH THE OFFUTT LEVEE AND THE TRANSPORTATION INFRASTRUCTURE FUND

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FALL IN LINE WITH OUR POLICIES, OUR PROCEDURES, OUR BEST PRACTICES WITHIN THE COMMITTEE. AND FINALLY, I WANT TO NOTE, I WANT TO COMMENT AT THIS POINT IN OUR BUDGET DISCUSSIONS THAT SOMETHING WE PUT INTO PLACE LAST YEAR CALLED AN ECONOMIC VOLATILITY REPORT WILL BE A GUIDEPOST AND A TOOL THAT WE CAN USE INTO THE FUTURE. AS WE TRY TO CONTROL SPENDING AS WE TRY TO, AS SENATOR STINNER DISCUSSED, LOOK AT THESE PROJECTIONS AND MAKE GOOD DECISIONS MOVING FORWARD INTO THE FUTURE, THAT REVENUE VOLATILITY REPORT WILL BE ONE OF OUR GUIDE POSTS AS WE CONTINUE TO MAKE GOOD DECISIONS, BOTH ABOUT SPENDING AND ABOUT CASH RESERVE FUND TRANSFERS. SO I WANTED TO BE BRIEF, BUT I WANTED TO FINISH MY THOUGHTS IN TERMS OF NOT ONLY WHAT WE'VE DONE THIS YEAR AND HOW WE'VE DONE IT, BUT HOW WE'LL CONTINUE TO WORK INTO THE FUTURE AND SOME OF THE WAYS THAT I THINK OUR APPROPRIATIONS COMMITTEE IS REALLY DOING STELLAR WORK FOR THE REST OF THE BODY. THANK YOU, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR BOLZ. (VISITORS INTRODUCED.) THOSE STILL WISHING TO SPEAK: SENATOR KUEHN, SEILER, WATERMEIER, COASH, GROENE. SENATOR KUEHN, YOU'RE RECOGNIZED. [LB956]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT, AND THANK YOU, MEMBERS OF THE BODY. I WOULD LIKE TO THANK THE OTHER MEMBERS OF THE APPROPRIATIONS COMMITTEE AS WELL AS THE LEGISLATIVE FISCAL OFFICE STAFF FOR ALL OF THEIR EXCELLENT WORK AND ESPECIALLY CHAIRMAN MELLO FOR HIS LEADERSHIP IN THIS BUDGET. WE'VE HEARD A LOT OF THE DETAILS WITH REGARD TO A NUMBER OF THE SPECIFIC ISSUES, AND I'M SURE THERE WILL BE CONTINUING DEBATE ON A NUMBER OF THE CASH FUND TRANSFERS, A NUMBER OF THE ISSUES FROM THE CASH RESERVE, AS WELL AS THE INCREASES IN THE GENERAL FUND BUDGET. WHAT I DID WANT TO EXPLAIN AND DISCUSS WITH THE BODY BRIEFLY DURING MY TIME TODAY IS ONE OF THE ISSUES WHICH IS A PROCESS WHICH WE INSTITUTED WITH LAST YEAR'S MAINLINE BUDGET BILL THAT SOMETIMES CAN LEAD TO A LITTLE BIT OF CONFUSION. WASN'T NECESSARILY THAT GLAMOROUS LAST SESSION WHEN WE DISCUSSED IT, BUT CERTAINLY BECAME AN IMPORTANT PART OF MEETING OUR BALANCED BUDGET DIRECTIVE IN THIS SESSION, AND THAT'S THE ISSUE OF REAPPROPRIATIONS. SO, CERTAINLY WHILE THE IDEA OF WHAT HAPPENS WITH UNSPENT MONEY AT THE END OF A BUDGET BIENNIUM IS A QUESTION MANY OUTSIDE OF APPROPRIATIONS DON'T THINK OF, PRIOR PRACTICE ALLOWED THOSE DOLLARS TO ROLL OVER FROM BIENNIUM TO BIENNIUM AND FOR AGENCIES TO HAVE ACCESS TO THOSE REAPPROPRIATIONS OR UNSPENT FUNDS.



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WITH LAST YEAR'S BUDGET BILL, THAT PRACTICE OF BLANKET REAPPROPRIATIONS ENDED, AND WE INCLUDED LANGUAGE THAT LOOKED AT AND REQUIRED AGENCIES TO GO THROUGH A COMMON PRACTICE OF A MODIFIED VERSION OF CERTIFYING THEIR ENCUMBRANCES, OR KNOWING WHAT WAS SPENT IN WHICH FISCAL YEAR AND EXACTLY HOW MUCH MONEY WAS LEFT AT THE END OF THE BUDGET BIENNIUM WITH THOSE DOLLARS THEN LAPSING BACK IN A FORM OF A REAPPROPRIATION. I CERTAINLY UNDERSTAND THE PROCESS FOR WHY THAT AND THE INTENT BEHIND ALLOWING REAPPROPRIATIONS TO OCCUR, AN IDEA THAT IF THERE'S LEFTOVER MONEY, IF YOU DON'T USE IT, YOU LOSE IT KIND OF PHENOMENON. HOWEVER, I THINK WHAT WE SAW WAS UNSPENT MONEY ACCUMULATING IN RELATIVELY LARGE QUANTITIES WITHIN AGENCY BUDGETS THAT THEN WERE OUTSIDE OF THE NORMAL APPROPRIATIONS AND BUDGETING CONTROL. AND SO CERTAINLY WITH THE END OF THAT BLANKET REAPPROPRIATIONS PROCESS WITH THIS BIENNIAL BUDGET, WE'RE SEEING MUCH GREATER TRANSPARENCY AND ACCOUNTABILITY FOR THE DOLLARS THAT ARE ULTIMATELY APPROPRIATED. WE'RE ALSO SEEING A GREATER TREND TOWARDS BEING MORE DELIBERATE IN TERMS OF THE BUDGETING TO BEGIN WITH AND TIGHTER BUDGETING CONTROLS. IN SPECIFIC, THE REAPPROPRIATIONS ISSUE BECAME VERY IMPORTANT THIS SESSION WITH REGARD TO HOW WE BALANCE THE BUDGET, ULTIMATELY UTILIZING \$98.9 MILLION WORTH OF REAPPROPRIATIONS FROM DHHS AID PROGRAMS THAT WERE UNSPENT FUNDS THAT BASED ON ANALYSIS OF THE STATUS AND THE POINT IN THE FISCAL YEAR WERE NOT LIKELY TO BE NEEDED BY THOSE PROGRAMS. AND WE WERE ABLE THEN TO USE TO FILL THE BUDGET SHORTFALL DUE TO THE DOWNGRADE IN THE REVENUE PROJECTION. THAT \$98.9 MILLION WERE DOLLARS THAT OTHERWISE WOULD HAVE CONTINUED TO ROLL OVER, NOT HAD THE DEGREE OF BUDGET OVERSIGHT, AND NOT BEING UTILIZED TO MEET THE NEEDS OF NEBRASKA GOVERNMENT SERVICES AND THE EXPECTATIONS OF TAXPAYERS. SO, I TRULY BELIEVE THAT WITHIN THE FIRST YEAR OF ALTERING THAT PRACTICE, WE'VE SEEN...AND THIS WAS A UTILIZATION OF THOSE REAPPROPRIATIONS THAT WAS INITIALLY RECOMMENDED BY THE GOVERNOR IN HIS BUDGET AND WAS AGREED TO AND ACTUALLY ADDED UPON BY THE APPROPRIATIONS COMMITTEE, AND IT WILL BE A CONTINUED TOOL GOING FORWARD AS WE INCREASE THE TRANSPARENCY OF THE BUDGETING PROCESS, AS WE LOOK AT BUDGETING CONTROLS, AS WE DEVELOP THE NEXT BIENNIAL BUDGET, AND ENSURING THAT THE DOLLARS THAT ARE APPROPRIATED GET TO WHERE THEY WERE INTENDED TO GO, AND PROVIDE THAT FEEDBACK LOOP FOR THOSE OF US IN OUR OVERSIGHT ROLE AS LEGISLATORS AS WELL AS FOR THOSE WITHIN THE EXECUTIVE BRANCH...

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SENATOR KRIST: ONE MINUTE. [LB956]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT...WHO ARE RESPONSIBLE FOR DEVELOPING BUDGETS AND UNDERSTANDING WHERE THOSE DOLLARS GO. SO, TRANSPARENCY AND ACCOUNTABILITY AT PLAY IN THIS YEAR'S DEFICIT BUDGET REQUEST. SO, WITH THAT, I ENCOURAGE YOUR SUPPORT OF AM2560 AS WELL AS THE COMMITTEE AMENDMENT AS WE MOVE FORWARD WITH THIS BIENNIAL BUDGET. THANK YOU, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR KUEHN. SENATOR SEILER, YOU'RE RECOGNIZED. [LB956]

SENATOR SEILER: MR. PRESIDENT, MEMBERS OF THE UNICAMERAL, AS CHAIRMAN OF THE JUDICIARY, I'D LIKE TO CHIME IN A LITTLE BIT AND FOLLOW UP OF WHAT SENATOR COASH HAS JUST BROUGHT TO LIGHT. WE HAVE A SERIOUS, SERIOUS PROBLEM IN TECUMSEH. THERE'S NO QUESTION ABOUT IT. WE STARTED OUT WITH A RIOT. NOW IN THE LAST TWO WEEKS, WE'VE HAD TWO ASSAULTS PUTTING GUARDS IN THE HOSPITAL. NOW WHO'S GOING TO APPLY FOR A JOB LIKE THAT AT THE PRESENT CONDITIONS OF BENEFITS AND SALARY? WHAT THEY'RE GOING TO DO IS, THEY'RE GOING TO APPLY, BUT THEY'RE GOING TO TRAIN...BE TRAINED THERE, AND AS SOON AS THEY GET THEIR CERTIFICATE, THEY'RE GOING TO GO OUT THE FRONT DOOR, AND THAT'S WHAT'S BEEN HAPPENING FOR THE LAST TWO YEARS. SENATOR (SIC: DIRECTOR) FRAKES IS DOING AS GOOD A JOB AS POSSIBLE UNDER THE CONDITIONS THAT HE WALKED INTO. THIS QUAGMIRE WAS FIRST DISCOVERED BY THE LEGISLATURE IN LR424, THE...SENATOR LATHROP AND I WERE CO-CHAIRS, AND WE STARTED OUT AS A LITTLE NIKKO JENKINS INVESTIGATION AND ENDED UP FINDING OUT THAT THE ENTIRE PRISON SYSTEM WAS IN TROUBLE, AND WE RECOMMENDED FIVE OF THE TOP PEOPLE BE FIRED. THEY WERE, AND NOW WE'RE BEGINNING TO GAIN SOME TRACTION. BUT WE STILL HAVE A REAL PROBLEM DOWN THERE, AND THAT'S NOT THE ONLY PLACE. MOVE OUT TO YRTC IN KEARNEY, THEY HAVE A SERIOUS PROBLEM OUT THERE, AND THE COMMUNITY HAS TURNED AGAINST THAT FACILITY AND NOBODY SEEMS TO WANT TO RECOGNIZE IT. AND WE'VE GOT A HANDFUL TO CONQUER OUT THERE NEXT YEAR, NO DOUBT ABOUT IT, BECAUSE IT CONTINUES TO GET WORSE. LAST, ONE OF THE PROBLEMS WE FOUND OUT EARLY ON IN THAT LR424 HEARING WAS MENTAL HEALTH PROBLEMS IN THE PRISON. THIRTY-ONE PERCENT WAS THE NUMBER GIVEN. NOW EXPERTS ARE SAYING SOMEWHERE BETWEEN 50 AND 60 PERCENT HAVE SUBSTANCE ABUSE, DRUG ABUSE, OR MENTAL ILLNESS. WE'VE GOT TO GET ON TOP OF THIS, AND WE'RE DOING NOTHING. SO WHEN THAT MONEY SAYS IT'S NOT GOING TO BE

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USED, I THINK SENATOR COASH IS RIGHT, IT MAY NOT GO FOR SALARIES, BUT WE'VE GOT A LOT OF OTHER PLACES THAT IT CAN GO FOR. GIVE YOU A PERFECT EXAMPLE IN MENTAL HEALTH. THE DIRECTOR FRAKES HAS HIRED ONE PSYCHIATRIST. HE'S GOT OTHER POSITIONS THAT ARE EMPTY, CAN'T FIND ANYBODY TO TAKE THEM. WHILE THAT'S BEEN GOING ON AT THE STATE GOVERNMENT, MARY LANNING HOSPITAL (SIC: HEALTHCARE) IN HASTINGS HAS HIRED FOUR PSYCHIATRISTS--FOUR PSYCHIATRISTS--GIVING THEM A TOTAL OF SIX. WE'VE GOT TO GIVE IMPROVEMENTS TO OUR STATE EMPLOYEES AND GET THAT MENTAL HEALTH PROGRAM BACK WITH EXPERTS WHO KNOW WHAT THEY'RE DOING SO WE CAN GET THOSE PROBLEMS UNDER CONTROL. THANK YOU VERY MUCH. [LB956]

SENATOR KRIST: THANK YOU, SENATOR SEILER. SENATOR WATERMEIER, YOU'RE RECOGNIZED. [LB956]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. I JUST WANT TO KIND OF REITERATE A LITTLE BIT WHAT SENATOR COASH HAD MENTIONED ABOUT POSSIBLY NOT BEING ABLE TO USE THAT MONEY THE STATE...THE EXECUTIVE BRANCH MAY CHOOSE TO NOT USE IT. AND THAT IS A REAL POSSIBILITY. BUT WHAT HE ALSO MENTIONED WAS THIS NEGOTIATION PART THAT HAPPENS INSIDE OF THE NEGOTIATIONS FOR PAY. WE DON'T HAVE ANY CHANCES TO NEGOTIATE IN THAT PROCESS, BUT THIS IS ONE THING WE CAN DO. WE SHOW IT AS A PRIORITY TO THE STATE AND WE SHOW IT AS A PRIORITY TO THE STAFF, SPECIFICALLY TO THE CORRECTIONS DEPARTMENT. I WAS ALSO INVOLVED IN THE INTERIM WITH SENATOR HANSEN WHO INTRODUCED THE LONGEVITY BILL. I WOULD DESCRIBE IT AS A LONGEVITY BILL INSIDE OF THE BUSINESS AND LABOR WHICH TALKED ABOUT REAL SMALL INCREMENTAL PAY RAISES EVERY FIVE YEARS AFTER REMAINING A STATE EMPLOYEE. AND IT WAS A VERY SMALL AMOUNT AND IT SEEMED LIKE IT WAS HARDLY WORTHWHILE, BUT IT'S AN EFFORT THAT WE CAN MAKE. AND THAT'S NOT GOING TO GO ANYWHERE THIS YEAR, BUT IT'S STILL AN EFFORT. IT'S PART OF OUR NEGOTIATIONS, IT'S OUR LAYING OUT WHAT IS A PRIORITY IN THIS STATE. WE ARE RECOGNIZING THE NEED. AND THAT'S THE POINT I WANT TO MAKE, IS THAT WE HAVE THE ABILITY TO LAY OUT THIS AND RECOGNIZE THIS AS A NEED. THERE'S A CHANCE THAT THE ADMINISTRATION MAY NOT USE IT. WE WILL KNOW THAT NEXT YEAR. THEY JUST CAN'T USE THIS MONEY FOR ANYTHING THEY WANT. IF THEY DON'T USE IT, WE WILL BE ABLE TO REAPPROPRIATE IT, TAKE IT BACK, AND WE'LL RE-EVALUATE IT. BUT THIS IS SENDING A VERY CLEAR MESSAGE TO THE EXECUTIVE BRANCH, TO THOSE ADMINISTRATORS, AND ALL OF THE STATE, ESPECIALLY THE ONES THAT ARE IN HIGH-RISK SITUATIONS LIKE IN THE CORRECTIONS. WE ARE

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LAYING OUT AS A PRIORITY, TAKE CARE OF THIS, KNOW THAT WE ARE WILLING TO SUPPORT YOU. THOSE ARE DIFFICULT THINGS INSIDE OF THAT NEGOTIATION. THIRTY YEARS AGO, I USED TO WORK FOR A COMPANY ON THE WEST COAST IN SEATTLE IN THE MANAGEMENT SIDE, AND I WAS IN CHARGE OF MANAGING UNION EMPLOYEES. I WORKED HAND IN HAND WITH TEAMSTERS AND LONGSHOREMEN, AT A 21-YEAR-OLD...YOU TALK ABOUT AN EXPERIENCE. THAT IS SOMETHING THAT I WILL NEVER FORGET, AND I UNDERSTAND THE PROCESS THAT GOES ON IN THERE. I GAINED A LOT OF KNOWLEDGE, I GAINED A LOT OF EXPERIENCE, AND IT WAS REALLY VALUABLE. I DIDN'T REALLY REALIZE WHAT I HAD GONE THROUGH UNTIL ABOUT TEN YEARS AGO WHEN I CAME ACROSS ANOTHER SITUATION AND IT WAS BENEFICIAL. BUT THOSE LIFE EXPERIENCES CAME BACK TO ME TO SAY, THIS IS SOMETHING THAT'S IMPORTANT. THE EMPLOYEES IN THE CORRECTIONS DEPARTMENT ARE SAYING THEY REALLY DON'T FEEL LIKE THEY'RE...THAT WE HAVE PRIORITIZED THEM. AND THIS IS THE ONLY CLEAR MESSAGE THAT I COULD DO TO INTRODUCE THIS BILL. WE CAN WATCH IT INSIDE OF APPROPRIATIONS NEXT YEAR AND THE YEAR AFTER, IF IT SO NEEDS TO BE, BUT I REALLY WOULD APPRECIATE THE SUPPORT ON THIS PART OF THE SEGMENT OF THE DEFICIT BILL, AND I JUST WANTED TO EXPLAIN THAT JUST A LITTLE BIT. THANK YOU, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR WATERMEIER. SENATOR COASH, YOU'RE RECOGNIZED. [LB956]

SENATOR COASH: THANK YOU, MR. PRESIDENT. COLLEAGUES, WE ARE NOT GOING TO BE ABLE TO SPEND OUR WAY TO A CORRECTIONS SYSTEM THAT IS FUNCTIONAL. YOU CAN'T BUY CULTURE. YOU CAN'T PAY FOR LEADERSHIP. YOU CAN PAY FOR A POSITION, BUT YOU DON'T BUY THE KINDS OF THINGS THAT NEED TO HAPPEN WITHIN THE REALM OF CORRECTIONS. DIRECTOR FRAKES WALKED INTO A MESS. I CAN TELL YOU AS A MEMBER OF THE APPROPRIATIONS--I'M NOT A MEMBER OF THE APPROPRIATIONS COMMITTEE--JUDICIARY COMMITTEE, WE SPENT A LOT OF TIME WITH DIRECTOR FRAKES. WE'VE OFFERED OUR SUPPORT. EVERY SINGLE MEMBER OF THE JUDICIARY COMMITTEE HAS SAID TO DIRECTOR FRAKES, YOU TELL US WHAT WE NEED, AND WE WILL GO TO THE FLOOR OF THE LEGISLATURE AND FIGHT FOR IT. IF YOU NEED MORE MONEY TO PAY CORRECTIONS OFFICERS MORE MONEY, YOU TELL THE EIGHT MEMBERS OF THE JUDICIARY COMMITTEE. WE'LL GO GRAB SENATOR MELLO AND WE'LL HOLD HIM HOSTAGE UNTIL IT BECOMES PART OF THIS BUDGET. WE ARE WILLING TO DO THAT. THAT OFFER WAS DENIED. SENATOR WATERMEIER BROUGHT A BILL. OFFER DENIED. I'LL STAND BY MY STATEMENT, I DON'T THINK ANY OF THAT MONEY IS GOING TO BE SPENT. THE

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OTHER THING I WANTED TO TALK ABOUT...I WANT TO GET OFF CORRECTIONS FOR A MINUTE. THERE IS A \$19.6 MILLION APPROPRIATION IN THIS BILL THAT WE DIDN'T HAVE TO SPEND. IT'S THROUGH THE DD BUDGET, DEVELOPMENTAL DISABILITIES BUDGET. \$19.6 MILLION DOLLARS WE DIDN'T HAVE TO SPEND. WE GOT SOME GOOD LEADERSHIP HAPPENING RIGHT NOW IN HHS, AND THEY'RE JUST LIKE THE CORRECTIONS LEADERSHIP, PICKING UP THE PIECES FROM WHAT WAS LEFT TO THEM. I'M LOOKING AT A LETTER HERE FROM DIRECTOR PHILLIPS. SHE SAYS IN FISCAL YEAR 2015, JUST LAST YEAR, \$13.8 MILLION OF STATE GENERAL FUNDS WERE USED TO REIMBURSE FEDERAL FUNDS THAT WERE USED TO PAY FOR SERVICES UNDER A NEW RATE METHODOLOGY THAT HAD NOT BEEN APPROVED BY THE CENTERS FOR MEDICAID AND MEDICARE SERVICES, AND ANOTHER \$5.8 MILLION IN GENERAL FUNDS THIS YEAR. REPAYING DOLLARS ORIGINALLY CLAIMED AS FEDERAL, I QUOTE, UNFORTUNATELY, AS WAS PREVIOUSLY ASSUMED, THE APPROVAL WAS NOT RETROACTIVE. THE DEPARTMENT JUMPED THE GUN, COLLEAGUES, AND IT COST US \$19.6 MILLION. THIS IS WHAT WE'RE DEALING WITH. THIS IS WHAT THE EXECUTIVE BRANCH IS WORKING ON. AND WE HAVE THE RESPONSIBILITY, AND WE HAVE TO FUND THIS. WE ALREADY SPENT THE MONEY. SO HOW ARE WE MAKING UP THAT \$19.6 MILLION? \$11.3 MILLION IS FROM UNUSED MEDICAID REIMBURSEMENT. [LB956]

SENATOR KRIST: ONE MINUTE. [LB956]

SENATOR COASH: ALL RIGHT, SO WE DIDN'T SPEND THE MONEY THAT WE THOUGHT WE WOULD SPEND, SO WE'RE GOING TO USE THAT TO MAKE UP \$11.3 MILLION, BUT \$7.3 MILLION, COLLEAGUES, WAS TAKEN FROM THE WAITING LIST. THIS LEGISLATURE AND LEGISLATURES PRIOR TO IT SAID, WE'RE GOING TO FUND THE WAITING LIST SO THE PEOPLE WHO NEED SERVICES CAN GET THEM. AND TO THE TUNE OF \$7.3 MILLION, WE'RE NOT GOING TO DO IT BECAUSE OF A MISTAKE. AND WE HAVE TO PAY THE MONEY. I'M VERY PROUD OF MY EIGHT YEARS HERE. WE HAVE CONSISTENTLY PUT MONEY INTO THE WAITING LIST SO THAT PEOPLE WHO NEEDED THE SERVICES WOULD GET THEM. AND WE DID THAT IN THE LAST BUDGET, BUT IT DIDN'T HAPPEN. INSTEAD, IT'S GOT TO GO TO REPAY THE FEDERAL GOVERNMENT. NOT ONE PERSON WHO'S IN THE DEPARTMENT RIGHT NOW IS RESPONSIBLE FOR THAT. THEY'RE JUST PICKING UP THE PIECES. WE'RE PICKING UP THE PIECES. WE NEED TO LOOK AT THESE KINDS OF THINGS, COLLEAGUES. NINETEEN POINT SIX MILLION DOLLAR MISTAKE? WE ALL GOT THINGS WE WANT. YOU WANT TO GIVE IT BACK TO THE TAXPAYERS? PROPERTY TAX RELIEF FUND? NOT \$19.6 MILLION, WE'RE NOT DOING IT. PAY ATTENTION TO THESE BUDGETS, COLLEAGUES. WE'RE PAYING FOR MISTAKES OF THE PAST. [LB956]

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SENATOR KRIST: TIME, SENATOR. [LB956]

SENATOR COASH: THANK YOU, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR COASH. SENATOR GROENE, YOU'RE RECOGNIZED. [LB956]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. TO START OFF, I'D LIKE TO...THIS LEGISLATURE--IF ONLY BY MYSELF AND A FEW OTHER PROPERTY TAXPAYERS--IF THERE IS ANY REDUCTION IN OUR BUDGET UNDER 5 PERCENT, YOU CAN THANK THE PROPERTY TAXPAYER, PERIOD. YOU CAN THANK HIM. LAST YEAR ON STATE AND PROPERTY COLLECTED FOR OUR PUBLIC SCHOOLS, THERE WAS AN INCREASE FROM \$2.139 BILLION TO \$2.28 BILLION. THAT'S \$141 MILLION. YOU KNOW WHAT OUR BUDGET WOULD HAVE BEEN IF WE HAD TO MADE THAT UP IN STATE AID? THE PRIOR YEAR, '13-14, IT WAS \$115 MILLION. DON'T PAT OURSELVES ON THE BACK TOO MUCH. YOU THANK THE PROPERTY TAXPAYER, BECAUSE STATE AID TO EDUCATION--WHICH IS A BIG CHUNK OF OUR BUDGET--WAS PAID BY THE PROPERTY TAXPAYER, MOSTLY RURAL. THAT CAN'T CONTINUE. AS WE CONTINUE TO SPEND MONEY FOR OTHER THINGS, OUR NUMBER ONE DUTY CONSTITUTIONALLY IS FREE EDUCATION, FREE INSTRUCTION IN OUR PUBLIC SCHOOLS, COMMON SCHOOLS. BUT WE HAVE DUMPED IT ONTO THE PROPERTY TAXPAYER AND IT LOOKS AGAIN LIKE THIS YEAR WE WILL DO NOTHING ABOUT IT. BOTH EXECUTIVE AND LEGISLATIVE BRANCHES WILL PAT THEMSELVES ON THE BACK AND SAY, WE ARE FISCAL CONSERVATIVES, WE DID NOT RAISE THE BUDGET MORE THAN 3.7 PERCENT. TO THE CREDIT OF SENATOR MELLO, HE HAS FREELY ADMITTED THAT OVER AND OVER AGAIN. THANK YOU, PROPERTY TAXPAYER, BECAUSE OF TEEOSA WE WERE ABLE TO KEEP THE BUDGET DOWN. NO CONSPIRACY, BUT WE NEED TO ADMIT THAT. THAT CAN'T CONTINUE, AND IT WILL NOT CONTINUE. BACK TO WHAT MY BIGGEST CONCERN ABOUT THE BUDGET AND THE PRECEDENTS WE ARE SETTING. IN '07, PRIOR TO THAT, WE DIDN'T HAVE LB381, INCREASE AID FOR HOUSING SERVICES, SUBSTANCE ABUSE DISORDERS, \$100,000; THAT WENT IN THROUGH CASH AND DIDN'T SHOW UP IN THE BUDGET. THAT WOULD HAVE PROBABLY WENT THROUGH HHS COMMITTEE. WE WOULDN'T HAVE HAD LB789, CHANGE ADMINISTRATION OF ART IN PUBLIC BUILDINGS. ART IN PUBLIC BUILDINGS IS NOW PART OF THE APPROPRIATIONS COMMITTEE PURVIEW OF \$50,000. I WOULD ASSUME THAT WOULD HAVE WENT MAYBE THROUGH THE EXECUTIVE COMMITTEE. I DON'T KNOW WHERE IT WOULD HAVE WENT, EDUCATION TO BE FUNDED. LB810, TRANSFER YOUTH CONSERVATION FUNDS TO COWBOY TRAIL, CASH, \$100,000. NATURAL RESOURCES, MAYBE IT WOULD HAVE WENT THROUGH BEFORE WE HAD THIS

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HABIT OF JUST FUNDING STUFF OUT OF THE CASH RESERVES. LB931, INCREASE AID FOR HOUSING-RELATED ASSISTANCE, MENTAL ILLNESS, HHS, \$100,000. IT GOES DIRECTLY TO APPROPRIATIONS NOW. LB960, TRANSPORTATION INNOVATIVE (SIC: INNOVATION) ACT. CASH RESERVE FUND TRANSFER. THAT'S A WHOLE NEW ARGUMENT AND A WHOLE NEW DEBATE, WHICH WE'LL HAVE LATER ON LB960. WE USED TO HAVE USER TAXES, CALLED GAS TAXES THAT WE FUNDED OUR ROADS. NOW, WE'RE RAIDING THE GENERAL FUND. IT STARTED WITH THE SALES TAX, AND WE'VE GONE TO THIS NOW, BUT THAT DOESN'T EVEN GO THROUGH...IT WENT THROUGH THE TRANSPORTATION COMMITTEE. I WILL GIVE SENATOR SMITH THAT AND HE DID IT CORRECTLY. LB1006, APPROPRIATE FUNDS FOR ATTORNEY GENERAL'S FORENSIC ACCOUNTS, THAT'S \$175,000. I WOULD HAVE ASSUMED THAT NORMALLY BEFORE 2007, WOULD HAVE WENT THROUGH THE JUDICIARY COMMITTEE AND WENT ON THE FLOOR OF THIS...AND WE WOULD HAVE DEBATED IT INDIVIDUALLY AS A BILL, NOT WITHIN, TUCKED WITHIN, A \$10 BILLION BIENNIUM BUDGET. THAT'S WHERE WE'VE GONE. IT'S NOT GOOD. IT'S NOT GOOD BUDGETING PRACTICES, IT'S NOT GOOD FOR THIS BODY, IT'S NOT GOOD FOR THIS STATE. IT NEEDS TO STOP. I'D LIKE TO SEE THIS BODY MAKE A COMMITMENT THAT THIS WILL NOT CONTINUE IN THE FUTURE... [LB956 LB381 LB789 LB810 LB931 LB960 LB1006]

SENATOR KRIST: ONE MINUTE. [LB956]

SENATOR GROENE: ...WITH OUR NEW APPROPRIATIONS CHAIRMAN AND WHOEVER THE MEMBERS ARE, NO MORE. IF YOU'VE GOT A BILL THAT YOU WANT COWBOY ART, YOU TAKE IT TO SOMEWHERE, BUT YOU DON'T TAKE IT TO APPROPRIATIONS. IF YOU'VE GOT SOMETHING DEALING WITH HHS, YOU TAKE IT TO THE HHS COMMITTEE. I HAVE NO IDEA HOW THAT ENDED UP AS A CASH ONE-TIME FUND, EVEN THOUGH IT WAS ONLY ONE TIME, YOU APPROPRIATED IT, BUT STILL YOU APPROPRIATED THAT BUDGET YEAR. IT SHOULD BE IN THAT BUDGET. IT SHOULD BE IN THE GENERAL FUND BUDGET. HISTORICALLY, WHEN WE DID THAT, WE TRANSFERRED MONEY FROM THE CASH RESERVES TO THE GENERAL FUND AND IT SHOWED UP IN THE BUDGET. IT DIDN'T GO DIRECTLY OUT OF THE CASH RESERVES FOR AN EXPENDITURE. IT NEEDS TO STOP. CALLED ACCOUNTABILITY, TRANSPARENCY TO THE CITIZENS OF NEBRASKA AND WE NEED TO CHANGE THAT, AND WE NEED TO GO BACK TO THE CORRECT WAY OF DOING THINGS. THAT'S PART OF THE REASON, FOLKS, WHY WE'RE LESS THAN 3.7 PERCENT. THESE THINGS USED TO BE IN THE BUDGET IN THEIR 5 AND 6 PERCENT INCREASES. IT WASN'T OFF BUDGET. [LB956]

SENATOR KRIST: TIME, SENATOR. [LB956]

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SENATOR GROENE: THANK YOU. [LB956]

SENATOR KRIST: THANK YOU, SENATOR GROENE. SENATOR CAMPBELL, YOU'RE RECOGNIZED. [LB956]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. I'VE CHOSEN TO MAKE JUST A FEW COMMENTS ABOUT THE BUDGET AS I LOOKED THROUGH IT AND READ IT OVER THE WEEKEND AND THEN AGAIN THIS MORNING. I WANT TO COMMEND THE APPROPRIATIONS COMMITTEE AND SENATOR MELLO FOR THE VERY OPEN PROCESS OF SHOWING REAPPROPRIATIONS. I THINK SENATOR KRIST AND I CAN REMEMBER PROBABLY ABOUT FOUR YEARS AGO WHEN THE DEPARTMENT WAS LOOKING FOR EVERY NICKEL AND DIME THEY COULD FIND IN A COUCH, AND WE'D SAY, WHAT DO YOU NEED, WHAT ARE THE FUNDS NECESSARY. NO, THAT'S ALL RIGHT, WE'VE GOT IT COVERED, AND FUNDS WENT FROM ONE PLACE TO THE OTHER. I ALSO WOULD LIKE TO SAY THAT I'M...I APPRECIATE VERY MUCH IN THE BUDGET DOCUMENT AND IN THE FIGURES CLEARLY SHOWING WHERE WE'VE PAID PENALTIES OR RETURNED MONEY TO THE FEDERAL GOVERNMENT. JUST AS SENATOR COASH INDICATED, WE HAVE GONE THROUGH A PERIOD OF TIME IN WHICH WE'VE SPENT A LOT OF MONEY AND PENALTIES. AND THE SAME QUESTION WAS ASKED, WHAT ARE THE PENALTIES? HOW MUCH DOES IT COST? WHAT DO YOU NEED? WHERE SHOULD WE PUT THAT? AND FOUR SENATORS WHO MET WITH THE DIRECTOR OF HHS, AND ANOTHER ONE OF THE DIRECTORS IN HHS SAID, NO, IT'S FINE, IT'S FINE, WE'VE GOT IT COVERED. WELL, THEY DIDN'T, BECAUSE THEY JUST KEPT MOVING THAT MONEY FROM ONE PLACE TO THE OTHER. AND EVENTUALLY THE LEGISLATURE HAD THE OVERSIGHT AND COULD LOOK AT IT. THE OTHER COMMENT I WOULD MAKE IS SOMEWHAT OF A WARNING. I WOULD HOPE THAT WE NOT JUST LOOK AT THE BUDGET DOCUMENT, BUT THAT WE TAKE A LOOK AT THE REPORTS THAT ARE GIVEN TO US. THE LATEST FOSTER CARE REVIEW OFFICE REPORT, THEIR QUARTERLY REPORT SHOWS THAT THE NUMBER OF CHILDREN IN OUT-OF-HOME CARE IS INCREASING. THIS IS A RED FLAG, COLLEAGUES. THIS IS WHERE WE SPEND A CONSIDERABLE AMOUNT OF MONEY IN THE BUDGET. SO THAT ONCE THE BUDGET IS PASSED, YOU CANNOT JUST SAY, WELL, I'LL PUT THE GREEN BOOK ON THE SHELF AND WON'T HAVE TO THINK ABOUT THAT. YOU NEED TO REALIZE THAT THE REPORTS THAT ARE COMING TO YOU IN AN OVERSIGHT CAPACITY ALSO TELL YOU ABOUT MONEY. AND I REALLY APPRECIATE THE AMOUNT OF WORK THAT SENATOR BOLZ HAS PUT INTO TRACKING AND LOOKING AHEAD AT WHAT KIND OF MONEY NEEDS TO BE SPENT IN THE CHILD WELFARE SYSTEM. MY LAST COMMENT IS MUCH LIKE SENATOR SEILER'S. WHAT WE LEARNED AT BSDC, WHAT WE LEARNED IN CHILD WELFARE, IS THAT IF YOU DON'T DO IT RIGHT THE FIRST



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TIME, YOU'RE GOING TO PAY OVER AND OVER AND OVER. AND I WOULD HOPE THAT THE LEADERSHIP IN THE CORRECTIONS DEPARTMENT TAKES HEED OF THE OFFERS OF HELP AND OVERSIGHT THAT'S NECESSARY, AND PARTICULARLY IN WHAT SENATOR SEILER DESCRIBED IN THE NEEDS FOR BEHAVIORAL HEALTH. WE HAVE AN EXCELLENT BUDGET BEFORE US. A TREMENDOUS AMOUNT OF WORK HAS GONE INTO IT, AND I COMMEND THE COMMITTEE AND THE CHAIRMAN. BUT IT'S OUR RESPONSIBILITY TO FOLLOW UP IN THE ENSUING MONTHS TO MAKE SURE WE KNOW WHAT'S IN THE BUDGET AND WHAT THE COSTS TRULY ARE. THANK YOU, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR CAMPBELL. SENATOR KOLOWSKI, YOU'RE RECOGNIZED. [LB956]

SENATOR KOLOWSKI: THANK YOU, MR. PRESIDENT. I WANTED TO JUST BRING A COUPLE OF POINTS FORWARD THAT SENATOR GROENE HAD TALKED ABOUT CONCERNING THE LEVEES WITH THE PAPIO NRD. FIRST OF ALL, HE'S NEVER TALKED TO THE GENERAL MANAGER OF THE PAPIO NRD, MR. JOHN WINKLER. IT MIGHT HAVE BEEN HELPFUL IF HE'D HAVE DONE THAT. HE HAS HAD MATERIAL SENT TO HIM FROM MR. WINKLER'S OFFICE WHICH ALSO WOULD CLARIFY SOME OF THE QUESTIONS HE HAS CONCERNING THE LEVEES. ONE THING ABOUT THE LEVEES THAT I WILL CORRECT HIM ON THAT I THINK IS REALLY IMPORTANT, THE NRD'S ONLY RESPONSIBILITY IS TO OPERATE AND MAINTAIN THE LEVEES PER THE RULES AND REGULATIONS OF THE SECRETARY OF THE ARMY, THE CORPS OF ENGINEERS. THE DISTRICT IS NOT LEGALLY OBLIGATED NOR IS IT CONTRACTUALLY REQUIRED TO SATISFY ANY OTHER FEDERAL REQUIREMENT SUCH AS FEMA OR REGULATION OUTSIDE OF THE CORPS OF ENGINEERS THAT IS NOT REQUIRED...AND IS NOT REQUIRED TO MODIFY OR ENHANCE THE LEVEES BEYOND THEIR CURRENT CONSTRUCTION FORM. THEY'RE DOING THIS ABOVE AND BEYOND THE CALL OF DUTY TO TRY TO MAKE A DIFFERENCE IN THE LEVEE SITUATION AROUND OFFUTT AIR BASE. THIS MATERIAL WAS SENT TO SENATOR GROENE'S OFFICE. OBVIOUSLY, IT WASN'T READ OR PASSED ON TO THIS GROUP AS A WHOLE THIS MORNING, OR THIS AFTERNOON. THANK YOU VERY MUCH, MR. PRESIDENT. [LB956]

SENATOR KRIST: THANK YOU, SENATOR KOLOWSKI. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB956]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. AS I'VE LOOKED THROUGH THE BUDGET, I MEAN, I TRY TO UNDERSTAND AS MUCH AS I CAN, AND I KNOW THE

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APPROPRIATIONS COMMITTEE HAS DONE A LOT OF WORK TRYING TO GET WHERE THEY'RE GOING. I APPRECIATE THE EFFORTS THEY'VE DONE. I WILL LEARN TO SPEND MORE TIME WITH IT SO I CAN ASK MORE INTELLIGENT QUESTIONS. I SEE THINGS WHERE IT MIGHT APPEAR TO ME TO BE THAT WE OVERAPPROPRIATED SOMETHING LAST YEAR AND SUDDENLY THERE'S UNEXPENDED FUNDS AND WE CAN REAPPROPRIATE THEM TO OTHER PROJECTS AS THE APPROPRIATIONS COMMITTEE SEES FIT. I WILL STUDY IT MORE AND LEARN MORE. ONE THING I DID WANT TO GET ON THE RECORD IS WHEN WE DID TALK ABOUT THE LEVEE PROJECT, AND THANK YOU, SENATOR KOLOWSKI FOR BRINGING THAT UP AGAIN. I WILL SUPPORT THE APPROPRIATION THAT HAS BEEN MADE IN THE LEVEE UPGRADE. BUT I ALSO WANT TO REMIND THE BODY THAT THERE ARE OTHER NRDs WHO CONSTANTLY WORK WITH DRAINAGE ISSUES AND FLOODING ISSUES WITH DIFFERENT CITIES AND COMMUNITIES AROUND, AND WE HAVE DONE IT WITHOUT STATE AID. IT HAS BEEN DONE WITH THE PROJECTS IN CONJUNCTION WITH WORKING TOGETHER WITH CITIES AND COUNTIES, AND THOSE THINGS HAVE BEEN TAKEN CARE OF ON THEIR OWN WITHOUT A STATE APPROPRIATION. THIS ONE IS, I FEEL, MAYBE A LITTLE BIT DIFFERENT, BUT IT JUST KIND OF AS A THOUGHT PROCESS USED GOING FORWARD, I THINK THAT THE PAPIO MAYBE SHOULD HAVE BEEN A LITTLE MORE AGGRESSIVE IN LOOKING AT THE LEVEES IF THEY WANT TO PROTECT THEIR INFRASTRUCTURE. BUT I JUST WANT THE BODY TO KNOW AND I WANT THE RECORD TO SHOW THAT THERE ARE MANY NRDs WHO HAVE STEPPED UP AND DONE THE SAME THING THAT IS BEING ASKED OF THE PAPIO NOW AND THEY'VE DONE IT ON THEIR OWN WITHOUT STATE OBLIGATION. SOMETIMES THEY'VE HAD FEDERAL COST SHARES ON PROJECTS, BUT THEY HAVE BEEN AGGRESSIVE IN DOING IT AND HAVING IT DONE ON THEIR OWN WITHOUT A STATE APPROPRIATION. SO IT'S SOMETHING TO KEEP IN MIND GOING DOWN THE ROAD. WHEN WE LOOK AT...SOMETIMES IT WILL BE BROUGHT UP THAT THE REPUBLICAN BASIN HAS REQUIRED A LOT OF MONEY. AND I LOOK AT THE ISSUES ON THE REPUBLICAN BASIN, AND I SEE THERE THAT, YOU KNOW, THAT WAS A STATE OBLIGATION TO ME, THE WHOLE BILL. THAT WAS SOMETHING THAT THE STATE ENTERED INTO, A COMPACT WITH KANSAS AND COLORADO, AND THOSE OBLIGATIONS SHOULD HAVE BEEN CARRIED FULLY BY THE STATE. WHEREAS, NOW WE HAVE AN OCCUPATION TAX ON THOSE IRRIGATED ACRES, AND THOSE FARMERS IN THAT AREA ARE BEING REQUIRED TO PAY FOR WHAT I FEEL IS A STATE OBLIGATION. THOSE CONTRACTS WERE ENTERED INTO WITHOUT THEM BEING PRESENT IN THE NEGOTIATIONS WHEN DON STENBERG WAS THE ATTORNEY GENERAL. THEY WERE DONE IN SECRET, AND THEY'VE HAD TO PAY THE BILL EVER SINCE. SO WHEN I LOOK AT...YOU KNOW, I DON'T WANT TO BRING UP THE REPUBLICAN BASIN AS AN EXAMPLE BECAUSE I DO FEEL THAT IS A STATE OBLIGATION FROM BEGINNING

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TO END. WE ENTERED INTO A COMPACT THERE, AND WE AS A STATE NEEDED TO FULFILL THAT COMPACT. IT SHOULDN'T HAVE BEEN PLACED AS A BURDEN UPON THE AG PRODUCERS IN THAT AREA, THE IRRIGATORS. SO I THINK THERE'S A LOT OF THINGS GOING FORWARD WHEN WE START LOOKING AT PROJECTS LIKE THIS THAT WE NEED TO BE WARY OF, AND THIS IS ONE OF THEM. THANK YOU, MR. PRESIDENT. [LB956]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: THANK YOU, SENATOR FRIESEN. SENATOR GROENE, YOU'RE RECOGNIZED. [LB956]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. [LB956]

SPEAKER HADLEY: AND THIS IS YOUR THIRD TIME, SENATOR GROENE. [LB956]

SENATOR GROENE: THANK YOU, AGAIN. SENATOR KOLOWSKI, DO NOT ASSUME I DID NOT READ THAT E-MAIL. THE E-MAIL FROM MR. WINKLER STATES--I HAVE IT IN FRONT OF ME, HIGHLIGHTED--THE DISTRICT IS RESPONSIBLE FOR THE OPERATIONS AND MAINTENANCE OF THE LEVEES ONLY IN RELATIONSHIP TO SPECIFICS OF THE CORPS OF ENGINEERS. THIS IS FEMA, THAT'S FEDERAL MANDATE. THE DISTRICT IS NOT CONTRACTUALLY LEGALLY OBLIGATED TO REHAB THEM, HOWEVER THE CONSEQUENCE WOULD BE SIGNIFICANT IF SOMEONE DIDN'T TAKE THE LEAD. NOWHERE IN THERE DOES IT MENTION...TALKS ABOUT LOCAL NRD AND IT TALKS ABOUT FEDERAL. NOWHERE IN THERE DOES IT TALK ABOUT A RESPONSIBILITY TO STATE GOVERNMENT. THAT'S AN ASSUMPTION THE APPROPRIATIONS COMMITTEE MADE. SO I DID READ IT, AND I DO READ MY CORRESPONDENCE. AS TO MY LIST THAT I READ OFF ABOUT THE CASH FUNDS, THAT'S NOT THE CASH RESERVES--I STAND CORRECTED--EXCEPT FOR THE ONE WITH THE ROAD INNOVATION...ROADS FUND. BUT AGAIN, THOSE CASH FUNDS DO NOT SHOW UP IN YOUR BUDGET. THEY DO NOT SHOW UP AS SPENDING. THEY DON'T SHOW UP IN THAT 3.7 PERCENT. THEY ARE MONEY COLLECTED FROM CITIZENS THROUGH FEES, BUT THEY DON'T SHOW UP IN THE BUDGET. CASH RESERVE, CASH FUNDS, SAME THING; THEY DON'T SHOW UP IN THE BUDGET. I'M IN ERROR THAT I REFERRED TO THE CASH RESERVE, BECAUSE THEY WERE MIXED IN TOGETHER JUST UNDER CASH, BOTH SEGMENTS OF THE BUDGET. BUT ANYWAY, AGAIN, THEY DO NOT SHOW UP. PAPIO NRD, IF YOU WANT TO GO THERE, HAS BY FAR THE MOST...IS THE RICHEST DISTRICT NRD IN THE STATE, \$56 BILLION, \$58

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BILLION, EXCUSE ME, IN PROPERTY. THE CLOSEST IS THE LOWER PLATTE, LESS THAN HALF, WITH \$26 BILLION. PAPIO NRD HAS NO LEVY AT 3.8, THEY HAVE AS ALL NRDs, THEY CAN GO TO 4.5 CENTS LEVY. WITH THAT .7 OF A LEVY THAT THEY ARE UNUSED SO FAR, THEY COULD GENERATE \$4,851,000. IT WOULD TAKE THEM LESS THAN...THEY ALSO HAVE THE PRIVILEGE OF BEING THE ONLY NRD AS OF PRESENT WITH A SUNSET THAT CAN HAVE GENERAL OBLIGATION BONDS WITH THE VOTE OF THE PEOPLE IF THEY GO OVER 1 CENT. YES, SENATOR KOLOWSKI, I DO READ THE LAW. AND THEY COULD TAKE A BOND FOR LESS THAN FIVE YEARS AND PAY IT OFF WITH THE LEVY AUTHORITY THEY HAVE LEFT. IS OFFUTT A GREAT THING FOR THIS STATE? YES, GREAT. BUT THAT ECONOMIC ACTIVITY IS IN THAT METROPOLITAN AREA, JUST AS OUR IRRIGATED IRRIGATION IS IN OUR AREA. WE PAID FOR OURS. NOT \$13.7 MILLION. TO SAVE OUR IRRIGATION, WE SPENT \$140 MILLION OR WILL SPEND \$140 MILLION OF OUR LOCAL TAX DOLLARS BECAUSE WE TAKE CARE OF OUR OWN. WE TAKE CARE OF OUR OWN PROBLEMS. HOW MUCH MONEY DID THAT SAVE THE STATE IN INCOME TAXES AND ECONOMIC ACTIVITY? BILLIONS. BUT WE DID IT. PAPIO CAN DO THE SAME THING. THEY MAINTAIN THE LEVEES, THEY'RE RESPONSIBLE FOR THE MAINTENANCE. APPARENTLY THEY DIDN'T... [LB956]

SPEAKER HADLEY: ONE MINUTE. [LB956]

SENATOR GROENE: ...MAINTAIN THEM, IF THERE'S A PROBLEM WITH THEM NOW. SO WE CAN ARGUE THAT POINT OVER AND OVER AND OVER AGAIN, BUT IF YOU WANT LOCAL CONTROL AND YOU HAVE LOCAL ECONOMIC DEVELOPMENT PRACTICES GOING ON, THEN YOU PAY FOR IT. THAT'S THE WAY WE WORK IN THIS STATE. THAT'S THE WAY WE'VE ALWAYS WORKED, THAT'S THE WAY WE SHOULD CONTINUE TO WORK. WHERE DO YOU DRAW THE LINE? WHAT'S THE NEXT CRISIS THAT WE BAIL OUT A LOCAL ENTITY, A LOCAL TAXING ENTITY THAT DID NOT DO ITS DUTY OR DID NOT STEP FORWARD? WHERE DO WE DRAW THE LINE? THAT'S MY QUESTION HERE. WHAT PRECEDENTS ARE WE SETTING FOR THE NEXT GENERATION? WELL, HECK, WE DON'T EVEN NEED COMMITTEES, IT ALL GOES THROUGH THE APPROPRIATIONS. YOU NEED SOME MONEY, LET'S JUST DO IT. BAIL IT OUT. SPEND IT. DEFICIT SPENDING, THE FEDERAL GOVERNMENT DOES IT, LET'S START THAT. PLAY GAMES LIKE SOME STATES DO. THERE ARE REASONS FOR RULES, AND WE ARE A PEOPLE IN NEBRASKA THAT USED TO FOLLOW THEM AND BELIEVE IN THEM, THE RULE OF LAW, THE RULES WE SET UP. [LB956]

SPEAKER HADLEY: TIME, SENATOR. [LB956]

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SENATOR GROENE: THANK YOU. [LB956]

SPEAKER HADLEY: SENATOR GROENE. SENATOR SCHNOOR, YOU'RE RECOGNIZED.  
[LB956]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. SENATOR KOLOWSKI, WILL  
YOU YIELD TO A QUESTION, PLEASE? [LB956]

SPEAKER HADLEY: SENATOR KOLOWSKI, WILL YOU YIELD? [LB956]

SENATOR KOLOWSKI: CERTAINLY. [LB956]

SENATOR SCHNOOR: WELL, THERE'S BEEN SOME DISCUSSION OBVIOUSLY ABOUT  
THE APPROPRIATION FOR THE LEVEE. DID I UNDERSTAND YOU? I HAVE NOT  
READ ANY OF THESE DOCUMENTS YOU'RE REFERRING TO, BUT DID YOU SAY  
THAT THE UPGRADES TO THE LEVEE ARE NOT NECESSARY TO MEET THE  
FEDERAL REQUIREMENTS? [LB956]

SENATOR KOLOWSKI: THE FEMA STANDARDS ARE NECESSARY TO MEET THE  
REQUIREMENTS, BUT THE PAPIO NRD IS ONLY HELD TO THE CORPS OF  
ENGINEERS' STANDARDS WHICH ARE LESS THAN THE FEMA STANDARDS. THAT'S  
WHY THERE'S A DISCREPANCY. [LB956]

SENATOR SCHNOOR: SO DO THE LEVEES HAVE TO BE FIXED THEN OR NOT?  
[LB956]

SENATOR KOLOWSKI: IF YOU WANT TO BRING THEM UP TO FEMA STANDARDS,  
TO HAVE THE CONTINUATION OF OFFUTT AIR BASE AS WE HAVE IT NOW, THEY  
WOULD HAVE TO REACH THE FEMA STANDARDS, YES. AND THAT'S NOT A  
REQUIREMENT OR A NECESSARY PART OF THE PAPIO NRD'S RESPONSIBILITY.  
THEY MEET THE CORPS OF ENGINEERS' STANDARDS; THAT'S THEIR HIGHEST  
DEGREE. [LB956]

SENATOR SCHNOOR: OKAY. WELL, THANK YOU. THAT'S ALL, MR. PRESIDENT.  
[LB956]

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SPEAKER HADLEY: THANK YOU, SENATOR SCHNOOR. SENATOR KRIST, YOU'RE RECOGNIZED. [LB956]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD MORNING...OR ACTUALLY, GOOD AFTERNOON, COLLEAGUES, AND GOOD AFTERNOON, NEBRASKA. I WASN'T GOING TO SAY ANYTHING ON THIS PORTION OF THE BUDGET, BUT I DO WANT TO AT LEAST SET THE RECORD STRAIGHT ON A FEW THINGS. THAT \$1.5 BILLION ECONOMIC GENERATOR THAT EXISTS IN THE OFFUTT AIR FORCE BASE AREA-- WHICH MEANS CONTRACTORS, ACTIVE DUTY, CIVILIAN EMPLOYEES--THEY PAY PROPERTY TAXES. THEY FUND OUR SCHOOL SYSTEM. AND WHEN THEY DISAPPEAR, WE'LL HAVE TO FIND SOMEBODY ELSE TO CONTRIBUTE TO TEEOSA. I'M NOT SPEAKING TO ANY INDIVIDUAL OF YOUR CONCERNS. I'M SAYING, IN GENERAL, IF WE COULD DO SOMETHING FOR SIDNEY, NEBRASKA, RIGHT NOW, OR THEY STUCK THEIR HAND UP AND SAID, CABELA'S IS LEAVING US IN THE LURCH, I WOULD STAND HERE AND DEBATE IT WITH YOU THAT IT'S AN ECONOMIC GENERATOR THAT I...THEY'RE ON THE FAR SIDE OF THE STATE, WHY SHOULD I CARE? WHY SHOULD YOU CARE? BECAUSE IT'S 1.9 MILLION PEOPLE THAT YOU REPRESENT, AND MORE SPECIFICALLY, 40,000, PLUS OR MINUS A FEW, THAT YOU HAVE TO SPEAK TO, YOU HAVE TO UNDERSTAND THEIR CONCERNS; 1.9 MILLION PEOPLE ACROSS THE STATE. AT SOME POINT A FEW YEARS AGO, WE DEVOLVED FROM HUMAN BEINGS INTO APES AND STARTED TALKING ABOUT, ON THIS FLOOR, URBAN VERSUS RURAL. IN THE PAST FEW YEARS THINGS HAVE BEEN MUCH BETTER. I'M NOT UNWILLING TO TALK ABOUT ANY RURAL ISSUE. HELL, I'VE EVEN STARTED DRINKING SOY MILK TO HELP OUT SENATOR HUGHES. BUT THE POINT IS THAT YOU START DIFFERENTIATING BETWEEN WHAT WE DID, WHAT THEY DID, WHAT WE DID. THE REASON THAT THAT LEVEE PROGRAM IS IN THIS BUDGET IS WHEN WE LEAVE THIS PLACE WE WOULD HAVE TO COME BACK FOR A SPECIAL SESSION TO FUND THAT PROGRAM IF THE COMMISSION DOES NOT RATE THAT PROGRAM HIGH ENOUGH TO BE FUNDED WITH \$11 MILLION, I WILL REMIND YOU, THAT THIS STATE GIVES TO THE COMMISSION TO DISTRIBUTE TO THE NRDs ACROSS THE BOARD. I WOULD ALSO REMIND YOU THAT PAPIO HAS DONE THEIR DUE DILIGENCE. THEY SPENT \$7 MILLION OUT OF THEIR POCKET MAKING THIS PROJECT SHOVEL READY TO GET TO THE POINT THAT IT IS. AND YOU HAVE TWO, TWO...I'LL CALL IT PUBLIC-PRIVATE PARTNERSHIPS EVEN THOUGH THEY'RE PUBLIC, THE CITY OF BELLEVUE AND THE CITY OF OMAHA, THAT WEIGH IN ON THIS THING AND SAID, WE'RE PART OF THIS PARTNERSHIP. IT'S IMPORTANT TO US, IT'S AN ECONOMIC GENERATOR. AND NOW I WANT TO TAKE YOU BACK IN TIME, BECAUSE MY FULL-TIME JOB IS FLYING AN AIRPLANE FOR THE CORPS OF ENGINEERS, WHEN THEY'LL LET ME DO IT. IN 2011, I STOOD ON THIS FLOOR IN FEBRUARY-MARCH TIME FRAME AND

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SAID, IT IS GOING TO BE A FLOOD OF EPIC PROPORTIONS. YOU WILL NOT SEE THIS KIND OF FLOOD IN THE NEXT HUNDRED YEARS. AND WE WERE SCOFFED. THE CORPS MADE SOME PREDICTIONS, THEY WERE SCOFFED. THE CORPS CAME IN AND SAID, YOU NEED TO BRING THE LEVEE UP TO STANDARD. AND POTENTIALLY...I'LL CALL IT SCOFFED, BUT THEY WERE PUT ASIDE, BECAUSE, NO, THESE ARE NEMA STANDARDS, THESE ARE THESE STANDARDS, THESE ARE THOSE STANDARDS. WE DON'T HAVE TO ANSWER TO FEMA. WELL, THEY DO. IN THIS PARTICULAR CASE, THEY DO. AND IF YOU'RE FAMILIAR WITH THE PIECE OF PROPERTY THAT WE ARE PROTECTING WITH THE LEVEE PROCESS DOWN THERE, IT'S HUNDREDS OF ACRES OF COMMERCIAL PROPERTY AND A WATER TREATMENT PLANT THAT SPEAKS TO AND HANDLES 60,000 PEOPLE IN TERMS OF FRESH WATER AND SEWERS. IT WENT UNDER DURING THE FLOOD. THERE WAS HUGE IMPACT. WHEN WESTERN NEBRASKA HAS A...HAD A DROUGHT ISSUE IN YEARS PAST, THE THEN-GOVERNOR WAS VERY QUICK TO DECLARE A STATE OF EMERGENCY. IT'S A STATE OF EMERGENCY. WHEN EPPLEY AIRFIELD... [LB956]

SPEAKER HADLEY: ONE MINUTE. [LB956]

SENATOR KRIST: ...THE CITY OF OMAHA, AND THE NRDs IN THE PAPIO AREA AND EVERYTHING SOUTH OF THAT POINT SAID, WE ARE UNDERWATER, IT TOOK MONTHS TO EVEN GET ANY ATTENTION IN THOSE ISSUES. I KNOW, BECAUSE I FOUGHT AN ISSUE WITH A PRIVATELY-OWNED FLOOD DOWN AT LAKE WACONDA. WE WERE THREE INCHES SHORT ON ONE POINT AND THREE FEET SHORT ON THE OTHER POINT AND IT HAD TO BE BROUGHT UP TO FEMA STANDARD OR THERE WAS GOING TO BE FLOOD INSURANCE. YOU KNOW WHAT FLOOD INSURANCE COSTS OUR TAXPAYERS? SO THERE'S A WHOLE BUNCH OF THINGS THAT WEIGH INTO THIS THING AND THE MOST EDUCATED THING WE CAN DO IS WORRY ABOUT 1.9 MILLION PEOPLE ACROSS THE STATE AND ALL OF THE DIFFERENT PARAMETERS THAT WE HAVE TO WEIGH IN ON. PLEASE LET'S NOT MAKE THIS AN US-THEM, RURAL-METRO, WHATEVER. I SUPPORT THIS BUDGET AND THANK SENATOR MELLO AND HIS GROUP FOR WHAT THEY'VE DONE. [LB956]

SPEAKER HADLEY: THANK YOU, SENATOR KRIST. SEEING NO ONE ELSE IN THE QUEUE, SENATOR MELLO, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT. [LB956]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. JUST AS A REMINDER, AM2560 IS PURELY TECHNICAL IN NATURE OF MAKING SOME CHANGES IN REGARDS TO THE YEAR IN WHICH ONE-TIME

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ITEMS IN THE BUDGET PROPOSAL IS TO BE APPROPRIATED. IT CLARIFIES STILL, IS IN FULL INTENT OF THE COMMITTEE'S RECOMMENDATIONS. IT SIMPLY CHANGES THE YEAR FOR A NUMBER OF ONE-TIME ITEMS TO MOVE THEM FROM THE SECOND YEAR TO THE FIRST YEAR. WITH THAT, I'D URGE THE BODY TO ADOPT AM2560. THANK YOU, MR. PRESIDENT. [LB956]

SPEAKER HADLEY: THE QUESTION BEFORE THE BODY IS THE ADOPTION OF AM2560. ALL IN FAVOR SIGNIFY BY VOTING AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB956]

CLERK: 29 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR MELLO'S AMENDMENT TO THE COMMITTEE AMENDMENTS. [LB956]

SPEAKER HADLEY: AM2560 IS ADOPTED. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB956]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I DO AGREE WITH WHAT SENATOR KRIST SAID THAT IT'S NOT US VERSUS THEM. WE NEED TO LOOK OUT FOR EVERYTHING IN THE STATE. IN A COUPLE OF MINUTES YOU'LL BE GETTING A SHEET FROM ME. I ASSUME MOST OF YOU LOOKED AT THE BUDGET. MOST OF YOU UNDERSTAND THE BUDGET TO SOME DEGREE. I TOOK WHAT'S ON PAGE 3, I KIND OF BROKE IT OUT, PUT A NAME WITH EACH BILL THAT WE INCORPORATE INTO IT, AND I'M HANDING IT OUT. YOU'LL GET THAT IN A COUPLE MINUTES. AND THAT MAY BE A LITTLE HELP TO YOU, ESPECIALLY IF YOU DIDN'T GET TO PAGE 3 AND YOU HAVEN'T LOOKED AT IT VERY CAREFULLY, YOU'LL HAVE IT IN A LITTLE BIT OF AN EXPANDED FORMAT. AND WITH THAT, MR. PRESIDENT, THANK YOU VERY MUCH. [LB956]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. SENATOR KRIST, YOU'RE RECOGNIZED. [LB956]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. AND ONCE AGAIN, I JUST WANT TO, IN A MORE CALM VOICE, ECHO THE SENTIMENTS OF MANY THAT HAVE BEEN ON THIS FLOOR. I'VE HAD THE UNIQUE OPPORTUNITY OF STANDING TOE-TO-TOE WITH SENATOR MELLO OVER THE PAST SEVEN YEARS THAT I'VE BEEN HERE, ALMOST EIGHT, AND I CONSIDER HIS CLASS THAT'S LEAVING TO BE AS CLOSE TO SOMETHING THAT I'M EVER GOING TO HAVE AS A CLASS AS I CAME IN BY MYSELF. THIS TOE-TO-TOE RELATIONSHIP HAS BEEN BOTH POSITIVE AND NEGATIVE, BUT I HAVE LEARNED A LOT ABOUT THE APPROPRIATIONS PROCESS



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FROM HIM AND FROM MIKE CALVERT AND ALL THE MEMBERS OF APPROPRIATIONS. THEIR JOB IS AN ONEROUS TASK. AND I KNOW SOME OF THE CHANGES THAT THEY ARE MAKING IN TERMS OF GETTING BILLS BACK TO THE COMMITTEE OF JURISDICTION WILL BE WELCOME FOR MANY OF US, INCLUDING SENATOR GROENE. AND SOME OF THE OTHER CHANGES THAT HAVE BEEN MADE IN TERMS OF LOOKING AT REAPPROPRIATIONS AS NOT JUST COUCH CHANGE, AS SENATOR CAMPBELL DESCRIBED EARLIER, BUT ACTUALLY ACCOUNTABLE FUNDS THAT LIE IN AGENCIES OR DEPARTMENTS OUT THERE THAT NEED TO BE ACCOUNTABLE TO THE TAXPAYERS. SO I HOPE FOR A GREEN VOTE ON AM2260. THANK YOU. [LB956]

SPEAKER HADLEY: THANK YOU, SENATOR KRIST. SENATOR STINNER, YOU'RE RECOGNIZED. [LB956]

SENATOR STINNER: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, I JUST GRABBED A DEFINITION BOOK SO I COULD BE ABSOLUTELY CLEAR ABOUT AND CORRECT ABOUT WHAT I'M GOING TO SAY. I THINK SENATOR GROENE WANTS TO COMBINE DIFFERENT ACCOUNTING PRINCIPLES THAT ARE GENERALLY ACCEPTED WHEN HE WANTS THIS CASH FUNDS TO BE PRESENTED AS PART OF THE GENERAL FUND, SO I'M GOING TO READ WHAT THE FUNDS...THERE'S FOUR DIFFERENT FUNDS THAT WE DEAL WITH. ONE IS GENERAL FUNDS. THIS FUND ACCOUNTS FOR ALL RECEIPTS NOT SPECIFIED BY STATUTE TO BE CREDITED TO ANOTHER FUND. THE MAJORITY OF THE GENERAL FUND REVENUES COME FROM SALES/USE TAX, INDIVIDUAL AND CORPORATE INCOME TAXES. THEY ARE DEPOSITED INTO THE GENERAL FUND, AS ARE LIQUOR TAXES, CIGARETTE TAXES, AND INSURANCE PREMIUMS. NOW THE CASH FUNDS, THESE FUNDS ARE USED TO ACCOUNT FOR REVENUES AND EXPENDITURES DEDICATED FOR FEES AND CHARGES. UNLIKE A SINGLE GENERAL FUND, THERE ARE MORE THAN 250 INDIVIDUAL CASH FUNDS CONTAINED IN 71 DIFFERENT AGENCIES. AND OF COURSE THEN WE HAVE THE FEDERAL FUND BUDGET THAT PREDOMINANTLY IS HHS, AND A REVOLVING FUND, AND THESE TYPES OF TRANSACTIONS ARE WHERE ONE AGENCY PROVIDES GOODS AND SERVICES FOR ANOTHER. I DO WANT TO ALSO CALL EVERYBODY'S ATTENTION, BECAUSE THERE SEEMS TO BE SOME QUESTION AS TO THE AMOUNT OF DETAIL OR MAYBE LACK OF DETAIL, THERE IS TREMENDOUS DETAIL IN THIS PACKET, THIS GREEN PACKET THAT WE'VE GIVEN YOU. ALL YOU HAVE TO DO IS TO WORK DOWN THROUGH THE VARIOUS COLUMNS, AND YOU CAN SEE THE DETAIL IN THE ACCOMPANYING PAGES. NOW THE ONLY THING WE HAVEN'T DONE IS PROBABLY REFERENCED THE PAGE WHERE YOU CAN FIND, FOR AN EXAMPLE, AS YOU WORK DOWN THROUGH THE

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PAGES, PAGE 13 HAS YOUR DETAIL ON GENERAL FUNDS TRANSFERRED OUT. PAGE 13 ALSO HAS THE \$4.8 MILLION OF NEW TRANSFERS OUT: \$4 MILLION TO THE SITE, SENATOR HILKEMANN'S BILL, AND \$800,000 WAS A PART OF THE CORRECTIONS BILL THAT ALSO ADDED A MILLION DOLLARS TO THE \$26 MILLION. SO AS YOU WORK DOWN THROUGH THIS, THERE IS TREMENDOUS DETAIL. ALL OF YOUR QUESTIONS CAN BE ANSWERED IF YOU WORK THROUGH IT. IF YOU HAVE QUESTIONS, CALL ME OUT ON THE FLOOR AND I'LL TRY TO WORK THROUGH THOSE THINGS WITH YOU. I THINK THAT THE FISCAL OFFICE HAS DONE A TERRIFIC JOB IN PROVIDING ALL THE DETAIL AND SOMETIMES GOES OVERBOARD IN PROVIDING DETAIL TO THE VARIOUS SENATORS. THE ONLY THING IS I RAN UPSTAIRS AND I'M OUT OF BREATH. SORRY ABOUT THAT. THE OTHER THING, YOU KNOW, TO INFER THAT YOU GET ON GENERAL OR APPROPRIATIONS AND YOU CAN GET YOUR BILLS PASSED, I TAKE EXCEPTION TO THAT AND I HOPE THAT WE DON'T HAVE TO DO THAT AGAIN OR TALK ABOUT THAT AGAIN. SO THANK YOU. [LB956]

SPEAKER HADLEY: THANK YOU, SENATOR STINNER. SENATOR GROENE, YOU'RE RECOGNIZED. [LB956]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. FIRST OFF, TO CORRECT SENATOR STINNER, I SAID IN THE FUTURE THE NEXT (RECORDER MALFUNCTION)...TERM-LIMITED SENATORS WOULD COME IN HERE AND SAY THIS IS COMMON PRACTICE, TO TAKE SPECIAL...SOMETHING IN MY DISTRICT THAT NEEDS DONE, AND I WANT TO GET ON APPROPRIATIONS AND MAKE SURE IT'S DONE. IT BECOMES COMMON PRACTICE. I NEVER INFERRED. IN FACT, I MADE THE QUALIFIER THAT THAT IS NOT HAPPENING NOW, DID I NOT? SO...BUT IN THE FUTURE, THE NEXT GENERATION...WELL, LOOK WHAT'S HAPPENING NOW. IN 2007 IT WAS JUST...GOD FORBID THAT YOU WOULD TAKE MONEY OUT OF THE CASH RESERVES FOR A SPECIAL PURPOSE, A ONE-TIME PURPOSE; NEVER HAPPENED BEFORE. IT DID IN A WAY WITH SOME PROPERTY TAX RELIEF INITIATIVES, BUT NOT LIKE THIS. AND NOW IT'S COMMON PRACTICE. NOBODY'S INFERRING ANYBODY ON APPROPRIATIONS IS DOING ANYTHING WRONG BECAUSE WE DO THIS. THIS IS PART OF THE BUDGETING PROCESS NOW, WASN'T IN 2006. IT IS NOW. WHAT HAPPENS AS IT BECOMES COMMON? NOBODY WILL INFER THAT ANYBODY DID ANYTHING WRONG, BECAUSE THAT'S WHAT WE'VE ALWAYS DONE, AT LEAST FOR THE LAST GENERATION, AS WE BECOME MORE AND MORE LIKE THE FEDERAL GOVERNMENT, BAILING OUT CAR MANUFACTURERS, BAILING OUT BANKS. IT'S CALLED KEYNESIAN ECONOMICS, AND HE WOULD BE ROLLING OVER IN HIS GRAVE IF WE DID IT IN GOOD TIMES. HE ONLY INFERRED YOU DO IT IN SUPREME CRISES. BUT WE DO IT AS COMMON PRACTICE NOW, DO

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IT AT THE NATIONAL LEVEL AND WE'RE STARTING TO DO IT IN LITTLE OLD NEBRASKA. ANYWAY, AS I SAID EARLIER, THANK THE PROPERTY TAXPAYER. IT ALL GOES BACK, THE HUGE AMOUNT OF PROPERTY TAX INCREASES ACROSS THE STATE THAT HAVE BEEN COLLECTED BECAUSE OF VALUATION INCREASES. IT MAKES US LOOK GOOD DOWN HERE, EVEN AT 3.74 PERCENT BUDGET INCREASES. WILL I SUPPORT THIS BUDGET? YES, BECAUSE I'M PART OF THIS BODY. I JUST WANT TO POINT OUT MAYBE SOMEDAY THEY'LL SAY GROENE WAS THE HISTORIAN OF THE BODY, LOOK BACK IN THE PAST AND SEE HOW THEY USED TO DO THINGS. OR MAYBE THEY'LL SAY, AH, HE LIVES IN THE PAST. THIS COUNTRY WAS BUILT IN THE PAST. IT'S ONLY RECENT WHERE WE HAVE GENERATIONS THAT ARE SELFISH. THEY WANT TO DO IT NOW. THEY DON'T WANT...THEY WANT TO DO IT THE EASY WAY AND THEN GO HAVE A FREE DINNER WITH THE LOBBYISTS INSTEAD OF WORKING THROUGH IT AND PUTTING SOME PRESSURE BACK ON WHERE IT BELONGS, TO WHO SHOULD BE DOING THIS. THIS ISN'T URBAN OR RURAL, NEVER INFERRED THAT. I JUST SAID HOW WE HANDLED OUR ECONOMIC CRISIS. WE PAID FOR IT OURSELVES. IN FACT, THE ACTUAL END USER PAID FOR IT. THE FARMER PAID \$10 AN ACRE TO MAINTAIN HIS IRRIGATION. NOW WE CAN GO INTO THE DETAILS ABOUT IF YOU AGREE THE WAY WE DID IT, BUT WE DID IT. IT'S NOT URBAN VERSUS RURAL; WE'RE JUST TRYING TO SET AN EXAMPLE FOR THE URBAN SENATORS, HOW WE DID IT. THERE'S A GOOD WAY TO DO IT. THERE'S A PROPER WAY TO DO IT. I JUST THOUGHT MAYBE YOU'D FEEL BETTER ABOUT YOURSELF IF IT WAS YOUR ECONOMIC DEVELOPMENT, IT WAS YOUR...THEY LIVE THERE. THEY PAY THEIR PROPERTY TAXES THERE. YEAH, THEY DO. THEY DON'T PAY THEM OUT WHERE I LIVE. THAT MONEY DOESN'T FLOW UPHILL TO THE MOUNTAINS. IT FLOWS...STAYS WHERE IT'S AT. THAT'S FINE. OUR PROPERTY TAXES STAY WHERE OURS ARE AT. AND WE ALSO PAID FOR OUR OWN CRISIS, ECONOMIC CRISIS, WITH OUR TAXES. THAT'S NOT URBAN OR RURAL; THAT IS LOCAL GOVERNMENT. I HEARD IT HERE ON THE GUN BILL, SENATOR EBKE'S GUN BILL: LOCAL CONTROL, LOCAL CONTROL. LOCAL CONTROL BUT YOU PAY FOR IT, THAT'S WHAT WE SEEM TO HAVE NOW, LOCAL CONTROL, BUT MY NEIGHBOR PAYS FOR IT. [LB956]

SPEAKER HADLEY: ONE MINUTE. [LB956]

SENATOR GROENE: WE NEED TO GET BACK TO BASICS. WE NEED TO DEFINE THE LINES CLEARLY OF HOW WE FUND THINGS AND WHO FUNDS THEM. WE'RE BLURRING THE LINES FROM DAY TO DAY. YOU DON'T KNOW WHAT'S COMING OUT OF ANY COMMITTEE OR WHAT'S BEING PAID FOR BY WHO ANYMORE. IT'S JUST WHO'S GOT MORE VOTES. WE SHOULD HAVE DEFINED LINES SO THAT ISN'T A FACTOR, WHO HAS MORE VOTES. WE FOLLOW THE RULES AND THE LINES OF

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WE SET UP OUR LOCAL GOVERNMENTS AND OUR METHOD OF GOVERNMENT IN THIS STATE AND HOW WE FUND IT. THAT IS THE POINT I'M TRYING TO MAKE. THANK YOU. [LB956]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE. SEEING NO ONE ELSE IN THE QUEUE, SENATOR MELLO, YOU'RE RECOGNIZED TO CLOSE ON AM2216. [LB956]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. AM2216 IS THE WHITE COPY VERSION OF THE BILL THAT INCORPORATES THE APPROPRIATIONS COMMITTEE RECOMMENDATIONS. I WOULD LIKE TO SPEAK TO A COUPLE OF ITEMS I'VE HEARD ON THE FLOOR A LITTLE BIT JUST TO CLARIFY. LB957 IS WHERE THE CASH RESERVE TRANSFER FOR THE MILITARY INFRASTRUCTURE FUND IS, JUST IN REGARDS TO SOME OF OUR DIALOGUE AS WE KIND OF CONTINUE THROUGH THE AFTERNOON. THE HANDOUT THAT SENATOR KINTNER GAVE, ENTITLED "BILLS TUCKED INTO THE BUDGET," TO TRY TO...WHETHER TO SCARE YOU OR TO PROVIDE SOME KIND OF CONTEXT, IT'S VERY CLEAR ON PAGE 3, AS IT IS EVERY SINGLE YEAR, THERE'S A NUMBER OF BILLS BROUGHT BY COMMITTEE MEMBERS AND NONCOMMITTEE MEMBERS TO REAPPROPRIATE AND/OR APPROPRIATE OR TRANSFER MONEY WITHIN THE BUDGET. THERE IS NOTHING NEFARIOUS WITH THAT. THE REALITY IS IT'S VERY CLEAR. AND AS YOU CAN SEE, THE THREE MAJOR DRIVING ITEMS OF OUR BUDGET RECOMMENDATION IS SENATOR HADLEY'S BILL, SENATOR WATERMEIER'S BILL, AND SENATOR SMITH'S BILL, LB960, WHEN IT COMES TO ANY APPROPRIATIONS. LASTLY, I KNOW SENATOR STINNER WAS ABLE TO KIND OF WALK THROUGH A COUPLE ITEMS. SENATOR GROENE HAD RAISED CONCERNS IN REGARDS TO HOW THINGS ARE LABELED IN THE BUDGET REPORT. THERE ARE SPECIFIC FUNDS, SENATOR STINNER IS RIGHT: GENERAL FUNDS, CASH FUNDS, FEDERAL FUNDS. THERE'S ALSO REVOLVING FUNDS. THERE IS ALSO THE CASH RESERVE FUND THAT CAN BE USED FOR A VARIETY OF DIFFERENT PURPOSES. HOPEFULLY, I WAS ABLE TO EXPLAIN I THINK SOME OF SENATOR GROENE'S CONCERNS, UNDERSTANDING SOME OF THE DIFFERENTIALS. WHEN AN APPROPRIATION IS CASH FUNDED, THAT MEANS IT IS FUNDED OUT OF A CASH FUND AND LIKELY GOING TO ANOTHER CASH FUND IS HOW NORMALLY IT'S LISTED OUT IN THE BUDGET BOOK. BUT JUST FOR POSTERITY PURPOSES, I WANTED TO CLARIFY THAT, IF I COULD, AND TO MAKE SURE I'M NOT BEING COLLOQUIAL, SO TO SPEAK, IN REGARDS TO THE EXPLANATION OF THIS ISSUE. LASTLY, I HAVE HEARD...OBVIOUSLY THERE HAS BEEN SOME DISCUSSION IN REGARDS TO WHETHER OR NOT THE STATE IS MOVING IN NEW TERRAIN WHEN IT COMES TO BILLS THAT ARE SENT TO THE APPROPRIATIONS COMMITTEE, BECAUSE THE BILL ITSELF IS AN APPROPRIATION OF A CASH FUND, FEDERAL

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FUNDS, OR OTHER FUND, INSTEAD OF GOING TO A DIFFERENT COMMITTEE OF JURISDICTION. IF IT IS PURELY FINANCIAL IN NATURE AND IT'S A TRANSACTION FINANCIAL IN NATURE, THOSE BILLS HAVE ALWAYS COME TO THE APPROPRIATIONS COMMITTEE WELL BEFORE I BECAME CHAIRMAN, WELL BEFORE 2007. AS MIKE CALVERT INFORMED ME, IT'S BEEN THIS WAY SINCE HE STARTED IN THE EARLY 1980s. THE ISSUE IS, IF THERE IS A BILL THAT CREATES A NEW PROGRAM, THAT TRADITIONALLY THAT BILL GETS REFERENCED TO ANOTHER COMMITTEE, BECAUSE IT CREATES SOMETHING IN PERMANENT STATUTE. THAT IS A BIG DIFFERENTIAL I WOULD SAY BETWEEN WHAT YOU SEE, ANYTHING THAT COMES TO THE APPROPRIATIONS COMMITTEE, AND WHAT'S NOT AND GOES TO TRADITIONAL COMMITTEES OF JURISDICTION, WHETHER HHS, EDUCATION, NATURAL RESOURCES, OR THE LIKE. LASTLY, THE CONCERN WAS RAISED THAT WE'RE CHARTING NEW TERRITORY, SO TO SPEAK, IN REGARDS TO APPROPRIATING A ONE-TIME APPROPRIATION FOR A CRITICAL INFRASTRUCTURE PROJECT IN THIS STATE. FOR THOSE OF YOU WHO WERE AROUND IN 2014 AND I WOULD SAY SOME OF YOU WHO WERE ENGAGED IN PROBABLY THE MOST DIFFICULT NEGOTIATIONS WHEN CREATING THE WATER SUSTAINABILITY PROGRAM, AS WELL AS THE UNDERLYING LEGISLATIVE INTENT THAT DEALT WITH WATER CHALLENGES IN SOUTHWEST NEBRASKA, ARE WELL AWARE--ARE WELL AWARE--THAT THE FUNDING THAT WE APPROPRIATE EVERY YEAR THAT GOES TO NRDs IS MONEY THAT WE ARE APPROPRIATING TO GO TO POLITICAL SUBDIVISIONS. IT'S ONE THING IF YOU HAVE A DISAGREEMENT IN REGARDS TO WHETHER OR NOT WE'RE FUNDING THIS PROJECT ASIDE FROM A JUST TRADITIONAL WATER SUSTAINABILITY FUND. BUT THE LEGISLATURE WELL BEFORE 2014 HAS APPROPRIATED MONEY TO THE DEPARTMENT OF NATURAL RESOURCES THAT WENT DIRECTLY TO NATURAL RESOURCE DISTRICTS. AND YOU CAN TALK WITH JEANNE GLENN, THE FISCAL ANALYST THAT OVERSEES THE NATURAL RESOURCES DEPARTMENT IN THE FISCAL OFFICE. IN 2007, THE LEGISLATURE MADE A ONE-TIME APPROPRIATION FROM THE CASH RESERVE TO THE DEPARTMENT OF NATURAL RESOURCES TO PROVIDE A LOAN TO REPUBLICAN RIVER VALLEY NRDs. NOW ONE COULD MAKE THE ARGUMENT--I THINK SENATOR FRIESEN SAID THIS--THAT SOME OF THE ISSUES... [LB956 LB957 LB960]

SPEAKER HADLEY: ONE MINUTE. [LB956]

SENATOR MELLO: ...REGARDING THE REPUBLICAN RIVER COMPACT IS A STATE OBLIGATION. WE CAN HAVE THAT DISCUSSION, AND I THINK TO SOME EXTENT WE'VE ACKNOWLEDGED TO SOME EXTENT WE HAVE SOME INVOLVEMENT IN THAT, KNOWING WE PAID A FINE LAST YEAR IN THE BUDGET TO THE STATE OF

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KANSAS IN LIGHT OF A VIOLATION OF THE REPUBLICAN RIVER COMPACT. AND AS YOU KNOW, READING THROUGH THE BUDGET, WE HAVE A NUMBER OF COURT CASES BROUGHT FROM NRDs AND...I'M SORRY, BROUGHT BY IRRIGATION DISTRICTS AGAINST THE STATE IN REGARDS TO ONGOING WATER CHALLENGES IN SOUTHWEST NEBRASKA, MY POINT BEING, COLLEAGUES, IS IT'S NOT UNCHARTED TERRITORY IN REGARDS TO FUNDING ONE CRITICAL INFRASTRUCTURE PROJECT THAT I THINK MOST OF THE COMMITTEE WOULD WHOLEHEARTEDLY SAY--EVEN SENATOR KINTNER, WHO VOTED AGAINST THIS, WOULD SAY--IT'S A CRITICAL ECONOMIC DEVELOPMENT PROJECT FACING THE STATE IN LIGHT OF ITS CRITICAL NATURE AFFECTING OFFUTT AIR FORCE BASE. WE TOOK A DIFFERENT PERSPECTIVE AND A DIFFERENT APPROACH, NOT THAT WE HAVE NOT FUNDED PREVIOUS PAPIO...OR PREVIOUS NRD PROJECTS ACROSS THE STATE THROUGH ONE MECHANISM OR ANOTHER. WITH THAT, COLLEAGUES, I'M MORE THAN WILLING TO ANSWER ANY OTHER QUESTIONS IF WE ADOPT AND MOVE FORWARD, OBVIOUSLY, AM2216, WHICH BECOMES THE MAINLINE BILL. THANK YOU, MR. PRESIDENT. [LB956]

SPEAKER HADLEY: YOU'VE HEARD THE CLOSING. THE QUESTION BEFORE THE BODY IS THE ADOPTION OF AM2216. ALL IN FAVOR VOTE AYE; OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB956]

CLERK: 35 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF COMMITTEE AMENDMENTS. [LB956]

SPEAKER HADLEY: COMMITTEE AMENDMENTS ARE ADOPTED. (VISITORS INTRODUCED.) SEEING NO ONE WISHING TO SPEAK, SENATOR MELLO, YOU'RE RECOGNIZED TO CLOSE. [LB956]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. NOW LB956 INCORPORATES THE COMMITTEE'S RECOMMENDATIONS. I APPRECIATE SOME OF THE THOUGHTFUL DISCUSSION AND CONCERNS AND CONSIDERATIONS IN REGARDS TO WATER FUNDING, WATER POLICY, AND SOME OTHER ITEMS, LOOK FORWARD TO CONTINUING DEBATE ON LB957 AND LB960. WITH THAT, I'D URGE THE BODY TO ADVANCE LB956. THANK YOU, MR. PRESIDENT. [LB956 LB957 LB960]

SPEAKER HADLEY: YOU'VE HEARD THE CLOSING ON LB956. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB956]

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CLERK: 32 AYES, 1 NAY, MR. PRESIDENT, ON THE ADVANCEMENT OF LB956.  
[LB956]

SPEAKER HADLEY: LB956 ADVANCES. MR. CLERK, FOR ANNOUNCEMENTS.  
[LB956]

CLERK: MR. PRESIDENT, THANK YOU. RESOLUTIONS: SENATOR KINTNER OFFERS LR478; SENATOR DAVIS, LR479; SENATOR JOHNSON, LR480; SENATOR BURKE HARR, LR481 AND LR482. THOSE WILL ALL BE LAID OVER. SENATOR KOLTERMAN, LR483, CALLING FOR AN INTERIM STUDY, THAT WILL BE REFERRED TO THE EXECUTIVE BOARD. NEW A BILLS: LB467A BY SENATOR KOLTERMAN. (READ LB467A BY TITLE FOR THE FIRST TIME.) SENATOR GARRETT, LB768A. (READ LB768A BY TITLE FOR THE FIRST TIME.) I HAVE CONFIRMATION REPORTS FROM THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE, SEVERAL REPORTS. AMENDMENTS TO BE PRINTED: SENATOR CAMPBELL TO LB746A; SENATOR HILKEMANN, A SERIES OF AMENDMENTS TO LB900. AND FINALLY, MR. PRESIDENT, HEARING NOTICES FROM HEALTH AND HUMAN SERVICES, THOSE SIGNED BY SENATOR CAMPBELL. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 979-986.) [LR478 LR479 LR480 LR481 LR482 LR483 LB467A LB768A LB746A LB900]

SPEAKER HADLEY: THANK YOU, MR. CLERK. WE WILL GO TO THE NEXT ITEM ON THE AGENDA.

CLERK: LB957, A BILL INTRODUCED BY THE SPEAKER AT THE REQUEST OF THE GOVERNOR. (READ TITLE.) INTRODUCED ON JANUARY 14, REFERRED TO THE APPROPRIATIONS COMMITTEE, ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM2217, LEGISLATIVE JOURNAL PAGE 911.) [LB957]

SPEAKER HADLEY: SENATOR MELLO, YOU'RE RECOGNIZED TO OPEN ON LB957.  
[LB957]

SENATOR MELLO: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. CAN WE GO DIRECTLY TO THE COMMITTEE AMENDMENT, AM2217? [LB957]

SPEAKER HADLEY: YES. [LB957]

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SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. AM2217 IS A WHITE COPY AMENDMENT THAT BECOMES THE COMPANION BILL, THE FUNDS BILL TO THE GENERAL FUND MAINLINE BILL WE JUST PASSED. LB957 IS THE FUND TRANSFERS BILL WHICH PROVIDES VARIOUS TRANSFERS BETWEEN DIFFERENT FUNDS--CASH FUNDS, FEDERAL FUNDS INCLUDED--AND INCLUDES INTENT LANGUAGE IN CERTAIN AREAS AND ELIMINATES OBSOLETE LANGUAGE. THE BILL CONTAINS TWO TRANSFERS FROM THE STATE'S CASH RESERVE FOR THE MAIN ITEMS WE JUST DISCUSSED ON THE MAINLINE BILL, LB956, PRIMARILY THE TRANSFER OF FUNDING FOR THE CAPITAL CONSTRUCTION AT THE DEPARTMENT OF CORRECTIONAL SERVICES, AS WELL AS A TRANSFER TO THE CRITICAL INFRASTRUCTURE FACILITIES CASH FUND FOR...INTENDED FOR THE OFFUTT AIR FORCE BASE LEVEE PROJECT. LB957 DOES CONTAIN AN EMERGENCY CLAUSE. WITH THAT, I'D URGE THE BODY TO ADVANCE AND ADOPT AM2217 AND ADVANCE LB957. THANK YOU, MR. PRESIDENT. [LB957 LB956]

SPEAKER HADLEY: THANK YOU, SENATOR MELLO. AND YOU WISH THAT FOR YOUR OPENING OF AM2217 ALSO? OKAY, YOU'VE HEARD THE OPENING ON AM2217. IS THERE ANYONE WISHING TO SPEAK? SEEING NONE, SENATOR MELLO...SENATOR MELLO WAIVES CLOSING ON AM2217. THE QUESTION BEFORE THE BODY IS THE ADOPTION OF THE AMENDMENT. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NO. HAVE ALL VOTED THAT WISH? RECORD, MR. CLERK. [LB957]

CLERK: 33 AYES, 1 NAY, MR. PRESIDENT, ON THE ADOPTION OF COMMITTEE AMENDMENTS. [LB957]

SPEAKER HADLEY: THE AMENDMENT IS ADOPTED. SEEING NO ONE IN THE QUEUE, SENATOR MELLO, YOU'RE RECOGNIZED TO CLOSE ON LB957. [LB957]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. AND SINCE THE LAST BUDGET BILL WILL BE SENATOR SMITH'S LB960 AFTER WE DO THE CLAIMS BILL, I SIMPLY WANT TO THANK MY PERSONAL LEGISLATIVE STAFF FOR ALL THEIR WORK AND ASSISTANCE IN REGARDS TO A NUMBER OF ITEMS AND ISSUES THAT COME IN FRONT OF THE APPROPRIATIONS COMMITTEE THAT THEY DEAL WITH ON A DAY-TO-DAY BASIS AND THEY HAVE DEALT WITH OVER THE LAST COUPLE OF YEARS. MY AIDES, ELIZABETH HERTZLER, RACHEL MEIER, AND LAURIE VOLLERTSEN THIS YEAR, AS WELL AS A PAST AIDE OF MINE, ANTHONY CIRCO, WHO LEFT MY OFFICE TO GO WORK IN



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THE LEGISLATIVE PERFORMANCE AUDIT OFFICE, I SIMPLY WANT TO EXPRESS MY SINCERE APPRECIATION AND GRATITUDE TO THEM FOR ALL OF THEIR HARD WORK OVER THE LAST TWO YEARS DURING THE BUDGET PROCESS. WITH THAT, I'D URGE THE BODY TO ADVANCE LB957. THANK YOU, MR. PRESIDENT. [LB957 LB960]

SPEAKER HADLEY: YOU'VE HEARD THE CLOSING. THE QUESTION BEFORE THE BODY IS THE ADOPTION OF LB957. ALL IN FAVOR SIGNIFY BY VOTING AYE; OPPOSED VOTE NAY. HAVE ALL VOTED? RECORD, MR. CLERK. [LB957]

CLERK: 37 AYES, 1 NAY, MR. PRESIDENT, ON THE ADVANCEMENT OF LB957. [LB957]

SPEAKER HADLEY: LB957 ADVANCES. MR. CLERK. [LB957]

CLERK: LB981 IS A BILL INTRODUCED BY THE BUSINESS AND LABOR COMMITTEE AND SIGNED BY ITS MEMBERS. (READ TITLE.) BILL WAS INTRODUCED ON JANUARY 14, REFERRED TO THE BUSINESS AND LABOR COMMITTEE, ADVANCED TO GENERAL FILE. I DO HAVE COMMITTEE AMENDMENTS, MR. PRESIDENT. (AM2405, LEGISLATIVE JOURNAL PAGE 863.) [LB981]

SPEAKER HADLEY: SENATOR HARR, YOU'RE RECOGNIZED TO OPEN ON LB981. [LB981]

SENATOR HARR: THANK YOU, MR. SPEAKER. MEMBERS OF THE BODY, THIS IS THE CLAIMS BILL. THIS IS A BILL WE HAVE TO BRING EVERY YEAR, WHETHER WE WANT TO OR NOT, TO MAKE...PROVIDE PAYMENT OF CLAIMS AGAINST THE STATE. THE BUSINESS AND LABOR COMMITTEE INTRODUCED THIS AT THE REQUEST OF THE DEPARTMENT OF ADMINISTRATIVE SERVICES' RISK MANAGEMENT DIVISION. THIS YEAR'S BILL CONTAINS SOME TORT CLAIMS AND AGENCY WRITE-OFF REQUESTS. WE ALSO HAVE A COMMITTEE AMENDMENT, AM2405, WHICH BECOMES NECESSARY BECAUSE BETWEEN THE TIME THE BILL IS DRAFTED AND THE TIME WE GET TO COMMITTEE, THERE ARE ADDITIONAL CLAIMS AGAIN BROUGHT TO US BY THE CLAIMS BOARD. THE COMMITTEE AMENDMENT WILL REPLACE THE BILL. THE COMMITTEE AMENDMENT ADDS A MISCELLANEOUS CLAIM, THREE ADDITIONAL TORT CLAIMS, AND TWO WORKERS' COMPENSATION CLAIMS. IT REDUCES THE WRITE-OFF REQUEST FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND INCLUDES A

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REQUEST FROM THE NEBRASKA GAME AND PARKS COMMISSION. IT ALSO STRIKES A WRITE-OFF REQUEST FROM THE LOTTERY DIVISION OF THE DEPARTMENT OF REVENUE. BECAUSE THE COMMITTEE AMENDMENT REALLY IS THE BILL, I WILL GO THROUGH AM2405 TO EXPLAIN THE CLAIMS. SECTION 1 IS A MISCELLANEOUS CLAIM PAYABLE TO THE DODGE COUNTY TREASURER. THE STATE AUDITOR'S OFFICE COMPLETED AN AUDIT OF THE DODGE COUNTY TREASURER AND DISCOVERED THAT THE TREASURER WAS NOT DISTRIBUTING A PORTION OF THE REAL PROPERTY TAX CREDIT MONIES ASSOCIATED WITH THE CENTRALLY ASSESSED REAL PROPERTY IN DODGE COUNTY. AS A RESULT, THE COUNTY TREASURER RETURNED A LARGE AMOUNT OF UNUSED PROPERTY TAX CREDIT MONEY TO THE STATE TREASURER THAT SHOULD HAVE BEEN RETURNED. THIS RESULTED IN THE DODGE COUNTY POLITICAL SUBDIVISION BEING SHORTED STATE PROPERTY TAX CREDIT MONIES FOR ALL CENTRALLY ASSESSED REAL PROPERTY, EVEN THOUGH THE MONEY WAS ORIGINALLY ALLOCATED TO DODGE COUNTY. THE AMOUNT IN SECTION 1 ACCOUNTS FOR THE YEARS 2009 THROUGH 2014. THIS WAS THE COUNTY'S ERROR AND IT HAS NOW BEEN CORRECTED. SECTION 2 CONTAINS FIVE TORT CLAIMS. THE FIRST CLAIM, FOR \$800,000, ARISES FROM AN AUTOMOBILE ACCIDENT. THE CLAIMANT'S MOTORCYCLE WAS STRUCK BY A CAR. ALLEGATIONS WERE MADE THAT TRAFFIC CONTROL DEVICES INSTALLED IN THE CONSTRUCTION ZONE CREATED A VISIBILITY HAZARD WHICH LED TO THE CRASH. THE PARTIES MEDIATED THE LAWSUIT AND SETTLED FOR \$1 MILLION, \$800,000 OF WHICH IS TO BE CONTRIBUTED BY THE STATE AND \$200,000 BY THE INSURER OF THE CAR DRIVEN BY...OR THE INSURER OF THE DRIVER OF THE CAR. THE SECOND CLAIM, OF \$84,675.14, ARISES FROM AN ACCIDENT WHERE THE CLAIMANT'S COMBINE WAS BEING HAULED AND WAS DAMAGED WHEN IT STRUCK A BRIDGE DUE TO INAPPROPRIATE WEIGHT CLEARANCE. THE THIRD AND FOURTH CLAIMS ARISE FROM CLASS-ACTION LAWSUITS AGAINST DHHS FOR REFUSAL TO PROVIDE PETITIONERS--TWO MINOR CHILDREN--MEDICAID COVERAGE FOR MEDICALLY NECESSARY TREATMENT. THE LANCASTER COUNTY COURT GRANTED THE SUMMARY JUDGMENT IN FAVOR OF THE PETITIONERS ON ALL SUBSTANTIVE CLAIMS. BOTH CLAIMS WERE...AMOUNTS REPRESENT ATTORNEYS' FEES AND COSTS ASSOCIATED WITH NEBRASKA APPLESEED AND HUSCH BLACKWELL LAW FIRM, RESPECTIVELY. THE LAST CLAIM IN THIS SECTION IS A SETTLEMENT FOR A LAWSUIT FILED BY SEVEN SAME-SEX COUPLES WHO CHALLENGED THE AMENDMENT TO NEBRASKA'S CONSTITUTION THAT PROHIBITED SAME-SEX MARRIAGE. WHILE THE CASE WAS PENDING, THE UNITED STATES SUPREME COURT RULED THAT THE FOURTEENTH AMENDMENT REQUIRES A STATE TO LICENSE A MARRIAGE BETWEEN TWO PEOPLE OF THE SAME SEX. THE JUDGE IN THIS CASE IN NEBRASKA FOUND NEBRASKA'S CONSTITUTIONAL AMENDMENT

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UNCONSTITUTIONAL. THE AWARD OF \$185,000 IS NEGOTIATED ATTORNEY FEES. SECTION 3 INVOLVES TWO WORK COMP CLAIMS. THE FIRST CLAIM IS FOR \$115,000, IS A SETTLEMENT TO RESOLVE ANY FUTURE MEDICAL OR HOSPITAL EXPENSES FOR TREATMENT OF CLAIMANT'S WORK INJURIES. THE CLAIMANT SLIPPED AND FELL AND SUFFERED A LUMBAR, CERVICAL, AND RIGHT UPPER-EXTREMITY INJURY. THE SECOND WORK COMP CLAIM IN THIS SECTION IS FOR \$275,000. IT INVOLVES A FORMER DEPARTMENT OF CORRECTIONS OFFICER WHO INJURED HER BACK ON THE JOB IN 2013, RESULTING IN TWO UNSUCCESSFUL BACK SURGERIES, INCLUDING A LUMBAR FUSION. SECTION 4 INVOLVES ONE TORT CLAIM TO BE PAID TO TWO SEPARATE PARTIES FOR A TOTAL OF \$400,000. THIS CLAIM INVOLVES AN AUTO ACCIDENT. CLAIMANT SAW FLASHING LIGHTS AND SLOWED DOWN. THE FLASHING LIGHTS WERE FROM VEHICLE HAZARD LIGHTS AND PERSONNEL IN REFLECTIVE JACKETS ATTEMPTING TO STOP TRAFFIC. WHEN SHE SLOWED DOWN, A NEBRASKA DEPARTMENT OF ROADS EMPLOYEE CAR STRUCK THE REAR OF HER VEHICLE AND SHE SUSTAINED MULTIPLE INJURIES. SECTION 6 CLAIMS CONCERN AGENCY WRITE-OFF REQUESTS. AGENCIES ARE REQUIRED TO SEEK THE CLAIMS BOARD'S APPROVAL FOR DEBT WRITE-OFFS. THE BOARD APPROVED ALL THE REQUESTS WHICH ARE FOUND IN LB981 AND THE COMMITTEE AMENDMENT. THE BOARD DETERMINED THAT THE DEBTS WERE UNCOLLECTABLE EITHER BECAUSE THE DEBTOR IS DECEASED, THE DEBT HAS BEEN DISCHARGED THROUGH BANKRUPTCY, OR THE BOARD WAS SATISFIED WITH THE DEPARTMENT'S EFFORTS TO COLLECT THE DEBT WHICH WERE UNSUCCESSFUL. THE MILITARY DEPARTMENT'S REQUEST IS FOR COURSE FEES UNDER THE NEBRASKA GUARD TUITION ASSISTANCE PROGRAM WHERE PARTICIPANTS FAILED TO REPAY WHEN THEY WITHDREW FROM THE CLASSES. THE SUPREME COURT REQUEST INVOLVES UNCOLLECTABLE (INAUDIBLE) AND CERTIFICATE FEES. THE DEPARTMENT OF ROADS REQUEST RELATES TO DAMAGES TO STATE DEPARTMENTS DUE TO AUTOMOBILE ACCIDENTS. THESE TYPICALLY INVOLVE GUARDRAILS, SIGNAGE, AND STATE-OWNED VEHICLES. THE STATE FIRE MARSHAL REQUEST IS FOR THE UNCOLLECTABLE ANNUAL FEES, REGISTRATION FROM 2010, '11, AND '12 THAT ARE OWED PURSUANT TO REQUIREMENTS FOR UNDERGROUND TANK STORAGE OR LUST. THESE DEBTS ARE UNCOLLECTABLE FOR NUMEROUS REASONS INCLUDING, AS STATED, BANKRUPTCY, INABILITY TO LOCATE LISTED OWNERS, AND DEATHS. THE DEPARTMENT OF HEALTH AND HUMAN SERVICES REQUESTS DEBT EITHER REFERRED TO A COLLECTION AGENCY AND RETURNED AS UNCOLLECTABLE OR INVOLVES DEBTORS WHO CONTINUE TO BE ON NEED-BASED ASSISTANCE PAST APPLICABLE STATUTE OF LIMITATION PERIODS. OVER 99.9 PERCENT OF THE DEBTS SUBMITTED ARE BECAUSE THE DEBTOR HAS PASSED AWAY WITH NO PROBATE FILED, THE DEBTOR HAD FILED DISCHARGE

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AND BANKRUPTCY, OR THE STATUTE OF LIMITATION HAS PASSED. CATEGORY 3 INCLUDES 81 PERCENT OF THIS DEBT. A FOURTH CATEGORY FOR UNCOLLECTABLE DEBT IS BECAUSE IT WAS REDUCED BY WAY OF AN IMPROVED SETTLEMENT AGREEMENT. THE DEPARTMENT OF INSURANCE REQUEST IS FOR CLAIMS AGAINST OMNI DENTAL FOR FINAL EXAMINATION FEES. THEY ARE UNCOLLECTABLE BECAUSE OMNI WAS PLACED INTO LIQUIDATION BY THE LANCASTER DISTRICT COURT. THE STATE DEPARTMENT OF EDUCATION REQUEST IS FOR THEIR EXCELLENCE IN TEACHING PROGRAM THAT INVOLVES LOANS FOR COLLEGE AND MASTER'S DEGREES. EIGHT OF THOSE LOANS WERE DEEMED UNCOLLECTABLE BECAUSE OF DEATH. AND FINALLY, THE GAME AND PARKS COMMISSION REQUEST IS FOR RETURNED CHECKS FOR CAMPING FEES IN YEAR 2013 AND '14. THAT IS A FULL INTRODUCTION OF THE BILL AND AMENDMENTS. I WOULD ASK FOR YOUR SUPPORT ON AM2405 AND LB981. THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER PRESIDING

SENATOR SCHEER: THANK YOU, SENATOR HARR. SENATOR HARR, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. DO YOU HAVE A SEPARATE AMENDMENT AS WELL? [LB981]

CLERK: SENATOR, I HAVE AM2582 IN FRONT OF ME AS AN AMENDMENT TO THE COMMITTEE AMENDMENTS. (LEGISLATIVE JOURNAL PAGE 987.) [LB981]

SENATOR HARR: THANK YOU. AM2582 INCLUDES A RECENT SETTLEMENT FOR ATTORNEYS' FEES INVOLVING A CLASS-ACTION LAWSUIT FOR SNAP BENEFITS. THIS SUIT WAS INITIATED DUE TO DELAYS BY DHHS IN PROCESSING SNAP BENEFITS, INITIAL APPLICATIONS, AND RECERTIFICATIONS. BECAUSE OF THE ESSENTIAL NATURE OF ACCESS TO FOOD, FEDERAL LAW REQUIRES DECISIONS ON SNAP APPLICATIONS TO BE ISSUED WITHIN CERTAIN TIME FRAMES, AND DHHS WAS FAILING TO MEET THESE REQUIREMENTS. IN THE INTEREST OF PREVENTING EXTENDED LITIGATION AND ALSO BECAUSE DHHS HAS ALREADY MADE SIGNIFICANT IMPROVEMENTS IN SNAP APPLICATION PROCESSING TIMES, THE ATTORNEY GENERAL'S OFFICE AND DHHS DETERMINED THAT A REASONABLE SETTLEMENT WAS IN THE STATE'S BEST INTEREST. TO THAT END, OVER THE SPAN OF SEVERAL MONTHS, THE PARTIES NEGOTIATED A SETTLEMENT ON THE MERITS OF THE CASE. ULTIMATELY, DHHS HAS AGREED TO REACH A 96 PERCENT TIMELY PROCESSING THRESHOLD IN 25 OF 28 MONTHS, AT WHICH TIME THE FEDERAL COURT'S JURISDICTION WILL TERMINATE. THE

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AGREEMENT PROVIDES FOR PERIODIC REPORTING AND ENFORCEMENT PROVISIONS. FOLLOWING THE AGREEMENT ON THE MERITS, THE ATTORNEY GENERAL'S OFFICE AND THE COUNSEL FOR APPLESEED NEGOTIATED A \$230,000 AGREEMENT FOR ATTORNEY'S FEES AND COSTS INCURRED TO DATE. THIS IS THE \$230,000 CLAIM YOU'LL SEE IN AM2582. I WOULD ASK FOR YOUR SUPPORT OF AM2582. THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER: MR. CLERK, THERE IS AN AMENDMENT TO THE COMMITTEE AMENDMENT AS WELL? SENATOR KINTNER, YOU'RE RECOGNIZED. [LB981]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. WOULD SENATOR HARR YIELD TO SOME QUESTIONS? [LB981]

SENATOR SCHEER: SENATOR HARR, WOULD YOU PLEASE YIELD? [LB981]

SENATOR HARR: YES, I WILL. [LB981]

SENATOR KINTNER: YOU KIND OF JUST JUMPED THROUGH THOSE. I WANT TO JUST FLESH A COUPLE OF THEM OUT. [LB981]

SENATOR HARR: OKAY. [LB981]

SENATOR KINTNER: THE LAST ONE YOU DID, AM2582, WE WERE SUED BY WHO? AND WHO ARE WE PAYING OFF? THAT'S THE LAST AMENDMENT UP THERE. [LB981]

SENATOR HARR: YEP. SO WE WERE SUED BY INDIVIDUALS WHO HAD APPLIED FOR SNAP BENEFITS WHO WERE DENIED THOSE APPLICANTS...DENIED THE PROCESSING...THEIR APPLICATION BEING PROCESSED IN A REASONABLE TIME. [LB981]

SENATOR KINTNER: DO YOU GUYS SEE WHAT'S GOING ON HERE? WE HAVE PEOPLE SUING US BECAUSE WE WON'T GIVE THEM MONEY. I MEAN, IF YOU GO TO THE SALVATION ARMY AND THEY DON'T GIVE YOU SOMETHING, I DON'T THINK YOU SUE THEM. I MEAN, I AM ABSOLUTELY SHOCKED THAT PEOPLE BEHAVE LIKE THIS, THAT THEY THINK THEY HAVE A RIGHT TO EVERYTHING. AND IT'S TOUGH TO SWALLOW PAYING THESE PEOPLE OFF. I DON'T KNOW IF IT'S A RIGHT OR AN OBLIGATION. I DON'T THINK IT'S A RIGHT. GOD DIDN'T GIVE

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THEM A RIGHT TO YOUR MONEY. MAYBE IT'S AN OBLIGATION THAT WE HAVE TO FORK OVER OUR HARD-EARNED MONEY, FEDERAL MONEY TO THESE PEOPLE, WHICH IS STILL OUR MONEY. OKAY, THANK YOU. LET ME GO BACK TO THE SECOND ONE, PAGE 2. WHAT'S THE TORT CLAIM WITH... THAT WE'RE MAKING PAYABLE TO HUSCH BLACKWELL? WHAT'S THAT? THAT'S PAGE 2, LINE 13, 14, 15. [LB981]

SENATOR HARR: YEP. THAT'S WHERE THE LANCASTER COUNTY COURT GRANTED SUMMARY JUDGMENT IN FAVOR OF THE PETITIONER ON SUBSTANTIVE GROUNDS. AGAIN, THIS IS A CLASS-ACTION LAWSUIT AGAINST DHHS FOR REFUSAL TO PROVIDE PETITIONERS, WHICH IN THIS CASE WERE TWO MINOR CHILDREN, MEDICAID COVERAGE FOR MEDICALLY NECESSARY TREATMENTS. [LB981]

SENATOR KINTNER: SO THEY WERE DENIED TREATMENT AND THEY SAID, HEY, WE SHOULD BE GIVEN TREATMENT, THEY GOT THE ATTORNEY OR WHOEVER IT WAS. AND IS THAT KIND OF WHAT HAPPENED? [LB981]

SENATOR HARR: YEP. [LB981]

SENATOR KINTNER: OKAY. THAT'S UNDERSTANDABLE. WHAT'S PAGE 2, LINES 16 TO 19, WHAT ARE WE GIVING THE ACLU \$185,000 FOR? [LB981]

SENATOR HARR: THAT IS FOR A SETTLEMENT. WE HAD ON OUR BOOKS A STATE CONSTITUTIONAL AMENDMENT--WHICH IS AGAIN WHY IT IS SO IMPORTANT WHEN WE PASS CONSTITUTIONAL AMENDMENTS TO MAKE SURE THAT THEY FOLLOW OUR U.S. CONSTITUTION--THIS IS WHERE INDIVIDUALS SUED ON OUR SAME-SEX MARRIAGE AND IT WAS FOUND BY THE UNITED STATES SUPREME COURT TO BE UNCONSTITUTIONAL TO DENY MARRIAGE TO SAME-SEX COUPLES. AND SO THIS IS THE ATTORNEY FEES FOR THE INDIVIDUALS SUING ON THE STATE LEVEL. [LB981]

SENATOR KINTNER: WOW. WOW. UNBELIEVABLE. ABSOLUTELY UNBELIEVABLE. IT'S AMAZING, YOU KNOW, LEFTISTS DON'T EVEN USE THEIR OWN MONEY TO SUE US. THEY USE OUR MONEY AND THEY SUE US. UNBELIEVABLE. LET'S GO TO THE... WE'RE GIVING APPLESEED SOME MONEY. GO UP A COUPLE LINES THERE. CAN YOU EXPLAIN THAT ONE TO ME? [LB981]

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SENATOR HARR: WELL, I THINK THAT'S PART OF...IS... [LB981]

SENATOR KINTNER: THAT'S \$243,098, PAGE 2, LINE 10, 11, AND 12. [LB981]

SENATOR HARR: OH, THAT'S...I BELIEVE THAT'S PART OF...IS THAT...WELL, LET ME LOOK AGAIN. [LB981]

SENATOR KINTNER: THAT WAS JUST ABOVE THE ACLU PAYOFF...EXTORTION, I MEAN, EXCUSE ME, EXTORTION. [LB981]

SENATOR HARR: OKAY. AND THAT'S PART OF THE SAME HUSCH BLACKWELL SANDERS PAYOFF. [LB981]

SENATOR KINTNER: OH, OKAY, SO IT WAS HUSCH BLACKWELL AND APPLESEED TOGETHER? [LB981]

SENATOR HARR: YES. [LB981]

SENATOR KINTNER: OKAY. ALL RIGHT. I JUST WANTED TO FLESH THOSE OUT A LITTLE BIT. I APPRECIATE YOUR HARD WORK ON THIS. I KNOW THIS DOESN'T LOOK LIKE EASY STUFF TO GET US ALL TOGETHER. SO THANK YOU VERY MUCH. [LB981]

SENATOR HARR: THANK YOU. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR HARR. THANK YOU, SENATOR KINTNER. SENATOR HOWARD, YOU'RE RECOGNIZED. [LB981]

SENATOR HOWARD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF AM2582 AND LB981. I WOULD LIKE TO TAKE A MOMENT TO FLESH OUT THE SETTLEMENT BETWEEN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE ATTORNEYS AT NEBRASKA APPLESEED WHO REPRESENT AN ENTIRE CLASS OF LOW-INCOME HOUSEHOLDS WHO ARE RECEIVING SUPPLEMENTAL NUTRITION ASSISTANCE, OR SNAP BENEFITS. THE CASE, SPECIFICALLY LEITING-HALL v. WINTERER, WAS FILED IN 2014 IN U.S. DISTRICT COURT BY NEBRASKA APPLESEED AND THE NATIONAL CENTER FOR LAW AND ECONOMIC JUSTICE ON BEHALF OF ONE WORKING SINGLE MOTHER WHO FACED DELAYS IN RECEIVING

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AN ELIGIBILITY RULING FOR HER FOOD STAMP BENEFITS. AND I GO BACK TO THE ESSENTIAL NATURE OF FOOD. THIS IS WHAT WE NEED EVERY DAY TO GET BY, AND THIS WAS A SINGLE WORKING MOTHER. THIS ISN'T ABOUT A RIGHT TO MONEY OR A RIGHT TO BENEFITS. BUT THIS IS THE RIGHT TO A TIMELY PROCESSING OF APPLICATIONS FOR ESSENTIAL BENEFITS THAT SHE IS ENTITLED TO. THE CASE WAS CERTIFIED AS A CLASS IN 2015, INDICATING THAT THE COURT VIEWED THE PROGRAMS WITH SNAP PROCESSING TO BE...VIEWED THE PROBLEMS OF SNAP PROCESSING TO BE SYSTEMIC AND WIDESPREAD. SUBSEQUENTLY, DHHS, WITH THE SUPPORT OF THE ACCESSNEBRASKA SPECIAL INVESTIGATIVE COMMITTEE OF THIS LEGISLATURE, MADE SIGNIFICANT PROGRESS IN THE PROCESSING OF SNAP. THE MOST RECENT FEDERAL REPORTS FOR APRIL THROUGH SEPTEMBER OF 2015 SHOW NEBRASKA'S TIMELY PROCESSING OF SNAP APPLICATIONS WAS HIGH AS 95 PERCENT, ABOVE THE FEDERAL BENCHMARK OF 85 PERCENT. HOWEVER, WE ARE STILL ON A FEDERAL PERFORMANCE IMPROVEMENT PLAN FOR OUR PROCESSING OF SNAP BENEFITS. BECAUSE OF THESE IMPROVEMENTS, THE PARTIES WERE ABLE TO SETTLE, WHICH BRINGS US TO AM2582. AND WITHIN THAT CASE IS ONGOING MONITORING FOR 28 MONTHS, WHICH OVERLAPS VERY NICELY WITH THE ACCESSNEBRASKA LEGISLATIVE OVERSIGHT COMMITTEE. PART OF THE OVERALL AGREEMENT FOR THE CASE INCLUDES THESE LEGAL FEES, WHICH THE AMENDMENT PROVIDES FOR. THE POINT IS THOUGH, COLLEAGUES, IN 2014, WHEN THE CASE WAS ORIGINALLY FILED, THREE OUT OF TEN CASES FOR FOOD STAMP BENEFITS WERE PROCESSED UNTIMELY, WHICH MEANT THAT THERE WERE NEBRASKANS, EVERYDAY NEBRASKANS GOING WITHOUT FOOD THAT THEY NEEDED. THIS MEANT EVERY MONTH THOUSANDS OF LOW-INCOME FAMILIES WERE NOT ABLE TO ACCESS THE FOOD THAT THEY NEEDED. SO I SUPPORT AM2582 AND LB981. THANK YOU FOR YOUR TIME. THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR HOWARD. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB981]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. TO ADDRESS SENATOR KINTNER'S CONCERNS, I ASKED MANY OF THE SAME QUESTIONS IN COMMITTEE. AND WHEN WE GOT DOWN TO WHAT HAD TO BE DONE, THEY MAY NOT HAVE HAD A RIGHT, BUT THEY DID HAVE A JUDGE ON THEIR SIDE, AND I FULLY SUPPORT THE AMENDMENT AND THE BILL. IT'S NOT SOMETHING WE MAY LIKE TO DO, BUT IT IS NECESSARY. THANK YOU, MR. PRESIDENT. [LB981]



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SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB981]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF THE AMENDMENT AND THE BILL. AND I'D JUST LIKE TO REMIND SOME OF MY COLLEAGUES THAT VIOLATING PEOPLE'S RIGHTS, WHETHER IT BE THEIR RIGHTS TO BENEFITS OR THEIR CONSTITUTIONAL RIGHTS, HAS A PRICE TAG, AND THIS IS AN EXAMPLE OF IT. THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR MORFELD. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB981]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. AND THANK YOU, SENATOR BLOOMFIELD. I APPRECIATE YOUR DILIGENCE IN LOOKING AT THIS. AND I TRUST, IF YOU'VE LOOKED AT IT, IT'S BEEN THOROUGHLY VETTED AND THE TAXPAYERS HAVE BEEN WELL REPRESENTED AND I APPRECIATE THAT. I WOULD POINT OUT TO MY FRIEND AND COLLEAGUE, SENATOR HOWARD, NO ONE IS GOING TO GO HUNGRY. WE HAVE ALMOST 100 FOOD BANKS IN THIS STATE. IF YOU DON'T GET YOUR FOOD STAMPS, IF IT TAKES YOU ANOTHER MONTH OR TWO, THERE'S PLENTY OF FOOD OUT THERE, THERE'S PLENTY OF PLACES TO GO GET IT. NO ONE IS STARVING. NO ONE IS GOING HUNGRY. THERE ARE PLENTY OF PLACES THAT YOU CAN RECEIVE HELP UNTIL YOUR COVETED FOOD STAMPS PROBLEMS GET STRAIGHTENED OUT. SO I JUST WANTED TO MAKE SURE THAT...PEOPLE DON'T GO HUNGRY HERE. THERE ARE PLENTY OF PLACES FOR FOOD. AND THE GOVERNMENT OUGHT TO BE THE LAST RESORT, NOT THE FIRST RESORT. SO I WOULD THINK THAT WE'LL WORK THIS OUT, IT WILL WORK OUT. I HATE TO THINK THAT WE HAVE TO DO THIS, AND I WOULD UNDERSTAND THAT IT'S PROBABLY BETTER TO DO IT THAN TO FIGHT IT OUT. AND THE OTHER THING I WOULD SAY TO MY COLLEAGUE SENATOR MORFELD: THESE AREN'T RIGHTS. THESE ARE OBLIGATIONS BECAUSE WE CREATED A PROGRAM. YOU DON'T HAVE A RIGHT TO SOMEONE ELSE'S MONEY. YOU DON'T HAVE A RIGHT TO SOMEONE ELSE'S HARD LABOR. THAT'S NOT A RIGHT. IT'S AN OBLIGATION BECAUSE WE CREATED A PROGRAM. LET'S NOT FORGET, OUR RIGHTS COME FROM GOD. GOD DID NOT GIVE YOU A RIGHT TO SOMEONE ELSE'S MONEY. WE HAVE AN OBLIGATION. LET'S FULFILL OUR OBLIGATION. THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR KINTNER. SENATOR HARR, YOU'RE RECOGNIZED. [LB981]

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SENATOR HARR: AM I IN THE LAST...IS THERE ANYONE ELSE IN THE QUEUE?  
[LB981]

SENATOR SCHEER: THERE ARE TWO OTHERS. [LB981]

SENATOR HARR: OKAY. WELL, I WANTED TO--AS MUCH AS IT MIGHT SURPRISE MANY OF YOU--I WANTED TO SAY WHAT SENATOR KINTNER SAID, THAT THESE WERE NOT RIGHTS. THESE ARE OBLIGATIONS AND THEY'RE OBLIGATIONS WE DO HAVE. AND IT'S PART OF BEING THE GOVERNMENT THAT WE MADE THESE RESPONSIBILITIES UPON OURSELVES AND THE FEDERAL GOVERNMENT MADE THESE. AS A MATTER OF FACT, NEBRASKA RECENTLY ON SNAP IS 95.35 PERCENT OF APPLICANTS BETWEEN APRIL AND SEPTEMBER OF LAST YEAR WERE DONE IN A TIMELY MANNER. THE FEDERAL BENCHMARK IS 85 PERCENT. AT THE TIME OF THE CASE FILING IN THIS SITUATION, ROUGHLY 30 PERCENT OF THE APPLICANTS WAITED BEYOND THE FEDERALLY MANDATED TIME LINE TO RECEIVE BENEFITS AND ASSISTANCE. TO PUT THAT IN TERMS EVERYONE CAN UNDERSTAND, SINCE WE LIKE RANKINGS, THAT PUT US IN DEAD LAST PLACE. IT WAS AN ABSOLUTE EMBARRASSMENT. AND WE AS A STATE SHOULD STRIVE TO DO BETTER, AND I'M HAPPY TO SAY WE ARE DOING BETTER. AT THE PEAK, WAIT TIMES WERE 23 MINUTES; NOW THEY'RE DOWN TO AN AVERAGE OF 4 MINUTES. AND AS I STATED, WE HAVE A SUCCESS RATE WAY ABOVE THE FEDERALLY MANDATED AMOUNT WHICH, BY THE WAY, SHOULD BE THE FLOOR, NOT THE CEILING. SO I WANT TO COMMEND THOSE IN DHHS WHO ARE DOING A GOOD JOB, WHO ARE MAKING SURE THAT THE OBLIGATIONS OF THE STATE ARE MET. THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR HARR. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB981]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. SENATOR KINTNER, WOULD YOU YIELD TO A QUESTION? [LB981]

SENATOR SCHEER: I DON'T SEE SENATOR KINTNER, SENATOR BOLZ. [LB981]

SENATOR BOLZ: WELL, SENATOR KINTNER REPRESENTS A PORTION OF OTOE COUNTY. AND I GREW UP IN OTOE COUNTY AND I STILL ATTEND CHURCH IN OTOE COUNTY. I ATTEND THE PALMYRA PRESBYTERIAN CHURCH. A GROUP OF CHURCHES IN OTOE COUNTY--THE LUTHERAN CHURCH, THE METHODIST CHURCH, THE PRESBYTERIAN CHURCH--FOUR OR FIVE YEARS AGO STARTED THE

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FOOD BANK OF WESTERN OTOE COUNTY BECAUSE, COLLEAGUES, HUNGER IS REAL. AND JUST TWO MONTHS AGO MY MOM CALLED ME AND SHE SAID, KATE, WE NEED PEANUT BUTTER. AND I SAID, YOU NEED WHAT, MAMA? AND SHE SAID, KATE, WE NEED PEANUT BUTTER, I CAN'T KEEP FOOD ON THE SHELVES, WE NEED PEANUT BUTTER, WE NEED TOILET PAPER, WE NEED TUNA, WE NEED VEGETABLES, WE NEED MILK, WE NEED DIAPERS. SO I STAND ON THIS FLOOR, SENATOR KINTNER, I STAND ON THIS FLOOR REPRESENTING THE PEOPLE OF YOUR DISTRICT WHO ARE HUNGRY. AND YOU'RE NOT ONLY INACCURATE, YOU'RE NOT HERE. SO I APPLAUD SENATOR HARR AND I APPLAUD SENATOR HOWARD FOR THEIR INCREDIBLE WORK TO MAKE SURE THAT PEOPLE ARE FED IN THIS STATE, THAT THE HUMAN NEED FOR FOOD IS RESPONDED TO. SO, SENATOR KINTNER, I WOULD WELCOME YOU TO DONATE TO THE WESTERN OTOE COUNTY FOOD BANK, TO HELP US SERVE THERE, BECAUSE HUNGER IS REAL AND HUNGER IS IN YOUR DISTRICT AND IT'S IN MY DISTRICT AND IT'S IN ALL OF OUR DISTRICTS. THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR BOLZ. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB981]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, PARAPHRASING THE "BIBBLE": IF I DID NOT SPEAK, MY RIGHT ARM WOULD LOSE HER CUNNING AND MY TONGUE WOULD CLEAVE TO THE ROOF OF MY MOUTH. NOW ONE OF THE BIGGEST MOOCHERS IN THIS PLACE--NOW HE CAN GET MAD AT WHAT I SAY--HAD THE NERVE TO SAY THAT NOBODY IS GOING HUNGRY BECAUSE HE'S NOT. I'M GOING TO STOP PUTTING THOSE DOUGHNUTS THAT I GET ON HIS DESK. AND HE SLURPS THEM UP LIKE A BENDIX VACUUM CLEANER. IF HE BURPED, YOU'D SMELL ON HIS BREATH THE FREE FOOD THAT HE PROBABLY SLURPED UP FROM THE LOBBYISTS. THEY SAY THAT LEFTISTS HAVE NEVER SEEN A TAX THAT THEY DON'T LIKE. HE'S NEVER SEEN A FREE MEAL THAT HE DIDN'T RUN TO. WHY, HE HAS MORE HOMING INSTINCTS TO THOSE FREE MEALS THAN THE SWALLOWS WHO RETURN TO CAPISTRANO EVERY YEAR. IF I GOT AS MUCH FREE FOOD AS SENATOR KINTNER, I'D BE AS BIG AS SENATOR KINTNER. AND I COULD NOT SPONGE AND MOOCH AND SLURP UP FREE FOOD FROM THE LOBBYISTS, THEN BEGRUDGE POOR PEOPLE, HUNGRY PEOPLE SOME FOOD AND THEN SAY, NOBODY'S HUNGRY, BECAUSE HE'S NOT HUNGRY. LET THE LOBBYISTS FEED THESE POOR PEOPLE, THESE HUNGRY PEOPLE LIKE THEY FEED SENATOR KINTNER AND, BY THE WAY, MY OTHER COLLEAGUES. THEN HE COULD TALK ABOUT PEOPLE ARE HUNGRY BECAUSE THEY WANT TO BE HUNGRY. IF I SAW A FAMILY AND BOTH MEMBERS WERE AS CHUNKY, AS ROTUND AS SENATOR KINTNER BUT THE LITTLE CHILDREN, I COULD SEE THEIR RIBS, I WOULDN'T SAY

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BECAUSE THEY GOT TWO FAT PARENTS, THE CHILDREN SHOULD GO HUNGRY. THAT IS ONE OF THE CRAZIEST THINGS I HAVE HEARD. AND IF I SOUND INCENSED, I AM. THOSE KIND OF WORDS CAN BE SAID ON THIS FLOOR AND IT'S GOOD THEY ARE BECAUSE THEY EXPOSE WHAT THE SPEAKER IS. THEN HE HAS THE NERVE TO BE UPSET BECAUSE I SAY HE USES BUNGLESOME LANGUAGE AND HE'S GOING TO DEPRIVE, DENY HUNGRY PEOPLE FOOD. IN THE "BIBBLE" YOU'LL READ STORIES ABOUT GLEANERS. YOU KNOW WHAT PEOPLE IN THOSE DAYS HAD TO DO? WHEN THEY HARVESTED THEIR FOOD, THEY HAD TO LEAVE A CERTAIN AMOUNT IN THE FIELD FOR THOSE WHO WERE HUNGRY. THAT'S IN THE "BIBBLE." THEN ON THIS FLOOR, IN 2016, WE HAVE A PERSON WHO IS AMONG THOSE I REFER TO AS MOOCHERS, SPONGERS, "CAPTAIN LUNCH HUNTERS," LIEUTENANT HUNGRIES," TALKING ABOUT DENYING HUNGRY PEOPLE FOOD AND WHAT DO THEY THINK, THEY GOT A RIGHT TO IT? THEY DON'T HAVE A RIGHT TO FOOD. THEY HAVE A RIGHT TO BE HUNGRY. HE'S LIKE SCROOGE: HAVE THEY NO POORHOUSES? HAVE THEY NO WORKHOUSES? THAT'S WHY I SAY YOUR PRAYERS ARE WORTHLESS, USELESS, BLASPHEMOUS, SACRILEGIOUS, AND AN ODOR IN THE NOSTRILS OF ANY BEING, IF THERE BE A SUPERNATURAL BEING, WHO HAS TO TOLERATE THAT. I SAW A CARTOON AND THIS ANGEL WAS TELLING A DEPICTION OF GOD, YOU DID PROMISE NOT TO SEND THE FLOOD AGAIN, BUT YOU DIDN'T PROMISE NOT TO SEND DINOSAURS. DINOSAURS WOULDN'T EAT WHAT'S HERE. THEY'D SAY, MY STOMACH CAN'T HANDLE THAT. [LB981]

SENATOR SCHEER: ONE MINUTE. [LB981]

SENATOR CHAMBERS: I CAN EAT CARRION. I CAN EAT POISON. I CAN EAT ROCKS. BUT THAT THAT'S IN THAT NEBRASKA LEGISLATURE TURNED MY STOMACH. AND I SAY WHAT I HAVE TO SAY IN THE FACE OF THE ONE WHO IS HERE, NOT BE HERE SOMEPLACE SAFE TALKING ABOUT PEOPLE OUT THERE. I WILL ALWAYS SPEAK FOR THOSE WHO HAVE NO VOICE AND I'LL DO IT FIERCELY, FEROCIOUSLY, UNAPOLOGETICALLY. AND THE SPEAKER SPARED ALL OF YOU ALL EMBARRASSMENT BY NOT ALLOWING MY RESOLUTION, TURNING DOWN THOSE MEALS FROM THE LOBBYISTS, UNTIL THE VERY END OF THE LEGISLATURE BECAUSE HE KNOWS, LIKE TODAY, YOU'RE GOING TO RUN OVER THERE AND EAT. YOU'RE GOING TO BE SPONGING AND MOOCHING ALL THE REST OF THE SESSION. HE KNOWS THAT. BUT THE PUBLIC KNOWS ALSO. AND THAT WOULDN'T BOTHER ME SO MUCH... [LB981]

SENATOR SCHEER: TIME, SENATOR. [LB981]

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SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. AND, SENATOR CHAMBERS, YOU ARE ACKNOWLEDGED AGAIN. [LB981]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THAT WAS THE CHAMBERS WITHOUT A HEART SPEAKING. NOW LET ME ASSUME THE ROLE OF ONE OF THESE PEOPLE WHO HAS A HEART. YOU KNOW, THERE ARE PEOPLE WHO GET UP AND THEY GO TO WORK EVERY DAY TO MAKE MONEY, AND THEY DON'T EXPECT WHEN THEY MAKE THAT MONEY TO HAVE SOMEBODY ELSE TAKE THAT MONEY FROM THEM. AND I'M NOT TALKING ABOUT A ROBBER WHO IS MAKING A GOOD, HONEST LIVING FOR A ROBBER. I'M TALKING ABOUT THOSE NE'ER-DO-WELLS WHO COULD WORK AND WON'T WORK, WHO COULD FEED THEIR CHILDREN BUT WON'T FEED THEIR CHILDREN, WHO COULD GET OUT AND GET A JOB. THERE ARE PLENTY OF JOBS IN NEBRASKA. NEBRASKA HAS THE THIRD LOWEST UNEMPLOYMENT RATE IN THE COUNTRY. SO THERE SHOULD NOT BE ANY HUNGRY PEOPLE IN NEBRASKA, NOT ONE. AND IF THEY'RE HUNGRY, IT'S THEIR OWN FAULT. THERE SHOULD BE NO SICK PEOPLE IN NEBRASKA. THAT'S HOW THEY CAN AVOID HAVING TO SEEK MEDICAL CARE THAT THEY CAN'T PAY FOR. IN THE SAME WAY THAT NANCY REAGAN SAID, JUST SAY NO TO DRUGS, WE NEED SOME OF THAT GOOD OLD REAGAN COMPASSIONATE CONSERVATISM. JUST SAY NO TO SICKNESS. DON'T GET SICK. DON'T GET CANCER. DON'T BE AFFLICTED WITH ALZHEIMER'S. WHO DO YOU THINK YOU ARE BECAUSE YOU GET ALZHEIMER'S? WHY, THAT COULD BE A PUNISHMENT FROM THE LORD. AND DON'T SAY YOU DIDN'T DO ANYTHING WRONG, BECAUSE THE LORD SAID HE WOULD PUNISH DOWN TO THE THIRD AND FOURTH GENERATION. SENATOR HILKEMANN MAY NOT LIKE THIS BUT HE KNOWS IT'S TRUE. THE "BIBBLE" SAYS THAT. EXCUSE ME--THE BIBLE SAYS IT. AND LET ME TELL YOU SOMETHING ELSE THE BIBLE SAID FOR YOU BLEEDING HEARTS. HE WILL PUNISH THOSE WHO ARE INNOCENT. THE FATHERS HAVE EATEN SOUR GRAPES AND THE CHILDREN'S TEETH ARE SET ON EDGE. SO IF THE FATHERS ARE LUCKY ENOUGH TO LEAVE THIS WORLD BEFORE THEIR PUNISHMENT BUT THEY LEFT OFFSPRING, THOSE OFFSPRING WILL BE PUNISHED. THEY BREATHE THE SAME AIR MOLECULES AS THOSE WRONGDOING PARENTS. THEY SHARE THE SAME GENETIC MAKEUP AS THOSE WRONGDOING PARENTS. AND WHETHER PEOPLE LIKE IT OR NOT, WRONGDOING IS IN THE BLOOD. JESSE JAMES AND FRANK JAMES WERE NO GOOD. THEIR DADDY WAS NO GOOD. THEIR GRANDDADDY WAS NO GOOD. AND AS FAR BACK AS YOU CAN GO INTO ANTIQUITY, THOSE WHO ARE NAMED JAMES AND THOSE WHOSE NAME WOULD BE JAMES, WHETHER IT WAS SEAMUS OR SOME OTHER VERSION, THEY WERE NO GOOD AND THEY DESERVE TO BE

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PUNISHED. AND THE LORD SAID, I WILL BRING THE PUNISHING ROD, AND I WILL AFFLICT THEM SORE FOR THE WRONG THAT THEY HAVE DONE. I'M LOOKING FOR THE DAY WHEN OUR "BROTHER" KINTNER WILL STAND BEHIND THAT PODIUM UP THERE AND DELIVER THE MORNING PRAYER. THERE'S NONE MORE CAPABLE, NONE MORE WORTHY, AND A LIVING EXAMPLE. AND WHAT IS NEEDED TODAY MORE THAN ANYTHING ELSE, BROTHERS AND SISTERS, THOSE OF YOU WHO ARE SAVED AND THOSE OF YOU WHO ARE NOT,... [LB981]

SENATOR SCHEER: ONE MINUTE. [LB981]

SENATOR CHAMBERS: ...IS AN EXAMPLE. AND WHO CAN FIND FAULT WITH ANYTHING "BROTHER" KINTNER DOES? IF THERE'S A LINE THAT'S STRAIGHT, HE WILL WALK A STRAIGHTER. I CAN JUST HEAR THE ANGELS CHEERING, PLYING THEIR PINIONS TO FLY CLOSER TO GET A FRONT-ROW SEAT TO HEAR "BROTHER" KINTNER HOLD FORTH. ALL THE DEPARTED SOULS IN THE GRAVEYARDS WILL GET UP AND WALK IN ORDER THAT THEY MIGHT SAY, HALLELUJAH. SO I HOPE "BROTHER" KINTNER WILL NOT WITHHOLD FROM US THE BLESSINGS OF HIS DEVOTIONS ON ONE OF THESE MORNINGS. I THINK YOU ALL WERE JUST FED ENOUGH BALONEY TO FEED EVERY HUNGRY PERSON, NOT ONLY IN NEBRASKA, BUT ANYWHERE IN THE WORLD. BUT SOMETIMES IT'S NECESSARY. [LB981]

SENATOR SCHEER: TIME, SENATOR. [LB981]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. AND, SENATOR CHAMBERS, THIS IS YOUR THIRD TIME. [LB981]

SENATOR CHAMBERS: I KNOW IT. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, YOUNG SENATOR MELLO PERSUADED ME TO LEAVE THE BUDGET BILLS ALONE. I DIDN'T SAY ANYTHING ON THAT OTHER ONE, BUT AS I'D WALK THROUGH THE HALLS AND I WOULD MEET PEOPLE IN MY PASSINGS TO AND FRO, I WOULD SAY, THEY SEEM TO BE DOING WELL ENOUGH--IN TERMS OF TAKING A LOT OF TIME ON THE BUDGET BILL--WITHOUT ANY PARTICIPATION FROM ME. AND THERE WILL PROBABLY BE OTHER THINGS IN THE BUDGET BILLS THAT WILL BE DISCUSSED AND THEY OUGHT TO. THESE ARE VERY TRYING, SERIOUS TIMES. WHEN YOU CAN SEE LEADERS ENCOURAGING PEOPLE TO INFLICT VIOLENCE ON OTHER PEOPLE, THEN DISAVOWING ANY RESPONSIBILITY, THAT LETS LOOSE AN ATTITUDE IN THE COUNTRY AND IT ENCOURAGES THE KIND OF

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CONDUCT AND ACTION THAT IS NOT SOUGHT AFTER IN A CIVILIZED, ORDERLY SOCIETY. I WANT DONALD TRUMP TO WIN THE "REPELICAN" NOMINATION. AND I HAD SAID BEFORE THEY STARTED DOING IT THAT ALL THESE PEOPLE RUNNING AGAINST HIM HAD, IN FACT, ENDORSED HIM AND EVERYTHING THAT HE WAS AND STOOD FOR BY SAYING, IF HE GETS THE NOMINATION, I WILL SUPPORT HIM. THAT MEANS THEY SUPPORT EVERYTHING HE STANDS FOR. I THINK HE WOULD BE GOOD FOR AMERICA BECAUSE HE WOULD STRIP AWAY THE MANTLE OF HYPOCRISY. THERE WAS AN AMERICAN LEADER CONDEMNING A PERSON WHO WAS SUPPOSED TO BE A TYRANT--AND I WON'T CALL HIS NAME. AND THE TYRANT SAID TO THIS GREAT AMERICAN: AT LEAST WE DON'T HAVE TO CONTEND WITH THE LABEL OF HYPOCRISY AND HYPOCRITE; WE DON'T CLAIM TO BE A DEMOCRACY; WE DON'T CLAIM THAT ALL PEOPLE ARE CREATED EQUAL; WE DON'T CLAIM ANY OF THAT, BUT WE REFLECT MORE OF THAT THAN YOU DO IN AMERICA WHERE YOU MAKE ALL THESE CLAIMS. SOMETIMES WHEN A PERSON IS PROJECTING GREAT RIGHTEOUSNESS, RELIGION, HOLINESS, JUDGMENTALNESS OF THOSE WHO HAVE NO VOICE, WHO CANNOT SPEAK FOR THEMSELVES, THEN YOU KNOW WHAT IT IS YOU'RE DEALING WITH: SOMEBODY WEARING A COSTUME TO CONCEAL WHAT HE REALLY IS. SO DONALD TRUMP IS JUST THE ETHOS OF AMERICA. HE IS THE ALTER EGO OF AMERICANA. HE IS PUTTING FRONT AND CENTER WHAT "REPELICANS" HAVE ADVOCATED FOR YEARS AND DECADES AND NOW IT'S JUST A MATTER OF THE CHICKENS COMING HOME TO ROOST. DON'T RUN THOSE CHICKENS AWAY. LET THEM ROOST. YOU SOW THE WIND, YOU REAP THE WHIRLWIND. AND NOTHING ANYBODY SAYS IS GOING TO MAKE ANY DIFFERENCE. MR. TRUMP IS IMPERVIOUS TO ANY CRITICISM. IT MAKES HIM NO DIFFERENCE. HE HAS CORRECTLY AND PROPERLY EVALUATED THE AMERICAN PSYCHE. HE IS NOT ONE OF THOSE WHO WILL EVER OVERESTIMATE OR UNDERESTIMATE THE GULLIBILITY OF THE AMERICAN PUBLIC, BECAUSE AS A BUSINESSMAN HE LEARNED THAT. HE SET UP SOMETHING CALLED A UNIVERSITY WHERE YOU DIDN'T GET ANYTHING AND THEY GAVE A LOT OF MONEY,... [LB981]

SENATOR SCHEER: ONE MINUTE. [LB981]

SENATOR CHAMBERS: ...SET UP A PROGRAM WHERE HE WAS OBNOXIOUS AND EVERYBODY WATCHED IT, SET UP A MISS AMERICA CONTEST. PEOPLE GRUMBLED AND SAID THEY'RE "THINGIFYING" WOMEN AND EVERYBODY WATCHED IT. HE KNOWS WHAT AMERICA IS. AND ALL HE NEEDS TO DO NOW IS WEAR A FLAG SUIT--RED, WHITE, AND BLUE--BUT HE DOESN'T WANT TO BE TOO BLATANT WITH IT. HE WANTS TO BE SUBTLE. IF THERE'S ONE THING I CAN SAY ABOUT DONALD TRUMP, HE IS SUBTLE, VERY SUBTLE, NOTHING DIRECT. YOU

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HAVE TO THINK AND KNIT YOUR BROW TO FIGURE OUT WHAT HE'S SAYING AND WHAT HE'S GETTING AT. THANK YOU, MR. PRESIDENT. IT HAS BEEN AN ENJOYABLE AFTERNOON FOR ME SO FAR. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. (VISITORS INTRODUCED.) SENATOR HARR, YOU'RE RECOGNIZED TO CLOSE ON YOUR AMENDMENT TO THE COMMITTEE AMENDMENTS. [LB981]

SENATOR HARR: THANK YOU, MR. PRESIDENT. AND THANK YOU, MEMBERS, FOR THE LIVELY DEBATE ON THIS ISSUE. IT IS VERY IMPORTANT, AS YOU SEE WHEN WE JUST PASSED THE BUDGET. WE CAN APPROPRIATE ALL THE FUNDS WE WANT. BUT AS SENATOR COASH SAID EARLIER, YOU CAN'T BUY GOOD LEADERSHIP. AND THIS IS WHAT HAPPENS WHEN YOU HAVE POOR LEADERSHIP. WE HAVE TO PAY NOT ONLY FOR...WE HAVE TO PAY LEGAL FEES. AND THESE INDIVIDUALS SUE BECAUSE WE DO HAVE OBLIGATIONS AS A GOVERNMENT. AND SENATOR KINTNER IS EXACTLY RIGHT. IT'S NOT A RIGHT. IT IS AN OBLIGATION. BUT IT IS AN OBLIGATION. AND WHEN WE DON'T FOLLOW WHAT WE'RE SUPPOSED TO DO, OUR OBLIGATIONS, THIS IS WHAT HAPPENS. THIS AMENDMENT IS FOR \$230,000 FOR ATTORNEY FEES. THE GREATER COSTS ARE THOSE INDIVIDUALS WHO HAD TO WAIT FOREVER ON THE PHONE AND WHO WERE HUNGRY AND COULD NOT RECEIVE FOOD. THAT'S THE REAL COST. I'M GLAD TO SEE THAT DHHS HAS TURNED THE CORNER, THAT IT'S DOING GREAT THINGS. I'M MERELY THE MESSENGER ON THIS BILL. I DID NOT NEGOTIATE THE SETTLEMENT. THAT WAS DONE WITH THE ATTORNEY GENERAL AND THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, WITH THE INDIVIDUALS WHO SUED IN THIS CASE. WITH THAT, I WOULD ASK FOR YOUR SUPPORT ON AM2582. THANK YOU. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR HARR. THE QUESTION IS, SHALL THE AMENDMENT TO THE COMMITTEE AMENDMENT TO LB981 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL THOSE VOTED THAT WISH TO? RECORD, MR. CLERK. [LB981]

CLERK: 35 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE AMENDMENT TO THE COMMITTEE AMENDMENTS. [LB981]

SENATOR SCHEER: THE AMENDMENT IS ADOPTED. MR. CLERK, THERE'S AN AMENDMENT TO THE COMMITTEE AMENDMENT? [LB981]



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CLERK: SENATOR HARR WOULD MOVE TO AMEND WITH AM2579. (LEGISLATIVE JOURNAL PAGE 987.) [LB981]

SENATOR SCHEER: SENATOR HARR, YOU ARE WELCOME TO OPEN ON YOUR AMENDMENT. [LB981]

SENATOR HARR: THANK YOU, MR. PRESIDENT. TO FOLLOW UP ON THE THEME EARLIER, I TALKED ABOUT POOR LEADERSHIP. THIS AMENDMENT EXISTS BECAUSE OF POOR LEADERSHIP AND THAT POOR LEADERSHIP WAS BY ME. AND I HAVE TO EAT A LITTLE CROW HERE. THIS AMENDMENT WAS ORIGINALLY PART OF THE CLAIMS BILL. WHEN WE MET IN COMMITTEE, I WAS NOT PROPERLY PREPARED. AND THIS IS A WRITE-OFF FOR THE LOTTERY FUNDS. AT THE TIME WE DISCUSSED IT, I MISTAKENLY SAID THAT THIS MONEY WOULD COME OUT OF GENERAL FUNDS. THIS IS A CASH-FUNDED ORGANIZATION. THIS COMES OUT OF THE CASH FUNDS. SO, WITH THAT, I WILL READ THE AMENDMENT AND I WOULD LIKE TO AGAIN APOLOGIZE TO MY FELLOW MEMBERS OF THE BUSINESS AND LABOR COMMITTEE FOR NOT BEING PROPERLY PREPARED. SO AM2579 INCLUDES WRITE-OFF REQUESTS FROM THE LOTTERY DIVISION OF THE DEPARTMENT OF REVENUE FOR \$10,936.86. THIS WRITE-OFF REQUEST RECOVERS SOME BAD DEBTS FROM 2009, '10, '11, AND '12. THE LOTTERY SELLS SCRATCH TICKETS AND LOTTO TICKETS IN THE REGULAR COURSE OF BUSINESS. THEY SELL THE LOTTERY PRODUCTS THROUGH A NETWORK OF ABOUT 1,200 RETAILERS WHICH ARE LOCATED THROUGHOUT THE STATE. THE WRITE-OFF REQUEST THIS YEAR COVERS EIGHT RETAILERS THAT BUSINESS CLOSED DUE TO BANKRUPTCY OR SIMPLY CLOSING DOORS WITHOUT ASSETS. THESE ASSETS OUTSTANDING ARE NOT INDIVIDUAL GAMBLING DEBTS BUT ARE DEBTS OWED TO THE LOTTERY AS SUPPLIERS, SIMILAR TO A SODA SUPPLIER OR A FUEL SUPPLIER AT A CONVENIENCE STORE. THE LOTTERY DIVISION SUBMITS A WRITE-OFF REQUEST USUALLY EVERY OTHER YEAR. THIS IS THE LOWEST REQUEST SINCE FISCAL YEAR 2010. IN 2014, THE REQUEST WAS APPROXIMATELY \$16,000. IN 2012, THE REQUEST WAS APPROXIMATELY \$21,000. AND IN 2010, IT WAS \$19,500. THIS REQUEST WAS INCLUDED IN THE ORIGINAL, AND I WOULD...IN THE ORIGINAL BILL AND I WOULD ASK FOR YOUR SUPPORT. A LITTLE MORE BACKGROUND, WHEN THE LOTTERY...WHEN A STORE ORIGINALLY SELLS LOTTERY TICKETS, THEY'LL ASK THAT STORE FOR A BOND. IF THE STORE IS STILL IN BUSINESS AND THERE HAVEN'T BEEN ANY BAD DEBTS FOR TWO YEARS, THEY WILL THEN NO LONGER REQUIRE THAT STORE TO CARRY A BOND AND WITH THE HOPE THAT THEY'VE SET A GOOD BUSINESS RECORD. AND OBVIOUSLY THERE ARE OCCASIONS WHERE THIS MONEY IS NOT COLLECTED. BUT AGAIN, THIS IS FROM

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THEIR OWN CASH FUND. THIS IS NOT GENERAL FUND DOLLARS. WITH THAT, I WOULD ASK FOR YOUR SUPPORT FOR AM2579. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR HARR. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB981]

SENATOR BLOOMFIELD: THANK YOU AGAIN, MR. PRESIDENT. WHEN WE THOUGHT THIS WAS COMING OUT OF GENERAL FUNDS, I STRONGLY OPPOSED THE STATE MAKING UP THAT DIFFERENCE. SINCE IT'S COMING OUT OF THEIR CASH FUND, I'LL GO ALONG WITH SENATOR HARR ON THIS. IT JUST TIDIES THINGS UP A LITTLE BIT AGAIN. THOSE THAT HAD THE PROBLEM ARE PAYING FOR THE PROBLEM, SO WE JUST AS WELL DO IT. THANK YOU. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR BLOOMFIELD. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB981]

SENATOR CHAMBERS: MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, SENATOR HARR, CONTINUING IN MY RATHER SOUR MOOD, THIS REALLY CAN BE DESCRIBED IN THE SAME WAY YOU WOULD A BUNCH OF THIEVES FALLING OUT AND THERE WAS SOMETHING THAT DIDN'T GO RIGHT, SO THEY JUST KIND OF GET TOGETHER AND SMOOTH IT OVER AMONG THEMSELVES. BLUNTLY, WOULD THAT BE SIMILAR? [LB981]

SENATOR SCHEER: SENATOR HARR, WOULD YOU YIELD? [LB981]

SENATOR HARR: YES, I WOULD. WELL, I MAY NOT BE AS ELOQUENT AS YOU ARE, BUT WHAT I WOULD SAY IS THIS IS A SITUATION WHERE YOU HAD...MOST OF THESE ARE VALID BUSINESSES THAT FOR ONE REASON OR ANOTHER ARE NOT ABLE TO PAY ALL THEIR BILLS WHEN THEY COMPLETE DOING BUSINESS. MAYBE SOME OF IT IS THROUGH THIEVERY. BUT I THINK FOR THE VAST MAJORITY, THESE ARE HONEST BUSINESSPEOPLE WHO JUST CAN'T PAY THEIR DEBTS. [LB981]

SENATOR CHAMBERS: BUT THEY ARE ALL IN THE SAME ACTIVITY, THEY KNOW WHAT MIGHT HAPPEN, IT DOES NOT TAKE ANY OF THEM BY SURPRISE, AND NO REAL PRODUCT IS BEING SOLD, IS IT? [LB981]

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SENATOR HARR: I THINK WE'RE SELLING DREAMS WHEN WE SELL LOTTERY TICKETS. [LB981]

SENATOR CHAMBERS: IF YOU WIN, BUT A NIGHTMARE IF YOU DEAL WITH REALITY ALSO, WOULD YOU AGREE WITH THAT? [LB981]

SENATOR HARR: GENERALLY, YES. [LB981]

SENATOR CHAMBERS: SO NOW THAT WE'VE SET THE BACKGROUND, I'LL GO BACK TO IT AGAIN. THIS IS SIMILAR TO A BUNCH OF THIEVES KIND OF GETTING TOGETHER TO COVER FOR WHAT OTHER THIEVES MAY HAVE DONE SO THAT THE THIEVERY CAN CONTINUE ROLLING ALONG THIEVING, MORE OR LESS. [LB981]

SENATOR HARR: THOSE ARE YOUR WORDS, NOT MINE. [LB981]

SENATOR CHAMBERS: DO YOU THINK THEY WOULD, FROM THE STANDPOINT OF ME SAYING THEM, WOULD DESCRIBE IN MY WAY, ACCURATELY, WHAT HAS TAKEN PLACE? [LB981]

SENATOR HARR: OH, I DON'T KNOW IF I'D ACCEPT THE UNDERLYING SUPPOSITION OF YOUR QUESTION. I DON'T THINK THIS IS THIEVERY BECAUSE THE PEOPLE BUY IT VOLUNTARILY. IT'S NOT...THE MONEY IS NOT BEING STOLEN FROM THEM. THEY VOLUNTARILY TURN OVER THIS MONEY IN HOPES OF RECEIVING THE DREAM OF A LARGE PAYOUT. [LB981]

SENATOR CHAMBERS: I UNDERSTAND. NOW IT'S LIKE THIS WOMAN--AND I READ THE COMIC STRIPS--SHE WAS VERY, VERY DEPRESSED AND SHE WAS TALKING TO HER HUSBAND. THEN SHE BRIGHTENED AND SHE SAID, YOU KNOW, WHEN NOTHING SEEMED TO BE GOING RIGHT, I GOT THIS DELIGHTFUL LETTER FROM A NIGERIAN PRINCE. SUCH SCHEMES AS THAT ARE NOT AGAINST THE LAW, ARE THEY? [LB981]

SENATOR HARR: I THINK THAT ONE IS AGAINST THE LAW. [LB981]

SENATOR CHAMBERS: IT IS AGAINST THE LAW? [LB981]

SENATOR HARR: I BELIEVE SO, YES,... [LB981]

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SENATOR CHAMBERS: WELL, DON'T PEOPLE VOLUNTEER... [LB981]

SENATOR HARR: ...BECAUSE THERE IS NO PAYOUT AT THE END. [LB981]

SENATOR CHAMBERS: BUT DON'T THESE PEOPLE VOLUNTARILY TURN THIS MONEY OVER TO THIS NIGERIAN PRINCE? THEY VOLUNTARILY DO IT, DON'T THEY? [LB981]

SENATOR HARR: ONLY...BUT THERE'S NO PAYOUT ON THE OTHER SIDE OR NO CHANCE OF RECEIVING YOUR MONEY. THAT'S WHERE THIS DIFFERENTIATES. THERE IS A CHANCE, ALBEIT VERY MINIMAL, AS I TELL MYSELF EVERY TIME I BUY ONE, BUT THERE IS A CHANCE YOU COULD WIN, BUT YOU HAVE A GREATER CHANCE OF BEING STRUCK BY LIGHTNING AS WELL. [LB981]

SENATOR CHAMBERS: IT IS WHO THAT IS INVOLVED THAT DETERMINES WHETHER WE SAY SOMETHING IS CRIMINAL OR NOT, ISN'T THAT RIGHT? [LB981]

SENATOR HARR: WELL, THAT IS... [LB981]

SENATOR CHAMBERS: WALL STREET WOULDN'T BE... [LB981]

SENATOR HARR: THAT IS CORRECT. [LB981]

SENATOR CHAMBERS: OKAY. [LB981]

SENATOR HARR: WE MAKE THE RULES, YES, THE LAWS. [LB981]

SENATOR CHAMBERS: OKAY. [LB981]

SENATOR HARR: AND WE DETERMINE WHAT ACTIONS ARE CRIMINAL AND WHAT ACTIONS ARE NOT. [LB981]

SENATOR CHAMBERS: NOW, IF I WOULD SET UP A POT OF \$30 AND I WOULD ASSUME THE ROLE OR IDENTITY OF A NIGERIAN PRINCE AND WOULD TELL THESE PEOPLE THAT I HAVE A POT OF MONEY AND ALL YOU HAVE TO DO IS SEND ME \$100 AND YOU'LL GET ALL THE MONEY OUT OF THAT POT, BUT I NEVER SAY HOW MUCH IS THERE, I HAVE NOT LIED, HAVE I? [LB981]

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SENATOR HARR: YOU HAVE NOT LIED (INAUDIBLE). [LB981]

SENATOR CHAMBERS: AND THERE'S THE POSSIBILITY OF A PAYOUT, ISN'T THERE?  
[LB981]

SENATOR HARR: THERE IS A POSSIBILITY. [LB981]

SENATOR CHAMBERS: SO THAT WOULD NOT BE A SCAM, WOULD IT? [LB981]

SENATOR HARR: OOH, YOU'RE GETTING INTO THE DETAILS THERE. I... [LB981]

SENATOR SCHEER: ONE MINUTE. [LB981]

SENATOR HARR: THAT'S A GOOD QUESTION. [LB981]

SENATOR CHAMBERS: WHAT HAVE I SAID THAT WAS NOT TRUE? [LB981]

SENATOR HARR: NOTHING YOU SAID WAS NOT TRUE. [LB981]

SENATOR CHAMBERS: I TOLD THE TRUTH. SO THEN YOU WOULD CRIMINALIZE  
TELLING THE TRUTH? [LB981]

SENATOR HARR: NO, I DIDN'T SAY THAT. [LB981]

SENATOR CHAMBERS: WELL, THEN HOW CAN YOU CALL IT A SCAM? A SCAM IS  
SOMETHING THAT'S ILLEGAL. [LB981]

SENATOR HARR: WELL, AGAIN, I MADE SOME ASSUMPTIONS. UNDER THE  
ASSUMPTIONS THAT YOU LAID OUT LATER, I DO NOT BELIEVE, WHILE IT IS A  
SCAM, I'M NOT SURE IT WOULD BE ILLEGAL. [LB981]

SENATOR CHAMBERS: WOULD YOU RATHER THAT SOMETHING LIKE THAT  
HAPPEN OR SOMEBODY DO IT THE OTHER WAY, SOMEBODY FROM ANOTHER  
COUNTRY SAYING HE IS A NIGERIAN PRINCE AND THERE'S NO POSSIBILITY OF A  
PAYOUT? [LB981]

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SENATOR HARR: WELL, I AM JUST EXCITED THAT YOU'RE A NIGERIAN PRINCE. [LB981]

SENATOR CHAMBERS: WELL, ACTUALLY, THAT'S UNDERSTATING IT. I'M ACTUALLY A KENYAN KING. [LB981]

SENATOR HARR: OKAY. WELL, THEN YOU DID LIE. [LB981]

SENATOR CHAMBERS: SO IN THIS PARTICULAR TIME, TO MAKE A POINT, I WITHHELD SOME OF WHAT WOULD MAKE IT SEEM THAT I'M EGOTISTICAL. WHEN EVERYONE WHO IS A KING VOLUNTARILY REDUCES HIMSELF TO A MERE PRINCE, IT SHOWS MODESTY. [LB981]

SENATOR SCHEER: TIME, SENATOR. [LB981]

SENATOR HARR: AND YOU ARE A HUMBLE MAN. [LB981]

SENATOR CHAMBERS: THANK YOU. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SEEING NO ONE ELSE IN THE QUEUE, SENATOR HARR, YOU'RE WELCOME TO CLOSE ON YOUR AMENDMENT. [LB981]

SENATOR HARR: THANK YOU, MR. PRESIDENT. AGAIN I WANT TO APOLOGIZE FOR THE CONFUSION AND THE TIME THAT THIS HAS TAKEN ON THE FLOOR BECAUSE I WAS NOT ADEQUATELY PREPARED. I WANT TO THANK SENATOR BLOOMFIELD FOR STATING THAT HE NOW SUPPORTS THAT. I HOPE MOST OF THE MEMBERS OF THE COMMITTEE DO AND I WOULD ASK FOR YOUR SUPPORT. AS I STATED, THIS IS OUT OF THEIR OWN CASH FUND; IT IS NOT OUT OF THE GENERAL FUND. THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR HARR. THE QUESTION IS, SHALL THE AMENDMENT TO THE COMMITTEE AMENDMENT TO LB981 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH TO? RECORD, MR. CLERK. [LB981]

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CLERK: 31 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE AMENDMENT. [LB981]

SENATOR SCHEER: THE MOTION PASSES. SEEING NO ONE ELSE IN THE QUEUE, SENATOR HARR, YOU'RE WELCOME TO CLOSE ON THE COMMITTEE AMENDMENT, AM2405. [LB981]

SENATOR HARR: THANK YOU, MR. PRESIDENT. AS I STATED EARLIER, AM2405 IS THE AMENDMENT THAT BECOMES THE BILL. THESE ARE OBLIGATIONS AND CLAIMS MADE AGAINST THE STATE IN WHICH WE HAVE AGREED THAT WE HAVE A LIABILITY. WHETHER WE WANT TO PAY THESE OR NOT, WE DO HAVE THE OBLIGATION AND I WOULD ASK FOR YOUR SUPPORT ON AM2405, WITH THE UNDERSTANDING THAT SOME OF THESE ARE PAST THAT WE HAVE...THESE OBLIGATIONS THAT WE HAVE TO PAY ARE DUE TO THE FACT THAT WE PASSED CONSTITUTIONAL LAWS THAT ARE LATER FOUND TO BE UNCONSTITUTIONAL OR THAT VIOLATE RIGHTS. SO WE MUST BE VERY, VERY CAREFUL WHEN WE LOOK TO PASS CONSTITUTIONAL AMENDMENTS THAT WE ARE NOT VIOLATING OTHER RIGHTS AND, WHEN WE PASS LAWS, THAT WE AREN'T VIOLATING OTHERS' RIGHTS BECAUSE THIS IS WHAT HAPPENS: WE HAVE PAYOUTS LIKE WE DO TODAY. THANK YOU, MR. PRESIDENT. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR HARR. THE QUESTION IS, SHALL THE COMMITTEE AMENDMENT TO LB981 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH TO? MR. CLERK. [LB981]

CLERK: 37 AYES, 0 NAYS ON THE ADOPTION OF THE COMMITTEE AMENDMENTS. [LB981]

SENATOR SCHEER: MOTION PASSES. SENATOR EBKE, YOU'RE RECOGNIZED. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB981]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, NOW I'M GOING TO JUST SAY SOMETHING ABOUT THE CONSTITUTION. I AM PLEASED THAT SENATOR HARR LAID OUT THAT CAUTION. MANY TIMES IN A LEGISLATURE, THE REALITY IS THAT PEOPLE WIND UP THERE WHO DO NOT HAVE ANY TRAINING IN THE LAW, HAVE NO CONCEPT REALLY OF WHAT A CONSTITUTION IS, AND DO NOT REALIZE IT'S SOMETHING OTHER THAN PASSING AN ORDINANCE AS A MEMBER OF A CITY COUNCIL OR A RESOLUTION AS A MEMBER OF A COUNTY BOARD OR SOME RULE

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OR REGULATION AS A MEMBER OF A SCHOOL BOARD. THE CONSTITUTION IS THE FUNDAMENTAL LAW...BASIS OF THE LAW AT THE STATE LEVEL AND AT THE FEDERAL LEVEL. THERE SHOULD BE GREAT CAUTION EXERCISED WHEN ANYTHING IS PLACED IN THAT DOCUMENT. ADDITIONS SHOULD NOT BE BASED ON WHIMS, ON FADS, ON TRANSIENT IDEOLOGICAL FOOLISHNESS. MESSAGES SHOULD NOT BE SENT BY WAY OF AMENDING THE CONSTITUTION. AND PERHAPS I DO RESPECT WHAT A CONSTITUTION IS MORE THAN EVERYBODY ELSE ON THIS FLOOR BECAUSE THE CONSTITUTION IS A DOCUMENT PEOPLE SUCH AS MYSELF HAVE HAD TO LOOK TO, TO TRY TO BE TREATED JUST WITH BASIC HUMAN DECENCY, NOT JUST BY THE RIFFRAFF OUTSIDE OF GOVERNMENT, ON THE STREET CORNERS, IN THE TAVERNS, IN THE HILLS, IN THE BACKWOODS, IN THE JERKWATER TOWNS, BUT PEOPLE WHO WEAR ROBES AND SIT ON THE BENCHES IN COURTHOUSES, PEOPLE WHO WEAR BLUE UNIFORMS, CARRY SIDEARMS, AND HAVE THE DISCRETIONARY POWER NOT ONLY TO DEPRIVE OF LIBERTY BUT TO TAKE LIFE. EVEN JUDGES DON'T HAVE A DISCRETIONARY POWER TO INFLICT DEADLY FORCE. THE PRESIDENT DOES NOT HAVE THAT POWER, NOT LEGITIMATE POWER TO DO THAT, ONLY THE POLICE. PEOPLE WHO GET DEGREES AND CREDENTIALS THAT ALLOW THEM TO STAND IN FRONT OF CLASSROOMS AS TEACHERS OF POOR PEOPLE'S CHILDREN--AND SOMETIMES CHILDREN WHOSE PARENTS ARE NOT POOR--WHO COMMIT SEXUAL ASSAULTS AND OTHER SEXUAL DEPREDATIONS AND MISCONDUCT TOWARD THESE CHILDREN, IF THERE WERE NO DOCUMENT WHOSE PURPOSE WAS TO HOLD PEOPLE ACCOUNTABLE, THERE WOULD BE NO PLACE TO WHICH TO APPEAL, NOWHERE TO GO FOR REDRESS. THIS HAS TO BE, AS THEY ASK PEOPLE WHEN THEY WANT TO BECOME CITIZENS OF THIS COUNTRY, WHAT'S THE...WHAT KIND OF GOVERNMENT IS THIS? IT'S A GOVERNMENT OF LAWS, WHERE NO PERSON IS ABOVE THE LAW. THEY HAVE TO SAY THAT. [LB981]

SENATOR SCHEER: ONE MINUTE. [LB981]

SENATOR CHAMBERS: BUT THAT'S NOT THE FACT. MANY PEOPLE ARE ABOVE THE LAW IN THE SENSE THAT THEY ARE NOT HELD ACCOUNTABLE, BECAUSE THERE'S NOBODY WHO WILL HOLD THEM TO ACCOUNT,. THERE HAS TO BE THAT DOCUMENT. AND PEOPLE IN MY SITUATION MUST USE RIDICULE, WE MUST USE SHAMING, WE MUST MAKE COMPARISONS TO TYRANNICAL GOVERNMENTS TO SHOW THAT THEY OUTDO AMERICA WHEN IT COMES TO TREATING PEOPLE WITH A BASIC DIGNITY. WOMEN HAVE TO POINT OUT HOW HYPOCRITICAL IT IS TO SAY THAT WOMEN IN THIS COUNTRY HAVE THE SAME RIGHTS AS PRIVILEGED WHITE MALES. SO THEY MIGHT HAVE TO POINT TO A COUNTRY WHERE WOMEN ARE



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NOT ALLOWED TO DRIVE CARS, WHERE THEY CAN BE THE VICTIMS OF WHAT ARE CALLED HONOR KILLINGS... [LB981]

SENATOR SCHEER: TIME, SENATOR. [LB981]

SENATOR CHAMBERS: ...BECAUSE THE MALE FAMILY MEMBER THINKS SHE DID SOMETHING THAT BROUGHT SHAME TO THE FAMILY. [LB981]

SENATOR SCHEER: TIME, SENATOR. [LB981]

SENATOR CHAMBERS: BUT THESE... [LB981]

SENATOR SCHEER: YOU MAY CONTINUE, SENATOR CHAMBERS. [LB981]

SENATOR CHAMBERS: THESE PEOPLE WHO SAY THEIR HONOR WAS BESMIRCHED ARE IN FACT PEOPLE WHO DON'T EVEN KNOW THE MEANING OF HONOR. SO YOU WILL FIND ALL TYPES OF GROUPS IN THIS COUNTRY CALLING AMERICAN OFFICIALS' AND LEADERS' ATTENTION TO WHAT THEY ARE CONDEMNING IN OTHER COUNTRIES WHILE SOMETHING VERY SIMILAR IS HAPPENING TO SIMILARLY PLACED PEOPLE IN THIS COUNTRY. SO I BECOME A FIERCE DEFENDER OF THE CONSTITUTION. IT SHOULD NOT BE TRASHED AND DEBASED WITH THINGS SUCH AS HUNTING, TRAPPING, FISHING, OR THE SO-CALLED RIGHT TO FARM. THESE ARE NOT MATTERS THAT SHOULD BEFOUL THE CONSTITUTION. AND IF PEOPLE HAD AN UNDERSTANDING OF WHAT THAT DOCUMENT IS FOR AND ANY RESPECT FOR IT, SUCH THINGS WOULDN'T EVEN BE BROUGHT TO THIS LEGISLATURE. BUT THE OUTSIDE FORCES THAT BRING THEM KNOW THAT THE SENATORS ARE NOT MINDFUL. THEY ARE EASILY DUPED, DELUDED, BAMBOOZLED, AND SOME ARE WILLING TO TAKE HANDOUTS TO BEFOUL THE CONSTITUTION. SO I WILL DO AS I'VE DONE IN THE PAST. WHEN THINGS LIKE THAT COME BEFORE US, I WILL FIGHT FANG AND CLAW TO KEEP THIS LEGISLATURE FROM PUTTING SUCH THINGS BEFORE THE PUBLIC FOR A VOTE. AND AS FOR THAT NOTION OF NOT TRUSTING THE PUBLIC, YOU BETTER BELIEVE I DON'T TRUST THE PUBLIC, BECAUSE I DON'T TRUST SOME OF MY COLLEAGUES IN HERE. THAT APPEAL TO THE PUBLIC IS ALWAYS MADE BY THOSE WHOSE CAUSE HAS NO BASIS IN FACT OR RATIONALITY. AND I AM NOT ENGAGING IN EXTENDED DEBATE TO DELAY THESE BILLS. THEY'RE GOING TO MOVE. BUT YOU ALL HAD A LOT OF TALKING GOING ON. I DIDN'T EVEN SHOW UP IN THE CHAMBER BUT I WAS WATCHING YOU AND LISTENING TO YOU, AND EVEN WRITING SOME RHYMES, BELIEVE IT OR NOT, BASED ON WHAT I WAS HEARING.

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BUT THE CONSTITUTION IS SOMETHING ENTIRELY DIFFERENT FROM THE LAWS. THE CONSTITUTION ITSELF IS ABOVE THE LAWS. THE CONSTITUTION DOESN'T HAVE TO COMPLY WITH THE LAW. THE LAW HAS TO COMPLY WITH THE CONSTITUTION. AND SOME PEOPLE HAD SENSE ENOUGH TO REALIZE THAT FICKLE, CORRUPTIBLE MEN WITH FEET OF CLAY--AND THEY ALWAYS WERE MEN AT THE BEGINNING WHO STARTED ALL OF THIS--COULD NOT BE TRUSTED, BECAUSE THEY WORK WITH THESE MEN AND KNEW THAT THE ONES THEY WERE WORKING WITH WERE NOT TRUSTWORTHY. SO SOMETHING HAD TO BE IN PLACE TO RESTRAIN THEM. BUT EVEN WITH THOSE FINE RESTRAINING WORDS, THERE ARE PEOPLE WHO WILL DISREGARD THEM, AS MY PEOPLE HAVE FOUND OUT THROUGHOUT HISTORY IN THIS COUNTRY. SO WHENEVER THE ISSUE OF THE CONSTITUTION COMES UP, I'M GOING TO HAVE SOMETHING TO SAY ABOUT IT. I, MANY YEARS BEFORE ANYBODY ELSE DID IT, BROUGHT LEGISLATION TO LEGALIZE WHAT IS NOW CALLED SAME-SEX MARRIAGES, BECAUSE I CAN SEE AND I CAN THINK. BUT I GUESS MAYBE I WAS A LITTLE AHEAD OF MY TIME OR TIME WAS A LITTLE BEHIND ME. I WAS INVITED TO CONGRESS TO SPEAK AGAINST THE DEFENSE OF MARRIAGE ACT AND I SPOKE LEARNEDLY AND WELL AGAINST IT. THEN THE UNITED STATES SUPREME COURT WENT ALONG WITH WHAT I SAID, NOT BECAUSE I SAID IT, BUT WHAT I SAID WAS RIGHT AND THEY DID WHAT WAS RIGHT. AND NEBRASKA, WHICH HAD AMENDED ITS CONSTITUTION IN SPITEFULNESS, IN HATRED, IN INTOLERANCE, HAD TO BE SLAPPED DOWN. AND THOSE KINDS OF MESSAGES, AS THEY'RE CALLED, SHOULD NOT BEFOUL THE CONSTITUTION. MANY BAD THINGS HAPPENED HERE WHEN I WASN'T IN THE LEGISLATURE. IS THAT BOASTFULNESS? CALL IT WHAT YOU WANT TO. THE FACT IS THAT IT'S TRUE. THEY COULDN'T GET HUNTING, TRAPPING, AND FISHING INTO THE CONSTITUTION WHILE I WAS HERE. FOR OVER A DECADE THEY COULD NOT GET LETHAL INJECTION LEGALIZED WHILE I WAS HERE. AND I TOLD THEM WHY THEY WOULDN'T GET IT. [LB981]

SENATOR SCHEER: SENATOR CHAMBERS, YOUR TIME IS UP. YOU'RE THE LAST IN THE QUEUE. THIS IS YOUR THIRD TIME. [LB981]

SENATOR CHAMBERS: THANK YOU, MR. PRESIDENT. THERE WAS A TIME WHEN FORMER SENATOR AND FORMER SPEAKER BRASHEAR, BEFORE HE CAME TO A KNOWLEDGE OF THE TRUTH, WANTED TO GET LETHAL INJECTION. GOVERNORS WANTED IT, ATTORNEYS GENERAL, AND I STOPPED EVERY ONE OF THEM. AND I TOLD THEM THAT IF I HOLD OUT, THE DAY WILL COME WHEN NEBRASKA IS THE ONLY STATE THAT WILL HAVE ELECTROCUTION AS ITS MEANS OF EXECUTION AND IT WILL BE STRUCK DOWN AS CRUEL AND UNUSUAL PUNISHMENT. THESE ARE THE THINGS IN THE RECORD THAT I COMPILE ON THIS FLOOR. I TALK ON

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THIS FLOOR FOR A REASON, AND I MENTION I WANT TO COMPILE A RECORD. BUT IT'S NOT ACCEPTED AT THE TIME BECAUSE I'M DEALING WITH PEOPLE WHO CAN'T LOOK PAST ME AND THE COLOR OF MY SKIN. I KNOW THAT. YOU ALL KNOW IT. THERE'S NO NEED IN PRETENDING. WHEN I WAS THE ONLY ONE HERE, ARTICLES WOULD START, OR SOMEWHERE IN IT, "THE ONLY BLACK MEMBER OF THE LEGISLATURE," "THE ONLY AFRICAN-AMERICAN IN THE LEGISLATURE." AND MY RACE HAD NOTHING TO DO WITH THE STORY BUT THEY FELT THE NEED TO PLAY THE RACE CARD. BUT IF I MENTIONED THAT, THEY'D SAY, CHAMBERS, YOU'RE PLAYING THE RACE CARD. WELL, WHY DON'T THEY SAY SENATOR GROENE, THE WHITE-HAIRED MAN, WHO IS WHITE, BY THE WAY, SITTING NEXT TO SENATOR HILKEMANN, THE WHITE-HAIRED MAN, AND ON HIS LEFT, THE GRAY-HAIRED MAN NAMED SENATOR GARRETT, WHO IS A WHITE MAN? YOU ALL SAY I'M TOO SENSITIVE. NO, I'M SENSIBLE AND YOU DON'T WANT ME TO CALL THINGS LIKE THEY ARE. BUT I WILL. BUT REMEMBER, WHEN I TALK ABOUT OUR TREATING THE CONSTITUTION WITH PROPER RESPECT, IT'S A CONSTITUTION YOUR FOREBEARS WROTE, NOT MINE. WHEN THE U.S. CONSTITUTION WAS WRITTEN, MINE WERE OWNED LIKE COWS, PIGS, AND CHICKENS, AND YOU DID NOT ALLOW COWS, PIGS, AND CHICKENS TO SIT IN ON THE CONSULTATIONS OF THE GREAT WHITE MEN WHO HAD NO RESPECT FOR WHITE WOMEN. WHITE WOMEN PROBABLY THOUGHT THEY COULD VOTE WHEN THE CONSTITUTION CAME INTO BEING. BLACK MEN GOT THE RIGHT TO VOTE BEFORE WHITE WOMEN. AND SOME OF THE WHITE WOMEN CRITICIZED THAT: YOU'RE GOING TO LET THEM VOTE BEFORE WE VOTE? THEY FELT, BECAUSE OF THE WAY AMERICA OPERATED, THEY HAD TO PUT SOMEBODY ELSE DOWN TO TRY TO RAISE THEMSELVES UP. AND THAT'S THE NOTION OF DIVIDING AND CONQUERING, INSTEAD OF LETTING PEOPLE WHO HAVE SIMILAR INTERESTS RECOGNIZE IT, BAND TOGETHER, REALIZE THAT IN UNITY THERE IS STRENGTH AND IN NUMBERS THERE IS POWER. THAT WILL NEVER HAPPEN IN THIS COUNTRY. BUT THAT DOES NOT MEAN IT SHOULD NOT BE ASPIRATIONAL. SO I HAVE ASPIRATIONS FOR THE NEBRASKA CONSTITUTION, AND I INTEND TO FIGHT FANG AND CLAW--I USE THAT IN HONOR OF MY FELINE FRIENDS--TOOTH AND NAIL, TO ACKNOWLEDGE MY RELATIONSHIP TO THE HOMO SAPIENS, WHO COULD BE CALLED "HOMO" BUT LEAVE OFF THE "SAPIENS." OH, THAT'S RIGHT, YOU CAN'T BE CALLED HOMO, HUH, BECAUSE THAT MEANS SOMETHING ELSE. THE HETERO SAPIENS, HOW ABOUT THAT? THE HETERO SAPIENS--NOW EVERYBODY'S HAPPY. MR. PRESIDENT, THANK YOU VERY MUCH. [LB981]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR HARR, YOU'RE WELCOME TO CLOSE ON LB981. [LB981]

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SENATOR HARR: THANK YOU, MR. PRESIDENT. THANK YOU, SENATOR CHAMBERS, FOR THOSE WORDS. AS THE BALD SENATOR WOULD LIKE TO SAY, I WOULD ASK FOR YOUR SUPPORT ON LB981. THANK YOU. [LB981]

SENATOR SCHEER: YOU'VE HEARD THE CLOSING. THE QUESTION IS, SHALL LB981 MOVE TO E&R INITIAL? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH TO? RECORD, MR. CLERK. [LB981]

CLERK: 35 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADVANCEMENT OF THE BILL. [LB981]

SENATOR SCHEER: THE BILL ADVANCES. MR. CLERK FOR ANNOUNCEMENTS. [LB981]

CLERK: MR. PRESIDENT, A NEW A BILL, LB977A. (READ LB977A BY TITLE FOR THE FIRST TIME.) SENATOR SULLIVAN WOULD LIKE TO PRINT IN AN AMENDMENT TO LB930, SENATOR CAMPBELL TO LB698A. SENATOR SCHNOOR OFFERS A NEW RESOLUTION, MR. PRESIDENT, LR484. THAT WILL BE LAID OVER AT THIS TIME. THAT'S ALL THAT I HAVE. (LEGISLATIVE JOURNAL PAGES 988-989.) [LB977A LB930 LB698A LR484]

SENATOR SCHEER: MR. CLERK, WE'LL PROCEED TO GENERAL FILE, LB960. [LB960]

CLERK: MR. PRESIDENT, LB960, WAS A BILL ORIGINALLY INTRODUCED BY SENATOR SMITH AT THE REQUEST OF THE GOVERNOR. (READ TITLE.) INTRODUCED ON JANUARY 14, REFERRED TO THE APPROPRIATIONS COMMITTEE, ADVANCED TO GENERAL FILE. THERE ARE COMMITTEE AMENDMENTS PENDING, MR. PRESIDENT. (AM2418, LEGISLATIVE JOURNAL PAGE 911.) [LB960]

SENATOR SCHEER: THANK YOU, MR. CLERK. SENATOR SMITH, YOU'RE RECOGNIZED TO OPEN ON LB960. [LB960]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND GOOD AFTERNOON, COLLEAGUES. LB960 WOULD ALLOW FOR THE ADOPTION OF THE TRANSPORTATION INNOVATION ACT. FIRST I'D LIKE TO THANK SENATOR BRASCH FOR MAKING MY BILL HER PERSONAL PRIORITY BILL THIS SESSION. I GREATLY APPRECIATE WORKING WITH SENATOR BRASCH THIS YEAR. AND THEN I WANT

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TO THANK THE APPROPRIATIONS COMMITTEE FOR RECOGNIZING HOW VITAL INVESTING IN OUR TRANSPORTATION INFRASTRUCTURE IS IN MOVING OUR STATE FORWARD. DURING THE FEBRUARY 16 HEARING THE COMMITTEE MEMBERS SPENT HOURS LISTENING CAREFULLY TO THE TESTIMONY, TESTIMONY THAT INCLUDED 20 PROPONENTS REPRESENTING A NUMBER OF DIFFERENT ASSOCIATIONS, GOVERNMENTAL SUBDIVISIONS, AND BUSINESSES OF ALL SIZES. THE BILL WAS ADVANCED UNANIMOUSLY BY THE APPROPRIATIONS COMMITTEE WITH A COMMITTEE AMENDMENT WHICH I THINK MAKES THIS GOOD BILL EVEN BETTER. I WANT TO COMMEND THE MEMBERS OF THE APPROPRIATIONS COMMITTEE FOR THEIR...ALL OF THEIR HARD WORK AND I'D LIKE TO ALSO THANK THE ADMINISTRATION FOR ITS STRONG SUPPORT OF THIS LEGISLATION. LB960 IS DEFINITELY THE PRODUCT OF A COLLABORATIVE EFFORT AND I BELIEVE IT WILL BE A POLICY THIS LEGISLATURE AND THIS STATE CAN BE VERY PROUD OF. IN MY OPENING I WILL GIVE A BRIEF OVERVIEW OF THE BILL AND THEN SENATOR MELLO WILL FOLLOW WITH THE COMMITTEE AMENDMENT, WHICH, AGAIN, I FULLY SUPPORT. FROM A 30,000-FOOT VIEW, THE TRANSPORTATION INNOVATION ACT WILL MAXIMIZE FUNDING OPPORTUNITIES THROUGH THE ESTABLISHMENT OF THE TRANSPORTATION INFRASTRUCTURE BANK. IT WILL REDUCE PRESSURE ON DESIGNATED AND PROGRAM PROJECTS SUCH AS THE LINCOLN SOUTH BELTWAY. IT WILL FUND THE COMPLETION OF THE DESIGNATED BUT UNPROGRAMMED EXPRESSWAYS IN OUR STATE, INCLUDING HIGHWAY 275, HIGHWAY 81, AND SOME OF 75 SOUTH OF OMAHA. IT WILL ALSO ASSIST WITH THE NONDESIGNATED ROADWAYS IN OUR STATE THAT ARE NOT PROGRAMMED, INCLUDING THE HEARTLAND EXPRESSWAY, HIGHWAY 35 TO SOUTH SIOUX CITY, AND THE LINCOLN EAST BELTWAY. IT WILL ENCOURAGE STATE AND COUNTY PARTNERSHIPS TO BRING DILAPIDATED BRIDGES UP TO STANDARD AND IT WILL STIMULATE ECONOMIC GROWTH THROUGH THE ECONOMIC OPPORTUNITY PROGRAM. AND FINALLY, IT WILL MODERNIZE CONTRACTING METHODS THAT WILL HELP TO STRETCH OUR FUNDING DOLLARS MUCH FARTHER IN OUR STATE. AS YOU CONSIDER LB960, IT'S IMPORTANT TO LOOK AT THE BIG PICTURE, TO LOOK AT WHERE WE HAVE BEEN AND WHERE WE NEED TO GO AS A STATE AND THE STEPS WE HAVE TAKEN TO THIS POINT AND THOSE WE WILL NEED TO TAKE TO CONTINUE TO MOVE US FORWARD. NATIONALLY WE HAVE FAILED IN TAKING CARE OF OUR CRITICAL INFRASTRUCTURE. A LACK OF INVESTMENT HAS RESULTED IN COSTLY CONGESTION AND DANGEROUSLY DILAPIDATED ROADS AND BRIDGES ACROSS OUR NATION. BUT LOCALLY IT'S AN EXCITING TIME FOR NEBRASKA. WE ARE ONE OF A HANDFUL OF STATES THAT HAVE TAKEN A STRONG STAND IN ENSURING A SAFE AND RELIABLE TRANSPORTATION INFRASTRUCTURE FOR OUR CITIZENS AND FOR OUR BUSINESSES. LB960 IS THE RESULT OF INTERIM

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HEARINGS THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE CONDUCTED THROUGHOUT THE SUMMER AND ACROSS THE STATE. I WANT TO THANK THOSE COMMITTEE MEMBERS WHO SACRIFICED THEIR TIME AND COMMITTED THEIR TIME TO HEAR DIRECTLY FROM NEBRASKA COMMUNITIES, AS DID ORGANIZATIONS SUCH AS NACO, THE LEAGUE OF MUNICIPALITIES, 4 LANES 4 NEBRASKA, THE AMERICAN COUNCIL OF ENGINEERING COMPANIES, AND THE ASSOCIATION OF GENERAL CONTRACTORS, AND ALSO THE CHAMBERS OF COMMERCE. I APPRECIATE YOU FOLLOWING US ACROSS THE STATE, FROM BELLEVUE TO LINCOLN TO CRETE TO NORFOLK, GRAND ISLAND, AND ALL THE WAY TO SCOTTSBLUFF, WHERE I WAS PLEASED TO HAVE SENATOR STINNER JOIN US. WITHOUT SENATOR STINNER'S SUPPORT AND WITHOUT SENATOR SCHEER'S SUPPORT AND INPUT, THIS COMPREHENSIVE FUNDING BILL WOULD NOT HAVE BEEN POSSIBLE, AND I GREATLY APPRECIATE BOTH OF THOSE SENATORS. THEY ARE NOT MEMBERS OF THE TRANSPORTATION COMMITTEE, BUT THEY ARE SOMEWHAT OF ADOPTED MEMBERS OF OUR TRANSPORTATION COMMITTEE, GREATLY APPRECIATE THEIR HELP. AT THOSE HEARINGS, WE HEARD FROM FAMILIES AND BUSINESSES, FROM ENGINEERS AND BUILDERS, AND FROM LOCAL CITY AND COUNTY OFFICIALS. WE HEARD THAT ROADS AND BRIDGES ARE CRITICAL TO OUR STATE, CRITICAL TO THE LIVES OF FAMILIES, AND CRITICAL TO THE MOVEMENT OF GOODS AND COMMERCE. AND WE HEARD VERY DIRECTLY AND VERY CLEARLY THAT WE NEED TO ACCELERATE THE COMPLETION OF OUR EXPRESSWAYS AND THE REPAIR OF OUR DEFICIENT BRIDGES. LB960 IS NOT AN ALTERNATIVE TO WHAT WE HAVE DONE THUS FAR. IT'S NOT A SUBSTITUTE FOR THE BUILD NEBRASKA ACT. AND I WANT TO UNDERSCORE THAT: IT IS NOT A SUBSTITUTE FOR THE BUILD NEBRASKA ACT, AND IT'S NOT A REPLACEMENT FOR THE ACTIONS WE TOOK LAST YEAR. IT'S IN ADDITION TO THOSE THINGS. IT'S A NECESSARY STEP IF WE WANT TO PULL OUR STATE OUT OF THE RUT OUR CRITICAL TRANSPORTATION INFRASTRUCTURE HAS FALLEN INTO, DUE TO MANY YEARS OF INACTION. IN 1988, THE NEBRASKA LEGISLATURE PROMISED THE CITIZENS OF THIS STATE WE WOULD BUILD THE NEBRASKA EXPRESSWAY SYSTEM TO CONNECT OUR COMMUNITIES, FROM EAST TO WEST, NORTH TO SOUTH, TO GIVE EVERY NEBRASKAN ACCESS TO OUR HIGHWAYS AND OUR BYWAYS. NEARLY 30 YEARS LATER THAT PROMISE HAS NOT BEEN FULFILLED. WITH \$10.2 BILLION IN 20-YEAR MAINTENANCE NEEDS ALONE, IT'S OBVIOUS OUR TRADITIONAL FUNDING SYSTEM WAS NOT SUFFICIENT. AND IN 2011 THE LEGISLATURE PASSED LB84, THE BUILD NEBRASKA ACT. THAT ACT HAS RESULTED IN AN ESTIMATED \$60 MILLION A YEAR DEDICATED TO THE EXPRESSWAY SYSTEM, FEDERALLY DESIGNATED HIGH-PRIORITY CORRIDORS, AND OTHER NEW HIGH-PRIORITY CONSTRUCTION PROJECTS FOR THE STATE HIGHWAY SYSTEM. YET, EVEN WITH THESE EXTRA FUNDS, TODAY OVER \$600

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MILLION IN EXPRESSWAY PROJECTS REMAIN UNFINISHED AND UNFUNDED. THE INFRASTRUCTURE BANK CREATED UNDER LB960 WILL ALLOW ACCESS OF THE CASH RESERVE AND THE STATE'S PORTION OF THE MOTOR FUEL REVENUE TAX TO HELP FULFILL OUR COMMITMENTS AND TO SET US ON THE RIGHT PATH TO MEET OUR INFRASTRUCTURE NEEDS. THE INTENT OF THE LEGISLATION IS TO SEE THE COMPLETION OF THE DESIGNATED EXPRESSWAY SYSTEM BY JUNE 30 OF 2033. THE BILL ALSO REQUIRES NDOR TO PROVIDE ANNUAL UPDATES OF THE PROGRESS TO COMPLETE THE EXPRESSWAY SYSTEMS. OTHER CRITICAL ELEMENTS OF OUR STATE'S TRANSPORTATION INFRASTRUCTURE THAT HAVE BECOME DANGEROUSLY DILAPIDATED ARE OUR COUNTY BRIDGES. AS YOU HEARD LAST YEAR'S DEBATE, NEBRASKA HAS THE SEVENTH HIGHEST PERCENTAGE OF STRUCTURALLY DEFICIENT RURAL BRIDGES IN THE NATION. IT'S BEEN ESTIMATED IT WOULD COST UPWARDS OF \$800 MILLION TO BRING OUR BRIDGES UP TO STANDARD. THROUGH THE INFRASTRUCTURE BANK THE TRANSPORTATION INNOVATION ACT WILL ACCELERATE THE REPAIR OF DEFICIENT COUNTY BRIDGES BY ESTABLISHING A VOLUNTARY COUNTY BRIDGE MATCHING PROGRAM. ADDITIONALLY, FUNDS FROM THE INFRASTRUCTURE BANK WILL HELP FINANCE TRANSPORTATION IMPROVEMENTS THAT ATTRACT AND SUPPORT BUSINESS DEVELOPMENT THROUGH THE NEWLY CREATED ECONOMIC OPPORTUNITY PROGRAM. AND THEN FINALLY, LB960 WILL PERMIT THE DEPARTMENT OF ROADS TO UTILIZE THE DESIGN-BUILD AND CONSTRUCTION MANAGER-GENERAL CONTRACTOR METHODS OF CONTRACTING STATE TRANSPORTATION PROJECTS. THIS ALTERNATIVE CONTRACTING METHOD WILL ALLOW FOR LARGE-SCALE PROJECTS TO BE DELIVERED FASTER AND IN A MORE EFFICIENT MANNER, AND HELPING TO STRETCH THOSE STATE DOLLARS FARTHER. OUR TRANSPORTATION INFRASTRUCTURE IS CRITICAL TO THE SURVIVAL OF OUR SMALLER COMMUNITIES AND THE GROWTH OF OUR STATE'S OVERALL ECONOMY. BUSINESSES AND INDUSTRIES RECOGNIZE THE QUALITY THAT A QUALITY ROAD INFRASTRUCTURE IS NECESSARY TO MOVE PRODUCE FROM FARM TO MARKET,... [LB960]

SENATOR SCHEER: ONE MINUTE. [LB960]

SENATOR SMITH: ...TO SUPPORT FREIGHT AND PRODUCT, AND TO MOVE PASSENGERS AND EMPLOYEES AND TO DO IT EFFICIENTLY AND SAFELY. AGAIN, COLLEAGUES, THIS IS AN EXCITING TIME FOR NEBRASKA. WE ARE TAKING CONTROL OF THIS ISSUE AND WE'RE MAKING A PATH FORWARD FOR INFRASTRUCTURE IMPROVEMENTS IN NEBRASKA. I THANK YOU FOR YOUR TIME TODAY. THANK YOU, MR. PRESIDENT. [LB960]

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SENATOR SCHEER: THANK YOU, SENATOR SMITH. AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE APPROPRIATIONS COMMITTEE. SENATOR MELLO, AS CHAIR OF THE COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THE COMMITTEE AMENDMENTS. [LB960]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. THE APPROPRIATIONS COMMITTEE AMENDMENT, AM2418, DOES A NUMBER OF ITEMS THAT I WILL WALK THROUGH BEFORE DISCUSSING CONCEPTUALLY CONCEPTS OF THE BILL. FIRST ITEM: IT INCORPORATES TECHNICAL CHANGES TO THE DESIGN-BUILD AND CONSTRUCTION MANAGER-GENERAL CONTRACTOR PORTIONS OF THE BILL AS SUGGESTED BY SENATOR SMITH AND THE DEPARTMENT OF ROADS. THAT WAS BROUGHT TO US AT THE HEARING. SECOND, IT REDUCES THE AMOUNT TRANSFERRED FROM THE STATE'S CASH RESERVE FUND TO THE TRANSPORTATION INFRASTRUCTURE BANK FUND FROM \$150 MILLION BETWEEN JULY 1, 2016, AND JUNE 30, 2023, TO A ONE-TIME \$50 MILLION TRANSFER IN JULY 2016. IT ELIMINATES THE PLEDGE OF \$150 MILLION OF FUEL TAXES BETWEEN JULY 1, 2016, AND JUNE 30 OF 2023, AND REPLACES IT WITH AN ACTUAL TRANSFER TO THE TRANSPORTATION INFRASTRUCTURE BANK FUND OF MORE THAN \$400 MILLION OF FUEL TAXES GENERATED BY LAST YEAR'S LB610 BETWEEN JULY 1, 2016, AND JUNE 30, 2033. THE AMOUNT OF FUNDING FOR THE COUNTY BRIDGE MATCH PROGRAM IS EARMARKED AT NO MORE THAN \$40 MILLION, AND THE SUNSET DATE IS EXTENDED FROM JUNE 30, 2019, TO JUNE 30, 2023. THE AMOUNT OF FUNDING FOR THE ECONOMIC OPPORTUNITY PROGRAM IS EARMARKED AT NO MORE THAN \$20 MILLION. IT ALSO REQUIRES THE DETAILS OF THE COUNTY BRIDGE MATCH PROGRAM AND THE ECONOMIC OPPORTUNITY PROGRAM TO BE PRESENTED TO THE APPROPRIATIONS COMMITTEE AND THE TRANSPORTATION AND TELECOMMUNICATIONS COMMITTEE BY DECEMBER 1 OF 2016. IT ALSO INSERTS LANGUAGE THAT NO PROJECT SHALL BE APPROVED THROUGH THE ECONOMIC OPPORTUNITY PROGRAM WITHOUT AN ECONOMIC IMPACT ANALYSIS PROVING POSITIVE ECONOMIC IMPACT OF FUNDING THAT PROJECT. IT PROVIDES ALSO THAT THE UNOBLIGATED BALANCE IN THE TRANSPORTATION INFRASTRUCTURE BANK FUND ON JUNE 30, 2033, SHALL BE TRANSFERRED, IF THERE IS ANY LEFT, TO THE STATE'S CASH RESERVE FUND. AND LASTLY, IT REQUIRES THE NEBRASKA DEPARTMENT OF ROADS TO ANNUALLY REPORT ON THE OUTCOME OF THE ECONOMIC OPPORTUNITY PROGRAM, INCLUDING THE GROWTH AND PERMANENT JOBS AND RELATED INCOME AND THE NET INCREASE IN OVERALL BUSINESS ACTIVITY DUE TO THE PROJECT THAT WAS FUNDED. THE BILL WAS AMENDED AND VOTED OUT OF THE APPROPRIATIONS COMMITTEE, COLLEAGUES, ON A 9-0 VOTE. THE COMMITTEE SHOWED OVERWHELMING



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SUPPORT OF SENATOR SMITH'S LB960. AS WHAT SENATOR SMITH MENTIONED, I'D LIKE TO PERSONALLY THANK HIS HARD WORK IN REGARDS TO DISCUSSING THIS BILL OVER THE LAST FEW MONTHS, AS WELL AS THANKING THE ADMINISTRATION IN THE POLICY RESEARCH OFFICE IN REGARDS TO THEIR HARD WORK OF GOING THROUGH A NUMBER OF POTENTIAL COMPROMISES AND CHALLENGES AS WE WERE WORKING THROUGH THE BILL. I THINK MORE IMPORTANTLY, COLLEAGUES, I'VE HAD A NUMBER OF CONVERSATIONS WITH MANY OF YOU THROUGHOUT THE LEGISLATIVE SESSION ABOUT THIS PARTICULAR BILL WHICH WAS INCLUDED AS PART OF THE APPROPRIATIONS COMMITTEE RECOMMENDATION. AND I THINK WHAT YOU HEARD FROM SENATOR SMITH IN HIS OPENING DOVETAILS NICELY WITH WHAT WE JUST DISCUSSED WITH THE BUDGET PROCESS, THAT THIS BILL WAS...WE TRIED TO BUILD THIS BILL THROUGH CONSENSUS AND I REALLY THINK WHAT YOU HAVE-- THROUGH THE COMMITTEE AMENDMENT, SUPPORTED BY SENATOR SMITH, SUPPORTED BY THE ADMINISTRATION, AND SUPPORTED BY THE APPROPRIATIONS COMMITTEE ON A 9-0 VOTE--SHOWS WE WORKED TOWARDS CONSENSUS TO BE ABLE TO FUND NOT ONLY WHAT WAS INITIALLY REQUESTED OF THE \$300 MILLION FOR THE TRANSPORTATION INFRASTRUCTURE BANK, BUT ACTUALLY WITH SOME OF THE CHALLENGE, SOME OF THE NEGOTIATIONS, ONGOING CONVERSATIONS, THE COMMITTEE AMENDMENT ACTUALLY INCREASES THAT OVER A TEN-YEAR PERIOD OF TIME AN ADDITIONAL \$150 MILLION. SO TOTAL, WITH THE COMMITTEE AMENDMENT, WE ARE ESSENTIALLY DESIGNATING \$450 MILLION THROUGH 2033 TO THESE THREE MAIN PROGRAMS, PRIMARILY MOST OF THE FOCUS ON THE EXPRESSWAYS, THEN THE COUNTY BRIDGE PROGRAM, AND THEN LASTLY THE CITY ECONOMIC OPPORTUNITY PROGRAM. WITH THAT, MR. PRESIDENT, I DON'T WANT TO BELABOR THE POINT. I DO KNOW SOME OF THE MEMBERS OF THE COMMITTEE DO WANT TO TALK ON ONE OTHER ITEM, AND I WOULD REITERATE WE DID DISCUSS IT DURING THE BUDGET DEBATE, WHICH IS THE UTILIZATION OF THE CASH RESERVE. AS I MENTIONED WHEN STARTING THE APPROPRIATIONS CHAIRMANSHIP IN 2013, THE CASH RESERVE STOOD AT ROUGHLY 9.5 PERCENT OF GENERAL FUND REVENUES. WITH WHAT WE DID THIS SESSION IN LIGHT OF THE COMMITTEE'S RECOMMENDATION--THAT INCLUDED LB960--WE END THE BIENNIUM WITH STILL A CASH RESERVE I THINK AT A VERY STRONG, HEALTHY BALANCE AT 14.3 PERCENT OF GENERAL FUND REVENUES. IT GOES WITHOUT SAYING THAT FUTURE LEGISLATURES, FUTURE APPROPRIATIONS COMMITTEES WILL NEED TO BE MINDFUL AND CONSISTENTLY WATCH THE UTILIZATION OF THE RESERVE WITH THE FOCUS HOPEFULLY OF CONTINUING THAT POLICY OF TRYING TO KEEP THE RESERVE NEAR 16 PERCENT. BUT WITH WHAT WE DID IN LB960 IT MAKES A VERY STRONG, LOUD, I THINK, DECLARATION THAT INFRASTRUCTURE IS

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CRITICAL RIGHT NOW IN THIS STATE. IT'S CRITICAL FOR OUR ECONOMY. IT'S CRITICAL PRIMARILY I WOULD SAY FOR A NUMBER OF COMMUNITIES THAT INVOLVE THE EXPRESSWAYS, COUNTY BRIDGES, AND OBVIOUSLY THIS NEW ECONOMIC OPPORTUNITY PROGRAM, THAT CAN BENEFIT GROWING THEIR ECONOMY LOCALLY WITH WHAT WE KNOW IS DESPERATELY NEEDED INFRASTRUCTURE FUNDING TO COMPLETE EXPRESSWAYS, COUNTY BRIDGES, AND OTHER KEY ECONOMIC PROJECTS ACROSS THE STATE. WITH THAT I'D URGE THE BODY TO ADOPT AM2418 AND ADVANCE LB960. THANK YOU, MR. PRESIDENT. [LB960 LB610]

SENATOR SCHEER: THANK YOU, SENATOR MELLO. WAITING TO SPEAK: SENATOR BOLZ, KRIST, STINNER, AND OTHERS. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB960]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. IN MY FOUR YEARS AS AN APPROPRIATIONS MEMBER ONE OF THE WORDS THAT I HAVE SAID TO MYSELF OVER AND OVER AGAIN IS BALANCE, BALANCE, BALANCE, BALANCE. WE'VE GOT TO BALANCE MULTIPLE INTERESTS, MULTIPLE FUNDING STREAMS, MULTIPLE PRESSURES. AND SO I THOUGHT VERY CAREFULLY ABOUT THIS CASH RESERVE TRANSFER AND I DO ULTIMATELY SUPPORT IT. BUT I WANT TO TALK BRIEFLY ABOUT WHAT IT MEANS TO INVEST IN INFRASTRUCTURE AND WHAT IT MEANS TO MAKE A TRANSFER OF THIS MAGNITUDE FROM THE CASH RESERVE, WHICH IS UNPRECEDENTED. I THINK IT'S IMPORTANT TO RECOGNIZE THAT THIS IS AN INVESTMENT IN OUR FUTURE ECONOMY; IT'S AN INVESTMENT IN THE FUTURE OF ECONOMIC GROWTH FOR THE STATE AS A WHOLE. SO JUST AS WE HAVE TO BALANCE THE NEEDS, WE ALSO HAVE TO LOOK CAREFULLY AT PROJECTIONS FOR THE FUTURE AND UNDERSTAND THAT THERE ARE SOMETIMES TARGETED INVESTMENTS THAT MAKE GOOD SENSE. AT THE SAME TIME, WE ALWAYS HAVE TO PROTECT OUR CASH RESERVE, AND \$50 MILLION IS A SIGNIFICANT AMOUNT. HOWEVER, WHEN WE LOOK AT SOME OF THE UNDERLYING FACTORS THAT GO INTO THE WAY THAT WE THINK ABOUT OUR BUDGET, WE LOOK AT THE REVENUE FORECAST. AND WHAT WE HEARD FROM THE REVENUE FORECASTERS THIS YEAR WAS THAT HOUSING WAS UP, EMPLOYMENT WAS STEADY, AND OVERALL THE ECONOMY WAS STEADY AS SHE GOES. THERE ARE SOME CHALLENGES IN THE AG ECONOMY BUT SOME BRIGHT SPOTS IN I.T. AND BUSINESS DEVELOPMENT AND FINANCIAL SERVICES. SO I THINK IT IS COMPLETELY CONSISTENT WITH THE IDEA AND THE VALUE OF BALANCE TO BOTH INVEST IN OUR INFRASTRUCTURE, TO TAKE A LEAP FORWARD, AND TO INVEST IN THE CATALYST THAT IS THE TRANSPORTATION INFRASTRUCTURE BANK. AND IT IS NOT INCONSISTENT WITH THE IDEA THAT WE SHOULD CONTINUE TO KEEP A

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CAREFUL, CAUTIOUS EYE ON OUR CASH RESERVE, THAT WE SHOULD PROTECT IT FOR THE FUTURE, AND THAT WE SHOULD MAKE SURE THAT OUR CASH RESERVE ALIGNS WITH WHAT WE ARE LEARNING AND WHAT WE ARE HEARING, NOT ONLY FROM THE REVENUE FORECASTING BOARD, BUT ALSO FROM OUR LOCAL COMMUNITIES ABOUT THE FUTURE AND THE ECONOMY, WHETHER IT'S AGRICULTURE IN HASTINGS OR IT'S FINANCIAL SERVICES IN OMAHA. I ALSO WILL JUST BRIEFLY REITERATE THAT ONE OF THE THINGS THAT HELPED ME GET ON BOARD WITH THE TRANSPORTATION INFRASTRUCTURE BANK WAS THE MECHANICS OF HOW THIS WILL WORK. AND SENATOR MELLO REFERENCED IT BRIEFLY, BUT I WANT TO REITERATE THAT THERE WILL BE SIGNIFICANT OVERSIGHT FROM THE APPROPRIATIONS COMMITTEE. ADDITIONALLY, WE REQUIRED THAT THE INVESTMENTS THROUGH THE ECONOMIC OPPORTUNITY PROGRAM GO THROUGH AN ECONOMIC MODELING PROGRAM LIKE REMI TO PROVE THAT THIS INITIATIVE, LIKE OTHER ECONOMIC OPPORTUNITY INITIATIVES, DO, IN FACT, HAVE THE FINANCIAL AND JOBS-RELATED BENEFITS THAT WE PERCEIVE THEM TO HAVE. SO, COLLEAGUES, I STAND IN SUPPORT OF LB960, BUT I ALSO STAND IN STRONG SUPPORT OF THE CASH RESERVE FUND AND BALANCING MULTIPLE IMPORTANT PRIORITIES FOR THE STATE IN OUR BUDGET. THAT IS ALL THAT I HAVE THIS AFTERNOON. THANK YOU, MR. PRESIDENT. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR BOLZ. SENATOR KRIST, YOU'RE RECOGNIZED. [LB960]

SENATOR KRIST: THANK YOU. THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, COLLEAGUES AND NEBRASKA. AND IT'S FORTUITOUS I WOULD FOLLOW SENATOR BOLZ, BECAUSE MY ONLY COMMENT ON THIS BILL, WHEN I WAS ASKED BY THE GOVERNOR AND BY THE ADMINISTRATION IN TERMS OF SUPPORT, I MADE IT VERY CLEAR THAT I AM FOR INFRASTRUCTURE UPGRADES AND FOR THE KINDS OF THINGS THAT HAVE BEEN NEGLECTED IN THIS STATE FOR SEVERAL, SEVERAL YEARS. I HAVE HEARD FROM MY RURAL COUNTERPARTS, COLLEAGUES, AND FROM YOUR CONSTITUENTS HOW ONE BRIDGE BEING DOWN ADDS DAYS TO A CHORE THAT SHOULD TAKE HOURS. BUT I WANT TO JUST REFER YOU, PLEASE, TO PAGE 11 OF THE APPROPRIATIONS COMMITTEE BUDGET RECOMMENDATIONS. AND I WILL ONCE AGAIN, AS I DID IN OUR LEGISLATIVE OFF-SITE AND SYMPOSIUM, AND I'VE SAID ON THIS FLOOR MANY, MANY, MANY, MANY TIMES, I WANT YOU TO FLIP BACK TO THE 2008 TIME FRAME. IN 2008, WE WERE PROJECTED ON AN UPTICK THAT THE ECONOMY LOOKED GOOD, VERY SIMILARLY TO WHAT IS HAPPENING RIGHT NOW IN OUR FINANCIAL FORECAST. AND THEN LOOK WHAT HAPPENS IN 2009: (WHISTLING

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SOUND) THAT'S A SPECIAL SESSION. THAT'S WHERE WE HAD TO CUT OVER NEARLY A BILLION DOLLARS OUT OF THE BUDGET TO MAKE THINGS HAPPEN. THAT RAINY-DAY FUND IS OUR LIVELIHOOD WHEN IT COMES TO THAT PART OF THAT GRUESOME WORLD IN TERMS OF THE UPS AND DOWNS. IT WAS POINTED OUT TO ME THIS MORNING ALSO, BY SENATOR SEILER, THAT SEEMS TO BE CYCLICAL, ABOUT EVERY EIGHT YEARS. GUESS WHERE WE ARE COMING UP HERE IN THE NEXT COUPLE YEARS? PROTECTING THAT RAINY-DAY FUND SHOULD BE IN ALL OF OUR FOCUS. WE SHOULD NOT LOSE FOCUS WITH THAT. BUT ONE MORE THING I'D LIKE TO ADD, AND IF SENATOR MELLO WOULD YIELD, I'D LIKE TO ASK HIM A QUESTION. [LB960]

SENATOR SCHEER: SENATOR MELLO, WILL YOU YIELD? [LB960]

SENATOR MELLO: OF COURSE. [LB960]

SENATOR KRIST: SO HERE IS MY POINT. YOU REFLECT THINGS IN PERCENTAGES, AND I KNOW THAT THAT'S FINANCIALLY A PERSPECTIVE THAT YOU DO IN APPROPRIATIONS. I HAVE TO CONSTANTLY COMMUNICATE TO MY FOLKS WHO ARE IN BUSINESS: WHAT DOES THAT MEAN TO US? HOW MANY DAYS ARE WE FUNDED IN CASE SOMETHING REALLY DOES GO SOUTH? SO YOU TOLD ME ABOUT A RECENT STUDY. COULD YOU JUST RECAP THAT QUICKLY FOR ME, PLEASE? [LB960]

SENATOR MELLO: WELL, I KNOW, SENATOR KRIST, AND I CAN PULL THIS UP AND GIVE IT TO YOU OFF THE MIKE, THE PEW CHARITABLE TRUSTS I KNOW HAD RUN A NUMBER OF DIFFERENT SCENARIOS THAT SHOW NEBRASKA IS ONE OF THE TOP FIVE STATES IN THE COUNTRY RIGHT NOW IN LIGHT OF WHERE OUR CASH RESERVE CURRENTLY STANDS IN REGARDS TO THE UTILIZATION AND/OR US BUILDING TOWARDS THAT 16 PERCENT. AND ACTUALLY IT WAS POINTED OUT TO ME AS WELL, NASBO, THE NATIONAL ASSOCIATION OF STATE BUDGET OFFICERS, LISTS NEBRASKA, BASED ON FISCAL YEAR 2015, AS THE FOURTH BEST RANKED STATE IN REGARDS TO HAVING 36.2 PERCENT OF OUR GENERAL FUND EXPENDITURES AS PART OF OUR BOTH CASH RESERVE, AS WELL AS OUR MINIMAL RESERVE THAT'S BUILT INTO THE BUDGET PROCESS TO USE MORE FOR CASH FLOW PURPOSES. SO THE ISSUE WAS RAISED OF WHETHER OR NOT THE STATE HAS, GIVE OR TAKE, BETWEEN 90 AND 120 DAYS OF LIQUIDITY. WE DO, BASED ON THE CASH RESERVE AND THE MINIMAL RESERVE, HAVE THAT LIQUIDITY EVEN WITH OBVIOUSLY ADOPTING LB960 MOVING FORWARD. [LB960]

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SENATOR KRIST: AND, COLLEAGUES--THANK YOU, SENATOR MELLO-- COLLEAGUES, I THINK THAT'S REALLY IMPORTANT. I CAN COMMUNICATE BACK TO MY SMALL AND LARGE BUSINESSES AND CORPORATIONS WE HAVE AND WE HAVE THAT 90-DAY CASH RESERVE THAT WE NEED TO SUSTAIN. PLEASE VOTE IN FAVOR OF AM2418 AND, OF COURSE, THE UNDERLYING LB960. AND I'D YIELD THE REST OF MY TIME TO SENATOR CAMPBELL IF SHE'D LIKE IT. [LB960]

SENATOR SCHEER: SENATOR CAMPBELL, YOU'RE YIELDED 1:20. [LB960]

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. I WANTED TO GIVE A SHOUT-OUT TO FORMER SENATOR TIM GAY. IN THE SECOND YEAR THAT I WAS IN THE LEGISLATURE, SENATOR GAY SAID, LET'S SPEND THIS SUMMER AND LET'S DEVELOP AN INFRASTRUCTURE BANK. OUR INFRASTRUCTURE BANK LOOKS PRETTY RUDIMENTARY COMPARED TO WHAT SENATOR SMITH, THE TRANSPORTATION AND APPROPRIATIONS CAME UP WITH. FINANCING ROADS IS WHAT I CALL LONG-TERM PLANNING AND LONG-TERM FINANCING, AND IT IS CERTAINLY REPRESENTED IN THE BILL BEFORE US, AND WOULD URGE YOUR SUPPORT OF THE UNDERLYING AMENDMENT AND THE MAINLINE BILL. THANK YOU, MR. PRESIDENT. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR CAMPBELL, MELLO, AND KRIST. SENATOR STINNER, YOU'RE RECOGNIZED. [LB960]

SENATOR STINNER: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, I STAND IN SUPPORT OF LB960 AND ITS AM2418. I DO WANT TO THANK SENATOR SMITH FOR HIS BULL-DOGGED DETERMINATION RELATIVE TO THIS BILL. I ALSO WANT TO THANK TRANSPORTATION COMMITTEE FOR CONDUCTING A COMPREHENSIVE STUDY OF THE STATE OF NEBRASKA'S HIGHWAY SYSTEM THIS SUMMER. AND CERTAINLY I WANT TO THANK GOVERNOR RICKETTS FOR MAKING THIS A PRIORITY AND AN INITIATIVE TO GROW NEBRASKA. NEBRASKA'S THREE LARGEST INDUSTRIES--AGRICULTURE, MANUFACTURING, AND TOURISM--ALL RELY ON A GOOD TRANSPORTATION SYSTEM TO BE SUCCESSFUL. THE MAIN FOCUS OF LB960 IS ON CREATING AN INFRASTRUCTURE BANK FOR THE COMPLETION OF THE DESIGNATED EXPRESSWAY SYSTEM AND FEDERALLY DESIGNATED HIGH-PRIORITY CORRIDORS. I'M NOT SURE ANYTHING THAT WE DO AS LEGISLATORS CAN BE ANY MORE IMPACTFUL ON OUR ECONOMY, BOTH IN THE SHORT AND LONG TERM, THAN EXPRESSWAY CONSTRUCTION AND COMPLETION OF THIS LONG-PROMISED ROADWAYS. IT WAS DESCRIBED TO ME ONCE THAT THESE

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EXPRESSWAYS WERE LIKE ARTERIES THAT PUMP BLOOD TO BADLY NEEDED AREAS. THEY ARE MONEY PIPELINES, PROVIDING BOTH SHORT- AND LONG-TERM ECONOMIC BENEFITS TO THE REGIONS. THE \$450 MILLION INITIATIVE, COUPLED WITH LB610 TAX FUNDS OF \$50 MILLION FLOWING ANNUALLY TO OUR CITIES AND COUNTIES, ALONG WITH \$70 MILLION FROM THE FEDERAL HIGHWAY PROGRAM OVER THE NEXT FIVE YEARS, WILL BE JUST THE STIMULUS WE NEED IN OUR STATE TO OFFSET OUR SAGGING AG ECONOMY. IN MY DISTRICT, THE HEARTLAND EXPRESSWAY IS THE MIDDLE SECTION OF THE LARGER GREAT PLAINS INTERNATIONAL TRADE CORRIDOR THAT EXTENDS FROM MEXICO TO CANADA, AND IS A MEMBER OF A MULTISTATE INTERNATIONAL ROUTE ALLIANCE WITH THE THEODORE ROOSEVELT EXPRESSWAY IN THE NORTH AND SOUTH DAKOTA TO CANADA, AND THE PORTS OF THE PLAINS CORRIDOR THAT EXTENDS FROM LIMON, COLORADO, TO MEXICO. CONGRESS, IN THE FEDERAL TRANSPORTATION EQUITY ACT FOR THE 21st CENTURY, DESIGNATED THIS ENTIRE ROUTE AND THESE THREE ORGANIZATIONS AS ONE OF 45 HIGH-PRIORITY CORRIDORS IN THE NATIONAL HIGHWAY SYSTEMS ACT IN 1998. IN MY DISTRICT, THE HEARTLAND EXPRESSWAY IS CRITICAL TO THE PANHANDLE OF NEBRASKA. THERE ARE PEOPLE IN MY DISTRICT AND THROUGHOUT OUR STATE WHO HAVE WAITED FOR OVER 30 YEARS FOR THIS PROJECT TO BE COMPLETED. I BELIEVE IT IS TIME TO ACCELERATE NEBRASKA AND GET THESE PROJECTS COMPLETED. PLEASE VOTE GREEN ON LB960 AND AM2418. THANK YOU. [LB960 LB610]

SENATOR SCHEER: THANK YOU, SENATOR STINNER. WAITING TO SPEAK: SENATOR SULLIVAN, FRIESEN, PANSING BROOKS, JOHNSON, AND OTHERS. SENATOR SULLIVAN, YOU'RE RECOGNIZED. [LB960]

SENATOR SULLIVAN: THANK YOU, SENATOR SCHEER. GOOD AFTERNOON, COLLEAGUES. WHEN I FIRST LEARNED OF LB960, I WAS SHYING AWAY FROM IT QUITE ACTIVELY BECAUSE I JUST COULDN'T SEE REALISTICALLY TAKING THAT MANY DOLLARS OUT OF THE CASH RESERVE. SO I REALLY AM PLEASED AND COMMEND THE...COMPLIMENT THE TRANSPORTATION COMMITTEE AND APPROPRIATIONS COMMITTEE FOR THEIR HARD WORK IN CRAFTING SOMETHING THAT I DO SUPPORT RIGHT NOW. BUT ALONG THOSE LINES, AND I'M ALWAYS LOOKING OUT FOR WHAT KINDS OF BENEFITS THIS MEANS FOR RURAL NEBRASKA, PARTICULARLY MY DISTRICT, SO I WAS VERY PLEASED TO SEE THE COMPONENT ABOUT THE COUNTY BRIDGE MATCHING PROGRAM, BUT DO HAVE A FEW QUESTIONS AND I WONDERED IF SENATOR SMITH WOULD BE SO KIND AS TO YIELD. [LB960]

SENATOR SCHEER: SENATOR SMITH, WOULD YOU PLEASE YIELD? [LB960]

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SENATOR SMITH: YES, I WILL. [LB960]

SENATOR SULLIVAN: THANK YOU, SENATOR SMITH. FIRST OF ALL, I BELIEVE \$40 MILLION IS DESIGNATED. BUT IS THAT FOR THE...TO BE SPREAD OUT OVER THE COMPLETE TIME UNTIL SUNSET OF THIS BILL? [LB960]

SENATOR SMITH: THROUGH 2023 FOR THE MATCHING FUNDS FOR THE BRIDGES. [LB960]

SENATOR SULLIVAN: AND WHILE IT'S VOLUNTARY, THEN IS THERE GOING TO BE SOME ATTEMPT TO APPORTION THAT OUT OVER TIME OR DO THEY...IS IT JUST FIRST COME, FIRST SERVE? OR HOW EXACTLY ARE THOSE DOLLARS GOING TO BE DISTRIBUTED? [LB960]

SENATOR SMITH: SENATOR SULLIVAN, NDOR WILL WORK WITH NACO TO PUT TOGETHER A PLAN FOR EXACTLY WHAT THAT LOOKS LIKE, AND THAT PLAN WILL COME BACK BEFORE THE APPROPRIATIONS COMMITTEE AND THE TRANSPORTATION COMMITTEE BEFORE DECEMBER 1 OF THIS YEAR. AND I BELIEVE THAT THE ACTUAL LOGISTICS AS TO HOW THAT MONEY WILL BE SPREAD OUT OVER TIME WILL BE BROUGHT TO US AT THAT TIME. [LB960]

SENATOR SULLIVAN: ONE OF THE THINGS THAT I'VE RUN INTO IN MY DISTRICT, AND TRULY THERE ARE MANY CRITICAL COUNTY BRIDGE PROJECTS THAT ARE IN NEED, DESPERATE NEED, BUT A COUPLE THAT I'VE BEEN INVOLVED IN SINCE I'VE BEEN DOWN HERE, ONE IN PARTICULAR, IT WAS JUST...THE REQUIREMENTS WERE SO ONEROUS THAT THE COUNTY ENDED UP SPENDING SO MUCH MORE THAN THEY REALLY NEEDED TO, TO PUT IN A REASONABLE ACCOMMODATION, WHETHER IT WOULD BE A BRIDGE OR A CULVERT. SO IS THERE ANY DISCUSSION ON HOW TO MAKE THESE PROJECTS MORE MANAGEABLE AND FISCALLY RESPONSIBLE? [LB960]

SENATOR SMITH: YES, SENATOR SULLIVAN, I BELIEVE THAT THAT DISCUSSION WILL BE ONGOING, AND I BELIEVE THAT THAT WILL TAKE PLACE DURING THE INTERIM PERIOD OF TIME TO COME BACK WITH THAT PARTICULAR PLAN. [LB960]

SENATOR SULLIVAN: AND LASTLY, I KNOW THAT THIS DOESN'T CONNECT...PERTAIN TO THE COUNTY BRIDGE PROGRAM, BUT THE ECONOMIC

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OPPORTUNITY PROGRAM, CAN YOU GIVE ME AN EXAMPLE OF WHAT YOU MIGHT SEE OF SOME OF THE PROJECTS THAT WOULD BE PRIORITIZED? [LB960]

SENATOR SMITH: SURE. SENATOR SULLIVAN, SOMETIMES IN OUR CITIES OR OUR MORE POPULATED AREAS THERE MAY BE AN INFRASTRUCTURE-RELATED PROJECT THAT COULD BE AN INTERCHANGE OR A SPUR THAT IS NEEDED BY A PARTICULAR BUSINESS TO MAKE A PARTICULAR PIECE OF LAND MORE REASONABLE FOR DEVELOPMENT. AND OFTENTIMES THE CITY DOES NOT HAVE ENOUGH MONEY TO BE ABLE TO CONTRIBUTE TOWARDS THAT PROJECT TO MAKE IT FEASIBLE FOR THE BUSINESS THAT IS BRINGING THE JOBS. THIS IS A PLACE WHERE THEY CAN APPLY AND POSSIBLY RECEIVE MATCHING FUNDS TO HELP WITH MAYBE TAKING A LOW-VOLUME INTERCHANGE AND MAKING IT A HIGH-VOLUME INTERCHANGE OR DEVELOPMENT OR CREATING A SPUR. [LB960]

SENATOR SULLIVAN: THANK YOU. WILL THERE BE ANY ATTEMPT TO SPREAD THAT BENEFIT AROUND, ACROSS THE STATE, AND PARTICULARLY OUT TO RURAL COMMUNITIES THAT MIGHT BE WANTING TO DO THE SAME THING? [LB960]

SENATOR SMITH: ABSOLUTELY. AND WE WOULD HOPE THAT THIS WOULD BENEFIT ALL POPULATED AREAS ACROSS THE STATE. YOU'RE ABSOLUTELY RIGHT. OUR RURAL COMMUNITIES NEED IT AS MUCH AS OUR MAJOR POPULATION AREAS. [LB960]

SENATOR SCHEER: ONE MINUTE. [LB960]

SENATOR SMITH: AND SO THAT WILL BE DEVELOPED DURING THIS INTERIM PERIOD, AS WELL, AS EXACTLY HOW THOSE SELECTIONS ARE MADE. [LB960]

SENATOR SULLIVAN: THANK YOU, SENATOR SMITH, FOR ANSWERING THOSE QUESTIONS. AND AGAIN, I STAND IN SUPPORT OF AM2418 AND LB960. THANK YOU. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR SMITH. THANK YOU, SENATOR SULLIVAN. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB960]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I THINK AT THIS POINT EVERYBODY WILL RECOGNIZE THE IMPORTANCE OF LB610 AND THE INCREASE IN THE GAS TAX THAT WE DID LAST YEAR. ALTHOUGH I WOULD HAVE RATHER



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SEEN \$100 MILLION PULLED OUT OF THE CASH RESERVE, I WILL SETTLE FOR \$50 MILLION. WHEN YOU LOOK AT THE INFRASTRUCTURE AT THIS STATE AND HOW FAR BEHIND WE ARE--AND I DO FEEL THAT MAINTAINING OUR INFRASTRUCTURE IS ONE OF THE CORE RESPONSIBILITIES OF THE STATE--I THINK THIS BILL COVERS A LOT OF THAT TERRITORY. WHEN WE LOOK AT WHAT IT DOES FOR COUNTIES AND FOR THE CITIES, THAT'S A MINOR PIECE OF THE LARGE PUZZLE THAT THIS ACCOMPLISHES. WE'VE BEEN WORKING ON THE EXPRESSWAY SYSTEM FOR A LOT OF YEARS, AND IT'S BEEN AT A COMPLETE STANDSTILL NOW FOR OVER TEN YEARS. I THINK THE CITIZENS OF THE STATE HAVE EXPECTED THAT TO GET FINISHED AND I THINK AT THIS TIME NOW IT WILL FINALLY GET FINISHED, ALTHOUGH WE'RE GOING TO HAVE TO WAIT. THIS CAN'T ALL BE DONE AT ONCE. THERE IS AT LEAST A PLAN IN PLACE NOW THAT FINISHES THE PROJECT. WHEN WE TALK ABOUT ECONOMIC DEVELOPMENT FOR RURAL NEBRASKA, WITHOUT ROADS, WITHOUT GOOD ROADS, BRIDGES, WE HAVE A TREMENDOUS DIFFICULTY IN ATTRACTING COMPANIES TO COME OUT. SO THIS...TO ME THIS IS CRITICAL FOR ECONOMIC DEVELOPMENT FOR THE RURAL NEBRASKA, BUT THIS IS STILL ONLY A SMALL PIECE OF THE PUZZLE WHEN WE LOOK AT OUR TAX POLICY GOING FORWARD IN THIS STATE. SO I STRONGLY SUPPORT LB960 AND AM2418. I COMMEND THE APPROPRIATIONS COMMITTEE FOR WORKING OUT AN AGREEMENT. AND THANK YOU, MR. PRESIDENT. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR FRIESEN. SENATOR PANSING BROOKS, YOU'RE RECOGNIZED. [LB960]

SENATOR PANSING BROOKS: THANK YOU, MR. PRESIDENT. I, TOO, RISE IN SUPPORT OF LB960 AND THE UNDERLYING AMENDMENT. LAST YEAR SENATOR SMITH'S HIGHLY IMPORTANT BILL ON MOTOR FUEL TAX GAVE 2 CENTS TO THE CITIES, 2 CENTS TO THE COUNTIES, AND 2 CENTS TO THE STATE. NOW 2 CENTS OF THE STATE'S MOTOR FUEL TAX WILL BE USED FOR OUR INFRASTRUCTURE, OUR INFRASTRUCTURE ACROSS THIS WHOLE STATE. I AM SO HAPPY AND SO GLAD THAT OUR LEGISLATURE CAN WORK WITH THE GOVERNOR'S OFFICE TO USE THIS MOTOR FUEL TAX. IT'S CRITICAL TO OUR NEEDS. ROADS ARE CRITICAL TO OUR NEEDS. WHEN I WAS GOING...WHEN I WAS CAMPAIGNING AND GOING DOOR TO DOOR, I TALKED ABOUT A THREE-LEGGED STOOL, AND THAT STOOL HAD TO DO WITH OUR ECONOMICS, OUR PEOPLE, AND OUR INFRASTRUCTURE. JUST LIKE IN OUR OWN HOMES, IF OUR INFRASTRUCTURE, IF OUR HOUSE IS FALLING APART, WE HAVE TO DEAL WITH THAT. WE HAVE TO...IF THERE'S WATER COMING IN FROM THE ROOF, WE HAVE TO IMMEDIATELY DEAL WITH THAT. IF OUR DRIVEWAY IS FALLING APART AND WE CAN'T DRIVE ON IT, WE HAVE TO IMMEDIATELY DEAL WITH THAT AND BALANCE HOW WE'RE GOING TO USE OUR

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DOLLARS. AND THOSE...THAT BALANCE COMES WITH DETERMINING WHETHER OR NOT...HOW WE SPEND MONEY IN OUR FAMILIES AND WHETHER OR NOT WE SPEND EXTRA MONEY FOR CLOTHES OR NOT. WE HAVE TO BALANCE ALL OF THOSE THINGS. AND THOSE SAME THREE THINGS HAVE TO BE BALANCED WITHIN THE STATE: OUR INFRASTRUCTURE, OUR PEOPLE, THE DOLLARS THAT WE SPEND ON OUR PEOPLE, AND OUR ECONOMIC DOLLARS, HOW WE'RE GOING TO SPEND OUR DOLLARS MOST WISELY THAT WE'RE GIVEN BY THE PEOPLE OF THE STATE. IT'S CRITICAL THAT WE HAVE SAFE BRIDGES TO OUR ECONOMY. IT'S CRITICAL THAT WE HAVE THE ABILITY TO PROVIDE SAFE ROADS AND WAYS FOR BUSINESS AND...TO DEVELOP AND FOR PRODUCTION TO FLOURISH. THE DOLLARS, IT'S MY UNDERSTANDING, OFTEN ARE CONSIDERED TO RETURN SEVEN TIMES OVER. THIS OPPORTUNITY THAT WE'RE BEING PRESENTED BY SENATOR SMITH IS ACTUALLY...CONSTITUTES A SIGNIFICANT STIMULUS TO OUR ECONOMY. AS WE BUILD, COMMUNITIES WILL GROW AND CITIZENS WILL THRIVE. THE MONEY THAT'S BEING COLLECTED WILL GO TO THE BETTERMENT OF ALL NEBRASKANS AND CONSTITUTE ACROSS THE STATE \$450 MILLION FOR ROADS. I JUST CAN'T THINK OF ANYTHING RIGHT NOW THAT'S MORE IMPORTANT FOR THE INFRASTRUCTURE OF OUR STATE. WE HAVE GOT TO DEAL WITH THE CRUMBLING BRIDGES AND WE HAVE TO DEAL WITH THOSE THREE LEGS OF THE STOOL. SO I WANT TO THANK SENATOR SMITH FOR BRINGING THIS BILL FORWARD AND I HOPE THAT YOU WILL ALL VOTE FOR LB960 AND THAT WE WILL HELP OUR BUSINESSES GROW, OUR COMMUNITIES TO GROW, AND OUR CITIZENS TO THRIVE. THANK YOU SO MUCH, MR. PRESIDENT. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR PANSING BROOKS. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB960]

SENATOR JOHNSON: THANK YOU, MR. PRESIDENT. WHEN I WAS LIVING IN POLK COUNTY, I WAS ON THE NEBRASKA COMMITTEE FOR THE COMPLETION OF HIGHWAY 81 ALL THE WAY FROM TEXAS UP TO CANADA, AND PART OF THAT IS THE EXPRESSWAY SYSTEM. THAT WAS BACK IN THE '90s. I WAS AT A MEETING IN OMAHA WITH...WHEN I WAS A CITY COUNCIL MEMBER, THE FIRST DISCUSSION WITH SENATOR FISCHER, THAT BECAME LB84 AND I SUPPORTED THAT. I COSIGNED THE BONDING BILL FOR TRANSPORTATION A COUPLE YEARS AGO, AND WE FOUND OUT THAT BONDING IS NOT WHAT WE WANT TO DO AND WE LEARNED THAT AGAIN THIS YEAR WITH THE NRD PROJECT OR BONDING. SO THAT'S OFF THE TABLE. AND NOW WE HAVE THIS BEFORE US, AND I SUPPORT IT. I DO HAVE A QUESTION OF SENATOR SMITH IF HE WOULD YIELD. [LB960]

SENATOR SCHEER: SENATOR SMITH, WOULD YOU PLEASE YIELD? [LB960]

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SENATOR SMITH: YES, I WILL. [LB960]

SENATOR JOHNSON: I'VE HEARD...YESTERDAY ON THE GOVERNOR'S FLY AROUND, THE TOP PRIORITY WAS PROPERTY TAX. THE SECOND WAS TRANSPORTATION INFRASTRUCTURE AND LB960. AND IT WAS TALKED A LITTLE BIT ABOUT THE PROCESS THAT WE WILL BE LOOKING AT WHICH CUTS OFF SOME TIME AS PROJECTS CAN BE DEVELOPED AND CONSTRUCTED AND COMPLETED, AND I THINK THE VALUE OF THAT IS TRYING TO MATCH TODAY'S DOLLARS WITH TODAY'S PROJECT COST. COULD YOU EXPLAIN A LITTLE BIT WHAT THAT PROJECT OR HOW THAT PROCESS WOULD WORK? [LB960]

SENATOR SMITH: WELL, THERE ARE SOME INNOVATIVE DELIVERY METHODS THAT ARE USED BY OTHER STATES, AND I THINK NEBRASKA HAS LAGGED BEHIND IN THIS AREA FOR SOME TIME, AND IT BRINGS US UP TO AT LEAST THE SAME POINT THAT MANY OTHER STATES ARE AT IN DESIGN DELIVERY METHODS. AND SO THESE ARE JUST...YOU KNOW, IT'S CALLED DESIGN-BUILD OR CONSTRUCTION MANAGER, AND BASICALLY IT HELPS TO SHORTEN THE TIME FRAME BETWEEN THE BIDDING AND THE DESIGN AND THE COMPLETION AND THE CONSTRUCTION COMPLETION OF A PROJECT. BUT IT'S NOT RIGHT FOR EVERY PROJECT. AND SO THAT'S WHERE WE'RE GOING TO PUT THIS INTO THE HANDS OF THE DEPARTMENT OF ROADS UNDER THE CAPABLE OVERSIGHT OF DIRECTOR SCHNEWEIS AND THEY WILL MAKE THE RIGHT DECISIONS AS TO WHEN TO IMPLEMENT THE USE OF THE DESIGN-BUILD CRITERIA. [LB960]

SENATOR JOHNSON: THANK YOU, SENATOR SMITH. I'M AWARE OF THAT IN THE CONSTRUCTION INDUSTRY, THE DESIGN-BUILD. I'VE SEEN SOME PROJECTS THAT HAVE BEEN COMPLETED ON THAT AND, I WOULD SAY, COMPLETED ON TIME AND IN THE RIGHT MANNER. AND SO THANK YOU FOR THAT EXPLANATION. AND I SUPPORT LB960. THANK YOU, MR. PRESIDENT. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR SMITH AND SENATOR JOHNSON. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB960]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. I THINK IN LAST YEAR'S DEBATE I WAS LAMENTING THAT IT WASN'T LIKE THE '60s WHEN WE GOT THINGS DONE AND HOW WE NEEDED TO MAKE AMERICA GREAT AGAIN AND I SAID WE NEED TO GO TO THE MOON AND BUILD ROADS. SOMEHOW THAT DIDN'T COME OUT RIGHT. AND I LOOK AT THE MOON EVERY

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NIGHT AND SEE IF WE'RE STILL BUILDING THE ROADS UP THERE. WOULD SENATOR SMITH YIELD TO A QUESTION OR TWO? [LB960]

SENATOR SCHEER: SENATOR SMITH, WOULD YOU PLEASE YIELD? [LB960]

SENATOR SMITH: YES, I WILL. [LB960]

SENATOR SCHUMACHER: SENATOR SMITH, I NOTICED THAT THE BILL CALLS FOR THE MAXIMUM USE OF AVAILABLE FEDERAL FUNDING. ARE YOU AT ALL CONCERNED THAT THIS MIGHT BANKRUPT THE FEDERAL GOVERNMENT? [LB960]

SENATOR SMITH: I'M SORRY, I MISSED THE LAST PART OF YOUR QUESTION. [LB960]

SENATOR SCHUMACHER: ARE YOU AT ALL CONCERNED THAT THIS MIGHT BANKRUPT THE FEDERAL GOVERNMENT, LIKE IT WOULD IF WE EXPANDED MEDICAID? [LB960]

SENATOR SMITH: NO, I DO NOT BELIEVE SO, SENATOR. [LB960]

SENATOR SCHUMACHER: THANK YOU, SENATOR SMITH, FOR THAT OBSERVATION. THIS PROJECT HAS BEEN GOING ON SINCE THE LATE 1980s, AND WE AREN'T MAKING VERY FAST HEADWAY. (YEAR) 2033 IS A LONG, LONG WAY OFF. I PROBABLY WON'T EVEN REMEMBER WHAT WE DID HERE IN 2033 IF MY FAMILY HISTORY HAS ANYTHING TO SAY ABOUT IT. THERE IS A WAY TO BE CREATIVE IN THIS ENVIRONMENT, FAR MORE CREATIVE THAN JUST TAKING \$50 MILLION OUT OF THE CASH RESERVE IN AN UNSTABLE TIME, FAR MORE CREATIVE THAN MOVING JUST \$50 MILLION INTO THE PROJECT. WE HAVE ENORMOUS RESERVES IN THIS STATE IN PRIVATE HANDS. WHY DON'T WE MOBILIZE THE MONEY THAT IS SITTING IN OUR SAVERS' BANK ACCOUNTS DRAWING 0 PERCENT INTEREST--MAYBE IF WE FOLLOW THE EUROPEANS, NEGATIVE INTEREST--AND PUT IT TO WORK? AND WE CAN DO THAT. AND I'M GOING TO SPEND JUST A SECOND TALKING ABOUT A BILL THAT'S BEEN IN REVENUE COMMITTEE. AT ONE TIME THE BILL WAS ON THIS FLOOR AND ALMOST GOT PASSED ON GENERAL READING. WHAT IT IS, IS A MECHANISM WHEREBY A TAXPAYER--IN THE BILL THAT'S IN REVENUE COMMITTEE IT'S LIMITED TO \$10,000 A YEAR--CAN OVERPAY YOUR INCOME TAXES, WRITE AN EXTRA CHECK TO THE GOVERNMENT. IT'S NOT A DEBT OF THE STATE. AND YOU

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GET...IT IS A CREDIT AGAINST YOUR FUTURE TAX FIVE YEARS HENCE. FIVE YEARS LATER YOU CAN CLAIM YOUR OVERPAYMENT BACK WITH INTEREST AT THE TEN-YEAR FEDERAL RATE, WHICH RIGHT NOW IS LESS THAN 2 PERCENT, ADJUSTED FOR INFLATION. WE CAN MOBILIZE AN EXTRA \$350 MILLION USING THAT TECHNIQUE OVER A FIVE-YEAR PERIOD AND COMPLETE THIS ROAD SYSTEM ON A REALLY ACCELERATED BASIS. AND THE COST, ASSUMING THAT WE...THE ECONOMY DOESN'T CHANGE MUCH, AND IT PROBABLY WON'T, IT WILL END UP RUNNING, IN THOSE INFLATION-ADJUSTED DOLLARS AND THAT MINUSCULE BUT POSITIVE RATE OF INTEREST, ABOUT \$15 MILLION TO \$18 MILLION A YEAR. THAT'S IT. THAT'S AN ACCEPTABLE THING. AND THAT MONEY, THE \$15 MILLION TO \$18 MILLION A YEAR, BECAUSE WE HAVE THE ROAD SYSTEM FINISHED YEARS AHEAD OF TIME, WILL BE... [LB960]

SENATOR SCHEER: ONE MINUTE. [LB960]

SENATOR SCHUMACHER: ...MORE THAN PAID BACK FROM THE ADDITIONAL ECONOMIC ACTIVITY AND SAVINGS ON CREATING THOSE ROADS DOWN THE ROAD AND LATER. WE HAVE TO HELP OUR ROADS OUT, BUT WE ALSO HAVE TO HELP THE PEOPLE WHO SAVE MONEY OUT AND GIVE THEM SOMETHING IN RETURN FOR THEIR MONEY. WE COULD ALL WIN BY BEING MORE CREATIVE THAN SIMPLY DIPPING INTO THE CASH RESERVE BY \$50 MILLION AND SEEING WHAT WE CAN SQUEEZE OUT OF THE FEDERAL GOVERNMENT. THERE'S A LOT OF POTENTIAL IN THIS BILL, BUT I THINK WE CAN DO EVEN BETTER IF WE ARE CREATIVE; PROBABLY WON'T BE BUT, NEVERTHELESS, THERE IS MORE AND BETTER WAYS TO DO THINGS. THANK YOU. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR SCHUMACHER. SENATOR DAVIS, YOU'RE RECOGNIZED. [LB960]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. LIKE ALL MY COLLEAGUES HERE ON THE FLOOR, I RISE IN SUPPORT OF THIS BILL. MY DAD WAS ON THE HIGHWAY COMMISSION BACK IN THE '60s. AND AS YOU ALL MAY KNOW, OR IF YOU DON'T IT'S AN INTERESTING POINT, THAT NEBRASKA I BELIEVE WAS THE FIRST STATE TO GET ITS INTERSTATE HIGHWAY SYSTEM COMPLETED. THE EXPRESSWAY SYSTEMS THAT SENATOR STINNER DID SUCH A GREAT JOB TALKING ABOUT WERE DESIGNED AND THE PLAN WAS TO GET THOSE COMPLETED 20 YEARS AGO IN THE '80s, STILL NOT COMPLETED TO THIS DAY. SENATOR FRIESEN AND I WERE...AND SENATOR SMITH ATTENDED ALL THE HEARINGS THIS SUMMER THAT TOOK PLACE WITH THE DEPARTMENT OF ROADS ACROSS THE STATE AND I HAVE

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TO SAY I'M VERY IMPRESSED WITH THE NEW DIRECTOR OF ROADS KYLE SCHNEWEIS, A VERY INNOVATIVE, INTELLIGENT MAN WHO'S GOING TO DO A GREAT JOB FOR US IN THE STATE OF NEBRASKA. I WANT TO THANK SENATOR SMITH FOR THE LEADERSHIP THAT HE HAS DEMONSTRATED WITH THIS BILL. AND LIKE SENATOR FRIESEN, I WOULD LIKE TO SEE IT BE \$100 MILLION OR \$150 MILLION SO WE CAN GET THE EXPRESSWAYS DONE AND OUR BRIDGE FUND UP AND RUNNING, TAKE CARE OF THE INFRASTRUCTURE NEEDS THAT WE HAVE IN THIS STATE. I UNDERSTAND THAT'S JUST NOT GOING TO HAPPEN THIS YEAR, BUT I DON'T THINK WE OUGHT TO SHOVE THAT DOWN THE ROAD A LONG WAY. THESE EXPRESSWAYS, AND I LEARNED THIS, THIS SUMMER--I ALREADY KNEW IT BECAUSE IT'S THE TOP ISSUE IN BOX BUTTE AND DAWES COUNTY THAT I HEAR ABOUT FROM CONSTITUENTS EXCEPT FOR PROPERTY TAXES, AND YOU CAN SEE WHY IT'S NUMBER TWO--BUT COMPLETION OF THE EXPRESSWAY SYSTEM OPENS UP ECONOMIC OPPORTUNITIES TO RURAL NEBRASKA THAT AREN'T THERE NOW. WHEN A BUSINESS WANTS TO MOVE INTO A COMMUNITY, IT HAS A CHECKLIST. AND IF YOU'RE NOT ON A DIVIDED HIGHWAY, A LOT OF TIMES YOU'RE TAKEN OFF THAT CHECKLIST. WHEN WE WERE IN NORFOLK THIS SUMMER WE HEARD FROM NUCOR, WE HEARD FROM A LOT OF ASSOCIATED BUSINESSES IN NORFOLK ABOUT THE URGENCY AND THE NEED FOR THE DEVELOPMENT OF THE EXPRESSWAY SYSTEM FROM CATTLE FEEDERS IN NEIGHBORING COUNTIES. AND WE WERE PRESENTED WITH DATA AND EVIDENCE ABOUT THE ECONOMIC BENEFITS TO THE STATE BY GETTING IT DONE. WE'VE HAD NOTHING DONE REALLY WITH OUR ROADS FOR THE LAST TEN YEARS. SENATOR FISCHER REALIZED THE NEED AND PUT FORWARD LB84, WHICH HAS BEEN A GREAT ADDITION. WE'RE GETTING THINGS DONE NOW THAT HAVE BEEN IN THE... "MOTHBALLED" FOR A LONG, LONG TIME. AND WITH THAT I WOULD JUST AGAIN SAY THANK YOU TO SENATOR SMITH SO MUCH FOR HIS LEADERSHIP, FOR THE APPROPRIATIONS COMMITTEE WORKING THROUGH THIS RESOLUTION, AND URGE YOU ALL TO SUPPORT THE BILL AND GET OUR INFRASTRUCTURE BANK GOING AND COMPLETE OUR HIGHWAYS. THANK YOU. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR DAVIS. SENATOR GROENE, YOU'RE RECOGNIZED. [LB960]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I APPRECIATE SENATOR SMITH'S WORK ON THIS. HE'S MORE PATIENT THAN I AM AND HE WORKS HARD TO COME TO COMPROMISE. THE ORIGINAL BILL THERE WAS...I WOULD HAVE PROBABLY FILIBUSTERED IT AT \$150 MILLION, OR ATTEMPTED TO, BECAUSE I'M A BIG, FIRM BELIEVER OF USER TAX, AND THAT'S WHAT GAS TAX IS. BUT THE COMPROMISE IS, AS THEY SAY IN POLITICS, IT'S BEARABLE. SO I'LL SUPPORT

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LB960 AS LONG AS \$50 MILLION IS THE ONLY MONEY THAT COMES OUT OF MY INCOME AND SALES TAXES TO BUILD ROADS AND THE REST OF IT IS FUNDED BY USER TAXES AND FUEL TAXES. BUT WE'VE TALKED A LOT HERE ABOUT DISREPAIR OF OUR ROADS. WELL, LET ME TELL YOU, FOLKS, I DROVE THE WHOLE HIGH PLAINS AND NEBRASKA HAS DONE A GOOD JOB WITH THEIR ROADS. THEY ARE NOT IN DISREPAIR; BRIDGES, YES, MAINLY BECAUSE WE'RE GETTING BIGGER, AGRICULTURE IS GETTING BIGGER, EQUIPMENT IS GETTING BIGGER. THEY JUST CAN'T HANDLE WHAT WE HAVE OUT THERE NOW. BUT THE TAXPAYERS REMEMBER NOW AND IN ONE MORE YEAR WE'LL BE 31.5 CENTS ON FUEL TAXES. THAT'S THE HIGHEST IN THE REGION BY FAR. AND WE GENERATE \$410 MILLION A YEAR FROM THAT FUEL TAX THAT WE SPEND EVERY YEAR. AND SENATOR FISCHER'S LB84, THE STATE'S PORTION IS \$63 MILLION. THAT WAS SUPPOSED TO HAVE BUILT THESE EXPRESSWAYS. AND THEN WE GET ANOTHER \$200-AND-SOME MILLION A YEAR FROM THE FEDS. SO IT'S NOT CHICKEN CHANGE OR CHUMP CHANGE OR WHATEVER YOU WANT TO CALL IT. TAXPAYERS HAVE HISTORICALLY IN THIS STATE SUPPORTED THEIR ROADS, SO I DON'T THINK WE NEED TO ACT LIKE WE'VE SAVED THE DAY. DOES THIS ACCELERATE IT? I DON'T KNOW WHERE THEY'RE GOING TO GET THE EMPLOYEES TO DO THIS, BECAUSE WE'RE LOW UNEMPLOYMENT, AND WHAT CONSTRUCTION COMPANY CAN BUILD THAT ROAD THAT QUICK NOW ONCE WE INFUSE THE MONEY INTO IT, BUT I'M WAITING TO SEE HOW THAT HAPPENS. BUT \$50 MILLION IS ACCOUNTABLE. WE CAN ACCOUNT FOR THAT EASIER. IT'S NO RUSH TO SPEND IT. AND THEN AS IT TRICKLES IN OR COMES IN, NOT A TRICKLE, A PRETTY GOOD FLOW OF 2 CENTS A GALLON TAX IN THE FUTURE, IT MAKES SENSE. BUT I'M STILL CURIOUS WHAT WE'RE GOING TO DO WITH THE \$63 MILLION OF LB84. WHERE IS THAT GOING NOW? IS THAT ALSO STILL MEANT FOR EXPRESSWAYS OR WHAT ARE WE DOING WITH IT? OR DO WE NEED IT ANYMORE? I THINK SENATOR KRIST DROPPED A BILL TO GET RID OF THAT AT ONE TIME. BUT I CAN LIVE WITH THIS, AND AS 1 SENATOR OUT OF 49, KNOWING THAT MY TAXPAYERS ARE PAYING A LOT FOR FUEL TAX RIGHT NOW. ALSO AN IDEA THAT I'VE BEEN PUSHING, BECAUSE I TRAVEL THE HIGH PLAINS, IS IN CERTAIN AREAS WE REALLY DON'T NEED A FOUR-LANE EXPRESSWAY. THERE'S THESE...THE CONCEPT OF THE "SUPER TWOS," COLORADO USES IT, KANSAS USES IT, WYOMING USES IT, WHERE EVERY ONCE IN AWHILE IT'S A FOUR-LANE ON HILLS AND AREAS WHERE DRIVERS BECOME FRUSTRATED OR ACCIDENTS ARE MORE LIKELY TO HAPPEN, WHERE EVERY TEN MILES OR SO YOU TURN IT INTO A FOUR LANE GOING UP THE HILLS. THAT MAKES SENSE TO ME. HIGHWAY 50 IN KANSAS IS WELL TRAVELED, AND THEY'VE DONE THAT THERE, AND IT KEEPS THE FLOW OF TRAFFIC GOING, PLUS THE COST IS A LOT LESS FOR MAINTENANCE AND FOR BUILDING. BUT I WOULD HOPE THE STATE OF NEBRASKA DEPARTMENT OF ROADS LOOKS AT THAT

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INSTEAD OF PUTTING A LOT OF CONCRETE OUT THERE THAT'S NOT NECESSARY. SO I THANK SENATOR SMITH FOR HIS EFFORTS--AND I CAN LIVE WITH THIS--AND SENATOR MELLO FOR WORKING WITH SENATOR SMITH AND THE GOVERNOR'S OFFICE. AND LET'S PUT THIS ON THE BACK BURNER. LET'S SEE HOW THIS WORKS NOW BEFORE WE COME BACK AND START THROWING MORE MONEY AT IT IN THE FUTURE. LET'S SEE IF IT ACTUALLY WORKS. CAN WE DO THAT ONCE? WE NEVER ALLOWED SENATOR FISCHER'S BILL TO WORK COMPLETELY. APPARENTLY IT DIDN'T. BUT THANK YOU. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR GROENE. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB960]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, I WATCHED HOW HARD SENATOR MELLO WORKED TO HAMMER OUT SOME OF THE DETAILS ON THIS BILL. AND I DO WANT TO THANK SENATOR MELLO FOR HIS HARD WORK IN SHUTTLING BACK AND FORTH BETWEEN SENATOR SMITH, THE GOVERNOR'S OFFICE, APPROPRIATIONS, GIVING US UPDATES, TELLING US WHERE IT WAS GOING, THEN TRYING TO GET US ALL ON BOARD. THAT WASN'T AN EASY THING TO DO. BUT IT DID COME OUT 9-0, SO EVERY ONE OF US SUPPORTED IT. SO I WANT TO THANK SENATOR MELLO FOR HIS HARD WORK AND HIS HENRY KISSINGER-LIKE ABILITY TO BRING PEOPLE TOGETHER. I WANT TO THANK SENATOR SMITH FOR HIS INTRODUCING THIS BILL, SENATOR BRASCH FOR MAKING IT A PRIORITY. AND I'VE GOT TO TELL YOU, THERE'S THREE THINGS THAT WE HAVE TO DO, THE PEOPLE DEMAND US TO DO. THEY WANT ROADS, EDUCATION, AND PUBLIC SAFETY. THIS IS ONE OF THE CORE THINGS THAT WE DO, THAT WE GET JUDGED ON, AND WE'VE GOT TO GET THIS RIGHT. AND I THINK THIS IS A GREAT STEP MOVING FORWARD TO GET IT RIGHT. AND WE'VE GOT A LOT OF MONEY SITTING THERE IN THE RAINY-DAY FUND IN THE CASH RESERVE FUND. IN MY OPINION, TOO MUCH MONEY. SO THIS IS A GOOD WAY TO BRING THAT FUND DOWN A LITTLE BIT. SO I ENCOURAGE ALL MY COLLEAGUES HERE TO VOTE FOR THIS AND VOTE QUICKLY FOR IT AND WE CAN GET MOVING HERE. THANK YOU, MR. PRESIDENT. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR KINTNER. SENATOR MELLO, YOU'RE RECOGNIZED TO CLOSE ON THE COMMITTEE AMENDMENT. [LB960]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. AS YOU HEARD, THE COMMITTEE AMENDMENT MAKES A NUMBER OF CHANGES TO THE BILL THAT WERE WORKED OUT BETWEEN



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SENATOR SMITH, THE APPROPRIATIONS COMMITTEE, AND GOVERNOR RICKETTS AND HIS ADMINISTRATION. AS I REITERATED, I'M VERY GRATEFUL FOR EVERYONE COMING TO THE TABLE THROUGHOUT THE SESSION TO ENSURE WE COULD SEE SOME SUCCESS MOVING FORWARD WITH LB960. AND WITH THAT, I'D URGE THE BODY TO ADVANCE AM2418. THANK YOU, MR. PRESIDENT. [LB960]

SENATOR SCHEER: THANK YOU, SENATOR MELLO. THE QUESTION IS, SHALL THE COMMITTEE AMENDMENTS TO LB960 BE ADOPTED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH TO? MR. CLERK. [LB960]

CLERK: 38 AYES, 0 NAYS ON ADOPTION OF COMMITTEE AMENDMENTS. [LB960]

SENATOR SCHEER: THE AMENDMENT PASSES. SENATOR SMITH, YOU'RE RECOGNIZED TO CLOSE ON LB960. [LB960]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND THANK YOU FOR THE CONVERSATIONS ON LB960, COLLEAGUES, AND THE UNDERLYING AMENDMENT. I APPRECIATE THAT LAST VOTE. AGAIN I JUST WANT TO GO THROUGH VERY QUICKLY AND SAY HOW MUCH I DO APPRECIATE THE LEADERSHIP OF THE GOVERNOR IN SUPPORTING THIS BILL AND PARTNERING ON THIS BILL. IT WAS A COLLABORATIVE EFFORT, COULD NOT HAVE DONE IT WITHOUT THE ADMINISTRATION AND THE GOVERNOR'S OFFICE AND WITHOUT SENATOR BRASCH PRIORITIZING THIS BILL. ALSO, I WANT TO THANK SENATOR MELLO. IT HAS BEEN A PLEASURE WORKING WITH SENATOR MELLO AND THE APPROPRIATIONS COMMITTEE AS WE WORKED THROUGH THAT LAST AMENDMENT. AND THEN ALSO, YOU KNOW, WE HAVE A GREAT NEW TREASURER IN OUR STATE. I'VE HAD AN OPPORTUNITY OVER THE LAST YEAR TO GET TO KNOW OUR NEW ROADS DIRECTOR, DIRECTOR OF ROADS KYLE SCHNEWEIS. DIRECTOR SCHNEWEIS HAS BEEN A FANTASTIC PARTNER IN PUTTING TOGETHER THIS LEGISLATION, AS WELL, AND I THINK WE HAVE GREAT THINGS AHEAD FOR OUR STATE. AGAIN, REMEMBER THAT THIS ALLOWS US TO FULFILL OUR COMMITMENTS TO COMPLETION OF EXPRESSWAYS IN NEBRASKA. IT MODERNIZES PROJECT DELIVERY METHODS. IT HELPS REPAIR OUR DEFICIENT BRIDGES, AND IT HELPS WITH ECONOMIC DEVELOPMENT ALONG EXPRESSWAY AND INFRASTRUCTURE CORRIDORS. SO WITH THAT, COLLEAGUES, I ASK FOR YOUR GREEN VOTE AND I DO APPRECIATE THE CONVERSATION TODAY. THANK YOU, MR. PRESIDENT. [LB960]

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SENATOR SCHEER: THANK YOU, SENATOR SMITH. THE QUESTION IS THE ADVANCEMENT OF LB960 TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL THOSE VOTED THAT WISH TO? RECORD, MR. CLERK. [LB960]

CLERK: 43 AYES, 0 NAYS ON THE ADVANCEMENT OF LB960. [LB960]

SENATOR SCHEER: LB960 ADVANCES. MR. CLERK, MOVING TO LB960A. [LB960 LB960A]

CLERK: LB960A IS A BILL BY SENATOR SMITH. (READ TITLE.) [LB960A]

SENATOR SCHEER: SENATOR SMITH, YOU'RE WELCOME TO OPEN ON LB960A. [LB960A]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. COLLEAGUES, THIS IS A SIMPLE TECHNICAL BILL TO ALLOW FOR THE TRANSFER OF FUNDS INTO THE BANK AND THE WITHDRAWAL OF FUNDS FROM THAT INFRASTRUCTURE BANK. PLEASE VOTE GREEN ON THIS A BILL. THANK YOU. [LB960A]

SENATOR SCHEER: SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB960A]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE, BASED ON WHAT THE SPEAKER TOLD US, WE'RE ABOUT TO ADJOURN. I LISTENED TO A NUMBER OF MY COLLEAGUES GIVE THANKS TO EVERYBODY. I THOUGHT I WAS AT THE OSCARS, BUT ONE OF MY COLLEAGUES TOLD ME THAT IF IT WERE THE OSCARS I WOULD NOT HAVE BEEN INVITED (LAUGHTER). HE WAS RIGHT. BUT HERE IS WHAT I WAS THINKING, SINCE THANKS WERE BEING LAVISHED, I OUGHT TO BE GIVEN THANKS FOR HAVING ALLOWED THE BODY TO MOVE AT ITS OWN PACE WITHOUT GETTING IN THE WAY. BUT BEING THE MODEST MAN THAT I AM--I'M TOO MODEST TO INDICATE HOW MODEST I AM--YOU NEED NOT GIVE ME ANY THANKS. BUT IF YOU JUST CHOOSE TO, WELL, YOU KNOW, I'LL BE GRACIOUS AND ACCEPT THEM. THANK YOU. [LB960A]

SENATOR SCHEER: THANK YOU, SENATOR CHAMBERS. SENATOR SMITH, YOU'RE WELCOME TO CLOSE ON LB960A. [LB960A]

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SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND JUST SO HE DOESN'T FEEL LEFT OUT, I WOULD LIKE TO EXPRESS MY GRATITUDE AND THANKS TO SENATOR CHAMBERS FOR BEING BRIEF (LAUGHTER). AND THAT CONCLUDES MY COMMENTS. THANK YOU, MR. PRESIDENT. [LB960A]

SENATOR SCHEER: THANK YOU, SENATOR SMITH. THE QUESTION IS ADVANCEMENT OF LB960A TO E&R INITIAL. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED THAT WISH TO? RECORD, MR. CLERK. [LB960A]

CLERK: 44 AYES, 0 NAYS ON THE ADVANCEMENT OF LB960A, MR. PRESIDENT. [LB960A]

SENATOR SCHEER: LB960A ADVANCES. MR. CLERK, ARE THERE ANY ANNOUNCEMENTS? [LB960A]

CLERK: I DO, MR. PRESIDENT. SENATOR COASH WOULD LIKE TO PRINT AN AMENDMENT TO LB934. NEW A BILLS: (READ LB901A AND LB908A BY TITLE FOR THE FIRST TIME.) SENATOR FOX WOULD LIKE TO ADD HER NAME TO LB990. (LEGISLATIVE JOURNAL PAGES 989-994.) [LB934 LB901A LB908A LB990]

AND, MR. PRESIDENT, SENATOR DAVIS WOULD MOVE TO ADJOURN THE BODY UNTIL WEDNESDAY MORNING, MARCH 16, AT 9:00 A.M.

SENATOR SCHEER: YOU'VE HEARD THE MOTION FOR ADJOURNMENT. ALL THOSE IN FAVOR SAY AYE. ALL THOSE OPPOSED SAY NAY. AYES HAVE IT. WE ARE ADJOURNED.