

Transcript Prepared By the Clerk of the Legislature  
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Floor Debate  
April 13, 2016

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[LB10 LB235 LB580 LB686 LB716 LB721 LB744 LB756 LB817 LB821 LB824 LB829  
LB835 LB843 LB851 LB851A LB874 LB884 LB930 LB947 LB958 LB1000 LB1012 LB1048  
LB1066 LB1067A LB1067 LB1094 LB1098A LB1098 LB1106 LB1110 LR414 LR415 LR455  
LR547 LR601 LR617 LR618 LR619 LR626 LR627]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: GOOD MORNING, LADIES AND GENTLEMEN. WELCOME TO THE GEORGE W. NORRIS LEGISLATIVE CHAMBER FOR THE FIFTY-NINTH DAY OF THE ONE HUNDRED FOURTH LEGISLATURE, SECOND SESSION. OUR CHAPLAIN FOR TODAY IS REVEREND JIM MILLER, RETIRED METHODIST MINISTER FROM LINCOLN, NEBRASKA, A GUEST OF SENATOR SEILER. PLEASE RISE.

REVEREND MILLER: (PRAYER OFFERED.)

PRESIDENT FOLEY: THANK YOU, REVEREND MILLER. I CALL TO ORDER THE FIFTY-NINTH 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, SIR. ARE THERE ANY MESSAGES, REPORTS OR ANNOUNCEMENTS?

CLERK: MR. PRESIDENT, SENATOR SEILER OFFERS LR626. THAT WILL BE LAID OVER. LOBBY REPORT, AS REQUIRED BY STATE LAW, TO BE INSERTED INTO LEGISLATIVE JOURNAL AND ACKNOWLEDGMENT OF REPORTS RECEIVED AND FILED IN THE LEGISLATIVE WEB SITE. THAT'S ALL THAT I HAVE, MR. PRESIDENT. (LEGISLATIVE JOURNAL PAGES 1593-1594.) [LR626]

Floor Debate  
April 13, 2016

---

PRESIDENT FOLEY: THANK YOU, MR. CLERK. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LR617, LR618 AND LR619. MR. CLERK, WE'LL NOW PROCEED TO THE FIRST ITEM ON THE AGENDA. [LR617 LR618 LR619]

CLERK: MR. PRESIDENT, A SERIES OF CONFIRMATION REPORTS: THE FIRST IS OFFERED BY GENERAL AFFAIRS INVOLVING THREE APPOINTMENTS TO THE NEBRASKA COMMISSION ON PROBLEM GAMBLING. (LEGISLATIVE JOURNAL 1452.)

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

SENATOR LARSON: THANK YOU, MR. PRESIDENT. FOR TIME SAKE, I'LL READ ALL THREE AT ONCE AND WE CAN PROCEED FROM THERE INDIVIDUALLY. THE FIRST IS SUSAN LUTZ; SHE IS A REAPPOINTMENT WISHING TO CONTINUE TO SERVE ON THE NEBRASKA COMMISSION ON PROBLEM GAMBLING. SHE IS FROM NORFOLK AND HAS BEEN AN ACCOUNTANT HER WHOLE PROFESSIONAL LIFE AND CURRENTLY SERVES AS THE CFO AT BANK FIRST. SHE RECEIVED HER BACHELOR DEGREE IN ACCOUNTING FROM WAYNE STATE. MS. LUTZ HAS ENJOYED HER TIME ON THE COMMISSION AND IS EXCITED TO CONTINUE TO SERVE. SHE WAS CONFIRMED BY THE GENERAL AFFAIRS COMMITTEE WITH A 7-0 VOTE, AND I WOULD ASK THE BODY TO APPROVE HER CONFIRMATION. SECOND, WE WILL HAVE MARK CANADA. HE IS A REAPPOINTMENT ALSO WISHING TO CONTINUE TO SERVE ON THE COMMISSION ON PROBLEM GAMING. HE IS FROM HASTINGS AND SERVES AS A LOAN OFFICER AND VICE PRESIDENT OF FIVE POINTS BANK IN HASTINGS. HE RECEIVED HIS BACHELOR IN BUSINESS ADMINISTRATION AND ECONOMICS FROM HASTINGS COLLEGE. HE WAS ALSO CONFIRMED ON A 7-0 VOTE. AND I WOULD ASK THE BODY TO APPROVE HIS CONFIRMATION. LAST, WILL BE JAMES PATTERSON, A NEW APPOINTMENT MADE BY THE GOVERNOR TO SERVE ON THE NEBRASKA COMMISSION ON PROBLEM GAMBLING. HE IS FROM PAPIILLION, AND HAS SERVED AS A PASTOR FOR TRINITY HOPE FOURSQUARE CHURCH IN OMAHA SINCE 1990. IN 1991, MR. PATTERSON WAS PART OF FORMING THE NORTH OMAHA GOOD NEWS BEARS, WHICH IS A KIDS CLUB THAT PROVIDES A POSITIVE INFLUENCE IN THE LIVES OF AT-RISK YOUTH AGES 4 TO 17. HE IS THE PRESIDENT AND CEO OF THE PROGRAM AND WAS EXCITED TO TELL THE GENERAL AFFAIRS COMMITTEE THAT IN NORTH OMAHA, GOOD NEWS BEARS WERE CELEBRATING THEIR 25th YEAR. ADDITIONALLY, MR. PATTERSON SERVED IN THE UNITED STATES AIR FORCE FOR 11 YEARS AS AN ECONOMIC ANALYSIS AND COST ANALYST OFFICER. MR. PATTERSON LOOKS FORWARD TO SERVING

Floor Debate  
April 13, 2016

---

THE COMMISSION AND BRINGING HIS LIFE EXPERIENCES TO THE TABLE. THE GENERAL AFFAIRS COMMITTEE ALSO APPROVED MR. PATTERSON ON A 7-0 VOTE. I WOULD ASK THE BODY TO APPROVE ALL THESE SUBSEQUENTLY MOVING FORWARD. THANK YOU.

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

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1595.) 34 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE GENERAL AFFAIRS CONFIRMATION REPORT.

PRESIDENT FOLEY: THE GENERAL AFFAIRS CONFIRMATION REPORT IS ADOPTED. THE NEXT COMMITTEE IS THE NATURAL RESOURCES COMMITTEE, MR. CLERK.

CLERK: MR. PRESIDENT, THE NATURAL RESOURCES COMMITTEE REPORTS ON A SERIES OF APPOINTMENTS TO THE NATURAL RESOURCES COMMISSION. (LEGISLATIVE JOURNAL PAGE 1465.)

PRESIDENT FOLEY: SENATOR SCHILZ, YOU'RE RECOGNIZED TO OPEN ON THE FIRST OF TWO CONFIRMATION REPORTS.

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT. MEMBERS OF THE BODY, GOOD MORNING. THE NATURAL RESOURCES COMMISSION HAD A HEARING DATE OF APRIL 5, 2016, AND WE CONDUCTED THE HEARING FOR TWO NEW APPOINTEES AND FIVE REAPPOINTMENTS TO THE COMMISSION, AND SIX OF THE SEVEN APPOINTEES APPEARED BEFORE THE COMMITTEE. NEW APPOINTMENTS: BRAD DUNBAR FROM OMAHA, HE'S A MANUFACTURING REPRESENTATIVE. HE'S A REGIONAL MANAGER AT LINDSAY CORPORATION. HE'S ACTIVE IN WATER INDUSTRY WORKING WITH IRRIGATION DEALERS THROUGHOUT THE STATE. AND HE'S ALSO A GRADUATE OF THE NEBRASKA WATER LEADERS ACADEMY. MR. CHAD WRIGHT FROM LINCOLN, MUNICIPAL USER OF THE CITY OF THE PRIMARY CLASS REPRESENTATIVE. HE'S THE PRESIDENT AND MANAGER OF WRIGHT'S SHEDS IN GREENWOOD. MR. BRIAN BARELS FROM COLUMBUS; HE'S A PUBLIC

Floor Debate  
April 13, 2016

---

POWER REPRESENTATIVE. HE'S A WATER RESOURCES MANAGER FOR NPPD AND HE SERVED ON THE WATER POLICY TASK FORCE AND THE WATER FUNDING TASK FORCE, AS WELL AS MANY OTHER ORGANIZATIONS. JOEL CHRISTENSEN FROM OMAHA, METROPOLITAN UTILITIES DISTRICT REPRESENTATIVE. HE WAS THE ONE THAT WAS UNABLE TO ATTEND THE HEARING, BUT SUBMITTED WRITTEN TESTIMONY TO THE COMMITTEE. HE'S AN ENGINEER WITH MUD AND SERVES ON THE GOVERNOR'S DRINKING WATER ADVISORY COUNCIL AND SERVES ON THE NATIONAL BOARD OF DIRECTORS OF THE AMERICAN WATER WORKS ASSOCIATION. STANLEY CLOUSE FROM KEARNEY, HE'S A MUNICIPAL REPRESENTATIVE. HE'S ACCOUNT MANAGER WITH NPPD, CURRENT MAYOR OF THE CITY OF KEARNEY, AND HE SERVED ON THE WATER FUNDING TASK FORCE, AND MANY OTHER LOCAL AND STATE ORGANIZATIONS. MR. SCOTT SMATHERS FROM LINCOLN, HE'S THE OUTDOOR RECREATION USER REPRESENTATIVE. HE'S EXECUTIVE DIRECTOR OF THE NEBRASKA SPORTSMEN FOUNDATION; SERVES AS THE CHAIR OF THE NATURAL RESOURCES COMMISSION, EXECUTIVE BOARD, AND PREVIOUSLY SERVED ON THE WATER FUNDING TASK FORCE. AND THEN FINALLY, MR. TOM KNUTSON FROM ST. PAUL WHO IS THE SURFACE WATER IRRIGATOR REPRESENTATIVE. HE'S A WATER CONSULTANT WITH LOUP BASIN RECLAMATION DISTRICT; MEMBER OF THE NEBRASKA STATE IRRIGATION ASSOCIATION; NEBRASKA WATER RESOURCES ASSOCIATION; AND IS CURRENT VICE CHAIRMAN FOR THE IRRIGATION CAUCUS. THE COMMITTEE RECOMMENDED APPROVAL OF THESE APPOINTEES TO THE NEBRASKA NATURAL RESOURCES COMMISSION BY A VOTE OF FIVE MEMBERS FOR AND THREE MEMBERS ABSENT. AND I WOULD VERY MUCH APPRECIATE YOUR GREEN VOTE ON THESE CONFIRMATIONS. THANK YOU, MR. PRESIDENT.

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

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1595-1596.) 39 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE REPORT.

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

Floor Debate  
April 13, 2016

---

CLERK: MR. PRESIDENT, NATURAL RESOURCES REPORTS ON THE APPOINTMENT OF PATRICK BERGGREN TO THE GAME AND PARKS COMMISSION. (LEGISLATIVE JOURNAL PAGE 1465.)

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

SENATOR SCHILZ: THANK YOU, MR. PRESIDENT. ONCE AGAIN, MEMBERS OF THE BODY, PATRICK BERGGREN IS BEING CONFIRMED HERE TODAY FOR THE NEBRASKA GAME AND PARKS COMMISSION. HIS HOMETOWN IS BROKEN BOW. THE HEARING DATE WAS ALSO APRIL 5 OF THIS YEAR. HE'S A NEW APPOINTEE TO THE COMMISSION, REPRESENTING DISTRICT 6. MR. BERGGREN REPLACES HIS FATHER, LYNN BERGGREN, WHO PASSED AWAY WHILE SERVING ON THE COMMISSION. HE'S THE OWNER OF BERGGREN HOME BUILDERS AND HE'S INTERESTED IN ALL ASPECTS OF OUTDOOR LIFE, HUNTING, FISHING, AND NATURE, CHAIRMAN OF THE NEBRASKA ONE BOX PHEASANT HUNT THAT'S IN BROKEN BOW, AND ACTIVE WITH THE ONE BOX GUN CLUB AND DUCKS UNLIMITED. THE COMMITTEE RECOMMENDED APPROVAL OF PATRICK BERGGREN TO THE GAME AND PARKS COMMISSION BY A VOTE OF 5 MEMBERS FOR AND THREE MEMBERS ABSENT. I'D APPRECIATE YOUR GREEN VOTE ON THIS APPOINTMENT. THANK YOU, MR. PRESIDENT.

PRESIDENT FOLEY: THANK YOU, SENATOR SCHILZ. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT OF THE NATURAL RESOURCES COMMITTEE. SENATOR CHAMBERS, YOU'RE RECOGNIZED.

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, SENATOR SCHILZ WAVED THAT RED FLAG IN FRONT OF THE BULL, SO TO SPEAK, ONCE AGAIN. SENATOR SCHILZ, WHEN THIS GENTLEMAN WAS BEFORE THE COMMITTEE, DID ANYBODY ASK HIM WHAT HIS VIEW IS ON A HUNTING SEASON FOR MOUNTAIN LIONS?

PRESIDENT FOLEY: SENATOR SCHILZ, WOULD YOU YIELD TO A QUESTION, PLEASE?

SENATOR SCHILZ: I WOULD. SENATOR CHAMBERS, I DON'T KNOW AS IF THAT CAME UP. I CAN'T REMEMBER THAT IT DID.

Floor Debate  
April 13, 2016

---

SENATOR CHAMBERS: IF IT WOULD HAVE, WHAT WOULD HIS POSITION HAVE BEEN?

SENATOR SCHILZ: WELL, I CAN'T SPEAK FOR ANYBODY AND I WOULDN'T WANT TO.

SENATOR CHAMBERS: THANK YOU. THAT'S ALL THAT I HAVE. THANK YOU, MR. PRESIDENT.

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

ASSISTANT CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1596.) 39 AYES, 0 NAYS ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MOVING NOW TO THE GOVERNMENT, MILITARY, AND VETERANS AFFAIRS COMMITTEE. EXCUSE ME...MR. CLERK.

ASSISTANT CLERK: MR. PRESIDENT, THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE WOULD REPORT ON THREE APPOINTEES TO THE ACCOUNTABILITY AND DISCLOSURE COMMISSION. (LEGISLATIVE JOURNAL PAGE 1477.)

PRESIDENT FOLEY: I DO NOT SEE SENATOR MURANTE ON THE FLOOR AT THE MOMENT. SENATOR GARRETT, AS VICE CHAIR OF THE COMMITTEE, CAN YOU HANDLE THIS FOR US, PLEASE? SENATOR GARRETT, YOU'RE RECOGNIZED.

SENATOR GARRETT: YES, THANK YOU, LIEUTENANT GOVERNOR. WE HAVE BEFORE US, KIM PLOUZEK, THE GOVERNMENT, MILITARY, AND VETERANS AFFAIRS COMMITTEE UNANIMOUSLY APPROVED THE GOVERNOR'S REAPPOINTMENT OF KIM PLOUZEK TO THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION (SIC-STATE EMERGENCY RESPONSE COMMISSION). MS. PLOUZEK HAS SERVED ON SERC SINCE 2009. SHE HAS 20 YEARS OF

Floor Debate  
April 13, 2016

---

EXPERIENCE IN THE PUBLIC HEALTH FIELD SPECIALIZING IN EMERGENCY HEALTH MANAGEMENT. SHE ALSO COMPLETED EXTENSIVE EMERGENCY RESPONSE TRAINING THROUGH THE DEPARTMENT OF HOMELAND SECURITY AND THE NEBRASKA EMERGENCY MANAGEMENT AGENCY. I URGE YOUR SUPPORT OF MS. PLOUZEK'S APPOINTMENT.

PRESIDENT FOLEY: THANK YOU, SENATOR GARRETT. DEBATE IS NOW OPEN ON THE CONFIRMATION REPORT FROM THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE. SENATOR GARRETT, YOU WERE SPEAKING TO THE APPOINTMENT TO THE STATE EMERGENCY RESPONSE COMMISSION, IS THAT CORRECT?

SENATOR GARRETT: YES, UH-HUH.

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

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1597.) 36 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE REPORT.

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

CLERK: SENATOR GARRETT, I NOW HAVE THREE APPOINTMENTS TO THE ACCOUNTABILITY AND DISCLOSURE COMMISSION. (LEGISLATIVE JOURNAL PAGES 1476-1477.)

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

SENATOR GARRETT: THANK YOU, MR. LIEUTENANT GOVERNOR. THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE UNANIMOUSLY APPROVED THE GOVERNOR'S APPOINTMENT OF JAMES ZIEBARTH TO THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION. MR. ZIEBARTH IS THE PRESIDENT OF ZIEBARTH FARMS, INC. AND HAS BEEN ACTIVE IN THE WILCOX COMMUNITY FOR MANY YEARS. I URGE YOUR SUPPORT OF MR.

Floor Debate  
April 13, 2016

---

ZIEBARTH'S APPOINTMENT. WE ALSO HAVE JEFFREY DAVIS, THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE UNANIMOUSLY APPROVED THE GOVERNOR'S APPOINTMENT OF JEFFREY DAVIS TO THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION. MR. DAVIS IS AN ATTORNEY FROM BEATRICE. HE'S ACTIVE IN THE BEATRICE AREA CHAMBER OF COMMERCE, THE GAGE COUNTY UNITED WAY, BEATRICE REGIONAL ORCHESTRA, AND NUMEROUS OTHER COMMUNITY ORGANIZATIONS. I URGE YOUR SUPPORT OF MR. DAVIS' APPOINTMENT. AND FINALLY, WE HAVE DOUGLAS HEGARTY. THE GOVERNMENT, MILITARY AND VETERAN AFFAIRS COMMITTEE UNANIMOUSLY APPROVED THE GOVERNOR'S APPOINTMENT OF DOUGLAS HEGARTY TO THE NEBRASKA ACCOUNTABILITY AND DISCLOSURE COMMISSION. MR. HEGARTY IS A SENIOR MANAGER OF GLOBAL OPERATIONS AND PAY PAL, AND A SMALL BUSINESS OWNER. HE AND HIS WIFE OWN NOTHING BUNDT CAKES. MR. HEGARTY IS ALSO BEEN INVOLVED IN A WIDE ARRAY OF COMMUNITY ORGANIZATIONS IN NEBRASKA. I URGE YOUR SUPPORT OF MR. HEGARTY'S APPOINTMENT.

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

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1597-1598.) 42 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE REPORT.

PRESIDENT FOLEY: AND THE CONFIRMATION REPORT IS ADOPTED. MOVING NOW TO HEALTH AND HUMAN SERVICES COMMITTEE. MR. CLERK.

CLERK: MR. PRESIDENT, THE HEALTH AND HUMAN SERVICES COMMITTEE REPORTS ON THE APPOINTMENT OF ALYSSON MUOTRI TO THE STEM CELL RESEARCH ADVISORY COMMITTEE. (LEGISLATIVE JOURNAL PAGE 1503.)

PRESIDENT FOLEY: SENATOR CAMPBELL, AS CHAIR OF THE COMMITTEE, YOU'RE RECOGNIZED TO OPEN ON THE CONFIRMATION REPORT.



Floor Debate  
April 13, 2016

---

SENATOR CAMPBELL: THANK YOU, MR. PRESIDENT. THE HEALTH AND HUMAN SERVICES COMMITTEE VOTED UNANIMOUSLY TO PUT FORWARD THE NOMINATION OF DR. ALYSSON MUOTRI. DR. MUOTRI IS A ASSOCIATE PROFESSOR AT THE UNIVERSITY OF CALIFORNIA IN SAN DIEGO. HE SERVES IN THE SCHOOL OF MEDICINE, THE DEPARTMENT OF PEDIATRICS IN CELLULAR AND MOLECULAR MEDICINE. HIS EDUCATION: HE HAS AN UNDERGRADUATE DEGREE AND A Ph.D. FROM THE UNIVERSITY OF SAN PAOLO IN BRAZIL. IN HIS UNDERGRADUATE WORK HE SPECIALIZED IN CANCER BIOLOGY AND SPOKE TO THE COMMITTEE ABOUT HOW TO GENETICALLY PRODUCE STEM CELLS TO FIGHT CANCER CELLS, AND THAT WAS HIS SCIENTIFIC WORK AND SPECIFIC WORK AS A GRADUATE AND HIS Ph.D. HE IS NOW WORKING IN DISEASE MODELING, SPECIFICALLY FOR AUTISM, TO SEE HOW THE CELLS REACT DIFFERENTLY DEPENDING UPON HOW THEY ARE AFFECTED. AND HE BELIEVES THAT MODELING IS REALLY A FUTURE FOR STEM CELL RESEARCH. STEM CELL RESEARCH IS GOING TO BE MOST PROMINENT IN THE NEAR FUTURE IN EYE DISEASE AND PARKINSON'S. COLLEAGUES, THE STEM CELL ADVISORY COMMITTEE WAS PUT TOGETHER A NUMBER OF YEARS AGO BY THE LEGISLATURE. AND NOTED SCIENTISTS AND PHYSICIANS ACROSS THE UNITED STATES ARE NOMINATED TO THIS COMMITTEE BY CREIGHTON SCHOOL OF MEDICINE AND UNMC. AND WE ARE VERY LUCKY TO HAVE THIS...WHAT WOULD I SAY...FORWARD-LOOKING, VISIONARY MOVE THAT THE LEGISLATURE MADE TO CREATE SUCH A COMMITTEE WHICH CERTAINLY ENLIGHTENS THE SCIENTIFIC RESEARCH FOR THE STATE OF NEBRASKA; AND WOULD ENCOURAGE YOUR YES VOTE ON DR. MUOTRI. THANK YOU, MR. PRESIDENT.

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

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1598-1599.) 41 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE CONFIRMATION REPORT.

PRESIDENT FOLEY: THE CONFIRMATION REPORT OF THE HEALTH AND HUMAN SERVICES COMMITTEE IS ADOPTED. MOVING NOW TO THE NEBRASKA RETIREMENT SYSTEMS COMMITTEE. MR. CLERK.

Floor Debate  
April 13, 2016

---

CLERK: MR. PRESIDENT, THE RETIREMENT SYSTEMS COMMITTEE REPORTS ON THE APPOINTMENT OF PAMELA LANCASTER TO THE PUBLIC EMPLOYEES RETIREMENT BOARD.

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

SENATOR KOLTERMAN: THANK YOU, MR. PRESIDENT. NEBRASKA RETIREMENT SYSTEMS COMMITTEE HELD A CONFIRMATION HEARING ON MARCH 31 FOR PAMELA LANCASTER WHO HAS BEEN APPOINTED BY THE GOVERNOR TO SERVE ON THE COUNTY PLAN MEMBER OF THE NEBRASKA PUBLIC EMPLOYEES RETIREMENT BOARD. THIS IS A FIVE-YEAR TERM. MS. LANCASTER IS FROM GRAND ISLAND AND GRADUATED FROM THE UNIVERSITY OF NEBRASKA-KEARNEY WITH A B.A. IN EDUCATION. SHE HAS EXTENSIVE PUBLIC SERVICE. SHE SERVED ON THE HALL COUNTY BOARD OF SUPERVISORS WHICH INCLUDES SERVING AS CHAIR AND VICE CHAIR FOR MORE THAN HALF THE TIME SINCE ELECTED IN 1996. IN 2010, SHE SERVED AS PRESIDENT OF NEBRASKA ASSOCIATION OF COUNTY OFFICIALS. SHE HAS ALSO SERVED ON THE NATIONAL ASSOCIATION OF COUNTY OFFICIALS WHERE SHE WAS CHAIR OF THE VETERANS COMMITTEE, AND A MEMBER OF THE ECONOMIC AND WORK FORCE DEVELOPMENT COMMITTEE. HER EXTENSIVE SERVICE ON BEHALF OF COUNTIES WILL MAKE HER A VALUABLE MEMBER FOR THE NEBRASKA PUBLIC RETIREMENT SYSTEMS BOARD WHICH OVERSEES ALL THE STATE RETIREMENT PLANS. THE RETIREMENT COMMITTEE UNANIMOUSLY VOTED TO MOVE PAMELA LANCASTER'S APPOINTMENT TO THE LEGISLATURE FOR CONFIRMATION. I ASK FOR YOUR SUPPORT IN CONFIRMING THIS APPOINTMENT. THANK YOU.

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

CLERK: (RECORD VOTE, LEGISLATIVE JOURNAL PAGE 1599.) 42 AYES, 0 NAYS, MR. PRESIDENT, ON THE ADOPTION OF THE REPORT.

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

Floor Debate  
April 13, 2016

---

PRESIDENT FOLEY: THE CONFIRMATION REPORT IS ADOPTED. MEMBERS, PURSUANT TO THE AGENDA, WE'LL NOW PROCEED TO FINAL READING, IF YOU'D ALL PLEASE MOVE TO YOUR DESKS SO THAT WE CAN COMMENCE FINAL READING. MR. CLERK, THE FIRST BILL ON FINAL READING IS LB235. [LB235]

CLERK: MR. PRESIDENT, SENATOR HADLEY, MR. SPEAKER, I UNDERSTAND YOU WISH TO WITHDRAW THE SUSPENSION MOTION THAT HAS BEEN FILED (INAUDIBLE). [LB235]

SPEAKER HADLEY: THAT IS CORRECT. [LB235]

PRESIDENT FOLEY: THE MOTION IS WITHDRAWN. [LB235]

CLERK: (READ LB235 ON FINAL READING.) [LB235]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB235 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK. [LB235]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1600.) 49 AYES, 0 NAY, MR. PRESIDENT, ON THE PASSAGE OF LB235. [LB235]

PRESIDENT FOLEY: THANK YOU, MR. CLERK. LB235 PASSES. (VISITORS INTRODUCED.) MR. CLERK, WE'RE NOW GOING TO PROCEED TO LB721. AND THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, PLEASE. [LB235 LB721]

CLERK: 42 AYES, 1 NAY, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB721]

PRESIDENT FOLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB721]

CLERK: (READ TITLE OF LB721.) [LB721]

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

Floor Debate  
April 13, 2016

---

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB721 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE. [LB721]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1601.) 48 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB721]

PRESIDENT FOLEY: LB721 PASSES. WE'LL NOW PROCEED TO LB756. [LB721 LB756]

CLERK: (READ LB756 ON FINAL READING.) [LB756]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB756 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK. [LB756]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1602.) 49 AYES, 0 NAYS, MR. PRESIDENT. [LB756]

PRESIDENT FOLEY: LB756 PASSES. WE'LL NOW PROCEED TO LB821. [LB756 LB821]

CLERK: (READ LB821 ON FINAL READING.) [LB821]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB821 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK. [LB821]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1602-1603.) 46 AYES, 0 NAYS, 3 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB821]

PRESIDENT FOLEY: LB821 PASSES. WE'LL NOW PROCEED TO LB829. AND, MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. RECORD, PLEASE. [LB821 LB829]

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

Floor Debate  
April 13, 2016

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CLERK: 40 AYES, 2 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB829]

PRESIDENT FOLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB829]

CLERK: (READ TITLE OF LB829.) [LB829]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB829 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE. [LB829]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1603.) 49 AYES, 0 NAYS, ON THE FINAL PASSAGE, MR. PRESIDENT. [LB829]

PRESIDENT FOLEY: LB829 PASSES. PROCEEDING NOW TO LB851. [LB829 LB851]

CLERK: (READ LB851 ON FINAL READING.) [LB851]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB851 PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK. [LB851]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1604.) 48 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB851]

PRESIDENT FOLEY: LB851 PASSES. PROCEEDING NOW TO LB851A. [LB851 LB851A]

CLERK: (READ LB851A ON FINAL READING.) [LB851A]

PRESIDENT FOLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB851A PASS? ALL THOSE IN FAVOR VOTE AYE; THOSE OPPOSED VOTE NAY. HAVE YOU ALL VOTED WHO CARE TO? RECORD, PLEASE, MR. CLERK. [LB851A]

Floor Debate  
April 13, 2016

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CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1604-1605.) 48 AYES, 0 NAYS, 1 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB851A]

PRESIDENT FOLEY: LB851A PASSES. PROCEEDING NOW TO LB884. MR. CLERK. [LB851A LB884]

CLERK: MR. PRESIDENT, I HAVE A MOTION ON THE DESK. SENATOR GROENE WOULD MOVE TO RETURN THE BILL FOR SPECIFIC AMENDMENT, THAT AMENDMENT BEING TO STRIKE THE ENACTING CLAUSE. (FA139, LEGISLATIVE JOURNAL PAGE 1605.) [LB884]

PRESIDENT FOLEY: SENATOR GROENE, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION. [LB884]

SENATOR GROENE: THANK YOU, AGAIN, MR. PRESIDENT. EVERY TIME I...DAY I SPEND IN THIS PLACE, I REALIZED I WASTED MY EDUCATION, MY ECONOMICS DEGREE EDUCATION ON HOW THE SYSTEM IS SUPPOSED TO WORK. BUT I WENT BACK LONG ENOUGH, I GUESS, I DIDN'T GET A LOT OF KEYNESIAN THEORY TAUGHT TO ME, THANK GOD. I DON'T KNOW WHAT THE UNIVERSITY ECONOMICS DEPARTMENT NOW FOCUSES ON. BUT THIS BODY DOES BELIEVE THAT WE NEED A FIVE-YEAR PLAN ON ECONOMIC GROWTH. WE NEED THIS BODY TO DECIDE ON EVERY ASPECT OF OUR FREE MARKET SYSTEM WITH SOME KIND OF INCENTIVE, SOME KIND OF PROGRAM. IN THIS BILL ALONE WE HAVE TWO OF THEM. WE EXTENDED THE ARENA AND CONVENTION CENTER TAX ABATEMENT, NOT ABATEMENT REALLY BUT REFUND. AND IT ISN'T EVEN A REFUND. IT'S A CONFISCATION OF STATE MONEY, STATE TAXES, AND TO GIVE IT TO THREE LARGE COMMUNITIES THAT HAVE ARENAS, THAT WANT ARENAS AND CONVENTION CENTERS THAT THE REST OF THE TAXPAYERS IN NEBRASKA HAVE TO HELP FUND. AND I UNDERSTAND THAT THERE'S THE TRICKLE-DOWN THEORY THAT 30 PERCENT OF IT ENDS UP IN SMALL TOWNS, WHICH I DON'T REMEMBER ASKING FOR. BUT AGAIN, ON THE GREEN COPY, IT'S \$234 MILLION WE'VE SPENT, NOT ONLY SPENT BUT ALSO FACTOR IN A SHORTAGE OF MONEY THAT WE WILL NOT COLLECT; IT'S FORECASTED NOT TO COLLECT. BUT YET ON THE OTHER SIDE OF THE LEDGER, HERE WE GO AGAIN. THIS THING IS GOING TO END UP COSTING US, BY 2018 AND '19, \$10 MILLION A YEAR IN TAX COLLECTIONS. BUT YET ON THE OTHER SIDE, WE SPEND \$234 MILLION. AND WHAT'S FRUSTRATING ABOUT THIS ONE, THERE'S NO...THESE FACILITIES ARE ALREADY BUILT. THEY'RE TALKING ABOUT A SWIMMING POOL IN LA VISTA, I GUESS. NO NEW JOBS, NO MORE VISITORS TO THESE ARENAS. WELL, MAYBE THE STATE OUGHT TO JUST START

Floor Debate  
April 13, 2016

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PAYING THE FEES FOR THE CONCERT ENTERTAINERS AND STUFF. MAYBE THAT'S HOW WE BRING THEM TO TOWN. LET'S JUST GET A BOOKING AGENT HERE AT THE LEGISLATURE AND LET'S JUST DIRECTLY PAY FOR THESE ENTERTAINERS AND WRESTLERS AND STUFF THAT COME TO OUR COMMUNITY. WHY NOT? LET'S HAVE A FIVE-YEAR PLANNING COMMITTEE. LET'S JUST TURN THIS INTO AN ECONOMIC DEVELOPMENT CREW INSTEAD OF WORRYING ABOUT FIXING ROADS. THANK YOU, MR. SMITH, SENATOR SMITH, FOR LOOKING AFTER THAT, AT LEAST. BUT THAT'S WHAT WE DO HERE. I LOOK AROUND THE ROOM AND I DON'T SEE ANY EXPERTS IN ECONOMIC THEORY. I SUPPOSE YOU ALL SAT THROUGH A KEYNESIAN ECONOMIC CLASS ONCE IN YOUR COLLEGE CAREER. BUT THAT'S WHAT THIS IS, THAT'S WHAT THIS STUFF IS--IT'S UNNECESSARY, ESPECIALLY THIS ONE. SO I'D LIKE TO RECOMMIT THIS, STRIKE THE ENACTING CLAUSE. AND THE OTHER THING HERE, FOLKS, WE ALSO GOT AT POVERTY, HOUSING POVERTY. I DON'T KNOW HOW THAT'S RELATED TO ARENAS. IT'S ANOTHER ONE OF THOSE WHERE WE TUCK SOMETHING ELSE INTO A BILL. WE'RE GOING TO HAVE A TAX CREDIT, MORE TAX CREDITS, MORE INCENTIVES, MORE PAYBACKS FOR POVERTY HOUSING, DO OUR GOOD WORKS THROUGH SOMEBODY ELSE'S TAX DOLLARS. WHAT DOES THAT HAVE TO DO WITH ARENAS AND CONVENTION CENTERS? WHERE DO WE STOP? WHO DREAMS THIS STUFF UP? THANK GOD, I DIDN'T TAKE ANY MONEY FROM LOBBYIST ORGANIZATIONS, BECAUSE THEY DON'T BRING THIS STUFF. I DON'T WAKE UP IN THE MIDDLE OF THE NIGHT AND SAY, OH, WE NEED TO GIVE A TAX BREAK TO ARENAS, AND THEN SOME FOR POVERTY HOUSING. THAT CONNECTION MAKES NO SENSE TO ME, BUT I GUESS I DON'T THINK CLEARLY. BUT WE KEEP DOING THIS AND IT KEEPS COMING AND IT KEEPS COMING, ANOTHER TAX BREAK HERE, WE'RE GOING TO SAVE THE WORLD, WE'RE GOING TO SOCIAL ENGINEER. IF WE GIVE A TAX CREDIT HERE OR A TAX CREDIT HERE, BUILD THIS HERE, WE'RE GOING TO SOCIAL ENGINEER OUR ECONOMY. AND YOU POUR ENOUGH FUEL...I THINK MR. KEYNES WOULD BE ROLLING OVER IN HIS GRAVE IF HE KNEW WHERE HIS THEORIES WENT. HE SAID IN EMERGENCIES, IN NATIONAL EMERGENCIES, THE GOVERNMENT STEPS IN. WE USE IT ALL THE TIME. READ HIS BOOKS. SEE WHAT HE SAID. WE'VE TWISTED IT AROUND TO NOW IT'S JUST THAT NOTHING CAN HAPPEN UNLESS THE GOVERNMENT IS INVOLVED; NO ECONOMIC ACTIVITY CAN HAPPEN UNLESS THE GOVERNMENT STICKS ITS NOSE INTO IT. HERE'S ANOTHER ONE. I'M SURE SOMEBODY IS GOING TO BUILD MORE POVERTY HOUSING BECAUSE THEY GOT THIS TAX CREDIT. BUT MIDDLE-CLASS NEBRASKANS WHO JUST GO ABOUT THEIR LIVES AND RAISE THEIR FAMILIES, ARE GOING TO HAVE TO MAKE IT UP. SOMEBODY HAS GOT TO PAY FOR THIS \$234 MILLION INCREASE IN SPENDING. IT'S GOING TO BE MIDDLE-CLASS AMERICA, SMALL BUSINESSES; ISN'T GOING TO BE THE CORPORATIONS. TAKE A LOOK AT THE ADVANTAGE ACT, HOW MUCH MONEY

Floor Debate  
April 13, 2016

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THEY GET BACK. IT'S GOING TO BE THE FARMERS, IT'S GOING TO BE AVERAGE NEBRASKANS, WHILE WE SOCIAL ENGINEER. ECONOMIC THEORY ENGINEERS, THAT'S WHAT WE ARE. SO ANYWAY, I WOULD ASK YOU TO VOTE FOR MY RECOMMIT. AND IF THERE'S NOBODY IN THE QUEUE, WHICH I SEE SENATOR BLOOMFIELD IS, I WILL WAIT TO SEE IF ANYBODY HAS ANYTHING TO SAY. THANK YOU. [LB884]

PRESIDENT FOLEY: THANK YOU, SENATOR GROENE. DEBATE IS NOW OPEN ON THE MOTION. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB884]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, SENATOR GROENE IS ABSOLUTELY RIGHT. THAT'S NOT A NEW PHENOMENA WITH SENATOR GROENE, BY THE WAY. YOU KNOW, WE CAN HANDLE, PROBABLY, THE FISCAL IMPACT OF THIS THAT'S COMING THIS YEAR, NEXT YEAR. LOOK DOWN THE ROAD, 2019, 2020, WHEN A FEW OF YOU WILL STILL BE HERE. MOST OF YOU WILL BE GONE. THE FISCAL IMPACT TO THE GENERAL FUND IS OVER \$9 MILLION THAT WON'T BE COMING IN. THAT'S A PRETTY GOOD BITE, COLLEAGUES. I'M NOT GOING TO HARP ON THIS. I JUST KIND OF WANTED TO HEAR...LET THE PEOPLE THAT ARE GOING TO BE HERE KNOW THAT IN FIVE OR SIX SHORT YEARS YOUR BUDGET TO WORK WITH IS GOING TO BE ABOUT \$10 MILLION SMALLER BECAUSE OF WHAT WE DO TODAY. THANK YOU, MR. PRESIDENT. [LB884]

PRESIDENT FOLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR SCHUMACHER, YOU'RE RECOGNIZED. [LB884]

SENATOR SCHUMACHER: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. YOU KNOW, SENATOR GROENE MAKES A GOOD POINT. WE ARE MEDDLING SO MUCH, IN A WELL-MEANING WAY, WITH THE DEVELOPMENT OF CAPITAL, WITH THE ORGANIZATION OF HOW WE DO BUSINESS THAT ONE HAS TO BEGIN TO WONDER AT WHAT POINT DON'T WE BECOME COUNTERPRODUCTIVE. I ASSUME THAT MOST OF YOU ARE ON THE LISTSERV OR MAILING LIST FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT: PAGE AFTER PAGE, DAY AFTER DAY OF THIS INCENTIVE, THIS GRANT, THIS PROGRAM, AND THEY ALL SEEM TO GO TO VERY NARROW, TARGETED, SPECIAL THINGS, WITH THE GENERAL POPULATION FOOTING THE BILL. AND THEN WE COMPLAIN ABOUT BEING A HIGH-TAX STATE. THOSE ARE THINGS WE SHOULD CONSIDER IN A POLICYMAKING ENVIRONMENT. AND I DON'T THINK THEY'VE BEEN CONSIDERED. I KIND OF DISAGREE A LITTLE BIT WITH SENATOR GROENE THAT THERE'S ANY GRAND SCHEME OR PHILOSOPHICAL THOUGHT. I THINK THESE



Floor Debate  
April 13, 2016

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THINGS OCCUR AD HOC, ONE BY ONE, THIS GOOD IDEA OR AT LEAST IN A LIMITED SCOPE SOUNDS LIKE A GOOD IDEA, AND IT GETS PASSED FOR \$3 (MILLION) OR \$4 MILLION THAT MAYBE BECOMES \$9 (MILLION) OR \$10 MILLION. AND THIS THING SOUNDS LIKE A GOOD IDEA AND THAT THING SOUNDS LIKE A GOOD IDEA. AND THIS BUSINESS RESTRICTION AND EXTRA PAPERWORK SOUNDS LIKE A GOOD IDEA. AND IT'S ALL LITTLE BITTY INCREMENTS THAT IN THE END HAVE MADE THINGS SO CONVOLUTED THAT IT'S HARD TO DEVELOP GOOD ECONOMIC DEVELOPMENT POLICY, IT'S HARD TO RESPOND TO THE REAL MARKETPLACE, AND IT'S HARD TO DEVELOP GOOD TAX POLICY. AND IT SEEMS LIKE IT NEVER GOES BACK. WE NEVER END ONE OF THESE PROGRAMS; WE ALWAYS TRY TO DO ANOTHER ONE. UNDERSTAND THERE MAY BE A SPECIAL MEETING OF THE REVENUE COMMITTEE TO ADVANCE ANOTHER ONE OF THESE TYPES OF PROGRAMS THIS AFTERNOON. NOW WE KNOW IT WON'T GO ANYWHERE, BUT NEXT YEAR THE ARGUMENT WILL BE MADE, LOOK, IT GOT OUT OF COMMITTEE, WE JUST RAN OUT OF TIME. WE DO NOT DO A TERRIBLY GOOD JOB AT TRYING TO FIGURE OUT THE BIG PICTURE ROLE OF THIS BODY IN THE ECONOMY AND IN THE DEVELOPMENT OF THE STATE. AND LONG AFTER I'M GONE FROM HERE AND MOST OF YOU ARE GONE FROM HERE, THAT PROBLEM WILL CONTRIBUTE TO THE LACK OF FUNCTIONALITY OF THE STATE. FROM A LAWYER'S PERSPECTIVE, ONE THING I'VE LEARNED THAT I WILL USE WHEN I'M OUT OF HERE IS THAT WHEN SOMEBODY, IF SOMEBODY, WANTS TO DEVELOP A NEW BUSINESS, WILL NOT TELL THEM TO GO BUY A DEVELOPMENT SITE OR BUILD A BUILDING OR BUY EQUIPMENT OR CHECK FOR EMPLOYEES. THE FIRST THING I'LL TELL THEM TO DO IS YOU GO HIRE YOURSELF A GOOD LOBBYIST AND YOU GO GET YOURSELF A SPECIAL DEAL OUT OF THE APPROPRIATIONS COMMITTEE OR A SPECIAL DEAL OUT OF THE REVENUE COMMITTEE OR A SPECIAL DEAL OUT OF THE ECONOMIC DEVELOPMENT PEOPLE, BECAUSE THAT'S WHERE IT STARTS IN NEBRASKA. IF YOU GET...OR A SPECIAL DEAL OUT OF THE UNIVERSAL SERVICE FUND. IF YOU GET A SPECIAL DEAL, YOU GOT A LEG UP. AND THEN YOU GO AND LOOK FOR TIF AND YOU LOOK FOR THE GOVERNMENT TO HELP YOU WITH SOME LB840 MONEY AND THAT'S HOW YOU WORK THE SYSTEM. AND THAT, FOLKS, IS A HIGH-PRICE SYSTEM, WHEN IT'S ALL SAID AND DONE, THAT PROBABLY IS NOT GOOD FOR ECONOMIC DEVELOPMENT. SO I THANK YOU FOR YOUR TIME THIS MORNING. THANK YOU, SENATOR GROENE, FOR RAISING THIS ISSUE BECAUSE IT'S THE KIND OF DISCUSSION THAT DESERVES TO BE HAD FROM TIME TO TIME. THANK YOU. [LB884]

PRESIDENT FOLEY: THANK YOU, SENATOR SCHUMACHER. (DOCTOR OF THE DAY AND VISITORS INTRODUCED.) MEMBERS, WE'RE ON FINAL READING, I'LL REMIND YOU. DEBATE CONTINUES. SENATOR DAVIS, YOU'RE RECOGNIZED. [LB884]

Floor Debate  
April 13, 2016

---

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I'LL BE VERY BRIEF WITH MY COMMENTS. BUT I CERTAINLY SHARE THE SAME CONCERNS THAT SENATOR GROENE HAS EXPRESSED AND SENATOR SCHUMACHER AND REMIND THE BODY THAT EVERY TIME WE CONTINUE TO NARROW THE TAX BASE, WE HAVE TO INCREASE RATES IN ORDER TO RAISE THE AMOUNT OF REVENUE WE NEED. AND ULTIMATELY, PEOPLE ARE FORCED AND DRIVEN INTO ASKING FOR MORE TAX BENEFITS AND TAX BREAKS BECAUSE THEY CAN'T TAKE THE RATES THAT ARE IN EXISTENCE. SO A BROAD, LOW TAX WITH NO EXEMPTIONS MAKES THE MOST SENSE, TO ME. I WANT TO REMIND THE BODY OF ANOTHER THING. I'VE SAID THIS BEFORE ON THE FLOOR WHEN THE RALSTON ARENA CAME BEFORE THE REVENUE COMMITTEE LAST YEAR AS AN ISSUE. I REMEMBER ASKING THE MAYOR OF RALSTON AT THE TIME, TELL ME, SIR, ARE THE BUSINESSES THAT ARE BEING BUILT WITHIN THE PARAMETERS OF THE ENTERTAINMENT DISTRICT THERE IN RALSTON ALSO QUALIFYING FOR TIF FINANCING? AND THE ANSWER HE GAVE ME WAS, YES. SO WE HAVE, JUST AS SENATOR SCHUMACHER SAID, WE HAVE ENTITIES THERE WHO ARE TAKING ADVANTAGE OF THE TURNBACK TAX. AND THEN THE DEVELOPMENT PROCESS WITHIN THE COMMUNITY IS USING TIF, LB840 FUNDS. AND THESE, SPECIFICALLY WITH REGARD TO TIF, IS TAKING RESOURCES AWAY FROM SCHOOL DISTRICTS, WHICH REQUIRES THE STATE TO FUNNEL MORE MONEY INTO IT. WE NEED TO HAVE A HONEST, FRANK, FOCUSED DISCUSSION AT SOME POINT ABOUT TAX POLICY, AND WE NEED TO DIRECT SOME ATTENTION TO RATES FOR INCOME AND FOR SALES AND PROPERTY TAXES. SO WITH THAT, I WILL SAY I UNDERSTAND WHAT SENATOR SCHEER IS TRYING TO DO. STANDARDS NEED TO BE ESTABLISHED. I RECOGNIZE THAT. THERE IS A SIGNIFICANT FISCAL NOTE TO THIS BILL. THANK YOU. [LB884]

PRESIDENT FOLEY: THANK YOU, SENATOR DAVIS. SENATOR KINTNER, YOU'RE RECOGNIZED. [LB884]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. I'M NOT GOING TO SPEAK ON THIS BILL. BUT I DID WANT TO JUST HIGHLIGHT PASTOR DWAYNE HAWKINS, WHO'S SITTING OVER HERE. WE JUST HAD HIM ANNOUNCED BY THE PRESIDENT. AND HE'S REPRESENTING THE BILLY GRAHAM EVANGELISTIC ASSOCIATION. HE'S PASTOR OF ANTIOCH BAPTIST CHURCH. YOU MAY REMEMBER SENATOR COOK INVITED HIM DOWN TO THE UNICAMERAL TO GIVE A PRAYER IN FEBRUARY, AND I MIGHT ADD HE DID A VERY GOOD JOB. HE'LL BE IN THE BUILDING TODAY. HE'S GOT MATERIALS ABOUT FRANKLIN GRAHAM, WHO'S COMING TO LEAD PRAYER ON THE NORTH STEPS OF THE CAPITOL ON MAY 18 AT NOON, WHICH IS ONLY FIVE WEEKS FROM TODAY. THIS IS GOING TO BE A BIG, BIG, BIG EVENT. AND SO I WOULD INVITE YOU TO STOP OVER AND SAY

Floor Debate  
April 13, 2016

---

HI TO HIM. HE'S A REALLY NICE GUY, FIRM HANDSHAKE, TOO, I MIGHT ADD. AND HE'S SITTING NEXT TO PASTOR PERRY OVER THERE BEHIND ME. AND I JUST WANTED TO HIGHLIGHT THAT MAY 18 WILL BE THE DAY FRANKLIN GRAHAM IS HERE. IT WILL BE A BIG, BIG DAY FOR THE STATE OF NEBRASKA. HE'S VISITING ALL 50 CAPITOLS. HE'S ENCOURAGING PEOPLE TO PRAY FOR AMERICA AND TO VOTE AND BE ACTIVE AND PUT YOUR FAITH TO ACTION. SO THAT'S ALL I HAVE TO SAY, MR. PRESIDENT. THANK YOU VERY MUCH. [LB884]

PRESIDENT FOLEY: THANK YOU, SENATOR KINTNER. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB884]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I TOO THINK THAT THIS LB884 WARRANTS SOME GOOD DISCUSSION BECAUSE, AGAIN, WE ARE DRIFTING AWAY FROM LOOKING AT AN OVERALL TAX POLICY THAT I THINK WE NEED TO STUDY FURTHER BEFORE WE OFFER ANY MORE EXEMPTIONS OR MORE DOLLARS. AND I KNOW THIS DOESN'T INCREASE A LOT OF DOLLARS. IT IS FAIRLY BENIGN IN THE AMOUNT OF DOLLARS THAT IT DOES. BUT IT STILL DOES EXPAND SOME USES OF THOSE DOLLARS SO, THEREFORE, THERE WILL BE MORE DOLLARS SPENT ON THESE PROJECTS. I UNDERSTAND THAT THESE LOANS WILL BE PAID OFF FASTER AND, EITHER WAY, REGARDLESS, WE WILL...WE ARE COMMITTED TO PAYING OFF THOSE BONDS THAT WERE ISSUED TO BUILD THOSE FACILITIES. BUT IN THE OVERALL LONGER TAX POLICY OF THE STATE, WE NEED TO START LOOKING AT ALL OF THESE EXEMPTIONS AND SALES TAX TURNBACKS IF WE'RE GOING TO HAVE MEANINGFUL PROPERTY TAX RELIEF IN THE FUTURE. AND I KNOW SENATOR SMITH IS VERY ADAMANT ON WORKING ON INCOME TAX ISSUES. AND AS WE DO THOSE, WE NEED TO KEEP LOOKING AT EACH AND EVERY EXEMPTION OR TURNBACK AND EVERYTHING ELSE THAT WE DO HERE WHEN WE START GIVING REVENUE BACK THROUGH EXEMPTIONS AND THOSE TYPES OF POLICIES. SO I URGE THE BODY TO LOOK AT THIS CAREFULLY AND CONSIDER EACH TIME WE DO GIVE UP A REVENUE STREAM OF SOME SORT, WHATEVER IT IS, THAT WE MAKE SURE THAT IT FITS IN THE BEST INTEREST OF THE STATE. THANK YOU, MR. PRESIDENT. [LB884]

PRESIDENT FOLEY: THANK YOU, SENATOR FRIESEN. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB884]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THE HORSE IS OUT OF THE BARN. THE SHIP HAS LEFT THE HARBOR. THE PLANE HAS TAKEN OFF. THE LAST TRAIN HAS LEFT THE STATION. I HAVE STOOD HERE ALL

Floor Debate  
April 13, 2016

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SESSION AND LISTENED TO PEOPLE WHINE AND GROAN AND COMPLAIN ABOUT WHAT SENATOR GROENE BROUGHT UP THIS MORNING. EVERYBODY SAYS WE HAVE TO START DOING THIS. WHEN IS THE START GOING TO OCCUR? THIS BILL HAS GONE ALL THE WAY ACROSS THE FLOOR. NOBODY MADE AN ATTEMPT TO STOP IT. JUST YACKETY-YACKETY-YAK, THAT'S ALL IT IS. WE NOW HAVE BEEN REDUCED TO A MERE DEBATING SOCIETY. I'LL TELL YOU ONE THING. YOU ALL MAY GET UPSET WITH ME, BUT I DO SOMETHING ABOUT THE MATTERS THAT I BELIEVE IN. I DO SOMETHING. AND I USE THE TOOLS THAT ARE AVAILABLE IN THIS LEGISLATURE. A FEW DAYS AGO, SENATOR MURANTE AND SENATOR McCOY AND SOME OF THE OTHER WATER CARRIERS FOR THE REPUBLICAN PARTY MOVED A VERY BAD BILL, AT NIGHT, AND IT UPSET ME. AND I LAID OUT WHAT I INTENDED TO DO ABOUT IT AND I SAID WHAT I WAS GOING TO DO WITH BILLS ON FINAL READING. AND YOU ALL KNOW THAT IF I SAY I'LL DO SOMETHING AND I INTEND TO DO IT, I WILL DO IT. BUT IF YOU LISTEN CAREFULLY, I SAID THAT I'M FREE TO DO ANYTHING THAT I WANT TO DO. IF I WANT TO GO THROUGH WITH THIS, I WILL; IF I DECIDE NOT TO, I WON'T. I HAVE A REASON FOR WHAT I DO. WHEN THE REASON IS NO LONGER THERE, I DON'T DO ANYTHING. WHAT I WANTED TO SEE HAPPEN WAS LB10 DIE, AND IT DIED. MY PHILOSOPHY SOMETIMES IS THAT OF THE TERMITE. UNSEEN, UNHEARD, THE TERMITE DOES ITS WORK. AND THOSE ARROGANT WINDBAGS STEP INTO THEIR TENTH FLOOR PENTHOUSE, CONFIDENT THAT EVERYTHING IS GOING THEIR WAY, AND THEY WIND UP IN THE BASEMENT BECAUSE THE TERMITE HAS DONE ITS WORK. I WORK. SOMETIMES IT'S NECESSARY TO DO A LOT ON THE FLOOR AND OTHER TIMES SOME THINGS ARE DONE OUT OF SIGHT. BUT THE RESULT IS WHAT IS DESIRED. I GOT THE RESULT THAT I THOUGHT WE SHOULD HAVE ARRIVED AT. I TOLD YOU THERE'S A DIFFERENCE BETWEEN TACTICAL THINKING AND STRATEGIC THINKING. TACTICAL IS WHEN YOU DO THE LITTLE BIT HERE, A LITTLE BIT THERE, A LITTLE BIT OVER HERE. STRATEGIC IS WHEN YOU LOOK AT THE WHOLE LAYOUT. YOU TAKE A PANORAMIC VIEW. YOU DON'T LOOK AT THIS ONE THING. IT'S ONE PART IN A LARGER WHOLE. NOW ALL THIS IS THIS MORNING IS YACKETY-YAK. NOTHING IS GOING TO HAPPEN. YOU ALL AREN'T GOING TO FIGHT THESE BILLS. YOU LET THEM GO ACROSS THE FLOOR AND THEN YOU WHINE: WE DID THIS, WE'RE GIVING UP THIS, OTHER PEOPLE HAVE TO PAY. THEN STOP IT. YOU'RE NOT GOING TO STOP THESE BILLS ON FINAL READING. YOU'RE NOT EVEN GOING TO STOP FINAL READING. WHICH OF YOU EVER HAS BEEN SUCH A FORCE THAT THE SPEAKER WAS GOING TO SUSPEND THE RULES SO THAT THERE COULD BE NO DEBATE AND NO AMENDMENTS ON A BUNCH OF BILLS? NOT ANY OF YOU, BECAUSE NOBODY TAKES YOU SERIOUSLY. AND YOU KNOW WHAT I COULD HAVE DONE THAT DAY HAD I CHOSE TO? THE MOTION SAID... [LB884 LB10]

Floor Debate  
April 13, 2016

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PRESIDENT FOLEY: ONE MINUTE. [LB884]

SENATOR CHAMBERS: HOW MUCH TIME DO I HAVE, MR. PRESIDENT? [LB884]

PRESIDENT FOLEY: ONE MINUTE, SENATOR. [LB884]

SENATOR CHAMBERS: I'M GOING TO TURN ON MY LIGHT AND STOP NOW, BECAUSE I'LL RUN OUT BEFORE I FINISH. [LB884]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB884]

SENATOR JOHNSON: THANK YOU, MR. PRESIDENT, MR. LIEUTENANT GOVERNOR. I THINK MAYBE IT'S TIME FOR A MORATORIUM ON ALL OF THESE INCENTIVES THAT WE'RE TALKING ABOUT. WE NEED TO REALLY SIT DOWN AND TALK ABOUT TAX POLICY, WHETHER IT'S TALKING ABOUT THE INCENTIVES. MY FIRST YEAR HERE, MY PRIORITY BILL WAS TO GET MORE MONEY OUT TO SMALL COMMUNITIES, AND THAT PASSED, IN ORDER TO BRING MORE MONEY TO ECONOMIC DEVELOPMENT IN RURAL NEBRASKA. WE ARE TRYING TO FIX A LOT OF THINGS WITH A LOT OF BAND-AIDS. WHETHER TALKING ABOUT PROPERTY TAX...I DID MEET...I HAVE MET WITH THE STAFF FROM THE REVENUE COMMITTEE, STARTING ON THE PROJECT THAT I'M WORKING ON, DIFFERENT WAY OF VALUING AG PROPERTY FOR TAX PURPOSES. AND WE'VE GOT A DATE SET THAT WE'RE GOING TO START THIS PROCESS. THIS IS JUST ONE LITTLE PART OF THE FIX, BUT I THINK WHAT WE'RE TALKING ABOUT TODAY IS ANOTHER PART OF IT. OUR ECONOMIC DEVELOPMENT DIRECTOR IS ON BOARD NOW. WE WERE WITHOUT A DEPARTMENT FOR SEVERAL YEARS. I THINK THAT WAS A MISTAKE, BUT THAT'S WHAT IT IS AND IT'S WHAT IT WAS. NOW WE'RE ON TRACK. IT'S GOING TO TAKE A LITTLE BIT TO GET US FULLY ON TRACK BUT I THINK IT'S TIME FOR US TO JUST SIT BACK AND NOT LOOK AT ANY MAJOR CHANGES IN OUR POLICY ON INCENTIVE PROGRAMS. WE'RE FINDING OUT A LOT OF THINGS IN OUR BOOKS THAT ARE NOT WORKING FOR RURAL NEBRASKA. AND WE'VE TALKED ENOUGH ABOUT ECONOMIC DEVELOPMENT IN RURAL NEBRASKA AND HOW IMPORTANT THAT IS TO THE ENTIRE STATE. SO, I APPRECIATE THE DISCUSSION WE'RE HAVING ON LB884. I KNOW THE COMMUNITIES, THE CHAMBERS AND THAT, ARE FOR IT. BUT I THINK IT'S TIME FOR US TO MAYBE SIT BACK AND ALMOST LOOK AT A MORATORIUM ON ANY OF THESE PROPOSALS. SO THANK YOU, LIEUTENANT GOVERNOR. [LB884]

Floor Debate  
April 13, 2016

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PRESIDENT FOLEY: THANK YOU, SENATOR JOHNSON. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LB884]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, FRIENDS, ENEMIES, NEUTRALS, IF SOMETHING IS PUT IN WRITING AND IT GOES CONTRARY TO WHERE YOU WOULD WANT IT TO GO, READ WHAT IS WRITTEN AND PAY ATTENTION TO THE WORDS. IN THE VERY WORDS THAT ARE DESIGNED TO CONDEMN CAN SOMETIMES BE FOUND YOUR SALVATION. I READ THE SPEAKER'S MOTION. IT SAID THAT THE RULE WOULD BE SUSPENDED SO THAT THERE COULDN'T BE DEBATE OR AMENDMENT ON ANY OF THESE BILLS. THAT'S WHERE YOU COULD NOT DEBATE, ON THE BILLS. THE MOTION THAT HAS PRIORITY OVER EVERY OTHER MOTION HERE IS A MOTION TO RECESS. THAT IS NOT A MOTION ON A BILL. IF THERE ARE 30 BILLS, READ A BILL, THEN A MOTION TO RECESS, AND YOU'VE GOT A VOTE. A MOTION TO RECESS IS NOT OUT OF ORDER. NOW IT COULDN'T BE FOUND TO BE IN ORDER IF YOU JUST LOST A VOTE TO RECESS AND THEN YOU OFFER THE MOTION AGAIN. BUT WHEN BUSINESS INTERVENES, A MOTION TO RECESS CAN BE MADE. AND HAD I CHOSEN TO KEEP YOU ALL HERE YESTERDAY, I COULD HAVE DONE IT. BUT I WOULD HAVE HAD TO HAVE A PURPOSE FOR IT. DON'T DO IT JUST BECAUSE I CAN DO IT. YOU KNOW WHY I MAKE IT THE PERSONAL PRONOUN, FIRST PERSON? BECAUSE I'M TALKING ABOUT ME, NOT YOU ALL. YOU'RE NOT GOING TO DO IT. YOU DON'T READ THE RULE BOOK. IT'S THERE FOR ALL OF US. YOU CAN READ THESE MOTIONS. YOU CAN PAY ATTENTION TO THE WORDING OF THE MOTION, AND THE WAY THE MOTION IS DRAFTED CONTAINS ITS OWN SELF-LIMITATION. SO I READ. AND READING IS MORE THAN JUST PASSING YOUR EYES OVER WORDS. UNDERSTAND AND COMPREHEND. I TRIED TO LAY OUT WHAT SOMEBODY COULD DO TO TRY TO STYMIE ME. I SAID THESE PEOPLE OUGHT TO GET THE RULE BOOK AND PUT THEIR HEADS TOGETHER AND PORE OVER THAT RULE BOOK AND SEE WHAT THEY COULD COME UP WITH. SO THEY READ IT SUPERFICIALLY AND CAME UP WITH NOTHING. SO A SMART PERSON WOULD TAKE CONSULTATION. TWO HEADS ARE BETTER THAN ONE, EVEN IF ONE OF THEM IS A HOG'S HEAD. I DON'T MEAN A LITERAL HOG, BY THE WAY. IT'S WHAT'S IN THE HOG'S HEAD THAT COUNTS IN THIS INSTANCE. SO I ENJOY A LOT OF TIMES WHAT GOES ON, ON THIS FLOOR. AND SINCE WE ARE TOWARD THE VERY END NOW AND SOME OF YOU WILL NOT COME BACK, I WILL NOT HAVE ANOTHER OPPORTUNITY TO ADDRESS YOU. SO I JUST WANT TO LET YOU KNOW THAT MY RULE SACK IS NOT EMPTY. I'VE SAID YOU CANNOT STOP ME FROM DOING WHAT I WANT TO DO, AND IF ALL I WANT TO DO IS TAKE TIME YOU CANNOT STOP ME. AND I'LL DO IT ALL UNDER THE RULES. BUT HERE IS WHAT HAPPENS THAT'S DIFFERENT BETWEEN ME AND THE REST OF YOU. I WILL FIGHT IT ALL THE WAY ACROSS. I WON'T WAIT UNTIL SOMETHING IS

Floor Debate  
April 13, 2016

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ON FINAL READING, THEN JUMP UP AND VENT MY SPLEEN. WHAT PURPOSE DOES IT SERVE? NONE WHATSOEVER. MAKES YOU LOOK FOOLISH. YOU, ANY ONE OF YOU WHO ARE SPEAKING AGAINST THIS BILL RIGHT NOW COULD HAVE LAUNCHED AN EFFORT TO STOP IT, AND YOU DID NOT. SO THE WORDS ARE POINTLESS. THEY'RE OF LESS SUBSTANCE THAN WORDS WRITTEN IN WATER, BLOWING IN THE WIND. AND PEOPLE CAN CRITICIZE ME ANY WAY THEY WANT TO... [LB884]

PRESIDENT FOLEY: ONE MINUTE. [LB884]

SENATOR CHAMBERS: ...BECAUSE LIKE POPEYE SAYS, "I YAM WHAT I YAM AND THAT'S ALL THAT I YAM." BUT THAT "ALL THAT I YAM" IS ENOUGH TO CARRY ME THROUGH ANYTHING HERE. PAY ATTENTION. LOOK AT YOU, AT THE LAST MINUTE. I FOUGHT SENATOR McCOLLISTER'S BILL TOOTH AND NAIL. IT MADE IT TO FINAL READING. I DIDN'T NEED TO TAKE TIME AT THAT POINT, SO WHAT WOULD I GAIN BY TALKING AGAINST HIS GAME AND PARKS BILL? I COULD GAIN NOTHING AND PEOPLE MIGHT NOT UNDERSTAND WHY I'D LEAVE IT ALONE, BUT I HAVE MY REASONS. I'M NOT DOING THINGS AT RANDOM LIKE IS BEING DONE HERE. THIS FELLOW KEYNES, ONE GUY. HE SAID SOMETHING. HOW DO YOU KNOW HE'S RIGHT? ONE PERSON FOLLOWS HIM, TWO OTHER PEOPLE WHO HAVE CLOUT FOLLOW HIM, AND THEN EVERYBODY SAYS THIS IS LIKE SOMETHING, AN ADDENDUM, TO WHAT MOSES BROUGHT DOWN FROM MOUNT SINAI THAT WAS WRITTEN ON THE STONE. AND KEYNES DUG UP THE STONES, AND... [LB884]

PRESIDENT FOLEY: TIME, SENATOR. [LB884]

SENATOR CHAMBERS: ...HERE IT IS, WRITTEN RIGHT HERE. [LB884]

PRESIDENT FOLEY: TIME, SENATOR. [LB884]

SENATOR CHAMBERS: AND YOU'RE NOT... [LB884]

PRESIDENT FOLEY: SENATOR CHAMBERS, TIME. YOU'RE RECOGNIZED, SENATOR CHAMBERS. YOU MAY CONTINUE. [LB884]

SENATOR CHAMBERS: YOU KNOW, I'M ON A ROLL NOW, BUT I'M NOT GOING TO DO THIS. SOMEBODY ELSE STARTED IT TODAY, DIDN'T THEY? SOMEBODY ELSE THREW THE FIRST STONE. BUT WHO GETS THE BLAME? YOU ALL WOULD THROW

Floor Debate  
April 13, 2016

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A STONE AT ME, THEN WHEN I STAND UP TO YOU I'M THE ONE WHO GETS CONDEMNED. BUT I DON'T START ANY OF IT. I DIDN'T START THE FIGHT BETWEEN ME AND THE GOVERNOR. HE STARTED IT BEFORE HE EVEN GOT HERE. HE STARTED IT. NOW HE WHINES. HE CAN'T TAKE IT. I WATCH YOU ALL. THAT'S WHY I'LL STAND LIKE I'LL STAND. THAT'S NOT THE ONLY REASON. I WILL NEVER BE INTIMIDATED LIKE SOME OF YOU ALL BECAUSE THERE'S A BUNCH OF PEOPLE ON THE OTHER SIDE. I CAN ALMOST WRITE DOWN WHAT SOMEBODY IS GOING TO SAY IN HERE, SOME OF YOU. AND I CAN ALSO MAKE A LIST OF HOW YOU'RE GOING TO VOTE ON THESE ISSUES. AND IT DOESN'T TAKE A GENIUS TO DO THAT. IF YOU EVER WAGERED ON SPORTS, YOU LEARN HOW TO WATCH WHAT SPORTS DO, WHAT THE TEAMS DO, WHAT INDIVIDUAL PLAYERS ON A TEAM WILL DO, WHAT THE TEAM AS A WHOLE WILL DO, WHAT THE COACH HAS GONE THROUGH DURING THE WEEK, WHAT KIND OF PROBLEMS THERE HAVE BEEN DURING PRACTICE. YOU LOOK AT ALL OF THAT. YOU DON'T EVEN CARE WHICH TEAM WINS. YOU JUST WANT TO PICK THE ONE THAT WINS. YOU DON'T BET THE ONE YOU LIKE. YOU DO THAT AND YOU WIND UP IN THE POORHOUSE. SO, AROUND HERE, I'M LIKE SANTA CLAUSE. I MAKE MY LIST, I'M CHECKING IT TWICE, GOING TO FIND OUT...I DON'T HAVE TO FIND OUT WHO'S NAUGHTY OR NICE. I WATCH AND I LISTEN AND I KNOW EACH ONE OF YOU VERY WELL. I KNOW YOU BETTER THAN YOU KNOW YOURSELF. AND I KNOW WHEN SOME OF YOU ARE GOING TO POP UP AND I KNOW JUST WHAT YOU'RE GOING TO SAY. I KNOW IT, NOT BECAUSE I'M A MIND READER. I READ WHAT'S WRITTEN ON THESE PAGES DOWN HERE, NOT THE PAGES, THE YOUNG PEOPLE, BUT LIKE LEAVES IN A BOOK. READ ON THE PAGES AND AIN'T MUCH THERE...AIN'T MUCH WRITTEN THERE SO IT AIN'T MUCH TO LEARN. SOME OF YOU POP UP, ALWAYS THE SAME: OH, WELL, MR. SPEAKER, MY FRIENDS ON THE LEFT. WHAT DOES THAT MEAN? LEFT OF WHAT? ON THE RIGHT. KEYNESIAN ECONOMICS, WHAT DOES THAT MEAN? THE GOVERNOR, THE ATTORNEY GENERAL, THE PROSECUTORS KNOW THEY CAN SNATCH YOU OUT OF HERE AT THE LAST MINUTE AND TURN YOU COMPLETELY AROUND ON A BILL AND A POSITION THAT YOU STAKED YOUR DESTINY ON AND TALKED ABOUT HOW YOU BELIEVED THIS AND BELIEVED THAT. THEN I WATCH YOU FOLD UP AND BLOW AWAY IN THE WIND. SENATOR GARRETT HAD A BILL WHICH WAS NOT MINE, BUT I TOOK VERY PERSONALLY WHAT HAPPENED ON THAT BILL. THE FAILURE TO EXPAND MEDICAID COVERAGE, I TOOK OFFENSE ON THAT BILL. AND THEN THAT LB10, THE MISSTATEMENTS MADE ABOUT WHY IT WAS BEFORE US. WE ALL SAW THROUGH THAT, AT LEAST I DID. AND WHEN IT COMES TO THOSE THINGS THAT ARE SO BLATANTLY OBVIOUS, I PRESUME THAT EVERYBODY SEES WITH THE SAME POLITICAL ACUITY THAT I SEE. BUT YOU WON'T SPEAK AND YOU WON'T STAND UNLESS YOU GOT A WHOLE LOT OF COMPANY ALONG WITH YOU. AND THAT'S WHY PEOPLE DON'T HAVE ANY



Floor Debate  
April 13, 2016

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RESPECT FOR YOU. YOU THINK ANY OF THEM WOULD POP THEIR FINGER AND TELL CHAMBERS GET OUT HERE, GET OUT HERE, AND THEN HAVE ME LEANED UP AGAINST THE WALL LIKE I'M ABOUT TO BE CRUCIFIED AND THEY'RE ALL SURROUNDING ME FROM THE GOVERNOR'S OFFICE AND POINTING AT ME AND HOLLERING AT ME AND TELLING ME WHAT I BETTER DO? THEN COME IN HERE WITH MY... [LB884 LB10]

PRESIDENT FOLEY: ONE MINUTE. [LB884]

SENATOR CHAMBERS: ...LITTLE TAIL BETWEEN MY LEGS, WHINING AND WHIMPERING AND DOING WHAT THEY TOLD ME TO DO? AND THEY MAY NOT EVEN SPEAK TO YOU WHEN THEY SEE YOU OUT HERE, BUT THEY OWN YOU. THE LEGISLATURE IS THE MOST POWERFUL BRANCH OF GOVERNMENT BECAUSE WE CONTROL THE PURSE STRINGS. BUT WE DON'T EXERCISE THAT CONTROL. WE DON'T USE THE OVERSIGHT THAT WE HAVE. SO AS A RESULT, WE'RE THE BUTT OF EVERYBODY'S JOKE, AND I GUESS WELL WE SHOULD BE. BUT I'M ALWAYS SEPARATED FROM THE REST OF YOU. AND WHEN I KNOW THE VIPERS ARE HISSING THE LOUDEST, I'M STRIKING NEAR AND MOST EFFECTIVELY TO THEIR NESTS. THANK YOU, MR. PRESIDENT. I'M GOING TO VOTE AGAINST SENATOR GROENE'S MOTION IF IT STAYS UP THERE AND I'M GOING TO VOTE FOR SENATOR SCHEER'S BILL OUT OF SYMPATHY. THANK YOU. [LB884]

PRESIDENT FOLEY: THANK YOU, SENATOR CHAMBERS. SEEING NO OTHER MEMBERS WISHING TO SPEAK, SENATOR GROENE, YOU'RE RECOGNIZED TO CLOSE ON YOUR MOTION. [LB884]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. SENATOR CHAMBERS STOLE SOME OF MY THUNDER. I WAS GOING TO SAY, I LISTENED TO A GUY FOR 15 MINUTES AND STILL DON'T KNOW WHERE HE STANDS ON THE BILL. BUT THE MAN MUST BE ABLE TO READ MY MIND BECAUSE HE USED HIS LAST 15 SECONDS TO STATE THAT. I ALSO HEARD THAT WE'RE WASTING OUR TIME DOING THIS; YOU KNOW NOTHING IS GOING TO HAPPEN; YOU'RE NEVER GOING TO KILL A BILL ON FINAL READING. DID I HAVE A DREAM LAST NIGHT? DID SOMETHING HAPPEN ON LB10 YESTERDAY ON FINAL READING? MUST HAVE BEEN ANCIENT HISTORY SOMEBODY FORGOT ALREADY. AM I TRYING TO KILL THIS BILL? NO. I'M MAKING A POINT. I WATCHED A MAN FOR 40 YEARS FIGHT HIS BATTLE ON AN ISSUE. HE KEPT STANDING AT THE MIKE, PREACHING HIS PREACH, HIS SERMON, ON THE DEATH PENALTY. FORTY YEARS IT TOOK HIM. HE DID IT. I'M NOT AS YOUNG AS HE WAS WHEN HE STARTED, SO I DON'T HAVE 40 YEARS. BUT I'M

Floor Debate  
April 13, 2016

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GOING TO KEEP PREACHING COMPREHENSIVE TAX REFORM, TAX BREAKS FOR EVERYONE, AND NONE FOR THE LOBBY, NONE FOR THE LOBBY. THESE SPECIAL TAX BREAKS HAVE TO STOP. THIS LEAKAGE OF OUR TAXES HAS TO STOP IF WE'RE GOING TO GET COMPREHENSIVE INCOME TAX REFORM FOR THE PEOPLE WHO AREN'T PAYING ATTENTION TODAY, AREN'T WATCHING ON THE COMPUTER. THEY'RE WORKING FOR THEIR FAMILIES. COMPREHENSIVE PROPERTY TAX REFORM FOR EVERYBODY. I HAVE MORE HOMEOWNERS THAN I HAVE FARMERS, BY FAR, IN MY DISTRICT. AND WHEN I BANGED ON DOORS, THEY WERE CONCERNED ABOUT THEIR CONFISCATORY PROPERTY TAXES. BUT YET, HERE WE GO. I DON'T KNOW IF I HAVE MY TOTAL HERE BUT, DAY-CARE TAX CREDITS FOR CERTAIN EMPLOYEES, FOR EDUCATION, FIREMEN, VOLUNTEER FIREMEN CREDIT, ARENA SALES TAX REBATES. I'M SURE I'M MISSING SOME. ADDING UP 20, 30, 40 MILLION BUCKS, BECAUSE THE LOBBY BOUGHT YOU LUNCH. AND IF I WASN'T MATURE, I COULD TAKE OFFENSE TO WHAT SENATOR CHAMBERS SAID. BUT I BELIEVE IN EACH BILL AS IT STANDS. AND I WAS GOING TO SUPPORT HIM ON LR414, PROBABLY STILL AM, BUT I'M NOT GOING TO SAY, NOW, NOW, NOW, I'M NOT GOING TO VOTE FOR YOUR BILL BECAUSE YOU DIDN'T VOTE FOR MINE. IT'S CALLED MATURITY. YOU'RE AFFECTING \$1.9 MILLION. IT'S NOT ABOUT US...1.9 MILLION PEOPLE, EXCUSE ME. IT'S NOT ABOUT US AND OUR FEELINGS. THIS STUFF HAS TO STOP. IT JUST HAS TO STOP IF YOU'RE GOING TO GET COMPREHENSIVE TAX REFORM IN THE STATE OF NEBRASKA. BUT IT KEEPS COMING AND KEEPS COMING. AND SOME LOBBY BUYS YOU DINNER...AND I'M NOT AT ALL CRITICIZING SENATOR SCHEER. I AM SURE HE BELIEVES THAT SOMETHING IS GOING TO HAPPEN IN NORFOLK AND IT COULD HELP HIS COMMUNITY. I UNDERSTAND THAT. I GET THE SAME PRESSURES FROM MY CHAMBERS OF COMMERCE AND STUFF. BUT THEY DON'T REPRESENT THE AVERAGE PERSON. THEY REPRESENT A FEW INDUSTRIES: REAL ESTATE, BANKING. THEY SIT ON TOP THE PYRAMID SCHEME, WHILE THE AVERAGE PERSON PAYS THE TAXES. BUT YET, THAT'S ALL I HEAR, IS THIS LOBBY SAID THAT, THIS LOBBY SAID THAT, THE SUPERINTENDENT SAID THIS ABOUT EDUCATION. AND I'M SITTING THERE GOING, WHAT? THEY'RE EMPLOYEES. ASK YOUR AVERAGE CITIZEN WHAT THEY WANT, NOT YOUR GOVERNMENT EMPLOYEES. THIS STUFF HAS TO STOP. AND I'M SENDING A MESSAGE, SENATOR CHAMBERS, TO THE NEXT LEGISLATURE. I REPRESENT 39,000 PEOPLE. I DON'T REPRESENT MY COLLEAGUES. I'VE LEARNED MY LESSON THIS YEAR. NO MORE VOTES TO GET ALONG,... [LB884 LB10 LR414]

PRESIDENT FOLEY: ONE MINUTE. [LB884]

Floor Debate  
April 13, 2016

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SENATOR GROENE: ...NONE OF THAT. I'M GOING TO TRY TO BREED THAT CULTURE IN THIS BODY. I'M GOING TO TRY, PLANT SOME SEEDS. THAT'S WHAT I'M DOING TODAY, THE LAST TWO DAYS OF THIS SESSION, FOR NEXT YEAR. WE'LL HAVE A NEW REVENUE COMMITTEE CHAIRMAN. WE'LL HAVE A NEW EDUCATION COMMITTEE CHAIRMAN. WE'LL HAVE A LOT OF CHANGES THAT ARE HAPPENING. I'M TELLING YOU RIGHT NOW, IF YOU'RE RUNNING FOR COMMITTEES, I'M GOING TO ASK YOU SOME BLUNT QUESTIONS. ARE YOU GOING TO GIVE PROPERTY...TAX RELIEF TO EVERYBODY OR ARE YOU GOING TO PUSH THESE BILLS THROUGH YOUR COMMITTEES? I'M NOT CRITICIZING THE PRESENT CHAIRMEN OF THOSE COMMITTEES. THEY'RE GOOD PEOPLE. BUT A CULTURE HAS TO BE CHANGED AND WE GOT TO START NOW. THANK YOU. AND I WITHDRAW MY MOTION.  
[LB884]

PRESIDENT FOLEY: THE MOTION IS WITHDRAWN. BEFORE WE PROCEED FURTHER, WHILE THE LEGISLATURE IS IN SESSION CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN THE FOLLOWING LEGISLATIVE BILLS: LB235, LB721, LB756, LB821, LB829, LB851, AND LB851A. MR. CLERK. [LB884 LB235 LB721 LB756 LB821 LB829 LB851 LB851A]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR CHAMBERS WOULD MOVE TO RETURN THE BILL FOR SPECIFIC AMENDMENT, THAT BEING STRIKE SECTION 1. (FA143, LEGISLATIVE JOURNAL PAGE 1605.) [LB884]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: SENATOR CHAMBERS, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB884]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, WHEN SOMEBODY WAITS UNTIL I'VE SPOKEN MY THREE TIMES AND THEN WILL STAND UP AND SAY THINGS, KNOWING I CAN'T SPEAK AGAIN ON THAT PARTICULAR ISSUE, ALL I HAVE TO DO IS OFFER AN AMENDMENT AND I GET TO SPEAK AGAIN. YOU CAN'T STOP ME. AND LET ME EXPLAIN SOMETHING TO MY FRIEND SENATOR GROENE ABOUT THE DIFFERENCE BETWEEN THE WAY I WORK AND THE WAY HE WORKS. I DON'T JUST STAND UP AND YACKETY-YAK AGAINST A BILL I DON'T LIKE. I WILL ATTACK THE BILL ALL THE WAY ACROSS, AND I WILL ALSO IMPLICATE OTHER BILLS, LETTING EVERYBODY KNOW THAT THIS IS A PART OF THE STRATEGY TO GO AGAINST THAT BILL. AND YOU DIDN'T HAVE A DREAM LAST NIGHT. SENATOR MURANTE AND SENATOR McCOY HAD A

Floor Debate  
April 13, 2016

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NIGHTMARE. AND I READ THE WORLD-HERALD. YOU WOULDN'T EVEN THINK I WAS HERE. PEOPLE YIELDED ME TIME, THAT WAS MY TARGET. THEY WROTE A JESTING ARTICLE ABOUT HOW I TOOK ALL THE TIME AND STOPPED EVERYTHING BY SINGING, POETRY, AND SO FORTH, BECAUSE THAT TITILLATES PEOPLE. THEN, WHEN MY STRATEGY WORKS, THEY DON'T MENTION THAT AT ALL. THAT'S THE WAY THE WORLD-HERALD OPERATES AND I KNOW THAT, AND I MENTION IT ON THE FLOOR BECAUSE I DO NOT TALK ABOUT ANYBODY BEHIND THEIR BACK. SENATOR GROENE, I'VE BEEN WORKING AGAINST LB10 EVER SINCE SENATOR HILKEMANN PRIORITIZED IT. ONCE I KNEW THAT IT WAS OUT HERE, I HAD TO BEGIN MY ASSAULT AGAINST IT. SENATOR KRIST WAS IN THE MILITARY, SENATOR SCHNOOR, SENATOR GARRETT. SURPRISE IS ONE OF THE TACTICS YOU USE IF YOU CAN. BUT IF YOU CAN'T JUST OUTRIGHT SURPRISE THE FOE AND THE FOE KNOWS THAT YOU'RE OUT THERE AS HIS OR HER ANTAGONIST, THEN YOU HAVE TO FIND A TACTIC THAT WILL WORK, AND YOU'RE GOING TO WIN STEP BY STEP. SO SENATOR GROENE THINKS I'M COMING BY AIR. SO I COME BY LAND. SENATOR MURANTE AND SENATOR McCOY THINK I'M COMING BY LAND AGAIN, SO I COME BY WATER. THEY MAKE IT EASY. SENATOR GROENE SAID I MUST HAVE READ HIS MIND. WELL, THERE WASN'T A LOT OF READING THAT I HAD TO DO. PEOPLE OPEN THE DOOR FOR ME AND I GO THROUGH. OPPORTUNITY KNOCKS ONCE, THEY SAY. AND FOR SOME PEOPLE, THE DOOR WILL CRACK OPEN A BIT AND STAY OPEN A BIT. BUT FOR OTHERS ITS LIKE THIS. IT OPENS AND IT CLOSES IMMEDIATELY. SO YOU HAVE TO BE THERE. AND SOON AS YOU SEE THAT SLIVER OF LIGHT THAT WARNS YOU THAT THE DOOR IS SLIGHTLY CRACKED, YOU BETTER BE READY TO GO THROUGH IT AND GO THROUGH IT. SO WHEN PEOPLE STICK THEIR CHIN OUT THERE, IF I'M IN THE RING FIGHTING THEM, THEN WITH LIGHTNING-LIKE SPEED AND PRECISION, ON THE CHIN OR THE BUTTON, AS THEY CALL IT, I WILL STRIKE. WHEN I WAS FIGHTING AGAINST THE DEATH PENALTY, I USED EVERYTHING THAT I COULD. I RESEARCHED IT. I WROTE PAPERS. I WROTE ESSAYS. I GAVE TALKS. I DIDN'T JUST WAIT TILL A BILL WAS UP FOR DISCUSSION. AND I ALSO GAVE MY TIME TO IT. BUT IT WASN'T THE ONLY THING I DID WHILE I WAS HERE. THERE WERE OTHER MAJOR PIECES OF LEGISLATION THAT I WAS ABLE TO GET ENACTED INTO LAW AND OTHER BAD BILLS I WAS ABLE TO STOP. IN FACT, ONE THING THAT MADE NEBRASKA PROUD AFTER IT WAS DONE, I LED THE WAY ON THE FIGHT TO DIVEST PUBLIC FUNDS FROM CORPORATIONS DOING BUSINESS IN AND WITH SOUTH AFRICA, AND IT WAS FOUGHT BY SOME OF THE OFFICIALS AT THE STATE LEVEL. A RESOLUTION WAS PASSED. AND THE SIGNIFICANCE WAS RECOGNIZED IN SOUTH AFRICA. THERE'S A NEWSPAPER CALLED THE RAND DAILY MAIL, AND THEY WROTE AN EDITORIAL AND THEY SAID NEBRASKA IS THE FIRST LEGISLATURE TO TAKE ANY FORMAL ACTION AGAINST APARTHEID BY WAY OF DIVESTING. AND IT WAS AN OMINOUS SIGN,

Floor Debate  
April 13, 2016

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BECAUSE NEBRASKA WAS A MIDWESTERN CONSERVATIVE STATE. AND THEY DIDN'T MENTION THAT THE ONE WHO SPONSORED AND PUSHED THE THING THROUGH WAS A BLACK MAN, BUT THEY SAW THE SIGNIFICANCE OF IT. AND THEY SAID IT IS OMINOUS BECAUSE IT MAY START A BANDWAGON EFFECT. AND IT DID. OTHER STATES DID IT. THE FEDERAL GOVERNMENT DID IT. AND APARTHEID IN SOUTH AFRICA FAILED. CORPORATIONS BEGAN TO ACTUALLY DIVEST. YOU EVER HEARD THAT I DID THAT? NO. THERE ARE OTHER THINGS. WHEN I GOT CORPORAL PUNISHMENT OUT OF THE PUBLIC SCHOOLS, WHERE IT NEVER SHOULD HAVE BEEN, I WAS CONTACTED BY PEOPLE IN AUSTRALIA. THEY WANTED TO KNOW HOW TO DO IT, BECAUSE THERE WAS A TREMENDOUS AMOUNT OF CORPORAL PUNISHMENT DIRECTED AGAINST THE ABORIGINAL PEOPLE IN AUSTRALIA, AND DID I HAVE ANY RECOMMENDATIONS AS TO HOW THEY COULD DO WHAT I HAD DONE HERE. WHEN THE NEBRASKA LEGISLATURE VOTED TO ABOLISH THE DEATH PENALTY, AND THIS DON WALTON WAS THE FIRST ONE I SAW READ ABOUT IT, THEN A PICTURE WAS IN A NEWSPAPER. THE COLISEUM IN ROME WAS LIGHTED UP AND THERE WERE BANNERS PRAISING NEBRASKA FOR HAVING DONE THAT. WHAT GOVERNOR OR SENATOR HAS EVER ACHIEVED ANYTHING LIKE THAT WHERE SOME INTERNATIONAL ACCLAIM WAS DIRECTED TOWARD SOMETHING THIS STATE HAD DONE? THEY'LL TALK ABOUT I'M GOING TO CHINA AND JAPAN TO TRY TO GET THEM TO BUY PORK BELLIES, BUY SOME WHEAT AND GRAIN. BUT ANYTHING THAT HAD ANY SIGNIFICANT OR LASTING IMPACT ON HUMAN CONDUCT? NO. AND I WILL CONTINUE TO FIGHT FOR THE THINGS THAT I BELIEVE IN. I'VE BEEN ENSHRINED IN THE WHITE PEOPLE'S CONSTITUTION, AND TO ENSHRINE ME THEY HAD TO KICK ALL THE WHITE PEOPLE OUT OF THE LEGISLATURE AND GUT THE LEGISLATURE, BECAUSE THEY WANTED TO GET ME OUT OF HERE. BUT BECAUSE MY SPIRIT IS UNQUENCHABLE, INDOMITABLE, I CAME BACK AS AN OLD, OLD MAN. SAT OUT FOUR YEARS AND THEY PRAYED THAT I WOULD DIE DURING THAT PERIOD OR LOSE MY STRENGTH OR LOSE MY MIND. BUT I'M NOT GOING TO LET THEM CONTROL ME, SO I CAME BACK AND HERE I AM, AS ACTIVE AS ANYBODY ON THIS FLOOR, AND I'LL CONTINUE TO BE. AND WHEN I HEAR THEM BACK THERE GRUMBLING AND LAUGHING AND GOING ON, YOU THINK THAT MEANS ANYTHING TO ME? I CONSIDER THE SOURCE. THEY ALWAYS NEED A LOT OF COMPANY ALONG. THEN THEY DON'T MAKE SENSE WHEN THEY STAND ON THE FLOOR. THEY DON'T HAVE ANY RESPECT THAT THEY RECEIVE FROM OTHER PEOPLE. WHICH ONE OF THEM CAN SPEAK AND SAY, LEGISLATURE, THIS IS WHAT YOU OUGHT TO DO? IF THEY CARRY WATER FOR THE REPUBLICAN PARTY, THEY MIGHT BE THE TIP OF THE SPEAR, BUT THERE'S A SPEARHEAD AND THEN THERE'S A SHAFT BEHIND IT. THEY DON'T ORIGINATE ANYTHING. THEY DON'T DEAL WITH IDEAS. THOSE KIND OF THINGS ARE NOT CONSIDERED ON THE

Floor Debate  
April 13, 2016

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FLOOR OF THIS LEGISLATURE. BUT I WILL SAY THINGS FOR THE SAKE OF THE RECORD. I'VE SAID IT, I'LL SAY IT AGAIN, AND I SHALL CONTINUE TO DO IT. RIGHT NOW I CAN'T BE STOPPED BUT I'LL STOP MYSELF. BUT HERE'S WHAT I WANT TO REMIND YOU. SOMEBODY ELSE THREW THE FIRST STONE IN THE WATER THIS MORNING. SOMEBODY ELSE DECIDED THAT A BILL THAT COULD HAVE BEEN FOUGHT ALL THE WAY ACROSS THE BOARD, AND WASN'T, WOULD BE FOUGHT THIS MORNING. STATEMENTS WERE MADE WHICH INVITED A RESPONSE, AND I'M RESPONDING. AND I WILL CONTINUE TO DO EXACTLY THAT. SOME OF YOU ARE GETTING OUT OF HERE. BUT I HAVE...IF I GET REELECTED. NOW THE GOVERNOR AND HIS PEOPLE OUT THERE ASSIDUOUSLY WORKING. AND ONE LADY WROTE ME A NOTE ABOUT THE GUY RUNNING AGAINST ME UP IN THE BALCONY YESTERDAY, JUST PESTERING HER AND PESTERING HER. AND SHE SAID SHE WAS GOING TO CALL THE RED COATS IF HE DIDN'T LEAVE HER ALONE. [LB884]

SPEAKER HADLEY: ONE MINUTE, SENATOR. [LB884]

SENATOR CHAMBERS: THAT'S THE ONE WHO'S RUNNING AGAINST ME. YOU SAID OVER? [LB884]

SPEAKER HADLEY: ONE MINUTE AND YOU'RE NEXT IN THE QUEUE SO YOU CAN CONTINUE. [LB884]

SENATOR CHAMBERS: AND I WILL STOP WHEN THAT TIME HAS BEEN EXHAUSTED. THOSE ARE THE KIND OF PEOPLE THE GOVERNOR AND THE REPUBLICAN PARTY CAN GET TO RUN AGAINST ME. THAT'S ALL THAT THEY CAN DREDGE UP. AND I'M SUPPOSED TO BE WORRIED ABOUT IT. YOU THINK I'M CONCERNED ABOUT THAT? EVEN IF THEY HAD A CREDIBLE CANDIDATE, I'M NOT GOING TO DO DIFFERENTLY FROM WHAT I'M DOING. A YOUNG MAN...HE NO LONGER IS YOUNG AND HE'S NO LONGER ALIVE. HIS NAME WAS DAVID RICE. HE WAS KNOWN LATER AS MONDO. HE WENT TO PRISON THE SAME YEAR THAT I CAME DOWN HERE. HE WAS RAILROADED AND ACCUSED OF HAVING SET A BOMB THAT KILLED A POLICE OFFICER. YOU KNOW WHAT HIS CRIME WAS? HE TALKED. HE SPOKE AGAINST THE THINGS THAT THE POLICE WERE DOING. THE PROSECUTOR SAID LATER ON, HIS AIM WAS TO SQUELCH THE BLACK PANTHER PARTY IN OMAHA. AND BY GETTING RID OF DAVID RICE AND ED POINDEXTER, THAT'S WHAT HE DID. AND WHEN I SPOKE OUT FOR DAVID BECAUSE I KNEW HIM, SAID HE WAS INNOCENT, HE DIDN'T HAVE ANYTHING TO DO WITH IT. HE WOULDN'T...LITERALLY, HE WOULDN'T HURT A FLY. AND PEOPLE WHO

Floor Debate  
April 13, 2016

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SUPPORTED ME SAID, ERNIE, YOU SHOULDN'T SAID THAT, THESE WHITE PEOPLE ARE MAD ENOUGH ALREADY AND YOU CAN'T WIN. I SAID, LOOK, LOOK AT WHAT YOU'RE TELLING ME--DON'T SAY WHAT I BELIEVE, TO GET IN THE LEGISLATURE. SUPPOSE I REFUSE TO SAY WHAT I BELIEVE AND OUGHT TO SAY BECAUSE I'M SCARED OF THOSE WHITE PEOPLE IN THE LEGISLATURE. YOU OUGHT TO BE GLAD THAT I'M SHOWING EVERYBODY WHILE I'M RUNNING WHAT I AM AND WHAT THEY'LL GET. AND THAT'S THE WAY I'VE ALWAYS BEEN. I'M NOT GOING TO BEG PEOPLE TO VOTE FOR ME, OR CHANGE WHAT I DO AND SAY. THE VERY THING THAT I AM IS WHAT THESE WHITE PEOPLE SAY THEY WANT--SOMEBODY WHO WILL STAND UP AND SPEAK FOR THE PEOPLE WHO WILL NOT ACCEPT MONEY FROM THE LOBBYISTS, WHO WILL NOT SEEK CAMPAIGN CONTRIBUTIONS AND KOWTOW TO SPECIAL INTEREST GROUPS. BUT I DID IT SO WELL THAT THEY SAID WE GOT TO GET RID OF HIM. AND EVEN IF IT MEANS GETTING RID OF THE OTHER 48, BY GOD, IT'S WORTH IT, BECAUSE 48 OF THEM AIN'T WORTH 1 OF HIM. AND THAT'S THE WAY I LOOK AT IT. THEY GUTTED THIS BRANCH OF GOVERNMENT. AND YOU CAN SEE THE DAMAGE EVERY SESSION WHICH THAT HAS DONE. AND IT WILL CONTINUE. EACH NEW GROUP WILL BE A FURTHER DILUTION OF THE LEGISLATURE AS AN INSTITUTION. SOME PEOPLE ARE HAPPY; SOME PEOPLE ARE SAD. BUT I CANNOT LIVE FOREVER. AND IF I COULD, I CERTAINLY WOULDN'T SPEND ALL THAT TIME DOWN HERE GOING OVER THE SAME THING OVER AND OVER AND OVER AND OVER AND OVER AD INFINITUM, AD NAUSEAM. BUT SINCE I SIGNED ON, I'M GOING TO DO THE BEST I CAN AT EVERYTHING I UNDERTAKE TO DO WHILE I'M HERE. NOW IF YOU DON'T WANT ME TO REACT OR RESPOND, DON'T THROW STONES. BUT IF YOU THROW A STONE, AND IT OPENS THE WAY FOR ME TO SAY WHAT I WANT TO SAY, THAT IS WHAT I INTEND TO DO. AND, MR. PRESIDENT, IN THE INTEREST OF ECUMENISM AND COLLEGIALLY, I WITHDRAW THAT MOTION THAT I HAVE UP THERE RIGHT NOW. [LB884]

SPEAKER HADLEY: WITHOUT OBJECTION. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB884]

ASSISTANT CLERK: 43 AYES, 1 NAY TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB884]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB884]

Floor Debate  
April 13, 2016

---

ASSISTANT CLERK: (READ TITLE OF LB884.) [LB884]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB884 PASS? ALL IN FAVOR VOTE AYE; ALL OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB884]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1606.) VOTE IS 43 AYES, 4 NAYS, 2 PRESENT AND NOT VOTING ON THE FINAL PASSAGE OF THE BILL, MR. PRESIDENT. [LB884]

SPEAKER HADLEY: LB884 PASSES. THE NEXT BILL IS LB930. THE FIRST...MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB884 LB930]

ASSISTANT CLERK: 41 AYES, 4 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB930]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB930]

ASSISTANT CLERK: (READ TITLE OF LB930.) [LB930]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURES HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB930 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB930]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1607.) VOTE IS 46 AYES, 1 NAY, 2 PRESENT AND NOT VOTING, MR. PRESIDENT, ON THE FINAL PASSAGE OF THE BILL. [LB930]

SPEAKER HADLEY: LB930 PASSES. MR. CLERK, WE WILL NOW PROCEED TO LB1094. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB930 LB1094]



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

Floor Debate  
April 13, 2016

---

ASSISTANT CLERK: VOTE IS 40 AYES, 3 NAYS TO DISPENSE WITH THE AT-LARGE READING. [LB1094]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB1094]

ASSISTANT CLERK: (READ TITLE OF LB1094.) [LB1094]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB1094 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB1094]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1608-1609.) VOTE IS 47 AYES, 0 NAYS, 2 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB1094]

SPEAKER HADLEY: LB1094 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. MR. CLERK, WE WILL NOW PROCEED TO LB1106. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB1094 LB1106]

ASSISTANT CLERK: 37 AYES, 2 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB1106]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB1106]

ASSISTANT CLERK: (READ TITLE OF LB1106.) [LB1106]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB1106 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB1106]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1609-1610.) VOTE IS 38 AYES, 8 NAYS, 3 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB1106]

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

Floor Debate  
April 13, 2016

---

SPEAKER HADLEY: LB1106 PASSES. MR. CLERK, THE NEXT BILL IS LB1067. MR. CLERK, THE FIRST VOTE IS...MR. CLERK. [LB1106 LB1067]

ASSISTANT CLERK: MR. PRESIDENT, THE FIRST ITEM. SENATOR CHAMBERS, YOU HAD AM2910. I HAVE A NOTE TO WITHDRAW. [LB1067]

SENATOR CHAMBERS: THAT'S CORRECT. [LB1067]

SPEAKER HADLEY: SO ORDERED. MR. CLERK, THE FIRST VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR PLEASE VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB1067]

ASSISTANT CLERK: 39 AYES, 4 NAYS TO DISPENSE WITH THE AT-LARGE READING, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK, PLEASE READ THE TITLE. [LB1067]

ASSISTANT CLERK: (READ TITLE OF LB1067.) [LB1067]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB1067 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB1067]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1611.) VOTE IS 40 AYES, 7 NAYS, 2 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB1067]

SPEAKER HADLEY: LB1067 PASSES. MR. CLERK, THE NEXT BILL IS LB1067A. [LB1067 LB1067A]

ASSISTANT CLERK: (READ LB1067A ON FINAL READING.) [LB1067A]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB1067A PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB1067A]

Floor Debate  
April 13, 2016

---

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1611-1612.) VOTE IS 41 AYES, 5 NAYS, 3 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB1067A]

SPEAKER HADLEY: LB1067A PASSES. MR. CLERK, THE NEXT IS LB958. [LB1067A LB958]

ASSISTANT CLERK: MR. PRESIDENT, WITH RESPECT TO LB958 SENATOR DAVIS WOULD MOVE TO RETURN THE BILL TO SELECT FILE FOR SPECIFIC AMENDMENT, THAT BEING STRIKE THE ENACTING CLAUSE. (FA142, LEGISLATIVE JOURNAL PAGE 1612.) [LB958]

SPEAKER HADLEY: SENATOR DAVIS, YOU ARE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB958]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. AS YOU RECALL, WHEN I...WHEN WE WERE HAVING DEBATE ON THIS BILL ON SELECT FILE, I INTRODUCED IN AN AMENDMENT TO LOWER THE LEVYING AUTHORITY OF THE COMMUNITY COLLEGES. AND I KNOW YOU HAVE HEARD A LOT OF DISCUSSION ON THIS FLOOR ABOUT THE COMMUNITY COLLEGES AND THE TAXING AUTHORITY THAT THEY HAVE AND HOW THEY HAVE BEEN OUTLIERS IN TERMS OF THE RATE OF INCREASE IN PROPERTY TAXES OVER THE LAST TEN YEARS, A RATE OF ABOUT 8 PERCENT. NORFOLK PROPERTY TAX ASKING WENT FROM \$10 MILLION TO \$30 MILLION. CENTRAL WENT FROM \$17 MILLION TO \$51 MILLION. AND SO ACROSS MY GADGET LAST NIGHT CAME A STORY THAT I THOUGHT WAS PERTINENT. IT SEEMS THAT BERNIE SANDERS IS ALIVE AND WELL IN WESTERN NEBRASKA AT WESTERN NEBRASKA COMMUNITY COLLEGE BECAUSE WESTERN NEBRASKA COMMUNITY COLLEGE IS NOW OFFERING FREE CLASSES THIS SUMMER TO ANYONE WHO IS A STUDENT THERE, ANYONE WHO IS IN HIGH SCHOOL TAKING CLASSES, OR ANYONE WHO HAS EVER BEEN A STUDENT AT WESTERN NEBRASKA COMMUNITY COLLEGE. YOU HAVE HEARD ME TALK ABOUT PROPERTY TAXES AD NAUSEAM. SENATOR CHAMBERS MAY BE TIRED OF THIS DISCUSSION, BUT I DON'T THINK WE ARE GOING TO BE DONE WITH THIS DISCUSSION THIS YEAR BECAUSE IT IS A CHRONIC AND CONSTANT BURR UNDER THE SADDLE OF FOLKS IN RURAL NEBRASKA. BUT I JUST FOUND IT INTERESTING THAT WNCC IS ESSENTIALLY GIVING A FREE PASS TO EVERYONE OVER THE SUMMER BECAUSE SOMEBODY IS GOING TO HAVE TO PAY THE BILL FOR THAT. AND MY GUESS IS IT IS GOING TO BE THE PROPERTY TAXPAYERS IN WESTERN NEBRASKA COMMUNITY COLLEGE DISTRICT. WNCC HAS THE HIGHEST LEVY OF

Floor Debate  
April 13, 2016

---

ALL THE COMMUNITY COLLEGES AT ABOUT 10.02 I BELIEVE. MY AMENDMENT ON SELECT FILE WAS TO LOWER THE MAXIMUM LEVYING AUTHORITY OF THE COMMUNITY COLLEGES TO 10.25. SO WNCC COULD STILL DO WHAT THEY ARE PLANNING TO DO. BUT I THINK THAT THIS SORT OF ACTIVITY DEMONSTRATES TO ME AND TO THE BODY HERE THAT THE COMMUNITY COLLEGES DO NOT GET AND HAVE NOT LISTENED TO EVERYTHING THAT'S BEEN SAID ON THIS FLOOR AND EVERYTHING THAT TOOK PLACE IN THE REVENUE COMMITTEE IN ADDRESSING THE LEVYING AUTHORITY AND THE ABSOLUTE I GUESS I WILL SAY INCOMPETENCE MAYBE OF THE ADMINISTRATION AT SOME OF THESE COMMUNITY COLLEGES WHO AREN'T LISTENING AND ARE TONE DEAF. SO THAT IS THE PURPOSE OF THIS AMENDMENT. I THOUGHT I WOULD BRING IT AND SEE IF THERE IS ANY DISCUSSION ON THE FLOOR ABOUT IT. THANK YOU, MR. PRESIDENT. [LB958]

SPEAKER HADLEY: YOU HAVE HEARD THE OPENING ON FA142. SEEING NO ONE IN THE QUEUE, SENATOR DAVIS, YOU ARE RECOGNIZED TO CLOSE. [LB958]

SENATOR DAVIS: THANK YOU, MR. PRESIDENT. I'M JUST GOING TO READ THE STORY HERE THAT WAS...THAT CAME ACROSS MY GADGET. IT WAS: IT MAY SOUND TOO GOOD TO BE TRUE, BUT WESTERN NEBRASKA COMMUNITY COLLEGE IS LAUNCHING A NEW FREE SUMMER PROGRAM FOR CURRENT AND FORMER WNCC STUDENTS. THE SUMMER FREE PROGRAM IS DESIGNED TO ALLOW STUDENTS THE OPPORTUNITY TO TAKE UP TO TWO CLASSES FOR FREE. THE PROGRAM IS OPEN TO CURRENT FULL- AND PART-TIME STUDENTS INCLUDING ON-LINE AND HIGH SCHOOL STUDENTS ENROLLED IN THE COLLEGE NOW PROGRAM AS WELL AS STUDENTS WHO HAVE PREVIOUSLY ATTENDED WNCC BUT DID NOT GRADUATE. WNCC'S EXECUTIVE VICE PRESIDENT, DR. KIM DALE, SAYS THAT THERE IS MANY NONTRADITIONAL STUDENTS OUT THERE THAT ARE CLOSE TO GRADUATION BUT FOR ONE REASON OR ANOTHER GOT OFF TRACK ON THEIR EDUCATIONAL TRACK. THEY OFTENTIMES ARE DEALING WITH WORK/LIFE ISSUES WITH FAMILY BUT MORE TIMES THAN NOT IT IS MONEY, EXPLAINS DR. DALE. SO THAT IS WHEN WE THOUGHT WE COULD GET THE BIGGEST BANG FOR OUR BUCK. IT'S FOCUSING ON LET'S GIVE OUT SOME FREE CLASSES AND SEE IF WE CAN HELP. AND THERE IS MORE TO THE STORY. BUT FREE CLASSES AREN'T FREE. WE ALL KNOW THAT, COLLEAGUES. NEXT YEAR WHOEVER IS HERE, IF I'M HERE, AND IF ALL MY COLLEAGUES COME BACK, THIS BODY HAS TO HAVE A HEART-TO-HEART DISCUSSION ABOUT COMMUNITY COLLEGES AND WHAT WE ARE GOING TO DO ABOUT FUNDING THEM AND HOW WE ARE GOING TO DEAL WITH THEM. SENATOR SCHUMACHER MANY TIMES HAS SAID IN THE COMMITTEE AND HERE ON THE FLOOR THAT WHAT WE HAVE DONE

Floor Debate  
April 13, 2016

---

IS WE HAVE ASKED AGRICULTURAL PRODUCERS TO TRAIN PEOPLE FOR MANUFACTURING JOBS AT THE COMMUNITY COLLEGES. IT IS JUST UNCONSCIONABLE AND THE PROPERTY TAXPAYERS CAN'T TAKE IT ANY LONGER. COMMUNITY COLLEGES ARE THE PRIMARY CONTRIBUTOR TO--WELL, ONE OF THE PRIMARY CONTRIBUTORS--TO RISING RATES. I'M NOT THE FIRST SENATOR WHO STOOD UP ON THIS FLOOR FROM THE 43RD DISTRICT TO TALK ABOUT IT. BUT IT HAS BECOME A CRISIS AND WE NEED TO DEAL WITH IT. WITH THAT, I WILL WITHDRAW MY AMENDMENT, MR. PRESIDENT. [LB958]

SPEAKER HADLEY: AMENDMENT IS WITHDRAWN WITHOUT OBJECTIONS. WE WILL NOW CONTINUE WITH THE BILL, LB958. MR. CLERK. [LB958]

ASSISTANT CLERK: (READ LB958 ON FINAL READING.) [LB958]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB958 PASS. ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB958]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1612-1613.) VOTE IS 47 AYES, 1 NAY, 1 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB958]

SPEAKER HADLEY: LB958 PASSES. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LB884, LB930, LB1094, LB1106, LB1067, LB1067A, LB958. MR. CLERK, THE NEXT BILL IS LB947. [LB884 LB930 LB1094 LB1106 LB1067 LB1067A LB958 LB947]

ASSISTANT CLERK: MR. PRESIDENT, MOTION ON THE DESK. SENATOR KINTNER WOULD MOVE TO RETURN LB947 TO SELECT FILE FOR A SPECIFIC AMENDMENT, THAT BEING STRIKE SECTION 1. (FA138, LEGISLATIVE JOURNAL PAGE 1613.) [LB947]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE RECOGNIZED TO OPEN ON YOUR AMENDMENT. [LB947]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. WHAT THIS AMENDMENT DOES IS STRIKES THE FIRST SECTION OF THE BILL. IF YOU LOOK AT IT, IT GOES ALL THE WAY DOWN TO LINE 16 ON THE SECOND PAGE. WELL, I'LL

Floor Debate  
April 13, 2016

---

LET YOU READ IT AND SEE WHAT THE PROBLEMS ARE. BUT THE PROBLEMS AS WE LOOK AT THIS BILL ARE MANY. FIRST OF ALL, IT PUTS US IN THE FOREFRONT IN THIS COUNTRY OF STATES, WE'LL BE THE FIRST STATE TO LEGALIZE LITERALLY EVERY TYPE OF LICENSE THAT COULD POSSIBLY BE GIVEN OUT. CALIFORNIA DOESN'T EVEN DO THAT; NEW YORK DOESN'T DO IT; VERMONT DOESN'T DO IT; ILLINOIS DOESN'T DO IT; MASSACHUSETTS DOESN'T DO IT. WE HAVE A BILL HERE THAT INCENT LAWLESSNESS, AND THAT'S NOT BECAUSE ANYONE WHO SUPPOSEDLY GETS COVERED BY THIS IS PARTICULARLY LAWLESS. BUT WE HAVE A FEDERAL GOVERNMENT THAT'S CREATED A PROBLEM, AND THEN THEY DUMP IT IN OUR LAPS AND SAY, HEY, CAN YOU SOLVE THIS FOR US? YOU KNOW, I THINK THIS IS A POLICY THAT NEEDS TO BE SOLVED BY THE FEDERAL GOVERNMENT. WE ARE AT A PLACE NOW WHERE WE JUST PASSED DRIVER'S LICENSES, SUPPOSEDLY FOR DACA, BUT WE ENDED UP GIVING IT TO EVERYONE WHO THE PRESIDENT SAYS BY THE STROKE OF A PEN AND IS ONLY THE LAWLESS WAY THAT THIS PRESIDENT CAN DO, ANYONE THAT HAS A LEGAL PRESENCE, WHATEVER THE HECK THAT IS. YOU WON'T FIND THAT IN THE CONSTITUTION, YOU WON'T FIND THAT IN A LAW BOOK. IT WAS SOMETHING THAT WAS MADE UP BY THIS ADMINISTRATION. NOW WE PASSED THIS BILL LAST YEAR AND THEY SAID WE'VE GOT TO PASS THIS BILL AND GIVE THESE KIDS DRIVER'S LICENSES SO THAT THEY CAN GET TO WORK. WELL, NOW WE'RE TOLD THEY CAN'T WORK. IS ANYONE SURPRISED WHEN POLITICIANS LIE? THAT'S THE STOCK AND TRADE OF WHAT WE DO HERE, I THINK. YOU WILL SAY ANYTHING TO GET A BILL PASSED. NOW WE PASS THIS AND WE COME BACK NEXT YEAR, AND THEN WE FIND OUT ALL THE BAD THINGS THAT ARE IN IT AND WHAT IT INADVERTENTLY DOES? IS THAT REALLY WHAT WE WANT TO DO? TO PASS A BILL TO FIND OUT WHAT'S IN IT, NOW WHERE DID THAT COME FROM? I DON'T KNOW. I DON'T KNOW. OH, YEAH, NANCY PELOSI, OUR GOOD FRIEND NANCY PELOSI FROM SAN FRANCISCO. SO WE ARE ABOUT TO JUMP INTO UNCHARTED WATERS THAT NO OTHER STATE, NO OTHER STATE HAS BEEN WILLING TO DO. THE FEDERAL GOVERNMENT WILL NOT GIVE FEDERAL LICENSES TO ANYONE THAT IS NOT COMPLETELY DOCUMENTED, BUT THEY SAY YOU GUYS GO AHEAD AND DO IT. WE CAN'T DO IT BY LAW; BUT IF YOU GUYS WANT TO BEND THE LAW A LITTLE BIT ON THE STATE LEVEL, GO AHEAD, BE OUR GUESTS. AND IT APPEARS THERE'S A MAJORITY OF PEOPLE IN THIS BODY THAT ARE WILLING TO BEND THE LAW IN OUR STATE, SOMETHING THE FEDERAL GOVERNMENT WON'T EVEN DO. THE FEDERAL GOVERNMENT CREATES THE PROBLEM AND NOW HERE WE ARE TO DEAL WITH IT. I SAY LET THE FEDERAL GOVERNMENT FIX THIS PROBLEM AND THEY VERY WELL MAY WHEN WE GET A NEW PRESIDENT. THAT MAY BE THE SAVING GRACE OF THIS COUNTRY IS A NEW PRESIDENT. BUT YOU KNOW, WE ALSO LOOK AT THE OTHER THINGS THAT THIS BILL DOES, AND I'M GOING TO

Floor Debate  
April 13, 2016

---

READ HERE VERY...THIS WOULD AUTHORIZE PROFESSIONAL LICENSE TO BE ISSUED TO ANYONE WHO FALLS UNDER THE SECTION--AND I CAN READ YOU THE NUMBERS BUT IT REALLY DOESN'T MATTER--THROUGH THE FEDERAL REAL ID ACT OF 2005. NOW THESE PEOPLE ARE COVERED IN THESE SECTIONS. THE PEOPLE WE'RE TRYING TO COVER, WE CALL THEM THE DACA PEOPLE. THIS BILL EXTENDS NEBRASKA JOB LICENSES TO THESE INDIVIDUALS, BUT IT ALSO WILL GIVE LICENSES TO PEOPLE WHO ARE SEEKING ASYLUM IN THE UNITED STATES. THIS BILL WOULD ALLOW SOMEONE WHO HAS NOT EVEN BEEN APPROVED FOR ASYLUM TO BE WORK ELIGIBLE AND ABLE TO OBTAIN A PROFESSIONAL LICENSE AFTER 150 DAYS INTO THE JOB APPLICATION PROCESS OR INTO THEIR APPLICATION PROCESS FOR ASYLUM. TEMPORARY PROTECTION STATUS, KNOWN AS TPS, THIS IS A STATUTORY SAFE HAVEN. IT MAY NOT MEET THE DEFINITION OF A REFUGEE, BUT PEOPLE WHO ARE TEMPORARILY FLEEING POTENTIALLY DANGEROUS SITUATIONS. THESE TPS PEOPLE ARE NOT ON A PATH THAT LEADS TO PERMANENT RESIDENCE OR CITIZENSHIP. THESE ARE PEOPLE FROM SYRIA, SUDAN, SOMALIA, AND A FEW OTHER PLACES. WHAT WE'RE LOOKING AT DOING IS WE'RE LOOKING AT CASTING A FAR, FAR BIGGER NET THAN JUST THE DACA PEOPLE. WE'RE TOLD 3,000; 3,000 IS WHAT WE WERE TOLD LAST YEAR. I DON'T BELIEVE THAT NUMBER FOR A MINUTE. I THINK PEOPLE TRYING TO PASS A BILL WILL SAY AND DO ANYTHING. BUT ONCE AGAIN, THIS WILL COVER A MUCH GREATER GROUP OF PEOPLE, PEOPLE THAT ARE NOT FULLY VETTED THAT ARE IN THIS COUNTRY. AND I DON'T THINK THAT SENATOR MELLO WANTS TO LET TERRORISTS IN OR PEOPLE WHO ARE GOING TO CAUSE TROUBLE, AND I TAKE HIM AT HIS WORD THAT HE TRULY WANTS TO HELP THE DACA PEOPLE. BUT I JUST DON'T THINK IT'S OUR JOB. IT'S JUST NOT...WE DIDN'T CAUSE THE PROBLEM. WE SHOULDN'T HAVE TO FIX THE PROBLEM. WE SHOULD PUT THE PRESSURE ON THE FEDERAL GOVERNMENT TO FIX THE PROBLEM THAT THEY CREATED, PERPETUATED, AND HAVE FAILED TO DO ANYTHING ABOUT. NOT OUR JOB, IT'S THEIR JOB. SO WE'RE GOING TO ASK YOU TO VOTE HERE IN A LITTLE BIT AND YOU CAN VOTE FOR LAW AND ORDER. YOU CAN VOTE FOR THE RULE OF LAW. YOU CAN VOTE TO SUPPORT THE ACTIONS OF A LAWLESS ADMINISTRATION OF WASHINGTON, THE OBAMA ADMINISTRATION. YOU CAN VOTE TO STAND WITH GOVERNOR RICKETTS OR YOU CAN VOTE TO STAND WITH SENATOR MELLO. IT'S YOUR CHOICE. BUT I THINK YOU OUGHT TO BE ABLE TO STAND WITH THE VAST MAJORITY OF NEBRASKANS THAT SUPPORT THE RULE OF LAW. I'VE GOT NO ONE FROM MY DISTRICT SAYING YOU GOT TO DO THIS. YOU KNOW WHO IS RIDING ME? THE FACULTY AT UNL, MY BOX IS FULL OF THEM. BUT THAT'S THEIR RIGHT. THEY CAN DO WHAT THEY WANT. SO I WOULD ENCOURAGE YOU TO STAND FOR THE RULE OF LAW WHEN YOU VOTE ON THIS. LET'S NOT BE TRAILBLAZERS AND GO INTO UNCHARTED WATERS THAT NO ONE HAS GONE INTO. LET'S LET THE

Floor Debate  
April 13, 2016

---

FEDERAL GOVERNMENT, LET'S PUT SOME PRESSURE ON THE FEDERAL GOVERNMENT TO DO THEIR JOB. WE SHOULD BE PASSING A RESOLUTION ASKING THE FEDERAL GOVERNMENT TO DO THEIR JOB, NOT TRYING TO DO IT FOR THEM. THAT'S WHAT WE SHOULD BE DOING. THAT'S WHAT WE SHOULD REALLY BE VOTING ON. SO I ASK YOU TO VOTE FOR THE RULE OF LAW WHEN YOU VOTE ON THIS. AND WITH THAT, MR. PRESIDENT, I WILL WITHDRAW THIS AMENDMENT. [LB947]

SPEAKER HADLEY: SO ORDERED. MR. CLERK. [LB947]

ASSISTANT CLERK: MR. PRESIDENT, SENATOR KINTNER WOULD MOVE TO RETURN THE BILL TO SELECT FILE FOR A SPECIFIC AMENDMENT: ON PAGE 4, LINE 9, AFTER "(d)" INSERT "BEGINNING JANUARY 1, 2018". (FA140, LEGISLATIVE JOURNAL PAGE 1613.) [LB947]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE RECOGNIZED TO OPEN ON YOUR FLOOR AMENDMENT. [LB947]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT, AND I WILL JUST SAY THIS. EVERYTHING I JUST SAID GOES DOUBLE. MR. PRESIDENT, I WILL WITHDRAW THIS AMENDMENT. [LB947]

SPEAKER HADLEY: THE AMENDMENT IS WITHDRAWN. MR. CLERK. [LB947]

ASSISTANT CLERK: (READ LB947 ON FINAL READING.) [LB947]

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB947 PASS WITH THE EMERGENCY CLAUSE ATTACHED? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB947]

ASSISTANT CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGE 1614.) THE VOTE IS 33 AYES, 11 NAYS, 5 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB947]

SPEAKER HADLEY: LB947 PASSES WITH THE EMERGENCY CLAUSE ATTACHED. (VISITORS INTRODUCED.) MR. CLERK, WE'LL NOW PROCEED TO LB947 (SIC). [LB947]



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

Floor Debate  
April 13, 2016

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CLERK: MR. PRESIDENT, I HAVE A MOTION. [LB824]

SPEAKER HADLEY: I'M SORRY, LB824. [LB824]

CLERK: YES, MR. PRESIDENT, WITH RESPECT TO LB824, SENATOR FRIESEN WOULD MOVE TO RETURN THE BILL FOR A SPECIFIC AMENDMENT. SENATOR, I HAVE AM2856 IN FRONT OF ME. (LEGISLATIVE JOURNAL PAGE 1543.) [LB824]

SPEAKER HADLEY: SENATOR FRIESEN, YOU'RE RECOGNIZED TO OPEN ON YOUR MOTION. [LB824]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I WISH TO PULL AM2856. [LB824]

SPEAKER HADLEY: SO ORDERED. [LB824]

CLERK: ...AM2857,... [LB824]

SPEAKER HADLEY: SO ORDERED. [LB824]

CLERK: ...AM2858,... [LB824]

SPEAKER HADLEY: SO ORDERED. [LB824]

CLERK: ....AM2859. [LB824]

SPEAKER HADLEY: SO ORDERED. [LB824]

CLERK: THEN, MR. PRESIDENT, SENATOR FRIESEN, I HAVE AM2860. (LEGISLATIVE JOURNAL PAGE 1543.) [LB824]

SENATOR FRIESEN: CORRECT. [LB824]

SPEAKER HADLEY: SENATOR FRIESEN, YOU'RE RECOGNIZED TO OPEN ON AM2860. [LB824]

Floor Debate  
April 13, 2016

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SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. WHAT AM2860 DOES IS JUST ADDS A LONGER TIME PERIOD OF NOTIFICATION. CURRENTLY, WHEN A WINDFARM IS BEING PROPOSED SOMEWHERE, ALL OF THE CONTRACTS THAT ARE ISSUED FOR A LEASE ON A PIECE OF PROPERTY HAVE VERY STRICT CONFIDENTIALITY AGREEMENTS WHERE NO ONE CAN TALK TO ANYONE EXCEPT THEIR BANKER OR THEIR LAWYER OR THEIR ACCOUNTANT AND CLOSE, PERSONAL FAMILY. AND SO AT THAT TIME NO ONE IN THE NEIGHBORHOOD WILL KNOW WHEN A WINDFARM IS BEING PROPOSED IN THEIR AREA BECAUSE OF THE CONFIDENTIALITY AGREEMENTS, AND SO THIS WOULD GIVE A LITTLE BIT LONGER PERIOD OF TIME. SO THE WAY THE BILL CURRENTLY READS, ALL THERE IS, IS 30 DAYS' NOTICE TO THE POWER REVIEW BOARD, AND THAT 30 DAYS' NOTICE CAN BE AS LONG AS IT'S 30 DAYS BEFORE CONSTRUCTION BEGINS. SO BASICALLY YOU'RE 30 DAYS FROM CONSTRUCTION BEGINNING AND YOU NOTIFY THE POWER REVIEW BOARD AND THEY HAVE 10 DAYS TO REVIEW THAT AND GIVE IT THEIR BLESSING, SO TO SPEAK. THEY HAVE REALLY NO CONTROL OVER IT BECAUSE AT THAT POINT IT'S GOING TO MOVE FORWARD. THE SAME KIND OF HAPPENS WITH THE CONSULTATION WITH GAME AND PARKS. AS LONG AS THEY HAVE NOTIFIED GAME AND PARKS THAT THEY HAVE TAKEN MEASURES TO AVOID, MINIMIZE, MITIGATE IMPACT TO SPECIES IDENTIFIED, THEY CAN DO THAT DURING THE PROJECT PLANNING AND DESIGN PHASES, IF POSSIBLE, BUT IN NO EVENT LATER THAN COMMENCEMENT OF CONSTRUCTION. SO BASICALLY THEY CAN START CONSTRUCTION, AND THEN THEY CAN TALK TO GAME AND PARKS ABOUT ANY ENVIRONMENTAL IMPACTS THAT IT MIGHT HAVE ON ENDANGERED SPECIES OR THE BIRD FLYAWAY. SO BASICALLY, THE CONSULTATION WITH GAME AND PARKS COMES WHEN CONSTRUCTION STARTS, IF THEY WANT TO. AGAIN, THESE AMENDMENTS AT THIS TIME ARE STILL TRYING TO MAKE THE BILL BETTER. WE'LL TRY TO IMPROVE IT, BUT I'M STILL NOT A FAN OF WIND ENERGY AT THIS TIME. WHEN WE TAKE...AND MANY TIMES ON THIS FLOOR WE'VE TALKED ABOUT THE FEDERAL GOVERNMENT AND THE DEFICIT THEY'RE IN AND YOU TALK ABOUT THE TAXPAYER SUBSIDIES THAT ARE GOING TO...I THINK FOR AN INDUSTRY THAT IS NOT FEASIBLE IN THE NEAR FUTURE. UNTIL WE CAN FIND A WAY TO STORE ELECTRICITY OR TIME IT DIFFERENTLY, WIND POWER DOES NOT FIT IN AS A TOOL IN OUR PUBLIC POWER SECTOR THE WAY WE'RE CURRENTLY OPERATING. AND I THINK OVER THE YEARS WE HAVE HAD ONE OF THE BEST PUBLIC POWER INDUSTRIES IN THE COUNTRY. WE HAVE THE ONLY ONE, BUT WE HAVE THE BEST POWER SYSTEM IN THE COUNTRY. IT HAS SERVED US WELL AND IT'S GOING THROUGH A PERIOD OF TRANSITION. AND WHAT THIS DOES IS IT'S...YOU CAN TOUT IT AS JOB CREATION AND PROPERTY TAX RELIEF, BUT IT'S GOING TO BE VERY TARGETED PROPERTY TAX RELIEF. AND AGAIN, YOU'RE USING FEDERAL TAX DOLLARS TO

Floor Debate  
April 13, 2016

---

INCENTIVIZE AN INDUSTRY THAT IS NOT ECONOMICALLY FEASIBLE TO STAND ON ITS OWN AND IN THE NEAR FUTURE IT CANNOT STAND ON ITS OWN. UNTIL WE CAN COME UP WITH A BATTERY SYSTEM OR SOME SORT OF STORAGE SYSTEM, WIND GENERATION IS NOT ECONOMICALLY FEASIBLE AND WILL NOT BE. THERE ARE NUMEROUS WIND ENERGY COMPANIES, MANUFACTURING COMPANIES GOING INTO BANKRUPTCY. CURRENTLY GERMANY IS SUSPENDING THEIR \$1-POINT-SOME TRILLION WIND ENERGY PROGRAM BECAUSE IT IS NO LONGER FEASIBLE. THEY'VE SEEN THE COST OF NUCLEAR POWER AS THE CHEAPEST ALTERNATIVE AND THE CLEANEST ALTERNATIVE. IT HAS NO EMISSIONS. AND IF YOU WANT TO TALK GREEN POWER, NO CO2 EMISSIONS, THE COST OF NUCLEAR POWER IS BY FAR THE DIRECTION WE SHOULD BE LOOKING AT. BUT AGAIN I WILL SAY THAT THE STATE NEEDS TO DEVELOP A COMPREHENSIVE ENERGY PLAN BEFORE WE DO ANYTHING. SO IF WE WANT TO OPEN UP THIS STATE TO OTHER FORMS OF GENERATION, I THINK EVERYTHING NEEDS TO BE ON THE TABLE. AND RIGHT NOW WE'RE TRYING TO PICK WINNERS AND LOSERS AND WE'RE PICKING ONE WHO I FEEL IS NOT ECONOMICALLY FEASIBLE IN THE NEAR FUTURE. ALL THE DATA WILL SHOW THAT WE HAVE SURPLUS POWER UNTIL 2025. WE DON'T NEED IT. CURRENTLY WE ARE BUILDING WINDFARMS; THEY ARE BEING PUT UP. THEY STILL COULD BE PUT IN PLACE IF THEY JUST FIND A PLACE TO SELL THEIR POWER. AND RIGHT NOW THERE ARE NO TAKERS ON THAT POWER. NO ONE IS WILLING TO CONTRACT THAT POWER AND SO, THEREFORE, THEY CANNOT BUILD. IF THERE WAS DEMAND FOR THAT, THEY WOULD HAVE CONTRACTS SIGNED. THEY COULD BUILD THEIR WIND POWERS AND WE COULD PROCEED AHEAD BECAUSE THE REGULATIONS IN PLACE ARE NOT BURDENSOME. NUMEROUS WINDFARMS HAVE BEEN BUILT WITH NO, AS FAR AS I KNOW, CONTROVERSY AS FAR AS THE POWER REVIEW BOARD'S PROCESS. WE CAN SAY IT'S BURDENSOME, BUT I THINK IT'S THE PERCEIVED BURDEN BECAUSE WE HAVE SEEN NUMEROUS WINDFARMS GO IN. WE HAVE NOT STOPPED DEVELOPMENT. SO WHEN WE LOOK AT WHAT WE'RE ABOUT TO DO, ALL I ASK IS THAT YOU KEEP YOUR MIND OPEN AND LOOK AT THE ECONOMIC VIABILITY OF WHAT WE'RE ABOUT TO DO. WITH THE UNKNOWN AMOUNT OF WIND GENERATION THAT MIGHT BE BUILT, AND SINCE WE DON'T HAVE ANY CONTROL OVER WHAT MIGHT BE BUILT, WHOEVER APPLIES CAN START PROJECTS. AND ONCE THOSE PROJECTS ARE STARTED, THEY CAN BE PUT IN OVER A PERIOD OF YEARS AND STILL QUALIFY FOR THE FEDERAL PRODUCTION TAX CREDIT. SO THEY WON'T NECESSARILY BE BUILT THIS YEAR OR NEXT YEAR. THERE'S BASICALLY...I DON'T KNOW WHAT THE TIME FRAME IS AND WHEN THEY HAVE TO HAVE TURBINES SPINNING, BUT THEY ACTUALLY COULD START CONSTRUCTION. AND BY STARTING CONSTRUCTION, THAT MEANS LEASING A SITE OR TWO OR PUTTING IN AN ORDER FOR WIND TURBINES. I MEAN

Floor Debate  
April 13, 2016

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THEORETICALLY YOU COULD PUT IN A ORDER FOR WIND TURBINES FOR DELIVERY IN 2020 AND STILL BE QUALIFIED FOR THE FEDERAL PRODUCTION TAX CREDIT AND YET IN THE MEANTIME NO JOBS WOULD BE CREATED. WE WOULD NOT HAVE ANY ECONOMIC DEVELOPMENT ACTIVITY, NO PROPERTY TAX RELIEF. WE'VE JUST CHANGED THE RULES UNDER WHICH THEY CAN SITE WINDFARMS. AND LATER ON I'LL GIVE YOU NUMEROUS EXAMPLES OF HOW COMPANIES HAVE GONE ABOUT SITING WINDFARMS IN THE STATE AND HOW THEY HAVE TRAMPLED OVER CITIZENS' RIGHTS AND PLACED THEIR WINDFARMS WHEREVER THEY PLEASED. AND IF YOU WERE ONE OF THOSE INDIVIDUALS WHO HAD JUST BOUGHT YOUR SMALL ACREAGE OUT IN THE COUNTRY, THERE COULD HAVE BEEN A PROPOSED WINDFARM THAT WAS GOING TO GO UP WITHIN THE NEXT TWO OR THREE YEARS. IT COULD HAVE BEEN IN PLACE FOR YEARS BUT, BECAUSE OF THE CONFIDENTIALITY AGREEMENTS, NO ONE WOULD HAVE TOLD YOU WHEN YOU WERE BUYING THAT PIECE OF PROPERTY THAT A WINDFARM WAS GOING TO BE SURROUNDING YOU IN THE NEXT FIVE YEARS. AND SO THERE YOU BUY YOUR LITTLE PIECE OF HEAVEN OUT IN THE COUNTRY AND SUDDENLY, TWO YEARS LATER, THERE'S WINDMILLS SPROUTING AROUND YOU AND YOU'RE WONDERING WHY YOU LOCATED THERE. YOUR PROPERTY VALUES WILL GO DOWN, BECAUSE I DON'T KNOW OF TOO MANY PEOPLE WHO REALLY LIKE TO LIVE AMONGST THE WINDMILLS. AND THE WAY THE WIND COMPANIES GO ABOUT SITING THESE PROJECTS, LIKE I SAID, I'LL GO INTO IT IN DETAIL LATER, BUT THEY DON'T...THEY'RE NOT FRIENDLY TO THE PEOPLE THAT ARE LIVING THERE. AND SO WHEN YOU HAVE THE PUSHBACK WE GOT IN COMMITTEE WHEN WE HAD PEOPLE COME IN AND TESTIFY...AND THERE WERE NUMEROUS INDIVIDUALS CAME IN AND TESTIFIED AGAINST THESE PROJECTS AND WHAT IT DID TO THEM. AND SO I LOOK AT THIS PROPOSAL AND I JUST DON'T THINK IT'S NEEDED. [LB824]

SPEAKER HADLEY: ONE MINUTE. [LB824]

SENATOR FRIESEN: I THINK WE CAN EASILY MOVE FORWARD WITH WIND INDUSTRY IN THIS STATE UNDER THE CURRENT LAWS THAT WE HAVE. THERE'S NOTHING TO STOP THEM FROM DOING IT. WE CAN MOVE AHEAD AND LOOK AT THIS IN A BROADER PERSPECTIVE WHEN THE STATE GETS ITS COMPREHENSIVE ENERGY POLICY DONE. THANK YOU, MR. PRESIDENT. [LB824]

SPEAKER HADLEY: THANK YOU, SENATOR FRIESEN. YOU HEARD THE OPENING ON AM2860. THOSE IN THE QUEUE: SENATORS MORFELD, SMITH, BLOOMFIELD, BRASCH, GROENE, SCHNOOR, AND OTHERS. SENATOR MORFELD, YOU'RE RECOGNIZED. [LB824]

Floor Debate  
April 13, 2016

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SENATOR MORFELD: THANK YOU, MR. PRESIDENT. I YIELD MY TIME TO SENATOR SMITH. [LB824]

SPEAKER HADLEY: SENATOR SMITH, YOU'RE RECOGNIZED FOR 4:55. [LB824]

SENATOR SMITH: THANK YOU, MR. PRESIDENT. AND GOOD MORNING, COLLEAGUES. I DO APPRECIATE SENATOR FRIESEN'S PASSION ON THIS PARTICULAR AMENDMENT HE'S BROUGHT AND I DID ASK SENATOR FRIESEN'S PERMISSION TO INJECT A LITTLE BIT OF LEVITY INTO THIS MORNING'S DISCUSSION ON HIS AMENDMENT AND THIS UNDERLYING BILL. COLLEAGUES, SCATTERED THROUGHOUT THE REMAINDER OF THE DEBATE TODAY WE'RE GOING TO HEAR AN INFORMAL SEND-OFF OF SOME OF OUR GRADUATING SENIOR SENATORS. THESE SENATORS HAVE RECEIVED SOME OF THE GREATEST LESSONS IN CIVICS, NEBRASKA HISTORY, AND RELATIONSHIPS OVER THE LAST EIGHT YEARS THAT YOU CAN IMAGINE. I WOULD LIKE TO BEGIN MY REMARKS TODAY WITH RECOGNITION OF OUR SPEAKER, SENATOR GALEN HADLEY. I'M GOING TO BASE MY REMARKS ON ONE OF THE FIRST ARTICLES THAT WAS WRITTEN OF SENATOR HADLEY WHEN HE CAME TO THE LEGISLATURE. THIS IS GOING BACK TO 2009. AND IT STARTED OUT BY SAYING, ALTHOUGH HE IS A FRESHMAN, THE HALLS OF THE STATE CAPITOL BUILDING ARE A FAMILIAR SIGHT TO SENATOR GALEN HADLEY. HE'S QUOTED AS SAYING, I WALKED THROUGH THE CAPITOL EVERY DAY FOR THREE YEARS, NEVER DREAMING I WOULD BE A STATE SENATOR. THE KEARNEY SENATOR GREW UP IN THE GERMAN-RUSSIAN BOTTOMS NEIGHBORHOOD IN LINCOLN AND USED TO CUT THROUGH THE CAPITOL BUILDING ON HIS WAY TO AND FROM CLASS AT LINCOLN HIGH SCHOOL ON THOSE COLD, COLD WINTER MORNINGS. A LOT HAS HAPPENED IN BETWEEN HIS BOOKEND APPEARANCES IN THESE HALLS. HADLEY GRADUATED FROM THE UNIVERSITY OF NEBRASKA WITH A DEGREE IN ACCOUNTING, SPENT 20 YEARS AT UNIVERSITY OF SOUTH DAKOTA, UNFORTUNATELY, WHERE HE TAUGHT, SERVED AS VICE PRESIDENT, AND LATER SERVED AS INTERIM UNIVERSITY PRESIDENT. IN '91, HADLEY AND HIS WIFE MARILYN BOTH TOOK POSITIONS AT UNIVERSITY OF NEBRASKA-KEARNEY, HADLEY AS DEAN OF BUSINESS COLLEGE AND MARILYN AS DEAN OF THE EDUCATION COLLEGE. IT WAS KEARNEY THAT HADLEY...IT IS AT KEARNEY THAT HADLEY FIRST BECAME INVOLVED IN PUBLIC SERVICE. HE SERVED ON THE KEARNEY CITY COUNCIL AND ALSO AS MAYOR. HE SAID, I WOULD LIKE TO BE ABLE TO LISTEN TO PEOPLE'S CONCERNS AND BE ABLE TO DO SOMETHING ABOUT THEM. AND HADLEY SAID HIS CITY COUNCIL EXPERIENCE HAD PROVEN VERY VALUABLE IN HIS WORK IN THE LEGISLATURE, ESPECIALLY IN THE COMMITTEE PROCESS. BUT HADLEY ALSO DRAWS ON MORE PERSONAL LIFE

Floor Debate  
April 13, 2016

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EXPERIENCES FOR HIS WORK IN THE LEGISLATURE. HADLEY AND HIS WIFE HAVE TRAVELED TO ALL 50 STATES AND 37 DIFFERENT COUNTRIES, AND PROBABLY A LOT MORE SINCE THEN, SENATOR HADLEY. EACH TRIP HAS OFFERED HIM NEW PERSPECTIVE, HE SAID. THEIR MOST EXOTIC TRIPS HAVE BEEN TO KENYA FOR A SAFARI WHERE, COLLEAGUES, HE DID NOT SHOOT A MOUNTAIN LION (LAUGHTER). VISITING A DIFFERENT CULTURE, A CULTURE OTHER THAN THAT FOUND IN THE LEGISLATURE, HAS ALWAYS BEEN FUN FOR HE AND MARILYN, AND THEY FOUND PEOPLE ALL OVER THE WORLD THAT THEY ENJOYED SPENDING TIME WITH. HADLEY SAID HE ALSO PICKED UP ANOTHER VERY IMPORTANT SKILL ON HIS TRAVELS. HADLEY SAID AT THAT TIME HE COULD ORDER BEER IN EIGHT DIFFERENT LANGUAGES (LAUGHTER). AND I BET YOU USED EVERY ONE OF THOSE LANGUAGES AND THEN SOME. BUT, YOU KNOW, SENATOR HADLEY, IN THE ONE HUNDRED FIRST LEGISLATURE, HE WAS ON REVENUE AND TRANSPORTATION AND TELECOMMUNICATIONS, THEN ON REVENUE AND TRANSPORTATION AND TELECOMMUNICATIONS, THEN REVENUE AND REVENUE CHAIR AND TRANSPORTATION AND TELECOMMUNICATIONS, BEFORE BECOMING OUR SPEAKER OF THE ONE HUNDRED FOURTH LEGISLATURE. AND I DON'T KNOW IF ALL OF YOU ARE AWARE OF THIS, BUT HE HAS FINALLY BEEN ACCEPTED... [LB824]

SPEAKER HADLEY: ONE MINUTE, BUT TAKE YOUR TIME (LAUGHTER). [LB824]

SENATOR SMITH: ALL RIGHT. AND HE'S FINALLY BEEN ACCEPTED INTO MARILYN'S FAMILY. THEY FINALLY HAVE ACCEPTED HIM. I'M NOT SURE YOU'RE AWARE OF THIS, BUT IN 1965-66, SENATOR HADLEY'S FATHER-IN-LAW WAS SPEAKER OF THE UNICAMERAL. AND SO NOW, HERE, HADLEY'S PICTURE IS GOING TO BE UP THERE WITH HIS FATHER-IN-LAW AND FINALLY THEY'VE ACCEPTED YOU INTO THE FAMILY, SO IT'S FANTASTIC. I WISH YOU ALL THE BEST, SENATOR HADLEY, YOU AND MARILYN, GREAT TRAVELS IN YOUR FUTURE. THANK YOU SO MUCH FOR YOUR SERVICE. [LB824]

SPEAKER HADLEY: SENATOR SMITH, YOU'RE NEXT IN THE QUEUE. [LB824]

SENATOR SMITH: I YIELD MY TIME TO SENATOR MORFELD. [LB824]

SPEAKER HADLEY: SENATOR MORFELD. [LB824]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. I SUPPOSE IT'S ONLY FITTING THAT I PROVIDE THE SEND-OFF ADDRESS TO THE MAN WHO STARTED MY OWN

Floor Debate  
April 13, 2016

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CAREER IN THE LEGISLATURE. I REMEMBER MY FIRST ENCOUNTER WITH SENATOR HEATH MELLO DISTINCTLY. IT WAS 2005 AND MY GIRLFRIEND AT THE TIME DRAGGED ME, KICKING AND SCREAMING, TO A YOUNG DEMOCRATS MEETING AT THE UNIVERSITY OF NEBRASKA-LINCOLN CAMPUS. I WAS WATCHING DOG THE BOUNTY HUNTER WITH MY ROOMMATE IN MY DORM ROOM AND I COULDN'T THINK OF ANYTHING WORSE THAN GOING TO A POLITICAL EVENT, SOMETHING, MUCH TO PROBABLY EVERYONE'S DISBELIEF, SOMETHING I HAD NEVER DONE BEFORE. IT WAS THAT NIGHT THAT I MET DANIELLE CONRAD, AMANDA MCGILL, AND, YES, UNFORTUNATELY FOR SOME OF YOU, HEATH MELLO. HE WAS RECRUITING INTERNS FOR THE STATE PARTY. AND AFTER TALKING TO HIM FOR ABOUT 30 SECONDS, HE SAID, AND I QUOTE, DUDE, YOU SHOULD COME AND BE MY INTERN (LAUGHTER). AN INTERNSHIP SOON LED TO A FULL-TIME JOB AS A FIELD ORGANIZER AND TAUGHT ME THE SKILLS NECESSARY TO RUN FOR OFFICE AND WIN. AND BELIEVE ME, I HAVE MANY STORIES FROM WORKING WITH HEATH ON THE CAMPAIGN TRAIL FOR A YEAR THAT I'M MORE THAN HAPPY TO TELL ALL OF YOU OFF THE MIKE. HE ALSO ENCOURAGED ME TO BECOME A LEGISLATIVE PAGE, WHICH THEN LED TO AN ENCOUNTER WITH THEN-SENATOR DAVID LANDIS, WHICH IS AN ENTIRELY DIFFERENT STORY FOR ANOTHER DAY. AND I LEARNED ABOUT THE NEBRASKA LEGISLATURE AND DEVELOPED A PASSION FOR THIS BODY THAT LED ME TO BECOMING A STATE SENATOR. EVER SINCE I HAVE KNOWN HEATH, HE HAS CONTINUALLY DEFIED EXPECTATIONS THROUGH HIS HARD WORK, UNDERSTANDING OF COMPLEX ISSUES, AND STRONG RELATIONSHIPS THAT HE BUILDS. HE TAUGHT ME THE IMPORTANCE OF UNDERSTANDING WHAT MOTIVATES PEOPLE AND FOCUSING ON THE COMMONALITIES RATHER THAN THE DIFFERENCES. HE TAUGHT ME TO TAKE ON TOUGH ISSUES BUT TO KNOW MY VOTE COUNT, A LESSON THAT I'M STILL LEARNING, AS ALL OF YOU KNOW. HE TAUGHT ME THE ART OF THE ONE-HAND BACK RUB, SOMETHING HE SEAMLESSLY GIVES WHEN HE'S DELIVERING BAD NEWS TO THE SENATORS AND LOBBYISTS ALIKE. HOWEVER, DESPITE HIS ACCOMPLISHMENTS, HE HAS ALWAYS HELD TRUE TO HIS VALUES AND HELD CLOSELY THE INTERESTS OF THE PEOPLE THAT HE REPRESENTS. THIS IS A QUALITY THAT WE CAN ALL RESPECT DESPITE OUR DIFFERENCES. AS A YOUNG NEBRASKAN, HE EXEMPLIFIES THE PRAGMATIC CONSENSUS BUILDING AND NONPARTISAN APPROACH THAT SETS US APART FROM THE DYSFUNCTION THAT SEEMINGLY TYPIFIES MUCH OF THE STATES AND COUNTRY AROUND US. HIS LEADERSHIP, COUNSEL, GOOD NATURE, AND HUMOR WILL BE GREATLY MISSED IN THIS LEGISLATURE. I KNOW THAT I AND ALL OF US HAVE A FEELING THAT THIS IS NOT THE LAST TIME THAT WE WILL HAVE HEARD OF HEATH MELLO. REGARDLESS, IN THE END HE WILL ALWAYS BE THE PERSON

Floor Debate  
April 13, 2016

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WHO SAW THE BEST IN ME, STOOD BY ME, AND EXEMPLIFIES A SENATOR THAT I AND MANY OF US ASPIRE TO. THANK YOU, MR. PRESIDENT. [LB824]

SPEAKER HADLEY: THANK YOU, SENATOR MORFELD. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB824]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I'M GOING TO GO BACK TO THE BILL WE WERE DISCUSSING (LAUGHTER) BEFORE THE... [LB824]

SPEAKER HADLEY: YOU SURE THAT'S IN ORDER? [LB824]

SENATOR BLOOMFIELD: ...BEFORE THE LOVEFEST STARTED. WE MAY CHANGE SOME MINDS ON THE LOVEFEST BEFORE THE DAY IS OVER. COLLEAGUES, SENATOR FRIESEN HAS BROUGHT BACK, OR IS ATTEMPTING TO BRING BACK, A BILL THAT HAS BEEN...TRYING TO FIND A POLITE WORD TO CALL IT WITHOUT...THE MOTIVES OF WHICH AND HOW IT WAS HANDLED HAVE BEEN SEVERELY QUESTIONED. I THINK WE NEED TO LOOK VERY SERIOUSLY AT BRINGING THIS BACK TO THE FLOOR AND GIVE THE PEOPLE THAT ARE GOING TO HAVE THE WINDFARM STUCK IN THEIR BACKYARD AT LEAST A LITTLE NOTICE. BUT THE WAY THIS BILL CAME ABOUT, REMEMBER, WHAT WE AMENDED IN WAS TAKEN OUT IN COMMITTEE AND THEN PUT BACK IN AFTER IT WAS...AFTER THE COMMITTEE WAS TOLD THAT WOULDN'T BE DONE. THE MODUS OPERANDI, I GUESS TO USE THE TERM, IS VERY, VERY SUSPECT HERE AND I HOPE YOU REMEMBER THAT. I WAS TOLD AFTER THE LAST VOTE THAT SENATOR FRIESEN WASN'T GOING TO TAKE THIS ANY FURTHER. WELL, THAT WASN'T THE FIRST TIME THAT INDIVIDUAL TOLD ME SOMETHING THAT LATER IT PROVED WAY LESS THAN TRUE. COLLEAGUES, THIS WAS KILLED IN COMMITTEE, STRIPPED OUT, TOLD THAT IT WOULD NOT BE AMENDED BACK IN ON THE FLOOR, AND THEY AMENDED IT BACK IN ON THE FLOOR. THAT'S NOT THE WAY TO DO BUSINESS IN THE NEBRASKA LEGISLATURE. AND THEN TO GO AROUND, TELL EVERYBODY THAT THOSE WHO OPPOSED IT HAVE FOLDED THEIR TENT, THEY'RE NOT GOING TO OPPOSE IT ANYMORE. WHEN I ASKED SENATOR FRIESEN ABOUT THAT, HIS COMMENT WAS PRETTY DIRECT, AND IT RHYMES WITH B.S. THIS IS NOT THE WAY TO DO BUSINESS, COLLEAGUES. THANK YOU, MR. PRESIDENT. [LB824]

SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB824]



Floor Debate  
April 13, 2016

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SENATOR BRASCH: THANK YOU, MR. SPEAKER. AND THANK YOU, COLLEAGUES, AND ALSO SENATOR BLOOMFIELD, TO GET BACK TO THE BUSINESS OF WIND, BECAUSE I INTEND FULLY TO SPEAK ABOUT OUR GOOD FRIEND AND COLLEAGUE SENATOR KEN HAAR, SPEAKING OF WIND. HIM AND I HAVE KNOWN EACH OTHER. I'M JUST TWO YEARS TRAILING BEHIND HIM. AND HE LOVES TO SHOOT THE BREEZE. SOMETIMES WE AGREE TO DISAGREE, BUT HE ALWAYS HAS MUCH GUSTO. AND EVEN THOUGH WE PART WAYS, THINGS DO TEND TO JUST BLOW OVER. AND THE FUTURE? HE'S VERY FUTURISTIC. I KNOW THAT BECAUSE AT NATURAL RESOURCES, INSTEAD OF FIGHTING WITH WORDS, HE BROUGHT LIGHT SABERS FOR HIM AND SENATOR SMITH TO DO DUELING THE PROPER WAY. WE DO HAVE SOME THINGS IN COMMON. I DO BELIEVE IN DIVERSIFYING OUR RENEWABLE ENERGY. I SEE NO WRONGDOING IN ANY CHOICES PEOPLE MAKE, AND PERHAPS THAT'S BECAUSE OF SOME SIMILAR ROOTS WE HAVE. I, TOO, GRADUATED FROM LINCOLN HIGH, NOT THE SAME YEAR, AS WELL THE UNIVERSITY OF LINCOLN. AND ALTHOUGH YOU CAME IN LATER--YOU WERE ELECTED IN 2008, REELECTED IN 2012--YOU HAVE SHOWN MUCH CALIBER AND WILLINGNESS TO MUTUALLY WANT TO SEE THE BEST OF THE BEST FOR THE STATE AND OUR CONSTITUENTS WHICH WE SERVE. THEY GAVE ME SOME MATERIALS. THAT WAS JUST OFF THE CUFF. BUT I WAS REALLY SURPRISED, AND NOT SO SURPRISED, TO SEE THAT YOUR FIRST STORY TALKED ABOUT YOU IN THE WOODS--YOU'RE A WOODSMAN--AND THAT YOU CARRIED A BACKPACK, YOU GREW A BEARD, AND YOU SOUGHT SOLACE IN NATURE. AND YOU ALSO BUILT A SPECIAL INVENTION TO HANG FROM TREES TO PREVENT FOOD FROM BEING SNATCHED BY BEARS IN THE WOODS. ALTHOUGH WE HAVE NO BEARS IN HERE, SOMETIMES WE CAN BE UNBEARABLE AND HOPEFULLY, AGAIN, IT ALL BLOWS OVER. AS A COLLEAGUE, WE WANT TO THANK YOU FOR YOUR SERVICE, FOR YOUR DILIGENCE, FOR YOUR STATESMANSHIP. AND GODSPEED, WHATEVER DIRECTION THE WIND BLOWS FOR YOU IN YOUR FUTURE. THANK YOU, COLLEAGUES. AND THANK YOU, MR. SPEAKER. [LB824]

SPEAKER HADLEY: THANK YOU, SENATOR BRASCH. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LR547 AND LR601. THOSE IN THE QUEUE ARE SENATORS GROENE, SCHNOOR, CRAWFORD, KOLOWSKI, BURKE HARR, AND OTHERS. SENATOR GROENE, YOU'RE RECOGNIZED. [LB824 LR547 LR601]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. I LIKE YOU, TOO, GALEN. ANYWAY, SO DON'T ASK ME TO DO YOUR OBITUARY. I'LL JUST SAY, I LIKED THE GUY. ANYWAY, I WANT ONE OF THOSE, TOO, BECAUSE WHEN YOU'RE DEAD YOUR OBITUARY WON'T SOUND QUITE AS GOOD BECAUSE YOU CAN'T LISTEN. BUT, NO,

Floor Debate  
April 13, 2016

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I ADMIRE A LOT OF THE SENATORS THAT ARE LEAVING US., GOOD PEOPLE DOING THEIR PUBLIC SERVICE AND ALWAYS MEANING WELL, THE MAJORITY. I PASSED OUT A HANDOUT ON WHAT'S HAPPENING IN MY HOMETOWN, MY DISTRICT ON THE RAILROAD, A STORY ABOUT 73 PEOPLE IN THE SHOPS BEING LAID OFF BECAUSE OF LACK OF COAL SHIPMENTS. WE'RE DEEP INTO CUTS. WE'RE PAST THE ENGINEERS AND THE CONDUCTORS WHO USUALLY GO. WE'RE GETTING INTO THE SHOPS NOW AND WE'RE TALKING FURLOUGHS; WE'RE NOT TALKING LAYOFFS. THEY'RE GONE. WE HAVE THE FORTUNE 500, PRIVILEGE OF HAVING THE UNION PACIFIC RAILROAD HEADQUARTERED IN NEBRASKA. WE ALSO HAVE THE CORPORATE OWNER OF THE LARGEST RAILROAD, B&N, IN OUR STATE. WE ARE PRIVILEGED TO HAVE THE ONLY PUBLIC POWER IN THE NATION. SO WHAT DO WE DO? WE SLAP THEM IN THE FACE. WE TELL PUBLIC POWER, YOU CAN'T MANAGE YOUR GRID. WE NEED JUST A FEW INDIVIDUALS WHO CAN MAKE A PROFIT OFF OF WINDMILLS TO TRUMP A SYSTEM THAT WORKS. WE TELL THE RAILROAD EMPLOYEES, NO, YOU BETTER RETRAIN. I TOLD IN HUMOR THE OTHER DAY THAT I'M GOING TO PUT AN AMENDMENT ON THIS THAT, FOR EVERY WINDMILL, YOU GOT TO HAVE TWO WINDMILL WATCHERS, SO WE GET THESE JOBS THAT ARE GUARANTEED FROM THESE WINDMILLS. WE WERE ALSO TOLD THAT THIS IS FREE ENTERPRISE, DEREGULATION. I DON'T KNOW HOW YOU CALL IT DEREGULATION WHEN ONE SEGMENT OF AN INDUSTRY CAN FORCE THE SALE OF THEIR PRODUCT AHEAD OF THE OTHERS. AND HOW DO THEY DO THAT? NOT DEREGULATION. AT THE FEDERAL LEVEL, THE PRODUCTION INVESTMENT TAX CREDIT AND DOUBLE DECLINING ACCELERATION DEPRECIATION CAN PAY FOR TWO-THIRDS OF A WIND POWER PROJECT. REMEMBER, LAST YEAR THEY TOLD US THEY COULDN'T BUILD THESE THINGS UNLESS WE GAVE THEM A STATE CREDIT. WHAT HAPPENED? THEY STILL WANT TO BUILD THEM BECAUSE OF THIS, THE FEDERAL SUBSIDY. THEY CAN ACTUALLY PUT THE WIND POWER INTO THE GRID AT NO COST OR BELOW COST BECAUSE THE COST IS TO THE TAXPAYERS AND THE TAXPAYERS DON'T COUNT AS A CONSUMER. WE JUST PAY FOR IT. BUT THAT'S WHAT WE'RE DOING HERE. WE'VE GOT A LOBBYIST ON THE FLOOR WHO IS GOING TO MAKE \$6,000 A WINDMILL WHEN THE PROJECTS GET BUILT. ADD THAT UP ON A 100-WINDMILL FARM. THE GLASS DON'T MEAN ANYTHING ANYMORE. I'VE GOT A COMMITMENT TO THE 12 RETIRING SENATORS WHICH I KNOW--SULLIVAN, GLOOR, HADLEY, MELLO--WILL NEVER COME BACK AS A LOBBYIST. BUT THE FEDERAL LEVEL SAYS YOU'VE GOT TO BE OUT OF OFFICE FOR TWO YEARS BEFORE YOU CAN LOBBY. I'M GOING TO HONOR THAT IN MY OFFICE. DON'T COME IN MY OFFICE UNLESS YOU'VE BEEN OUT OF THIS BODY FOR AT LEAST TWO YEARS. AND TO THE LOBBY OUT THERE, IF YOU HIRE ONE OF THEM, DON'T EXPECT ANY SUPPORT FROM ME ON THE FLOOR FOR ANY OF THE BILLS THAT YOU WANT PASSED. WE NEED THE DECORUM IN THIS BODY. [LB824]

Floor Debate  
April 13, 2016

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SPEAKER HADLEY: ONE MINUTE. [LB824]

SENATOR GROENE: WE NEED TO HONOR DECORUM IN THIS BODY. AND I URGE YOU TO SEND A MESSAGE TO THE RAILROADS THAT ARE STATIONED IN OUR STATE, TO THE PUBLIC POWER, AND TO THE PUBLIC THAT WE HAVE A LITTLE HONOR HERE AND WE APPRECIATE THE BUSINESS THOSE COMPANIES BROUGHT TO US AND THAT THEY'RE...I CAN JUST SEE THE HEADLINES: U.P. MOVES TO TEXAS; TEXAS IS FRIENDLY TO U.P. THEY COULD EASILY DO IT. WHY WOULD THEY DO THAT? WELL, LET'S SLAP THEM IN THE FACE TODAY. LET'S TELL THEM, YOUR COAL SHIPMENTS ARE DONE. WE'RE GOING TO ADD TO THE PROBLEM. SO ANYWAY, I URGE MY FELLOW SENATORS TO VOTE NO...TO VOTE YES ON AM2860 FROM SENATOR FRIESEN AND NO ON LB824. THANK YOU. [LB824]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB824]

SENATOR SCHNOOR: THANK YOU, MR. PRESIDENT. I HAVE A COUPLE REASONS TO TALK. MY FIRST IS TO HONOR SENATOR BEAU McCOY. OH, THERE HE IS. WHAT I WAS GOING TO SAY, I HAD A NICE SLAM AGAINST BEAU THAT HE'S BEEN RATHER ABSENT THIS YEAR, SO IT'S NOT SURPRISING THAT HE WASN'T SITTING IN HIS CHAIR RIGHT NOW (LAUGHTER). BUT ANYWAY, I'VE LEARNED A LOT FROM SENATOR McCOY THIS YEAR, GOT A LOT OF MENTORING FROM HIM, A LOT OF ADVICE, A LOT OF THINGS TO DO, NOT TO DO, SO ON AND SO FORTH. AND BEAU'S BEEN PRETTY BUSY IN HIS LAST EIGHT YEARS. YOU KNOW, HIS FIRST SESSION HE STARTED OUT IN BANKING AND COMMERCE, NATURAL RESOURCES, INTERGOVERNMENTAL COOPERATION--DIDN'T EVEN KNOW THAT WAS A COMMITTEE--LEGISLATIVE PLANNING, AND HE MOVED ON THROUGH THE RANKS OF A VARIETY OF DIFFERENT JOBS. BUT BEAU DOES HAVE A BUSY LIFE. WE ALL KNOW WHAT THAT CAN ENTAIL FOR ALL OF US IN OUR OWN WAYS, ESPECIALLY WHEN YOU HAVE A FAMILY, AND A LARGE FAMILY AT THAT. BUT BEAU HAS BEEN INVOLVED IN POLITICAL CAMPAIGNS SINCE HE WAS VERY YOUNG. BUT HIS CAMPAIGN FOR HIS SEAT IN THE UNICAMERAL WAS HIS FIRST TIME AS A CANDIDATE FOR PUBLIC OFFICE. NOW THIS WAS WAY BACK IN 2009. HE SAID HE WAS DRAWN TO THE OPPORTUNITY OF A NEW LEADERSHIP ROLE AND THE CHALLENGE OF TRYING TO MAKE A DIFFERENCE FOR THE STATE. HE GREW UP ON A FOURTH-GENERATION CATTLE RANCH NEAR BENKELMAN, AND THAT'S HELPED HIM IN HIS NEW ROLE AS IT PROVIDES THE OMAHA RESIDENT A PERSPECTIVE ON RURAL ISSUES THAT COMES BEFORE THE LEGISLATURE. HE AND HIS WIFE SHAUNA NOW HAVE...I THINK FIVE CHILDREN? YES. THEY'RE ALWAYS INVOLVED IN THEIR CHILDREN'S ACTIVITIES, VERY ACTIVE IN THEIR

Floor Debate  
April 13, 2016

---

CHURCH. AND WHEN TIME ALLOWS, BEAU SAID, HE READS BIOGRAPHIES, NONFICTION, HISTORICAL EVENTS. AND HE'S VERY IMMERSSED IN THE STATE ISSUES OBVIOUSLY. AND HE TRIES TO MAKE EACH DAY, YOU KNOW, COUNT FOR HIS FAMILY. AND OF COURSE THEY'RE BIG HUSKER FANS, ATTEND AS MANY GAMES AS POSSIBLE. AND BACK THEN, WHEN HE STARTED, HE SAID HIS OLDEST DAUGHTER WAS JUST STARTING TO GET A SENSE OF HER FATHER'S ROLE AS A STATE SENATOR. AND THEY FULLY ENJOYED, AS A FAMILY, CAMPAIGNING. SO THANK YOU, SENATOR BEAU McCOY, FOR YOUR LEADERSHIP. THANK YOU FOR CONTINUING TO STAY TRUE TO YOUR FAMILY AND YOUR BELIEFS. AND WE JUST WISH YOU THE BEST OF LUCK IN THE FUTURE. THANK YOU. I STILL HAVE TIME? [LB824]

SPEAKER HADLEY: YES, YOU HAVE 1:30. [LB824]

SENATOR SCHNOOR: WELL, LET'S TALK ABOUT WIND ENERGY (LAUGHTER). KIND OF IRONIC, SENATOR GROENE AND SENATOR HAAR HANDED OUT A FLIER ABOUT JOBS. SENATOR HAAR'S FLIER TALKS ABOUT HOW INVESTING \$1 MILLION IN THE FOLLOWING INDUSTRIES GETS YOU THIS MANY JOBS: 13 IN WIND ENERGY; 22, ON THE BOTTOM, FOR FREIGHT AND RAIL. AND SENATOR GROENE HANDS OUT A FLIER HOW MANY JOBS WE'RE LOSING IN THE RAIL LINE... [LB824]

SPEAKER HADLEY: ONE MINUTE. [LB824]

SENATOR SCHNOOR: ...AT UNION PACIFIC. SO THEY HAVE BOTH JUST VALIDATED WHAT'S HAPPENING, THAT THIS WIND ENERGY IS NOT BRINGING JOBS, WE'RE LOSING JOBS. AND THAT'S VALIDATED FROM THE GENTLEMAN THAT HAS THE AMENDMENT. SO I'D JUST LIKE EVERYBODY TO THINK REAL HARD ABOUT THAT AS WE DEBATE THIS. THANK YOU. [LB824]

SPEAKER HADLEY: THANK YOU, SENATOR SCHNOOR. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LB824]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. IN THE UNICAMERAL UPDATE FOR JANUARY 23, 2009, THE ARTICLE THAT INTRODUCED NEBRASKA TO SENATOR GLOOR HAS THE HEADLINE, "SENATOR GLOOR SETS A COURSE FOR THE UNICAMERAL." THE ARTICLE BEGINS: WHERE THERE'S WATER, THERE'S SAILING. IT MIGHT SEEM LIKE AN ODD PHILOSOPHY FOR A NEBRASKAN, BUT SENATOR GLOOR IS PASSIONATE ABOUT SAILING. HIS OFFICE SHELVES ARE FILLED WITH SAILING REFERENCES AND HIS EYES LIGHT UP WHEN SPEAKING OF

Floor Debate  
April 13, 2016

---

HIS HOBBY FOR YEARS. GLOOR IS CONVINCED THAT ONE CAN FIND GREAT SAILING ANYWHERE, EVEN HERE IN THE MIDWEST. SENATOR GLOOR HAS SOMETIMES SAILED WITH THE WIND AND SOMETIMES VIGOROUSLY AGAINST IT. ALTHOUGH HIS TOBACCO TAX HIT ROUGH WATERS AND HASN'T BEEN BROUGHT TO PORT, HE HAS NAVIGATED MANY OTHER IMPORTANT CHANGES FOR NEBRASKA IN HIS EIGHT YEARS HERE; HIS LEADERSHIP AND ADVOCACY ON PATIENT-CENTERED MEDICAL HOMES IS AN IMPORTANT MAINSTAY OF IMPROVED HEALTH OUTCOMES FOR MANY NEBRASKANS AND IMPROVED EFFICIENCIES IN OUR HEALTHCARE SYSTEM IN THE STATE OF NEBRASKA. WHEN I CAME ON BOARD AS A FRESHMAN SENATOR TO THE BANKING, COMMERCE AND INSURANCE COMMITTEE, SENATOR GLOOR WAS AT THE HELM, AND I APPRECIATE THAT HE HELPED ME AND MANY OTHERS LEARN THE ROPES. ALSO, WHEN I CAME ON BOARD THE HEALTH AND HUMAN SERVICES COMMITTEE, SENATOR GLOOR SHOWED ME WHAT IT MEANT TO BE A SUPPORTIVE AND EFFECTIVE COMMITTEE MEMBER AS WELL, AND I GREATLY APPRECIATE THAT. I'M GRATEFUL FOR MY LEARNING AND FOR HIS PASSION FOR ENSURING THAT THE UNICAMERAL FUNCTIONS WELL WITH STRONG COMMITTEES AND EFFECTIVE COMMITTEE PROCESSES. AND HE HAS SHOWN THAT LEADERSHIP NOT ONLY IN BANKING, COMMERCE AND INSURANCE, BUT ALSO AS CHAIR OF THE REVENUE COMMITTEE AS WELL. HE ALSO HAS A STRONG PASSION FOR MAKING SURE THAT WE CONTINUE TO THINK ABOUT WHAT'S BEST FOR THE FUTURE OF NEBRASKA. THANK YOU, SENATOR GLOOR. WE ARE GRATEFUL THAT YOU DECIDED TO RETIRE AND DO SOMETHING DIFFERENT, AND WE APPRECIATE YOU BEING HERE WITH US FOR THESE PAST EIGHT YEARS. SO, SENATOR GLOOR, MAY THE WIND ALWAYS BE AT YOUR BACK AND THE SUN UPON YOUR FACE, AND MAY THE WINDS OF DESTINY CARRY YOU ALOFT TO DANCE WITH THE STARS. THANK YOU, MR. PRESIDENT. [LB824]

SPEAKER HADLEY: SENATOR KOLOWSKI, YOU'RE RECOGNIZED. [LB824]

SENATOR KOLOWSKI: THANK YOU, MR. SPEAKER. IT'S MY PLEASURE AT THIS TIME TO SHARE SOME INFORMATION WITH ONE OF OUR COLLEAGUES WHO'S HAD AN EIGHT-YEAR STINT HERE, AND IT'S BEEN MY PLEASURE TO WORK UNDER HIS LEADERSHIP IN THE NATURAL RESOURCES COMMITTEE, SENATOR KEN SCHILZ, DISTRICT 47. KEN WAS ELECTED TO THE LEGISLATURE IN 2008 AND REELECTED IN 2012. HE'S A GRADUATE OF OGALLALA HIGH SCHOOL. THE OGALLALA AREA IS VERY, VERY IMPORTANT TO HIM. AND HE ALSO GRADUATED FROM THE UNIVERSITY OF NEBRASKA-LINCOLN WITH A B.S. IN BUSINESS ADMINISTRATION. HE AND HIS FAMILY, DEBRA AND THEIR TWO CHILDREN, GREW UP IN THAT OGALLALA AREA AS A CATTLE FEEDER AND A FARMER. IN HIS

Floor Debate  
April 13, 2016

---

FOUR YEARS IN DIFFERENT COMMITTEES, HE'S WORKED THROUGH NATURAL RESOURCES EACH ONE OF THOSE YEARS, WAS VICE CHAIR OF THAT IN HIS SECOND YEAR, AND THIRD YEAR HE...OR THIRD TWO-YEAR TERM SECTION HE WAS CHAIR OF AGRICULTURE, AND THIS LAST TWO YEARS AS CHAIR OF THE NATURAL RESOURCES. AND THAT'S WHERE I'VE KNOWN KEN AND WORKED WITH HIM THE LAST FOUR YEARS ON NATURAL RESOURCES. HE'S VERY PROUD OF THE OGALLALA AREA, TAKES GREAT PRIDE IN THAT AND ALSO LAKE McCONAUGHY. HE IS A VERY ACTIVE INDIVIDUAL, LOVES HIKING AND WATER ACTIVITIES IN THE McCONAUGHY AREA, AND HAS A GREAT LOVE FOR THE OUTDOORS. AND THAT'S BEEN SEEN IN A LOT OF HIS ACTIVITIES IN THE ROCKY MOUNTAINS, HIKING, AND ENJOYING THE WESTERN NEBRASKA AREA AS WELL AS THE STATE NEXT-DOOR IN COLORADO. KEN HAS A GREAT FEEL FOR THE COMMITTEE THAT HE WORKS ON. HE...I APPRECIATE HIS LEADERSHIP, HIS STYLE, HOW HE WENT ABOUT HIS BUSINESS AND ORGANIZED THE EFFORTS FOR COMMITTEE IN THIS PAST TWO YEARS. WHEN HE GREW UP IN THE LAKE McCONAUGHY AREA, IT WAS...HE'S KNOWN FOR HIS COMMENT THAT THERE AREN'T MANY KIDS IN NEBRASKA WHO CAN SAY THEY GREW UP AS A BEACH BUM. BUT THAT WAS SOMETHING HE COULD DO BECAUSE THAT LAKE IS EXTREMELY IMPORTANT TO WESTERN NEBRASKA, AND ALL OF THE ENTIRE REGION, AS IT DRAWS A LOT OF PEOPLE TO THAT RECREATIONAL AREA. KEN ALSO IS A VERY HUMBLE INDIVIDUAL. HIS HUMILITY IS A VIRTUE. IT SEEMS HE NATURALLY POSSESSES THAT. WHEN I ASKED HOW HE FEELS IF ADDRESSED AS A SENATOR, HE ERUPTS WITH A CONTAGIOUS LAUGHTER AND SAID THAT HE STILL CHUCKLES WHEN PEOPLE USE THAT FORMAL TITLE WITH HIM. KEN EMPLOYS AN AGREEABLE ATTITUDE AND A PLEASANT DEMEANOR, WHETHER HE IS AT HOME WORKING WITH CATTLE OR AT THE CAPITOL WORKING ON LEGISLATION. HE GOES BY THE QUOTE THAT HE HAS USED MANY TIMES: IT'S EASIER TO ATTRACT FLIES WITH HONEY THAN WITH VINEGAR. HE'S BEEN VERY SUCCESSFUL IN HIS ENDEAVORS HERE AT THE LEGISLATURE. IT'S BEEN A PLEASURE TO WORK WITH KEN SCHILZ. OUR WHOLE COMMITTEE FEELS THAT WAY. AND I JUST WANT TO SAY THANK YOU TO KEN FOR HIS EIGHT YEARS, WHAT HE'S LEFT US, AND THE WORK THAT WE'LL CONTINUE AS HE MOVES ON TO HIS NEXT STEPS IN LIFE. KEN, THANK YOU VERY MUCH. [LB824]

SPEAKER HADLEY: THANK YOU, SENATOR KOLOWSKI. [LB824]

SENATOR KOLOWSKI: I SUBMIT THE TIME BACK TO THE CHAIR, PLEASE. [LB824]

SPEAKER HADLEY: MR. CLERK FOR ITEMS. [LB824]

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Floor Debate  
April 13, 2016

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CLERK: MR. PRESIDENT, SOME ITEMS. THANK YOU. SENATOR HADLEY OFFERS LR627. THAT WILL BE LAID OVER. BILLS READ ON FINAL READING THIS MORNING HAVE BEEN PRESENTED TO THE GOVERNOR (RE LB235, LB721, LB756, LB821, LB829, LB851, LB851A, LB884, LB930, LB1094, LB1106, LB1067, LB1067A, and LB958.) (LEGISLATIVE JOURNAL PAGE 1615.) [LR627 LB235 LB721 LB756 LB821 LB829 LB851 LB851A LB884 LB930 LB1094 LB1106 LB1067 LB1067A LB958]

AND, MR. PRESIDENT, I HAVE A PRIORITY MOTION. SENATOR KRIST WOULD MOVE TO RECESS THE BODY UNTIL 1:00 P.M., 1:00 P.M.

SPEAKER HADLEY: YOU'VE HEARD THE MOTION. ALL IN FAVOR SIGNIFY BY SAYING AYE. OPPOSED, NAY. MOTION PASSES. WE WILL RECONVENE AT 1:00.

RECESS

SENATOR KRIST PRESIDING

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

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

SENATOR KRIST: THANK YOU, MR. CLERK. ANY ITEMS?

CLERK: NONE AT THIS TIME, MR. PRESIDENT.

SENATOR KRIST: WE RETURN TO DEBATE. THOSE STILL WISHING TO SPEAK: SENATOR JOHNSON, McCOLLISTER, MURANTE, KEN HAAR, HOWARD, AND OTHERS. SENATOR JOHNSON, YOU'RE RECOGNIZED. [LB824]

SENATOR JOHNSON: THANK YOU, MR. PRESIDENT. WE SHOULD BE REFRESHED AND READY TO GO AND HOPEFULLY WE HAVE A GOOD AFTERNOON. FIRST OF ALL, I'M GOING TO TALK ON LB824 AND THE AMENDMENT, BUT BEFORE I DO THAT, I WANT TO COMMENT ON A COUPLE COMMENTS THAT WERE MADE EARLIER, CORRECT IT FOR THE RECORD AT LEAST. ONE COMMENT THAT THE

Floor Debate  
April 13, 2016

---

LB824 WAS KILLED IN COMMITTEE. WE DID NOT HAVE A KILL MOTION. IT WAS STALLED IN COMMITTEE, A 4-4 VOTE, SO IT WAS JUST SITTING THERE. THE NEXT TIME WE CONVENED THERE WAS THE MOVE TO AMEND, AND AMEND LB921 AT THE TIME INTO THE...AND REPLACE THE ORIGINAL BILL. AND THEN I ASKED THE QUESTION, IS THIS A FORM OF AN END RUN SO THIS COULD BE BROUGHT BACK IN ANOTHER FORM AND AMENDED INTO LB824 SINCE LB824 CARRIED THE PRIORITY BILLING? AND THE CHAIR OF THE COMMITTEE SAID IT COULD BE, BUT IT WOULD NOT BE BROUGHT BACK BY HIM. SO THAT'S PROBABLY A CLARIFICATION OF A LITTLE BIT OF WHAT HAPPENED WITHIN THE COMMITTEE. BUT, AS YOU KNOW, I'VE BEEN OPPOSED TO IT SINCE IT CAME OUT, THE BILL, AND WAITED A LONG TIME FOR AMENDMENTS. THERE WAS 12 OF THEM AND IT JUST NEVER FIT WITH THE SCOPE OF THINGS THE WAY I THOUGHT THEY WOULD BE COMFORTABLE WITH, AND I'VE ALWAYS BEEN IN OPPOSITION TO IT. IF SENATOR McCOLLISTER WOULD YIELD TO A QUESTION, I WOULD APPRECIATE IT. [LB824]

SENATOR KRIST: SENATOR McCOLLISTER, WILL YOU YIELD? [LB824]

SENATOR McCOLLISTER: YES, I WILL. THANK YOU. [LB824]

SENATOR JOHNSON: THANK YOU. I'M GOING TO TALK A LITTLE BIT ABOUT THE CONFIDENTIALITY AND MAYBE...I'M ASSUMING YOU KNOW SOME ABOUT IT. I KNOW THAT IT'S PRETTY CONFIDENTIAL FROM THE STANDPOINT OF TALKING TO YOUR ATTORNEY, YOUR FAMILY, WHATNOT, YOUR BANKER. MY QUESTION IS, AND I THINK YOU'RE AWARE THAT THERE ARE GROUPS OF LANDOWNERS THAT HAVE GOTTEN TOGETHER TO HAVE ONE VOICE MAYBE, PUT IT THAT WAY. SO IN THE CASE WHERE THERE IS AN ATTORNEY EMPLOYED BY THIS GROUP, WOULD THAT ONE ATTORNEY BE ELIGIBLE OR BE ABLE TO DEAL ON THE CONTRACT FOR THE ENTIRE LANDOWNER GROUP THAT MIGHT BE INVOLVED IN A WINDFARM? [LB824]

SENATOR McCOLLISTER: WELL, SENATOR JOHNSON, I WOULD ASSUME THAT IF A GROUP DECIDES TO ASSEMBLE, THEY UNDERSTAND EXACTLY WHAT THE RIGHTS ARE OF ALL THE PARTIES. AND I THINK THAT PROBABLY WOULD HAVE OCCURRED BEFORE THEY STARTED TALKING TO WIND DEVELOPERS TO MAKE CERTAIN ALL THE LEGAL OBLIGATIONS AND THE RIGHTS OF ALL THE PARTIES ARE RESPECTED. [LB824]



Floor Debate  
April 13, 2016

---

SENATOR JOHNSON: I'M ASSUMING THAT WHAT THEY'RE TALKING ABOUT, THE CONFIDENTIALITY END OF IT, MIGHT BE WHAT YOU MIGHT RECEIVE IF THERE IS A TOWER ON YOUR FARM VERSUS THAT TYPE OF THING. SO THE FINANCIAL INFORMATION THAT MIGHT BE CONFIDENTIAL TO EACH INDIVIDUAL LANDOWNER MIGHT BE STILL CONFIDENTIAL? [LB824]

SENATOR McCOLLISTER: I THINK WHAT YOU'RE REFERRING TO, SENATOR, IS NOTICE. AND, YOU KNOW, THERE ARE DEFINITE NOTICE REQUIREMENTS IN THE BILL. YOU HAVE TO COMPLY WITH 52 DIFFERENT REGULATIONS AND SO THE LIKELIHOOD OF SOMETHING OCCURRING UNDER THE COVER OF NIGHT ISN'T VERY LIKELY. SO, I THINK WHAT YOU'RE SPEAKING OF IS NOTICE RATHER THAN CONFIDENTIALITY. [LB824]

SENATOR JOHNSON: OKAY. THANK YOU. NOT SURE IF THAT TOTALLY SATISFIES MY CONCERN ON IT... [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR JOHNSON: ...BUT, WE'LL GO WITH THAT. THE OTHER THING IS, I WANTED, OF COURSE, TALK A LITTLE BIT ABOUT THE PROCESS AND I'VE EXPLAINED A LITTLE BIT WHEN THEY WERE GOING TO AMEND BACK IN, NOT ON GENERAL FILE, BUT ELIMINATED SOME TIME FOR DEBATE AND PUT IT IN ON SELECT FILE. TWO OF THE PEOPLE THAT WERE INVOLVED IN THIS, I GUESS, LEGAL MANEUVER HAVE BEEN...THEY'VE BEEN HONORED THIS MORNING WITH HOW GOOD A JOB THEY'VE DONE. THERE'S PARTS OF IT THAT I PROBABLY WOULD NOT AGREE WITH AT THIS POINT, BUT THOSE TWO WILL NOT BE BACK NEXT YEAR. BUT I WANT TO MAKE SURE THAT THE REST OF THE BODY KNOWS, ASSUMING I'M BACK HERE, THAT HOPEFULLY WE DON'T DO THESE END RUNS TOO MANY TIMES. IF A BILL IS STALLED IN COMMITTEE, WE'VE GOT TO RESPECT THE COMMITTEE AND THERE IS A PROCESS TO TRY AND PULL IT OUT OF COMMITTEE STRAIGHT OUT INSTEAD OF GOING AROUND THE END. SO, I'VE SAT IN SOME OF THE MEETINGS IN MY AREA WHERE DEVELOPERS HAVE BEEN IN AND IT'S PRETTY STRONG HANDED WHEN THEY SIT DOWN AND TALK WITH PEOPLE. [LB824]

SENATOR KRIST: TIME, SENATOR. [LB824]

SENATOR JOHNSON: THANK YOU. [LB824]

Floor Debate  
April 13, 2016

---

SENATOR KRIST: THANK YOU, SENATOR JOHNSON AND SENATOR McCOLLISTER. SENATOR McCOLLISTER, YOU ARE NEXT. [LB824]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, COLLEAGUES. I FIRST WANT TO MENTION THAT THIS AMENDMENT MAKES ABSOLUTELY NO SENSE, ABSOLUTELY NO SENSE. THE LANGUAGE WAS CRAFTED TO SATISFY THE CONCERNS OF PUBLIC UTILITIES AND THE PUBLIC UTILITIES ARE NEUTRAL ON THE BILL; NEUTRAL, NEUTRAL, NEUTRAL. AND I SHOULD TELL YOU THAT, YOU KNOW, THE WORK PRODUCT THAT YOU SEE THAT'S IN THIS BILL IS DELICATELY BALANCED. SO WE NEED TO BE CAREFUL NOT TO CHANGE THE THINGS THAT THE PUBLIC UTILITIES WERE ANXIOUS FOR US TO PUT IN THE BILL. AND IT ALSO RUNS COUNTER TO OUR EXPRESS DESIRE TO REDUCE REGULATION IN THE STATE. OUR GOVERNOR HAS MADE THAT A GOAL OF HIS ADMINISTRATION. EVEN SO, 52 DIFFERENT REGULATIONS AND PERMITS ARE REQUIRED FOR SOMEONE TO SITE A WINDFARM. YOU HAVE ON YOUR DESK A COPY OF ALL THE DIFFERENT REQUIREMENTS THAT CURRENTLY WILL EXIST IF LB824 PASSES, AND INCLUDES GAME AND PARKS. THEY'RE INVOLVED WITH THE PROCESS. THE POWER REVIEW BOARD, ALL THOSE DIFFERENT ENTITIES ARE INVOLVED IN THE BILL. SO YOU SHOULD REST ASSURED THAT THE BILL CAREFULLY BALANCES AND FOLLOWS THE REQUIREMENTS THAT WE'VE COME TO DEPEND ON. WHEN WE TALK ABOUT JOBS IN NEBRASKA, WHEN WE TALK ABOUT PROPERTY TAX RELIEF IN NEBRASKA, THE TOUGH TIMES IN AGRICULTURE IN NEBRASKA, AND REDUCING REGULATIONS, LB824 DOES THOSE THINGS. IT IS A PROPERTY TAX REDUCING BILL. YOU KNOW, NEBRASKA IS GOING TO BE OPEN FOR BUSINESS AND WE CAN GIVE THAT MESSAGE AND SAY IT FAR AND WIDE, NEBRASKA IS OPEN FOR BUSINESS. AND IT BENEFITS NEBRASKA IN THE LONG TERM. I WOULD YIELD THE BALANCE OF MY TIME TO SENATOR HARR, BURKE HARR. [LB824]

SENATOR KRIST: SENATOR BURKE HARR, YOU'RE YIELDED 2:38. OKAY. CORRECTION: SENATOR KEN HAAR, YOU'RE YIELDED 2:30. [LB824]

SENATOR HAAR: THANK YOU VERY MUCH. SENATOR BURKE HARR AND I DID SOME MUD WRESTLING. IT WAS DECIDED I SHOULD GET OUT OF THE LEGISLATURE AND HE WILL STAY. TOO MANY HAAR/HARRS CAN SPOIL A SESSION. WELL, SENATOR McCOLLISTER, THANK YOU FOR THE TIME AND SENATOR McCOLLISTER IS QUITE A NEGOTIATOR AND HE TWISTED MY ARM AND HE SAID I COULD TALK ONCE. SO I'M GOING TO HAVE TO GET A LOT INTO THIS. WE HEARD EARLIER IN THE DAY ABOUT THE STATE AND GOVERNMENT SOCIAL ENGINEERING AND WHAT THIS BILL IS ABOUT IS TO REMOVE SOCIAL

Floor Debate  
April 13, 2016

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ENGINEERING. AND THE POINT THAT SENATOR McCOLLISTER JUST MADE, THE POINT IS TO...NOT TO ADD RESTRICTIONS BACK INTO THE PROCESS, BECAUSE THAT'S WHAT'S KEPT WIND DEVELOPERS OUT OF NEBRASKA, IT'S TO LEVEL THE PLAYING FIELD. AND I WANT TO GO BACK TO SOMETHING I MENTIONED THE OTHER DAY. THIS IS A TRANSCRIPT FROM THE TESTIMONY BEFORE THE COMMITTEE WHEN LB824 FIRST CAME UP. THE MAN TO TALK, HIS NAME IS TOM KENT AND HE'S VICE PRESIDENT AND CHIEF OPERATING OFFICER... [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR HAAR: THANK YOU...FOR THE NEBRASKA PUBLIC POWER DISTRICT AND HE'S ALSO A REGISTERED PROFESSIONAL ELECTRICAL ENGINEER AND HE CURRENTLY SITS ON THE SOUTHWEST POWER POOL TO REPRESENT NPPD. AND HE SAID, I'D LIKE TO THANK SENATOR McCOLLISTER FOR HIS LEADERSHIP IN HELPING BRING THE PARTIES TOGETHER OVER THE LAST DAYS TO REACH AN AGREEMENT. MANY, MANY HOURS WERE SPENT REACHING AN AGREEMENT AND THAT'S ONE OF THE...WELL, THAT'S THE REASON THAT PUBLIC POWER IS COMING IN NEUTRAL. A LOT OF ISSUES WERE DISCUSSED. SENATOR McCOLLISTER WAS THE ONE WHO PICKED UP THE MANTLE ON WIND EXPORT THIS YEAR. BUT HERE YOU HAVE SOMEBODY WHO IS A CEO OF...I'M SORRY, THE CHIEF OPERATING OFFICER OF NPPD. HE'S AN ENGINEER AND HE'S ON THE SOUTHWEST POWER POOL COMMITTEE AND HE'S SAYING THAT AN AGREEMENT HAS BEEN REACHED. [LB824]

SENATOR KRIST: TIME, SENATOR. [LB824]

SENATOR HAAR: THANK YOU. [LB824]

SENATOR KRIST: THANK YOU, SENATOR McCOLLISTER AND SENATOR BURKE...KEN HAAR. SENATOR MURANTE, YOU'RE RECOGNIZED. [LB824]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT AND MEMBERS, GOOD AFTERNOON. I'M GOING TO RECOMMENCE THE LOVE FEST WITH A LITTLE DISCUSSION OF MY FRIEND, SENATOR COLBY COASH. I MET SENATOR COASH IN THE WINTER OF 2007. A MUTUAL FRIEND OF OURS, A WOMAN NAMED VICKI POWELL WHO WAS WORKING FOR MIKE JOHANNIS AT THE TIME, HAD SAID THERE'S THIS GUY RUNNING FOR THE LEGISLATURE IN LINCOLN AND I REALLY THINK YOU SHOULD MEET HIM. I THINK HE NEEDS HELP ON HIS CAMPAIGN. I SAID, OKAY, DRIVE DOWN TO LINCOLN, SEE WHAT THIS GUY'S ALL ABOUT. AND I

Floor Debate  
April 13, 2016

---

SAT DOWN WITH HIM AND I LIKED HIM IMMEDIATELY, RIGHT FROM THE OUTSET. AND WE TALKED A LITTLE BIT ABOUT THE CAMPAIGN AND HE SAID, WELL, I WANT TO RUN IN DIANNA SCHIMEK'S LEGISLATIVE DISTRICT IN LINCOLN. AND I WAS LIKE, ALL RIGHT, THAT'S A PRETTY TALL MOUNTAIN TO CLIMB, BUT WE'LL KEEP TALKING. WELL, HOW MUCH MONEY ARE YOU WILLING TO CONTRIBUTE TO YOUR OWN CAMPAIGN? WELL, NOTHING. OKAY. WELL, HOW MUCH MONEY IF YOU HAD TO CALL ALL YOUR FRIENDS AND FAMILY, HOW MUCH MONEY DO YOU THINK WE COULD IMMEDIATELY GET SEED MONEY FOR THE CAMPAIGN? WELL, PROBABLY A COUPLE HUNDRED BUCKS. ALL RIGHT. I GUESS I'M A SUCKER FOR LOST CAUSES SO I TAKE THE JOB BECAUSE I LIKE HIM. (LAUGHTER) AND I SAY, LISTEN, I'M GOING TO ASK YOU TO DO TWO THINGS. JUST WORK HARD AND DO WHAT I TELL YOU TO DO AND AT THE END OF THE DAY THINGS ARE GOING TO WORK OUT, AND HE DOES THAT. BUT FROM THE BEGINNING, NO ONE GAVE HIM A CHANCE. HE HAD A FUND-RAISER AT THE NEBRASKA CLUB THAT LOST MONEY. (LAUGHTER) RON JENSEN WAS THE ONLY ONE WHO SHOWED UP. AND HE CONTINUED TO WORK AND HE CONTINUED TO BE TOLD HE DIDN'T HAVE A CHANCE. HE DID EVERYTHING I ASKED HIM TO DO AND THE PRIMARY ROLLS AROUND AND AFTER ALL OF THIS EFFORT, HE LOSES BY 20 POINTS. TOUGH. IT'S A TOUGH NIGHT. AND I SAY, LISTEN, MAN, YOU DID EVERYTHING I ASKED YOU HAD TO DO. I UNDERSTAND IF YOU WANT TO PART WAYS, AND HE SAYS NO, WE'RE NOT DOING THAT. I THINK WE'RE ON THE RIGHT TRACK. I THINK THINGS ARE CLICKING. AND HE JUST KEPT WORKING. HE HAD A FUND-RAISER AT THE KNOLLS THAT SUMMER AND TO DEMONSTRATE JUST HOW MANY IMPEDIMENTS HE HAD TO GET OVER, HE IS RUNNING IN A DISTRICT THAT HADN'T VOTED FOR A REPUBLICAN IN 40 YEARS. HE WAS RUNNING AGAINST THE SITTING CITY COUNCIL PRESIDENT IN LINCOLN, A CANDIDATE WHO HAD ALMOST UNLIMITED RESOURCES. EVERY DOLLAR THAT WE WOULD SPEND WOULD BE MATCHED WITH \$10 THE OTHER WAY. AND THE REPUBLICAN ESTABLISHMENT IN LINCOLN WAS ENCOURAGING REPUBLICAN VOTERS TO VOTE FOR HIS OPPONENT BECAUSE THEY SAID IT WAS MORE IMPORTANT TO HAVE THE SEAT ON THE CITY COUNCIL THAN IT WAS TO GET COLBY COASH INTO THE NEBRASKA STATE LEGISLATURE. HIS FRIENDS WEREN'T EVEN HELPING HIM. I MEAN, THIS GUY DID IT ALONE, (LAUGHTER) AND HE KEPT WALKING AND HE KEPT MAKING FUND-RAISING PHONE CALLS. AND IN ABOUT OCTOBER, I WENT AND WALKED THE PRECINCT FOR HIM. I WANTED TO SEE WHAT THE LAY OF THE LAND WAS. IT WAS OUR HIGHEST PRIORITY PRECINCT IN WEST LINCOLN AND I KNOCKED ON THE DOORS AND THERE WAS A CONSISTENT TREND, THE MUSIC TO THE EARS OF ANY CAMPAIGN MANAGER. THE VOTERS WERE SAYING, YES, HE'S KNOCKED ON MY DOOR THREE TIMES, I'M VOTING FOR HIM, JUST LEAVE ME ALONE. (LAUGHTER) AND I SAID, SENATOR COASH, I THINK SOMETHING IS

Floor Debate  
April 13, 2016

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HAPPENING HERE. I THINK WE OUGHT TO RUN A POLL AND SEE WHERE WE'RE AT. AND I SAID, SENATOR COASH, DO YOU WANT TO KNOW...OR AT THE TIME, COLBY, DO YOU WANT TO KNOW WHAT THE RESULTS OF THIS POLL IS? [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR MURANTE: HE SAID, WELL, JOHN...I'M GOING TO NEED MORE THAN ONE MINUTE, MR. PRESIDENT. (LAUGHTER) [LB824]

SENATOR KRIST: WE'LL PROBABLY GIVE YOU MORE THAN ONE MINUTE. [LB824]

SENATOR MURANTE: HE SAID, WELL, JOHN, IF I'M WINNING, I'M GOING TO KEEP WALKING, IF I'M LOSING, I'M GOING TO KEEP WALKING, SO JUST DON'T TELL ME THE RESULTS. RHONDA ATE THEM UP, FOR THE RECORD. RHONDA WANTED TO SEE EVERY SINGLE DETAIL. BUT THE TRUTH OF THE MATTER IS, HE HAD CLOSED THAT RACE AND IT WAS NOW EXTREMELY CLOSE. AND ELECTION NIGHT ROLLED AROUND AND AFTER ALL OF THIS EFFORT FOR MONTHS AND MONTHS, YOU KNOW WHAT THE FIRST THING HE SAID WAS ON ELECTION NIGHT WHEN THE POLLS HAD CLOSED? HE ANNOUNCED THAT HE AND RHONDA WERE GOING TO HAVE THEIR FIRST CHILD. AND AS THAT NIGHT PROGRESSED, AND THE FIRST RESULTS CAME BACK, AND IT WAS NOT GOOD, HE WAS LOSING BY TEN POINTS, AND IT NARROWED AND IT NARROWED AND IT NARROWED. AND AT THE LAST RETURN, HE HAD PULLED AHEAD BY 29 VOTES OUT OF 14,000 VOTES CAST. NARROWEST RACE IN THE STATE. AND I SAID, SENATOR COASH, JUST SO YOU KNOW, WE STILL HAVE PROVISIONALS, WE STILL HAVE A RECOUNT, LET'S NOT TAKE THINGS FOR GRANTED. BUT ONE WEEK LATER THE PROVISIONAL BALLOTS WERE COUNTED, HE HAD PULLED AHEAD BY 79 VOTES AND I WAS ABLE TO MAKE WHAT I WILL REMEMBER FOR THE REST OF MY LIFE AS ONE OF THE HAPPIEST MOMENTS OF MY LIFE, THE PHONE CALL, TO SAY FOR THE FIRST TIME, CONGRATULATIONS, SENATOR COASH. AND WITH ALL OF THAT, A QUOTE FROM THE BIBLE THAT I HAD ENGRAVED ON A PLAQUE THAT IS IN HIS OFFICE WHICH STATES SIMPLY, THE STONE WHICH THE BUILDERS REJECTED HAD BECOME THE CORNERSTONE, BECAUSE THAT PASSAGE WILL NOW FOREVER REMIND ME OF COLBY COASH. AND I WILL ABBREVIATE THE REMAINDER OF MY COMMENTS TO SIMPLY SAY, HISTORY WILL SOMETIMES NEGLECT TO POINT OUT PEOPLE WHO WERE ACTIVE PLAYERS WHEN HISTORY IS MADE. AND WHEN THIS LEGISLATURE ABOLISHED THE DEATH PENALTY, REGARDLESS OF HOW YOU FEEL ABOUT THAT ISSUE, IT COULD NOT HAVE BEEN DONE WITHOUT THE WORK OF SENATOR COLBY COASH. HE WAS THE CHAMPION OF THAT ISSUE AND IN MY VIEW, THAT

Floor Debate  
April 13, 2016

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BILL NEVER WOULD HAVE PASSED WITHOUT SENATOR COASH. HE HAS ALWAYS TACKLED THE TOUGH ISSUES. HE IS A PERSON FOR WHOM I HAVE A TREMENDOUS AMOUNT OF RESPECT AND I'M JUST HAPPY TO BE ABLE TO CALL SENATOR COASH A FRIEND. THANK YOU, SENATOR COASH. [LB824]

SENATOR KRIST: THANK YOU, SENATOR MURANTE AND, SENATOR MURANTE, YOUR NEXT TIME ON THE MIKE YOU GET 2:35. ALL RIGHT. SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB824]

SENATOR HAAR: MR. PRESIDENT, I'D LIKE TO ASK SENATOR MURANTE A QUESTION. [LB824]

SENATOR KRIST: SENATOR MURANTE, WILL YOU YIELD? [LB824]

SENATOR MURANTE: I WOULD. [LB824]

SENATOR HAAR: IN 2008, WHAT YEAR WERE YOU IN MIDDLE SCHOOL? (LAUGHTER) [LB824]

SENATOR MURANTE: I'M NOT RESPONDING TO THAT, SENATOR HAAR. [LB824]

SENATOR HAAR: OKAY. I HAVE TO RECOGNIZE THAT AS I GET OLDER, IT'S HARD TO TELL THESE YOUNG PEOPLE APART. ANYWAY, MY CONGRATULATIONS, TOO, TO COLBY FOR ALL THE WORK HE'S DONE IN THE BODY. THE JOB CREATION CHART...YOU KNOW, ONE WAY IS JUST TO LOOK AT WIND VERSUS MASS TRANSIT. BUT IF YOU ADD TOGETHER SMART GRID, WIND, SOLAR, BIOMASS, WHICH IS ETHANOL, AND BUILDING RETROFITS WHICH IS ENERGY EFFICIENCY, THESE CLEAN ENERGY JOBS CREATE WAY MORE THAN MASS TRANSIT AND NATURAL GAS AND COAL COMBINED. AND, IN FACT, YOU KNOW, IT'S NOT SO MUCH THAT NEBRASKA OR, FOR EXAMPLE, OMAHA, OPPD IS SHUTTING DOWN A COAL PLANT THAT'S HURTING THE RAILROAD ACROSS THIS COUNTRY, COAL IS BEING USED LESS AND LESS. AND SOME OF THE MAJOR COAL COMPANIES ARE NOW FILING FOR BANKRUPTCY. IT'S A TREND. AND I JUST HAVE TO SAY, I WAS TALKING WITH MY WIFE ABOUT THIS THE OTHER DAY AND HER GRANDFATHER CAME TO POLK, NEBRASKA. HE WAS A BLACKSMITH. AND HE WOUND UP HIS CAREER AS AN AUTO MECHANIC. AND THAT'S WHAT HAPPENS WHEN THINGS CHANGE. A LITTLE STORY ABOUT...THAT I HEARD AT A CONFERENCE. THIS WOMAN TOOK HER YOUNG SON TO SEE...TO GRANDMA'S HOUSE AND THE LITTLE KID WHO WAS

Floor Debate  
April 13, 2016

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ABOUT FIVE SAID, MOMMY, IS GRANDMA AFRAID SHE'S GOING TO LOSE HER TELEPHONE? AND THE MOTHER SAID, WHY DO YOU ASK THAT QUESTION? HE SAID, WELL, GRANDMA HAS HER TELEPHONE TIED TO THE WALL. TRUE STORY. THE POINT IS THAT AS WE GO THROUGH TRANSITION PERIODS, THERE ARE JOBS LOST, BUT THERE ARE ALWAYS OPPORTUNITIES FOR NEW JOBS. BY THE WAY, CHRIS' GRANDFATHER WAS SO STRONG, AND I KNOW THAT THOSE OLD CARS HAD SMALLER ENGINES, BUT IT WAS TOLD THAT HE COULD LIFT A MOTOR RIGHT OUT OF A CAR, HE WAS SO STRONG FROM BEING A BLACKSMITH. AND THEN HE BECAME A CAR MECHANIC. AND THE SAME IS TRUE OF...AS WE SEE LESS AND LESS FOSSIL FUELS BURN, WE'RE GOING TO SEE MORE AND MORE JOBS CREATED, SMART GRID, WIND, SOLAR, BIOMASS, ENERGY EFFICIENCY BUILDING RETROFITS BECAUSE THAT'S THE FUTURE. IT WAS TALKED ABOUT A LITTLE BIT THAT WIND GETS ALL THIS SUBSIDY. I'D SIMPLY POINT OUT TO YOU THAT WE HAVE NO ENERGY SOURCE WITHOUT SUBSIDIES. THE BIGGEST SUBSIDIES OVER TIME HAVE GONE TO, PROBABLY OIL AND COAL. AND I THINK IT'S REALISTIC TO ADD INTO THAT SUBSIDY FOR OIL THE WARS WE'VE FOUGHT IN THE MIDDLE EAST. THE HEALTHCARE COSTS THAT WE ALL FACE BECAUSE OF ASTHMA AND ALL THOSE KINDS OF THINGS BECAUSE OF THE POLLUTANTS THAT BURNING FOSSIL FUEL PUTS INTO THE AIR. SO I WOULD AGAIN REMIND YOU THAT THE MAN WHO TESTIFIED FROM NEBRASKA PUBLIC POWER IS A CHIEF OPERATING OFFICER FOR NPPD. HE'S A LICENSED PROFESSIONAL ELECTRICAL ENGINEER AND HE CURRENTLY SITS ON THE SOUTHWEST POWER POOL BOARD WHICH HAS TO APPROVE ANY TRANSMISSION, ANY NEW GENERATION TO MAKE SURE THAT THE GRID IN ALL THESE STATES... [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR HAAR: THANK YOU...REMAINS CONSISTENT AND RELIABLE AND PUBLIC POWER HAS COME IN NEUTRAL. A TON OF NEGOTIATIONS HAS GONE. WE REALLY SHOULDN'T BE ADDING MORE RESTRICTIONS. THAT'S WHAT WE'RE TRYING TO GET RID OF. WE'RE TRYING TO PUT NEBRASKA ON A LEVEL PLAYING FIELD WITH OTHER STATES AROUND US SO THAT WE CAN EXPORT ENERGY INSTEAD OF GOING TO OTHER STATES FOR ELECTRICAL ENERGY. THANK YOU. [LB824]

SENATOR KRIST: THANK YOU, SENATOR HAAR. THOSE STILL WISHING TO SPEAK: SENATOR HOWARD, WATERMEIER, BOLZ, GROENE, BURKE HARR, AND OTHERS. SENATOR HOWARD, YOU'RE RECOGNIZED. [LB824]

Floor Debate  
April 13, 2016

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SENATOR HOWARD: THANK YOU, MR. PRESIDENT. AND I RISE IN SUPPORT OF LB824, BUT I WON'T BE SPEAKING ABOUT THAT TODAY. BEFORE I JOINED THE LEGISLATURE, MY MOTHER HAD SERVED FOR EIGHT YEARS AND SHE WANTED ME TO START OFF ON THE RIGHT FOOT AND SO SHE GAVE ME A SHORT LIST OF PEOPLE THAT SHE THOUGHT I SHOULD MEET WITH, PEOPLE WHO MIGHT HELP ME FIND THE BATHROOM, OR TEACH ME ABOUT HOW TO HANDLE MYSELF IN COMMITTEE, OR ADVISE ME NOT TO TAKE ON SCOPE OF PRACTICE BILLS. (LAUGHTER) AND THE FIRST PERSON ON THAT LIST WAS SENATOR KATHY CAMPBELL. SHE HAS BEEN POLITICALLY INVOLVED SINCE THE 1980S, WHICH JUST TO DATE MYSELF, I WAS BORN IN 1981. SHE STARTED WITH A ROLE IN THE IMPLEMENTATION OF THE STATEWIDE CHILD ABUSE HOT LINE AND PRIOR TO THE PASSAGE OF THAT BILL, REPORTS OF CHILD ABUSE COULD ONLY BE MADE TO POLICE, WHICH IS INCREDIBLE. SHE SPENT 16 YEARS ON THE LANCASTER COUNTY BOARD OF COMMISSIONERS AND WAS ELECTED TO THE LEGISLATURE IN 2008, REELECTED IN 2012. AND SHE WAS CHOSEN TO CHAIR THE CHILDREN'S BEHAVIORAL HEALTH TASK FORCE IN 2009. THAT WAS CREATED AFTER THE SAFE HAVEN CRISIS HERE IN NEBRASKA. SHE WAS ELECTED CHAIR TO THE HEALTH AND HUMAN SERVICES COMMITTEE IN 2011. AND HER FIRST UNICAMERAL UPDATE PROFILED HER ON FEBRUARY 12, 2009. AND SHE WAS ASKED ABOUT WHY SHE ROOTS FOR THE CHICAGO CUBS WHEN THEY'VE HAD A 100-YEAR TITLE DROUGHT, AND SHE REPLIED, BEING A CUBS' FAN IS AN EXERCISE IN OPTIMISM. (LAUGHTER) AND I WOULD HAVE TO SAY THAT THAT OPTIMISM HAS PAID TRUE DIVIDENDS IN THE LEGISLATURE AND IT'S ALLOWED HER TO DO GREAT THINGS FOR LITTLE ANDY CAMPBELL AND KIDS JUST LIKE HIM. FOR THOSE OF YOU WHO HAVE SPENT ANY TIME IN THE HEALTH AND HUMAN SERVICES COMMITTEE, ANDY CAMPBELL IS OUR LITMUS TEST FOR HOW LEGISLATION WILL WORK ON THE GROUND. ANDY CAMPBELL HAS BEEN THROUGH MANY MEDICAL PROCEDURES. HE HAS BEEN INVOLVED IN OUR CHILD WELFARE SYSTEM. HE IS, THANKFULLY, OUT OF JAIL NOW, BUT ANDY CAMPBELL IS OUR MASCOT IN HEALTH AND HUMAN SERVICES. SHE WORKED ON LR37, WHICH IS THE HEALTH AND HUMAN SERVICES COMMITTEE INVESTIGATION OF NEBRASKA'S CHILD WELFARE PRIVATIZATION. AND OUT OF THAT WERE HUGE CHANGES TO OUR CHILD WELFARE SYSTEM FROM A FOSTER CARE REIMBURSEMENT RATE COMMITTEE TO THE NEBRASKA CHILDREN'S COMMISSION BEING CREATED, THE OFFICE OF THE INSPECTOR GENERAL. SHE LOOKED AT CASELOADS AND CASE MANAGEMENT. IN 2013 SHE PASSED THE QUALITY RATING AND IMPROVEMENT SYSTEM FOR CHILDCARE PROVIDERS. IN 2015 SHE INCREASED FEDERAL FUNDING FOR EARLY CHILDHOOD EDUCATION. BUT I THINK HER MOST SIGNIFICANT ACCOMPLISHMENT CAME WITH A VETO OVERRIDE FOR LB599 WHICH ENSURED THAT EVERY MOTHER IN THE STATE OF



Floor Debate  
April 13, 2016

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NEBRASKA WOULD RECEIVE ADEQUATE PRENATAL CARE. I HAVE TO SAY THAT SENATOR CAMPBELL, WHILE THAT'S A LONG LIST OF LEGISLATIVE ACCOMPLISHMENTS, SHE'S MORE THAN THAT BECAUSE SHE TRULY CARES ABOUT THE PEOPLE IN OUR STATE, BUT ALSO THE PEOPLE IN THIS LEGISLATURE. SHE'S ONE OF THE ONLY PEOPLE HERE WHO REMEMBERS THAT MY MOTHER HAS AN ANNUAL EPIC GARAGE SALE AND CHECKS IN TO SEE HOW IT'S GOING. SHE CHECKED IN ON ME WHEN I WAS PLANNING MY WEDDING, KNOWING THAT IT WAS STRESSFUL. I AM SO PROUD TO HAVE SERVED WITH HER AND I'M PROUD TO HAVE LEARNED FROM HER AS HER VICE CHAIR ON HEALTH AND HUMAN SERVICES, BUT I'M MOST PROUD TO CALL HER MY FRIEND. HER PRESENCE WILL BE GREATLY MISSED IN THIS BODY. SO THANK YOU, SENATOR CAMPBELL. [LB824]

SENATOR KRIST: THANK YOU, SENATOR HOWARD. SENATOR WATERMEIER, YOU'RE RECOGNIZED. [LB824]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT AND GOOD AFTERNOON, NEBRASKA. I WOULD LIKE TO SPEAK IN POSITIVE OF LB824, BUT I DO HAVE A MORE IMPORTANT THING TO SAY THIS AFTERNOON. I'D LIKE TO TAKE A MOMENT TO RECOGNIZE SENATOR KATE SULLIVAN AND ALL THE TIME AND HARD WORK THAT SHE'S GIVEN TO THIS LEGISLATURE. IN HER FOUR YEARS AS CHAIR OF THE EDUCATION COMMITTEE, SHE HAS PROUDLY CARRIED THE TORCH OF GUIDING EDUCATION POLICY FOR OUR GREAT STATE, JUST AS CHAIRS SUCH AS TOM VICKERS, RON WITHEM, ARDYCE BOHLKE, RON RAIKES, AND GREG ADAMS HAVE DONE BEFORE HER. IN 2009 DURING SENATOR SULLIVAN'S FIRST SESSION HERE IN LINCOLN, SHE TOLD THE UNICAMERAL UPDATE THAT IT WAS DIFFICULT TO FULLY APPRECIATE THE BREADTH AND DEPTH OF ISSUES THAT SENATORS DEAL WITH UNTIL BECOMING A MEMBER OF THE BODY. AND SHE'S QUOTED AS SAYING, I CAN'T HELP BUT THINK THAT THEIR HEAVY LIFTING IS YET TO COME, END QUOTE. CAN YOU IMAGINE, HEAVY LIFTING THAT WAS YET TO COME FOR SENATOR SULLIVAN? AS YOU ALL KNOW, THERE ARE FEW IN THE BODY WHO HAVE DONE MORE HEAVY LIFTING THAN SENATOR SULLIVAN. HER WORK WITH EDUCATION IN THE STATE OF NEBRASKA IS UNPARALLELED. HER EFFORTS IN REFORMING OUR LOTTERY FUNDS, THE LEARNING COMMUNITY, TEEOSA FORMULA, AND ALL OF THE OTHER ISSUES THAT AFFECT CHILDREN IN THE STATE OF NEBRASKA WILL CARRY FOR YEARS TO COME AND, MOST OF ALL, HER DEDICATION TO THE STUDENTS OF ALL AGES, RURAL AND URBAN IN THE STATE OF NEBRASKA IS WHAT WILL ENSURE HER NAME IS NEVER FORGOTTEN IN THIS CHAMBER AND ACROSS THE STATE OF NEBRASKA. KATE, I'VE PERSONALLY KNOWN YOU FOR OVER 30 YEARS NOW. YOU HAVE ALWAYS BEEN A SHINING

Floor Debate  
April 13, 2016

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EXAMPLE OF STRONG CHARACTER, UNWAVERING DEDICATION, AND PASSIONATE COMMITMENT TO ALL OF THOSE AROUND YOU. THANK YOU FOR YOUR SERVICE TO THE STATE, SENATOR SULLIVAN. THANK YOU, MR. PRESIDENT. [LB824]

SENATOR KRIST: THANK YOU, SENATOR WATERMEIER. SENATOR BOLZ, YOU'RE RECOGNIZED. [LB824]

SENATOR BOLZ: THANK YOU, MR. PRESIDENT. AND IT'S MY PLEASURE TO RISE IN GRATITUDE FOR THE SERVICE OF SENATOR TANYA COOK. OVER MY TIME IN THE BODY, SENATOR COOK HAS BEEN AN INSPIRATION, A FRIEND, AND A COLLEAGUE, AND A WISE COUNSELOR. HER COMMITMENT TO HER COLLEAGUES, HER CONSTITUENTS IS CLEAR AND TRUE. ONE OF MY FIRST EXPERIENCES WORKING WITH SENATOR COOK WAS ON A PIECE OF LEGISLATION TO CREATE THE FOOD STAMP OUTREACH INITIATIVE, WHICH IS A PRIVATE/PUBLIC PARTNERSHIP TO MAKE SURE PEOPLE UNDERSTAND AND CAN ACCESS FOOD ASSISTANCE IN OUR STATE. SHE TRULY BELIEVED THAT THIS EFFORT WOULD MAKE LIVES BETTER FOR PEOPLE IN DISTRICT 13 AND ACROSS NEBRASKA. AND TODAY, I'M PLEASED TO REPORT THAT SINCE 2011, THE SNAP OUTREACH PROGRAM HAS GROWN, HAS SUCCEEDED, AND HAS CHANGED THE LIVES OF PEOPLE AND FAMILIES WHO NEED FOOD ASSISTANCE AND HELPED LOTS OF PEOPLE PUT FOOD ON THE TABLE. SENATOR COOK IS A RARE COMBINATION OF PASSION AND PRACTICALITY. OTHER BILLS THAT REFLECT THESE PRINCIPLES ARE LB157 WHICH ADDED DENTAL PROFESSIONALS TO THE STAFFS OF FEDERALLY QUALIFIED HEALTH CENTERS, AND LB366 WHICH ADDED RESOURCES TO ENSURE THAT NEBRASKA'S GED PROGRAM COULD KEEP UP WITH NATIONAL CHANGES AND ENSURE THAT PEOPLE WOULD BE ABLE TO PASS THAT TEST AND MOVE ON TO THEIR WORK LIVES, THEIR FUTURE CAREERS, AND HIGHER EDUCATION. SENATOR COOK HAS ALSO WORKED TO CLOSE THE ACHIEVEMENT GAP TO PROTECT PEOPLE'S ABILITY TO RETURN TO LEARN, TO INVEST MONEY IN COMMUNITY COLLEGE PROGRAMS AND SO MUCH MORE. IN ADDITION TO HER SKILLS AS A POLICYMAKER, SHE IS ALSO A FRIEND, A COLLEAGUE, AND A SOURCE OF WISDOM. SHE HAS GIVEN ME AND THE BODY SAGE ADVICE OVER THE YEARS. HER LEADERSHIP ON THE PLANNING COMMITTEE HAS IDENTIFIED BIG PICTURE ISSUES FOR THE BODY TO WORK ON, INCLUDING THE INSPIRATION FOR THE AGING NEBRASKANS TASK FORCE, AND ISSUES RANGING FROM SCHOOL FUNDING TO RURAL ECONOMIC NEEDS TO--OF COURSE, PERTINENT TO TODAY'S CONVERSATION--THE FUTURE ENERGY ECONOMY. HER FRIENDLY WISDOM ON A PERSONAL LEVEL HAS INCLUDED REMINDERS ABOUT THE IMPORTANCE OF A WORK LIFE BALANCE, THE VALUE OF

Floor Debate  
April 13, 2016

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A QUESTIONING MIND IN THE BODY, THE IMPORTANCE OF A CALM, COOL, REASONABLE, (LAUGHTER) GENTLE CADENCE ON THE FLOOR IN BEING A PERSUASIVE ORDER, AND THE DEEP AND ABIDING IMPORTANCE OF A GOOD NIGHT'S SLEEP. SO TO OUR OMAHA STAR, TO THE ORIGINATOR OF THE UNICAMERAL MIKE DROP, (LAUGHTER) YOU MAKE US STRONGER, YOUR LAUGH BRINGS US JOY, AND YOUR WISDOM MAKES US BETTER. I, ALONG WITH THE PEOPLE OF DISTRICT 13, AND THE STATE OF NEBRASKA, ARE GRATEFUL FOR YOUR SERVICE, SENATOR COOK. [LB824]

SENATOR KRIST: THANK YOU, SENATOR BOLZ. SENATOR GROENE, YOU'RE RECOGNIZED. [LB824]

SENATOR GROENE: THANK YOU, SENATOR KRIST AND MR. PRESIDENT. BACK TO THE DEBATE. BY THE WAY, I ENJOYED SERVING WITH THOSE TWO LADIES ON THE EDUCATION COMMITTEE. THEY WERE PRETTY CONSERVATIVE REALLY, COMPARED TO SOME. (LAUGHTER) I HEARD FROM SENATOR HAAR, WE'RE TOLD THAT CARBON FUELED POWER PLANTS ARE IN THE PAST, LIKE A BLACKSMITH'S FORGE. I'VE GOT A...SENATOR FRIESEN PASSED OUT A...FROM THE DAILY CALLER ABOUT WHAT GERMANY DID. YOU KNOW, THEY PUSHED IT FASTER THAN WE ARE AND SAYS GERMANY PLANS TO STOP BUILDING NEW WINDFARMS BY 2019, GRADUALLY TURNING AWAY FROM THE 1.1 TRILLION WIND POWER PROGRAM ACCORDING TO THURSDAY'S REPORT FROM BERLIN. THE GOVERNMENT PLANS TO CAP THE TOTAL AMOUNT OF ENERGY TO 40 TO 45 PERCENT OF NATIONAL CAPACITY ACCORDING TO THE REPORT. THIS POLICY WOULD CAUSE MASSIVE REDUCTIONS OF THE 6,000 MEGAWATTS OF WIND POWER CAPACITY COMPARED TO THE END OF 2015'S CAPACITY. I WAS TOLD BY THE PUBLIC POWER DISTRICT HERE A WEEK OR SO AGO, THAT ABOUT THREE WEEKS AGO IN THE SPRING WINDS THAT WE HAD THROUGH THE HIGH PLAINS, THERE WAS A DAY IN THERE THAT WE HAD 42 PERCENT OF OUR POWER SUPPLIED BY WIND. GERMANY IS CAPPING IT AT 40 TO 45 PERCENT. FOLKS, WE'RE ALREADY THERE. WE'RE ALREADY THERE TO WHAT'S EVEN FEASIBLE. THE POWER PLANT AT SUTHERLAND, NEBRASKA, IN MY DISTRICT, WAS DOWN TO THE PILOT LIGHT, BASICALLY. GERMANY HAS FOUND OUT THAT IT'S NOT RELIABLE, THAT THERE'S A COMBINATION...BY THE WAY, WHICH OUR PUBLIC POWER DOES A GOOD JOB OF MANAGING THE INPUTS OF RENEWABLE ENERGY INTO THE SYSTEM. I THINK WE'RE AT 48 PERCENT RENEWABLE WITH HYDRO AND WIND AND OTHERS INTO THE SYSTEM. THERE ISN'T A PROBLEM HERE. THERE ISN'T A LACK OF WIND POWER. WINDMILL FARMS ARE BEING BUILT ALL THE TIME. WE HAVE A GOOD SYSTEM, IT'S CALLED THE POWER REVIEW BOARD. WHAT THIS BILL DOES, IT'S NOT FREE MARKETS. WHAT THIS BILL DOES, IS ALLOWS ANYBODY TO BUILD

Floor Debate  
April 13, 2016

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AND THEN FORCES--THAT'S NOT FREE MARKET--FORCES OUR PUBLIC POWER SYSTEM AND OUR POWER SYSTEMS ACROSS THE SOUTHWEST REGION TO USE THEIR POWER FIRST BECAUSE THEY HAVE A SUBSIDY. THAT'S NOT FREE MARKETS, BECAUSE THEY HAVE A SUBSIDY. THEY FORCE THE NUCLEAR AND THE CARBON-FUELED PLANTS TO SHUT DOWN BECAUSE DUE TO THE SUBSIDY, THEY'RE THE CHEAPEST POWER AVAILABLE AT THAT TIME. SO DON'T TELL ME ABOUT FREE MARKETS, SENATOR McCOLLISTER, I KNOW A LOT ABOUT THEM. THIS IS NOT PROPERTY TAX RELIEF. ANYBODY WHO LIVES IN OMAHA, REMEMBER, IF WE GROW THE CITY, GROW THE CITY--I'VE SEEN IT EVERYWHERE--GROW THIS CITY, GROW THIS TOWN, DO THIS, DO THIS TEST, DO THAT, WE GROW THE POPULATION. HAS ANYBODY SEEN YOUR PROPERTY TAX RATES GO DOWN? IT'S CALLED SPENDING, THAT'S HOW YOU LOWER PROPERTY TAXES, ANY TAXES, YOU CONTROL SPENDING, NOT BUILD MORE. NO, WE WILL NEVER GET RID OF CARBON FUEL, WE WILL NEVER GET RID OF NUCLEAR ENERGY. WIND IS A PART OF THE FUTURE AND IT'S BEING USED RATIONALLY, BROUGHT INTO THE SYSTEM THROUGH A GOOD SYSTEM. IT'S CALLED THE POWER REVIEW BOARD. YOU WANT TO TALK FREE MARKETS? HERE'S FREE MARKETS. YOU COME TO ME AND TELL ME YOU HAVE A BUYER FOR YOUR PRODUCT AND THEN WE ALLOW YOU TO BUILD IT. THAT'S HOW THE SYSTEM WORKS NOW. YOU COME TO ME, THE POWER REVIEW BOARD OF THE STATE OF NEBRASKA, AND YOU SAY, HERE'S MY CUSTOMER, THEY WANT TO BUY IT. WE SAY YOU CAN BUILD IT. WHAT THIS BILL DOES, IT SAYS, NO, YOU BUILD IT, YOU FORCE US TO BUY IT... [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR GROENE: ...YOU DISRUPT OUR SYSTEM, YOU TAKE THE MANAGEMENT OF OUR POWER GRID OUT OF THE HANDS OF OUR PUBLIC POWER BECAUSE THE LOBBYIST WANTS TO MAKE \$3,000 A MEGAWATT. AND BECAUSE SAVE THE PLANET FOLKS WHO DOESN'T EVEN KNOW WHAT A CARBON MOLECULE LOOKS LIKE, WANTS TO FORCE THIS ON US. WANT TO SOCIAL ENGINEER OUR POWER SYSTEM. WE HAVE A GREAT PUBLIC POWER SYSTEM. WE HAVE A GREAT BASE OF THE RAILROAD...TWO OF THE LARGEST IN THE WORLD ARE BASED HERE AND YOU'RE GOING SLAP THEM IN THE FACE. VOTE NO ON CLOTURE. VOTE YES FOR SOME DIGNITY BACK TO THIS BODY ON HOW WE DO OUR BUSINESS. THANK YOU. [LB824]

SENATOR KRIST: THANK YOU, SENATOR GROENE. SENATOR BURKE HARR, YOU'RE RECOGNIZED. [LB824]

Floor Debate  
April 13, 2016

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SENATOR HARR: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE BODY. I WANT TO TAKE A MOMENT TO THANK SENATOR SMITH, WHO IS NOT HERE, THIS WAS ALL HIS CONCOCTED IDEA. AND HE CAME UP TO ME AND HE SAID, BURKE, IF YOU CAN BELIEVE IT, WE'RE GOING TO BE THE SENIORS NEXT YEAR AND YOU'RE THE SENIOR DEMOCRAT. I KNOW WE'RE NONPARTISAN BUT YOU GET...I WANT YOU TO HONOR SOMEONE. AND I LOOKED AT HIM AND I SAID, I ASSUME WE CROSS PARTY LINES, I SAID, GALEN, SPEAKER HADLEY, AND HE JUST LOWERED HIS EYE GLASSES LIKE THAT, LOOKED AT ME AND SAID, NO, NO. YOU GET TO HONOR THE REPUBLICAN WITH THE LEAST SENIORITY. SO WITH THAT, I GET TO HONOR SENATOR BLOOMFIELD, AKA, BUFORD T. JUSTICE WITH THAT MUSTACHE. (LAUGHTER) SO HE WASN'T IN THE BODY WHEN I WAS ELECTED. AND MATTER OF FACT, HE WAS APPOINTED AFTER OUR CLASS WAS ELECTED. WE CAME DOWN FROM ORIENTATION ONE MORNING AND DURING THE MIDDLE OF THE DAY, GOVERNOR HEINEMAN APPOINTED SENATOR BLOOMFIELD AND SWORE HIM IN, AND MY FIRST IMPRESSIONS FOR SENATOR BLOOMFIELD WERE, WHO IS THIS GUY IN JEANS, COWBOY BOOTS, AND A WESTERN-CUT JACKET WHO HAS SENIORITY OVER ME ALREADY? (LAUGHTER) HE CAME AND WE HAD DINNER THAT NIGHT, THE CHAMBER DINNER THAT WE ALL GO TO, AND SENATOR BLOOMFIELD, I WAS STILL SENATOR-ELECT, BUT SENATOR BLOOMFIELD--NOT BITTER--(LAUGHTER) TOLD US THAT HE WOULD GET FIRST CHOICE OF THE OFFICES AND THAT IN ADDITION, HE DID NOT LIKE TO GO OUT AND WOULD NOT BE OUT A LOT. FINE. I WAS A LITTLE...WHO IS THIS GUY, BUT I GOT TO KNOW HIM. AND I THINK FOR ALL SIX YEARS, HE SAT IN THE CORNER POCKET. I ALWAYS SAY BLOOMFIELD CORNER POCKET WHEN I PLAY POOL. AND HE LISTENS. AND, YOU KNOW, HE DOESN'T COME WITH A LOT OF GOVERNING EXPERIENCE OR DIDN'T COME WITH A LOT OF GOVERNING EXPERIENCE, BUT HE CAME WITH A LOT OF WORLDLY EXPERIENCE, AND HE SAT THERE AND LISTENED. AND IF I EVER WANTED TO KNOW BECAUSE, IT MAY SURPRISE SOME OF YOU, I HAVE A LITTLE ADD, WANTED TO KNOW WHAT WAS GOING ON AND I HAD BEEN OUTSIDE OF THE CHAMBER FOR A WHILE, I KNEW I COULD GO OVER AND ASK, AND HE WOULD GIVE A CLEAR AND CONCISE RENDITION OF WHAT WAS GOING ON AND IT WOULD BE IN A WAY THAT NONPARTISAN, NONJUDGMENTAL, NONPERSONAL, JUST STATING THE FACTS OF WHAT'S GOING ON. SO I GREW TO RESPECT HIM. THEN HE...ALSO MANY OF YOU HAVE BEEN HIT UP FOR THIS GUN LOTTERY, AND I WON, SO I LEARNED TO RESPECT HIM EVEN MORE. (LAUGHTER) BUT HE STILL DIDN'T LIKE TO GO OUT. SO I NEVER REALLY HUNG OUT WITH HIM THAT MUCH. BUT THIS LAST TWO YEARS, HE'S BEEN THE VICE CHAIR OF BUSINESS AND LABOR AND I REALLY GOT TO WORK WITH HIM A LOT MORE, GOT TO KNOW HIM A LOT MORE, STILL DOESN'T LIKE TO GO OUT. I JOKINGLY SAID I FOUND OUT THAT HIS BACK GOES OUT MORE THAN HE DOES.

Floor Debate  
April 13, 2016

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(LAUGHTER) HE'S HAD THREE WORK COMP CLAIMS AND I THINK THAT'S MORE THAN HE'S GONE OUT BY HIMSELF. WHEN DEE'S IN TOWN, IT'S A DIFFERENT STORY, BUT WHEN SHE'S NOT IN TOWN, HE NEVER GOES OUT. BUT I HAVE WORKED WITH HIM AND I ENJOY WORKING WITH HIM. YOU KNOW WHAT HE SAYS IS HIS WORD. YOU KNOW UNEQUIVOCALLY IF HE SAYS SOMETHING, YOU DON'T HAVE TO THINK, WELL, HOW WOULD HE GET OUT OF THIS, OR WHAT'S HE REALLY TRYING TO DO? WE COME INTO THIS BODY WITH ONE THING AND THAT IS OUR NAME AND WE ONLY LEAVE WITH OUR NAME, AND WE CAN JOKE ABOUT A LOT OF THINGS, BUT THERE'S ONE THING WE KNOW, SENATOR BLOOMFIELD IS GOING TO HAVE HIS HONOR AND INTEGRITY. HE'S WORKED HARD TO EARN THAT AND HE'LL HAVE IT...HE HAD IT WHEN HE CAME IN AND HE'LL HAVE IT WHEN HE LEAVES. HE'S WORKED HARD ON THAT HELMET BILL. IT HASN'T BEEN SUCCESSFUL. HE ALWAYS SAYS HE'LL COME BACK ON IT. NEVER KNEW WHY HE LIKED HOGS SO MUCH UNTIL I FOUND OUT THAT STOOD FOR HEAVY OLD GUYS, BUT HE TAUGHT ME THAT ONE. BUT HE WORKS HARD, HE DOESN'T SEEK THE LIMELIGHT, HE'S A GOOD, OLD-FASHIONED WORKHORSE. AND SO I'VE REALLY GROWN TO APPRECIATE HIM AND DEE. AND BEFORE I GIVE MY LAST THOUGHT, I WANT IT ON THE RECORD, WE WILL NOT HUG AT THE END OF THIS. (LAUGHTER) BUT I WILL LEAVE YOU WITH THIS ONE THOUGHT ABOUT DAVE BLOOMFIELD. QUESTION. [LB824]

SENATOR KRIST: THANK YOU, SENATOR HARR, AND FOR THE RECORD, YOU START AT 3:35 NEXT TIME. SENATOR FRIESEN, YOU'RE RECOGNIZED. [LB824]

SENATOR FRIESEN: THANK YOU, MR. PRESIDENT. I THINK EVERYONE WILL HAVE TO ADMIT THIS HAS BEEN ONE OF THE MOST UNIQUE FILIBUSTERS THAT PROBABLY HAPPENED HERE IN QUITE A WHILE, AND IT HAS BEEN KIND OF ENJOYABLE, SO I HAVE ENJOYED IT AS MUCH AND I DO...I HAVE A LOT OF RESPECT FOR ANYBODY THAT'S PAID THEIR DUES HERE, SPENT EIGHT YEARS FULFILLING THEIR DUTIES, AND WITH THAT, I HOPE I CAN LAST THAT LONG. GETTING BACK TO THE BILL, AND THERE WERE SOME COMMENTS MADE AND WHEN I THINK THERE'S JUST SOME CLARIFICATIONS THAT NEED TO BE MADE, AND I KNOW THERE'S LOTS OF PERMITS TO BE FILED AND ALL THOSE THINGS, BUT SENATOR McCOLLISTER, WOULD YOU YIELD TO A QUESTION? [LB824]

SENATOR KRIST: SENATOR McCOLLISTER, WILL YOU YIELD? [LB824]

SENATOR McCOLLISTER: YES, I WILL. [LB824]

Floor Debate  
April 13, 2016

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SENATOR FRIESEN: SO IN YOUR BILL, IT DOES STATE ON WHEN AND HOW THE GAME AND PARKS IS NOTIFIED, AND DURING TESTIMONY, I MEAN, IT WAS MADE PRETTY CLEAR THAT THE FISH AND WILDLIFE SERVICE DOES ISSUE SOME PERMITS, BUT IN THE END, GAME AND PARKS WILL BE THE ONES THAT CARRY OUT THE DUTIES OF WATCHING OVER THESE SITES. SO WHEN IS THE TIME AT THE LATEST THAT GAME AND PARKS HAS TO BE NOTIFIED THAT THERE'S GOING TO BE A WIND PROJECT? [LB824]

SENATOR McCOLLISTER: WELL, I THINK, AS YOU KNOW, THAT 30 DAYS IS WRITTEN INTO THE BILL. HOWEVER, SENATOR, MOST DEVELOPERS WILL GO THROUGH AND DO THE PERMITTING PROCESS EVEN BEFORE THEY MAKE COMMITMENTS. [LB824]

SENATOR FRIESEN: I AGREE WITH THAT, BUT AT THE LEAST IF THEY WANT TO PUSH IT TO THE MAX, YOU SAY MOST, AND I WANT TO KNOW WHEN ALL OF THEM HAVE TO, AND THAT IS WHEN? [LB824]

SENATOR McCOLLISTER: I THINK AS THE BILL STATED, IT'S 30 DAYS, BUT AS I'M TRYING TO SAY, IT OCCURS LONG BEFORE THEN. [LB824]

SENATOR FRIESEN: THANK YOU, SENATOR McCOLLISTER, BECAUSE THE STATUTES DO STATE, NO LESS THAN 30 DAYS THEY WILL NOTIFY GAME AND PARKS. AND GAME AND PARKS, THEY'LL HAVE A LITTLE BIT OF TIME TO LOOK AT IT THEN, BUT THAT'S BEFORE CONSTRUCTION STARTS. SO YOU KNOW GOOD AND WELL NOTHING IS GOING TO HAPPEN TO CHANGE THEIR PLANS ON WHERE THEY BUILD THIS SITE. THE SAME NOTIFICATION PERIOD IS FOR THE NOTIFICATION FOR THE POWER REVIEW BOARD, IT'S 30 DAYS. SO THEY HAVE 30 DAYS ADVANCED NOTICE, THEN THEY HAVE TEN DAYS WITH WHICH TO REPLY. TO ME THAT IS A VERY SHORT NOTIFICATION PERIOD AND WHEN YOU'RE LOOKING AT POTENTIAL WIND SITES THAT ARE OUT THERE AND, AGAIN, I'LL GO BACK OUT INTO THE RURAL AREAS WHERE I'M FROM, AND I KNOW IT WON'T AFFECT MOST OF YOUR URBAN SENATORS, YOU DON'T LIVE OUT THERE, YOU'LL NEVER HAVE TO LIVE AMONGST THE WINDMILLS, BUT YOU HAVE PEOPLE THAT ARE LIVING OUT IN THE COUNTRY AND WHAT THE WIND COMPANIES DO IS THEY LOOK THROUGH THE LAND DEEDS AND THEY FIND ABSENTEE LANDLORDS AND THEY TALK THE ABSENTEE LANDLORDS INTO SIGNING LEASES. AND SO THEN THEY GET A BASE BUILT. AND AFTER THEY'VE GOT THEIR BASE ESTABLISHED AND THE ABSENTEE LANDLORDS LOCKED IN, AND THEY'LL JUST GET THE CHECK, THAT'S ALL THEY CARE ABOUT, THEN THEY GO TO THE

Floor Debate  
April 13, 2016

---

PEOPLE LIVING IN THE AREA. AND THEY SAY, WELL, LOOK, HERE WE'VE GOT WINDMILLS ALL AROUND YOU. WE'VE ALREADY GOT THOSE LOCKED IN PLACE AND WE'D LIKE TO PUT ONE ON YOUR LAND ACROSS THE ROAD, AND YOU'RE ALREADY GOING TO HAVE ONE HERE AND HERE, AND SO YOU MIGHT AS WELL JUST SIGN THE LEASE AND LET US PUT UP A WINDMILL. AND SINCE ALL THESE AGREEMENTS ARE NEGOTIATED WITH A VERY STRICT CONFIDENTIALITY CLAUSE, AND I KNOW WE TALKED A LOT ABOUT THIS IN LB176, THE CONFIDENTIALITY CLAUSE OF SOMEONE PUTTING UP A HOG BARN, WHERE CONTRACTS WERE MADE. HERE WE HAVE THIS EXACT SAME THING, VERY STRICT... [LB824 LB176]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR FRIESEN: ...CONFIDENTIALITY AGREEMENTS, SO NO ONE KNOWS IN ADVANCE THAT THIS WINDFARM IS COMING. AND YOU HAVE PEOPLE LIVING IN THE COUNTRY AND SUDDENLY THEY'RE GOING TO BE SURROUNDED BY WINDMILLS AND THEY HAD NO IDEA IT WAS COMING. THEY DIDN'T HAVE TIME TO PROTEST THIS ANYWHERE. THEY HAD NO VOICE. THERE'S NO WAY TO STOP IT. THIRTY DAYS BEFORE CONSTRUCTION STARTS, THEY'LL FIND OUT. SO WHEN YOU LOOK AT WHAT MY AMENDMENT DOES, VERY SIMPLE, MOVES IT OUT TO 120 DAYS. THAT'S ALL IT DOES. THANK YOU, MR. PRESIDENT. [LB824]

SENATOR KRIST: THANK YOU, SENATOR FRIESEN. THOSE STILL WISHING TO SPEAK: SENATOR BLOOMFIELD, KUEHN, HUGHES, McCOLLISTER, AND OTHERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB824]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. LET'S GO BACK TO THAT JOB CREATION SHEET THAT SENATOR KEN HAAR PASSED OUT. FOR A MILLION DOLLARS INVESTED WITH WIND, WE GET 13 JOBS. THAT'S ONLY \$77,000 A JOB. WHAT A BARGAIN. MIGHT BE BETTER OFF TO JUST SEND THEM A CHECK. LOOKS TO ME LIKE IT WOULD BE A LOT BETTER OFF GOING WITH BIOMASS THAN SOLAR. AT LEAST YOU KNOW WHEN IT'S AVAILABLE. YOU DON'T KNOW TODAY IF THE WIND IS GOING TO BLOW SATURDAY OR NOT. IN HERE, IT BLOWS PRETTY STEADY. I DON'T KNOW WHAT THEY HAD TO PAY SENATOR BURKE HARR TO MAKE THOSE COMMENTS, BUT IT PROBABLY WASN'T ENOUGH, BUT I APPRECIATE IT. (LAUGHTER) COLLEAGUES, WE'VE GOT A LITTLE TIME TO SPEND YET ON THIS, WE'LL GET THERE. AND WHEN WE DO, VOTE NO ON CLOTURE ON THIS THING. THE PROCESS DESERVES MORE, AND I THINK, FRANKLY, SO DOES THE IDEA. YOU KNOW, WHEN THIS BILL CAN STAND BY ITSELF AND CLEAR



Floor Debate  
April 13, 2016

---

COMMITTEE AND COME OUT HERE CLEAN, THAT'S WHEN YOU SHOULD TALK ABOUT IT. I WAS TOLD THAT I MISSPOKE WHEN I SAID THE BILL DIED IN COMMITTEE. WELL, TECHNICALLY, I SUPPOSE I WAS. I WONDER IF SENATOR SCHNOOR WOULD YIELD TO A QUESTION. [LB824]

SENATOR KRIST: SENATOR SCHNOOR, WILL YOU YIELD? [LB824]

SENATOR SCHNOOR: YES, SIR, I WILL. [LB824]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. WHEN LB824 WAS IN COMMITTEE, A COMMITTEE IN WHICH YOU SERVE, AND IT WAS LOCKED UP AND THE GUTS WERE STRIPPED OUT OF IT, AND THE PAY RAISE WAS PUT BACK IN IN ITS PLACE, DID YOU THINK THE ORIGINAL INTENT OF LB824 WAS DEAD AT THAT POINT? [LB824]

SENATOR SCHNOOR: WE DID TALK ABOUT THAT IN LENGTH TO FIND OUT IF THAT WAS THE CASE AND WE WERE TOLD THAT IT WOULD BE LEFT ALONE, THAT THE NEW CONTENT OF THE PAY RAISE FOR THE GENTLEMAN WOULD BE THE CURRENT BILL AND THAT WE WILL LEAVE THAT ALONE. [LB824]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. I WONDER IF SENATOR FRIESEN WOULD YIELD TO A QUESTION. [LB824]

SENATOR KRIST: SENATOR FRIESEN, WILL YOU YIELD TO A QUESTION? [LB824]

SENATOR FRIESEN: YES, I WOULD. [LB824]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. WHEN LB824 WAS STRIPPED OF ITS ORIGINAL INTENT AND AMENDED WITH A PAY RAISE FOR ONE INDIVIDUAL, DID YOU THINK THE ORIGINAL INTENT OF THAT BILL WAS DEAD AT THAT POINT? [LB824]

SENATOR FRIESEN: I DID, BUT KNOWING THE PROCESS, I KNEW ANYTHING CAN HAPPEN, BUT I DID THINK IT WAS GONE. [LB824]

SENATOR BLOOMFIELD: THANK YOU. I WONDER IF SENATOR HUGHES WOULD YIELD TO A QUESTION. [LB824]

Floor Debate  
April 13, 2016

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SENATOR KRIST: SENATOR HUGHES, WILL YOU YIELD? [LB824]

SENATOR HUGHES: YES, I WOULD. [LB824]

SENATOR BLOOMFIELD: THANK YOU, SENATOR HUGHES. WHEN THE ORIGINAL INTENT OF LB824 WAS STRIPPED OUT AND REPLACED WITH A PAY RAISE FOR ONE INDIVIDUAL, WAS IT YOUR UNDERSTANDING THAT THAT BILL WOULD BE USED FOR A PAY RAISE FOR THAT INDIVIDUAL AND NOTHING ELSE? [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR HUGHES: THAT IS CORRECT. A POINT OF CLARIFICATION, IT'S NOT A PAY RAISE, IT WAS AN INCREASE IN THE REIMBURSEMENT FOR EXPENSES INCURRED. BUT YES, IT WAS MY HOPE AT THAT POINT THAT THE ORIGINAL LB824 WOULD HAVE BEEN DEAD. [LB824]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. AND THANKS FOR CORRECTING THAT. YOU ARE CORRECT, IT WAS NOT A PAY RAISE, BUT A LITTLE CHANGE IN THE AMOUNT HE WOULD RECEIVE. COLLEAGUES, THIS BILL, IF NOT KILLED, WAS PERCEIVED TO BE DEAD BY A GOOD NUMBER OF THE PEOPLE IN THAT COMMITTEE. IT WAS WRANGLERED BACK AROUND BY WHAT I WOULD REFER TO NEFARIOUS MEANS. YOU DON'T HAVE TO BELIEVE THAT. JUST LOOK AT WHAT... [LB824]

SENATOR KRIST: TIME, SENATOR. [LB824]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. [LB824]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD, SCHNOOR, FRIESEN, AND HUGHES. SENATOR KUEHN, YOU'RE RECOGNIZED. [LB824]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT AND THANK YOU, COLLEAGUES. I RISE TODAY IN SUPPORT OF AM2860. I DO WANT TO CLARIFY AND JUST MAKE SURE EVERYONE IN THE BODY UNDERSTANDS, THIS ISN'T SIMPLY A FILIBUSTER AMENDMENT. THIS IS A GOOD ADDITION TO THE BILL. IT IMPROVES THE BILL BY EXTENDING THE REQUIRED PERIOD OF TIME TO 120 DAYS FOR NOTIFICATION OF ALL INTERESTED PARTIES. AND WHILE CERTAINLY THERE MAY BE COMPANIES, THERE MAY BE DEVELOPERS WHO DON'T GO TO THE REQUIRED MINIMUM,

Floor Debate  
April 13, 2016

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GIVING AS MUCH LEAD TIME AS POSSIBLE TO THE AGENCIES THAT ARE RESPONSIBLE FOR MAKING THE BEST DECISIONS REGARDING SITING OF TURBINES IS IMPORTANT, BECAUSE WHILE WE CERTAINLY THINK FROM OUR PERSPECTIVE AS HUMANS OF WIND ENERGY AND WIND TURBINES AS BEING GREEN, IF YOU'RE A BIRD OR A BAT, THESE AREN'T SO GREAT FOR YOUR HEALTH LONG TERM. THE SCIENCE REGARDING THE EFFECT OF WIND TURBINES ON BAT POPULATIONS, AS WELL AS ON BIRDS, AND IF YOU'VE DONE ANY WORK WITH REGARD TO SITING OF STRUCTURES SUCH AS THIS AND EVEN TRANSMISSION LINES IN THE CENTRAL FLYWAY, WE'RE JUST ENDING THE END OF CRANE SEASON AND THE LARGEST MIGRATION OF BIRDS THROUGH THE CENTRAL PART OF NEBRASKA AND THE PLATTE VALLEY, YOU KNOW THAT SITING OF THESE STRUCTURES IS CRITICAL TO MAINTAINING THE HEALTH AND HABITAT OF THOSE PARTICULAR SPECIES INVOLVED. SO PROVIDING THAT EXTENDED PERIOD OF TIME AND NOTICE FOR GAME AND PARKS IS CRITICAL FROM AN ENVIRONMENTAL PERSPECTIVE. WHAT I ALSO WANT TO DO IS, AGAIN, HELP PROVIDE SOME CLARITY AND INFORMATION TO THE BODY WITH REGARD TO SOME ADDITIONAL ISSUES WHEN WE TALK ABOUT THE DIFFERENCES BETWEEN GENERATION SOURCES SUCH AS WHAT WE'RE DEBATING TODAY AND TRANSMISSION, WHICH IS HOW THAT POWER THAT IS GENERATED ACTUALLY GETS MOVED FROM THE GENERATION SOURCE TO YOUR LIGHT SWITCH. AND WHILE IN THIS CASE WE'RE TALKING ABOUT GENERATION SOURCES THAT WOULD BE PRIVATELY OWNED, THE REALITY IS THAT THAT TRANSMISSION INFRASTRUCTURE, AND EVEN MORE IMPORTANT THAT DISTRIBUTION INFRASTRUCTURE WHICH TAKES IT FROM THE GRID TO YOUR HOUSE, IS PUBLICLY OWNED. YOU OWN THAT. WE OWN THAT. ALL RATEPAYERS OWN THAT. AND SO WHAT WE'RE TALKING ABOUT HERE IS WE'RE TALKING ABOUT A BENEFIT IN WHICH THE GENERATION BENEFIT, THE TAX CREDITS, THE REVENUE GOES PURELY INTO THE HANDS OF PRIVATE INVESTORS. THE COST OF DISTRIBUTING THAT POWER, THE ADDITIONAL IMPACTS UPON THE GRID, LIE WITH THE PUBLICLY OWNED UTILITIES. THAT'S NOT NPPD. NPPD OWNS THE GENERATION AND THE TRANSMISSION, THE BIG TRANSMISSION, AND A LITTLE BIT OF SUB-T. IT'S YOUR LOCAL PUBLIC POWER DISTRICTS WHO OWN THOSE DISTRIBUTION LINES AND THOSE SUB-TRANSMISSION LINES WHICH ARE IMMEDIATELY PASSED ON TO YOU, THE RATEPAYER, IN YOUR BILL. AND JUST SO YOU REALIZE, A MILE OF SUB-TRANSMISSION LINE COSTS ABOUT A MILLION DOLLARS TO YOUR LOCAL PPD TO CONSTRUCT. SO YOUR LOCAL PUBLIC POWER DISTRICT IS SPENDING \$1 MILLION A MILE TO BUILD 34 kV LINE. IF THEY NEED TO PUT IN AN EXTRA FIVE MILES, THAT'S \$5 MILLION DIRECTLY PASSED TO THE RATEPAYERS TO SUBSIDIZE AN ALREADY SUBSIDIZED PRIVATE GENERATION FACILITY. AND THAT'S WHY IF WE'RE GOING TO BE A PUBLIC POWER STATE

Floor Debate  
April 13, 2016

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HAVING A HYBRID MIX OF PUBLICLY OWNED AND PRIVATELY OWNED GENERATION FACILITIES IS PROBLEMATIC BECAUSE OUR DISTRIBUTION SYSTEM STILL REMAINS OWNED BY THE PUBLIC UTILITY AND THEY'RE NOT REPRESENTED BEHIND THE GLASS RIGHT NOW BY NPPD. AND QUITE FRANKLY, THE PUBLIC POWER DISTRICT OF WHICH I SERVED AS A BOARD MEMBER ON, WHICH REPRESENTED 11 PERCENT OF NPPD'S LOAD, WAS AN INDEPENDENT MEMBER. WE DIDN'T HAVE THE SAME REPRESENTATION AND CHOSE NOT TO BE MEMBERS; WE HAD A SEPARATE LOBBYIST WHO REPRESENTED US AS A GROUP. SO THERE'S A LOT OF VOICES OUT HERE OTHER THAN JUST NPPD WHO IS NEUTRAL ON THIS ISSUE. AND I CERTAINLY TALKED TO MY FRIENDS WHO ARE DIRECTORS IN PUBLIC POWER DISTRICTS OVER THE WEEKEND WHO ARE INCREDIBLY CONCERNED ABOUT THE IMPACTS OF THIS BILL ON THEIR LOCAL PPDs AND THAT'S WHO PAYS THE BILLS. [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR KUEHN: THANK YOU, MR. PRESIDENT. IT'S BEEN ADDRESSED MULTIPLE TIMES THAT THIS IS PROGRESS, THIS IS CHANGE. WELL, GUESS WHAT, COLLEAGUES, NOBODY HAD TO PASS A LAW TO OUTLAW MY GRANDFATHER'S HORSE-DRAWN PLOW. THE MARKET DID IT. HE DIDN'T NEED INCENTIVES TO BUY HIS FIRST MINNEAPOLIS-MOLINE U TRACTOR. THAT WAS MY DAD'S BEST DAY OF HIS LIFE. THE MARKET DID IT. WE DIDN'T HAVE TO HAVE LAWS TO MOVE FROM CORDED TELEPHONES TO CELLULAR TELEPHONES. THE MARKET DID IT. WE'RE ASKING THE GOVERNMENT TO CHOOSE WINNERS AND LOSERS IN THE TECHNOLOGY THAT WE KNOW IS NOT EFFICIENT, THAT HAS NEGATIVE CONSEQUENCES FOR OUR PUBLICLY-OWNED DISTRIBUTION UTILITIES AND OUR RATEPAYERS. I THINK WE NEED TO THINK CAUTIOUSLY AS WE CONTINUE TO MOVE FORWARD WITH THIS LEGISLATION. I SUPPORT AM2860. IT MAKES THIS BILL BETTER BY GIVING ALL RISK STAKEHOLDERS A LONGER PERIOD OF REQUIRED NOTIFICATION, ALTHOUGH ULTIMATELY I WILL NOT BE SUPPORTING LB824 AS AMENDED. BUT THIS IS A GOOD AMENDMENT, COLLEAGUES, AND I THINK YOU SHOULD SERIOUSLY CONSIDER IT AS A SERIOUS AMENDMENT AND ADOPT IT IF WE'RE GOING TO PASS THIS LEGISLATION FORWARD. THANK YOU. [LB824]

SENATOR KRIST: THANK YOU, SENATOR KUEHN. (VISITORS INTRODUCED.)  
SENATOR HUGHES, YOU'RE RECOGNIZED. [LB824]

Floor Debate  
April 13, 2016

---

SENATOR HUGHES: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, MEMBERS OF THE LEGISLATURE. I WANTED TO FOLLOW UP A LITTLE BIT ON WHAT SENATOR KUEHN TOUCHED ON. THOSE WERE SOME THINGS THAT I WANTED TO BRING TO LIGHT. BUT FIRST OFF, WE'VE HEARD SENATOR McCOLLISTER SAY TIME AND TIME AGAIN THAT NPPD AND OPPD HAVE BEEN NEUTRAL ON THIS. NEUTRAL DOES NOT SUPPORT. THEY HAVE NOT SUPPORTED. THEY KIND OF GOT BOXED INTO A CORNER LIKE, HAVE YOU STOPPED BEATING YOUR WIFE YET. THEY WERE IN A NO-WIN SITUATION. BUT THE PEOPLE THAT I WANT TO TALK ABOUT ARE THE RURAL ELECTRICS THAT SERVE THE CUSTOMERS, NOT THE GENERATORS, BUT THE PEOPLE WHO PROVIDE THE TRANSMISSION. AND I'VE GOT FIVE DIFFERENT RURAL ELECTRICS IN MY DISTRICT, DISTRICT 44, AND TO A PERSON, THE MANAGERS OF THOSE RURAL ELECTRICS DO NOT LIKE WIND POWER BECAUSE THEY KNOW WHAT IT DOES TO THEIR RELIABILITY FOR THEIR CUSTOMERS. THEY HAD OPPORTUNITIES TO BUILD WIND AS RURAL ELECTRICS IF THEY WANTED TO GET INTO THE GENERATING BUSINESS. THEY STILL HAVE OPPORTUNITIES TO BUILD SMALL GENERATION WIND PLANTS IF THEY WANT TO SUPPLEMENT THEIR POWER. THERE'S A COMPANY OUT THERE THAT SPECIFICALLY WANTS TO DO THAT AND IS MAKING PITCHES TO THOSE COMPANIES. TO MY KNOWLEDGE, NONE HAVE SIGNED UP YET. BUT I TALKED ABOUT THE MANAGERS AND I'VE MET WITH ALL OF THOSE BOARD MEMBERS, TOO, AND THEY UNDERSTAND THE RELIABILITY IS THE NUMBER ONE ISSUE THAT THEY HAVE FOR THEIR CUSTOMERS, OUR VOTERS. THEIR CUSTOMERS ARE OUR VOTERS. THEY'RE THE ONES WHO MAKE THE DECISIONS WHETHER WE'RE HERE OR NOT AND THE DECISIONS THAT WE'RE MAKING TODAY WILL HAVE A DIRECT IMPACT. IT IS NOT GOING TO BE CHEAPER POWER. THAT'S WHAT THEY WANT US TO BELIEVE, BUT TO A PERSON THOSE MANAGERS WILL TELL YOU, IT'S NOT CHEAPER POWER BECAUSE OF THE TRANSMISSION PROBLEMS THAT IT CREATES, AND THOSE TRANSMISSION COSTS GET PASSED ON TO THE CONSUMER BECAUSE THAT'S WHO OWNS OUR SYSTEM. A LOT OF THE THINGS THAT WE'VE TALKED ABOUT TODAY, WE LOOK AT BIG PICTURE, SMALL PICTURE, BUT WHAT IT REALLY COMES DOWN TO IS, HOW DOES IT AFFECT THE INDIVIDUAL. WE HAVE TO MAKE GOOD POLICY THAT FITS TOP TO BOTTOM, BUT FOR ME THE REALITY IS, WHAT ARE THE PRIORITIES FOR ELECTRICITY? AND I'M SOMEONE WHO HAS LIVED WITHOUT ELECTRICITY FOR THREE WEEKS BACK IN 1997...1977, EXCUSE ME, AFTER A BLIZZARD TOOK OUT A LOT OF REA POLES. BELIEVE YOU ME, I WILL NEVER FORGET THAT FIRST HOT SHOWER I HAD. THAT WAS A TREAT. (LAUGHTER) WE HAD LIVESTOCK. WE SPENT ALL DAY SCOOPING SNOW, TRYING TO KEEP OUR CATTLE FED AND WATERED. I APPRECIATE ELECTRICITY. I APPRECIATE THE FACT WHEN YOU FLIP THE SWITCH, THE LIGHT COMES ON.

Floor Debate  
April 13, 2016

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WHEN YOU TURN UP THE THERMOSTAT, THE FURNACE KICKS ON. TRY THAT. TRY THAT FOR EVEN A COUPLE OF DAYS GOING WITHOUT ELECTRICITY. [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR HUGHES: THIS IS IMPORTANT. RELIABILITY HAS GOT TO BE THE NUMBER ONE ISSUE. WE HAVE PLANTS IN PLACE THAT HAVE PROVEN EFFECTIVE. THE REASON COAL HAS GOTTEN SO EXPENSIVE IS BECAUSE OF GOVERNMENT INTERVENTION. THE RULES AND REGULATIONS THAT THE CURRENT FEDERAL ADMINISTRATION ARE PLACING ON COAL IS WHAT'S DRIVING IT UP. I'M NOT OPPOSED TO WIND. I THINK IT HAS A PLACE, BUT TO JUST OPEN THE DOORS AND LET IT BLOW THROUGH, I THINK WE ARE DOING A VERY GRAVE DISSERVICE TO THE CUSTOMERS OF OUR ELECTRIC PROVIDERS. WE ARE HARMING OUR ELECTRIC GENERATORS AND ULTIMATELY I THINK THE VOTERS ARE THE ONES WHO HAVE THE FINAL SAY, BECAUSE THEY'RE THE ONES WHO ARE PAYING THE BILL. THANK YOU, MR. PRESIDENT. [LB824]

SENATOR KRIST: THANK YOU, SENATOR HUGHES. SENATOR McCOLLISTER, YOU'RE RECOGNIZED. [LB824]

SENATOR McCOLLISTER: THANK YOU, MR. PRESIDENT AND MEMBERS. I JUST HANDED OUT AGAIN THE SHEET THAT SHOWS THAT ANY WIND DEVELOPER NEEDS TO GO THROUGH 52 SEPARATE PERMIT ISSUES BEFORE THEY EVEN GET TO GAME AND PARKS, 52. TAKE A LOOK AT THE LIST. IT'S RATHER LARGE AND I THINK YOU CAN SEE THAT THE NOTICE WOULD HAVE TO BE CONSIDERABLY BEFORE THERE WAS 30 DAYS THAT SOME MEMBERS ARE CONCERNED ABOUT. YOU ALSO NEED TO KNOW THAT LB824 WAS THE RESULT OF DELICATE NEGOTIATION AND IT TOOK A NUMBER OF DRAFTS FOR THAT TO OCCUR, AND THE PUBLIC UTILITIES AND THE REA, THEY ALL AGREED THAT WHAT WE HAD WAS EXACTLY WHAT NEEDED TO OCCUR. SO, I THINK IF WE ATTACH ANY AMENDMENTS TO THIS BILL, IT DOES SCREW UP THAT DELICATE BALANCE THAT WE SEEM TO HAVE RIGHT AT THIS POINT. THIRDLY, INCENTIVES. LET'S TALK ABOUT INCENTIVES. WE ARE PUTTING NO INCENTIVES, NO NEBRASKA INCENTIVES INTO THIS BILL. THAT WAS SOMETHING WE FIXED FROM THE PREVIOUS YEAR AND THOSE INCENTIVES, WHATEVER THEY ARE, STRICTLY COME FROM THE FEDERAL GOVERNMENT. AND THOSE INCENTIVES ARE GOING TO OCCUR WHETHER THEY DEVELOP THEIR WIND IN NEBRASKA OR WHETHER THEY'RE GOING TO DEVELOP THEIR WIND IN SOME OTHER STATE AND WE MIGHT AS WELL MAKE THAT DEVELOPMENT OCCUR IN NEBRASKA WHERE IT WILL DO

Floor Debate  
April 13, 2016

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THE TAXPAYERS AND THE LANDOWNERS THE MOST GOOD. LET'S TALK ABOUT TRANSMISSION COSTS. SENATOR KUEHN TALKED ABOUT THAT, AND THAT COULD BE A PROBLEM FOR SOME OF THE PUBLIC UTILITIES. NOT SO. THE TRANSMISSION COST ISSUE COMES INTO PLAY AT THE SOUTHWEST POWER POOL. THAT'S WHERE THE TRANSMISSION ISSUE IS RESOLVED AND IF THEY DECIDE TO EXTEND TRANSMISSION OR BUILD MORE TRANSMISSION, IT WILL SIMPLY BE ABSORBED BY ALL THE UTILITIES IN THE SOUTHWEST POWER POOL. SO, YOU KNOW, WE DON'T BURDEN OUR LOCAL UTILITIES WITH TRANSPORTATION ISSUES. FINALLY, LET'S TALK ABOUT WHAT THIS BILL IS REALLY ABOUT AND IT'S FOR PROPERTY TAX RELIEF AND INCOME TO RURAL NEBRASKA. THE ELKHORN RIDGE WINDFARM AND PROPERTY TAXES ARE AN EXAMPLE IN KNOX COUNTY, AND THIS OCCURRED IN 2009. THERE'S \$120 MILLION IN DIRECTLY IMPACTED PROPERTY TAX VALUATIONS, MEANS LESS IN PROPERTY TAX BURDEN FOR LOCAL RESIDENTS. NEARLY \$2 MILLION IN PROPERTY TAX IS COLLECTED DIRECTLY TO THE ADDITION OF THE ELKHORN RIDGE WINDFARM. THIRDLY: LED DIRECTLY TO A 11 PERCENT REDUCTION IN REAL PROPERTY TAXES COLLECTED AGAINST AGRICULTURAL LAND AS A PERCENTAGE OF TOTAL, A NET SAVINGS OF \$1.1 MILLION. LED DIRECTLY TO A 15 PERCENT REDUCTION IN REAL PROPERTY TAXES COLLECTED AGAINST RESIDENTIAL PROPERTY AS PERCENTAGE OF THE TOTAL. THAT WAS A NET SAVINGS OF \$750 MILLION...\$700,000...\$750,000. THIS IS ABOUT PROPERTY TAX RELIEF. AND WE MAY SAY WE DON'T DO ENOUGH FOR PROPERTY TAX AND WE CERTAINLY DON'T, BUT THIS IS A TANGIBLE WAY FOR US TO MOVE AND REDUCE PROPERTY TAXES AND BRING FARM INCOME TO NEBRASKA. LAST POINT I'LL MAKE IS, WIND ENERGY RELATIONSHIP TO THE TOTAL MARKET. IN 2014, WIND ONLY CONTRIBUTED 6 PERCENT OF TOTAL ENERGY IN NEBRASKA. THOSE PEOPLE THAT SAY THAT WIND DEVELOPMENT WILL... [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR McCOLLISTER: THANK YOU...WIND DEVELOPMENT WILL KILL THE COAL BUSINESS ARE SO FAR WRONG. WE'LL DEPEND ON COAL POWER GENERATION FOR DECADES TO COME AND IN THOSE HOT DAYS WHEN WE'RE USING THOSE IRRIGATION UNITS, WE'LL BE USING ALL OF THE POWER WE CAN GET, WIND, COAL, EVERYTHING. SO DON'T BE NEEDLESSLY CONCERNED THAT ALL OF A SUDDEN WIND WILL USURP ALL OF THE POWER NEEDS OF NEBRASKA BECAUSE IT JUST WON'T HAPPEN. PLEASE HELP ME REDUCE PROPERTY TAXES, HELP ME BRING EXTRA FARM INCOME INTO OUR STATE, AND REDUCE NEEDLESS, NEEDLESS REGULATION. THANK YOU, MR. PRESIDENT. [LB824]

Floor Debate  
April 13, 2016

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SENATOR KRIST: THANK YOU, SENATOR McCOLLISTER. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB824]

SENATOR SCHNOOR: THANK YOU, SIR. SENATOR KEN HAAR, WILL YOU YIELD TO A QUESTION, PLEASE? [LB824]

SENATOR KRIST: SENATOR KEN HAAR, WILL YOU YIELD? [LB824]

SENATOR HAAR: YES. [LB824]

SENATOR SCHNOOR: YOU HAVE, OH, THROUGHOUT THE TESTIMONY IN THE LAST WEEKS, YOU HAVE REFERENCED THE BRATTLE REPORT SEVERAL TIMES. DO YOU...AND I REMEMBER READING THAT LAST YEAR, I THINK, WHEN WE FIRST STARTED TALKING ABOUT THIS, BUT DO YOU CONSIDER THAT A CREDIBLE SOURCE RELATING TO WIND ENERGY? [LB824]

SENATOR HAAR: YEAH, THAT'S WHAT WE HIRED THEM TO DO. [LB824]

SENATOR SCHNOOR: OKAY, THANK YOU, SENATOR HAAR. SENATOR McCOLLISTER, WILL YOU YIELD TO A QUESTION, PLEASE? [LB824]

SENATOR KRIST: SENATOR McCOLLISTER, WILL YOU YIELD? [LB824]

SENATOR McCOLLISTER: YES, I WILL. [LB824]

SENATOR SCHNOOR: DID YOU HEAR THAT QUESTION THAT I'D ASKED FOR SENATOR HAAR? DO YOU FEEL THE BRATTLE REPORT... YOU HAVE, I WON'T SAY QUOTED IT, BUT YOU HAVE REFERRED TO THE BRATTLE REPORT SEVERAL TIMES, SO I'M ASSUMING YOU THINK THAT'S A CREDIBLE SOURCE, BUT IS THAT A TRUE STATEMENT? [LB824]

SENATOR McCOLLISTER: FOR THE MOST PART, I DO, SENATOR. [LB824]

SENATOR SCHNOOR: OKAY. THANK YOU, SENATOR McCOLLISTER. FOLKS, I'D LIKE TO READ YOU A QUOTE FROM THE BRATTLE REPORT. THE BROADER REGIONAL MARKET FOR ADDITIONAL RENEWABLE GENERATION IS CURRENTLY SATURATED OR ZERO GIGAWATTS NEEDED IN THE SOUTHWEST POWER POOL FOR



Floor Debate  
April 13, 2016

---

WIND GENERATION THROUGH 2025. THIS QUOTE CONTINUES. WE FIND THAT THE OTHER PERMITTING REQUIREMENTS IN NEBRASKA ARE NO MORE DIFFICULT THAN IN NEIGHBORING STATES AND THE DEVELOPERS GENERALLY ARE VERY POSITIVE IN THEIR FEEDBACK ON THEIR WORKING EXPERIENCE WITH THE POWER REVIEW BOARD. THAT IS DIRECT FROM THE BRATTLE REPORT THAT SENATOR McCOLLISTER AND SENATOR HAAR SAY IS SO IMPORTANT THAT WE NEED TO FOLLOW. THEY ARE VALIDATING THAT WE DON'T NEED IT. IS THERE A TIME IN THE FUTURE? COULD BE. PRESENTLY, WE DON'T. LET'S TALK ABOUT THE WINDFARM IN HOLT COUNTY, NOT IN MY DISTRICT OBVIOUSLY, BUT THIS, THIS PROJECT HAS A POWER PURCHASE AGREEMENT IN PLACE. THAT HAPPENED WITHOUT LB824. AND GOOD FOR THEM, THAT'S LOCAL CONTROL. THE PEOPLE LOCALLY DOING WHAT THEY WANT TO DO IN THEIR AREA. AND LET'S REMIND YOU THAT LB824 DEREGULATES A LARGE AMOUNT OF THIS PROCESS, BUT IT IS PROVEN HERE. I GAVE YOU TWO SOLID FACTS THAT WE ARE SATURATED WITH ENERGY AT THIS POINT, BUT YET THEY CAN STILL DO IT IF THEY GET A POWER PURCHASE AGREEMENT AND THAT HAS PROVEN TO BE...HAVE BEEN DONE ALREADY. SO WHY ALL OF A SUDDEN DO WE NEED TO CHANGE THE LAWS? LIKE I TESTIFIED ON THE LAST ROUND OF DEBATE, IT JUST BAFFLES ME. WE HAVE LAWS IN PLACE. WE HAVE A PUBLIC POWER SYSTEM THAT IS WORKING, IT'S WORKING VERY WELL. VERY FEW TIMES I CAN REMEMBER EVEN BEING OUT OF POWER, ALTHOUGH IT DOES HAPPEN AS SENATOR HUGHES HAD SAID. BUT IT IS VERY RELIABLE. [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR SCHNOOR: THANK YOU, SIR. AND SENATOR KUEHN BROUGHT SOME GREAT INFORMATION THERE ABOUT WHO ENDS UP PAYING FOR THIS. SO, I DO SUPPORT SENATOR FRIESEN'S AMENDMENT BECAUSE 30 DAYS IS NOT ENOUGH TIME. PEOPLE NEED A CHANCE TO REVIEW WHAT'S GOING TO GO ON IN THEIR REGION, THEIR DISTRICT, WHATEVER YOU WANT TO CALL IT. THEY NEED A CHANCE TO SPEAK AND THEY NEED A CHANCE TO BE HEARD. SO CHANGING THAT FROM 30 TO 120 DAYS IS NOT OUT OF THE QUESTION. I THINK THAT'S A VERY GOOD AMENDMENT AND I WILL SUPPORT THAT. THERE WILL BE A TIME WHEN WIND ENERGY, I THINK, WILL BE VALID, BUT IT'S NOT NOW. THANK YOU. [LB824]

SENATOR KRIST: TIME, SENATOR. THANK YOU, SENATORS SCHNOOR, HAAR, AND McCOLLISTER. (VISITOR INTRODUCED.) SENATOR KEN HAAR, YOU'RE RECOGNIZED. [LB824]

Floor Debate  
April 13, 2016

---

SENATOR HAAR: MR. PRESIDENT, MEMBERS OF THE BODY, THERE'S A THING CALLED A WHEELING FEE AND NOBODY CAN FORCE YOU TO PUT ELECTRICITY ACROSS YOUR LINE FOR FREE. THAT'S JUST NOT TRUE. IF I, AS A PRIVATE DEVELOPER, HAVE A WINDFARM AND IT GOES ACROSS YOUR...LIKE NPPD'S TRANSMISSION LINES, THEY HAVE TO PAY A WHEELING FEE. IT'S NOT FREE. AND SPP IS SORT OF IN CHARGE OF THAT WHOLE PROCESS OF RELIABILITY AND MAKING SURE THAT ALL THAT CAN WORK BECAUSE RELIABILITY IS THE NUMBER ONE CONCERN OF THE SOUTHWEST POWER POOL. ALSO, NOBODY IS FORCED TO BUY FROM A BIG WINDFARM. IT JUST DOESN'T HAPPEN. THEY CAN DO IT IF THEY WANT, BUT NOBODY IS FORCED TO BUY FROM A BIG, PRIVATE WINDFARM. IT JUST IS NOT THE CASE. THEN I'M GOING TO GO AND TALK A LITTLE BIT ABOUT THE BRATTLE REPORT BECAUSE I THINK THE OPPONENTS HAVE BEEN CHERRY-PICKING DATA. THE BRATTLE REPORT ASKED...THE LEGISLATURE ASKED THE BRATTLE GROUP--WHICH IS A FINAL BIDDER ON RFI TO DO THIS REPORT--TO TALK ABOUT THE POTENTIAL FOR EXPANSION. AND THE GRAPH I POINTED OUT THE OTHER DAY OF NEBRASKA WITH ALL THE HURDLES, WAY MORE HURDLES THAN KANSAS AND OKLAHOMA, COMES DIRECTLY OUT OF A...NOT THE DIAGRAM, BUT THE TABLE THAT I PUT TO A DIAGRAM COMES RIGHT OUT OF THE BRATTLE REPORT. AND HERE'S WHAT THEY SAY ON PAGE 50. WHILE EACH OF THE REQUIREMENTS MAY NOT INHIBIT RENEWABLE ENERGY DEVELOPMENT FOR EXPORT PURPOSES, COLLECTIVELY, THEY HAVE CREATED A LESS ATTRACTIVE ENVIRONMENT FOR NEW RENEWABLE RESOURCES IN NEBRASKA COMPARED TO OTHER STATES WITH SIMILARLY HIGH QUALITY WIND RESOURCES. NOW, I KNOW OF NO OTHER INDUSTRY...FIRST OF ALL WHERE WE SAY, OH, MY GOD, YOU KNOW, SOMEBODY SAID THE OTHER DAY, THAT ALL BUFFETT WANTS TO DO IS MAKE MONEY OFF OF WIND. WELL, WE DON'T QUESTION THAT WHEN OTHER INDUSTRIES COME TO NEBRASKA. I MEAN, THAT'S WHAT THE FREE ENTERPRISE IS ABOUT. WE DON'T ASK THEM TO FORM A LONG...TO FILL OUT A LONG REPORT SEEING IF THEY HAVE ENOUGH CUSTOMERS. YOU KNOW, SOMEBODY WANTS TO BUILD A MANUFACTURING PLANT IN NEBRASKA, WE DON'T REQUIRE THAT THEY PROVE THAT THEY'RE GOING TO HAVE ENOUGH CUSTOMERS TO KEEP THAT PLANT GOING. WIND IS ABOUT THE ONLY EXPORT WHERE WE WOULD EVEN QUESTION THE DEVELOPERS WHO ARE TAKING THE RISK, BY THE WAY, WHETHER OR NOT THAT PROJECT IS GOING TO WORK. SO, THIS WHOLE THING OF CHERRY-PICKING THE DATA, CHERRY-PICKING THE BRATTLE REPORT. THE BRATTLE REPORT DOES SAY AND HERE'S ANOTHER QUOTE. THE EXISTING TRANSMISSION SYSTEM AND ALREADY PLANNED EXPANSIONS SHOULD BE ABLE TO ACCOMMODATE APPROXIMATELY 2,000 MEGAWATTS OF WIND DEVELOPMENT IN THE SPP PORTION OF NEBRASKA. OKAY. SO WITHOUT ADDITIONAL PLANNED...THERE IS

Floor Debate  
April 13, 2016

---

SOME PLANNED TRANSMISSION THAT THIS COUNTS ON, IT'S ALREADY IN THE PLANNING STAGE, BUT WE OUGHT TO BE ABLE TO DEVELOP 2,000 MEGAWATTS OF WIND. IT OUGHT TO FIT INTO THE SYSTEM, ACCORDING TO SPP. NOW, IS SOMEBODY GOING TO BUY IT? WE DON'T KNOW THAT. THAT'S UP TO THE DEVELOPERS, THAT'S THE RISK THEY TAKE. NOW, EVEN GOING TO 4,000 MEGAWATTS, AND WHEN YOU CONSIDER ONE WIND TURBINE IS ABOUT TWO MEGAWATTS, THAT WOULD BE 2,000 TOWERS. THE BRATTLE REPORT STATES SPP ANALYSIS SHOWS THAT POTENTIALLY UP TO 4,000 MEGAWATTS OF ADDITIONAL CAPACITY COULD BE ADDED WITH INCREMENTAL TRANSMISSION INVESTMENT. [LB824]

SENATOR KRIST: ONE MINUTE. [LB824]

SENATOR HAAR: THANK YOU. I'D LIKE TO GIVE MY LAST MINUTE TO SENATOR WATERMEIER THEN. [LB824]

SENATOR KRIST: SENATOR WATERMEIER, 50 SECONDS. [LB824]

SENATOR WATERMEIER: OH, THANK YOU, MR. PRESIDENT AND SENATOR HAAR. I STAND IN OPPOSITION TO THIS RETURN MOTION TO SELECT FILE. WHAT THIS BASICALLY IS, IS A KILL MOTION. IT DOES KILL THE BILL FOR THIS YEAR IN ESSENCE. I'LL GO BACK TO ANOTHER POINT THAT I HAD MADE LAST WEEK ON SELECT FILE. THIS TO ME IS AN EASY DECISION AS FAR AS REGULATIONS GOES. THE ENERGY POLICY THAT WE FACE IN THE UNITED STATES TODAY IS OUTSIDE OF OUR BORDERS. THE ARGUMENT THAT WAS MADE A FEW SPEAKERS BEFORE ME ABOUT LET THE MARKET RULE, THE MARKET IS NOT RULING IT TODAY. IN KANSAS AND MISSOURI, WHERE ALL THE WIND DEVELOPMENT IS AT IN IOWA, IT'S NOT THE SAME. WE ARE NOT PLAYING ON THE SAME PLAYING FIELD. IN ORDER TO MAKE IT EQUAL, TO MAKE IT FAIR, WE NEED TO PASS THIS BILL WITHOUT THIS AMENDMENT. SO I STAND TO ASK YOU TO VOTE GREEN FOR THE CLOTURE MOTION, WHICH I THINK WE'RE ABOUT TO GET TO, RED ON AM2860, AND GREEN ON LB824. BUT KEEP IN MIND, COLLEAGUES, THIS IS NOT ABOUT COMPLETELY DEREGULATING AN INDUSTRY. IT'S ABOUT MAKING IT FAIR FROM STATE TO STATE. WE DON'T HAVE STATE BORDERS ANYMORE WHEN IT COMES TO THE REGULATION. THEY'RE NOT... [LB824]

SENATOR KRIST: TIME, SENATOR. [LB824]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. [LB824]

Floor Debate  
April 13, 2016

---

SENATOR KRIST: THANK YOU, SENATOR WATERMEIER. MR. CLERK, YOU HAVE A MOTION ON YOUR DESK? [LB824]

CLERK: I DO. SENATOR McCOLLISTER WOULD MOVE TO INVOKE CLOTURE ON LB824 PURSUANT TO RULE 7, SECTION 10. [LB824]

SENATOR KRIST: IT IS THE RULING OF THE CHAIR THAT THERE HAS BEEN FULL AND FAIR DEBATE AFFORDED TO LB824 AND THE AMENDMENT. THE FIRST VOTE IS THE MOTION TO INVOKE CLOTURE. SENATOR McCOLLISTER, FOR WHAT REASON DO YOU RISE? [LB824]

SENATOR McCOLLISTER: YEAH, I ASK THAT EVERYONE CHECK IN, PLEASE, AND WHEN ROLL CALL OCCURS ON THIS MOTION, LET'S DO IT IN REVERSE ORDER. [LB824]

SENATOR KRIST: OKAY. COLLEAGUES, PLEASE CHECK IN. IN THE WORDS OF THE SPEAKER, THAT MEANS PUNCH THE GREEN BUTTON. SENATOR PANSING BROOKS, PUSH YOUR BUTTON. SENATOR MORFELD, SENATOR BURKE HARR. SENATOR COASH. SENATOR COASH, COULD YOU RETURN TO THE CHAMBER AND CHECK IN? MR. CLERK, THERE'S BEEN A REQUEST FOR A ROLL CALL VOTE IN REVERSE ORDER. I WILL REMIND YOU, THIS FIRST VOTE IS THE MOTION TO INVOKE CLOTURE. ALL THOSE IN FAVOR...GO AHEAD. [LB824]

CLERK: (ROLL CALL VOTE TAKEN, LEGISLATIVE JOURNAL PAGES 1616-1617.) 34 AYES, 11 NAYS, MR. PRESIDENT, ON THE MOTION TO INVOKE CLOTURE. [LB824]

SENATOR KRIST: THE MOTION TO INVOKE CLOTURE IS ADOPTED. THE NEXT VOTE, COLLEAGUES, IS THE RETURN TO SELECT FILE FOR AM2860. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED WHO WISH TO? PLEASE RECORD, MR. CLERK. [LB824]

CLERK: 11 AYES, 33 NAYS, MR. PRESIDENT ON THE MOTION TO RETURN THE BILL. [LB824]

SENATOR KRIST: THE MOTION FAILS. MR. CLERK, THE NEXT VOTE IS TO DISPENSE WITH THE AT-LARGE READING. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB824]

Floor Debate  
April 13, 2016

---

CLERK: 37 AYES, 4 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE READING. [LB824]

SENATOR KRIST: MR. CLERK. [LB824]

CLERK: (READ TITLE OF LB824.) [LB824]

SENATOR KRIST: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHOULD LB824 PASS? ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LB824]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1617-1618.) 34 AYES, 10 NAYS, 5 PRESENT AND NOT VOTING, MR. PRESIDENT. [LB824]

SENATOR KRIST: LB824 PASSES. WE WILL NOW PROCEED TO LB580. [LB824 LB580]

CLERK: MR. PRESIDENT, I HAVE A MOTION ON THE DESK. SENATOR KINTNER WOULD MOVE TO RETURN LB580 TO SELECT FILE FOR A SPECIFIC AMENDMENT. THIS IS FA124, SENATOR. (LEGISLATIVE JOURNAL PAGE 1544.) [LB580]

SENATOR KRIST: SENATOR KINTNER, YOU'RE RECOGNIZED. [LB580]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. THIS HAS BEEN A WEIRD, WEIRD DAY WITH ALL THE THINGS THAT WE'VE HAD TO DEAL WITH HERE, AND NOW WE'RE BACK TRYING TO FIX THE WAY THAT WE DRAW OUR DISTRICTS. WE ONLY HAVE ONE PROBLEM. IT'S NOT BROKEN. NO ONE HAS YET COME UP WITH A PROBLEM THAT WE'RE TRYING TO SOLVE THAT...HAVE WE MISDRAWN THE DISTRICTS? HAVE WE HURT ONE PARTY OR HELPED ANOTHER PARTY IN AN UNFAIR WAY? WHAT EXACTLY IS THE PROBLEM THAT WE ARE TRYING TO SOLVE? AND NO ONE HAS BEEN ABLE TO QUITE COME UP WITH THE PROBLEM WE ARE TRYING TO SOLVE. THE BEST I HEARD WAS WE WOULD MAKE PEOPLE FEEL BETTER ABOUT THE PROCESS. IF I WENT OUT AND GOT 30 PEOPLE AND SAID, HOW DO WE DRAW OUR DISTRICTS, I DOUBT THAT FIVE OF THEM COULD TELL ME WHAT THE PROCESS WAS. NOW I DON'T...I'M NOT PARTICULARLY THRILLED ABOUT HOW SOME OF THE LINCOLN DISTRICTS WERE DRAWN. BUT YOU KNOW, YOU'RE NEVER GOING TO LIKE EVERYTHING. YOU'RE NEVER GOING TO LOVE EVERYTHING. NOTHING IS EVER PERFECT. BUT WHEN YOU HAVE A SYSTEM THAT DRAWS UP THE DISTRICTS AND YOU'VE GOT EVERYONE A LITTLE

Floor Debate  
April 13, 2016

---

BIT UNHAPPY AND NO ONE TOTALLY HAPPY, YOU PROBABLY HAVE AN OKAY SYSTEM. I LOOK AT ALL THE OTHER SYSTEMS IN WHAT WE WOULD CALL EITHER RED OR BLUE STATES, WHERE IT'S PREDOMINANTLY ONE OR THE OTHER, AND IT'S QUITE A BIT DIFFERENT IN HOW WE ARE CURRENTLY DOING IT. SO WITHOUT DEFINING WHAT THE PROBLEM IS, WITHOUT BEING ABLE TO POINT TO A PROBLEM THAT NEEDS TO BE FIXED, I THINK WE ARE ASKING FOR PROBLEMS WITH PUTTING TOGETHER A SYSTEM THAT WE DON'T KNOW, QUITE KNOW, WHAT WE'RE GOING TO GET OUT OF IT. WE KNOW WHAT WE HAVE NOW AND WE KNOW THAT IT TREATS EVERYONE PRETTY FAIR. WE KNOW THERE'S NOT ANY GERRYMANDERED DISTRICTS THAT ARE SOME WEIRD-LOOKING SOMETHING OR OTHER. WE KNOW WE DON'T HAVE ANY OF THAT NOW. BUT WE DON'T KNOW EXACTLY WHAT WE WOULD GET WITH THIS NEW INDEPENDENT REDISTRICTING COMMISSION. AND WE WON'T KNOW UNTIL 2022. WHAT IF WE GET IT WRONG? WHAT IF WE SCREW IT UP? NOT EVEN SENATOR CHAMBERS WOULD BE HERE TO FIX IT. NONE OF US WOULD BE HERE TO FIX IT. SO NOW, IF WE SOMEHOW GET THIS WRONG, IF WE DON'T GET IT RIGHT TODAY, WHO IS GOING TO FIX IT? WHO IS GOING TO HAVE THE INSTITUTIONAL KNOWLEDGE TO KNOW THAT THIS WAS A SCREW-UP AND WE NEED TO GO BACK TO THE WAY WE HAD IT OR TO DRAW UP SOMETHING THAT'S BETTER, THAT WORKS BETTER? WE'VE GOT A SYSTEM RIGHT NOW THAT TREATS EVERYONE RELATIVELY FAIR. NO ONE IS EVER TOTALLY HAPPY, BUT NO ONE IS HAPPY WITH ANY BILL WE PASS. I CAN'T THINK OF A BILL WE PASSED TODAY WHERE EVERYBODY IS HAPPY. NO ONE IS TOTALLY HAPPY. BUT IF YOU CAN'T POINT TO A PROBLEM, YOU CAN'T SAY THIS IS A PROBLEM THAT HAS TO BE SOLVED, THEN WHY WOULD WE GO TO A SYSTEM THAT WE THINK MAY WORK OKAY, IT MIGHT WORK OKAY, BUT WE COULD COME BACK AND FIND OUT, YOU KNOW, WHEN WE ACTUALLY HAVE TO DO IT, IT WAS A REAL MESS. TO TRY TO TELL ME THERE'S NEVER GOING TO BE ANY POLITICS WITH FIVE REPUBLICANS AND FOUR DEMOCRATS, OR ANY NUMBER THAT YOU WANT, AND TO SAY WE'RE GOING TO PUT THOSE PEOPLE ON A COMMISSION AND THEY'RE GOING TO DO IT WITHOUT ANY POLITICS, THERE'S POLITICS IN EVERYTHING. YOU KNOW, EVEN THE LEAGUE OF WOMEN VOTERS GETS ALL INVOLVED IN POLITICS. THEY'RE UP TO THEIR EYEBALLS IN POLITICS. THEY'RE NOT NEUTRAL OBSERVERS. THEY'RE PUSHING A LIBERAL AGENDA. SO POLITICS GETS INTO EVERY SINGLE THING WE DO, SO IT'S A FOOL'S ERRAND TO THINK THAT WE'RE GOING TO COME UP WITH A REDISTRICTING COMMISSION AND IT'S GOING TO BE A COMMISSION THAT LEAVES POLITICS OUT OF THE ENTIRE MIX AND IT'S GOING TO COME UP, IT'S GOING TO GIVE BIRTH TO A RESTRICTED NEBRASKA THAT PEOPLE ARE GOING TO SAY, WOW, LOOK WHAT THOSE GUYS DID. WE'RE GOING TO TRADE ONE SET OF PROBLEMS, TO WHATEVER DEGREE WE HAVE PROBLEMS NOW, FOR ANOTHER UNKNOWN SET OF PROBLEMS. WELL, IF

Floor Debate  
April 13, 2016

---

YOU ASK ME, I LIKE THE PROBLEMS I KNOW BETTER THAN THE PROBLEMS I DON'T KNOW. SO AS I'VE SAID A COUPLE OF TIMES BEFORE, I THINK THIS BILL IS A STINKER, BECAUSE WE DON'T EXACTLY KNOW WHAT IT'S GOING TO DO. ONLY THING WE DO KNOW IS THERE WILL BE POLITICS WITH THIS INDEPENDENT COMMISSION JUST LIKE THERE'S POLITICS WHEN WE DO IT OURSELVES. THE ONLY DIFFERENCE IS WE'RE GOING TO HAVE SOMEONE ELSE DRAW IT UP. AND IF THEY DON'T DO A GOOD JOB WE CAN SAY, THOSE STINKERS OVER THERE DID IT, THEY DID IT WRONG, WE DIDN'T HAVE ENOUGH VOTES TO STOP IT. WHEREAS, RIGHT NOW WE HAVE TO DRAW IT AND WE HAVE TO TAKE THE HEAT AND WE HAVE TO STAND THERE AND ANSWER TO THE PEOPLE OF OUR STATE BECAUSE WE DREW THE DISTRICTS, AND THAT'S THE WAY IT SHOULD BE. THAT'S THE WAY OUR CONSTITUTION SAYS IT SHOULD BE. THE CONSTITUTION SAYS THAT WE, THE LEGISLATURE, WILL DRAW THE DISTRICTS AFTER THE CENSUS. IT DOESN'T SAY GIVE IT TO SOMEONE ELSE, DOESN'T SAY CREATE A COMMISSION, DOESN'T SAY GIVE IT TO A COMPUTER. IT SAYS THAT WE WILL DO IT. WHAT THIS AMENDMENT DOES IS SIMPLY CHANGES IT FROM FIVE REPUBLICANS TO SIX REPUBLICANS. THAT'S NOT GOING TO TAKE THE POLITICS OUT OF IT EITHER. DOESN'T MATTER IF WE HAVE NINE REPUBLICANS OR TWO REPUBLICANS AND FIVE DEMOCRATS OR FOUR DEMOCRATS, NINE DEMOCRATS OR THREE DEMOCRATS, THERE'S STILL GOING TO BE POLITICS IN THIS. THE ONLY DIFFERENCE WOULD BE IS IF WE CONTINUE WITH WHAT WE'RE DOING, WE'RE GOING TO DRAW THEM, WE'RE GOING TO STAND BEHIND IT, AND WE'RE GOING TO BE HELD ACCOUNTABLE, BECAUSE THEY ARE TOTALLY OUR CREATION. WE CAN'T SAY SOMEONE ELSE CREATED IT AND WE DIDN'T HAVE ENOUGH VOTES TO REJECT IT. IT'S THOSE BAD PEOPLE OVER THERE. I TRIED TO REJECT IT, I JUST COULDN'T STOP IT. NOW WE DRAW IT OURSELVES. WE STAND BEHIND IT. AND I THINK THAT'S THE WAY THAT WE OUGHT TO DO IT. AND, MR. PRESIDENT, I WILL WITHDRAW THIS AMENDMENT AND WE'RE GOING TO COME UP WITH ANOTHER AMENDMENT BEHIND IT WHICH I THINK ACCOMPLISHES A LITTLE BIT MORE OF WHAT WE WANT TO DO. [LB580]

SENATOR KRIST: WITH NO OBJECTION. MR. CLERK. [LB580]

CLERK: MR. PRESIDENT, SENATOR BLOOMFIELD WOULD MOVE TO RETURN THE BILL FOR A SPECIFIC AMENDMENT, AM2925. (LEGISLATIVE JOURNAL PAGES 1618-1621.) [LB580]

SENATOR KRIST: SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LB580]

Floor Debate  
April 13, 2016

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SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. COLLEAGUES, BASICALLY WHAT THIS AMENDMENT DOES, STRIKES THE ORIGINAL SECTION 35. IT INSERTS THE INFORMATION THAT IS ON YOUR GADGET AT THIS POINT IN AM2925, WHICH IS BASICALLY INSERTING LB10, THE WINNER-TAKE-ALL PROVISION. IF WE'RE GOING TO DO THE REDISTRICTING AND SEND THE POWER TO THE BIG CITIES TO DECIDE WHERE THE DISTRICTS SHOULD BE--BECAUSE THAT IS WHAT LB580 DOES--LET'S AT LEAST GIVE THE FOLKS IN DISTRICT 3, WHERE I'M LOCATED, BACK THE RIGHT TO HAVE THEIR VOTE COUNT FOR ALL OF NEBRASKA IN THE PRESIDENTIAL VOTE. AS IT CURRENTLY STANDS, THEIR VOTE IS DIMINISHED IN COMPARISON TO 48 OTHER STATES. SO THAT'S WHAT THE AMENDMENT DOES. I ASK THAT WE GET TO A VOTE ON AM2925 AND LET'S GET THIS DONE. THANK YOU, MR. PRESIDENT. [LB580 LB10]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD. THOSE WISHING TO SPEAK: SENATOR MURANTE, KINTNER, AND GROENE. SENATOR MURANTE, YOU'RE RECOGNIZED. [LB580]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD AFTERNOON. I'LL REMIND THE MEMBERS THAT, AS A MATTER OF PROCESS, ANY BILL TODAY THAT IS RETURNED TO SELECT FILE FOR A SPECIFIC AMENDMENT AND ANY AMENDMENT THAT IS ATTACHED FUNCTIONALLY KILLS THE BILL. WE WOULD NOT HAVE TIME TO HAVE A LAYOVER DAY AND THEN VOTE ON THE BILL AS AMENDED ON FINAL READING AGAIN THIS SESSION, SO THAT IS SOMETHING TO TAKE IN CONSIDERATION. ALTHOUGH SENATOR BLOOMFIELD KNOWS FULL WELL THAT I SUPPORT THE CONTENTS OF HIS AMENDMENT, I THINK IT'S GOOD PUBLIC POLICY AND IT IS SOMETHING THAT IN MY VIEW IS...WILL INEVITABLY BE ENACTED INTO LAW IN THIS STATE. SENATOR KINTNER BROUGHT UP THE QUESTION OF INSTITUTIONAL KNOWLEDGE. WHO WILL BE AROUND TO TALK ABOUT REDISTRICTING IN 2021? WELL, THERE'S AN ENTIRE FRESHMAN CLASS HERE WHO WILL BE IN LARGE MEASURE STILL HERE IN 2021. SENATOR MORFELD WILL BE WITH US, AS HE REMINDS ME, FOR BETTER OR FOR WORSE. AND THE FORMER MEMBERS OF THIS LEGISLATURE, I WOULD SUBMIT TO THOSE FRESHMEN WHO WILL BE SELECTING THE INDEPENDENT REDISTRICTING COMMISSION THAT, IN 2021, THAT THERE ARE PROBABLY NO BETTER QUALIFIED PEOPLE TO SERVE ON THAT COMMISSION THAN THE PEOPLE WHO ARE PARTICIPATING IN THIS DEBATE TODAY AND WHO HELPED WITH THE CREATION OF THE INDEPENDENT REDISTRICTING COMMISSION, KNOW IT INSIDE AND OUT. SO WE'RE NOT GOING AWAY. WE'RE NOT GOING ANYWHERE. WE'LL BE AROUND TO TALK ABOUT THOSE IMPORTANT ISSUES. SO WITH THAT IN MIND, I PROBABLY WILL NOT SPEND A CONSIDERABLE AMOUNT OF TIME TALKING TODAY ON THE



Floor Debate  
April 13, 2016

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ISSUE. I THINK WE ALL KNOW WHERE WE STAND. BUT I DON'T BEGRUDGE SENATOR BLOOMFIELD. HE CAME TO ME IN ALL COURTESY BEFORE THIS HAPPENED AND SAID HE WAS GOING TO FILE AN AMENDMENT ON MY BILL. AND I SAID, YEAH, THAT'S THE WAY THE PROCESS WORKS. SO I DON'T BEGRUDGE HIM FOR TRYING TO DO THIS. I THINK IT'S GOOD PUBLIC POLICY. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY PRESIDING

SPEAKER HADLEY: THANK YOU, SENATOR MURANTE. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LB824. SENATOR KINTNER, YOU'RE RECOGNIZED...AND LB947. [LB580 LB824 LB947]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, AS I LOOK AT THIS BILL AND WE START TO LOOK THROUGH THE PROBLEMS WITH IT, YOU KNOW, I THINK WE'RE NOT EVEN LOOKING AT A BILL THAT'S CONSTITUTIONAL. IF YOU LOOK UNDER ARTICLE III, SECTION 5 OF OUR CONSTITUTION, TALKS ABOUT, YOU KNOW, ONE MEMBER SHOULD BE ELECTED FROM EACH DISTRICT AND...BUT IT SAYS, "THE BASIS OF APPORTIONMENT SHALL BE THE POPULATION EXCLUDING ALIENS..." THEY FORGOT TO EXCLUDE THE ALIENS AND THIS DOES NOT LOOK TO ME TO BE A CONSTITUTIONAL BILL. IF YOU DON'T EXCLUDE THE ALIENS, YOU'RE NOW CONTRARY TO OUR CONSTITUTION. NOW I KNOW ILLEGAL ALIENS HAVE NEVER BOTHERED A LOT OF THE PEOPLE IN THIS BODY ONE BIT AND WE'VE JUST SEEN A COUPLE VOTES. WE KNOW IT'S NOT A BIG PROBLEM TO A LOT OF PEOPLE. LEGAL, ILLEGAL, HEY, NO PROBLEM, WE GOT YOU COVERED, GIVE YOU A COUPLE "BENNIES." BUT YOU KNOW WHAT? IT MAY BE A PROBLEM TO THE COURT. WE CANNOT COME UP WITH A BILL THAT'S CONTRARY TO OUR CONSTITUTION. WE'VE GOT TO STICK WITH THE CONSTITUTION. AND YOU KNOW, OCCASIONALLY YOU TRY TO COME UP WITH A BILL AND YOU'RE GOING THROUGH IT AND YOU FORGET SOMETHING, YOU JUST FORGET TO PUT IT IN THERE; WELL, THEY FORGOT TO PUT IT IN THERE. THESE THINGS HAPPEN. EVEN THE BEST OF INTENTIONS SOMETIMES GO OFF THE RAIL. SO WE CAN STOP IT NOW. MAYBE WE CAN HOPE THE GOVERNOR WILL STOP IT. OR WE CAN WAIT FOR THE COURT TO STOP IT. I'D RATHER JUST STOP THIS THING RIGHT HERE BECAUSE, SOMETIMES YOU JUST HAVE TO SAY, YOU KNOW, WE DIDN'T QUITE GET IT RIGHT. WE'RE HERE LATE IN THE PROCESS, WE DIDN'T QUITE CATCH IT. HEY, IT HAPPENS. YOU KNOW, WHEN YOU'RE TRYING TO REFORM AMERICA AND YOU'RE TRYING TO REFORM NEBRASKA, YOU'RE PASSING A LOT OF BILLS, YOU'RE DOING A LOT OF THINGS, YOU'RE DOING AN AWFUL LOT OF THINGS.

Floor Debate  
April 13, 2016

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SOMETIMES YOU FORGET, SOMETIMES YOU DON'T, YOU KNOW, PUT IT IN THERE. THAT HAPPENS. I UNDERSTAND, BECAUSE TO REFORM NEBRASKA IT'S GOING TO TAKE AN AWFUL LOT OF LAWS, AWFUL LOT OF BILLS. WE'RE WRITING A LOT OF BILLS, WE'RE DROPPING A LOT OF BILLS. HEY, WE LEFT SOMETHING OUT OF ONE BILL, MAYBE WE CAN FIX IT SOMEWHERE ELSE. WELL, GUESS WHAT? WE'RE AT THE END OF THE LINE, WE'RE RIGHT AT THE END OF THE LINE HERE. AND SOMEHOW NOBODY GRABBED THAT, THAT OUR CONSTITUTION SAYS THAT IF WE'RE GOING TO DO THIS WE HAVE TO EXCLUDE ALIENS. AND IF WE'RE GOING TO TALK ABOUT A COMMISSION AND WHAT THEY'RE GOING TO BE DOING, WE MIGHT WANT TO POINT OUT THE FACT THAT, IF THEY'RE GOING TO BE DRAWING LINES, THEY BETTER NOT BE INCLUDING ALIENS WITHIN THOSE LINES. SO SOMETIMES THESE THINGS HAPPEN. SOMETIMES, YOU KNOW, YOU JUST MESS UP. BUT, HEY, WE'VE ALL DONE IT. WE'VE ALL DONE IT. I DON'T DO IT AS MUCH ANYMORE. I DON'T DROP AS MANY BILLS. BUT, YOU KNOW, WHEN SENATOR MELLO IS WRITING ALL THESE BILLS, HEY, THESE THINGS SOMETIMES PASS. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR KINTNER: HE ONLY DROPS 30 BILLS. I COULD TOTALLY UNDERSTAND IT. BUT YOU KNOW, THE OTHER THING TO KEEP IN MIND IS WE STILL HAVEN'T COME UP WITH A PROBLEM WE'RE TRYING TO SOLVE. WE STILL HAVEN'T COME UP WITH A PROBLEM. THERE'S NO PROBLEM YET. BUT WE GOT TO HAVE THIS BILL, WE'VE GOT TO SHOVE IT ON THROUGH, AND OVERRIDE THE GOVERNOR'S VETO, SHOULD HE VETO IT. WE'VE GOT TO DO ALL THAT STUFF, BUT WE HAVEN'T FIGURED OUT WHAT THE PROBLEM IS. NOW MAYBE--WE'VE GOT SOME SMART GUYS TRYING TO PUSH THIS THROUGH, WE'VE GOT SOME REALLY SMART GUYS--MAYBE THEY'LL COME UP WITH A PROBLEM. MAYBE THEY CAN INVENT A PROBLEM, WHICH I THINK THEY'RE GOING TO HAVE TO DO. BUT RIGHT NOW NO ONE HAS COME UP WITH A PROBLEM WE'RE TRYING TO SOLVE. AND I THINK THE FIRST THING WE SHOULD DO WHEN WE'RE CREATING LEGISLATION IS DEFINE THE PROBLEM WE'RE TRYING TO SOLVE. AND I'LL TELL YOU THE REST OF IT NEXT TIME I COME UP. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. THOSE IN THE QUEUE ARE SENATOR GROENE, MURANTE, SCHNOOR, BLOOMFIELD, AND HILKEMANN. SENATOR GROENE, YOU'RE RECOGNIZED. [LB580]

Floor Debate  
April 13, 2016

---

SENATOR GROENE: THANK YOU, SENATOR HADLEY. I AGREE WITH AM2925. IT'S A GREAT PLACE TO DEBATE THIS THING THE FOURTH TIME. I HAD MY STAFF LOOK UP FROM THE SECRETARY OF STATE REGISTERED DEMOCRATS AND REPUBLICANS IN EACH OF THE THREE DISTRICTS. IN DISTRICT 1, LINCOLN, IT'S 46.9 PERCENT REPUBLICAN, 32 PERCENT DEMOCRAT. DISTRICT 2 IT'S ONLY 39.8 PERCENT REPUBLICAN, 36.3 DEMOCRAT. IT'S GETTING CLOSE. NONPARTISAN IS COMING IN CLOSE THIRD. U.S. CONGRESSIONAL DISTRICT 3, WHICH I AM FROM, IS 58.4 PERCENT REPUBLICAN AND 24.4 PERCENT DEMOCRAT. LB10 WAS A PARTISAN BILL. WE ALL UNDERSTAND THAT. HUGE SUPPORTERS OF IT NOW TURN AROUND AND WANT TO DO THIS. I'M BAFFLED. AS SENATOR KINTNER SAID, WHAT PROBLEM ARE WE FIXING? ANOTHER COMMISSION WE PUT THE HANDS IN...INTO THE HANDS...THE DECISION IS SUPPOSED TO BE MADE BY THIS BODY. I UNDERSTAND, AND CORRECT ME...GOT A QUESTION FOR SENATOR MURANTE IF HE'D TAKE ONE. [LB580 LB10]

SPEAKER HADLEY: SENATOR MURANTE, WOULD YOU YIELD TO A QUESTION? [LB580]

SENATOR GROENE: UNTIL HE GETS THERE, I'LL KEEP TALKING. HE EXPLAINED SOME THINGS TO ME. I WANTED SOME SPECIFICS ON THIS BILL TO MAKE...HELP ME UNDERSTAND IT. BUT I DON'T UNDERSTAND WHY WE'RE DOING THIS, A MAJORITY PARTY WOULD COOPERATE TO DO THIS. I MEAN WHY NOT? THAT'S WHAT THE POLITICAL SYSTEM IS. IT'S A DOGFIGHT. BUT ANYWAY, SENATOR MURANTE, ARE YOU THERE? [LB580]

SENATOR MURANTE: SENATOR GROENE, THERE'S LOTS OF THINGS I'D LIKE TO EXPLAIN TO YOU, SENATOR GROENE. I'D BE HAPPY TO YIELD TO A QUESTION. [LB580]

SENATOR GROENE: (LAUGH) YEAH, I WOULD LIKE TO ASK YOU SOME TOO. BUT IS THIS RECOMMENDATION FROM THIS COMMISSION, DOES IT COME BACK TO THIS BODY OR DO THEY BRING A BILL TO THE FLOOR? [LB580]

SENATOR MURANTE: THE MAPS WOULD BE DELIVERED TO THE CHAIRMAN OF THE EXEC BOARD, INTRODUCED IN THE FORM OF A LEGISLATIVE BILL, ONE BILL FOR EACH OF THE OFFICES WHICH ARE BEING RESTRICTED, AND THEN PLACED ON GENERAL FILE. [LB580]

Floor Debate  
April 13, 2016

---

SENATOR GROENE: SO, I MEAN, WE'RE REALLY...I DON'T KNOW IF THERE'S ANOTHER INSTANCE WHERE WE ABSOLUTELY TAKE THE POWER AWAY, AND THE LEGISLATIVE POWER AWAY, FROM THIS BODY. DOES ANYBODY ELSE KNOW OF A COMMISSION THAT PRINTS BILLS, THAT WRITES THE BILL, THAT BYPASSES THE BODY, GOES DIRECT TO THE COMMITTEE, GOES DIRECTLY TO THE FLOOR? DOES ANYBODY ELSE KNOW OF ANY SITUATION LIKE THAT? WHERE DID THIS COME FROM? POLITICS IS UGLY, OUR METHOD OF GOVERNMENT IS UGLY, BUT IT'S THE BEST OUT THERE. THERE'S A REASON WE HAVE POLITICAL PARTIES. THERE'S A REASON WE REDISTRIBUTE IN FAVOR OF THOSE POLITICAL PARTIES. IT'S CALLED, HEY, IF YOU DON'T LIKE IT, INSTEAD OF CATERING TO THE ONE BILLIONAIRE OR TWO IN YOUR PARTY, GO OUT AND BANG ON DOORS AND CONVINCED THE PEOPLE THAT YOU'RE RIGHT, YOUR BELIEFS ARE CORRECT, THE MIDDLE CLASS. THIS IS THE WORST BILL I HAVE SEEN THIS YEAR. YOU TAKE THE POWER AWAY FROM THE LEGISLATURE, COMPLETELY AWAY FROM US. OH, WE GET TO VOTE YES OR NO. DO YOU KNOW OF ANY OTHER INSTANCE...WE HAVE A PETITION PROCESS WHERE IF THE PEOPLE WANTED TO DO THIS, THEY CAN BYPASS THIS AND PUT IT ON THE BALLOT. THIS IS THE FIRST TIME WE APPOINT A COMMISSION. UNELECTED, THEY WRITE THE BILL, IT BYPASSES THE GOVERNMENT COMMITTEE, IT GOES RIGHT TO THE FLOOR, AND WE VOTE ON IT. NOW DO YOU BELIEVE IN THE POLITICAL PROCESS OR DON'T YOU, 35 PEOPLE WITH AN "R" BY YOUR NAME? THIS THING NEEDS TO DIE, LB580, AND QUICKLY. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR GROENE: I'D LOVE TO HAVE AM2925...HEY, WAIT A MINUTE. IF YOU PUT AM2925 ON THERE, I'D VOTE FOR THIS AND I WOULDN'T EVEN TRY TO HELP SENATOR KINTNER "FILIBUST" THIS THING. LET'S TAKE A 25...SEE IF WE CAN GET THE 25 VOTES TO PUT AM2925 ON THE BILL, AMEND IT TO IT. I CAN SWALLOW THE REST OF IT. WE CAN TURN THAT AROUND NEXT YEAR MAYBE. I DON'T KNOW. I DO BELIEVE IN THE PROCESS. A LOT OF US WORKED HARD TO GET ELECTED. I'M NOT REAL CRAZY ABOUT TELLING MY CONSTITUENTS THAT, NO, WE'RE GOING TO HAVE COMMISSIONS WRITE BILLS NOW. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE. SENATOR MURANTE, YOU'RE RECOGNIZED. [LB580]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD AFTERNOON. I'D REMIND SENATOR GROENE, MY DEAR, BELOVED FRIEND, THAT

Floor Debate  
April 13, 2016

---

WE DO HAVE REVISOR BILLS WHICH ARE INTRODUCED ON BEHALF OF THE REVISOR OF STATUTES, INTRODUCED BY THE CHAIRMAN OF THE EXECUTIVE BOARD AND PLACED DIRECTLY ON GENERAL FILE. WE USED THAT RUBRIC AS SORT OF THE GENESIS OF HOW THIS PROCESS WOULD GO. SO THERE IS PRECEDENT FOR IT. IT'S NOT...ADMITTEDLY, THE REVISOR BILLS ARE NOT SUBSTANTIVE IN NATURE, BUT STILL THERE IS AN EXAMPLE OF IT. SENATOR MELLO POINTED OUT TO ME THAT ALTHOUGH I NOTED THAT ADOPTING THIS AMENDMENT WOULD KILL MY BILL AND THAT I SUPPORT THE CONTENTS, I DIDN'T SPECIFICALLY SAY THAT I DID NOT WANT MY BILL TO BE KILLED. SO IN CASE THAT DIDN'T GO WITHOUT SAYING IT, THIS BILL I'VE BEEN WORKING ON FOR TWO YEARS, I'D PREFER THAT IT NOT BE KILLED, SO JUST WANTED TO MAKE THAT ABUNDANTLY CLEAR. SENATOR KINTNER ASKS REPEATEDLY, AND HAS FOR SOME TIME ASKED, WHAT'S THE PROBLEM, WHAT ARE WE TRYING TO ADDRESS? AND WHILE I TEND TO AGREE WITH SENATOR KINTNER INSOFAR AS IF YOU COMPARE THE REDISTRICTING PROCESS IN THE STATE OF NEBRASKA TO OTHER STATES, I THINK WE COULD UNQUESTIONABLY SAY THAT OURS IS AMONG THE MOST FAIR AND APPROPRIATE, OUR DISTRICT LINES ARE MORE COMPACT AND CONTIGUOUS THAN MOST. WE ARE...WE SELF-IMPOSE POPULATION DEVIATION STANDARDS WHICH ARE FAR ABOVE AND BEYOND THE CONSTITUTIONAL THRESHOLD. IT'S TOUGH TO MAKE THAT ARGUMENT. I DO SAY AS A GENERAL PRINCIPLE, AND WE'RE NOT EXCLUSIVELY TALKING ABOUT REDISTRICTING HERE, BUT THERE DOESN'T NEED TO BE A CRISIS IN ORDER TO VOTE FOR A BILL THAT MAKES SOMETHING BETTER. I DON'T THINK WE HAVE A CRISIS, BUT I DO THINK LB580 MAKES THE REDISTRICTING PROCESS BETTER. I DON'T THINK, AS SENATOR GROENE SAID, THAT THIS TAKES SUBSTANTIAL AUTHORITY AWAY FROM THE NEBRASKA STATE LEGISLATURE. WE RETAIN THE ABILITY. AND QUITE FRANKLY WHAT THIS BILL DOES IS CREATES AN INDEPENDENT CITIZEN'S REDISTRICTING COMMISSION WHICH PROPOSES MAPS TO THE LEGISLATURE. IT DOESN'T RESTRICT LEGISLATORS FROM DOING ANYTHING. SO IF A FUTURE LEGISLATOR WANTS TO INTRODUCE, EVEN GO SO FAR AS TO INTRODUCE A MAP OF HIS OWN OR HER OWN, THERE'S NOTHING IN THIS BILL THAT WOULD PREVENT THEM FROM DOING THAT. I FIND IT TO BE IMPRACTICAL, BUT WE'RE NOT REMOVING THE RIGHT OF ANY MEMBER TO DO ANYTHING REALLY IN 2021. SO THE ONE POINT SENATOR KINTNER BRINGS UP, I BELIEVE THAT WE HAVE VETTED THIS FROM A CONSTITUTIONAL STANDPOINT AS WELL AS WE POSSIBLY CAN. WE HAVE VETTED IT THROUGH THE CLERK'S OFFICE, THROUGH LEGAL COUNSEL OF THE EXECUTIVE BOARD. I'VE WORKED WITH MY OWN LEGAL COUNSEL IN THE GOVERNMENT, MILITARY AND VETERANS AFFAIRS COMMITTEE TO ENSURE THAT WE ARE WITHIN CONSTITUTIONAL STRUCTURE. NOW THREE YEARS AGO I STOOD BEFORE YOU

Floor Debate  
April 13, 2016

---

OPPOSING A REDISTRICTING ACT WHICH IN MY VIEW WAS PLAINLY UNCONSTITUTIONAL. AND AT THAT TIME I STOOD ON THE FLOOR AND SAID, JUST BECAUSE WE THINK A CONCEPT IS GOOD, DOESN'T MEAN WE SHOULD JUST PASS ANYTHING RELATED TO THAT CONCEPT AND NOT WORRY ABOUT THE DETAILS AND JUST SAY WE'RE GOING TO FIX IT LATER. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR MURANTE: I DON'T...I BELIEVED THAT THEN AND I BELIEVE THAT NOW. WITH THAT SAID, I THINK WE'VE PUT IN MORE WORK ON THIS BILL THAN ALMOST ANY OTHER, AND I DON'T KNOW WHAT MORE WE CAN DO AT THIS POINT TO ADDRESS CONSTITUTIONAL CONCERNS. BUT AS I SAID, TO THE EXTENT THAT THERE ARE CONSTITUTIONAL CONCERNS, I DO AGREE WITH SENATOR KINTNER, WE SHOULDN'T BE PASSING SOMETHING JUST TO PASS IT. THAT'S NOT HOW I GO ABOUT CREATING PUBLIC POLICY AND I THINK THAT AT LEAST THAT'S A GOOD POINT. BUT I DO BELIEVE WE'VE DONE EVERYTHING WE CAN DO TO MAKE SURE THAT WE'RE WITHIN CONSTITUTIONAL PARAMETERS HERE AND I THINK THAT WE ARE. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR MURANTE. SENATOR SCHNOOR, YOU'RE RECOGNIZED. [LB580]

SENATOR SCHNOOR: THANK YOU, MR. SPEAKER. THIS IS A TOPIC THAT I DON'T, ADMITTEDLY, I DON'T KNOW A LOT ABOUT, I HAVEN'T BEEN FOLLOWING IT, SO I WILL YIELD MY TIME TO SENATOR KINTNER. [LB580]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE YIELDED 4:44. [LB580]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. NOW I'VE GOT TO TELL YOU NOW, SENATOR MURANTE CAME TO ME AND SAID, WELL,...OR HE TOLD ME...I GUESS I SAW THE BILL. HE DIDN'T COME TO ME. I SAID, JOHN, WHAT PROBLEM ARE YOU TRYING TO SOLVE? YOU KNOW WHAT HE SAID TO ME? NOTHING. HE SAID, NO. BUT IT JUST...I THINK HE SAID SOMETHING TO THE EFFECT, AND HE CAN CORRECT ME IF I'M WRONG, IT'LL MAKE PEOPLE FEEL BETTER ABOUT THE PROCESS, BETTER ABOUT THE PROCESS. NOW, SEE, WHAT ARE WE DOING HERE? WE ARE TAKING A DECISION THAT THE CONSTITUTION SAYS THAT WE MUST DO EVERY TEN YEARS AND WE'RE GIVING IT TO SOMEONE ELSE TO DO, KNOWING FULL WELL THAT WE'RE PICKING FIVE REPUBLICANS AND FOUR DEMOCRATS, AND WE'RE THINKING IT'S NOT GOING TO BE POLITICAL.

Floor Debate  
April 13, 2016

---

WHAT REPUBLICANS AND WHAT DEMOCRATS ARE YOU GOING TO FIND THAT AREN'T POLITICAL? I DON'T SEE HOW YOU DO THAT. IT JUST IS PASSING THE BUCK TO SOMEBODY ELSE. AND I'M STILL WAITING FOR SOMEONE TO TELL ME WHAT PROBLEM WE'RE SOLVING. I LIKE TO PASS LEGISLATION THAT ADDRESSES A REAL PROBLEM, I REALLY, REALLY, DO. NOW I HAVE ANOTHER AMENDMENT COMING UP, AND IT'S NOT A POISON PILL OR ANYTHING. IT ACTUALLY...IF WE DON'T PASS SENATOR BLOOMFIELD'S AMENDMENT, WHAT IT ACTUALLY DOES IS IT HARMONIZES THIS PILE OF MANURE THAT WE'RE CALLING A BILL--I'M BEING POLITE--AND IT HARMONIZES IT WITH OUR CONSTITUTION AND IT WILL MAKE IT CONSTITUTIONAL. SO THAT'S WHAT MY NEXT AMENDMENT DOES IF WE DO NOT PASS THIS ONE. IT WILL AT LEAST HARMONIZE EVERYTHING WITH OUR CONSTITUTION. SO ANYWAY...AND THEN, YOU KNOW, AT LEAST YOU COULD HELP YOURSELF. IF THE GOVERNOR SHOULD VETO IT, YOU CAN...AT LEAST HE WON'T SAY IT WAS UNCONSTITUTIONAL. SO MAYBE YOU CAN POLISH IT UP A LITTLE BIT IF YOU SO DESIRE TO DO SO. YOU KNOW, OUT OF ALL THE PROBLEMS WE HAVE TO SOLVE...AND, YOU KNOW, MEDICAID EXPANSION, I OPPOSED IT BUT IT WAS A REAL PROBLEM. WE WERE ACTUALLY TRYING TO TACKLE SOMETHING THAT MATTERED TO THOUSANDS AND THOUSANDS OF PEOPLE. IT WAS A REAL PROBLEM. IT WAS THE WRONG SOLUTION, BUT IT WAS A REAL PROBLEM. AND WE ATTEMPTED TO REALLY DO SOMETHING BIG HERE, TOTALLY THE WRONG WAY, BUT WE WERE ATTEMPTING TO SOLVE A BIG, BIG PROBLEM. AND WE HAD A BIG, BIG SOLUTION, AGAIN, THE WRONG ONE, BUT IT WAS AN ATTEMPT TO DO SOMETHING SUBSTANTIAL. WE HAD A PROBLEM AND WE HAD A SOLUTION AND WE REJECTED IT. BUT IT WAS AN ATTEMPT TO DO SOMETHING REAL, AN ATTEMPT TO HELP SOME REAL PEOPLE. YOU KNOW, THE ROADS BANK, THE INFRASTRUCTURE BANK,... [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT...IT'S A REAL PROBLEM. WE'VE GOT AN AWFUL LOT OF UNFINISHED HIGHWAYS. WE'VE GOT BRIDGES WE HAVE TO REPLACE. THAT IS A REAL PROBLEM. AND THAT BILL ADDRESSES A REAL PROBLEM. SO I'M TRYING TO GET YOU TO SEE THE DIFFERENCE BETWEEN DOING HEAVY LIFTING AND SOLVING A PROBLEM AND THEN TRYING TO CREATE A BILL THAT DOESN'T SOLVE ANYTHING AND MAYBE CREATES A LOT MORE PROBLEMS. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. [LB580]

Floor Debate  
April 13, 2016

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SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WRITE A LITTLE NEWSLETTER EVERY WEEK THAT GOES IN MY LOCAL PAPERS. I'M GOING TO READ A JUST LITTLE BIT OF WHAT I WROTE LAST WEEK FOR THOSE OF YOU THAT DIDN'T HAVE THE PRIVILEGE OF SEEING IT. IT'S THERE IF YOU WANT TO PULL THE WHOLE THING UP. BUT TALKING ABOUT LB580 I SAID: THE PROPOSED BILL IS A SO-CALLED BIPARTISAN PROPOSAL AND WOULD STILL REQUIRE THE LEGISLATURE AND THE GOVERNOR TO APPROVE THE NEW BOUNDARY BUT IT WOULD NO LONGER BE A COMMITTEE MADE UP OF SENATORS THAT WOULD BE DRAWING THE MAPS. UNDER THE PROPOSAL, THE BOUNDARIES WOULD BE DRAWN UP BY A NINE-MEMBER PANEL APPOINTED BY LAWMAKERS FROM EACH OF THE STATE'S THREE CONGRESSIONAL DISTRICTS. THE PANEL COULD HAVE NO MORE THAN FIVE MEMBERS WITH THE SAME POLITICAL AFFILIATION. THE THOUGHT IS, THAT IT WILL TAKE POLITICS OUT OF THE PROCESS. IT ACTUALLY INCREASES POLITICS BUT CHANGES THE POWER STRUCTURE. THIS IDEA WOULD GIVE THE MINORITY PARTY AT LEAST 44 PERCENT OF THE REPRESENTATION ON THE BOARD AND LEAVE THE MAJORITY PARTY WITH A MAXIMUM POSSIBILITY OF NO MORE THAN 55 PERCENT AND COULD ACTUALLY FLIP THE MINORITY INTO THE MAJORITY POSITION (HARDLY DEMOCRATIC). THIS WOULD GIVE THE MINORITY PARTY A LOT MORE POWER SINCE THEY HAVE ONLY 24 PERCENT WHILE THE MAJORITY PARTY HAS 73 PERCENT OF THE CURRENT ELECTED SENATORS. THIS STRATEGY ALSO BENEFITS THE BIGGER CITIES BECAUSE THEY WOULD CONTROL SIX OF THE NINE MEMBERS OF THE COMMITTEE. PLEASE NOTE THAT BOTH SENATORS WHO CAME UP WITH THIS IDEA ARE FROM THE OMAHA AREA. I BELIEVE THAT YOU ELECT SENATORS TO DO THESE THINGS, NOT TO PASS THEM OFF TO STILL ONE MORE COMMISSION. THIS IS NOTHING MORE OR LESS THAN A POWER GRAB BY BIG CITY POLITICIANS AND THEIR "CRONIES," MORE WASHINGTON POLITICS COMING TO NEBRASKA. AND SENATOR KINTNER IS MISTAKEN WHEN HE SAYS THERE WOULD BE FIVE REPUBLICANS AND FOUR DEMOCRATS--NOT NECESSARILY SO. IT COULD EASILY BE FIVE DEMOCRATS, FOUR REPUBLICANS. IT'S IMMATERIAL. WHAT COULD HAPPEN IS THE MINORITY TAKES THE MAJORITY POSITION. AND WHERE DO THE INDEPENDENTS GO? THERE IS NO PLACE FOR THEM IN LB580. COLLEAGUES, THE NOTION THAT AM2925 WAS KILL LB580, THAT WASN'T FOREIGN TO ME, I WAS WELL AWARE OF IT, IF IT'S AMENDED. LB580 NEEDS SOME MORE WORK, AS DOES THE FAILURE OF LB10. THE IDEA THAT WE WOULD HAVE THE MAPS FOR REDISTRICTING...AND WE'RE CONCERNED ABOUT GERRYMANDERING? SO LET'S LET THE MINORITY PARTY DO THE GERRYMANDERING. THAT MAKES A LOT OF SENSE. LET'S LET THE 28 PERCENT OF THE ELECTED SENATORS DECIDE IF AND WHEN THE GERRYMANDERING SHOULD TAKE PLACE. THAT SHOWS A LOT OF



Floor Debate  
April 13, 2016

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REPRESENTATION TO OUR FOLKS BACK HOME, DOESN'T IT? LET'S PUT THE MINORITY PARTY... [LB580 LB10]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT....INTO THE MAJORITY POSITION WHEN IT COMES TO REDISTRICTING JUST TO BE FAIR DOESN'T MAKE A LOT OF SENSE. SO WE'LL TALK ON THIS AWHILE. HOPEFULLY WE'LL GET TO A VOTE. WE'LL PUT LB580 TO REST WITH AM2925. AND IF NOT, WE'LL SPEND ANOTHER HOUR OR WHATEVER IT TAKES TO TAKE IT TO A CLOTURE VOTE. THERE ARE MORE AMENDMENTS TO FOLLOW IF THAT'S THE WAY WE HAVE TO GO. BUT THIS BILL... [LB580]

SPEAKER HADLEY: TIME, SENATOR. [LB580]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD. SENATOR HILKEMANN, YOU ARE RECOGNIZED. [LB580]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. WARNING! CAUTION! CAUTION! CAUTION! YOU EVER HEARD THAT SIGN IN YOUR...IN AN ELEVATOR OR SOMEPLACE WHERE YOU'RE SUPPOSED TO BE? I WANTED TO GET YOUR ATTENTION. IN 1991, IT WAS A BIPARTISAN EFFORT THAT CHANGED AN ELECTION PROCESS THAT WASN'T BROKEN. WE ARE TRYING TO DO THE SAME THING TODAY. WE ARE USING A BIPARTISAN, QUOTE UNQUOTE, SOLUTION TO A PROBLEM THAT DOESN'T EXIST. BE VERY CAREFUL WHAT WE'RE DOING. I HAVE NOT LIKED LB580 ALL ALONG. I THINK IT'S...THAT AT THE MINIMUM WE NEED TO DO IS TO COME OUT OF HERE TODAY WITH LB580 GONE. IF WE ARE ABLE TO AMEND AM2925, SO BE IT. BE VERY CAREFUL WHAT WE'RE DOING RIGHT NOW. CAUTION! THANK YOU, MR. SPEAKER. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR HILKEMANN. SENATOR BRASCH, YOU ARE RECOGNIZED. [LB580]

SENATOR BRASCH: THANK YOU, MR. SPEAKER. AND THANK YOU, COLLEAGUES. IT'S GOING TO BE DIFFICULT TO FOLLOW THAT. WHEN WE TALK ABOUT REDISTRICTING, THERE IS A SMALL GROUP OF US HERE THAT WILL BE THE NEXT

Floor Debate  
April 13, 2016

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SENIOR CLASS. AND THEN THE SENIOR CLASS THAT'S GOING OUT, WE'VE ALREADY DISCUSSED HOW GRUELING, PAINFUL, EMOTIONAL, CONFUSING, HOW WE WERE PULLED IN MANY DIFFERENT DIRECTIONS, AND THAT THE CONSTITUENTS WE GAINED AND LOST, WE, YOU KNOW, WE PLAYED WITH THE CARDS THAT WERE DEALT TO US. I HAVE DIFFICULTY IN SUPPORTING LB580 AND I DID NOT. I DID NOT AND THEN I WAS PRESENT, NOT VOTING, TRYING TO THINK THIS COMPLETELY THROUGH. AND WE FORM DIFFERENT COMMISSIONS AND TASK FORCE. WE JUST HAD OUR TAX MODERNIZATION TASK FORCE AND COMMITTEES AND DID THE BEST WE COULD WITH THOSE SITUATIONS. SOME THINGS CAME OUT OF IT, SOME THINGS A LITTLE CAME OUT OF IT, BUT IT WENT STATEWIDE. IT TOOK A LOT OF INPUT TO GET WHAT RESULTS WE DID HAVE, GOOD OR BAD. THERE IS ALWAYS GOING TO BE SOMEONE HAPPY AND SOMEONE UNHAPPY. WE DID THE SAME THING WITH THE WATER TASK FORCE, BROUGHT A BUNCH OF...ACTUALLY A HUGE, HUGE COMMITTEE TOOK TO TASK OF SOLVING WATER. WILL THIS COMMITTEE...AND I LOOKED THROUGH IT. I'M LOOKING AT THE FISCAL NOTE, NOT A HUGE FISCAL NOTE, AND IT'S BASICALLY FOR THE REIMBURSEMENT OF ACTUAL EXPENSES OF THE ADVISORY COMMITTEE. ASSUMING A NINE-MEMBER COMMITTEE, SIX-MEMBER COMMISSION BUT NINE APPOINTEES, THEY'LL MEET EIGHT TIMES A WEEK...OR EIGHT TIMES, EXCUSE ME, EIGHT TIMES TOTAL, ESTIMATING ABOUT \$9,200 SPENT BUT THEY WON'T SPEND IT UNTIL THE PROCESS IN 2021. HAVING EXPERIENCED FIRSHTHAND WHAT REDISTRICTING WAS LIKE, THE ANALOGY THAT I CAN COME UP WITH BEST IS WE'RE GOING TO TRY TO APPOINT A COMMITTEE TO MAKE IT RAIN, I MEAN, RAINMAKERS, YOU KNOW. I AGAIN THINK THAT WITH EVERYONE ACROSS THE STATE, HOW CAN NINE PEOPLE OUTSIDE THIS BODY EVEN IMPROVE ON A PROCESS THAT I THINK IS NATURALLY GOING TO BE CONTENTIOUS, EMOTIONAL, GRUELING, CONFUSING. BUT SO GOES THE POPULATION. WHO KNOWS WHAT IS GOING TO HAPPEN? HOPEFULLY WITH THE LEGISLATION WE PASS BETWEEN NOW AND THEN, POPULATION BEGINS TO ONCE MORE HEAD WEST, YOUNG MAN AND WOMAN, HEAD WEST, FAMILIES, THAT THERE IS BEAUTY IN THE SANDHILLS AND ALL ACROSS NEBRASKA, NOT JUST IN THE SOUTHEASTERN PART OF THE STATE OR CENTRAL PART, THAT WE ATTRACT SOME TECHNOLOGY BUSINESSES THAT WILL COMPLEMENT OUR RURAL ECONOMY, AND THAT WE ARE ABLE TO BETTER EQUIP OURSELVES FOR REDISTRICTING BY PERHAPS INCREASING THE POPULATION PROPORTIONATELY ACROSS THE STATE. BUT IN MY VIEW IT'S GOING TO BE LIKE MAKING IT RAIN, SOMETHING THAT WE'RE NOT ABLE TO DO. AS HUMANS HERE, YOU KNOW, ALL WE TRY...YOU KNOW, WE'VE HAD DROUGHTS. WE'VE HAD FLOODS. YOU KNOW, THE WEATHER IS COMPLETELY UNPREDICTABLE. AND I THINK REDISTRICTING AT THIS POINT IS ALSO UNPREDICTABLE. CAN THIS COMMISSION SOLVE THE EMOTIONAL

Floor Debate  
April 13, 2016

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STAKEHOLDERS THAT ARE 49 PEOPLE, ELECTED HERE, AND GO ACROSS THE STATE TO A SATISFACTORY CHANGE IN WHO THEIR REPRESENTATION IS? [LB580]

SPEAKER HADLEY: TIME, SENATOR. [LB580]

SENATOR BRASCH: THANK YOU. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR BRASCH. SENATOR KINTNER, YOU ARE RECOGNIZED. [LB580]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW, I HAVE MY LITTLE QUOTE OF...QUOTATIONS BY (SIC--OF) GEORGE WASHINGTON. I HAVE JEFFERSON, WASHINGTON, AND FRANKLIN. THIS IS PUT OUT BY WALLBUILDERS.COM. I LIKE TO LOOK THROUGH IT AND GLEAN SOME WISDOM FROM IT. I FIND THAT FROM TIME TO TIME THERE IS EVEN SOME WISDOM THAT POPS UP IN THIS CHAMBER. I FIND A LOT MORE IN THIS BOOK, EVEN MORE IN THE BIBLE, BUT OCCASIONALLY IT POPS UP IN THIS CHAMBER EVEN. THE FIRST QUOTATION FROM GEORGE WASHINGTON SAYS, "IT IS BETTER TO OFFER NO EXCUSE THAN A BAD ONE." AND I THINK THAT SENATOR MURANTE, MY GOOD FRIEND SENATOR MURANTE HAS DECIDED THAT IF YOU CAN'T DEFINE THE PROBLEM, JUST DON'T SAY ANYTHING. AND HE...I DON'T KNOW IF HE READ THIS BY GEORGE WASHINGTON OR HE CAME UP WITH HIS OWN WISDOM. I THINK HE PROBABLY CAME UP WITH IT ON HIS OWN. BUT NO EXCUSE IS BETTER THAN A BAD EXCUSE. AND I THINK THAT THAT IS WHERE IT SITS RIGHT NOW, BECAUSE NO ONE...WE'VE BEEN INTO THIS NOW FOR 40 MINUTES OR SO, I'M GUESSING, AND NO ONE HAS STEPPED UP TO DEFINE THE PROBLEM. THEY JUST CAN'T FIND A PROBLEM. IF SOMEONE COULD TELL ME THE PROBLEM WE'RE TRYING TO SOLVE, I MIGHT SIT DOWN AND TRY TO BE PART OF THE SOLUTION. BUT IF WE'RE NOT GOING TO...IF WE'RE JUST GOING TO PROPOSE LEGISLATION, RAM IT THROUGH, SAY IT'S TIME TO BEAT THE GOVERNOR ON THE HEAD, THAT'S...THAT DOESN'T DO IT. IT DOESN'T DO IT. SO WE NEED TO COME UP WITH A PROBLEM TO SOLVE. UNFORTUNATELY, WE'RE INTO THE LAST TWO DAYS OF THE LEGISLATURE. IF WE ARE GOING TO SPEND TIME ON A BILL, LET'S SPEND TIME ON A BILL THAT ACTUALLY SOLVES A PROBLEM. THAT'S REALLY ALL I WOULD ASK. YOU KNOW, WE DO THAT AND WE SOMETIMES DISAGREE ON WHAT THE SOLUTION IS. BUT AT LEAST WE CAN SAY THERE'S A PROBLEM THAT WE'RE TRYING TO SOLVE. AND TODAY WE'VE FAILED THAT MISERABLY AND THAT NO PROBLEM, BUT HERE'S THE SOLUTION. WE'RE GOING TO CRAM IT ON THROUGH, THE DEALS HAVE BEEN CUT, AND WE'RE GOING TO WAIT YOU OUT AND JAM THIS

Floor Debate  
April 13, 2016

---

THING ON THROUGH. THAT'S WHAT I HEAR. SO ANYTIME SOMEONE WANTS TO DEFINE A PROBLEM, LET ME KNOW. I'LL EVEN YIELD YOU TIME FOR IT, NO PROBLEM HERE. BUT, YOU KNOW, WE GO BACK TO WHAT OTHER STATES HAVE DONE. HOW HAS IT WORKED IN OTHER STATES? WELL, CALIFORNIA, THE REPUBLICANS SUPPORTED THIS IN CALIFORNIA BECAUSE THEY'RE SUCH A BIG MINORITY. AND THEY'RE THINKING, OKAY, WE'LL COME UP WITH SOME INDEPENDENT COMMISSION, COUPLE REPUBLICANS, COUPLE DEMOCRATS, COUPLE INDEPENDENTS, OR MORE THAN THAT, A FEW OF EACH, EQUAL NUMBERS OF EACH. THE REPUBLICANS THOUGHT THEY WERE IN HOG HEAVEN. THEY PROMPTLY REDISTRICTED. REPUBLICANS LOST THEIR SHIRT ON CONGRESSIONAL SEATS, BECAUSE YOU'VE GOT TO REMEMBER THE LEFT IS MORE DETERMINED THAN WE ARE. IT'S WHY THEY'RE PUSHING THIS BILL. THEY'LL FIND THEIR WAY AROUND THIS. THEY'RE GOING TO REFORM NEBRASKA. THEY'RE GOING TO REFORM CALIFORNIA, GOING TO REFORM ARIZONA AND OHIO AND EVERY OTHER STATE. AND THEY'LL FIND THEIR WAY AROUND THIS. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR KINTNER: AND IT'S LIKE THEY DID IN CALIFORNIA. YOU KNOW, THEY GOT TWO LIBERAL OR THEY GOT...WHATEVER THE NUMBER WAS. THEY GOT, YOU KNOW, THEIR LIBERAL DEMOCRATS. THEN THEY FOUND SOME LIBERAL INDEPENDENTS AND THEN THEY FOUND SOME LIBERAL REPUBLICANS. WHAT KIND OF LINES DO YOU THINK THEY DREW UP? HEY, IT'S GOING TO BE INDEPENDENT; THERE'S NOT GOING TO BE ANY POLITICS IN IT. REPUBLICANS GOT TAKEN TO THE CLEANERS AS BAD AS THEY WERE WHEN THE DEMOCRATS WERE DOING IT. SO IT DIDN'T SOLVE ANY PROBLEMS IN CALIFORNIA. THEY HAD A LITTLE DIFFERENT TACK THAN WE DID. AND THE REPUBLICANS WERE ON A FOOL'S ERRANDS IN CALIFORNIA IF THEY THOUGHT THAT THAT INDEPENDENT COMMISSION WAS GOING TO RESULT IN THEM NOT LOSING SO MANY SEATS. THEY GOT SQUASHED. AND ARNOLD SCHWARZENEGGER WAS BEHIND THAT, THINKING IT WAS GOING TO BE A FOOL'S PARADISE THAT THEY COULD DEPEND ON THE INDEPENDENT COMMISSION TO DO THEM SOME JUSTICE. IT JUST DIDN'T WORK. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. THOSE IN THE QUEUE ARE SENATOR HANSEN, BLOOMFIELD, JOHNSON, McCOY, AND OTHERS. SENATOR HANSEN, YOU'RE RECOGNIZED. MR. SPEAKER, I'M SORRY. MR. CLERK. [LB580]

Floor Debate  
April 13, 2016

---

CLERK: SENATOR, JUST VERY QUICKLY, THE REVENUE COMMITTEE WILL MEET IN EXECUTIVE SESSION UNDERNEATH THE NORTH BALCONY, REVENUE COMMITTEE NOW. THANK YOU. [LB580]

SPEAKER HADLEY: I APOLOGIZE, MR. CLERK. SENATOR HANSEN, YOU ARE RECOGNIZED. [LB580]

SENATOR HANSEN: THANK YOU, MR. PRESIDENT. COLLEAGUES, WE'VE SAID A LOT OF THINGS TODAY AND I KNOW A LOT OF THEM HAVE BEEN A LOT OF EMOTIONS DISPLAYED TODAY, A LOT OF PASSION DISPLAYED TODAY. AND I HADN'T NECESSARILY INITIALLY PLANNED ON RISING ON THIS BILL, BUT SOMETHING STIRRED ME FROM MY SEAT. IF AN INDEPENDENT CITIZEN'S ADVISORY REDISTRICTING COMMITTEE IS WASHINGTON-STYLE POLITICS, QUOTE UNQUOTE, COMING TO NEBRASKA, I HAVE NO IDEA WHAT THAT TERM MEANS ANYMORE. IF THIS IS THE WORST OF BICKERING AND DIVISIVENESS THAT WE ARE GOING TO ENCOURAGE SOME CITIZENS TO BE MORE INVOLVED IN THE POLITICAL PROCESS AND AID US IN SUGGESTING HOW WE REDISTRICT TO ENCOURAGE TRUST IN OUR GOVERNMENT IS SOMEHOW WASHINGTON-STYLE POLITICS, I NO LONGER KNOW IF THAT'S A COMPLIMENT OR AN INSULT, AS I MIGHT HAVE KNOWN THIS MORNING. AND I JUST WOULD LIKE TO MAKE THAT POINT. AND WITH THAT, SENATOR MELLO, I WOULD YIELD HIM THE REST OF MY TIME. [LB580]

SPEAKER HADLEY: SENATOR MELLO, YOU ARE YIELDED 4:03. [LB580]

SENATOR MELLO: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, I HAVE BEEN LISTENING WITH DELIGHT IN REGARDS TO SOME VERY INTERESTING ARGUMENTS FROM SENATOR KINTNER, SENATOR BLOOMFIELD, SENATOR BRASCH. I KNOW ALL THREE OF THEM WERE INTRICATELY INVOLVED IN THE REDISTRICTING PROCESS IN 2011 AS MEMBERS OF THE COMMITTEE. I'M SORRY, NO, I'M MISTAKEN, THEY WERE NOT INVOLVED IN THE REDISTRICTING PROCESS AS COMMITTEE MEMBERS IN 2011. AND SO I'LL, AS A MEMBER OF THAT COMMITTEE, I'LL TRY TO SHED A LITTLE LIGHT, COLLEAGUES, IN REGARDS TO WHAT SENATOR MURANTE'S LB580 DOES. SENATOR KINTNER HAS BEEN VERY ADAMANT THAT THERE'S NO PROBLEM. WELL, SENATOR KINTNER WASN'T IN THE LEGISLATURE WHEN WE DID REDISTRICTING. AND YOU TALK WITH ANY MEMBER WHO WAS HERE, TALK TO THE PUBLIC, TALK TO THE PRESS THAT COVERED THAT PROCESS, THE OVERALL VIEW WAS THAT THERE WAS A LOT OF PROBLEMS WITH THAT PROCESS. PEOPLE FELT IT WAS VERY PARTISAN. PEOPLE

Floor Debate  
April 13, 2016

---

FELT THAT THE PUBLIC'S PERSPECTIVES AND VIEWS WERE NOT TAKEN IN CONSIDERATION. PEOPLE FELT THE GOVERNOR AND THE EXECUTIVE BRANCH HAD WAY TOO MUCH INFLUENCE IN HOW THE LEGISLATURE DECIDED TO DRAW MAPS. I'M NOT SAYING THAT'S GOING TO BE THE PROCESS IN THE FUTURE. BUT I THINK WITH LB580, AND SENATOR MURANTE HAD MENTIONED THIS SPECIFICALLY TO SENATOR KINTNER'S POINT, THE PROBLEM THIS BILL IS TRYING TO SOLVE IS TO MITIGATE OUTSIDE INFLUENCE IN THE VERY POLITICAL PROCESS OF REDISTRICTING. THAT'S PURE AND SIMPLE. THAT SOLVES A PROBLEM, COLLEAGUES. WHEN YOU INVOLVE POLITICIANS IN THE PROCESS OF DRAWING THEIR OWN DISTRICTS AND/OR POLITICAL INFLUENCES DRAWING DISTRICTS, THAT HAS A TENDENCY TO BUILD MISTRUST IN THE PUBLIC. THEY STOP TRUSTING THE LEGISLATURE, STOP TRUSTING STATE GOVERNMENT, BECAUSE THEY THINK THE FIX IS IN, QUOTE UNQUOTE. SO IF YOU DON'T BELIEVE THAT'S A PROBLEM WHEN IT COMES TO THIS ISSUE, SUPPORT THE FILIBUSTER THAT'S GOING ON RIGHT NOW FROM SENATOR KINTNER, SENATOR BLOOMFIELD, AND OTHERS. THAT'S FINE. YOU...EVERYONE HAS THE ABILITY TO JOIN IN AND FILIBUSTER I THINK A VERY GOOD, A VERY WELL-CRAFTED, BIPARTISAN BILL THAT TOOK--AS SENATOR MURANTE IS RIGHT--TWO YEARS TO DRAFT AND COME TO COMPROMISE ON, BECAUSE THERE'S A LOT OF COMPONENTS OF THIS BILL, COLLEAGUES, THAT I DON'T LOVE, BUT THERE'S ENOUGH OF THE COMPONENTS THAT I BELIEVE IS GOOD FOR THE LEGISLATURE AS A WHOLE. IT MAINTAINS KEY OPPONENTS OF WHAT THE LEGISLATURE HAS BUILT IN THE RULES PROCESS. AND UNLIKE WHAT YOU JUST HEARD SENATOR KINTNER AND BRASCH AND OTHERS SAY, THE LEGISLATURE ALWAYS HAS CONTROL OVER THE PROCESS. JUST TO CLARIFY THE CONSTITUTIONAL CONCERNS THAT WERE RAISED BY SENATOR KINTNER, THE LEGISLATURE, COLLEAGUES, HAVE THE FINAL VOTE OVER ANY REDISTRICTING BILL. THE LEGISLATURE, COLLEAGUES, VOTE AND HAVE A DEBATE ON THAT. THEY CAN DO AMENDMENTS. AS A MEMBER YOU CAN DO AN AMENDMENT TO THE REDISTRICTING BILL. SO TO SAY SOMEHOW THE LEGISLATURE IS SHIRKING ITS DUTY IS HYPERBOLE AT BEST AND IT'S DISINGENUOUS AT WORST. COLLEAGUES, THE PROBLEM THAT SENATOR MURANTE HAS BEEN TRYING TO ADDRESS IN LB580... [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR MELLO: ...IS TO PUT THE STATE OF NEBRASKA ON PAR WITH OTHER STATES THAT TRY TO MINIMIZE THE VERY REAL POLITICAL INFLUENCE OF LEGISLATORS DRAWING INDIVIDUAL DISTRICTS. AND INSTEAD, SIMILAR TO OUR COLLEAGUES TO THE EAST IN THE STATE OF IOWA THAT HAS A VERY SIMILAR

Floor Debate  
April 13, 2016

---

MODEL LIKE LB580, THEY RELY ON INDIVIDUAL CITIZENS TO HELP COME UP WITH THE CONCEPTS, WORKING WITH THEIR NONPARTISAN RESEARCH OFFICE TO DEVELOP THAT. NOW THEY INVOLVE INDEPENDENTS AS WELL; IT'S NOT JUST REPUBLICAN, DEMOCRATS. BUT I THINK SENATOR MURANTE AND MYSELF CAME TO AN AGREEMENT OF HOW WE STRUCTURED THE BILL AND I CAN LIVE WITH IT. COLLEAGUES, I HOPE YOU WILL STAND WITH US OF MOVING THE BILL FORWARD TO FINAL READING, VOTE FOR CLOTURE, BECAUSE IT'S GOING TO COME TO THAT IN ABOUT AN HOUR, AND LET'S PUT A GOOD PIECE OF GOOD GOVERNMENT IN PRACTICE FOR THE FUTURE AND BRING NEBRASKA'S CITIZENS BACK INTO THE FOLD WHEN IT COMES TO REDISTRICTING. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR HANSEN. AND THANK YOU, SENATOR MELLO. (VISITORS INTRODUCED.) SENATOR BLOOMFIELD, YOU ARE RECOGNIZED. SENATOR BLOOMFIELD, YOU ARE RECOGNIZED AND YOUR NEXT TIME WOULD BE YOUR CLOSE. [LB580]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I'M GOING TO HAVE A QUESTION FOR SENATOR MURANTE, OR TWO, WHEN HE GETS BACK THERE. [LB580]

SPEAKER HADLEY: SENATOR MURANTE, WOULD YOU YIELD? [LB580]

SENATOR MURANTE: YES. [LB580]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. UNDER YOUR BILL, LB580, I THINK YOU SAID A LITTLE BIT AGO THAT THIS COMMITTEE WOULD SUBMIT ONE BILL ON EACH POSITION TO BE REDISTRICTED. IS THAT CORRECT? [LB580]

SENATOR MURANTE: YES. [LB580]

SENATOR BLOOMFIELD: AND THEN THE BODY WOULD HAVE THE OPPORTUNITY TO VOTE UP OR DOWN ON THAT ONE MAP. IS THAT CORRECT? [LB580]

SENATOR MURANTE: THEY DO HAVE THAT ABILITY, THEY COULD AMEND THE MAPS. AN AMENDMENT THAT WE ADOPTED ON SELECT FILE SAYS THAT WHEN THEY HIT...WHEN THE BILLS HIT GENERAL FILE, THE BILLS FOLLOW THE RULES OF THE LEGISLATURE, SO THEY COULD BE RECOMMITTED TO A COMMITTEE,

Floor Debate  
April 13, 2016

---

THEY COULD BE BRACKETED, THEY COULD...ANYTHING THAT APPLIES TO ANY OTHER BILL. [LB580]

SENATOR BLOOMFIELD: OKAY. WHEN THEY ARE RECOMMITTED TO A COMMITTEE, WHICH COMMITTEE DO THEY GO TO? [LB580]

SENATOR MURANTE: WHICHEVER...SOMEONE CAN FILE A MOTION TO COMMIT IT TO A COMMITTEE AND WHICHEVER, IF THAT MOTION GETS 25 VOTES, THAT'S THE COMMITTEE IT WOULD GO TO. [LB580]

SENATOR BLOOMFIELD: SO WE'RE NOT CLEAR OF WHAT COMMITTEE IT COULD GO TO. IT COULD GO TO GOVERNMENT, IT COULD GO TO JUDICIARY, IT COULD...SO ESSENTIALLY WE DON'T HAVE A GOOD WAY TO AMEND A MAP THAT THEY SEND HERE IS WHAT YOU'RE TELLING ME. [LB580]

SENATOR MURANTE: NO. THE BILLS, ONCE THEY HIT GENERAL FILE, IN THEORY THERE COULD BE A...OH, WHO IS GOING TO...WHO IS A FRESHMAN THAT I CAN PICK ON? SENATOR GROENE COULD HAVE A MAP JUST SITTING, WAITING FOR THE INDEPENDENT REDISTRICTING COMMISSIONERS TO SUBMIT THEIR BILL TO THE FLOOR AND HE OFFERS IT AS AN AMENDMENT THAT WIPES THE SLATE CLEAN. THEORETICALLY THAT COULD HAPPEN. I THINK IT WOULD BE DIFFICULT FOR SENATOR GROENE TO PULL THAT OFF, BUT THERE'S NOTHING PROHIBITING IT. [LB580]

SENATOR BLOOMFIELD: AND IF THAT ONCE HAPPENED, THEN THESE NINE PEOPLE THAT HAVE SPENT SUPPOSEDLY MONTHS WORKING, THEIR WORK WAS JUST THROWN OUT THE DOOR AND THEY CAN'T COME BACK IN WITH A SECOND CHOICE. IS THAT CORRECT? [LB580]

SENATOR MURANTE: THAT'S CORRECT. IT'S...ULTIMATELY THE DECISION IS WITH THE UNICAMERAL. [LB580]

SENATOR BLOOMFIELD: BUT IT'S BASICALLY A TAKE IT OR LEAVE IT ONCE IT GETS HERE, BECAUSE WE'RE NOT GOING TO GIVE THEM A SECOND CHANCE TO DO SOMETHING. SO IT WOULD APPEAR TO ME, COLLEAGUES--THANK YOU, SENATOR--THAT ONCE THIS BILL FROM THESE NINE PEOPLE, OF WHOM THE MAKEUP IS NOT CERTAIN, HITS THE FLOOR, WE EITHER TAKE THAT OR WE TELL THEM THEY'VE TOTALLY WASTED THEIR TIME, I DON'T KNOW WHAT YOU'RE



Floor Debate  
April 13, 2016

---

DOING HERE IN THE FIRST PLACE, AND START OVER WITH A BUNCH OF TIME AND PROBABLY MONEY HAVING BEEN SPENT. I WAS HERE THE LAST TIME WE WENT THROUGH REDISTRICTING. IT GOT VERY CONTENTIOUS. THE PEOPLE ON THAT COMMITTEE DIDN'T EVEN WANT TO TALK TO SENATORS THAT HAD DIFFERENT IDEAS. BUT WHAT THEY DID DO WAS HOLD HEARINGS ACROSS THE STATE ON THESE IDEAS AND LET PEOPLE WEIGH IN, BY TELECONFERENCE IF NOTHING ELSE. I DON'T SEE THAT HAPPENING HERE. WE ARE GIVING NINE PEOPLE, LIKELY NINE VERY PARTISAN PEOPLE, THE POWER TO DO THE REDISTRICTING. YOU KNOW, THERE IS NOTHING SAYING THAT A FORMER STATE CHAIRMAN OF THE PARTY COULDN'T SIT IN ONE OF THESE... [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR BLOOMFIELD: ...COULDN'T BE ONE OF THESE COMMITTEEMEN OR A FORMER SENATOR OR A FORMER GOVERNOR. I UNDERSTAND WHAT SENATOR MURANTE IS ATTEMPTING TO DO, ALONG WITH SENATOR MELLO. I UNDERSTAND WHY THE MINORITY PARTY, WITH THEIR 28 PERCENT, THINKS IT'S A WONDERFUL IDEA, BECAUSE IT GUARANTEES THEM AT LEAST 44 PERCENT POWER, IF NOT 55 PERCENT. THE IDEA OF CHANGING OUR REDISTRICTING PROCESS IS NOT WITHOUT MERIT. THIS BILL, UNFORTUNATELY, IS. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR BLOOMFIELD. THOSE IN THE QUEUE ARE SENATORS JOHNSON, McCOY, GROENE, KOLOWSKI, MURANTE, AND OTHERS. SENATOR JOHNSON, YOU ARE RECOGNIZED. [LB580]

SENATOR JOHNSON: THANK YOU, MR. SPEAKER. I'M NOT TRYING TO BE PART OF THE FILIBUSTER BUT I DO HAVE A COUPLE COMMENTS. AND I WAS GOING TO ASK QUESTIONS BUT THE LAST THREE SENATORS THAT HAVE BEEN IN THE DISCUSSION PRETTY WELL ANSWERED MY QUESTION AND I'M JUST GOING TO MAKE A POINT OF THAT. SENATOR MELLO AND SENATOR MURANTE AND SENATOR BLOOMFIELD HAVE TALKED ABOUT THE PROCESS AS WE COME...AS THE BODY COMES BACK, IN 2022, TO ADDRESS THE REDISTRICTING BILL. SO THE COMMISSION CREATES A PLAN, PUTS IT IN THE FORM OF A BILL AND SUBMITS THAT, WE'LL SAY, TO THE EXEC COMMITTEE. AND THE EXEC COMMITTEE IN THEIR OWN POWER MAYBE SAYS, YOU KNOW, WE'RE THE SENIOR MEMBERS HERE, THIS IS THE BEST PLACE FOR THIS TO STAY, AND THEY LOOK AT IT, AND TO ME THAT'S WHEN WE GET RIGHT BACK TO THE PARTISAN POSITION. THAT'S PROBABLY THE PROBLEM WE'RE TRYING TO SOLVE IS MAKING THIS SO IT'S NOT

Floor Debate  
April 13, 2016

---

AN ISSUE OF PARTISANSHIP, TRYING TO KEEP IT NONPARTISAN. BUT THAT'S WHERE I THINK WE GO TO THE PARTISANSHIP, BECAUSE WILL IT COME OUT OF THAT COMMITTEE THEN RECOMMENDING THAT COMMISSION REPORT? LET'S SAY IT DOES AND IT GETS TO THE FLOOR. AND IF IT'S LIKE ANY OTHER BILL THAT GETS TO THE FLOOR, PEOPLE WILL START REVIEWING THAT AND SAY, WELL, I DON'T LIKE THIS PORTION OF IT. AND SO WE'LL HAVE AMENDMENTS OR THE BODY THEN WILL HAVE AMENDMENTS, AND THEY COULD REFER IT BACK TO A COMMITTEE TO STUDY IT AGAIN. I DON'T KNOW HOW WE'RE EVER GOING TO GET TO THE POINT WHERE WE CAN MAKE IT TOTALLY NONPARTISAN AS WE GO TO THIS POINT. SO MY QUESTION IS, DO WE NEED THE COMMISSION? MAYBE IT'S A GROUP THAT MAKES A RECOMMENDATION AND THAT'S REALLY ALL IT'S GOING TO END UP DOING, BECAUSE WE THE BODY, THE SENATORS AT THE TIME, HAVE FULL AUTHORITY TO CHANGE IT, CHANGE IT TO WHATEVER DISTRICT THEY FEEL THEY NEED TO HAVE. SO FROM THE STANDPOINT OF TAKING MUCH MORE TIME ON THIS, WE CAN CREATE THE COMMISSION, WE CAN SELECT THE PEOPLE. THEY'LL DO IT AS THEY BEST CAN. IT'LL COME TO THE BODY AND WE'RE RIGHT BACK TO WHERE WE ARE...WERE BEFORE WHEN WE HAD TO REDISTRICT FOR THIS DECADE. SO I JUST DON'T SEE RIGHT NOW...I THINK I'VE IDENTIFIED THE PROBLEM. IT'S THE PARTISANSHIP, NONPARTISAN ISSUE. BUT I THINK WE'LL BE RIGHT BACK THERE WHEN THAT BILL COMES TO THE FLOOR IN 2022. THANK YOU, MR. SPEAKER. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR JOHNSON. SENATOR McCOY, YOU ARE RECOGNIZED. [LB580]

SENATOR McCOY: THANK YOU, MR. PRESIDENT AND MEMBERS. I RISE IN OPPOSITION. I DON'T BELIEVE I'VE TALKED ON LB580 THROUGH ANY OTHER PREVIOUS ROUND OF DEBATE HERE ON THE FLOOR. I RISE IN OPPOSITION TO THE BILL FOR A COUPLE OF REASONS. I REALLY TAKE ISSUE WITH THE PROCESS THAT WE'RE GOING ABOUT HERE. I SHARE SOME OF THE CONSTITUTIONAL CONCERNS FROM THE STANDPOINT OF NOT BEING REFERENCED TO A STANDING COMMITTEE BUT, RATHER, THE COMMISSION SUBMITTING IT DIRECTLY TO THE FULL BODY OF THE LEGISLATURE. I THINK THE CONSTITUTION IS PRETTY CLEAR. IT'S ALSO BEEN MENTIONED BY EARLIER SPEAKERS ON THE MICROPHONE THAT THE ISSUES FROM A STANDPOINT OF THE POPULATION PLUS ALIENS...OR NOT COUNTING ALIENS FOR PURPOSES OF WHAT THE CENSUS BUREAU DOES AND THE NUMBERS THAT WE USE WHEN IT COMES TO APPORTIONMENT. ALL OF THOSE ARE CONCERNS TO ME. BUT THE CHIEF CONCERN THAT I HAVE IS THAT THIS IS PUT FORTH IN OUR CONSTITUTION AS A RESPONSIBILITY OF THE LEGISLATURE. AND THIS IS ONE OF THOSE DUTIES THAT

Floor Debate  
April 13, 2016

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HAPPENS EVERY TEN YEARS. AND I WAS HERE FOR THE EFFORT IN 2011. I DIDN'T...I CHOSE NOT TO SUBMIT MY NAME TO SERVE ON THE COMMITTEE. THERE WERE PLENTY OF WORTHWHILE INDIVIDUALS WHO SUBMITTED THEIR NAMES. SOME ENDED UP ON THE COMMITTEE AND SOME DID NOT. AND, YES, THE ISSUE WAS CONTENTIOUS. BUT THE ISSUE IS CONTENTIOUS IN ALMOST EVERY STATE AND ALMOST EVERY LEGISLATURE THAT HAS THE LEGISLATURE HANDLE THE PROCESS. AND WHAT I'M CONCERNED ABOUT WITH THIS COMMISSION IS THAT IT DOESN'T PREVENT ANY PAST MEMBER OF THE LEGISLATURE...YOU KNOW, IT WAS MENTIONED EARLIER BY SENATOR MELLO THAT IT WOULD BE NICE TO TAKE THE POLITICS OUT OF THIS AND THOSE...YOU KNOW, HAVE THOSE WHO ARE ELECTED POLITICIANS NOT BE PART OF THIS PROCESS. WELL, GUESS WHAT? AND YOU EVEN HEARD SENATOR MURANTE SAY THIS EARLIER TALKING ABOUT FORMER MEMBERS OF THIS BODY: WELL, THERE'S NOTHING THAT WOULD PREVENT SENATOR MELLO, FORMER SENATOR MELLO, SAME AS I'LL BE FORMER SENATOR HERE IN NOT TOO VERY LONG, THERE WOULD...NOTHING WOULD BE...WOULD PREVENT FORMER SENATOR MELLO OR FORMER SENATOR JOHN MURANTE OR FORMER SENATOR SCOTT LAUTENBAUGH OR ANY OTHER INDIVIDUAL WHO IS AN...OR NOTHING WOULD PREVENT SOMEONE, AS LONG AS THEY WEREN'T IN A LEADERSHIP CAPACITY--VINCE POWERS, BUD SYNHORST, ANY PARTY LEADERSHIP PERSON WHO HAS HAD A VERY INTEGRAL ROLE IN A PARTISAN WAY--WOULD NOT PREVENT THEM FROM SERVING ON THIS COMMISSION. I THINK WE'RE DELUDING OURSELVES, MEMBERS, TO THINK THAT THE INDIVIDUALS WHO SERVE ON THIS COMMISSION ARE NOT GOING TO BE PARTISANS. THEY ARE GOING TO BE EVERY BIT AS PARTISAN AS WE ARE. THEY JUST MIGHT NOT BE, AND WOULDN'T BE, CURRENT ELECTED OFFICIALS. I DON'T THINK THAT IS GOING TO HAVE ANY MORE BEARING ON THE OUTCOME. IN ADDITION TO THAT, AND IT HASN'T BEEN MENTIONED ON THE FLOOR, I HAVE GRAVE CONCERNS THIS IS GOING TO RESULT IN SPECIAL SESSIONS, POTENTIALLY MORE THAN ONE, EVERY TIME WE GO THROUGH A REDISTRICTING PROCESS. HOW IS THIS GOING TO GET DONE IN TEN DAYS? I'VE BEEN THROUGH THIS PROCESS. IT WENT ON THE ENTIRE LENGTH OF THE LEGISLATIVE SESSION, MORE OR LESS. AND I WOULD OBJECT TO THE IDEA THAT YOU WOULD BE ABLE TO ACTUALLY TWEAK THIS ONCE IT'S HERE ON THE FLOOR AND NOT HAVE IT RESULT IN A SPECIAL SESSION. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR McCOY: IN ADDITION TO THAT, COLLEAGUES, LET'S JUST SAY, FOR SAKE OF THINKING OUT LOUD HERE, THAT YOU HAVE A PLAN PRESENTED BY THE COMMISSION, COMES TO THE LEGISLATURE. IF THE LEGISLATURE CHANGES

Floor Debate  
April 13, 2016

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IT IN ANY WAY, THERE IS NO PROCESS IN LB580 IN ORDER TO HAVE IT GO BACK TO THE ATTORNEY GENERAL TO DETERMINE WHETHER OR NOT IT'S CONSTITUTIONAL, OR TO THE SECRETARY OF STATE. SO HOW WOULD YOU REALLY KNOW WHETHER OR NOT IT'S A GOOD PLAN? I JUST THINK THIS IS A...I UNDERSTAND THE PREMISE. I DON'T THINK THIS IS THE PIECE OF LEGISLATION TO DO IT WITH. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR McCOY. SENATOR GROENE, YOU ARE RECOGNIZED. [LB580]

SENATOR GROENE: THANK YOU, MR. PRESIDENT. THIS IS COMICAL. WE ARE TALKING ABOUT A NONPARTISAN LEGISLATURE, THE ONLY ONE IN THE UNITED STATES. I PROBABLY WON BECAUSE OF DEMOCRATIC VOTES, THE WORKING CLASS AT THE RAILROAD AND AT THE POWER PLANT. WE ARE UNIQUE. SO WHAT DO WE DO? WE CREATE A COMMISSION THAT'S PARTISAN. DOES THAT SOUND A LITTLE WEIRD? SENATOR McCOY MADE A GOOD POINT. YOU KNOW HOW FAST BILLS COME AT YOU HERE, HOW LITTLE TIME YOU HAVE TO READ THEM. SO THIS COMMISSION IS GOING TO DO ALL THIS WORK AND THEN ALL OF A SUDDEN IT'S GOING TO BE THROWN ON OUR DESK. AND WE'RE GOING TO READ IT, OR WHO IS EVER HERE, AND WE'RE GOING TO TEAR IT APART. AMENDMENTS ARE GOING TO FLY; TEMPERS ARE GOING TO FLARE. WHAT SOME FOLKS ARE GOING TO SAY, 71 PERCENT OF THE REGISTERED PEOPLE IN THE UNICAMERAL ARE REPUBLICAN AND THE COMMISSION IS ONLY 55 PERCENT? WHAT? EVERY HIGH ELECTED OFFICE IN THE STATE IS REPUBLICAN BUT THE COMMISSION IS ONLY 50 PERCENT, LITTLE OVER 50 PERCENT? WHAT? FOUR OUT OF FIVE NATIONALLY ELECTED PEOPLE ARE REPUBLICAN, EXCEPT FOR REPRESENTATIVE ASHFORD, BUT WHAT? WE'RE GOING TO DO THIS REPUBLICAN AND WE'VE GOT A NONPARTISAN LEGISLATURE THAT CAN DO A GOOD JOB ON THEIR OWN, THAT NO OTHER STATE HAS? WE TAKE A NONPARTISAN ISSUE AND WE TURN IT INTO A PARTISAN ONE WITH THIS COMMISSION. SENATOR MURANTE, I'M GOING TO HAVE TO TELL YOU, BUT SENATOR MELLO ROLLED YOU. I ADMIRE THE MAN. SENATOR MURANTE, WOULD YOU ANSWER A QUESTION? [LB580]

SPEAKER HADLEY: SENATOR MURANTE, WILL YOU YIELD TO A QUESTION? [LB580]

SENATOR MURANTE: SURE. [LB580]

SENATOR GROENE: WHO WROTE THIS BILL? WHOSE STAFF WROTE IT? [LB580]

Floor Debate  
April 13, 2016

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SENATOR MURANTE: THE CONTENTS OF THE BILL WERE...I WOULD SAY PROBABLY 85 PERCENT OF IT WAS WRITTEN BY EITHER ME OR MY LEGISLATIVE AIDE. [LB580]

SENATOR GROENE: AND I HEARD YOU SAY THERE WERE TWO YEARS OF WORK. WHO DID TWO YEARS OF WORK? [LB580]

SENATOR MURANTE: SENATOR GROENE, I SPENT...AS A MEMBER OF THE ELECTIONS AND REDISTRICTING STANDING COMMITTEE THROUGH NCSL, I HAVE GIVEN PRESENTATIONS AND STUDIED THEIR RED BOOK ON REDISTRICTING, WHICH IS THIS GOLD STANDARD. I'VE READ THAT BOOK FIVE OR SIX TIMES ALL THE WAY THROUGH, SO I WOULD SAY I DID AS MUCH WORK ON THIS BILL AS I HAVE ANY OTHER PERHAPS (INAUDIBLE). [LB580]

SENATOR GROENE: SO IT WAS BASICALLY YOU AND SENATOR MELLO. IT WASN'T A GROUP OF INDIVIDUALS GOT TOGETHER FROM DIFFERENT PARTIES OR DIFFERENT INTERESTS AND SOME...IT WAS JUST YOU TWO GUYS. [LB580]

SENATOR MURANTE: SENATOR MELLO PITCHED IN FROM TIME TO TIME. [LB580]

SENATOR GROENE: ALL RIGHT, THANK YOU. THAT'S WHAT I WANTED TO HEAR, OR ANSWER, AND I...SENATOR MURANTE, I ADMIRE YOU. WE AGREE ABOUT 80 PERCENT OF THE TIME RIGHT NOW, BUT USED TO BE 95 (PERCENT). BUT, NO, YOU CAN'T TEACH ME ANYTHING OR TELL ME THINGS BECAUSE, SEE, I'M NOT A POLITICAL ANIMAL. I CAME HERE AS A CITIZEN REPRESENTATIVE, NOT PLAY THE GAME TO GET ALONG, MEASURE THE NUMBERS, LOOK AT THE PERCENTAGES AND SAY, CAN I RUN FOR HIGHER OFFICE SOMEDAY? THAT'S NOT IN MY BLOOD. I DON'T EVEN LIKE BEING DOWN HERE. SO I LOOK AT EVERY ISSUE AND SAY, WHAT'S THE RIGHT THING TO DO? NOT LOOKING AT A LOT...SOMEBODY TO GIVE ME A POLITICAL DONATION...THEN CAN I BEFRIEND THEM? I'M NOT ACCUSING ANYBODY OF ANY OF THAT. BUT, NO, THAT'S NOT ME. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR GROENE: THIS IS JUNK. WE GOT A BIPARTISAN LEGISLATURE. IF YOU CAN'T HANDLE THE FIGHT, THEN DON'T GET IN IT. IF YOU CAN'T HANDLE THE DEBATE COME REDISTRICTING TIME, THEN DON'T GET IN IT, BUT DON'T PAN IT

Floor Debate  
April 13, 2016

---

OFF TO SOME COMMISSION THAT BECOMES A PARTISAN COMMISSION. IT SHOULD BE DONE BY A NONPARTISAN LEGISLATURE. WE ARE GOING THE OPPOSITE DIRECTION OF WHAT THEY'RE TRYING TO DO HERE. WE'RE GOING FROM NONPARTISAN TO PARTISAN. SO I WOULD HOPE...ADOPT AM2925 AND THEN VOTE RED ON LB580. THANK YOU. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR GROENE. SENATOR KOLOWSKI, YOU ARE RECOGNIZED. [LB580]

SENATOR KOLOWSKI: THANK YOU, MR. SPEAKER. I STAND IN SUPPORT OF LB580 AND AGAINST THE AM2925 THAT WE'RE TALKING ABOUT AND RETURNING IT TO SELECT FILE. I WOULD ASK US TO THINK IN TERMS OF WHAT WE ALL KNOW AND OWN IN OUR OWN LIVES, BE IT A HOME OR AUTOMOBILE, ANYTHING OF A PHYSICAL PLANT. YOU KNOW IF IT'S MECHANICAL YOU'RE GOING TO HAVE BREAKDOWNS. SENATOR KINTNER ASKED, WHERE IS THE NEED? WHAT ARE WE DOING? WHY ARE WE TRYING TO DO THIS? AND FROM THE ADVANTAGE OF LISTENING TO THE BILL PRESENTATION AND WHERE WE'RE COMING FROM, IT IS DOING SOMETHING IN A NONRUSH SITUATION WHEN WE HAVE THE TIME TO WORK ON SOMETHING THAT COMES UP ON A REGULAR BASIS, ON A TIMELY BASIS, AND WE NEED TO EITHER BUILD NEW, REPAIR, OR MAINTAIN SOMETHING, VERY SIMPLE CONCEPTS. IF YOU HAVE A PHYSICAL PLANT WORTH MILLIONS OF DOLLARS YOU KNOW THERE WILL BE MECHANICAL BREAKDOWNS AND SOMETHING LIKE THAT THAT YOU NEED TO ACT ON AND TAKE CARE OF, EITHER BY MAINTENANCE, FULL REPAIR, OR BUILDING BRAND NEW TO REPLACE SOMETHING THAT MIGHT BREAK DOWN ON YOU. WE'RE TRYING TO GET AHEAD OF SOMETHING, AHEAD OF SOMETHING THAT TAKES PLACE EVERY TEN YEARS WITH THE REDISTRICTING. AND THIS IS A LOT OF WORK. THIS IS NOT EASY WORK. AND BOTH SENATOR MELLO AND SENATOR MURANTE HAVE PUT A LOT OF TIME AND ENERGY INTO THIS TO TRY TO GET US TO A PLACE WHERE WE CAN UNDERSTAND AND WORK ON SOMETHING THAT IS IMPORTANT TO BOTH PARTIES, ALL PARTICIPANTS, AS WE LOOK AHEAD TO EACH DECADE AND THE OPPORTUNITIES WE HAVE. I'LL YIELD THE REMAINDER OF MY TIME TO SENATOR MELLO IF HE'LL TAKE IT, PLEASE. [LB580]

SPEAKER HADLEY: SENATOR MELLO, YOU'RE YIELDED 3:00. [LB580]

SENATOR MELLO: THANK YOU, MR. PRESIDENT. MEMBERS OF THE LEGISLATURE, JUST...THERE WAS AN AWFUL LOT OF COMMENTS MADE THAT I DON'T THINK IT'S FRUITFUL TO TRY TO ADDRESS ALL OF THEM, BECAUSE

Floor Debate  
April 13, 2016

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THEY'RE REALLY OPINION BASED, NOT REALLY BASED IN ANY FACT REGARDING WHAT THIS LEGISLATION ACTUALLY DOES. THERE WAS A CONCERN OR AN ISSUE RAISED BY MY GOOD FRIEND SENATOR McCOY, RAISING THE CONCERN ABOUT THIS BEING, QUOTE UNQUOTE, UNCONSTITUTIONAL. AND FIRST OFF, AS SENATOR MURANTE MENTIONED EARLIER ON THE MIKE, REDISTRICTING BILLS WOULD BE TREATED SIMILAR TO REVISOR BILLS, WHICH IS CARRIED BY THE CHAIRMAN OF THE EXEC BOARD. IT DOES NOT GO TO A COMMITTEE AND OUR LEGISLATIVE RULES ALLOW IT. SO TO THINK THAT IT'S UNCONSTITUTIONAL, WHETHER THE GOVERNOR IS TELLING YOU THAT OR PR OR SOMEWHERE ELSE IS SAYING IT'S UNCONSTITUTIONAL, COLLEAGUES, TAKE A STEP BACK AND REALIZE SENATOR MURANTE AND I HAD THAT CONVERSATION. WE HAD IT WITH THE CLERK'S OFFICE, WE HAD IT WITH JANICE SATRA, THE EXEC BOARD LEGAL COUNSEL, AND DISCUSSED THIS WITH NANCY CYR, THE LEGISLATIVE RESEARCH OFFICE DIRECTOR, AND IT'S NOT UNCONSTITUTIONAL. THE ISSUE THAT WAS ALSO RAISED, THE POSSIBILITY OF US VIOLATING THE NEBRASKA CONSTITUTION IN REGARDS TO, QUOTE UNQUOTE, NOT COUNTING ALIENS AS PART OF THE CENSUS, COLLEAGUES, EVERY REDISTRICTING BILL THAT'S EVER BEEN INTRODUCED OR PASSED THEN WOULD BE UNCONSTITUTIONAL, AND NO ONE TO THIS DATE HAS FILED A LAWSUIT AGAINST THE STATE OF BREAKING THE STATE'S CONSTITUTION. SO IF SENATOR KINTNER OR ANYONE ELSE WANTS TO TRAILBLAZE NEW GROUND, I WOULD RECOMMEND THEY VOTE AGAINST LB580 AND FILE A LAWSUIT TOMORROW SAYING THAT THE CURRENT DISTRICT BOUNDARIES THAT WE UTILIZE ARE UNCONSTITUTIONAL, BECAUSE THE STATE OF NEBRASKA HAS USED CENSUS DATA, FOR AT LEAST THE LAST FOUR TO FIVE DECADES THAT I'VE RESEARCHED AND BEEN ENGAGED DOING LB580 AND LOOKING AT WHAT WAS DONE FOR REDISTRICTING, AND THE CENSUS DATA IS VERY CLEAR THAT IT INCORPORATES ALL THOSE WHO FILL OUT THE CENSUS. SO IF YOU'RE GOING TO STAND ON THE FLOOR, AND AS I THINK PEOPLE HAVE JOKED ABOUT THIS BEFORE, IF SOMEONE IS GOING TO BE A CONSTITUTIONAL SCHOLAR, LET'S JUST BE SURE TO MAKE SURE YOU LET EVERYONE KNOW IT'S YOUR OPINION ON THIS ISSUE, IT'S NOT SPEAKING WITH LEGAL BACKGROUND, THERE'S NO ATTORNEY GENERAL'S OPINION TO BACK ANYONE UP ON THIS.

[LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR MELLO: AND IN THIS PARTICULAR CASE, IF THAT IS YOUR CONCERN, YOU CAN VOTE AGAINST THE BILL AND THEN JOIN SENATOR KINTNER IN FILING A LAWSUIT TOMORROW. BUT I FEEL CONFIDENT IN THE WORK THAT SENATOR MURANTE HAS DONE ON THIS BILL. AS I'VE SAID BEFORE, IT'S NOT PERFECT IN

Floor Debate  
April 13, 2016

---

MY MIND, BUT I'VE COSPONSORED IT BECAUSE I BELIEVE IN THE WORK HE'S DONE TO TRY TO FIND A MIDDLE GROUND TO TAKE OUR EXISTING PROCESS, LOOKING AT OTHER PROCESSES AROUND THE COUNTRY, MERGING THEM TOGETHER TO TAKE AS MUCH OF THE POLITICS OUT OF THE REDISTRICTING PROCESS. I UNDERSTAND THERE ARE GOING TO BE PARTISAN MEMBERS WHO WANT TO KEEP THAT POWER IN THEIR PURVIEW TO BE ABLE TO DRAW THEIR DISTRICTS AND DRAW OTHER PEOPLE'S DISTRICTS. COLLEAGUES, IF YOU WERE HERE AND YOU REMEMBER HOW BAD IT WAS, NONE OF US WANT THAT ON FUTURE LEGISLATURES. HAVING AN INDEPENDENT DISTRICT DRAW THOSE MAPS AND THEN LET THE LEGISLATURE DEBATE THEM, DECIDE TO VOTE FOR THEM OR AGAINST THEM, MAKE AMENDMENTS TO THEM IF YOU SO CHOOSE, THAT'S THE ROLE OF THE LEGISLATURE, COLLEAGUES, NOT DRAWING INDIVIDUAL DISTRICT MEMBERS' MAPS, INDIVIDUAL DISTRICT BOUNDARIES FOR OTHER DISTRICTS AROUND THE STATE. [LB580]

SPEAKER HADLEY: TIME, SENATOR. [LB580]

SENATOR MELLO: THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR KOLOWSKI AND SENATOR MELLO. SENATOR KINTNER, YOU ARE RECOGNIZED AND THIS IS YOUR THIRD TIME. [LB580]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. AND YOU KNOW, I HEAR A LOT OF STORIES AS I STAND HERE LISTENING TO MY COLLEAGUES TRYING TO PASS BILLS AND TRYING TO FIGURE OUT WHAT'S GOOD AND WHAT'S NOT BAD. BUT YOU KNOW, I JUST THOUGHT OF SOMETHING. WILL SENATOR HANSEN YIELD TO A QUESTION? [LB580]

SPEAKER HADLEY: SENATOR HANSEN, WILL YOU YIELD TO A QUESTION? [LB580]

SENATOR HANSEN: YES, I WOULD. [LB580]

SENATOR KINTNER: FIRST OF ALL, I APOLOGIZE FOR NOT LETTING YOU KNOW UP-FRONT. I PROMISE I WON'T ASK ANYTHING TRICKY, BUT I DID WANT TO KNOW, JUST A STRAIGHT-UP QUESTION. HOW ARE THE MEMBERS CHOSEN FOR THIS? HAVE YOU LOOKED AT THAT? HOW ARE THE MEMBERS CHOSEN FOR THIS COMMISSION? [LB580]



Floor Debate  
April 13, 2016

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SENATOR HANSEN: I BELIEVE THEY ARE NOMINATED BY...IN PART BY THE LEGISLATURE'S CAUCUSES, CONGRESSIONAL DISTRICT CAUCUSES, PER SENATOR BLOOMFIELD'S CRITIQUE OF THE BALANCE OF POWER. [LB580]

SENATOR KINTNER: OKAY. HOW WOULD YOU ENVISION...YOU'RE A DEMOCRAT. SO IF YOU HAD TO FIND FOUR DEMOCRATS, WHERE WOULD YOU GO FIND FOUR DEMOCRATS? [LB580]

SENATOR HANSEN: I SUPPOSE I'D LOOK AT THE LIST OF REGISTERED VOTERS. [LB580]

SENATOR KINTNER: WHERE DO YOU THINK I'D FIND FIVE REPUBLICANS? [LB580]

SENATOR HANSEN: HOPEFULLY, A LIST OF REGISTERED VOTERS. [LB580]

SENATOR KINTNER: OH, I DON'T KNOW. I THINK I'D PROBABLY START WITH SOMEONE WHO KNEW A LITTLE BIT ABOUT WHAT WAS GOING ON. I'D PROBABLY LOOK FOR FORMER PARTY CHAIRMEN; I'D PROBABLY LOOK FOR FORMER OFFICEHOLDERS; I'D PROBABLY LOOK FOR ATTORNEYS THAT DEALT WITH THIS TYPE OF LAW. I MEAN THAT'S WHO I WOULD PROBABLY LOOK FOR. IF I'M GOING TO STICK PEOPLE ON THIS COMMITTEE, I WOULD FIND THE MOST KNOWLEDGEABLE, MOST CONSERVATIVE PEOPLE I COULD POSSIBLY FIND. WOULDN'T YOU TRY TO DO THE SAME? I MEAN, NOT CONSERVATIVE, OBVIOUSLY, BUT, YOU KNOW, WOULDN'T YOU TRY TO FIND SOMETHING SIMILAR IN THE DEMOCRATIC PARTY? [LB580]

SENATOR HANSEN: I CAN'T SAY THAT I'VE GIVEN IT MUCH THOUGHT OF WHO I WOULD PICK. [LB580]

SENATOR KINTNER: OKAY. FAIR ENOUGH. THANK YOU VERY MUCH. [LB580]

SENATOR HANSEN: THANK YOU. [LB580]

SENATOR KINTNER: YOU KNOW, WE NEED TO THINK THESE THINGS THROUGH AND IT'S...I'M NOT PICKING ON SENATOR HANSEN. HE JUST SPOKE ON IT. HE WAS SITTING THERE. BUT WE TRULY HAVEN'T THOUGHT ABOUT THIS. I COULD PICK ANYONE IN HERE AND SAY, HOW WOULD WE PICK THE PEOPLE? I DON'T KNOW, I'M JUST VOTING FOR THE BILL. THIS IS TRULY IMPORTANT STUFF. WHERE DO WE

Floor Debate  
April 13, 2016

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FIND THE PEOPLE TO SERVE ON IT? ARE YOU TRYING TO TELL ME THAT AFTER MY CAUCUS GETS FIVE REPUBLICANS AND THE DEMOCRATS IN OUR CAUCUS GET FOUR DEMOCRATS, IT'S GOING TO BE ANY LESS POLITICAL THAN THE PEOPLE IN HERE? I'D VENTURE TO SAY SOME OF THE REPUBLICANS IN THIS BODY ARE ABOUT SOME OF THE...A LITTLE LESS POLITICAL THAN THE ACTIVISTS OUTSIDE OF HERE. WHAT YOU'RE DOING IS YOU'RE SWAPPING POLITICS WITH ELECTED OFFICIALS WITH POLITICS OF UNELECTED OFFICIALS. THE DIFFERENCE IS, HOW DO YOU HOLD THEM ACCOUNTABLE? SO THESE PEOPLE COME UP AND THEY CRAFT THESE LINES AND THESE DISTRICTS AS WE'RE WASHING OUR HANDS LIKE PONTIUS PILATE--HEY, THEY DID IT, I JUST...AND THEN IT COMES TO US AND THAT'S WHEN THE "DOODIE" HITS THE FAN. SO THEY FOUGHT THROUGH A...WE'VE STARTED OUT WITH A POLITICAL PROCESS OF CHOOSING THE PEOPLE. NOW WE'VE CHOSEN THE PEOPLE THROUGH PROBABLY A VERY POLITICAL PROCESS. AS WE'RE TRYING TO FIND THE MOST REPRESENTATIVE PEOPLE THAT WILL REPRESENT OUR INTEREST, THEY'RE TRYING TO FIND, THE DEMOCRATS, TRYING TO FIND THE MOST REPRESENTATIVE PEOPLE TO REPRESENT THEIR INTERESTS. AND THEN WE'RE GOING TO THROW THEM IN A ROOM AND SAY, COME UP WITH SOMETHING. YOU KNOW THEY'LL COME UP WITH SOMETHING PROBABLY WITH A 5-4 VOTE. THAT'S GOING TO GO OVER REAL WELL. THEN THEY'RE GOING TO BRING IT HERE AND THEN WE'RE GOING TO GET POLITICAL WITH IT, AS SENATOR JOHNSON WISELY POINTED OUT. WHERE IS THE BENEFIT? WE'VE JUST ADDED ANOTHER LAYER OF POLITICS. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR KINTNER: WE'VE THROWN IN NINE MORE PEOPLE FROM EACH DISTRICT. WE'RE MORE POLITICAL NOW THAN WHEN WE STARTED THE WHOLE THING. WHERE IS THE BENEFIT? SO NOW WE'VE GOT A KNOCK-DOWN, DRAG-OUT FIGHT TO DRAW THE LINES. THEY'VE KICKED THE THINGS OUT TO US 5-4, OR 15-12. WELL, THERE WILL PROBABLY BE A COUPLE WIMPY REPUBLICANS WILL VOTE WITH THE DEMOCRATS AND MAYBE WE'LL BE 13 TO...OR, YOU KNOW, WHATEVER IT IS. THERE WILL PROBABLY BE A FEW TURNCOAT REPUBLICANS IN THERE. BUT THE BOTTOM LINE IS IT'S POLITICAL AS ALL GET OUT. IT COMES TO US AND THEN WE GET POLITICAL AND WE START DUKING IT OUT OVER IT AND WE START AMENDING AND THIS ISN'T GOOD AND THAT'S NOT GOOD AND HOW DID THEY FIGURE OUT THAT. WE'LL NEVER GET THIS DONE IN TEN MINUTES (SIC: DAYS). I THINK SENATOR McCOY IS RIGHT. I THINK WE WILL HAVE TO HAVE A SPECIAL SESSION TO BUILD THIS TOWER OF BABEL. I THINK WE'VE JUST DOUBLED...THE MORE I THINK ABOUT IT, I THINK WE'VE JUST... [LB580]

Floor Debate  
April 13, 2016

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SPEAKER HADLEY: TIME, SENATOR. [LB580]

SENATOR KINTNER: THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. SENATOR MURANTE, AND THIS IS YOUR THIRD TIME. [LB580]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD AFTERNOON. WELL, EARLIER THIS YEAR I HAD A BILL ON THE UNIVERSITY SYSTEM THAT SENATOR CHAMBERS FILIBUSTERED AND REFERRED TO AS ONE OF THE BADDER BILLS THAT HAD BEEN INTRODUCED THIS YEAR. AND HERE WE HAVE ANOTHER FILIBUSTER THAT HAS BEEN REFERRED TO AS A REAL STINKER AND A PILE OF MANURE, SO IT WOULD APPEAR THAT THINGS ARE TRENDING IN THE WRONG DIRECTION. BUT I DO BELIEVE LB580 IS A WORTHY PIECE OF LEGISLATION. SENATOR BLOOMFIELD ASKED ME WHAT I THINK IS A REASONABLE QUESTION: WHAT DO I THINK OF AM2925? AND AS I SAID ON MY FIRST TIME ON THE MICROPHONE, I LOVE AM2925. I WISH WE COULD ADOPT IT. I DON'T KNOW, IF THIS BILL GETS RETURNED TO SELECT FILE AND THAT FUNCTIONALLY ENDS DEBATE FOR LB580 FOR THE YEAR, I GUESS I'D PROBABLY PREFER THE BILL DIE WITH AM2925 ON IT; MIGHT AS WELL. I THINK IT'S GOOD PUBLIC POLICY. BUT HE CAME TO ME LAST NIGHT AND SAID THAT HE HAD AN INTENTION TO FILE AN AMENDMENT OR TWO ON THIS BILL AND ASKED IF I WOULD TAKE PERSONAL OFFENSE TO THAT. AND I SAID, ABSOLUTELY NOT, SENATOR BLOOMFIELD, I DON'T TAKE THIS STUFF TOO PERSONALLY HERE. SO I APPRECIATED HIS COURTESY FOR THAT. THERE IS A NEW RISING QUESTION OF CONSTITUTIONALITY. AND AS I HAVE SAID MANY TIMES IN THE GOVERNMENT COMMITTEE, I'M JUST A HUMBLE PIZZA MAKER. I AM NOT A CONSTITUTIONAL LAWYER. THIS IS REALLY AMONG THE FIRST TIMES THAT I HAVE HEARD THAT QUESTION, AND I THOUGHT WE RAN THE TRAPS. I RAN IT PAST...WE RAN IT PAST THE LEGAL COUNSELS AND IT RECEIVED CLEARANCE THUS FAR. BUT I'M WILLING TO ENTERTAIN THAT DISCUSSION, BUT I DON'T KNOW WHAT MORE WE CAN DO. I'VE FLOATED THE IDEA TO THE CLERK ABOUT EXTENDING THE SESSION TO A SIXTY-FIRST DAY AND I THINK HE ALMOST HAD A HEART ATTACK, SO I DON'T KNOW THAT THAT'S A MOTION THAT WE COULD GET 40 VOTES ON TO GO TO 61 DAYS. SO I DON'T KNOW WHAT CAN BE DONE AT THIS POINT. BUT, SENATOR BLOOMFIELD, I UNDERSTAND WHERE YOU'RE COMING FROM. I THINK IT'S GOOD PUBLIC POLICY AND I DO...ONE WAY OR THE OTHER, THE CONTENTS OF THIS BILL ARE GOING TO NEED TO BE DISCUSSED AND ADDRESSED NEXT YEAR. THIS ISN'T THE LAST WE'VE HEARD OF REDISTRICTING. AND I WOULD REMIND THE MEMBERS TO LOOK IN YOUR RULEBOOK BECAUSE THERE IS AN

Floor Debate  
April 13, 2016

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ENTIRE SECTION ABOUT THE REDISTRICTING COMMITTEE OUTLINING HOW THE REDISTRICTING COMMITTEE IS TO FUNCTION. THIS BILL DOES NOT REPEAL THAT RULE. IF THIS BILL PASSES AND NEXT YEAR'S LEGISLATURE CHOOSES NOT TO PROCEED WITH ANY ADDITIONAL CHANGES AND WE CAN'T GET FURTHER REFORM TO REFLECT WHAT WE'RE DOING IN LAW WITH WHAT WE'RE DOING IN THE RULEBOOK, THERE WILL STILL BE A REDISTRICTING COMMITTEE. THERE IS NOTHING IN THIS BILL THAT PREVENTS THAT FROM HAPPENING. I'M STATING TODAY THAT THAT WOULD BE ATROCIOUS PUBLIC POLICY TO HAVE BOTH AN INDEPENDENT REDISTRICTING COMMISSION AND A REDISTRICTING COMMITTEE OF THE LEGISLATURE SUBMITTING MAPS TO THE FLOOR. BUT IF THAT'S WHAT THE LEGISLATURE IN THE FUTURE CHOOSES TO DO, THAT'S WITHIN THEIR PREROGATIVE TO DO IT. SO I'LL LISTEN MORE ABOUT THESE ARGUMENTS ABOUT CONSTITUTIONALITY, BUT I HAVEN'T HEARD ANYTHING TOO TERRIBLY COMPELLING YET BUT WILL CONTINUE TO REVIEW IT. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR MURANTE. SENATOR HILKEMANN, YOU'RE RECOGNIZED. [LB580]

SENATOR HILKEMANN: THANK YOU, MR. SPEAKER. I WILL YIELD MY TIME TO SENATOR KINTNER. [LB580]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE YIELDED 4:52. [LB580]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. LET'S GO BACK TO THE TOWER OF BABEL WE WERE JUST BUILDING A FEW MINUTES AGO. SO WHAT WE HAVE IS WE HAVE THIS COMMISSION WHICH I THINK IS...WE GO THROUGH THE FIVE...THE THREE CONGRESSIONAL DISTRICTS, SO IT WOULD BE 15 REPUBLICANS, 12 DEMOCRATS. AND LET'S SAY WE, YOU KNOW, WE HAVE A WIMPY REPUBLICAN ON IT, SO IT COMES OUT 14-13 AND THEY FORWARD IT TO US 14-13. NOW YOU KNOW THAT THEY HAVE HAD A HECK OF A FIGHT. THEY'VE BEEN DUKING IT OUT IN THAT ROOM TRYING TO FIGURE IT OUT. HOPEFULLY, WE'VE LOCKED THE DOOR AND WE'VE THROWN A COUPLE BANANAS IN THERE AND SOME COFFEE AND WE SAID, YOU AIN'T COMING OUT UNTIL YOU GOT THIS THING READY TO GO. SO THEY'RE WORKING ON IT. NOW IT COMES OUT AND IT COMES OVER TO THE LEGISLATURE. IT GOES TO THOSE FINE PEOPLE ON THE EXECUTIVE COMMITTEE. AND WHAT DO YOU THINK HAPPENS AT THAT POINT? IS IT GOING TO BE NONPARTISAN? IS IT GOING TO BE UNICORNS AND COTTON CANDY? ABSOLUTELY NOT. THEY'RE GOING TO DUKE IT OUT. THEY'RE GOING TO

Floor Debate  
April 13, 2016

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BE FIGHTING OVER THIS. THEN WE'RE GOING TO AMEND IT ON THE FLOOR. SOME SENATOR, HE DOESN'T LIKE THAT HIS DISTRICT GOT MORE CONSERVATIVE OR MORE LIBERAL OR WHATEVER IT IS WITH THE VOTERS, MORE R's OR D's OR WHATEVER. HE IS NOT GOING TO LIKE IT. HE'S GOING TO AMEND IT. SOMEONE ELSE IS GOING TO AMEND IT. FINALLY IT'S GOING TO BE FILIBUSTERED. HOW IS THAT DIFFERENT THAN WHAT WE'VE GOT NOW? HOW IS THAT ANY DIFFERENT? IT'S NOT ONE BIT DIFFERENT. SO WE BUILT THIS TOWER OF BABEL NOW. AND IT'S NOT JUST THE WISE MEN IN THIS LEGISLATURE, AND I USE THAT TERM VERY LOOSELY. IT STARTS WITH THE FOUNDATION OF THIS GROUP, 5-4, 5-4, 5-4, SO IT'S 15-12 AND THEY'RE BRINGING IT TOGETHER. AFTER THEY GET DONE DUKING IT OUT AND THEIR TEETH ARE ON THE FLOOR AND IT'S UGLY AND THEY'RE CALLING EACH OTHER NAMES, AND THEN IT COMES OVER HERE. WE'VE JUST DOUBLED THE AMOUNT OF POLITICS, WE'VE DOUBLED THE TIME IT'S GOING TO TAKE, AND WE HAVEN'T GUARANTEED A BETTER PRODUCT. ANYONE WANT TO TELL ME HOW WE'VE IMPROVED THE PROCESS? WE HAVEN'T IMPROVED THE PROCESS. THE PEOPLE OF THIS BODY HAVEN'T THOUGHT ABOUT THIS. THEY DON'T CARE. THEY HEARD INDEPENDENT REDISTRICTING--GOOD ENOUGH FOR ME. I COULD ASK TEN PEOPLE RIGHT NOW HOW THIS THING IS SET UP AND THEY COULDN'T TELL ME. THEY WOULDN'T HAVE A CLUE. NOW WE'RE GOING TO HAVE...THIS IS LIKE THE BLUE RIBBON COMMISSION OF CONGRESS. YOU KNOW, CONGRESS WANTS TO CLOSE SOME MILITARY BASES BUT, BOY, THERE IS SOME POLITICAL HEAT AND PAIN, SO WE'RE GOING TO CREATE A BLUE RIBBON COMMISSION. THEY'RE GOING TO DO THE HEAVY LIFTING, KIND OF LIKE THE PEOPLE BUILDING THE FOUNDATION FOR OUR LITTLE TOWER OF BABEL, RIGHT? AND THEN WE'LL JUST HAVE TO VOTE ON IT. NOW THESE PEOPLE ON THE BLUE RIBBON COMMISSION OR THE PEOPLE IN OUR OWN LITTLE BLUE RIBBON INDEPENDENT REDISTRICTING COMMISSION ARE NOT ACCOUNTABLE TO ANY VOTERS. WE'VE ALREADY ESTABLISHED THAT WE'RE GOING TO PICK PEOPLE, THE PARTISAN, POLITICAL PEOPLE PROBABLY FROM BOTH PARTIES, PUT THEM IN A ROOM, SEE HOW FUN THAT IS. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR KINTNER: ONE MINUTE, THANK YOU, MR. PRESIDENT. SO NOW WE'VE GOT THE BLUE RIBBON COMMISSION, WHICH IS THIS GROUP. SOUNDS POLITICAL TO ME. I'M AFRAID THE MEMBERS OF THIS BODY HAVEN'T THOUGHT THIS THROUGH. THEY SEE INDEPENDENT. THEY SEE A DEMOCRAT, SENATOR MELLO--SURELY AN HONEST, UPSTANDING GUY, ISN'T HE?--AND SENATOR MURANTE, HEY, WE GOT TWO PEOPLE, REPUBLICAN, DEMOCRAT. LET ME TELL YOU A LITTLE SECRET. YOU KNOW WHAT NONPARTISAN MEANS? IT MEANS BOTH

Floor Debate  
April 13, 2016

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PARTIES GET TOGETHER TO STICK IT TO THE TAXPAYERS. NOTHING GOOD EVER COMES OUT OF NONPARTISAN. AND I THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER. SENATOR GROENE, YOU ARE RECOGNIZED AND THIS IS YOUR THIRD TIME. [LB580]

SENATOR GROENE: GOOD. I'M GLAD YOU DIDN'T SAY IT WAS MY FINAL TIME. THANK YOU, MR. PRESIDENT. SENATOR MELLO, WOULD YOU ANSWER A QUESTION? [LB580]

SPEAKER HADLEY: SENATOR MELLO, WILL YOU YIELD TO A QUESTION? [LB580]

SENATOR MELLO: OF COURSE. [LB580]

SENATOR GROENE: WHAT IS THE CONTENT OF A REVISOR'S BILL? [LB580]

SENATOR MELLO: CONTENT OF A REVISOR'S BILL USUALLY ARE SPECIFIC LEGISLATIVE BILLS THAT CLEAN UP EXISTING LANGUAGE THAT... [LB580]

SENATOR GROENE: THANK YOU. THANK YOU. [LB580]

SENATOR MELLO: ...IN BETWEEN INTERIMS... [LB580]

SENATOR GROENE: THANK YOU. SO WE'RE COMPARING THIS MAJOR, MAJOR POLICY CHANGE EVERY TEN YEARS TO A REVISOR BILL WHERE PEOPLE SIT IN LITTLE ROOMS AND THEY GO THROUGH IT AND THEY SAY, OH, LET'S...WE CAN STRIKE THIS BECAUSE IT HAD A SUNSET ON IT OF 1992, SO THEY STRIKE THAT. THEY GO IN...AND APPARENTLY SENATOR HAAR, BACK IN THE 1890s, WHEN HIS FATHER-IN-LAW OR GRANDFATHER-IN-LAW HAD COAL-BURNING FORGE, THAT THERE WAS A LAW THAT SAID YOU HAVE...THERE WAS AN INCENTIVE TO SWITCH TO PROPANE OR SOMETHING, SO THAT GETS STRUCK. THERE'S NO CONTENT TO A REVISOR BILL. IT'S STRIKING LANGUAGE THAT IS ANTIQUATED AND OUTDATED. AND TO COMPARE CONSTITUTIONALLY THIS CHANGE...I'M NOT EVEN GOING TO GO ANY FURTHER WITH THAT. AND SENATOR KINTNER HIT ON IT. WHO YOU'RE GOING TO BE APPOINTED TO THIS COMMISSION OR COMMITTEE OR WHATEVER YOU WANT TO CALL IT ARE THE MOST RABID PARTISANS YOU CAN FIND. WE ALL KNOW THEIR NAMES IN BOTH PARTIES. THEY COULDN'T GET ELECTED TO DOG CATCHER, BUT THEY RUN THE PARTY SYSTEM. THAT'S WHO'S GOING TO BE PUT

Floor Debate  
April 13, 2016

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ON THIS COMMISSION. SO YOU'RE GOING TO HAVE 5-4 AND YOU'RE GOING TO HAVE A FIGHT. ALL OF US, TO GET ELECTED, DRAW FROM INDEPENDENTS WHO AREN'T REPRESENTED IN THIS THING, COMMUNISTS, THE...ALL SORTS OF PEOPLE VOTE FOR US BECAUSE WE HAVE THEIR INTEREST IN MIND, WE ARE NONPARTISAN, AND THAT THE DECISIONS ON THIS REDISTRICTING BELONG HERE. YOU ARE TURNING A NONPARTISAN ISSUE WHO HAS A HECK OF A FIGHT...CAN YOU IMAGINE THE FIGHT THAT'S GOING TO HAPPEN INSIDE THOSE ROOMS WHEN YOU HAVE FIVE PARTISANS FROM ONE AND FOUR FROM ANOTHER DECIDING THESE DECISIONS? ANYWAY, I'M DONE. I WOULD LIKE TO GIVE MY REMAINING TIME TO SENATOR BLOOMFIELD IF HE WOULD LIKE IT. [LB580]

SPEAKER HADLEY: SENATOR BLOOMFIELD, YOU'RE YIELDED 2:27. [LB580]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I WONDER IF SENATOR MURANTE WOULD ANSWER A COUPLE QUESTIONS, JUST TO KIND OF TIDY THINGS UP A LITTLE BIT BEFORE WE GO TO A VOTE ON THIS, WHICH IS WHAT I REALLY DO WANT TO DO. LET'S GET TO A VOTE ON THIS THING. [LB580]

SPEAKER HADLEY: SENATOR MURANTE, WILL YOU YIELD TO A QUESTION? [LB580]

SENATOR MURANTE: I WOULD. [LB580]

SENATOR BLOOMFIELD: THANK YOU, SENATOR. I SEE YOU MOVING AT LIGHTNING SPEED BACK THERE TO GET TO THE MICROPHONE. I APPRECIATE THAT. [LB580]

SENATOR MURANTE: I JUST HAVEN'T HAD ENOUGH RED BULL YET TODAY, SENATOR. [LB580]

SENATOR BLOOMFIELD: (LAUGH) THANK YOU. I WANT TO CLARIFY THINGS A LITTLE BIT. I THINK THE HYPERBOLE GOT A LITTLE CARRIED AWAY HERE A FEW MINUTES AGO. TOTAL, HOW MANY MEMBERS WOULD THERE BE ON THIS COMMISSION? [LB580]

SENATOR MURANTE: NINE. [LB580]

Floor Debate  
April 13, 2016

---

SENATOR BLOOMFIELD: THANK YOU. IT'S THREE FROM EACH DISTRICT, IT'S NOT NINE FROM EACH DISTRICT, IS THAT CORRECT? [LB580]

SENATOR MURANTE: CORRECT. [LB580]

SENATOR BLOOMFIELD: THANK YOU. COULD FORMER SENATORS SERVE ON THIS COMMITTEE? [LB580]

SENATOR MURANTE: YES. [LB580]

SENATOR BLOOMFIELD: WHAT ABOUT A FORMER GOVERNOR? [LB580]

SENATOR MURANTE: YES. [LB580]

SENATOR BLOOMFIELD: WHAT ABOUT FORMER PARTY CHAIRMEN? [LB580]

SENATOR MURANTE: YES. [LB580]

SENATOR BLOOMFIELD: OKAY. AND THIS COMMITTEE WOULD BE APPOINTED BY EACH CAUCUS, IS THAT CORRECT, BY SENATORS IN EACH CAUCUS? [LB580]

SENATOR MURANTE: YOU'RE HALFWAY THERE. [LB580]

SENATOR BLOOMFIELD: OKAY. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR MURANTE: IT'S SENATORS FROM EACH CAUCUS, THEN FROM WITHIN EACH CAUCUS THE REPUBLICANS IN THE LEGISLATURE PICK THE REPUBLICANS ON THE REDISTRICTING COMMISSION; THE DEMOCRATS PICK THE DEMOCRATS. [LB580]

SENATOR BLOOMFIELD: OKAY. COULD YOU EXPLAIN THAT A LITTLE MORE? I THINK YOU JUST LOST ME THERE ON THE CURVE. [LB580]



Floor Debate  
April 13, 2016

---

SENATOR MURANTE: OKAY. SO LET'S SAY IN THE CASE OF THE 2nd DISTRICT CAUCUS RIGHT NOW, LET'S SAY THIS BILL WERE IN OPERATION AND IT WERE A REDISTRICTING CYCLE. SENATOR...FOR THE REPUBLICANS, SENATOR LINDSTROM, SENATOR HILKEMANN, SENATOR McCOY, SENATOR SMITH, MYSELF, ALL THE REPUBLICANS IN THE DISTRICT CAUCUS WOULD GET TOGETHER AND SELECT THE 2nd DISTRICT CAUCUS REPRESENTATIVE FOR THE REPUBLICANS. AND THEN THE... [LB580]

SENATOR BLOOMFIELD: EXCUSE ME, SENATOR. HOW WOULD YOU DETERMINE HOW MANY OF THOSE THEY HAVE TO FIGURE OUT? [LB580]

SENATOR MURANTE: THE CHAIR OF THE EXECUTIVE BOARD WORKS TO COORDINATE WITH THE THREE CAUCUSES TO FIGURE OUT HOW MANY OF EACH... [LB580]

SPEAKER HADLEY: TIME, SENATOR. [LB580]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR KINTNER (SIC: MURANTE) AND SENATOR BLOOMFIELD. SENATOR MELLO, YOU ARE RECOGNIZED. [LB580]

SENATOR MELLO: THANK YOU, MR. PRESIDENT AND MEMBERS OF THE LEGISLATURE. JUST I GUESS SOME FACT CHECKING IN REGARDS TO SOME OF THE CONVERSATIONS THAT HAVE BEEN HAVING ON THE FLOOR TODAY ON THE MIKE. I APPRECIATE SENATOR BLOOMFIELD'S QUESTION TO SENATOR MURANTE BECAUSE THERE SEEMED TO BE A LOT OF NUMBERS BEING FLOATED OUT THERE BY SENATOR KINTNER, SENATOR GROENE, AND OTHERS. THERE ARE ONLY NINE MEMBERS OF THE COMMISSION, FIVE OF ONE PARTY, FOUR OF ANOTHER, SELECTED BY THE LEGISLATURE. SO THE CONCERN ABOUT THE UNCONSTITUTIONALITY OF IT, THE LEGISLATURE PICKS THIS COMMISSION TO WORK ON THEIR BEHALF TO PROVIDE THE LEGISLATURE THE MAPS TO THEN MAKE THE DECISION TO SUPPORT, OPPOSE, OR AMEND IN THE PROCESS. THAT'S FACT NUMBER ONE. I GUESS THE ISSUE IS FACT NUMBER TWO, AND SENATOR GROENE STARTED TO GO DOWN THIS PATHWAY. NO ONE KNOWS WHO IS GOING TO BE APPOINTED TO THIS COMMISSION. I THINK IF ANY OF US THINK WE HAVE CRYSTAL BALLS FIVE YEARS FROM NOW AS WHO IS GOING TO BE ON A COMMISSION THAT WE WOULD PASS IN LB580, I'M SURE MANY OF US WOULD LIKE TO TAKE YOU TO A NUMBER OF SPORTING EVENTS AROUND THE WORLD

Floor Debate  
April 13, 2016

---

TO PREDICT WHO IS GOING TO WIN THE SPORTING EVENTS, BECAUSE NONE OF US KNOWS WHO IS GOING TO BE APPOINTED TO THIS. AND THE LEGISLATURE AT THE END OF THE DAY IS THE ONES WHO MAKE THE DECISION WHO IS APPOINTED. SO IF LEGISLATORS WANT TO APPOINT VERY PARTISAN PEOPLE FROM HEARTWELL OR VERY PARTISAN PEOPLE FROM NORTH PLATTE OR ELKHORN OR SOUTH OMAHA, THAT'S THE DECISION THE LEGISLATURE MAKES. AND THE LEGISLATURE WILL HAVE TO DEAL WITH THE PUBLIC BACKLASH OF TRYING TO CHANGE A VERY PARTISAN PROCESS THROUGH AN INDEPENDENT REDISTRICTING MODEL. AND THEN APPOINTING A BUNCH OF VERY PARTISAN PEOPLE, WHETHER THEY'RE FORMER ELECTED OFFICIALS OR FORMER PARTY OFFICIALS, THAT BURDEN IS PLACED ON THE LEGISLATURE. SO IF THAT'S A DECISION A FUTURE LEGISLATURE WANTS TO TAKE, THEY WILL LIKELY TAKE THE BRUNT FROM THE PUBLIC OF SAYING, WHY WOULD YOU DO SOMETHING LIKE THIS, WHY WOULD YOU MAKE A PROCESS LIKE THIS PARTISAN BY APPOINTING PARTISAN FORMER OFFICIALS OR PARTISAN ELECTED OFFICIALS, OR FORMER OFFICIALS, I SHOULD SAY, TO THE PROCESS. SO THESE ARE ALL VERY HYPOTHETICAL ARGUMENTS, COLLEAGUES, THAT ARE BEING THROWN OUT HERE. SENATOR KINTNER HAS BEEN USING A LITTLE HYPERBOLE IN REGARDS TO HOW THIS IS A BLUE RIBBON COMMISSION AND HOW THIS IS GOING TO SOLVE...SENATOR KINTNER FULL WELL KNOWS--ME AND HIM TALKED ABOUT THIS OFF THE MIKE--THIS BILL IS A GOOD BILL. IT'S A VERY TOUGH ARGUMENT AGAINST THIS BILL BECAUSE A LOT OF THE PROCESSES THAT SENATOR MURANTE AND I LOOKED AT AS WE WENT THROUGH A NEGOTIATION WAS BUILT OFF OF WHAT WAS DONE IN THE STATE OF IOWA BUT ALSO BUILT OFF OUR OWN LEGISLATIVE RULES. THE BIGGEST ISSUE, COLLEAGUES, IS THAT YOU AS AN INDIVIDUAL SENATOR OR THE MEMBER WHO WOULD TAKE OVER YOUR SEAT IF YOU WERE TERM LIMITED OUT, THEY WILL NOT BE IN THE DIRECT PROCESS OF DRAWING MAPS. THAT IS THE BIGGEST ISSUE HERE. AND, YES, IF THE LEGISLATURE CAN'T COME TO AN AGREEMENT TO VOTE ON A MAP, IT GETS SENT BACK. AND THAT COMMISSION DRAWS A NEW MAP AND GIVES IT BACK TO THE LEGISLATURE AND THAT PROCESS CONTINUES UNTIL A MAP IS ADOPTED. FOR EVERYONE WHO WAS HERE IN 2011, I THINK WE CAN AGREE IT WAS PROBABLY ONE OF THE LOW POINTS, IN THE LAST EIGHT YEARS OF MY TERM AT LEAST, IN THE LEGISLATURE. A LOT OF HARD FEELINGS WERE CREATED DURING THAT PROCESS, URBAN AND RURAL FIGHTS GALORE, PARTISAN FIGHTS ON THE COMMITTEE AND ON THE FLOOR. COLLEAGUES, I'VE NEVER SEEN ANYTHING QUITE LIKE THAT IN EIGHT YEARS, BECAUSE IT AFFECTED EVERY SINGLE SENATOR, BECAUSE MEMBERS WERE TRYING TO DRAW DISTRICTS THAT IMPACTED OTHER MEMBERS' DISTRICTS, PEOPLE FELT THEY WERE BEING GANGED UP ON BY OTHER GROUPS OF SENATORS TRYING TO DRAW THEM OUT

Floor Debate  
April 13, 2016

---

OF DISTRICTS. THAT ALONE, COLLEAGUES...I KNOW SENATOR KINTNER WASN'T HERE, NEITHER WAS SENATOR GROENE. BUT THOSE OF YOU WHO WERE HERE REMEMBER HOW BAD IT REALLY WAS, AND THAT IS THE PROBLEM THAT SENATOR MURANTE IS SOLVING WITH LB580, TO TAKE THAT EXPERIENCE OUT OF THE LEGISLATURE, BECAUSE WE WOULD NOT BE THE ONES DRAWING MAPS. YOU WOULD HAVE AN INDEPENDENT GROUP DRAWING THOSE MAPS. SO IF ANYONE IS GOING TO GET ANGRY AT INDIVIDUAL SENATORS, YOU'RE NOT CASTING YOUR BLAME ON SENATOR SULLIVAN OR SENATOR GLOOR OR SENATOR MURANTE OR McCOY. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR MELLO: THEY DIDN'T DRAW THE MAPS. IT WAS AN INDEPENDENT COMMISSION WHO DID IT. IT GIVES THESE MAPS MORE CREDIBILITY. AND EVERYONE KNOWS THAT IS WHAT WE ARE SEARCHING FOR WHEN IT COMES TO A VERY PARTISAN, VERY DIFFICULT PROCESS OF REAPPORTIONMENT. IT'S SHOWING THE PUBLIC THAT WE HAVE CREDIBILITY IN WHAT WE'RE DOING. THAT, COLLEAGUES, BUILDS PUBLIC TRUST. AND AFTER THE 2011 REDISTRICTING PROCESS, WE LOST THE PUBLIC TRUST. PEOPLE WERE NOT HAPPY WITH US AFTERWARD, THEY WEREN'T HAPPY WITH US DURING THE PROCESS, AND WE SHOULDN'T WANT TO SEE THAT EVER HAPPEN AGAIN IN OUR STATE. THIS BILL IS NOT PERFECT, COLLEAGUES, BUT I BELIEVE IT IS A MONUMENTAL STEP FORWARD, WHAT SENATOR MURANTE WAS ABLE TO CRAFT BASED OFF WHAT WE DID IN OUR OWN RULES AND WHAT WE'VE SEEN IN IOWA AND OTHER STATES AROUND THE COUNTRY. IT'S A GOOD PIECE OF POLICY, AND IT'S SORELY NEEDED TO HELP PROTECT THE LEGISLATURE IN THE REDISTRICTING PROCESS IN THE FUTURE. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR MELLO. SENATOR RIEPE, YOU'RE RECOGNIZED. [LB580]

SENATOR RIEPE: MR. PRESIDENT, MEMBERS OF THE SENATE, I WOULD LIKE TO YIELD MY TIME TO SENATOR KINTNER, PLEASE. [LB580]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE YIELDED 4:52. [LB580]

SENATOR KINTNER: OH, JOY, MR. PRESIDENT. THANK YOU. WELL, YOU KNOW, SEE WHAT WE'VE COME WITH SO FAR. WHAT WE'VE COME UP WITH--BY THE WAY, WE ARE CORRECT NOW--IT'S NINE MEMBERS, FIVE REPUBLICANS, FOUR...TOTAL.

Floor Debate  
April 13, 2016

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WE GOT THAT. SO THEY ARE TO PROVIDE LEGISLATIVE MAPS. THIS GROUP THAT'S BUILDING THE FOUNDATION FOR THE TOWER OF BABEL IS GOING TO PROVIDE THE LEGISLATURE WITH LEGISLATIVE MAPS. WELL, IT'S ALSO GOING TO PROVIDE THE LEGISLATURE SOME TALL GRASS TO HIDE IN SO WE CAN SAY, THEY DID IT, OUR BLUE RIBBON COMMISSION, OUR VERSION OF A BLUE RIBBON COMMISSION, LIKE THE BASE-CLOSING COMMISSION. THEY DID IT. THOSE BAD PEOPLE, THEY DID IT. AND THEN THE REAL POLITICS STARTS IN THE LEGISLATURE, AND THEN WE HAVE TO GO FIGHT IT OUT THE SAME WAY WE WOULD FIGHT IT OUT ANYWAY. BUT WE CAN BLAME SOMEONE ELSE. REMEMBER, WE GET TO BE PONTIUS PILATE HERE, WASH OUR HANDS AND SAY, THEY DID IT. NOTHING BETTER FOR A POLITICIAN THAN TO SAY, THEY DID IT. AND SENATOR MELLO SAYS THAT WE LOST THE PUBLIC TRUST. OH, HORSE MANURE, WE DID NOT. THE PEOPLE DID...THIS IS INSIDE POLITICS. THE ONLY TRUST WE LOST WERE SOME HURT FEELINGS IN THIS LEGISLATURE. IF YOU'RE GOING TO SIT AROUND AND HAVE HURT FEELINGS, DON'T BE IN THE LEGISLATURE. THE PUBLIC DIDN'T CARE HOW WE DREW THE MAPS. THE ONLY PEOPLE THAT CARED WERE THE ONES THAT THROWN IN ONE DISTRICT OUT. I GOT REDISTRICTED INTO A WHOLE NEW DISTRICT. I'M JUST SITTING THERE MINDING MY OWN BUSINESS, NEXT THING YOU KNOW I'M IN A NEW DISTRICT. I HAD SCOTT PRICE AS MY SENATOR AND THEN I HAD SENATOR PANKONIN AS MY SENATOR. I DIDN'T DO ANYTHING. I WAS JUST SITTING THERE MINDING MY OWN BUSINESS, SMOKING A CIGAR, AND THE NEXT THING YOU KNOW, I'M IN A NEW DISTRICT. DIDN'T BOTHER ME ONE BIT. SO...AND I'M PRETTY POLITICAL AND IT DIDN'T BOTHER ME ONE BIT. SO, NO, WE DIDN'T LOSE ANY PUBLIC TRUST. JEEZ LOUISE, THAT'S RIDICULOUS. NOW WE'VE GOT THIS BLUE RIBBON COMMISSION THAT WE PICK THE FIVE REPUBLICANS AND WE PICK THE FOUR DEMOCRATS. WE'VE GOT NINE OF THEM. BUT WE'RE NOT GOING TO GIVE THEM ANY POLITICAL AFFILIATION OR ANYTHING. OH, REALLY? THEY CAN'T GET OUT THEIR PHONE AND FIGURE IT OUT? THE DIFFERENCE BETWEEN THIS GROUP, THIS BLUE RIBBON COMMISSION WE'RE CREATING SO WE CAN HIDE BEHIND THEM, THE DIFFERENCE BETWEEN THEM AND A JURY IS WE CAN SEQUESTER A JURY, KEEP THEM AWAY FROM THE THINGS WE DON'T WANT THEM TO SEE. WHAT'S TO STOP THESE PEOPLE FROM GOING BACK? LET'S SAY WE PICK THE FOUR DEMOCRATS AND THEY GO BACK AND THEY GO HOME THAT NIGHT AND THEY MEET WITH VINCE POWERS AND THEY DIVISE--ASSUMING HE'S NOT ONE OF THE FOUR AND ASSUMING THAT, YOU KNOW, WE HAVEN'T PICKED HIM-- WHAT'S TO STOP THEM FROM GOING TO HIM AND SAYING, THIS IS WHAT WE'RE WORKING ON, WHAT DO YOU THINK, OR VICE VERSA, GOING TO THE REPUBLIC CHAIRMAN OR THE REPUBLICAN PARTY? THERE'S NOTHING TO STOP THIS BLUE RIBBON COMMISSION FROM GOING AT HOME AND PULLING UP THE NUMBERS

Floor Debate  
April 13, 2016

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AND BEING AS PARTISAN AS THEY WANT. AND MATTER OF FACT, I'D BE DISAPPOINTED IF THEY DIDN'T DO IT. THAT MEANS WE TRULY PICKED SOME CLUELESS DUDS ON THAT COMMITTEE. SO, YOU KNOW, THIS WHOLE THING THAT THESE PEOPLE ARE GOING TO DESIGN THIS... [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR KINTNER: ...NEW LINES AND THEY'RE NOT GOING TO GO HOME AND PULL UP A FEW NUMBERS AND ACTUALLY SEE WHAT THEY'RE DOING OR THEY'RE NOT GOING TO TAKE IT TO THE PARTY AND SAY, HERE IS WHAT WE'RE THINKING, WHAT DO YOU THINK? THAT IS PURE AND UTTER FANTASY, PURE AND UTTER FANTASY. THIS WILL BE AS POLITICAL AS IT IS INSIDE THE BODY, EXCEPT WE'RE GOING TO BE POLITICAL TWICE. THEY'RE GOING TO BE POLITICAL WHEN THEY DRAW THEM UP AND THEN, WHEN THEY GIVE IT TO US, WE'RE GOING TO BE POLITICAL. WE'RE CREATING TWICE THE POLITICS WITHOUT ANY IMPROVEMENT IN THE SERVICE WE'RE TRYING TO PROVIDE. MR. PRESIDENT, I THINK THAT'S A BAD DEAL AND I URGE MY FELLOW SENATORS TO REJECT THIS BAD DEAL. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR RIEPE AND SENATOR KINTNER. SENATOR BRASCH, YOU'RE RECOGNIZED. [LB580]

SENATOR BRASCH: THANK YOU, MR. SPEAKER. AND THANK YOU, COLLEAGUES. I BELIEVE WE HAVE BEEN GIVEN A LOT TO CONSIDER. REALIZING HOW MUCH TIME IT TOOK, AND THE REDISTRICTING COMMITTEE, ALL THE MEETINGS THAT WERE HELD, TO TRULY EXPECT A COMMITTEE TO MEET ONLY EIGHT TIMES? I DO FIND THAT HIGHLY, HIGHLY UNLIKELY THAT EIGHT MEETINGS WOULD BE ABLE TO SOLVE THE DILEMMA OF CHANGING REDISTRICTING AND ALSO PRODUCING MAPS. WE REALIZE THE AMOUNT OF TIME IT TOOK DURING A 90-DAY SESSION AND IT'S UNLIKELY. I WOULD LIKE TO YIELD THE REST OF MY TIME TO SENATOR KINTNER. [LB580]

SPEAKER HADLEY: SENATOR KINTNER, YOU'RE YIELDED 4:02. [LB580]

SENATOR KINTNER: WELL, THANK YOU, MR. PRESIDENT. YOU KNOW WHAT? I THINK WE'VE TALKED ABOUT THIS ENOUGH. LET'S VOTE ON THIS, BECAUSE I THINK THAT WE CAN ACTUALLY GET SOMETHING DONE HERE BY ADOPTING SENATOR BLOOMFIELD'S AMENDMENT. SO I'M GOING TO ENCOURAGE YOU TO

Floor Debate  
April 13, 2016

---

SUPPORT SENATOR BLOOMFIELD'S AMENDMENT. THANK YOU, MR. PRESIDENT.  
[LB580]

SPEAKER HADLEY: THANK YOU, SENATOR BRASCH AND SENATOR KINTNER.  
SENATOR KRIST, YOU ARE RECOGNIZED. [LB580]

SENATOR KRIST: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, COLLEAGUES. GOOD AFTERNOON, NEBRASKA. I HAVE NOT SPOKEN TODAY ON THIS ISSUE, OR ANY, BUT I FELT COMPELLED TO STAND UP AND DEFEND LB580 FOR WHAT IT IS. IT IS A FRESH LOOK COMPILED, PUT TOGETHER BY SENATOR MURANTE AFTER HE HAS COMPILED YEARS OF DATA ON OTHER ORGANIZATIONS, OTHER STATES AND, AS HE QUOTED, THE...BEFORE THE RED BOOK OR THE BIBLE IN TERMS OF THIS REDISTRICTING PROCESS. I THINK LB580 BY ITSELF IS A GOOD BILL, AND IT REPRESENTS A MOVE IN THE RIGHT DIRECTION. AND I'M SORRY SENATOR KINTNER IS LEAVING THE CHAMBER. BUT JUST FOR THE RECORD, HE HAS ASKED REPEATEDLY WHILE HE HAS BEEN ON THE MIKE, WHAT PROBLEM DO YOU PURPORT TO SOLVE WITH THIS BILL? WELL, THE INTRODUCER OF THE AMENDMENT, AM2925, SENATOR BLOOMFIELD, WAS PROBABLY AS VOCAL AS ANYONE ABOUT THE REDISTRICTING PROCESS THAT WAS IN PLACE THAT WE PARTICIPATED IN. AND THOSE OF YOU WHO WERE NOT HERE, AS SENATOR MELLO URGED YOU EARLIER, ASK SOMEBODY WHO WAS HERE. THE REASON IT TOOK 90 DAYS IS BECAUSE EVERYBODY HAD TO SUBDIVIDE THEIR TOWN IN HALF OR THEIR COUNTY IN THIRDS OR THEY DIDN'T WANT TO LOSE THAT FARM OR THAT GUY OR THEY WANTED TO DIVIDE A DIFFERENT LINE. I STOOD UP HERE ON THE MIKE, AND I'VE TOLD SEVERAL OF YOU BEFORE, I WAS ASKED BY A MEMBER OF THE COMMITTEE, WHO WAS BEING...HER ARM WAS BEING TWISTED BY OTHERS, TO DO SOMETHING, TO COME UP WITH A MAP THAT DIDN'T MOVE THE 49th DISTRICT, A DISTRICT FROM WESTERN NEBRASKA, IN. NOW I'M NOT GOING TO GO INTO THE DIRTY DETAILS OR WHO DID WHAT OR WHEN. BUT, YOU KNOW, IT TOOK HUNDREDS OF REDRAWING MAPS IN ORDER TO GET TO A POINT WHERE WE HAD SOME RESOLUTION. AND TRUST ME, THERE WERE ABOUT 20 PEOPLE IN THIS CHAMBER THAT WERE REALLY HAPPY WITH THEMSELVES AND ABOUT 29 THAT WERE NOT SO HAPPY. NOW THAT'S MY PERSPECTIVE. IT IS MY FEELINGS. IT WAS MY EXPERIENCE. AND ANYONE WHO WAS NOT HERE, INCLUDING SENATOR KINTNER, TO STAND UP HERE AND ASK ME FOR A REASON WHY WE SHOULD ACTUALLY TWEAK THE SYSTEM IN SOME WAY, IT'S RHETORIC, IT'S TIME ON THE MIKE TO FILIBUSTER SOMETHING, AND WE CAN ALL DO THAT. WE ALL HAVE THAT RIGHT. I RESPECT HIS ABILITY TO DO IT. I RESPECT HIS MOTIVATIONS TO DO IT. I DON'T, HOWEVER, THINK THAT THIS BILL DOES NOT HAVE PURPOSE AND DOES NOT HAVE SOLUTIONS. AS SOON AS THE EXEC BOARD

Floor Debate  
April 13, 2016

---

HEARD THIS, THE NEXT THING WE DID WAS EMPLOY PROBABLY THE TOP LEGAL MINDS FAMILIAR WITH LEGISLATIVE REDISTRICTING PROCESS--NANCY CYR, JANICE SATRA, AND THE CLERK--AND WE ASKED THEM, GO OVER THIS WITH A FINE-TOOTH COMB, POINT OUT THE PROBLEMS. AND WE DID AND THEN WE TOOK IT BACK TO SENATOR MURANTE AND SENATOR MELLO AND THEY MADE THOSE NECESSARY CHANGES TO MAKE SURE THAT CONSTITUTIONALLY IT WAS CLEAR. YOU NEED TO ASK SOME PEOPLE SPECIFICALLY WHY LINES WERE DRAWN, WHY LINES WERE DRAWN IN THE 2nd CONGRESSIONAL DISTRICT TO MAKE IT ALMOST IMPOSSIBLE, IMPOSSIBLE FOR THE INCUMBENT REPUBLICAN TO BE BEAT. WELL, THAT DIDN'T WORK. LINES WERE DRAWN FOR PEOPLE WHO WERE RUNNING FOR DIFFERENT OFFICES BECAUSE IT WAS THE BEST THING TO DO TO AFFORD THAT PERSON THE EASY SOLUTION TO GET TO WHERE THEY WERE GOING. AND IF I'M WRONG,... [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR KRIST: ...IF MY EXPERIENCES ARE WRONG, THEN I WILL APOLOGIZE RIGHT HERE AND NOW, BUT I KNOW THEY'RE NOT. I KNOW THE GOVERNOR AND MANY OTHER PEOPLE WERE INVOLVED IN DRAWING THOSE LINES. THIS PROCESS PUTS IT IN THE HANDS OF PEOPLE WHO WILL PROBABLY HIT THE "GEO" BUTTON AND SAY GIVE ME 39,000, PLUS OR MINUS 5 PEOPLE, MAKE SURE THAT WE DON'T DESTROY ANY MINORITY BALANCES, MAKE SURE WE DON'T GO ACROSS COUNTY LINES IF POSSIBLE, MAKE SURE WE DON'T DO THIS. YOU ENTER IT INTO THE COMPUTER AND IT SPITS OUT A MAP AND THEN IT'S GOING TO COME HERE. THE FINAL DECISION PROCESS RESTS WITH THE LEGISLATURE. THE ONLY THING WE'RE DOING IS LETTING SOMEBODY ELSE PUSH THE BUTTON AND REDISTRICT WITH A COMPUTER, AND YOU ALL HEARD THAT EXPERTISE IN OUR LEGISLATIVE OFF-SITE IN THE FALL. AM2925 DOES NOT BELONG ON THIS BILL. SUPPORT LB580. THANK YOU. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR KRIST. SENATOR MELLO, YOU ARE RECOGNIZED. [LB580]

SENATOR MELLO: THANK YOU, MR. PRESIDENT, MEMBERS OF THE LEGISLATURE. WITH THE CLOTURE VOTE COMING IN, IN ABOUT FIVE...ABOUT SEVEN MINUTES, I SHOULD SAY, I WANTED JUST TO REITERATE WHAT YOU'VE HEARD FROM SENATOR MURANTE AND OTHERS. VOTING FOR AM2925 KILLS THIS BILL, PLAIN AND SIMPLE. IT SIMPLY KILLS THE BILL DUE TO THE TIME FRAME THAT WE'RE IN AT THE END OF THE SESSION. YOU MAY SUPPORT THE POLICY IN

Floor Debate  
April 13, 2016

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AM2925, BUT VOTING FOR IT KILLS THE UNDERLYING BILL. AND TO SOME EXTENT IT WOULD BE A SHAME TO SEE SO MUCH HARD WORK PUT IN TRYING TO REFORM WHAT WE KNOW IS A VERY BROKEN PROCESS WHEN IT COMES WITHIN THE LEGISLATURE, IT WOULD BE A SHAME TO SEE SOMETHING LIKE THAT NOT PASS IN LIGHT OF LAST-MINUTE ANTICS, AND TO SOME EXTENT NO OPPOSITION TO THIS BILL IN THE COMMITTEE HEARING, NO OPPOSITION REALLY ON THE BILL ON GENERAL FILE OR SELECT FILE. BUT WITH THAT, COLLEAGUES, I IMPLORER YOU TO CONSIDER THE LONG-TERM RAMIFICATIONS OF THIS BILL ON THE LEGISLATURE, ON THE PUBLIC AT LARGE ACROSS THE STATE, THE ABILITY TO HEAL THE URBAN-RURAL DIVIDE THAT NORMALLY, AS WE SAW IN 2011, HAPPENED, VERY REAL AND IT WAS VERY DEEP, THAT WE COULD TRY TO HEAL THAT PROCESS AND STOP THAT IN THE FUTURE WITH THE ADOPTION OF LB580. WITH THAT, I'D YIELD THE REMAINDER OF MY TIME TO SENATOR MURANTE. [LB580]

SPEAKER HADLEY: SENATOR MURANTE, YOU'RE YIELDED 3:47. [LB580]

SENATOR MURANTE: THANK YOU, MR. PRESIDENT. MEMBERS, GOOD AFTERNOON. AS SENATOR MELLO STATED, WE ARE RAPIDLY APPROACHING A VOTE ON CLOTURE. I WOULD ENCOURAGE YOU TO VOTE IN FAVOR OF INVOKING CLOTURE ON THIS. BUT I DO THINK THERE IS A BIT OF A REALITY CHECK THAT NEEDS TO TAKE PLACE. FIRST OF ALL, THE NOTION THAT THE 2011 CONGRESSIONAL DISTRICT MAPS WERE DRAWN FOR THE PURPOSES OF MAKING IT ALMOST IMPOSSIBLE FOR A DEMOCRAT TO WIN THE 2nd CONGRESSIONAL DISTRICT, I CAN TELL YOU THERE ARE WAYS TO DRAW THE 2nd CONGRESSIONAL DISTRICT THAT WOULD MAKE IT ALMOST IMPOSSIBLE FOR A DEMOCRAT TO WIN. FLIPPING WHICH SIDE OF SARPY COUNTY IS IN THE 2nd CONGRESSIONAL DISTRICT IS NOT ONE OF THEM. THE MAPS THAT WERE APPROVED IN 2011 MADE THE PARTISAN REGISTRATION BREAKDOWN ALMOST IDENTICAL TO WHAT IT WAS BEFORE. THAT'S THE FACT. THERE WAS NOT A SIGNIFICANT CHANGE IN THE PARTY REGISTRATION BREAKDOWN AFTER THE REDISTRICTING PROCESS OF CONGRESSIONAL DISTRICTS. AND WHY I SUPPORT LB580 IS THE SUGGESTION THAT A MAP SHOULD BE DRAWN WHICH VIOLATES TRADITIONAL REDISTRICTING PRINCIPLES, CUTS ACROSS MORE COUNTY LINES THAN NEEDED TO BE, MADE DISTRICTS NOT COMPACT AND CONTIGUOUS FOR THE PURPOSE OF KEEPING LEGISLATIVE DISTRICT 49 IN THE PANHANDLE? MY FRIENDS, THAT IS THE DEFINITION OF GERRYMANDERING. STARTING A PROCESS BY SAYING WE'RE GOING TO KEEP DISTRICTS WHERE THEY ARE AND THROW OUT THE REST OF THE RULE BOOK, THAT'S GERRYMANDERING. HOPEFULLY, WITH LB580, WE GET AWAY FROM THAT, BECAUSE WHAT WE'VE ESTABLISHED, ESPECIALLY WITH THE



Floor Debate  
April 13, 2016

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COUNTY APPORTIONMENT FORMULA, IS A MATHEMATICAL BASIS TO DETERMINE, WHEN IT COMES TO LEGISLATIVE DISTRICTS, HOW MANY DISTRICTS SHOULD BE DRAWN AND WHERE. HAD THAT FORMULA BEEN IN PLACE IN 2011, DISTRICT 49 WOULD BE IN SARPY COUNTY RIGHT NOW. THAT'S THE FACT. SO LB580 IS A GOOD BILL. I APPRECIATE--I'LL GO BACK TO IT--I APPRECIATE WHAT SENATOR BLOOMFIELD IS TRYING TO DO. AND IN AN EFFORT TO ALLOW HIM TO GET TO A VOTE ON HIS, I WILL STOP TALKING NOW. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR MURANTE. SENATOR CHAMBERS, YOU ARE RECOGNIZED. [LB580]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, I COULDN'T RESIST. I'VE BEEN LISTENING. I HEARD A PERSON REFER TO WHAT IS BEING DONE AS CONSTRUCTING A TOWER OF BABEL. AND THE ONE WHO USED THAT TERM IS THE PERFECT ONE TO APPLY THAT TERM AS I LISTENED TO HIM TALK. HE WAS ASKING WHAT GOOD WILL SENATOR MURANTE AND SENATOR MELLO'S BILL DO. FIRST OF ALL, EVEN IF I'M ON THE OPPOSITE SIDE OF SOMEBODY, I RESPECT A PERSON WHO SPENDS THEIR TIME RESEARCHING, ANALYZING, EVALUATING, THEN SYNTHESIZING ALL OF THAT INFORMATION AND COMING UP WITH SOMETHING THAT SENATOR MURANTE, SENATOR MELLO, AND THE OTHERS WHO WORKED ON THIS, DID. I OBVIOUSLY AM OPPOSED TO WHAT IS BEING ATTEMPTED HERE AND I WILL VOTE FOR CLOTURE. I'M ON THE SAME SIDE AS SENATOR MURANTE, OR HE'S ON THE SAME SIDE AS I. BUT HERE IS WHAT I THOUGHT OF. AS I HEARD SENATOR KINTNER SAY, WHAT GOOD WILL THIS DO, WHAT'S NECESSARY? MANY, MANY YEARS AGO I SAW AN OLD WAR MOVIE AND GENERAL MONTGOMERY WAS HAVING A SET-TO WITH THE GERMANS AND HE WAS VERY UPSET AND HE WAS CURSING AS MUCH AS THEY WOULD ALLOW IN THOSE DAYS ON THE SCREEN. SO IT WAS, BLOODY THIS, BLOODY THAT, BLOODY THE OTHER. AND SO THIS PRIVATE CAME UP. HE SAID, GENERAL, WOULD YOU LIKE A CUP OF TEA? THE GENERAL LOOKED AT HIM. A CUP OF TEA? AT A TIME LIKE THIS? YOU ASK ME DO I WANT A CUP OF TEA? HOW WILL THAT HELP? THE PRIVATE LOOKED AT HIM. HE SAID, WELL, GENERAL, IT MAY NOT HELP BUT IT CERTAINLY WON'T HURT. GENERAL MONTGOMERY RECOMPOSED HIMSELF AND WITH THAT BRITISH CALM SAID, PRIVATE, I WILL HAVE A CUP OF TEA. IF THIS IS ONLY A CUP OF TEA, IT'S NOT GOING TO HURT AND IT CANNOT DO ANYTHING OTHER THAN HELP DEAL WITH A BAD SITUATION. I DO NOT BELIEVE THERE IS ANY WAY IN THE WORLD THIS LEGISLATURE WILL GIVE THE BRAIN TRUST WHAT THEY'RE TRYING TO OBTAIN HERE. SO I THINK SENATOR MURANTE'S WORK IS SAFE. I THINK IT'S GOOD WORK.

Floor Debate  
April 13, 2016

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I BELIEVE THE LEGISLATURE WILL PASS IT. BUT I JUST HAD TO COME UP HERE AND SAY SOMETHING. IT REMINDS ME OF SOMETHING RUDYARD KIPLING WROTE. NOW HE WROTE IT. I'M JUST QUOTING KIPLING: IF YOU CAN WATCH THE THING YOU GAVE YOUR LIFE TO, BROKEN, AND STOOP AND BUILD IT UP AGAIN WITH WORN-OUT TOOLS...BUT BEFORE HE GOT TO THAT COUPLET HE SAID: IF YOU CAN STAND TO HEAR THE WORDS YOU'VE SPOKEN TWISTED BY KNAVES TO MAKE A TRAP FOR FOOLS, AND YOU CAN TAKE THOSE TOOLS THAT ARE BROKEN AND BUILD IT UP AGAIN, THEN YOU HAVE ACHIEVED SOMETHING OF VALUE. SOME PEOPLE ARE HERE FOR THE LAST FEW HOURS OF THEIR TIME IN THE LEGISLATURE, AND I DON'T WANT TO SEE THEM LEAVE HERE WITH THIS KIND OF A STAIN ON THEIR RECORD, JOHNNY. SO I THINK WHAT WE OUGHT TO DO IS VOTE CLOTURE. AND IT IS PLEASANT TO BE ON THE SAME SIDE AS SENATOR MURANTE. AND IT SHOWS THAT, NO MATTER HOW PEOPLE HAVE CONTESTED IN THE PAST, CIRCUMSTANCES CAN FALL OUT IN SUCH A WAY THAT THEY WILL BE ALLIES. AND PEOPLE SAY THERE ARE NO PERMANENT ALLIANCES IN POLITICS. [LB580]

SPEAKER HADLEY: ONE MINUTE. [LB580]

SENATOR CHAMBERS: THAT MAY BE TRUE. BUT WHEN THOSE WHO SEEM LIKE THEY ARE IRRECONCILABLY CONFLICTED CAN COME TOGETHER, THEN MAYBE YOU CAN SAY THERE MIGHT BE SOME HIGH POINTS ALONG THE TRAIL THAT IS CUT BY POLITICS. BUT HOWEVER IT'S DESCRIBED, IF YOU HANG AROUND LONG ENOUGH YOU WILL SEE THAT HAPPEN, NOT ONLY ONCE, BUT IF YOU NEVER SEE IT AGAIN YOU HAVE AN OPPORTUNITY TO SEE IT THIS ONCE, AND I ADVISE MY YOUNG FRIEND SENATOR MURANTE TO ENJOY IT. AND I WILL TELL HIM THIS TOO. HE OWES ME. THANK YOU, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: THANK YOU, SENATOR CHAMBERS. MR. CLERK, YOU HAVE A MOTION ON THE DESK. [LB580]

CLERK: I DO, MR. PRESIDENT. SENATOR MURANTE WOULD MOVE TO INVOKE CLOTURE PURSUANT TO RULE 7, SECTION 10, ON LB580. [LB580]

SPEAKER HADLEY: IT IS THE RULING OF THE CHAIR THERE HAS BEEN FULL AND FAIR DEBATE ACCORDED TO LB580. I WOULD REMIND THE SENATORS WE ARE IN FINAL READING. FIRST VOTE IS ON THE CLOTURE MOTION. SENATOR BLOOMFIELD. [LB580]

Floor Debate  
April 13, 2016

---

SENATOR BLOOMFIELD: COULD WE GET EVERYBODY TO CHECK IN, PLEASE?  
[LB580]

SPEAKER HADLEY: YES, WE CAN. SENATORS WATERMEIER, KEN HAAR, PANSING  
BROOKS, RIEPE, BOLZ, BURKE HARR, CRAWFORD, SMITH, LARSON, KINTNER, IF  
YOU WOULD PLEASE CHECK IN. SENATOR BURKE HARR, WOULD YOU PLEASE  
CHECK IN? SENATOR BLOOMFIELD, HOW WOULD YOU LIKE TO PROCEED? .  
[LB580]

SENATOR BLOOMFIELD: DO A ROLL CALL. [LB580]

SPEAKER HADLEY: THERE HAS BEEN A REQUEST FOR ROLL CALL VOTE IN  
REGULAR ORDER. YOU ARE VOTING ON THE CLOTURE MOTION. [LB580]

CLERK: (ROLL CALL VOTE, LEGISLATIVE JOURNAL PAGE 1621-1622.) 35 AYES, 11  
NAYS, MR. PRESIDENT, ON THE MOTION TO INVOKE CLOTURE. [LB580]

SPEAKER HADLEY: THE MOTION TO INVOKE CLOTURE IS ADOPTED. MEMBERS,  
THE NEXT VOTE IS ON THE ADOPTION OF AM2925. ALL THOSE IN FAVOR VOTE  
AYE; ALL THOSE OPPOSED...SORRY, IT'S A MOTION TO RETURN THE BILL. ALL  
THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. HAVE ALL VOTED?  
RECORD, MR. CLERK. [LB580]

CLERK: 16 AYES, 27 NAYS, MR. PRESIDENT, TO RETURN THE BILL. [LB580]

SPEAKER HADLEY: THE MOTION IS DEFEATED. MR. CLERK, THE FIRST MOTION IS  
TO DISPENSE WITH THE AT-LARGE READING. THOSE IN FAVOR VOTE AYE; ALL  
THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB580]

CLERK: 38 AYES, 2 NAYS, MR. PRESIDENT, TO DISPENSE WITH THE AT-LARGE  
READING. [LB580]

SPEAKER HADLEY: THE AT-LARGE READING IS DISPENSED WITH. MR. CLERK,  
PLEASE READ THE TITLE. [LB580]

CLERK: (READ TITLE OF LB580.) [LB580]

Floor Debate  
April 13, 2016

---

SPEAKER HADLEY: ALL PROVISIONS OF LAW RELATIVE TO PROCEDURE HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB580 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB580]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1622-1623.) 29 AYES, 15 NAYS, MR. PRESIDENT, AND 4 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB580]

SPEAKER HADLEY: LB580 PASSES. MR. CLERK, WE WILL PROCEED NOW TO LB716. [LB580 LB716]

CLERK: MR. PRESIDENT, SENATOR KINTNER, I HAVE FA125 WITH A NOTE YOU WISH TO WITHDRAW, SENATOR. [LB716]

SENATOR KINTNER: YES. [LB716]

CLERK: (READ LB716 ON FINAL READING.) [LB716]

SPEAKER HADLEY: ALL PROVISIONS OF LAW HAVING BEEN COMPLIED WITH, THE QUESTION IS, SHALL LB716 PASS? ALL THOSE IN FAVOR VOTE AYE; ALL THOSE OPPOSED VOTE NAY. RECORD, MR. CLERK. [LB716]

CLERK: (RECORD VOTE READ, LEGISLATIVE JOURNAL PAGES 1623-1624.) 38 AYES, 3 NAYS, 7 PRESENT AND NOT VOTING, 1 EXCUSED AND NOT VOTING, MR. PRESIDENT. [LB716]

SPEAKER HADLEY: LB716 PASSES. WHILE THE LEGISLATURE IS IN SESSION AND CAPABLE OF TRANSACTING BUSINESS, I PROPOSE TO SIGN AND DO HEREBY SIGN LB580 AND LB716. OKAY. MR. SPEAKER OR MR. CLERK. [LB716 LB580]

CLERK: MR. PRESIDENT, THE NEXT ITEM OF BUSINESS, RESOLUTIONS. THE FIRST IS LR455 INTRODUCED BY SENATOR HAAR. IT CALLS ON THE LEGISLATURE TO CREATE A TASK FORCE. THE RESOLUTION, AFTER ITS INTRODUCTION, MR. PRESIDENT, WAS REFERRED TO THE EXECUTIVE BOARD FOR PUBLIC HEARING. THE RESOLUTION WAS ADVANCED TO THE FLOOR. THERE ARE COMMITTEE AMENDMENTS PENDING, MR. PRESIDENT. (AM2521, LEGISLATIVE JOURNAL PAGE 945.) [LR455]

Floor Debate  
April 13, 2016

---

SPEAKER HADLEY: SENATOR KRIST, AS CHAIR OF THE EXECUTIVE BOARD...I'M SORRY. SENATOR HAAR, WILL YOU OPEN ON YOUR RESOLUTION. [LR455]

SENATOR HAAR: YES. THANK YOU. MR. PRESIDENT, MEMBERS OF THE BODY, LR455 WOULD PROVIDE THE LEGISLATURE WITH A FRAMEWORK TO DEVELOP A CLIMATE ACTION PLAN FOR NEBRASKA. I'M GOING TO JUST TAKE YOU REAL BRIEFLY TO HEAR FROM FOUR COMMUNITIES: THE SCIENTIFIC COMMUNITY, CITIZENS OF NEBRASKA, THE MORAL IMPERATIVE, AND THE MILITARY. THE WORLD-HERALD SAID, QUOTE, FEW STATES CAN CLAIM THE EXPERTISE IN DROUGHT ANALYSIS OR CLIMATE SCIENCE THAT NEBRASKA ENJOYS AND THOSE ADVANTAGES CONTINUE TO GROW. FOR THAT, NEBRASKA CAN THANK THE UNIVERSITY OF NEBRASKA-LINCOLN AND WIDER NU SYSTEM ALONG WITH INDEPENDENT DATA-DRIVEN RESEARCHERS AND STATE LEADERS WHO PUT SCIENCE AHEAD OF POLITICS. THEN I HAVE A...FIRST LIKE TO JUST TELL A LITTLE BIT FROM THE SCIENTIFIC COMMUNITY. HERE IS A QUOTE FROM A MAN BY THE NAME OF RUSH HOLT, THE CEO OF THE AMERICAN ASSOCIATION FOR THE ADVANCEMENT OF SCIENCE . HE SAID THE SCIENTIFIC PROCESS IS MODERN CIVILIZATION'S BEST MEANS FOR ARRIVING AT RELIABLE TRUTH, END QUOTE. AT THE UNIVERSITY, THE WAY THE WORLD-HERALD DESCRIBES IT, WE HAVE A RICH RESOURCE IN TERMS OF CLIMATE SCIENCE. FOR EXAMPLE, WE HAVE THE NATIONAL DROUGHT MITIGATION CENTER. ANYTIME YOU SEE THIS MAP OF DROUGHT ACROSS THE UNITED STATES, WHETHER IT'S SEVERE DROUGHT OR WHATEVER, THAT COMES FROM THE UNIVERSITY AND IT'S AN IMPORTANT PART. THEN WE HAVE THE DEPARTMENT OF EARTH AND ATMOSPHERIC SCIENCES. AT UNMC WE HAVE PEOPLE WORKING ON CLIMATE CHANGE. AND ESPECIALLY SOMETHING THAT I'M PROUD OF AND WE SHOULD BE PROUD OF IS THE STUDY THAT UNL DID CALLED "UNDERSTANDING AND ASSESSING CLIMATE CHANGE: IMPLICATIONS FOR NEBRASKA." THIS STUDY WAS RELEASED IN SEPTEMBER OF 2014, AND IT HAS RECEIVED NATIONAL RECOGNITION. I WANT TO QUOTE FROM THE BEGINNING OF THE REPORT BY A QUOTE FROM DR. RONNIE GREEN, WHO WAS JUST APPOINTED AS THE PRESIDENT, I'M SORRY, THE CHANCELLOR OF UNL. AND DR. GREEN HAS SAID: THE EFFORTS OF THE FACULTY AND STAFF OF UNL TO PRODUCE THIS REPORT USING THE FULL BODY OF KNOWLEDGE AVAILABLE FROM THE SCIENTIFIC LITERATURE ARE GREATLY APPRECIATED. IT'S OUR HOPE THAT THE REPORT WILL BE HIGHLY USEFUL IN PLANNING HOW TO SUCCESSFULLY ADDRESS THE NEEDS OF THE STATE OF NEBRASKA AND ITS PEOPLE IN THE DECADES AHEAD IN THE FACE OF INCREASING CLIMATE VARIABILITY AND CHANGE. AGAIN, THAT'S WORD OF INTRODUCTION TO THIS REPORT THE UNIVERSITY DID FROM DR. RONNIE GREEN, WHO WAS JUST APPOINTED AS THE CHANCELLOR OF UNL. THEN I PASSED OUT A LITTLE BIT OF

Floor Debate  
April 13, 2016

---

THE NEBRASKA RURAL POLL, WHICH IS PUT OUT YEARLY BY UNL. OBVIOUSLY, IT'S SCIENTIFICALLY ACCURATE. AND AS YOU NOTICED, 61 PERCENT OF NEBRASKANS EITHER AGREE OR STRONGLY AGREE THAT NEBRASKA SHOULD DEVELOP A PLAN FOR ADAPTING TO CLIMATE CHANGE TO REDUCE THE IMPACT ON AGRICULTURE COMMUNITIES AND NATURAL RESOURCES. ONLY 17 PERCENT STRONGLY DISAGREED OR DISAGREED WITH THAT STATEMENT. AND THEN THE GRAPH BELOW IT SHOWING THAT THE UNIVERSITY IS LOOKED TO AS ONE OF THE RESOURCES FOR ACTION ON CLIMATE CHANGE. WE HEAR THE MORAL ASPECT FROM THE POPE HIMSELF, WHEN HE WROTE HIS ENCYCLICAL IN WHICH HE TALKED ABOUT OUR COMMON HOME AND THE MORAL IMPERATIVE FOR PEOPLE TO ACT ON CLIMATE CHANGE. AND THEN FINALLY, JUST A QUOTE QUICKLY FROM THE MILITARY WHO...THEY DON'T EVEN TALK ABOUT WHETHER THERE IS CLIMATE CHANGE OR NOT, THEY SIMPLY SAY THAT THE DEFENSE DEPARTMENT ALREADY IS OBSERVING THE IMPACTS OF CLIMATE CHANGE IN SHOCKS AND STRESSORS TO VULNERABLE NATIONS AND COMMUNITIES INCLUDING IN THE UNITED STATES, THE ARCTIC, THE MIDDLE EAST, AFRICA, ASIA, AND SOUTH AFRICA. IN FACT, THE MILITARY, THE DEFENSE DEPARTMENT, IS ONE OF THOSE GROUPS WHO HAS REACTED AND IS REACTING TO THE PLANNING FOR CLIMATE CHANGE. HERE IS WHAT WE HOPE TO COME OUT OF THIS COMMITTEE. THE GOAL IS TO LINK SCIENTIFIC KNOWLEDGE WITH THE ACTIONS NEEDED TO REDUCE IMPACTS AND FUTURE RISK PLANNINGS. IT WOULD PRODUCE A FRAMEWORK FOR A STATE CLIMATE ACTION PLAN THAT WOULD BE PRESENTED AT THE END OF THIS YEAR, AND FUTURE LEGISLATURES WOULD THEN HAVE AN OPPORTUNITY HOPEFULLY TO TAKE UP AND FORM A STATE CLIMATE ACTION PLAN. WE WOULD LOOK AT OTHER STATES AS MODELS. WE WOULD DOCUMENT CURRENT EFFORTS, SUCH AS NEMA, THE NEBRASKA EMERGENCY MANAGEMENT ASSOCIATION, IS PLANNING FOR CLIMATE CHANGE. GAME AND PARKS IS PLANNING, THE NRDs. IN FACT, THE PAPIO NRD HAS TAKEN THE FLOOD THAT HAPPENED IN 2008 IN IOWA, PROJECTING IT ON OMAHA TO SEE WHAT WOULD HAPPEN, THE AMES STORM, AND THEY PROJECTED IT WOULD HAVE COST \$2.1 BILLION IN DAMAGE TO THE OMAHA AREA. THAT'S THE KIND OF PLANNING THAT WE NEED TO DO. WE LOOK AT CURRENT LAWS AND REGULATIONS THAT HELP OR HINDER CLIMATE CHANGE PREPAREDNESS AND ALSO THE OPPORTUNITIES IN TERMS OF GRANTS AND SO ON THAT WE COULD EXPECT IN NEBRASKA AS WE DEAL WITH CLIMATE CHANGE. THERE IS NO FISCAL NOTE. THE RESEARCH WOULD BE CARRIED OUT BY MY STAFF, BY SENATOR LARSON'S STAFF, AND THE LEGISLATIVE RESEARCH OFFICE. AND THEN TO BRIEFLY TELL YOU ABOUT THIS, SENATOR LARSON AND I HAVE COME TO AGREEMENTS THAT WE WOULD SERVE AS CO-CHAIRS ON THIS COMMITTEE, AND WORK TO AGAIN PRODUCE THE FRAMEWORK FOR A CLIMATE ACTION PLAN FOR

Floor Debate  
April 13, 2016

---

NEBRASKA THAT COULD BE ACTED ON BY FUTURE LEGISLATURES. WE'VE TALKED TO MEMBERS OF THE BODY TO SERVE ON THIS COMMITTEE, AND I THINK I CAN SAY THIS BECAUSE I'VE TALKED TO THEM, SENATOR STINNER IS INTERESTED, SENATOR KUEHN, SENATOR PANSING BROOKS, MYSELF, AND, OF COURSE, SENATOR LARSON. AND THEN WE WOULD INVITE OTHER SENATORS TO COME AND BE EDUCATED, TO LEARN ABOUT CLIMATE CHANGE AND WHAT WE MIGHT DO IN THE WAY OF ADAPTING FOR NEBRASKA. AGAIN, SENATOR LARSON AND I WOULD SERVE AS CO-CHAIRS AND PRESENT A REPORT AT THE END OF THIS YEAR TO THE LEGISLATURE FOR HOPEFULLY FUTURE ACTION FORMING A CLIMATE ACTION PLAN. MANY STATES ALREADY ARE IN THE PROCESS. COLORADO HAS A WELL-DEVELOPED CLIMATE ACTION PLAN. IOWA HAS ONE. AND MANY OTHER STATES ARE ALSO WORKING ON IT. SO WITH THAT INTRODUCTION, I WILL GIVE THE TIME BACK TO THE CHAIR. THANK YOU. [LR455]

SENATOR KRIST PRESIDING

SENATOR KRIST: THANK YOU, SENATOR HAAR. AS THE CLERK STATED, THERE ARE AMENDMENTS FROM THE EXECUTIVE BOARD. SENATOR WATERMEIER, AS VICE CHAIRMAN OF THE BOARD, YOU ARE RECOGNIZED TO OPEN ON THE AMENDMENT. [LR455]

SENATOR WATERMEIER: THANK YOU, MR. PRESIDENT. JUST A BRIEF EXPLANATION TO AM2521 FROM THE EXEC BOARD. THE COMMITTEE AMENDMENT CHANGES THE MEMBERSHIP OF THE SPECIAL COMMITTEE TO INCLUDE THE CHAIRPERSON OF THE APPROPRIATIONS COMMITTEE AND/OR HIS OR HER DESIGNEE; THE CHAIRPERSON OF THE NATURAL RESOURCES COMMITTEE OR HIS DESIGNEE; AND FIVE AT-LARGE MEMBERS OF THE LEGISLATURE TO BE APPOINTED BY THE EXECUTIVE BOARD. THANK YOU, MR. PRESIDENT. [LR455]

SENATOR KRIST: THANK YOU, SENATOR WATERMEIER. YOU HAVE HEARD THE OPENING TO LR455 AND AM2521. THE FLOOR IS NOW OPEN FOR DEBATE. SENATOR LARSON, YOU'RE RECOGNIZED. [LR455]

SENATOR LARSON: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF AM2521 AND LR455. I THINK THIS IS SOMETHING THE LEGISLATURE CAN LOOK AT AND LOOK FORWARD TO UNDERSTANDING THE MULTITUDE OF AVENUES THAT WE CAN TAKE, BOTH IN AGRICULTURE IN TERMS OF MITIGATING ANY RISKS AS

Floor Debate  
April 13, 2016

---

WELL AS LOOKING HOW WE CAN CONTINUE TO GROW OUR ECONOMY IN THE STATE OF NEBRASKA THROUGH A NUMBER OF DIFFERENT AVENUES. I THINK THIS IS SOMETHING THAT WE CAN UNDERSTAND THAT THERE IS IMPORTANCE ACROSS, YOU KNOW, ACROSS THE SPECTRUM AND LOOK AT IT AND STUDY IT AND HAVE A GOOD CONVERSATION AND COME UP WITH SOME TRUE, AS I SAID, ECONOMIC DEVELOPMENT. AND I KNOW THAT CAN BE A TABOO WORD SOMETIMES WHEN WE HEAR SOME INDIVIDUALS TALK ABOUT ECONOMIC DEVELOPMENT IN RURAL NEBRASKA IN CERTAIN WAYS. BUT THIS IS SOMETHING THAT COULD HAVE A VERY POSITIVE EFFECT. THANK YOU, MR. PRESIDENT. [LR455]

SENATOR KRIST: THANK YOU, SENATOR LARSON. SEEING NO ONE ELSE IN THE QUEUE, SENATOR WATERMEIER WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF AM2521. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LR455]

CLERK: 28 AYES, 0 NAYS ON ADOPTION OF COMMITTEE AMENDMENTS. [LR455]

SENATOR KRIST: AM2521 IS ADOPTED. MR. CLERK. [LR455]

CLERK: SENATOR KEN HAAR WOULD MOVE TO AMEND, AM2892. (LEGISLATIVE JOURNAL PAGE 1508.) [LR455]

SENATOR KRIST: SENATOR HAAR, YOU'RE RECOGNIZED TO OPEN. [LR455]

SENATOR HAAR: VERY BRIEFLY, WHAT THIS WOULD DO IS ONCE THE MEMBERS WERE APPOINTED FROM THE BODY, THE FIVE MEMBERS, AND I'M ASSUMING SENATOR LARSON AND I WOULD BE APPOINTED TO THAT BY THE EXECUTIVE COMMITTEE. WE'VE TALKED WITH THE EXECUTIVE COMMITTEE. AND SENATOR LARSON AND I WOULD SERVE AS CO-CHAIRS OF THIS COMMITTEE AND WORK TOGETHER TO PRODUCE THIS RESEARCH IN THIS REPORT. [LR455]

SENATOR KRIST: THANK YOU, SENATOR HAAR. SENATOR SCHEER, YOU'RE RECOGNIZED. [LR455]

SENATOR SCHEER: THANK YOU, MR. PRESIDENT. WOULD SENATOR HAAR ANSWER A QUESTION? [LR455]



Floor Debate  
April 13, 2016

---

SENATOR KRIST: SENATOR HAAR, WILL YOU YIELD? [LR455]

SENATOR HAAR: YES. [LR455]

SENATOR SCHEER: SENATOR HAAR, NOT TO NITPICK HERE, BUT I JUST LOOKED AT YOUR AMENDMENT AND IT SAID THAT THE COMMITTEE WOULD ELECT CO-CHAIRS. SO HOW IS THE COMMITTEE ELECTING CO-CHAIRS IF YOU'VE ALREADY ANOINTED YOURSELF AND SENATOR LARSON THE CO-CHAIRS? [LR455]

SENATOR HAAR: WELL, TO...GOOD QUESTION. OBVIOUSLY, IN PLANNING FOR THIS COMMITTEE, WE HAVE DONE A LOT OF TALKING WITH THE EXECUTIVE COMMITTEE AMONG OURSELVES, AND THERE COULD BE A DIFFERENT OUTCOME. I'M ASSUMING IT WOULD BE SENATOR LARSON AND MYSELF. [LR455]

SENATOR SCHEER: OKAY. WELL, WE'LL ASSUME THAT YOUR ASSUMPTIONS ARE CORRECT. THANK YOU, MR. PRESIDENT. [LR455]

SENATOR KRIST: THANK YOU, SENATOR SCHEER. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LR455]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. WHILE WE'RE ASSUMING, LET'S ASSUME THAT CLIMATE CHANGE IS REALLY HAPPENING AND THE SKY IS REALLY FALLING AND THE NEXT YEAR IT'S GOING TO BE 700 DEGREES ON THE FOURTH OF JULY. COLLEAGUES, LET'S NOT SPEND ANY MORE MONEY DOING THIS STUFF. WHETHER IT'S A FISCAL NOTE OR NOT, WE ARE GOING TO SPEND MONEY. I'M NOT GOING TO BELABOR THE POINT. YOU'RE GOING TO DO WHAT YOU'RE GOING TO DO. BUT WE'VE STUDIED THIS THING TO DEATH. WE STUDIED IT BACK AND FORTH. AND I WOULD HOPE IF WE GO TO THIS COMMITTEE--I'M SORRY, SENATOR HAAR--I WOULD HOPE THAT YOU AND SENATOR LARSON ARE NOT APPOINTED TO IT. LET'S APPOINT SOMEBODY THAT IS GOING TO BE HERE TO EXPLAIN. SENATOR LARSON, IN FACT, WILL BE. SENATOR HAAR, YOU, LIKE MYSELF, WILL NOT BE HERE. SO WHEN THE COMMITTEE MEETS TO MAKE THAT DECISION AFTER WE PASS THIS, BEAR THAT IN MIND. THANK YOU, MR. PRESIDENT. [LR455]

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD. SEEING NO ONE ELSE IN THE QUEUE, SENATOR HAAR WAIVES CLOSING. THE QUESTION IS THE ADOPTION

Floor Debate  
April 13, 2016

---

OF AM2892. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LR455]

CLERK: 29 AYES, 2 NAYS, MR. PRESIDENT, ON THE ADOPTION OF SENATOR HAAR'S AMENDMENT. [LR455]

SENATOR KRIST: AM2892 IS ADOPTED. SEEING NO ONE IN THE QUEUE, SENATOR HAAR, YOU'RE RECOGNIZED TO CLOSE ON YOUR LR. SENATOR HAAR WAIVES CLOSING. THE QUESTION IS THE ADOPTION OF LR455. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. PLEASE RECORD, MR. CLERK. [LR455]

CLERK: 28 AYES, 3 NAYS, MR. PRESIDENT, ON THE ADOPTION OF LR455. [LR455]

SENATOR KRIST: LR455 IS ADOPTED. NEXT ITEM. [LR455]

CLERK: LR414 WAS A RESOLUTION OFFERED BY SENATOR CHAMBERS, MR. PRESIDENT. [LR414]

SENATOR KRIST: SENATOR CHAMBERS. [LR414]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE FOR SOME THIS IS LITERALLY A MOUTH-WATERING RESOLUTION. IT'S SOMEWHAT ANTICLIMACTIC, HOWEVER. THE LESS URP HAS BEEN URPED, THE LAST BURP HAS BEEN BURPED, THE LAST SLURP HAS BEEN SLURPED. BUT AS I LEARNED WHEN I WAS A SMALL CHILD IN THE LOWER GRADES IN SCHOOL: IF A TASK IS ONCE BEGUN, NEVER LEAVE IT UNTIL IT IS DONE. FOR BE THE LABOR GREAT OR SMALL, DO IT WELL OR NOT AT ALL. SO THERE IS NO NEED IN TRYING TO REINVENT THE WHEEL. SO I'M GOING TO READ FIRST OF ALL THE RESOLUTION, AND THEN I'M GOING TO READ THE RHYME. AND IF ANYBODY CAN SHOW ME ANYTHING IN THE RESOLUTION THAT THEY FEEL IS UNTRUE AFTER I READ THE RHYME, BECAUSE I WANT TO GET THAT INTO THE RECORD, I WILL NOT SAY ANOTHER WORD ON THIS RESOLUTION. "WHEREAS, THE NEBRASKA LEGISLATURE COMPRISES FORTY-NINE MEMBERS ELECTED BY THE CITIZENS OF THE STATE; AND WHEREAS THE MEMBERS OF THE LEGISLATURE ARE ELECTED TO SERVE AND ACT WITH UNDIVIDED LOYALTY IN THE BEST INTERESTS OF THE PEOPLE OF THE STATE; AND WHEREAS, AS ELECTED OFFICIALS AND LAWMAKERS, MEMBERS OF THE LEGISLATURE ARE HELD TO A HIGHER STANDARD; AND WHEREAS, MEMBERS OF THE LEGISLATURE ARE EXPECTED TO

Floor Debate  
April 13, 2016

---

EXEMPLIFY INTEGRITY, BE ABOVE SUSPICION, AND AVOID EVEN THE APPEARANCE OF IMPROPRIETY IN DISCHARGING THEIR DUTY; AND WHEREAS, LOBBYISTS ARE PAID TO INFLUENCE MEMBERS OF THE LEGISLATURE TO ADVANCE THE PARTICULAR INTERESTS OF THEIR CLIENTS BY VARIOUS AND SUNDRY OFFICIAL LEGISLATIVE ACTS; AND WHEREAS, THE APPEARANCE OF IMPROPRIETY AND UNDUE INFLUENCE MAY BE FOSTERED WHEN MEMBERS OF THE LEGISLATURE ARE PROVIDED AND ACCEPT FREE MEALS AND BEVERAGES IN THE STATE CAPITOL BUILDING FROM LOBBYISTS WHO ARE PAID TO INFLUENCE THE MEMBERS OF THE LEGISLATURE TO ADVANCE THE INTERESTS OF THEIR CLIENTS BY VARIOUS AND SUNDRY OFFICIAL LEGISLATIVE ACTS; AND WHEREAS, IN POLITICS, 'THERE IS NO SUCH THING AS A FREE LUNCH' AND 'THE HAND THAT FEEDS CONTROLS'. THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FOURTH LEGISLATURE OF NEBRASKA, SECOND SESSION: 1. NO MEALS AND BEVERAGES SHALL EVER BE PROVIDED ANYWHERE IN THE STATE CAPITOL BUILDING TO MEMBERS OF THE LEGISLATURE BY ANY LOBBYIST OR GROUP OF LOBBYISTS WHILE THE LEGISLATURE IS IN SESSION." THE RHYME: FREE AT LAST! FREE AT LAST! THANK GOD ALMIGHTY, THEY'RE FREE AT LAST. WHEN NEBRASKA LEGISLATORS TAKE TIME OFF TO TROT FOR FEEDING TO THE LOBBYIST TROUGH, HOW ARRESTING A SPECTACLE THAT MUST BE, PERMITTING NEBRASKA RESIDENTS TO SEE THAT SENATORS WHO DO SUCH ONE AND ALL ARE HEEDING THE LUNCH HUNTERS' CLARION CALL. FREELOADING, MOOCHING, AT THE LOBBYIST TROUGH LUNGING, SLURPING AND BURPING SO SHAMELESSLY SPONGING. WHOEVER EATS, IT WAS SAID OF OLD, ARE ALL BY THE HAND THAT FEEDS CONTROLLED. THUS WHEN TO TROUGHING THEIR LEADERS DO GO, HAS NOT THE PUBLIC THE RIGHT TO KNOW? AND ONLY A DISINGENUOUS POSEUR WOULD RAISE OBJECTION TO FULL DISCLOSURE. IN SOME SOCIETIES ALL THOSE WHO CADGE MUST HAVE A LICENSE AND SPORT A LARGE BADGE. INDISPUTABLY IS IT NOT TRUE THAT THAT WHICH IS WRONG ONE SHOULD NOT DO? AND LIKEWISE 'TIS TRUE THAT ALL WHO DO RIGHT SKULK NOT IN SHADOWS BUT RELISH THE LIGHT. EACH WHO CONSIDERS THIS SURELY BELIEVES DAYLIGHT'S FOR HONEST FOLK, DARKNESS FOR THIEVES. WITH BAITED BREATH I'M WATCHING TO SEE IF CONSERVATIVES, I SAID IF CONSERVATIVES CLAMORING FOR TRANSPARENCY WILL SPEAK OUT ESCHEWING THE LUNCH HUNTER SCAM OR WAX AS SILENT AS LUNCH HUNTING CLAM. NO MORE SHOULD MOUTH-WATERING WORDS SO SWEET TO CAPTAIN'S HUNGRY, COME AND GET IT, LET'S EAT, WHICH SOME LOBBYISTS CONTEMPTUOUSLY CALLS ANYMORE ECHO THROUGH LEGISLATIVE HALLS. THEN, LORD, WHEN DAWNS THAT GLORIOUS DAY, LEGISLATORS SHALL FAST AS WELL AS PRAY. FINALLY, THEY'LL STEP OFF THAT ROAD WHICH IS PAVED WITH GOOD INTENTIONS FROM "MOOCHERDOM" SAVED. THEN THEIR VOICES SHALL

Floor Debate  
April 13, 2016

---

RESOUND LIKE ANGEL GABRIEL'S TRUMPET BLAST: FREE AT LAST! FREE AT LAST! THANK GOD ALMIGHTY, WE'RE FREE AT LAST. I'M GOING TO SEE IF ANYBODY WILL POINT OUT SOMETHING I SAID THAT IS FALSE BEFORE I TURN ON MY LIGHT. AND IF SOMEBODY POINTS IT OUT, AS I STATED, I'LL NOT HAVE ANOTHER WORD TO SAY ON THIS RESOLUTION. [LR414]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR HADLEY, YOU'RE RECOGNIZED. [LR414]

SPEAKER HADLEY: WOULD SENATOR CHAMBERS YIELD TO A QUESTION? [LR414]

SENATOR KRIST: SENATOR CHAMBERS, WILL YOU YIELD? [LR414]

SENATOR CHAMBERS: YES, I WILL. [LR414]

SPEAKER HADLEY: SENATOR CHAMBERS, HAVE YOU EVER HEARD THE TERM "THE KING'S TASTER"? [LR414]

SENATOR CHAMBERS: YES, I HAVE. [LR414]

SPEAKER HADLEY: COULD YOU TELL US WHAT THAT...IN YOUR IDEA WHAT THAT MEANS? [LR414]

SENATOR CHAMBERS: WELL, BECAUSE THE KING WAS ALWAYS AT RISK OF HAVING SOMETHING BAD HAPPEN TO HIM, PRIOR TO THE KING EATING ANYTHING ONE PERSON HAD TO BE CHOSEN TO SACRIFICE HIS OR HER LIFE IF NECESSARY TO PROTECT THE KING. SO ANY DISH THAT THE KING WAS ABOUT TO CONSUME, THE TASTER HAD TO TASTE IT FIRST AND ALLOW ENOUGH TIME TO PASS SO IF SOMETHING TOXIC OR FATAL HAD BEEN PUT IN THAT, THAT PERSON WOULD DIE AND THEY COULD SAY, GOD SAVE THE KING, LONG LIVE THE KING. [LR414]

SPEAKER HADLEY: THAT IS ABSOLUTELY CORRECT, SENATOR CHAMBERS. AND TODAY WHEN WE BROKE FOR LUNCH, I HAD A SPECIAL PLACE AT THE HEAD OF THE TABLE FOR SENATOR CHAMBERS, AND I DESIGNATED MYSELF AS THE KING'S TASTER. AND THREE ROAST BEEF SANDWICHES LATER AND TWO TURKEY SANDWICHES LATER I WAS FULL AND I WAS SURE NO ONE WAS GOING TO TRY TO POISON YOU TODAY IF YOU'D HAVE SHOWN UP FOR LUNCH. SO I JUST WANT YOU

Floor Debate  
April 13, 2016

---

TO KNOW THAT I PUT MY LIFE ON THE LINE TODAY TO SAVE YOURS. THANK YOU. [LR414]

SENATOR KRIST: THANK YOU, SENATOR HADLEY AND SENATOR CHAMBERS. SENATOR CRAWFORD, YOU'RE RECOGNIZED. [LR414]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. SENATOR CHAMBERS, WHO BROUGHT YOU THIS BILL? (LAUGHTER) WAS IT THE NSEA? DO THEY WANT THE TROUGH OVER AT THEIR BUILDING INSTEAD OF IN OUR LOBBY SO THEY CAN PROFIT FROM THIS FEEDING AT THE TROUGH? IS THAT WHAT HAPPENED? DID NSEA BRING YOU THIS BILL? [LR414]

SENATOR KRIST: SENATOR CHAMBERS, WILL YOU YIELD? I THINK NOT, BUT WILL YOU YIELD? [LR414]

SENATOR CHAMBERS: YES, I WILL. SENATOR CRAWFORD BEING COMPLETELY HONEST, THE DEVIL MADE ME DO IT. BUT HE TOLD ME TO TELL THE SENATORS THIS: THEY COULD EAT ON THE LAWN PROVIDED THEY DIDN'T COLLECT THE CRUMBS, AND THEREFORE THE LITTLE CREATURES THAT FORAGE IN THE LAWN WOULD BE FED ALSO. [LR414]

SENATOR CRAWFORD: THANK YOU, MR. PRESIDENT. I DO HAVE A SERIOUS QUESTION FOR THE LEGISLATIVE INTENT. I BELIEVE THAT THE...SOME ORGANIZATIONS COME LIKE THE CORN GROWERS, THE NURSES ASSOCIATION, AND OTHER FOLKS COME AND WE DO DOWNSTAIRS, WE HAVE BREAKFAST OR LUNCH AND MEET WITH CONSTITUENTS; AND IT NOT ONLY FEEDS US BUT THE PEOPLE WHO TRAVEL TO VISIT US. SO I WANT TO MAKE SURE THAT IT IS NOT YOUR INTENT TO RULE OUT THOSE KINDS OF EVENTS, BUT ONLY THE EVENTS THAT ARE ONLY PAID FOR BY LOBBYISTS AND FOR SENATORS. [LR414]

SENATOR CHAMBERS: YEAH, THIS REFERS TO THOSE GATHERINGS PUT ON BY THE LOBBYISTS AS LOBBYISTS TO FEED ONLY THE SENATORS. [LR414]

SENATOR CRAWFORD: THANK YOU. THANK YOU, MR. PRESIDENT. [LR414]

SENATOR KRIST: THANK YOU, SENATOR CRAWFORD AND SENATOR CHAMBERS. SENATOR CHAMBERS, YOU'RE NEXT IN THE QUEUE. [LR414]

Floor Debate  
April 13, 2016

---

SENATOR CHAMBERS: MR. PRESIDENT, ORDINARILY WHEN I CANNOT TOP SOMETHING THAT HAS BEEN SAID, I WILL ACCEPT DEFEAT AND SIT DOWN. BUT THERE ARE A COUPLE OF THINGS THAT I DO WANT TO GET INTO THE RECORD. THIS IS A SUBJECT WHERE LAUGHTER IS AUTOMATIC AND IT LENDS ITSELF TO THAT, BUT I'M VERY SERIOUS. AND WHEN PEOPLE WOULD ASK ME, WAS SOMETHING WRONG WITH THE LIGHTS BECAUSE THEY WATCHED THE LATE-NIGHT DISCUSSIONS, I SAID, NO, THEY JUST HAVE LIGHTING AS CLOSE TO WHAT THE ORIGINAL LIGHTING WAS AS POSSIBLE SO NOBODY'S MESSING WITH THE CAMERAS OR ANYTHING. IT ACTUALLY IS DARK IN THE CHAMBER. AND WHEN I ASKED, WHERE IS EVERYBODY? I SAY, WELL, SOMETIMES THEY JUST DON'T WANT TO LISTEN TO WHAT'S HAPPENING. BUT IN THE EVENING AND SOMETIMES IN THE MIDDLE OF THE DAY, THEY'RE EATING WITH THE LOBBYISTS. THE LOBBYISTS FEED THEM. THEY DON'T PAY FOR THE MEALS TO BE CATERED, AND IT'S TAKING PLACE IN THE CAPITOL BUILDING. I WOULDN'T EVEN OBJECT IF THE SENATORS WANTED TO BE LOADED UP IN A CATTLE CAR AND TAKEN TO SOME HOTEL OR SOMEPLACE AND EAT THERE OR GO SOMEPLACE TO A RESTAURANT AND EVERYBODY PAY FOR THEIR OWN MEALS OR BRING SACK LUNCHES. BUT, SEE, WHAT I THINK AND HOW I FEEL THINGS OUGHT TO BE DONE CARRIES NO WEIGHT, AND THAT I UNDERSTAND. BUT I HAVE NEVER HEARD THIS ISSUE BROUGHT FORTH BEFORE THE MEMBERS OF THE LEGISLATURE SO IT COULD BE THE RESULT OR IT COULD RESULT IN A VOTE BY THE SENATORS SAYING...LET ME ASK YOU THIS BECAUSE SENATOR KINTNER AND ALL...SENATOR GROENE AND OTHERS ARE ALWAYS RUNNING AROUND HERE SAYING, DO YOU TELL YOUR CONSTITUENTS WHEN YOU'RE RUNNING FOR OFFICE YOU'RE NOT GOING TO VOTE FOR A TAX CUT? ASK YOUR CONSTITUENTS, DO THEY APPROVE OF YOU SPONGING OFF THE LOBBYISTS, HAVING MEALS THAT ARE PAID FOR BY THEM IN THE CAPITOL BUILDING? AND I WAS TOLD THAT IF THESE MEALS ARE NOT PROVIDED THE SENATORS WOULD LEAVE AND THEY WOULDN'T COME BACK LATE AT NIGHT. THAT'S HOW LITTLE WE APPARENTLY THINK OF OUR WORK. SO YOU'RE GOING TO DO WHAT YOU WANT TO DO. THE LOBBYISTS WILL FEED YOU BECAUSE THEY KNOW THIS IS NOT COMPLETELY VOLUNTARY ON THEIR PART. IT'S WHAT THEY CALL A TRADITION. BUT I'D VENTURE TO SAY IF THE LOBBYISTS COULD TAKE A SECRET VOTE BY SECRET BALLOT AND YOU NOT KNOW WHICH ONES VOTED, THEY'D VOTE AGAINST THIS. THIS IS NOT UPLIFTING TO ANYBODY. THIS IS DEMEANING. IT'S NOT EVEN UPLIFTING TO THE LOBBYISTS WHO HAVE TO FLUNKY AND SERVE AS WAITERS, AS COMPETITORS FOR JIMMY JOHN'S, FOR ALL OF THOSE WHO WILL DELIVER FOOD. AND TO HAVE THE REPUTATION OF THE LEGISLATURE BESMIRCHED FOR SOMETHING LIKE A FREE SANDWICH OR THREE SANDWICHES...AND I WILL QUOTE SOMETHING I SAID THE OTHER DAY: WHAT DOETH IT PROFIT A MAN TO GAIN THE WHOLE WORLD AND LOSE HIS SOUL?

Floor Debate  
April 13, 2016

---

FOR THE WHOLE WORLD IS NOT WORTH...BUT FOR THREE MEATLOAF SANDWICHES? YOUR SOUL AS A REPUTABLE LEGISLATOR WHO IS SETTING AN EXAMPLE, ACCEPTING FREE MEALS, AND I WILL HEAR SENATORS STAND ON THIS FLOOR AND SAY THERE'S NO SUCH THING AS FREE MEALS. YOU'RE LOOKING TO GET FREE STUFF. YOU GOT PEOPLE OUT THERE WHO WON'T WORK, YET THEY WANT TO BE FED. THEY WANT SOMEBODY ELSE TO SPEND MONEY FOR THEM, AND THEN I WATCH THE HYPOCRITES RUN OVER THERE AND EAT. HOW MANY OF YOU WOULD BE PROUD TO HAVE YOUR CONSTITUENTS COME HERE AND STAND AROUND AND WATCH AS YOU CLEAR THIS CHAMBER TO GO SPONGE OFF THE LOBBYISTS? HOW MANY OF YOU WILL, WHEN YOU RUN FOR OFFICE,... [LR414]

SENATOR KRIST: ONE MINUTE. [LR414]

SENATOR CHAMBERS: ...TELL YOUR CONSTITUENTS OR YOUR CONSTITUENTS TO BE, I EAT OFF THE LOBBYISTS? I THINK IT'S ALL RIGHT FOR THEM TO BRING US OUR FOOD DURING THE SESSION IN THE CAPITOL BUILDING, AND I'M GOING TO CONTINUE TO DO THAT AND I WANT YOU TO KNOW HOW IT IS THAT I CONDUCT MY BUSINESS AS A LEGISLATOR. WILL YOU VOTE FOR ME? WHAT DO YOU ALWAYS HEAR THEM SAYING? THE LOBBYISTS TAKE OVER. THEY TELL THE SENATORS WHAT TO DO. THEY WILL BELIEVE WHETHER YOU WANT TO ACCEPT IT OR NOT THAT THE HAND THAT FEEDS CONTROLS. AND I DON'T THINK ANY ONE OF THEM WOULD SAY YOU SELL YOUR SOUL FOR A MEATLOAF SANDWICH AND A CHICKEN DINNER OR EVEN A NECK BONE SANDWICH, BUT THAT'S THE WAY TO BUY ENTREE WHICH OTHERS DON'T HAVE. THAT'S HOW A LOBBYIST GETS THE OPPORTUNITY TO COLLECT AND HERD ALL OF YOU WHICH NO INDIVIDUAL IN THIS SOCIETY COULD DO. NO ORDINARY PERSON COULD SAY, I WANT ALL THE SENATORS TO GATHER IN THIS ROOM OVER HERE AND THEY WOULD GATHER. YOUR CONSTITUENTS DON'T MEAN AS MUCH TO YOU AS THE LOBBYISTS. [LR414]

SENATOR KRIST: TIME, SENATOR. [LR414]

SENATOR CHAMBERS: AND THE LOBBYISTS GET YOU WITH THAT LITTLE BIT OF FOOD. THANK YOU, MR. PRESIDENT. [LR414]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR GLOOR, YOU'RE RECOGNIZED. [LR414]

Floor Debate  
April 13, 2016

---

SENATOR GLOOR: THANK YOU, MR. PRESIDENT. GOOD AFTERNOON, MEMBERS. I OFFER THIS IN THE INTEREST OF DISCLOSURE TO MY CONSTITUENTS. MANY OF THEM WHO KNOW ME KNOW THAT IF I EAT IT'S ONLY BECAUSE I'M HUNGRY, NOT BECAUSE I'M INTERESTED IN SOMEBODY GETTING MY VOTE. AND I OFFER THIS IN ALL SERIOUSNESS, SENATOR CHAMBERS OFFERS POETRY IN A SERIOUS WAY AND SO DO I. SO HERE IS MY POEM: I HAVE EATEN HERE AND THERE, OF PICNICS HAD MY SHARE. AND I'LL ADMIT I'VE EATEN LOBBYIST BREAD. YES, FREE MEALS I'VE HAD A FEW, BUT IT'S NEVER CHANGED MY VIEW. IF YOUR BILL'S A STINKER, I'M STILL VOTING RED. THANK YOU, MR. PRESIDENT. [LR414]

SENATOR KRIST: THANK YOU, SENATOR GLOOR. SENATOR COASH, YOU'RE RECOGNIZED. [LR414]

SENATOR COASH: THANK YOU, MR. PRESIDENT. COLLEAGUES, HOWEVER YOU VOTE ON THIS RESOLUTION, OF COURSE, IS UP TO YOU. BUT I HAVE LEARNED IN MY EIGHT YEARS HERE THAT PEOPLE DO LISTEN TO WHAT WE SAY HERE AND FROM TIME TO TIME I THINK PEOPLE DO READ THE TRANSCRIPTS AND THEY CHECK THE RECORD OF WHAT'S BEEN SAID. AND I AM A LITTLE BIT CONCERNED ABOUT MAKING SURE THE RECORD IS CLEAR ON WHAT THIS RESOLUTION IS DESIGNED TO DO AND WHAT REALLY HAPPENS. AND SENATOR CHAMBERS HAS NEVER BEEN INTO THE LOUNGE AND HAD A MEAL THERE, AS BEEN HIS CHOICE, SO...BUT I HAVE, AND I'VE DONE THAT FOR EIGHT YEARS. AND SO I THINK AT LEAST ON WHAT HAPPENS WITHIN THAT ROOM WHERE WE LOUNGE AND EAT, I MAY BE A LITTLE BIT MORE OF AN EXPERT IN THAT THAN SENATOR CHAMBERS IS BECAUSE I'VE BEEN THERE AND HE HASN'T. I THINK IF YOU WOULD LISTEN TO SOME OF THE THINGS THAT HAVE BEEN SAID AND EVEN THE LANGUAGE OF THE RESOLUTION THAT THE PUBLIC MAY HAVE THE PERCEPTION THAT WHEN FOOD IS BEING CONSUMED BACK THERE THAT THERE ARE A MULTITUDE OF LOBBYISTS, AND THEY'RE ALL...YOU KNOW, WE KNOW THEY'RE...YOU CAN SEE THEM IN THE ROTUNDA. THERE ARE DOZENS AND DOZENS OF THEM, AND I WANT TO MAKE SURE THE RECORD IS CLEAR THAT IN MY EIGHT YEARS I'VE NEVER SEEN MORE THAN ONE. AND THE ONLY ONE I EVER HAVE SEEN IS THE ONE THAT REPRESENTS THE RESTAURANT ASSOCIATION WHO WORKS WITH HIS CLIENTS TO PROVIDE THE MEALS THAT WE WILL SHARE. IT'S DONE AS A CONVENIENCE TO THE LEGISLATORS SO THAT WE CAN CONTINUE OUR BUSINESS WITHOUT LEAVING THE HALLS OF THE CAPITOL, AND SO THAT WE CAN GET BACK AND DO OUR BUSINESS SOONER. THAT'S WHAT I'VE OBSERVED OVER EIGHT YEARS. I'VE NEVER BEEN...NEVER WITNESSED MORE THAN ONE LOBBYIST. AND THE RESOLUTION, I BELIEVE, ALLUDES TO THE FACT THAT THERE ARE MULTIPLE, AS IN MORE THAN ONE, AND THAT'S SIMPLY JUST NOT



Floor Debate  
April 13, 2016

---

BEEN THE CASE. AND SO IT'S IMPORTANT THAT IF THE PUBLIC IS LOOKING AT THIS AND WANTING TO KNOW WHAT DOES REALLY HAPPEN THERE THAT THAT IS MY PERCEPTION, THAT IS MY OBSERVATION OF WHAT WE'VE SEEN. I WOULD ASK SENATOR CHAMBERS A QUESTION, IF HE WOULD YIELD. [LR414]

SENATOR KRIST: SENATOR CHAMBERS, WILL YOU YIELD? [LR414]

SENATOR CHAMBERS: YES, I WILL. [LR414]

SENATOR COASH: THANK YOU, SENATOR CHAMBERS. ONE THING I'VE LEARNED FROM YOU IN THE JUDICIARY COMMITTEE, OUR SERVICE TOGETHER ON THAT COMMITTEE, IS THAT IF YOU'RE GOING TO MAKE A RULE, PASS A LAW, OR SOMETHING LIKE THAT THERE OUGHT TO BE CONSEQUENCES. WHAT'S THE CONSEQUENCE IF SOMEBODY BRINGS IN SOME FOOD FOR A GROUP OF SENATORS INSIDE THE CAPITOL UNDER YOUR RESOLUTION? [LR414]

SENATOR CHAMBERS: YOU SAY WHAT IS THE WHAT? [LR414]

SENATOR COASH: WHAT WOULD BE THE CONSEQUENCE? WHAT HAPPENS IF THEY DO IT ANYWAY, IF A SENATOR DECIDES TO GO AND IF THIS RESOLUTION WERE TO PASS, WHAT WOULD HAPPEN IF THOSE TWO ENTITIES CONVERGED AND DID IT ANYWAY? [LR414]

SENATOR CHAMBERS: SENATOR, WHEN YOU'RE DEALING WITH PEOPLE WHO DO WHAT THEY DO BECAUSE OF THEIR CHARACTER AND THE INTEGRITY THAT IS INVOLVED WITH THE WORK, YOU DO NOT PUT A PENALTY. YOU SIMPLY STATE WHAT THE RULE IS, THEN THEIR OWN SENSE OF PROPRIETY, INTEGRITY WILL LEAD THEM TO BEHAVE. I'M NOT INTERESTED IN PUNISHING ANYBODY. [LR414]

SENATOR COASH: DO YOU FEEL LIKE THE INTEGRITY OF THE SENATORS WHO ARE IN THIS RESOLUTION OR THE LOBBYISTS WHO ARE ALSO IN THIS RESOLUTION, DO YOU FEEL LIKE THEY HAVE THE INTEGRITY TO FOLLOW THROUGH WITH THIS SHOULD IT BECOME RATIFIED THROUGH A VOTE WE'LL HAVE SOON? [LR414]

SENATOR CHAMBERS: ARE YOU ASKING ME DO I THINK IF THIS PASSES THEY WOULD COMPLY WITH IT? [LR414]

Floor Debate  
April 13, 2016

---

SENATOR COASH: THAT'S MY QUESTION. [LR414]

SENATOR CHAMBERS: YES, I KNOW THE LOBBYISTS WOULD. THEY'D BE GLAD. AND YOU KNOW WHY I MADE LOBBYISTS PLURAL? I READ AN ARTICLE WHERE THEY TALKED ABOUT HOW THEY GO IN TOGETHER. [LR414]

SENATOR KRIST: ONE MINUTE. [LR414]

SENATOR CHAMBERS: THEY CHIP IN TOGETHER TO BUY THIS FOOD AND NOT ONE PERSON PAYS FOR IT ALL. SO, IT IS CORRECT TO SAY LOBBYISTS, PLURAL, SPRING FOR THE MEALS. [LR414]

SENATOR COASH: I BELIEVE YOU'RE CORRECT ON THAT POINT, SENATOR CHAMBERS. I JUST WANTED IT CLEAR FOR THE RECORD, IN CASE SOMEBODY DID READ IT, WHAT I HAVE OBSERVED DURING THOSE SESSIONS. THANK YOU, MR. PRESIDENT. [LR414]

SENATOR KRIST: THANK YOU, SENATOR COASH AND SENATOR CHAMBERS. SENATOR BLOOMFIELD, YOU'RE RECOGNIZED. [LR414]

SENATOR BLOOMFIELD: THANK YOU, MR. PRESIDENT. I'M A LITTLE BIT TEMPTED TO SUPPORT THIS. I WON'T BE HERE. (LAUGHTER) BUT WHAT I REALLY WANT TO DO, WHY I REALLY STOOD, COLLEAGUES AND NEBRASKA, THE WORD "LOBBYIST" IS NOT A DIRTY WORD. LET'S NOT LEAVE THAT IMPRESSION WHEN WE LEAVE HERE, THAT BECAUSE YOU'RE A LOBBYIST THAT'S SOMETHING TO BE SCORNE. WELL, IT'S NOT. THEY ARE A VITAL SOURCE OF INFORMATION. BECAUSE WHEN YOU HAVE A LOBBYIST LOBBYING ONE SIDE OF AN ISSUE, GUESS WHAT? THERE'S A LOBBYIST ON THE OTHER SIDE OF THE SAME ISSUE. YOU CAN GET VITAL INFORMATION THAT YOU MAY OR MAY NOT HAVE. SO LET'S NOT LEAVE THIS SESSION WITH THE IDEA THAT LOBBYISTS ARE SOMETHING TO BE SCORNE AND MOCKED, AND WHAT THEY DO IS ENTIRELY THERE TO INFLUENCE US AND THAT BY FEEDING US AT 7:00 AT NIGHT IF WE'RE STILL HERE THAT I'M SUDDENLY GOING TO VOTE AGAINST HELMET REPEAL. IT'S NOT GOING TO HAPPEN. THE LOBBYISTS GET PAID FOR WHAT THEY'RE DOING, ABSOLUTELY, SO DO SCHOOLTEACHERS, SO DO POLICEMEN. DO I PUT THEM IN THE SAME CATEGORY? NO, NOT NECESSARILY, BUT SOMETIMES THEY SERVE AS TEACHERS. IF YOU HAVE A QUESTION ON A BILL THAT YOU DON'T UNDERSTAND, YOU CAN GO OUT AND TALK TO THE LOBBY, TALK TO BOTH SIDES. YOU'LL COME BACK WITH A BETTER UNDERSTANDING. THANK YOU, MR. PRESIDENT. [LR414]

Floor Debate  
April 13, 2016

---

SENATOR KRIST: THANK YOU, SENATOR BLOOMFIELD. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LR414]

SENATOR CHAMBERS: THANK YOU. MR. PRESIDENT, NOTHING IN HERE IS UNTRUE ABOUT THE LOBBYISTS. THEY ARE PAID TO REPRESENT THEIR CLIENTS' INTEREST AND THEY ARE PAID TO INFLUENCE THE SENATORS TO ACT IN BEHALF OF THEIR CLIENTS. THAT'S WHAT I SAID THEY ARE, THAT'S WHAT THEY DO. AND RATHER THAN HAVE A RINGING DEFENSE OF LOBBYISTS, I'D RATHER THERE HAVE BEEN ONE OF THE INTEGRITY OF THE LEGISLATURE AS AN INSTITUTION AND HOW THE LEGISLATURE'S REPUTATION IS NOT BESMIRCHED BY BEING MOOCHERS AND SPONGERS AND CAPTAIN LUNCH HUNTERS. WHAT I THOUGHT ABOUT DOING--AND I'M WILLING TO SPEND MONEY FOR THE INTEGRITY OF THE LEGISLATURE, BUT IT WOULD BACKFIRE--I WAS GOING TO PURCHASE A TIN CUP FOR EVERY MEMBER OF THE LEGISLATURE SO YOU COULD STAND ON STREET CORNERS AND SEE IF THE PUBLIC IS WILLING TO ANTE UP ENOUGH MONEY FOR YOU TO GO BUY LUNCH EVERY DAY AND TELL THEM, I'M NOT GOING TO PAY FOR MY LUNCH. I WANT SOMEBODY ELSE TO PAY FOR IT. I'M IN THERE TELLING WHY WE SHOULD NOT EXPAND MEDICAID. I'M IN THERE TALKING AGAINST FREE LUNCHES TO CHILDREN IN POVERTY. I'M AGAINST ALL SUCH THINGS AS PEOPLE GETTING FREEBIES. BUT THE WAY IT IS RIGHT NOW, I GOT TO TAKE FREEBIES MYSELF. I EAT OFF THE LOBBYISTS, AND IT'S NOT JUST AT 7:00 AT NIGHT. IN THE MIDDLE OF THE DAY, YOU ALL ARE OVER THERE URPING, BURPING, AND SLURPING; SPONGING, LUNGING, MOOCHING. THAT'S WHAT IT IS. IT'S MOOCHING. IF YOU HAD SOMEBODY IN YOUR NEIGHBORHOOD AND EVERY TIME YOU LOOKED UP, (KNOCKS ON DESK) YOU OPEN THE DOOR, WHO IS IT? I'M HUNGRY, GIVE ME A "SAMICH." A "SAMICH"? WELL, THE SENATORS, THEY... YOU'RE A SENATOR, YOU GET FREE SANDWICHES. YOU OUGHT TO UNDERSTAND THIS. (KNOCKS ON DESK) WHAT IS IT? GIVE ME A SANDWICH. CAN THEY TALK TO YOU WITHOUT FEEDING YOU? IF THEY DON'T HAVE TO FEED YOU TO TALK TO YOU, WHAT DO THEY FEED YOU FOR? YOU ALL ARE THE ONES WHO WILL SAY FROM TIME TO TIME, THERE'S NO SUCH THING AS A FREE LUNCH. POLITICIANS LOVE TO SAY THAT WHEN THEY'RE TALKING ABOUT DENYING FOOD AND ASSISTANCE TO THE PEOPLE WHO ARE HUNGRY, THOSE WHO ARE WORKING AND TRYING TO MAKE IT BUT THEY DON'T MAKE ENOUGH TO FEED THEIR FAMILIES AND YOU ALL SAY THERE'S NO SUCH THING AS A FREE LUNCH. YOU ALL SAY IT, UNLESS IT'S FOR SENATORS, JUST LIKE THE HYPOCRISY IN THE LAW. IGNORANCE OF THE LAW IS NO EXCUSE FOR ANYBODY EXCEPT A LAWYER OR A JUDGE. IF A LAWYER REPRESENTS YOU ACCORDING TO THE STANDARD IN THE COMMUNITY AND IT'S BASED ON ONE OF GENERAL IGNORANCE, THEN YOU'RE NOT HELD ACCOUNTABLE INDIVIDUALLY FOR THE IGNORANCE YOU

Floor Debate  
April 13, 2016

---

DISPLAY. AND THERE ARE TIMES COURTS HAVE REFUSED TO GRANT A JUDGMENT AGAINST A LAWYER BY SAYING, THIS LAWYER IS NOT A SPECIALIST. THAT'S BEYOND HIS ORDINARY PRACTICE. SO EVEN THOUGH HE DID NOT KNOW, HE'S NOT HELD RESPONSIBLE FOR IT. I READ THESE CASES, AND I SEE HOW THOSE WHO WANT TO PUT THEMSELVES IN A POSITION TO TELL EVERYBODY ELSE WHAT TO DO AND HOW TO DO IT VIOLATE THOSE PRINCIPLES THEMSELVES. IF I WAS A MOOCHER OR A SPONGER, I WOULDN'T SAY THIS; OR IF I DID, I'D STOP MOOCHING AND SPONGING FIRST. I TOLD YOU ALL ABOUT A \$250 CHECK A WOMAN SENT ME THAT I'M GOING TO SEND BACK TO HER. I DON'T TAKE ANYTHING. I DON'T TELL YOU, DON'T TAKE ANYTHING. AND YOU CAN TAKE IT, YOU CAN STILL HAVE YOUR MEALS. THIS RESOLUTION WAS SAVED FOR THE LAST DAY THAT YOU WOULD EAT SO YOU WOULD HAVE YOUR LAST SUPPER. AND WHAT HAPPENED TO KEEP THAT IMAGERY? WHAT HAPPENED TO JESUS AFTER THE LAST SUPPER? HE WAS CRUCIFIED, NOT IMMEDIATELY, THIS IS THE LAST SUPPER. NOW, WHAT WILL THE PUBLIC THINK? WHY DO YOU HAVE TO GIVE AN EXPLANATION AND DEFENSE OF LOBBYISTS? THEY ARE PEOPLE WHO CAN SPEAK FOR THEMSELVES. THEY MAKE MORE MONEY THAN ALL OF US PUT TOGETHER. AND AT THE END OF EACH SESSION, ONE OR BOTH OF THE NEWSPAPERS, MAYBE MORE THAN JUST THE TWO MAJOR ONES,... [LR414]

SENATOR KRIST: ONE MINUTE. [LR414]

SENATOR CHAMBERS: ...WILL GET A LIST OF THE LOBBYISTS AND HOW MUCH MONEY THEY MAKE--HUNDREDS OF THOUSANDS OF DOLLARS--49 PEOPLE HERE, AND THEY MAKE HUNDREDS OF THOUSANDS OF DOLLARS. AND WHAT DO YOU THINK IT'S FOR? JUST TO DISCUSS THE WEATHER? TO PERSUADE YOU TO VOTE THE WAY THEY WANT YOU TO AND THEY WILL TWIST SENATORS' ARMS AND THEY WILL THREATEN THEM WITH CHALLENGES WHEN THEY RUN FOR REELECTION. DON'T TELL ME THESE ARE JUST NICE PEOPLE WHO OUT OF THE GOODNESS OF THEIR HEART GIVE YOU MOOCHERS AND SPONGERS SOMETHING TO EAT SO YOU DON'T HAVE TO STAND ON THE CORNER OF THE STREET WITH A TIN CUP BEGGING. YOU ALL HAVE FELT THAT PRESSURE. SOME HAVE EVEN TOLD ME THE PRESSURE THEY'VE BROUGHT TO BEAR ON CERTAIN SENATORS. YOU ALL KNOW IT. WE CANNOT EVEN TELL THE TRUTH HERE WHEN WE ALL KNOW WHAT THE TRUTH IS. AND IF YOU DON'T TELL THE TRUTH, THE PUBLIC IS GOING TO DRAW ITS OWN CONCLUSIONS ANYWAY. YOU THINK THEY HAVE RESPECT FOR US? WHICH BRANCH OF GOVERNMENT DO THEY MOCK AND SAY NOBODY'S PROPERTY OR FAMILY IS SAFE WHILE THE LEGISLATURE IS IN SESSION? NOT THE GOVERNOR; NOT THE ATTORNEY GENERAL; NOT HHS; NOT THE COURTS. [LR414]

Floor Debate  
April 13, 2016

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SENATOR KRIST: TIME, SENATOR. [LR414]

SENATOR CHAMBERS: THE LEGISLATURE. THANK YOU, MR. PRESIDENT. [LR414]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR BRASCH, YOU'RE RECOGNIZED. [LR414]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT, AND THANK YOU, COLLEAGUES. AND IT IS INTERESTING AND IT'S SURPRISING TO HEAR SOME OF THE THINGS THAT SENATOR CHAMBERS IS ALLUDING TO ON THE FLOOR. AND I WANT TO THANK SENATOR COASH FOR MAKING SOME THINGS VERY CLEAR. AND ONE THING I DID WANT TO ADD IS THAT SENATORS HERE, AS YOU ALL KNOW, WE DON'T HAVE AN EIGHT TO FIVE DAY IN THE LEGISLATURE. SOME HAVE OUTSIDE EMPLOYMENT. AND ESPECIALLY DURING THESE LAST DAYS WHERE WE'RE NOT EVEN LEAVING THE BUILDING OR THE AREA FOR BUT A 20-MINUTE PERIOD, WE TRULY DO APPRECIATE THE EFFORTS OF THE LOBBYISTS, WHO MANY REPRESENT OUR CONSTITUENTS. AND SOME LOBBYISTS, THEY'RE ALSO FORMER SENATORS WHO DO UNDERSTAND THE FACT THAT THEY HAVE WALKED IN OUR SHOES, THEY'VE KNOWN WHAT IT'S LIKE. THAT OUR DAYS DO NOT END WHEN WE LEAVE THIS BUILDING, EVEN THOUGH WE'VE ADJOURNED. THERE'S MULTIPLE ISSUES. AND THAT WHEN SENATOR CHAMBERS, YOU KNOW, HE SPEAKS OF INTEGRITY. I KNOW HE DOES HAVE A HEART IN DENIAL, THAT HE MUST CARE FOR OUR INTEGRITY HERE FOR US TO CONSIDER THIS RESOLUTION. THE OTHER FACT I WANTED TO BRING OUT IS THAT WHILE WE'RE HAVING THESE 20-MINUTE BREAKS, WE DON'T KNOW SPECIFICALLY A SENATOR OR NOT A SENATOR, EXCUSE ME, A LOBBYIST THAT THERE'S NOT A COMMERCIAL, THAT THIS LUNCH IS BROUGHT TO YOU BY LOBBYIST A, B, C, D, E, OR WHATEVER. IT'S COMPLETELY ANONYMOUS UNTIL THE END OF SESSION WHEN IT'S ALL SAID AND DONE THAT WE WOULD LIKE TO ISSUE A NOTE OF THANK YOU, NOT A VOTE OF THANK YOU, BUT A NOTE OF THANK YOU TO THOSE WHO DO CARE FOR OUR WELL-BEING AND OUR NOURISHMENT. SURE, YOU KNOW, WE COULD PURCHASE OUR OWN LUNCHES. YOU KNOW, THAT'S A POSSIBILITY, SO BE IT. BUT IN NO WAY IS IT EVEN CONSIDERED, YOU KNOW, FOR THOSE OF US WHO ALL HUDDLE IN ONE ROOM TOGETHER AND RUSH TO EAT AND GET BACK TO THE BUSINESS OF THE SECOND HOUSE, A VOTE CHANGER OF ANY SORT. IT'S DONE TOTALLY, I BELIEVE, IN GOOD FAITH THAT THEY ARE LOOKING AFTER NUTRITION. AND WE DON'T KNOW WHO THEY ARE, YOU KNOW, AT THE END OF THE DAY. AND WE WILL THANK AT THE END OF SESSION, SHOULD THE RESTAURANT ASSOCIATION PROVIDE THE NAMES OF THOSE WILLING TO GIVE US THEIR NAMES SO WE CAN SAY THANK YOU TO THEM. AND THERE'S CONSIDERATION HERE TO BE TAKEN.

Floor Debate  
April 13, 2016

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AND AS SENATOR BLOOMFIELD SAID THAT HE WILL BE GONE, OTHERS WILL BE GONE. WILL IT CHANGE, YOU KNOW, DRAMATICALLY? WILL IT ESCALATE OUR INTEGRITY ACROSS THE STATE... [LR414]

SENATOR KRIST: ONE MINUTE. [LR414]

SENATOR BRASCH: ...THAT WE'RE ONLY TAKING 20 MINUTES AND SCRAMBLING FOR LUNCH WHETHER WE HAVE IT OR NOT HAVE IT? THAT'S A GOOD QUESTION THAT HE HAS BROUGHT FORWARD. FOR THOSE WHO DO DEDICATE THEIR LUNCH HOURS TO CONSTITUENTS THROUGHOUT THE ENTIRE YEAR AND ENTIRE SESSION, IT IS GREATLY APPRECIATED THAT WE DON'T HAVE TO DEPEND ON A DELIVERY OR ASK STAFF TO RUN AND GRAB US A SANDWICH. SO I DON'T SEE ANY DEVIL IN THE DEED, AS SENATOR CHAMBERS MAY DESCRIBE IT. BUT IT'S WORTH CONSIDERATION HERE AND...BUT TO SAY IT'S WRONGDOING AND IT COMPELS WRONGDOING, I THINK IS NOT A FACTUAL STATEMENT BECAUSE, AS YOU SEE, NOT EVERY BILL PASSES. WE... [LR414]

SENATOR KRIST: TIME, SENATOR. [LR414]

SENATOR BRASCH: THANK YOU, MR. PRESIDENT. THANK YOU, COLLEAGUES. [LR414]

SENATOR KRIST: PER THE SCHEDULE, WE ARE MOVING ON NOW TO LR415.  
SENATOR RIEPE, YOU'RE RECOGNIZED. [LR415]

SENATOR RIEPE: THANK YOU, MR. PRESIDENT. WE'RE AT THE END OF TODAY'S AGENDA, AND I'M SURE THAT THAT PLEASES ALL OF YOU. I WILL NOT LALLYGAG. I WILL GET RIGHT TO THE POINT. I'M HERE TO TALK ABOUT LR415, WHICH IS A LEGISLATIVE RESOLUTION, IS A COMPANION RESOLUTION TO THE BILL THAT I HAD EARLIER WHICH WAS LB817, AND THAT WAS SIGNED INTO LAW ON MARCH 30, 2016. THANKS TO MEMBERS OF THE BODY, LB817 PASSED FINAL READING WITH BIPARTISAN SUPPORT OF 48-0. LB817 WAS MY PRIORITY BILL THIS SESSION, WHICH ENABLES DIRECT PRIMARY CARE IN NEBRASKA. I WANT TO PROVIDE YOU WITH A QUICK REMINDER OF WHAT DIRECT PRIMARY CARE IS AND THEN ADDRESS WHAT LR415 WILL DO. DIRECT PRIMARY CARE IS AN AGREEMENT BETWEEN A PATIENT AND A PRACTITIONER WHERE THE PATIENT PAYS A RETAINER FEE--MONTHLY IS COMMON--FOR PRIMARY CARE SERVICES. THE RETAINER FEE IS SIMILAR TO THE PRICE OF A STANDARD UTILITY BILL. THE PRACTITIONER GENERALLY PROVIDES UNLIMITED OFFICE VISITS AND AN

Floor Debate  
April 13, 2016

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ANNUAL PHYSICAL. ADDITIONALLY, DIRECT PRIMARY CARE HAS SHOWN TO OFFER BETTER HEALTHCARE OUTCOMES. DIRECT PRIMARY CARE HAS BEEN LIKENED TO AN AUTOMOBILE INSURANCE POLICY FOR WHAT ONE CAN AFFORD TO LOSE BUT NOT FOR THE DAY-TO-DAY MAINTENANCE COST. PATIENTS ARE ENCOURAGED TO PURCHASE A CATASTROPHIC HEALTH PLAN THAT MEETS THE CURRENT FEDERAL REQUIREMENTS. THE HEALTH PLAN WOULD COVER THOSE EXPENSES ONE CANNOT AFFORD, MAINLY HOSPITALIZATION AND SPECIALIST. NOW I WANT TO ADDRESS LR415. LR415 WAS HEARD BY THE HEALTH AND HUMAN SERVICES COMMITTEE AND VOTED OUT OF COMMITTEE UNANIMOUSLY. IN AUGUST 2015, U.S. SENATOR BILL CASSIDY, A REPUBLICAN FROM LOUISIANA, INTRODUCED SENATE BILL 1989 ENTITLED, PRIMARY CARE ENHANCEMENT ACT OF 2015. SENATOR MARIA CANTWELL, A DEMOCRAT FROM WASHINGTON STATE, COSPONSORED THE BILL. THE PRIMARY CARE ENHANCEMENT ACT OF 2015 WILL ADDRESS TWO VERY KEY POLICY ISSUES: NUMBER ONE, MEDICARE; NUMBER TWO, HEALTH SAVINGS ACCOUNTS. SHOULD A MEDICARE BENEFICIARY LIKE TO PARTICIPATE IN THE DIRECT PRIMARY CARE PRACTICE, THAT INDIVIDUAL WOULD HAVE TO PAY THE MONTHLY FEE OUT OF POCKET. THE ENHANCEMENT ACT WOULD ALLOW FOR A PAYMENT PATHWAY AS AN ALTERNATIVE PAYMENT MODEL IN THE MEDICARE AND WITH DUAL ELIGIBILITIES. IT WOULD ALSO HELP MEDICARE ADVANTAGE PLANS TO WORK WITH DIRECT PRIMARY CARE PROVIDING AS AN ACO-LIKE STRUCTURE WITH A FLAT FEE PAYMENT MODEL. IN REGARDS TO THE HEALTH SAVINGS ACCOUNT OR HSA, THE ENHANCEMENT ACT WILL CLARIFY PROVISIONS OF THE TAX CODE, SO DIRECT PRIMARY CARE PROVIDERS ARE NOT CONSIDERED HEALTH PLANS, BUT THE MONTHLY PAYMENT WOULD QUALIFY AS A HEALTH EXPENSE OR MEDICAL SERVICE SO EMPLOYERS AND INDIVIDUALS WITH HSAs MAY PARTICIPATE IN DIRECT PRIMARY CARE ARRANGEMENTS USING HSA FUNDS. HSA ACCOUNTS MAY BE USED TO MEET INSURANCE DEDUCTIBLES, ARE TAX DEDUCTIBLE OFF OF GROSS INCOME AND GROSS TAX DEFERRED ROLLOVER YEAR AFTER YEAR AND ARE PORTABLE. LR415 WOULD URGE THE NEBRASKA CONGRESSIONAL DELEGATION TO SUPPORT AND COSPONSOR SENATE BILL 1989 ENTITLED PRIMARY CARE ENHANCEMENT ACT OF 2015. ALSO A COPY OF THE RESOLUTION WOULD BE SENT TO EACH MEMBER OF THE NEBRASKA CONGRESSIONAL DELEGATION AND TO U.S. SENATOR BILL CASSIDY, THE INTRODUCER. I HAVE HANDED OUT A DOCUMENT FROM U.S. SENATOR CASSIDY'S OFFICE REGARDING THE PRIMARY CARE ENHANCEMENT ACT OF 2015 FOR YOUR REVIEW. I ASK FOR YOUR GREEN VOTE ON LR415. THIS IS A SUPPORTING BILL TO MY DIRECT PRIMARY CARE. THANK YOU, SIR. [LR415 LB817]

Floor Debate  
April 13, 2016

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SENATOR KRIST: THANK YOU, SENATOR RIEPE. THE FLOOR IS NOW OPEN FOR DISCUSSION. SENATOR CHAMBERS, YOU'RE RECOGNIZED. [LR415]

SENATOR CHAMBERS: MR. PRESIDENT, MEMBERS OF THE LEGISLATURE, THIS IS ONE TIME I DROPPED THE BALL. I THOUGHT WE WERE DOING THIS LIKE CONSENT CALENDAR WHERE YOU ALWAYS GET A VOTE ON YOUR RESOLUTION. I THOUGHT AFTER THE 30 MINUTES YOU'D GET THE VOTE. I THINK THE DESIRE IS TO MAKE SURE THAT WE DON'T GO ON RECORD BY A VOTE ON THAT RESOLUTION. THAT'S MY THOUGHT BECAUSE...AND THE REASON I THINK IT BECAUSE THIS RESOLUTION WAS INTRODUCED EARLY ON AND IT WAS PUT ON THE AGENDA THE LAST DAY. SO I'M GOING TO TALK ON OTHER RESOLUTIONS. ALL THE COLLEGIALLY, IF THERE WAS ANY, IS GONE. AND I'M GOING TO LET YOU KNOW THE KIND OF PERSON THAT I CAN BECOME. I COULD TALK THIS RESOLUTION FOR 30 MINUTES. YOU KNOW HOW I CAN DO IT? I CAN OFFER AMENDMENTS. BUT BEFORE I DO SUCH A THING, I WANT TO ASK SENATOR RIEPE A QUESTION IF HE'LL ANSWER. [LR415]

SENATOR KRIST: SENATOR RIEPE, WILL YOU YIELD? [LR415]

SENATOR RIEPE: YES. [LR415]

SENATOR CHAMBERS: SENATOR RIEPE, YOU ALREADY GOT A BILL PASSED THAT DEALS WITH THIS ISSUE, DIDN'T YOU? [LR415]

SENATOR RIEPE: YES, SIR. [LR415]

SENATOR CHAMBERS: SO IT'S IN THE LAW RIGHT NOW. [LR415]

SENATOR RIEPE: IN NEBRASKA, YES, SIR. [LR415]

SENATOR CHAMBERS: RIGHT. AND THIS DOES NOT HAVE ANY EFFECT AS FAR AS BEING BINDING ON ANYBODY. IT'S JUST A STATEMENT OF THE WISH OR THE DESIRE OR THE RECOMMENDATION BY THE LEGISLATURE TO SOME PEOPLE, ISN'T THAT TRUE? [LR415]

SENATOR RIEPE: YES, SENATOR. THIS IS INTENT TO TRY TO ENCOURAGE OUR DELEGATION TO SUPPORT NATIONAL LEGISLATION. [LR415]



Floor Debate  
April 13, 2016

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SENATOR CHAMBERS: THANK YOU. MEMBERS OF THE LEGISLATURE, ONCE THE GAME IS UNDERTAKEN, I CAN PLAY THE GAME AND I'LL OUTPLAY ANYBODY. SO AFTER 30 MINUTES THIS IS OFF THE AGENDA. NO VOTE. BUT I'M NOT GOING TO DO THAT TO SENATOR RIEPE. I'M BETTER THAN THE PEOPLE I HAVE TO DEAL WITH. YOU DIDN'T DO ANYTHING. I'M BETTER THAN THE PEOPLE I DEAL WITH. I DON'T TRICK ANYBODY. WE'VE ALWAYS GOTTEN VOTES ON RESOLUTIONS, AND YOU DO IT ON CONSENT CALENDAR. I EVEN HAD SOME SENATORS WHO ASKED ME, WHY NO VOTE? I SAY, ASK THE SPEAKER. BUT I'LL TELL YOU THIS MUCH. IF THE BEST DEFENSE I COULD HAVE WAS THE ONE SENATOR BRASCH GAVE, I WOULD SAY, WITH FRIENDS LIKE THAT I DON'T NEED ENEMIES--BEGGING. WE HAVE TO WORK SO HARD. WE ONLY GET 20 MINUTES. THERE ARE PEOPLE WHO WORK JOBS ALL DAY AND SOMETIMES DON'T GET TO EAT LUNCH. HAVE YOU HEARD OF BRINGING YOUR OWN LUNCH? YOU CAN'T BRING YOUR OWN LUNCH? SENATOR SCHNOOR WAS IN THE MILITARY, SENATOR GARRETT, SENATOR KRIST, SENATOR BLOOMFIELD. THEY SET A LUNCH PERIOD, BUT IF YOU WEREN'T THERE, IT'S ON YOU. YOU DIDN'T MAKE IT FOR LUNCH. THEY CAN'T WITHHOLD IT FROM YOU. BUT THIS STUFF SHE'S TALKING, YOU ALL WORK SO HARD THAT YOU'VE GOT TO HAVE SOMEBODY FEED YOU? DID YOU ALL LISTEN TO WHAT SHE SAID--I'M GLAD THIS WENT OUT FOR THE PUBLIC SO THEY CAN SEE--THAT WAS MORE DAMNING THAN ANYTHING THAT I SAID IN MY RESOLUTION. OH, I FEEL SO SORRY FOR YOU ALL. YOU GOT TO TAKE 20 MINUTES IN THE DAY AND YOU'RE RUNNING TO TRY TO EAT. WHAT DO YOU DO IN HERE THAT TAKES ANY ENERGY? A LOT OF YOU ARE NOT EVEN ON THE FLOOR ANYWAY. THAT WAS ONE OF THE MOST PATHETIC DEFENSES OF THE LEGISLATURE I HAVE EVER SEEN. BUT NEXT SESSION I'M GOING TO BRING THIS NOT AS A RESOLUTION. I'M GOING TO BRING IT AS A BILL. THEN I'LL GET MY VOTE. AND IF IT'S NOT PUT ON THE FLOOR BY A COMMITTEE, I WILL PULL IT FROM COMMITTEE. WE'RE GOING TO DISCUSS IT ON THE FLOOR, AND WE'RE GOING TO GET A VOTE ONE WAY OR THE OTHER. AND NOW THE TIME HAS COME, THE WALRUS SAID, TO SPEAK OF MANY THINGS OF SHIPS AND SHOES AND SEALING WAX AND CABBAGES AND KINGS. WE'VE HAD DISCUSSION OF THE KINGS ALREADY. WHAT ABOUT THE CABBAGES? [LR415]

SENATOR KRIST: ONE MINUTE. [LR415]

SENATOR CHAMBERS: WHAT ABOUT THE SHOES? WHAT ABOUT THE SEALING WAX? I'VE JUST HAD THE SHOE OF THE SPEAKER APPLIED TO MY POSTERIOR WITHOUT WARNING. BUT, SENATOR RIEPE, I SAID I'M BETTER THAN THE PEOPLE I DEAL WITH HERE. AND TO DEMONSTRATE IT, I'M NOT GOING TO TAKE THE REVENGE THAT I COULD TAKE. I'M NOT GOING TO TAKE ANY MORE TIME FROM HIS RESOLUTION. BUT I JUST WANT IT CLEAR FOR THE RECORD THAT THIS WAS

Floor Debate  
April 13, 2016

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HANDLED IN A WAY WHERE THE SPEAKER CAN SAY, WELL, IT SAID 30 MINUTES. AND THAT'S WHAT IT SAYS, BUT I THOUGHT AFTER THE 30 MINUTES A VOTE WOULD BE TAKEN. WE'VE EVEN GONE PAST THE TIME FOR CLOTURE IF SOMEBODY WAS SPEAKING, AND THEN CLOTURE WOULD BE CALLED. BUT I KNOW WHAT I'M DEALING WITH. FORTUNATELY, SOME PEOPLE WILL BE GONE AND THEY WON'T COME BACK. SO SOME OF YOU ARE LEAVING ME WITH A BAD TASTE IN MY MOUTH, ALTHOUGH IT MAKES YOU NO DIFFERENCE. BUT I WANT YOU TO KNOW THAT SO YOU CAN THINK ABOUT IT. THANK YOU, MR. PRESIDENT. [LR415]

SENATOR KRIST: THANK YOU, SENATOR CHAMBERS. SENATOR KOLTERMAN, YOU'RE RECOGNIZED. [LR415]

SENATOR KOLTERMAN: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF THIS RESOLUTION. MY RATIONALE BEHIND THIS IS I WORK IN THE AREA WHERE WE USE HSAs A LOT, HEALTH SAVINGS ACCOUNTS. AND FROM THOSE HEALTH SAVINGS ACCOUNTS, AT THE PRESENT TIME YOU CAN PAY FOR NURSING HOME INSURANCE, YOU CAN PAY FOR EYE CARE, YOUR DEDUCTIBLES, YOUR COPAYS, YOUR PHARMACY, HEARING AIDS, AND ALL KINDS OF THINGS LIKE THAT...OF THAT NATURE. I SEE NO REASON WHY WE SHOULDN'T BE ABLE TO DO THIS. AND SO WE NEED TO LET OUR CONGRESSIONAL DELEGATION KNOW HOW IMPORTANT IT IS. ON ANOTHER ISSUE, THOUGH, I'M GOING TO PROBABLY POKE THE BEAR HERE, BUT, SENATOR CHAMBERS, I JUST WANT YOU TO KNOW THAT I SYMPATHIZE WITH YOUR CONCERNS. BUT BACK ON APRIL 6 THERE WERE FOUR PRIORITY...SPEAKER PRIORITY BILLS THAT WERE KILLED BECAUSE WE RAN OUT OF TIME. WE NEVER GOT A CHANCE TO VOTE ON THOSE EITHER. SO I FEEL YOUR PAIN. I'D LIKE TO THANK YOU FOR BRINGING THAT POINT UP. THANK YOU. PLEASE VOTE FOR THIS LEGISLATIVE RESOLUTION. [LR415]

SENATOR KRIST: THANK YOU, SENATOR KOLTERMAN. SENATOR FOX, YOU'RE RECOGNIZED. [LR415]

SENATOR FOX: THANK YOU, MR. PRESIDENT. IT'S BEEN WELL DOCUMENTED THAT THERE WILL BE A DEMAND FOR PRIMARY CARE PHYSICIANS THAT FAR EXCEEDS SUPPLY, UPWARDS OF 31,000 BY THE YEAR 2025. THE NEBRASKA RURAL HEALTH ADVISORY COMMISSION HAS NOTED OVER 50 OF THE STATE'S COUNTIES HAVE SHORTAGES OF FAMILY PRACTICE PHYSICIANS. UNMC HAS A RURAL HEALTH EDUCATION NETWORK, AS IT RECOGNIZES THE NEED TO DEVELOP A WORK FORCE OF PROVIDERS TO MEET THE HEALTHCARE NEEDS OF PEOPLE

Floor Debate  
April 13, 2016

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LIVING IN RURAL COMMUNITIES. WE HAVE A CULTURE OF REACTIVE HEALTHCARE, AND I BELIEVE THAT IN ORDER TO DECREASE HEALTHCARE COSTS WE NEED TO SHIFT OUR CULTURE TO THAT OF EARLY SCREENING FOR DISEASE AS WELL AS PREVENTION. DIRECT PRIMARY CARE HELPS ADDRESS BOTH OF THESE ISSUES. WE'VE ALREADY PASSED LB817 AND I ENCOURAGE THE LEGISLATURE'S SUPPORT OF SENATOR RIEPE'S INITIATIVE TO ASK NEBRASKA'S CONGRESSIONAL DELEGATION TO SUPPORT DIRECT PRIMARY CARE. THANK YOU. [LR415 LB817]

SENATOR KRIST: THANK YOU, SENATOR FOX. SENATOR MORFELD, YOU'RE RECOGNIZED. [LR415]

SENATOR MORFELD: THANK YOU, MR. PRESIDENT. I RISE IN SUPPORT OF LR415, BUT I DO WANT TO MAKE ONE POINT, AND IT'S SOMETHING THAT HAS BOTHERED ME JUST A LITTLE BIT AS I READ SOME OF THE NEWS REPORTS IN THE MEDIA ABOUT DIRECT PRIMARY CARE. FIRST, I THINK DIRECT PRIMARY CARE IS GOOD FOR A LOT OF THE REASONS THAT SENATOR KOLTERMAN NOTED. THE THING THAT HAS BOTHERED ME A LITTLE BIT IS TALKING ABOUT THIS IN WAYS THAT EXPANDS ACCESS TO HEALTHCARE THAT MEDICAID EXPANSION WOULD OTHERWISE DO. THAT BOTHERS ME, BECAUSE THE PEOPLE IN MY DISTRICT--AND MY DISTRICT IS ONE OF THE TOP TEN ONES THAT HAVE PEOPLE THAT ARE OUTSIDE OF THE MEDICAID GAP OR FALL WITHIN THE MEDICAID GAP, I SHOULD SAY--THE PEOPLE IN MY DISTRICT, THEY CAN'T EVEN AFFORD DIRECT PRIMARY CARE, BECAUSE YOU HAVE TO HAVE AN INSURANCE POLICY TO BE ABLE TO EVEN ACCESS THAT TO TAKE CARE OF THE MAJOR MEDICAL EVENTS THAT COME UP THAT DIRECT PRIMARY CARE DOES NOT COVER. SO IN MY DISTRICT, PEOPLE ARE GOING BANKRUPT BECAUSE THEY CAN'T AFFORD HEALTHCARE BECAUSE OF THINGS LIKE CANCER, HEART ATTACKS, UNFORESEEN MAJOR MEDICAL EVENTS THAT DIRECT PRIMARY CARE DOES NOT EXPAND ACCESS TO. AND SO I JUST WANT TO MAKE THAT POINT CLEAR BECAUSE IT'S BEEN SOMETHING THAT'S BEEN BOTHERING ME OVER THE COURSE OF THIS SESSION IS THAT OFTENTIMES THE PROPONENTS OF DPC, WHICH I AM ONE OF THEM, SEEM TO TRY TO TOUT THIS AS A POTENTIAL ALTERNATIVE TO MEDICAID EXPANSION, WHICH IT SIMPLY IS NOT. THAT BEING SAID, I DO WANT TO SEE A VOTE ON LR415 AND I'M GOING TO END MY COMMENTS NOW. AND I URGE YOU TO SUPPORT IT. THANK YOU. [LR415]

SENATOR KRIST: THANK YOU, SENATOR MORFELD. SENATOR CHAMBERS, YOU'RE RECOGNIZED. SENATOR MURANTE, YOU'RE RECOGNIZED. SENATOR MURANTE

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Floor Debate  
April 13, 2016

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WAIVES. SEEING NO ONE ELSE IN THE QUEUE, SENATOR RIEPE, YOU ARE RECOGNIZED TO CLOSE. [LR415]

SENATOR RIEPE: I WOULD SIMPLY ASK FOR THE VOTE, PLEASE, SIR. [LR415]

SENATOR KRIST: THANK YOU, SENATOR RIEPE. YOU'VE HEARD THE CLOSING AND THE DEBATE. THE QUESTION IS THE ADOPTION OF LR415. ALL THOSE IN FAVOR VOTE AYE; OPPOSED, NAY. HAVE ALL THOSE VOTED THAT WISH TO? PLEASE RECORD, MR. CLERK. [LR415]

CLERK: 39 AYES, 0 NAYS ON THE ADOPTION OF LR415. [LR415]

SENATOR KRIST: LR415 IS ADOPTED. ITEMS? [LR415]

CLERK: COMMUNICATION OF THE CLERK FROM THE GOVERNOR. (READ RE LB686, LB744, LB835, LB843, LB874, LB1000, LB1012, LB1066, LB1098, LB1098A, AND LB1110.) BILLS READ ON FINAL READING, MR. PRESIDENT, WERE PRESENTED TO THE GOVERNOR AT 2:50 THIS AFTERNOON (RE LB947, LB824, LB580, LB716). REVENUE COMMITTEE REPORTS LB1048 TO GENERAL FILE WITH COMMITTEE AMENDMENTS ATTACHED. LR455 ADOPTED EARLIER HAS BEEN CORRECTLY ENROLLED. AN ANNOUNCEMENT: THE BUILDING MAINTENANCE COMMITTEE WILL MEET NEXT WEDNESDAY MORNING AT 8:00 IN SENATOR WATERMEIER'S OFFICE. (LEGISLATIVE JOURNAL PAGES 1625-1627.) [LB686 LB744 LB835 LB843 LB874 LB1000 LB1012 LB1066 LB1098 LB1098A LB1110 LB947 LB824 LB580 LB716 LB1048 LR455]

MR. PRESIDENT, SENATOR SMITH WOULD MOVE TO ADJOURN THE BODY UNTIL WEDNESDAY, APRIL 20, AT 9:00 A.M.

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