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Floor Debate  
January 27, 2017

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[LB6 LB22 LB45 LB46 LB182 LB207 LB230 LB304 LB403 LB419 LB425 LB438 LB464  
LB506 LB553 LR26]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the seventeenth day of the One Hundred Fifth Legislature, First Session. Our chaplain for today is Pastor Nathan Henschen of St. Paul's Lutheran Church in Bancroft, Nebraska, Senator Brasch's district. Please rise.

PASTOR HENSCHEN: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Pastor Henschen. I call to order the seventeenth day of the One Hundred Fifth Legislature, First 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, just acknowledgment of a series of reports received by the Legislature, available on the legislative Web site for member review. Hearing notice from the Business and Labor Committee, signed by Senator Albrecht, as Chair. And a series...lobby report as required by state law to be inserted in the Journal the last legislative day of the workweek. Mr. President, your Committee on Appropriations, chaired by Senator Stinner, reports LB22 to General File with amendments attached. That's all that I have, Mr. President. (Legislative Journal pages 363-365.) [LB22]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Speaker Scheer, you're recognized.

SPEAKER SCHEER: Thank you, Mr. President. Colleagues, I just wanted to give a little information to everybody as we move to close this week and look towards next week. A reminder that Monday we will start at 10:00. The Clerk and myself will be meeting with the new

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senators, going over some floor information. So we will start at 10:00. It will be my intent on Monday, we will start with LB119, which is the delay of the certification of state aid that we will need to do because we will not have a budget done by March 1. The second thing on the agenda will be LB22, which is the interim budget. At that point, when we are finished with that, we will then move back to the adoption of the permanent rules and hopefully finish those. And at that point, we will finally then proceed on to General File debate. If you have any questions, concerns, please contact me. But that would be what I'm looking at for next week. Thank you, Mr. President.

PRESIDENT FOLEY: Thank you, Mr. Speaker. We will now proceed the first item on the agenda, which is a motion to withdraw. Mr. Clerk.

CLERK: Mr. President, Senator Stinner with move to withdraw LB403. [LB403]

PRESIDENT FOLEY: Senator Stinner, you're recognized to open on your motion. [LB403]

SENATOR STINNER: Thank you, Mr. President. Members of the Legislature, LB403 creates a duplicate certificate of authority for those engaged in the business of abstracting. It allows individuals or business entities who maintain another office to make application for a duplicate certificate of authority without paying additional fees. It also changes the current license renewal fees to those established by the Abstracters Board of Examiners, not to exceed the actual administrative cost associated with the application. I am withdrawing LB403 because the parties involved with this bill are still working out complexities of its components. I ask for your support of my motion to withdraw LB403. Thank you. [LB403]

PRESIDENT FOLEY: Thank you, Senator Stinner. (Doctor of the day introduced.) Debate on the Stinner motion, Senator Chambers, you're recognized. [LB403]

SENATOR CHAMBERS: Mr. President, members of the Legislature, there are some things that come before us which seem very routine and not too important. They certainly should not derail the session. But I'm going to take issue at every point where I have the opportunity, with things that I have questions about. There are at least 27 of you who have gotten together in an unholy alliance and you think you're going to run things. I saw something in the paper that I'll discuss at greater length later on where Senator Tyson had said he wants to change the filibuster rule, as it's called. I don't know that I see "filibuster" mentioned in the Rule Book. There's debate. I believe in extended debate. But people, as I say, around here think in cliches. They speak in slogans. That's why they're not taken seriously. And when they open their mouth, people know everything they're going to say once they're a part of the 27 or those that the Governor purchased, whom I refer to as "Ricketts' crickets," and they're demonstrating it. But Senator Larson had the nerve to

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say something about what he called democratic or Democrats' aggression, referring to the people in this body who are of the Democrat persuasion. Yet, that monstrosity of a first day was orchestrated by the "Repelican" Party and the "Repelicans" in this body. I think that Senator Larson has fallen into what the inveterate liar in the White House has adopted as his policy-- alternative facts. It's not Democrats. Democrats don't have enough numbers to do anything. The "Repelicans" are the ones who did it. They're the ones who put us where we are and they're the ones who are carrying their nasty attitudes into committee hearings. I read in the paper today about how Senator Friesen's committee treated people when they were having that "Choose Life" bill for license plates. I know how those people operate. And they need to have somebody like me who can deal with them as their even change. So if you look in today's Journal, you'll see about two dozen amendments I put on that bill. They want to play rough; the public cannot play rough. The item said they were repeatedly admonished by the Chair, members of the committee. A little girl asked her mother why Senator Murante was rolling his eyes while people testified. And I know they do it because they do it in here. They ought to at least have the decency not to bully the public. But I know that it will happen, because as I said the other day, they get their tricorn, that three-cornered hat. It's where the brim is turned up on three sides, like Napoleon. They're little tin-pot, would-be dictators. And they need to know that all they are, are senators to me. They don't own me. They don't run me. And whenever I'm aware that the public has been treated in a shabby way, I'll speak for the public because they have no place on this floor. I want to say something else. I notice that these two motions today were filed yesterday, two motions to withdraw bills. A number of days ago I filed a motion...three motions on three bills, one motion on each bill to rerefer. They have not been scheduled by the Speaker. Now the Speaker, by the way he schedules, can give favor to those he likes; he can disfavor and disadvantage those he does not like. It just happens that the Speaker voted to misrefer the three bills that I wanted to rerefer. I don't know why he's delaying. Certainly my rereference motion should have come up by now. I've had to discuss a number of motions to withdraw bills, all of which motions were filed after I had filed mine. Their motions to withdraw bills, as far as timing is concerned, are not as important as mine to rerefer. Maybe he wants to wait until the committee to which they were rereferred inappropriately can set hearings. Then there would have to be a vote to suspend the rules to let them change the hearing date and, thereby, increases the number of votes I would have to get. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: He knows this. You said time? [LB403]

PRESIDENT FOLEY: Yes, sir. [LB403]

SENATOR CHAMBERS: Thank you. [LB403]

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PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Friesen, you're recognized. [LB403]

SENATOR FRIESEN: Thank you, Mr. President. Well, I guess when you have things brought up on the floor without somebody coming to talk to you first, I guess we'll deal with this on the floor. So we will talk a little bit about committees and how they operate. So I would ask that Senator Chambers yield to a question. [LB403]

PRESIDENT FOLEY: Senator Chambers, will you yield, please? [LB403]

SENATOR CHAMBERS: Yes, I will, more than one if you have more than one. [LB403]

SENATOR FRIESEN: There will be more than one. So, Senator Chambers, were you in the hearing room when the hearing took place? [LB403]

SENATOR CHAMBERS: No. [LB403]

SENATOR FRIESEN: So did you talk to me or anybody else to ask what may have happened in the hearing room? [LB403]

SENATOR CHAMBERS: No. [LB403]

SENATOR FRIESEN: So you're basing it on one person's word that they said. [LB403]

SENATOR CHAMBERS: Yes, what I read, as I stated when I started, what the person put in the newspaper and signed her name to. [LB403]

SENATOR FRIESEN: So you always believe all the articles in the newspaper and you would stand by that. [LB403]

SENATOR CHAMBERS: Oh, certainly not. But what I do believe are statements that correspond to what I've observed with my own eyes and experienced on the floor of this Legislature. So since what she wrote accorded with what I do know from my personal experience, I lend great credence to what she said and the fact that she signed her name, not hide like members on this floor will do. [LB403]

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SENATOR FRIESEN: So if you were Chair of a committee, would you allow testifiers or audience to cheer and clap after testimony? [LB403]

SENATOR CHAMBERS: It all depends on the circumstances, because there have been admonishments given by the Chairs of committees of which I'm a member that such things shouldn't happen, but they happened anyway. [LB403]

SENATOR FRIESEN: Yes, and it's posted on the door and it happened, and I asked them to be quiet or I would clear the room. So I want an orderly room. I do not allow bursts of...outbursts like that because it intimidates anybody else who may want to testify, and this would work in favor of testimony or in opposition. I will be consistent throughout. I do not let a hearing room get out of hand. I've been to those types of hearings, and once that starts you diminish the testimony of the other side, no matter whose side you're on. It doesn't matter. Testimony and the people that came there to give that testimony have to feel secure in their ability to give that testimony. Would you agree? [LB403]

SENATOR CHAMBERS: In general, yes, with what you've said. [LB403]

SENATOR FRIESEN: So, in general. [LB403]

SENATOR CHAMBERS: Yes, because I am a member of the Executive Board. We had a hearing involving Senator Kintner. People came up in support of him and attacked me, who am a member of the committee. I didn't ask that they be admonished. I didn't ask that they be made to stay on the subject. [LB403]

SENATOR FRIESEN: But they...but were they... [LB403]

SENATOR CHAMBERS: So we have different approaches. [LB403]

SENATOR FRIESEN: ...were they disruptive to the rest of the body? [LB403]

SENATOR CHAMBERS: That very thing was disruptive because I had to tell at least one of my colleagues, leave it alone, don't say anything. [LB403]

SENATOR FRIESEN: So that's what was going on here. I mean, I'll run my committee hearings in a fair and equitable manner at all times. And if I do sound a little gruff, that's just grumpy old me. But I let everyone testify. There was no one that will ever be held from testimony. That's

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why everybody shows up. This bill, when it showed up last year, had absolutely no opposition testimony. So it just goes to show a little bit that things change with time. But in the end, when I hold a hearing, and I hope everybody else does, those hearings are conducted in an orderly manner that allows everyone to testify. Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Friesen and Senator Chambers. Senator Chambers, you're recognized. [LB403]

SENATOR CHAMBERS: Thank you. Mr. President, since this has become a matter of discussion, as I knew it would be, I don't have to be the only one to deal with an issue. I have cooperation, even from those who are opposed. In today's Lincoln Journal is this item, and whoever writes the headlines titled it "Decorum, debate necessary." Quote: The second house of the Legislature was disrespected at the Transportation and Telecommunications hearing for LB46--then in parenthesis "Choose Life plates bill advances," January 18, close parenthesis. The Chair, Senator Curt Friesen, and committee ought to be ashamed. Many in attendance were new to the process, as stated in their testimony. Senators, citizens were spoken to harshly, rules were not explained, and the public was admonished multiple times by the Chair as they were doing their best to be engaged and participate. After the hearing, a young girl near me asked her mother why Senator John Murante was rolling his eyes while people testified. As a Nebraskan who loves democracy and our Unicameral, it was deeply upsetting to me that she saw firsthand deep disrespect by an elected official toward the public. It is an honor to serve the public and it is a duty of the public to speak to their government. When a person's views are different than one's own, it's a chance to engage in a new perspective from one's own, not a time to roll eyes and tune out a citizen. Within two hours, the bill advanced. This indicates to me, as a citizen who used PTO--time off work--and hours preparing testimony, that the hearing was a procedural requirement, not a real opportunity to have all points of view considered. As the foundation behind the idea of a Unicameral is that the people are the second house, I'm dismayed by this most of all. Committee Chairs must hold their committees responsible to require serious discussion of all testimony without rubber-stamping. Signed, Melody Vaccaro, V-a-c-c-a-r-o, Lincoln. Now, I've had to make comments about a lady named Pat Loontjer was treated before Senator Larson's committee. I believe that Senator Lautenbaugh, that big, lumbering hulk who would bully and intimidate people but not me, and I would call him out on the floor about how pompous he was, what a bully he was. And he had his little clique. I don't talk behind people's back. And they ridiculed this woman. They were rude to her. They were discourteous and other people commented on it. And I brought it up on the floor and said that's not the way a person should be treated and you shouldn't pick a woman to do that to anyway. Women are not respected here, not on this floor and not as employees in this Legislature. And many of them come to me. I don't know why they don't go to the senator they work for, unless that senator has manifested the very kind of attitude that they find unacceptable. But a lot of these young women need jobs. It's like the regular marketplace. Some of these senators know that these young

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women are vulnerable, so they take liberties. Some of them have children. They can't just go out and get another job. And when people on this floor and in the Legislature or in any position of authority takes advantage of those who are vulnerable, if the vulnerable ones let me know, I will take it up although nobody else on this floor will. These people on these committees will mistreat people. [LB403 LB46]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CHAMBERS: But they don't bully me when I go before their committee. I wish they would. I wish they'd try to bully me on this floor. And after what Senator Larson said about the Democrats, they're not the ones he needs to worry about. He would not mention the one by name, who you all had better worry about, and that's me. I'm the one who will derail the session. And if you don't believe it, challenge me. I'm going to stop now, Mr. Chair, and I'll turn my light on. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. And you are next in the queue, so you may proceed. [LB403]

SENATOR CHAMBERS: Thank you. There is an expression that says silence gives consent. Senator Friesen, as Chairperson of the Transportation Committee, stood up and gave a rebuttal to the things that I had said and what I had read. I'm waiting for Senator Murante to say he didn't roll his eyes. He was among those on that other committee--the claue. And before I came down here, Lautenbaugh had everything his own way. That's why I said I'm the man you wish you were. And if you all were a man like me, you wouldn't bully somebody who's weak, somebody not in a position to speak back. And there are senators who have called me a bully. Then challenge me on the floor. When I say something, you have the opportunity to speak. I have encouraged senators to utilize that prerogative they have to speak on this floor. Don't sit and keep all that bile inside of yourself; stand up, show yourself, express it. If we get to what Senator Larson wants, we can stay on that the rest of the session. There are so many opportunities to amend that tripe that he is bringing that we'll be on it forever. And if you all think that it's so important that you put me in my place, which you're not going to do anyway, but you want to try it to make yourself feel good and keep faith with the "Repelican" Party and the Governor, who's more interested in running for the U.S. Senate down the line than he is in the dignity and integrity of this Legislature, then do it. I tell you, I'm going to be here 90 days. I'm going to be talking about something. I'm going to spend more time trying to uphold the integrity of the Legislature as an institution than those will spend who are attacking it. But, see, they've got satraps. They've got sycophants. They've got lapdogs. They've got those who they say run and they run. They say bark, they bark. They say bite and they bite. That's what the Legislature is viewed as this session and they know the "Repelicans" are responsible. And the "Repelicans" on

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this floor have stayed in the harness, walking in lockstep, shoulders "sloped," head bowed, knees ready to crumple so they can fall on their knees and worship the one who owns them. This is not the finest Legislature that money can buy, but I assure you it's the cheapest. Let your conduct show what you are and don't be blaming other people for what I do. I can take the slings and arrows not only of an unkind fate but of outraged legislators. But when I see what you are, what would your outrage mean to me? Nothing, nothing at all. So you all who think you own this Legislature have set a toxic tone. I shall be the antidote. I'm going to be your even change. And if I have to do it alone, that's what I will do. I look forward to the fray. And when these motions are made, other motions are made, other issues are presented to us, I'm going to discuss those issues in the way that I think fit. And the reason I think this that I'm saying is appropriate, this motion to withdraw a bill is made available to try to facilitate the operation of the Legislature. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CHAMBERS: But to worry about that was done away with by what was done the first day of the session. You all didn't care. You didn't hurt me. I don't want to be a Chair of one of your committees. Why would I want to be that? Why? I don't need that to make me feel like I'm somebody, that I know something. But you all see it as a great honor. You all see it as something that makes you important, something that makes you special. Walk out of here and see how many people in this state even know who you are. And if you say you're the Chairman of a committee, they say, what is that? Now walk anywhere in this state and say you're Ernie Chambers and they'll say, no, you're not, no, you're not, because I know what Senator Chambers looks like and you are not him. And it's not... [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: ...because I sit around here like a knot on a log. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Bolz, you're recognized. [LB403]

SENATOR BOLZ: Thank you, Mr. President. I yield my time to Senator Chambers. [LB403]

PRESIDENT FOLEY: Five minutes, Senator Chambers. [LB403]

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SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Bolz. I have helped people all over this state. Let me give you an example of the lack of sensitivity that you all think I have. This was several years ago. I read the newspaper. I read small items in the newspaper. That's why I was able to hand out this article to you to show where a federal judge stopped Ohio from carrying out an execution and ruled their method unconstitutional, which is being followed by Nebraska and Senator Kuehn. He doesn't read. He's happy to have his bill go to the wrong committee, because he thinks if it gets out then he will score some points with the Governor and whoever outside this body he's trying to placate. But here is what I read. A man had lost a child. The man was devastated. The child, as children and all those who die will be handled, was the subject of a funeral and was buried. That man could not accept that. He could not accept the finality of death, so he went to the graveyard and he dug that child's corpse up. He removed his child's corpse from the casket, got in his car, heartbroken, obviously what people would call deranged in his mind, and drove that child to the hospital, delivered that child to a medical professional and said, I want you to treat my child. The only one I've read of who could bring people back from the sure-enough dead after they've been in a coffin or a crypt or a tomb was Jesus, and we don't have independent evidence of that. You know what happened? That man was arrested. He was charged for improperly dealing with a corpse, for disturbing a graveyard. And nobody, none of the white people in the Legislature, said a word. Those who believe in family values, those who are pro-life, those who prayed up here every morning read it and said and did nothing. I immediately took action with the county attorney and to the media. And I said when a man has lost a child, you know, and if you don't know you can imagine, what impact it has on him. And if you can't imagine it, what this man did shows the impact. This man needs some understanding. He needs more than sympathy, more than compassion but empathy. He does not need to be charged with a crime, put on trial, and perhaps fined and imprisoned when he needs help. And the prosecutor was embarrassed, I guess, because he said, Senator Chambers is right, and dropped the charges. Then there was one other person who stood on the floor of the Legislature after that. I've been waiting for my colleagues, members of the master race, to deal with some of these problems that are plaguing members of your constituency who call and write to me. Not only are they treated rudely by some of you all but even by your staff. And they tell me these things. If you'd asked me the question that Senator Friesen did, do I know these people are telling the truth? [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CHAMBERS: No. Do I know that they...what they said happened happened? No. Do I know that their senator has not been accommodating? To that I can say, yeah, because I watch them on this floor and I watch how many things go past them without them saying a word. Then I watch what makes them jump up like a jack-in-the-box. I watch what upsets them, what punches their button. And as I said, I'm waiting for Senator Murante to stand up and say he wasn't rolling his eyes while people were testifying. Will I challenge him? No, how can I

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challenge him when I wasn't there? But I'll tell him the one who wrote to the paper and signed her name to it has more credibility with me than he does because I've watched him participate in knowingly misreferring bills for political reasons. And I've watched others on the Executive Board do it. And I've watched the Speaker. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: Thank you. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Harr, you're recognized. I don't see Senator Harr. We'll come back to Senator Harr. Senator Hansen. [LB403]

SENATOR HANSEN: Thank you, Mr. President. I'd yield my time to Senator Chambers. [LB403]

PRESIDENT FOLEY: Five minutes, Senator Chambers. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Hansen. I have watched the Speaker schedule motions that were filed after mine, and he hasn't scheduled mine yet. I've been waiting to see how long it was going to take. Then I look on the agenda this morning and I see two additional motions, just ordinary motions to withdraw bills on page 353 of the Journal. So I went to page 353 of the Journal. That was yesterday. (Singing) Yesterday all my troubles seemed so far away. Now it looks as though they're here to stay and so am I. When you all do some of this sneaky stuff on the street, that's called throwing a rock and hiding your hand, but I can see the fingerprints. But I don't even need to look for fingerprints. I recognize the tactic. This is what this legislative session has become. And I want you all to know that when I make my colleagues a promise, even though I'm offended by the way my colleagues misbehaved, as Abraham Lincoln said, the promise being made must be kept. But I bet if we took a vote right now, my colleagues would say, but you don't have to keep that promise, you don't have to keep the promise to derail the session. But I must keep the promise to myself. As I've stated, I'm going to read from court cases. And if we ever get to that "Choose Life" bill, we know where it came from. You're going to listen to some legalese. You're going to listen to some arguments. I may even bring a copy of the Carhart decision from the federal district court where they first, the judge, the trial judge, quoted me in striking down the bill as unconstitutional when I was the only one who voted against it. All these pro-life, so-called pro-life, senators ran like lemmings, didn't listen to the facts. But the court did. That's why I don't care what kind of crazy, nonsensical bills you all pass. There are courts that take seriously their responsibility. The Governor does not own them. The "Repelican" Party does not own them and they're not going to look like jackasses like some of my colleagues will do. I didn't name anybody. But let's say you have 30 jackasses out in

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the yard and I throw a rock and I listen. The one that goes heehaw heehaw is the one that was hit. Isn't that right? If I give a description and somebody...without a name, somebody says stop talking about me, I'll say, you know yourself better than I do and you have just identified yourself, pulled the cover, and I guess you proved that a guilty conscience needs no accuser. But I'm going to take time from this Legislature. You can try to mistreat me any way you want to. The Speaker can schedule his agenda any way he wants to. I was not even going to offer any bills so I could work on that Kintner matter. But then I saw things developing and, before the last day, I offered the bills that I intend to have considered. Will they pass? Are you crazy? A bill with my name on it? It won't get out of a committee. Does that deter me? No. Does it dishearten me? [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CHAMBERS: No. Does it discourage me? No. Does it inflame me? If it's a serious enough bill, yes. Will I take my revenge? Yes. Do you know that God said vengeance is his, he will repay? I've never had...God doesn't talk to me like he does some of you all. God didn't tell me that. But I have a brain and my brain tells me that for every action, there's an opposite and equal reaction, and that can apply analogously to other situations. Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. I would recognize Senator Harr, but I don't see him yet. We'll move to Senator Howard. [LB403]

SENATOR HOWARD: Thank you, Mr. President. I rise aggressively to yield my time to Senator Chambers. [LB403]

PRESIDENT FOLEY: Thank you, Senator Howard. Five minutes, Senator Chambers. [LB403]

SENATOR CHAMBERS: Thank you, Senator Howard. Some of you all may think that this is some kind of conspiracy. No! You know what this is? Some of the senators wanting to put me to the test and see whether I, in my 80th year, can carry on in the way that I said I would. And I said that I'd be able to and you're going to hear me say over and over again, the promise having been made must be kept. How important is it that Senator Stinner's bill be withdrawn? I don't know. So if Senator Stinner is in the room, I'd like to ask him a question. [LB403]

PRESIDENT FOLEY: Senator Stinner, would you yield, please? Senator Stinner, would you yield, please? [LB403]

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SENATOR STINNER: Yes, I will. I'm sorry. [LB403]

PRESIDENT FOLEY: Very good. Thank you. [LB403]

SENATOR CHAMBERS: Senator Stinner, if for some reason this bill is not withdrawn, that really doesn't matter, does it, because you can ask the committee where the bill is to just indefinitely postpone it or hold it. Isn't that true? [LB403]

SENATOR STINNER: Yes. [LB403]

SENATOR CHAMBERS: Thank you. Members of the Legislature, I wanted that on the record to make it clear that I'm not trying to hinder Senator Stinner. His bill creates the occasion for me to do what I'm doing, and I shall continue. But along the way you should observe other things that occur. You have seen and voted on a number of motions to withdraw bills. But you don't have to do it that way if you choose not to. The bill can languish, as a little creature did in one of those children's stories that people like so much, a spider and another critter. And some of you may have read the little story; others may not have. But at any rate, a bill can just languish and it's the same as though it were withdrawn, except at the end of the second year of the session it would automatically be shown to have been indefinitely postponed because no action was taken on it. People don't read that Journal. It won't go against you. So I am not crippling anybody by what I'm doing. I'm trying to serve notice that, unlike so many of the people on this floor, I don't give my word, then back off. I don't try to blame other people. And if there's an individual responsible for something, as I am for what has happened since the bullies had it their way the first day, they ought to call me by name. I quoted Santa Claus one time in derision, making fun of, mocking these senators who stood up and attacked me, thinking it's going to bother me like it would bother them, as if I'm some weak-kneed, cowardly person who will be upset by the words who don't even merit one iota of respect based on how they don't practice what they preach. Well, in the same way that I quoted Santa Claus, Senator Larson can learn from Santa Claus. He whistled and shouted and called them by name: Now, Dasher! Now, Dancer! Now, Prancer! Now, Vixen! On, Comet! On, Cupid! On, Donner and Blitzen! People have names. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CHAMBERS: Actions are carried out by people. If a person carried out an action, call out the one who carried it out and attach the person's name to it. What Senator Larson needs to recall, and I'm sure he does but I will call that something that I will discuss the next time one of my tormenters gives me some time to test whether I will carry out my promise, and I shall. I probably am a masochist because I'm enjoying this torment that is being inflicted on me, and I hope you are the same. Thank you, Mr. President. [LB403]

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PRESIDENT FOLEY: Thank you, Senator Chambers. Still don't see Senator Harr. Move to Senator Kolowski. [LB403]

SENATOR KOLOWSKI: Thank you, sir, and I yield my time to Senator Chambers as well. [LB403]

PRESIDENT FOLEY: Thank you, Senator Kolowski. Senator Chambers, five minutes. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Kolowski. Senator Larson a couple of years ago, maybe under the tutelage of that pomposity-drenched individual, whom I've named on the floor, and I name him Lautenbaugh because I dealt with him when he was here, he towered, Goliath, and here I am little David. But somebody had told Lautenbaugh that story. Goliath had on this huge metal helmet with an opening over his forehead. He had on this armor, enough armor to make a battalion of American Patton tanks. And he had metal shields in front of his thighs, in front of his shins. And he wore a big old shoes and when he stepped down, hills were raised on each side of that shoe and a valley where his shoe had been. And this man threatened the armies of Israel, the armies of God. David is a little bitty fellow. It may take me a couple of times to finish this, but I am confident I'll get the time. He took care of the sheep. So he's watching this. Goliath and the Philistines over there on a hill, a valley between, the armies of God over here, shaking in their boots. And little David, as I was as a child, had believed all the myths, all the superstitious nonsense that had been put in his head about God and how people should serve God. So he said what is this that the people of God are afraid of these...he probably didn't call them heathens, he didn't know that word. And so he began to criticize the soldiers, a little boy. So the word got back to King Saul, who by the way had mental problems because of an evil spirit from God. They say God gives only the good. The Bible called it an evil spirit from God. So Saul, the king, said, who is this that you're telling me about? They said, well, a little fellow. And Saul said, well, every little fellow has a daddy. What's his daddy's name? They said, well, he's the son of Jesse. I've never heard of him. Well, in days to come, he's going to have a descendant whose last name will be James and he robbed people. And Saul, King Saul, said, well, did he? Who did he rob? And they said, well, he robbed rich people. And Saul said, oh, so he's like this fellow Robin Hood who's going to come along, rob from the rich and gave to the poor. They said, oh, no. He said, well, what was Jesse James's explanation as to why he robbed the rich and didn't rob the poor if he's not Robin Hood? The person talking to the king said, it just so happens somebody asked that question and Jesse's response was, I rob the rich and don't rob the poor because the poor ain't got no money. That's why he didn't rob the poor. So after this small talk, the king wanted to see this little David and he looked down at him. He said, you're the one saying these things that I've heard, and recounted it. And David said, yes. He said, well, you see that towering thing over there? David said, yeah. He said, do you know what that thing is? And David said, well, it looks like a piece of the mountain to me. He said, no, that's Goliath. Goliath is a giant. That's why you see these men shaking and why in their armor

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they sound like a hurricane in a junkyard. They're scared to death. What do you think of that? He said, I'll go fight him, because he still was under the influence of these rumors and myths that had been put into his head. So Saul kind of smiled, the king. He said, does anybody have armor small enough to fit this child? And David said, oh, I don't need any armor, no. Does anybody have a sword small enough for this child's small hand to handle? David said, I don't need a sword. And Saul said, then how are you going to fight Goliath? He said, I take care of my father's sheep. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. (Visitors introduced.) Senator Crawford, you're recognized. [LB403]

SENATOR CRAWFORD: Thank you, Lieutenant Governor, and good morning, colleagues. I rise in support of Senator Stinner's motion to withdraw his bill. Although, as Senator Chambers noted, that the bill could be IPPed or just allowed to stay in the committee, this...a motion to withdraw does play an important role in facilitating our process and trying to make the most efficient use of our resources. Because in Nebraska every bill gets a hearing, if you have a bill and you feel that it really is not time to move forward with this bill this year, and you don't withdraw it, then you still are using the resources to have the hearing and you are bringing people in to testify, sometimes driving long distances across the state to come in to testify to a bill that they may be wanting to see passed or they may be driving multiple hours to come to testify to try because they're concerned about the bill's passage. And so leaving the bill and not withdrawing it then creates that challenge. So I support the motion to withdraw when a senator feels that it's appropriate, that it really isn't time to have that hearing, it isn't time to have that conversation, it isn't time to take committee resources, it isn't time to take a slot that could instead go to another bill. It's a valuable thing to have a motion to withdraw and to get that bill withdrawn and allow that notice to advocates on both sides, who may be trying to figure out how to engage on the bill, that it's just not a discussion we're going to have this year and, instead, it's something that we need to discuss more. And let them know that they can focus on the other 600-plus bills that we have in front of us for the year. So this is just one example of the many rules and procedures that we have in place that have allowed us to have valuable and effective debate. And we are debating the rules right now. Just wanted to bring your attention to some of the information that Senator Pansing Brooks brought to our attention yesterday when there weren't very many people in the room and that is just to let you know that, for the most part, although there's all kinds of conversation about filibuster and need to change cloture rules, for the most part, most of our bills that we bring forward that get to the floor pass. And as she had

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noted last year, there are 210 bills that were approved and signed by the Governor and she was asking people to guess how many were approved with no opposition. And the number that she was just sharing with me was 187. So another number to put into perspective is, how many times did we end up in extended debate that ran to cloture last year? So, many bills that were introduced and over 200 were passed and approved, how many times did we get in a situation where we had extended debate that led to cloture? And actually, it was 18, okay? So of the hundreds of bills introduced, only 18 times was there extended debate, according to these notes. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CRAWFORD: Thank you, Mr. President. I think it's also valuable to note, of those 18 times, 9 of them were Senator Chambers. As he noted, he knows how to extend debate when necessary. But the other nine were all extended debate led by Republicans in the body. So the extended debate and using that as a tool to bring attention to concerns about a bill, running a bill to cloture, I mean, it is part of the process that we have here. And it's a part of the process that allows a group of senators who have serious concerns about a bill to raise those concerns. And in that last year, in 2016, half of those times when senators felt it was critical to push a bill to extended debate and cloture, half of those, 9 out of 18, were Republican senators who pushed the extended debate to cloture. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CRAWFORD: Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Crawford. Senator Howard, you're recognized. [LB403]

SENATOR HOWARD: Thank you, Mr. President. I yield my time to Senator Chambers. [LB403]

PRESIDENT FOLEY: Thank you, Senator Howard. Senator Chambers, five minutes. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Howard. Back to my story. So the king was wondering how little David would be equipped in order to fight Goliath, never thinking in reality that this little boy would be down in this valley contesting against this giant. He didn't know the way the story was supposed to go. So the king decided to get a little background on David. He said, you are the son of Jesse. Is that true? David said, yes, sir. He

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said, the king, why are you even here on this battlefield? You're not in my army. Why are you here? Little David looked up at him. He said, well, I have brothers who are in your army and my father sent me to bring some provisions to them that he thought they should have which may not be supplied in the ordinary course of events. So the king stroked his beard. He looked at little David and he said, you said you don't need armor. You don't need a sword. How will you fight Goliath? He said, I take care of my father's sheep and there was a lion who was bothering the sheep. And I followed that lion and I saw where his den was and I went into that den and I bearded the lion in his den. And the little boy had a gaze which was unwavering. He wasn't blinking a lot, so the king believed him. How did this child kill a lion? So the king, who was superstitious, said, maybe this is something from God. Maybe I'm being shown something. And all of the armies and all of the people of Israel will be shown how the hand and power of God will be manifested through a small child who will undertake to do what the hardest soldiers, the most battle-experienced soldiers are even afraid to contemplate. He said, well, David, what are you going to use against the giant? Your little hands couldn't even fit around his throat. David kind of smiled, respectfully of course because he's talking to the king. He said, oh, I don't intend to put my hands around his throat. I don't intend to touch him at all. So the king said, well, what are you going to do? He said, well, King, leave that to me. But I will take my staff with me because this is Johnny. I've named the staff because I am alone so much of the time and I have nobody with me that Johnny is my friend. So he said, well, do what you feel like you ought to do. So little David, like little children would do, ran down as far as he could, then he tripped and fell and tumbled down into the valley, and he stood up and brushed himself off. And Goliath looked, because they had made a challenge and said, let the Israelites send their best warrior, we'll send our best warrior, and whichever one wins, the losers shall be the subjects of the winner. So there was a murmur going throughout the ranks of the Philistines, then raucous laughter, not at little David but at the soldiers who sent him out there. They say don't send a boy to do a man's work. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CHAMBERS: If the boy is more of a man than those who are men in stature, send the boy who is indeed a man. This is like those serials they used to show in the movies. Every time you get near something that's going to happen, the serial goes off and you have to come back next week if you want to see it. So just by happenstance, I almost run...I run out of time, almost, just when I want to make a point. That has happened, so I will stop here. Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Pansing Brooks, you're recognized. [LB403]

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SENATOR PANSING BROOKS: Thank you, Mr. President. I'm just rising because I've had some of the new senators saying, why is this going on? Why are we wasting time? Why aren't we doing the state's business? This is all related to the gang of 27 and the attempts to silence the minority. Again, as I said yesterday, 210 bills approved by the Governor; 187 had no opposition. I had one senator who's been here say, oh, well, those were all consent bills. There were some consent bills in there but they were not all consent bills. So, I don't know, how many bills do you think should have been passed last year? Three hundred? I mean, we get along a lot: 179 of those bills passed with some abstentions, 8 of them passed with no abstention and no opposition, but 210 passed, and 187 with zero opposition. So, you know, that's part of the give-and-take of the Legislature. There are bills that I care about a lot that got killed, a couple that got killed by cloture votes. So, isn't that part of the give-and-take, the reaching across the aisle? Isn't that what we've been elected to do, not to vote according to what some gang of 27 tells you to do but to vote your heart, vote your conscience, vote what you believe the people of your district want you to vote? It isn't the same all the time. There is time after time where I learned you can't stay mad long. And that's because on one bill you've got people who are your friends that are voting against you, and on the very next bill they're working with you. You have to take yourself out of this and fight for each bill as it arises. And there's a really good majority in here, and that's great. You guys could, with a little work, bring anything to cloture and stop anything. But to act as if the minority has to be the ones to ever have the burden, to think that all the new people think they're wiser than the people that have been here for decades and set up rules for decades, and then to look at it, I just hope the people of Nebraska hear this and call your senators and say, move on with the people's business. Move on. It's time. We have gotten a lot done in the past two years, a lot! And, yes, there's some things we went against the Governor on; there's some things we went for the Governor on. I have had a 100 percent rating two years in a row with the Nebraska State Chamber. I think that would surprise a lot of people. So all of this discussion about, oh, we've got to protect our interests, we're...we're...the crazy, progressive liberals are silencing us, that's just not true. It's not true. So these efforts, you know, we can keep talking rules through the whole session if that's what you want. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR PANSING BROOKS: But I think many of you realize we're not unreasonable people. We have worked consistently across the aisle to make bills stronger, to understand better how to do things, not to slam things through, and not be able to discuss and to be able to make...to find good common ground. And I think our Legislature is stronger for that. But to decide that the minority needs to be silenced, needs to have an even more onerous burden than we already have is wrong. And so I would ask the people of the state to rise up, call all the senators. Yes, you can call me, but call all senators and say, it's enough. We passed 210 bills last year. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

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SENATOR PANSING BROOKS: Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Pansing Brooks. Senator McCollister, you're recognized. [LB403]

SENATOR MCCOLLISTER: Thank you, Mr. President. Good morning, colleagues. It's probably time for me to rise and get a few things off my chest as well. I'm going to quote from an editorial that occurred in the Lincoln Journal Star January 21, 2017: Nonpartisanship has been a valuable tradition in Nebraska for decades. It's one of the reasons communities have been able to work together for the common good. Sadly, the polarization that first infected the nation's Capitol has leached into Nebraska. According to the Nebraska Constitution, the Legislature is nonpartisan. According to the Lincoln Municipal Charter, local city government is nonpartisan as well. These traditions should be protected and preserved. What occurred the first day of this session was disgraceful. These sneak attacks, these bushwhack attacks that occurred violates the spirit of the Nebraska nonpartisan Legislature founded by George Norris. Now we need to maintain our nonpartisan Legislature, and some of the rules that we have established, long-term rules, need to be maintained. And just like Senator Pansing Brooks, we can talk about these rules for the rest of the session. All we really have to do is pass a budget, and we can do that. So I will be part of the effort to maintain our rules as long as it takes. Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator McCollister. Items for the record, Mr. Clerk? [LB403]

CLERK: Thank you, Mr. President. Some items: Hearing notices from the Agriculture Committee, the Health and Human Services Committee, the Natural Resources Committee, from the Transportation and Telecommunications Committee, the Revenue Committee, the Executive Board. In addition, your Committee on the Executive Board reports LB6 to General File with amendments, LB207 to General File with amendments; and your Committee on Natural Resources reports LB182 to General File, all those documents signed by their respective Chairs. New resolution: Senator Vargas offers LR26. Pursuant to that offering, the Speaker has referred LR26 to the Reference Committee for referral to standing committee for purposes of conducting a public hearing. That's all that I have, Mr. President. Thank you. (Legislative Journal pages 365-369.) [LB6 LB207 LB182 LR26]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Continuing debate, Senator Morfeld, you're recognized. [LB403]

SENATOR MORFELD: Thank you, Mr. President. Given that we're having a discussion about the rules and some of the things that were said yesterday and the article in the Journal Star and

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Senator Larson's proposed amendment, I want to reiterate the importance of maintaining our nonpartisan Legislature, the importance of maintaining the rules that have served this body well for many decades, and my commitment to maintaining those rules the entire session, if need be. I have a lot of priorities and a lot of bills that I introduced this session, but if the one thing that I go back to my district and say that I did was maintain the nonpartisan Legislature, maintain the rules that have served this body and this state well for many decades, then I can go back to my district with my head held high. And so I'm prepared to discuss these rules for the rest of the session, if need be, and if all we do is pass a budget, then that's fine. And with that, I would like to yield the rest of my time to Senator Chambers. [LB403]

PRESIDENT FOLEY: Thank you, Senator Morfeld. Four minutes, Senator Chambers. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Morfeld. And I'm prepared to stay on this till the cows come home, so to speak. But back to little David. This ripple had gone through the ranks of the Philistine army, and they called Goliath, because he had taken up residency beneath a tree and was sleeping. He knew the cowards on the other side of the valley would not confront him. So they said, Goldie, they called him Goldilocks, that's how strong he was and self-confident, a giant whom nobody could handle allowed himself to be referred to affectionately as Goldilocks. They said, Goldilocks. He said, who dares disturb the rest of Goldilocks? The person was seized with fear and trembling, and he could barely get it out. He said the...the...the...they sent somebody down in the valley to fight you. And Goldilocks jumped up and said, my goodness, I can hardly wait. So the person said, but you might be surprised when you see who it is. Goldilocks said, I've seen any and everything that could be seen or even imagine that pertains to the field of combat. But when Goldilocks stood up and looked down in the valley and saw this little boy, he said, are you playing with me? Are you toying with me? They said, no, he's the one that those Israelites, the children of Jehovah, the Lord, as they call him, sent down to fight you. So Goldilocks said, and I have to give Burger King their play, have it your way. So he trundled down into the valley and the earth shook, shook literally. And when he was close enough to David, he looked down at him. He saw the staff in his hand. Goldilocks knew all the different weapons of war that people had utilized. He saw in David's other hand a sling, slingshot, you all call it, except you don't hook it on a wide branch and pull it back and shoot it. It was like a leather pouch with a leather thong from each side, and you fold the two thongs together and you put a stone in that pouch, and you spun it around your head, and if you were accurate you would hit what you were aiming at. So Goliath saw the pouch and he knew if the sling was there, there had to be stones. He said, am I a dog that you come to me with sticks and stones? David looked up at him, no fear, no trembling. By now the armies of the Lord were ashamed and they could no longer watch the carnage, so they all covered their eyes, all covered their eyes. But as people who do that will do, some of them parted their fingers enough to peek out and see what was going to happen. And little David said, you come to me with armor, a shield, and a sword. I come to you in the name of the Lord. Little child

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believes...children believe us. We tell them things. Without question, they believe us. So how could any adult abuse a child? How? But adults find a way to do it. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Hansen, you're recognized. [LB403]

SENATOR HANSEN: Thank you, Mr. President. I think it's been nice that we've been trying to...getting some comments on the microphone today about kind of the rules in total. I know we're not necessarily at the rules yet, but...and we'll get there soon enough. So I just wanted to say, you know, when we're talking about cloture, the article that's been read; it's kind of been mentioned. We know that the changes to our cloture and ceasing debate procedures are coming. I just wanted to remind everyone that, you know, there are strange coalitions that come up from issue to issue, and you can look at who votes for cloture the most and votes for cloture the least in the past. That's a list I'm trying to work on myself just so I know, you know? And you'll see two people who couldn't be more different in background, personality, district, and all sorts of different things, you know, and they're both voting yes on cloture about half the time. So that's just something to be aware of when we get to that, if we get to that. That's an issue that I think we should protect and treat very carefully. And just, you know, a reminder that coalitions change, you know? You might think that you are going to be primarily say...I don't want to say this, the victim, but you are going to primarily be the victim of, you know, having to get votes for cloture. You might worry about, might worry about them, and worry about it, and all of a sudden a bill is going to come out that you were the one who was adamantly opposed to and you are really fired up about. I remember one of the most divisive and practically one of the most divisive, upsetting, kind of, frankly, getting nasty issues we've had in this debate was about corporate pork production, which is not something I was, you know, as an attorney from the big city, was not an expert on, on either side. And this was doing...splitting people who were normally friends and normally allies along this line of, you know, corporate versus individual farming. I mean so you might think you have a coalition, you might think you have a group, and you might think that you're all set. But then, all of a sudden, you're going to get a situation where it's going to be, you know, a corporate farming bill or a...something that's an unfunded mandate or, or, or. There's going to be some issue where the lines are just going to get all different, and all different by issue by issue. You know, that was a bill I remember in the corporate farming issue, you know. I think there was a very interesting coalition. I'll have to go get the final account, you know, of who ended there. Just wanted to make sure that started getting in people's minds. I know we're going to have more time to talk about this over the coming days, but that's something that I've been

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working on and thinking about and it's been kind of sticking in the back of my mind. And with that, if I have any time left, I'll yield it to Senator Chambers. [LB403]

PRESIDENT FOLEY: Thank you, Senator Hansen. Two minutes, Senator Chambers. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Hansen. And I hope people marked well his words and the words of Senator McCollister and Senator Crawford. Now back to the story. Little David said, you come to me with your shield and your sword, I come to you in the name of the Lord. So Goliath said, if thus it must be, thus it must be. And by this time, little David was sizing him up, shooting an azimuth. Those of you in the military know what that is. If you don't, ask Colonel Brewer or ask...oh, Senator Krist is not here. That's a line from one point to another. He swung this thing around his head and he let it fly. Now, the Bible, the "Bibble," was written in English, and since it's supposed to be the word of God, God can obviously take liberties with his language. So the Bible doesn't say he slung the stone or threw the stone. It said, he slang it. Whenever have you all ever heard that a form of "sling" is "slang"? Be careful or you'll be speaking against God. He slang it. And it went right to that opening, the circle in the helmet that covered all of Goliath's head and his face. It found its way there, and it sunk in his head. And that incident was the birth of a type of music: shake, rattle, and roll. When that rock hit Goliath, he shook, his armor rattled, and he rolled on the ground. That was the beginning of shake, rattle and roll. And David wasn't satisfied with that. David then took Goliath's sword. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Pansing Brooks, you're recognized. [LB403]

SENATOR PANSING BROOKS: Thank you, Mr. President. Again, I rise to just speak to Nebraskans right now. If you care about this Legislature, if you care about our ability to go forward on the business that we have, you need to reach out to your senators. You need to say, enough, quit trying to silence the voices, the minority voices, within this body. If you care about property taxes, reach out to your senators. If you care about tax reform, if you care about trade and the issues that are going on right now, if you care about prisons and the mess that we have with overcrowding, if you care about HHS, reach out to your senators. Is the inability to discuss these important issues worth Senator Larson's motion to silence the minority voices? We have to be able to stand up for our constituency. We each represent approximately 36,000 people. So the gang of 27 wants to happily go forward and say, our constituents don't matter; we're going to

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make it even tougher on you as a minority to have your voice heard or to have your area represented. Again, 210 bills approved by the Legislature, 187 without opposition. We're working fine. I spent the summer working with the Attorney General to work on human trafficking. There is so much common ground. Senator Brewer and I are working on Native American issues and indigenous people's issues. I could not be more grateful that he is here to help on that important area and to help me to understand that important area better. Again, the common ground is everywhere: the work on schools, early childhood education. We may have some disagreements on certain forms of schooling, but there are other forms of schooling that we do agree on. Does that mean our voices should be silenced? Game and Parks, infrastructure, I guess it was an unholy alliance that created that whole infrastructure bank. We worked with Senator Smith on that bill. Minority votes, majority votes, we worked back and forth across the aisle. We overrode the Governor. And now the Governor is using that infrastructure bank as one of his top priorities to discuss, because it's helping our state. It's helping our state do the business it needs to do. Again, what is this point of stopping the voices of the minority so that you can just push bills through? Again, this is what Congress has tried to do to silence people. We are better than that. We are better than that. We are a unique and very precious gem in the middle of the country. And this arrogance that, oh, well, we're going to silence you, we know better than what decades of previous legislators knew,... [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR PANSING BROOKS: Thank you, Mr. President...it's unreasonable. Property discussions; issues regarding minorities, poverty, there are a lot of things we want to talk about, things that you probably would agree with and things you'll disagree with. But that's the beauty of this! What point is standing up and not standing for what you believe in but for what 26 of your other people tell you that you're to believe in? We're all thinking people in here. We can make decisions that move back and forth across the aisle, and we can make Nebraska a shining example of democracy and of laws in action. We are an awesome body. Don't give it up. Nebraskans, contact your Legislature to skip the whole discussion of Senator Larson's to try to limit the voices of a minority. Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Pansing Brooks. Senator Kolowski, you're recognized. [LB403]

SENATOR KOLOWSKI: Thank you, sir. Listening to the speakers this morning, Senator McCollister's comments about day one what took place here in this session and also what Senator Pansing Brooks has been talking about, the partisanship, the things that we need to do to communicate with our population, our constituents--call your senators, have contact with them, tell them what's happening down here, all of this is extremely important. It almost makes me feel

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like every new senator should be part of a...at least a small class for a small time that would go over the history of the whole aspect of our Unicameral in this state. I dislike titles. I dislike naming people into this camp or that camp or any other camp. To be a D or an R or an I in this body means little to me. The history of Nebraska and the work of the Unicameral and with a one-house Legislature, as we have, I translate myself more as a pragmatic progressive. I redirect people when they talk to me about being a D or an I or an R or anything else. No, I'm from Nebraska. We have a nonpartisan situation. We hope it stays that way. But here's where I am and here's what I believe. Here's where I come from, and that's deep and rich in the history of the state, and it makes us different. We look different. We operate differently, and we get different kinds of results, positive results compared to where other states are and where our federal government is at this time. Talk to my constituents in my district. I'm such an anomaly because people don't know how I could win in a Republican-dominated district in southwest Omaha. How did I win? I had 38 years in the Millard district and people knew what I talked about when I talked about vision, trust, and leadership. That won two elections for me by four points. I'm known as "Landslide" Kolowski. It gets us here. We get the job done, and we're trying to do the very best we can do. I tell the schools, tell your great story, don't be shy, get out there and talk to your public, get as much in their hands as possible, again, always be truthful, of course, and make a difference in what you're doing as far as the quality of life we bring to a community with the quality of our schools and the quality of the educational experience that their students get. My most recent description of what's taking place down here and what took place on the first day is very simple. If I have any knack or ability to do something fairly well, it's to select people. I had 150 teachers in my high school where I taught backed by another 60 adults in the building with support services, and that's a lot of teachers and that's a lot of support. Getting those people, mixing them, every hire, in with a new department as you're adding people to a growing district is not an easy task. And then supervising them... [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR KOLOWSKI: ...and helping them grow becomes extremely important as well. I ask you to think about what we did on the first day compared to being a human resources director of any organization, any business or industry. If that business or industry would select their people the way we were that first day, you'd go broke, plain and simple. You'd go bust. I ask you to think about that within the context of what we hope to get done, where we hope to be, and where we hope this Legislature will be looked at in the future as people reflect on us. Thank you very much. [LB403]

PRESIDENT FOLEY: Thank you, Senator Kolowski. Senator Larson, you're recognized. [LB403]

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SENATOR LARSON: Thank you, Mr. President. First of all, let me, to the freshmen, the new senators, there is a lot of time left. You don't realize how much time there is left. Second, in responding directly to Senator Pansing Brooks's comments about silencing the minority, my rule change, proposed rule change, doesn't silence the minority. It still gives the minority the ability to filibuster. And the fact that she's standing up and saying that we--i.e., I think putting it either on I or the rest of the Republicans--are going to stop the ability for us in the Legislature to talk about the important issues if this rule change comes up or passes is ludicrous. Because if this passes, it's the Democrats that are threatened to filibuster everything; therefore, not allowing those important issues to come up. That's what she's threatening. Why don't we see if the rule passes? If it does, let's adopt the permanent rules and move on, so we can discuss the important issues that she's discussing. But it appears to me that they're threatening that if it passes they're going to filibuster the rules forever; therefore, they are being obstructionist. It's as simple as that. And Senator McCollister mentioned the Lincoln Journal Star editorial board about not being partisan. Well, let me bring back the Lincoln Journal Star when they said the Journal Star editorial board is on record in support of lowering the number of votes required to end debate to 30, which is also the number of votes that is required to override a gubernatorial veto. So that same editorial board is on that record. Let's move on to another one, a Lincoln Journal Star editorial board: Talk, talk, talk, once again the Legislature was marred by the overuse of the filibuster. Maybe the next crop of senators will reduce the votes required to end debate from 30 to 30...33 to 30, excuse me. Now let's move on. We have a nice article from another Journal Star reporter saying: Legitimate warnings avoiding the tyranny of the majority often cited by those who like to align themselves with the Founding Fathers ignore the simple warnings that might describe the tyranny of the minority. That is what has been threatened--the tyranny of the minority. And in that same article, they go...he quotes in his arguments about the tyranny of the minority, he goes, let's move on to Thomas Jefferson: I subscribe--and this is a Thomas Jefferson quote--I subscribe to the principle that the will of the majority honestly expressed should give law. If you want to discuss the important issues, we'll vote on my motion to change the rules. And if it's adopted, we'll move on to discussing those important issues. Instead, we are being threatened. We are being held hostage that if we adopt that, they're going to filibuster everything, or they're going to filibuster the rules to where we can't even talk anymore. That is what I'm hearing. Senator Chambers is going to do it. He's threatening it. He's looking at me telling me he's going to do it, and that's fine. He can. And you guys can join with him. But you will be holding up the important issues that Nebraskans want to discuss. So don't put it on us. And don't bring in...if you want to bring the Journal Star editorial board into the conversation, realize they are on record in support of lowering the filibuster. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR LARSON: Thank you, Mr. President. [LB403]

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PRESIDENT FOLEY: Thank you, Senator Larson. Senator Morfeld, you're recognized. [LB403]

SENATOR MORFELD: Thank you, Mr. President. Will Senator Larson yield to a question? [LB403]

PRESIDENT FOLEY: Senator Larson, would you yield, please? [LB403]

SENATOR LARSON: Yes. [LB403]

SENATOR MORFELD: Who threatened to filibuster everything for the rest of the session? [LB403]

SENATOR LARSON: I believe I heard Senator Krist say, we have 17 and you guys won't get anything done. [LB403]

SENATOR MORFELD: And, Senator Larson, what political affiliation does Senator Krist have by his name? [LB403]

SENATOR LARSON: Technically, I'd say it's Republican. [LB403]

SENATOR MORFELD: Okay. Thank you, Senator Larson. So one member of this body has gotten up and said they're going to filibuster everything. And, Senator Larson, in the Journal Star that I have right in front of me here today, says that one political party, the Democrats, are threatening to filibuster everything, when, in fact, Senator Larson just admitted that it's a member of his own party that made that threat. Now, I can't speak for Senator Krist. I can only speak for myself. And I've gotten up on this mike many times over the last day or two saying that the problem is not the rules; the problem is us working together, finding common ground. We need to do a better job at that. I talked to a lot of my colleagues that were coming back after last session and talked about ways that we can work together more deliberately to build the relationships, to build the compromise, to work together to prevent these types of filibusters. And for those that weren't listening yesterday, which Senator Larson appears to be one of them, out of the 18 filibusters last session, 9 of them were by more conservative members of the body. This is a tool that is not used by just one ideology to protect minority rights. And quite frankly, when you are imposing a law on a minority group of people who are passionate and feel as though they have a principled stand on the matter, it should be tough to pass a law. And as Senator Pansing Brooks has brought up many times, a vast majority of the laws last session were signed into law without debate or any problems. But, yes, there are passionate disagreements on some others. But it's not borne by simply one party or the other. And, in fact, if we're looking at party

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affiliation, it's about half and half. So let's be honest about what we're debating here and let's be honest about what reality is. And the reality is that the filibuster has been used by people of both ideologies, time after time, to protect the rights of the people that they perceive that they're protecting. Now I think it's important to have a discussion about ways that we can work together to avoid more filibusters in the future, and I think that there's a lot of members of this body that are already working toward that after last session, and I've seen that. Now, I don't want to filibuster every bill and require 33 votes for everything for the rest of the session. That being said, if we're going to change the rules, I will engage in extended debate on that for the rest of the session, because the rules are the foundation and basis by which we pass multiple and hundreds of laws after we pass those rules. That changes the game for everything. And that's where I draw my line in the sand. Colleagues, the rules have been in place for many decades. They have served the state and the body well. Maintain the rules, and let's move on with the session. It's important that we get to other substantive issues, and I realize that, and I know that many of us, including me, want to get on to that, but we must maintain the nonpartisan nature of this body. It is something that has served the state well for 70 years, and it's something that I will fight all session to do, if necessary. But I also want to have the opportunity to work with you to find common ground on tough issues facing our state. Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Morfeld. (Visitors introduced.) Senator Crawford, you're recognized. [LB403]

SENATOR CRAWFORD: Thank you, Lieutenant Governor. I rise in support of the motion to withdraw. And we've had a lot of conversation about getting back to the other...to the issues at hand and making sure that we are getting the business of the state done, so I just want to lay out a path that would lead to that. Right now there are multiple amendments on proposed permanent rules. So we have already on the floor here debated all of the proposed changes to the permanent rules that were a result of the Rules Committee deliberation. If you look at the rules in your Rule Book and look to see how we make changes in rules, you'll see it indicates the proposed rules are referred to the Rules Committee, and the Rules Committee decision on those proposed rules is final, is what the Rule Book says. And so we have had, I think, extended and good discussion on those changes, those proposed changes, that were vetted by the committee and sent to the floor for our approval. So right now we are sitting with the proposed rules, with those motions all debated appropriately and adopted. But in a...right now the proposed permanent rules that we could adopt today have amendments on them, which really are proposed changes in rules. And the rules process says that those proposed changes in rules should go through that Rules Committee process. So a way forward is to say we vetted all of those proposed changes to the rules that went through the process appropriately, drop all of the other amendments that are on the permanent rules, and we could vote the permanent rules as amended by the proposals that were vetted by the committee process today. And we would be ready to roll with permanent rules in place, and that would be a way for us to accomplish this today, get it done today, so that next

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week when we come back we are ready to tackle the budget with our permanent rules in place, our permanent rules that have worked well, with some great additions based on the hard work of those who proposed changes to the Rules Committee, and the hard work of the Rules Committee, and the work we've done here to really make sure that we have thought through the implications of those proposed rules that were vetted by the Rules Committee. So a way to move forward is to drop those additional changes that did not get vetted by the Rules Committee process, and adopt the permanent rules today and get back to the work of the state, in terms of other...the budget and other substantive bills. I do not, in that statement, want to denigrate the importance of the conversation about the rules, though. The rules are also the work of the state. I think we've had a lot of good conversation about that. We have done the work of the state in terms of vetting and deliberating on those proposed rule changes that went through the Rules Committee process. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CRAWFORD: Thank you, Mr. President. So we have done the work of the state in being intentional and deliberate about considering our permanent rules, and I feel our permanent rules, unamended, the permanent rules amended by those proposals that we have already adopted and amended without the additional amendments that have been proposed, would serve our state well. And we'd be well-served to adopt the permanent rules as amended by those committee amendments and move forward. Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Crawford. Senator Howard, you're recognized. This is your third opportunity, Senator. [LB403]

SENATOR HOWARD: Ready? Okay. Thank you, Mr. President. I read the Lincoln Journal Star article this morning that noted that it was the aggressive Democrats who were doing this work, and I actually thought it was funny, so funny that I joked with Senator Larson about it in the hallway, because I've never been called aggressive before. I've been called persistent and assertive. I've been called too nice. I once got fired from a baby-sitting job for being too nice to the kids. One time Senator Chambers said to me, are you really this nice? And I said, I think so. And so it was a little bit funny to me to hear that I'm so aggressive. It was actually maybe I'm growing and I'm learning. As an aggressive Democrat, I guess for the freshmen who are here, I want you to know that I have no intention of filibustering every bill. It would be wonderful if I felt as though I had that in me. Every person has their lines in the sand, though, you know? If you mess with kids or the disabled or the vulnerable or this institution, those are my lines in the sand and that's when I will go to town, or go to the mattresses, per The Godfather. So with that being said, I'm certain that Senator Chambers has something to add, and I would hope he could use this time. Thank you. [LB403]

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PRESIDENT FOLEY: Thank you, Senator Howard. Three and a half minutes, Senator Chambers. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, oh, gentle spirit. (Laughter) Members of the Legislature, to finish this part of the David story--and there are more stories about David after he grew a little bit, became the one who could take the evil spirit away from Saul by playing jazz, the one who stole a man's wife and other things--but at this point David cut off Goliath's head. The story went out as stories about things like that will do, and when the army was coming back, the streets were lined with many people cheering and shouting praise, but it was all aimed at David. And they said, Saul, the king, has killed his thousands, but David has slain his ten thousands. And from that day forward, Saul became...King Saul became the sworn enemy of little David, the shepherd boy. There are many stories in that "Bible," and I know a lot of them, and I embellish them. I can talk the rest of the session, the session, and I will. I don't join coalitions. Agreements made with other people are not binding on me. I do what my mind tells me to do. And you notice Senator Larson, when he was talking and saying what the Democrats were going to do, turned around--did I?--pointed at myself and he said Senator Chambers is threatening me. Well, he can do it. Senator Larson has seen me do it. But it was not necessary for me to do it a whole session because those who had been recalcitrant, obdurate, bullheaded, and stubborn came to their senses. Then, lo and behold, they came to me for assistance, even a Speaker. Every Speaker we've ever had, until now, I have helped facilitate what was going on with this Legislature. But we have to reach a point before I will do that. The day that I was being excoriated by these cowards in the Legislature who do it only in a mob, after they got through Senator Larson was bludgeoning everybody about charter schools, charter school this, charter school that. So one senator wanted to call a point of order on Senator Larson, said he was tired of hearing that and what Senator Larson said was not germane, was not relevant. Guess who stood up and spoke for Senator Larson? Not any members of the master race; not any of those who got such pleasure out of piling on me. Who do you think, from what I've said already, stood and spoke for his right to speak? Moi. There are issues and there are issues, and when a member is going to be silenced, not because of anything of substance but they're tired of hearing what he had to say...I was tired of hearing it. You've heard Senator Larson talk. He's not the kind who just has you on the edge of your seat listening. He's one who drives you to distraction and gets on your last nerve. But even with that, he had a right to speak, so I spoke in his behalf for his right to speak, and they left him alone. That's the way I operate. I'm an adult... [LB403]

PRESIDENT FOLEY: Time, Senator Chambers. [LB403]

SENATOR CHAMBERS: ...among children. Thank you, Mr. President. [LB403]

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PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Pansing Brooks, I believe this is your third opportunity, Senator. [LB403]

SENATOR PANSING BROOKS: Pardon me? [LB403]

PRESIDENT FOLEY: I believe this is your third opportunity. [LB403]

SENATOR PANSING BROOKS: Oh, wow! Okay. Well, again, I want to thank Senator Crawford for her comments regarding the rules being the work of the state. That's true, and I didn't mean to misspeak on that. We are doing the work of the state. Other work of the state that we care about regarding all the other bills is important as well. And, you know, query whether not being able to speak and not being able to have our voices heard as efficiently or to be able to take our stands as clearly is worth losing the opportunity to discuss these important issues. Senator Larson, I'm sorry he's checked out, I guess, but he is the one that in the Journal Star was quoted as calling us aggressive Democrats, I guess, or maybe...I don't know who he's calling an aggressive Democrat. Maybe he's calling Senator Krist, a Republican, an aggressive Democrat. We have no idea who he's calling that. But, you know, clearly I am in favor of moving forward with the work that the committee came forward on, drop all of the amendments that weren't vetted, and adopt the permanent rules and move forward. As Senator Larson said to the new senators, oh, don't worry, we have tons of time. Well, in the two previous sessions, we have never had tons of time. We have never gotten to the end and said, oh, keep talking, we have plenty of time to discuss all these issues. In fact, we have been very agitated about the fact that we need to get more time to be able to fully discuss each issue. So, again, is this rule change that hasn't been vetted in committee so worth silencing the minority? And, again, that is part of democracy. And it's a question of the chicken and the egg, because Senator Larson says, oh, that we are holding him hostage. No. His bill is holding us hostage. So it's all a matter of perspective. And, again, I would hope that we can move forward with the work of the committee. We want to continue to do the important work of the state, and clearly, as Senator Crawford said, the rules are the important work of the state. It's the first step to getting everything done. So, again, Nebraskans, if you care about this, if you care about making sure that voices are heard, please contact the senators in the body and talk to them about how important it is to move forward with our issues and not silence voices. And it sounds really good to talk about the tyranny of the minority, because we're advocating as a minority for people who do not have a voice. As Senator Howard said, there are lines that we draw in the sand. Rules are a line. People on the margins of our communities are a line in the sand for me. Fighting for public education is something that is a line in the sand that I care about, fighting for the people in my district. We will all continue to do that. A line in the sand for Senator Friesen and Senator Hughes are farmers and property taxes. I get that, totally get that. We need to work on that and communicate and not just barrel through and steamroll various voices. We work well together. I'm communicating with Senator Linehan. I'm communicating with Senator Erdman. We're working to try to find places of common

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ground. Senator Geist stood bravely on women's issues. That's something I can work with her on. This is not a body that tries to place itself into two camps. We just do not do that. And for the new people who think that's so, please listen. There will be many times that we all work together in various formats. That is the beauty of our Unicameral, our nonpartisan Unicameral. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR PANSING BROOKS: Believe it! I don't get everything that I care about passed, clearly. Senator Groene doesn't get everything he cares about passed. Senator Smith doesn't get everything he cares about passed, Senator Chambers. That's the beauty of the Unicameral. Please, Nebraska, write to the senators, call them, talk about the fact that we need to keep going, we need to keep our nonpartisan Legislature, we need to keep our extended debate and cloture as it is, as brought forward by the committee. Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Pansing Brooks. (Visitors introduced.) Senator Krist, you're recognized. [LB403]

SENATOR KRIST: Thank you, Mr. President. Good morning, colleagues, and good morning, Nebraska. I was in my office watching or monitoring the discussion that is going on. And I heard my name used, and I heard a statement made that was not true. So I felt that I needed to come up here and at least present the other side. I will get the transcript for what I said that day, but let me paraphrase what I said: Be careful when you form a clique or a claque or a group that you think is so cohesive that it will never come apart, because it will. It will come apart when you divide lines between children, between pro-life, between pro-choice. There are a lot of things where you will come apart. Sometimes there's solidarity. I did not threaten. I stated historical fact. One of our members who is no longer with us, not because he's deceased but because he's no longer with us, brought to us a theory of 17. You can't pass anything, but if you have 17 people you can block any piece of legislation. I didn't threaten it. I don't intend to ever use it. Senator Groene, could Senator Groene yield for a question, please? [LB403]

PRESIDENT FOLEY: Senator Groene, would you yield, please? [LB403]

SENATOR GROENE: Yes. [LB403]

SENATOR KRIST: You were a freshman senator. There was something that was near and dear to your heart, and that was the forced application, if I could paraphrase for you, of a injection or inoculation into our kids in the education system. Does that pretty much sum it up? [LB403]

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SENATOR GROENE: It's not precise. I'm not against a... [LB403]

SENATOR KRIST: You're free to put it in your own words. [LB403]

SENATOR GROENE: Yeah. It was one particular vaccination that was not...did not fit into the definition of a full coverage of what we usually consider definition (inaudible). Yes, and I fought for it, and I won. [LB403]

SENATOR KRIST: Yeah, so you... [LB403]

SENATOR GROENE: I did not win; the state of Nebraska won because it has been proven now that it was not good legislation. [LB403]

SENATOR KRIST: Okay. Thank you. My point is that, as a freshman senator, he stood for what he stood for, and he had, I think, 19 votes, actually, to stop debate, and the issue was dead. That was my bill. And the discussion, for the most part, was about a particular inoculation, and his read and my read on the mike were a little different, but you get the point. Okay? I then turned around, later on last year, and filibustered for my district, for my concerns for the levy, the common levy, in the metropolitan area, because I represent the Omaha public school system, incredible poverty, incredible language problems. And I think that the Learning Community and the common levy needed to stay in place. And I lost because I couldn't get the people with me. Those are the kinds of issues that will divide and conquer or succeed. So I never threatened and I will never threaten. I've never asked somebody's support for one of my bills. I very rarely walk around and take a vote count. I very rarely will ask people to sign on to my bill. It will either stand on its own merit or it will go away. That's what this job is about. I think for someone to actually have the right in this body to change rules, they ought to follow the rules. That's an indictment that Senator Larson can come back up and we can talk about on the mike if he'd like to. Works both ways. Now, here's my suggestion. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR KRIST: The Rules Committee...I may not have enough time on this. I'll hit my button again. The Rules Committee is not forced into one-time meeting, one-time reporting out. I would propose...and I have been silent on this issue because I thought the Speaker and others were working out the differences on what would happen. But I guess I haven't spoken, let the record show, yesterday or today until right now. I would propose that all of the rules that were not submitted to the committee and didn't have a public hearing are withdrawn; we go pass our permanent rules and move on to the business of the state; and that our Chair, Senator Hilgers,

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who, by the way, is doing a wonderful job as freshman, reconvene the Rules Committee and we hear whatever other rule change you'd like to hear, because we can do that again. Is my time up? [LB403]

PRESIDENT FOLEY: Yes, sir. [LB403]

SENATOR KRIST: Am I... [LB403]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Groene, you're next in the queue. [LB403]

SENATOR GROENE: Thank you, Mr. President. I stand in support of LB403, Senator Stinner. Nebraska, what you are witnessing here is not a filibuster unless those speaking are filibustering LB403. Senator Stinner, who ran for Appropriations Committee Chair, which nobody else did because he was the only man willing to take on the task. And you know what you're doing to him? He's sitting under the balcony waiting for this simple rule to be changed. He is not at his task of preparing a budget. He is not giving direction to the Fiscal Office because he's sitting there. The last two days, we had the Fiscal...the top two Fiscal people sitting under that balcony not able to do their work because of this. If you want to filibuster, filibuster the law. You wait until Senator Larson's amendment comes up and then do your filibuster. But let Senator Stinner go to his work. Let's finish this. Senator McCollister's next with LB419. Senator Pansing Brooks, would you take a question? [LB403]

PRESIDENT FOLEY: Senator Pansing Brooks, will you yield, please? [LB403]

SENATOR PANSING BROOKS: Yes. My little podium says kindness in your voice so. [LB403]

SENATOR GROENE: It is. I'm a white, angry male sometimes. I'm trying to depress it. But anyway, do you consider Senator McCollister one of the 27? [LB403]

SENATOR PANSING BROOKS: No, I don't. [LB403]

SENATOR GROENE: Thank you. [LB403]

SENATOR PANSING BROOKS: Thank you. [LB403]

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SENATOR GROENE: Then why are you filibustering his ability to withdraw a bill? Why? This is obstruction of... [LB403]

SENATOR PANSING BROOKS: You mean, Senator Stinner? [LB403]

SENATOR GROENE: Yeah, why are you... [LB403]

SENATOR PANSING BROOKS: You said Senator McCollister. [LB403]

SENATOR GROENE: No, Senator McCollister is up next. He is waiting for his turn to withdraw his bill also. Thank you. I'm done. Anyway, this, Nebraska, is not a filibuster. This is obstruction of government, what is happening right now. It's not a minority. We're bipartisan. I looked at the chairs. Agriculture has five chairmanships. Women have three. There was five candidates. The majority of the women that ran won chairmanships. Outstate Nebraska has nine chairmanships. Omaha/Lincoln has eight. The Speaker is outstate, a larger community, Norfolk. Here's what the statute said about minorities: race, color, religion, sex, disability, marital status, and national origin. Nowhere in here does it say Republican or Democrat, nowhere. So what is your minority? Tell me which candidate for Chair lost because they were a minority. Name them. Are you telling me I am supposed to vote for somebody for a Chair that their philosophy is different? Should I vote for somebody for Chair of Judiciary who is pro-choice? I wouldn't care if they were Republican, Democrat, Libertarian or whatever, I would not vote for that person because of philosophy, for that Chair. Tell me who your minority is. Losers? Are you a loser? I don't consider you a loser because you stood for Chairmanship and you did not win. You are a winner. You took part in your government and you lost the Chairmanship. Accept it. We are here to do good government, period. Let Senator Stinner do good government. Let us vote on his pull of his bill and let him go to work. Let Senator McCollister pull his bill and let him go to work. If you want to take on Senator Larson, then that is called a filibuster. But at least expend your eight hours or six hours, be honest. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR GROENE: Do it on that topic. This is...I would never do this. If I'm going to do a filibuster, I'm going to expend my time and do it by the rules on that topic. I'm not going to do it on Senator Stinner's pull motion. Let him go to work. Thank you. [LB403]

PRESIDENT FOLEY: Thank you, Senator Groene. Senator Hansen, you're recognized. This is your third opportunity, Senator. [LB403]

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SENATOR HANSEN: Yes, thank you, Mr. President. I'll get to my comments in a minute. But I will point out Senator Groene just spent pretty much a full five minutes registering his opinion on the matters before the body, whether or not it's the conduct of the body as opposed to the exact language of LB403. He could have very easily, you know, forced an end to debate by calling the question. He has that ability. But instead, he chose to spend five minutes talking about it. The fact that the rest of us are getting up and talking about it is our right just as that was his right. So that's kind of my comment on that situation. I wanted to get up, though, because I am seeing more and more. I'll admit I have not read every article. I'm not going to go through the transcript, but I'm going to cite one thing I noticed on Twitter. This is from Joe Duggan of the World-Herald who says: Rs say Ds will unite and use filibuster to block their bills, so who is being partisan? Well, somebody who could be...who is looked up as a D, I will say it's not my intent to get up and filibuster every bill. I certainly have no knowledge of that. The reason I can prove that is because last year my bill, my priority bill, LB947, was the third to last bill we did on Day 59 on Final Reading. We were one or two filibusters away from having what I chose as my priority, what I put my name on, what I spent a very important portion of my political capital on from not happening if we'd had one more filibuster that either I supported or I didn't support. That is why I think that it has to be used very judiciously and that's what I plan to do. That's what I plan to do. I will point out, you know, that sometimes we just spend a lot of time talking on a bill. If somebody throws up a controversial amendment on Select File, it's not hard to go four hours. That's not necessarily a bad thing if there is that many moving parts, there is that much complexity, there's that much there. I've had people, I've overheard it, I won't comment on their name on the floor, but we've had filibusters where someone has gone on Select File and said, oh, wow. Did you realize we've already talked for 3 hours and 30 minutes? We only have to go 30 minutes more. Let's do a filibuster. Sometimes they're not planned, and that was against a bill I supported. And that meeting happened right up here in the front row when I sat in Senator Walz's seat last year. So I'm standing up saying that this is not my intent. I am not intending to filibuster any bill and every bill. I reserve the right to use it judiciously and I have certainly gotten involved in it before. You know, one of the first times I ever got involved in a filibuster was to lower the minimum wage right after the people of the state of Nebraska had voted to raise it. I think that was an appropriate use of it. I think that was an issue that was a line in the sand for me. There is other issues that, you know, I like the motorcycle helmet law. I don't run that filibuster in order to get to stop the repeal. Somebody else does. That's typically other people, you know. Just because I don't like a bill doesn't mean it rises to the level of filibuster for me. You know, and just in terms of commitment to bipartisanship, what I've been doing when I'm off the microphone is working on language for a bill I'm hoping to get out of Judiciary that I've been working on for a long time and I have bipartisan--in this case, it's Senator Ebke so it's bipartisan Democrat and Libertarian--bipartisan support for and I'm hoping to get that out in General File early and hopefully get to it. I know we're going to have a lot of time on the budget and LB22 and all of that. But this is the thing that every time we use lengthy debate, whether or not it's a true filibuster, whether or not we just have a lot of things to say, I run the risk of killing things that

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I've worked on for years. And I know that. That's why I use it very judiciously. With that, I know Senator Chambers probably hasn't spoken in a while so I'll yield my remaining time to him. [LB403 LB22]

PRESIDENT FOLEY: Thank you, Senator Hansen. One minute, Senator Chambers. [LB403]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, why do these senators get up and talk about somebody else when they're talking about me? Who has talked this morning more than anybody else? Me. Who has said I will derail the session? Me. Why do they pick Senator Pansing Brooks? Why are women always picked on? I see what these loud-talking people do. I'm right here. And I'm going to keep doing what I do. I'll do it on Senator McCollister's bill, but I'm going to show you, you can't get me off Senator Stinner's bill because I'm not going to vote. Then I'm going to offer a reconsideration motion. You cannot stop me. And by raising your voice, it just upsets you and let's me know that I've whipped you. That's why they don't call the name of Senator Chambers. Read Harry Potter. There was a person whose name was never spoken. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Krist, you're recognized. [LB403]

SENATOR KRIST: Question. [LB403]

PRESIDENT FOLEY: The question has been called. Do I see five hands? I do. The question is, shall debate cease? All those in favor vote aye; those opposed vote nay. Record, please, Mr. Clerk. [LB403]

CLERK: 28 ayes, 2 nays to cease debate. [LB403]

PRESIDENT FOLEY: Debate does cease. Senator Krist, for what purpose do you rise? [LB403]

SENATOR KRIST: Disregard. Thank you, sir. [LB403]

PRESIDENT FOLEY: Senator Stinner, you're recognized. [LB403]

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SENATOR STINNER: I waive closing. [LB403]

PRESIDENT FOLEY: He waives closing. [LB403]

SENATOR STINNER: Absolutely. [LB403]

PRESIDENT FOLEY: Question before the...Senator Krist. [LB403]

SENATOR KRIST: Request a call of the house and a roll call vote in regular order. [LB403]

PRESIDENT FOLEY: There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, Mr. Clerk. [LB403]

CLERK: 31 ayes, 1 nay, Mr. President, to place the house under call. [LB403]

PRESIDENT FOLEY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senators Hilgers, Morfeld, Kuehn, Riepe, Murante, Schumacher, please return to the floor, check in. Senator Krist. [LB403]

SENATOR KRIST: We can proceed. [LB403]

PRESIDENT FOLEY: Thank you, Senator. The motion before the body is a motion to withdraw LB403. A roll call vote has been requested. Mr. Clerk. [LB403]

CLERK: (Roll call vote taken, Legislative Journal pages 369-370.) 40 ayes, 0 nays, Mr. President, on the motion to withdraw LB403. [LB403]

PRESIDENT FOLEY: The motion is adopted. I raise the call. Mr. Clerk. [LB403]

CLERK: Mr. President, priority motion. Senator Chambers would move to reconsider the vote just taken with respect to withdrawing LB403. [LB403]

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PRESIDENT FOLEY: Senator Chambers, you're recognized to open on your reconsideration motion. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, people I think had gotten nervous about giving me time, so maybe the discussion was at an end as far as me being given time. But I always have the reconsideration motion and I will derail the session if I want to. And I can do it on every bill that we confront. I want Senator Groene to dare me. I want Senator Larson to dare me. Let the 27 dare me. They could bully and buffalo the rest of you and that's why they did it. They thought they could do it with impunity. I'm going to apply the word giant to those small people metaphorically. They think they've got all this power. Shakespeare said: Oh, it is wonderful to possess the strength of a giant, but it is tyrannous to use it as a giant. They had what they thought was the strength of a giant. But since they never had it before, they didn't know how to use it. And that's why you don't let children play with matches. They played with matches and they started a fire, which has become a conflagration. Let them make me stop, ask me those questions, will I filibuster every bill? My answer would be no, because I don't filibuster. I engage in extended debate and people can characterize what I do any way they want to. But I characterize it myself. And I'm not going to let us go today. We're not going to get off Senator McCollister's bill today. There was a guy named Flip Wilson and he used to tell jokes. And he would tell stories and at the end of his story, he'd make a point. There was this guy who was the clerk at a hotel and all he did was check people in and out. But he had a baseball bat. And when anybody got too recalcitrant, he'd tap them a couple times with the bat and it would straighten them out. So there was this big guy who hollered at women. Hey, Senator Pansing Brooks, for example, hollered. And he came to this hotel and he said something that "Well Enough" didn't like. That was the clerk's name. So "Well Enough" didn't say anything. And that emboldened the coward to get louder. And so one of this guy's friends pulled him aside. He said, now you need to let that man alone. He said, let him alone? Listen to his name--"Well Enough." Who has ever been called "Well Enough?" Look at the little shriveled up man. So the guy said, okay, do what you want to do. So the big blustering bully went over there, he reached across the desk and grabbed "Well Enough" in the collar and "Well Enough" grabbed that bat and beat that big, loud, bullying person till he was a pulp and unconscious. And when he woke up, do you know what the guy said to him when he came to his senses? He said, I told you to leave "Well Enough" alone. You all should have left "well enough" alone. Things will take their natural course. Senator Groene now has a tricorn, a three-cornered hat. He's the chairperson of a committee. Well, let us see if he can rescue you. Let us see if the 27 can rescue the session. Follow Senator Larson. I hope you do. It will show how silly you all are. You don't learn. And I can make you so angry you'll do things against your own interest to get even with me and you can't get even with me. I told you, I don't care whether we don't do anything this session. And I will take the time and you all cannot stop me. And you're not going to holler at me and make me shut up. I'm not your slave. I'm not like the young black girl whose mother worked for Strom Thurmond and he raped her, impregnated her, and she had a baby by Strom Thurmond, this old

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racist white person from down South. Yet he raped a 14-year-old black girl working in his house and gave her a baby and he stayed in the Senate. So when I tell you how these white men were raping black women in slavery, you can play like you don't think it would happen. Look around you right now what they do and black women were enslaved and you tell me that these racists were not raping them--Thomas Jefferson, George Washington, all of them, all of them. And I look at you now and you think you're some kind of slaveholder over me? You got another think coming. I will take the session. You can't take it. Look how many people have had to go someplace else because they're tired. I whip them whenever I run them out of the Chamber. Every time one of them goes out of here, you know what I think in my mind? (Humming) And another one down and another one down, another one bites the dust. Oh, I'm going to get you, too. Another one bites the dust. (Humming) When you hear that, you know that's the theme song of the Grim Reaper and he's on your trail. Stop me. You think you can stop me from going till noon? Call the question. I'd say there hasn't been adequate debate. The Chair going along with you all will say, yes, there has been. You'll vote to stop debate. I'll offer my reconsideration motion and you will stop me from going till noon maybe, depending on how much the Chair is willing to fold. And I'll presume the worst is going to happen. I always prepare for that. But the sun also rises. There will always be tomorrow and tomorrow and tomorrow. And I tell you this, the one who wrote Tomorrow and Tomorrow and Tomorrow was he that foretold my coming. And there will always be a tomorrow for me. And you know how you can win? Call the question on every bill. Don't offer a motion. Don't offer an amendment. Vote every bill across and look like what you would be. And I will win whatever you do. And if you don't do that, then get ready for your bill to be given a long, thorough vetting. And if you think I can't do it, test me. I wouldn't have anybody standing up trying to defend me if that's what he called it as Senator Groene stood up. If one of you all ever do that to me, I'll call a point of order and I'll say, Mr. Chair, I can speak for myself and much better than anybody else. He's going to use Senator Stinner as a stick to whip you all with. You think he cares about Senator Stinner? You think his philosophy is the same as Senator Stinner's? You heard him tell you he will not vote for somebody based on ideology if he doesn't like them, their ideology. He admitted he doesn't vote for competency for a Chair. He doesn't vote for experience. He doesn't vote for knowledge. He told you how narrow-minded he is when he functions in the Legislature. And that's how he'll function as a Chairperson, not that the bill has merit, has he got enough votes to get it out of there because it comports with his narrow-minded approach. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CHAMBERS: You all don't pay attention to that stuff, do you? And if you do, you're afraid to call him out. He hollered here this morning. That meant he was hurling his challenge to anybody and he felt nobody would take it up and hoped that I wouldn't. I said I'm interested in and concerned about the Legislature as an institution. And when somebody demeans it in that fashion, even if aiming his little barbs at other people, I will jump into the fray because I'm a

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member of the Legislature. Tell me those things. Ask me those questions. I answer questions. Senator McCoy was the hero and the darling of the conservatives, like a little prairie dog took his hole when I wanted to ask him some questions and he was running for Governor and he was afraid to answer my questions and said, no, I won't yield. I won't answer questions. That's the way they do on this floor with me. Then they dare not... [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: ...mention my name. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. You are recognized for five minutes. [LB403]

SENATOR CHAMBERS: Members of the Legislature, I do what I think is the right thing for me to do. And people in my district know that if there are 7,000 of them as voted for me last time-- there are more people than that in the district--and they tell me, Ernie, this is the way we want you to vote. And I don't agree. I tell them, no, I'm not going to vote that way. Well, we voted you in. Well, you should have found out what you were getting when you voted. I've told you all I'm not going to reflect ignorance. I am not an echo. When you all stand up here and you're going to vote whatever these people sent you here tell you to do, you show yourself to be foolish. You know those people in your district are foolish. You know it. They're not informed. They haven't studied the issues. And then you're going to let their ignorance make you an ignorant person. Not me. Never in my life would I let somebody make me say something I didn't think I ought to say. And I was like that so much as a child that people would say, what's the matter? The cat got his tongue? That's what they would say. They couldn't make me talk if I didn't want to talk. Train up a child in the way he should go and when he is old, he will not soon depart from it. My experiences made me what I am. And as Popeye said, "I yam what I yam and that's all that I yam." And I don't care how many of you make whatever agreements you make, they don't apply to me. If my name is not on the contract, it does not bind me and none of you can speak for me. So you new people may as well learn something here this morning. If you holler, that's not going to cut any ice with me. I bet when Colonel Brewer was under fire, he wishes all they were doing was shooting blanks at him out of cannons and making a lot of noise. He'd rather deal with the cannon, making enough noise to deafen you than one sharp shooting sniper with a small bullet because the bullet is what kills, not the noise, not the noise. And I make noise on the floor. They can call me on it. But I don't pick on people who I think can't defend themselves or won't defend

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themselves and I don't pick on women. When they get ready to holler and make a point, they call on a woman. Why didn't he call me out? I'm not too far from him. Maybe he felt he had to holler and bellow because she's so far away and he didn't realize that these microphones and the system here will amplify the voice so you can be heard even if you whisper. That's what gets on the wrong side of me. I'm the Chairman. My God, show me respect! Senator Pansing Brooks, I want to ask you a question! Senator Brooks, why are you filibustering? Don't you like Senator McCollister? Well, Senator Groene, the bill before us is not Senator McCollister's bill. But his bill is next! His bill is next. I'm going to deal with whatever they bring up on the floor. If they don't want me to deal with it, don't bring it up. You all don't know the manner of man that you're dealing with. I will talk longer on any bill... [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CHAMBERS: ...and any subject as long as I want to and nobody can make me stop. Nobody can make me stop. I don't care how loud they talk or whatever else they try to do. I am going to speak on this floor. And you all will learn something. You all sold the wind on the first day. You have the rest of the session to reap the whirlwind. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Erdman you're recognized. [LB403]

SENATOR ERDMAN: Thank you, Lieutenant Governor. Good morning, Nebraska. I've learned a lot of things about Bible stories in the last couple of days. Some of them were a little stretch maybe, Senator Chambers. I understand that. That's your interpretation of it. I do understand those. I've read those myself. Been here 17 days. Haven't done squat. Okay? So if Senator Chambers can make up Bible verses, so can I. There is a time to be born and a time to die. A time to plant and a time to harvest. A time to talk, and a time to vote. Thank you. [LB403]

PRESIDENT FOLEY: Thank you, Senator Erdman. Senator Linehan, you're recognized. [LB403]

SENATOR LINEHAN: Good morning, colleagues and Nebraska. I have a...I think I speak for some of my other newbies around here. I had a couple of them tell me this morning their heads hurt. Senator Hansen, when you...is he here? He's not? Senator Pansing Brooks? So I'm going to go to Senator Chambers. [LB403]

PRESIDENT FOLEY: Senator Chambers, will you yield, please? [LB403]

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SENATOR CHAMBERS: Yes. [LB403]

SENATOR LINEHAN: Senator Hansen said this morning that we could have stopped this at any moment, including Senator Groene could have stopped it if he would just call the question. I don't understand that. Could you explain that to me? [LB403]

SENATOR CHAMBERS: Well, when a person feels that there has been sufficient debate, the person when recognized says, I call the question. The Speaker or whoever is in the chair will say, do I see five hands? And if there are five or more hands, then the question is called and they vote and that's the way to say if enough people vote, a majority of the body, then debate ceases. [LB403]

SENATOR LINEHAN: So is there agreement among the body that we let so much time expend before that happens or can we do that right away? [LB403]

SENATOR CHAMBERS: When people get tired and they think that they might have enough fellow senators tired, they will call the question. [LB403]

SENATOR LINEHAN: Okay. So is it appropriate for me to call the question now? [LB403]

SENATOR CHAMBERS: I don't think there has been adequate debate because I am the introducer of the motion and I haven't even spoken the number of times that I choose, but you can call the question whenever you want to and see if you can get enough of these people to go along with you to shut me up. And if they do, then they'll pay for it the rest of the session. [LB403]

SENATOR LINEHAN: I am not, sir, I promise, Senator, trying to shut you up. I'm just trying to clarify what the rules are. So thank you very much. I do want to just take...I want to say one thing that I think I heard, but maybe I misheard on the floor this morning. I do not believe that the constituents in my district who sent me here are foolish. I think they are hardworking Nebraskans that are having great difficulty trying to pay their taxes and keep their families under a roof and a house and well fed and make sure they're well educated. And I ran so I could serve them, and I don't want any of them to think that I think a single one of them is foolish. Thank you. I yield my time. [LB403]

PRESIDENT FOLEY: Thank you, Senator Linehan. Senator Chambers, you're recognized. This is your third time, Senator. [LB403]

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SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, you don't hear me cheesing up to anybody, not even the people in my district. First of all, we have an understanding. They know the manner of person that I am and that's why they send me here. There are so many times they're confronted with situations where they feel they cannot speak. They're in a car with their child and a cop will stop them and talk bad to them and the man cannot defend himself as a man in front of his child because this cop can shoot him. Then he calls me and tells me what happened to him. And I say, what you need to do when you go to your church, you stand up and you tell what happened to you and indicate that they're not going to teach your child to respect the cops when they see the cop bully and mistreat his father in that fashion. I'm everybody's father, even people in your district. People in your district call me. I should let you see some of the letters that are written to me about some of you all who will not address their issues. There are bureaucrats who refer people to me. There are judges who refer people to me, not to you all because they know there ain't nothing to you. They listen to you on this floor. But you can call the question whenever you want to and the Speaker can accept it whenever you want to. But once that's called, the action ceases and the bill is voted on and it will move or not move. The amendment is voted on. It's adopted or it's not adopted. If you're so angry that you want to teach me a lesson that you want to call the question on a bill and move it on even if you've got something pending, let it go. You didn't get attached to that bill what you wanted attached to it and I whipped you again. I can make you act foolish. And as for what Senator Erdman said, go to Proverbs and there are a whole lot of other things which it says there is a time for. Who even cares about that? They quote the Bible when they want to try to make a point. I tell a story when I want to make a point based on what you all say you believe. There is no God that talks to me. And I don't believe, from what you all say about this God, that that God talks to you all either because you don't reflect what you say that God is telling you based on what the manual about God says about this God. But this is an amusing place. I don't know how long some people are going to have to be in here before they realize that all those histrionics mean nothing to me. They just mean that I've won, that I have overcome once again. And I'm not one whose chair will be empty for large amounts of time because I don't like what's going on, on the floor. I'll be here when you all are long gone. Look at these empty chairs. You don't see...well, my chair is empty because I don't sit in it. But watch how many people leave this floor. But I don't leave the floor because I believe what the Legislature is supposed to do. And if nobody is in this Chamber but me, I will be here doing it. You all will be in your offices. You'll be running around, maybe "urping," burping, and slurping like a "Captain Hungry" or "Lieutenant Lunch Hunter." But where will I be? Colonel Brewer knows that he can give me an assignment and leave and come back 12 hours later. And if my assignment required me to be there, I will be there. And you all can accept it or not. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

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SENATOR CHAMBERS: Watch me. See if I'm a blowhard, a bag of hot air, hot wind, and leave or am I here doing the hard work that I say we ought to do, willing to answer anybody's question, even in giving the answer it might be...put somebody in a position to have a stick to hit me with. If they ask me a question, I'm going to give an honest answer. You all know that. You don't like it. I don't care whether you like it or not. If you being you means you sit and do nothing, that's you. If it means you leave while the business of the Legislature is going on, go ahead and leave. If it means you sponge off the lobbyists, sponge off the lobbyists. If I find out you're doing it, I'll just call you SpongeBob SquarePants. [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Groene, you're recognized. [LB403]

SENATOR GROENE: I'm much calmer. I've had my therapy. But anyway, Senator Chambers can stand up and make fun of other people's dialect or the way they form a speech. I will never do that. It's not civil, not polite. We all have different characters. We all get excited. Senator Chambers has a very loud voice also. And I will never say he's angry because we each...how our minds communicate through the vocal cords we were given is all different. So I would appreciate if in the future, who I've always been civil to Senator Chambers, if he doesn't try to make fun of me, I will never do it to him. I have never done it. Let me make a point. I will never do that because it's not in my character to make fun of anybody: speech, tone, color. I don't care what color you are. I don't care how tall you are. I don't care what political party you're from. I would like anybody once to point out in the transcripts where this senator did not stick to the issue and debate the issue as is. I've never traded votes. I've never filibustered one bill to keep another bill from being heard. That's obstruction. I got a four-hour trip to go home and a four-hour trip to come back here. Do I want to be here? No. I don't want to be here. I told my wife the day I die, don't put the word "senator" in my obituary. If that's all I did in my life and hung around this place, I've had a wasted life. I came down here to do good government. I came down here to vote for the people I think were the best chairmen. I did not come down here to obstruct government. So I won't take part in that. And will I get angry when I see it done? Yes, I will. Senator Chambers and I will get along and he will never bait me. The more he baits me, the calmer I get because I've learned something. When you stand up and speak and somebody else quotes you in their...when they stand up, you must have made a point. You must have had some truth in your statements. Senator Chambers has truth in his statements quite often also. And I have stood up to debate his statements on the issues. But you will never see me stand up ever again to talk about somebody's personal behavior or how they presented their argument. That's not collegial. So

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could we go back to LB403 and let Senator Stinner get back to his job? Because he has a longer trip than I do. He's got six hours. He came down here. He could have been in the Bahamas today, but he's not. He came down here to get good government done. Let Senator Stinner get back to work. Thank you. [LB403]

PRESIDENT FOLEY: Thank you, Senator Groene. Senator Pansing Brooks, you're recognized. [LB403]

SENATOR PANSING BROOKS: Thank you, Mr. President. I just want to mention that Senator Groene just said that he always talks on the issues. We didn't...there wasn't any discussion of the motion to withdraw and the fact that the underlying bill, Senator Stinner's LB403, and I, too, am here for good government. And I would argue that making sure that we follow what happens with the rules is good government. Making sure that we follow what the committee process is and the hearing process and making sure that we have...we can follow the committee process where they bring forward bills and the committee brings forward their rules and we had a hearing on the rules and now all of a sudden we're attempting to change the rules. I, too, am here to support good government. And it's all a matter of perspective, isn't it? It's a matter of perspective what is good government. So as aggravating as this all is, we've said how to move forward. Move forward, drop all the amendments. If people would stand or come to us and say, yeah, we're willing to vote down all the...or drop all of the amendments, that's fine. But those amendments are as obstructionist as any discussions we're having on the floor. So again, it's all a matter of perspective. Whose perspective? Is Senator Groene right? Is his perspective the only perspective that is correct in this body? Or do I have a perspective? Do I have a point that leads towards good government? And again, my friends, this body has moved forward. Is this because of the death penalty vote? Is that why we want to change it so that we can't have the same extended debate rules and the same votes on cloture, or is it because of the meningitis bill that Senator Krist brought up? Or is it because of the LGBT bill for work force equity? Which bill is it that caused this important determination by the gang of 27 that we have to change extended debate? And which of us is correct? I don't begrudge Senator Groene saying now it's time to move on. I totally agree. It is time to move on. But with all of those amendments hanging out there, that is a way to silence my constituents; and I don't appreciate it and neither do they. So obstructionism goes two ways. Good government goes many ways. And maybe this attempt right now isn't the proper way to do it. Come tell me a better way. Come tell me how we can reach across the aisle. I've asked numerous ones of you. Let's get rid of this and move on. Oh, no, we're not willing to get rid of those amendments. Okay. Then that is obstructionism on your part. So clearly we're at an impasse. Who is going to be kind enough and determined enough to say enough on both sides? We've got a really easy way to solve this. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

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SENATOR PANSING BROOKS: Move forward with the committee recommendations. Thank you, Mr. President. We can move forward with those committee recommendations and get rid of the amendments and adopt the permanent rules and move forward. That's pretty simple. Then we can go about the state's business on the important bills that all of us care about. I have bills I care about. Senator Brasch has bills she cares about. Senator Riepe has bills he cares about. Senator Lindstrom, he, too, has bills he cares about. We all do. We all have constituents that care, that we are here to represent them. But to do so and silence voices and make it more difficult for the minority people to speak, those in a minority, whichever minority it is at whichever time. Some people have said that the farmers are the minority. Some people said that the urban people are the minority. Sometimes it's the women that are the minority. We have all sorts of minority voices here. Why make it harder on the minority... [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR PANSING BROOKS: ...voices to speak? Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator Pansing Brooks. Senator McCollister, you're recognized. [LB403]

SENATOR MCCOLLISTER: Thank you, Mr. President, members of the body. Rules are important. In fact, they're absolutely essential. And a rule that changes the basic character of this institution, our Unicameral, are worth defending with all the time necessary it takes to defend them. I'd like to read from The Federalist Papers number 10 and this is from 1787. Under classic constitutional theory, majority rule should govern and at the expense of minority rights. Madison argued that the Republican remedy embodied in the constitution allowed the various factions sufficient room to express their views and attempt to influence the government. Instead of the majority putting down minorities, the different interests should negotiate their differences, thus arriving at a solution in which the majority would rule, but with due care and regard given to minorities. So we need to conduct ourselves. We need to adopt rules without any kind of rule coming in from the side and move this body forward and do the state's business. Thank you, Mr. President. [LB403]

PRESIDENT FOLEY: Thank you, Senator McCollister. Senator Chambers, you're recognized to close on your reconsideration motion. [LB403]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, for those who heard me, the thing that upset me with Senator Groene was that he raised his voice at a woman. That's what I talked about. I said, raise the voice at me. I'm the one who has been talking. Don't pick a woman and ask if she's going to filibuster this or that. Pick me. I am the one. And when I

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do something and I see somebody else picked on because it seems to the picker that it's an easy target, that does upset me and I'll keep doing it. Raise your voice in the wrong way in my opinion, and I'll deal with you. I hope Senator Groene is still on the floor so...he's back there. He can hear what I'm saying. I don't want anybody to think I'd say it because I think he's gone. If he wasn't here, he would be listening downstairs. It's a good thing he came back. Because if he had not come back, I was going to say he was just like Pilate. He asked Jesus, what is truth? Then he didn't stay to get an answer. He walked out. If you raise your voice or treat any woman in my presence in a way that I think you shouldn't, I'm going to deal with it; and I don't mean it in a paternalistic sense in that a woman cannot defend herself. But women have been so conditioned in this society, they have been made to feel they've got a place; they are made to feel they cannot do anything in a certain way. Senator Groene is right, my voice does get loud. If a woman did it, the media would probably say she was hysterical. You know there are negative ways that they characterize women to make them stay in their place--subservient, docile. And other women help enforce that kind of a regime on women who will speak up, who will stand. But I'm going to do what I think ought to be done and I'm going to say what I think ought to be said. And as long as things are done here in a corrupting way toward the system, I'm going to take the time and I'll derail the session. Now, like I said, you can call the question or whatever you want to do and run everything right across the board. And we can get out of here in six or seven days. And look at the damage I will have made you do, you trying to get rid of me. You will sink the ship to try to drown me, but I'm the only one on the ship who can swim. You cannot capture me. You cannot subdue me. I'm going to say what it is I intend to say. And I've never heard Senator Stinner say that he needed somebody to defend him as though he is a voiceless, speechless person. Whatever happens here, Senator Stinner was paid. He's paid to be here. He's paid to do whatever the job entails. I'm paid to do what I do, not well, but I'm paid. We're not here for any altruistic reasons. And I hope the day never comes when somebody feels like I'm so inept, incapable that they have to speak for me when I'm right there and can speak for myself. So if any of you all ever thought about doing it, get it out your mind. I don't need that. I don't want that. I want to speak for myself. I want to be challenged. I want to be called out. [LB403]

PRESIDENT FOLEY: One minute. [LB403]

SENATOR CHAMBERS: And you determine how it's going to be done. When they used to have duels, Senator Friesen, one who was challenged would say, I accept your challenge. Choose your weapons. You choose the weapon. However you want to do it is all right with me. Be sure you know who you're dealing with and what you're dealing with, and don't let the emotion of the moment get you in water above your head and you don't know how to swim. I watch people here. I listen to people here. And Senator Groene said party doesn't matter to him. He already said he'd never vote for anybody to be chair of a committee if the person is pro-choice, whatever the term was he used. What is that other than saying I discount everything else about that person? I

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discount ability. I discount fairness. I discount experience. That person holds an opinion on one issue that I disagree with, therefore that person... [LB403]

PRESIDENT FOLEY: Time, Senator. [LB403]

SENATOR CHAMBERS: ...is unfit to hold the position. Thank you, Mr. President. I will ask for a call of the house and a roll call vote. [LB403]

PRESIDENT FOLEY: Thank you, Senator Chambers. There has been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, please, Mr. Clerk. [LB403]

CLERK: 22 ayes, 2 nays to place the house under call. [LB403]

PRESIDENT FOLEY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Thank you, Senator Chambers. We will proceed with a roll call vote. Mr. Clerk. The question before the body is the adoption of reconsideration motion. Mr. Clerk. [LB403]

CLERK: (Roll call vote taken, Legislative Journal page 370.) 1 aye, 34 nays, Mr. President, on the motion to reconsider. [LB304]

PRESIDENT FOLEY: Thank you, Mr. Clerk. The motion is not adopted. I raise the call. Mr. Clerk. [LB403]

CLERK: Mr. President, Senator McCollister would now move to withdraw LB419. [LB419]

PRESIDENT FOLEY: Senator McCollister, you're recognized to open on your motion to withdraw. [LB419]

SENATOR MCCOLLISTER: Thank you, Mr. President. One of the first bills we heard of the session was LB45 from Senator Watermeier. And that, as you will recall, dealt with license plates, veterans' license plates. My AM32 folded into that bill two other groups, United States Public Health Service and the National Oceanic and Atmospheric Administration. With the acceptance of that amendment by the body, the need to hear LB419 became moot. So I would withdraw. Thank you, Mr. President. [LB419 LB45]

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PRESIDENT FOLEY: Thank you, Senator McCollister. Senator Chambers, you're recognized. [LB419]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature and Senator McCollister, we're not going to act on this bill just yet. I have a few more things I want to say and that I'm going to say. Senator Kolowski spoke earlier and said people wonder how he, a Democrat, could be elected in an overwhelmingly Republican district. He managed to achieve that. But I was listening to the radio one day and this white guy who was running against him used what these white people call the nuclear option. That guy invoked my name to be used against Senator Kolowski. Senator Kolowski was with Senator Chambers. But there were 30 other people but they were all white. So why did he pick the black man to do that? Because he's a racist. He was backed by the Republican Party and I understand a couple of lunkheads in here campaigned against one of their fellow senators taking the side of a racist. They keep talking and I've mentioned it to this 27. Now if Ali Baba could handle 40 thieves, you think I, a strong black man, can't deal with 27 white people who are misguided, who don't even understand what they've gotten into and are looking for a way out? Why, that is facetious. Abraham Lincoln had talked about the Civil War, the tremendous ferment in the country. He said words to the effect that until a crisis is reached and passed through, there will never be any peace or stability. We haven't reached the crisis point yet. You all may think it's a crisis. If a little breeze, if a zephyr is going to be mistaken by you for a hurricane, what will you do when the hurricane comes? Or as Jesus said, if this is what they do in the green tree, what will they do in the dry? I like to quote the "Bible." There is a verse for everything. It's so contradictory, it's so nonsensical. It deals with things that are so fanciful and impossible that it causes me to be very interested in it. There is another activity that occurred. It was called the Passover. And if the blood was put above the door, then the angel of death would not kill a child in that house. The angel, in other words, would pass over. Some people believe that really happened. Some people have made it a special day that they commemorate. Let them do whatever they want to and whatever makes their boat float and that happens down here in the Legislature too. Some bills are passed over by the angel of death. And I'll accept that characterization. But you won't know until the time comes which bill will be passed over and which one will be walked upon. By the way, these white candidates who invoke my name to try to beat another white candidate is what is referred to as the nuclear option. When nothing else seems like it's working, hook them up with Ernie Chambers because the people in Nebraska are so racist that's like waving a red flag in front of a bull. [LB419]

PRESIDENT FOLEY: One minute. [LB419]

SENATOR CHAMBERS: So when I say that people in Nebraska are racist, white people are the ones who demonstrate it by the way they conduct themselves and the way they know their white brothers and sisters will behave. When the Nazis were going to invade Russia, they should have won and Russia did not decide that they're going to fight the Nazis. They decided that they

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would withdraw, lead the Nazis deeper and deeper into Russia; and they decimated the countryside so there was nothing for the Nazis to consume to sustain themselves. And then Russia's ally, which has never failed Russia, was the Russian winter. And the Nazis, so intent on what they were doing, didn't pay attention to where they were and the circumstances confronting them. And that's what's happening in this Legislature. You all act based on what's happening at that moment. But see, you're going to come back here Monday, then Tuesday... [LB419]

PRESIDENT FOLEY: Time, Senator. [LB419]

SENATOR CHAMBERS: ...and day after day. Thank you, Mr. President. [LB419]

PRESIDENT FOLEY: Thank you, Senator Chambers. You are next, you may continue. [LB419]

SENATOR CHAMBERS: You're going to come back day after day and I'm still going to be here and I'm still going to be doing what I said I would do. But you won't. You get tired. You start trying to negotiate with the enemy. You start saying you will make a compromise and that's why I don't agree to be a part of anything these individuals say they're going to do because they run out of gas and they give ground. And before it's over, they've lost everything they said they would fight for. That's not me. But if I believe in something, I don't run around here and say the only way I'm going to fight for it is if I can get a certain number of people who will join me. That's not the way I operate. And I'm going to demonstrate it again and again and yet again. I don't have any opposition to what Senator McCollister is doing. I didn't have any opposition to what Senator Stinner was doing. But what I have to demonstrate is that whenever an opportunity comes to advance my cause, I will take advantage of that opportunity. And unfortunately, we don't have very many people here. And if it remains that way, then we don't have a quorum and we are adjourned. We cannot conduct business if we don't have a quorum. And, Mr. President, before I continue, I would ask the Chair to declare that the Legislature is adjourned for lack of a quorum. [LB419]

PRESIDENT FOLEY: Senator Chambers, we have 21 members excused; 28 members still checked in. We do have a quorum. [LB419]

SENATOR CHAMBERS: I don't have to wait until I'm through speaking to ask for a call of the house. I will ask for a call of the house to be sure that we have a quorum. [LB419]

PRESIDENT FOLEY: Thank you, Senator Chambers. There has been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, please, Mr. Clerk. [LB419]

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CLERK: 20 ayes, 2 nays, Mr. President, to place the house under call. [LB419]

PRESIDENT FOLEY: The house is under call. Senators, please record your presence. Those unexcused senators outside of the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senator Brewer, the house is under call. Please return to the Chamber. All members are present who are not excused and we do have a quorum, Senator Chambers, so we return to the speaking queue. I raise the call. Senator Morfeld, you're recognized. [LB419]

SENATOR MORFELD: Thank you, Mr. President. I yield my time to Senator Chambers. [LB419]

PRESIDENT FOLEY: Senator Chambers, five minutes. [LB419]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Morfeld. And we may as well see today whether I'm bluffing when I say certain things. I come here to spend the day and I would just as well spend it this way because the best way to teach some people is through experience. So let them experience me doing what it is that I do. And there will be moves I will make, motions I might offer to make sure that we have the complement of people that we need to have here. What needs to be discussed very thoroughly is something that is looming over this body. Are those of you who are new going to let somebody who has not demonstrated a great amount of ability, who often is not in the Chamber lead you down a path that you could say if you want to use hyperbole, a path leading to destruction. You're going to sit here and let these people outside the Chamber dictate what happens in the Chamber. They're dictating what I am doing. They know that I care about the Legislature. But they think that there might be a chink in my armor and that I will get tired as everybody else has, that I will see people getting upset, I'll hear people express offense. All that indicates is that I'm being effective. But whether those manifestations exist or not, I'm going to use time. I have said over and over and over that the price I can exact is time and I will take that time. And I'm going to force the members of this Legislature to put up or shut up. Either you care about this institution or you don't. When I make a statement like that, you will say in your status of being ignorant of the dynamics of the Legislature, well, if you care about the Legislature, why don't you be quiet and let us go home or whatever else. No. I have to use the tools at my disposal to bring about the result that I think is appropriate. If you all think that what I think is appropriate in fact is not appropriate, then you have to offer resistance. But if your resistance cannot overcome my determination to persist, then we're going to stay here and keep doing what I'm doing. I like us to have moments like this. They become memorable. You think that I'm governed by the clock, that at noon, we always or virtually always adjourn for the day. We don't have to do that. We can stay here till midnight. We can't do it on Senator McCollister's bill, but we can stay here a good amount longer. I will talk. If

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people give me time, I will continue talking. I view these as teaching sessions. There is no class you can go to on a university campus where the period of the class is fewer than 45 minutes. Maybe it's 50 minutes. [LB419]

PRESIDENT FOLEY: One minute. [LB419]

SENATOR CHAMBERS: Maybe an hour. So that amount of time is a given, as far as I'm concerned, for any lesson that I think needs to be offered. Will people learn from it? That's not my concern. I'm the sower who throws the seed. Depending upon what kind of ground the seed falls on, it will grow or it won't. Thank you, Mr. President. [LB419]

PRESIDENT FOLEY: Thank you, Senator Chambers. Speaker Scheer, you're recognized. [LB419]

SPEAKER SCHEER: Thank you, Mr. President. We will stand at ease until 12:45. [LB419]

PRESIDENT FOLEY: Thank you, Mr. Speaker. We are at ease. [LB419]

EASE

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: Being 12:45, we will return to the floor. Senator Bostelman, for what reason do you rise? [LB419]

SENATOR BOSTELMAN: Thank you, Mr. Speaker. I'd like a call of the house, please. [LB419]

SPEAKER SCHEER: There has been a request for a call of the house. All those in favor vote aye; all those opposed vote nay. [LB419]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Record, Mr. Clerk.

CLERK: 9 ayes, 0 nays, Mr. President, to place the house under call. [LB419]

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PRESIDENT FOLEY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Members, we're under call, if you could please return to the Chamber and record your presence. Senators Bolz, Hilkemann, Schumacher, Groene, McDonnell, Wayne, Wishart, Vargas, Crawford, Watermeier, we're under call. Please return to the Chamber and record your presence. Senator Bolz, Hilkemann and Wayne and Lowe, please return to the Chamber and record your presence. Senators Wayne and Lowe, please return to the Chamber. A quorum is present. I raise the call. We return to the speaking queue. Senator Crawford, you're recognized. [LB419]

SENATOR CRAWFORD: Thank you, Lieutenant Governor. I rise to support Senator McCollister's motion to withdraw and also to continue our conversation we've been having about the importance of maintaining rules that protect our traditions, that protect our ability to work together. And I would just say my day job, I'm a political scientist. And so one of the very common questions that I have gotten in the past is, well, what's most surprising to you? Or what is most different than what you see in the textbooks and the theories? And my answer has always been before Day 1, 2017, my answer has always been, it is I've been most surprised at how nonpartisan our interactions really have been in the Unicameral. That I was, as a political scientist, I would have to say I was a skeptic coming in. I knew it was supposed to be nonpartisan. But I did know still people know what party you're affiliated with. And so I suspected that it would be more partisan here. And I was thrilled to be able to tell people how that was not the case. And one of the ways that dynamic plays out over the session is supported by a very strong norm that the coalition that you build for each bill is a new coalition. And so instead of getting entrenched into teams, we have new coalitions that we build for our different bills. And so we're working with different people. And I'm sure, well, I hope that for those of you who are new in your orientation, this was an important message that you heard from those senators who are leaving is how important it is to recognize that the coalitions you build for each bill are different. And I'm just going to give an example of that with Senator Craighead. So we were on opposite sides on the death penalty debate, passionate on each side, arguing for our views. But then we were passionately in the same coalition fighting hard for equal pay for women in the work force. And when Senator Craighead had a bill that came out of my committee, the Urban Affairs Committee, I had her back on the floor when some lawyers were trying to torpedo her effort. So we worked very hard together on that effort. So that's really what builds this ability to work together and learn to trust one another is that we have different coalitions for each of our different bills. And sometimes, you know, there's some of us who probably work together more often; but it still is the case that with each bill here in this body we can ask who all should we bring in? Who all cares about this bill? Who has districts that are particularly impacted by this bill? And we have an opportunity to reach out and pull those folks in. And that mentality, that norm is a very important part of what makes this Unicameral function as a nonpartisan body is that you know you have to build those coalitions. And when I talk about

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it in terms of in comparison to Congress, in comparison to other states, other states the parties caucus. And so they are explicitly teams and the teams meet and decide how they're going to vote and there is very much a team mentality. But what I say about Nebraska and the Unicameral is after the elections are over and we're in this room, we're all on the same team. And I've really been thrilled to see that for the most part in my four years here prior to this year, that there is a sense that while we may be passionately fighting for our views on one bill we might be on opposite sides, we're all on the same team; and the same team protecting the institution and protecting the ability of the institution to function, protecting the institution from challenges from other branches, challenges that arise that we need to face; and on the same team in terms of having each other's back and trying to work with one another and help one another be effective. That was another thing that struck me when I first got here. And I hope that has been the experience for our new senators is how well people reached out to try to help us as new senators coming in be effective. And that's so important not only to maintain our ability to work together well and come to good decision... [LB419]

PRESIDENT FOLEY: Time, Senator. [LB419]

SENATOR CRAWFORD: Thank you. [LB419]

PRESIDENT FOLEY: Thank you, Senator Crawford. Senator Hansen, you're recognized. [LB419]

SENATOR HANSEN: Thank you, Mr. President. Colleagues, I am going to risk embarrassing myself here, but I saw on Twitter that there was a comment of we're on Day 17 and we haven't done anything yet. So that made me curious to what we had done on Day 17 of last year. And I don't know if you remember, but Day 17 last year we were debating changing fees for marriage licenses. I literally just have the agenda. LB88 by Senator Campbell to change fees related to marriage licenses; LB159 by Senator Hadley, Speaker Hadley, to redefine terms under the Public Accountancy Act and provide for peer review; LB247 by Sullivan to change the interest rate provision of the Uniform Partnership Act of 1998; LB279 by Senator Schumacher to change provisions and fees related to business entity reinstatement; LB220 by Smith to provide for Nebraska's 150th sesquicentennial license plates and distribute fees accordingly. Not to give weight or diminish or rise the over importance of any of those bills, but, I mean, there is things that just happened in the course of the legislative body that take more time than others. You know, frankly in these kind of early days we have lots of different bills and lots of different things that were going on. So, you know, frankly, Senator Schumacher's bill--if I remember LB279 correctly--was basically we made a loophole in our Model Business Corporation Act where we abolished some businesses and never let them come back. And I was working on a relationship issue because we actually, by state law, made an opportunity where we, because of

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deeds and covenants required homeowners associations to exist and because of a payment structure in the Secretary of State's Office, we forced them out of existence. They were both going on at the same time. That was actually one of the first bills I ever worked on in Urban Affairs with the city of Lincoln addressing that. But I just bring that up. And, you know, I was trying to find the work sheet from that same day, so Day 17 in 2015 and we were, looks like we were at 15 bills minus the Revisor bills that had made it through General File. I see now here today I think we're at five. That is slower. I'm going to be honest, that is slower. That's different. It's a different pace. But in the grand scheme of things, you know, 15 versus 5, depending on the meat and weight and issue is not drastically different or drastically a different pace than we've had prior. So I think we are going fine pacewise. I think we are addressing the business of the state. I mean, I will try not to devolve the conversation into this issue, but we did spend several days dealing with the inappropriate behavior of a member that, frankly, could have been headed off well before then if, I guess, more reasonable minds had prevailed. So, you know, we're talking about wasting time, spending time, the pace we're at, how much we've done, on and on and on and on. I mean, if we're debating the rules, if we're debating bills, if we're spending a lot of time trying to get things into shape, I don't think that's inappropriate or inopportune. We're just trying to kind of address each issue and each state as best we can. You know, Senator Watermeier's Military Honor Plates bill had a cleanup amendment, an attempted floor amendment--by my memory so I might be wrong--but a cleanup amendment, an attempted floor amendment, and we merged a different bill into it. You know, we might have gotten more bills done on General File had that waited a day or so in committee and we had a more comprehensive committee amendment on it or from there on, but I don't think that's bad. I think, you know, in an attempt to get good issues on the floor, good issues to talk about, I think certainly making sure we honor... [LB419]

PRESIDENT FOLEY: One minute. [LB419]

SENATOR HANSEN: Thank you, Mr. President...making sure we honor reservists was a good issue. But that's something that just the technical nature of that bill took several hours that we could have potentially passed some easy bills or bills maybe not easy, bills that required minimal debate to reach a consensus. So I just wanted to kind of start addressing those comments in terms of the pace we're at and what we're doing this session. By the numbers, yes, we're a few bills behind 2015 two years ago, the first year of my first long year session. But we've had unique challenges this year, and I think that's an appropriate pace. Thank you, Mr. President. [LB419]

PRESIDENT FOLEY: Thank you, Senator Hansen. Senator Morfeld, you're recognized. [LB419]

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SENATOR MORFELD: Thank you, Mr. President. I've been asked by a few people to take up some time because I know negotiations are being had right now on certain issues and so with that, I'm going to actually start reading from one of my favorite books actually, One House: The Unicameral's Progressive Vision for Nebraska by Charlyne Berens. My staff has conveniently printed it out in type 16 font so that I can read it from the floor. And so we'll start with "Chapter 1, One of a Kind. Nebraska may look like just one long stretch of interstate highway, lined by cornfields and 'Go Big Red' signs. But Nebraskans will tell you they have a unique claim to fame: Theirs is the only state in the nation with a one-house, nonpartisan legislature. It wasn't always that way. In fact, when the state entered the Union in 1867, it adopted the partisan, two-house legislative model that became the norm in the United States. It was 70 years later, in 1937, that the first Unicameral Legislature met at the State Capitol in Lincoln in an experiment that some predicted would not last long but which most Nebraskans today simply take for granted. In fact, the institution quickly became so firmly entrenched in Nebraska's state culture that, for decades, citizens have referred to their Legislature as 'the Unicameral.' By a two-to-one majority, Nebraskans passed a 1934 constitutional amendment that created the new model. It was a peaceful revolution, achieved at the ballot box, and it didn't jettison the state's fundamental democratic structure. Nonetheless, a revolution it was. For the first time in more than a century-and-a-half, one of the United States had decided it could manage just fine with a one-house and nonpartisan legislative branch. Adoption of the Unicameral was not born out of any political or social crisis but followed nearly 30 years of discussion and consideration fostered by the state's political leaders. The Unicameral seems to have had its roots in the populist/progressive philosophy that had been a major influence in the state from the 1880s on. Not that Nebraskans voted for the new system because they recognized themselves as populists or progressives, but when they followed the recommendations of those who were promoting the nonpartisan, one-house body they were responding to arguments grounded in the populist/progressive ideal. George Norris was the most prominent person making those arguments. In a 1934 interview with a Washington, D.C., newspaper, Norris, Nebraska's U.S. Senator, a well-known progressive and a leading advocate for the new legislative structure, talked about why he thought Nebraska should make the switch: 'The bicameral house is cumbersome, defeats the will of the people and is fundamentally and unnecessarily expensive.' Conversely, then, a unicameral legislature would be more efficient, would serve the will of the people and would be cheaper for the state to operate. The argument reflects the populist/progressive belief that an identifiable entity known as 'the people' exists and that its will should be carried out via government. Historically, the populist movement originated in the latter decades of the 19th century as the common people--especially farmers in the Midwest and South, suffering under harsh economic conditions--began to insist that government ought to serve them, too, not just the wealthy business classes. Americans began to question the liberal democratic model that kept the people at arm's length from a government designed to negotiate conflicting interests and, mostly, to keep its hands off the business of its citizens. The populists asserted their faith in classical republicanism, which proposed a unitary people with a discernible will. By the end of the 19th century, many in Nebraska and other Plains

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states believed that 'the people' should be in control. They were angry with a government they believed was no longer democratic, no longer representative of common folk." [LB419]

PRESIDENT FOLEY: One minute. [LB419]

SENATOR MORFELD: Thank you, Mr. President. "They believed the 'plain people' of America were in basic agreement about what was right and wrong, fair and foul and that majority rule should be majority rule. Period. Populism was succeeded, historically, by the progressive movement, which adopted and developed many populist ideals, including the emphasis on more direct democratic participation and a belief that 'the people' exist and have a discernible will." Colleagues, I'll stop there for now, but I'll continue once I turn my light on. And I also want you to know that I am serious about maintaining our current rules. And if I have to read through this tonight and future nights, that is what I'll continue to do. Thank you, Mr. President. [LB419]

PRESIDENT FOLEY: Thank you, Senator Morfeld. Senator Chambers, you're recognized. This is your third time, Senator. [LB419]

SENATOR CHAMBERS: Thank you, Mr. President. I would invite my colleagues who are here to look around this room. Where is the leader? You don't have the Speaker here. You don't have the Chairperson of the Exec Board. This is a travesty. We look like a bunch of fools. The Legislature is foundering. Maybe one-third of the senators are in this Chamber. The Speaker didn't tell us why we come back here, didn't tell us what we're here for, just come here and just be here. These are the kind of games that people play who have never had to be accountable for anything. They get a title and that's all. I think if there was ordinary respect for the members of the body, the Speaker would have explained to us what he has in mind. If he has nothing in mind, we shouldn't be here. I'm going to be here because I want to watch and see how you all do things. You hear me always saying, "the master race." I'm learning things from you. This is how you all do things. This is why you run the world. You're smarter than everybody. You're more fair than everybody. You're richer than everybody. And look at your organization. This is not my Legislature. I'm one person out of 49. There is no way by any stretch of the imagination it can be mine. Not one person can gum up the works. You all run it. You all are being run. You all are being gamed. You're being played with, you're toyed with, and you accept it and this is why they toy with you. You don't demand anything. Where is your leader? If somebody came here from another planet, what's the first question they ask: Where is your leader? Then the next is a demand: Take me to your leader. Where is the leader? Who is the Vice Chair of the Exec Board? Nobody even knows who that is. Where is the...I want the public, if they're watching, to know that none of the leaders who have been chosen by the members of this Legislature, and they did it on the first day, none of those leaders is here now, not one. This is you all's Legislature in

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action. You see why people make legislatures the butt of jokes? This is a hoax and a joke.  
[LB419]

Mr. President, I move that we adjourn.

PRESIDENT FOLEY: Pursuant to Rule 7, Section 9, Speaker Scheer, you're recognized.

SPEAKER SCHEER: Thank you, Mr. President. I would respectfully ask those to vote against adjournment. For the last, well, since 9:00, we have been working diligently trying to resolve some issues in relationship to the rules. I believe Senator Chambers is fully aware of that. I don't appreciate the comments when people know what's going on of trying to imply that they didn't. Okay, then I apologize, Senator Chambers. If you did not know, then I apologize. We have been working diligently, a group of several senators, and it included a larger number of senators trying to work out and facilitate some compromises on rules as we're moving forward. There has not been any secrecy. I have tried to include as many people as possible and have encouraged those that I'm working with to broaden that circle. The temporary rules are up today. The discussion that I'm waiting to have come back to me is if they are wanting to adjourn literally without rules and we will start Monday with no rules, or if we would like to extend those for one more week. So I would respectfully request you vote against adjournment until we can come up with a solution to what we're going to be doing next week. Thank you, Mr. President.

PRESIDENT FOLEY: Thank you, Speaker Scheer. The motion before the body is to adjourn. Those in favor say aye.

SENATOR CHAMBERS: Machine vote.

PRESIDENT FOLEY: Machine vote has been requested. Those in favor of the motion to adjourn vote aye; those opposed vote nay. Have you all voted who care to? Record, please, Mr. Clerk.

CLERK: 1 aye, 24 nays, Mr. President, to adjourn.

PRESIDENT FOLEY: The motion is not adopted. We return to the speaking queue. Senator Crawford, you're recognized. [LB419]

SENATOR CRAWFORD: Thank you, Lieutenant Governor. I rise in support of Senator McCollister's motion to withdraw and continue our conversation about the importance of maintaining our rules and importance of protecting extended debate and the maintenance of an environment where we can have extended debate. One of the advantages of a one-house, a

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Unicameral, is that all of those decisions that we make on these bills are made in this room. And that's one of the things that George Norris thought was very important for transparency and efficiency, but especially for transparency, is to have one body in one chamber making those rules and not to then have another house that we could point the finger to and said, well, we could have gotten it done, but the other chamber just wouldn't cooperate. And in particular, he was concerned about what happens in the conference committee. So in Congress and every other state that has two houses, when a bill is passed in slightly...in different forms with differences between the two houses, a committee, a conference committee, is formed to try to iron out those differences. And Senator Norris saw that in Congress and said, you know, there is a lot of mischief that happens in that conference committee when people are in that small room making decisions, and then there is a lot of pressure on both houses to just approve what happened in that conference committee. And so, he said, with the one house, then you don't have that conference committee and you get rid of that challenge, that problem for transparency and for making sure that all members are really involved in that debate and deliberation. If you look at our rules, you will notice that that's part of the push of the rules of the Unicameral is to try to be inclusive and to try to make sure that minority votes, individuals can be heard. And so we have rules like every senator can introduce as many bills as they like; every bill that's introduced gets a hearing; anyone who wishes to come can show up for the hearing; and rules like allowing extended debate. And Senator Morfeld was talking about a book that all of us are privileged to receive when we go through orientation when we first get here as new senators and the book is called One House: The Unicameral's Progressive Vision for Nebraska, by Charlyne Berens. And this book goes through a history and he has started reading some of that history for you. Those of you who have a copy of this book available, pursuant to our discussion today about filibusters, that discussion in the book starts on page 95. And in that discussion, really it goes through changes that have happened in the Unicameral starting in 1937 through today in trying to struggle with this question about extended debate and what the rules should be for extended debate and how often, how much should each senator have an opportunity to speak, with attention of trying to make sure that every senator who wants to speak has the opportunity to speak, when there is tough issues that have to be hashed out there is sufficient time for that, but then also recognizing the balance which is making sure that there is time to address the multiple issues that we need to address in each session. And one of the themes in this conversation is that it's really not easy. [LB419]

PRESIDENT FOLEY: One minute. [LB419]

SENATOR CRAWFORD: And so...thank you, Mr. President. And so different rule choices were tried and in each case then there were often unintended consequences of the rule choices that were tried and ways that people found to get around some of those rule choices that were tried. But that's part of that process of figuring out what those rules should be to ensure debate. And I think currently what we have is the rule of extended debate that's allowed that can be ended with

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a vote of 33 members. And that has been in place for quite some time and we've seen that it's used by people from liberal and conservative ideologies when they feel it's necessary. And I think it's important that we maintain this important tool that has been an important part of shaping our debate and protecting the power of the individual and a minority in the body. [LB419]

PRESIDENT FOLEY: Time, Senator. [LB419]

SENATOR CRAWFORD: Thank you, Mr. President. [LB419]

PRESIDENT FOLEY: Thank you, Senator Crawford. Senator Hansen, you're recognized. [LB419]

SENATOR HANSEN: Thank you, Mr. President. And I just want to clarify that I know Senator Morfeld and myself have been speaking a lot. I just want to clarify that we've been asked in a bipartisan effort to take up time for negotiations. So I wouldn't want our floor speeches and our opportunities this afternoon to be misconstrued. With that, if a lot of what we're talking about is the cloture motion, I figure we might as well make sure that gets officially, as it stands today, read into the record. So I'm on Rule 7, Section 10, which is entitled "Cloture." "At any stage of consideration the principal introducer of the bill under consideration, a cointroducer with (the) consent of the principal introducer, or the chairperson of the committee, if the bill is introduced by that committee, may move for cloture to the presiding officer; however, the presiding officer may rule such motion for cloture (is) out of order if, in the presiding officer's opinion, a full and fair debate has not been afforded. Such ruling by the presiding officer shall not be subject to challenge. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. A vote on the cloture motion shall be taken immediately. A two-thirds majority of (the) elected members shall be required for the cloture motion to be successful. A motion for cloture shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the motion for cloture is successful, a vote on the pending matter shall be taken immediately, without debate. If the pending matter is an amendment to an amendment, following a vote on the amendment to the amendment, a vote shall be taken on the original amendment. (If) the original amendment has been divided, then the vote shall be on the original undivided amendment being considered. Finally, a vote on (the) advancement of the bill shall be taken. A motion for cloture shall have precedence over all other motions except a motion to recess or adjourn. A motion for cloture which fails for lack of sufficient votes shall result in (the) debate on the bill ending for the day. When the Speaker chooses to resume debate on the bill, successive motions for cloture shall not be in order until two additional hours of debate on the bill has occurred. If the presiding officer rejects a motion for cloture on a bill due to lack of full

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and fair debate, successive motions for cloture on the bill may be offered at any time." Clear as mud, folks. All right. No. That's what happens when you lock a bunch of politicians and lawyers up together and ask them to describe a process. We've accounted for many, many, many different scenarios and I'm sure, like many things, that over time that there's been an unclear situation. It's changed or there has been an uncertain ruling on the floor and the next year when we had an opportunity to change rules, we added clarifying language to decide what we want to do with that. That is why we, instead of just saying at the end of a filibuster you call for 33, we are talking about all sorts of different components and opportunities and times and decisions by the Chair, decisions by the Speaker, and on and on and on. But, you know, fundamentally, one thing I noticed, you'll notice, in there is--we've talked about this, it's been a thing we've talked about--some of those things are, you know, not specifically codified. So that's why having, you know, kind of an importance and a consensus on rules is so important. And so I guess I'm struggling here filling time a little bit. I will just yield the remainder of my time to Senator Chambers because I was losing my train of thought. I'm sure he has a better one. [LB419]

PRESIDENT FOLEY: Senator Chambers, 1:00. [LB419]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, this is something like that song "Old Black Magic": "Down and down I go, / round and round I go / in a spin, loving the spin (that) I'm in." I don't love this spin. But from what I understand, there are some people, whoever they are, somewhere, wherever that is, trying to do something, whatever that turns out to be, and we are trying to accommodate them by remaining on the premises. I don't know who all those people are. I don't know what it is they're doing. But if it takes this long, then it probably is not going to be something that's good. You have recalcitrant people coming together, each side, if there are only two sides, determined to maintain its respective position. And we are here, not a part of that, may not agree with that... [LB419]

PRESIDENT FOLEY: Time, Senator. [LB419]

SENATOR CHAMBERS: Thank you, Mr. President. [LB419]

PRESIDENT FOLEY: Thank you, Senator Chambers. Speaker Scheer, you're recognized. [LB419]

SPEAKER SCHEER: Thank you, Mr. President. I will be passing over LB419 at this point and we will move directly to adoption of temporary rules. As a motion, I would move that the rules, as now in our possession, be adopted until such time as the permanent rules are adopted pursuant to Rule 2, Section 1, provided that these temporary rules shall not continue after the twenty-

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fourth legislative day. Having made the motion, I would also have a call of the house, please.  
[LB419]

PRESIDENT FOLEY: There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, Mr. Clerk.  
[LB419]

CLERK: 25 ayes, 0 nays, Mr. President, to place the house under call.

PRESIDENT FOLEY: The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber to record your presence. All unauthorized personnel please leave the floor. The house is under call. Mr. Speaker.

SPEAKER SCHEER: You can proceed with a machine vote.

PRESIDENT FOLEY: The motion is debatable. Senator Chambers, you're recognized. Excuse me. Senator Chambers, you may proceed.

SENATOR CHAMBERS: Mr. President, members of the Legislature, what is being attempted now goes directly to the heart of what this institution is about. I'm going to presume, without knowing it to be true, that whoever those people are, wherever they are, whatever they've worked on has resulted in some kind of resolution or nonresolution. I'm not going to relinquish my right to speak on this motion, but I'm going to forego speaking until such time as I see what is going on. So the fact that I'm not going to participate in some of their discussions while they're trying to let us know what goes on doesn't mean I don't intend to say something at some point. But since they've done this work, they, from my side, will be given the opportunity to let us know what it is we're dealing with. And that's all I'll say at this point. Thank you, Mr. President.

PRESIDENT FOLEY: Thank you, Senator Chambers. Speaker Scheer.

SPEAKER SCHEER: For a point of clarification more than anything to Senator Chambers, there has not been any agreement reached on any item that has been discussed this morning; however, we are going to be going into your hearings in another five minutes. Our temporary rules will expire at the end of today. It is exceedingly important that we have some rules to work on when we reconvene on Monday morning. So I would ask you and urge you to vote green on adopting the temporary rules until a week from Tuesday, which hopefully then will give ample time to, one, work on the budget starting on Monday, to work through that, and then come back and

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continue to work on the rules and hopefully then we will come to some type of compromise and adopt the permanent rules. Thank you, Mr. President.

PRESIDENT FOLEY: Thank you, Mr. Speaker. Senator Harr, you're recognized.

SENATOR HARR: Thank you, Mr. President, members of the body. And what the Speaker said is true. I think there is a good-faith negotiation going on. I would not say that there is agreement now. But I think it's time that we...we got to move on to the budget. We got to move on to the people's business and that's the most important thing. We can come back to the rules. We can decide if we want to change the way we...the institution is run. But the people brought us down here to do their work and to pass a budget. And we are in a situation not of our making, but we have to amend the budget, last year's budget. So I want to make sure that this rules debate does not get lost in that budget and so I think it's a good thing that we don't just go a week, that we go a week and a little bit of time so that then we can talk about do we want to change this institution or do we love our beloved institution the way it is. So with that, I will support adoption of the temporary rules till February 7.

PRESIDENT FOLEY: Thank you, Senator Harr. Senator Schumacher, you're recognized.

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. Probably a good idea to adopt those temporary rules so we can continue to move on with what's been called the business of the people. And if that includes our appropriations issues, you've got a green sheet that they handed out this morning. Sometime over the weekend I'd strongly encourage you to look at the green sheet and the bottom line, because the bottom line shows the Governor's proposal we cut things by \$151 million. After what has been, I'm sure, very focused and good work, the Appropriations Committee says, well, we've got to add back in something, and end up with \$137 million cut. The question to ask yourself, and we all should ask ourselves: Was last year's Legislature so wrong as to have \$150 million worth of fat in the budget, letting it slide through here? Was it so wrong, because this is based upon the assumption that we had a whole lot of fat in that budget and that somehow by declaring a budget crisis we don't have to look at the hard side, the revenue side, but can just magically wipe out \$150 million of fat? Or is that \$150 million of necessity and we're not wiping out anything, we're just deferring it for a year or two, we're just letting the rain come through the roof for a year or two for a bigger bill later on? We saw how that worked in prisons. We've got a heck of a mess. And, no, prisons aren't fully funded. The request might have been funded but I think it's a fair thing to say that the request was suppressed. So think that through. Were we that wrong? And if we were, why weren't we called back into special when the people who made the mistake, not you poor freshmen who got drug into the mistake, could have fixed it and remembered the debate? This fundamentally will begin, once we get to this, a discussion on policy. Is the policy reaction to say, oops, we were

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way too fat or, oops, we need to defer these expenses so that some poor souls in the future a year or two or three down the road have got an even worse situation to deal with? What is the correct policy response to this? What caused this? And that is where I don't feel at all...I feel really sorry for the new folks in, because you're not responsible for this situation but you're going to have to help solve it. And so look about it. Think about that policy, because what is locked in when you start making cuts, assuming they are cuts of things that were well thought out and necessary and properly passed last year, is you're trying to wither away the state. That's kind of a Marxist notion, maybe a Marxist goal. But do we want to wither away the state? Do we want to cut off its blood supply slower and slower until it's gone? Those are heavy, heavy discussions. And in an atmosphere of we want to cut taxes more and more to somehow solve a problem, is it good policy? So after we adjourn--undoubtedly, we're headed toward that right now--something to think about because it is about the heftiest decision that you will make and it will impact this state and this institution for decades. Thank you.

PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Krist, you're recognized.

SENATOR KRIST: Thank you, Mr. President. It's 1:31. Look at your constituents in the eye and tell them you couldn't hear them in a public hearing because you were up here arguing. Let's take this vote, adopt the temporary rules, get to next Tuesday. In between now and then, you have more time to take--a week from Tuesday, thank you--we have more time to take a look at it. We've got business to do downstairs.

PRESIDENT FOLEY: Thank you, Senator Krist. Mr. Speaker, you're recognized to close on your motion. He waives closing. The question before the body...the Speaker has requested a machine vote. The question before the body is the adoption of temporary rules. All those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please, Mr. Clerk.

CLERK: 43 ayes, 0 nays, Mr. President, to adopt temporary rules through the 24th Legislative Day.

PRESIDENT FOLEY: The motion is adopted. Mr. Clerk. I raise the call.

CLERK: Thank you, Mr. President. Hearing notice from the Executive Board. An amendment from Senator Pansing Brooks to LB46. Some name adds: Senator Riepe to LB425; Senator Crawford to LB230, LB464; Senator Krist to LB553; Senator Pansing Brooks to LB438; Senator Kolterman to LB506. (Legislative Journal pages 372-374.) [LB46 LB425 LB230 LB464 LB553 LB438 LB506]

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Mr. Speaker, Mr. Speaker,...

PRESIDENT FOLEY: Mister...

CLERK: ...may I assume an adjourn motion is appropriate?

SPEAKER SCHEER: Yes, please.

CLERK: Mr. President, Senator Ebke would move to adjourn the body until January 30 at 10:00 a.m., 10:00 a.m.

PRESIDENT FOLEY: Members, you've heard the motion to adjourn. All those in favor say aye. Those opposed say nay. We are adjourned.