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Floor Debate
February 24, 2017

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SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: Morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the thirty-fifth day of the One Hundred Fifth Legislature...legislative session, First Session. Our chaplain today is Reverend Michael Davis from the Elgin United Methodist Church in Elgin, Nebraska, Senator Briesse's district. Would you please rise.

REVEREND DAVIS: (Prayer offered.)

SPEAKER SCHEER: Thank you, Reverend Davis. I call to order this thirty-fifth day of the One Hundred Fifth Legislature, First Session. Senators please record your presence. Roll call. Mr. Clerk, please record.

ASSISTANT CLERK: There is a quorum present, Mr. President.

SPEAKER SCHEER: Thank you, Mr. Clerk. Are there any corrections for the Journal?

ASSISTANT CLERK: No corrections this morning.

SPEAKER SCHEER: Thank you. Are there any messages, reports, or announcements?

ASSISTANT CLERK: There are, Mr. President. Amendments to be printed to LB588 from Senator Crawford. Senator Chambers has selected LB447 as his priority bill. Various agency reports have been filed electronically and are available through the Legislature's Web site. There is a report of registered lobbyists for the current week. Your Committee on Enrollment and Review reports LB1, LB2, LB3, LB4, LB5, LB45, and LB56 all as correctly engrossed and available for Final Reading. Notice of an Executive Session by the Transportation and Telecommunications Committee that will be held in Room 2022 at 9:30 this morning. New resolution, LR48, by Senator Harr that will be laid over. That's all I have at this time, Mr. President. (Legislative Journal pages 539-541.) [LB588 LB447 LB1 LB2 LB3 LB4 LB5 LB45 LB56 LR48]

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SPEAKER SCHEER: Thank you, Mr. Clerk. We'll now proceed to the first item on the agenda.
Mr. Clerk.

ASSISTANT CLERK: LB470, introduced by Senator Larson. (Read title.) Bill was introduced on January 17 of this year, referred to the General Affairs Committee. That committee placed the bill on General File with no committee amendments. [LB470]

SPEAKER SCHEER: Thank you, Mr. Clerk. Senator Larson, you're recognized to open on LB470. [LB470]

SENATOR LARSON: Thank you, Mr. President. LB470 has three main components intended to modernize keno. First, the bill allows for keno operators to provide an electronic ticket to players beginning January 1, 2018. The keno operator would still make paper tickets available to players upon request. If the keno game operator offers electronic tickets, the operator must provide for a means to prevent individuals from outside the licensed premises from being able to access the keno game. This could be achieved through geofencing or some other means of electronically blocking access to the game from outside the licensed premises. Second, the mandatory wait time between keno games would be reduced from five minutes to four minutes. And lastly, under current law, keno players can only purchase tickets with cash. LB470 would allow a player to purchase a keno ticket with the cash equivalent but not on credit cards. Colleagues, we hear a lot about a \$900 million shortfall and looking for any funds that we can get and we also hear a lot about property taxes. Well, I think many of us know that keno goes directly back to the cities and counties. If you want to help alleviate a property tax burden, keno funds are the ones that help build parks, that help maintain a lot of good things that counties and cities do. And without it, property taxes will rise even further. So I understand that's difficult for many members, but this is important. And it also, if you look at the fiscal note, has almost a half a million dollar positive fiscal note to the state. So we have a positive fiscal note in a large budget shortfall year and if you're serious about property taxes, if you really care about property taxes and looking at ways to reduce the property tax burden, this is money that's going directly back to the cities and counties so they don't have to raise levies or confer their lower levies because they don't have to put as much demand on the local taxpayers. So you can...I'm sure we'll hear a lot about it today. But if you want true solutions, this is one right in front of you. Thank you, Mr. President.
[LB470]

SPEAKER SCHEER: Thank you, Senator Larson. (Visitors introduced.) Mr. Clerk. [LB470]

ASSISTANT CLERK: Mr. President, Senator Chambers would move to indefinitely postpone the bill. Senator Larson would have the opportunity to either lay it over or take it up. [LB470]

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SPEAKER SCHEER: Senator Larson has chosen to take it up. Senator Chambers, you're welcome to open. [LB470]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, this is one of those bills that I call a principle bill as far as I'm concerned. This is the kind of gambling that ought not be sanctioned by this Legislature, period. But since it's already allowed, there is no need in aggravating or exacerbating the problem. We need to have a determination early on as to how much time is going to be given to this bill. I have fought against gambling bills ever since I've been in the Legislature. And the pernicious factors in this bill almost boggle the mind. And it appears that those who put this bill together and had Senator Larson bring it have no respect not only for the legislators but for the public. To say that this bill should be passed as a component of property tax release...relief is beyond the pale. Such a statement should not even be considered within the realm of intelligent discussion of an issue such as this. There was a person who testified at the hearing who is an economist. And before I go into my particular objections, I'm going to read this. It's from Ms. Loretta Fairchild, Ph.D., and an economist: Thank you to each of you senators for all the hard work and time and energy you are putting into making good decisions for Nebraskans as a whole. LB470--here is your mental "quick link"--helps gambling company operators most of all. As you consider this casino bill, I hope you will keep in mind the very valuable neutral testimony given by those working with addicted Nebraska gamblers last week. They made clear that speed of play and method of payment are both prime factors in raising addiction levels no matter what the type of gambling is. Another thing I hope you'll keep in mind is the dreadful muddle involving mess-ups in existing keno in Nebraska reported in our media recently. This made it clear that the current levels of oversight and regulation are woefully inadequate, even for the current paper systems, and the costs to the small business owners involved were very high. So how can you permit the addition of electronic tickets, as requested by LB470, when nothing is included to cover the cost of greatly expanded oversight that will be needed? Requiring the companies to take reasonable measures to prevent people not even in the building from playing feels laughably loose to me. This is letting the fox into the henhouse before anyone has counted the chickens or knows how big the fox even is. Since lowering the time between games lowers the time available to the person to think about how their losses are fitting into their family budget, it is clearly pernicious to link this speeding up to the use of debit cards which also feeds into the "I've used up my cash limit for the night, but heck, let's put it on the card and keep playing" focus that definitely feeds into addictions and bad judgment. In my opinion, the vast majority of the benefit from all this bill goes to the companies selling the gambling and relatively little to the players themselves. Please keep it in committee. Thank you. I hope there are questions. A bill like this is not going to stay in the committee when the chairperson is so much in favor of the gambling, when this bill I guess has been made a committee priority bill and then it jumps on the agenda ahead of everything else that we've been considering--ahead of everything else we've been considering. I've been talking, and it's like words blowing in the wind, about the integrity of the Legislature, the public image of the

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Legislature, the time we give to serious discussion of serious issues. Then people are not going to see that the Speaker chose to do it this way. The Legislature decided that a form of keno gambling that will lead to additional addictions is the most important thing that the Legislature can deal with on this day. And I believe it is referred to as a priority bill. Let me look at my...yeah, committee priority bill. And it's also been made a priority of this Legislature. And I'm sure there are people who are genuinely concerned about property tax relief scratching their head and saying, you mean those idiots down there are now going to say that gambling is the way to fight the property tax level which is felt to be too high? Most of the benefit goes to the gambling operators. Addiction is going to be increased, additional costs for that. There is no oversight to speak of in the bill. But when oversight is provided, if it ever is, that is going to be a cost to somebody. And as for Senator Larson's notion that gambling is a good way to attack property taxes, lets you know that the ones who are going to use that argument are aware that gamblers will gamble and gamble; they will lose, gamble again hoping to win, and lose yet again. This is now impressing into service modern technology. There are all kinds of studies, all kinds of reports that establish the addictive capability of various types of gambling and the easier it's made, the more it's going to go to the addicted people. And I was given information from the Commission on Problem Gambling that over ten years Nebraskans have racked up \$3 million in debt from keno losses, in ten years, and this is from the Commission on Problem Gambling. All of these conservatives who came in here and ransacked the Legislature, who came here standing on principle, talking about values, and now they have made the priority for today expanded keno gambling. Over the last ten years \$3 million in keno gambling debts and now you're told to prey upon and play upon the weaknesses of your citizens, your neighbors, your friends, maybe family members, some of whom will go on television and say, I stole from my family, I sold this, I sold that, I embezzled funds. Even former Senator Council had a gambling addiction that contributed to her very serious problems. If you're going to follow Senator Larson's lead, I would say this-- playing on his name--this is a "Larsonous" bill. It steals more than money. It steals self-respect. It steals family values. It weakens the moral fabric of society. I am not a prude, just as I am not a crook. But there are some things that are so devastatingly hurtful that the state has an obligation to step in and do something about it. We're not talking about interfering in the personal, private lives of people. We're talking about putting the skid chains, the brakes, the limitations on these gambling companies,... [LB470]

SPEAKER SCHEER: One minute. [LB470]

SENATOR CHAMBERS: ...the gambling operators. We're saying there are certain standards that the Legislature is not going to fall prey to. I intend to spend whatever time is necessary on this bill. And if there are not 25 votes to kill it, I will find out if there are 33 votes to preserve it. And for those who want transparency, we will have that this morning. We will see where people stand. Thank you, Mr. President. [LB470]

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SPEAKER SCHEER: Thank you, Senator Chambers. Senator Larson, for your response.
[LB470]

SENATOR LARSON: Colleagues, what Senator Chambers tries to insinuate, that this preys upon the weak, it doesn't matter what we're discussing in terms of you want to call vices, whether that's alcohol, tobacco, drugs, gambling, there is always, I will admit, a certain portion of the population that has difficulties with that. But I will also stand up here and say...and he wants to criticize me as a conservative for supporting gaming and he's trying to lump everybody in that I would like to say that I understand that not every conservative on this floor will support this, or every self-identified liberal. But from my point of view, my conservative point of view, I believe it's government's job...or it's not government's job, I should say, to dictate to individuals what they can and cannot do. It does not infringe on their life, their liberty, or their happiness. Government does have a job if another individual is infringing on another individual's life, liberty, pursuit of happiness. This does not fall within that. So it does fall in line with my conservative views of government getting out of the way. It just so happens it has additional benefits, the benefits of offering our local municipalities and counties revenue to ensure they don't have to raise property taxes. Senator Erdman, he was a county commissioner. He under...I know, I think it was Morrill County. Is that right, Senator Erdman, Morrill County? Morrill County, when he was a county commissioner, I'm pretty sure he told me they didn't raise the levy, and probably lowered the levy while he was the county commissioner. And you know what? A lot of counties would like to do that, a lot of cities would like to ensure that, and this ensures that they can still offer the services that are needed in citizens like in those areas, whether that's city parks. I know Senator Blood in the committee hearing discussed when she was on the city council at Bellevue they had some social programs that help women in a number of different ways and I'm sure she'll stand up on the mike and explain those. I know it's helped buy ambulances, police cars, services that will have to be provided by local governments, and they can either do it using keno dollars so they don't have to raise your property taxes or they can just use...say, you know what, we don't...if you don't want keno, then they're gonna have to raise your taxes. LB470 modernizes the keno game. If you want to have a debate on going from five to four minutes... [LB470]

SPEAKER SCHEER: One minute. [LB470]

SENATOR LARSON: ...and whether that's expanded gambling, fine. We can have that debate. The rest of it, the electronic tickets from your phone modernizes the keno game. There were not debit cards when we said cash only. A debit card is cash. We're not allowing credit cards. If you want to have a debate on whether five to four is expanded gambling, fine. The rest of it is just modernizing the game to go along with technological standards and that is something we should always strive for in government: to modernize. Thank you, Mr. President. [LB470]

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SPEAKER SCHEER: Thank you, Senator Larson. (Visitors introduced.) Turning to floor debate, Senators Brasch, Erdman, Geist, and others. Senator Brasch, you're recognized. [LB470]

SENATOR BRASCH: Thank you, Mr. Speaker, and good morning, colleagues, and good morning to our second house. I stand with Senator Chambers and MO40 to indefinitely postpone. In fact, I will fight as long as it takes to see this through. This is important. I am on the committee. It would not have been my choice to make it a committee priority. And I do take offense to making anyone believe that this is going to solve our property tax issues and our problems. This is not going to cure or help the way we assess ag land values. Who this is going to help is the house, the casino. Farmers will do better coming to the Capitol by the busload, not to the casino by the busload. The house is designed to win. It always has been. It always will be. And I'm also confused here when I take a look at your committee statements, the people that are testifying for this, the people...the League of Municipalities and some others say, but we use this money for so many good things, but you don't talk about the victims. There are children who rely on adults to bring home the groceries, to have a roof over their head. People do have addictions. We talk about being a state that cares. We want to wipe out human trafficking. We don't like victims. We also look at ways that we can make the good life better but not by risk and in a risky business for sure. This is like a sheep in wolf's clothing. People are saying, but think of the nice things. But think of the horrific things. Think of the elderly. Some of the elderly are recruited on busloads to go to the casino. And this, to say modernizing is using your debit card? Excuse me, but that's basically walking into your bank, taking every nickel and dime that you worked for, that you earned, that you may need for your utilities, that you may need for other things. We should not be so easily fooled. There is nothing modern here. In my six years, going on seven, they constantly want to make it a shorter time period--faster, faster, give me your money, we can't wait the full five minutes, empty your pockets, use that debit card, we have a way for you to walk out of here broke than ever before. I think we're smarter than that. I think we know how to grow our state. We know how to fight our way out of property tax valuation issues because, yes, the farmers have broken their backs basically on the weight of this issue. But they don't need to break their banks trying to believe that putting money on a chance beyond the chance of farming is going to solve property tax issues. This is not a victimless vice. This is truly a shameful priority for, I believe, our Legislature, as Senator Chambers has said. You know, we need to raise other issues up, not the fact that we can't gamble fast enough, we can't get to our bank accounts fast enough. [LB470]

SPEAKER SCHEER: One minute. [LB470]

SENATOR BRASCH: You know, this is the fast track, I believe, to what I consider a state who would be fooling itself. The casinos are designed to win. There are more losers. And we care about the losers, the people who will not have the needs to finish out the end of their day or the end of their lifetimes. Thank you, Mr. Speaker, and thank you, colleagues. [LB470]

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SPEAKER SCHEER: Thank you, Senator Brasch. Senator Erdman, you're recognized. [LB470]

SENATOR ERDMAN: Thank you, Mr. Speaker. Good morning, Nebraska and those of you who are snowed in, in the west. I stand in opposition to LB470. I am not for gambling, never have been. Senator Chambers might find this kind of unusual, but he and I are together on this one. When I was on the Farmland Industries board in Kansas City, the CEO, the director of Farmland, was on the city council and they had made a decision that they were going to put gambling on those boats on the river and it was going to be the solution for their infrastructure changes and their water system they needed to fix. And after a few years, I asked Harry. I said, how is that going, Harry? And he said, for every dollar we are collecting in revenue, we're spending about \$3 on social issues that we have to deal with now. That will be the same thing that happens here. And I was wondering if Senator Larson would rise to a question? [LB470]

SPEAKER SCHEER: Senator Larson, will you yield, please? [LB470]

SENATOR LARSON: Yes. [LB470]

SENATOR ERDMAN: Thank you, Senator Larson. Senator Larson, explain to me how we're going to collect another half a million dollars in revenue with these changes that you desire to make. [LB470]

SENATOR LARSON: Well, as you read the fiscal statement, it changes the Nebraska County and City Lottery Act. Let me go through the revenue. "LB470 would allow 'electronic' tickets beginning January 1, 2018. Current law requires a paper ticket." Now there will still be a paper ticket if somebody requests it. The bill will "lower the minimum time between keno games from five minutes to four minutes." And like I said, if you want to have a debate on that, that's fine and I'd be willing to talk to you about that. "The bill removes the requirement that keno wagers be placed with cash" by allowing "cash equivalent." [LB470]

SENATOR ERDMAN: Okay. [LB470]

SENATOR LARSON: And therefore...which includes debit cards but would not include credit cards. And so LB470 would increase the amount of keno played. "It is estimated that LB470 would impact the General Fund revenues and the Charitable Gaming Operations Fund as follows..." [LB470]

SENATOR ERDMAN: Nice job wasting my time, Senator Larson. Listen, my question is this. How are we going to raise another half a million dollars? Why are we going to get another half a

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million? Is it because these people are going to be able to gamble faster and they can log in with their iPhone? Or how is this going to work that we're going to collect another half a million dollars? And we have a \$900 million shortfall and you're talking about a half a million. Okay? [LB470]

SENATOR LARSON: Every dollar counts. [LB470]

SENATOR ERDMAN: All right. I understand that. Don't come to me and tell me this is property tax relief when you take it away from those people who shouldn't be gambling, those people who should be spending that money on shoes for their kids or whoever it is. If the rich gambled and those who can't afford didn't, I would be interested in listening to this. [LB470]

SENATOR LARSON: The rich do gamble. It's called the stock market. [LB470]

SENATOR ERDMAN: Say that again? [LB470]

SENATOR LARSON: The rich do gamble. It's called the stock market. (Laugh) [LB470]

SENATOR ERDMAN: The point is I am not in favor of allowing these people to spend their money more quickly so on a period of time they're in the gambling...in the keno parlor, they can spend more money because they can do it more rapidly. I'm not in favor. I don't know how that makes any sense. I'm not in favor of gambling of any kind and especially this kind. Thank you. [LB470]

SPEAKER SCHEER: Thank you, Senator Erdman and Senator Larson. Senator Geist, you're recognized. [LB470]

SENATOR GEIST: Yes, thank you, Mr. Speaker. And I, too, rise in support of Senator Chambers' indefinite postponement of this bill. And I wonder as well if Senator Larson would yield to a question or two. [LB470]

SPEAKER SCHEER: Senator Larson, would you please yield? [LB470]

SENATOR LARSON: Yes. [LB470]

SENATOR GEIST: I'm curious. As I read this bill, Senator Larson, there is no definition of electronic ticket. Can you tell me about that, what that is? [LB470]

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SENATOR LARSON: Yeah. So the concept of an electronic ticket would essentially allow keno operators--more than likely you've heard of Big Red Keno or Nebraska Lotto or a number of those keno operators--to essentially create an iPhone app or android app or whatnot and do the ticket from your phone through the app. And what that would allow essentially is, as we also say you have to be on the licensed premises of the keno establishment, so the app would have to have geofencing. This is a common thing with apps. When you see, "Do you want the app to access your location," you'd have to say yes so they know that you're in the location. So you couldn't be playing keno in the State Capitol. You'd actually have to be geofenced into that location. So the electronic ticket is essentially just like a paper ticket but you can play it from your phone. That, in my mind, doesn't speed up the game any because you can fill out a paper ticket just as much as you can fill out an electronic ticket. But I think a lot of people, specifically if you want to look at the millennial generation, everything is done from their phone anyway and that's just a lot easier. And frankly, a lot of millennials don't carry cash, either, but would have that debit card. So the concept of saying a debit card is bad, I can't think of a bar that I've been into that doesn't have an ATM to go put the debit card in and get cash out. But the ATM is charging an ATM fee, which I would say is taking more money away from the individual than just doing it directly from the debit card. So that is the concept of the electronic ticket. [LB470]

SENATOR GEIST: Okay. So if I have an app on my phone, can I use Apple Pay to pay that ticket? [LB470]

SENATOR LARSON: You could. If the app is programmed, you could use Apple Pay, but even Apple Pay can distinguish between a debit and a credit card. [LB470]

SENATOR GEIST: Hmm. Okay. So in your opinion, does this open the door to other forms of gambling on that app? [LB470]

SENATOR LARSON: No. The app would have to be specifically towards keno... [LB470]

SENATOR GEIST: Okay. [LB470]

SENATOR LARSON: ...and, as I said, geofenced in. So it couldn't have any other form of gaming on it. [LB470]

SENATOR GEIST: Hmm. Okay. Thank you, Senator Larson. [LB470]

SENATOR LARSON: You're welcome. [LB470]

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SENATOR GEIST: You know, in my opinion and in response to a couple of the things the senator said, he said that this is just shifting the demand for tax money from property tax...this will help raise property taxes, and in my opinion this is shifting the demand for property tax relief from someone who is already paying high taxes and we're also taking more money from someone who may have a gambling problem. And I just as a moral issue have a problem with that. Senator Larson, you also said that this doesn't interfere with the pursuit of happiness in the constitution. [LB470]

SPEAKER SCHEER: One minute. [LB470]

SENATOR GEIST: And I would just ask the family or their addict...of the addict or the addict themselves if this interferes with their pursuit of happiness. I can hit an app on my phone if I'm an addict and every four minutes place a bet. I just stand in support of indefinitely postponing this bill. Thank you, Senator Chambers, for submitting that and I'm shoulder to shoulder with you today. Thank you. Thank you, Mr. Speaker. [LB470]

SPEAKER SCHEER: Thank you, Senator Geist and Senator Larson. Senator Larson, you're recognized. [LB470]

SENATOR LARSON: Thank you, colleagues. I won't speak too much on this issue, just when I need to respond to certain things. And I think it's been insinuated that I said, I know Senator Brasch insinuated that I said this solves the property tax problem. This does not solve the property tax problem at all. There will still be significant changes that we need to make from this Legislature to solve the property tax problem. I'm just saying if you want to stand up and say that property taxes are the number one issue and that's what you're hearing the most about, then this is something that can be used as a solution. And it's not a complete solution by any means. I can guarantee changing the ag land valuation from 75 to 65 percent doesn't bring more money into the coffers of the cities and counties, definitely not the cities. What county commissioners will then do will change the levy. Keno money specifically goes into the cities and the counties, whether they're using it on parks, whether they're using it to buy an ambulance or a cop car or a fire truck. That's money that they wouldn't have to get out of property taxes. I didn't say this fixes the property tax problem. I said it reduces the burden of cities and counties having to raise the property taxes to provide the services they need to do to their constituents. And frankly, as I said, for me--and I understand where some it may in their thinking infringe on the pursuit of happiness--I do not think it is government's job to regulate morality on any level. And I've stood up on...not only on this issue. The one time there was a cloture vote on Senator Morfeld's bill last year, I voted the same way because I don't think it's our job to legislate morality. There are lots of vices out there, whether it be alcohol, tobacco, gaming. But this is the easy one to target. The voters, we oftentimes hear also from gaming opponents that the voters have turned down casino

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gambling. Senator Brasch, this is not casino gambling. The voters of Nebraska approved keno. They didn't approve it at five minutes. They just approved keno and they left it to the Legislature to regulate. Like I said, if we want to discuss time, I'm willing to discuss time. The rest of this is a modernization of the keno act. You can go to any bar, probably any keno establishment because it's a keno establishment, and I guarantee they have an ATM that you can put your debit card in; sometimes you can even put your credit card in and get cash. You know what? On-line shopping is addictive. [LB470]

SPEAKER SCHEER: One minute. [LB470]

SENATOR LARSON: Should we ban that? People spend far too much money doing that. Sometimes that's me. Anything can be addictive. What are we going to regulate? It is not our job to regulate morality. Thank you, Mr. President. [LB470]

SPEAKER SCHEER: Thank you, Senator Larson. (Visitors introduced.) Senator Chambers, you're recognized. [LB470]

SENATOR CHAMBERS: Thank you, Mr. President. Members of the Legislature, as you listen to Senator Larson, you hear some interesting and outlandish and totally illogical claptrap. I would like to ask Senator Larson a question or two if he will yield. [LB470]

SPEAKER SCHEER: Senator Larson, would you please yield? [LB470]

SENATOR LARSON: Yes. [LB470]

SENATOR CHAMBERS: Senator Larson, you said it's not the government's job to regulate morality. Did you say that? [LB470]

SENATOR LARSON: Yes. [LB470]

SENATOR CHAMBERS: Do you think prostitution falls within the realm of morality? Senator Larson, are you there? [LB470]

SENATOR LARSON: Yes. I'm processing your question. [LB470]

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SENATOR CHAMBERS: Let me help you. Senator Larson, if a woman likes sex, she's a sex addict, is it against the law for her to have sex with ten men in one day? Is that against the law? [LB470]

SENATOR LARSON: No. [LB470]

SENATOR CHAMBERS: All right. So if she gives it away, it's not a crime. But if she wants to go into business and sell it, does that become a crime if... [LB470]

SENATOR LARSON: I would guess, since you're asking me, yes. I don't know specifically but I would assume yes. [LB470]

SENATOR CHAMBERS: That's...is prostitution a crime? [LB470]

SENATOR LARSON: Yes. [LB470]

SENATOR CHAMBERS: Do you think it should cease to be a crime? [LB470]

SENATOR LARSON: I'd have to think about it. [LB470]

SENATOR CHAMBERS: Do you... [LB470]

SENATOR LARSON: And I'd have to ration that through my beliefs as a libertarian. [LB470]

SENATOR CHAMBERS: Okay. Okay. Do you think the state ought to decriminalize the sex trade as long as it involves only willing adults, a willing buyer, and a willing seller, like all legal transactions are? [LB470]

SENATOR LARSON: I would have to consider that. [LB470]

SENATOR CHAMBERS: Thank you. [LB470]

SENATOR LARSON: I'm not going to say yes or no. [LB470]

SENATOR CHAMBERS: Thank you. You see the level of his moral standards? He is morally tone deaf. And men are the ones who determine what is a crime. If a woman gives it away, that's

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all right. But if she can make money doing the same thing, then it's a crime. Men would have to pay. So what's the difference? Men find a way to justify what they want to justify, condemn what they want to condemn. Other countries legalize the sex trade, just say that if it happens between minors or people not legally able to give consent that would be a crime, you're taking advantage of somebody. But there are many things that society regulates on behalf of its citizens. In the law there is a realm known as police powers where the states have the authority to enact legislation or rules and regulations that are on behalf of the public to ensure the public health and the public welfare and it could be called regulating morality. So not one of his arguments that he has given is logical or has any substance, and for him to resort to that shows how lacking in legitimate justifications they are for this kind of addiction. If somebody is addicted to drugs and they can get drugs from someplace, let them do it. But it's a crime in this state to possess drugs, even if you're not using them, even if you don't want to sell them. It's against the law to possess child pornography. You did not generate it. You're not going to sell it. You're not going to share it. You may not even look at it. But if you merely possess it, it's a crime. He has no arguments. The gambling industry is behind this bill. [LB470]

SPEAKER SCHEER: One minute. [LB470]

SENATOR CHAMBERS: And how in the world it jumped to the top of the agenda is known only to the Speaker. But I think it's a reflection on this Legislature to make it a top priority, and to make it appear that the legislators are seriously looking at this as a way to lower property taxes or that it should even be a part of that discussion. To equate on-line shopping with addictive gambling is preposterous. But that's what we're dealing with. And again, I'm going to say if there are not 25 votes to kill it, then I will see if there are 33 votes to keep it alive. Thank you, Mr. President. [LB470]

SPEAKER SCHEER: Thank you, Senator Chambers, Senator Larson. Senator Blood, you're recognized. [LB470]

SENATOR BLOOD: Thank you, Mr. President. Senators, friends all, I actually am standing up in opposition of Senator Chambers' motion and in support of LB470. I have a different perspective that I want to share with you. And I know people aren't lining up to say that they support this bill because this is a wedge issue, much like abortion. People think they have to be totally on one side or the other. And I'm kind of in the middle of the road. First of all, I don't believe in casino gambling because I think it brings underworld that we don't want in Nebraska. I see it every day in Council Bluffs just across the river from where I live. But with that said, keno was brought forward by Nebraska voters and gave us the ability to amend as necessary and do what we thought would be best with the proceeds. Today's bill is not about whether you are progambling or antigambling. Take the word "gambling" out of this bill and you'll note it really

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is just a maintenance bill. We're updating it with technology. And I've got good news for Senator Chambers. Actually, keno is going down in popularity because millennials like fantasy sports, and so it's kind of going out with a whimper on its own. Now I want to put my municipal hat on. I can tell you what Bellevue spent keno dollars on. It went to the Nebraska Veterans' Home in Bellevue. It went to the Bellevue Senior Center. It went to our police. It went to our fire. It went to a nonprofit that help our police department by serving abused women and children. It went to the OneWorld Center at its Bellevue location to help people who can't afford dental work. We helped build their new dental...the new dental section of OneWorld Health Center. I don't disagree that gambling is an addiction. And I never thought I'd say this, but in defense of Senator Larson, when he refers to shopping as being an addiction, shopping can be an addiction, especially to people who are bipolar. I'm not trying to minimize what anybody is saying. I think emotions are starting to get high. But keno dollars do good things for our communities. Keno dollars do things in communities that they couldn't afford to do otherwise. And I encourage you to not just take a look at the antigambling sheets that have been given to you by lobbyists and the multiple e-mails that you've received over the last few weeks. I encourage you to go on to your computers right now and look at the millions and millions of dollars that have been spent in Nebraska, thanks to keno, that have helped build our communities. And it does help relieve property tax in the way that if we have to get something done, if we need to provide equipment for police and fire, if we need to make sure that services are available, because I guarantee, for people that are witnessing abuse, the cost to the taxpayers would be much greater if we didn't give support to those nonprofits. You don't want to pay for that as a municipality. I'm telling you that. Put it in perspective. Look at the numbers. Take the emotion out of this. This is not whether you're a progambling or antigambling bill. This is an update. Do your research on where those keno dollars really go and the millions and millions and millions of dollars that help people in Nebraska. And I know someone could come right up after me and go, what about the millions of dollars that people spend gambling and all these people that end up having social issues because they're gambling? Well, whether we have keno or not, that's going to happen. [LB470]

SPEAKER SCHEER: One minute. [LB470]

SENATOR BLOOD: That's going to happen and that's just the sad truth. And it's not that I am not empathetic to people that have gambling addictions. But the bottom line is this bill is not about gambling. Thank you. [LB470]

SPEAKER SCHEER: Thank you, Senator Blood. Senator Linehan, you're recognized. [LB470]

SENATOR LINEHAN: Thank you, Mr. President. Good morning, colleagues. I rise to support Senator Chambers' motion. I like Senator Larson. He helped me last fall. I feel indebted to him. But I disagree strongly on this issue. As Senator Blood just explained, I realize the keno money

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is used for good and positive things, but it's not used for property tax relief. And I don't think it's used for income tax relief. And I have to say I was shocked campaigning last year. We did a...sent out a survey to voters. And the number of surveys I got back that said they were pro-life, pro-Second Amendment, pro-death penalty, and then progambling, and I was like, what? It didn't make sense to me. But our tax burden in this state is so high that people who have for years been antigambling and resisted gambling are so burdened with property and income taxes in my district--I live in a district that's affluent--that they are ready to cave on that issue, even though they don't think it's right. So I understand why you would stand up and say that, you know, we should support this, because it gives us money and it can help us keep taxes down. But I'm not sure how long we have had gambling, this keno gambling in the state of Nebraska. I'm 60 years old, so not quite a senior, Senator Chambers, but getting close. And I can remember when we didn't have gambling at all. But we've had it now...well, Senator Chambers, would you yield to a question, please? [LB470]

SENATOR CHAMBERS: Yes, I will. [LB470]

SENATOR LINEHAN: Do you know how long we've had keno gambling? I'm sorry. [LB470]

SENATOR KRIST PRESIDING

SENATOR KRIST: Senator Chambers, will you yield? [LB470]

SENATOR CHAMBERS: Yes, I will. [LB470]

SENATOR LINEHAN: Senator Chambers, do you know how long we've had keno gambling in Nebraska? [LB470]

SENATOR CHAMBERS: No, I really don't. [LB470]

SENATOR LINEHAN: Do you recall if it's probably been at least maybe 20 years? [LB470]

SENATOR CHAMBERS: It could be. [LB470]

SENATOR LINEHAN: That seems about right to me. In that 20 years, Senator Chambers, have you noticed property taxes going down? [LB470]

SENATOR CHAMBERS: I'm not aware that they have gone down. [LB470]

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SENATOR LINEHAN: Okay. I'm not aware either. No property that I've owned in the last 20 years in the state of Nebraska have the taxes gone down. Thank you, Senator Chambers. So though I understand, I really do--and I have a brother who if he's watching right now is going to be very disappointed in this because he has agreed that we need to use gambling to relieve the pressure on taxes, I have neighbors who are probably going to be upset with me raising this warning because they are desperate for tax relief--but I don't think, first of all, I don't buy that it has brought us any tax relief. And secondly, I just think there is something, and I know this is a word that can cause stress, but I guess immoral when the government promotes gambling, which does affect people who are not generally...I don't know. I've never gambled. I've been to Las Vegas a couple times and I didn't even like there. And I'm not against gambling writ large. But when the government uses gambling and promotes gambling so we can have more money to spend, I don't think it's right. So I yield the rest of my time. Thank you. [LB470]

SENATOR KRIST: Thank you, Senator Linehan. Senator Brasch, you are recognized. [LB470]

SENATOR BRASCH: Thank you, colleagues. And thank you, Mr. President. You know, I return once again to this important, very important topic today is, does Nebraska really think that bringing income revenue to the casino industry on the backs of those who have gambling addictions? If you do look at your committee statement, you will also see that there was a testimony there given. It was given in neutral. He indicated that was his...the policy basically. But when asked questions, and according to the Gamblers Assistance Program, keno is already the second leading cause of gambling addictions in the state. And the rates of the gambling disorder will increase if keno gambling activity is sped up. It is a problem addiction. We are helping those in our state as well who have opiate addictions, prescription drug addictions. We're battling so many issues. Why are we adding one more issue that is only growing? It just doesn't make any sense. We can prosper by using our talents, our intellect, our innovation. You know, we can build our own economy, but not on the issues of gambling that will and does have victims. I would like to yield the rest of my time to the Speaker. [LB470]

SENATOR KRIST: Speaker Scheer, you're yielded 2:50. [LB470]

SPEAKER SCHEER: Thank you very much, Mr. President. Colleagues, just wanted to reemphasize a point that was made and printed on the sheets that was handed out in relationship to priority bills. There's been a few comments in relationship to why we are talking about this bill or that it got some type of special treatment. This bill is a priority bill. As I told you, anybody that wants to produce or acknowledge a priority bill at this point in time, it would be held immediately, would go to the top of the line as a priority. This is a committee priority bill. It was the first one that was prioritized. That is why we're talking about it this morning. Senator Chambers will reap the same benefit. He introduced, he acknowledged this morning a priority

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bill on behalf of himself. It, indeed, will go to the top of the list on Monday behind those that were in front of him. This is not receiving special treatment. Any of the bills that are prioritized from this point forward will go to the front of the list and will be worked on in that order. So just wanted to remind everyone and those that are listening to TV, this is not special treatment. This is simply the first bill that happened to be prioritized. It is in front of us. When we're done with this, there is one other priority in front of it...behind it that we will work on. If we would get through that today, we would be back to the regular schedule. As of Monday, there will be a couple other priority bills that will be up there because two individual senators have prioritized their bills. And so we would be working on those. This is a matter that we've talked about that I presented to you, and it will remain consistent for the rest of the session. Thank you, Mr. President. [LB470]

SENATOR KRIST: Thank you, Speaker, and thank you, Senator Brasch. Still in the queue: Senator Williams, Craighead, Albrecht, Riepe, and others. Senator Williams, you are recognized. [LB470]

SENATOR WILLIAMS: Thank you, Mr. President, and good morning, Nebraska, and good morning, Senators. Yesterday was a big day, a day that you probably didn't know was a big day. Yesterday was the birthday of our twin grand-babies in Omaha. But more importantly, yesterday was Coach Osborne's 80th birthday. Something you probably don't know, when Coach graduated from college at Hastings College and was drafted by the Washington Redskins and moved to Washington, he lived for some time with my aunt and uncle, my uncle who was raised in Gothenburg and went to Hastings College and then did his law school at Cornell and practiced in D.C. So I've had a long-term relationship with the coach and his wife--his wife spent part of her high school days growing up in Gothenburg--for a long time. I used a locker next to Coach at the university when he was a graduate assistant and watching over Johnny Rodgers that year. Of all the things that I learned from my dear friend, it was to find your moral compass and stay there, because there are issues that will face you all your life that will try to draw you away from whatever that moral compass is, what I tend to refer to in my life as true north. And this is one of those issues that we have at this point that tests your core values. I have been opposed to gambling from the beginning. I remain opposed to gambling in all forms. We have had discussion on the floor of this Legislature as to what is skill, what is not skill. There clearly is no skill in keno. The only skill that will be under this legislation is determining how you're going to use your cell phone to do it faster than you can currently do it. The question that I have is, why is revenue increased with this bill? And it's pretty simple. Revenue is increased because more people lose money. And clouding the issue by where we use this money, whether it's for parks, whether it's for recreation, doesn't change where the money comes from and the fact that my moral compass says this is where I need to stand hardcore. For that reason, I will clearly support Senator Chambers' motion to indefinitely postpone and do my part in keeping the good life in Nebraska. Thank you, Mr. President. [LB470]

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SENATOR KRIST: Thank you, Senator Williams. Senator Craighead, you are recognized. [LB470]

SENATOR CRAIGHEAD: Thank you, Mr. President. Good morning, Senators, and good morning, Nebraska. I just wanted to go on record that I stand in support of Senator Chambers' motion and opposed to LB70 (sic: LB470). I don't believe this is a good bill, and I don't want expanded gambling. In my opinion, this bill will exacerbate gambling addictions. I've heard from a lot of my constituents, about 50 of them, and we have checked to make sure they are truly constituents, and they feel the same way. Look at property valuations and taxes in Douglas County. I don't think we're going to see property taxes go down there. I don't think that keno is going to help with that. And I will yield the remainder of my time to Senator Chambers. [LB470]

SENATOR KRIST: Senator Chambers, 4:20. [LB470]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Craighead. Members of the Legislature, I've said on a number of occasions that I graduated from Creighton. I've also said that the only thing Creighton hates more than the fact that I graduated from there is the fact that I mention it. But it's a Jesuit university. They almost worship Thomism, the philosophy of Thomas Aquinas. And he was a devotee of Aristotle, so they did a lot of discussing of logic. And if you can establish a system of logic and lay out the terms according to the way you want to lay them out and the person arguing against you will accept those terms, you can come up with what is called a syllogism. You have a major premise, a minor premise, and if those two are accepted, the conclusion is inescapable. For example: All gamblers--that means without exception--all gamblers are foolish, Senator Larson is a gambler, therefore...and you can draw the conclusion without me telling you and you didn't even go to a Jesuit university or study the syllogism. But there was another principle that not only the Jesuits, but moralists, thinkers, and just common people who have given any contemplation to the point will agree on. The end does not justify the means. That is designed to convey the notion that if you are trying to reach a goal and the goal is good, anything you do to reach that goal is good. If it's a good thing to have money to donate to St. Jude, to donate to the Shriners, to donate to Children's Hospital, that is good. But does that mean any means you use to get that money is good? It's good for the banking industry, and I'm sure the bankers we have here would agree with it if I go in there and make a deposit. But by the same token, I think they will all agree that if I go in there with a pistol to make an unauthorized withdrawal, that is not good. And it is not a defense that the law will accept that I say I robbed the bank to get money to donate to the Children's Hospital. The end does not justify the means. And often an end or a goal or a purpose is stated to try to clean up an unclean means. So to say that you're going to harm and know you're going to harm a certain percentage of the populace to get money for police cars, that is evil; you're going to harm that identifiable group of the populace to modernize buildings, that is evil. So when people stand up and talk about all the great things that are being done with the money derived from a tainted source... [LB470]

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SENATOR KRIST: One minute. [LB470]

SENATOR CHAMBERS: ...they would have to agree that La Cosa Nostra, the mafia who gave money to the churches in their neighborhoods, were doing good. And there was a high-ranking person in the Catholic church who said that when--and he was in Rome--when the money comes to the church, it becomes sanctified and it is cleansed and we don't inquire as to its origin. Those are fallacious arguments no matter who will make them. But it's clear to me that this bill is not going to have the support that when we started out I erroneously thought that it had. Thank you, Mr. President. [LB470]

SENATOR KRIST: Thank you, Senator Chambers. Senator Albrecht, you are recognized. [LB470]

SENATOR ALBRECHT: Thank you, President Krist. Okay. I do stand in support of Senator Chambers' motion to indefinitely postpone this bill. I, too, served on a city council and a county board and, quite honestly, I think it's a very unethical way to raise revenue. I also feel that when a family suffers because of divorce, losing their home, their parents losing their job, the children not having the attention of the parent, whichever or both that decide to possibly have an addiction, that concerns me greatly and for that reason--the destruction of families alone--just really cuts to the core. I am not a believer or a supporter of expanded gambling, keno, this particular bill. It's just something that does not help our state. I do believe for every dollar spent \$3 are spent in trying to bring all these folks back to work, back to their families. Their bank accounts are drained. It's just not something that I think is worth supporting. So thank you, Senator Chambers, for your motion. And I'll yield the rest of my time--thank you--to Senator Chambers. [LB470]

SENATOR KRIST: Thank you, Senator Albrecht. Senator Riepe, you're recognized. I'm sorry. Stand by. Senator Chambers, you're yielded 3:30. I misunderstood. Sorry, Senator Albrecht. [LB470]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Albrecht. Let me tell you all the misperception I was laboring under when I came here this morning. I thought I was going to be virtually alone in objecting to this bill since it came out as a committee priority bill because it is such a pernicious bill. But that doesn't always ensure that it will be fought. So I offered the kill motion first thing to serve notice that this is one of those bills which, if I had to fight it alone, I would be prepared to take it to cloture on General File, on Select File, and Final Reading. There were other bills this session that I disagreed with, for example, the religious garb bill in the classroom. I could have easily taken us to adjournment on that day. It would have been up the following day, and I could have taken the following morning. But I made it clear that's not

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one of the kind of bills that, as strongly opposed to it as I am, that I would take all the time that I could. And I wanted to distinguish this bill from that one to show that I have priorities. Some things that I'm extremely opposed to, I won't fight it to the nth degree, so to speak, by offering every motion, every amendment that can take time. But for those that I do stand in opposition to on principle, I will make it clear in the beginning and do all that I can to prevent that bill from being enacted into law, even if it means taking so much time that various ones of you will become concerned about whether or not your bill will be given consideration and under ordinary circumstances you would support the bill that I'm trying to kill. You do not think enough of it to jeopardize your own bill to teach me a lesson and you would drop away from that bill and it would die. Its own weight, the inertia, and my opposition would kill it. There are more ways than one to crack a walnut. And maybe we'll stop saying "more than one way to kill a cat," because I don't want there to be any way to do that. [LB470]

SENATOR KRIST: One minute. [LB470]

SENATOR CHAMBERS: And I don't want it to be reduced to a slogan. So there's more than one way to crack a walnut. And I see the Speaker is here. I did not carefully read the Speaker's information to us about how priority bills will be handled. And since, even though others were talking about it and I said something on the mike, I should acknowledge that I failed to read and grasp the way he said he would schedule these bills. And now that that's clear, I want to say thank you, Mr. President, and... [LB470]

SENATOR KRIST: Thank you, Senator Chambers and Senator Albrecht. (Visitors introduced.) Senator Riepe, now you are recognized. [LB470]

SENATOR RIEPE: Thank you, Mr. President and my fellow senators. As a member of the General Affairs Committee, I voted no to advance LB470 to General File and will vote no on LB470. I have consistently voted against more and more gambling in Nebraska, given the impact on families and the kids of those families. LB470 tears at the basic fabric of life in Nebraska and this is not a role that government should embrace. Thank you, sir. [LB470]

SENATOR KRIST: Thank you, Senator Riepe. Senator Chambers, you're recognized. And this is your third time. [LB470]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, it is not often that I will make what can be called a purely moral or moralistic argument, but I think gambling and the addiction that it leads to is so devastating to the populace as a whole, and particularly to those people who are addicted, I think it reaches the level of a moral question. We're not just talking about a difference of opinion. We're not dealing with, in my opinion, we're not dealing

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with a subject where the opposition is no more persuasive or has no more moral weight or value than those on the side supporting it. I think there is no valid argument in a civilized society that would justify the state--individuals can do what they want to, organizations can do what they want to--but for the state to authorize something which is known to damage the well-being of society as a whole, a significant portion of the society, and the family members who are so affected. You all often hear me mention the Catholic church. Remember this: It was a non-Catholic church--it was a fundamentalist church--that turned me against religion. And let me tell you one of the things that I never could reconcile, because in that church gambling was wrong. But when they would give these dinners, and I didn't think dinners ought to be served in church--churches shouldn't sell chicken dinners--as somebody said, for this purpose God raised up the Colonel. The Colonel's job is to make chicken dinners and that's why God raised him up. But they'd have these little tickets and they would say it's not a cost for the dinner, it's a donation. No, it wasn't. It wasn't a donation because, if you didn't have that money, you couldn't get the dinner. To me as a child, that was a lie. They would have what they call raffles. You buy this little slip of paper. It has a number on it. They put it in a bowl and shake it up and if they pulled your number, you win. That was gambling, to me, in church, and I could not reconcile what they were doing with the things they were teaching me. That's why I say when I'm criticizing religion, I say religion, all of it, it is the first refuge of a political scoundrel. You hear your so-called President now is a Christian, and he says so. He didn't know that when there are two books in the Bible, there are two of them, you say "First" whatever it is, such as First Kings, Second Kings, First Corinthians, Second Corinthians. He said, "Two Corinthians." And some people thought he was describing two individuals who happened to be from Corinth and they were working together. But now he has tricked people into thinking that he's a dyed-in-the-wool-hat Christian hiding behind religion to gain votes. Those are the misuses that are made of people who exploit religion. I attack what can be called organized religion and the religionists. What an individual believes is between that person and whatever, whomever that person may believe in. And I'd be the first one to tell them, whatever makes your boat float, you hold onto that, don't let it go because of anything I say, because I don't have anything to give you to replace it with. But if I see you trying to use what you say you believe in to justify your hurting somebody else, then you and what you say you believe in... [LB470]

SENATOR KRIST: One minute. [LB470]

SENATOR CHAMBERS: ...are nothing having any value as far as I'm concerned. But keep this in mind, too, brothers and sisters, friends, neutrals, and enemies. I'm one person. What difference does it make to you what I think of your religion or whatever it is? The only reason it can get under your skin is if what I'm saying is true. And it's not me that convicts you. It's your conscience that lets you know that you've been found out and your conscience was getting you before I did. But since I brought it to your attention, I'm the bad person. And I don't mind being a bad person if I can make you pay more attention to your conscience, because usually it will lead

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you toward the right path and it might take you a little time to get there as you get more information. Thank you, Mr. President. [LB470]

SENATOR KRIST: Thank you, Senator Chambers. Those still wishing to speak: Senator Larson, Baker, Brasch, Smith, Geist, and Wishart. Senator Larson, you are recognized. [LB470]

SENATOR LARSON: Thank you, Mr. President. While Senator Erdman was on the mike last time, he made a comment. And I see him in the back of the Chamber, so I'll ask if he would yield and start going through that, and might have a question for a few of the other senators that spoke against this. Senator Erdman talked about mainly, you know, the...it's not necessarily those that have the ability that are using keno dollars. And, Senator Erdman, I have a question. If we want to talk about gambling and types of gaming, and I can understand keno is not a great form of gaming, but it's my understanding you're against all forms of gaming, correct, poker, blackjack? [LB470]

SENATOR KRIST: Senator Erdman, will you yield to a question? [LB470]

SENATOR ERDMAN: Yes, I will. Thank you. [LB470]

SENATOR LARSON: You're against all forms of gaming, regardless of what it is, correct? [LB470]

SENATOR ERDMAN: I am. [LB470]

SENATOR LARSON: All right. So in your estimation, do you think the state of Nebraska should make things such as margin accounts or selling stocks short or credit derivatives and those things illegal as well? [LB470]

SENATOR ERDMAN: Those aren't gambling, Senator. [LB470]

SENATOR LARSON: So selling a stock short isn't gambling. Are you familiar with what selling a stock short means? [LB470]

SENATOR ERDMAN: I am. [LB470]

SENATOR LARSON: So can you explain to me how that isn't gambling to you? [LB470]

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SENATOR ERDMAN: Gambling is a game of chance. Is that a game of chance? [LB470]

SENATOR LARSON: One would say selling a stock short is betting that the stock goes down. [LB470]

SENATOR ERDMAN: Okay. It's not like rolling the dice. I gambled for 42 years as a farmer. [LB470]

SENATOR LARSON: Oh, so you gambled, 42 years? [LB470]

SENATOR ERDMAN: Yeah, every year. I put everything I had on the line every year for 42 years. [LB470]

SENATOR LARSON: So should we...you brought me my next question. Should we outlaw the ability to buy and sell options because that... [LB470]

SENATOR ERDMAN: No, we should not. [LB470]

SENATOR LARSON: ...because you're betting that the market either stays someplace or goes higher, correct? [LB470]

SENATOR ERDMAN: It's a game of chance. Gambling is a game of chance. Buying stocks and options is not. [LB470]

SENATOR LARSON: So buying an option, you're not betting whether or not the market goes up or stays, you're not hedging, correct? You're saying you're not betting whether or not the market goes up when you buy an option. [LB470]

SENATOR ERDMAN: It's not the same. [LB470]

SENATOR LARSON: It's not the same. Colleagues, it is the same. You are betting that the market either goes up or stays the same. Options are betting; bonds are not. When you buy a bond, you know the return. When you buy an option, you don't know whether or not that option will be exercised or not. It could be but it might not be. But you are buying, essentially, an insurance policy if you want to say that, but it is still a bet. It could cost you money. You might not get that money back of what's going to happen. So we heard from Senator Erdman he gambled for 42 years as a farmer and, let me tell you, agriculture is a gambling business. But

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anytime a farmer hedges, they're gambling, period. If they enter into a contract to sell at a certain price, they're gambling that that price doesn't go up. But they're also doing risk adverse and saying, well, it might go down too. An option is a pure gamble. A margin account is you're spending money that you don't have on credit, essentially. We allow that. Selling a stock short is betting that the stock goes down and you can lose infinite amounts of money by selling a stock short, whereas, if you go long on a stock, you can only lose what you've put into it. Selling a stock short means you can lose. It can go from \$100 to zero... [LB470]

SENATOR KRIST: One minute. [LB470]

SENATOR LARSON: ...and you have to pay. You have to still return that stock. Colleagues, we have gambling, and it is called the stock market. You just have to be a little wealthier to play in it. And your rewards can be better. Now, there is analysis. You can do a number of things to make sure that you win. And I'm not saying keno is that, by no means, but there are forms of gaming that are, whether that's fantasy sports or poker or blackjack, where you can analyze what's happening. Keno is not that, I'll admit that. But let's be honest about what gaming is, and chance and risk adverseness. I'm sure I'll hear from Senator Brasch or members that say, well, that's not gaming. We heard from Senator Erdman that's not gaming. It is--buying an option, selling options, selling a stock, all that. [LB470]

SENATOR KRIST: Time, Senator. [LB470]

SENATOR LARSON: Thank you. [LB470]

SENATOR KRIST: Thank you, Senator Larson and Senator Erdman. Senator Baker, you are recognized. [LB470]

SENATOR BAKER: Thank you, Mr. President. Fellow nonpartisan Unicameral state senators, back around the year 2000, the city of Lincoln and Lancaster County formed a nine-person Keno/Human Services Prevention Advisory Board. At that time, Kathy Campbell was a Lancaster County commissioner. And whenever Kathy was looking around for any particular advisory board who needed some representative from southern Lancaster County, she would often call me. So I did serve on that Keno/Human Services Prevention Advisory Board for several years. Issue is not whether or not we approved of keno. It was just a matter that there were funds generated. And so as it was set up, 5 percent was set aside for gambling prevention purposes and the remainder of the funds would fund programs designed for children and families to prevent crisis situations through early intervention. The advisory board worked under Kit Boesch and considered applications for funding from many worthwhile organizations; however, I don't think the worthy causes we funded that were supported by keno revenue justify the means.

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Keno should not be viewed as a community fund-raiser for worthy causes. This is different. There is no cause identified when a person places a keno bet. The fact that we had money to distribute, a lot of money to distribute, means that people were losing money, a lot of money. Some people can afford their gambling losses but many cannot. Some people become addicted to gambling. These people suffer and their families do as well. Accordingly, I support MO40 to IPP this bill. Thank you. [LB470]

SENATOR KRIST: Thank you, Senator Baker. Senator Brasch, you are recognized. [LB470]

SENATOR BRASCH: Thank you. [LB470]

SENATOR KRIST: And this is your third time. [LB470]

SENATOR BRASCH: Thank you, Mr. President. And, once again, colleagues, I hope others do stand in opposition to this bill and in support of MO40, to definitely (sic) postpone this bill. The story just keeps getting interesting and stretched by our good friend and colleague Senator Larson. He comes from a rural area. There's a difference, people. When you farm, you are taking a measured risk not only to provide for yourself and your family and your community. You take this risk because you know that the state, our nation, and the world needs farming. It requires and it relies on us for food, for fiber, and for energy to sustain and to survive. Our world grows, and the need for farming grows. And we're taking a risk, yes, we are, but it's a measured risk, and it's examined by bankers and by different agencies and the USDA. It's all measured. There are checks and balances in farming. And we are truly blessed as Nebraskans to have the ability to farm where we have abundant water that's beneath us; we have the type of soil to grow crops. This is mother nature. This is not a cold, calculated gambling machine that maybe you win, maybe you lose. It's a measured risk for the greater good, for the sake of humanity. It's a noble profession, and I'm proud to be a part of that. I'm humbled to be a part of that. Gambling can be done for recreation, it can, but we have to keep in mind the tremendous risk. I am not for any expanded gambling by any means, and what we do have, we have tried to put into education, the State Fair, and other areas on a limited, very limited basis because you cannot rest assured that those funds will be there today, tomorrow, or ten years from now. Las Vegas, Nevada, they've all experienced the decline in the global dollar. The casinos have become smaller. Employees have been laid off. You see that around the world. And even though it's keno, the second-highest addiction that we have according to our state counselors here that moved forward, and they're not with the state, again, I will quote. It was testimony that was given by David Geier, the Commission on Problem Gambling. They see it all the time, not just the financial issues but he mentioned the word "suicide." It's a bleak, dark, and dismal place for us to go. Again, we're better than that. And when you talk about a debit card, if you look at your debit card, I believe there's a little emblem on there that makes it a credit card, so what happens when you drain your

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bank dry? Do you go into a credit situation? I believe the bank will automatically put you into a credit situation, in many, many cases. That's a very dangerous position to be in for yourself, financially, for your family, and for those who rely on you. We have not seen taxes decrease in any of the states... [LB470]

SENATOR KRIST: One minute. [LB470]

SENATOR BRASCH: ...that promote an expansion of gambling. They're all scrambling like we are, finding money to build our roads, finding money to provide for infrastructure. What we need to do is find ways to be innovative, creative, to be like-minded and working on something, education, something that will push us forward, not push us down. Colleagues, please support MO40 and indefinitely postpone this bill. Respectfully, I cannot vote to support LB470. Thank you, colleagues. Thank you, Mr. President. [LB470]

SENATOR KRIST: Thank you, Senator Brasch. Senator Smith, you are recognized. [LB470]

SENATOR SMITH: Thank you, Mr. President, and good morning, colleagues. As in previous years, and with similar related legislation to expand gaming and gambling in our state, I stand opposed to LB470 and support Senator Chambers' motion. I sincerely appreciate Senator Larson's commitment to offsetting the ever-increasing property taxes in our state. I agree with Senator Larson on many, many issues, but not on this one. I cannot agree with the bill and the argument that it reduces the tax burden on our businesses and our families. Again, I stand in opposition to LB470 and I support motion 40. Thank you, Mr. President. [LB470]

SENATOR KRIST: Thank you, Senator Smith. Senator Geist, you're recognized. [LB470]

SENATOR GEIST: Thank you. What we're really discussing here today is not the stock market, not other issues of how we can take risk in our life. What we're here discussing is LB470 and the reason we're discussing that is because obviously many of us have strong feelings about it. One of the things I've also noticed about it is there's some very vague writing in the bill and we were talking geofencing earlier and I notice in Section 3 that it does say, "such reasonable measures may include geofencing," and it explains that that blocks access to participation outside of the licensed premises. However, geofencing, because it says "may include," is not required. I'll also let you know that in many areas of our state geofencing can't pinpoint specifically where that phone is. It has a broader fence, per se, than just a pinpoint location because of some of the limited areas that we have our cell towers in our rural areas. So if I'm driving by a location and that app pops up on my phone, I would question, can I use that app outside of the establishment in some cases? And I would have a problem with that. Another thing is the up-front cost of that app. Who pays for that? That's not listed in this bill either. One place that we looked on-line for

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up-front costs of an app such as this would be \$50,000 to \$100,000. And where is that in statute? Who would pay and take the responsibility for that would be another question I'd have about this bill. So it's not that we're eliminating keno. I'm questioning this bill. And once again I stand in favor of indefinitely postponing this bill and against LB470. Thank you, Mr. Speaker. [LB470]

SENATOR KRIST: Thank you, Senator Geist. Seeing no one else in the queue, Senator Chambers, you are recognized to close on your motion to indefinitely postpone. [LB470]

SENATOR CHAMBERS: I waive closing. [LB470]

SENATOR KRIST: Colleagues, you've heard the lack of closing. Before us now is the motion to indefinitely postpone. All those in favor vote aye; opposed, nay. Have all those voted that wish to? Senator Larson, for what purpose do you rise? I understand that was a call of the house and a roll call vote in regular order? Reverse order, thank you. 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; opposed, nay. Please record, Mr. Clerk. [LB470]

ASSISTANT CLERK: 29 ayes, 3 nays to go under call, Mr. President. [LB470]

SENATOR KRIST: House is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senator Stinner, Senator Bolz, Senator Murante, please return to the Chamber. The house is under call. Senator Stinner, Senator Bolz, please return to the Chamber. The house is under call. Everyone is accounted for. There was a request for a roll call vote in reverse order. And just to remind all of you, this is a simple majority of those voting. Mr. Clerk, please record. [LB470]

ASSISTANT CLERK: (Roll call vote taken, Legislative Journal pages 541-542.) Vote is 24 ayes, 9 nays, Mr. President. [LB470]

SENATOR KRIST: LB470 is indefinitely postponed. Next item. Raise the call, please. Items? [LB470]

ASSISTANT CLERK: Mr. President, a few items. A notice of committee hearing from the Health and Human Services Committee. Amendments to be printed by Senator Schumacher to LB148. The Education Committee has selected LB409 as one of their priority bills. New A bill by Senator Smith. (Read LB233A by title for the first time.) And finally, an amendment by

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Senator Hansen to LB113. That's all I have at this time. (Legislative Journal pages 542-543.)
[LB148 LB409 LB233A LB113]

SENATOR KRIST: Senator Kolterman, for what reason did you punch in?

SENATOR KOLTERMAN: Personal privilege, please.

SENATOR KRIST: Go ahead, Senator. [LB470]

SENATOR KOLTERMAN: Thank you very much. Good morning, colleagues. I rise this morning and ask that...I'd like to announce that Grant Leo Thomas Slattery was born yesterday morning to David and Annie Slattery. He's 15 ounces and he's 10 inches long. The mother and Grant are doing well, but they're going to need our support and prayers, and I'd encourage you to give them some encouragement. Thank you.

SENATOR KRIST: Thank you, Senator Kolterman. Next item, Mr. Clerk. [LB470]

ASSISTANT CLERK: Mr. President, the next bill is LB203, which was introduced by Senator Kuehn. (Read title.) The bill was introduced on January 10; referred to the Business and Labor Committee; that committee placed the bill on General File with no amendments. [LB203]

SENATOR KRIST: Thank you, Mr. Clerk. Senator Kuehn, you're recognized to open on your bill. [LB203]

SENATOR KUEHN: Thank you, Mr. President; thank you, colleagues. Good morning. Today, I will be introducing for your consideration on General File LB203. LB203 is a bill that was presented to the Business and Labor Committee pertaining to unemployment insurance. This is a bill very similar to LB841 that was heard in committee last year and advanced to General File but was not heard on the floor. Very briefly, LB203 only makes changes to the requirements for those who seek unemployment benefits after voluntarily leaving their job without good cause. This is a practice that is currently undertaken in 47 states which require the process of some form of a requalification for benefits after a person voluntarily quits their job without good cause. There is some terminology here that I want to make sure we don't get confused on and that is this term of "requalification" which is really a qualification period in terms of when an individual who voluntarily quits a job without cause is eligible for unemployment insurance benefits. Currently, Nebraska does not require any form of qualification or requalification. LB203 would alter the time period for qualification for covered wages to four times the weekly benefit amount before an individual would be eligible for unemployment benefits. Once the individual has

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earned those required amounts in covered wages, they are eligible for unemployment insurance coverage upon separation from a new employer for nondisqualifying circumstances. Some things to make clear that LB203 does not do is it does not change the weekly benefit amount, it does not change the total amount of benefits eligible, nor does it change what constitutes a good-cause quit for an individual. It simply alters the time period before an individual is eligible following voluntary separation without cause from their job. I'm also aware that Senator Albrecht and the Business and Labor Committee have an amendment which will be addressing some additional bills to LB203. I want the body to know that those are friendly amendments, and I support their inclusion in LB203. I also want to make clear that the four times weekly amount that is offered in LB203 is consistent with common practice in surrounding states. Iowa, for example, requires ten times the weekly benefit amount; South Dakota requires six weeks of covered work, and Wyoming requires eight times the weekly benefit amount for eligibility. So with that, I'm happy to answer any questions you may have and encourage your support for LB203. Thank you, Mr. President. [LB203]

SENATOR KRIST: Thank you, Senator Kuehn. Mr. Clerk with an amendment. [LB203]

ASSISTANT CLERK: Mr. President, Senator Albrecht would move to amend with AM350. (Legislative Journal page 529.) [LB203]

SENATOR KRIST: Senator Albrecht, you're recognized. [LB203]

SENATOR ALBRECHT: Thank you, President Krist. Business and Labor Committee, on your desks you'll have a copy. One thing I will say is thank you to Speaker Scheer because he said get your priority bills out early, and let's get them heard. So I had a day and a half to prepare, so here we are. AM350 will replace the bill. Because LB203 was advanced to General File without a committee amendment, you will not find the committee statement, but the pages have passed out a bill and an amendment summary that you should find at your desk. With the support of Senator Kuehn and Senator Halloran, AM350 contains LB203 as introduced and two other bills related to the unemployment. LB273 was introduced by Senator Halloran, LB301 introduced by myself, and both LB273 and LB301 were advanced by the Business and Labor Committee where you can find the respective committee statements. Both LB273 and LB301 are straightforward bills introduced at the request of the Department of Labor, and both advanced out of committee 7-0. Section 2 of amendment...of this amendment, LB273, as introduced by Senator Halloran, LB273 allows the department to round down calculating unemployment benefits. Currently, the minimum earnings requirement amount to be eligible for unemployment benefits is adjusted annually by a percentage change in the Consumer Price Index. Because the Consumer Price Index is a percentage, the minimum earnings requirement is typically not a whole-dollar amount. For example, the new claims filed in 2007, the amount is \$4,145.74. If AM350 is adopted, the

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minimum earnings requirement would be \$4,145. This proposal aligns with the existing statutory scheme for unemployment as the department is required to round down for all other benefit calculations. It is to the benefit of the claimant to round down in this instance. Then in Section 4, the amendment contains LB301, which is...which allows the department to provide electronic notice of unemployment claim determinations in addition to the current method of mailing notifications to claimants. The claimants have the power to choose how they would like to receive their notifications. When the claimant files a new claim or establishes a new benefit year, he or she will elect to receive notification determinations electronically or by mail. The claimant has the power to change his or her election at any time. For those claimants choosing to receive notification electronically, this will allow them to receive information more quickly, but it still provides the option for individuals to receive notice via snail mail. Again, these are straightforward bills that received full support of the committee. And I would ask for your support of AM350. Thank you. [LB203 LB273 LB301]

SENATOR KRIST: You've heard the opening on AM350 and LB203. The floor is now open for discussion and debate. Seeing no one wishing to speak, Senator Albrecht, you're recognized to close on your amendment. Senator Albrecht waives closing. The question before us is the advancement...or the adoption of AM350 to LB203. All those in favor vote aye; opposed, nay. Have all those voted that wish to? Please record, Mr. Clerk. [LB203]

ASSISTANT CLERK: 38 ayes, 0 nays on the adoption of the amendment, Mr. President. [LB203]

SENATOR KRIST: The amendment is adopted. Seeing no one else in the queue, Senator Kuehn, you're recognized to close on your bill. [LB203]

SENATOR KUEHN: Thank you, Mr. President; and thank you, colleagues, for the passage of the amendment and moving forward LB203. I would also like to take a moment to recognize the Business and Labor Committee and thank them for prioritizing LB203. I would also like to acknowledge their committee counsel, Meghan Chaffee. We are really blessed in the Legislature to have great staff who are here helping and supporting all of our endeavors. And I think the memo that you received on your desks and the guidance to members of the committee was certainly helped by having excellent staff who help us navigate through what can at times be very complex issues by lending their knowledge and expertise. So I want to acknowledge that and thank her as well. With that, I appreciate your green vote to advance LB203 to Select File. [LB203]

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SENATOR KRIST: Thank you, Senator Kuehn. You've heard the closing on LB203. The question is the advancement to E&R Initial. All those in favor vote aye; opposed, nay. Please record, Mr. Clerk. [LB203]

ASSISTANT CLERK: 39 ayes, 0 nays on the motion to advance the bill, Mr. President. [LB203]

SENATOR KRIST: LB203 advances. Next item. [LB203]

ASSISTANT CLERK: Mr. President, LB99, introduced by Senator Stinner. (Read title.) The bill was introduced on the 5th of January; referred to the Banking, Commerce and Insurance... [LB99]

SENATOR KRIST: Mr. Clerk, can I get your attention for just a second? Mr. Clerk, next item.

ASSISTANT CLERK: Mr. President, apologies for that. LB16 is the next bill, introduced by Senator Craighead. (Read title.) This bill was introduced on the 5th of January; referred to the Banking, Commerce and Insurance Committee; placed on General File by that committee. [LB16]

SENATOR KRIST: Thank you, Mr. Clerk. Senator Craighead, good morning, you're recognized to open. [LB16]

SENATOR CRAIGHEAD: Good morning. Thank you, Mr. President; and good morning, again, colleagues. I come before you today to introduce LB16. This is a cleanup bill brought by the Nebraska Real Estate Commission to change provisions relating to licensing, trust accounts, and unfair trade practices under the Nebraska Real Estate License Act. LB16 would streamline real estate licensing procedures and processes and eliminate administrative burden on both licensees and the Nebraska Real Estate Commission, while not adversely affecting the protections provided to the public by the Real Estate License Act, and cleanup and modernize the act. The bill would allow the commission to eliminate the requirement that all designated brokers maintain a trust account for those brokers who do not utilize one, and eliminate requirements for paper wall licenses and certificates of licensure. The bill would also allow the commission to contract with a private fingerprinting processing service to provide background checks for license applications and clarify provisions relating to advanced payment of fees for real estate services. LB16 was heard in the Banking, Commerce and Insurance Committee with no opponent or neutral testimony, and was unanimously moved out of the committee with an 8-0-0 vote. I appreciate your support of LB16 and respectfully ask for your green vote today. [LB16]

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SENATOR KRIST: Thank you, Senator Craighead. You've heard the opening on LB16. The floor is now open for debate. Seeing no one in the queue, Senator Craighead, you're recognized to close. Senator Craighead waives closing. The question before you is the advancement of LB16 to E&R Initial. All those in favor vote aye; opposed, nay. Please record, Mr. Clerk. [LB16]

ASSISTANT CLERK: 34 ayes, 0 nays on the advancement of the bill. [LB16]

SENATOR KRIST: LB16 advances. Next item. [LB16]

ASSISTANT CLERK: Mr. President, LB99, introduced by Senator Stinner. (Read title.) The bill was introduced on January 5; referred to the Banking, Commerce and Insurance Committee; placed on General File with no committee amendments. [LB99]

SENATOR KRIST: Thank you, Mr. Clerk. Senator Stinner, you're recognized to open on LB99. [LB99]

SENATOR STINNER: Thank you, Mr. President. Members of the Legislature, LB99 would amend provisions of law relating to the conversion of foreign and domestic corporations, partnerships, limited partnerships, and limited liability partnerships into other business entities. Under the bill, the entity being converted would be required within ten business days of conversion taking effect to provide written notice of conversion to the last known address of any holder of a security interest and collateral of the converting entity. This would include banks and other lending institutions. Last session, Senator Harr introduced LB1050, which was designed to authorize partnerships and limited liability partnerships the ability to convert the entity to a limited liability company. During the course of the debate, LB1050, I raised concerns regarding the effect of the entity's conversion upon the lender that had a perfected security interest. As a result of my concerns, amendments were adopted that required the converting entity to send written notice of conversion to lenders within at least ten business days before filing articles of conversion. There are, however, additional statutes that offer various types of conversions by foreign and domestic entities into other business entities, but only the conversion statutes addressed in LB1050 were amended. LB99 would amend the other provisions into law to provide similar protection to lenders under these additional statutes. The intent of LB99 is to simply address all types of entity conversions permitted under the law. In the course of making the amendments to the additional statutes authorizing conversion of business entities, it was discovered that some of the statutes allow the articles of conversion to be filed with the Secretary of State with a delayed effective date. These statutes also allow conversions to be abandoned by filing of the notice of abandonment prior to the time that conversion is to take effect. As a result, some concerns are that a lender holding a security interest could receive notice of conversion for which a notice of abandonment could subsequently be filed. However, the statute does not

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require notice of abandonment to be provided to the lender. In order to avoid this situation, the conversion notice required should be provided within ten days after the conversion takes effect. While a notice proposed under LB99 would be given after the conversion takes effect, requirements of the Uniform Commercial Code would still provide adequate protection to the lenders that had a perfected security interest. You should all have a copy of this statute on your desk. The Uniform Commercial Code allows the lender a grace period of four months within which to amend a financing statement that has been rendered seriously misleading or filed a new financing statement in the event that a debtor has changed its location. As a result, the requirement under LB99 for the notice of a conversion to be provided to the lender within ten days after conversion takes effect would provide additional protection to the secured creditor in event that filing of a new or amended financing statement is required. LB99 was advanced from the Banking Committee on an 8-0 vote with no opponents or neutral testimony. I would urge the body to vote green on this bill and advance it as amended. [LB99]

SENATOR KRIST: Thank you, Senator Stinner. The opening on LB99, the floor is now open for debate. Seeing no one in the queue, Senator Stinner, you're recognized to close. Senator Stinner waives closing. The question before us is the advancement of LB99 to E&R Initial. All those in favor vote aye; opposed, nay. Have all those voted that wish to? Please record, Mr. Clerk. [LB99]

ASSISTANT CLERK: 31 ayes, 0 nays on the motion to advance the bill. [LB99]

SENATOR KRIST: LB99 advances. Next item. [LB99]

ASSISTANT CLERK: Mr. President, the next bill is LB140 as introduced by Senator Williams. (Read title.) The bill was introduced on January 9 of this year; referred to the Banking, Commerce and Insurance Committee. That committee placed the bill on General File with no committee amendments. [LB140]

SENATOR KRIST: Thank you, Mr. Clerk. Senator Williams, you're recognized to open on LB140. [LB140]

SENATOR WILLIAMS: Thank you, Mr. President; and good morning, senators; and good morning, Nebraska. I'm here today to introduce LB140. In 1877, the first act relating to banking in Nebraska was passed. The current Banking Act was enacted by the Unicameral in 1963. Since the first act, Nebraska laws pertaining to go banking have been amended, added to, and changed as a result of the environment at the time. To our knowledge, no comprehensive review or update of the current Nebraska Banking Act has occurred since its enactment in 1963. In 2016, LR430 was introduced proposing a study whether the Nebraska Banking Act should be updated.

Pursuant to LR430, a group of senators, Banking, Commerce and Insurance Committee staff,

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industry professionals, and banking and...Department of Banking and Finance staff met monthly to review the suggested changes to the Banking Act. The goals of the LR430 study committee were to reduce regulatory complexity and carefully update sections to reflect the current banking environment while protecting consumers and preserving the public confidence in the financial institutions of Nebraska. The committee had many robust discussions and debates. Speaker Scheer, Senator Lindstrom, and I participated in the study committee and certainly assisted in the drafting of the legislation. Any suggested changes to the Banking Act that are included in LB40 had to first be mutually agreed upon by the senators, the industry representatives, and the department stakeholders. After many revisions and drafts, the study committee produced what is now before you as LB140. The bill encompasses 143 pages and 157 sections consisting of a combination of new sections, repealed sections, and amendments of existing sections of the banking law. I apologize for the length of the legislation, but it is extremely comprehensive, and I also apologize for the length of this introduction which is necessary to put certain things into the record concerning the legislation. The sections of LB140 that are new are sections that organize the definitions for the Banking Act in alphabetical order, require banks that employ a mortgage loan originator to register that employee with the nationwide mortgage licensing system, allow a bank to acquire the stock of another financial institution if the institution is part of the merger, consolidation, or acquisition of assets of the other institution. There are repealed sections of the act and they include a requirement that the Bank Department issue a certificate to an applicant for a bank charter stating that the applicant has complied with state law, a prohibition on banks increasing the book value of property without obtaining the prior approval of the department, language which authorizes the department to pay up to \$250 for the apprehension and conviction of any person violating the act, and a requirement that banks register a statement of intention to make personal loans in order to charge an interest rate on such loans greater than usury. There are amendments to the Banking Act that are substantive policy changes. The bill would clarify that employees of the department are subject to the state's nepotism laws and require legal counsels to be bonded. The department would be authorized to accept an examination or report from another state or federal financial institution regulator in lieu of an examination or report required under the act. The bill would increase the maximum number of members on a board of directors for banks from 15 members to 25 members. LB140 requires the board of directors to select a bank president who shall be a member of the board of directors and repeals the requirement that the board appoint a secretary. The bill would change the current requirements that a bank make reasonable efforts to acquire board members from the county where the bank is located. Instead, a bank is to make a reasonable effort to have board members from the county where the bank's main office is located and from the county where the branch is located. LB140 amends the statute which governs the payment of interest on bank deposits and restricts the pledging of bank assets to secure deposits. The bill would update language related to the authority of a bank to act as a personal representative and administer (sic) of the estate of a deceased person and to specify which officers are authorized to make an oath on behalf of the bank related to the bank's appointment as a personal representative or special administrator. The

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bill requires the director to determine that the trust department will be operated by officers of integrity and responsibility. An important change I would like to highlight for the body relates to emergencies. Some of you may know that two banks in Nebraska--Wahoo State Bank and First Central Bank of Cambridge--had very real emergencies when fires destroyed their main offices late this fall. The existing statutes were inadequate with regard to authorizing the banks to immediately establish temporary locations. This bill attempts to address the lessons learned during these emergency situations. First, the bill updates the definitions relating to emergencies to include banks under the umbrella of financial institutions. The bill provides that a financial institution that closes due to an emergency may obtain the approval of the director of the department to open a temporary office where it may conduct its business for up to 30 months. It establishes criteria that the director must consider in approving the temporary office. A temporary office may be a mobile branch if the office closed due to an emergency was a branch office and the opening of a temporary office may be approved by the director orally. Section 137 would update language related to the penalty for failure to maintain membership in the FDIC. The bill would allow for the disclosure of confidential records of financial institutions and other entities doing business in Nebraska to a certified public accountant conducting an independent audit when making a report required by statute, or in the course of regular business pursuant to a proposed purchase or sale of an entity. Importantly, LB140 includes a savings clause stating that transactions validly entered into before the effective date of this legislation remain effective as though the legislation had not occurred. The remaining sections of the bill contain descriptions, include grammar, updates to board memberships, stockholders meetings, and subsidy corporation provisions, an updating or modernization of terms and methods of operation. I would like to first of all thank all of those people. There were nearly 20 people that participated in the monthly meetings, including Senator Lindstrom and Senator Scheer. We advanced this out of committee on January 23 on an 8-0 vote; and there is no fiscal impact. And I would encourage you to review this and give it your green vote to advance. Thank you, Mr. President. [LB140]

SENATOR KRIST: Thank you, Senator Williams. The floor is now open for debate on LB140. Those wishing to speak, Speaker Scheer and Senator Lindstrom. Speaker Scheer, you're recognized. [LB140]

SPEAKER SCHEER: Thank you, Mr. President. Very quickly, I think Senator Williams did a great job. As the past Chair of the Banking, Commerce and Insurance Committee, we undertook this over the interim; all the stakeholders were present. Senator Lindstrom, Senator Williams and myself attended most of the meetings. Nothing was brought forward in this bill that there was not unanimous approval on of all the stakeholders. And I will tell you that we literally went through this line by line to correct any obsolete or change anything that needed to be modernized because of technology or anything else. So I want to thank, as well, Director Quandahl and his staff that provided most of the back-up and the information available and did all the research for

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us. It made the job that much more easier for all those that participated. So I would urge everyone's green vote on LB140. And I will provide my time to Senator Lindstrom. [LB140]

SENATOR KRIST: Senator Lindstrom, you have 3:50. Go ahead. [LB140]

SENATOR LINDSTROM: Thank you, Speaker Scheer, and thank you, Mr. President. Just to reiterate and thanking all the parties involved, thank you to Senator Williams for carrying the bill. It is an extensive bill, to say the least. Thank you to the committee counsel, Bill Marienau; thank you to committee clerk, Jan Foster. This was a broad effort with Director Quandahl and his team, so we appreciate all parties involved. And I would urge your support and vote to advance LB140. Thank you, Mr. President. [LB140]

SENATOR KRIST: Thank you, Senator Lindstrom and Speaker Scheer. Seeing no one else in the queue, Senator Williams, you're recognized to close. Senator Williams waives closing. The question before us is the advancement of LB140 to E&R Initial. All those in favor vote aye; opposed, nay. Have all those voted that wish to? Please record, Mr. Clerk. [LB140]

ASSISTANT CLERK: 35 ayes, 0 nays on the motion to advance the bill, Mr. President. [LB140]

SENATOR KRIST: LB140 advances. Next item. [LB140]

ASSISTANT CLERK: Mr. President, next bill is LB184, introduced by Senator Lindstrom. (Read title.) The bill was read for the first time on January 10 of this year; referred to the Banking, Commerce and Insurance Committee; placed on General File with no committee amendments. [LB184]

SENATOR KRIST: Thank you, Mr. Clerk. Senator Lindstrom, you're recognized to open on your bill. [LB184]

SENATOR LINDSTROM: Thank you, Mr. President. LB184 comes to us from the banking department...Banking and Finance as part of this year's package of department housekeeping bills. LB184 would amend the loan-broker statutes which are under the jurisdiction of the Department of Banking and Finance. They regulate those persons who, for compensation, procure, attempt to procure, arrange, or attempt to arrange a loan of money for a borrower. The payment of advanced fees to loan brokers is prohibited. The loan broker statutes do not apply to persons who are licensed or registered as mortgage bankers or mortgage loan originators under Nebraska's Residential Mortgage Licensing Act to deal with real estate loans involving one to four family homes. Section 1 of LB184 would amend 45-190 which is a definition section to

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exclude bank holding companies from the definition of loan broker. The department has proposed this exclusion for the reason that bank holding companies are already regulated and subject to examination by federal and state financial institution regulators. Other entities currently excluded from the definition of loan broker are also closely regulated and subject to regular examination such as financial institutions, mortgage bankers, installment loan companies, and insurance companies. Section 2 and 3 of LB184 are to be read together as the amendments are intended to combine the requirement currently found in Section 45-191.01 that a borrower must have 48 hours after receiving a written disclosure statement before signing a loan brokerage agreement with the requirement in Section 45-191.104 that a borrower has three business days after signing the contract to rescind. Section 2 would change the 48 hour prior notice requirement for disclosure to a simple prior notice, while Section 3 would increase the post-contract signing rescission period from three business days to five business days. Under current law a loan broker first has to provide the customer with a disclosure document. After a 48-hour waiting period, the loan broker can have the customer sign a loan agreement; after the loan agreement is executed the customer has an additional three business days in which he or she can elect to rescind, thus, the consumer ultimately has five business days in which to change his or her mind and end the agreement. The bill proposes to consolidate the two time frames in the current law into one five-day time frame to rescind the agreement. The amendments in Sections 2 and 3 address concerns which have arisen because of increased amount of loan broker business conducted on-line. The loan broker statutes predate the inception of the Internet and do not contemplate individuals seeking out a loan broker on the Internet. Under current law, an on-line loan broker, upon determining that the consumer is a Nebraska resident, must provide the disclosure document and cannot allow the customer to complete the agreement when he or she first visit the loan broker's Web site. The borrower has to come back to the loan broker's Web site two days later to complete his or her application. By consolidating the notice and rescission time frames, the consumer will be able to finish the application, execute the loan broker agreement when he or she visits the loan broker's Web site. The loan broker will provide the consumer with the disclosure document and loan broker agreement. The consumer will be able to change his or her mind within five business days. This will make it easier for loan brokers that operate on the Internet and make it easier and less confusing for customers by allowing them to complete the agreement when they visit the Web site rather than requiring the consumer to come back to finish the loan agreement at a later time. There were no opposition...there was no opposition at the hearing and the Banking, Commerce and Insurance Committee advanced the bill 8-0; and I would urge your advancement of LB184. Thank you, Mr. President. [LB184]

SENATOR KRIST: Thank you, Senator Lindstrom. You've heard the opening, the floor is now open for debate. Seeing no one wishing to speak, Senator Lindstrom waives closing. The question before you is the advancement of LB184 to E&R Initial. All those in favor vote aye; opposed, nay. Have all those voted that wish to? Please record, Mr. Clerk. [LB184]

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ASSISTANT CLERK: 32 ayes, 0 nays on the motion to advance the bill, Mr. President. [LB184]

SENATOR KRIST: LB184 advances. Next item. [LB184]

ASSISTANT CLERK: LB185, introduced by Senator Lindstrom. (Read title.) The bill was read for the first time on January 10; referred to the Banking, Commerce and Insurance Committee; placed on General File with no committee amendments. [LB185]

SENATOR KRIST: Thank you, Mr. Clerk. Senator Lindstrom, you're recognized to open on LB185. [LB185]

SENATOR LINDSTROM: Thank you, Mr. President. LB185 comes to us from the Department of Banking and Finance. This bill would help streamline department functions. Our department oversees laws governing money transmitter licensees, installment sales licensees, and installment loan licensees. Currently, if any applicant fails to complete the process of issuance of a license, the department must go through formal administrative procedures to deny the application. The bill would provide instead that if an applicant fails to respond to a deficiency notice, the department may simply deem the license application as abandoned and may issue a notice of abandonment. With this bill, the department's process would become more efficient. This is what this clean-up bill will do. There was no opposition at the hearing at the Banking Committee and it advanced the bill on an 8-0 vote. I would urge the advancement of LB185. Thank you, Mr. President. [LB185]

SENATOR KRIST: You've heard the opening on LB185. The floor is now open for debate. Seeing no one in the queue, Senator Lindstrom waives closing. The question before the body is the advancement of LB185 to E&R Initial. All those in favor, aye; opposed, nay. Have all those voted that wish to? Please record, Mr. Clerk. [LB185]

ASSISTANT CLERK: 33 ayes, 0 nays on the motion to advance the bill. [LB185]

SENATOR KRIST: LB185 advances. Next item. [LB185]

ASSISTANT CLERK: Mr. President, LB186 was introduced by Senator Lindstrom. (Reading title.) The bill was read for the first time on January 10; referred to the Banking, Commerce and Insurance Committee; placed on General File with no committee amendments. [LB186]

SENATOR KRIST: Senator Lindstrom, you're recognized to open on LB186. [LB186]

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SENATOR LINDSTROM: Thank you, Mr. President. LB186 comes to us from the Department of Banking and Finance. This bill would change the formula for calculating the amount of a surety bond which a money transmitter licensee must maintain. Under current law, a money transmitter licensee must maintain a surety bond in the amount of \$100,000, plus \$5,000 for each location in the state in excess of up to a maximum of \$250,000. The director may always increase the amount of the surety bond up to \$250,000 for good cause shown. The bill would eliminate the calculation based on the number of locations and would instead employ a calculation upon annual license renewal based on the dollar amount of money transmitter transactions in the state in the most recent four calendar quarters for which data is available. Up to \$2 million in business, the bond would be \$100,000. Then the bond would increase by \$50,000 for each \$2 million of business up to a maximum of \$250,000. Those are the provisions of the bill. There were no...there was no opposition at the hearing in the Banking Committee and it advanced out of the committee 8-0. I would urge the advancement of LB186. Thank you, Mr. President. [LB186]

SENATOR KRIST: Thank you, Senator Lindstrom. Seeing no one in the queue, Senator Lindstrom waives closing. The question before you is the advancement of LB186 to E&R Initial. All those in favor, aye; opposed, nay. Please record, Mr. Clerk. [LB186]

ASSISTANT CLERK: 30 ayes, 0 nays on the motion to advance the bill, Mr. President. [LB186]

SENATOR KRIST: LB186 advances. Next item. [LB186]

ASSISTANT CLERK: Mr. President, LB46, introduced by Senator Watermeier. (Read title.) The bill was introduced on January 5; referred to the Transportation and Telecommunications Committee. That committee placed the bill on General File with no committee amendments. [LB46]

SENATOR KRIST: Senator Watermeier, you're recognized to open on LB46. [LB46]

SENATOR WATERMEIER: Thank you, Mr. President; good morning, Nebraskans, on a snowy day outside. Members of the Legislature, I, today, bring you LB46. LB46 requires the Department of Motor Vehicles to design license plates to be known as "Choose Life" license plates. The design is to reflect support for the protection of Nebraska's children. Such plates would be available as alphanumeric or personalized message plates with a maximum of five characters. In addition to other fees required for registration, LB46, as introduced, would require that each application for alphanumeric plates be accompanied by a fee of \$5 which is to be credited to the Nebraska Child Abuse Prevention Fund. For message plates, 75 percent of the \$40 fee shall be credited to the Child Abuse Prevention Fund with the remaining 25 percent

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directed to the Department of Motor Vehicles Cash Fund. Although there would be some initial expense to the Department of Motor Vehicles to modify the computer systems to accommodate these new plates, it is estimated that about 2,500 sets of "Choose Life" plates would be sold bringing in approximately \$70,000 in revenue with an estimated \$15,000 going to the Department of Motor Vehicles Cash Fund and \$55,000 to the Nebraska Child Abuse Prevention Fund. Twenty-nine other states offer the option of "Choose Life" license plates. I believe that Nebraska should join these other states in allowing motorists to express their support for pregnant women and those unborn through the purchase of these license plates. I do have an amendment that would strike the additional revenue going into the Child Abuse Prevention Fund, and instead would channel it to the TANF, Temporary Assistance for Needy Families, which provides cash assistance to low income families with minor children. It is used to pay for family living expenses such as rent, utilities, food, clothing, and other necessities. With that, Mr. President, I'll close and offer the amendment that's I know to follow on LB46. Thank you, Mr. President. [LB46]

SENATOR LINDSTROM PRESIDING

SENATOR LINDSTROM: Thank you, Senator Watermeier. Mr. Clerk, for an amendment. [LB46]

ASSISTANT CLERK: Mr. President, there are no committee amendments. The first amendment for consideration is from Senator Watermeier, AM37. (Legislative Journal page 544.) [LB46]

SENATOR LINDSTROM: Senator Watermeier, you're welcome to open on your amendment. [LB46]

SENATOR WATERMEIER: I'll just follow up on my mission here is I did support the additional funding into the Child Abuse Prevention Fund, but there was some misconception that the message behind the plates was tied to this fund. This was not my intention. Therefore, I have offered amendment to change the fund, AM37. LB46 was advanced from the Transportation and Telecommunication Committee on 8-0 vote. I encourage you to vote for AM37, as well as the advancement of LB46 to the second stage of debate. Thank you, Mr. President. [LB46]

SENATOR LINDSTROM: Thank you, Senator Watermeier. We will now open the floor to debate. Senator Blood, you're now recognized. [LB46]

SENATOR BLOOD: Thank you, Mr. President. Senators, friends all, I'm probably going to offer the only comment that is like this today. I actually stand in support of both the AM37 and LB46.

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But I am not here today waving my pro-life flag, as we seem to do whenever we have a wedge issue like this. I am here because I feel we opened a door many, many years ago that pertains to freedom of speech. Be it Husker plates, breast cancer awareness, cougars, the soon-to-be plates in reference to Native Americans, we opened that door. And now that that gate is open, whether you support this cause or not, I truly believe it's about freedom of speech. With that said, would I also support pro-choice? I would. If people from Hastings, Nebraska, came to me and said we want a Kool-Aid license plate, not to minimize the importance of the issues we're talking about, but the point being I would support that. And I would offer that we need to start charging more for these plates. If we're going to allow people to have this freedom of speech and put it on their vehicles where people will view it every day, I think we should benefit more than we do, because this is not something they have to do, this is something that they choose to do. So with that said, I also want to add this caveat. For those that are obviously going to line up today and start waving their pro-life flags, I'm going to start keeping track, because if all life has intrinsic value, which I actually believe it does, then I'm going to look to see who votes for and against the bills that feed these children, that clothe these children, that house these children, because we're talking about children. A lot of these children that we're asking to be born are being born into situations that they don't choose. No child asks to be poor. No child asks to be hungry. And so I ask that you consider the importance of what you stand up today when you talk about this wedge issue because just like gambling, this is a wedge issue, and people tend to want to say I'm this or I'm that. I say it's freedom of speech. We've opened that door. I support that. I would also support a pro-choice plate. Again, I would say let's charge more, but let's put it in perspective. If indeed you're going to stand up today and say that you are pro-life, make sure that you truly are pro-life from conception to adulthood because all life has value. [LB46]

SENATOR LINDSTROM: Thank you, Senator Blood. Senator Chambers, you are recognized. [LB46]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I, when I came to this Legislature, opposed anything being put on the license plate, even a state slogan such as something relative to beef, the beef state. My philosophy was then and is now that that serves to identify the car as being that of such-and-such a person and those kind of reasons. I oppose everything that would go on a license plate. When I had to sit out four years, the floodgate opened and they had plates for any- and everything, as Senator Blood is saying. When I came back here, there were some license plates that people thought I would automatically oppose. I said in the old days, I would have. But that battle was lost while I was not here. So now I will pick and choose on the basis of the message as to whether or not I will support or oppose a plate. Believe it or not, I'm not the first one to suggest a mountain lion plate. Former senator and now Auditor of Public Accounts, Charlie Janssen, suggested that because when I had one of my mountain lion bills out here, he couldn't support it. But he wasn't against what I was trying to do. So I guess to kind of strike an accord within himself, he mentioned an alternative which was the

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plate. But he wanted to amend a bill that dealt with something for veterans, let the plate that they have go but let that bill carry this one also, and they jumped up on the floor and talked about, well, you're degrading the veterans, you're besmirching, and on and on. So that amendment was never really voted on because Senator Janssen withdrew it. I mean it when I say that I'll look at what the message is. They had one this session that dealt with certain people who had met certain requirements as far as to being connected with the military. I don't even know if I spoke on that, but I didn't object to it. This one I object to. And what the U.S. Supreme Court has said when it comes to what goes on a license plate, it doesn't amount to strictly a freedom of speech issue, it has to do with the nature of the message and it belongs to the state. The plate is purchased by this individual to be used on their car, but the state has control, and it does not fall within the First Amendment right to free speech. For example, some states will not allow a Confederate flag to appear. Others will not allow a Ku Klux Klan message to appear. And those have been upheld by the court as a prohibition the state could make. Suppose I wanted to say, using that...what they call that f-bomb, put that on my license plate. I couldn't get it done and the state couldn't be compelled to let me put it there. It's been known how much I am opposed to infringing on a woman's right to carry a pregnancy to term or not. It's not for me to determine it. It's not for a church to determine it. It's not for the state to determine it. A church can say, on the basis of their doctrine, you'll go to hell if do you that. It's fine, the church can say that. And I told them, you can vote all you want to on what... [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: ...this ought to be with reference to infringing on a woman's right to make the choice. I don't ever say abortion rights. Abortion is a procedure. It doesn't have rights. The woman has the right. And that choice ought to be between her and the physician who is going to perform the operation or the procedure or whatever term people want to apply to it. But this plate I'm opposed to because it chooses sides on a very contentious issue and we all know what that issue is and we know this is a plate to choose sides and put behind it the state's position. Thank you, Mr. President. [LB46]

SENATOR LINDSTROM: Thank you, Senator Chambers. You're next in the queue. [LB46]

SENATOR CHAMBERS: I'm going to have six hours to myself...no. What we're on is Senator Watermeier's amendment. I don't object to his amendment. His amendment is going to say, should this bill be enacted and should license plates pursuant to this bill be sold, the money will go someplace else. It will try to spike arguments of the kind that I always have given. These pro-life people are the same ones who vote against extending Medicaid to take care of the children and the families who are supporting them, because the Governor and these white hypocritical Republicans hate President Obama more than they love Jesus Christ and more than they care

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about their rural colleagues who need that medical coverage and can't get it. And they're going to deny that and then say, I'm pro-life? Don't make me laugh. And it is not funny. I hear these hypocrites in Congress saying no money in foreign aid should go to a country that uses it for family planning, not even abortion, don't let it go there, family planning is immoral. What about the children that you see in those countries, tears streaming down their faces, bones showing because they're so weak, their little neck will not support their head, a fly might be crawling on their face, they cannot flick the fly away? Where are these pro-life people? Where are the hypocrites? You care about a zygote? You care about an embryo? You care about a fetus? But as soon as all of that coalesces and a certain amount of time passes and a child passes through the birth canal into this world and is agreed to by everybody that this is a full-fledged human being, and all of a sudden you don't care. You know what I've heard on this floor in the old days? Well, people shouldn't have these little bastards if they can't take care of them. But they're pro-life. But they're not pro-child. I am strongly opposed to this license plate. I will support Senator Watermeier's amendment because that's what he wants to try to put the bill in the form that he would like it to be in. And it does go in the direction of what these people say they're concerned about. But I'm going to speak every time I get an opportunity, and I'll speak strongly against every effort to infringe on a woman's right to make the choice. And as I was saying, I don't say I'm pro-abortion. You don't really know what my view is one way or the other on abortion. But you cannot mistake what my view is when it comes to letting that woman make the choice herself, and you ought to stop meddling in other people's business and take care of your own family, your own children, your own wife. Senator Kintner was anti-abortion. Look at him. He wasn't pro-woman. He wasn't pro his wife. That's what I see on this floor. And to try to put the dignity of the state on one side of that issue is something that I cannot agree to. Every amendment that I have up there expresses an idea and a concept that transcends me as an individual,... [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: ...that is in accord with those notions and principles that will advance civilization, that will upgrade a society if those ideas were to be accepted and acted on. But I haven't seen a single person who showed anything but narrow-mindedness when they say they are pro-life. What they mean is they're anti a woman making a choice. They want to meddle in her affairs and they don't even make it with their own spouse and going to meddle in somebody else's business. And if they spent more time in their own affairs, they wouldn't have time to try to infringe on a woman's right to make a choice about what involves her, her future. There are girls who sometimes get pregnant in high school and they're not even allowed to graduate with their class. [LB46]

SENATOR LINDSTROM: Time, Senator. [LB46]

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SENATOR CHAMBERS: Thank you, Mr. President. [LB46]

SENATOR LINDSTROM: Senator Chambers, you're next in the queue and this is your third time. [LB46]

SENATOR CHAMBERS: So quickly, ah, how time flies. But I'm not going anywhere. I've seen where some of these girls have the highest academic standing in their school. Before they got pregnant, they were involved in various extracurricular activities, and now she is pregnant. And the very ones who say she shouldn't be able to get an abortion, she shouldn't be able to get an abortion, are the loudest ones saying don't let her march across that stage and get her diploma. Why, she's pregnant and that will be a bad example for these other girls. Did you ever stop to think, can you get your mind out of the gutter and see that it might be an example for these girls to show them that even if you get what we call into a situation because of a mistake, that doesn't have to be the end of your life? You can continue. You can go to school. You can excel and that which is in your womb is going to be a human being and you are creating new life. And we are not going to say that because you are in the process of bringing new life into this world that you are not going to be able to do the thing that you spent all these years up to now trying to be in a position to succeed at--obtaining an education. How is it going to hurt anybody to let her walk across the stage? Where is the boy? Just like there are hypocrites who brought that woman to Jesus and said she was caught in the very act of adultery. I'm clapping my hand, singular. Can I clap my hand? Can I? That's how I clap my hands. You bring two hands together. One person does not commit adultery. Two. And if she was caught in the very act and under the "Bible" both of them should die, where was the man? Where is the man in carrying the baby? You know why they call them minutemen? Because that's how much time it takes them to impregnate somebody and then they're gone. And the woman goes through all of the agonies that can befall a woman during pregnancy, and the man often is not there. And when I'm talking to these young girls, I tell them, you want to see a man fly like Superman without being in an airplane? And kids laugh. Ha! I say, tell them you're pregnant. And they know, they scatter. Why does the boy get to graduate, even if they know who he is? Because it's a one-way street in this society. And in countries all over the earth, until recently, the churches have had their way. And you all may not believe this, there are women who have been impregnated by Catholic priests. Oh, you all didn't know that priests get horny, that they have sex with women, that they ejaculate in these women's vaginas and that there is conception that occurs, and they don't even get drummed out of the priesthood? Hypocrites. Women need to understand this is a male-dominated world and they've put you in a subservient position. Keep them pregnant, keep them barefoot, and keep them in the kitchen, washing dishes, cooking, submitting to this man who might be out there having sex with a woman every time that he's not in the house, and the woman is the one who is condemned because the evidence is there in her belly? And you all...my words are like dry leaves blowing in the wind, but I'm going to utter them. [LB46]

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SENATOR LINDSTROM: One minute. [LB46]

SENATOR CHAMBERS: And you all are going to hear me utter them a lot as we discuss what I consider a hypocritical action. Senator Watermeier would never vote to expand the reach of Medicaid, and the others who will vote for this license plate would never do that. See, I've been here. I've seen what they do and what they won't do. And I watch them on other votes too. When you can kick somebody who is down, especially a woman, that's what you will run and hasten to do. And you can bulldoze over me because you got the votes, you hypocrites. If you cared about children as much as you pretend to when you're talking about infringing on a woman's right to have an abortion, we wouldn't have so many out-of-home placements for these children. A lot of women can't take care of their children not because they don't care, but they don't have the wherewithal... [LB46]

SENATOR LINDSTROM: Time, Senator. [LB46]

SENATOR CHAMBERS: Thank you, Mr. President. [LB46]

SENATOR LINDSTROM: Senator Schumacher, you are now recognized. [LB46]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. I rise in support of Senator Watermeier's amendment because Senator Watermeier's amendment does something that is absent in the bill. It tells us what the words, or at least suggests very strongly, what the words "Choose Life" means. I looked through here and every once in a while Senator Chambers will get a poke in at me. I'm going to get a little poke in at him right now because I don't think Senator Chambers looked at the bill real close because this doesn't talk about anything prenatal or abortion or fetuses. It says "Choose Life" plates. It could have just as well said the "blue sky" plates. What is defined by "Choose Life" plates? What are we directing the department to do? Create designs, in the plural, reflecting support for the protection of Nebraska's children. Okay, now we've given them no guidelines and probably would be absent some...the language in AM37 probably would be an unconstitutional delegation of authority to the executive branch because we don't tell them what this message or this design or this template or anything is supposed to be. But now with AM37, we know what the Legislature is thinking by the words "Choose Life License Plates." It's something to do with the Nebraska Child Abuse Protection Fund...or Prevention Fund. It's something to do with the Temporary Assistance for Needy Nebraska...Needy Families program, and so it's about funding programs for kids who are in need. It doesn't say anything about abortion or fight abortion. That's not to say on the template that the department creates somebody couldn't order whatever the requisite number of plates are to say fight abortion or pro-choice, because to limit the size of a family so it doesn't...too many kids don't plunge into poverty the family. It doesn't say...it doesn't prevent...I mean you could say

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on there, "Chase Deadbeat Dads." I guess that could be on this template design that the department is now going to put out, presumably talking about abuse prevention and needy families. It could say, "Help Support Preschool," anything regarding the protection of Nebraska's children, if you got a group of people big enough in order to get the requisite order size. So I don't see anything in here about abortion or the design should be about abortion or fetuses or partial birth or anything like that. So I think this amendment is good because it tells the department, though it in a less than really clear fashion, that it's to be about the template design, the Sower, so to speak, on the background of the plate, is to be about child abuse and it's about welfare for needy families. And as such, I would have to support Senator Watermeier's amendment. Now, should there be future amendments saying it's...we're designating and telling the department what to talk about in the subject matter of the text messages on these plates, you know, it may be a different story. But so far we've finally given... [LB46]

SENATOR LINDSTROM: One minute. [LB46]

SENATOR SCHUMACHER: ...in this bill guidance to the department as to what we're talk being when we're talking about choosing life. It's about child abuse and it's about welfare for needy families. Thank you. [LB46]

SENATOR LINDSTROM: Thank you, Senator Schumacher. Mr. Speaker, you are recognized for an announcement. [LB46]

SPEAKER SCHEER: Thank you, Mr. President. Just wanted to clarify where we will be at after the weekend. We will have two priority bills that will be on the agenda come Monday morning. However, I'm not going to break bills up. If a bill has been started in debate, whenever it is started, it will be continued until that bill is finished and then we will drop to the priority bills. As today, once we get through the priority bills, then we will go back to the General File and down in that order. If another priority bill is brought forward and it goes on the agenda, then we will go back up to the priority bill, but we will finish whatever bill we are on at that time. So priority bills do have priority, but they will not break a bill in the middle of debate. So just wanted to clarify how we will handle bills and priorities in the future, just so that there is no misunderstanding. Thank you, Mr. President.

SENATOR LINDSTROM: Thank you, Mr. Speaker. Mr. Clerk, items for the record.

ASSISTANT CLERK: Mr. President, legislative...your Committee on Health and Human Services reports LB481 and LB605 to General File, as well as LB166 to General File with amendments. Senator Craighead has chosen LB195 as priority bill. Your Committee on Enrollment and Review reports LB74, LB80, LB131, LB132, and LB134 all placed on Final

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Reading. Series of name ads: Senator Lowe to LB121; Senator McDonnell to LB218 and LB253; Senator Wayne to LB289; Senator Brewer to LB299; Senator Kolowski to LB438; Senator McDonnell to LB488; Senator Brewer to LB553; Senator Krist to LB617; Senator Brewer to LB637. (Legislative Journal pages 544-550.) [LB481 LB605 LB166 LB195 LB74 LB80 LB131 LB132 LB134 LB121 LB218 LB253 LB289 LB299 LB438 LB488 LB553 LB617 LB637]

And finally a priority motion, Senator Hughes would move to adjourn until Monday, February 27, 2017, at 9:00 a.m.

SENATOR LINDSTROM: There has been a motion to adjourn. All those in favor say aye. All those opposed say nay. The ayes have it. We are adjourned.