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Floor Debate  
January 18, 2018

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[LB256 LB377 LB731 LB743 LB799 LB812 LB813 LB815 LB1054 LB1059 LB1066 LB1070  
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LB1128 LB1129 LB1130 LB1131 LB1132 LB1133 LB1134 LB1135 LB1136 LR18CA  
LR290CA LR291 LR292 LR293CA LR294CA LR295CA]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the tenth day of the One Hundred Fifth Legislature, Second Session. Our chaplain for today is Reverend Greg Allen-Pickett from the First Presbyterian Church in Hastings, Nebraska, Senator Halloran's district. Please rise.

REVEREND ALLEN-PICKETT: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Reverend Allen-Pickett. I call to order the tenth day of the One Hundred Fifth Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

CLERK: I have a quorum present, Mr. President.

PRESIDENT FOLEY: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: I have no corrections.

PRESIDENT FOLEY: Thank you. Any messages, reports, or announcements?

CLERK: Your Committee on Banking, Commerce and Insurance reports LB743, LB799, LB812, LB813, LB815, all to General File, all signed by Senator Lindstrom. Hearing notice from the Revenue Committee, two different hearing notices from the Revenue Committee. I also have a confirmation report, Mr. President, from the Revenue Committee. Reference report referring LB1000 through LB1033, as well as two constitutional amendments. Priority bill designation, Senator Brewer has selected LB1054 as his priority bill. An amendment to be printed, Senator Groene, to LB377. (Legislative Journal pages 327-329.) [LB743 LB799 LB812 LB813 LB815 LB1054 LB377]

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PRESIDENT FOLEY: New bills for the record, please.

CLERK: Thank you, Mr. President. New bills: (Read LB1084-LB1091 by title for the first time.) That's all that I have at this time, Mr. President. Thank you. (Legislative Journal pages 329-332.) [LB1084 LB1085 LB1086 LB1087 LB1088 LB1089 LB1090 LB1091]

PRESIDENT FOLEY: Thank you, Mr. Clerk. (Visitors and doctor of the day introduced.) We will now proceed to the first item on the agenda, General File. Mr. Clerk.

CLERK: Mr. President, LR18CA, a constitutional amendment proposed by Senator Larson, proposes to amend Article III, Section 8, and Article IV, Section 2, and Article V, Section 7. Considered yesterday, Mr. President. Senator Larson presented his resolution. At this time I have nothing pending to the resolution, Mr. President. (Legislative Journal page 332.) [LR18CA]

PRESIDENT FOLEY: Senator Larson, would you like to take a couple minutes to refresh us? [LR18CA]

SENATOR LARSON: Yes, thank you, Mr. President. Colleagues, LR18CA is a constitutional amendment that would change the age to run for public offices in the state of Nebraska to the minimum federal voting age. Colleagues, the original age to run specifically for the Legislature was 21, when the voting age was 21. The federal government lowered the age to 18 and our constitution didn't follow. Right now, there is no age requirement for Secretary of State, State Treasurer, State Auditor, or Attorney General. Nearly 41 states have no age limits or have set those age limits at 18 to run for office. We have not seen what opponents to this bill will say that a plethora of individuals that shouldn't be elected or will get elected happen in the state...in any of those states. And we've never seen a noncompetent or dependable, qualified individual elected to any of our statewide offices that was...could have been 15, 16, 17, since there was no age limit. In the end, you have to trust the voters. Senator Chambers has voiced his opposition to this bill saying he doesn't trust voters. He doesn't trust the people of Nebraska. Well, I do. And any individual running that gets elected at any age has to show that they are the better of the two candidates running. So in the end, I do trust the voters of Nebraska. Every one of us here won an election, well, all but one, has won an election to get ourselves here. And I think that should continue, regardless of what age you are, and you should be able to voice your opinion, whether you're 18 or 81, on this floor and at every level of government in the state of Nebraska. Thank you, Mr. President. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Larson. Debate is now open on LR18CA. Senator Chambers. [LR18CA]

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SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I doubt that this bill is going anywhere. One of the weakest arguments in terms of intellectual content and substance is to say that because a bad thing is happening now, you should extend that bad thing farther. What you ought to say is wisdom mandates that there is a certain minimum age and you make an assumption that by that age the person may have had life experiences, an amount of education, and other things that could give that individual, if elected, a possibility of doing a good job. There is no guarantee that setting an age limit is going to mean that somebody that age or older is going to do a good job. I just look around this Chamber, I look at the one who is bringing this bill. But you make an age because you're setting a standard. You're setting a floor, not a ceiling. You're saying, this is the minimum, then you hope people will build on that. Having been here 40-some odd years, I know the poor quality of people who can wind up in the Legislature. So age in and of itself does not mean anything. These people who read the "Bible" would probably have read the Book of Job. And when all these bad things began to happen to Job, these older, supposedly wise people began to condemn Job and say, these things happen to you because you are a bad fellow or you didn't do this or you didn't do that. And none of them knew that God and Satan had made a wager. Satan had wagered that Job would fail and God had wagered that he wouldn't, so all these bad things happened. His crops were destroyed, his livestock were destroyed, a house fell in and killed his children. And his wife said, Job, why don't you curse God and die? And Job said, you talk like one of the silly women! All the days of my appointed time I will wait until my change comes. Now, that was behind the scenes that nobody knew about. So this young guy who had been listening, he had said that he had thought that in age there would be knowledge, in gray hairs there would be wisdom, but he detected none of those things in these older people who were talking to Job. And then the wisdom was made to come from that young person. So age in and of itself means nothing other than the fact that you have survived to this point from the day you were born. When we are talking about setting age limits, the constitution picks certain offices and will set minimum ages for those who would wind up in those offices--35 years old when the constitution was written was not like 35 years today. That was an age to which some people, many people, would not make it. The point I'm making is this, rather than say take away age requirements, in terms of a minimum, maybe minimums ought to be imposed that have not been to date. But never take a bad thing and say that should become the standard. It's like saying yesterday's errors should become today's orthodoxy. That's not the way things should go. [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. Although they often do. This bill, this proposal, does not state that a person should be 18 years old. It does not state that. This provision says that: whenever a person reaches the federal voting age. So it's up to Congress to determine. If Congress lowers the voting age to 16, the age of holding an office becomes 16 here. If Congress raises it to 40, then the minimum age becomes 40. They have been saying, those...well,

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the one who supports this bill, this bill talks about 18. It talks about 18 now, but it does not establish 18 as the ongoing age. It's a changeable age based on the whim of Congress. If you trust Congress to set the minimum voting office holding age... [LR18CA]

PRESIDENT FOLEY: Time, Senator. [LR18CA]

SENATOR CHAMBERS: ...for the people in this state...thank you, Mr. President. [LR18CA]

PRESIDENT FOLEY: But you may continue. You're next in the queue. You may continue. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. Once again, I find out that there are people who watch us and they talk about what they have learned. Not only about gambling, but the constitution and other issues. I handed out one day a picture that a woman had sent to me of her little baby on the floor watching the television with me speaking. That's why the Bible says at Isaiah 11:6, "and a little child shall lead them." "A little child shall lead them." The child had sense enough to watch me speaking and knew that there may not be clarification in that child's mind, and I don't know whether there is or not, but something worthwhile and meaningful is going on here. And that child had toys all over the floor, but when my voice came, like E.F. Hutton, the babies listen. Now, the point that I'm trying to get across here is that we should read legislation that is presented to us. We should discuss it in terms of what it actually says. Right now, when Senator Larson says the age of office holding for these other offices were an age limited set will be 18. He did not tell you that that is a changeable age. You're not setting the age at 18, you are setting the age at whatever Congress says. Is that the way you want to legislate? Do you want to delegate the legislative authority of the Nebraska Legislature to Congress? Is that what you want to do? That's what you're doing. You want them to set the actual tax rates for this state? I don't mean where a tax rate is a certain percentage of what you pay the federal government and so forth, but where they set the actual tax rate. Do you want the government to do that? Isn't Senator what's his name, the one bringing this bill, trying to appeal to those who say there should not be government overreach? How greater an overreach of government can you imagine than delegating the authority to Congress to set the law, to say what your constitution means, to say what your laws mean, to say what age limits mean? You all are lucky to have somebody like me in this Legislature. I'm not going to manifest false modesty. I know what I know. And you all would know the same thing if you would just think. Logic will give you the answer to some of these issues. But you're too accustomed to having people wave banners, they speak in cliches, they think in slogans, and they give you those familiar words. You're to draw certain conclusions from hearing those familiar words. What did Pavlov do in terms of experiments? Well, who was Pavlov? No, he was not the quarterback for the...I'm trying to think of a team that would have somebody with a quarterback of that name--the Green Bay Packers.

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Pavlov is not the name of the quarterback of the Green Bay Packers. Pavlov was the name of a scientist. And to make it simple, when people talk about a Pavlovian response, when you hear or see a certain thing there is an automatic way you respond or react to it. It's not even a matter of conscious thought. You've been trained to such an extent that incorporated into your system is that reaction when this certain stimulus is applied. [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

SENATOR CHAMBERS: If you took zoology and they tried to teach you things about the way your body reacts and the difference between an automatic response that your body initiates to save the organism, as opposed to the actions that occur only when you think about them, they will tell you to take a match and light it and put your hand near it and before your brain registers pain, you pull your hand away. Before the conscious part of your brain recognizes that that is painful, the body recognizes it. It is harmful and you will jerk your hand out of the flame before it registers in your conscious mind that you are feeling pain. Nature knew. You know, nature is projected as a woman. God as a father. Women know that men do not think as manifested by this crazy piece of legislation. [LR18CA]

PRESIDENT FOLEY: Senator Chambers. [LR18CA]

SENATOR CHAMBERS: I will complete it when I am recognized, if I am. Thank you. [LR18CA]

PRESIDENT FOLEY: And you are now recognized again, Senator. This is your third time. [LR18CA]

SENATOR CHAMBERS: Thank you. Mother nature said, father God, you have put certain things together. And when you're starting with nothing, when you're going to take a whole lot of nothing and make it into something, you may not get it all correct. So I am going to rectify some of the shortcomings. But I'll take a position in the background and I will just do those things that are necessary to carry out what you stated your intent is. You have stated that these various creatures that you have created will have as the guiding principle for their survival is not the survival of the individual, but the survival of the species. Individual members may perish, but the species must survive. Therefore, in the kingdom of the brutes, the animals which supposedly do not think, incorporated into their very system will be the idea that the strong, the intelligent will survive. So there are things that will happen that will make sure that the weak, the infirm, the defective will not survive long. They will either contract an illness that will kill them early on. They will develop a weakness and they will fall prey to another creature, but the ones that will be allowed to procreate, the ones that will be allowed to produce offspring, will be those who are

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strong, who will have those traits that will help the species survive even if individuals won't. So we're going to make sure that when there is a type of natural selection among these creatures, the ones selected will be the ones best capable of passing on genetic material that will cause the species to survive. So we might give a creature with horns a great rack of horns. We may give a creature, which is strong, a long, flowing mane. We will give something to identify that creature so that the female will recognize that as the one with whom she should mate and thereby the species will survive. When it comes to these human creatures, it's not a matter of the same principles at stake. You have created them as a higher order. Not necessarily that they are, but you have put into their makeup the notion that they are above everything else. But that very sense of pride, that very sense of specialness will lead them to make errors because they feel they don't have to think, because they're better than everybody else. So what I'm going to put into their genetic makeup, into their corporeal or physical system, a means of maintaining at least the body. Because without the body, there is nothing else. So if that body happens to fall into a set of circumstances that can kill the body, I'm going to incorporate something that those whose body it is will not even be aware of. But it will cause the body to look out for itself when that part of the creature which is called the brain is too self-centered to be aware that the body is in danger. But I'm going to...such as removing themselves from fire before their brain says you're being burned. [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

SENATOR CHAMBERS: I will let them ingest substances that will make them unable to think. I will let them ingest substances which, if passed on to their children, will make them weak. I will incorporate into them yearnings that carry them away from good health, mental health, spiritual...because, God, that's what you want to talk about. I don't know anything about spirituals and ghosts. That's it for me for right now, but I'll have to offer an amendment or something to speak further. Thank you, Mr. President. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Chambers. In the speaking queue are Senators Brasch, Krist, and Schumacher. Senator Brasch. [LR18CA]

SENATOR BRASCH: Thank you, Mr. President. Good morning, colleagues, and good morning to our second house that may be viewing this or listening. This is the first I have spoken on it this year. I did speak on it the last year. I still stand opposed to LR18CA. My concerns are the education that many who are 18 years old may still be in high school, be it public, private, parochial. Most 18-year-olds, or many, I am told, are in school still and not yet finishing their secondary education. That is of concern. When I looked at the committee statement and the testifiers that came, I did not look at the transcript. I did see that the only proponent...or the introducer was not Senator Larson, but his aide, Joshua Eickmeier. We had an opponent that did

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come and it was Kathy Wilmot, who is very versed and very studious in state issues, a participant in many hearings in this state. And there weren't any 18-year-olds present or testifying. I've introduced several bills over my seven and a half years here and I have had students attend. I have had those excused from school or those who are coming to testify as a part of their school projects, and they are not here listed on the committee statement. I find that concerning that it's not an issue for them to speak up. However, because they are in school, that must be their priority in continuing their education. This morning, I had visitors in my office from the Nebraska Young Cattlemen, and we visited on many issues and many concerns. One of them expressed the seven-and-a-half hour drive to come to the Capitol. They had not been here since the fourth grade. We have many schools that surround us. Not a seven-and-a-half hour drive, but probably a 10-minute or less drive to come to the Capitol and support or oppose the legislation, or a neutral. We had no educators come speak on this as well. My response to the second house, to those listening today, those who live seven-and-a-half hours away or more, and who may not have been here to the Capitol since the fourth grade, my response is when you come to the Capitol, drive here as if your life depends on it, because it does. Your presence is paramount to issues like this. As a senator, we know how time consuming it is to represent your 35,000-plus individuals, give or take. It's a commitment. There are many events outside this Chamber where individuals call us to listen to their concerns, to participate in their communities. Some of the senators have nine counties or more, and with the next redistricting and the population shift continuing to move east, I imagine the senators in our western part of the state will have even more than nine counties. I believe that... [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

SENATOR BRASCH: ...the age of 21 is not unreasonable. When you talk about auditors and others with a certain education background and skill set in accounting or math or the law, you know, that is a skill set. To listen to people, 1.9 million, is truly a challenging course for anyone to follow. I believe especially our youth who must follow a path of pursuing their careers and education. Thank you, Mr. President. And thank you, colleagues. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Brasch. Senator Krist. [LR18CA]

SENATOR KRIST: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraska. And I hate the terminology, but I don't know what else to say, deja vu all over again. I'm hearing a bill that has to do with allowing people to participate in their government and a philosophy that if you're old enough to bleed, you're old enough to do any number of other things. And it's, oh, so not true. I'm going to give you one example of how I believe we have evolved as a human race. When I was 18 years old growing up in Omaha, if we hopped across the river into Council Bluffs, we could drink our brains out and then drive back into Omaha. I

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don't know anybody that ever did that, I'm just hearing that that happened. But someone somewhere had the forethought and the maturity to say, you know what? That young brain really needs a couple more years to develop before it is able to drink their brains out and get behind the wheel of a car. So in that way, we have evolved, and we have noticed or recognized that there is indeed a pattern to logic and to philosophical agreement in terms of what capacity someone is able to perform at. Senator Brewer will tell you, and anybody else who had any experience in the armed forces, Senator Kolowski, and others, that at some point when that 18-year-old conscript or volunteer came into the force, they were not immediately promoted to general officer. They did not have their finger on the nuclear button. They did not have the power to make a decision that they were not capable of making. And training in the United States Army to teach people how to fly helicopters is reduced to what we called the high school to flight school mentality, meaning that at 18, you should be able to learn the skills of flying a helicopter, however, it would be a few years before you could command a group of those helicopters. You would gain the maturity to get to where you needed to get to. The argument is an old one, I've heard it several times. I will continue to vote against this kind of an approach to free-wheeling in terms of age versus capability. Just because you're old enough to bleed for your country does not mean you're old enough to take on other responsibilities. Take it from somebody with 21 years experience in the armed forces. With that, I will yield the balance of my time to Senator Chambers if he would like it. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Chambers, 2:10. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. And thank you, Senator Krist. I was otherwise occupied when you were talking, but I'm glad you talked about the notion of the general officers and the things that you touched on. Brothers and sisters, friends, enemies, and neutrals, the fact that somebody is allowed to cast a vote does not equate to the proposition that that person therefore is qualified to hold the position for which he or she is voting for somebody to occupy. They are exercising participation in the government by casting the vote. When those below the age of 21 were not allowed to vote, the age was not dropped to 18 because somebody successfully argued to the U.S. Supreme Court that setting a voting age at 21 rather than 18 deprived people of their First Amendment right to free speech. [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

SENATOR CHAMBERS: It shows how addled the nonthinking of Senator Tyson (Larson) is. He's talking about you're infringing on their right to freedom of speech because they can't hold a certain office. The...if you have water over here in a container in my left hand and you have oil in a container in my right hand and you pour the two of them into a container and the container is



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of sufficient capacity to contain both of those substances in the amount that each comprises in its respective container, you pour them together and they are there, but they don't mix. [LR18CA]

PRESIDENT FOLEY: Time, Senator. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Chambers. Mr. Clerk. [LR18CA]

CLERK: Mr. President, priority motion. Senator Chambers would move to bracket the resolution until April 18 of 2018. [LR18CA]

PRESIDENT FOLEY: Senator Chambers, you are recognized to open on your bracket motion. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. And my actions are part of the learning curve for some people. How we get things done. When you want to speak, you can find the way to speak, as I can always do and always shall do when necessary. But at any rate, water will be at the bottom, oil will be at the top. How do you make oil and water mix? There is a word, and I'm not going to define it, the word is emulsifier. People who are not too far away from their high school science class will know what an emulsifier is. And because of what I've said up to now, those who think will use logic and figure that an emulsifier must be something, whether liquid, powder, or whatever form, that will make it possible for oil and water to mix. Well, Senator Larson has no emulsifier, so he tries to mix oil and water. If the government decides that you cannot hold an office until you reach a certain age and the U.S. Constitution says that these certain freedoms shall not be infringed, one of them being free speech, he takes the language related to free speech and tries to apply it to the age at which a person is allowed by the government to hold an office. That is what philosophers...you all know what philosophy is. Much ado about nothing. And it is, because philosophers can discuss nothing. The word nothing, the concept of nothing, isn't just the absence of something. Or is there another dimension where what we perceive of as being nothing, nothing would actually have an independent existence. They spend a lot of time talking about that. That's why all of them had long beards. They didn't even take time to shave. They often walked alone, because they didn't have time to bathe. And when you don't bathe, there are certain little bacteria and other critters that dine on certain substances that your body will secrete or excrete. Some of them will pasture on you, they forage, and odors develop as a by-product of their activities. So these philosophers with the long beards would emit odors that other people found offensive. And even those who emitted the same odors found them offensive when they were emitted by somebody else. We become accustomed, in other words, to our own failings, to our own shortcomings. We accept them as the standard and

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they're all right when we're doing it. But they become graphically unacceptable when somebody else is manifesting exactly the same conduct. And that's why hypocrites can behave in a certain way and dictate that other people behave a certain way while they themselves do not. They are blinded because they cannot see themselves as...I think it was Burns who said: as others see them, if only this gift our God would give us, to see ourselves as others see us. It was called To a Louse. And this lady, hoity-toity, was sitting in her church pew, very pleased with herself and her appearance, and knew that everybody else was pleased also because they were looking at her and she thought it was with envy. But what they were looking at was a louse, a louse. The plural of which is lice. And usually these little critters were not loners, so if they saw a lice, a louse, there probably were lice. So the poet's conclusion was, if only this gift our God would give us to see ourselves as others see us. They're not looking at us enviously, they're looking at us with shocked amazement because we are so insensitive we cannot feel the louse crawling on a part of our body that ought to be able to detect that movement. When you are in a situation like we have in this Legislature, you have to think for yourself. And you know what this old man started out to tell you about? Philosophers, philosophy, mixing oil and water, being unable to do that without an emulsifier, and then analogizing it to the way Senator Larson operates. And I haven't forgotten what I intended to say. When the philosophers come upon something that violates the principles of logic, they have a word for it. That word is unintelligible. It lacks intelligibility. What does the word intelligible or intelligibility mean? Look it up in your Funk&Wagnalls or your Webster's dictionary. I'm not going to tell you everything. If I tell you everything, I become like those electronic gadgets you all spend so much time on. Your brain can take a vacation and everything is put right in front of you. And you absorb it, but you don't have to think about it, and that's why so many Americans are those who give back what they've heard. And if you listen to them long enough and you pay attention to other outlets that deal with those subjects, you can tell which television station they listen to, which columnist, if they read at all, they have read, which political party they belong to because they are mere echos. And sometimes they're not even reliable echos. They get wrong, even the pablum that they are fed. And I have to deal with this for 43 years. I have not lost my mind. There are people who try to be witty and say, well, that's what you think. And it doesn't matter to me. When you are very young, you have a tendency to think like this young guy who is sitting with Job and these older people, that because somebody is old, he or she is wise. That young man found out that's not the truth. That's why you ought to read the "Bible." Not for ghosts, not for magic, not for miracles, but for the common sense which is there. Much is in the Bible, not because God decreed it or God wrote it with a finger, like he supposedly wrote on the stones. But if he did, then he was the first...what do you call those people? Graffiti artists? And the Bible describes one specifically: a hand appeared, a finger, and it wrote on the wall. When you write on the wall, that's graffiti. Why are you going to condemn the graffiti writers when they were mentioned in the "Bible?" Mene mene tekel upharsin. Thou art weighed in the balance and found wanting. That was a message given to a king. He was going to lose everything. So don't look down on the graffiti artists when they're mentioned in the Bible and what you're doing probably was not. But at any rate, while I'm in this

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Legislature, I sometimes will let things roll along so that what is recorded and transcribed can be referred to later to show how ignorant my colleagues are. How they want to criticize other people who come from another country and speak Spanish as a native language, but they can speak more English than these people who criticize them can speak Spanish. And sometimes on rare occasions somebody will ask me, don't you understand English? I say, when I hear it spoken. [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

SENATOR CHAMBERS: There is a difference between English and grammatical English. There is slang, patois. Well, I'm not going to go into all that. Look up some of it in your dictionary. Why do you go to school? All the education that you add up among the people who are on this floor and you don't have an ounce of wisdom sometimes. What is the value of education if it's not manifested in what you do and how you live your life? Why are we going to preach to the children about the need to go to school? Well, some of the senators are becoming practical. They say...I don't want to start now. I will wait until I'm recognized, if I am. Thank you, Mr. President. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Chambers. (Visitors introduced.) Members, in anticipation of 10:00 agenda item, we're going to move off of this bill and come back to it after the Chief Justice's remarks. We're going to preserve this speaking queue as it currently exists. But first, items for the record. Mr. Clerk. [LR18CA]

CLERK: Thank you, Mr. President. New bills. (Read LB1092-LB1116 by title for the first time.) That's all that I have at this time, Mr. President. (Legislative Journal pages 332-337.) [LB1092 LB1093 LB1094 LB1095 LB1096 LB1097 LB1098 LB1099 LB1100 LB1101 LB1102 LB1103 LB1104 LB1105 LB1106 LB1107 LB1108 LB1109 LB1110 LB1111 LB1112 LB1113 LB1114 LB1115 LB1116]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Senator Blood, for what purpose do you rise?

SENATOR BLOOD: Thank you, Mr. President. I rise today to move that a committee of five be appointed to escort the Chief Justice of the Supreme Court and members of the Supreme Court to the Legislative Chamber for the purpose of delivering the State of the Judiciary address.

PRESIDENT FOLEY: Thank you, Senator Blood. Members, you have heard the motion. All those in favor say aye. Those opposed say nay. The motion is adopted. Pursuant to a suggestion from the Speaker, I would appoint the following members as our escort committee: Senators

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Ebke, Albrecht, Briese, Hilgers, and Quick. If those members of the escort committee could please retire to the rear of the Chamber for the purpose of escorting the Chief Justice and members of the court. (Visitors introduced.) The Chair recognizes the Sergeant at Arms.

SERGEANT AT ARMS: Mr. President, your committee now escorting the Chief Justice of the Supreme Court of the great state of Nebraska, Mike Heavican, and members of the court.

PRESIDENT FOLEY: Members of the One Hundred Fifth Legislature, I present to you the Chief Justice of the Nebraska State Supreme Court, the Honorable Mike Heavican.

CHIEF JUSTICE HEAVICAN: Please be seated, as they say. Mr. President, Mr. Speaker, members of the Legislature, fellow Justices of the Nebraska Supreme Court, and fellow Nebraskans, thanks to you, the members of this Legislature, and especially thanks to Speaker Scheer, for inviting me to address you this morning. As always, it is an honor for me to report on the Judicial Branch accomplishments and to discuss the future of the courts and probation. First, I will introduce my fellow Justices to my immediate right is Justice Lindsey Miller-Lerman of Omaha, and to her right is Justice Jeff Funke of Nebraska City. To my immediate left is Justice William Cassel of O'Neill, and to his left is Justice Stephanie Stacey of Lincoln. Justice John Wright of Scottsbluff and Justice Max Kelch of Papillion are unable to be with us today. This is my 11th State of the Judiciary address. Over the past 11 years, Nebraska's judges, court clerks, probation officers, and support staff have greatly expanded the services we provide to Nebraska's communities. In doing so, we have recommitted ourselves to providing equality before the law. That recommitment emphasizes compassion, sacrifice, and creativity. We are constantly asking ourselves: Is there a way to do this better? And indeed, this body has asked us to find ways to do our jobs better. The answer is yes--there are always ways to do it better. That is why we now have problem-solving courts, specialized probation programs, probation-led juvenile justice supervision, the office of public guardian, electronic case management, e-filing and e-payments, our new access to justice initiatives, and our increased community outreach. I will speak to you today about each of these programs beginning with problem-solving courts. Problem-solving courts in Nebraska were initiated by our trial court judges. In problem-solving courts, judges personally supervise, with the aid of probation officers, convicted felons who are at high-risk to reoffend and would otherwise be sent to prison. There are a variety of problem-solving courts in Nebraska. I first call your attention to Nebraska's two new Veterans Treatment Courts, which I will refer to as Veterans Courts. Veterans Courts are designed to give men and women who have served in our armed forces and have fallen on hard times a second chance to reclaim their rightful places as positive, contributing members of society. Many have substance abuse or mental health problems. Veterans Courts treat these and other issues contributing to criminal behavior by utilizing not only intensive judicial and probation supervision, but also trained veteran mentors. Veterans Courts are unique in the utilization of these mentors. The mentors in these courts are fellow veterans who, similar to our judges, volunteered to support and encourage

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success for Veterans Court participants. These volunteer mentors work with veterans on a one-on-one basis and follow their motto: "Leave no veteran behind." With us today are members of our inaugural Douglas and Lancaster County Veterans Treatment Courts. Among those seated in the center balcony are judges, prosecutors, defense attorneys, those veteran mentors, and other supporters of these two courts. Special recognition goes to Judge John Colborn from here in Lancaster County, and Judge Mark Ashford from Douglas County, who volunteered as Veteran Court judges in their two jurisdictions. Judges, mentors, lawyers, team members, and supporters, please stand. Also, special thanks to Senators McCollister and Williams for sponsoring legislation to fund these courts. Our other problem-solving courts are primarily drug courts. Drug court and other problem-solving court judges also volunteer for duties over and above their traditional responsibilities because of their commitments to serve their communities and to serve the individual offenders who are working to rehabilitate their lives. This past summer, as part of the Supreme Court's annual summer tour of courthouses around the state, members of this court attended Hamilton County's first drug court graduation ceremony. Led by Judges Rachel Daugherty and Linda Senff, the Hamilton County Drug Court is an example of the extra effort our judges, probation officers, and support staff make to keep our communities safe and strong. The Hamilton County Drug Court also highlighted the difficult commitments drug court participants must make in order to graduate successfully. The participants must overcome addictions and past bad decision-making; they must affirmatively commit to rehabilitating themselves, to finding jobs, and creating productive futures. Every problem-solving court participant saved is one less incarcerated felon and one less burden for Nebraska's taxpayers. We invite all of you to visit your local problem-solving courts and probation offices. You will see firsthand the commitment and hard work of our judges and probation officers. In that spirit, we are beginning implementation of reentry courts in response to this Legislature's Justice Reinvestment Initiative. Nebraska's reentry courts will provide additional supervision to individuals returning to society from incarceration or post-release supervision. Special thanks to Judges Jim Doyle of Dawson County, Paul Vaughan of Dakota County, and Tim Burns of Douglas County for developing the plans for our reentry courts. I also thank Judge Teresa Luther of Hall County and Judge Stefanie Martinez of Sarpy County for their leadership in developing reentry courts in their districts. Our new judge-led reentry courts are designed to compliment this Legislature's desire for supervision of Class III and Class IV felons upon release from state or county correctional facilities. Supervision of these individuals is accomplished by our Administrative Office of the Courts and Probation and is designed to increase the likelihood of a successful return to civilian life. Virtually all of these probationers return to the communities where they initially broke the law, and past experience indicates that most of these individuals will reoffend unless prior failings are addressed. Chief among the needs to be addressed are substance abuse, mental health issues, and housing concerns. The courts and probation staff have embraced the responsibility this body has given to them to supervise probation or reentry. To that end, probation has created a number of programs, including the concept of reentry navigators to anticipate the release of prisoners and smooth the transition process to life after incarceration.

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Reentry navigators emphasize services to address the needs I just mentioned: housing, job placement, counseling for addiction, and services for mental health issues. Probation administration also tracks all returning felons as to risk of reoffending. Each supervised reentry participant is given individual programming designed to help that person succeed. Again, probation provides traditional housing alternatives, GPS monitoring, and a special program for offenders who have substance abuse and mental health problems. There are approximately 820 individuals currently enrolled in reentry supervision. Overall, there are nearly 18,000 individuals in our adult probation programs. That is an increase of nearly 1,400 individuals since 2016. Those numbers indicate that both judges and probation officers are doing their part to implement the directives and presumptions embodied in LB605 and related legislation. The University of Nebraska-Lincoln has evaluated recidivism of Nebraska's adult probation system participants by measuring convictions for criminal behavior after three years from successful release. Using those calculations, the recidivism rate for adult probationers in Nebraska is approximately 15 percent. Let me repeat that figure, the recidivism rate for all Nebraska and all probationers is approximately 15 percent. Fifteen percent is an extraordinarily good number based on adult probation national standards. Your investment in probation is paying off in both tax dollars and public safety. Testimony at legislative committee hearings and input from our local probation officers suggests that there is a large demand for increased probation services in specialty courts, particularly to address mental health issues. Expansion of those programs is not possible, however, without increasing both judge and probation resources. Indeed, currently anticipated budget cuts will diminish both probation services in capacity. I now call your attention to our juvenile justice programs. Based on a successful Douglas County initiative in 2013, this legislative body decided to replace the responsibility for supervision of juvenile justice cases--that is juveniles who break the law or have status offense issues--with the Office of Probation Administration rather than the Department of Health and Human Services. The previous model for juvenile justice supervision was to designate juveniles as wards of the state. This effectively removed or diminished responsibility and participation of parents and guardians in the treatment and rehabilitation of juvenile offenders. The model now utilized by probation administration emphasizes, rather than diminishes, the responsibilities of parents, families, and guardians to provide assistance and support of youth rehabilitation and reform. Juvenile probation programs stress in-home services and strive to provide...or strive to minimize out-of-home placements whenever possible. Reducing out-of-home placements has required a fundamental restructuring of the state's juvenile justice system. We have made great strides in moving toward this new way of thinking about and treating juveniles. Reduction in out-of-home placements, however, requires treatment alternatives. Thanks to grant funding, the Office of Probation Administration has implemented such programs as multi-systemic therapy. Multi-systemic therapy is designed to provide around-the-clock in-home intervention and counseling. The Office of Probation Administration and our local judges by way of our Through the Eyes of the Child Initiative teams are working on further alternatives to out-of-home placement for juvenile offenders. Just as we measure success in our adult probation programs by tracking recidivism, we also measure

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recidivism in our juvenile justice programs. Using a one-year repeat of delinquent or criminal behavior threshold, the University of Nebraska-Lincoln found the juvenile justice recidivism rate to be approximately 25 percent. This number shows a decrease in recidivism and indicates a high rate of success in our juvenile justice system. The courts and probation appreciate the need for accountability and the implementation of effective safeguards and best practices in our juvenile justice system. We continually reevaluate our programs and the needs of our judges, along with the need for objective and independent measurement of those processes. Nebraska is one of just three states in the United States currently participating in a comprehensive juvenile probation system review by the Robert F. Kennedy Institute. This review measures both the strengths and weaknesses of Nebraska's juvenile justice system and will serve as a foundation for further improvements in that system. One other new program of particular note in our juvenile justice system is the restorative justice program implemented by this Court's Office of Dispute Resolution. Thus far, this grant-financed program has served over 200 youth, their parents, and victims of their delinquent behavior in pilot sites in Scotts Bluff, Douglas, and Lancaster Counties. Participants in the program must admit their misbehavior, agree to rehabilitative processes, and most especially meet with the victims of their wrongdoing. Most of the young people involved in the program make reparations to those victims. Nearly all program participants, including victims, youth, and their parents have expressed satisfaction with the program. The restorative justice program is being expanded to include Buffalo, Adams, Dodge, Saunders, and Gage Counties. The Office of Dispute Resolution and the Office of Probation Administration have also reached out to the Youth Rehabilitation and Treatment Center in Kearney to assist with the feasibility of implementing a restorative justice program at that facility. We look forward to expansion of this restorative justice program around the state. I now call your attention to the Office of Public Guardian. The Office of Public Guardian was legislatively established and placed under the administrative authority of the Nebraska Supreme Court. It is designed to provide our county court judges with last resort appointment options for vulnerable adults and developmentally challenged individuals who have no family or friends available for such responsibilities. In early January, you received a copy of the annual report of the Office of Public Guardian. If you have not yet read the report, I would recommend that you do so. But be prepared, it is a somber read. Within the 150 pages of that report, Michelle Chaffee, our very capable director of the Office of Public Guardian, outlines various statistics. The report indicates that the Office of Public Guardian handled over 237 cases in the last year and that their 264 wards had multiple, complex, and challenging issues. These issues included cognitive impairment, mental health diagnosis, developmental disabilities, substance abuse problems, terminal medical conditions, histories of criminal behavior, and histories of Mental Health Board commitments. Our assistant public guardians have full to overflowing case loads, and at the suggestion of the public guardian, a waiting list procedure has been set up by the Nebraska Supreme Court. But numbers do not tell the full story. Each number in the report represents a vulnerable individual, forgotten by time and circumstances, each with a unique and often tragic story, with no one available to help and for whom a judge had no other viable option

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but to appoint a guardian. Included in the report are the stories of eight of the individuals the public guardian has served over the past year. Because of the resources provided by the Office of Public Guardian, these wards were able to get the assistance they needed. The workload of the Office of Public Guardian also includes finding volunteer court visitors and replacement guardians to take on the increasing demand for guardians driven by the aging of Nebraska's baby boomer population. The office is also responsible for educating every new guardian appointed in the state of Nebraska. There were 1,240 new private guardians appointed in the past year. Thanks to all of our county court judges who work with the Office of Public Guardian, especially Judges Todd Hutton of Sarpy County and Holly Parsley of Lancaster County for being leaders in guardianship issues. As with probation and problem-solving courts, we look forward to working with this body to provide adequate resources for these increasing demands. I now call your attention to technology in the courts. I reported to you in the past about progress with the court's statewide electronic filing system. Attorneys and others can now electronically file documents in all of our courts using the same online portal. During the past year, the appellate courts became the most recent addition to that portal. Nearly 750,000 documents were filed electronically last year. The courts also recently rolled out an updated electronic payment system. This new on-line application makes recurring payments easier for businesses who are paying on garnishments or for individuals who have a payment obligation to the courts for such things as probation fees, court fines, or civil judgments. E-mail messages and text messages are sent out once a month to remind parties of payments due. These improvements encourage people to take advantage of the convenience of on-line payments and save court staff time as well. In fiscal year 2017, over \$150 million was disbursed through the judicial branch. Of that amount, last year nearly \$7 million was distributed to local cities and county governments, half of which was then further distributed to our school systems. Other court filing fees were distributed to funds for indigent defense, dispute resolution, and support for victims of crime. And approximately \$8 million was deposited into the state's General Fund. Every case that is filed electronically saves dollars for both Nebraska's county and state governments. Most of the court's technology is financed by court fees. The court's technology committee has a carefully prioritized strategic plan, which is particularly beneficial in saving property tax dollars for Nebraska's counties. Probation has also moved forward with technological advances. Electronic delivery of presentence investigation reports, provided for by LB504, is in the process of being implemented across the state. All 12 judicial districts currently have the ability to utilize that process. Probation is also constantly expanding its teleservices network. Approximately 5,214 hours of teleservicing, equaling more than 130 weeks of work, was utilized in 2016. That number increased in 2017. Teleservices make treatment and rehabilitative programs available in sparsely populated areas where such programs are otherwise unavailable. They also save travel time and costs for both users and taxpayers. Technology, of course, is ultimately about access to justice. Users of technology...or of the technology I just outlined, have more access to our clerks' offices than at any time in the history of our judiciary. Filings can be made and accessed 24 hours a day. Payments, too, can be made 24 hours a day. Access to justice however, involves not just technology, but also issues of



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human welfare. During the last year, this court implemented a new Access to Justice Commission. The purpose of this commission is to bring together and coordinate various initiatives of the courts, the Nebraska State Bar Association, legal service organizations, legal education providers, and public libraries in order to leverage limited resources and increase the impact of work being done to ensure access to swift, fair justice. The Access to Justice Commission incorporates our existing Committee on Self-Represented Litigation, which was established more than a decade ago to address problems arising from increasing numbers of litigants not represented by lawyers in our court system. The Committee on Self-Represented Litigation continues its good work in assisting those who find themselves without the benefit of attorney services. It supports legal aid and encourages more lawyers to volunteer their time to help the unrepresented, under-represented. That committee also supplies dozens of forms, which can be found on this court's Web site, to be utilized at various court proceedings. Access to justice also means language access. Without interpreters, our litigants, judges, jurors, lawyers and other court system participants at times would be unable to understand what is happening in our courts. Nebraska judges work daily to provide access to our courts and probation programs to speakers with limited English proficiency. During the past year, the judicial branch relied on interpreters for 53 different languages. As part of access to justice, the courts continue to sponsor outreach programs for both adults and young people. Judges work with the Nebraska State Bar Foundation on such programs as High School Mock Trial, Constitution Day, Teen Parents and the Law, and Law Day Job Shadowing. Both the Supreme Court and Court of Appeals webcast our oral arguments live and maintain an archive of past oral arguments. All Nebraskans, not just lawyers, can watch Nebraska's appellate courts at work by going to this court's Web site or to the Nebraska Public Television Web site. Special thanks to NET for making these webcasts possible. For over 30 years, the Supreme Court has traveled to both of Nebraska's law schools each year for the purpose of making the court's business accessible to law students on their home campuses. The court saw value in providing similar educational program for students in Nebraska's high schools and colleges. As a result, over the last two years, the Nebraska Supreme Court has held oral arguments at Norfolk, Beatrice, Omaha Central, and Omaha South high schools. Likewise, the Court of Appeals has held oral arguments at Chadron State College, Hastings College, the University of Nebraska-Kearney, Peru State College, Doane University in Crete, Nebraska Wesleyan University in Lincoln, Midland University in Fremont, and Concordia University in Seward. Also, during the last year, the Supreme Court developed uniform rules for cameras and electronic devices in our trial courts. After experimenting in various trial courts over the past five years, these uniform rules were implemented beginning March 1, 2017. Now Nebraskans can see and hear trial court proceedings on their televisions and computers, and listen to court sound bites on Nebraska's radio stations. This process was complemented by the Nebraska State Bar Foundation's bench media committee, which brings together judges, lawyers, and news reporters to raise the level of understanding and appreciation for a fair and impartial court system. In conclusion, I repeat a line from earlier in this presentation: courts are committed to providing equality before the law. Mindful of the budget constraints of the last year, and the

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likely budget constraints of the near future, the courts continue their dynamic pursuit of ways to do our job better. Hence, the implementation of our new Access to Justice Commission; the implementation of cameras in our trial courts; the implementation of increasingly sophisticated e-filing and other technological advances; and the good work of the Office of the Public Guardian, the Office of Dispute Resolution; and the increase of adult probation services, problem-solving courts, and juvenile justice supervision programs. The commitment of this, the judicial branch, to you, the legislative branch, to the executive branch, and to all of Nebraska citizens is that our courts will be open and fair and that we will continue to search for ways to do our job better. We thank you for your past and future support of these endeavors and I thank you again for allowing me to speak with you today. (Legislative Journal pages 337-345.)

PRESIDENT FOLEY: Thank you, Mr. Chief Justice. Would the members of the escort committee assist the Chief Justice and members of the court as they depart the Chamber? Thank you. Items for the record, Mr. Clerk.

CLERK: Mr. President, I do. Thank you. Senator Wayne would ask...or move that LB1059 will be withdrawn. That motion will be laid over. I have an amendment to be printed, with respect to LB1066, by Senator Wayne. I also have hearing notices from the Government Committee and the Natural Resources Committee. That's all that I have, Mr. President. Thank you. (Legislative Journal page 345.) [LB1059 LB1066]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Members, we're going to pick up on the LR18CA where we left off. Senator Chambers had just introduced his bracket motion and in the speaking queue is Senators Schumacher, Morfeld, Hansen, Krist, and Chambers. Senator Schumacher, you are recognized. [LR18CA]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. We're discussing a proposed constitutional amendment here and I thought it might be beneficial to briefly go over how we amend our constitution and some of the rules we are confined by. The rights of initiative referendum recall, where people go around and sign a piece of paper and then it's voted on, were not inherent in our constitution at first. They were placed there in the...around 1910 era because people weren't particularly trustful of the Legislature. Probably not much has changed. And they went on for some time. And the general gist of philosophy in applying those rights was for the courts to be rather liberal, they would basically say things like, if there was a contested petition drive: you know, it's the people's document and we're not going to nitpick. If the people signed the thing and the people vote for the thing, okay, the thing goes in the constitution. And we had extremely long and detailed things going into the constitution, like Initiative 300. Well, back in the 1990-ish time frame, the Legislature put a couple of things on the ballot. One thing that went on the ballot was saying...changing the wording in the constitution for a petition drive from a

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certain percentage of the electors to a certain percentage of the registered voters. And of those of you who were old enough to vote at that time were kind of like me, you didn't realize there was much difference between the two. Figured, ah, we were just updating the language, because who the heck knows what an elector is? Well, votes have meaning and... [LR18CA]

PRESIDENT FOLEY: Excuse me, Senator. If the members would please come to order. Senator Schumacher.

SENATOR SCHUMACHER: Votes have meaning. And when that issue got to the Supreme Court, is an elector the same thing as a registered voter, the court said, no, of course not. A registered voter is somebody who registered to vote. An elector is somebody who voted in the last gubernatorial election. Since only about half of the people vote, that doubled the amount of signatures needed. It was kind of a big drawback to the initiative and referendum and recall processes. The second thing the Legislature did, again, I voted for it, probably most people did, not really thinking it through in the tiny technicalities of the world, and that was that an initiative can only have one subject. Sounds fair enough. You shouldn't have an initiative that has motorcycle helmets on the same initiative that has a property tax decrease, because somebody may be for one and not the other and may end up voting for one because they really like the other. So the...or the proposition was passed. And then there was kind of a trend that, ah well, the Legislature, if it puts something on the ballot had more liberal views. It could not so tightly restrict it to single-subjectness. And we're not going to be so picky. But the Supreme Court got very, very picky with initiative petitions. Instead of, ah, what the heck, it's the people's document, it was this has got to be done perfectly to the letter, particularly in cases where we disagree with the petition. And as a result, it was really, really, really difficult to fashion a petition. And it is still difficult. Then we had a twist, and it just came while I was in the Legislature, in which Senator Lautenbaugh had an amendment that was to go forward... [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

SENATOR SCHUMACHER: ...on dead horse racing. And the Supreme Court split hairs over that language and threw it out. We put that on the ballot. This particular item has three subjects: Letting the Congress of the United States set the age for being in the Nebraska Legislature, letting the Congress of the United States set the age for Lieutenant Governor and Governor, letting the Congress of the United States set the age for folks on the Supreme Court. You might be for one, not the other. Three different subjects, this thing goes nowhere, even if we were to put it out. A challenge, I think, would bring it down as violative of the single subject rule. So this is defective, it was a defect that was pointed out last year in that version and not corrected in this year's version. Thank you. [LR18CA]

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PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Morfeld. [LR18CA]

SENATOR MORFELD: Thank you, Mr. President. Colleagues, I rise in support of this legislation or this proposed constitutional amendment, but I also want to talk on another issue that has been brought to my attention by news articles and reports most recently. And that's the threat of the Department of Homeland Security and the Department of...excuse me, yeah, Department of Homeland Security and also Immigration and Customs Enforcement, that they intend to arrest state and local officials for adhering and supporting policies that protect immigrants. Well, this is my response to them: Come and get me. Because I will be standing right here on this floor and you'll have to drag me off it before you arrest me for representing my constituency, whether they be immigrants or citizens of this country. I believe that the new U.S. State Attorney for the state of Nebraska was just up in the balcony, I hope that perhaps he is still in the lobby, because this is where he can find me. The fact that we are sitting here today and that these are legitimate news reports which I had to research and study, because I couldn't believe it last night, the fact that we're sitting here today and we have a federal government that thinks they can come and prosecute and arrest state and local elected officials for protecting their constituencies, for speaking their mind, for adhering and enacting laws under our constitution both federal and state is abhorrent. I can only imagine if the President of the United States just two years ago, President Barack Obama, had made that statement what the response would be in this body and what the response would be across this country. I will gladly go to jail or prison for representing my constituency, for representing youth that were raised in this state that are working hard every single day to take care of themselves and their families, to provide valuable services to our economy, and to the people of Nebraska. I think it's also important to note that our own state constitution, for a very good reason, provides absolute immunity for any word spoken on this floor, for any actions taken on the floor to represent our constituents. There's a reason for that, because our law-making bodies should not be afraid of interference from outside constituencies and forces, including the federal government, including our own state government. That's why we are afforded those protections to represent our constituencies. We must continue to be reasonable when it comes to our immigration policies, we must continue to have the opportunity to speak freely without threat of arrest to represent those constituencies. And I will continue to. Thank you, Mr. President. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Morfeld. (Visitors introduced.) Continuing debate, Senator Hansen. [LR18CA]

SENATOR HANSEN: Thank you, Mr. President. And good afternoon, colleagues. I rise in support of LR18CA, just as I have in past measures of the bill. First let me say, I do agree that Senator Chambers and Senator Schumacher have probably brought up some valid technical concerns with the bill and if the bill does survive bracket motions I would certainly be open to entertaining amendments to correct and limit or narrow as necessary to gain support in the body.

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That being said, one of the reasons I always support this bill...or this constitutional amendment, and one of the reasons I always want to get up and speak on it, is I think it gives us an opportunity as a body to reflect on how we are representing the people of Nebraska. And not necessarily representing the people in Nebraska in terms of our work on the floor or how we do that, but how we actually are physically representing the people of Nebraska. Whether or not the people of Nebraska can get up and look at the Legislature and see people of a similar background, of a similar age, gender, race. I think that it's important for us to know and think about as a body. I always appreciate that opportunity to get up and talk about, specifically for the Legislature, I know this bill does others, the gap between 18 and 21. I think that's important to do. Not because I necessarily think there's a whole wave of 19-year-olds who are going to be swept into office if we pass this. I think if we do end up passing this, the 18, 19, 20-year-old being elected to the Legislature is probably a once-in-a-century event, if that. But it brings up the idea for young people that they could have the possibility of doing so. It brings up the possibility to a new generation, a new generation that is eventually going to be our political leaders some day down the line, that they can be involved in the political process and they can be involved in the political process quite early. I've had various different opportunities and jobs in my life to do youth voter turnout, things of that nature, and try to really engage young people to be involved in their governments and involved in their communities, whether that's in the neighborhood board level or whether that's registering people to vote. And that's always something we struggle with. So I think there is a great opportunity here, even if we vote down this bill, or even it just goes away after the three-hour rule, to really have a conversation on what we can do as a body to make sure that young people have the options to become involved in their government, to be the change they want to see. So that's one of the reasons I always get up and make sure to support this amendment. Thank you, Mr. President. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Hughes (sic-Hansen). Senator Krist. [LR18CA]

SENATOR KRIST: Good morning, once again, colleagues. And good morning, Nebraska. On my first time on the mike, I spoke about my personal concerns and my personal opinion. This time on the mike, I'm going to take just a few seconds to remind all of you, if you're listening, if you care, of the responsibility that you have to make sure that a piece of legislation up there on that board is as...it passes the muster, so to speak, of being constitutionally correct and formidable in its foundation in terms of what it says and how it says it. Now, you can be a young advocate for this issue if you wish. But fundamentally, when a committee takes this piece of legislation in its present form and puts it in front of you, they as a committee are not doing their due diligence. It is not put together correctly. You have heard Senator Schumacher, we often refer to him as the "professor," talk to you about the single-subject rule which would be thrown out. You cannot, I think, make this any better than what it is by carving it out on the floor. Let's get it passed...you've heard many times, let's get it past General, we'll fix it between General and Select. This is not one of those pieces of legislation, if there ever is such a piece of legislation. If

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you vote for this, you're now voting for the legislative process and the judicial process to come to a loggerhead and additional work and additional money be spent to try to either make it right, which, again, my contention is it cannot be made right, or be thrown out for the ill-gotten piece of paper that it is and content that it is. So I hope everyone who is intending on voting for this can answer to their constituency why they would set this animal free in its current state. I think I have made the point well enough. With that, I would yield the balance of my time to Senator Chambers. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Chambers, 2:00. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Krist. And if young people are watching, they'll say that's exactly why we shouldn't be in the Legislature. You got these older people carrying on in such a foolish, lame-brained, no-brain way and they're going to say let the young people come here and do the same thing. Young people, if they are interested in holding an office, should see the way we conduct our affairs and say: I want to be there, I want to do it like that, and this is how it should be done. Rather than say: as dumb as they are, I can do what they're doing. They can't even read. And you all...bother me sometimes. I see why God told Noah: Noah, I'm going to take another shot at human beings, but in the meantime, I'm sick of what these fools are doing. I'm going to send some rain and I'm going to drown them all out. But you are a good guy and you don't think I should do it, so I want you to go throughout the land and tell these idiots that there's a God who is going to kill them if they don't straighten up and fly right. So there's poor Noah, with his staff and his cloak, walking through the land saying: if you don't stop your evil ways, God is going to kill you. They didn't listen. Then the rain began to come. They said, uh-oh, this is what Noah was talking about. It got up to their ankles, got up to their knees. Then they came to Noah, because they ridiculed him while he was building an ark, which, by the way, would have been impossible for a man to do, but God and Noah were in conspiracy against all of humanity. They came up to Noah and said: Noah, let us on the ark. He said, uh-uh. And this one guy, he was the Speaker of the Legislature that they had in those days, and he said (knocking). Noah said: who is it? He said: Noah, Noah, let me come in. Noah said: Not by the hair of my chinny-chin-chin. And he kicked them off the boat. [LR18CA]

PRESIDENT FOLEY: Time, Senator. You're next in queue. You may continue. [LR18CA]

SENATOR CHAMBERS: Thank you. Well, that's all I'll do with somebody else's time. I'm going to get to mine, but you all know the rest of the story. Along that same line, we should be examples, exemplars, paradigms for the young people. How many of them would go away from here and say I got an idea for one of my papers, I got an idea about a new theory of government because I heard those people in the Legislature? Now, Louis Armstrong...Lou-is (phonetic) Armstrong--that's the way he pronounced his name--and Ray Charles, another great musician in

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my opinion, each was asked on a different occasion what was the best music. Each of them gave a very similar answer, so I'll put them together. There are only two kinds of music: Good music, bad music. Country western, jazz, blues, classical, it doesn't matter. Either it's good or it's not. Now, I cannot sing. The only thing that takes courage in my mind is to do something you're afraid of. If you're not fearful, it's not courage. You may be brave, you may be devil-may-care daring, but you're not courageous. You're courageous only when you're shaking in your boots and you do it anyway. I'm wearing boots this morning and I'm shaking in them because I got to sing a song that the young people are singing right now. Everywhere they are that have to listen to us. (Singing) We don't need no education, we don't need no thought control. No black sarcasm in the classroom. Teacher leave them kids alone. Hey, teacher, leave them kids alone. Then you know what the kids say? All we are is just another brick in the wall. Or they might be saying, we are only just another brick in the wall. That's what they say. They watch us. How much education is needed to do what we do? If they listen to us, they're not going to listen very long. There's no intellectual content, there is no knowledge, there is nothing that would inspire them or inflame their will to learn and certainly nothing to make them want to emulate or imitate us. I don't think there are 33 fools in here, but there are more fools than that when they were warned about the flood and disregarded it. Trump has converted people who follow him into mental munchkins, into lilliputian political bootlickers. They don't use any intelligence, if they have any. You heard what Senator Morfeld read that the federal government intends to do, which they cannot do. But I told Senator Morfeld, they can get two of us with one pair of handcuffs. One bracelet on his wrist, the other bracelet on mine. And these Republicans, the Governor, the Lieutenant Governor, Chief Justice, certainly the Attorney General of Nebraska and states all over the country, follow Trump and lick his spittle. He makes all of them sound like fools and you all don't even want to say it. And you know what would have been said, as Senator Morfeld pointed out, if Senator Obama had manifested one-tenth... [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

SENATOR CHAMBERS: ...the asininity of Trump. The Washington Post verified over a thousand lies that this fool has uttered. These Christians worship him. These white people say he's what they wanted and that's why I'm glad he's there, because he shows what white people are. They voted to tell me and everybody else looking what they are, what they think, what they believe, what they wish. And I'm supposed to swallow spit because these idiotic, simple-minded white people go along with it. This state is full of them, starting with the Governor over there. His mama was insulted by Trump and his daddy also. [LR18CA]

PRESIDENT FOLEY: Time, Senator. [LR18CA]

SENATOR CHAMBERS: Thank you. [LR18CA]

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PRESIDENT FOLEY: You may continue, Senator. Senator Chambers. [LR18CA]

SENATOR CHAMBERS: Before the Ricketts family lost their mind, lost any morality they had, lost any self-respect that they had, mama Ricketts was dealing with a group that was anti-Trump and Trump said those Ricketts had better shut up, because they got a lot to hide. And all the Nebraskans said, because the Ricketts family at least kind of twitched, the Lincoln Journal Star wrote an editorial praising mama Trump...mama Ricketts for standing up to Trump, daddy Ricketts for standing up. Then what to my wandering eyes should appear in the newspaper, but a complete capitulation by the Ricketts and they donated tens of thousands of dollars to Trump. And you know what that's like? There was this old housekeeper who kept house for an archbishop and she knew that everybody had skeletons in their closet because of what she saw the archbishop doing in secret. These hypocrites disregard the people who work around them. They are the invisible people. And when she told people about the archbishop, nobody believed it. She said, then I will tell you what you do, because she was talking to one of the priests who really believed in the archbishop. She said, I want you to take this tube and just write on the archbishop's mirror, I know your secret. The priest said, and what is that supposed to do? What does that mean? She said, do it. So late that night, she let the priest in, he wrote on the mirror, I know your secret. That archbishop was never seen or heard from again. The Ricketts family, the archbishop and archbishopess of Nebraska were told by Trump they better shut up because they got a lot to hide. And they came all the way over onto his side. And now that Ricketts person is over there praising Trump and saying how wonderful it is to work with him and his administration and you all sit here and you watch it and you listen to it and you won't even open your mouth. And he appoints some of you all to the office and he owns you. You cannot stand. How can you look at yourself in the mirror in the morning? How can you talk to your children when they know what you are? They know what Trump is. They know that he lies. I won't use the word he used because he's a Christian and I'm not, but when he used that obscene word to describe people, the country where people such as me came from, Trump did not deny it. That woman who looks like the bride of Frankenstein and is his media person, she didn't deny it. Nobody in that room denied it. And then days later after he told others, you know what will happen to you if you don't back me. So then some of these white "Repelican" Congress people in that room at first said, well, I didn't hear it. I don't remember that. Now they're saying he didn't say it. Everybody sees that all over the world. They're not buying it. You all swallow the spit of Trump. And I put a "p" where there should be an "s," because I don't use that kind of language. But I'm hoping you can spell. Running around here. I look at Senator Murante, an Italian, doing the dirty work of these white people, knowing good and well he's trying to prevent black people from voting. But when that stuff comes out here, we're going to have a good time on this floor. [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]



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SENATOR CHAMBERS: This session is going to be like none that has occurred in the history of Nebraska because you got a fool sitting in the White House like has never sat there before. He's a dyed in a wool hat racist. And there are no two ways about it. And some cracker sitting when President Trump is giving his speech to a joint session of Congress can holler, you lie. White people didn't think anything of it, Secretary of State didn't think anything of it, Sergeant of Arms didn't come remove him. White people went for it. Now, suppose that consummate liar is speaking to a joint session of Congress and somebody says, you lie. What would happen? Why, these racists would run home and get their pillow cases, put on their bed sheets, get their Nazi crosses and march down the streets of Washington, D.C., and Trump would say I'm glad you're doing this because you're all good people. [LR18CA]

PRESIDENT FOLEY: Time, Senator. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. [LR18CA]

PRESIDENT FOLEY: Senator Chambers, you are recognized. This is your third opportunity. [LR18CA]

SENATOR CHAMBERS: I think, if I heard Senator Morfeld correctly, officials are to be arrested if they speak on behalf of immigrants or whoever...whoever Trump and his people said shouldn't be spoken for, I'm speaking for them. I dare them to try to arrest me. I can show you all documentation where J. Edgar Hoover, who had everybody shaking, was shaking because of me. And you think I'm lying because you're weak and you swallow spit. I can show you in writing, in documents obtained through a freedom of information request, where the agents of the FBI were told on more than one occasion the director J. Edgar Hoover said, do not confront him, Ernie Chambers, because he will embarrass the bureau. That is in documents of the FBI. How many of you all have ever had that said about you? He had John F. Kennedy shaking, because of the sexual misconduct going on in the White House. He had Bob Kennedy shaking. He had gotten information that was embarrassing and incriminating, not in a criminal way, but a moral way, on Martin Luther King. They couldn't get anything on me. I am as clean as Clorox, I'm pure than the driven snow. And if they could get anything on me, you think they wouldn't have gotten it? You saw all these white racists, and you all in complicity, wanted to check to see if I live where I live. I spent \$5,000 on trimming trees at a house where I don't live? I bet none of you can show that you have done that. That's enough to make any sane people throw this nonsense out, but you didn't. You went along with the charade, and some of you hoped that it would work. And some of my colleagues counseled me to lighten up on what I'm saying on the floor of the Legislature because they could vote me out of here, knowing how rotten and low-down the people in this Legislature are. And I said, if I did that, you wouldn't respect me. And I did not back up one whit, and I shall not. I'm going to run from jackals? I wouldn't run from a lion, if what I'm doing

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is what I ought to do. And you all can try to do anything toward me that you want to. And if the FIB can't...you know how they concluded one of their reports on me? "He pays all of his bills on time." That was in one of the reports, they were that nitpicky--does he pay his bills? How many of you all have been certified by the FBI as paying your bills on time. You can walk out of here if you want to. Fortunately, all the people out there watching, I'm speaking for you all, I'm speaking to you all. Not these people in here that you sent down here. It shows why maybe people shouldn't be allowed to vote. But a democracy is based on the premise a republican form of government, with a small r, that the people have a right to send anybody down here to represent them they please. If they want to send a mule skinner, as I have stated in the past, they have a right to send a mule skinner down here. They know what it takes to represent them. If it's somebody who is dumb as a post, that's what they are, so they send a dumb post down here to represent them. I want somebody to stand up here and take me to task, take out my words and show which ones are lies, which ones are not true. You're going to have to be a lilliputian, you're going to have to be a moral munchkin and play like everything Trump has done is all right. He's the worst thing that has ever sat in that White House. He said he's the least racist of anybody. Well, least is a term of comparison. He's saying there were other racists, there have been racists in this White House, but I'm the least racist. He didn't say, I'm not a racist, because he is. You all know that. But you dare not say it. What has this country sunk to? The cowardice, the fearfulness. And I'm going to be like that to get along with you all? [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

SENATOR CHAMBERS: I want every one of you to be against me. Every one. Everyone who is afraid to deal with what reality is. I don't think a time will ever come when everybody in any group is going to be against one person or one idea. That's not going to happen. I'm engaging in what Trump does: hyperbole. He is the master of hyperbolic superlatives: This is the greatest; this is the hugest; this is the best, I tell you that, this is going to happen, I tell you that. He blamed President Obama for changing the site of the American embassy in England, when that was done by George Bush, the white guy. Trump was so dumb he didn't even know that, and you all were so dumb you didn't even know he said something that was not true. And if you were found out, you were afraid to say anything about it. [LR18CA]

PRESIDENT FOLEY: Time, Senator. Thank you, Senator Chambers. (Visitors introduced.)  
Continuing discussion, Speaker Scheer. [LR18CA]

SPEAKER SCHEER: Thank you, Mr. Lieutenant Governor. Was that Senator Chambers' third...?  
[LR18CA]

SENATOR SCHEER: Yes. His next opportunity will be to close. [LR18CA]

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SPEAKER SCHEER: Okay. I would simply state that I do oppose LR18CA. And with that, I would yield the rest of my time to Senator Chambers. [LR18CA]

PRESIDENT FOLEY: Senator Chambers, 4:45. Thank you, Mr. Speaker. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Mr. Speaker. I want you all to understand what I'm trying to do this morning. I'm trying to show you that I have more respect for you than you have for yourself. If I didn't think there was something in you that could be reached, something that is in you that can be troubled by what's happening, I would be wasting my time. If I am in a forest, the only thing in the forest are trees. I wouldn't be like St. Francis, who preached to trees to improve his ability to speak. I would not say to trees what I'm saying to you all. If I were in what they used to call an insane asylum, and the only way you could be in there is to not have two brain cells working. I wouldn't address those people the way that I'm addressing you. In spite of myself, in spite of how I feel emotionally, I have an operational brain and my brain tells me that the people in this Chamber cannot be as asinine as their conduct suggests or they couldn't have even gotten here. Something happened to them along the way. They were better at an earlier time than they are now. They had more pride, they had goals that they had set for themselves, they had standards that they believed in that meant something to them. And even when they didn't live up to those standards, they didn't discard the standards, they felt guilty about it. And some of them felt so much guilt that they tried to find a way to suppress it and not feel it all the time. So if they could drink alcohol and escape for a while, that's what they would do. If they were depressed because they were not doing with their life what they had been taught they ought to do and they're not measuring up, then they might try a drug. Anything to let them escape from the world that they are in. And it's not the world that they are in which is so oppressive to them, it's the way they are reacting and responding to that world. Even as young as they are, they know that there are things they ought not to do. And we as older people should not be making it worse by saying, yeah, you're not doing what you should do and you're going to go to hell and burn forever. Well, that's all that they have heard. I don't spend time telling young people they're going to hell, there are enough of you all who do that, but if they look at your conduct, they disregard everything you say. But when people are fearful, anything said by anybody, anything that pops up is going to magnify the fear. Fear feeds on itself and multiplies. Courage is the contrary. Courage does not bring courage to other people. If anything, it makes them less courageous, because they say, I could not do that. So we have to start all over, come to an understanding of what we are as human beings; what we are as parents; what we are as adults; what our children are, by remembering what we were; the way we felt oppressed; the way we had nobody to talk to; the way when we tried to talk to people, sometimes they would victimize us further. Those are the things we ought to keep in mind, keep them uppermost in our mind, and operate on those principles. [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

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SENATOR CHAMBERS: And by so doing, give an example of the way things can be. And acknowledge that there are a lot of blunders that we made, a lot of what would be called sins that we committed. But we didn't let them destroy us. You are not old enough to be considered evil and wicked, no matter what you have done. And it's never too late to stop, turn around, and go the direction you ought to go. And that doesn't mean you have to become a priest, a preacher, a nun, or a church mother. Just a human being who will treat people the way you want to be treated and the way you know you ought to treat somebody. And if you're dealing with somebody who won't let you treat them that way, avoid them. But don't let things drag you down and make you less than what you know you ought to be. Thank you, Mr. President. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Schumacher. [LR18CA]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. I have been sitting here hoping that Senator Chambers in one of his times at the microphone here and sometime before noon or maybe later in the session would get around to expanding on something he introduced in this discussion about the nature of nothing and the nature of something. I think he was close to finding true reality. So I know he may not be ready to get back to that subject and want to talk on this more, but to kind of move things along and let him speak his mind, I yield the rest of my time to Senator Chambers. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Chambers, 4:15. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, "Professor" Schumacher. What other Legislature in this country or on this earth would you find two men interested in talking about the significance of nothing and something. People in Legislatures don't think about anything like that. They don't care about anything like that. They care about eating with the lobbyists, getting their farm subsidy payments, in other words getting money when you don't do any work and then condemning people who are poor, who are trying to get food for their children. Hard-hearted farmers, that's what they're known...that's what I think of most farmers. They are greedy and grasping. If they would give back some of what they get, I would have a lot different attitude. And I don't say give up everything they got. Jesus didn't tell everybody he met to give up everything they had, but that's what he said to the hypocrites. This young guy came to Jesus, probably about Senator Murante's age or Senator Larson's age, and very puffed up with themselves, and big-shotting because they're doing dirty work from people who pat them on the head and say, ooh, you sure are smart. The very actual is that they're viewed as fools, tools. So one of them came up to Jesus, he had heard Jesus talking. And he told his friends, I know how to deal with somebody like him. So he said, Jesus, what do I have to do to hang with you? And Jesus said, well, keep the commandments. I've kept them from my childhood up. Honor your father and your mother. I wouldn't think of doing anything other than that. Then Jesus took the

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pin and stuck it in that balloon and said, then sell everything that you've got and give it to the poor. The water went out, the air went out. And the book said he walked away very sad, for he had great possessions. Here's what you all don't understand about Jesus. See, Jesus and I have more in common than you all realize, not that I'm a ghost or magical, like you all say he is, but we have no need that anybody speak to us of man for we know what is in man. So here's what Jesus did, he presented a doctrine that's easy to understand. You don't have to be a mystic, you don't have to be a doctor of philosophy, you don't have to go to any school. Jesus said, I'm going to sum up for you: love one another. They said, come on, man, there has got to be more to it than that. He said, no, that's all I'm telling you to do. A very easy doctrine, and there were some people who accepted it. [LR18CA]

PRESIDENT FOLEY: One minute. [LR18CA]

SENATOR CHAMBERS: So they became the wandering preachers of their day and that's what they went around talking. And they immediately were branded as crazy because everybody knew it was a truth they were telling that they were not going to live. So they had to combine together to discredit it. Jesus gave an easy doctrine to understand, but a hard life to live. The Catholic Church, Baptist Church, Methodist Church, and all these other organizations have created a very easy life to live but a hard doctrine to understand. You need to be a philosopher, a doctor of philosophy, theology to understand it. But you can live an easy life, get drunk, do drugs, rape little girls, rape little boys. Do it all and you can be a priest, you can even be a pope. You can be the head of the Baptist Church, the head of the Catholic Church, the head of the Methodist Church, the head of the Episcopalian Church, all of the big shots. [LR18CA]

PRESIDENT FOLEY: Time, Senator. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Chambers. Speaker Scheer. [LR18CA]

SPEAKER SCHEER: Thank you, Mr. Lieutenant Governor. Colleagues, just a real quick notice, I have been informed that Bill Drafting has sent everything out. So if you think you're waiting on something, they don't. So, if you have something that you're waiting on, you need to contact them as today is day 10, I don't want somebody to get caught off-guard. So they believe that their work is done in reference to bill drafting. If you have an amendment or something up there or a bill that you're waiting for, I think they believe they have already delivered it. I'm not saying that things may have not gotten mixed up somewhere, but I don't want somebody to go past noon and then be upset because they didn't get something. So if you're waiting on something, please

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contact them. Because from their vantage point, they believe they have everything out. Thank you, Mr. Lieutenant Governor.

PRESIDENT FOLEY: Thank you, Mr. Speaker. Continuing discussion, Senator Kolowski. [LR18CA]

SENATOR KOLOWSKI: Thank you very much. I would yield my time to Senator Chambers, thank you. [LR18CA]

PRESIDENT FOLEY: Thank you, Senator Kolowski. Senator Chambers, 5:00. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Kolowski. Back to this Jesus person and what he tried to do. As time went on, doctrines, dogmas replaced everything that Jesus said, and now nobody understands their own religion because it has been made so complex. Jesus at one time talked about people who wore the precious robes and the gowns, they dwell in castles and palaces. But that was not for him. So Jesus has become like abracadabra with the magicians, that name has no meaning, no significance whatsoever. And because of that, the Catholic Church was able to put in place the inquisition, which was one of the most hellish, horrendous, cruel operations ever seen before or since on the face of the earth. And there was the pope who had innocent in his name that got the ball rolling by saying it's all right to persecute nonbelievers. But then there was another one, and I won't go into all of them, because I'll get sidetracked and take what little time that I have, but they would try to figure how can we contort or apply fire to the human body and create the greatest discomfort, pain, or burning, and they did it. They came up with things nobody had before. Not only would they make wounds with red-hot poker, they would then pour molten lead in it. They would actually take hot substances, pry a person's mouth open, and pour it down their throat. And they kept records of what they did, that's how what the inquisition did was known so well. When the Spanish armada was defeated by the British, some people want to say that it was the storms that came, but when you had a relatively small known world at that time and two mighty seafaring nations, there was not enough territory for both of them if they were going to fight each other. There was enough territory if they went their own way. They would have seen quickly that peoples in other lands, and I'll put an "s" on that, peoples in other lands were less suspicious and hostile toward individuals who came to trade with them than they were toward somebody who wanted to destroy their society, destroy their gods, and impose things on them. That's what the Spanish were doing, because of the Catholic influence and the Catholic inquisition. When the English became aware that the armada was descending on them, they feared the inquisition, that monster. And that's why the English, their seafaring people, their sailors, the ordinary people fought so hard against the Spanish armada. They had all but defeated the Spanish armada before the storms came. The storms merely completed the work. And it was what the inquisition had been doing in other countries

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that the English feared. They didn't fear the military people who were manning the warships, they feared the ships of the inquisition that would follow them and impose the inquisition on the people of England. And they were willing to die at sea instead of live under something like what they knew the Spanish Inquisition to be. [LR18CA]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: One minute. [LR18CA]

SENATOR CHAMBERS: There were people who were like Ximenes, Torquemada, others who were notorious. These names don't mean anything to you, you don't read. They don't mean anything to Catholics, they don't read. You don't pay attention to history. Somebody said if you don't learn the lessons of history you're doomed to repeat them. Words to that effect. But that's the way it has always been with human beings. And at some point, I'm going to read an article I found in the paper today about the book, at least one book, and there may have been books, on Blackbeard's ship. It had been a French slave ship. France was a Christian nation. Blackbeard captured that ship and he did not use it to put people in slavery, he used it to attack other ships and get a lot of money. Blackbeard as a pirate was better than the Christians who are on shore and manned those kind of ships. [LR18CA]

SPEAKER SCHEER: Time, Senator. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. [LR18CA]

SPEAKER SCHEER: Thank you, Senator Kolowski and Senator Chambers. Senator Williams, you are recognized. [LR18CA]

SENATOR WILLIAMS: Thank you, Mr. President. And good morning, colleagues. And I rise in opposition to this constitutional resolution. First of all, today is my granddaughter's 17th birthday, and I think about that in relationship to one year from now she will be 18. Then she'll be a senior in high school. And I watch the experiences that she has today, and maybe more importantly the experiences she does not have today, in making decisions and making judgments. I would never pretend to say that there could not be a person 18 years old that could meet many of the qualifications necessary to hold an elected position in this body, but I would suggest that the experience and those life experiences necessary to make a difference are accumulated by growing up, by age. Experience comes from good judgment and good judgment comes from bad judgment. And I think we have all experienced that as we have grown and witnessed how we have grown in our lives. And I think leadership is vitally important. I have talked about that

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many times. And leadership in this body clearly makes a difference, because we are a one-house Legislature with only 49 members. With that, I would suggest that this is not a wise idea. And because of an ongoing discussion that I've had with Senator Chambers, and it being my granddaughter's birthday, I would suggest that the next line is "every cake you bake" and I would yield the balance of my time to Senator Chambers. [LR18CA]

SPEAKER SCHEER: Senator Chambers, 3:00. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you. And I'm going to say "parson" Williams, he and I have a little something that we banter back and forth with. I'm not going to go into it right now or I'll get sidetracked. I almost forgot which way I was going already. None of us has any inkling of when and where death may surprise us. I may breathe out and not breathe in again, and my enemies don't take hope in that, because I have said it before and so far saying it hasn't made it happen. So keep that out of your thoughts and prayers, because that is not going to happen right now, as far as I know. And if it does happen, I will never know, will I? Because the "Bible" said the dead know nothing. But at any rate, what I decided to try to do at this time on a proposition like this is to say some things that I deem to be important. And to show that being in the Legislature doesn't mean that the only thing we're going to talk about is a particular piece of legislation or a law. But the kind of things we will talk about may give an indication of the kind of person we have, the types of things that are important to us, and cause people to have an understanding and awareness of why we support certain things and do not support others. But you can't count on that, because some people allow their judgment to be swayed by people outside of this body and they will do things contrary to what their conscious tells them they should do, what their better judgment tells them they should do. But there is something they want other than peace of mind and a clean conscience, they want that temporary gratification that comes from obeying somebody who has dictated to them what they must do. But remember this: All of those who are pulling strings on you right now are not bound by this Legislature and the period of time that a legislative session exists. They're going to go on with their life... [LR18CA]

SPEAKER SCHEER: One minute. [LR18CA]

SENATOR CHAMBERS: ...which is one better than yours will ever be. And you're going to be away from this Legislature without them constantly patting you on the back, feeding you the false nonsense that you're doing a great job, you're a great person, and so forth. I saw where the Governor praised Senator Brasch for being named a committee woman. But one time I asked her, and I think the answer would be the same, has the Governor ever invited you to dinner? No. Has Trump ever invited these people he calls their base? No. Does he invite them to play golf on his golf course? No. He doesn't want them trampling down the grass and digging holes in it and stealing golf balls. They trick people, they fool people. And that's what ought to make us most



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ashamed. If we're smart enough to trick people, it's too bad we don't have the conscience that would... [LR18CA]

SPEAKER SCHEER: Time, Senator. [LR18CA]

SENATOR CHAMBERS: ...restrict us from doing it. Thank you, Mr. President. [LR18CA]

SPEAKER SCHEER: Thank you, Senator Williams and Senator Chambers. Senator Krist, you are recognized. [LR18CA]

SENATOR KRIST: Thank you, Mr. President. I would yield my time to Senator Chambers. [LR18CA]

SPEAKER SCHEER: Senator Chambers, 4:55. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. Thank you, Senator Krist. When I was a small boy, many, many years ago, there were a lot of notions I had that I had not thought my way to. They were given to me by people that I respected in a way a child comes to respect those people who are older and the child is taught to respect. So a lot of religious notions I just accepted as being true, even though they didn't make sense to me in terms of my understanding then. But older people are smart, con people are smart. They always have a cover for everything that they tell you. And when they can't explain it, they get an abracadabra-type word. And the one that is used in religion is faith. Then they give a definition, and it's from the "Bible": Faith is the substance of things hoped for, the evidence of seeing things not seen. It's something that is real that you want, but there's no evidence that it even exists. But you're supposed to believe in it anyway. And the ones telling you you should believe in it do not live the kind of life that would indicate they believe it. So some of you older people should not be mystified why younger people don't listen to you, why they behave just like you behaved when you were younger, and now you're those old people who used to condemn you when you were younger. Those old people who didn't understand you, those old people they couldn't talk...they can't talk to now, but that you couldn't talk to. So, the "Bible" covers everything. I tried to believe things, even when I didn't. And I was afraid not to believe them, because that notion of hell was very high in the lexicon of things taught in the church that I went to. So here's the dilemma of a child trying to do what is right. I had sense enough to see that what I was told didn't make sense, but I was so afraid of going to hell that I had to believe it. So the prayer I would pray, and not in a formal prayer, but that's what it would have been called: God, you made me and you know I want to believe this, but I can't believe it. But they tell me that you said if I don't believe it, I'll go to hell. Then you said if I tell a lie, I'll go to hell. If I say I believe it, so I won't go to hell for that, then I go to hell because I lied. What can I do? And here I am trying to be truthful and honest, but as I

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pursue what to me as a child seemed to be truthfulness, either course I took would take me to hell. So what difference did it make? And I felt anxiety all the time. And I probably thought thoughts that no child needed to grapple with because those overarching fears were with me all of the time, whether I was awake or whether I was asleep. Things that happened around me didn't mean anything to me. I never had an urge to smoke, didn't have an urge to drink, didn't engage in illicit sex. I was what grown people thought was an ideal child and they told me what a good kid I was and told other kids, not realizing that it's not going to make them my friend. I become the enemy. There's old Christian Ernie making it hard on me. So I had no friends. And I'm not understanding any of this and nobody is explaining any of it to me. So I had to puzzle my way through it and I never was able to. I never arrived... [LR18CA]

SPEAKER SCHEER: One minute. [LR18CA]

SENATOR CHAMBERS: ...at anything that made sense to me. But I knew that I wasn't going to kill myself, because I knew that if you killed yourself that was a sure trip to hell. There was no way out for me. So I did a lot of reading, I spent a lot of time alone. And as I look back on it, I don't know why I didn't go stone crazy. And maybe the thing that saved me from being crazy was because instead of letting all these conflicting things drive me to insanity, they drove me to try to find an answer. So I read everything that pertained to the Bible, that was what was told to me as the way out. I read Bible dictionaries, biblical history books, concordances, Bible dictionaries, everything I could go to. And none of them gave me an answer. [LR18CA]

SPEAKER SCHEER: Time, Senator. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. [LR18CA]

SPEAKER SCHEER: Thank you, Senator Krist and Senator Chambers. Senator Lowe, you're recognized. [LR18CA]

SENATOR LOWE: Because I would like Senator Chambers to have the time to find it, I would like to yield my time to Senator Chambers. [LR18CA]

SPEAKER SCHEER: Senator Chambers, 4:50. [LR18CA]

SENATOR CHAMBERS: Thank you, Mr. President. And thank you, Senator Lowe. And even though your name is Lowe, you have taken the highroad, and I appreciate that. And I am not unmindful when somebody shows me a kindness. That's not a promise, but keep it in mind. Members of the Legislature, the way I'm talking to you all today is not a way that anybody has

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ever heard me talk before. Because I know what I say, I remember the things that I say, and there are some things I'm not going to say to anybody because they pertain to me. It's like if somebody said, why wouldn't you want cops to go into your pockets. I don't think they're going to find anything illegal, but I don't want them violating my privacy and my person in that fashion. I'm not going to take a lie detector test, not because I think I'm lying, but I don't care enough about what anybody thinks to try to prove to them that what I'm saying is true. And then I'll quote from Jesus again: Though one came back from the dead, they would not believe. If they're convinced I'm a liar, no matter what I do, I'm a liar. If the lie detector shows I'm not, they say, well, people know how to beat the lie detector. So here's what I tell people, because I've always gotten a lot of criticism when I was growing up--made fun of. But I survived that. I was told how ugly I was and I bought that. But I survived it anyway. That criticism and compliments I view the same way. They have as much impact on me as the sweat of a gnat would have on the Rock of Gibraltar. People are so fickle. The ones who praise you today will condemn you tomorrow. And again, I had a biblical story for that. Jesus rode into town and they had what they call Palm Sunday, I think they call it, when these people...he came in riding a jackass and they put these palm leaves in front of him and they walked and they were shouting hosanna, hosanna. And one week later, the same people hollering, crucify him, and treated him like a jackass. So if they'll do that to Jesus, why should I believe them when they tell me anything. So a principle that developed, almost unbidden by me, was don't trust grown people. Don't believe anything that they tell you. In fact, don't believe anything anybody tells you. And when I got into school, that's the way I read. I absorbed things that I read because they gave tests and I had to say what they wanted to hear on the test to get grades. So I got good grades. But it's not because I believe that. You know what made me read those books so carefully, and I'm a very slow reader to this day, because I didn't believe what I was reading. And I would argue with the books that I read. I would formulate my contrary notions in all the books I have that are my own. That's why I don't borrow books from people, I have to write in them. I underline and I write in the margin what my views are in contradistinction to those views. And then if I remember the book where I read the contrary thing, then I write the name of that book and who wrote it. And both persons were respected. But how can they both be respected when one of them has to be wrong, because they're saying opposite things? So admit that some people would believe A, some believe B. And maybe both of them were wrong, but both of them could not be right. So here's a principle that I developed, or developed in my mind, all these different religions, every one of them can be wrong, but not all of them can be right. [LR18CA]

SPEAKER SCHEER: One minute. [LR18CA]

SENATOR CHAMBERS: And that was the principle. Not all of them can be right. And I don't know which one is right. You look at which one is more plausible, which one is more possible, which one is more probable, which is least improbable. So when you argue about whether God exists, what is the argument that makes it most probable that a God exists, and that arguments

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works for the Homeric gods too. The gods of Homer probably exist for the same reason that the gods you worship exist. The arguments that make the gods you believe in improbable are what make the gods of Homer improbable. Or put it the other way. The arguments that make the gods of Homer improbable make your God improbable. So the best thing for you to do is the best you can. And if I get to speak again, I'll tell you how to do that. [LR18CA]

SPEAKER SCHEER: Thank you, Senator Lowe and Senator Chambers. Senator Hansen, you're recognized. [LR18CA]

SENATOR HANSEN: Thank you, Mr. President. I would yield my time to Senator Chambers, because it seemed like he was in mid-thought. [LR18CA]

SPEAKER SCHEER: Senator Chambers, 4:55. [LR18CA]

SENATOR CHAMBERS: Thank you, Senator Hansen. Thank you, Mr. President. If you have listened to me, you have heard me say time and again that my mantra is that of the greatest thinker/philosopher America has ever produced, that person is Popeye the sailor man. And then later on, after we have come a bit farther in our development, and I'm still not going to tell you the name of the philosopher who said "I think therefore I am," but his name...he was a French philosopher, would not be pronounced in English the way it's spelled in French. That might give you a hint. But he said, "I think therefore I am." And when he said that, that was a profound pronouncement to the philosophers, but Aristotle had said very similar in different words centuries before. There have always been people who thought and were able to grapple with the questions that beset human beings and offer what seemed to be plausible answers. Plausible just means it might be, it could be. There's nothing that says it absolutely is not. But by the same token, there's nothing that says absolutely it is. You know why I think there are not as many things written by women down through history, we have to get that right too. It's not that they were not stated, not that women didn't come up with ideas, but women have always been put down and what they have done and said have never been given credibility. And men fear women. That's why women have to be kept in a subordinate position, have to be conditioned to feel that they can't make it on their own, that they have to be subjected to a man. And every religion says that, and every one of the religions was founded by a man. All of the leaders were men. And it was taught that women occupy a subordinate position. In fact, God did not create human beings. He made Adam out of the dust, and he's trying to give you a hint and you all won't listen. Some people say mud. If you mix water with dirt then you get mud. That's what man is made of, a man is made out of dirt, women. Dirt. But Eve is still inferior because after Adam was made, God took Adam to the greenhouse, looked him over, and said I'm going to give you a mate and a man wrote that. So God took Adam out of the greenhouse where he had made him and leaned him against the fence in the sunshine and performed surgery and took a rib out of his side and made

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all of you all. As much as I like Senator Blood, as much as I respect Senator Blood, if I'm going to be biblical, Senator Blood, I'm not saying this, so don't get mad at me, this is what God said in his word, you're nothing but a spare rib. That's all you women are, you're spare ribs. Now, if one rib was taken, either man was created with an uneven number of ribs, because God was cultivating one of them to make a mate, or man should have one rib fewer than women. Isn't that right? But that's not the way it pans out. See, if she is a spare rib, then I would be short a rib. And that's where you get spare ribs and short ribs. If you go to a rib kitchen, that's what they will sell you. You can buy spare ribs, you can buy short ribs. You all got to study so you know where all these things come from. But whatever you read, the woman is always in a subordinate position. It's not children that are to be seen not heard, it's women. [LR18CA]

SPEAKER SCHEER: One minute. [LR18CA]

SENATOR CHAMBERS: But there have been things written by women and some of those things are being published. There were things that black female slaves wrote that are now being published, and some of these things would blow your mind. And I'll tell you why, because it's from a perspective that we don't get to see when the perspective has always been that from a domineering, exploitive male. When you read what somebody on the undergarment wrote, then all of a sudden it's entirely different. And I'll tell you why that is if I get to speak again. [LR18CA]

SPEAKER SCHEER: Thank you, Senator Hansen and Senator Chambers. Being at the allotted time, we're going to pass on over this bill. Mr. Clerk. [LR18CA]

CLERK: Mr. President, new bills. (Read LB1117-1136 by title for the first time.) In addition, Mr. President, new resolutions. LR290CA is a proposed constitutional amendment amending Article VIII, Section 1, it's offered by Senator Kuehn. That will be laid over. Senator Kolowski offers LR291, that will be laid over. I have communication from the Speaker directing that LR291 be referred to Reference for a referral to standing committee for public hearing purposes. LR292 is by Senator Clements. Likewise, a communication from the Speaker directing that it be referred to Reference. LR293CA is a constitutional amendment by Senator Wishart proposing an amendment to Article XV, by adding a new Section 26. Senator Larson offers LR294CA, a constitutional amendment to Article III, Section 24, of the state constitution. LR295CA is a constitutional amendment by Senator Vargas moving to amend Article III, Section 7 of the state constitution. Hearing notice from Transportation. Name adds: Senator Blood to LB256; Kolterman, LB731; Pansing Brooks, LB1070; Blood, LB1084; Howard, LB1084. Reference will meet upon adjournment. (Legislative Journal pages 346-356.) [LB1117 LB1118 LB1119 LB1120 LB1121 LB1122 LB1123 LB1124 LB1125 LB1126 LB1127 LB1128 LB1129 LB1130]

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LB1131 LB1132 LB1133 LB1134 LB1135 LB1136 LR290CA LR291 LR292 LR293CA  
LR294CA LR295CA LB256 LB731 LB1070 LB1084]

Mr. President, Senator Hughes would move to adjourn the body until Friday morning, January 19, at 9:00 am.

SPEAKER SCHEER: Thank you, Mr. Clerk. A quick advisory to all of my colleagues. We are about to adjourn, so this is the tenth day. If you happen to have a bill that you forgot about sitting in front of you, now would be the time to walk up. Seeing no one moving, the question before us is, shall we adjourn? Those in favor, please say aye. All those opposed say nay. Once again, the ayes have it.