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Floor Debate
January 26, 2018

[LB17 LB93 LB96 LB100 LB105 LB130 LB135 LB146 LB160 LB177 LB193 LB198 LB211
LB299 LB304 LB347 LB350 LB377 LB399 LB548 LB589 LB596 LB614 LB668 LB669
LB744 LB756 LB765 LB768 LB854 LB906 LB940 LB947 LB1001 LB1088 LB1090 LB1123
LB1133 LR302 LR303]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Good morning, ladies and gentlemen, and welcome to the George W. Norris Legislative Chamber for the sixteenth day of the One Hundred Fifth Legislature, Second Session. Our chaplain for today is Senator Hilkemann. Please rise.

SENATOR HILKEMANN: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Senator Hilkemann. I call to order the sixteenth 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. Any are there any corrections for the Journal?

CLERK: I have no corrections.

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

CLERK: Mr. President, a series of hearing notices from the Business and Labor Committee, those offered by Senator Albrecht as Chair. Amendments to be printed to LB947 by Senator Smith. The lobby report as required by state law will be acknowledged in the Journal and agency reports acknowledged as well. That's all that I have, Mr. President. (Legislative Journal pages 441-443.) [LB947]

PRESIDENT FOLEY: Thank you, Mr. Clerk. Speaker Scheer.

SPEAKER SCHEER: Thank you, Mr. Lieutenant Governor. Friday morning again, colleagues. Just a heads up of what we can be expecting probably for the week to come. Monday, enjoy your day off. Tuesday, we will go back to LB758, Senator Hughes's bill. And we...he has shown significant support for the bill. It will be coming back Tuesday morning. Once that bill is

Floor Debate
January 26, 2018

completed, we'll return to General File in worksheet order again where we had left off today. I do anticipate the Executive Board at some point in the next couple of days to bring out LB744, which is the election challenge bill. They will be Execing and looking at language to make sure everything is the way we would like it. And it is my understanding it will be prioritized and if indeed that does happen, LB744 probably will hit the floor next week sometime as well. As you remember, that's the statutory change; and in order to make our rules change, this has to precede it. So there is some urgency on our part to take care of this bill in a timely fashion. Also, if there happens to be any other bills that are on General File that would be prioritized in the next week, and I will tell you right now, I have nothing in front of me that is prioritized. But again, if something is prioritized, it may very well come to the floor because it will go to the head of the bus next week. I'm not aware of anything. No one has mentioned that. If it would be of what I would consider a controversial manner, certainly we'll hold it off until I would be able to announce that next Friday so that everyone is fully aware that that bill might be coming. If it's something that I don't believe is controversial, that is just a bill that we're moving forward for the benefit of the state, I very well may put it on with a day's notice. But I will try to guard against surprises for the body. And also keep in mind that the Friday floor announcements are just a guess. They are subject to change. This is not written in stone. But again, if you have things that you know you want to prioritize and you want it up right away, you need to let me know because as I stated, I don't want surprises on anyone's part. So if it is something that would be perceived to be controversial, it would have to wait until a Friday announcement in order for it to hit the floor. I want to make sure everybody has got full knowledge of what we're doing. So in case there is anything that I haven't discussed or you have questions, please, by all means, contact me. I would note today is day 16. We are 25 percent done. We have worked on two priority bills. That means I have 102 left, which are yours. And you need to start thinking seriously what it is you might be prioritizing. Committees, if you have things that are going to be coming out that might be committee priorities, please think about bringing those out earlier than later because we will run into time elements. I'm fully prepared to run long days and we may have to do that substantially a number of days in order to facilitate getting those bills done. I promise you I will do my best to get all those bills heard. If they have wheels under them to get them passed, even if they don't, they still deserve the time for discussion. But again, that all takes time. So as we move forward, bear in mind the days as we move forward without priority work to work on means that much more time that we will have towards mid and latter part of the session that may be going longer days. So, not a threat by all means. Just trying to be honest. We have a lot of work left to do and our days are becoming numbered. They were numbered when we started. We only had 60 to start with. So as we move forward, think about those. If there's something that you're thinking about that is already out, you know, please, by all means, give it considerable consideration so that we can maybe get that up and moving as well. Thank you, Mr. Lieutenant Governor.

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

Floor Debate
January 26, 2018

PRESIDENT FOLEY: Thank you, Mr. Speaker. (Doctor of the day introduced.) Proceeding now to the agenda, Select File Revisor bill. Mr. Clerk.

CLERK: Mr. President, LB668. Senator Wishart, I have no amendments to the bill. [LB668]

PRESIDENT FOLEY: Senator Wishart for a motion. [LB668]

SENATOR WISHART: I move the adoption of the...excuse me, I move to advance LB668 to E&R for engrossing. [LB668]

PRESIDENT FOLEY: Members, you heard the motion to advance LB668 to E&R for engrossing. All those in favor say aye. Those opposed say nay. The bill advances. Next bill, Mr. Clerk. [LB668]

CLERK: LB669, Senator Chambers would move to amend. (FA93, Legislative Journal page 443.) [LB669]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, the Speaker gave you a rundown of what is going to happen next week and maybe what is available for the rest of the session, and I feel I should do the same. He informed you that there are more than 100 priority bills and he added, which are yours. And I might amend that to say, which are mine, m-i-n-e. I'd advise the senators to listen to me as they listen to the Speaker because the Speaker cannot guarantee you anything, but I can. He said we're 25 percent of the way through our journey toward adjournment. That means that only 75 percent of the journey remains. You know what I did last session when we had the long session and I kept saying, when we get down to 60 days, we're at the short session and I could do that standing on my head stacking BBs in a corner. Well, we start giving me an advantage because we start with only 60 days, 25 percent of those are gone. And as...I don't know if it was Farragut, no, he might have said damn the torpedoes straight ahead. It might have been John Paul Jones, I have not yet begun to fight. But that's the one that I want you to pay attention to. And I'm starting right now on this bill. Generally, these types of bills which are to do really nothing much except to take care of cleaning up sections of statute. So I decided it's an appropriate one for me to launch what I intend to do during the remainder of the session. If you look at LB669, which you won't do because you don't look at bills that are important, all it says is, quote, on page 2, Section 1, the following sections are outright repealed. And then it lists the sections. I thought such a bill was appropriate for my amendment and I will tell you what it is. On this bill, "Strike original provisions and insert: Sec. 1. The following sections are outright repealed: Sections 23-3801, 23-3802, 23-3803, 23-3804, 23-3805, 23-3806, 23-3807, 23-3808, 23-3809, and 23-3810, Reissue Revised Statutes of Nebraska." Do you know what those statutes pertain to? The prairie dog bill. I don't want you to

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

Floor Debate
January 26, 2018

be deceived about what I'm doing. This bill before us is known as a Revisor's bill. It doesn't matter whether it is passed or not. So it can serve as a vehicle for every other type of thing. I'm giving the Legislature the opportunity this morning to redeem itself. I had 21 votes to advance my prairie dog bill. Senator Larson, and I don't know which others, worked some magic on some of the members of the body so that they did not vote to advance that bill. When they fired that salvo across my bow, it meant that they were declaring all-out war on me and I am not one to run. The first shot was fired by the Legislature. And I want you all to know that the engagement is all right with me. Other people stand on this floor. They may fulminate, they may threaten, they may whine, they may plead. But I'm not going to do that. I will make assertions. I will offer arguments, and then I make promises. And Abraham Lincoln said at one point, when he had written a letter to one of those racists of the kind that run around here today represented by Donald Trump, the Governor of Nebraska, and some of the people in this Legislature, they were offended that he had black troops fighting for the Union Army. And to sum it up and paraphrase, Lincoln said he had talked to his generals and they had explained to him the importance, the crucial, critical importance of the black troops. And if we give up all the ground that they have won for us, meaning the Union, and that they now hold for us, we can give up the effort because they will win--the others--win the war in three weeks or some short time such as that. Then he mentioned how these white people, when history tells the story, will have behind their name how they tried to destroy this Union; but at the same time they will have to write about the black men with steady nerves, clear eyes and resolve, who fought, died to save this Union. And he said, all men work from motive, including black men. And a promise was made to these men that if you fight for this Union, you shall be free. And he was talking about defending the Emancipation Proclamation. And then Lincoln said what I'm going to say to you all this morning. The promise being made must be kept. I have a couple of articles that I'm going to read also, not right now, because I have all morning. In this morning's World-Herald and for the record the date is January 26, 2018. The headline of one "Wreck found in mud in Alabama" could be the last U.S. slave ship and that rag means something to me. The land of the free and the home of the brave, no, the land of the tree for lynching and the home of the slave, which is what America was when that execrable so-called National Anthem was written. Then this article. The headline, the same edition of the World-Herald. Both of them are on page 5A. January 26, 2018, "Critics blast FBI's broad labeling of black, but not white extremists." The FBI is racist. Your President is racist. Your Governor is racist and the majority of people in this Legislature I'm sure are because of the kind of programs they put in place and follow. And they sit swallowing spit and will not deal with the real issues confronting a substantial number of the citizens in this state. And I emphasize citizens. And my ancestors were here a lot longer than yours...than yours. And the first black person who set foot on this accursed land after white people got here did not come as a slave. You all don't know that, but I'm going to take some time this session, which is mine. What is this room called? The Chambers. The Chambers. And that is the word that foretold my coming--Ernie Chambers. But I am going to give my first name and use the possessive. Ernie's Chambers. And how appropriate. That's what happens with literature and other processes that are

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

Floor Debate
January 26, 2018

designed to engage the mind. Am I angry? I don't know. I know the "Bibble" said anger rests within the bosom of a fool. But it talked about God getting angry. [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: Really? So I am going to invoke my mantra. I am what I am, so that's what I shall be. And I'll add what Descartes said, I think, therefore I am what I am. And I use that in a different way, which I shall elaborate on the next time I'm recognized to speak. [LB669]

PRESIDENT FOLEY: Thank you, Senator Chambers. You may continue. Senator Chambers, you're recognized. [LB669]

SENATOR CHAMBERS: Thank you. Mr. President, there's a song, they say, give me some men...and I'm not going to sing this morning. After what happened yesterday, I don't want to be the blame for such an outbreak of...I can't call it a concord of sweet sounds that some people might call singing, so I won't sing it. But it said...and I'm going to try to remember the words. Give me some men who are stouthearted men who will fight for the right they adore. Start me with ten who are stouthearted men and I'll soon give you 10,000 more. And then it goes on. But the point was, if you can show all of those people who are cowardly, ten strong people, and I say people, not men. Women also. And it would be good if women were included because they could put some of these cowardly men to shame. Start me with ten persons who are stouthearted and willing to fight and do whatever is necessary, risk whatever is necessary, give up whatever is necessary even to the point of life itself and there will be some others sitting on the sideline who will suddenly take the flame and join. I have also said that when nations are at war at the diplomatic or ambassadorial level, each country will be engaged through those individuals talking to each other as civilly as they can while their young men, and now women, are slaughtering each other for nothing other than the fact that politicians on both sides sent them out there to advance their political agendas. But while the young people are being sacrificed for no purpose, these men--and women never were involved--are talking to each other, eating filet mignon, eating caviar. I don't know the names of any wines because I've never drunk any, but I'm sure it's not Boussole or Ripple. Champagnes, Champale, laughing, having a good time because they're all of the same ilk. They just happen to be identified with different countries. So they're working and the reason their respective governments not only approve but direct them to do this, these two countries are not going to always be at war; and there must be a rebuilding of bridges that may have existed prior to the hostilities breaking out. And who knows but what some accord may be reached by these intelligent, world-wise, practical men, having kicked off their shoes and put on their slippers, unknotted their ties, taken off those coats, and are sitting around in sweatshirts like mine. They may reach an accord that will lead to a cessation of the hostilities. So

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

Floor Debate
January 26, 2018

even when somebody has spoken as forcefully as I have this morning...how much time do I have, Mr. President? [LB669]

PRESIDENT FOLEY: 1:20. [LB669]

SENATOR CHAMBERS: Thank you. I will resume that part of what I'm going to say when this one minute and perhaps 15 seconds will expire. I have had a person in the last two Governor's offices with whom I communicated. I believe the Governors knew it and that's how the Governor talked to me. And it's how word got back to the Governor of exactly what my position was on various issues. We discussed Corrections. We discussed problems with some of the bigger agencies. We discussed things happening on the floor of the Legislature and neither of us spoke out of school. And I don't consider this speaking out of school. But this Governor, that is impossible because before he was even elected, he served notice in this fashion. Senator Chambers, here you have an enemy. And I told him in differing ways when I became of that--as you wish, Governor. And the hostilities have not ceased and I shall not be the first one to back off. He threatened to form a coalition in the Legislature to handle me and he's got at least 16 of them here right now. But they cannot handle me anymore than they could handle a red hot poker in their bare hands. Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Chambers, you're recognized. This is your third opportunity, Senator. [LB669]

SENATOR CHAMBERS: Thank you. Members of the Legislature, I'm going to find a way to say what I want to say today, but I'm not going to take all of the time I can on this particular bill. The Speaker and I had a conversation and it kind of short-circuited what I was going to do this morning. But because I pledged to myself that there were certain items I was going to get into the record, that switch which will do the short-circuiting shall not be pulled by me until I feel that I've used enough time to say what it is that I intend to say, and as a learning experience for the rest of you, because you don't know how to do anything. If the lobbyists don't tell you, get in there and do this, you're not going to do it. You won't even read this Rule Book. So that the public knows, I'm not suggesting that you read the volumes of the Encyclopedia Britannica. These few pages in this little, what some people would call a pamphlet, comprise our rules. And the senators will not take the time to read and master the rules that govern our activities. And that's why I can run you around the stump and make you look foolish. That's all you have to do. But you choose not to. And I try to instruct you along the way, but you will not be instructed. Experience is the best teacher and some will have no other. Now Senator Briese is sharper than the rest of you. He learned a lesson, which he has never forgotten. And anything that seems to be approaching that area which his lesson taught him, he says, oh, no. But being the wily seeker after victory that I am, I managed to lure him in by flying a false flag, distracting him, like a

Floor Debate
January 26, 2018

magician, misdirection with the right hand, doing the trick with the left hand, and it was not magic on my part. It was an understanding of how the human mind operates. So I was able to get him again. But not Senator Briese directly. Senator Briese, being put in the position of advising somebody else to do what he himself would not do made it possible. That was my misdirection to do the trick with my left hand. Don't call me David Copperfield, not the character in Charles Dickens' book, but David Copperfield, one of the best known magicians, who by the way has been accused of sexual misconduct. I'm not David Blaine, who knows how to levitate. And I know how to do that, too. That's where without the support of wires or trick photography you can rise off the ground. And you know there is a trick to it, unless I've learned how to violate the law of gravity without having to pay a price. What I'm offering here is a chance for the Legislature to redeem itself and sit me down. This amendment, if you adopt it, will strip out all of the provisions of the bill before us, and all that the bill before us does is to repeal some needless language. That language is not set out in statute... [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: ...because we're repealing the entire statute and in this case, statutes, which comprise the material to be repealed. My motion does not set out the entire text of the black-tailed prairie dog bill, but it cites each one of the statutes which when taken all together, comprise that execrable law. If you adopt my amendment, LB669 as a number remains there, but that no longer is what that bill is as introduced. It now becomes my prairie dog bill. I'm asking that you adopt my amendment and then we'll see what happens after that. But if you don't adopt my amendment,... [LB669]

PRESIDENT FOLEY: Time, Senator. [LB669]

SENATOR CHAMBERS: ...then we'll see what happens after that. And Mr. President, I will...was that my close? [LB669]

PRESIDENT FOLEY: That was your third...you do have a close remaining. You're recognized to close, Senator Chambers, on FA93. [LB669]

SENATOR CHAMBERS: Thank you. I'm going to get all these senators back in here thanks to the rules, wherever you are. I'm not going to sing, but I'm going to say something that people in the rural areas understand and when I do it, I may do that instead of saying, call of the house. And here's what all rural people know wherever they are in America, "sooey." You know what that means? You know what comes running when you say "sooey"? I'd like to ask Senator Lowe a question if he will respond. [LB669]

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

Floor Debate
January 26, 2018

PRESIDENT FOLEY: Senator Lowe, would you yield, please? [LB669]

SENATOR LOWE: Yes, I will. [LB669]

SENATOR CHAMBERS: Senator Lowe, you made a valiant effort at singing yesterday and some people call it something other than singing, but I feel I can call on you for this question. Did you hear the sound that I just made? [LB669]

SENATOR LOWE: Yes, I did. [LB669]

SENATOR CHAMBERS: Have you heard that sound or an approximation of that sound on farms during your life in the rural areas? [LB669]

SENATOR LOWE: No, I have not because the farms I were on did not have swine. [LB669]

SENATOR CHAMBERS: But you know what it's for, don't you? [LB669]

SENATOR LOWE: Yes, I do. [LB669]

SENATOR CHAMBERS: And what is it for? What is it designed to do? [LB669]

SENATOR LOWE: Bring the swine to feed. [LB669]

SENATOR CHAMBERS: Thank you, Senator Lowe. Members of the Legislature, I'm going to do it since we're in this setting, the way we ordinarily do it under the rules, and that's to ask for a call of the house to take a vote and put everybody on record. You let Senator Larson lead you out of the wilderness into the swamp, which is where you find yourself now. You're in quicksand. And the more you struggle, the quicker you sink. But whether you struggle or not, you eventually is going to sink. You heard that story of the dry bones, the foot bone connected to the ankle bone, to the leg bone, to the thigh bone, to the hip bone, to the backbone, to the shoulder bone, to the neck bone, to the head bone. Well, that describes how you sink into the quicksand. I cannot say for sure how deep you have sunk so far. But you are deep enough to be unable to extricate yourself without my aid. So we will say you have sunk at least up to the waist in the quicksand and I have 75 percent of the rest of the session to make sure that you sink all the way. But I assure you of this, I will not treat every bill the same. Not all bills are created equal. And therefore, not all bills shall be cremated equal. I won't try to burn every bill. I may not even want you to know which bills I will select. But at any rate, all of that is within my control; and you

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

Floor Debate
January 26, 2018

can spend the rest of the session trying to figure out how to stop me and get what it is that you want. And if you stop me, what have you really done? Not much, because you don't think anything of me. Billy Preston's song said, nothing from nothing leaves nothing. Then he adds, but you got to have something if you want to be with me. So you're going to have to bring something to handle this which you consider to be nothing. I feel my engine revving up now. I was just kind of idling at first, but now it's ready to go. [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: Those of you who use a stick shift know that as long as the gears are not engaged, you will not move. If you put in the clutch and have your foot on the brake, the gears...you can shift the stick so that the gears are set to go into first, but they don't engage until you come off that clutch. If you come off the clutch suddenly, they engage too quickly and the engine dies. If you come off it gradually with the right foot and at the same time gradually depress the gas pedal, then you move away smoothly. Then you shift into second with the same process. Well, that's the way we're going to do. And if I were prideful, then I would do it just to show that I can. But I want to take this vote, then it will determine what I do from here on. I will ask for a call of the house and a roll call vote, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Chambers. There's been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; those opposed vote nay. Record, please. [LB669]

CLERK: 18 ayes, 3 nays, Mr. President, to place the house under call. [LB669]

PRESIDENT FOLEY: House is under call. Senators, please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. The house is under call. Senator Harr, if you could please return to the floor and check in. All unexcused members are now present. The question for the body is the adoption of Senator Chambers' amendment, FA93. He's requested a roll call vote. Mr. Clerk. [LB669]

CLERK: (Roll call vote taken, Legislative Journal page 444.) 8 ayes, 27 nays, Mr. President, on the amendment. [LB669]

PRESIDENT FOLEY: The amendment is not adopted. I raise the call. Mr. Clerk. [LB669]

CLERK: Mr. President, Senator Chambers would move to bracket the bill until April 18. [LB669]

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

Floor Debate
January 26, 2018

PRESIDENT FOLEY: Senator Chambers, you're recognized to open on your bracket motion. [LB669]

SENATOR CHAMBERS: Thank you, Mr. President. I started to put an indefinite postponement motion up there, but Senator Watermeier is here and I would like to ask him a question. [LB669]

SENATOR WATERMEIER: I figured you were headed here. [LB669]

PRESIDENT FOLEY: Senator Watermeier, would you yield to a question, please? [LB669]

SENATOR WATERMEIER: Yes, I would. [LB669]

SENATOR CHAMBERS: Senator Watermeier, you have at least a nodding acquaintance with our rules, don't you? [LB669]

SENATOR WATERMEIER: I'm not sure how you describe it, but I understand there are rules. [LB669]

SENATOR CHAMBERS: And the general rules that we use, you're familiar with when you hear that particular rule invoked? [LB669]

SENATOR WATERMEIER: Yes. [LB669]

SENATOR CHAMBERS: You are the introducer of this bill, I mean, it's the Exec Board, but you are the one carrying the bill. [LB669]

SENATOR WATERMEIER: Yes. [LB669]

SENATOR CHAMBERS: If a motion to indefinitely postpone is offered, the introducer has the prerogative of laying that bill over. Isn't that correct? [LB669]

SENATOR WATERMEIER: That's correct, and that's why I stood right up, because I knew my role. [LB669]

SENATOR CHAMBERS: And if I had made an IPP motion and the Chair asked you, do you want to take it up now or do you want to pass over the bill, what would you have said? [LB669]

Floor Debate
January 26, 2018

SENATOR WATERMEIER: I would have taken it up. [LB669]

SENATOR CHAMBERS: Oh, then thank you. That gives me an additional motion that I can make. That's all that I will ask you. I thought he would be cagey and wily in the way that I would. I would have laid the bill over and that would have killed it for the session obviously. But a bill like this doesn't have to be passed this session because all it does is remove language that no longer is operative or has any role to play. So it could be offered next year. But I think Senator Watermeier also knows that not only this bill, but other bills on the agenda are open for what I'm doing. Some of the senators were going to be wise and accept my motion. But the vast majority chose not to because they want to teach me a lesson. Brothers and sisters, I don't come here...well, the expression is going to a gun fight and you carry a knife. I've got eight copies of the amendment I offered on this bill. So I have the opportunity to put at least eight more bills through what I'm doing now, but we won't get that far because we will run out of time. Now how much time can I take on this bill? If I speak my three times, which would...and then have my close, the number of times that I'm allowed to speak on this bill, we're starting with this motion to bracket it. That will be defeated based on what you did with your last vote. But you may be sharper than I give you credit for. Knowing that if you bracket the bill, that just means it's gone for this session. Then perhaps you can move on. It's a win-win situation. I will have demonstrated what I can do, and you have demonstrated that you don't want that done. And if you draw a red line, or a line in the sand, it's not going to be on an inconsequential bill like this. But I know you so well that I know you'll vote this motion down so that you can teach me that you're not about to capitulate. I will then offer a reconsideration motion, and then I have motions such as to indefinitely postpone. Senator Watermeier having said, he would not pass over the bill. We'll take that motion. I'll call the house and get a roll call vote. You'll vote it down, then I'll move to reconsider. It's about a quarter to ten now. I would have only two more hours to fill. You think I can't fill two hours? I can come close to doing that on this bill, but I think other bills that mean something to people should be implicated. And then we will see who shall blink first. Speaking of blinking--and I'll digress during my presentations--I'm aware that there are people outside the Chamber who watch us religiously, knowing they're not dealing with religion while I'm speaking. And they are taught and I don't...you know what tweeting is. Well, Trump does it, but things that I'm saying on the floor, there are people put on their little telephone gadgets and tweet them or twitter them or whatever you call it. That's what they do. And I'm going to make use of that. I've said I'll use the Legislature as my bully pulpit and that's what I'm going to do. And I don't use it just to talk to the people on this floor. They are unreachable. There was a person of Irish derivation who told me of what...it may have been George Bernard Shaw or Oscar Wilde said describing fox hunts that are conducted by the British aristocracy. He said, it is the inedible being pursued by the unmentionable. So we're going to have a pursuit this morning, but you will not catch me. You will not stop me. You will not imprison me. And had the odds not been so skewed, you would not have kept black people in slavery as long as we were kept in slavery. But you had the kill power. You would not have taken from the Native Americans this

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

Floor Debate
January 26, 2018

land that was pristine and pure. Where that song about America the Beautiful, without having been contaminated by white people's presence and the things that some of them did, you can talk about from sea to shining sea. And America the Beautiful is different from that execrable so-called National Anthem, the drinking song to Anacreon in Heaven that lionizes the land of the tree and the home of the slave. Your ancestors did that to my ancestors. In my family tree are not just my kind, but some of your kind. I had nothing to do with that. Nothing to say about that. As the slogan goes, it is what it is. But we're going to talk about some things while I'm in this Legislature that otherwise would not be mentioned. And if you don't want to engage in the discussion, that's fine with me. It just gives me more time to deliver a monologue, or if I want to elevate it, a soliloquy. That usually occurs in a play when one of the actors, and I don't say or actresses, one word should apply to both. They are both in the same profession. When an actor gives a statement or a speech directed to the audience and no other member of the cast engages, so I will give soliloquies. That sounds a bit more sophisticated than speeches. But however you label it, it amounts to the same thing. And some of you are going to have your minds engaged in spite of yourself. I see young senator...he's walking away now. He was just up at the Clerk's desk. Now he's striding toward the back of the Chamber with a determined step. Something like that poem that goes... [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: ...Listen, my children, and you shall hear / Of the midnight ride of Paul Revere, / 'Twas the eighteenth of April, Seventy-Five: / Hardly a man is now alive / Who remembers that famous day and year. He said to his men, "If the British march / By land or by sea from the town tonight, / Hang a lantern aloft in the belfry-arch/ Of the old church tower as a signal-light,-- / One if by land, two if by sea; / I on the opposite shore will be, / Ready to ride and spread the alarm to every Middlesex village and farm, / For the countrymen to be up and to arm." I know my time is up, so I'll put my light on. [LB669]

PRESIDENT FOLEY: Thank you, Senator Chambers. (Visitors introduced.) Senator Chambers. [LB669]

SENATOR CHAMBERS: Thank you. Mr. President and members of the Legislature, the reason I gave you that little excerpt was because I had talked about a senator striding with a determined step and it made me think of a couple of comments made about Paul Revere in that rhyme. Booted and spurred, with a heavy stride on the opposite shore walked Paul Revere. But there seems to be evidence that Paul Revere is not the one who made that ride, but a guy named William Dawes. So instead of that poem starting, "Listen, my children, and you shall hear / Of the midnight ride of Paul Revere," it would have had to say, "Listen, my children, while I pause / And tell you the story of William Dawes," then everything else could be the same. But what do

Floor Debate
January 26, 2018

Americans know about anything in their history and yet these so-called conservatives talk about teaching American history and patriotism. Those two don't go together because if you teach American history, all you can come up with is shame. What they mean is a sanitized, white-washed version of American history. But they can't tell about the white men who raped black women, produced babies, then sold them off like livestock and advertised them in newspapers. So many months old baby in fine health and then how much that baby is being sold for. There was a guy named de Tocqueville who came to America and he wrote about it. And some white Americans are familiar with him. And he talked about going to these plantations and seeing all these little children running around the plantation and he made a description something like this...I'm paraphrasing. They all looked alike, except that some had been put in the oven and crisped, and others had not. But it made it clear that they had the same father. The only difference was their color. You all didn't know that, did you? You didn't read it, did you? You weren't taught that in school, were you, because it didn't affect you? And what your ancestors did are not things you're proud of. Thomas Jefferson, a rapist by today's standards, a 14-year-old black girl. Do you all know that Thomas Jefferson went to France? Good thing they didn't have the Mann Act because if you transport a woman across state lines, let alone across the ocean for immoral purposes, you commit a crime. That's what Thomas Jefferson was. Then you all want to say, well, we can't judge those men yesterday by today's standards. Oh, then your morality, all you Catholics and others, is indeed relative? Morality changes as time passes? What constituted rape is not rape then because those people didn't call it that, although there were people of the time who did and accused Thomas Jefferson of it. What do you know about Thomas Jefferson? I don't have a nickel, but the head on that nickel is Thomas Jefferson. That's what you know about Thomas Jefferson. And he did not write the Declaration of Independence. He was more of a transcriber and the thoughts therein were not original. There was a lot of pamphleteering that contained similar types of approaches, many of them. Have you ever heard of Thomas Paine, P-a-i-n-e? Probably not. Have you heard the term "common sense," which you all use so much? And when you use it, what you are calling common sense is usually nonsense. Go to the...now I know that they have a copy of the encyclopedia in the Research Office. [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: And look up Thomas Paine and you might see the term "Common Sense" associated with his name. He did a lot of pamphleteering and he was a part of the driving engine of the American Revolution. There was a guy named Lafayette who drew his sword in behalf of the colonists. And when he saw the slavery, he said, had I been aware that that country would fall into what they have fallen into, I would not have drawn my sword in their behalf, although France had had slavery, but they didn't have it when America had it. There were slave ships of French derivation. Blackbeard captured one of them and he called it St. (sic--Queen) Anne's Revenge. [LB669]

Floor Debate
January 26, 2018

PRESIDENT FOLEY: Time, Senator. [LB669]

SENATOR CHAMBERS: Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Senator Chambers, you're recognized. [LB669]

SENATOR CHAMBERS: So much of this country's history is wrapped up in and with slavery. Do you see my complexion? That's not because everybody in my line, my blood lines were black. White people were the ones jumping over fences. And during the earlier days of this country, meaning 1800s, which you call early, there were officials in southern cities, a mayor of Memphis at a time when Memphis was considered somewhat of a jewel of civilization in this benighted, backward country, and he lived openly with a black woman who was referred to as his concubine. But he didn't marry her. And one of the reasons these white men did not marry the black women whom they impregnated was because they didn't want the responsibilities of fatherhood that the law in those days placed on whoever brought a child into the world. So if you married a woman, you had to be responsible for the children. White men didn't have to do that. And if you see all these so-called respectable white men engaged in sexual misconduct in 2017, and probably in 2018, you going to tell me that these white men who had access to those beautiful black women were not raping them, were not impregnating them? Why, you must think I'm out of my mind. That's what happened. That's how you get black people who are identified and described in that way whose complexion is not black. White people jumped over fences. They polluted our race, if you want to call it that. They raped these black women and they did it on a regular basis. And there were so many of them that the numbers were recognized in the U.S. Constitution when they talked about the kind of representation these slave-holding states in the South could have in the Congress of the United States, the land of the tree and the home of the slave: three-fifths of a person. You don't want me to talk about that? You talk about things that relate to white people. You know why you have nobody on this floor who has to stand and talk about your interest like I have to stand and talk about ours? Because no matter what political party you belong to, white people's interests parallel, they crisscross, they intersect. So if Senator A doesn't feel like talking, Senators B, C and D will talk and take care of white people's interests. We don't have that luxury. Therefore, our approach in this land of the tree and the home of the slave is different. You wish, some of you, that you had somebody representing you--and now I'm talking to the people not in this Chamber--representing you like I try to represent black people. You know why I say try? Because I cannot carry an entire people on my back; I cannot right every wrong done to us. The wrongs and the slights that we face every day, even now, things that white people don't have to confront and they say, well, what are you upset about, then they give you something that even a white person might be unable to understand with a seared conscience. There is a long counter or a meat place, and there's no line, no formal line, and you walk up to it, and the butcher, if that's what they call themselves, or the meat cutter or the

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

Floor Debate
January 26, 2018

associate is behind the counter doing some of the stuff that they do. And you're standing there, of my complexion, then somebody of your complexion comes up. [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: And guess which one, this worker, this associate goes to? The one of your complexion. It has happened to me. And you know the only thing I say? Hey, man, let's be fair. Then the white person who's going to accept being jumped to the front of the line say, oh, I'm sorry, I didn't know. You didn't know? Yes, you did. And they don't want us to speak up just like they don't want women to speak up when they've been subjected to sexual misconduct. Don't say anything. You become the wrongdoer. You've disturbed the status quo. There is no domestic tranquility because you dare to object to the mistreatment to which you're subjected. [LB669]

PRESIDENT FOLEY: Senator Chambers, you're recognized again. This is your third opportunity. [LB669]

SENATOR CHAMBERS: Mr. President,... [LB669]

PRESIDENT FOLEY: Excuse me, Senator Chambers. [LB669]

SENATOR CHAMBERS: ...members of the Legislature... [LB669]

PRESIDENT FOLEY: Senator Chambers. [LB669]

SENATOR CHAMBERS: Yes. [LB669]

PRESIDENT FOLEY: One moment. The page has informed me this is actually your closing, Senator Chambers. [LB669]

SENATOR CHAMBERS: This is my closing? [LB669]

PRESIDENT FOLEY: Yes, it is. [LB669]

SENATOR CHAMBERS: Oh, that's all right. I shall have many opportunities to speak. That's where the rules are so good. You cannot write a rule to stop me. If you write a rule that stops me, it stops you too. Why? Because I can think and you can't. To shut me up, you'd have to shut up everybody on this floor. But now I see Senator Hilgers up there, a young man for whom I have

Floor Debate
January 26, 2018

hopes of becoming something better than what he shows himself to be on some of these bills when he votes against me. Here's something that I will say about the way your rules work. You'll pass a rule to stop a black man. They've done it in the past. In fact, I wrote a 50-some-odd page ridiculing this Legislature about the futile efforts they put forth to stop me with their rules. And I might use that as one of my "ERNIE-GRAMS," 57 pages ridiculing, mocking, scoffing at members of the master race who could not make a member of what they consider to be the inferior race shut up or take low. But here's what you all can do. You write a rule to stop me, and here's how you avoid being stopped yourself. You make a motion to suspend the rule, and white people clumping together with a wink and a nod will know what's going on, and they will vote to suspend the rule for that white person. And they know that since the rule was designed to stop me, one person can never vote and, by his or her vote alone, suspend a rule. So the rule is a nonrule for white people. But it's a steel jacket for a black person. So I have to find a way to get around that rule, and that's why my mind is more agile than yours. Somebody asked, what's the difference between a rabbit and a fox, and how can a rabbit often elude the fox? And the answer was, the fox is running for his dinner, the rabbit's running for his life, so more is at stake with me than there is with you because you always have your brothers and sisters to look after what it is you're concerned about and the people you purport to represent are concerned about. If my voice were stilled, you would not hear any of the things that I'm saying now. Mine is the only voice that speaks about it now, and were I not here, you wouldn't have to confront it ever, ever, on this floor, but while I am here, you're going to know that I was here. Maybe I will never leave a footprint in the sands of time. Maybe I will never leave a palm print on the wall of history. But maybe somewhere you'll find a thumbprint, and maybe you won't find anything. But as far as I'm concerned, what difference does it make? The dead know nothing, but I do know that I'm alive now, and I do know what things are important to me now, and I know what my obligation as I perceive my obligation is, and I'm going to discharge it, and I'm going to discharge mine the way you would never discharge yours because we're not the same. In front of me sits Senator McDonnell. In front of Senator McDonnell... [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: ...I'm not going to ask him a question--sits his name tag. From where I'm standing, when Senator McDonnell's head is in the right position, I see "M-c-D-o," "McDo." So that is my name. The proper rendering of his name is a perfect descriptor of how I function. And Senator McDonnell, I have some people in my ancestry who hail from the place where (singing) Irish eyes are smiling / Sure, it's like the morning spring. / In the lilt of Irish laughter, / You can hear the angels sing. Now, if they can do what they did in butchering songs yesterday, cannot I sing a song from a part of my heritage? You know some of my favorite writers: Oscar Wilde, who was Irish; Bram Stoker was Irish. [LB669]

PRESIDENT FOLEY: Time, Senator. [LB669]

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

Floor Debate
January 26, 2018

SENATOR CHAMBERS: Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Chambers. Seeing no members wishing to speak, the question before the body is the adoption of the bracket motion. Senator Chambers. [LB669]

SENATOR CHAMBERS: Call of the house and a roll call vote. [LB669]

PRESIDENT FOLEY: There's been a request to place the house under call. The question is, shall the house go under call? Those in favor vote aye; those opposed vote nay. Record, please. [LB669]

CLERK: 17 ayes, 1 nay to place the house under call. [LB669]

PRESIDENT FOLEY: The house is under call. Senators please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senator McCollister, if you could check in. Senator Pansing Brooks, if you could check in, please. Senator Lindstrom, check in, please. Senator Murante, please return to the floor and check in. All unexcused members are now present. The question before the body is the adoption of the bracket motion. There has been a request for a roll call vote. Mr. Clerk. [LB669]

CLERK: (Roll call vote taken, Legislative Journal pages 444-445.) 0 ayes, 41 nays, Mr. President. [LB669]

PRESIDENT FOLEY: The bracket motion is not adopted. I raise the call. Items for the record, Mr. Clerk? [LB669]

CLERK: Mr. President, the Urban Affairs Committee reports LB765, LB854 to General File; LB756, LB768, LB940 to General File with amendments, those signed by Senator Wayne. Hearing notices, corrected hearing notice for the Agriculture Committee, notice from the Government Committee, and two notices from the Transportation Committee. Senator Wayne would move to rerefer LB1088 to the Education Committee, and I have Natural Resources confirmation reports signed by Senator Hughes as Chair. Mr. President, the Banking Committee will have an Exec Session at 10:15 in Room 2022; Banking at 10:15. (Legislative Journal pages 445-449.) [LB765 LB854 LB756 LB768 LB940 LB1088]

Mr. President, the next motion I have with respect to LB669 is by Senator Chambers. He would move to reconsider the bracket vote just taken. [LB669]

Floor Debate
January 26, 2018

PRESIDENT FOLEY: Senator Chambers, you're recognized to open on your reconsideration motion. [LB669]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, as I look around this Chamber, which is buzzing like bees in a hive, it looks just like what you see on the floor of Congress when you're watching CNN or CNBC. They're just walking around, wandering, doing whatever it is they do when they walk around and wander. And some of you want a Washington, D.C., political climate, and you're doing what you can to produce it. I'm doing what I can to facilitate it. Now, I said that I would offer this motion, and for the public, in order for them to know, you can only make a motion to reconsider if you vote on the winning side when the vote is taken or you're not voting. The winning side on the motions that I vote would be a no vote, but at this stage of consideration I won't vote no on my amendment. So I simply register as not voting, then I can make the motion to reconsider, which is what I've done. For quoting old "Honest Abe," "...the promise being made, must be kept." If I didn't keep my promise, what shred of respect some of you may have for me would be gone. When I look at all those red votes up there, I begin to wonder if in reality this is not a democracy but a communist regime. What color designates communists? Red. There's a red board up there. Now, I think I would probably feel more akin to communists than I do to these so-called democratically minded people because communists don't advocate slavery. And you might say, well, they're just talking. Well, what is it in America? I know from experience what all those fine phrases mean in America. But another image came to my mind, blood all over the floor. And in the old days, you'd find blood on the floor in the Old West where there might be a shootout. But so that you won't think that everything I say that might be negative, I will try to figure something that might have happened in Canada, which is deemed to be a white nation because the ones called...they're not called Natives in Canada. They're not called "Native Canadians." Some of you all know the term, and it's not Eskimos. Figure it out. Look it up in your encyclopedia or ask your children who are going to school; maybe they will have been taught. But there was a place known as the Malamute Cafe, and one night "A bunch of the boys were whoopin' it up / At the Malamute Cafe." Now, there was a lady--there's always a lady--a femme fatale known as Lou. And there was an individual who had a reputation like Billy the Kid, Jesse James, or some other white American hero, and he was being sought after by the North-West Mounted Police. And when all of this activity was going on that went on in the Malamute Cafe, this song, which was sung by a guy who sang with Guy Lombardo's band...you may not know who Guy Lombardo was. He was not an Eskimo. He was not a Canadian. Or was he? But his name ended with an "o," a vowel, so he was not Latino. Maybe he was Italiano. But anyway, this guy said: Suddenly wham! All the lights went out / And a voice cried "Die, you must!" / A woman screamed and a shot rang out / And somebody bit the dust. / Then the lights flashed on / And the North-West Mounted Police / Came crashin' through. / They drew their gun and said, / "Which one is Dangerous Dan McGrew?" / Now, Dangerous Dan was playin' his hand / And keepin' his mind on the game... Well, you all don't have any interest in this, so I won't go on. But anyway, that's what all that red

Floor Debate
January 26, 2018

on the voting board made me think about. I mentioned that I have some articles I want to read, and I'm going to start by reading one that is contemporaneous with what is going on today. This is from the January 26, 2018, edition of the Omaha World-Herald--in other words, this morning's paper--headline, "Critics blast FBI's broad labeling of black, but not white, extremists." Listen to how the FBI does with your people and mine. "Mcclatchy (sic), Washington Bureau, Washington. White supremacist and other far right extremist groups have killed 51 police officers since 1990, according to a report published by the Anti-Defamation League last week. Left-wing extremist groups, including black nationalists, killed 11 during the same period." The racists, the white ones, killed 51; all the others, including black people but that group is not just black people: 11. Fifty-one trumps 11. "In 2017 alone, black nationalists and other leftists killed no police..." Last year, these wicked black people and left-wingers killed no police, "...while white supremacists and anti-government extremists fatally attacked a police officer and two corrections officers, the report said. But while the FBI tracks so-called 'black identity extremists' as domestic terror threats--as a report from the bureau completed in August and leaked in October revealed"--the "bureau" is the FBI--"it doesn't have an equivalent designation for white extremists," departing, who kill far more cops, because the FBI is shot through with racists, just like that racist sitting in the White House and in the Governor's Mansion here and some on the floor of this Legislature. Continuing, "Experts worry that the broad labeling of black groups, and not white ones, is an indication that federal law enforcement's targeting of certain groups is based less on evidence than on politics," and I'd say less on politics than out-and-out racism. This article, by the way, was written by a white person. Continuing, "The targeting can significantly affect how law enforcement chooses to police protests or events organized by specific groups." Departing, we got some white senators running around here attacking UNL because they say these white racist groups don't have free run to do and say everything they want to without being challenged, and even managed to get some employees of the university fired because that white, spineless, white--I said it twice, didn't I, on purpose, for emphasis--administration were afraid of three senators. But you didn't have any senators whispering a word of objection when the black students not only were attacked verbally but physically on that campus and by the white campus police, not a whimper. But now you got three senators from the Nebraska Legislature attacking the university,... [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: ...the same racism here as in the rest of the country. But when they try to work their will on this floor, to use my favorite expression, we're going to be fighting like scorpions in a bottle. And I will continue reading this article when I'm recognized. But because I may have a second or two remaining, this is the kind of material that a lot of people watching will not get, because they don't read newspapers anymore. And I want the record to show the kind of things I said on this floor, not hiding someplace, not when I had a lot of company along

Floor Debate
January 26, 2018

with me, but when I was here doing what I needed to do and saying what I felt needed to be said. Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Chambers. Continuing debate, Senator Bolz. [LB669]

SENATOR BOLZ: Thank you, Mr. President. Senator Chambers' debate this morning and interest in continuing to have a conversation under LB669 affords me the opportunity to talk about the substance of the bill. And most of you are probably thinking it's simply a Revisor's bill, Senator Watermeier is just doing his job. But this bill actually repeals an obsolete education and training program. And the reason I rise is because I think that education and training and work force development needs to be one of the top priorities of this body, because I know it's one of the top priorities of the Chamber of Commerce and the other people who are trying to grow and build this state. In fact, in the chamber's update about their 2018 priorities, they list work force development as number two on the list here. They say a recent chamber survey of Nebraska business leaders found that 8 in 10 respondents said their community or business faced a work force shortage with skilled labor being highest in demand. Because Nebraska's growth depends on its talent supply, the chamber will support policies and programs aimed at growing, educating, and improving Nebraska's work force. Specifically, the chamber recognized the value of the state's Intern Nebraska program and customized job training, as well as career academies that focus on specific vocational skills. And that's precisely what the underlying bill addresses. It addresses a program that was piloted, an initiative that would help individuals in adult education transition to community colleges, and yet this body hasn't funded that program. And it is appropriate that we remove those obsolete provisions. I don't think it's wise, however, to continue ignoring our work force development needs. The Nebraska Chamber further articulates that many state employees can't find workers with the right skill set, and the pool of laborers is diminishing. We have to take action this session to invest in our education and work force development, to grow our economy, not only to create opportunity for Nebraskans, but also to impact our economic growth, our long-term well-being, and this state's budget. And unfortunately, we've got a difficult budget scenario where we're looking at making some really challenging choices in terms of funding higher education. There are competing priorities here in terms of the need for workers to grow our economy and the need for us to invest in the long-term growth and sustainability of higher education and work force training and development programs. I'm going to pass out a sheet here about Nebraska's forgotten middle-skill jobs. Middle-skill jobs, which require education beyond high school but not a four-year degree, make up the largest part of America's and Nebraska's labor market. Key industries in Nebraska are unable to find enough sufficiently trained workers to fill these jobs. And so if we continue to turn a blind eye to our need for career and educational training, our economy will suffer, our communities will suffer, our citizens will suffer, and our institutions of higher education and our businesses will suffer. So, colleagues, I'm using the opportunity afforded to me by the debate

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

Floor Debate
January 26, 2018

started by Senator Chambers to have a substantive conversation about the underlying bill, and to urge the body, as education and work force bills come to this floor, take them seriously and do everything you can to support them, because that is what will help spur our economic well-being into the future. Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Bolz. Senator Chambers. [LB669]

SENATOR CHAMBERS: Thank you, Mr. President. And thank you, Senator Bolz. And I would like to ask Senator Bolz a question or two if she will answer. [LB669]

PRESIDENT FOLEY: Senator Bolz, will you yield, please? [LB669]

SENATOR BOLZ: Sure. [LB669]

SENATOR CHAMBERS: Senator Bolz, I had said when I started that nobody is going to read the text of any of these statutes that are being repealed, because that's all that LB669 will do. And I pointed out that the text of those statutes will not be set forth in this bill, because all that happens is that they're repealed. How does it happen that you knew what these sections of statutes dealt with? [LB669]

SENATOR BOLZ: Senator Chambers, this is an area I think is really important. It's a priority, so it's something I pay attention to. And in fact, the pilot program I referenced was an issue I researched before I was even elected. [LB669]

SENATOR CHAMBERS: But how did you know that these statutes implicated such programs as that? [LB669]

SENATOR BOLZ: Oh, Senator, I read the text. [LB669]

SENATOR CHAMBERS: Excuse me, could you repeat that? [LB669]

SENATOR BOLZ: Senator Chambers, I used my gadget and I pulled up the bill number and I reviewed and read the text. [LB669]

SENATOR CHAMBERS: Thank you. [LB669]

SENATOR BOLZ: You're welcome. [LB669]

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

Floor Debate
January 26, 2018

SENATOR CHAMBERS: And I will say, you see how I was called up short? What I said has been shown not to be true. I said nobody would read these statutes. That was a challenge. Somebody accepted the challenge. Somebody behaved as a legislator, in my opinion, should behave, to see just what it is that a bill before us will do. I also said it's appropriate that I use this particular bill because all it does is repeal statutes without setting forth the text. The provisions that I'm concerned about in my amendment that I offered dealt with that black-tailed prairie dog bill, and pointed out that none of the text of that law currently on the books would be set forth, because all I'm doing is repealing. Those were hints; those were challenges. And it plays into something that I've been making a point about in the last few days. Women have a lot of power. Women can do a lot to bring about changes. And in this instance, it was a woman who read what it is that we're doing by simply repealing these statutes and whereas maybe the particular laws on the books that are being repealed could justifiably be repealed because they have become inactive, inoperative, and so forth but, nevertheless, they deal with issues that need to be addressed. And maybe it would have been a better course to seek to amend those statutes, rewrite them or substitute something for their current language, rather than just making an outright repealer. But it's you all's Legislature and you can do whatever you want to with it. But I just wanted to make it clear for the record that I was given my comeuppance this morning and I suffered my "take-downance" at the hands of a woman who showed that what I indicated in a blanket, all-inclusive statement was not true with reference to her. She did, in fact, read what the bill was dealing with. And had I not been treated so shabbily in days past, I would go in a different direction, and we could take the time that I intend to take anyway and discuss issues that are before us. [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: But I tried to implicate them further by talking about the attack on the university by three senators--no, not Curly, Larry, and Moe, because Curly, Larry, and Moe, and subsequently Shemp, would not attack an institution of higher learning when no institution of higher learning is functioning at the level that it should. And it's fine to talk about what they call growing jobs in the economy. What the Governor is doing is padding the nest of his daddy and himself when he gets out of here. TD Ameritrade will benefit from the kind of things he wants to do. And his time in that Governor's Office is going to be relatively brief, and he's doing the work there to make things better for him when he leaves here. You know what... [LB669]

PRESIDENT FOLEY: Time, Senator. [LB669]

SENATOR CHAMBERS: Thank you. [LB669]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Morfeld. [LB669]

Floor Debate
January 26, 2018

SENATOR MORFELD: Thank you, Mr. President. Colleagues, after hearing Senator Bolz's remarks, I want to also chime in a little bit and talk about the importance of economic development, but also work force development as well. I think that it's important to note, particularly with the university, it's my understanding that while it comprises 13 percent of our state budget, it will shoulder 33 or so percent of the budget cuts from the Governor's budget. They have already cut \$49 million this last cycle, or committed to that in this last budget, and this would be an additional \$69 million over the next few years is my understanding. Now, particularly for a Governor that has promised to grow Nebraska, this is a very odd way of growing Nebraska. And in terms of the Governor being a business Governor, my only request to him, as a constituent of his, is that he actually run the state like a business then. And when we start making these dangerous, dangerous cuts during a revenue shortfall when, quite frankly, we don't have to, and his own Department of Revenue admitted that in a press release last week, stating that we have to make some minor adjustments so that we can eliminate \$200 million dollar revenue windfall, is the way that they put it, when that's about the amount of a shortfall that we have to cover in this budget. These cuts are unnecessary and they're dangerous. And if you don't believe in the economic impact of the university system, just think about also its ability to maintain and retain our...and attract, quite frankly, more young Nebraskans. When I talk to the 20,000 or so constituents in my district that are students, they tell me oftentimes the reason why they came to Nebraska or stayed in Nebraska is because of the affordable and high-quality education. Another \$69 million in cuts will not lead to affordable education; it will not lead to high-quality education. And if we think for a moment, one moment, that what the Governor said in his State of the State Address, that young people are fleeing the state because of our high-tax system, you've got to be kidding me. How can you say that when our number-one export other than agricultural products are young people to other states like Illinois, California, New York? Hey, news flash, those are higher tax states. And that's where they're headed. So this notion that our young people are fleeing the state because of our tax climate, come on, give me a break. We need to make sure that we have a high-quality, well-funded university system, and not only a university system but also work force programs like the one that apparently we're getting rid of in this bill, because I will be the first to admit not everybody needs a four-year degree to be successful in this world, to do well, to be able to feed themselves and their family. We need to have a wide array of programs that ensure the economic success of our state whether it be on the community college level or in the university level. And these programs don't just benefit Lincoln. One hundred and forty thousand youth participate in 4-H programs across the state that are run out of the University of Nebraska-Lincoln. There's a \$2 billion overall economic impact that the university has on the state. Fifteen of the 20 top employer destinations for employed UNL graduates are Nebraska-based companies. Colleagues, I have a fear that what we're doing here to the university and to other institutions in our state is causing irreparable... [LB669]

PRESIDENT FOLEY: One minute. [LB669]

Floor Debate
January 26, 2018

SENATOR MORFELD: ...long-term damage for short-term political gain. And it needs to stop. Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Morfeld. Senator Chambers, you're recognized. This is your third opportunity, Senator. [LB669]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, it took us a while, but do you see what we worked our way around to this morning? Who thought we would get to this? My hints were not picked up. I talked about education, the poor education, the lack of knowledge of the students. You don't know your history. Senator Bolz read what this repealer bill before us is concerned with. A lot of times symbolism carries greater weight than that which it symbolizes. Repealing these statutes is symbolic of the attitude of the Governor. Repeal the words and you destroy what those words are talking about. These actions by the Governor show the anti-intellectual attitude of people in this state. When Senator Groene, who is the Chairperson of the Education Committee, talks, you don't hear him talking about the need for education, a strong system of education, objection to the draconian cuts being made to the university. See, the Governor didn't read this, but somebody told him this: "Gov," you need to go back and read the history of slavery and you'll learn how to run these white people here. And the Governor said, I like that sound, but I'm not sure what you're getting at. One of the dominant doctrines or dogmas of slavery was an educated black man is a good plow hand spoiled. An educated black man is a good plow hand spoiled. They want plow hands in this state, white ones. The white children are the ones being cheated now. To get at us they will sacrifice their own. You think they want you to have a decent education? The Governor is talking about giving cuts to people like his daddy and other rich people. And what about education? Cut, cut, cut. And that's why Pink Floyd gave you all what ought to be your theme song. And I am going to get my version of that. (Singing) We don't need no education. / We don't need no thought control, / No dark sarcasm in the classroom. / Teacher, leave them kids alone. / Hey, teacher, leave them kids alone? / Oh, we're only just another brick in the wall. And that's what the Governor wants you to be. You don't need no education. And you know what the dark sarcasm is that the children sang about? Somebody's telling me I need to know something about grammar, I need to know what it means to say that the subject agrees with the predicate. I need to know what a split infinitive is, but first I need to know what an infinitive is so if I split it I know it. What is a verb? What is a gerund? What is a preposition? You don't need to know that. Some of these foreign countries...all countries other than here are foreign. I was going to make a point, but I won't use that to trick you and make a point. But there are foreign companies who have established factories... [LB669]

PRESIDENT FOLEY: One minute. [LB669]

Floor Debate
January 26, 2018

SENATOR CHAMBERS: ...and operations in the South where people have the worst education because they don't have unions; they have an ignorant work force; they don't pay any wages. But you know what? They were companies doing things that require people to be educated. And you know what they're doing now? They're having to set up in other locations teaching and training facilities... You said time? [LB669]

PRESIDENT FOLEY: You've got a half-minute. [LB669]

SENATOR CHAMBERS: ...so that they can create and produce a work force to do the work in that factory and an ignorant, benighted, backwards southern state, which they were tricked into coming here because they were told they can get here cheap and the state will give them money, but they didn't point out you will not have an educated work force. Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Smith. [LB669]

SENATOR SMITH: Thank you, Mr. President. And I just wanted to get on the mike just very briefly and respond to a comment that Senator Morfeld made about potential changes to our tax policy related to changes at the federal level. And there is a bill that's sitting out there, LB1090, that will have a hearing, and we will eventually have to have that discussion on the floor of the Legislature. I wanted to be very clear, and Senator Morfeld and I agree on a lot of things, but that particular bill is not a windfall in the terms that he meant it to be. We do have changes that have to take place at the state level in tax code to reflect changes that have been made at the federal level. It's no different than is happening at every other state. If we do not, there will be an increase in tax revenues on the backs of individuals in this state, middle-income individuals particularly, because they will have lost one of their personal exemptions. And that could, you know, result in a couple hundred million dollars' tax increase on the backs of individuals in this state. I don't think that's what we really want to have happen, so we will have that discussion later in committee. We'll have that discussion on the floor of the Legislature. I do want to agree with Senator Bolz and Senator Morfeld that we do have a work force development issue in our state. We do have to create more workers in the pipeline, if you would, and that's through many, many means. The University of Nebraska system is one. We do have to have a well-funded University of Nebraska system for work force development. And there are many other ways in which we can create work force development opportunities in our state. This next week in the Revenue Committee, we will be hearing bills from Senator Bolz and from Senator Harr to talk about work force development opportunities. And I think that's absolutely critical, so I agree with Senator Morfeld and Senator Bolz in that regard. But, again, I just want to clarify the windfall that was referenced is no windfall. So thank you, Mr. President. Thank you, colleagues. [LB669 LB1090]

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

Floor Debate
January 26, 2018

PRESIDENT FOLEY: Thank you, Senator Smith. Senator Hansen. [LB669]

SENATOR HANSEN: Thank you, Mr. President. And good morning, colleagues. I wanted to rise. I just caught a bit of Senator Bolz's speech about the underlying issue that's being repealed in LB699 (sic--LB669) and it reminded me of the first bill I ever introduced in this Legislature, LB227, a bill for an act relating to education; to amend Sections 79-1191, 79-1194, and 79-1196, revise...Reissue Revised Statutes of Nebraska; to change provisions relating to appropriations for bridge programs; to require reports; and to change a termination date; and to repeal the original sections. You will...might notice those are the sections we are repealing with this Revisor's bill. I had attempted to fund this bridge program as one of my first efforts, you know, in the Legislature. Ultimately, that was not something we were able to do. And it's now interesting to see it come full circle. I do think, you know, the Revisor bill to eliminate an unfunded and inoperative grant program makes a lot of sense but, you know, this was an issue that I believe in and worked hard on. But I know the fiscal situation of our state no longer makes that a likely candidate, you know, for bridge programs. It's my understanding of it, it was an opportunity for adults who were...needed some sort of education or certification, primarily at the community college level, to be able to get that opportunity while making up for past issues, such that the classic example was someone could be working on a, you know, a nursing certificate while also getting their GED, rather than having to do them in sequence. And there was an opportunity to encourage community colleges to have more opportunity to flexibility in that, additional parts of, you know, bridge programs, so everything from...we had some great testifiers at the hearing, you know, from everyone from the various community colleges to nonprofits who worked with the bridge programs to kind of funnel people to resources that help them get over their educational barrier such as it was. So I understand we will need to pass the Revisor's bill and don't suggest we don't. But I wanted to just get up and make sure we recognize that, you know, this is being repealed because we have decided not to fund it, not because all the members of the body have decided it's unimportant, because I still view it as important. Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Hansen. Senator Morfeld. [LB669]

SENATOR MORFELD: Thank you, Mr. President. And I appreciate Senator Smith getting up and talking about this issue and perhaps correcting the record. And I also do sincerely appreciate his support of the university, which I have seen firsthand, and he is sincere about that, and I have no doubt of it. That being said, I guess we can call it potato, po-tah-to (phonetically), whatever we want to call it. When we have \$200 million in unexpected revenue that otherwise would not be there had there not been federal tax reform, I call that a windfall, particularly when we're looking at \$200 million in cuts, and severe cuts to one of the largest economic drivers of our state, the university system, not to mention a whole host of other institutions. So it's \$200 million that we otherwise wouldn't have, had there not been somewhat unexpected federal tax reform just a few months ago. I call that a windfall. Definition of a windfall: a piece of unexpected good

Floor Debate
January 26, 2018

fortune, typically one that involves receiving a large amount of money. Two hundred million dollars, we have a revenue shortfall of \$200 million. To me, that's unexpectedly good fortune, and it's a lot of money. And it means a lot to the people that are going to the university; it means a lot to the future of the economic success of our state. So I call it a windfall. And I think that in a time when we are experiencing or coming out of, at the very least, an economic recession in our state, that we should be making responsible business decisions. And making responsible business decisions means that you do not cut additional revenue when you're in a revenue shortfall. Now, I didn't get my MBA, I just took basic accounting class, but I can tell you what a good business decision is and a bad business decision is. And continuing to cut the institutions that generate economic development during a revenue shortfall is a bad business decision. Now, I don't have a Webster's Dictionary definition of that, but I think that's common sense. And if you don't believe me about the \$200 million, you just have to go to the Department of Revenue's Web site and look up their press releases. I'll read it off right now. It's from Tony Fulton, the Tax Commissioner, former state senator here. "Department of Revenue, Sen. Jim Smith Propose Tax Law Adjustments Following Federal Tax Reform." Well, that's a really nice way of saying we're going to try to get rid of \$200 million in revenue that we otherwise would have received. "Today, the...Department of Revenue and Senator Jim Smith of Papillion proposed LB1090, a bill which makes adjustments to Nebraska's tax code in light of recently passed federal tax reform. The Tax Cuts and Jobs Act," funny name for that act, "was signed into law on December 22, 2017. Passage of LB1090 assures that Nebraskans do not face a \$200-million state tax increase as a result of the Tax Cuts and Jobs Act." That's code word for we're going to receive \$200 million and we're going to try to make it so that we don't receive that \$200 million, even though we have a \$200 million budget shortfall. This is a windfall. It's an unexpected windfall with a large sum of money that we could otherwise use to make it so that we don't have to make serious cuts. And I'll also remind everybody that this \$200 million is going to be offset by people saving money on their federal taxes. [LB669 LB1090]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR MORFELD: Thank you, Mr. President. Colleagues, we need to make fiscally responsible decisions that make business sense as we get out of this recession. And making these unnecessary cuts, and that's exactly what they are, unnecessary, is irresponsible. It's not good business decision making, and we should not do it. Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Morfeld. Senator Krist. [LB669]

SENATOR KRIST: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraska. I was not going to engage in any debate this morning, because I thought Senator Chambers was making the points he needed to make. I do appreciate Senator Bolz telling us

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

Floor Debate
January 26, 2018

what this Revisor's bill actually did, because in my time here, most time, Revisor's bills are just rubber stamped and we're done with them. But particularly in the situation that we're in right now, this is important for us to realize the cuts and the things that we had passed in the past...passed as pieces of legislation that had good intentions that never were funded because of the attitudes of the past two administrations. There was a report issued: Nebraska worst performing economy in country, July 27, 2017, 6:04 p.m. This came from U.S. News, and I'll quote just a part of it. "The economies of Nebraska, Iowa and South Dakota logged the worst performance in the U.S. in the beginning of 2017, with economic output declining in all three states, according to a report from a federal commerce bureau." Hard to argue with the federal commerce bureau and a report in U.S. News. And why is that? Because we're an ag state, because commodity prices are down, because we don't have the production in the agriculture community that we did. And yet, we are proposing a bill that lops off revenue from the top winners; the top earners in this state will be decided or discussed in the Revenue Committee. We are giving away tax dollars there. To Senator Morfeld's point, the federal tax adjustment, the folks who are going to pay the additional in-state will see the offset in federal. This is yet another example of a campaign promise that was made, no new taxes, no new taxes, no new taxes. We're going to have this debate loud and clear, because when the bills get out of the Revenue Committee, and I'm hoping that part of that bill includes some of the issues that were discussed yesterday in Senator Erdman's bill, I'm hoping that Senator Briese's bill in part is brought forward. I'm hoping that the triggers go away, they are stuffed and put in a museum. We don't need triggers. Those are bad things. The economists have told us they're bad things. And we need to stop giving away money and revenue in a time when we need it. I've had another reason to be traveling around the state, you all know that, and I'm hearing all over the state the number one issue is property tax reduction. And I have said loud and clear we are not going to be able to reduce property taxes until we rebalance the three-legged stool by which we live: income, property, and sales tax. Fact: Ten years ago, approximately 30 percent of our income tax went to education. Fact: Today, less than 2 percent. Where did that 20-some percent go? What are we spending it for? What decisions were made? They were made in a special session in 2009 that I participated in. They were made in gross and dramatic cuts in 2010, '11, and '12, and we never refunded some of those programs that we cut. Sounds like a broken record? So be it. I'm going to be saying it over and over and over again. And we cannot take one of the largest industries in this state, one of the best moneymakers and investments in this state, the colleges, community colleges, the university, and continue the path of cutting... [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR KRIST: ...at the risk of what? At the risk that we can't build more roads? There's never been a logical discussion, a rational discussion on the judicial use of bonding in this state to continue building roads. Instead, we have a four-lane project in the state that's going to take us until 2033 to build, at an escalated rate of 5 to 6 percent per year, rather than bonding at 1.5

Floor Debate
January 26, 2018

percent. Conservatives, take notice. That's more money to build the road in a five-year period without the judicious use of bonding. I will continue this debate when those bills come to the floor. Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Schumacher. [LB669]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. I'm in my seventh year now on the Revenue Committee, and life is not always as simple as it seems. And there are a lot of complex issues that go into trying to forge a tax bill. I rise this morning in response to this notion that somehow there's \$200 million of windfall. What is one person's windfall is another person's vacuum, only there's another word for vacuum. A good chunk of that supposed \$200 million comes from the federal government having changed the law to eliminate personal exemptions. Everybody got one of those, your kids got one of those, and that was, I think if I remember right, amounts to like for a couple, for two people, like \$12,000, or something like that that you didn't have to pay tax on. Nebraska dittoed that and they said we will give you a personal exemption too. And the way you figure it, it's so much money times the number of federal exemptions. Well, you just look on your tax form. What's the number of federal exemptions? You did the multiplication and took that off your income before you computed your tax. But now you won't find that on the tax form for next year, because it's gone on the federal form. So there must be none, because there's nothing to multiply it by. And if we don't say, wait a minute, here's what you multiply it by, then who pays that bill? It's the people--everybody who files a tax form. And it's regressive. It doesn't...no matter if you're making \$1 million dollars a year or \$10,000 a year, it zaps you the same way. And that's part of the windfall. And there is a thing called chained inflation calculations that are complex, part of the windfall that we've got to adjust for or it's going to affect people and probably in a regressive way. There are other things that I don't know if anybody has figured out yet, like special adjustments for business depreciation, and quite honestly, I can't be critical of the Revenue Department not being able to give very straight answers, because they don't know. And there's probably a whole bunch of other surprises in that bill that are just beginning to be understood, like something for cooperatives, a special tax rate if you sell to a cooperative, and lots of stuff. But I think the bill that's being criticized right now is one that is on the floor as we learn...or not on the floor, but been introduced. So as we learn what we need to adjust, and can agree on what should be adjusted, it's there to work with. But a good measure of that is coming from the fact that there's no such thing as a federal personal exemption anymore, and that messes us up pretty bad. So...and it affects people in a regressive fashion. So stay tuned on that. Hard to say what can be put together in Revenue Committee, but because of these complex interactions. And the fact is we're near the high limit on property taxes, near the high limit on income taxes, near the high limit on sales taxes, and we don't have a whole lot of wiggle room to make any sweeping changes. But I don't think there's a windfall. If anything, you're going to be struggling with shortage of money for a long time. Thank you. [LB669]

Floor Debate
January 26, 2018

PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Chambers, you're recognized to close on your reconsideration motion. [LB669]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I have additional propositions I'm going to put on the desk. I decided I would assume the role of a teacher to this Legislature. Having been here longer than anybody else, now being older than anybody else, talking incessantly about the Legislature as an institution, railing about the lack of respect for our processes, that, taken together, creates an obligation on me to offer instruction, even if people will not accept it. There is more than one way to crack a walnut. Some of you all might say "to skin a cat," but I don't like that imagery for animals; now if you said "to skin a governor whose daddy is a rich man," I could accept that, figuratively speaking. How did we start out this morning? I was going to teach you something about how you can handle bills, how you can try to get an issue before the Legislature. But I left the first bill alone. It was a nothing bill. The second bill had a key red flag word, which was "educational"--"educational"--and I tried to drop hints along the way about how we need to read bills, we need to know what we're voting on, and it took this long for somebody to not only read but to comment about it. And as on other bills, where some senators will acknowledge that the way I slowed it down was worthwhile and made it possible to do some things better--I'm not saying that as a boast--this is one of those examples, multiplied by however many times you want to multiply it, where we needed to know. Don't say because just a few words are used to express an idea that the idea is not important. These bills should at least be glanced at, and if use can be made of them, we can get around to repealing what may should be repealed. But time can be taken to talk about other issues, even though they are pending down the line. I want the body to deal with these, and one of the articles I'll probably still have time to read is from the other day's paper: Ricketts campaign attacks property tax bill. I want to read it to show how upset some of the senators got and how an operative in the Governor's Office named Flanagan, who has a very interesting history with the Governor and at the university, and is playing a key role here, and with the bringing back of the death penalty. Those things are going to be discussed on this floor, because when people are projected so heavily into the political action, they are going to be dealt with my me. But back to what we're talking about now, I have said in the past...but I won't say it now because I don't see people who are teachers behaving in the way I think they should. And when I say behaving, I am talking about teaching. Many of them go to school and learn how to teach, but they don't master the subject matter that they are to teach. They fill slots. But the children are not really being educated that much. It seems that in America, not just here, the farther a person advances through the education system, the less educated they become. And by the time they reach the university level, some of them don't read well. [LB669]

PRESIDENT FOLEY: One minute. [LB669]

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

Floor Debate
January 26, 2018

SENATOR CHAMBERS: They don't write well. They cannot write a paragraph and use language structured in a grammatical fashion. They don't know how to logically organize the thoughts. So the school system needs some repair. But it doesn't need to be demolished. Who will benefit if the university fails? Rich people like Ricketts and some of these others who need an "ill-ly" educated populace, who think they are not worth anything in the way of a salary, who like being described as people who work hard and you don't have to pay them much money. [LB669]

PRESIDENT FOLEY: Time, Senator. [LB669]

SENATOR CHAMBERS: Thank you, Mr. President. I would ask for a call of the house and a roll call vote. [LB669]

PRESIDENT FOLEY: There has been a request to place the house under call. The question is, shall the house go under call? All those in favor vote aye; all those opposed vote nay. Record, please. [LB669]

CLERK: 17 ayes, 3 nays, Mr. President, to place the house under call. [LB669]

PRESIDENT FOLEY: The house is under call. Senators please record your presence. Those unexcused senators outside the Chamber please return to the Chamber and record your presence. All unauthorized personnel please leave the floor. The house is under call. Senator Geist, if you would check in, please. Senator Wishart, check in, please. Senator Wayne, Senator Brewer, the house is under call. All unexcused members are now present. The question before the body is the adoption of Senator Chambers' reconsideration motion. There has been a request for a roll call vote. Mr. Clerk. [LB669]

CLERK: (Roll call vote taken, Legislative Journal page 450.) 10 ayes, 29 nays, Mr. President. [LB669]

PRESIDENT FOLEY: The motion is not adopted. I raise the call. Mr. Clerk. [LB669]

CLERK: Mr. President, Senator Chambers would move to recommit LB669 to the Executive Board. [LB669]

PRESIDENT FOLEY: Senator Chambers, you are recognized to open on your motion. [LB669]

Floor Debate
January 26, 2018

SENATOR CHAMBERS: Thank you, Mr. President, members of the Legislature. I'll get to that motion, but I want to finish this article that I started reading, because I think it's very important to get it into the record. Quoting from that World-Herald article dated January 26, 2018: "Experts worry that the broad labeling of black groups, and not white ones, is an indication that federal law enforcement's targeting of certain groups is based less on evidence than on politics. That targeting can significantly affect how law enforcement chooses to police protests or events organized by specific groups. Many worry the report on black identity extremists specifically could be used to home in on members of Black Lives Matter--possibly infringing on their right to speak freely and protest peacefully." The only thing...time Black Lives Matter was mentioned on the floor of this Legislature, except when I did, was when a jackass, who the Governor appointed from out there where Senator Walz came from, was to compare a herd of black heifer cattle to Black Lives Matter. And I took him on, on the floor of the Legislature. That's the kind of racist that the Governor appoints. Nobody on this floor thought to say anything of it. A black man did, and that's what I'll continue doing. And this shows what the FBI's aims are. And you think I ought to be quiet? Continuing...oh, but that led me to talk about these three senators who are worried about these racist groups on campus not being able to do whatever they want to do without being objected to. This points out that the FBI wanted to infringe the right of black groups to speak freely and protest peacefully. Continuing: The Congressional Black Caucus asked FBI director Christopher Wray--W-r-a-y--in a private meeting in November, as well as during public testimony in December, to rescind the report. Wray did not commit to doing so and FBI spokesman Andrew Ames said Tuesday there was no update since then. The FBI counterterrorism report, titled "Black Identity Extremists Likely Motivated to Target Law Enforcement Officers," defines black identity extremists as people who seek to commit acts of violence motivated by "perceived racism and injustice in American society." The report said the increase in violence against law enforcement "likely" began after the August 2014 shooting of Michael Brown in Ferguson, Missouri, and subsequent grand jury decision not to indict the police officers involved. It lists six attacks since 2014 as examples of black identity extremists, including those by Micah Johnson, the Dallas shooter who killed five police officers in July 2016, and Gavin Eugene Long, the Baton Rouge, Louisiana, shooter who killed three officers ten days later. That was in 2016. "'This document essentially says we don't care about your ideology, we care about your black identity,' said Michael German, a former FBI agent who worked in the counterterrorism division. 'It's an enormous classification that could encompass any violence by a black person.'" See, these racists would say I am a black terrorist because my words strike terror into hearts of some white racists. Continuing--I'm going to spell this person's name--N-u-s-r-a-t, last name C-h-o-u-d-h-u-r-y, senior staff attorney for the American Civil Liberties Union Racial Justice Program, referred to the term black identity extremist as a "manufactured threat." The six attacks named in the report span 2014 to 2016 and resulted in eight deaths of police officers and several injuries. The last time black nationalist groups fatally assaulted police officers before 2016 were in the 1970s, said German, the former FBI agent. Between 2011 and 2017, there were 11 officers killed by right-wing extremist groups compared to those eight

Floor Debate
January 26, 2018

officers killed by left-wing groups, according to the Anti-Defamation League. That's a much narrower gap than in the previous two decades: From 2001-2010, right-wing extremists killed 24 officers while those on the left killed two, and from 1991-2000 the figures were 16 and one, respectively--with the whites killing far more. Joshua Fraylich (phonetically), Freilich, F-r-e-i-l-i-c-h, co-creator of the Department of Homeland Security-funded U.S. Extremist Crime Database, had similar findings on far-right extremists. Representative Cedric L. Richmond, Democrat from Louisiana, called the FBI report "very alarming" and said it could be used to label members of Black Lives Matter an extremist group. Other members said after the Congressional Black Caucus meeting that Wray could not name a single black identity extremist group, though the report makes repeated references to those groups without specifying them. "This FBI assessment went out to almost 18,000 law enforcement agencies, some of whom have intelligence departments, some of whom don't. Some will have protests in the future," Richmond said. "Our fear is...these young people who are out there, exercising their first amendment right to protest and create the type of change they want to see in the country, will be viewed as extremist" by the police, based on the report. You see how your FBI and your President label my people? And the racists of your people who kill far more cops are not even identified as such. I have got a report that I wrote. It goes on for maybe 20 pages that I'm going to read through on this floor to show how backward and racist the State Patrol is and law enforcement in this state. And I predicted that these so-called extremists would start targeting these cops. And the extremists who were my examples were white. I see these things not because I can forecast the future. I look at the past and see what white people have done, and how they're not properly labeled, and how they get away with it. I have been talking about white homegrown terrorists for years. The media will not pick it up, because they're white also. The media are of, by, and for white people. And the reason I don't get frustrated, I expect white people to clump together with white people and look out for white people's interest. So since I am so tremendously outnumbered, I have to be far more ferocious and determined in my standing up against those things. And that's what I'm going to do. And I don't care how many white people get upset. I don't care how many black people get embarrassed and wish that I would be quiet because they don't want white people angry at them. I say, well, tell them Ernie is the one saying it, not you. But we've been conditioned. We have been trained. We have been intimidated. We have been forced to walk around afraid, and I never will assume such a posture. At most, we might expect 120 years on this earth, probably not anywhere near that, and I'm going to spend that few years walking around here scared of white people? [LB669]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: One minute. [LB669]

SENATOR CHAMBERS: Scared of anybody? I know black people...there were some of my close friends who were cops. They had sense enough to know that when I made generalizations

Floor Debate
January 26, 2018

about cops it didn't involve them, because they were being victimized by the white cops on the white police force. But whether anybody knows or agrees, I'm going to do what it is I think I ought to do, and I'm going to mock and ridicule people on this floor for not standing up for what they say ought to be stood up for. And one of the most important things in a democracy is an educated citizenry. And you got a Governor over there, anti-intellectual, not that sharp himself, creating an even worse and hostile environment toward education. I've got more to say, but my time is up for this time around. Thank you, Mr. President. [LB669]

SPEAKER SCHEER: Thank you, Senator Chambers. You're next in the queue. However, there is no one else there. If you would like to close on your motion, then you're recognized for five minutes, Senator. [LB669]

SENATOR CHAMBERS: Okay. I want to close in on it, but I don't want to close because I promised I was going to take all the time this morning, even though the Speaker and I have talked about something that I am not going to discuss right now, because things took a turn that makes that irrelevant for the time being. What does it take to make white people on this floor talk about something? Somebody who is determined, who's going to keep knocking them upside the head and saying--grabbing them figuratively by the lapels and shaking, figuratively--listen, listen to what's being said, Listen to what is being discussed. And it goes for nothing. I wish Senator Larson would hang around on the floor. He does his little ignorant dance and then he leaves. For the young people who may have misunderstood some of what was going on yesterday when he thought he was so bright when he discussed the word coup, c-o-u-p, he doesn't know the meaning of metaphorically, allegorically, figuratively. Many times you will hear a word that is not literally true, and you shouldn't have to say I mean this literally. Boy, he made a killing on the stock market. Go call the police. Hello, I don't know who he is, but it's somebody who committed mass murder on the stock market. Which one? I don't know if it was the Chicago Exchange, I don't know if it was the New York Stock Exchange, but somebody did some killing, because I heard it on the radio. Well, what radio did you hear it on? Rush Limbaugh. Well, what did he say? Rush Limbaugh said there was a mass killing on the stock market. That is how ignorant Americans are, white ones, people like Larson. I wish he was here, but he cuts and runs and leads you all down the path. You are here today dealing with me like this because you listened to him. I don't know if he's the one who got to Senator Albrecht, as I said, or Senator Brasch, as I said. Then there up jumps Senator Stinner joining in. I'm not surprised at Senator Clements. He replaced Senator Kintner, and the Governor appointed both of them originally. Shows the Governor's judgment. When I know what his judgment is, why should I be surprised? Schnoor, in case some of you all think I won't name somebody, Schnoor is the one I was talking to from out there, where Senator Walz ran and beat him, and Schnoor was so stupid he had Kintner to come out there and campaign for him. And I wrote a rhyme about him and sent it to him and said drop the "r" and make it "k" and your name fits you, "Schnook." I don't throw a rock and hide my hand. I call the ones that I'm talking about. And they can respond to me any

Floor Debate
January 26, 2018

way they want to, and I'm not hard to find. I don't say what I'm going to say and then run and hide someplace. Look at how empty these the seats are up here. Where are they? That's why I ask for a call of the house. I can get them on in here. I, the black man, say, you white cowards, get in here. And you know why I express it like that? People of my complexion have been working for companies and when a white worker is summoned they will tell somebody, go tell so-and-so to come. But they will say in a loud voice, so-and-so, get in here, if it's a black person; so-and-so, get in here. And you wonder why we're upset about the way things that happen to us? Don't think that every smile that you see indicates that the person whose smile it is, is happy. See, sometimes you smile from the teeth out. [LB669]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: And if it were an animal, it would be called a snarl. And sometimes what you think you are hearing is a murmur of a dis...of contentment. It's that low growl that you hear in an animal who is telling you don't mess with my food and if you come closer, you're going to get bitten. And you all pretend not to understand, but when I put a little on you just verbally, you get upset. You think I shouldn't be here. My words don't hurt you; they don't deprive your child of an education; they don't stop you from getting medical care; they don't close the door to jobs so you can't get them. And then we can't get jobs. We can't buy a decent house. We get red-lined when it comes to getting loans. And you think we're unreasonable to object, and you object, like a pig with his nose stuck under a gate, at my mere words, when you have the same opportunity to stand up to my face and challenge me in the same forum... [LB669]

PRESIDENT FOLEY: Time. [LB669]

SENATOR CHAMBERS: ...where I make my comments. [LB669]

PRESIDENT FOLEY: Time, Senator. [LB669]

SENATOR CHAMBERS: But you don't do it. [LB669]

PRESIDENT FOLEY: Time, Senator. [LB669]

SENATOR CHAMBERS: Thank you, Mr. President. [LB669]

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

Floor Debate
January 26, 2018

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Williams. [LB669]

SENATOR WILLIAMS: Thank you, Mr. President. And good morning, colleagues. Wednesday morning, when I was driving down to the Legislature, I was listening to 1400 KLIN, I think it is, and they always have the "what chaps your hide" Wednesday morning show. And they talk about different things that have chapped your hide either over the last week or the last period of time. And I am actually having this conversation so that the Speaker can have a conversation with someone that's chapping somebody's hide. Now, certainly not mine, I'm not going to admit to that. But I do have, if he would yield to a question...would Senator Chambers yield to a question, please? [LB669]

PRESIDENT FOLEY: Senator Chambers, would you yield, please? [LB669]

SENATOR CHAMBERS: Hmm. Yes, I will. [LB669]

SENATOR WILLIAMS: Senator Chambers, I have a piece of legislation, LB906, that has been referenced to the Judiciary Committee and is set for hearing this afternoon. And I have had a chance to visit with all the other members of the committee except for you, because you've been kind of busy this morning. And I was wondering if you had had a chance to look at LB906 yet, or if there would be an opportunity that I could visit with you about that? [LB669 LB906]

SENATOR CHAMBERS: I haven't looked at it, but there will be an opportunity if you want to. You know I will talk to you about anything. [LB669]

SENATOR WILLIAMS: I would certainly like to do that. It's a bill that harmonizes the federal regulation on drug controls to the state control, a bill that we do every couple of years to just bring those in line. But I certainly was hoping that you would not be asking me how to pronounce those names of those drugs this afternoon in committee. [LB669]

SENATOR CHAMBERS: And based on what you told me, if that's what the bill does, then you'll have my vote too. [LB669]

SENATOR WILLIAMS: Well, I would appreciate that. And if in the hearing there is any difficulty with how to pronounce some of those complicated names, I would hope that you would help me do that. [LB669]

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

Floor Debate
January 26, 2018

SENATOR CHAMBERS: Here's what I will tell you: Every move you make, every breath you take, every claim you stake, every smile you fake, I'll be watching you. But where I can work with you, I will be working with you. [LB669]

SENATOR WILLIAMS: I appreciate that. And every cake you bake, every yard you rake, in every boot you quake, and every bone that aches, I'll be watching you. Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Williams and Senator Chambers. Senator Chambers, you are recognized. This is your third opportunity. [LB669]

SENATOR CHAMBERS: And I was going to add: for goodness' sake. Now that our thirst is slaked, let us not do any more baking. But we're going to have the opportunity to go through things such as that. And what Senator Williams and some of the rest of you know, I'm able to separate what happens on the floor from what is happening on other issues that we'll contend with, but you might have to listen to some things. I had mentioned a name in connection with some criticisms of Senator...I meant Governor Ricketts. Wait a minute. I'm looking at an article in the World-Herald dated January 25, 2018, headline: Ricketts campaign attacks property tax bill. Subhead, as I call it: Proposal's sponsor and others say they've never seen a governor use campaign funds to oppose legislation. There was a flier printed, and here's what was said. "About 200 copies of the flyer were distributed at the Nebraska Republican Party's State Central Committee meeting earlier this month, according to Jessica Flanagan, a campaign representative. She said that the committee had been looking at the issue and that it seemed appropriate to use campaign funds to provide information to a political group." And I've done a little research on Jessica Flanagan, because she shows up in a lot that the Governor does that affects this body. I even looked at a campaign statement where the Governor paid her several hundred thousands of dollars, I believe, and I can get that to be sure that I am not overstating it, for consulting, had worked in offices and had other activities which raised questions of a serious kind. And when the name continues to surface, especially where there is a controversy between members of the Legislature and the Governor's Office, I'm going to look at that name. But here's what I will say on this specific issue. A political party can do anything that it wants to, and nobody should be surprised at anything that a political party is going to do, when it's under the dominance and control of whoever the Governor is. Why would anybody be surprised that the Governor dictates to the Republican Party through one of his operatives, the party does what he tells them to do? It goes against what even some other "Repelicans" want done. Why are they going to cry about that? They couldn't live without seriously contemplating suicide if they were attacked in the media by editorialists, columnists, private citizens, in the way that I am. But Terry Carpenter and I, a senator who had been here for some years...and he died some time ago. I don't even go to funerals, but he and his family wanted me to be a pallbearer. Terry himself wanted me to do it, so I did it. But what he used to always say: I don't care what you write about me, just

Floor Debate
January 26, 2018

make sure you spell my name correctly. That's all I ask. I don't want people getting credit that's mine for upsetting the Lilliputians, for upsetting the yahoos, for upsetting the munchkins of the world. When they're upset, if I've said something that upsets them, I want my credit. If I'm the one that throws a rock into a herd of jackasses... [LB669]

PRESIDENT FOLEY: One minute. [LB669]

SENATOR CHAMBERS: ...and a one of them says heehaw, the first thing I say, the only one that heehaws is the one that was hit. But all the rest of them will start heehawing also, so I know that I am being effective. And I'll use another analogy. The louder the viper's hiss, the closer and more effectively I am striking to their nest. So hiss on, heehaw on, carry out the Governor's will to the extent you can, but expect push back, because that's what you're going to get. Senator Hughes found out the other day. I'm sure it embarrassed him when I demonstrated he didn't even know the subject matter of the committee of which he is the Chair, after Senator Groene, who is walking in, praised all these people who have these positions. That's what I have to deal with down here. [LB669]

PRESIDENT FOLEY: Time, Senator. [LB669]

SENATOR CHAMBERS: Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Senator Chambers, you're recognized to close on your recommit motion. [LB669]

SENATOR CHAMBERS: Mr. President, members of the Legislature, there is something that's called a radio, which some people still listen to. Some of the younger people may not know what that is, but they used to have comedians. They didn't have as many well-known characters, actors, and they call women actresses, and whatnot in those days. And most of them were known by name to most people, because there were not many of them. And there was one guy, and I'm not going to tell you his name, but he used to run off a spiel and then he would say, "Tell you what I'm gonna do." Well, I'm going to tell you what I'm "gonna" do. There are some other bills on this list that I have no interest in from looking at them, one way or the other. I took the time that I wanted to on this bill this morning. Because of what the bill repeals--and we know it relates to education--in the same way that what I was doing this morning was indeed to make a point, I'm going to give a symbolic no vote to advancing LB669. Personally, I don't care what you do with it. But since I was going to do something like this, just by happenstance a bill was up there which, if people would have looked at what that bill dealt with, even though just a repealer, we could have gotten into a more substantive, meaningful discussion of issues that are pending before us right now. But that having failed, I'm going to say that I still succeeded pretty

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

Floor Debate
January 26, 2018

well as a teacher, because ultimately I got my fractious, hardheaded, stiff-necked students to wind up where they needed to be before class was dismissed. So what I'm going to do is adjourn class for this morning and withdraw that pending motion. Thank you, Mr. President. [LB669]

PRESIDENT FOLEY: Thank you, Senator Chambers. The recommit motion has been withdrawn. Is there anything further on the bill, Mr. Clerk? [LB669]

CLERK: Nothing further on the bill, Mr. President. [LB669]

PRESIDENT FOLEY: Senator Wishart for a motion. [LB669]

SENATOR WISHART: Mr. President, I move LB669 to E&R for engrossing. [LB669]

PRESIDENT FOLEY: Members, you heard the motion to advance the bill. All those in favor say aye. A machine vote has been requested by Senator Chambers. The question before the body is whether or not to advance the bill. All those in favor vote aye; those opposed vote nay. Record vote has been requested. Have you all voted who care to? Record, please. [LB669]

CLERK: (Record vote read, Legislative Journal page 451.) 36 ayes, 3 nays, Mr. President. [LB669]

PRESIDENT FOLEY: The bill advances. Speaker Scheer. [LB669]

SPEAKER SCHEER: Thank you, Mr. Lieutenant Governor. Colleagues, at this time I am going make a slight adjustment to the agenda this morning. We will be taking up the bills on Select File which have no amendments, but they may have an E&R amendment. So we will be passing over those bills, which would include LB105, LB93, and LB377. All have active amendments, so those we will take up, time permitting, after we run through the rest of the file. So thank you, Mr. Lieutenant Governor.

PRESIDENT FOLEY: Thank you, Mr. Speaker. Next bill, Mr. Clerk, LB17. [LB17]

CLERK: LB17. Senator, I have no amendments to the bill. [LB17]

PRESIDENT FOLEY: Senator Wishart. [LB17]

SENATOR WISHART: Mr. President, I move to advance LB17 to E&R for engrossing. [LB17]

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

Floor Debate
January 26, 2018

PRESIDENT FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB17 advances. Next bill, LB146. [LB17 LB146]

CLERK: LB146. Senator, I have no amendments to the bill. [LB146]

PRESIDENT FOLEY: Senator Wishart. [LB146]

SENATOR WISHART: Mr. President, I move to advance LB146 to E&R for engrossing. [LB146]

PRESIDENT FOLEY: Members, you heard the motion to advance LB146. Those in favor say aye. Those opposed say nay. LB146 advances. Next bill, please. [LB146]

CLERK: LB350, Senator. I have no amendments to the bill. [LB350]

PRESIDENT FOLEY: Senator Wishart. [LB350]

SENATOR WISHART: Mr. President, I move to advance LB350 to E&R for engrossing. [LB350]

PRESIDENT FOLEY: Members, you heard the motion to advance LB350. Those in favor say aye. Those opposed say nay. LB350 advances. Next bill, please. [LB350]

CLERK: LB130. Senator, I have no amendments to the bill. [LB130]

PRESIDENT FOLEY: Senator Wishart. [LB130]

SENATOR WISHART: Mr. President, I move to advance LB130 to E&R for engrossing. [LB130]

PRESIDENT FOLEY: You have heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB130 advances. Next bill, please. [LB130]

CLERK: LB304, Senator. I have no amendments to the bill. [LB304]

PRESIDENT FOLEY: Senator Wishart. [LB304]

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

Floor Debate
January 26, 2018

SENATOR WISHART: Mr. President, I move to advance LB304 to E&R for engrossing.
[LB304]

PRESIDENT FOLEY: Motion is to advance LB304. Those in favor say aye. Those opposed say nay. LB304 advances. Next bill, please. [LB304]

CLERK: LB399, Senator. I have no...I'm sorry, I do have Enrollment and Review amendments, Senator. (ER92, Legislative Journal page 306.) [LB399]

PRESIDENT FOLEY: Senator Wishart. [LB399]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB399.
[LB399]

PRESIDENT FOLEY: Members, the motion is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. [LB399]

CLERK: Nothing further, Senator. [LB399]

PRESIDENT FOLEY: Senator Wishart. [LB399]

PRESIDENT FOLEY: Mr. President, I move to advance LB399 to E&R for engrossing. [LB399]

PRESIDENT FOLEY: The motion is to advance LB399. Those in favor say aye. Those opposed say nay. LB399 advances. Next bill, please. [LB399]

CLERK: LB135, Senator. I do have Enrollment and Review amendments. (ER93, Legislative Journal page 306.) [LB135]

PRESIDENT FOLEY: Senator Wishart. [LB135]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB135.
[LB135]

PRESIDENT FOLEY: The motion is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. E&R amendments are adopted. [LB135]

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

Floor Debate
January 26, 2018

CLERK: I have nothing further, Senator. [LB135]

PRESIDENT FOLEY: Senator Wishart. [LB135]

SENATOR WISHART: Mr. President, I move to advance LB135 to E&R for engrossing. [LB135]

PRESIDENT FOLEY: The motion is to advance the bill. Those in favor say aye. Those opposed say nay. LB135 advances. Next bill, please. [LB135]

CLERK: LB100, Senator. I have no amendments. [LB100]

PRESIDENT FOLEY: Senator Wishart. [LB100]

SENATOR WISHART: Mr. President, I move to advance LB100 to E&R for engrossing. [LB100]

PRESIDENT FOLEY: You have heard the motion to advance LB100. Those in favor say aye. Those opposed say nay. LB100 advances. Next bill. [LB100]

CLERK: LB177, Senator. I have Enrollment and Review amendments pending. (ER94, Legislative Journal page 321.) [LB177]

PRESIDENT FOLEY: Senator Wishart. [LB177]

SENATOR WISHART: Mr. President, I move the adoption of the Enrollment and Review amendments to LB177. [LB177]

PRESIDENT FOLEY: The motion is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. E&R amendments are adopted. Anything further? [LB177]

CLERK: Nothing further. [LB177]

PRESIDENT FOLEY: Senator Wishart. [LB177]

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

Floor Debate
January 26, 2018

SENATOR WISHART: Mr. President, I move to advance LB177 to E&R for engrossing.
[LB177]

PRESIDENT FOLEY: You have heard the motion to advance the bill. Those in favor say aye.
Those opposed say nay. LB177 advances. Next bill, please. [LB177]

CLERK: Senator, LB347. I have no amendments to the bill. [LB347]

PRESIDENT FOLEY: Senator Wishart. [LB347]

SENATOR WISHART: Mr. President, I move to advance LB347 to E&R for engrossing.
[LB347]

PRESIDENT FOLEY: Members, you heard the motion to advance LB347. Those in favor say
aye. Those opposed say nay. LB347 advances. Next bill, please. [LB347]

CLERK: LB160, Senator. No amendments to the bill. [LB160]

PRESIDENT FOLEY: Senator Wishart. [LB160]

SENATOR WISHART: Mr. President, I move to advance LB160 to E&R for engrossing.
[LB160]

PRESIDENT FOLEY: The motion is to advance the bill. Those in favor say aye. Those opposed
say nay. LB160 advances. Next bill, please. [LB160]

CLERK: LB198, Senator. I have no amendments to the bill. [LB198]

PRESIDENT FOLEY: Senator Wishart. [LB198]

SENATOR WISHART: Mr. President, I move to advance LB198 to E&R for engrossing.
[LB198]

PRESIDENT FOLEY: Members, you heard the motion to advance LB198. Those in favor say
aye. Those opposed say nay. LB198 advances. Next bill, please. [LB198]

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

Floor Debate
January 26, 2018

CLERK: LB614, Senator. I have no amendments to the bill. [LB614]

PRESIDENT FOLEY: Senator Wishart. [LB614]

SENATOR WISHART: Mr. President, I move to advance LB614 to E&R for engrossing. [LB614]

PRESIDENT FOLEY: Members, you heard the motion to advance LB614. Those in favor say aye. Those opposed say nay. LB614 advances. Next bill, please. [LB614]

CLERK: LB96, Senator. No amendments to the bill. [LB96]

PRESIDENT FOLEY: Senator Wishart. [LB96]

SENATOR WISHART: Mr. President, I move to advance LB96 to E&R for engrossing. [LB96]

PRESIDENT FOLEY: Members, you heard the motion to advance LB96 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB96 advances. Next bill, please. [LB96]

CLERK: LB193, Senator. I do have Enrollment and Review amendments. (ER95, Legislative Journal page 394.) [LB193]

PRESIDENT FOLEY: Senator Wishart. [LB193]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB193. [LB193]

PRESIDENT FOLEY: The motion is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. [LB193]

CLERK: Nothing further, Senator. [LB193]

PRESIDENT FOLEY: Senator Wishart. [LB193]

SENATOR WISHART: Mr. President, I move to advance LB193 to E&R for engrossing. [LB193]

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

Floor Debate
January 26, 2018

PRESIDENT FOLEY: Members, you heard the motion to advance LB193 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB193 advances. Moving back to LB105, Mr. Clerk. [LB193]

CLERK: Mr. President, LB105, no Enrollment and Review. Senator Schumacher would move to amend with AM1515. (Legislative Journal pages 452-453.) [LB105]

PRESIDENT FOLEY: Senator Schumacher, you are recognized to open on AM1515. [LB105]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. This is a very simple amendment. What it does is it indexes for inflation the exemption amounts. The underlying rationale under Senator Brasch's bill is that it's been a long time since the exemption amounts were adjusted. The Legislature has never gotten around to doing it in that period of time. In order to make adjustments that are not terribly obvious issues, we have to have a bill, it's got to get on the agenda, and some of it just never gets around to it. This puts a very simple amendment to the bill that says every five years the numbers in this bill for the exemptions will be adjusted by the cost of inflation. I ask your support and I think it might save future Legislatures a minute or two. Thank you. [LB105]

PRESIDENT FOLEY: Thank you, Senator Schumacher. Debate is now open on AM1515. Senator Brasch. [LB105]

SENATOR BRASCH: Thank you, Mr. President. And thank you, colleagues. And thank you, Senator Schumacher. This amendment is absolutely kinder than necessary, and I praise you for that. I believe I have not said that since our very first day here. So for the record, it is a good amendment. It makes my good bill even better. And so I would encourage you to vote green on this amendment. Thank you, Mr. President. Thank you, colleagues. [LB105]

PRESIDENT FOLEY: Thank you, Senator Brasch. Senator Williams. [LB105]

SENATOR WILLIAMS: Thank you, Mr. President. Senator Schumacher, would you yield to a question? [LB105]

PRESIDENT FOLEY: Senator Schumacher, will you yield, please? [LB105]

SENATOR SCHUMACHER: Yes. [LB105]

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

Floor Debate
January 26, 2018

SENATOR WILLIAMS: We certainly had a public hearing on LB105. Was the element of a CPA change...or CPI, excuse me, change indexing, was that part of the public input at the hearing? [LB105]

SENATOR SCHUMACHER: I don't know. But it naturally flows from the subject matter. [LB105]

SENATOR WILLIAMS: I know it naturally flows from the subject matter, but we take great caution to be sure that those things that are discussed at a public hearing are included in a piece of legislation. I think the Bankers Association was neutral on this legislation. But now they have not had an opportunity, nor have others, to weigh in on whether this would be...raising these exemptions would have a negative effect on their industry. Therefore, I would caution that we all think and slow down just a little bit here to be sure that we have the opportunity to have all voices heard. Thank you, Mr. President. [LB105]

PRESIDENT FOLEY: Thank you, Senator Williams. Seeing no other members wishing to speak, Senator Schumacher, you are recognized to close on your amendment. [LB105]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. This whole bill is about adjusting the exemptions to inflation. This simply extends it into the future. There is no subject matter. It will probably save future Legislatures a little time in going over this again. And it happens every five years. I would ask your discretion and your support. This is perfectly in line with the nature of the bill. And thank you for the consideration and time this morning. [LB105]

PRESIDENT FOLEY: Thank you, Senator Schumacher. Members, you have heard the debate on AM1515. The question before the body is the adoption of the amendment. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please. [LB105]

CLERK: 30 ayes, 0 nays, Mr. President, on the adoption of Senator Schumacher's amendment. [LB105]

PRESIDENT FOLEY: AM1515 is adopted. Anything further on the bill, Mr. Clerk? [LB105]

CLERK: Nothing further, Mr. President. [LB105]

PRESIDENT FOLEY: Senator Wishart. [LB105]

Transcript Prepared By the Clerk of the Legislature
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Floor Debate
January 26, 2018

SENATOR WISHART: Mr. President, I move to advance LB105 to E&R for engrossing. [LB105]

PRESIDENT FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB105 advances. Next bill is LB93. Mr. Clerk. [LB105 LB93]

CLERK: Mr. President, LB93, no E&Rs. Senator Hansen would move to amend. (FA94, Legislative Journal page 453.) [LB93]

PRESIDENT FOLEY: Senator Hansen, you are recognized to open on your amendment. [LB93]

SENATOR HANSEN: Thank you, Mr. President. And good afternoon, colleagues. FA94 is a simple amendment that updates the bill. It extends a government data retention deadline from 60 days to 180 days. This was at the request of the Lancaster County Sheriff. I thank Senator Hilgers and Senator Bostelman for working with me on this amendment. And I would ask you to support LB93 with FA94. Thank you. [LB93]

PRESIDENT FOLEY: Thank you, Senator Hansen. Debate is now open on FA94. Senator Hilgers. [LB93]

SENATOR HILGERS: Thank you, Mr. President. Good morning, colleagues. I want to thank Senator Hansen for considering this amendment this morning. This change came to us after we voted on General File from the Lancaster County Sheriff, Sheriff Wagner, who had some concern that some of the values of these records might have been diminished with the original 30-day period, and suggested that if the Sheriff's Office had it up to 180 days then they could really get the goal of this bill while still protecting some of the use of the records that they have. So with that, I would encourage a green vote on FA94, again thank Senator Hansen for the work this morning, and ultimately a green vote on LB93. Thank you, Mr. President. [LB93]

PRESIDENT FOLEY: Thank you, Senator Hilgers. Continuing discussion, Senator Chambers. [LB93]

SENATOR CHAMBERS: Thank you. Very briefly, Senator Hilgers mentioned the Sheriff of Lancaster County by name, and there is bad blood between him and me. But this is the opportunity to show that the issue is far more important than that. But I want him to know that I was aware that this was something to accommodate him, but it's a valid policy decision to be made. Not only am I not going to delay it, I'm going to vote for it because it makes sense, even from him. Thank you, Mr. President. [LB93]

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PRESIDENT FOLEY: Thank you, Senator Chambers. Seeing no other members in the queue, Senator Hansen, you are recognized to close. He waives closing. The question before the body is the adoption of FA94. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please. [LB93]

CLERK: 35 ayes, 0 nays, Mr. President, on the adoption of Senator Hansen's amendment. [LB93]

PRESIDENT FOLEY: The amendment is adopted. Anything further, Mr. Clerk? [LB93]

CLERK: Nothing further, Mr. President. [LB93]

PRESIDENT FOLEY: Senator Wishart. [LB93]

SENATOR WISHART: Mr. President, I move to advance LB93 to E&R for engrossing. [LB93]

PRESIDENT FOLEY: Members, you heard the motion to advance LB93 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB93 advances. Next bill is LB377. Mr. Clerk. [LB93 LB377]

CLERK: Senator, there are E&R amendments, first of all, on LB377. (ER96, Legislative Journal page 394.) [LB377]

PRESIDENT FOLEY: Senator Wishart. [LB377]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB377. [LB377]

PRESIDENT FOLEY: The motion before us is to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk. [LB377]

CLERK: Senator Groene would move to amend with AM1454. (Legislative Journal page 329.) [LB377]

PRESIDENT FOLEY: Senator Groene, you are recognized to open on AM1454. [LB377]

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SENATOR GROENE: Thank you, Mr. President. As you all know, this was a carry-over bill from the previous year. So the active date of the bill doesn't coincide with the elections of this year. So the Department of Education asked us to amend. To simply amend that would delay the implementation changes made under LB377 until January 1, 2019. The Department of Education, on whose behalf LB377 was introduced, requested this amendment so that the primary elections in April and the general elections this fall would remain consistent as it pertains to school board elections. I would ask for the adoption of this amendment. Thank you. [LB377]

PRESIDENT FOLEY: Thank you, Senator Groene. Is there any discussion on AM1454? Seeing none, Senator Groene, you are recognized to close on the amendment. He waives closing. The question before the body is the adoption of AM1454. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please. [LB377]

CLERK: 33 ayes, 0 nays, Mr. President, on the adoption of Senator Groene's amendment. [LB377]

PRESIDENT FOLEY: AM1454 is adopted. Anything further, Mr. Clerk? [LB377]

CLERK: Nothing further, Mr. President. [LB377]

PRESIDENT FOLEY: Senator Wishart. [LB377]

SENATOR WISHART: Mr. President, I move to advance LB377 to E&R for engrossing. [LB377]

PRESIDENT FOLEY: Members, you heard the motion to advance LB377 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB377 advances. Items for the record, Mr. Clerk? [LB377]

CLERK: Yes, sir, I do. Enrollment and Review reports LB668 as correctly engrossed. I have amendments to be printed: Senator Groene to LB596, Senator Smith to LB947, Senator Kolterman to LB548, and Senator Crawford to LB589. I also have a motion from Senator Wayne with respect to LB589. New resolutions: LR302 is by Senator Kolterman; that will be laid over. LR303 is by Senator Albrecht; that likewise will be laid over. Senator Watermeier, as Chair of the Board, announces the Executive Board first priority bill, which is LB744. Series of name adds: Senator Pansing Brooks to LB211; Wayne, LB299; Watermeier, LB299; McDonnell, LB1001; Ebke, LB1001; Baker, LB1001; Watermeier, LB1001; Erdman, LB1123; and Ebke to

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LB1133. (Legislative Journal pages 453-459.) [LB668 LB596 LB947 LB548 LB589 LR302 LR303 LB744 LB211 LB299 LB1001 LB1123 LB1133]

Mr. President, priority motion. Senator Albrecht would move to adjourn the body until Tuesday, January 30, at 9:00 a.m.

PRESIDENT FOLEY: Members, you heard the motion to adjourn until Tuesday. Those in favor say aye. Those opposed say nay. We are adjourned.