

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

Floor Debate
February 22, 2018

[LB220 LB256 LB299 LB702 LB717 LB743 LB747 LB750 LB766 LB773 LB775 LB936
LB953 LB957 LB1035 LB1069 LB1073 LR319]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Good morning, ladies and gentlemen. Welcome to George W. Norris Legislative Chamber for the thirty-first day of the One Hundred Fifth Legislature, Second Session. Our chaplain for today is Pastor Bobby Johnston from the Freedom Baptist Church in Stamford, Nebraska, Senator Hughes' district. Please rise.

PASTOR JOHNSTON: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Pastor Johnston. I call to order the thirty-first day of the One Hundred Fifth Legislature, Second Session. Senators please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections.

PRESIDENT FOLEY: Thank you, sir. Are there any messages, reports, or announcements?

CLERK: Mr. President, the Business and Labor Committee chaired by Senator Albrecht reports LB957 to General File with committee amendments. Agriculture Committee chaired by Senator Brasch reports LB766 to General File. I also have two confirmation reports from the Agriculture Committee. An announcement. The Revenue Committee will have an Executive Session today at 11:00...or excuse me, at 10:00, Room 2022. Revenue at 10:00. That's all that I have, Mr. President. (Legislative Journal pages 707-710.) [LB957 LB766]

PRESIDENT FOLEY: Thank you, Mr. Clerk. (Visitors and doctor of the day introduced.) Now proceeding to the first bill. Select File, 2018, committee priority bills. Mr. Clerk.

CLERK: Mr. President, LB743. Senator, I have Enrollment and Review amendments pending. (ER107, Legislative Journal page 524.) [LB743]

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PRESIDENT FOLEY: Senator Wishart. [LB743]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB743. [LB743]

PRESIDENT FOLEY: Members, you heard the motion to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk. [LB743]

CLERK: Senator Lindstrom would move to amend with AM1875. (Legislative Journal page 623.) [LB743]

PRESIDENT FOLEY: Senator Lindstrom, you are recognized to open on AM1875. [LB743]

SENATOR LINDSTROM: Thank you, Mr. President. AM1875 contains cleanup, clarifying, and harmonizing amendments, all of which are recommendations of the Department of Insurance and our Bill Drafting Office. The amendments would amend the insurance consultant statutes to make it clear that the definition of insurance consultant does not include a public adjustor. With enactment of this bill, insurance consultants and public adjustors will become two separate groups of licensees. The amendments would provide for corrected and consistent use of terminology. For example, "continuing education course" is changed to "continuing education activity," "claimant" is changed to "insured," and "cancellation" is changed to "rescission." The amendments would make the usage of verbs consistent in the definition of public adjustor, progressive verbs are changed to simple present-tense verbs. For example, "acting" is changed to "acts," "advertising" is changed to "advertisees," "representing" is changed to "representatives," "soliciting" is changed to "solicits." The amendments would harmonize internal references and, where appropriate, would change references to the act to the Public Adjusters Licensing Act. The amendments would clarify that the requirements and prohibitions as set out in Section 17 are subject to the director's enforcement authority in Section 11. Finally, the amendments would further clarify that prohibited referrals by a public adjustor as set out in Section 17 may not be gotten around by making disclosures of them to the insured. Again, the amendments are the recommendations of the Department of Insurance and our Bill Drafting Office. They will tighten up the language of the bill, and I would urge the adoption of AM1875 to LB743. Thank you, Mr. President. [LB743]

PRESIDENT FOLEY: Thank you, Senator Lindstrom. Is there any discussion on AM1875? Seeing none, Senator Lindstrom, you're recognized to close on your amendment. He waives closing, and the question before the body is the adoption of AM1875. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please, Mr. Clerk. [LB743]

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CLERK: 35 ayes, 0 nays, Mr. President, on the adoption of Senator Lindstrom's amendment. [LB743]

PRESIDENT FOLEY: AM1875 is adopted. Mr. Clerk. [LB743]

CLERK: Senator Harr would move to amend with AM2066. (Legislative Journal page 711-712.) [LB743]

PRESIDENT FOLEY: Senator Harr, you're recognized to open on AM2066. [LB743]

SENATOR HARR: Thank you, Mr. President, members of the body. I'm introducing AM2066, which is a variation of LB220, which is currently on General File. I want to move it into LB743. And the amendment incorporates tweaks agreed to by representatives of the insurance industry, roofing contractors, and homeowners. AM2066 addresses instances of post-loss assignment of rights or benefits to a residential contractor under a property and casualty insurance policy. Specifically, contractors must now provide a statement of explanation to a homeowner before a post-loss assignment occurs. This amendment does not restrict the ability of a contractor to get an assignment, it does make sure the contractor tells the homeowner what they are assigning. This amendment provides a reasonable protection for the homeowner, and I want to thank Senator Lindstrom for allowing me to put AM2066 on LB743. Thank you. [LB743 LB220]

PRESIDENT FOLEY: Thank you, Senator Harr. Debate is now open on the amendment. Senator Crawford. Senator Crawford, did you care to speak? [LB743]

SENATOR CRAWFORD: Oh, yes, thank you. I'm sorry, I didn't hear you. Thank you, Mr. President. And good morning, colleagues. I rise in support of AM2066 I believe, but I would just like to ask a couple questions to Senator Harr if he would yield. [LB743]

PRESIDENT FOLEY: Senator Harr, would you yield, please? [LB743]

SENATOR HARR: Yes, I will yield. [LB743]

SENATOR CRAWFORD: All right, thank you, Senator Harr. Can you introduce this amendment, it's going to provide a notice to people if they are going to be assigning their rights to sue to the contractor, is that correct? [LB743]

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SENATOR HARR: Well, not just sue, but assigning their rights to have the relationship with the insurance company, yes. [LB743]

SENATOR CRAWFORD: Okay, okay. All right, so it's not just about suing, it's also about the relationship with the... [LB743]

SENATOR HARR: Yes. [LB743]

SENATOR CRAWFORD: And what about that raises concerns to you that you think it's critical that consumers would know? [LB743]

SENATOR HARR: Well, when you assign your rights over to that contractor you're doing just that, assigning and/or giving away your rights. And with that, the insurance, the contractor has the ability to step in your shoes. As a result, you know, the roofing contractor will tell you, hey, we have subject matter knowledge and we know what we need to do, not do, and we can do a better job communicating with the insurance company. That may or may not be true. The other side of that, though, is that that roofing company can also sue your own insurance company on your behalf without your knowledge or consent. [LB743]

SENATOR CRAWFORD: Why is that a problem for a consumer? [LB743]

SENATOR HARR: I mean, I personally don't want to be involved in litigation when I don't know or have control over it, but my name is attached to it. [LB743]

SENATOR CRAWFORD: Is there any risk to the homeowner in terms of their property if an insurance company...excuse me, if the contractor sues an insurance company on their behalf? [LB743]

SENATOR HARR: Well, yeah, there's always a risk. Yes. And you can have a situation where an insurance company may or may not decide to continue to insure an individual and/or it may lead to rate increases based on that litigation. [LB743]

SENATOR CRAWFORD: So if I assign my rights to the contractor to fix my roof and the contractor...now, I'm still the one paying the premium. [LB743]

SENATOR HARR: Yes, as a homeowner you are. [LB743]

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SENATOR CRAWFORD: Yes, as a homeowner. And so if the contractor goes after the insurance company on my behalf, the insurance company may turn back around and say, we're going to start charging you more in premiums. Is that true? [LB743]

SENATOR HARR: Well, I think what would be more likely is if the roofer is successful and the amount is a lot larger based on an actuarial table, the insurance company would charge more. [LB743]

SENATOR CRAWFORD: Okay. So it's not because of the suit, but I'm now a higher-risk insurer, insuree. [LB743]

SENATOR HARR: Well, what would happen is let's say it's supposed to be a \$7,000 roofing job and somehow the insurance company...or the roofer sues for \$21,000. That could lead to a higher premium in the future. [LB743]

SENATOR CRAWFORD: Okay. Now, actually in January, I had one of my constituents come to me and bring an article from August. He'd been holding it since August on this issue, because he was concerned and wanted to share his concerns about this principle and any bills that may come out on this principle with me. And so, and one of the parts of this article talks about a Valley Boys lawsuit that lists items that weren't paid for by insurance companies, including ice and water shields, gutter aprons, a charge for working on a two-story house, ladder jacks... [LB743]

PRESIDENT FOLEY: One minute. [LB743]

SENATOR CRAWFORD: Thank you, Mr. President. Anti-fall protections... [LB743]

PRESIDENT FOLEY: Excuse me, Senator. (Gavel) Senators, if you could hold the conversations down, please. Senator Crawford. [LB743]

SENATOR CRAWFORD: Thank you. And so it included things that weren't necessarily supposed to be covered by insurance. Is that a concern? [LB743]

SENATOR HARR: That Valley Boys didn't do the work or that they charged for work they didn't do? [LB743]

SENATOR CRAWFORD: That they were, I guess they were trying to get this from the insurance company on behalf of the homeowner. [LB743]

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SENATOT HARR: Well, obviously if a company does the work they should be paid for it. But, for instance, like a water shield, ice shield, you can't tell once a roof has been laid or not whether that's there. [LB743]

SENATOR CRAWFORD: Thank you, Senator Harr. I'm going to go ahead and ask those questions to Senator Lindstrom on my next turn. So you'll get a chance to respond to those same questions, thank you. [LB743]

SENATOR HARR: Okay, thank you. [LB743]

PRESIDENT FOLEY: Thank you, Senators Crawford and Harr. Senator Lindstrom. [LB743]

SENATOR LINDSTROM: Thank you, Mr. President. I just wanted to...I have had a couple people come up to me and ask me about this. I would just like to say that it is a friendly amendment. And I guess we can engage in back and forth here. So, Mr. President, would Senator Crawford yield to some questions? [LB743]

PRESIDENT FOLEY: Senator Crawford, would you yield, please? [LB743]

SENATOR CRAWFORD: Thank you. Senator Lindstrom, I asked Senator Harr what a consumer should be concerned about in terms of deciding...choosing to use this power that we're granting contractors. Could you just talk about why this is an important right to grant the contractors? [LB743]

SENATOR LINDSTROM: Sure. And this bill doesn't necessarily deal with the eliminating or providing the assignment, all this does is provide a notification. So, for example, a couple summers ago I had a hailstorm hit my house. As you know, when that happens you have people, roofing companies from locally and from out of the state come in and solicit homeowners as to whether or not they would provide that service on the house. Part of that process is the ability to assign the claim over to the roofer. So what this bill does is provide a notification that the roofing company would have to provide to the customer or client saying, if you sign this, if you assign this claim to us, you essentially are eliminating some of the rights that you have as the claimant on the claim itself. So this provides a notification for the customer just so they know what they're signing and what they're getting themselves into. It doesn't change the assignment process. You can still assign the claim. I, for one, like the ability to sign my claim over to the roofer because they deal with it on a consistent basis, so they can engage on the conversations with the insurance company, as an example. [LB743]

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SENATOR CRAWFORD: Oh no, I appreciate that clarification, and I apologize. I had just printed to read it over again, and I didn't get a chance to do that. So I appreciate that clarification. So in statute we have the right of assigning that responsibility to the contractor already, and this bill does not amend those rights at all. It is just notification, and then the continuing education and other parts of the bill as well. [LB743]

SENATOR LINDSTROM: That's correct. It just gives the customer the understanding of what they're doing, because they're oftentimes they might not know what the assignment provides. And so all this does is provide a notification as to what they are signing. [LB743]

SENATOR CRAWFORD: And then Senator Harr's bill makes that larger font and clearer. [LB743]

SENATOR LINDSTROM: Yeah. It is clear. It's part of the documentation that it would be given to the customer in the case of when they're soliciting someone at the door, however that process would go, so that they would have an understanding of what the assignment process is. [LB743]

SENATOR CRAWFORD: Great, thank you. And so if someone was actually concerned about the assignment itself, that would be a different bill. [LB743]

SENATOR LINDSTROM: That actually did come up a couple years ago. [LB743]

SENATOR CRAWFORD: Okay. [LB743]

SENATOR LINDSTROM: It was LB223, and I think that was about two years ago when that bill originally came. This is not that bill. This is LB220, as it is in AM2066, but it doesn't change the assignment. It just provides a notification. [LB743 LB220]

SENATOR CRAWFORD: Thank you very much, Senator Lindstrom. So I believe after this dialogue I will be in support of the amendment and support of the bill, and continue to learn from customers to see if there's any future tweaks. But I appreciate the notification to consumers, and I appreciate your work on this bill, and I appreciate your clear answers to the question. Thank you. [LB743]

SENATOR LINDSTROM: Thank you, Senator Crawford. I would yield my time back to the chair. [LB743]

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PRESIDENT FOLEY: Thank you, Senators Crawford and Lindstrom. Senator Ebke. [LB743]

SENATOR EBKE: Thank you, Mr. President. I wonder if Senator Lindstrom could yield to a question or two. [LB743]

PRESIDENT FOLEY: Senator Lindstrom, would you yield, please? [LB743]

SENATOR LINDSTROM: Yes, I will. [LB743]

SENATOR EBKE: Thank you. Senator Lindstrom, can you clarify some things for me here on this? Are any of the professions here new licenses? [LB743]

SENATOR LINDSTROM: Oh, in LB743? [LB743]

SENATOR EBKE: Yeah. [LB743]

SENATOR LINDSTROM: Technically I suppose, yes, we are providing a new license for the public adjustor because we don't have that. A lot of what we do in insurance is based on reciprocity throughout the states. A lot of other states have the public adjustor license, so we're just clarifying that there are two separate: insurance consultant, which is a little bit higher bar to get; and then public adjustor, so we can have public adjustors operate in the state. So technically, yes, it does provide two separate. [LB743]

SENATOR EBKE: Okay, thank you. Are any of the members of your committee or any members of your committee staff are they actually adjustors, or are they experts in the field of the license that's being added? [LB743]

SENATOR LINDSTROM: Any members of the committee? [LB743]

SENATOR EBKE: Right. [LB743]

SENATOR LINDSTROM: No. This would be the Department of Insurance came to us with that particular provision of the bill. [LB743]

SENATOR EBKE: So this has been brought to the committee at the advice of experts, if you will? [LB743]

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SENATOR LINDSTROM: Yes. [LB743]

SENATOR EBKE: Okay, thank you. I wonder if Senator Harr would yield to a question. Since he's an attorney, I thought I would ask him a few questions. [LB743]

PRESIDENT FOLEY: Senator Harr, would you yield, please? [LB743]

SENATOR HARR: Yes. [LB743]

SENATOR EBKE: Thank you, Senator Harr. Under what authority does the Legislature engage in the procurement of new licenses? [LB743]

SENATOR HARR: Under what authority? I don't know. Under statute, statute that we write here today. [LB743]

SENATOR EBKE: Well, we create new licenses through statute, correct? [LB743]

SENATOR HARR: Yes, yes. [LB743]

SENATOR EBKE: But do we have a higher authority? [LB743]

SENATOR HARR: Besides the "Bible?" Yes, the constitution. Yeah. [LB743]

SENATOR EBKE: The constitution. Ding ding ding. Thank you, Senator Harr. Folks, what this all gets back to, and I will be beating this drum on occasion from time to time, perhaps in perpetuity, but this whole notion that somehow the Legislature and legislative committees are not capable of making decisions with respect to licensing, which was discussed the other day in LB299, that we have to listen to the experts, that's what we're already doing. We are procuring new licenses at the advice of the experts, and we would continue to do that. So with that, I thank you, Mr. President. [LB743 LB299]

PRESIDENT FOLEY: Thank you, Senator Ebke and Harr. Senator Crawford, you're recognized. I don't know if she wanted that additional time or not. Perhaps not. Senator Kolterman. [LB743]

SENATOR KOLTERMAN: Good morning, and thank you, colleagues. I would like to address Senator Ebke, if she would engage in a little bit of a conversation. [LB743]

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PRESIDENT FOLEY: Senator Ebke, would you yield, please? [LB743]

SENATOR EBKE: I would be delighted to. [LB743]

SENATOR KOLTERMAN: Senator Ebke, thanks for your thoughts this morning on this bill. I would just like to weigh in a little bit on the public adjustor aspect of this because I have had a consultant's license in the past, and technically I was eligible to be a public adjustor. On the other hand, the reason that we separated that out was because public adjustors have a totally different role. And it was just kind of a it had been added on as a way to fit them into the system. What this bill does is it specifically spells out their duties and their obligations to the members of the state, the people that participate, the insurance companies, and it really creates a system where they do have a public adjustor now. And it will help our constituents when claim time rolls around. [LB743]

SENATOR EBKE: Thank you, Senator Kolterman. I appreciate that. I really have no objections to the bill or to the amendments. My point here simply is that the Legislature is exercising its appropriate authority in creating these or not creating, and that's a decision for committees and the larger Legislature to decide. [LB743]

SENATOR KOLTERMAN: All right, thank you very much. [LB743]

SENATOR EBKE: Thank you. [LB743]

PRESIDENT FOLEY: Thank you Senators Kolterman and Ebke. Seeing no other members in the speaking queue, Senator Harr, you're recognized to close on AM2066. [LB743]

SENATOR HARR: Thank you, Mr. President. I would also be remiss if I didn't tell everyone that at your desk you have a handout that I gave, that's from the Department of Insurance, which is a consumer alert regarding post-loss assignment of claims that was done last summer after a hailstorm that greatly affected my district. And that just today I was able, the storm occurred June 30, just today I was able to get my car into the shop. But with that, I would ask for your support on AM2066. Thank you. [LB743]

PRESIDENT FOLEY: Thank you, Senator Harr. The question before the body is the adoption of AM2066 to LB743. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please. [LB743]

CLERK: 35 ayes, 0 nays on adoption of Senator Harr's amendment. [LB743]

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PRESIDENT FOLEY: AM2066 is adopted. Mr. Clerk. [LB743]

CLERK: I have nothing further on the bill, Senator. [LB743]

PRESIDENT FOLEY: Senator Wishart. [LB743]

SENATOR WISHART: Mr. President, I move to advance LB743 to E&R for engrossing. [LB743]

PRESIDENT FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB743 advances. Moving to the next bill, Mr. Clerk. [LB743]

CLERK: Mr. President, LB936, no Enrollment and Review. Senator Bolz would move to amend with AM2067. (Legislative Journal page 713.) [LB936]

PRESIDENT FOLEY: Senator Bolz, you're recognized to open on AM2067. [LB936]

SENATOR BOLZ: Thank you, Mr. President. Again, thanks to the Performance Audit Committee for putting in these helpful and important definitions. The amendment just raises the bar a little bit in terms of how we are evaluating what it means to be a high-quality job. The amendment language states that the definition of high-quality jobs shall be either 10 percent higher than the industry wage or 110 percent higher than the statewide average wage in a rural community and 120 in an urban community. So, colleagues, I think what we have heard and learned from economic development research in a number of places and ways is that Nebraska needs to focus on job quality, and wages are a part of that. So I would appreciate your vote in support of AM2067. Thank you, Mr. President. [LB936]

PRESIDENT FOLEY: Thank you, Senator Bolz. Debate is now open on AM2067. Senator Kuehn. [LB936]

SENATOR KUEHN: Thank you, Mr. President. And thank you, colleagues. First, I want to point out that today we have two Performance Audit bills on the agenda, which if that doesn't make you proud to be a Nebraskan nothing will. So that's a great day for evidence-based policy in Nebraska. So I do want to, as Chair of the Performance Audit Committee, echo my support for AM2067 introduced by Senator Bolz. As when we addressed this bill on General File, I presented that the definitions and the policy choices in those definitions were subject for legislative discussion. I think we had a great discussion on the floor about what those metrics should look like and what the objectives are of this body in assessing and analyzing the tax

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incentives program. So I appreciate that discussion. I appreciate Senator Bolz and those she worked with, and the members of the body who engaged in that conversation and produced this amendment. It helps further clarify and give guidance to the Performance Audit Committee in terms of how to assess these incentive programs, and I encourage support of the body. I do also want to point out a couple things with regard to this amendment. These are questions that the body wants answered, but currently a couple of these questions may potentially be difficult to answer in part because we don't know the location of those employees. So the second part of the amendment, which looks at the differences between high population and low population counties in a participating company that has multiple locations, we may not currently be able to distinguish those, as well as companies that are not currently reporting hours worked. So that kind of sets up a discussion we may have later today or further down on the agenda on LB935, which looks at some reporting requirements and additional information that the body needs to answer these important questions. So as you consider whether this is the level of a high-quality job that you wish us to assess with regard to these incentive programs, keep in mind how we collect the data to answer that question. And obtaining that reliable, important data to answer those questions is the very basis of the next Performance Audit bill that we will be hearing further on down the agenda. So with that, I thank everyone who's participated in this discussion, and look forward to any continuing debate on the amendment. [LB936]

PRESIDENT FOLEY: Thank you, Senator Kuehn. Senator Crawford. [LB936]

SENATOR CRAWFORD: Thank you, Mr. President. Good morning, colleagues. I stand in support of AM2067, and I thank Senator Bolz for her work. I thank Senator Kuehn for his cooperation, his conversation, and his openness to make sure we have this debate on the floor of how we're measuring a high-quality job. As Senator Bolz noted, in some of our earlier conversations we talked about the fact that a high-quality job would likely also include benefits and some other aspects that we would like to see in high-quality jobs, but those are not pieces of evidence that we are gathering. And so we focused here on the wages and hours worked. And so the main change that this amendment makes from the original bill is to really focus on a pushing up the wage bar a bit. So the previous bill said that it's a high-quality job if it's 10 percent over the industry sector average, and what we added to that with this amendment was also comparing that wage to our Nebraska wage. So we want to make sure that these jobs are also increasing our Nebraska wages. Now, what I like about the fact we're still looking at the industry sector is that that allows us to see which industry sectors perform well, and so as we're looking forward and deciding what to do with future incentives we can see which industry sectors appear to be giving us the best bang for our buck in terms of high-quality jobs in terms of wages at least. And so I really like that aspect of the bill, that we're both keeping track in terms of the wage compared to its industry, but we're also keeping track in terms of our goals for increasing wages overall in the state. And we have heard repeatedly in our Economic Development Task Force discussions that Nebraska has a wage issue, and we really need to focus on increasing our wages and measuring

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how we're doing is one important step in that direction. And I appreciate Senator Kuehn's emphasis on measurement and trying to find good ways to measure, and I certainly appreciate the hard work of the Performance Audit staff as well, and other members of the Performance Audit Committee who have been thinking about how to make sure that we're watching what's happening with these programs where we spend millions and millions and millions of dollars, over \$200 million. So I would like to ask if Senator Kuehn would yield to a question please. [LB936]

PRESIDENT FOLEY: Senator Kuehn, would you yield, please? [LB936]

SENATOR KUEHN: Yes, I would. [LB936]

SENATOR CRAWFORD: Thank you, Senator Kuehn. You raised the concern about making sure we have the data to measure these points that we're raising in the amendment, and you mentioned another bill coming up, LB935. So does LB935 include requirements to provide information that would allow us to track hours? And would it include information about job location? [LB936]

SENATOR KUEHN: So the short answer to that is yes. So in the committee amendment, which will be coming up when we discuss, and we'll get into how the creation of those unemployment sub accounts will allow us to identify the locations of those employees and get more specific data about the actual individual employees which are created by Advantage Act incentives. [LB936]

SENATOR CRAWFORD: Thank you, so we'll get to that debate later. But I did just want to put that on the record that assuming we continue to move forward with these Performance Audit bills, we will have the information that we need to put these measures in place. And so I urge your support of AM2067 to tighten up and raise our bar in terms of the wages and hours worked, in terms of what we're going to consider a high-quality job. What you measure is what you get, and so it's important if we have in statute how we're measuring an assessment of a high-quality job that we're very intensive to that. And I really again appreciate the Performance Audit staff, Performance Audit Committee, and Senator Kuehn's openness to have this conversation. And I appreciate Senator Bolz's leadership in saying that we need to stop for a minute before we move on this bill and really reassess the importance of putting a high bar in statute. So I appreciate Senator Bolz's leadership there to cause us to stop and think about this and her willingness to work with me and others on what that bar should be. So I urge your support of AM2067 and I urge your support of LB936. Thank you, Mr. President. [LB936]

PRESIDENT FOLEY: Thank you, Senator Crawford. Senator Schumacher. [LB936]

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SENATOR SCHUMACHER: Thank you, Mr. President and members of the body. Around and around we go, accomplishing very little. I support these measures, both Senator Bolz's amendment and the underlying bill as its been amended, but you know we're spinning our wheels. Five years ago, I think its been five years ago, something like that, we started to analyze these particular business incentives. And one analysis came back with, oh, we're really not sure, but they don't look good. And we had another analysis on that analysis and another analysis on that analysis. And we're pretty sure now that they're not performing like they should be, and according to information disclosed this summer we're pretty sure we're spending hundreds of millions of dollars a year on these programs. But you know what? We're not going to do anything about it, there isn't the votes to do anything. And so we continue to make these huge commitments, which are extendable out a decade or more, which chew up any possibility of reform to put a more effective incentive program into effect because we've spent our incentive piggy bank and we've committed to continue to spend it on the old programs. We're just getting done with paying the final bills on LB775, which was an old, old program. That's how long these things last. And so the more we study, the more we study, and then we term limit it out and we forget that we studied, and new people come in and they study some more, and the bleeding continues to the tune of hundreds of millions of dollars a year that we don't know if it's doing any good or not. But we refuse to stop it in a very irresponsible way. And it goes around and around. And while I support more studying, I also know that we know enough now to have blown the whistle on this game and to have sat down as we should have and tried to come up with something better, rather than extend these commitments, which are going to haunt certainly the freshman class, not the sophomore class, something terrific. What we have now is not working. That's why when we're now talking about are these really higher-paid jobs or not higher-paid jobs? We're down in that minutia and we're bleeding and we're wondering what color the tourniquet we put on should be. This, this is not good. It's part of our financial problem, it's part of the unfairness of our tax system. The bottom line on a lot of this, most businesses and most jobs created in this state have nothing to do with these incentives. Don't get a smell of them. They just get the higher tax bill in order to make up for the folks that are getting by, doing probably what they would have done anyway in the state. We've got a problem, it's one of the things I will leave the Legislature ashamed that I didn't solve, or at least make more noise about. But I've got a little noise to make and I made a little bit of it today. Thank you. [LB936]

PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Bolz. [LB936]

SENATOR BOLZ: Thank you, Mr. President. Briefly, I just had one item I wanted to make sure got on the record. The intent of the amendment is that whichever wage level is higher, either the industry wage or the Nebraska average wage, that is the one to which Performance Audit should defer. And I just wanted to make that a part of the permanent record for future reference for future Performance Audits. That is the language suggested by Bill Drafters, and I think that the amendment achieves that goal. Thank you, Mr. President. [LB936]

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PRESIDENT FOLEY: Thank you, Senator Bolz. Senator Bolz, you are recognized to close if you care to on AM2067. She waives closing, and the question before the body is the adoption of AM2067. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please. [LB936]

CLERK: 33 ayes, 0 nays on adoption of Senator Bolz's amendment. [LB936]

PRESIDENT FOLEY: AM2067 is adopted. Mr. Clerk. [LB936]

CLERK: Nothing further on the bill, Mr. President. [LB936]

PRESIDENT FOLEY: Senator Krist. [LB936]

SENATOR KRIST: Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraska. I just want to go on the record again emphasizing that the performance audit process that I've been involved with while I've been here up until this past year or so is a critical part of the analysis of how we move forward. And sometimes the process and the performance audit takes too much time, but it takes the time it needs to take to be a quality process. And I want to compliment again the staff, and for Senator Kuehn continuing to make sure that those standards are high. But also to emphasize for all of you who will be here in the next few years, pay heed to Senator Schumacher's comments today. You have given away, and you now own, being part of this Legislature, we have given away billions of dollars in taxes coming into this state. Billions of dollars that are critically needed at a time when we can do nothing now but cut, cut, cut. We have a Revenue Committee that has seen bills in front of them that would put a sunset on some of these programs, at least so that they could pay their fair share as others are paying their fair share in terms of balancing our budget. And the Revenue Committee, the present committee I know has deliberated on them and I know that they have actually execed and talked about the issue. But nothing, zero, nada, nothing, has come out of that committee that would reduce the amount of tax giveaways that we have put in place. I carry the mantra that I was given by Senator Hadley, who was here for eight years, who took blame as I will, for putting some of these tax incentives and giveaways in place. The time to analyze what that fiscal note actually means is today, not yesterday,today. We've got programs and giveaways and tax incentives that the Chamber has brought to us year after year after year with a fiscal note of, in one case, \$80 million. That's what it was going to cost us, \$80 million. And today, when you analyze what that program actually cost us, it is triple that amount of money. If nothing else, we need a dynamic fiscal note process and analysis, similar to what GSA has at the federal level. Pay heed to "Professor" Schumacher. Pay heed to those times when you will be courted by some organization that says, but for this we cannot bring business into this state, but for this we cannot pay higher wages, but for this we cannot succeed. That but/for clause needs to go away in a lot of cases.

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This is a good bill, and I support LB936. And I also support a judicious use of anymore tax incentives and giveaways in this state until we can actually balance the three-legged stool of the tax programs that we have in place right now. Thank you, Mr. President. And thank you, colleagues, for listening. [LB936]

PRESIDENT FOLEY: Thank you, Senator Krist. Senator Chambers. [LB936]

SENATOR CHAMBERS: Thank you. Mr. President, I wasn't going to comment on this bill because it won't make any difference, but Senator "Professor" Schumacher opened the way. There will always be these giveaways. The Legislature does not have the will to make any changes. I was here when the first bill, LB775 brought all of the madness into play. I held them off for I don't know how many days, and the guy who was behind all of that was Mike Harper and ConAgra. And I used to feel that the first three letters really told what he was about: c-o-n spells con, that's short for conman. He conned the Legislature, and he had his way. And after all of my attacking of him, the Legislature...an interview was taken with Mike Harper and he was asked a question, is there anybody in the Legislature who you think could work for you? And I guess they thought they were going to mention...he'd mention some of the people who talk about economics and taxes. You know, the person he named, the one who's talking to you. He says, Senator Chambers could work in my company. See, those who are cutthroats acknowledge those who are trying to stop the cutting of the throat and will not be bought off, will not be scared off, will not run off. And that has been what the Legislature has done ever since that original LB775, and its ghost is being streamed to us today by way of a bill with the same number, LB775, which Senator Stinner is bringing. And there is something kind of spiritual about all this, because as I said, if you remove the t from his name it's sinner. I handed out something this morning in the way of a rhyme, and it kind of deals with what we're going to talk about today. When we get to stenator (phonetic) Stinner, Senator Stinner's bill...that was on purpose, I want to get his attention. What these audits are like, it's like a catalog of how much has been stolen from the Legislature. That's all it is. This is how much has been stolen. Statistical layouts of what has been stolen, but you can't say it's stolen because the Legislature opened the door. They said, now, in here is a trunk, we call it the treasury. We're going to open the lid and you guys take whatever you want. And that's what the big shots have been doing. As they said in the army, locks keep honest people out. And it didn't always do that. But what I think the proper analogy would be, not one of thieves and robbers, but child abuse. Those business people were dealing with intellectual, mental, and spiritual children in this Legislature. And when you take advantage of children to their detriment, that is child abuse. These giveaways represent these big shots engaging in child abuse of the Legislature. Because somebody is of a chronological age you cannot conclude from that that such a person knows what you would expect a person of that chronological age, if he or she is of only ordinary or average intelligence to know. I'm not going to go through what I usually would on a bill like this because it is pointless. Senator Schumacher will be gone after this session. [LB936]

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PRESIDENT FOLEY: One minute. [LB936]

SENATOR CHAMBERS: I regret that, but I wish him well wherever he goes. Such as they used to say in show business, but I mean it literally, break a leg. And maybe you'll think about coming back here after four years. But at any rate, I also will vote for this bill so that we can continue cataloging how much has been taken with the complicity of the Legislature from the people of this state and the small business people who have to pay taxes to underwrite these big shots who are going to run them out of business eventually. Thank you. [LB936]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Smith. [LB936]

SENATOR SMITH: Thank you, Mr. President. And I did not plan to stand and talk about this, but I do want to give a little caution to what I've heard mentioned already this morning from Senator Krist. Business incentives in this state have been put in place primarily because of a tax structure that has not kept us competitive in the region. I believe the path forward for our state is to have job growth and job expansion, to have businesses locate in our state, and to have businesses that are in our state to be able to expand and to create better-paying jobs. I really have a lot of respect for those that have talked about work force development. That's certainly a key to having a more competitive state. Tax structure is certainly a part of it as well. And business incentives are in place primarily because we're not competitive with our tax structure. If we yanked the carpet out from underneath our business incentives it really does put us in a position to where we're not going to be able to compete and add the necessary jobs in our state. And I really hope that the discussions that we have on LB935 a little bit later is not going to turn towards demonizing and damaging our incentive program to the point where we put so many burdens on the companies that participate in that program to where they're reluctant to use those incentive programs any longer and they take their business elsewhere. Now, I'm certain I've kind of kicked off a little bit of discussion here this morning, but I'm more than happy to continue this discussion. We better wake up, and we better think about what our state is to become. And we have to be competitive in the future. And we are going to have further tax discussion this session, but I hope we do not carry through on an a damaging agenda that does great harm to our business climate in this state. Thank you, Mr. President. [LB936]

PRESIDENT FOLEY: Thank you, Senator Smith. Senator Erdman. [LB936]

SENATOR ERDMAN: Thank you, Lieutenant Governor. Good morning. I, too, was not going to speak on this bill, but after hearing the comments that have been made by the "Professor," by Senator Chambers, Senator Krist, and now Senator Smith, I feel compelled to stand up and say something. We do reviews and audits all the time here, and what do we do with those when we get the report? We put it on the shelf. We say, wow, that was a lot of money, but we don't do

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anything with it. And we continually do that, and Senator Schumacher's exactly right. What good is something if you don't use the analysis that you received? I understand that. Senator Smith says without these incentives our state doesn't grow because our tax system is broken. Perhaps that's correct. But over time what we've discovered is we've become the second highest tax state in the nation. There's only one other state that collects more taxes and fees than Nebraska, and that's Illinois. And we all know what condition those people are in. But we started down the road, and Senator Chambers alluded to LB775, we started down that road and now that snowball is coming down the hill. And if we wanted to get in front of it and stop it I don't think we can. Senator Bolz alluded to it a couple of weeks ago, about what the Nebraska Advantage Act is going to be in a few short years, like \$1.4 billion. I said to Senator Chambers, how do we stop this? He said, I don't know that we can. So we talk about what it would be and what it would cost the state for Medicaid expansion, and we're all worried about what kind of a budget crisis that would create, but we've already created one that's already in place that may be as expensive as that and we continue to fund those. And Senator Chambers is right, we opened up the treasury and said, come in and take some. If that's not enough, we will give you some more. I don't know any place, I don't see it in the Constitution that it's the state's obligation to create jobs. I think the reason we have a shortage of jobs is because of the government. We put so many regulations in place that government...people don't want to come here. That's the problem. So I'm not at all concerned about cutting back some of these incentives, Senator Smith. Don't bother me a bit, because the one industry that drives the state gets very few of those incentives. So we have a tax problem in the state of Nebraska, and we spend things on things that are unnecessary, not relevant, and we don't take care of the things that we should because we give away too much. We give away \$2 billion a year, \$2 billion with a b in tax incentives. \$2 billion. That's today. Next year it's going to be way more than \$2 billion because it's like a snowball going down the hill, as they said. So we need to have that discussion. Senator Krist, I heard what you said. I take that very seriously what you said about watch the treasury, watch how you spend your money. I agree. And unless we start reigning this in and start doing it soon and things come out of the Revenue Committee to help us make some adjustments on this we may be too far down the road to make a return, to turn around. So I understand what this Performance Audit wants to do, and I agree with it. But I'm just saying once we get the audits we don't do anything with them. So maybe we shouldn't be wasting our time auditing just to see how much money we gave away just for the point of knowing how much we did finally give away. So it's time to have some serious discussion, and I'm glad that Senator Smith is willing to do that. Thank you. [LB936]

PRESIDENT FOLEY: Thank you, Senator Erdman. Senator Chambers. [LB936]

SENATOR CHAMBERS: Thank you, Mr. President, members of the Legislature. I would like to ask Senator Stinner a question if he's available. [LB936]

PRESIDENT FOLEY: Senator Stinner, are you available for question? [LB936]

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SENATOR STINNER: Yes, I am. [LB936]

SENATOR CHAMBERS: Senator Stinner, are you familiar with a retail outfit called Cabela's? [LB936]

SENATOR STINNER: Yes. [LB936]

SENATOR CHAMBERS: They have an outfit somewhere in Sarpy County, and when they were going to put it there then Senator Landis was trying to get benefits for them, and I was able to stop that from happening. And they built the stores, I knew they would. These big outfits don't just come here only because of what's going to be given to them. There are other reasons. There is another one of that name, which was out there...up there by the Canadian region of Nebraska, and what's the name of that town where that one is, where I think the people all speak Canadian French. It's in Nebraska, though. [LB936]

SENATOR STINNER: It's Sidney. [LB936]

SENATOR CHAMBERS: Oh, Sidney. I used to try to remember it by kidney beans, think of kidneys. And I would remember my kidneys because of beans, but I would always think of pork and beans and I knew there was no city named pork and beans in Nebraska. Well when did that, if you know, Cabela's, take root in Nebraska? Do you have any idea? [LB936]

SENATOR STINNER: When did it? Boy, I do not have a date on that. They started in Chappell and obviously then moved to Sidney with their operations, but I do not have a date on that. [LB936]

SENATOR CHAMBERS: Okay, thank you. There was somebody who was speaking, it may have been Senator Smith, about these things, these giveaways helping business to expand. Well, based on my understanding, Cabela's is expanding right on out of Sidney, and they might be expanding into Canada or wherever they're going to go with their headquarters now. So it does work if you apply that. That's all I'm going to ask you, Senator Stinner. These businesses are not enticed here entirely by these giveaways. They are enticed here by things that insult working people. Nebraska is anti-union. It's what they call a "right to work" state. No, it's a right for indentured servanthship. That's what the workers are in this state. So it's anti-union, wages are low, and the work force is compliant and stupid. You know how these people work or advertise in other states? The Nebraska way is that everybody works hard. They work hard and they don't get much money for it. That's the definition of stupid or prisoner, and that's how Nebraska's portrayed by those who ballyhoo this state. They don't talk about culture, they don't talk about

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education, because the senators are the ones who say (singing) we don't need no education, we're as stupid as can be. And they think that they're doing something that's glorious. They don't care about education. There's no culture. Oh, yeah, I think every time Charlie Daniels comes here and he plays: the devil went down to Georgia to get himself a meal...he struck a deal. They can go for that. And sometimes they upgrade to Johnny Cash, whom I like, and don't talk about the King, thank you very much. Thank you, thank you very much. And you put that on the plate of Nebraskans and you got yourself some happy campers. And these companies rub their hands. We thought that all this went away with the Thirteenth Amendment. This is even better. [LB936]

PRESIDENT FOLEY: One minute. [LB936]

SENATOR CHAMBERS: Because the people freed by the Thirteenth Amendment didn't want to be there. But these dumb Nebraskans like it, they like to be portrayed as people who work hard. But you notice the ones who say that don't work hard, and their children won't. They're up at the top. Upper crust refers to the top crust on a pie, the lower crust is soaked and soggy and supports everything else for the upper crust. And that's what happens in this state. And when I hear these kind of conversations, these bills discussed, I don't even like to get involved because it's like talking to the wind. But since the discussion took this turn, I'm going to say what I've got to say. Thank you, Mr. President. [LB936]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Chambers, you may continue on your third opportunity. [LB936]

SENATOR CHAMBERS: Mr. President, members of the Legislature, when these giveaway bills would come before us I used to talk to the rural senators and say, you should not let it be said by your people that a black man from the city cares more about them than you do. We've got a bill where these big shots, who are big shots already, are going to get more money, more giveaways. And when that tax money is collected, it's collected from mom and pop shops as you all call them. They pay taxes, corner grocery stores they like to talk about, they pay taxes. And where will their taxes go? Into the pot from which money is taken for what they were calling in those days the big box stores, so that these big box stores can run them out of business. And that's what you people do to your constituents. Then you want to talk about serving and representing your people. And when I would try to bring an amendment that would take care of what you rural senators had told me was a problem, that mom and pop stores were closing and main streets were dying, I said let's take a pittance and reinvigorate your main streets. The little stores that will never compete with Walmart or even Target. And let's set aside some money for those operations. No, no, no. Well, why not? Well, we made a deal with the Omaha senators. I said, are you crazy? I ought to show you all some of the forms I wrote ridiculing the rural senators, trying to stir them up, and I couldn't do it. Do you know if I wasn't here you wouldn't even have an

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Agriculture Committee in this Legislature? They were going to abolish it. Ask Loran Schmit and some of those who were here. And when I ask them why won't you stand up, they said the train is on the track and I don't want to get run over. I said, show me the track and I'm going to stop the train, and that's what I did. That's why you have an Agriculture Committee in this state. You don't to what I have done for you white people, you rural white people, and I feel sorry for the ones who sent you here. They're smarter than you, except when they cast that vote for you. You talk about the burden on people where you come from, then you do things that hurt them even more. You don't talk about the ordinary people and their struggles. You talk about "out there where I come from." But out there where you come from there are sick people, they are working. They are working and they have sick children and they are sick and they cannot get us to expand Medicaid to help your white rural people. Your farmers, what do you care about them? You don't care anything. Then you come down here and you pontificate because you get to go eat with the lobbyists. You go to all these lunches, these breakfasts, and everything that's a freebie, you are there. You are the vacuum cleaners that suck up everything that the lobbyists give you, while you got people in your area who are hungry. Yeah, you got poor people in your area. Oh, you didn't know that? You thought all rural people were rich? That's why you all don't care about them, they've got enough to pay their way? That's nonsense. I'm still going to support the bill. But I just get disgusted. I hate to see people who cannot help themselves not being helped by those who promised to help them. That's the promises you all make when you run for office. And instead of helping them, you feel your base is like Donald Trump's, they're stupid, so you think...you say things that are like tossing them red meat and make them forget about how bad off they are because you are not tending to the promises you made to them to get here. [LB936]

PRESIDENT FOLEY: One minute. [LB936]

SENATOR CHAMBERS: Did you say time? [LB936]

PRESIDENT FOLEY: One minute. [LB936]

SENATOR CHAMBERS: Thank you, Mr. President. When we get to that Game and Parks bill, I'm going to talk about mountain lions, I'm going to talk about how idiotic the Game and Parks Commissions are and how the commissioners...how they tried to dump some silly contest they put together on the Legislature. But I'm also going to talk about these issues because the poor people in this state, wherever they are, whatever their race, their religion, their ethnicity, their national origin, we are the ones who are to look after them. And we won't do it. Thank you, Mr. President. [LB936]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Erdman. [LB936]

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SENATOR ERDMAN: Thank you, Mr. Lieutenant Governor. Good morning again. I was wondering if Senator Chambers would yield to a question? [LB936]

PRESIDENT FOLEY: Senator Chambers, would you yield, please? [LB936]

SENATOR CHAMBERS: Yes, I will. [LB936]

SENATOR ERDMAN: Senator Chambers, help me remember when was LB775 first adopted? [LB936]

SENATOR CHAMBERS: I don't remember the year either, but it was many years ago. Early in my career. [LB936]

SENATOR ERDMAN: You were here? [LB936]

SENATOR CHAMBERS: Yes, I was here and fought it. [LB936]

SENATOR ERDMAN: And those comments you made earlier about you shared that with the people and they didn't listen. Is that correct? [LB936]

SENATOR CHAMBERS: They didn't listen. And see, that's when I learned how to offer a lot of amendments and motions. And I thought if I held the bill off enough we would kill it. But ConAgra was behind it and they got Governor Orr to good along with, and I lost. [LB936]

SENATOR ERDMAN: You may find this hard to believe, but I wish you would have succeeded. [LB936]

SENATOR CHAMBERS: I'm speechless, almost. [LB936]

SENATOR ERDMAN: We'd be better off. [LB936]

SENATOR CHAMBERS: That's true. [LB936]

SENATOR ERDMAN: And Senator Chambers and I had a discussion a couple weeks ago about some of these giveaways, and I asked him, in his opinion, how do we stop this? And he said, I don't know that we can. That is serious. And as Senator Chambers talked this morning about the

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things that he tells us rural people about what is going to happen or what is happening, and we need to pay attention. Because those consequences that we're now suffering under was because of what happened back then, and those people here before me, when you were saying that, perhaps weren't listening. But I want you to know I heard what you said. We together have to make a difference, and we have to begin to rein in some of these giveaways, because if we don't we are going to be in a way serious situation than we are in today. This state doesn't have a revenue shortfall because we don't tax people enough. This state has a revenue shortfall because we spend too much. And when we give away \$2 billion in tax incentives every year thinking we're helping the economy, we're bringing businesses here, we're creating jobs, and the Nebraska Advantage Act spends hundreds of thousands of dollars for every \$40,000 job they create, it doesn't make a lot of sense. Doesn't make any sense. And so to do the things that we should be doing, taking care of the things that we should be, we can't. And the reason we can't is because a few people are taking advantage of what we offered as an incentive for them to come here and create a business. So ConAgra leaves, those tax incentives go away. The situation in Sidney with Cabela's is a significant drag on that community, and I understand that. But government didn't create a lot of these problems. And I don't know why then this body, we think government is the answer to all problems, and it's not. And so we need to look at, once we get these audits done, what do we do with that information and what changes do we make to rein this thing in. I'm not sure that there's the intestinal fortitude in this body or any one after it to make those tough decisions, because we don't make decisions here in this body unless we're forced to. And at this point in time we haven't been forced to do a whole lot. We came here last year with a \$1.1 billion shortfall, supposedly. We cut \$137 million in spending, that's the estimate. We swept every cash fund there was, we took money from the rainy day fund, we lowered the cash reserve. We did all these creative things to solve that problem of \$1.1 billion shortfall. [LB936]

PRESIDENT FOLEY: One minute. [LB936]

SENATOR ERDMAN: But we never make any tough decisions until we are forced to. So I'm telling you, we're at the point now we're going to be forced to make some tough decisions. Ronald Reagan once said: the only way to manage change is to create it. And I think we're at the point in time where we start creating some change on some of these tax incentives. Thank you, Mr. President. [LB936]

PRESIDENT FOLEY: Thank you, Senator Erdman. Senator Wishart, you are recognized for a motion. [LB936]

SENATOR WISHART: Mr. President I move to advance LB936 to E&R for engrossing. [LB936]

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PRESIDENT FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB936 advances. Moving to the next bill, LB750. Mr. Clerk. [LB936 LB750]

CLERK: Senator, I have E&R amendments pending. (ER109, Legislative Journal page 591.) [LB750]

PRESIDENT FOLEY: Senator Wishart. [LB750]

SENATOR WISHART: Mr. President, I move the adoption of E&R amendments to LB750. [LB750]

PRESIDENT FOLEY: Members, you heard the motion to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk. [LB750]

CLERK: I have nothing further on the bill, Senator. [LB750]

PRESIDENT FOLEY: Senator Wishart. [LB750]

SENATOR WISHART: Mr. President, I move to advance LB750 to E&R for engrossing. [LB750]

PRESIDENT FOLEY: Members, you heard the motion to advance LB750 to E&R for engrossing. Those in favor say aye. Opposed say nay. LB750 advances. LB775, Mr. Clerk. [LB750 LB775]

CLERK: Mr. President, if I may, just one item before we proceed with that bill. Business and Labor Committee would report LB953 to General File with committee amendments attached. Senator, with respect to LB775 I have no E&Rs. Senator Chambers would move to indefinitely postpone the bill. (AM1779, Legislative Journal pages 713-716.) [LB953 LB775]

PRESIDENT FOLEY: Senator Chambers, you are recognized to open on your motion. [LB775]

SENATOR CHAMBERS: Thank you, Mr. President and members of the Legislature. That last bill slipped out of my clutches before I could fashion an amendment which I knew would not be adopted, but it would have made a point and it would have generated some additional discussion. It was...this is as much of it as I got. Unless I pitched it in frustration. Add a new section and

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renumber, one half of the money given away as business incentives will be diverted to the rural community. One half of the money given away to these businesses will be diverted to the rural communities. And it wouldn't be hard to determine how much that would be. Those statistics are maintained. We could draft some legislation to identify the rural community. And I would say it is between the eastern border of Nebraska and the western border of Nebraska, the northern border of Nebraska and the southern border of Nebraska, which means the entire state. There are people being victimized throughout the state by these giveaways. In Omaha, where I live, when there was a discussion about economic development it does not include in any significant way what has been labeled now "north Omaha." That's where black people live. There are all kind of disadvantages in this society that attach to you if you are born with my complexion. I saw where two white kids were arrested for making threats that were interpreted as being designed to shoot up a school, and you know where those white boys are? They were sent home with their parents. If a black boy had done it he would be down there at the youth center. 70-something percent of the children down there are black, and we don't make up anywhere near that percentage of the population. You all wonder why I'm upset. I see things every single day which if I were unhinged, like your president, would lead me perhaps to go get one of those AR15, AK-47 and a bump stock and A multi-hundred round magazine. But I'm not unhinged. And how am I going to solve the problem of the people I'm concerned about by going out and shooting up some people who are innocent and had nothing to do with it. One of the strongest arguments I gave to young black men during the 60s, when they wanted to kill some cops: you are not going to do anything to solve our problem. These cops don't need anything in the way of education. They can go to skid row and get a white guy, shave him, cut his hair, and put a blue suit on him, then give him a gun and they got another cop. If you want to do something, you go after the puppeteer. And the cop is the puppet. That is Charlie McCarthy, that is Mortimer Snerd. You need to get Edgar Bergen and these dumb white cops riding around in these care occupying our community are not Edgar Bergen, they're Charlie McCarthy. They are the puppeteers. That's what we live with. Our children see their parents abused by police officers, grown people are abused by police officers. And then they laugh about it, have a good day. I could tell you what a good day is, but I won't do that. But it's entirely different from what you'd be thinking about. These things don't happen to you, so you think they don't happen. But they do. And yet here I am in a white people's Legislature talking about how things ought to be done to help poor white people. All poor people. But there are more of yours poor than mine, because there are more of you. I had often said that voters have a right to send anybody here they choose, and I'd be talking about my white colleagues from the rural areas. And I said if they want to send a mule skinner here then they have a right to send a mule skinner here. There was a rural senator and they were talking about setting up a district system for putting members of the Game and Parks Commission on that commission, but they would all be appointed by the Governor. Eight from committees...from districts and one at-large. And so I was talking to one of my colleagues, and I asked him, I said, Senator so and so, what do you have against mule deer? He said, well, nothing. I said, do you know what a mule deer is? Sure, I had one knock my fence down. And I said, oh, so that's what

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you have against mule deer. Oh, that didn't make me have anything against mule deer. I said, well, answer me this: will the Game and Parks Commission set up rules and regulations that will affect mule deer? He said, well, yeah. They'll deal with all wildlife. I said, well, where is your amendment? He said, what amendment is that? I said, there should not be anybody governed if they don't have a seat on the governing board. Where is your amendment to give a mule deer a seat on the Commission of Game and Parks? And he was quiet. I said don't you think they should have representation? You heard them say "no taxation without representation." He said, well, maybe you got a point there. Maybe you got a point there. And I'll tell you what, if all nine of them were mule deer you wouldn't have me up here taking time this morning like I am. Because mule deer have more sense than those who are on the commission and they are not demeaned in the way that the Governor demeans them. But they don't see themselves being demeaned. A seat on the Game and Parks Commission is like a plum, it's given to those whom the Governor likes. To those who are entitled to have something after their name: Commissioner. And they don't look after the entire state. They have one community of interest represented by all of those members on that commission, regardless of where they come from. They're interested in what trappers want, what hunters want, what anglers want, and they feel like they've got exclusive right to make those decisions. And before I came here they did have that exclusive right, self-assumed, unresisted. And people thought that wildlife belong to this big game hunter group, as they called themselves. Big game hunters, they can have a lottery and go out there and kill a bighorn sheep. Their numbers are being decimated and they have lotteries on them to give these rich, old white men an opportunity to enjoy the thrill of the kill. Killing these unoffending animals. St. Francis, who is the Pope...well, he's not a saint yet, he took the name of St. Francis of Assisi. And St. Francis of Assisi was not a sissy. And in the old days a sissy was a grown man who would take advantage of little boys. Some priest over in Iowa just got suspended, but not prosecuted, because he was making unwanted advances at men. There are probably more little boys who could put up a #MeToo... [LB775]

PRESIDENT FOLEY: One minute. [LB775]

SENATOR CHAMBERS: ...for having been abused by Catholic priests, from bishops and archbishops on down, cardinals, than the number of women who are hashtagging #MeToo, but that's a part that cannot be talked about. The Governor is a Catholic, he is for the death penalty. And the Pope said the death penalty is wrong, but the Pope doesn't have the guts to say I'm going to speak ex cathedra and I'm going to make it a binding principle in the church. When I speak ex cathedra, that means you have got to do it if you're a Catholic, and if you don't I'll excommunicate you. My time is probably up, but I got my light on. [LB775]

PRESIDENT FOLEY: You may continue, Senator Chambers. [LB775]

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SENATOR CHAMBERS: Say it again? [LB775]

PRESIDENT FOLEY: You may continue, Senator Chambers. [LB775]

SENATOR CHAMBERS: Thank you, Mr. President. I think you saw I was in a high level conference with the Speaker, so I was not malingering. Members of the Legislature, why is it generally somebody from the underside of the garment that speaks for those people who ought to be spoken for by the philosophers, by the theologians, by all of ministers, all of those who carry credentials and occupy a pedestal? For the women, you know why white men put you all on a pedestal? You know why they put you all on a pedestal? So you can reach the ceiling with a paint roller, that's why I put you on a pedestal. Look at how you're treated. You are a majority of the population, do they care about you? They're going to get rid of Title X because it affects women. You got a hypocrite sitting in that office with the nerve to have married a women and he hates women. All of these men hate women and they're afraid of you. They're afraid of you. If you show some get up and spunk about yourself, they'll whine and say you're trying to denature me, you're trying to take my manhood from me. Well, what is manhood. Stand up and be a man. But they had control of the schools, of the churches, of the media, everything that would form opinions and determine what is acceptable. White men controlled it. And I include Jews in there too, all these white-complexioned people. Whatever country they come from, whatever their religion, it makes no difference. The Jewish people have the "Bibble," and that Bible is one of the things that degrades women more than anything else. When you all have a period, the "Bibble" calls you unclean. The Holy Bible calls you unclean when there's a process that that God who created you, created that. You are unclean, and that's what they say. The "Bibble" said that a woman should have pain in childbirth. Woman had never done anything...she wasn't even the first person here, Adam was the first one here. So God is going to punish a woman. What he should have done was said, since I took the woman out of your side I'm going to take your children out of your vagina. You are going to get pregnant, you are going to bear the child. And you would see them changing their mind about abortions. That Governor and all these other hypocrites, all these hypocrites, I said, in and outside this Chamber, if men had to carry babies and become pregnant you could get an abortion at McDonald's and Burger King. They would have a drive-through abortion service. They would drive through, they would rock your chair back, prop your feet up and, zing, there it is, you got your abortion. And on the other side, hamburger, french fries, and a 7-Up are waiting for you. That's what would happen if it was men, but they watch you suffer and they say, by God, you are going to suffer and you're going to stay in your place. You're going to be pregnant, barefoot, and ignorant. And that's what they do right now. They do it in a little gentler way. Why do you all stumble around here on these shoes that look like stilts? Messing up your ankles, the calves in your legs, throwing your back out of place? Because male designers know that they've got to keep you in that imagery of not being able to move very fast. You move according to the way they tell you you'll move. So they say

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Title X money, which is federal money, will not be available to these clinics that provide services primarily for women. [LB775]

PRESIDENT FOLEY: One minute. [LB775]

SENATOR CHAMBERS: And they're not abortion related. And he's a Catholic. Why, the Catholic is the biggest shell game. Catholic Church, biggest shell game that ever came into being. Read about it. Did you know they had popes who had children, popes who engineered poisonings? Did you know that? Did you ever hear of a guy named Cesare Borgia, Lucrezia Borgia, the Borgia popes? Huh? Oh, it's awfully quiet in here now. (Singing) Blessed quietness, holy quietness, what assurance fills my soul. On the stormy sea, Jesus speaks to me, and the billows cease to roll. We may as well have church here, you all have it every morning. [LB775]

PRESIDENT FOLEY: Time, Senator Chambers. Senator Chambers, you may continue on your third opportunity. [LB775]

SENATOR CHAMBERS: Thank you, Mr. President. And I got my other motions written out already. And there will be enough time left to move this bill. And on Final Reading, I'm going to have some motions on that last bill that we dealt with, and maybe have a chance to put my proposed amendment. And you do that by bringing the bill back for a specific amendment and then you put the amendment up there and we'll take as much time as is allowed on Final Reading. You know why I get so disgusted? God ought to be portrayed as a woman. Women don't issue from men, men are born of women. Mother Earth, that produces everything to sustain human life. Talk about father earth? They create guns, bombs, bullets, napalm, bombers, fighter jets, aircraft carriers, battleships, everything to kill. There is enough food when you consider all that's being grown all over the world, so there doesn't have to be a hungry person on this planet. There are enough means of transporting and moving food and other things that will sustain human life, medicines, all over this world. But because some who are greedy and have the kill power have concentrated it. You have overabundance, such as America, but not for everybody, there are hungry people in America. But if instead of so much time having been spent down through history in the wars that white men created, killing and slaughtering and making it justified because they did it, then that time and material could have been used to alleviate poverty, disease, hunger, and to provide education for everybody. But that's not the way it was supposed to be done. So you have pockets of poverty in this country. And it is so pervasive in some locations, not just a pocket but the entire garment. Everybody is poor. You've heard of Appalachia, white people live there. They're deemed a subspecies of the human race. A subspecies. And treated as if they're subhuman. They're laughed at, they're ridiculed, they're the ones jokes are made about. They have little children that mean something to them and their little children are portrayed in these comedies as little ragamuffins that the better-off white people

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laugh at and mock and joke about. But don't want their little child to be treated that way. But I don't want to see it happen. That's why people like me have no money. Somebody is needed with a voice who is willing to use it. English is not even a language indigenous to me. If my ancestors hadn't been dragged here I wouldn't be speaking English. Do you think Portuguese, Italian, French, Spanish, are languages indigenous to the continent of Africa? That's what you believe, that these white people got some place and they took a map that they drew and then they drew lines on the map and they told Germany, you have that; Spain, you have that; Portugal, you have that; England, you have this. And we who were victimized by it all didn't even know what was going on. Then they come to us with the kill power. [LB775]

PRESIDENT FOLEY: One minute. [LB775]

SENATOR CHAMBERS: And everywhere they went they killed, they took diseases, broken promises, theft of land. And look what you have got now, even in this state. You heard our last discussion. You had white people on this floor talking about the money being taken and given to these big shots, and the ordinary people are being left out, your people. You all. You have got enough white people here to take care of every problem you got, but you don't insist on it. If I were not in the Legislature with what happened down there in Florida, I'd be doing some political organizing among young people, young white people, and I would start at 14. So by the time they got 18 and old enough to vote, they would have been well-educated in terms of how they need to vote, and we would be voting. We would make it a thing for young people, and they would turn this country around. [LB775]

PRESIDENT FOLEY: Senator Chambers, you're recognized to close on your IPP motion. [LB775]

SENATOR CHAMBERS: Thank you. And they should take old people, and I'm one of them. They should take us someplace and turn us out to pasture. Have the old people provided protection for you all? You're in danger if you go to school. And you know what Trump, that idiot, is talking about doing? Giving guns to teachers and building more mental hospitals, mental health facilities. That's what he said: more mental institutions and give guns to teachers. I don't know if there are any military people here, I know there are no police officers who are on the floor, but you know why police officers started getting these semi-automatic rifles? Because in the early days, the AK-47, the Kalishnikov, was the first one that they became aware of, the first military style weapon being sold in this country, but then there was the Jewish Uzi, the Uzi. Military weapons. The cops said, we are outgunned, we can't stand up to what they call the bad guys. They've got the artillery. So they started arming cops the same way. The guns came to the civilians first, thanks to the NRA. And now the NRA and Trump say the answer is more guns. All right, arm these teachers. What are they going to give you? They're going to give you a

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pistol. Give you a pistol and I got an AK-47. If I know that you're a teacher and you got a pistol or you may have a pistol, I'm going to bump you off first. See, if I'm going to do something, I know when I'm going to do it. You don't. Trump insulted that coach who placed himself between a shooter and a child and was killed. And Trump said, if he had been armed, he would have shot the guy and that would have ended it. Trump never went to the military, he knows nothing about anything. That's not how it works. You think if I got an AK-47 and I'm coming down the hallway, you think I'm going to give anybody a chance? First thing, I'd spray everything in that hall, then I'd spray into all of the rooms. Spray in all of them. Wherever you got a teacher, wherever you got a counselor, wherever you got a coach. People who use these guns, they'll learn quickly, and they'll neutralize anything you put out there. You don't get rid of malaria by putting more malaria-carrying mosquitoes out there. You have to go to the place where mosquitoes are bred. And that's how you deal with malaria and those mosquitoes that might still be on the scene, not one at a time. But you got people growing up in this country who feel that they have been abused, and the irony is that they are from the privileged white race. You know when Timothy McVeigh went to lease that truck and it became clear who had done it, you know what the person at the counter said? He was such a clean-cut young man, clean-cut young white man. Had his head skinned up the side, a flat top, dressed like a good, clean, white Christian boy. Went in there and rented a truck, and they were glad to see him rent it. One man and a truck. Not two men and a truck, one man in a truck, and he had something on his mind. And he had planned what he was going to do. And Timothy McVeigh did it. Timothy McVeigh took control of the world stage. He demolished a large percentage of that Murrah Federal Building in Oklahoma City. [LB775]

PRESIDENT FOLEY: One minute. [LB775]

SENATOR CHAMBERS: Killed some of every age, even little children, because they had daycare centers there. He didn't care, he's a white Christian. He's killing this vicious government that you all encourage young white people to hate so much. This Legislature is part of that government. If somebody came in here, you can thank yourselves for it because you're the ones who are telling them how evil the government is, and you're part of the government now. You reap what you sow. You put it out there. All of your movies, all of your books, everything, glamorizes, glorifies violence and objectifies and "thingifies" females. That's what happens. The clothes they wear, the makeup they put on. Everything they do is dictated by a man. And all you have to do is vote. You don't even have to demonstrate. Just go into the booth and cast a vote. And more women in office would make automatically things better than they are now, because they couldn't be worse. Is that my time, Mr. President? [LB775]

PRESIDENT FOLEY: That's time, Senator Chambers. [LB775]

SENATOR CHAMBERS: I will ask for a call of the house and a roll call vote. [LB775]

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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; those opposed vote nay. Record, please. [LB775]

ASSISTANT CLERK: 11 ayes, 0 nays to go under call, Mr. President. [LB775]

PRESIDENT FOLEY: Members, the house is under call. Senators, please return to the Chamber and record your presence. The house is under call. Senator Linehan, could you check in, please? Senator Morfeld, could you check in, please? Senators, please return to the Chamber and check in. The house is under call. Senator Blood, if you could check in please, Senator Blood. Senator Chambers, we're lacking Senator Bolz at this point. We'll proceed, thank you, Senator Chambers. The question before the body is the adoption of Senator Chambers' motion to indefinitely postpone the bill. There has been a request for a roll call vote. Mr. Clerk. [LB775]

ASSISTANT CLERK: (Roll call vote taken, Legislative Journal pages 716-717.) Vote is 0 ayes, 41 nays, Mr. President, on the motion to indefinitely postpone. [LB775]

PRESIDENT FOLEY: The IPP motion is not adopted. I raise the call. Mr. Clerk. [LB775]

ASSISTANT CLERK: Mr. President, a priority motion. Senator Chambers would move to reconsider the vote on the motion to indefinitely postpone. [LB775]

PRESIDENT FOLEY: Senator Chambers, you're recognized to open on your reconsideration motion. [LB775]

SENATOR CHAMBERS: Thank you, Mr. President. And as I've said, I've got my motions already made out. I'm going to go back to the way women have been portrayed, not throughout history, but a lot of them. Even in the "Bible" when treachery was engaged in a man, Cain killed Abel. Two guys, two guys and they were brothers and one killed the other one. And when God asked the murderer, where is your brother? The murderer said, am I my brother's keeper? And the Christians who believe in the death penalty said, ah-ha, God said he who shedeth man's blood, by man shall his blood be shed. But that's not what really happened. When it came to how life down here on the ground was to be lived, Cain was the murderer and Cain said...now, he talked to God in those days just like I talk to him sometimes now. I told you all the other day where he told me I'm his surrogate, tell you all the answer to your prayers is, no. And so far I haven't been wrong. But anyway, Cain said, God, what you're putting on me, it's unbearable. And this will show us how conflicted the Bible is, how contradictory. The only two people first of all were Adam and Eve. They had two children, Cain and Abel. That's all, if you go by the "Bible."

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But here's what Cain told God. You're banishing me from this place. If I'm forced to go out there in the world every man's hand will be raised against me and I will be killed. Where did the other men come from? That's in Genesis. The only four people on the earth, Adam, Eve, Cain, and Abel. You all don't read the bible, but within the Bible is a contradiction. Cain told God, all these men on the earth, their hand will be raised against me. God put that in there to see if any of you all would pay attention to it and none of you did. That's why I'm calling it to your attention now. You'll read with more care. So here's what God did. You all portray God with a beard, so God stood there and plucked his beard. Now, what am I going to do with you now, Cain? Tell you want I'm going to do. Come over here. And Cain like a little puppy dog went over there whimpering, just bashed his brother's brain out but when he is talking to a grown man then he wasn't bold and brave. That's the way white men are when they've got bombs, planes, napalm and tanks and they're fighting against unarmed farmers. Oh, they're tough. But anyway, Cain made a good point, so here's what God told him. I'm going to put a mark on you, Cain, and nobody will touch you. No man's hand will be raised against you. Poor old dumb Cain, he didn't know there's nobody else on the face of the earth anyway, so that's why nobody bothered him. There was nobody to bother him. But let's presume there was. This God who, according to the Christians, said, if a man sheds blood, by man's hand shall his blood be shed. And they say that's why there should be the death penalty. But on the first murderer, God marked him so nobody would touch him and nobody touched him. That's what your God that you now say and your Governor says, you're supposed to have a death penalty. And God said, not so. And then when his boy came here in the New Testament, he was brought a woman who under the law should have been killed. It's always a woman, isn't it? Kill this woman. Why should we kill her? Because she was caught in a very act of adultery and the law says one should die. Well, last I heard, even though I went to OPS--they had the equivalent of OPS back there in those days--it takes two to tango, takes two hands to clap. How there going to be adultery and only the woman is involved and if she is caught in the very act, where's the man? Where is the man? They didn't ask that. So Jesus looked at them, all these hypocritical men, said kill this woman. And they always tried to catch Jesus in his words, because he went around being holier than thou, they thought. So they said, we heard where you said you came to fulfill the law. He said, you got that right. Well, the law says that a person caught in adultery should die. Jesus said, you got that right. And they said, well, you say that you're the son of God. You got that right. He said, but I'm going to tell you something. Let he that does not sin among you--I'm amending that law. Society has moved forward a bit. He that is among you without sin, let him cast the first stone. And then he stooped down and wrote on the ground and they thought he wrote something profound. You know what Jesus wrote? I am what I am, and that's all that I am. And in the Bible in the Old Testament, that was a play on what God said. When God sent Moses down there to free the Jews from Egypt, they said who should I say sent them? God said, I am that I am. Tell them I am sent you. Popeye goes way back? Who do you think put that in God's head? (Singing) Popeye the sailor man, toot toot. Oh, the Bible is very interesting. But anyway, I am Jr. was there and so one of the smart alecks stayed behind. He said, okay, I'll accept what you say. You amended the law.

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The one who throws the stone is the one without sin. You said you're without sin. Jesus said, you got that right. He said, well? And Jesus said, but you don't understand the spirit of the law. He that is without sin will not throw the stone. That's what you didn't get. That's what you're Governor didn't get. That's what Senator Foley used to know, but he forgot when he went over there with the Governor. A politician can make a man change his principles. For the short time you're on this earth, when you look at the lifetime of the universe or the earth or human beings on this planet, your little life is like the blink of an eye. And yet you all believe in an eternity after this. And for the blink of an eye, you're going to give up everything that's going to determine where you're going to spend eternity? You're going to do this so that men will praise you? Men will give you a job? That's what you give it up for? You got a house, you got a car, you get to go eat off the lobbyists? You can get elected to the Legislature? And old devil is laughing at you. Did you see that card...that poem I handed you? The devil had a big smile on his face, didn't he, a devilish grin, because he knows he's got you and he's going to win the bet that made with God. I'm supposed to tell you all that so you can help God win his bet, but you're playing into the hands of the devil. The devil is a heck of a cat. If I use your language, I'd say he's a h-e-l-l of a cat, but I've got to be your example, so I can't talk like a Christian. I have to use the language that you all ought to use because you are the privileged people, you're the master race, you know more than everybody else, you're smarter than everybody else, everything you do is better than everybody else's. Well, show me a thing or two. Back to the witches. In those days they were ignorant men. Do you know why the Jews wandered in the wilderness four (sic--40) years and couldn't figure where they were going? Do you know why? Because they wouldn't ask one of the women, how do we get from A to B? Too stiff-necked and prideful to ask her. So they wandered for 40 years. And you know how big the wilderness was in those days that they wandered in? People were real little in those days. Some guy picked it up and made a movie with real little people. Actually they were smaller than the space between my forefinger and my thumb... [LB775]

PRESIDENT FOLEY: One minute. [LB775]

SENATOR CHAMBERS: ...and the wilderness was about the size of half of this room and they wandered in a space half the size of this room for 40 years because they wouldn't ask a woman, how do we get out of here? They'd rather wander in their ignorance, their pridefulness, their egotism for 40 years. They shouldn't be ashamed to ask a woman. Their mama was a woman and that's why God probably was woman, and when man got involved, that's when everything went haywire. That was a mistake she made. She created Adam. And then knowing that the woman is better than the man, she said, then I'll take something out of this sow's ear that I made and I'll try to make a silk purse. So she took what little good was in Adam and made a woman. And women are squandering what they were given. [LB775]

PRESIDENT FOLEY: Time, Senator. [LB775]

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SENATOR CHAMBERS: Thank you. [LB775]

PRESIDENT FOLEY: Senator Schumacher, you're recognized. [LB775]

SENATOR SCHUMACHER: Thank you, Mr. President and members of the body. This particular discussion, gives an opportunity to talk about some issues of how we have always got to be on guard to not leave the treasure chest unattended, to open the door and then get carried away with other things. A lot of the language I see in this bill I seem to have remembered from the bill that we did on highway construction and I think that one is working okay yet. But in your time here watch for some things, because this stuff can go awry really, really quick. This design-build idea probably increases efficiency, probably increases the speed at which something can be deployed. It allows for the management side and the work side to be subdivided out between two independent, private parties who can then in the next project flip sides, if they want to be, and it lets the fox in charge of the chicken coop. And so along as the fox has been tamed and isn't too hungry, things probably go just okay. But when we give this kind of authority out, when we no longer have the state department of doing this or that in charge, get rid of that department, grow government smaller, show our distrust of the insanity of bureaucracy sometimes. When we do that we expose that treasure chest. I think this bill is probably okay but we're exposing the treasure chest again, and unless somebody is on guard, that treasure chest can be raided. The same thing can happen with that highway fund. Think of bigger questions when we back away and grow government smaller and often an unjustified reason because we don't like bureaucrats and they often are just overly bureaucratic and slow and sluggish and due process to death. But who owns state...electronic state government? How much are we dependent on electronic state government? Who owns that? Where's the programmer you could go and say, okay, how is this set up? Does one company own it all? What happens if we go on the outs with that company? What happens if we want to transition to a new company? You'll find that's almost impossible to do. You'll find, as you know, that we pay fees for things that in other states are given away free and those fees go to finance the private sector that's involved here. You need to watch all those things very carefully in your time here because there is one thing for certain and that is the private, good, greed, of motivation for money, has no limit to its imagination when it comes to figuring out how much money they can get out of the public treasure chest once that treasure chest has been opened. That's something for you to watch. And I'm really fearful because with the fast turnover, by the time you learn what to watch and where the problems are probably at or could develop... [LB775]

PRESIDENT FOLEY: One minute. [LB775]

SENATOR SCHUMACHER: ...it will be time for you to leave. So watch that in this bill and that roads bill, if you ever hear an indication that the fox has eaten the chickens, come on guard really

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quick. And I know that's hard, because when the fox starts eating the chickens he starts making campaign contributions of Kentucky Fried Chicken to every politician going. So that's a little bit of advice. This is some danger in this procedure, but it may save us some money. Thank you. [LB775]

PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Chambers. [LB775]

SENATOR CHAMBERS: Thank you, Mr. President. Unlike David, I cannot say I'm wiser than my instructor. The "Professor" spoke very wise words, which I don't think anybody paid attention to. If you have one entity, one individual controlling everything, that individual may fix it while he or she in installing this so that he or she will maintain control even if you try to break the umbilical cord between you and that person. The woman who wrote Frankenstein was a very young woman, 18 years old, married Shelley because she married Percy Shelley, but her last name was Wollstonecraft. And the problem with Dr. Frankenstein was that when he created his monster it wasn't a monster at first. He forgot to instill or install a mechanism of control. So once that creature, which became a monster as a result of how human beings mistreated him, Dr. Frankenstein could not control him either. There was no mechanism of control. When these systems are put in place...now, I don't use gadgets, but I understand there's a term they use about a back door that allows somebody to get in and get information, all these mystical terms, and people use these telephones and the gadgets and think they're smart because they can use them and I, because I don't use them, I think they're geniuses. I look at all these little gadgets you got on your desk and you call up all these pictures and change the scenery and you can hit those little keys and words come up there. Amazing. But when somebody wanted to get into a telephone, an agency of the American government to see if they could get information about a guy who shot up some people in California, they couldn't break the code to get into the telephone. This telephone, and they couldn't get into it. And they started talking about passing laws so the companies that create their device will have to open it to members of the government under certain circumstances. And even if an order was given by a court, they don't have to comply. And they can say, if you mess with me, I'll bring down every electronic device you've got in this country that's attached to this system. In fact, the government went to Henry Ford and they told him, you're going to start...GMC built all the trucks for the Red Ball Express, they call them Jimmies, but they went to Ford and they said, you're going to take your know-how and you're going to build war material. And he said, if you do that, I'll tie up every dollar in this country. And the President said, and I will change the face on the dollar. Somebody is going to have the upper hand. But there are still situations where smart as you all think you are, you have not got the last word. You will say as many words as they let you say, you will go as far as that gadget will take you, and they probably have a way where they could disable all those if they wanted to, because the umbilical cord is built into it, but all that's something else. Senator "Professor" made me think of an image. When... [LB775]

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PRESIDENT FOLEY: One minute. [LB775]

SENATOR CHAMBERS: ...Colonel Sanders went to heaven there was this great big desk. And as he approached he saw this great big book hanging over the edge of it. And he saw a hand. He saw the pen; he could see the pen writing in that book. And when Colonel Sanders got where he could see, guess who God was? A chicken. And that chicken looked at him and said, Colonel Sanders, I presume. And all of a sudden Colonel Sanders wasn't so happy about the life he had lived on this earth, because he thought the replicas of that super chicken was all that there was to chicken. At some point I'm going to have to say something about Game and Parks Commission, because I don't want them to escape. But I was going to talk about the way women are portrayed. One of the most wicked women in the world, based on the "Bibble," was called Jezebel. [LB775]

PRESIDENT FOLEY: Senator Chambers, you may continue on your third opportunity. [LB775]

SENATOR CHAMBERS: Thank you, Mr. President. Jezebel, she was supposed to be so bad, so wicked. Read about Jezebel and read how she was treated. Delilah was bad, because this Samson told her his secret. And Samson was a Nazirite. His mother made that vow. That meant no razor was to touch his face or his hair. No hair was to be removed from him. And so Delilah employed her womanly wiles and she tricked Samson--they say that--into telling his secret. You notice how the man always blames the woman? It was his secret. It was bound between him and God. He should have kept it, but he's going to blame the woman. Even Adam in the very beginning, when God's voice was walking in the garden. That's what it said, his voice was walking. And they said, they're naked. God said, who told you you're naked? You been eating that fruit--and it didn't say an apple tree. You know what the first thing Adam said was, that woman. Adam ate it and when Adam ate the fruit, his eyes came open and Adam looked at Eve and saw what God had given him and he said, good God. And God having known what that cry meant, he said, oh-oh, Adam knows what we know about women now. So he went down to ask Adam, what's going on around here? And Adam said, that woman. Now you made her, scope that woman, because people talked to God in those days and he talked back to them. And God said, uh-huh, why should I look at her? He said, now, you're God, what do you think of her? He said, Adam, you don't want to know. And Adam said, well, God if she strikes you like that and you're God and I'm just a mere mortal, what do you expect me to do? God said, uh-huh, I made you, too, so I'll tell you what I'm going to do. I'm not going to kill you right now, but I'm going to kill you for what you did. I'm just going to make you all get on out of the garden and things are going to be kind of rough for you now. It's like Governor Ricketts when he says poor people have to take their cuts also, the mentally ill, the physically disabled, and he says everybody's got to do their share. And they say, well, Governor, what you going to do? He's going to say, well, I'm going to have a smaller portion of filet mignon this evening. I'm going to take a half a serving of caviar. My Beaujolais, I'll take a smaller sip of that and that's how he's going to suffer. Contemptible. But anyway, Adam blamed Eve, Samson blamed Delilah, everybody blames the woman. And in the

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early days, men blamed women for everything. If there was a famine, they'd pick an old woman and say, she did it, she's a witch. If there were children dying during childbirth, that witch did it. Everything...when the cattle got sick, hoof and mouth, that woman. And then they went to the "Bible" that said, you shall not suffer a witch to live and they'd take that old woman out and kill her and things didn't get any better, so there must have been additional witches and they'd get rid of every woman they ever had anything against, all in the name of God. And women have been abused ever since. Women have been dominated, spirit broken, disillusioned, disenchanted, disappointed, disgusted and what can you do? You can take over this world,... [LB775]

PRESIDENT FOLEY: One minute. [LB775]

SENATOR CHAMBERS: ...but you don't believe it. There was a story about a woman name Lisa Estrada and you ought to read it. There was a time in the days of early Greece and Rome when they were having wars and all the men were being killed, bumped off, so the women got together and said, we're going to stop the wars. They said, you can't make a man do anything. They said, tell them they are not going to have any sex as long as this war is going on. The men found that out and the next day there was a truce, peace throughout the land, lion laid down with the lamb. Child could put his hand on top of a snake and wouldn't get bit, because women asserted their power. That's what you all have to do. And you can do it and it won't take long to take effect. All these cowardly men need to know is that you mean what you say and they'll straighten up and fly right. And if they don't, you get you some antifreeze, because it has a substance in it that's real sweet and they won't even detect it when you put it in their tea. [LB775]

SPEAKER FOLEY: Time, Senator. Thank you, Senator Chambers. Mr. Clerk, for an announcement. [LB775]

ASSISTANT CLERK: Mr. President, the Health Committee will hold an Executive Session now under the south balcony.

PRESIDENT FOLEY: Thank you, Mr. Clerk. Senator Chambers, you're recognized to close on your reconsideration motion. [LB775]

SENATOR CHAMBERS: Thank you, Mr. President. And I assure everybody I've got my next motion prepared. And I will say a little bit about Game and Parks on that motion. That's the bill that we're on. But before I forget everything about them, how many of you all knew that there were Game and Parks people misusing that credit card that they use, their bonuses that you get when you buy something. They were using that credit card for personal purchases, Game and Parks people. I bet Senator Stinner didn't know that; nobody knows it. You let these people run riot, then you carry water for them. They're stealing and get away with it and that's going to

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continue to happen because the master race is asleep at the switch. To wrap up what I was going to say about these women, the church had priests who had sex with women. There were married popes, archbishops. Paul even knew this. He said, the bishop ought to have one wife. So a bishop can marry but he ought to only have one wife. So for Paul to say only one, it must have meant bishops were having multiple wives. Men have always done that. And I don't want to be vulgar, but I bet you one woman can service more men than one man can service women, I'll tell you that. Why do you think they called those men in the Revolutionary days Minutemen? What do you think they were talking about? That's all they contribute to the child, that one minute, it's over. Then you have to spend nine months, then when the child is born and you're going to have to do all the work. And there's this one woman and when bedtime came, she'd always have to take the baby upstairs, so finally she put her foot down. She said, I carried this baby nine months, you're going to carry the baby upstairs and he carried the baby upstairs. But had she not put her foot down, nothing would have changed. You all can change things by voting. Women can change the face of politics in this state when the election comes up for the primary. Tell women to register and then vote and make it clear that you're voting as a block. But they know you're not going to do that. These men laugh. They're too well-trained. Come here and sit like knots on a log, watching bad things happen, anti-woman legislation. The Governor should be afraid to send some of that trash over here like he put in that budget bill. Get rid of Title X. Don't let any of that money, which is federal money, go to these clinics that are helping women. They're for women, for women. The Governor hates women. He's a misogynist. And he's got some misogynists in his cabinet also. They don't respect you. They wouldn't treat you like they do if they respected you. When I was talking about the women who had problems here, one of these old geezers--and I don't remember his name so I won't mention it--he put his hands on Cindy, who worked for me. He put his hands on her and she was crying about it. Some white woman told her, don't say anything, that'll create problems for him. She told me because I asked her, what's the matter? She told me. And I came on the floor and I told...I called him by name. Pat might have been here at that time. I called him out by name and I said, he's lucky that Cindy is not my wife, because if she were, I'd show you what should happen to a man like him. That's what was happening around here. And then they have that prayer. That preacher who they used to pay here was an alcoholic. He was the preacher for former Senator Warner. [LB775]

PRESIDENT FOLEY: One minute. [LB775]

SENATOR CHAMBERS: And he had a...he wore a wig. And I said, his religion that's supposed to be in his heart is as phony as that that he's wearing on his head. That's the way I dealt with him. I don't owe these people anything. Not my father, I'm not his child. And they were paying him. They were paying him and I got that stopped. I'm going to show you an editorial that the Lincoln Journal Star wrote: "What Senator Chambers Has Wrought," and after I'd sued to get rid of him altogether, preachers from other denominations were allowed to come in here and pray over you all, waste his and her time. That wasn't happening in those days. I did it. And I don't

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have any religion. I wanted to get rid of it all. But I was so offended by it and you all wouldn't do anything. Not you who are sitting here, I'm using the royal "you" as they call it. Sometimes I look around this place and I wonder and I've said this, what in the world am I doing in a place like this? Why am I even here? [LB775]

PRESIDENT FOLEY: Time, Senator. [LB775]

SENATOR CHAMBERS: Did you say time? I'd ask for a call of the house. [LB775]

PRESIDENT FOLEY: (Visitors introduced.) 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. [LB775]

ASSISTANT CLERK: 12 ayes, 4 nays to go under call, Mr. President. [LB775]

PRESIDENT FOLEY: The house is under call. Senators, please return to the Chamber and record your presence. The house is under call. Senator Blood, if you could check in, please. Senator Hilkemann, if you could check in. Senator Pansing Brooks, if you could check in, please. Senator Pansing Brooks, if you could check in, please. Machine vote has been requested. The question before the body is Senator Chambers' reconsideration motion. Those in favor of the motion vote aye; those opposed vote nay. Have you all voted? Record, please. [LB775]

ASSISTANT CLERK: 2 ayes, 37 nays on the motion to reconsider, Mr. President. [LB775]

PRESIDENT FOLEY: The reconsideration motion is not adopted. Mr. Clerk, you have a motion at the desk? [LB775]

ASSISTANT CLERK: Mr. President, Senator Stinner would move to invoke cloture on LB775, pursuant to Rule 7, Section 10. [LB775]

PRESIDENT FOLEY: It's the ruling of the Chair that there has been a full and fair debate afforded to LB775. Senator Stinner, for what purpose do you rise? [LB775]

SENATOR STINNER: I would like to invoke cloture and just a machine vote. [LB775]

PRESIDENT FOLEY: We are already under call. Thank you, Senator Stinner. The question before the body is whether or not to invoke cloture. A machine vote has been requested. Those in

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favor of cloture vote aye; those opposed vote nay. A record vote has been requested. Record, please. [LB775]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 717-718.) 41 ayes, 1 nay, Mr. President, to invoke cloture. [LB775]

PRESIDENT FOLEY: Cloture is invoked. Senator Wishart, for a motion. [LB775]

SENATOR WISHART: Mr. President, I move to advance LB775 to E&R for engrossing. [LB775]

PRESIDENT FOLEY: Members, you've heard the motion to advance the bill. Those in favor say aye. A machine vote has been requested. Those in favor vote aye; those opposed vote nay. Record vote has been requested. Have you all voted? Record, please. [LB775]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 718.) Vote is 42 ayes, 1 nay, Mr. President. [LB775]

PRESIDENT FOLEY: LB775 advances. I raise the call. Continuing on with Select File. Mr. Clerk. [LB775]

ASSISTANT CLERK: Mr. President, the next bill, LB256 does have E&R amendments. (ER104, Legislative Journal page 491.) [LB256]

PRESIDENT FOLEY: Senator Wishart. [LB256]

SENATOR WISHART: Mr. President, I move the adoption of the E&R amendments to LB256. [LB256]

PRESIDENT FOLEY: Members, you heard the motion to adopt the E&R amendments. Those in favor say aye. Those opposed say nay. The E&R amendments are adopted. Mr. Clerk. [LB256]

ASSISTANT CLERK: Mr. President, Senator Briese would move to amend with AM1752. (Legislative Journal page 545.) [LB256]

PRESIDENT FOLEY: Senator Briese, you're welcome to open on your amendment. [LB256]

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SENATOR BRIESE: Thank you, Mr. President; good morning, colleagues. AM1752 is a very simple amendment which makes three small changes recommended to me by the Revisor's Office. It changes "occupied" to "no longer vacant" because occupancy was not defined in the bill. It leaves "person," "persons," or "entity" as just "person" or "persons" because "entity" is either a person or a group of persons. Finally, it clarifies the property subject to this act are subject to it only so long as they are in the registry because the previous wording could have been interpreted to have applied actually forever, and that was not the intent of the bill. Thank you, colleagues, and I urge your green vote on AM1752. Thank you. [LB256]

PRESIDENT FOLEY: Thank you, Senator Briese. Debate is now open on AM1752. Senator Chambers. [LB256]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, when I make a promise, I have to keep it. I made a promise to myself when I looked on the agenda today that I was going to take all morning. I'm not going to hurt your bill, Senator Briese, because I'm going to stop what I'm doing so that you can move your bill and whatever other bill is on there...LB157...oh, Senator Friesen's bill is on there. His will have time to move too. But the other bill slipped out of my clutches. But I cannot allow that to happen if it means that I cannot do what I promised myself, which is to take the whole morning, and I've got more work to do in order to achieve that. And it may seem that I'm jesting, but remember as I've always told you, the man with the ax is going to chop your head off doesn't have to frown, doesn't have to be angry, doesn't even have to know who you are because when the ax falls, it's over and it's up to him to make that decision. And this morning I have control of the ax. So I'm going to take a little time on Senator Briese's bill, then I will take a little time on Senator Friesen's bill because I had said I was going to say something about Game and Parks. And in order to have an opportunity to do that, I will...I put a motion up there and I'll take whatever time I need on that. Then I withdraw that motion so that his bill can breeze on along. That's pretty good, breezing along with Briese, and he'll be happy. And I don't think people thought we would even get this far. But Senator Stinner was able to invoke cloture before the morning ran out. Senator Briese, I would like to ask you a question. [LB256]

PRESIDENT FOLEY: Senator Briese, would you yield, please? [LB256]

SENATOR BRIESE: Yes. [LB256]

SENATOR CHAMBERS: I will wager that you will not make a wager with me. [LB256]

SENATOR BRIESE: You just won that wager because I'm not going to. [LB256]

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SENATOR CHAMBERS: Senator Briese, he has learned. He and I have a little thing going. One of these days I'm going to trap him. But at any rate, here's what I want to put into the record on Game and Parks. And then I'll get to my motion. This is a memo that I sent August 29, of last year, to the Game and Parks Commission. It was Director Jim Douglas...the commissioners are Allen, Bell, Berggren, Brandt, B-r-a-n-d-t; Ernst, Fisher, Kreitman, Marshall, Spurgin. Regarding: Game and Parks' misfire on designating a state reptile by ignoring the law. Now Game and Parks deals with wildlife and they're going to have a contest about wildlife. They should have checked the law to see what would be required to carry out what they wanted. I'm going to read this memo that I sent, and it's brief. But there are other things associated with it that will take a little more time. It is my bounden duty as a member of the Legislature to defend its status as a co-equal branch of this tripartite state government and to guard against trespass/encroachment upon its constitutional and statutory prerogatives by the executive branch or its agencies, however denominated. G&P is an appendage of the executive branch. Whereas G&P dispatched Deputy Director Tim McCoy to oppose my bill that created a "mountain lion conservation" license plate, which has become a best seller and has generated more than \$100,000... [LB256]

PRESIDENT FOLEY: One minute. [LB256]

SENATOR CHAMBERS: ...for G&P, it failed to instruct its legal counsel to check the law regarding the designation of official state items, including animals, and that part of statute is Section 90-119. And I'll stop because I should have a motion up there. Thank you, Mr. President. [LB256]

PRESIDENT FOLEY: Thank you, Senator Chambers. Currently discussing the Briese amendment, your motion is not a part of status, Senator. Seeing no further discussion on Senator Briese's amendment, Senator Briese, you're recognized to close on your amendment. He waives closing. The question before the body is the adoption of AM1752. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please. [LB256]

ASSISTANT CLERK: 32 ayes, 0 nays on the adoption of Senator Briese's amendment. [LB256]

PRESIDENT FOLEY: AM1752 is adopted. Mr. Clerk. [LB256]

ASSISTANT CLERK: Mr. President, Senator Chambers would move to indefinitely postpone the bill. [LB256]

PRESIDENT FOLEY: Senator Chambers, you're recognized to open on your motion. [LB256]

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SENATOR CHAMBERS: Thank you. Mr. President, I would like Senator Briese, if he will yield, to answer a question. [LB256]

PRESIDENT FOLEY: Senator Briese, will you yield, please? [LB256]

SENATOR BRIESE: Yes, I will. [LB256]

SENATOR CHAMBERS: Senator Briese, have you ever heard a song called "Breezin'"? [LB256]

SENATOR BRIESE: I don't believe I have. [LB256]

SENATOR CHAMBERS: (Humming) [LB256]

SENATOR BRIESE: I'm not familiar with it. [LB256]

SENATOR CHAMBERS: Senator Briese, where were you born? (Inaudible) what country? [LB256]

SENATOR BRIESE: Right here. [LB256]

SENATOR CHAMBERS: Okay. And you have not heard that song? [LB256]

SENATOR BRIESE: No, I don't think so. [LB256]

SENATOR CHAMBERS: It kind of... [LB256]

SENATOR BRIESE: You go ahead and sing it for us, we'll all learn. [LB256]

SENATOR CHAMBERS: No, it has no words. But go on your gadget and you can find it. [LB256]

SENATOR BRIESE: I'll do that. [LB256]

SENATOR CHAMBERS: Anyway, usually people say a flutist, a flautist often plays the opening riff, as they might call it, then a guitar will come in. But here's what I'm going to get into the

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record on Game and Parks. As an embarrassing consequence of Game and Parks not having their legal counsel review the law, G&P sponsored a sort of "contest," public vote, as reported by the Omaha World-Herald, March 2, 2017. Then here's an excerpt--Turtle? Snake? Lizard? It's up to you. Reading the excerpt: The Nebraska Game and Parks Commission is holding a public vote on which critter should become the state's official reptile. Nebraskans are invited to choose from six options on the commission's Web site, and then they give it. The candidates are the ornate box turtle and the common snapping turtle, the prairie lizard and the Six-lined Racerunner, the Bullsnake, and the Western Hognose. Whatever the result, once there's a clear consensus, Game and Parks will work with the state Legislature on making it official, Roger said. Work with the state Legislature? If I wasn't here, maybe that's what they'd do. But because I know the Legislature's prerogatives, I said, uh-uh, partner. Continuing: Perhaps if G&P spent less time trying to devise a way to wipe out mountain lions and more time familiarizing itself with the law, it would not find itself in its current embarrassing, untenable position. Touche'. Then this verse--13 from first Thessalonians the fourth chapter: But I would not have you to be ignorant, brethren...and that applies, I'm digressing to my colleagues in the Legislature...continuing: therefore brethren, the time has come for me to lift the veil of ignorance and, quote, teach, unquote, you, quote, the law, unquote, which is so clear that a fool cannot err. Section 90-119, Governor designate official state items. Quote: The Governor may designate official state items including animals, plants, minerals, and other things. Legislative approval of any such designation is not required. Any designation made on or prior to September 13, 1997, is not affected by this section. That was put in as a compromise with me because I didn't want the Legislature naming these critters. You think Game and Parks could not have found out that the Legislature has nothing to do with the silliness of naming reptiles? But if they have one to name a state mammal, who is (inaudible)...I'd like to ask Senator Groene a question if he'd respond. [LB256]

PRESIDENT FOLEY: Senator Groene, would you yield, please? [LB256]

SENATOR GROENE: Yes. [LB256]

SENATOR CHAMBERS: Senator Groene, do you happen to know if the state has an official mammal? [LB256]

SENATOR GROENE: I don't know if I learned that one. They got the meadowlark... [LB256]

SENATOR CHAMBERS: No, a mammal. [LB256]

SENATOR GROENE: ...goldenrod for the flower; cottonwood for the tree. Prairie dog?
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SENATOR CHAMBERS: A what? [LB256]

SENATOR GROENE: Is it the prairie dog? [LB256]

SENATOR CHAMBERS: It ought to be, but that's not so. Okay, really, I want to know, because I'm not sure. But I know a prairie dog is not. Thank you. That's all I'll ask you. [LB256]

SENATOR GROENE: I knew the rest of them. [LB256]

SENATOR CHAMBERS: I don't know if anybody else has been around long enough to know. I see Senator Williams back there grinning like a Cheshire Cat, so I would like to ask Senator Williams a question. [LB256]

PRESIDENT FOLEY: Senator Williams, would you yield, please? [LB256]

SENATOR WILLIAMS: Yes. [LB256]

SENATOR CHAMBERS: Senator Williams, do you know whether there is a state mammal or not? [LB256]

SENATOR WILLIAMS: I do not know. [LB256]

SENATOR CHAMBERS: Senator Blood, would you like to take a crack at it? [LB256]

SENATOR BLOOD: I would. I believe it's the white-tailed deer. [LB256]

SENATOR CHAMBERS: Do you believe it or do you know it? [LB256]

SENATOR BLOOD: I would bet on it. [LB256]

SENATOR CHAMBERS: No bet. Thank you, Senator. You have improved all of our education. Now I'm going to ask Senator Williams, with his education having been improved, if he's willing to substitute a different mammal...state mammal. [LB256]

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SENATOR WILLIAMS: I would certainly consider substituting it if there was a trade on the other side for how many days of the Legislature you would be willing to stay in the lion's den. [LB256]

SENATOR CHAMBERS: Touche'. The lions would purr like pussy cats if I were there. But I would ask Senator Williams this follow-up question. If there could be a mammal that would combine this one-house Legislature in its name plus the general intelligence level of the Legislature, if there were such a creature, would you be willing to make that creature the official state mammal of Nebraska? [LB256]

SENATOR WILLIAMS: Yes. [LB256]

SENATOR CHAMBERS: That animal would be "unicameralus ignoramus" (phonetic). [LB256]

SENATOR WILLIAMS: Is it two humps or one hump? [LB256]

SENATOR CHAMBERS: Whichever one you want. And I think Senator Kuehn might be the only one who picked up on what was happening. But I'm going to continue what I was doing. Sometimes a little distraction is helpful. I'm going to go on with this brief memo: This concise declaration of the law embodies a compromised amendment I co-sponsored with former Senator Carol Hudkins in exchange for my allowing already designated items to remain undisturbed, she consented to removing the Legislature entirely from the...in parenthesis...(to me) obnoxious process. Brethren, with your indulgence I shall improve your education further with a bit of assistance from Mark Twain who observed, quote, man is the only animal that blushes or needs to, unquote. Are you blushing? Do you need to? No thanks, brethren, for this needless distraction engendered by your less than circumspect operation. May you live long...and learn. Members of the Legislature, that mountain lion conservation license plate, at the time I wrote this letter, brought in more than three times the amount of money Game and Parks made on hustling permits to kill mountain lions. They did that to make money. Then they sent somebody over here to oppose my bill to create a license plate which has become the state's best seller. And when people bought those plates, they were making a statement about how they feel about this indigenous beast whom the state is willing to have its numbers decimated in order that these simpleminded white rich men can hunt... [LB256]

PRESIDENT FOLEY: One minute. [LB256]

SENATOR CHAMBERS: ...and enjoy the thrill of the kill by destroying a natural resource. And the senators sit back and swallow spit; but I won't. That's part of the reason I do like I do. You

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might say there's kind of a contempt that I feel for the way we operate. This is part of a transcript of LB82 from 1997 and this is the statement of intent. The Platte River has been an important natural resource to the state of Nebraska throughout Nebraska's history and existence. It should have an important place in our record books as the official state river...Senator Ardyce L. Bohlke. They had some discussion, and I attended that hearing. Senator Schellpeper must have been the chair. Senator Schellpeper: Well, that's good, nice to have you here. Thank you. [LB256]

PRESIDENT FOLEY: Time, Senator Chambers. Senator Schumacher. [LB256]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. I rise up because I don't think we're going to get to the next item on the agenda, and we shouldn't today, because the next item of the agenda, although it appears simple on its surface, has a proposed amendment to it which is a stealth bomber and involves millions upon millions of dollars. So if we were to just get into that today, some of you might not be tuned into the importance of that amendment that is being brought and the consequences of our just passing it right on through on Select File. So, we'll talk a little bit about the matters that are before us this morning until we run out the clock so we can have our focus tomorrow and you can be prepared to try to learn something about the telecommunications business and the way that the system works in order to transfer the ability to tax our consumers to the Public Service Commission. And whereby the Legislature advocates its taxing authority and supervising authority and makes us one of the highest tax states for telecommunication services, maybe the highest taxed state for telecommunication services. It's kind of how things work. You might want to go back to your political accountability forms and look for the contributions you received from the telecommunications industry, because you might get a note from a lobbyist tomorrow talking about it, calling those markers due. It's part of our process, and it's part of the way that things work, and it's part of the way things are the way they are, because the wizards behind the curtain like Oz just the way it is. So with reference to Senator Briese's bill, we should talk about it a little bit here, I think that he makes a good effort to try to clean up an area of the law. That kind of property being what it is, it's impossible just to fix in a magical stroke of the pen, but this may help a little bit. We, however, will still have plenty of those kind of buildings in the towns across Nebraska who compose a changing world for rural Nebraska. A world which started changing with the introduction of the tractor and the corn picker and the combine and which has been changing ever since. That enormous change in our agricultural capacity makes it unnecessary for us to have the population that was once necessary to farm and leaves those buildings and those structures with no one to invest in them. And so while it is a good remedial action to try to do something after the fact, it is an action where we stand in the way of the wave and the tide which is going to be bringing us a future that in some respects is our duty to define. I'm not nearly... [LB256]

PRESIDENT FOLEY: One minute. [LB256]

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SENATOR SCHUMACHER: ...the artist that Senator...one minute? [LB256]

PRESIDENT FOLEY: One minute. [LB256]

SENATOR SCHUMACHER: Thank you. ...that Senator Chambers is in dragging things out. But the discussion we are headed to tomorrow is one of those hidden taxes that could be substantial in nature, and for which only, again, a select and tiny group of people are eligible to partake of the benefits. It is, in many respects, an attempt to keep a past in being and to make past little monopolies very wealthy and continue to make them wealthy. So I am approaching the end of my five-minute time. I assume that Senator Chambers will have a word or two left that will take us to closing. And I assume the lobbyists have been awoken. Thank you. [LB256]

PRESIDENT FOLEY: Thank you, Senator Schumacher. Senator Chambers, you're recognized. [LB256]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I'd like to...my time is running, I would like a word with Senator Schumacher for a second. Mr. President, members of the Legislature, I have said many times that...and this is not what my conversation with Senator..."Professor Schumacher" was, when something pertains to the integrity of the system or might have interest to the Legislature as a whole, then that's what I want to address and I don't want to embarrass Senator Thibodeau, but I heard that something that might have been disturbing happened and I would like to ask her a question if she would yield. [LB256]

PRESIDENT FOLEY: Senator Thibodeau, would you yield, please? [LB256]

SENATOR THIBODEAU: Yes, I would yield to a question, Senator Chambers. [LB256]

SENATOR CHAMBERS: Was something addressed to you that was disturbing in your role as a senator? [LB256]

SENATOR THIBODEAU: Yes, sir, and it was also addressed to the entire legislative body, and thank you for asking about it. There was an e-mail sent to everybody in this room today regarding my bottle club bill, LB747. And I just want everyone to know, as we all know, legislating really comes without controversy, we're here to make difficult decisions in the best interests of our constituents in our great state. I introduced LB747 providing for the regulation of bottle clubs under the Nebraska Liquor Control Act with the intent of ensuring commonsense, fair regulation of a type of establishment in nearly all relevant respects, indistinguishable from a bar or tavern. I appreciate the partnership of my co-sponsors as we work together to ensure that

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the Liquor Commission can comprehensively fulfill its essential regulatory function. I leave it to you to judge LB747 on its merits and more than happy to discuss any questions or concerns you may have. As you know, our body is always willing and eager to consider new perspectives and information. However, I do not respond to threats. I know attempts at intimidation will not cow this great body into neglecting thoughtful deliberation on an important issue. I look forward to the bill's hearing this upcoming Monday. As always, thank you for your friendship and your service to the great state of Nebraska, and thank you, Senator Chambers and Mr. President. [LB256 LB747]

SENATOR CHAMBERS: Here's what I'm...you received a threat, and see, I don't have the gadget, so I appreciate you making that clear. And threats don't work on me either. In fact, that's all I have of you. They kind of energize and infuriate me. But the body should be made aware of the fact that while you're here and you take positions that are unpopular, be prepared for anything that might be sent your way. If it comes on the gadget, you can discard it, unless you think it's a serious enough type threat that you ought to share it with the Patrol; and there are Patrol members, always at least one with whom you can discuss anything along those lines and you should feel free to do so. But going back to what I was doing, and going after the Game and Parks Commission, I want to put something into the record about what I had said way back there in 1997. [LB256]

PRESIDENT FOLEY: One minute. [LB256]

SENATOR CHAMBERS: Senator Schellpeper said the following: I think Senator Chambers wants to make a couple of comments on LB82. We will be a little bit harder on you Senator than... Senator Chambers: I expect you to. Members of the committee, and I'll wait until I'm recognized to continue. Thank you, Mr. President. [LB256]

PRESIDENT FOLEY: Senator Chambers, you may continue on your third opportunity. [LB256]

SENATOR CHAMBERS: Thank you. I'm Ernie Chambers, I represent the 11th Legislative District in Omaha and I'm in opposition to the committee advancing this bill. I think it is a very good exercise in government and civics for young people to get an idea of how the government works. How legislation is drafted, introduced, heard by a committee, then in this case, I hope not advanced. We should do everything we can to encourage young people to participate in the government and in the system, but we also in the process of giving that lesson should deal with reality. Not every time that a bill is offered is it received favorably by the committee, nor enacted into law by the Legislature. In this instance, I think they need to see that there is opposition and that the one who is opposed, and I think others on the floor might oppose it, if it gets out of committee, will come to the hearing also and express that opposition so that the process has been

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seen in its entirety. Personally, I think it was a mistake to start naming birds, bugs, rocks, and all of these...songs, all these other things. Once it starts, any class can be encouraged or on their own initiate the idea of approaching the Legislature to name something else the official state something or other. Most members of the Legislature will feel compelled to agree to it. But I don't feel that compulsion. If anything, a bill such as this should advance, I would use it as a vehicle to try to repeal every provision that names a state anything. I would not try to repeal the name of the state. But I'm opposed to it at the committee. I hope you do not advance it. If you do, I will oppose it strenuously on the floor and in the interest of conserving time, since those who are for the bill did not take long, I will not take long. But I'll answer any questions that you ask, and you don't have to be as gentle with me as you were with the children. Senator Schellpeper...Senator Vrtiska first, and in case the transcribers aren't familiar with his spelling, V-r-t-i-s-k-a. Senator Vrtiska: Well, Senator, you expressed yourself quite eloquently on the floor this morning. And I had assumed that you would be down here, and I guess it takes a lot of nerve to come down before a bunch of youngsters, but just let me ask you a question. Senator Chambers: Actually not, because I had four children and they were this young at one time and I wanted to be the good guy to them all the time. But there were instances when I had to let them know that based on the way things really are, the answer has to be no this time. So it really doesn't take much nerve for me. Senator Vrtiska: Okay. The question that I wanted to ask you mainly had to do with...I recognize that in the eyes of some, yourself included, this is not a big issue, but would you accept the idea that this is important to these youngsters. They have come up with an idea that they think is important and they have interjected themselves into the government process, and as a result they feel like they are providing a service, however large or small it might be themselves, as well as the school they represent, as well as the people of the state of Nebraska because prior to this there have been other products or items that have been named as state whatever as you indicated. And I think they are just following through with the same philosophy that has been provided prior to this time. [LB256]

PRESIDENT FOLEY: One minute. [LB256]

SENATOR CHAMBERS: Senator Chambers: There's nothing wrong at all with the youngsters presenting the idea or trying to persuade the Legislature to enact it into law, but that does not mean that it has to be done. There are many ideas which are very serious and important to the people who bring them, but we probably kill as many bills as we pass. Sometimes we kill more than we pass. So just because an idea may be very important to somebody does not ensure that it will be enacted into law. Thank you, Mr. President. [LB256]

PRESIDENT FOLEY: Senator Chambers, you're recognized to close on your IPP motion. [LB256]

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SENATOR CHAMBERS: Thank you. Continuing: I think at an early age people need to realize that despite the fact that we say that the young people represent the future, they will be the leaders of the future, that by itself does not ensure that everything they offer is going to be accepted the way they would like to have it accepted. Senator Cudaback then got into the act. In your opinion, Senator Chambers, are we saying that the Platte River, if we do this, are you saying that the Platte River is a better river or it's more...what? Senator Chambers: I'm not saying anything about the Platte River, because the part of it that I drive over usually doesn't have enough water in it for you to know that it's a river. Senator Cudaback: I mean, do you think that by us saying this is a state river that we are identifying as a better river of the eight? Inaudible. Senator Chambers: Well, what you're doing, whenever you set one thing out and make it the formal and official representative of the state, is that...it has a status and a standing above every other thing of its kind. That there is something about it which makes it so unique and special that it should be separated from every other one of its kind and declared by the state to be better; to have more stature, more worthy of this recognition. But as far as arguing the merits of one river over the other, that is not really what I am doing. But in answer to your question, the answer would be yes, it is singling it out and raising it above all others. Senator Cudaback: I do appreciate you coming here and this is a good lesson in itself... Senator Chambers: and having spoken against the Platte fish, I will be back to speak against the...oh, the Platte River, I will be back to speak against the catfish. And it went on like that with me expressing way back then my opposition to things being named the state this or that. And I will have another motion that I will ask the body to consider. And this one is on Senator Briese's bill that I'm on right now. Then I withdraw this motion. [LB256]

PRESIDENT FOLEY: The IPP motion is withdrawn. Mr. Clerk, anything further on the bill? [LB256]

ASSISTANT CLERK: Mr. President, I have nothing further on this bill. [LB256]

PRESIDENT FOLEY: Senator Wishart for a motion. [LB256]

SENATOR WISHART: Mr. President, I move to advance LB256 to E&R for engrossing. [LB256]

PRESIDENT FOLEY: Members, you heard the motion to advance LB256 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB256 advances. We'll stand at ease for a moment. Mr. Speaker. Items for the record, please. [LB256]

ASSISTANT CLERK: Thank you, Mr. President. Committee on Health and Human Services reports legislative bill, LB717, LB1073, LB702, and LB1035 to General File. Notice of

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committee hearings from the Health and Human Services Committee. And a new resolution, LR319 by Senator Quick proposes an interim study. That will be referred to the Executive Board. Name adds: Senator Pansing Brooks to LB773, and Senator McCollister to LB1069. (Legislative Journal pages 719-725.) [LB717 LB1073 LB702 LB1035 LB773 LB1069 LR319]

Finally, from Senator Blood, a motion to adjourn until Friday, February 23, 2018, at 9:00 a.m.

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