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Transcriber's Office

Floor Debate  
February 04, 2019

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FOLEY: Good morning ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the eighteenth day of the One Hundred Sixth Legislature, First Session. Our chaplain for today is Reverend Bud Heckman of the Tri-Faith Ministries in Omaha, Nebraska, Senator McCollister's district. Please rise.

REVEREND HECKMAN: (Prayer offered.)

FOLEY: Thank you, Reverend Heckman. I call to the order the eighteenth day of the One Hundred Sixth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

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

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

CLERK: I have no corrections, Mr. President.

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

CLERK: Mr. President, I have Reference report referring certain gubernatorial appointees to the standing committee for confirmation hearing, also a referral of LR16. Education offers a notice of hearing, that's signed by Senator Groene. And Mr. President, Enrollment and Review reports LB61 to Select File with Enrollment and Review amendments. That's all that I have, Mr. President.

FOLEY: Thank you Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR17. Members, we'll now move to General File. Mr. Clerk.

CLERK: Mr. President, the first bill this morning LB33A offered by Senator Kolterman. (Read title.)

FOLEY: Senator Kolterman, you're recognized to open on LB33A.

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KOLTERMAN: Good morning, Mr. President, and colleagues. This Appropriations bill appropriates \$3,500 annually from a cash fund in the Nebraska Public Employees Retirement System to pay the increase in the per diem for the eight members of the Public Employees Retirement Board. Per diems for board members are increased from \$50 to \$75. There are no General Fund dollars impacted by this A bill. This is an increase to Program 42 under NPERS. This program currently has total appropriation authority of just 34,000 because it covers only the PERB's expenses. It is a very small program so a \$3,500 increase per diem is about 10 percent increase that cannot be absorbed by this program. Again, these are cash funds paid out of the Retirement Systems administered by the PERB. I would appreciate your green vote on this A bill. Thank you very much.

FOLEY: Thank you, Senator Kolterman. Is there any discussion on LB33A? Seeing none, Senator Kolterman you may-- he waives closing. The question for the body is the advance of LB33A to E&R Initial. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please?

CLERK: 42 ayes, 0 nays, Mr. President, on the advancement of LB33A.

FOLEY: LB33A advances. We'll now proceed to Select File. Members, this is going to require some voice votes, if you could please be attentive. First bill, Mr. Clerk.

CLERK: Mr. President, Senator Slama, LB117. I have no amendments to the bill.

FOLEY: Senator Slama for a motion.

SLAMA: Mr. President, I move that LB117 be advanced to E&R for engrossing.

FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB117 advances. Proceeding to LB79. Mr. Clerk.

CLERK: LB79, Senator, I have no amendments to the bill.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that LB79 be advanced to E&R for engrossing.

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FOLEY: Members, you heard the motion to advance LB79 to E&R for engrossing. Those in favor say aye. Those opposed say nay. LB79 advances. Next bill, Mr. Clerk.

CLERK: LB82, first of all, has Enrollment and Review amendments pending.

FOLEY: Senator Slama for a motion.

SLAMA: Mr. President, I move that the E&R amendments to LB82 be adopted.

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.

CLERK: Senator Friesen would move to amend with AM122.

FOLEY: Senator Friesen, you're recognized to open on AM122.

FRIESEN: Thank you, Mr. President. Members of the Legislature, AM122 was generated after the E&R review by the Bill Drafting Office. The reviewer found some new language in LB82 in some current statutory language and not contained consistent terminology. So AM122 would provide that consistent terminology in Sections 3 and 10 of the bill. We would use the consistent term, plans, programs, and standards in those sections. I urge you to adopt this amendment. Thank you, Mr. President.

FOLEY: Thank you, Senator Friesen. Is there any discussion on AM122? Seeing none, Senator Friesen you're recognized to close. He waives closing. The question for the body is the adoption of AM122. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: 43 ayes, 0 nays on the adoption of Senator Friesen's amendment.

FOLEY: AM122 is adopted. Mr. Clerk.

CLERK: Nothing further on the bill, Mr. President.

FOLEY: Senator Slama for a motion.

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SLAMA: Mr. President, I move that LB82 be advanced to E&R for engrossing.

FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB82 advances. LB190, Mr. Clerk.

CLERK: LB190, Senator, I have Enrollment and Review amendments

FOLEY: Senator Slama for a motion.

SLAMA: Mr. President, I move that the E&R amendments to LB190 be adopted.

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.

CLERK: Nothing further on the bill, Senator.

FOLEY: Senator Slama for a motion.

SLAMA: Mr. President, I move that LB190 be advanced to E&R for engrossing.

FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB190 advances. And finally, LB33, Mr. Clerk.

CLERK: LB33, Senator, does have Enrollment and Review amendments.

FOLEY: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB33 be adopted.

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

CLERK: I have nothing further on the bill, Mr. President. I'm sorry.

FOLEY: Senator Slama.

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SLAMA: Mr. President, I move that LB33 be advanced to E&R for engrossing.

FOLEY: Members, you heard the motion to advance the bill. Those in favor say aye. Those opposed say nay. LB33 advances. Proceeding now to General File. Mr. Clerk.

CLERK: Mr. President, LB66, a bill offered by Senator Hansen relating to cities, changes provisions relating to comprehensive plans. Senator Hansen presented his bill last week on February 1. Committee amendments were offered by Urban Affairs Committee. Those amendments are pending. In addition, Mr. President, I have an amendment to the committee amendments from Senator Hansen that he has not yet opened on.

FOLEY: Before proceeding to that amendment, Senator Matt Hansen, would you like to take a couple of minutes just to refresh us on where we left off on the bill.

M. HANSEN: Yes, I would. Thank you, Mr. President. Good morning, colleagues, and I hope everyone enjoyed their weekend. Just to refresh where we left off on Friday, my bill, LB66, would require cities to add an early childhood element in their comprehensive plan. A comprehensive plan is kind of the planning document, the overall strategian and vision document for a city. And already by statute require a whole litany of different elements and requirements to be there. LB66 as introduced, intended early childhood-- early childhood care to be an element to be included in the city planning. Thank you, Mr. President.

FOLEY: Thank you, Senator Hansen. Senator Wayne is not here at the moment. Senator Hansen, could you refresh us on the committee amendment.

M. HANSEN: I'd be happy to. AM56, the Urban Affairs committee amendment was a technical amendment that clarified a date, making sure the date was read as a deadline and not as a sunset. Thank you, Mr. President.

FOLEY: Very good. Thank you. Mr. Clerk.

CLERK: Mr. President, Senator Hansen would move to amend the committee amendments with AM151.

FOLEY: Senator Matt Hansen, you're recognized to open on AM151.

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M. HANSEN: Thank you, Mr. President, and good morning, colleagues. I'm offering AM151 in response to a lot of the debate we had on this bill on Friday and I'll get to kind of the meat of the amendment in what we're doing there in a second. First, I kind of wanted to take a step back and reframe on LB66. I thank the President for giving me a moment to describe it, but this bill is about having cities include early childhood care, early childhood education as part of their city comprehensive plan. And so, let's start with why this is an issue, I've identified as a problem. According to one survey we've seen, 28 percent of people in Nebraska live in a childcare desert and the childcare desert is designed as a census tract where there are three times as many children as there are licensed childcare slots available to them. That's 28 percent of our citizens, and specifically the State Department of Education has identified 11 counties that have zero licensed childcare options at all and four more that have only one. There are some areas of the state, some cities and communities in the state where access to childcare, early childhood education, whatever you want to call it, is just sparse to minimal to nonexistent. And that was kind of the problem we are identifying, especially when we see time and time again how much access to childcare and early childhood education has on parent's involvement in the labor force. And when we talk about growing the state, when we talk about getting more workers, one of the things we have to do is make sure the people we have already here, who are here, who want to work, can work. And what we're seeing is many times, and it's primarily mothers, they want to work in the labor force and there just isn't a childcare or early childcare option available to them and so they can't. Or they can work part-time, you know, in the evenings or something of that nature. So that is the fundamental issue we're getting at here is the lack of early childhood care across the state. Now, why does it make sense to include it in a city comprehensive plan? I would like to point out the city comprehensive plans are already required by state statute and have been for many decades and requires them to already include many different things. Specifically, the statute already requires the city plans to address the health, safety, morals, and general welfare of the community in one of those sections we've seen. And it's kind of my fundamental premise that if you're addressing the health, the safety, the morals or overall the planning to be a strategic plan for the city, you got to at least give some passing mention to early childhood education. You got to give at least some passing mention to childcare. Now on Friday there was some debate about whether or not this belonged in the city comprehensive plan. I think some people tried to view city comprehensive plan as just about-- it's just about dry, technical land use documents. And over time, and the reason I've identified them as a possible vehicle for this is over time they have evolved to have so many other things in the city plans. Things we've identified -- oh, and before I go on to this list, I know some of you have noticed already, but this morning we sent out an e-mail to everyone of your city plan for the city you represent, or a city in your district to give you a perspective of what a city plan is. We wanted to print them off but many of cases already, several hundred to three hundred, four hundred, five hundred pages, and that was just not feasible. But it's there if you want to go in, if you want to look, and if you want to look at the wide variety of topics, the wide variety of issues covered in the city plan, I think you'll see that including early childhood in there is a minimal change but a focused one. Related to that, other

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topics already included in city plans are secondary educational facilities, public and private. Many cities include elder care facilities, both public and private. There's often a discussion on cable and television and Internet providers. One city delved into their divorce rates. Another city talks about clubs for young people to join, including young professional groups and young men's clubs. One city actually listed responses to a city survey that prioritized the lack of childcare in their city as an issue, and then the rest of the plan didn't mention childcare again. So, I think we're kind of seeing this where the citizens will identify an issue. The citizens will talk about it and the city plans are starting to include as a concept but they're not finishing the thought. I saw another one that had a glowing sentence talking about how important childcare was. It was one of the strategic goals to improve their work force and they talked about how important childcare was to making sure all parents get into the work force and then they never mentioned childcare again. And so it got passing lip service, it's a start, the idea is there and we would just like them to actually kind of finish the thought and finish writing it out. So what does AM151, which I've offered as an amendment to the committee amendments, do? It does several things. One, it deletes a lot of the definitions, including the terms quality that a lot of people had issue with on the floor on Friday. I want to remind -- that was language we had been asked to put in by actually the cities. And we have since taken that out to make it clear that it could be just a broad discussion on childcare and early childhood education. And what it also does is, removes the deadline and then it says, just the next time you update your plan, you have to do it. So it is still a requirement, it is still on the list, but we have removed any sort of deadline and we've removed a lot of the muddying the water language in terms of quality, early childhood, and what not. So what you'll see in Sections 2 which applies to primary class cities, there's already a list of different facilities that they have to include in the comprehensive plan and we're including early childhood education as an element of educational facilities, which they were already required to do in a couple of places. Likewise in Section 3, it was for all the first- and second-class cities and they were already required to do public and private uses of land including education and other important categories and we're including in the definition of education facilities, early childhood education facilities. So they already have a section dedicated to education. They're already required to do a lot of public and private summaries of what's in their community, and we're just asking early childhood education, childcare to be included in those the next time we're doing it. We're not asking or requiring, we're telling them to do it. I want to make sure my language is clear. I apologize on that. And then Section 1 is for metropolitan class cities. And metropolitan class cities actually have the least requirements on them so to date. So we left kind of-- it's its own paragraph and it's supposed to changing a definition, but it's similarly, the next time you update your plan, no deadline, no time requirement. The next time you update your plan include early childhood education. So, colleagues, I would ask for your support for AM151, AM56, and LB66 to move forward. I think, time and time again, we've heard many groups, many individuals from our school board association to our State Department of Education to First Five Nebraska, to business groups, have all talked about the importance of work force development for our state and how childcare and early childhood education both helps working parents now and helps

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prepare our children for school so they can be our work force in our future for our state. With that, I would ask the body to adopt AM151 and ultimately advance LB66. Thank you, Mr. President.

FOLEY: Thank you, Senator Hansen. Debate is now open on LB66 and the pending amendments. Senator Bolz.

BOLZ: Thank you, Mr. President. I just wanted to reiterate Senator Hansen's point about the importance of childcare as it relates to our work force demands. And I do think that childcare fit very nicely into the existing statute related to city plans which articulate that the plans shall include area needs including housing, employment, education, health and more. And childcare is a real intersection between employment and education, especially for a number of young families. And I hope that the senators from Lincoln on the floor are noticing this morning my comments, because one of the things that guides me as a State Senator is listening to my constituents. And one of the ways that I listen to my constituents is by reviewing the Prosper Lincoln Vital Signs report, which is a community-wide conversation, a community-wide initiative to identify priorities and solutions for our community and that rolls nicely into our city plan. The 2017 Vital Signs report points out that early childhood education is one of their priorities. These priorities were developed through a community-wide engagement process with more than 2,100 ideas coming from citizens themselves. And the report articulates that high work force participation combined with high cost of childcare impacts families. The report states the high proportion of children all parents in the work force suggests that Lincoln may have an elevated need for high quality daycare. The cost of childcare is often a significant proportion of working parent's income and in some cases may be a barrier to participation in the work force. In fact, in the last decade, the average cost of childcare increased 29 percent. So colleagues, especially my esteemed colleagues from Lincoln, I hope that you'll review the Prosper Lincoln report and I hope that you'll recognize that childcare is a significant part of any city plan, it is the intersection of employment and education. It is related to a community's health and well-being. I urge your support for LB66. Thank you, Mr. President.

FOLEY: Thank you, Senator Bolz. Senator Quick.

QUICK: Thank you, Mr. President. And I do support LB66 and both of the amendments. One of the things I wanted to talk about is how important early childhood education and daycare facilities are to our communities, also to our employers in our communities, our working families and most importantly, our children who would attend these and then also move on to higher education. One of the things that some of you have maybe heard me say in the past is that we need to invest in our children at an early age. I think we'll see the benefits from that fact later in life. And I've been to-- some of the conferences that I've been to they've talk about brain



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development in children, 0-5 years of age and actually recently they've even talked about 0-7 and how critical it is for those children to receive early childhood education and I think the need for quality day cares. One of the things that I've heard, especially I think last Friday there was some talk about that this would be a mandate. I'll be honest, the way I kind of see it is actually a no vote would be a mandate as well and it could actually be an unfunded mandate. It could be an unfunded mandate to our child welfare system, to our public school systems, to our juvenile courts and maybe even into our Corrections system. I look at it that every child that we help is one less child that ends up in our child welfare system. Every child that we help is one child less that ends up struggling in our schools and needs assistance and with special education in our schools. Every child that we help is one less child that ends up in our juvenile justice system, and eventually could end up in our Corrections system. And most importantly, for every child that we help, it's one more child that we're going to change their life for the better. And it's-- they'll be productive members of our society. So I think it's very important that we don't lose focus on adding this to our language for our communities to provide for this as helping our children. It's helping our kids to, like I say, become more productive members of society. And I think it's going to help our employers in our communities. It would entice them to either stay in that community or entice new employers to come in. It would entice our employees to stay there. If they have access to early childhood education and day cares, they will stay and might entice new employees to come to that city as well. And I think it's-- this bill isn't going to be an unfunded mandate for communities as they already have to have a plan in place for other things. So I would encourage you to please consider voting for this because I think it's important to our children most of all. I think we can be-- it would be a great benefit to them. And thank you, Mr. President.

FOLEY: Thank you, Senator Quick. Senator Hunt.

HUNT: Thank you, Mr. Lieutenant Governor. So colleagues, what is this bill about? We know this bill is about Omaha and it might be about Lincoln pretty soon, but for right now in the near future this is all about Omaha. And so there might be some temptation to get into the urban-rural divide, hive mind. But it's not tough to prove that as a state we have a major shared interest in the success of Omaha's children. We know from both research and economic analysis, that investments in young children help build a strong foundation for life success, which in turn positively impacts communities economic strength and well-being. I like this thing James Heckman said who is a Nobel Prize-winning economist. He said, early advantages accumulate and so do early disadvantages. And that's something that I think about a lot, especially as a State Senator now. He also said redirecting additional funds toward the early years before the start of traditional schooling is a sound investment in the productivity and safety of our society. So much of the economic activity in Omaha, the output of Omaha workers, is associated with agricultural activity throughout the rest of the state. You have the Farm Credit Association, you have food processing headquarters. There are still packing plants in Omaha. You have the financial sector

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that services this industry. You have manufacturing, you have transportation, the railroad. So it's not divorced at all from the agricultural sector and we all have an interest in the success of these kids, so we need to lay the groundwork for long-term success for our kids today so that they can live the good life as Nebraskans when they're older with a good job and good economic contributions that we can all enjoy statewide tomorrow. The field of early childhood education is not just large in itself, but it has a substantial impact on the current economy of Nebraska. In terms of good outcomes for the kids and good outcomes for our economy, these kids grow up to achieve more education, they earn more money, they have better outcomes, but we also know that early childhood education impacts our current economy, not just the future. The federal funds that Nebraska receives to support the early care and education industry has a statewide economic impact of \$241 million, including \$87 million in annual earnings by approximately 6,100 workers. That's according to the UNL Bureau of Business Research. That's local data that we have showing the positive economic impact in investing early childhood. So every year early childhood educators bring additional jobs and earnings into our state as it draws external funds to the state in form of federal dollars to support early care. So this represents a substantial economic impact on the state economy and this will increase if we pass this bill. Second, and more fundamentally, the early care and education industry provides more parents with the opportunity to work. This increases the work force available to the Nebraska economy, a critical issue in a state where an aging population may limit future growth in the work force and where labor force participation rates are already among the highest in the nation. The federal Child and Dependent Tax Care program allows an additional 1,400, mostly middle-income, married women, in Nebraska to hold full-time jobs. These programs also allow additional lower-income, married parents or middle-income, single parents, to work. I benefited from these programs when I got divorced and became a single working parent and it would have been impossible for me to make use of them if I didn't live near an early childhood education facility nearby. Unfortunately, that's not the reality for many single parents in Omaha. There's a lot of poverty in my district, in Senator Wayne's district, in Senator Vargas' district, and it's black and brown children who stand to benefit most. The north Omaha community, a segment of our city that covers more than 30 square miles and encompasses more than 50 unique neighborhoods, has the highest child poverty level of any U.S. black metropolitan area.

FOLEY: One minute.

HUNT: My district includes parts of this community, and the community contains many of Omaha's most economically and socially distressed neighborhoods with more than 17 percent of residents living at or below the national poverty line. This community also contains the most populace urban food desert in the state of Nebraska, with many residents lacking access to nutritious food. So we have poverty, we have a lack of access to food, and we have a lack of access to early childhood educational opportunities. That's what causes the opportunity gap in Nebraska. That's what keeps kids from either achieving something great with their potential, or

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deciding to move away from the state once they do. That's where children are most left behind and that's where the long-term impact of LB66 could have the most benefit. Senator Chambers, Senator Vargas, Senator Wayne, me, our districts need this bill to pass so we can make sure these kids don't get left behind. So I've talked about the economic benefits to the state, that's not up for debate. The numbers are there, it's just math. But there's also just a level of human dignity and the quality of life--

FOLEY: That's time, Senator.

HUNT: --that we promise in Nebraska that we're not delivering to everyone. Thank you very much.

FOLEY: Thank you, Senator Hunt. Senator Chambers.

CHAMBERS: Thank you. Mr. President, members of the Legislature, for all of the time that black people have been in this country all we get are empty words. False promises, laws that do not apply and yet we listen to all the talk of this being a land of freedom, justice, and equality. You all say that flag salute every morning and I gag, metaphorically speaking, every time I hear it. All that we can get are words, but the words are important because they give us at least an arguing point. All that this does is acknowledge that there is an important aspect of the life in a city which ought to at least be given a nod. I want to tell these rural people, you don't want to make me angry. I'm going to put together a handout for tomorrow, which means I'm going to work on it all night, to show you all how much effort was put into concocting rules that could silence me and they failed. If I want to tie this body up for the rest of the session, not only can I do it, I will do it. You have battling bills to deal with what you call the property tax crisis. Well, if I get on it, you'll be saying Jesus crisis. And if I decide to pursue a course, don't come to me and say let's bargain, let's negotiate. And you certainly cannot intimidate me any kind of way. You cannot. And anybody who wants to challenge me any kind of way, do it, I'm fed up with what I've seen this session already. This, that Senator Hansen is talking about deals with one of the most important aspects of a civilized society and that is education. To show the ignorance of these white racist Republicans, they always say somebody is a liberal. They don't even know the meaning of liberal. They couldn't tell me the meaning of a liberal education. They would say, well, it means big government, big spending, and blah, blah, blah. They don't understand. That term had to do with an education which is suitable for a person who is free. It was liberal in the sense of being liberated. Slaves did not need education. Indentured servants did not need education. Those who work in the mills did not need education. But the leisure class, the better classes are the ones who needed education so that they would better know how to rule the others. Education, if I had my way, would be at the top of the pyramid of society. Because some of you all obviously don't have education, a pyramid, if it sits on its base is wide at the bottom and the

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higher it goes, the narrower it becomes until it reaches an apex. Let me not use that big word. Although, it's only four letters, it reaches the top most spot, the pinnacle. I better not use that word, it has too many syllables. But that's where education would be--

FOLEY: One minute.

CHAMBERS: --and the class of people who would have the most status and respect would be the teachers, teachers who do what teachers are supposed to do. You're given these young minds and it is your responsibility to shape, mold, to direct them, and if those tasks are discharged in an appropriate way, a society cannot do anything except progress. Because as you improve, each individual collectively, you will improve that society. I'm going to put on my light. Thank you, Mr. President.

FOLEY: Thanks, Senator Chambers. You may continue, Senator Chambers.

CHAMBERS: There's a song that they apply to children, but I'm going to apply it to what I hear from these senators from the rural area. [SINGING] We don't need no education, we don't need no thought control. No dark sarcasm in the classroom. Teachers leave them kids alone. Hey, teacher, leave them kids alone. Oh, we're only just another brick in the wall. British kids sang that. And there's one of the best guitar riffs that I've have heard in that song. When I listen to people on this floor talk about education and they do not exemplify education by the way they speak. You all don't have the subject agreeing with the predicate. You all split infinitives. You dangle modifiers. That means you use a construction in a sentence so that you have a word or a phrase that's descriptive and there's something in front of it, something behind it, and you don't know which one that phrase is supposed to modify. But you all don't care about how you speak. Get the transcript of some of these debates and read what these senators say and how they say it. And you have the nerve to stand on this floor and say that it's too much of a burden to put in a plan, a comprehensive plan. Comprehensive means all inclusive. It's too much of a burden on these cities to put an acknowledgment of the value of early childhood education, and a lot of you call yourselves pro-life. You pretend to be worried about a zygote, an embryo, a fetus, about which there is much dispute, but when you have a walking, talking fully-formed human being as the Latin people say, in essay, in existence, that's when all of your care stops. If you had one-tenth the concern for children that you all have for zygotes, that's when the two cells meet, then this world of America would be a much better place to live. You would never get thousands of people marching in the cold to improve the education of poor children who are here. Signs saying adopt. You don't need to adopt. There are children right now you can help without adopting. All of that is hypocrisy. This Legislature is shot through with hypocrisy. Your Jesus tried to tell you 2,000 years ago how you ought to comport yourself, the things that ought to be important to you, and there is only one category of beings whom Jesus said you better watch

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your step if you offend against them. He was talking as he often did and people who liked Jesus brought their little children because they thought maybe there would be some spillover and those hardheaded juveniles might pick up on a thing or two. And Jesus' disciples like the rest of you all who were concerned about appearances and not substance, told them to get those children away from here. And Jesus said hold on, back off. You don't know what spirit you are of. Unless you become--

FOLEY: One minute.

CHAMBERS: --as these little children, you will no wise enter the kingdom of heaven, for as such are the kingdom of heaven and furthermore, he that offends against one of these, my little ones, it will better for him that a millstone be hanged around his neck and he be drowned in the depth of the sea. That's what your Jesus said, the one you all pretend to worship, the ones you all mouth those prayers to every morning. Then I watch you and I see how you deny him all the time. All of you all should have the name Peter just like that apostle, and your Governor, because he's famous for denying Christ three times. Three times. Big strapping Peter. His name meant rock and they--

FOLEY: Time, Senator. Thanks, Senator Chambers. Senator Kolowski.

KOLOWSKI: Thank you, Mr. Chairman, and good morning, fellow colleagues. I look at this particular bill and what we talked about last week, as well as now on the first day of this week, we're dealing with the same topic and the same issues. I did not bring up last week something that I do want to put on record now. We haven't talked about this topic and we haven't talked about the expertise, the excellence that goes into what is currently taking place in Omaha and throughout Nebraska with the future planning. The Buffet Early Childhood Education Centers have \$50 million that was given to that organization by the Buffet family in order to work with the black, the brown, the poor, white, and others in all sections of town, but specifically in east Omaha and north Omaha and south Omaha. This work is going on. This work is transforming as far as what's taking place and the research and the study with Sam Meisels at the head of that, of what's taking place is changing families. It's changing neighborhoods. Great things are taking place and they have the data and they have the research to prove that. What's sad is, we haven't had one mention of that organization, their work, their research, the application to the communities they're working in, not one mention of that in this body last week or till this morning. That's sad. We're ignoring one of the top facilities and research going on in early childhood education right in our own backyard. I hope we can be better than this. Thank you.

FOLEY: Thank you, Senator Kolowski. Senator Chambers, you're recognized. It's your third opportunity.

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CHAMBERS: Thank you. Mr. President, members of the Legislature, in the so-called rural areas, and I guess a rural area could be defined as one where there's meager population, maybe they could speak of it in terms of large expanses of land and the types of things that are done with that land or nothing being done with it. But however you define it, however you describe it, there never are as many "ruralites" as there are "cityites". I'm from the largest city in this state, notice I said from it, not of it. There is discrimination, there is redlining when it comes to obtaining loans. For black people, 2019 may as well be 1819. White people are privileged. I wish the only thing I had to worry about was property tax levels. And by the way, I have assisted people in having their evaluations lowered so that they wouldn't have to pay as much. That's what I do. I'm not paid to do it. I help people who need help and if I can give it, I will. There's an African proverb that a lot of you may have heard. It takes a village to raise a child. The term should be, rear a child. We raise crops, we raise animals, we rear children. You all don't even get that right. You talk about raising children. No, you rear children. But at any rate, there's another one. Proverb that is. When the elephants fight, it is the grass that suffers. If you all want us to have an elephant fight here this session, and you consider the people you represent the grass, let's get ready for it. I'm going to have to demonstrate to you all that in my 82nd year, I will be as physically vibrant, as relentless, as intellectually sharp as anybody on this floor. And that's not really saying too much. When people often tell me I'm the smartest person who has ever been in the Legislature, I say, well, you narrowed the standards so that what you said doesn't mean anything. If I know how to walk out of a room by exiting through the door, that puts me on a level with everybody in the Legislature, so you have not complimented me. I'm as serious as a heart attack about what I'm saying. I did not comment this morning on any of the bills that were before us. And you're not going to know until it happens when the drop falls. I was talking about Peter. It means rock, stone. They used to call him Rocky before they had this guy who makes the Rocky movies. Peter, the rock, and Jesus told him, Peter, you're going to deny me three times before the cock crows. Peter said, oh, no. Oh, no. You're not talking about Judas who betrayed you, you're talking about the rock. And Jesus said, Peter, before it's over, you're not going to be Peter the rock, you're going to be Peter rabbit. And that's where the story of Peter Rabbit came from, but you all don't study the Bible.

FOLEY: One minute.

CHAMBERS: So when Jesus was going through his travails --I'm not going to be able to say everything I've got to say this time or on this bill. We've got plenty of bills here this morning and I have plenty to say. And since you all love the "Bibble," I'm going to give you all my slant on the "Bibble." The "Bibble" is a book with some of the thinnest pages you will ever find, and more pages than most books you will find. Many, many words, many, many stories, many yarns, many false statements, many contradictions, and these kind of subjects are an invitation for me to expatiate free or all the scene of humanity and biblical lore. Watch and see what happens this

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morning and it will give you an insight into what may be in store for the rest of the session. May means possibility, not even likelihood, but certainly not necessity. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Matt Hansen, you're recognized to close on AM151.

M. HANSEN: Thank you, Mr. President, and good morning again, colleagues. I have appreciated the discussion we've had these past, today and Friday, these past two legislative days on this bill and this issue of early childhood education. So, fundamentally, with AM151 where I have been trying to address some of the concerns that I heard on Friday. So we've taken out some of the messy definition language in terms of what is quality childhood care, different data sources. All those data sources are still available. I would still encourage cities to go for them, but it won't be in the bill and it won't be muddying the language, it'll just say for cities of first class, second class and primary class cities when the already existing definition of school and educational facility will amend that to say educational facility including early childhood education. It's worded a couple of different ways in a couple of different sections, but that's the fundamental purpose. And similarly for the metropolitan class cities, they did not have an existing requirement for educational facilities, so we are adding-- but they do, all metropolitan class cities do cover K-12 and higher ed and this would say in addition to that, you need early childhood education element to your plan along with first, second class cities, and primary class cities. Fundamentally, this an issue of-- and a lot of the debate is hinged on what is the role of the city and what is the role of the city in education and in childcare and in work force? Time and time again, I have heard that one of the biggest issues facing the state of Nebraska is work force. We need more workers, we have jobs to fill and we can't fill them. One of the undersize pools of people, and we heard this in Planning Committee this fall, one of the underutilized pools of people already in this state who could work a job are parents who have to take care of childcare responsibilities and this is primarily mothers, as we know. By making sure cities are at least giving some passing focus to childcare, early childhood education, we can hopefully have that conversation publicly of how much do we want early childhood and childcare to impact our city, will that impact our work force, will that change what our city looks like? In larger cities, or other cities where childcare isn't necessarily kind of make or break for the economy, it's more of a planning discussion for, you know, in the city of Lincoln when they're planning a new subdivision, you know, is there going to be a space for a preschool and how close is it going to be to an elementary school. They could choose to do that whichever which way they want, but that's kind of the two discussions I'm trying to have. As one of my colleagues said, in his small town it doesn't really matter where you put the daycare because it's going to be half a mile from anything. You know, obviously that changes in a city like Lincoln or Omaha. But those are kind of the two discussions we want to have. Time and time and time again, work force, work force, work force, we hear it all the time. I hear from business groups, I hear from cities, I hear it from all sorts of groups. And we know, one of the underutilized groups that would want to join the

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labor force are working parents, or potentially working parents, who have to take on childcare responsibilities. So in that way, it's very much viewed as a work force development bill. And as I said, it belongs, in my mind, it belongs in the city comprehensive plan because the city comprehensive plan, as I said on Friday, is a strategic envisioned document for the future of the community. Omaha talks about the aspirations and hopes of the citizens. We're talking about the aspirations and hopes of the citizens and we're talking about what the citizens want, access to childcare, especially among young parents. It's time and time and time again. So AM151 as we've written it, takes into is pretty much all of the concerns that I heard on Friday. It takes out the deadline, so it's just the next time you renew your plan, one of the definitions of educational facility is early childhood. And that's kind of the minimum standard we want to set--

FOLEY: One minute.

M. HANSEN: Thank you, Mr. President. --to create the minimum discussion on early childhood education as kind of a component of the strategic vision of a city and the future of the community. With that, I would encourage the body to adopt AM151. Thank you, Mr. President.

FOLEY: Thank you, Senator Hansen. Members, you heard the debate on AM151. The question for the body is the adoption of the amendment. Those in favor vote aye; those opposed vote nay. Senator Hansen. There has 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.

CLERK: 30 ayes, 2 nays to place the house under call.

FOLEY: The house is under call. Senators, please return to your desk and check in. The house is under call. All unexcused Senators, please return to the desk and check in. Looking for Senators Cavanaugh, Bolz, Hilgers and Groene. Please return to the Chamber and check in. Senator Hilgers, please return to the Chamber. Senator Hansen, we have all unexcused members now present. How did you wish to proceed? Roll call vote in reverse order has been requested regarding the adoption of AM151. Mr. Clerk.

CLERK: (Roll call vote taken.) 19 ayes, 16 nays, Mr. President, on the amendment.

FOLEY: The amendment is not adopted and I raise the call. We're now back on LB66 with the pending Urban Affairs committee amendment. Senator Chambers, you're recognized.

CHAMBERS: Mr. President, members of the Legislature, I support this bill and I believe when I've given my word, I should carry through on it. This fellow that you all say you worship named



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Jesus created problems everywhere he went. He viciously, without apologetic, without apology, attacked the established church of his day. Attacked the religious sects, and individuals who adhered to it. He attacked public prayers as hypocrisy. He attacked the rich like your Governor and said it's easier for somebody, a camel to go through the eye of a needle than for Ricketts to go to heaven, but Ricketts doesn't care because he doesn't believe those things anyway. Jesus had 12 men, no women, who claimed to follow him. They didn't understand what he talked about and he spent as much time chastising them as he did the hypocrites at large. But he was forgiving and he let them hang around. To get to the back end of the story, one of them named Judas betrayed him for 30 pieces of silver. Another one, Peter, like Peter Ricketts, denied him. And I told you all that this Peter fellow was big and strong. He had been a fisherman, gruff, rough and tumble, and if I got the yarn correct, he was so angry when the soldiers came to get Jesus after Jesus had been betrayed by Judas, that he took a sword and he cut a man's ear off. And good old gentle, loving Jesus took every opportunity to teach his hardheaded disciples, like you hardheaded people in the Legislature, that this is not the way, my way, is to be carried out. This is not the way you make the progress that I want to make. You fools have watched me feed thousands of people. You watched me raise dead people. I make it plural. Lazarus wasn't the only dead person he raised. He raised a little girl also. You've seen all of these things and you've never seen me lift a finger to hurt anybody. Now, Peter, poor, brash Peter. You have created the opportunity for me to show all of these soldiers and everybody else what I'm about. He picked the ear up, brushed it off, wiped it on his robe, and stuck it on the man's head. And when he removed his hand, the ear stayed in place and that Jesus you all claim to worship--

FOLEY: One minute.

CHAMBERS: --allegedly said, he who lives by the sword-- and you know how to finish that. Having seen these things that I've touched on, Jesus told Peter that Peter was going to deny him. And Peter said, not me. Maybe all the others, but not me. This is the rock. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. You may continue.

CHAMBERS: Jesus had a way of bringing warring people together. Pilate was dealing with Jesus. He saw nothing in anything that these religious hypocrites had accused Jesus of that the Roman Empire would even take notice of. Jesus was just an itinerant preacher to Pilate. He probably had heard of him because there was tumult almost everywhere he went. But it was never aimed against Rome. It was aimed against the Jewish religious people and Pilate didn't care a pop of the finger for them or any others. So he told them, I don't see why this little fellow ought to die. Jesus was 5'3" tall soaking wet, weighed 112 pounds. How do I know? How do you know what I say didn't happen that way? So Pilate being dramatic told him to bring him a basin

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of water and he said, this man is just. You have all your religious superstitions. When we take over an area, we let the people do what they want to do as long as it doesn't interfere with the dignity of Rome. So you want to kill him? Kill him. But I won't have anything to do with it. He told somebody to pour water over his hands and he said, I wash my hands of what you're doing. I will have nothing to do with the death of this guy because he hasn't done anything worthy of death. Now, if Pilate had wanted to, he could have nipped all of that in the bud, but the religious people had gone through their ceremony and they were given the opportunity at Passover to select somebody who would live, somebody who would be granted clemency, and they brought the worst person they could find to stand next to Jesus. And Pilate and the others thought that if the Jewish people saw this rascal, certainly they'd let this little fellow live. That's not the way the story went. Had it gone that way, you all wouldn't be saying these prayers every morning and I wouldn't have to comment like I am now. They chose Barabbas, the man who had committed crimes, who had led insurrections, and when the question was put to the crowd, well, what shall I do with Jesus? The people didn't know. So the religious leaders said, crucify him. And then the rabble, like the Senators when the Governor speaks, they said, crucify him. And Pilate said, should I crucify your king? He's not our king. He said he's our king. Crucify him. So the man who had come into town the week before riding a jackass, and these people putting palm branches in front of the jackass and crying Hosanna, a week later were crying crucify him. So when you all fall in behind the Governor and your political party, learn something from history. What I'm telling you is just a yarn, but you all act like you believe it. So Pilate was going to examine Jesus because he wanted to find out what all this was about. And here is the one thing I blame Pilate for. He asked a question and I would like to have had that question answered.

FOLEY: One minute.

CHAMBERS: Pilate asked Jesus, what is truth? And did not stay to get the answer. He walked out to deal with the mob. I wish he had stayed to get the answer, but he didn't. When he found out that Jesus was from Herod's jurisdiction, he sent Jesus to Herod and let Herod deal with it and Herod wanted to see Jesus do some magic. He had heard about him. Jesus didn't do any magic. So he wound up being sent back to Pilate. But here is what happened first. It said Pilate and Herod who had enmity between them before were now friends. Jesus brought two warring leaders together who were united in seeing that he was going to have to be dispatched. So even in the shadow of death, he was doing his work. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Erdman.

ERDMAN: Thank you, Mr. Lieutenant Governor. Good morning. Senator Chambers, I was listening to your comments and looking around the room to see who might be listening and we have Senator Dorn, maybe Senator Matt Hansen and a couple others and your opinion of the size

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of Jesus was-- struck a chord with me. Some research has been done to what the average size of the Jewish man was when Jesus was on earth and they've concluded he was in that 5'5" to 5'6" range. And the Bible also says that when we get to heaven, we shall be like Jesus. And so you described that Judas betrayed him when he was in the garden and if he had been a tall guy like Senator Vargas, Judas would have said, get the tall guy. Or if he'd have been a short guy like perhaps Senator Halloran, and no offense to Senator Halloran, he would have said, get the short guy. But he was average. And if average is 5'5", 5'6", Judas said, I'll distinguish which one it is by a kiss. So he went and kissed the one that he was. So, therefore, that proves the fact that Jesus may have been taller than 5'3". He may have been 5'5", 5'6". But when I get there, I'll let you know. But I appreciate some of your comments. Some of them are right. Some of your biblical descriptions are right, some of those as maybe my 5'6" story are your opinion. But I do appreciate the fact that you understand that Jesus did great things and brought people together. That is important. Thank you, Mr. President.

FOLEY: Thank you, Senator Erdman. Senator Chambers, you're recognized. This is your third opportunity.

CHAMBERS: Thank you, Mr. President. That's the difference between 5'3" and 5'5" and Senator Erdman is going to say that somebody 2,000 years from the event could distinguish a difference of two inches. He doesn't know. Right now there are basketball players over seven feet tall. I'm 5'8". They could get my-- well, I won't have a skeleton because I'm going to be cremated and some people said I don't have to wait so long, they'll see that it's done right now. But if you had a set of circumstances like they did in England where people wore iron clothes, you could look at those still existing iron clothes and determine the height of the people who wore such clothing and at least have something concrete from which to draw your speculative conclusions. But back to Peter. And I didn't say it was in the garden. I didn't tell you where it happened. Senator Erdman threw that in. The garden is a different story, which before the morning is over, I'll have a chance to give. But I'm not going to do it all on this bill. As a matter of fact, I don't know how much more I'll say on this bill at this point because this is my third time. But I want you to hear my version of that story about Rocky. Peter, he had long, black locks that cascaded over his shoulders. He had a long beard. He was a fisherman and in those days, fishermen did very hard work, so he was very muscular, very strong. He was like a bull in a china shop. Not much finesse. But until his fall, you couldn't have asked for a more loyal friend, a more reliable strong man, guard, body guard, than Peter. But there's a verse that said Jesus had no need that anybody speak to him of man, for he knew what was in man. He didn't just look at Peter and his physical attributes because Jesus had gone to the synagogue when he was a little boy and they taught him. And I'm sure they taught him that verse that talked about Samuel, the prophet, choosing a new king for Israel when the then king, Saul, didn't do what God wanted to, have done. So when he was going to this family where God sent him, the father brought all these strapping young men and Samuel didn't see the new king among them. He said, have you got another son somewhere?

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He said, well, I got a little boy out there taking care of sheep, but he couldn't be the king. Not only does he take care of the sheep, he looks like one and he smells like one. And Samuel said, bring him in here. Jesse, the father said, why? He said, man looks on the outer part, God looks at the heart. Bring him in here. And as soon as that little smelly boy came in, Samuel said, bingo, that's the king. You not making this choice. God is making the choice and I'm his flunky, his messenger, and he sent me and I'm telling you, that's him. What's his name? He said David. Now I've told you something about that story.

FOLEY: One minute.

CHAMBERS: I'm going to have plenty of time to elaborate on these as the morning goes on. You all might want to name me your chaplain, but I won't accept it because I will not play that game and hypocrite as though I believe something when I don't. But to touch on what Senator Erdman said because I can't finish the story of Peter, if you go by what ethnologists have determined about Jesus' appearance, he looks more like me than you. He had my complexion. He had coarse hair. And if you stood him here, he'd look far more like me than any of you. And this was the work done by white people. And there are some artists of antiquity who painted Jesus, not as a white man. They knew the complexion of people in that part of the world from which Jesus came.

FOLEY: Time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. We'll now proceed to a close on the Urban Affairs Committee amendment. Senator Wayne has not checked in this morning. Senator Hunt, as Vice Chair of the committee, you're recognized to close on the committee amendment.

HUNT: Thank you, Mr. President, and members of the Legislature. The committee amendment, AM56, is a technical amendment that clarifies the January 1, 2022, date as a deadline and not a sunset. So I would ask for your green vote and to adopt AM56. Thank you, Mr. President.

FOLEY: Thank you, Senator Hunt. Members, the question for the body is the adoption of the committee amendment, AM56. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Record, please.

CLERK: 15 ayes.

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FOLEY: There has 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.

CLERK: 24 ayes, 3 nays, Mr. President, to place the house under call.

FOLEY: The house is under call. Members, please return to the Chamber and check in. The house is under call. All unauthorized personnel please leave the floor. The house is under call. Looking for Senators Lathrop, Bolz, DeBoer, Bostelman, Hilgers, Clements. Please return to the Chamber and check in. The house is under call. Senator Chambers, we're lacking Senator Bostelman and Senator DeBoer. We can wait if you prefer to or proceed. Senator Chambers, did you ask for a roll call vote? Senators Bostelman and DeBoer, please return to the Chamber and check in. Waiting for Senator DeBoer. All unexcused members are now present. The question for the body is the adoption of AM56, the Urban Affairs Committee amendment. A roll call vote has been requested. Mr. Clerk.

CLERK: (Roll call vote taken.) 19 ayes, 10 nays on the adoption of committee amendments.

FOLEY: The committee amendment is not adopted. I raise the call. We're now back on LB66. Senator Chambers.

CHAMBERS: Thank you. Mr. President and members of the Legislature, I told Senator Hansen I would speak one more time. I see a replay of what happened last session and if that's the way the game is going to be played, it's good that we know it today. I think I heard it said when I was in my office listening, that this is the 18th day. If you multiply 18 by five, you get 90. Eighteen is one-fifth of 90. One fifth is 20 percent. Twenty percent of the legislative days has elapsed. And where are we? We're at the beginning. And it's a long, long time from May to December, but the days get short when you reach September. Oh, the autumn weather turns the leaves to flame and you haven't got the time for a waiting game. Oh, the days dwindle down to a precious few. September. They dwindle down. Every day that passes, obviously subtracts from that 90 and we have one day less than we had. I don't know that I've seen the rejection of a committee amendment when the committee chair did not ask that it be rejected. You all are getting your instructions on this bill and I'm watching the way you all are voting. Senator Linehan is a new Chair. I'm going to watch how she shepherds bills that come from her committee. She's not a newbie. Others of you are going to occupy the hottest place in hell because you did not declare yourself. You know what your marching orders are, but you couldn't bring yourself to commit that act of total disregard of what might be called common legislative courtesy. I'm going to get a copy of that vote. From now on, I guess we're going to have to debate whether or not a committee amendment will be adopted. I am a fast learner and since you all think you're superior to black people, I'm going to learn from you. I watch some of you be not voting. That's gutless.

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You knew you should have voted as a courtesy to adopt the committee amendment. I have voted in favor of committee amendments that were merely technical when I didn't like the bill. I wanted the bill to be in the shape that it was deemed appropriate in order for the bill to be in good--

FOLEY: One minute.

CHAMBERS: --working order should the body decide to do something other than kill it. And if you're going to kill it anyway, you could show the common courtesy of allowing the last meal. I use that term metaphorically. I'm not going to tell you all what I intend to do on each bill. But I'm going to do something and I'm going to get that vote. And every one of you, especially some who are chairpersons yourself and who are chairpersons now, did something that I deem to be not only discourteous, but disgusting. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Speaker Scheer, you're recognized.

SCHEER: Thank you, Mr. President. Let me explain from my perspective we are trying to mandate something that for my purposes has not been displayed to me that there is a need. Most communities are doing this already. The examples of where we've talked about Red Cloud and others, those communities took it upon themselves to do this. They weren't mandated to do this. So consequently, until someone can show that there is a lack of involvement on behalf of the communities, I certainly will not be supporting the amendments or the bills. In relationship to courtesy of not passing a committee amendment, Senator Chambers, perhaps you have taught me too well, but I remember on this floor on several occasions where your comment after you did not vote for those type of amendments is, you would never want to make a bad bill better, simply kill the bill. And I think what you have noticed perhaps earlier today that exact thing may be going on. Because I do have a few more seconds left on my time, I did want to stand and acknowledge the passing of Anne Boyle. I had the pleasure and the privilege of knowing Anne. She was a dedicated public servant that served her community and the state as well. In a remarkable fashion, she was determined, articulate, a wonderful person. She was a strong member of the Public Service Commission and led it in a very fashion that her beliefs led her to do so. She never wavered on her own beliefs and her conscious. My sympathies, as well as speaking for those on the Chamber, on the floor, go out to Mike and the family for their loss, far too early. As I get older, that becomes all that much closer and more realistic to me. She was lost, well too early in her life. She had so much more to give and my sympathies and our sympathies to the family and for their loss. Thank you, Mr. President.

FOLEY: Thank you, Mr. Speaker. Senator Briese.

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BRIESE: Thank you, Mr. President. Good morning, colleagues. I rise today to comment on LB66 and I believe in the importance of early childhood, in growing our communities, growing our state, growing Nebraska, and I understand the need to focus on this issue. And I thank Senator Hansen for bringing LB66. But I sat in on the testimony. Over and over we heard of the importance of early childhood to economic growth in our state. Over and over we heard of the focus on this issue. And I specifically asked one of the key proponents of this bill, is there a lack of strategic planning on this issue? And he couldn't point to any examples. And why was that? Because this is a key issue, the key issue for every economic development director in the state. It's an issue that's already front and center statewide. From what I heard in that committee, a legislative mandate that this is put into their plans will not have any impact. And although I applaud Senator Hansen's intent here, I believe it's an unnecessary legislative mandate and for that reason I oppose it. Thank you, Mr. President.

FOLEY: Thank you, Senator Briese. Senator Chambers.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, now it begins. I would like to ask the Speaker a question.

FOLEY: Speaker Scheer, would you yield, please?

SCHEER: Of course.

CHAMBERS: Speaker Scheer, what were we voting on on that last vote we took?

SCHEER: I believe it was the committee amendments to LB66.

CHAMBERS: Are you aware of what the committee amendment concerned itself with?

SCHEER: I glanced at it, yes.

CHAMBERS: What did it concern itself with?

SCHEER: Don't recall, it was last week.

CHAMBERS: I didn't understand you.

SCHEER: I looked last week. I don't recall specifically what was in the amendment.

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CHAMBERS: But without being aware of what it was you felt you should be not voting obviously, correct?

SCHEER: I did not support the bill, so I did not support the committee amendment, no, sir.

CHAMBERS: Thank you. I would like to ask Senator Hunt a question if she would respond.

FOLEY: Senator Hunt, would you yield, please?

HUNT: I will.

CHAMBERS: Senator Hunt, what did this committee amendment deal with?

HUNT: This committee amendment was just simply a technical amendment to get the bill in proper shape to get a fair hearing. What it did was it clarified that a date was a deadline and not a sunset.

CHAMBERS: Thank you. Members of the Legislature, that's what I call a technical amendment. If I was going to kill a bill, a technical amendment doesn't make me that much difference because I know what I'm going to do when we get to the bill. But that's me. The rest of you all don't like the way I conduct my legislative strategies. We were talking about a date. That doesn't say whether you favored the bill itself or not. You would put the bill in the shape it should be in with reference to this date. But you're free to vote however way you want to obviously. But most of you all had your orders. You didn't know what the amendment dealt with. You didn't care what the amendment dealt with because you have your orders. But what I feel you did today, since you voted that way on a technical amendment, you're setting the standard of how we should behave the rest of the session. If I'm opposed to a bill, I will oppose the committee amendment. That's the lesson you taught. That's the message you gave. And I will say, message learned. Lesson learned, message received. Although I reversed the order. Message received, lesson learned. Sometimes you all get carried away and puffed up when you get one of these chairmanships. People who conducted themselves in a very scholarly, if it's a male, gentlemanly. If it's a lady, lady-like manner, you did not try to be overbearing. But when you become a Chair, you become like a tyrant and a bully and the public is quick to see it. And there are people who can do certain things and I say no more than I expected. But there are other people who conduct themselves in such a way that certain kind of behavior is so out of character that either that person experienced a glitch in his or her judgment, or that person has succeeded in concealing and hiding what he or she had been all the time, and once ensconced in a position of what seems to be authority is going to let it all hang out. There will be rudeness. There will be bullying. And



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that is what that person should show all the time on the floor of the Legislature where people can respond. A person testifying at a committee hearing may not. A committee member may not. But I say, let's do it out here. We talk about transparency, don't we? Let it all hang out. You know what I think. You know what I believe. I will say mine to and about the Governor and not be like some of you all, whispering behind your hand.

FOLEY: Time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: Senator Chambers, you're recognized. It's your third opportunity.

CHAMBERS: Mr. President and members of the Legislature and with my apology to Senator Hansen, he knows what you're going to do with his bill, so what I'm saying is not going to be the reason you do what it is you've decided to do. When values are ranked and placed in order, I will look at what the one doing the ranking, establishing the order has done. Property tax doesn't mean as much to me as education. So we have plenty of opportunities to fight like scorpions in a bottle over property taxes, and we shall. And you all need not get upset. After all, it's only legislation. There will be another session and I'm going to see if you're going to be as bullying and tough then as you can be now when you can bring your troglodyte attitudes clustered together like a mob and kill something because with your backward ways, it seems to endanger everything you've been told that you believe in or ought to believe in. I have a set of beliefs and they're not based on religion. They're based on reality, the world in which I live, the political body of which I'm a part. And the judgment I should make toward those who are in this body, and I'm going to make those judgments, and it's going to be based on how you comport yourself. The things you do when you're dealing with those who are not in a position to deal with you like you deal with them. Makes me begin to wonder about things that I read, things that I heard and wonder if they're true. You know what, if somebody comes before a committee on which I sit and I have strong words with that person, I know the person, the person knows me. We've talked other than at the hearing. And sometimes a person will say, I know what Senator Chambers is going to do and I don't disappoint that person. But never have I started or joined a back and forth with a person and then tried to stop that person from speaking. Hold my hand up and say uh-uh, no, no, you're not going to say that. You're not going to say anymore. Not me. I am a man. I am a man all the time. People may not like the way I express myself, but I don't bully women and if I witness it, I'll comment on it. Don't be so quiet. Let me hear the applause. Oh, so this morning I am literally a minority of one. You think this is a strange position for me? It would be strange for one of you to occupy because you always have to have a lot of company along with you. But I don't. Never have had it. Never will have it. Furthermore, don't need it and don't want it.

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FOLEY: One minute.

CHAMBERS: When I used to go to these little hick towns, somebody called me and asked me what I meant by hick. I got that term from people down here. Senator Coordsen used to use redneck and I told him, don't say that. I said, that's degrading. He said, well, actually you don't understand things in the rural area. I said, well, Senator Coordsen, don't say it when I'm around, if you don't mind. So those terms I pick up from you all. I have plenty of time this morning, so I will not go beyond my one minute. Thank you, Mr. President.

FOLEY: Thank you, Senator Chambers. Senator Matt Hansen, you're recognized to close on the advance of LB66.

M. HANSEN: Thank you, Mr. President. And good morning, colleagues. If nothing else, I'm happy that we've had LB66 as an opportunity to kind of go through a learning process as a Legislature, have some of our first debate, have some of our first no votes. There's always some bill that causes that on the agenda and at a minimum, I'm glad I was able to provide that learning experience and tool to the body. I'm also very appreciative that we had a discussion and debate on the importance of early childhood education. And so, I guess the stumbling block I have here is everybody seems to have committed to the importance of early childhood education, but this isn't the way to go about it. Okay. I'm disappointed, I disagree, but I could take that. But I do hope that we don't just continue to pay lip service to early childhood education and when the next bill that tries to spur early childhood education tries to make sure that young parents, working parents, have access to childcare, have access to a daycare, to a preschool, to a head start program, comes across this floor, then a way that maybe is framed differently, you have the opportunity to get up and really show that you are in fact in support of early childhood education and you're not just using the local control option as a way to get out of that. I don't think anybody is doing that, but hopefully you'll have the opportunity to do that. For me, I appreciate the concept of local control. I have used that argument in the past and I do-- and I understand where it's coming from. I just want to kind of reaffirm how minimal of an intent and a desire this was. This is-- I've described it as sort of a bit of a fluff bill in my mind when I first introduced it last year was we were literally in a three to 400, 500 page plan asking for a page, asking for a few paragraphs to just have city planners kind of take stock on where the daycare, where the childcare, where the preschool, where the early childhood education was in the city. That seemed a minimum burden. It seemed a minimum barrier. I was surprised that anybody objected. I was surprised that anybody indicated that it was going to take consultants and to cost money. We are asking people whose jobs are to have an understanding and perspective of the city to take a moment in their main document that they provide that we require in statute, that we have required in statute for decades and include a little element on childcare and early childhood education. As I said, colleagues, I appreciate the opportunity here and I appreciate so many people getting up and talking about their commitment to early childhood education. Their

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recognition that it is the key to work force and just growing our state as a whole and helping so many families. I hope that you will choose to support LB66 and I hope when we have future bills dealing with early childhood education, you'll continue to support those. With that, I would ask for your green vote on LB66 and I would like a call of the house.

FOLEY: There has 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.

CLERK: 27 ayes, 3 nays to place the house under call.

FOLEY: The house is under call. Senators, please return to your desk and check in. The house is under call. All unexcused senators please return to the floor. Unauthorized personnel please leave the floor. The house is under call. Senator Stinner, if you could check in. Senators Kolterman, Lathrop, Geist, Hilgers, Friesen, please return to the floor and check in. All unexcused members are now present. The question for the body is the advance of LB66 to E&R Initial. Those in favor vote aye; those opposed vote nay. A record vote has been requested by Senator Chambers. Have you all voted who care to? Record, please.

CLERK: (Record vote read.) 19 ayes, 23 nays, Mr. President, on the advancement.

FOLEY: The bill does not advance and I raise the call. Proceeding to the next bill. Mr. Clerk.

CLERK: Mr. President, LB63 is a bill introduced by Senator Groene relating to rural and suburban fire protection districts. (Read title.) Bill was introduced on January 10, referred to the Revenue Committee, advanced to General File. There are Revenue Committee amendments pending.

FOLEY: Senator Groene, you're recognized to open on LB63.

GROENE: Thank you, Mr. President. This is simple, local control, property tax relief; encourage more counties to take part in the program is what we're hoping to accomplish here. LB63 modifies the provisions governing agreements between fire districts when a-- within a county that create a mutual finance organization. MFOs are formed through an interlocal agreement by fire districts in the county in order to qualify for state funds under the Mutual Finance Assistance Act. The Assistance Act is funded by a one- to half-cent premium tax on your insurance policies. Ten percent of that fund, which is about \$9 million, \$90 million, excuse me, is generated from that premium tax. Ten percent of it, by statute, is used to create a fund where rural fire districts and fire departments, along with their urban counterparts in the county, can create a finance, a

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mutual organization, and then they can access up to \$300,000 per county of those funds. The aid provided under the act allows MFOs to jointly finance their operational and equipment needs for fire protection, emergency response, and training. In the fiscal 2018-19 fiscal year, 41 counties had mutual finance organizations and only-- less than \$4 million of the \$8.9 million was allocated out to those counties. The rest of the money wasn't used for its original purpose. It went back into the budget to balance the budget. A county can be disqualified presently from funding under the act if one district levies more or less than the agreed-upon tax rate. They all have to get together and agree on a tax rate. MFO agreements currently last one year. Under this bill, they will have a duration of at least three years. Currently, the same rate must be levied by the entirety of the-- of all of the fire district for one-year agreement. Under LB63, members of an MFO will be required to levy the same agreed-upon property tax rate for at least one out of every three years covered by the agreement. These changes serve the goal of helping well-run districts. These districts are composed of individuals and volunteers who serve their communities with no compensation. They should be-- not be forced to tax themselves at a higher rate. This was brought to me by some small rural districts who mostly fight grass fires. They have some tanker trucks and some pickup sprayers and-- and the farmers bring their tractors and whatever else and help fight fires when they start. They didn't need the 3 cents. In Lincoln County it's 3 cents is what they've agreed to. They did not need that much revenue every year, but they did appreciate the MFO organization where everybody worked together to help fight fires. So we then, of course, went to three years and allowed them to tax lower than the max rate for two years. We wanted to keep it that they had to tax the max rate at least one year so that there was an agreement between all the organizations that we just don't go as high as we can. As long as you don't have to tax and I can go high, who cares? So at least there's still pressure of controlling the higher tax end of it. But that's one part of the bill. Another part, which was brought to me by the rural fire districts' organization and their lobby, under current statute members of a fire district board of directors receive up to \$25 each for each board meeting they attend, for up to 12 meetings in a calendar year. LB63 increases this-- this amount to \$50 per meeting. This provision had not changed since 1998. Some of these guys have been on the board for 30 years. Most of them don't even pay themselves. Most of my rural districts, they don't take the compensation. But we pay city council. We pay other organ-- allow them a per diem a little bit for their cost of attending the meetings, fuel and stuff. So actually, when it was brought to me, they wanted the limit taken out completely, but as a fiscal conservative I said, no, I would double it but I'm not going to let you start paying yourself a thousand dollars a meeting. So anyway, it was a good compromise. This bill also changes the date by which fire districts must certify their levy amounts. The current date is August 1. It's problematic because there are not fine-- they don't have fine-- finalized budgets or they don't have their valuations yet to base their levy on. By moving the certification date to September 20, LB63 addresses this problem and coordinates with the filing dates of other local entities. Another issue under current statute arises for fire districts not authorized to levy by county boards in a given year. County boards have final approval if they would allow a rural fire district to have a tax rate. It goes back historically to

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when they used to have to have a public vote or a town hall meeting where the majority said they could have a levy for a year. And then provisions were put into law that they could, the fire board, could come up with a levy and get approval by the county commissioners. Some counties have counties up against the 50-cent limit and they don't want to allow the fire district to have a levy. But it would all-- the fire district had the authority, after being rejected the following year, if rejected again, to have a levy on their own but only for one year. This allows them to do it for three years, once they set their levy, and to then, after three years, go back to the county again. It's a good compromise. It gives them a surety of their funding. And that's the bill. So I appreciate a green vote on LB63. It just gives a little bit more local control and helps somebody out there get a little bit of a tax break if they happen to be-- have a great little rural fire department that doesn't need all those tax dollars. Thank you.

FOLEY: Thank you, Senator Groene. As the Clerk indicated, there are amendments from the Revenue Committee. Senator Linehan, you're recognized to open on the committee amendment.

LINEHAN: Thank you, Mr. President. This amendment is an emerg-- it just adds an emergency clause so these districts can use the changes in this bill this year rather than having to wait to next year to implement them. So I'd ask for your yes vote on AM77. Thank you.

FOLEY: Thank you, Senator Linehan. Members, you've heard the opening on LB63 and the committee amendment. Debate is open. Senator Dorn, you're recognized.

DORN: Thank you, Mr. President. Thank you, Senators. As a former county board member, I am speaking in favor of this bill. We have the situation in our county where they are all members of an MFO. There are some of the fire departments in our county that have visited with us about using less than the maximum amount, or the amount that everybody has an agreement with. Today they cannot use less levy than what the MFO requires. Senator Groene's bill would now allow them, in two out of the three years, have less tax-raising revenue and still be a member of the MFO. This is something that won't benefit every fire district in the state, but there are fire districts that sure have expressed to me the interest in this possibility of using this part of the bill. Also, coordinating the date of when their budget and when their levy needs to be in with the county's part of that, which they used to have to do but that was changed several years ago. When they are now required to do this by August 1, they basically have to come up with a budget by August 1 so that they know where to set the levy. This one here, I was visited with by multiple fire departments in my district. They were all in support of this part of that bill of changing that back so that it coordinated better with when they had more information. Thank you.

FOLEY: Thank you, Senator Dorn. Senator Chambers.

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CHAMBERS: Thank you. Mr. President, colleagues, after all that I said about education this morning, I should practice what I say should be done by others. So I think I should be educated before I vote on a matter. I would like to ask the Chairperson of the Revenue Committee, Senator Linehan, a question or two about this proposed amendment.

FOLEY: Senator Linehan, would you yield, please?

LINEHAN: Certainly.

CHAMBERS: Senator Linehan, you're going to have to excuse me for proceeding in a very deliberate fashion this morning, but I want to be sure that I am not misunderstood. What does this committee amendment do?

LINEHAN: It adds an E clause, meaning that instead of waiting the normal time for a bill to take effect, it could take effect this year, allowing these fire districts to take advantage of the bill this year.

CHAMBERS: Without this emergency clause, when would this bill take effect?

LINEHAN: I'm getting different signals. Ninety days?

CHAMBERS: Oh, I'm asking so that I can get-- be educated. Ninety days with reference to what?

LINEHAN: When we pass the bill. Governor's signature, I'm sorry.

CHAMBERS: You said it would take effect within 90 days after we pass the bill?

LINEHAN: After the Governor signed it. I misspoke, I'm sorry. After the Governor signs it, that's when the bill becomes law.

CHAMBERS: Suppose the Governor doesn't sign it.

LINEHAN: Then it becomes-- well, if he doesn't sign it, it still becomes law unless he vetoes it and sends it back to the Legislature.

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CHAMBERS: So for the sake of the record and people who might need educating in the way that I do, you should perhaps have said if the Governor signs it, rather than when the Governor signs it. Do you agree or disagree with that?

LINEHAN: I agree, sir. I was-- thank you. I appreciate that.

CHAMBERS: Now Senator Linehan, I had made the comment about ordering values or ranking values. So I want to analogize from those words to what we're doing here today, meaning that an order should be established. Before this would wind up on the Governor's desk, this bill, would it have to be advanced from General File to Select File?

LINEHAN: Yes, sir.

CHAMBERS: If it successfully moved from General File to Select File, it would then have to move from Select File to Final Reading. Is that correct?

LINEHAN: Yes, Senator Chambers, that would be correct.

CHAMBERS: If there are no amendments to the bill, when it reaches Select File can it be advanced by a voice vote to Final Reading?

LINEHAN: Yes, Senator Chambers.

CHAMBERS: If there are no amendments to the bill, may a member ask for a machine vote on Select File?

LINEHAN: Yes.

CHAMBERS: And if a member asks for a machine vote, what does that entail? What would happen?

LINEHAN: Frequently we ask for a call of the house and then a machine vote. But I don't think you have to have a call of the house.

CHAMBERS: All right.

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LINEHAN: But that's generally what happens.

CHAMBERS: OK.

FOLEY: One minute.

CHAMBERS: But if we will let me do my questioning before I get to a call of the house, what would happen with reference to the machine vote itself? What does that mean?

LINEHAN: I'm-- I-- I'm trying to figure out if there's-- if I'm not understanding something. But when we have a machine vote, we either vote green or red. Or, I get it,--

CHAMBERS: You mean we would--

LINEHAN: --sometimes we don't vote.

CHAMBERS: --we would engage the voting machine?

LINEHAN: Yes.

CHAMBERS: And if you're in favor of it moving, you vote green; if you're opposed, you vote red?

LINEHAN: Yes.

CHAMBERS: And I don't want to go over my time so I will turn my light on and then continue. Thank you.

LINEHAN: Thank you, Senator Chambers.

FOLEY: Thank you, Senators Chambers and Senator Linehan. Senator Chambers, you're recognized.

CHAMBERS: Thank you, Mr. President. I like that phrase "you're recognized." That means that you are seen. Your existence is acknowledged. And not just acknowledging your existence, because a tree's existence will be acknowledged, but the term "recognized" carries with it the



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idea that who you are, what you are is noted. So I appreciate that terminology so appropriately utilized by the Chairperson who is the Lieutenant Governor. And based on the constitution, the President of the Legislature is the Lieutenant Governor and is to preside, and our rules track the constitution and require that or provide for it. So we are behaving in a constitutional manner this morning. And as I've always said, I play by the rules. I would like to ask the Chairperson of the Reference-- of the Revenue Committee a question or two if she will yield.

FOLEY: Senator Linehan, would you yield, please?

LINEHAN: Yes.

CHAMBERS: Senator Linehan, we are at the point where this bill has moved from General File to Select File and a machine vote has been called for. And you have explained that process. We have buttons on our desk: one green, one red. Which color button would you press if you are in favor?

LINEHAN: Green.

CHAMBERS: Which color would you press if you are opposed?

LINEHAN: Red.

CHAMBERS: If you are neither for it nor against, which button would you press?

LINEHAN: You could not vote.

CHAMBERS: Say it again?

LINEHAN: You do not have to vote. You cannot vote.

CHAMBERS: So then you wouldn't press any button of the four that we have on our little device on our desk.

LINEHAN: I have sometimes not pressed any of those buttons during a machine vote. Yes, sir.

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CHAMBERS: Now there has been a machine vote, and at least 25 green votes, so the bill moves to Final Reading. And I'm not going to ask you about what might have to be done upstairs in case there had been amendments or whatever. I don't want those who are listening to us to get lost in the intricacies of arcane legislative procedure and lose their way. You and I know where we're going and how to get there, but I want it to be made clear for everybody. And I happened to have looked at this list of those who didn't think that a committee's amendment should be adopted. At least five committee Chairs said no, at least four were not voting, and the Speaker was not voting. So nine committee Chairs were either opposed to adopting the committee amendment or chose not to vote to adopt it. And the Speaker was among those who chose not to adopt it. So when you require a certain number of affirmative votes, a nonvote is the equivalent of a no vote. So ten people in legislative leadership positions were against the adoption of a committee's amendment. But we're dealing with something else here. On Final Reading--

FOLEY: One minute.

CHAMBERS: --are there motions that are an allowed under the rules to be made with reference to a bill on Final Reading?

LINEHAN: I believe so, yes.

CHAMBERS: Madam Chair, so that people won't think I've gotten into religion or philosophy, I'm not asking for your belief now. I just want the facts, ma'am.

LINEHAN: Yes, Senator Chambers.

CHAMBERS: Thank you. Can you give me just one motion that would be in order on Final Reading, any one motion you can think of?

LINEHAN: I hear a lot of whispering to help me.

CHAMBERS: So since there are a lot, can you give me just one? Like in church when--

LINEHAN: Emergency clause.

CHAMBERS: The emergency clause.

LINEHAN: No?

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CHAMBERS: Can you-- I was just going to say when they have altar call, they say is there one? Can we-- can you give me-- what motion have you heard made frequently to a bill that's on Final Reading?

FOLEY: That's time, Senator.

CHAMBERS: Thank you, Mr. President.

FOLEY: But you are recognized for your third opportunity, Senator.

CHAMBERS: Thank you, Mr. President. And I think everybody is learning something from what we're doing this morning. Can you think, Madam Chair, of just one motion, and I'm not going to ask you for any more, one motion that is in order, in order to be made under our rules?

LINEHAN: To E&R for-- to correct an error.

CHAMBERS: I'll accept that. And that's all that I will ask you on that. Now I'm going to ask you a substantive question. The language of your committee amendment says what exactly?

LINEHAN: To strike the original Section 6 and insert the fly-- following new section: "Section 7. Since an emergency exists, this act takes effect when passed and approved according to law."

CHAMBERS: What is the emergency?

LINEHAN: We have a group of volunteers who are firefighters who want to be able to reduce property taxes, but because of the way that it is organized right now, even if they don't need the money, they have to take-- they have to have the levy as high as the other groups they're involved with want. So I would say that most Nebraskans think that high property taxes right now are an emergency.

CHAMBERS: Well, this bill doesn't deal with property taxes in general. I'm asking what is the emergency that is associated with this bill?

LINEHAN: This does deal with the ability for the fire district to lower the levy, which is everything to do with property taxes, the levies.

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CHAMBERS: Do-- would it be reasonable, in your opinion-- now I'm asking for an opinion-- to say that anybody aware of what this bill does could see that it does address an emergency situation?

LINEHAN: Well, that would be an opinion.

CHAMBERS: That's why I said I'm asking for your opinion.

LINEHAN: I do think property taxes in the state of Nebraska, for our rural ag producers especially, is an emergency. Yes, I believe it is.

CHAMBERS: Since I am the interlocutor as well as the judge, I would direct the one being questioned to answer the question specifically, if possible. In your opinion-- and I think this calls for a yes or no answer. That's what I feel as the interlocutor, and as the judge I would agree. This would call for a yes--

LINEHAN: Are you both?

CHAMBERS: --or no answer. Do you think any knowledgeable person who is aware of what this bill addresses would agree that an emergency exists which justifies or necessitates the addition of this emergency clause, in your opinion?

LINEHAN: I think knowledgeable people may have differing opinions.

CHAMBERS: So not everybody would see it as an emergency, correct?

LINEHAN: I think knowledgeable people can have differing opinions.

CHAMBERS: It-- it-- but if the question is whether or not there's an emergency, for there to be a difference of opinion somebody would say yes, and somebody else would say no. Do you agree with that?

LINEHAN: I do agree. But I think in this case the majority would say yes.

CHAMBERS: Madam Chair, that's all I will ask you at this point. I may have other questions. But I would like to ask Senator Groene a question if he would respond.

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FOLEY: One minute remaining.

GROENE: Yes, sir.

FOLEY: Senator Groene, would you yield, please?

GROENE: Yes.

CHAMBERS: Mr. Chairman, when I refer to you as that, I'm not equating you with Chairman Mao but, rather, Chairman of the Legislature's Education Committee. And since I'm trying to be precise, somebody would say if he's being precise, for him to refer to Senator Groene as Mr. Chairman, he might mean associated with Mao. Senator Groene, are you responsible for the drafting of this bill? I don't mean that you drafted it yourself necessarily by writing the language.

GROENE: Parts of it I wrote and parts of it I accepted what the-- the rural fire department organization wanted added to it.

CHAMBERS: But I meant the bill that we have before us was introduced by you. Is that--

GROENE: Yes.

CHAMBERS: --correct? Senator Groene, do you think the majority of Nebraskans would see this the way you see it?

FOLEY: That's time, Senators.

CHAMBERS: When I say "it," I meant what this bill does.

FOLEY: Senator Chambers, that's time. That's time. Thank you, Senator Chambers and Senator Groene. Senator Groene, you're recognized.

GROENE: Thank you, Mr. President. To answer his question, yes, the majority of Nebraskans would. They want local control on their property taxes. They do not want mandates. And they want their boards to be able to fund, unencumbered by dictates of what the levy should be. So most Nebraskans would understand this. The need for the emergency clause is-- is-- is just common sense. To correct a misconception here, without the emergency clause all bills take place 90 days after the last day of the session, which is June 6. I'm surprised Senator Chambers

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didn't help Senator Linehan out and correct her. But-- so that makes it September 6. September 6th is the dwindling days of the budget cycle for local entities, which, as you see in the bill, September 20 is the day that levies must be reported to the county commissioner. It would not allow these districts, it would not give these fire districts in a mutual fund organization time to redo their agreement from one year to three year, and therefore to each district to decide which levy they want to levy, tax levy they wish to levy under the act or under the max levy agreed to by the organization. It's that simple. It gives them another year of tax relief, another year where local control would be put in place with these rural fire districts. That's the necessity of the emergency clause and I-- I think most people would understand that. We found a problem, we fixed it, we don't need to wait another year to take it in-- put it into effect and [INAUDIBLE] put it into another budget cycle. So thank you. I hope that explains some of the questions and confusion on-- with Senator Chambers' questioning. Thank you, colleagues.

FOLEY: Thank you, Senator Groene. Senator Linehan, you're recognized to close on AM77. She waives closing. The question for the body is the advance of the-- excuse me, the adoption of the Revenue Committee amendment, AM77. Those in favor vote aye; those opposed vote nay. Have you all voted who care to? Senator Chambers. A roll call vote has been requested. The question for the body is the adoption of AM77, Revenue Committee amendment. Mr. Clerk.

CLERK: (Roll call vote taken. ) 40 ayes, 0 nays on adoption of committee amendments.

FOLEY: AM77 has been adopted. Mr. Clerk.

CLERK: Mr. President, I have a motion to reconsider the vote just taken from Senator Chambers.

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

CHAMBERS: Thank you, Mr. President. [SINGING] Let's just be glad we have this time to spend together. There is no need to count the bridges that we burn. Those are some heavy words, profound. Some of you new people who were told that I don't know what I'm talking about, so I'm going to make sure that I do by asking additional questions, which I didn't have the opportunity to do because I ran out of time. But now I would like to ask Chairman Groene a question or two if he would respond.

FOLEY: Senator Groene, would you yield, please?

GROENE: Yes.

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CHAMBERS: Senator, you were giving your reasoning for this bill. And because there was a question or two I wanted to ask, and I hadn't realized that I had spoken three times, so in a nutshell could you just say what you had indicated, why this bill and what it does, just very briefly so that my question will fit what you say about the bill?

GROENE: Well, there's three parts to the bill. The main one was that mutual fund organizations, finance organizations, in a county who agree to work with each other, to share their equipment, their manpower when fires come up, can agree to create an organization and it's only for one year. They have to do it again, over and over again. And we're turning that into a three-year agreement. Everybody has to have the tax rate, agreed-upon tax rate one out of the three years, a max tax rate. The other two years it's local control. If you don't need the money, you don't need the tax dollars, you don't need to tax it. Number two, it allows the-- with inflation for a stripping-- stripping-- stipend to be paid to the two or three members, three members usually, of a rural fire board for attending meetings, for their expenses. And number three, it-- it allows when a rural fire district and the county board isn't getting along on budgeting processes that the elected fire board can-- can have a levy for three years before they have to go back in front of the county board.

CHAMBERS: OK.

GROENE: Hope that explains it, sir.

CHAMBERS: Now when you first began to speak in offering the bill, did you mention something about a premium tax?

GROENE: Yes.

CHAMBERS: What was-- what was that?

GROENE: Every premium the citizens-- most don't realize this. Thank you for letting me give this civics lesson. Most people don't realize that when you pay an insurance premium in the state of Nebraska, you are paying from one cent to half a cent tax on that premium you pay. It's accumulated at the Department of Revenue, Department of Insurance I believe. And then it-- or the other way around. I think it goes to Revenue and then it's transferred to Department of Insurance. And then it's distributed by statutes. And statute right now says 10 percent of those premiums, which is about \$90 million, is to go to the mutual finance organizations for rural fire departments.

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CHAMBERS: OK. Now I think I'll touch on that. And then-- well, let me ask you this, because that might take a little while. Senator Linehan spoke of why she thought an emergency clause was necessary, and she said knowledgeable people would agree, I'm paraphrasing, and you agreed with her.

GROENE: Yes.

CHAMBERS: Didn't you agree with-- ?

GROENE: Yeah.

CHAMBERS: Senator Groene, why didn't you then, because you're knowledgeable, why didn't you have your bill drafted with an emergency clause? Or did you just become aware of that when you heard Senator Linehan?

GROENE: Sir, as you know, first you got to get a bill drafted. Then you got to get agreement on the parties that you're working with. And the emergency clause was brought up later, like most bills, when you start looking at dates. It's what's unique about this body. You can add an amendment in committee or on the floor. It works well.

CHAMBERS: But with all-- or among all of those who were discussing, it didn't occur to any of them when this bill would take effect should be it be enacted into law?

GROENE: Maybe. I'm not-- at term limits, I didn't know all the rules. And normally when I see an emergency clause, it usually comes through a committee amendment. It's pretty much something you would want your committee to agree with because you-- you shouldn't be throwing emergency clauses around carelessly.

CHAMBERS: This, OK, I'm going to go back to that when I [INAUDIBLE]. This premium tax is paid on only by rural people?

GROENE: Everybody.

CHAMBERS: But this allocation that you're talking about would benefit the rural areas. Isn't that correct?

GROENE: Yes, and there's other allocations that benefit the urban areas.



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CHAMBERS: So if I don't want that to happen, there's nothing I can do about it, is there?

GROENE: No, it's in statute.

CHAMBERS: OK. Thank you. Members of the Legislature, not long ago we had a bill that dealt with a situation in Omaha, and the rural people didn't think it ought to be done. Now here they come saying everybody ought to kick something into the pot, a big pot. Then some of that which city people probably paid the vast majority of, because they are the majority of those paying these premium taxes, the rural people now want to reach into that and have the city people subsidize them. Do you see what I'm talking about when I mention the hypocrisy here, and you all don't see it and you won't talk about it? And I'm miffed at what happened with Senator Hansen's bill and some of the comments made. And the reason I asked that question about the emergency clause, it was incompetency on Senator Groene and his group's part not to add it, because Senator Linehan said that knowledgeable people would know that. They would know. So why didn't all those wise people do it? This is the way I'm going to deal with legislation. You all want to play that game? I'm going to play it with you. Don't make a mistake. I don't think this emergency clause should be adopted. Those who got together and drafted the bill felt that 90 days after the session ends is soon enough for any of its provisions to take effect. That's what they said. But there's carelessness down here. My job-- I told you I'm the garbage man. I find these flaws that other people either don't see or don't care about. But I will make a statement about it. And I told you this morning that we'll start today, that there are other bills on the agenda, not only today's agenda but every day's agenda. You think that I cannot, in the calm, deliberative, low-key manner that I'm functioning in right now, could not do this for 90 days? You think I couldn't? Huh? A hush fell over the pool room. A hush fell over the Chamber and everybody's quiet as "meeces." I really appreciate Senator Linehan establishing, through the question and answer method, that Senator Groene did not really grasp the gravity of this situation, did not understand that this bill needed to take effect immediately and not 90 days after the session ends. See, they're the brilliant people. I'm not a Chairperson. I'm not even white. There are books written today that-- to talk about my generic inferiority as evidenced by my black skin. And as I said, were I blacker, I could be prouder. And I'd probably be smarter because I got some white blood in me.

FOLEY: One minute.

CHAMBERS: And that's probably what slows me down, that white blood. The black blood is potent. One drop of my blood will turn somebody who putatively is white into somebody who's black. That's some powerful blood, isn't it? And that's the decree of white people. Then they don't like what they created. You need to read the book Frankenstein by Mary Shelley. Read the book, don't look at the movie, and you'll learn something. Thank you, Mr. President.

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FOLEY: Thank you, Senator Chambers. Debate is now open on the reconsideration motion. Senator Chambers.

CHAMBERS: Mr. President, members of the Legislature, Senator Linehan and Senator Groene, through their discussion, have reached a situation where some say yea and some say nay. Some say there should be a clause that we call emergency clause; others say no. Well, why didn't Senator Groene, when he presented the bill to the committee, oh, I'm jumping to a conclusion. I would like to ask Senator Linehan a question if she'll respond, because she has returned to her desk.

FOLEY: Senator Linehan, would you yield, please?

LINEHAN: Yes.

CHAMBERS: Senator Linehan, did Senator Groene request that this emergency clause be added by the committee?

LINEHAN: That is my recollection, yes.

CHAMBERS: It is your recollection?

LINEHAN: Yes.

CHAMBERS: Thank you. I'd like to ask Senator Groene a question.

FOLEY: Senator Groene, would you yield, please? Senator Groene, would you yield, please?

GROENE: Yes.

CHAMBERS: Senator Groene, did you ask the committee to add an emergency clause to this bill?

GROENE: Yes, we did.

CHAMBERS: Thank you. That's the way a process works. If for some reason you do not put into a bill at the time it's drafted what you want, when you present it to the committee you have the

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opportunity to ask the committee to add it. How many of the new people were told that? How many? These are learning experiences. Even though I'm extracting tribute in the form of time, I want people to learn something while this is going on. One thing we all would agree on, at the time the bill was drafted it was not deemed necessary to add an emergency clause. Now I will ask the Chairperson of the Revenue Committee a question or two if she will yield.

FOLEY: Senator Linehan, would you yield further?

LINEHAN: Yes.

CHAMBERS: Senator Linehan, what will happen between the time this bill, if it passes and the Governor signs it, what would happen between that point and 90 days after we're out of the session that would necessitate an emergency clause?

LINEHAN: I think Senator Groene already answered this question earlier, sir. It's because of the time. Ninety days gets us past September when they have to set their levies.

CHAMBERS: Thank you. I'm not going to belabor that point. I think I've helped make my point. We haven't taken a vote on this bill yet. We've taken a vote on the committee amendment. You all voted overwhelmingly for it. Nobody on the floor tried to take revenge against all those Chairpersons, nine of them, plus the Speaker, who were opposed to accepting a committee amendment. I think it's because you don't like the Chair of the committee. You don't like the people who would be benefited by it, namely, people of my color. And you rural people put your big feet into something you don't understand and you don't care about. Then on the very next bill here come you people with your hands begging for rural benefit, money from a fund which the bulk of which comes from city people. You want a one-way street. Well, you are not those romanticized people of deep moral values that they try to portray rural people as being. I've been around you for too many years and I watch how the rural people, with their narrow-mindedness, are opposed to things that would benefit the city; then they want what they want despite the fact that city people are footing most of the bill: a one-way street. But they're not spoken to like this. They're grown people. But they come from their little school boards and their little county boards and think that everything is operating according to those narrow views. Well, that's all I'm going to ask you, Madam Chair. I didn't want you to have to just stand there, if that's why you're standing.

FOLEY: Time, Senator.

CHAMBERS: You said time?

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FOLEY: That's time. Senator Chambers, you're recognized.

CHAMBERS: The clock on the wall for all of you all says 11:38. But you'll have to wait for my speaking to abate. And I'm going to say it again. I'm shocked at some of the Chairpersons, I'm shocked at some of the Chairpersons who would not, as a courtesy, allow the adoption of a committee amendment that only distinguished, made clear, that a date-- what it is. The ones who voted no: Senator Brewer, Senator Briese, Senator Friesen, Senator Groene, Senator Linehan. Those not voting who are Chairpersons: Senator Hilgers, Senator Hughes, Senator Stinner. Sen-- I was getting ready to invite Senator Stinner to dinner, but because he behaved like a sinner he'll have to get thinner because he's not coming to dinner. And then, and then the one who knows that every breath he takes, every move he makes, every vow he breaks, every smile he fakes, every cake he bakes, every yard he rakes, I'll be watching him, and this proves it. Senator Williams, a Chairperson, did not give a vote to allow a committee's amendment to be adopted. Somebody else might be sweating because I did not mention him and he is a Chairperson. But as quiet as it's kept from the rest of you, he knows who he is, but he paid his dues a few days ago by me hounding and worrying some of his bills. So he'll see that I believe in justice. He paid in advance. But the rest of you will pay over a period of time. This bill is not going to move today. Senator Hansen's bill did not move the first day it was discussed, did it? So? This bill will not go away. We'll discuss it another day. And there will be much in play and I'll have more to say in my own inevitable way. And if you go home, Senator Moser, and pray, maybe tomorrow will be a brighter day. But who can say? Senator Moser, you know what happens around here? These people hate me. But they can't hate me as much as they wish they could. See, there's just something about me that prevents that total hatred from kicking in. But whether it did or not, when I give my word, my word is my bond. And it will bind me more than the oath that these so-called Christians take. I was discussing that with somebody the other day and I said when these Christians put their hand on the Bible and swear not to lie, they're lying when they say that, because that's exactly what they're going to do. They're gonna lie.

FOLEY: One minute.

CHAMBERS: I don't want to be a liar. And it's not because I fear the fire. All liars will have their part in the lake of fire, which is the second death, Senator Moser, according to the book. You all know that and say you believe it, but you all lie anyway. I'm not applying that to Senator Moser but, as I said, I make hats. If your number comes up and you put it on your head, don't blame me. I didn't make your head and I didn't tell you to pull the hat off. But I told you I was going to take my time and that I think what you all did this morning on that education provision of Senator Hansen was wrong. If I didn't think there was malice involved, I wouldn't be doing what I'm doing. If I didn't think there was contempt and racism involved, I wouldn't be doing it. But we act--

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FOLEY: It's time, Senator.

CHAMBERS: --I act.

FOLEY: Senator Chambers, you're recognized to close on your reconsideration motion.

CHAMBERS: Thank you. I act on the basis of what I understand. My understanding is based on what I see and what I perceive. I've been around white people all of my life. I never went to a black school. The school I went to when I was a child may have had a dozen black children in it; all the teachers, white; the principal, white. Everybody was white. The high school I went to, at that time Tech High, was a white school. Then they used it as a collecting place for all the black kids and it became a segregated school and the standards of everything went down. The fixtures in the girl's showers did not work. Other problems that I had to deal with, not a member of the school board, not a student in the school, a member of the community who was watching our children being set aside for mistreatment. You all don't know about that. You don't accept it. I don't care whether you accept it. If I hadn't been treated the way I was as a child, you all wouldn't be dealing with the man that you're dealing with right now. See, I can speak for myself now. I couldn't speak for myself when I was a child in that white school. I couldn't fight and I didn't know how to fight as a child, but I know how now. And those teachers taught me who my enemies are, and that they will mistreat children who are black. But I deal with adults like this. Your children I deal with fairly. They like me better than they like you. I was invited to speak at their graduation classes and they never would invite any of you all, your children, your white children. They don't want to be like you. They wonder why you can't be like me, why you won't stand up and tell the truth. And they see some of the things you all do when you think children are watching and don't understand that these grown people are doing things that they shouldn't be doing and that they tell these children they shouldn't do. Your children talk to me. That's why I speak so authoritatively. I'm not making anything up. And some of you all know because you were children at one time. And on the floor of this Legislature, you're not going to have everything your way, which is an easy way. And I have other amendments I'm going to offer on this bill, so it definitely is not going to move today. And maybe it will move tomorrow. Maybe you'll have the first chance to invoke cloture, to see what your Speaker is going to do and how he's going to handle it. We may as well set some standards today, like I told you, you set a standard for me on all committee amendments. You set that standard for me. Who better knows the way a committee should be dealt with than the committee Chairs? And they almost unanimously voted against adopting a committee's technical amendment that had nothing to do with the essence of the bill-- the committee leaders. I'm not going to say it's because they're all white and the Chair of that committee happens to be black. It just happens that way. I don't like it, but I guess things happen that way. That's a hillbilly song. You all recognize them. I like hillbilly music. I like country western music. I know the difference between blue grass and country western. Do you all? I doubt it. You might like it, but you don't know the difference. If a

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thing sounds like something else, you think it is like that. But there are differences. There are distinctions. And music comes from people's experiences.

FOLEY: One minute.

CHAMBERS: Not everybody in the rural area experiences the same thing. If you think that's not true, you watch that movie Harper Valley PTA where that little girl's mama socked it to the Harper Valley PTA. And they talked to this one woman and said, you ought to keep your shades down, and started telling her all these things that these rural people were doing. That's how this little girl's mama socked it to the Harper Valley PTA, the kind that you all come from. She went to a PTA meeting and she laid it on the line, and they knew she was not lying. You all ought to listen to that song, here it tell you about yourself. The day my mama socked it to the Harper Valley PTA. And I see Senator Briese walking across the aisle to Senator Lowe. They're going to most the time vote the same way on everything, against anything that would be for the city people. They got their orders. And Senator Briese's a Chairman.

FOLEY: Time.

CHAMBERS: First thing he did that was of significance was vote against adopting--

FOLEY: That's time, Senator.

CHAMBERS: --a committee amendment.

FOLEY: That's time, Senator Chambers.

CHAMBERS: Oh, thank you, Mr. President. I want--

FOLEY: Members, you heard--

CHAMBERS: --I want a call of the house and a roll call vote.

FOLEY: There's been a request for a call of the house. Those in favor of a call of the house vote aye; those opposed vote nay. Record, please.

CLERK: 16 ayes, 3 nays to place the house under call.

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FOLEY: House is under call. Members, please return to your desks and check in. The house is under call. All unauthorized personnel please leave the floor. The house is under call. Senators Wishart, Cavanaugh, Walz, Lathrop, McCollister, Lindstrom, Kolowski, Hilgers, Brewer, please check in. House is under call. Senators Lathrop, Brewer, and Hilgers, please return to the floor and check in. Senator Hilgers, please return to the floor and check in. All unexcused members are now present. Question for the body is the adoption of the reconsideration motion. A roll call vote has been requested. Mr. Clerk.

CLERK: (Roll call vote taken.) 3 ayes, 42 nays, Mr. President, on the motion to reconsider.

FOLEY: Reconsideration motion is not adopted. Items for the record, please? I raise the call.

CLERK: Thank you, Mr. President. I do have some items. Enrollment and Review reports LB49, LB67, LB77 as correctly engrossed. A series of committee hearing notices from the Government Committee and the General Affairs Committee. Enrollment and Review reports LB33A to Select File. Transportation Committee reports LB111, LB192 to General File; LB80 and LB81 to General File with committee amendments attached. Senator Chambers has an amendment to LB63 to be printed. Name adds: Senator Crawford to LB15; Albrecht, LB41; Hunt, LB283; Erdman, LB445; Quick, LB477; Kolterman, LB604 and LB605.

Mr. President, Senator Hughes would move to adjourn the body until Tuesday morning at 9:00 a.m.

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