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Floor Debate  
February 14, 2019

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SCHEER: [RECORDER MALFUNCTION] Thank you, Senator Crawford. I call to order the twenty-sixth day of the One Hundred Sixth Legislature, First Session. Senators, please record your presence. Roll call. (Doctor of the day and visitors introduced.) Record, Mr. Clerk.

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

SCHEER: Thank you. Are there any corrections to the Journal?

CLERK: Mr. President. (Read corrections.) That's all that I have.

SCHEER: Thank you, Mr. Clerk. And are there any messages, reports, or announcements?

CLERK: There are, Mr. President. The Education Committee reports LB486 to General File; Business and Labor reports LB254 to General File; both signed, respective committee Chairs. Hearing notices from Health and Human Services and Education Committee, again signed by the respective Chairs. A notice, Mr. President, that Senator Bolz has been selected as Chair of the Economic Development Task Force and Senator Arch as Vice Chair of that particular committee. Lobby report, as required by state law, and acknowledgment of agency reports available on the legislative Web site, available for member review. That's all that I have, Mr. President.

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

CLERK: Mr. President, LB224 is a bill originally introduced by Senator Albrecht. (Read title.) Introduced on January 14, referred to the Banking, Commerce and Insurance Committee. The bill was advanced to General File. I have no amendments to the bill, Mr. President.

SCHEER: Thank you, Mr. Clerk. Senator Albrecht, you're welcome to open on LB224.

ALBRECHT: Thank you, Speaker Scheer. And good morning, colleagues. Happy Valentine's Day, Nebraska. I've introduced LB224 on behalf of the Nebraskans for the Arts. The bill advanced from the Banking Committee last week with no opposition, or no "no" votes. There were 2 votes, that 1 present [SIC], not voting because he was ill, and the other was present, not voting. The Nebraska Education, Health, and Social Service Finance Authority, commonly known as NEFA, is currently authorized to be a conduit issuer of tax-exempt bonds for private not-for-profit colleges, private not-for-profit hospitals, and certain not-for-profit social service

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organizations. The purpose of the authority is to assist eligible institutions in the acquisition, construction, improvement, equipment purchase, renovation, financing and refinancing of projects. NEFA has been beneficial to the municipalities and organizations for arranging financing for infrastructure projects in these important areas of community needs. In 2013 the Legislature expanded NEFA to include healthcare and social service organizations as eligible for bond financing under the authority. NEFA is governed by a board appointed by the Governor, receives no state General Funds, and operates entirely with user fees. Bonds issued by NEFA are not obligations of the state of Nebraska or any political subdivision. LB224 allows the authority to also be a conduit issuer for private cultural institutions and remains authority as the Nebraska Educational, Health, and Cultural, and Social Service Finance Authority. LB224 defines cultural institution as any private, not-for-profit corporation or institution that has a primary purpose of promoting cultural education or development, has received the 501(c)(3) status in the Internal Revenue Code, is located in Nebraska and not controlled by any governmental body, and does not violate any state or federal law against discrimination. This allows for cultural institutions such as museums or visual art centers to finance or refinance cultural assets they deem important to the economic vitality of their community. LB224 changes references to the authority to include "cultural" throughout all pertinent sections of the revised statutes to more accurately describe its duties. Cultural institutions are important drivers of economic development in our state. Last year 349,000 Nebraskans, or nearly one in five adult Nebraskans, went to see an art exhibit or an art performance. This is the highest participation rate in any state in the U.S. Cultural tourism has an enormous impact on local economies. With performances and arts festivals drawing visitors to enjoy restaurants, lodging, retail accomplishments, Nebraska arts and the cultural industry is a \$174 million industry, generating over \$18.8 million in local, state, and government revenue. As the Legislature explores tools to expand economic development in the state, LB224 will provide infrastructure and programming to attract visitors and can be used as a recruiting and retention tool for local economies. I'd like to make clear that there is no fiscal note attached to this bill. LB224 simply gives cultural institutions additional opportunities to grow and expand as they help us grow and expand Nebraska. Please vote green on LB224. Thank you.

SCHEER: Thank you, Senator Albrecht. (Visitors introduced.) Mr. Clerk for a motion.

CLERK: Mr. President, an amendment: Senator Hunt would move to amend with FA7.

SCHEER: Senator Hunt, you're welcome to open on your amendment.

HUNT: Thank you, Mr. Speaker. And thank you to Senator Albrecht for introducing this bill. I introduced this floor amendment, which I spoke to Senator Albrecht about, to correct what I believe was an oversight in the nondiscrimination clause on page 5 of the bill. If you look at page

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5, line 24, around there, you see part of the nondiscrimination clause here requires that the institute not violate any state or federal law regarding discrimination, and then it includes this limited list of protected classes. And I-- the current version of the bill here, it includes "race, color, creed, national origin, ancestry, age, gender, or disability," and I thank Senator Albrecht for introducing that language in the bill. My amendment, FA7, strikes "creed" and adds "religion." I believe that "creed" is not really a word that's used a lot in statute, and I think it's important to be specific about protecting religion and making sure that we have religious protection in this bill. And it also adds "sexual orientation." I really believe that when we talk about nondiscrimination in our Legislature, we have to be inclusive and we have to talk about nondiscrimination in 2019 terms. Yeah, I would be really happy if we could go back through all of our statutes and add nondiscrimination clauses to everything, but I think that in 2019 going forward, anytime that we want to include a nondiscrimination clause we have to make sure that that's inclusive in terms of our modern society and the way we understand discrimination today. Obergefell was four years ago. That was the case that decided marriage equality in the United States. So I feel like this bill just isn't ready until we make it complete in terms of nondiscrimination. And again, I applaud Senator Albrecht's thoughtfulness and mindfulness in including a nondiscrimination clause at all, because I think that's very important. I was wondering if Senator Albrecht would yield to a question.

SCHEER: Senator Albrecht, would you please yield?

ALBRECHT: Yes, I would.

HUNT: Thank you. You define private cultural institution. Is that right?

ALBRECHT: Yes.

HUNT: What are some examples of some private cultural institutions that could benefit from this bill?

ALBRECHT: We had several come last year when we had this. The Omaha Conservatory, the Durham Museum, I have several here, Omaha Symphony, Rabble Mill, just to name a few.

HUNT: Uh-huh. So those are some great organizations. I know the Omaha Conservatory of Music serves a lot of people in my district and they serve a lot of kids and families. And of course, I can't think of why any of those organizations would want to discriminate against somebody. Would-- would Senator Albrecht yield to another question?

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SCHEER: Senator Albrecht, would you please yield again?

ALBRECHT: Yes, I'd be happy to.

HUNT: Thank you. So you do not think that an organization should receive the benefits of this bill if they are engaging in discrimination. Is that correct?

ALBRECHT: Well, I just don't think that this is necessary, this bill. I don't think it's a friendly amendment. If it were to come out, I would have expected it to come out of Banking. I did have a conversation with Senator Howard and she did say that she wanted to see this language in there. I would have expected her to possibly bring it instead of yourself. I'm sorry that-- but if this is what you want to do, we'll certainly take a vote on it. But the folks that brought this bill to me sent a letter out to everyone on the Banking Committee and had made several phone calls to Senator Howard's--

HUNT: Uh-huh.

ALBRECHT: --office and--

HUNT: Well, I'm-- I'm bringing the amendment, not Senator Howard.

ALBRECHT: Yes, you-- yes, you are.

HUNT: And this, this amendment, is my idea, I also want to make clear. And I have an interest in making sure that our nondiscrimination clauses in all of our bills going forward are complete and inclusive. And I don't think that that's an idea that one senator has and other senators don't have. And I think that this is a good-- a good idea. And I support the underlying bill, and with the passage of this amendment I will, I will vote yes on the underlying bill. Thank you very much.

SCHEER: Thank you, Senator Hunt and Senator Albrecht. Senator Williams, you're recognized.

WILLIAMS: Good morning, Mr. President, and thank you. And I would like to speak on this bill, the underlying bill from the Banking Committee. The Banking Committee did hear this, this bill, and there was no opposition testimony. We had many of the people that were there that talked in favor of it that were just listed: the Omaha Conservatory, the Nebraskans for the Arts. The underlying bill here does several things that are significantly important for our state to

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recognize that private cultural institutions play a significant role and we should be very supportive of them. I want to further explain that what we are doing here, NEFA simply represents a conduit for financing. They are an organization that has the ability to issue tax-exempt bonds. So if you have a-- a private cultural institution, which could be a museum in your community, it could be a theater in your community. It does not have any geographical limits so this can be in rural areas as well as our urban areas. Those could apply for and, if qualifying, receive tax-exempt financing. Example, we have a theater project that we are looking at in my hometown of Gothenburg and it's a pretty extensive renovation that will make our old theater, which is a very nice theater, more handicapped accessible and those kind of issues. It's a pretty big dollar amount, and the ability to pay for that with tax-exempt bond financing, which first of all gives you a-- a lower rate of interest, and it also lengthens the payment time out so that it-- it works better, it's certainly possible that for-- for that inst-- that 501(c)(3) theater organization, they could apply for and receive these funds. I would remind people there are no state funds involved with this. We are just doing this in statute so that it creates the vehicle for these institutions to receive this. The-- the vote was six people voted in favor of it out of the committee. We had one member home with the flu, and we had one member present and not voting. Again, there was no opposition testimony. And I don't think that's the question that's being raised with the floor amendment, which we will certainly listen to. The issue being raised with the floor amendment was not discussed during the hearing. It was not brought up by any of the parties during the hearing. I would encourage you to listen to the debate on this and, as we move forward, strongly support the underlying bill, LB224. Thank you, Mr. President.

SCHEER: Thank you, Senator Williams. Senator Howard, you're recognized.

HOWARD: Thank you, Mr. President. I rise in support of the Hunt amendment and I-- I want to address what Senator Williams was speaking to. So in Banking, we actually have incredibly swift hearings. I've-- I've been-- I've enjoyed it. I don't want them to go for longer. But what's often happened is that I'm racing to read through all of the bills, and then when we finally get to the closing I realized that this sexual orientation wasn't there and I wrote it in the bill thinking, oh, I'll get a chance to talk to Senator Albrecht about this. And so then immediately right after Banking we Exec, which is our custom, and I said, well, I am concerned about this language, but I don't want to hold up this bill because the cultural institutions and the arts institutions would like to have this financing. I did ask about why Senator Schumacher and Senator Baker had previously gone present, not voting, in the hearing, and have subsequently reached out to Senator Schumacher to explain it. I-- I spoke with Senator Albrecht right after the hearing, the next morning, and said this was my concern. You have a language issue with "creed." "Creed" is not the appropriate word here; it's "religion." And we have a language issue because we're missing sexual orientation. Without sexual orientation, it actually doesn't align with our statement of rights that's in Section 28-110 of-- of our criminal code, which says that a person in the state of Nebraska has the right to live free from violence, intimidation by threat of violence committed

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against his or her person, or the destruction, vandalism of, or intimidation by threat or destruction or vandalism of his or her property regardless of his or her race, color, religion, ancestry, national origin, gender, sex or-- sexual orientation, age, or disability. So we're essentially creating multiple antidiscrimination language requirements, and this one isn't aligning with other areas of law. And that was-- that explains my present, not voting. I also feel as though I was very clear with Senator Albrecht that my expectation was that she would be bringing an amendment and making those changes, and she did not come back to me about that. I took the time last night to speak with Senator Schumacher, our former "Professor," about his concerns about this bill, because generally when he-- he has a line of thought, sometimes it takes us down a rabbit hole and sometimes it illuminates other issues. Without having a very strict antidiscrimination clause in this bill, NEFA bonding authority could be given to a hate group because they are considered a cultural entity. It could be given to the Westboro Baptist Church. It could be given to a Nazi organization. I don't believe that they would, but when they follow the letter of the law and the statutes that we are creating, we want to be very clear about our expectations. And the only clarity we can provide them with is what we put into law. And so I would certainly urge the adoption of the floor amendment because I think it would clarify what we're doing here. Another option would be to just strike everything after the word "discrimination" in line 25. Another option would be to include a reference to Section 28-110. I don't think anybody expected this to come on the floor as quickly as it did, but I think there are multiple options to fix this issue and move this bill forward. And I'm happy to work in good faith with Senator Albrecht and Senator Hunt to do so. Thank you, Mr. President.

SCHEER: Thank you, Senator Howard. Senator Chambers, you're recognized.

CHAMBERS: Thank you. Mr. President, members of the Legislature, Senator Hunt just beat me to the punch, but I agree with what she is offering as an amendment. Down through the years I have offered a bill to prohibit discrimination against people based on sexual orientation, and I just mention that because that's what her amendment deals with. Now, in the Supreme Court's rules, they make reference to the professional standards of lawyers and judges and employees of the court, and sexual orientation is one of the specific items mentioned that they are not to discriminate against anybody because of. Hate-crime legislation in the books now mentions sexual orientation. I was the only senator invited to testify before Congress, and I've gotten those invitations and nobody else from this Legislature has received them. They were having a hearing on the so-called Defense of Marriage Act, which is called DOMA. And I went there and testified against it. I pointed out why there should not be this discrimination, and even suggested when one of the senators from Alabama or Georgia or that benighted region of the country about how children might not understand if they saw two people of the same sex being together. I said, well, in your city, in your state, you have what are called common-law marriages, which mean that under the law these two people are not married, so they're shacking up and your children see that, and you have the nerve to speak against people having the right to marry. I am against all

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forms of discrimination. If you don't like gay, lesbian, the LGBTQ+ community in general, just don't have anything to do with anybody like that. But as long as I'm in this Legislature I am not going to sit still, stand still, and be quiet when a litany of words are put into a statute, and they include a catalog or enumeration of those against whom there shall be no discrimination, and an entire segment of the population is excluded. I cannot do that. I cannot go along with it. And there are bills that have been killed in the past because I would succeed in persuading the Legislature to put into that legislation no discrimination based on sexual orientation. And the bill's introducer would go back to those people who pulled his chain, and they would say then kill the bill. That's how deeply their hatred went. So when we're talking about a bill like this, which professes to have at its-- as its goal the deepening, the enrichment of people's knowledge about the art and other cultural aspects of the life of this cun-- this state and will give that catalog and exclude sexual orientation when Willa Cather is a person born in Nebraska, Red Cloud, known not just in Red Cloud, not just Nebraska, not just America but all over the world,--

SCHEER: One minute.

CHAMBERS: --and, you said time?

SCHEER: One minute, Senator.

CHAMBERS: Oh, thank you. She's known all over the world. She would be excluded based on this. Willa Cather was gay. And when she was growing up and people wrote about her or talked about her, they'd say the lady with that, and put it in quotation marks, that peculiarity. They all knew what it was, but they wouldn't say it because she was bringing acclaim and fame to a little out-of-the-way, hick burg. And that's what it amounted to in those days. So they didn't want to put the kibosh on her and what she was doing for them, but they had no respect for her in reality. Her sexuality was a part of what she is. And if this bill does not include nondiscrimination against those with sexual orientation, I don't think it ought to pass this Legislature. I'll put on my light again. Thank you, Mr. President.

SCHEER: Thank you, Senator Chambers. Senator Morfeld, you're recognized.

MORFELD: Thank you, Mr. Speaker. Colleagues, I rise in support of the floor amendment offered by Senator Hunt. And while I support the underlying bill, I'm not quite sure I will support it, depending on where the floor amendment goes. If the floor amendment fails, then I may not support LB224, even though I-- I do support the underlying purpose. And I'll tell you why. It's because for the last five years we have fought to have basic protections for LGBT Nebraskans and completely failed and neglected to do anything substantive about it, other than talk about how, oh, it's not really necessary, I don't understand why we need this, just as Senator

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Albrecht just said she doesn't understand why this is necessary in her bill. Well, it would be more necessary if you're LGBT and you're being discriminated against or you couldn't get a grant and you're being discriminated on the basis of that as well. So, yeah, it doesn't make a-- doesn't cause a big fuss and it's not a big deal to a bunch of straight people in the body, but to individuals who have LGBT family members, to people who have LGBT organizations that may focus on those issues and then are discriminated against, it is a big deal. And for those that don't think that that actually happens, I've got a whole group of people I'd be happy to set up a meeting with in your office, because LGBT discrimination happens every single day in Nebraska. I have friends everywhere from fast-food workers all the way up to accomplished attorneys that have been fired and discriminated against for being gay in this state. And then we sit around and we wonder why we can't keep young Nebraskans here. We wonder why we can't recruit young Nebraskans here. We wonder why we can't even retain young Nebraskans here. Who wants to live in a state where you can be fired for who you are or who you love? So if Senator Albrecht and other folks want to wonder why this is necessary in this bill, it's necessary because of a failure to do what we should have done, not just five years ago but long before that when Senator Chambers offered that legislation and those protections many years before. And so this is a consequence of a failure to provide basic protections, whether it be in the workplace, whether it be accommodation, whatever the case may be. It's a failure to provide basic protections that's going to start leading to discussions like this on the floor about bills that otherwise have good underlying intent. That's why we need to pass out of committee Senator Pansing Brooks's bill. That's why we need to pass out a whole host of other bills offered by many senators in this body that would provide basic protection for LGBT Nebraskans. Because it's not just about this bill. It's not just about the workplace. It's also about being a state that is welcoming, a state that protects the dignity of everyone, regardless of who they are or who they love. We need to start providing these protections, and if we don't step up there's going to be a lot more amendments just like this on your bill, and you're going to have to justify why you don't think it's necessary. And then you're going to have to decline the meeting invite with six or seven young Nebraskans and older Nebraskans that are going to be meeting with you, with me, in your office, and you can explain to them why you don't think that we should be able to uphold their basic rights and their basic human dignity. Thank you, Mr.— wait. I would actually like to yield my time to Senator Hunt.

SCHEER: Senator Hunt, would you please yield?

HUNT: He'd like to yield his time to me.

SCHEER: I'm sorry. Would you-- would you like a little time, Senator Hunt?

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HUNT: I would. Thank you. Thank you so much, Senator Morfeld, and thank you, Mr. Speaker. I agree that ideally this would have been amended in committee. I-- but, of course, this is my new job and I've been here about a month now. And I understand what they mean when they tell you between November and January that it's like drinking from a--

SCHEER: One minute.

HUNT: --fire hose. You know, you start to understand what that means. And so that's why all of our bills go through three rounds of debate here on the floor, so that when stuff slips out of committee and we-- we don't have time to fix it and get it into perfect shape for the first round on the floor, we can do that here. We can do that here. And I'm not in the committee where this came out of or I would have raised this as a concern because I agree that no bill in 2019 that has a nondiscrimination clause should exclude sexual orientation because that's just not what we're doing now. I'm disappointed to have the impression that there are colleagues of mine in the body who do not support LGBTQ equality or nondiscrimination, and I-- I hope that that impression I have is incorrect. Between-- speaking between Senator Howard and Senator Albrecht and I, I think that we've come to a deal. And so with that, I am grateful for my colleagues' support. I definitely felt that as I brought this topic up to the floor. And I respectfully withdraw this floor amendment. Thank you.

SCHEER: Thank you, Senator Hunt. Hearing no objections, the amendment is withdrawn. Mr. Clerk for amendment.

CLERK: Mr. President, Senator Howard would move to amend the bill with FA8.

SCHEER: Senator Howard, you're welcome to open on FA8.

HOWARD: Thank you, Mr. President. I believe we do have an agreement. If anybody has their green copy, if you look at line 25, essentially what we've done is put a period after the word "discrimination." So now it says does not violate any state or federal law against discrimination, period. And that way it would align with and revert back to Section 28-110 and should address my concerns and-- and align more with our current statute. I believe Senator Albrecht is in support. Senator Williams gracefully helped with this. And Senator Hunt worked with all of us. So I would urge FA8's adoption on the floor this morning. Thank you, Mr. President.

SCHEER: Thank you, Senator Howard. Senator Pansing Brooks, you're recognized.

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PANSING BROOKS: Thank you, Mr. President. First of all, I want to thank our new colleague, Senator Hunt, for-- for being willing to come forward and create and bring this bill, draft it, bring it forward, and bring the discussion. I want to say that I support Senator Albrecht's bill, and I'm-- I'm grateful for her efforts on this, but I would also like to say to all of us that this kind of work should be done in committee. The fact that we are discussing whether or not we are going to include a certain group of people in our state when the number-one issue for the State Chamber is work force development is very discouraging. Think of that. So because somebody has a picture of-- a man has a picture of his husband or a woman of her wife on her desk, we want to continue to talk about being able to fire that person or discriminate against that person? Please, colleagues, it's 2019. Let's move forward, shall we? Please, if you see this happening in your committee, deal with it and fix it. Please quit bringing hatred and bias and discrimination to our floor. I am tired of it. I am proud of Nebraska. It's a great state. Let me tell you now, equality for all under the law. We have to be supportive and kind to the people around us. It's Valentine's Day. Please, for the sake of love, for the sake of goodness, please don't let these stupid things come out like this. Fix them in committee. Here is the warning: When you see the classifications listed and you are purposely excluding people, including religion, by the way. "Creed" is an outdated word that means doctrine, and it doesn't speak to a whole religion. So no one should be happy with this actually. So again, please, my friends, fix these kinds of things in committee. Support a great bill like Senator Albrecht's bill, and let's go forward together and believing that we want people in this state. We want all people in this state to help us work and thrive. Thank you to Senator Howard for working on the amendment and finding something for which we could all agree. And again, colleagues, let's just deal with these things in committee. Thank you, Mr. President.

SCHEER: Thank you, Senator Pansing Brooks. Senator Cavanaugh, you're recognized.

CAVANAUGH: Thank you. I rise in support of Senator Hunt. I appreciate that her amendment has been pulled and Senator Howard's amendment put forward. And I also support Senator Howard's amendment. But I think it's important to acknowledge Senator Hunt today. Senator Hunt is the only LGBTQ member of this body. And this isn't just about legislation. This is about her life and her right to live with dignity and care, just as everyone else in this body. And I'm sorry that she had to be the one to bring this, because we should be supporting her as a colleague and a friend. And every legislation that we pass, as has been said by our previous colleagues, with nondiscrimination should be encompassing our other colleagues and their lives. And it's disappointing that this didn't and I'm happy that we've fixed it. And I hope that we all will continue to do better. Our state should represent the best interests of everyone, and no one should be discriminated against, certainly not someone who worked so hard to be here to represent their constituents. So thank you, Senator Hunt, and happy Valentine's Day. I yield the remainder of my time to Senator Hunt.

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SCHEER: Senator Hunt, you have 3:30.

HUNT: Thank you, Senator Cavanaugh. I'm not going to take up all that time. I-- I am in support of Senator Howard's amendment. I appreciate everybody's willingness to come to a compromise on this. And I-- I like this amendment because moving forward as our state and federal laws change to protect more classes of people, to reject more discrimination, to help people live in a more harmonious way, you know, without discrimination on basis of sexual orientation or race or religion or anything else that could have been included in that list, that any of us could have brought as an amendment to include in that list, this will just keep the bill updated. And again, I support the underlying bill. And I want to thank Senator Cavanaugh for that very kind-- I teared up a little bit. Thank you for very much for saying that. And with that, I'll yield my time to the Chair. Thank you.

SCHEER: Thank you, Senator Cavanaugh and Senator Hunt. Senator Chambers, you're recognized.

CHAMBERS: Thank you, Mr. President, members of the Legislature. And I, too, applaud Senator Hunt. It takes more than a notion to be the only one in a group and you'll stand up for what it is you believe and what you are when you know that there are people who feel you don't even deserve to be recognized as a human being, so I applaud her for that. However, I'm going to talk about this issue a little longer because there still is-- it's still legal in Nebraska to discriminate in the workplace against people based on sexual orientation. All of you-all's prayers don't mean anything as long as you can watch somebody who's a member of the human family mistreated in that fashion. Catholics' social practice, philosophy, theology talks about the right of a person to earn a living, yet they halt when it comes to people they don't like. The Catholic Church discriminates against gay and lesbian people but Catholics are ignorant people. And here's why I say that. People around the world and throughout history have admired those paintings on the ceiling of the Sistine Chapel, which was a Catholic structure. You know who painted those pictures? Does anybody on this floor, other than myself, know who painted the pictures on the Sistine Chapel? Just raise your hand if you know.

LINEHAN: Michelangelo.

CHAMBERS: Thank you. And somebody spoke out, Michelangelo. Michelangelo was gay. Not only was he a sculptor, he was an artist and he was a poet and he wrote amorous poems to young men. Michelangelo, when it was known that he was gay, was grabbed by a Pope and told, we want you to paint all of these images, starting with the creation. And one of the most famous is a man's finger reaching from one area to another man, and that was Michelangelo's message to all of you narrow-minded, backward people. God is gay. You ought to at least be happy. What

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difference does it make to you who somebody sleeps with or does anything else with? It's none of your business. And if you knew how to mind your own business you wouldn't have time to intermeddle in so many other people. Now I know why the Popes and all those backward men are like that. They pretend to be chaste. They pretend to not engage in sex. They had orders of nuns who were set aside to pleasure these priests, from the priests, through the bishop, through the archbishop, through the cardinals, and probably some of the Popes. You had some scoundrels who were Popes, scoundrels. They practiced assassination by means of poison. They would have been considered members of La Cosa Nostra today: the Mob. They were in the rackets. So the Catholics are the main drivers in this state of the hatred against the LGBTQ+, when I say plus, that's that plus sign, community. When I testified--

SCHEER: One minute.

CHAMBERS: --against that Defensive of Marriage Act in Washington, I was so pleased to look at all those old racists and tell them how wrong they were. And you know what happened? The Supreme Court agreed with me or we agreed with each other. They struck down that DOMA, that Defensive of Marriage Act. It should have been called the dumbbell act. Leave other people alone. When the Puritans were opposed to the baiting of animals, it wasn't so much that they cared that the animals were in pain. What they cared about is that there were people happy to watch it. They couldn't stand to know that anybody on the face of this earth anywhere was happy. They were meddlesome, cruel, cold-hearted Christian people. I got my light on. Thank you, Mr. President.

SCHEER: Thank you, Senator Chambers. Senator Albrecht, you're recognized.

ALBRECHT: Thank you, Speaker Scheer. You know, I'm very happy to make changes and to try to understand everyone. I do take offense to Senator Morfeld wanting to say that I think it was unnecessary. What I said is I wanted to make certain that the folks that brought this bill to me, they also did their background and their checking based on the conversations that they had with some of the folks on the Banking Commit-- Committee. The gentleman, his name is Greg Johnson, he's with-- the executive director with NEFA. He said that they do follow all federal, state banking and investment laws, and this includes the Fair Lending Act and the Equal Employment Opportunity Commission. So I-- I want to make this the best bill that it can be. I appreciate Senator Williams and Senator Howard visiting with me about just striking the "race, color, creed, national origin, ancestry, age, gender, or disability." If we strike those and any others, if something else should come into the discrimination act, then it will be added. So I don't want anyone to think for a minute that I don't care enough about the bill or amendments that come forward. I know, with Senator Hunt being brand new, I, too, have made mistakes in the last two years that I wish I would have not made, but-- but she did and was kind enough to come and

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tell me what she was going to do, and I appreciate that. But we did get to a resolution. I do support FA8 from Senator Howard, and I just ask for your support of FA8 and LB224, and we can move on and have a happy Valentine's Day. Thank you.

SCHEER: Thank you, Senator Albrecht. (Visitors introduced.) Returning to floor debate, Senator Pansing Brooks, you're recognized.

PANSING BROOKS: Hi. Thank you very much, Mr. President. I just wanted to briefly state, number one, I do appreciate Senator Albrecht's willingness to work on this. Number two, when I talked about the committees as we go forward trying to make sure that we have language that is-- that fits the federal and state laws, I wasn't specifically speaking about the-- our fabulous Banking Committee and its fearless leader, Senator Williams. I know that it was discussed in committee. But I am very grateful, and I'm hoping that maybe Bill Drafters can also help us on this in the future to be able to make this kind of language align, both federally and statewide, so we really don't need to discuss it on the floor anymore. And finally, I want to say that I-- I do not characterize what Senator Hunt did today as a mistake. I consider it courageous. It was a way for us to discuss and solve a problem. And again, I thank all for the kind discussions here today. Thank you, Mr. President.

SCHEER: Thank you, Senator Pansing Brooks. Senator Williams, you're recognized.

WILLIAMS: Thank you, Mr. President. I would like to make two quick points. First of all, I would like to thank those members of the Banking Committee that work diligently to look at the bills that are before us, make judgments, and get those bills moving so that we are not a hindrance to the senator bringing legislation. We have 41 bills referenced to Banking. We are through over half of those bills now. And as you've noticed from your agenda, quite a few of those bills have been on the floor and are moving forward. So I'd like to say a special thank you to those members that take the time to be prepared, read the bills in advance, and in Exec Session speak their mind and openly. More importantly, I would like to say a special thank you to Senator Albrecht, Senator Hunt, and Senator Howard for their willingness to work on a solution to a very difficult and delicate problem. The underlying bill that we have here, LB224, is an excellent piece of legislation. I'd like to thank Senator Albrecht for not only bringing it before but bringing it back this year. We felt strongly about this legislation. That's why we moved it out of committee on the timetable that we did. That's why it's here before you so that we can get it moving on the track to passing. At the same time, I-- I am very sensitive to the issue of discrimination that has been brought up by Senator Hunt and Senator Howard, and pleased that there has been a-- a resolution of that for LB224. Therefore, from-- from my standpoint, I strongly support the floor amendment, FA8 put in by Senator Howard. I would encourage you all to vote green on that so that we can move on to the underlying bill and the purpose of that

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underlying bill of being able to help our private cultural institutions do things in-- in a-- an efficient way and use this-- the ability to use the bond financing to help promote our state and our communities. So I would again encourage everyone to vote green on the floor amendment and the underlying bill. Thank you, Mr. President.

SCHEER: Thank you, Senator Williams. Senator Chambers, you're recognized.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, once a subject comes on this floor it creates the opportunity for a full and thorough discussion. And this is one of those matters which I hope comes up again because there's a bill pending somewhere to outlaw discrimination in the workplace against the LGBTQ community, and I hope that bill gets out here. And I'm just giving a foretaste of how I will do on bills that I think are really inappropriate. I'm kind of spiking my gun, so to speak, for the gun nuts-- they'll know that I'm acknowledging them-- and will not take all the time that would be necessary to fight this bill because cooler heads have prevailed and a change will be made. But there was a woman who came here, or she lived here, named Guyla Mills and she belonged to one of those off-beat fundamentalist churches, and she was really against gay people, and she led the effort to get put into you-all's constitution a provision against gay marriage and even these partnerships. And she'd argue that if we don't get it into the constitution, Senator Chambers is going to get a bill that will allow it. I'm glad they know what I will do. So they put it in constitution and then she left. And that was struck down. That was struck down as unconstitutional. That language still is in the constitution. It shows the racism and the hatred of people in Nebraska, and that's what Nebraska is known for as far as I'm concerned, because I've lived here 82 years and I know of what I speak. A senator who died in a farming accident that I really liked was Ron Raikes. I don't go to funerals, but I went to his, and I told people that Ron succeeded in doing-- getting me to do two things after he died that nobody could get me to do while alive, and that was to attend a funeral and to enter a church where the funeral was being conducted. Ron had a kind of dry wit and a keen sense of humor. He was going into the cafeteria downstairs. And one of these old, lame mossbacks from rural Nebraska, hateful, he was walking in and talking to one of his fellow blockheads from rural Nebraska. And he-- they became aware of Ron and one of them said, you know, these-- these homosexuals are-- that's the word they use-- these homosexuals are taking over everything. And Ron looked at me and he said, oh, we are? And Ron was not gay. He stuck a dagger in that fool's potato. But they don't know who is listening. They don't know who is around. And one senator who was against this kind of legislation to protect gay and lesbian people had a gay son and wondered why his son had never told him. I said, well, let me tell you something. He probably has been at the dinner table and heard you speak the hateful words around the dinner table toward these gays, and what you refer to them here, and I won't use the term he used. And he knows that's what his father thinks about him. So he's going to go to a hateful person like that and say, Daddy, I'm gay? I said, that's why he never told you. He knows what you are. In your

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own home, somebody you brought into this world, you spoke so hatefully against. Then you wondered why he wouldn't make what he is known.

SCHEER: One minute.

CHAMBERS: I don't know what's the matter with these people who are Christians except Christianity. Get rid of Christianity and all of you all would be better people. You wouldn't have to carry that burden of hypocrisy. You wouldn't-- I quoted a verse for you in one of my "Ernie-Grams," which most of you don't read but other people do. Jesus asked why do you call him Lord, Lord, and you don't do the things he says? Just drop that hypocritical banner and be what you are. There are some of you who'd be better if you didn't have to practice some of the hatefulness that is official doctrine in the Catholic Church. And you know now that they more-- are more than hateful when you look at the kind of sexual misconduct they engaged in. I'm going to speak more on this bill, even though I approve of the amendment, because I have to fire a shot across the bow, so to speak. Thank you, Mr. President.

SCHEER: Thank you, Senator Chambers. Seeing no one else in the queue, Senator Howard, you're welcome to close on your amendment.

HOWARD: Thank you, Mr. President. Just a reminder, FA8 is the product of an agreement. It puts a period after the word "discrimination" on line 25 on page 5 of the bill. I also want to take a minute and commend Senator Hunt for her bravery. It takes a lot to put an amendment on the floor that deeply, deeply impacts you and the people that you represent and the people that you care about. And so taking the time to do it and then doing it in a way that is thoughtful and kind to the introducer I think is really important. I appreciate that Senator Chambers counts me among the cooler heads, and I would certainly urge the adoption of FA8. Thank you, Mr. President.

SCHEER: Thank you, Senator Howard. The question before us is the adoption of FA8. Would all those in favor please vote aye; all opposed vote nay. Was the closing, yes, sir, but this is on the amendment, not on the bill itself. All those in favor of the amendment please vote aye; all those opposed vote nay. Have all voted that wish to? Please record.

CLERK: 38 ayes, 0 nays, Mr. President, on adoption of the amendment.

SCHEER: The amendment is adopted. (Visitors introduced.) Referring-- returning to discussion on LB224, Senator Chambers, you're recognized.

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CHAMBERS: Thank you. Mr. President, I give you all what I call an Ernie-Gram every day. Yesterday I gave you a fore-- a precursor to the one that I wrote today and gave to you. I hide things in rhymes to see if anybody will pay attention. Here's what I put in one yesterday: The spirit of Saint Valentine's Day, but wait, what is that spirit? If you're squeamish with the truth, you may choose not to hear it. Most may deem it a day for candy, flowers, love, and chilling. Others recollect that infamous massacre and its blood and killing. What infamous massacre am I referring to? I think that Senator Williams may know. I'd like to ask Senator Williams a question if he will yield.

SCHEER: Senator Wayne, would you please yield? And I'm not seeing Senator Wayne, Senator Chambers. Oh, Senator Williams? I'm sorry. Senator Williams, would you yield, please?

CHAMBERS: Senator Williams,--

WILLIAMS: Yes, I--

CHAMBERS: --I--

WILLIAMS: Yes, I would.

CHAMBERS: --I mentioned you because you were not listening, so I'm going to ask you a question. In a rhyme that I wrote yesterday and distributed, I was talking about the spirit of Valentine's Day and then said, what is that spirit? And I mentioned to some people it's a reminder of an infamous massacre. Do you know what that massacre is referred to as?

WILLIAMS: The Valentine's Day Massacre.

CHAMBERS: Right. And that is what people-- oh, and what did that pertain to if you know?

WILLIAMS: As I remember, it was some type of gang slaying.

CHAMBERS: Right. Mobsters were wiping out mobsters. And that's what a lot of people would think of. However, there was a more recent Saint Valentine's Massacre. Does anybody know what that Saint Valentine Day's massacre was? Anybody?

WILLIAMS: I would guess there is a person that knows what it is and I would suspect it's you.

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CHAMBERS: I would like to ask Senator-- all I have to do is look, but for the record, Senator Clements. Senator Clements, are you aware of a more--

SCHEER: Senator, excuse me, Senator Clements,--

CHAMBERS: Oh.

SCHEER: --would you please yield?

CLEMENTS: Yes.

CHAMBERS: Are you aware of a more recent Saint Valentine's Day massacre?

CLEMENTS: I believe a year ago today in Parkland, Florida. It was the school shooting.

CHAMBERS: Thank you. Which Saint Valentine's Day massacre did I have in mind? When people write things, you can look at what is written on the line. You can maybe find a message between the lines. Sometimes if you look deeply enough, you'll understand what is behind the lines. There are things happening all around us which we should take note of. There was something I said the other day which a Legislature watcher picked up on and called it to my attention today. We were discussing gambling and I had said, never bet against the house because you'll lose. And he pointed out a house that had itself lost. And that house was in the board-- on the boardwalk of Atlantic City, at least in Atlantic City. And the one who ran the house was your current President, Donald Trump. He went under twice. The house failed. Somebody should have pulled my coattail on that yesterday. But it took somebody outside the Chamber to call me and catch it. Listen--

SCHEER: One minute.

CHAMBERS: --if you have a mind to. Ignore it if you're of a mind to. But as Jesus said, let he that hath an ear hear. Not every ear that hears understands. So he had indicated that the ones for whom the message is intended will understand. There's a lot of shallow thinking here on this floor, if it can even be called thinking at all. I know from what I've read and what I've observed, everybody who is a human being is going to die. And you don't know when you'll die. You don't know, Senator Walz, whether it's "to die" or, as for some, it was "yes to die." But die we must and die we shall. Since we don't know when the Grim Reaper--

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SCHEER: Time, Senator.

CHAMBERS: --may surprise us, we don't know where--

SCHEER: Time, Senator.

CHAMBERS: --he may surprise us. Thank you, Mr. President.

SCHEER: Thank you, Senator Chambers. Senator Morfeld, you're recognized.

MORFELD: Thank you, Mr. President. Colleagues, I will support LB224 and I appreciate people's support of Senator Howard's amendment and her forwarding it on. I also appreciate Senator Hunt's advocacy on this issue. It's an issue that is not going to go away. It's not going to go away after I'm term limited and gone in four years and it's not going to go away until we do what's right. And what is right is making sure that we have basic human rights protections for our LGBT brothers and sisters. I get frustrated on this issue and I get frustrated with comments like those made by Senator Albrecht earlier that people don't fully understand why we need these protections or why this needs to be attached to certain pieces of legislation. And I think that perhaps it's a failing on my part as an advocate to fully illustrate and adequately illustrate why we need these protections. So I've talked to Senator Patty Pansing Brooks, and anybody who has brought up a comment like that or perhaps voted against an LGBT nondiscrimination bill in the past, we're going to be bringing down people that have been discriminated against as LGBT members of our community to meet with you personally. Senator Pansing Brooks and I will attend that meeting. They will set them up with your office and you can talk to those young and older Nebraskans yourself and then make a determination, fully informed, fully understanding what they have gone through, and fully understanding the need for these types of protections. So be on the lookout. Senator Pansing Brooks and I will be setting up meetings with you in your office over the next few months to meet with these Nebraskans and to fully understand the scope of the problem, because nobody should be fired or denied services because of who they are, who they love. Thank you, Mr. President.

SCHEER: Thank you, Senator Morfeld. Senator Cavanaugh, you're recognized.

CAVANAUGH: Thank you, Mr. President. I'd like to thank Senator Chambers for reminding us what happened a year ago today and I'd like to share something with the body. This is from my social media last year. I'm sharing my cousin's daughter's post. There's nothing I can say that more eloquently frames what is important in the discussion about mass shootings in America. Our children deserve better from all of us. We need to hold ourselves accountable to our

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children. And this is the post that I shared. From Laine who is now a freshman in college in Florida. I usually try to keep this kind of thing off my account. Not this time. This is too close, too important. I have lost a friend and I know so many friends have lost theirs as well. #Neveragain. Do I want to have to sit in class holding the person next to me because we can't stop crying for the people we lost? #Neveragain. Should I have to stay up on the phone with my friend at 2:00 a.m. because every loud noise makes her scream and cry, because every shot keeps playing over and over in her head? We are making a difference. And then-- and when we can vote, I hope politicians who are not in support of our cause, who look down on us thinking we can't get involved start shaking their boots and actually do something to create change. This should have been changed a long time ago. But we are here in the now and we are not afraid. We are standing up to say #neveragain for the lives that were lost. Please support us. We cannot do this alone. We need voters, we need politicians who will help us. That's the end of Laine's post. I would just like to add that that day, a year ago, I didn't know if Laine and Libby were OK for a very long time. This is something that, until it happens in Nebraska, I think people feel distant from. I don't. I experienced it and I live in terror of it happening here. But it's already happened to me and my family and I hope that we as a body can work together to ensure the safety and care of our children. Thank you.

SCHEER: Thank you, Senator Cavanaugh. Senator Chambers, you're recognized.

CHAMBERS: Thank you, Mr. President and Senator Cavanaugh. But, members, on that score, and she's right, why would something have to happen in Nebraska to our children before we can grasp what a horrendous thing such an occurrence is? The wolf should not have to sit on our doorstep. If we hear the wolf baying on somebody else's doorstep, we may have sense enough to realize that that same wolf may be on our step some day. And in the same way that we were totally oblivious of what was going on with somebody else, that's the attitude people will have toward us. But when it comes to our house, then we say where is everybody? Why doesn't anybody care? You all don't pay attention to what I say. I want you to know that I'm aware of it. I don't expect to change any of your minds, but there are people elsewhere listening and they may have a mind change. I had a woman call me the other day from Virginia whose child-- he's a black youngster-- was in school and this white boy used the n-word and hit him in the head with a book. And when her son responded, they wanted to punish her son and do nothing about the white boy. That's-- and do you know why she called me? She had seen something I had explained on the floor of the Legislature about how wrong it is to use that n-word no matter how people spelled it, no matter how people pronounced it, no matter whether a thousand ignorant black people used it. It is never appropriate to use it. And she said when she saw that it heartened her. She saw it on this Web or whatever it is that you all watch on your gadgets. And I had said that a long time ago. So what we say does live on past the moment when it was uttered. I can live with anything that I say because, like that man, Bob Seger sang about in his song, still the same, that's me. I'm still the same, older but wiser. If I had stopped learning when I was 40 years old,

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all I would be now is an 82-year-old, 40-year-old man. We have to continue to grow. And to touch on this bill, what underlies it is so extremely important because it talks about culture. It talks about that intellectual life of a people or people in general. It will take you out of your narrow world. Even if you grew up in a rural setting on the side or edge of a meadow, that doesn't mean that what is happening in the rest of the world is shut off from you. That's why books exist. That's why there are libraries. No one of us will ever be able to read all of the worthwhile books that have been written. We won't even read those that are readily accessible. And that's why on the floor of this Legislature we still have to do-- deal with troglodyte-type attitudes, so backwards. It could be disheartening, discouraging to somebody like me who does think, who does read, who learns--

SCHEER: One minute.

CHAMBERS: --from everybody except that I have imposed on myself a rule that guides the way I live and the way I conduct my affairs. So I'm never discouraged, never disheartened. I'll get indignant and I will make it clear. However, when we have certain issues that come before us on the floor of the Legislature, I'm not going to be easy going. I'm not going to try to be what some people call courteous or nonoffensive. They offend me with some of the things they bring here and I'm going to let them know. If you slap me, you've got something coming back. If you do it physically, same thing. But I'm talking about verbally, I should say orally, when you speak, or if you write something and hand it around, look for a response from me.

SCHEER: Time, Senator.

CHAMBERS: Thank you, Mr. President.

SCHEER: Thank you, Senator Chambers. And you're recognized. You're the next in the queue and this is your third time.

CHAMBERS: I handed out something this morning and it shows-- to show you all why I'm so irate and talk about the racism that black people face and especially our children. And you put these cops in the schools and they, in Nebraska, are primarily in schools that are what are called diverse. Most of the white schools in Nebraska don't have them. Where black school children, Latino, Hispanic children, Native American children go to school, they have police in the schools. They should not be there. And I don't care what these white people say, they're not there to stop any shooters. They're there so that they can turn these young children, whom they hate, into criminals. They criminalize misbehavior that is a part of ordinary adolescent coming of age. It is a crime in Nebraska to disturb the peace of somebody else, a neighbor or whoever. So these white cops use an argument between a black kid and a white kid to say the black kid disturbed

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the peace, violated the statute, and will arrest him. That's what's happening in these racist white schools where our children go. People don't care about them, are not fair to them. And I have a bill before the Judiciary Committee this afternoon and it's going to give me a chance to mention a lot of things. But I handed this article out so you'd see what they do with white boys. Headline from the Lincoln Journal Star, September 30 of last year: Teen who shot deputy is sentenced. He was attacking his parents and the deputies responded. And you know what he did? He opened fire on them. He hit one in the hand and wounded the other in the forearm. Shot them, intending to kill them! And you know what happened when he went to court? Because the Supreme Court rejected the attempt of prosecutors to prosecute him as an adult-- he was 17 years old, but he's white-- he was sentenced to probation and community service. And he had been involved in another crime to which he pled guilty and was again sentenced to probation and community service. And here's the rhyme that I wrote. One nation under God with liberty and justice for all? To my flag-saluting colleagues, join me in this guessing game. Had the culprit been a black youth would the outcome be the same? Heavens no. And you all think I'm not gonna talk about what's happening to black children? My children are black. I was a black child. And here's a white kid, shot the deputies, not shot at them; wounded two of them, wounded one of them, missed the other one. And he gets probation. And our kids are arrested for arguing with a white kid in school. And I'm supposed to sit back and watch these cops placed in these schools and not talk about it? I can't get them out because white people stick together. They're not going to mess over white kids. They're there to criminalize our children. And I'd be less than a man if I didn't speak up on these issues and this is a place to do it, because we enact laws and we can prevent it. But you're not going to do it. That's why I ridicule your prayers. They don't mean anything. You do it every day. You ought to be like the little boys I suggested. He wrote that insurance prayer that everybody prays: Now I lay me down to sleep, I pray the Lord my soul to keep. If I should die before I wake, I pray the Lord--

SCHEER: One minute.

CHAMBERS: --my soul to take. He got tired of saying it every night. So he stuck it on the wall and before he got in bed he just pointed and said, Lord, there it is. That's how perfunctory your prayers are. But it's worse because you all are adults and you're not going to practice what you preach. And I'm rubbing you in your face what your Jesus, yeah, your Jesus, told you. This people honoreth me with their mouth, but their heart is far from me. Why call ye me Lord, Lord, and do not the things that I say? That's your Jesus, not me. I'm quoting Jesus when I excoriate you. I'm the messenger of Christ. I'm carrying Jesus' message to all you heathens, and that's what you are. And you will allow a man you call an atheist-- you can call me anything you want to. Just don't call me the n-word to my face. And even if you're big enough and young enough and strong enough to whip me, you're going to have to whip me.

SCHEER: Time, Senator.

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CHAMBERS: And you're going to have to do it every time you see me.

SCHEER: Time, Senator.

CHAMBERS: For what? Jell-O? Oh, thank you, Mr. President. I was carried away.

SCHEER: Thank you, Senator Chambers. Seeing no others in the queue, Senator Albrecht, you're welcome to close. She waives closing on LB224. The question before us is the advancement of LB224 to E&R Initial. All those in favor please vote aye; all those opposed vote nay. Have all those voted that wish to?

CHAMBERS: [MICROPHONE MALFUNCTION] Record vote.

SCHEER: Been a request for a record vote. Please record.

CLERK: (Record vote read.) 37 ayes, 0 nays on the advancement of the bill, Mr. President.

SCHEER: LB224 does advance to E&R Initial. Next item, Mr. Clerk. Oh, announcements?

CLERK: Yes, thank you, Mr. President. Very quickly, confirmation reports from the Natural Resources Committee, those signed by Senator Hughes. Committee reports: Business and Labor, LB361 to General File with amendments; Natural Resources, LB48 and LB155 to General File; Health and Human Services, LB112, General File, LB29 to General File with amendments. Those all signed by their respective Chairs. Mr. President, proceeding on, LB16, a bill by Senator Briese. (Read title.) Introduced on January 10 of this year; referred to the Government, Military and Veterans Affairs Committee. The bill was advanced to General File. I have no amendments to the bill at this time.

SCHEER: Thank you, Mr. Clerk. Senator Briese, you're welcome to open on LB16.

BRIESE: Thank you, Mr. President; and good morning, colleagues. I rise today to present my LB16. LB16 is designed to help protect our critical energy infrastructure. We live in a world of bad actors, some of whom are intent on disrupting our way of life. One avenue for someone so inclined is to target our energy infrastructure, whether it's our power grid, fossil fuel infrastructure or so on. As elected officials, we have the duty and the obligation to help minimize the risk of one of these nightmare scenarios ever occurring. LB16 is a bill designed to help us protect that infrastructure. Nebraska Revised Statutes Section 84-712 makes available for

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examination public records of the state or any political subdivision; 84-712.05 allows entities to withhold from public view various categories of records and there's currently 21 such categories of items or information that can be withheld. LB16 adds another category to that list that can be withheld from public view for, quote: Information that relates details of physical and cyber assets of critical energy infrastructure as such terms are defined in 18 CFR 388.113, the disclosure of which, which would pose a threat to national security, public health or safety. Federal Energy Regulatory Commission regulations found at 18 CFR 388.112 define critical energy infrastructure information as, quote: specific engineering, vulnerability, or detailed design information about proposed or existing critical infrastructure that (i) relates details about the production, generation, transportation, transmission, or distribution of energy; (ii), could be useful to a person in planning an attack on critical infrastructure; (iii) is otherwise exempt from mandatory disclosure under the Freedom of Information Act; and (iv) does not simply give the general location of the critical infrastructure. The language in LB316 mirrors that language from the federal regulation, but the protections afforded by this bill are somewhat broader than the federal exemption. LB16 also includes as critical energy infrastructure information that includes, quote: the identity of personnel whose primary job makes such personnel responsible for, (i) providing or granting individuals access to physical or cyber assets or (ii) operating and maintaining physical cyber-- physical or cyber assets, except that this subdivision shall not apply to the identity of a chief executive officer, general manager, vice president, or board member of a public entity that manages critical energy infrastructure or critical electric infrastructure. The lawful custodian of the records must provide a detailed job description, if requested, for any personnel whose identity is withheld pursuant to subdivision (9)(b) of this section. I believe that in light of the potential risks posed to critical infrastructure, this expansion beyond what is found in the federal rules is easily justified. Utility infrastructure has become a target for bad actors around the world in efforts to threaten public health and safety or disrupt local, regional, and national economies. One testifier suggested that energy infrastructure is a, quote, high priority target for many malicious actors, unquote. And there are countless examples of how these bad actors use individuals in these efforts, such as building seemingly harmless relationships with key personnel in order to gain their trust or to gain their access to critical infrastructure, or blackmailing or threatening physical harm to personnel or their families. Knowing the identity of these individuals makes it very easy to find out where they live, find out their family information, where their kids go to school, whatever. And I'd like to know that nothing in our public records law prevents a request from folks outside the state, from outside the country, from a foreign government. And as one testifier said the, quote, world has changed and even the Heartland is at risk, unquote. We live in an era where it's not inconceivable that adverse interests could undermine the economic health and security of our state and our nation by disrupting our energy infrastructure. Providing this exception for a public records law can help minimize this risk. And, colleagues, much of what we do in this body is about balancing competing interests. And here I don't believe there's much of a question. What's the compelling or significant interest in these identities that outweighs the significant risk posed by their disclosure? I believe this is a

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responsible, proactive approach to a risk that does exist. I would ask for your green light on LB16. Thank you, Mr. President.

SCHEER: Thank you, Senator Briese. Senator Hilgers, you're recognized.

HILGERS: Thank you, Mr. President; good morning, colleagues. I rise to discuss briefly the committee action, and I did not vote on this. I didn't vote one way or the other on this particular bill. I wanted to explain my reasoning and some of the conversations that I've had with Senator Briese on this particular bill. During the hearing there were, essentially, two pieces of this bill that were described as necessary. One is the critical infrastructure piece that Senator Briese spoke about. The other piece is this personnel side. I think the infrastructure, there's-- there's, I think, a very strong policy justification for protecting that information from public view. At the same time, however, the testimony at the hearing is that this-- there's all-- there are already protections against disclosure from the Federal Code of-- the Code of Federal Regulations. And so what wasn't addressed, in my view at least, is why this, that language was necessary in this bill; why, why we need to put it in state statute when we already have it in federal statute and-- and a public entity could, under the federal rules, withhold that information from public view? The other piece that didn't get as much discussion and the one that I've had some conversation with Senator Briese about is the personnel side. That was the basis, as I understand it, from the opposition at the hearing, is that there wasn't a policy justification for withholding that from view. I do have, folks, some concern that the language as currently drafted is too broad as it relates to the personnel side and so I'm not supportive of that language as it currently is drafted. However, I have had conversations with Senator Briese about this and he's willing to entertain maybe a narrowing amendment between General and Select. And for that reason, I intend to vote green on LB16 at this stage for the moment, with the caveat that if-- if we can't reach some-- some accord on the narrowing language, I very well might vote no on later rounds. So with that, Senator Briese, I'd yield my time to Senator Briese if he wants to add anything to what I said. Otherwise, that's all I have to say. Thank you, Mr. President.

SCHEER: Senator Briese, would you like the time?

BRIESE: Yes. Thank you, Mr. President.

SCHEER: Three--

BRIESE: Thank you, Senator Hilgers, for yielding time and appreciate your comments on--

SCHEER: 3:05, Senator.

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BRIESE: OK. Appreciate your comments on that. And I realize that there is some duplication of effort here relative to the infrastructure information itself and what's in the federal code. But the federal code can be cumbersome and slogging to work-- to work your way through. Having it in our-- in our Nebraska statutes is going to make it clearer, simpler to find, easier to understand. And then my question would be, well, what is the harm of duplicating the effort there, of duplicating what the federal code does? I don't see any significant harm in that. And as far as the language regarding the identities here, yes, that would be great. I'd be more than happy to talk about that prior to Select File and resolve any language issues that Senator Hilgers or anyone else might have. Thank you, Mr. President.

SCHEER: Thank you, Senator Briese and Senator Hilgers. Senator Chambers, you're recognized.

CHAMBERS: Thank you, Mr. President. Members of the Legislature, Senator Hilgers said he intends to vote green. I intend to be mean. I'd like to ask Senator Briese a question or two.

SCHEER: Senator Briese, would you please yield?

BRIESE: Yes.

CHAMBERS: Senator Briese, are you ready to do battle on this bill in its behalf?

BRIESE: Well, I'm a proponent of the bill. I'm the introducer of the bill, so I guess the answer would have to be yes.

CHAMBERS: To what? What are you answering yes to?

BRIESE: What you asked me.

CHAMBERS: And what did I ask you?

BRIESE: If I'm ready to do battle on the bill.

CHAMBERS: And you said, yes, you are.

BRIESE: Yes.

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CHAMBERS: Before I go after you, you did not draft this bill yourself. Isn't that true?

BRIESE: Yes, that is true.

CHAMBERS: Who drafted it?

BRIESE: We had input from the power industry.

CHAMBERS: What power, because there is a greater power, you know, thine is the kingdom, the power. That power is the one who drafted it or a different one?

BRIESE: No. From the public power industry here in Nebraska.

CHAMBERS: Do you have any idea of a particular person who may have drafted it?

BRIESE: No, I don't.

CHAMBERS: Does the power industry in Nebraska, which favors this bill, have lawyers at their disposal, if you know?

BRIESE: I'm certain they do.

CHAMBERS: Do you think that maybe a lawyer had something to do with the drafting of this bill?

BRIESE: One would assume so.

CHAMBERS: Do you think that lawyers are well paid when they work for the public power industry?

BRIESE: I have no idea.

CHAMBERS: Do you think that they would be well paid?

BRIESE: I would guess they might be.

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CHAMBERS: If you were hiring a lawyer, would you expect that lawyer to be acquainted with the area of the law that you hired that lawyer to represent you in?

BRIESE: Yes.

CHAMBERS: And you would pay that lawyer commensurate with his knowledge, experience and so forth whatever he would charge to give you that representation?

BRIESE: Yes.

CHAMBERS: Would it be all right for us to assume that such a lawyer may have been involved in the drafting of this legislation?

BRIESE: I would say it's a safe assumption.

CHAMBERS: Now, Senator Briese, do you have a copy of the bill in front of you?

BRIESE: Yes, I do.

CHAMBERS: Would you turn to page 4.

BRIESE: Yes.

CHAMBERS: Would you read the words on line 3? Even though it's not a complete sentence, just read those words into the record.

BRIESE: Such terms are defined in 18 CFR 388 dash, excuse me, .113, the disclosure of which.

CHAMBERS: Thank you. That's all I will ask you. I would ask Senator Lathrop a question or two because I see him standing up.

SCHEER: Senator Lathrop, would you please yield?

LATHROP: Yes, I will.

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CHAMBERS: Senator Lathrop, Legislatures are free to reference federal legislation or rules or regulations in our bills. Isn't that true?

LATHROP: As far as I know we are, yeah.

CHAMBERS: And--

LATHROP: I think it's common actually.

CHAMBERS: Yes, com-- when we make such a reference, such as is made here, we are not allowed to delegate our legislative authority to anybody else or any other entity. Do you agree with that?

LATHROP: I would agree with that.

CHAMBERS: And when we make reference to a federal rule or regulation, isn't the usual formula we give that reference and then we say, "as of" or "as it appeared" on such and such a date so that it's clear what it is we're doing and not simply saying that as that change-- as that is changed by Congress--

SCHEER: One minute.

CHAMBERS: --our law changes?

LATHROP: I think that's right. Otherwise, our law would change every time they changed the Code of Federal Regulation.

CHAMBERS: Thank you. How much time do I have, Mr. President?

SCHEER: Forty seconds.

CHAMBERS: Since I'm teaching this morning, I'm going to put on my light.

SCHEER: Thank you, Senator Chambers, Senator Briese, and Senator Lathrop. Senator Lathrop, you're recognized.

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LATHROP: Thank you, Mr. President and colleagues. I am supportive of the concept and what Senator Briese is trying to accomplish. I think it is important that we protect our power generating assets and so I'm generally in support of the bill. I didn't know-- I have not talked to Senator Hilgers about this, but I think I had the same concern. And as I read the bill, first of all, my concern is that most of the power that's generated-- I see Black Hills came in on this, so I can't really talk about the private gas people. But all of our electricity is generated by public power and these people, therefore, are employees of a political subdivision. And as I read the bill, we couldn't determine the names of any of the employees, except for like the board members and the officers. We couldn't get the names of any of these people or what they make, for example, because the provision relative to personnel would literally exclude anybody that maintains physical assets for a power company. And that would be virtually anyone. And so I appreciate-- I did not realize that Senator Briese and Hilgers were going to work on tightening that up. I assume that that's what the concern is. It's the thing that stood out to me as I saw this. And I saw also that Media Nebraska or some group of news organizations had some concern about the bill as well. I assume it's related to that and that they're not interested in learning about the infrastructure of, you know, the OPPD power plant. But at the same time, because these are public employees and news organizations are, as sort of factfinders for public information, have a right to know who's working there and how much they're paid and those sorts of things. I appreciate that that language will be tightened up with Senator Hilgers' concern and work with Senator Briese. And with that, I would indicate my support in much the same way that Senator Hilgers has. Thank you.

SCHEER: Thank you, Senator Lathrop. Senator Matt Hansen, you're recognized.

M. HANSEN: Thank you, colleagues, and good morning. I'm going to rise mainly to agree with Senator Hilgers and Senator Lathrop. I had not initially turned on my light, but a senator or two had asked me why I was not voting in committee. Real simple procedure, Senator Hilgers raised the point in committee he raised here on the floor. I thought, huh, that was a good-- I think that was a good point, we should clarify. And then we went to a vote. So, at that point, I chose to be present, not voting, because I do appreciate the overall efforts to protect our electric power infrastructure and would just appreciate Senator Hilgers' and Senator Briese's continued work to clarify which employees are included. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Matt Hansen. (Visitors introduced.) Senator Walz, you're recognized.

WALZ: Thank you, Mr. President. I rise today for a point of personal privilege. Good morning, everyone. I just wanted to take a moment to speak on a recent resolution that I have introduced, which is LR20. LR20 recognizes August 2019 as the 100th anniversary of Nebraska ratifying the

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Nineteenth Amendment to give women the right to vote. At the time, a special session was called to vote on this issue, and on August 2, 1919, Nebraska became the 14th state to ratify the Nineteenth Amendment. So here we are on the 14th day of February and also Valentine's Day and I would like to share with you some of the history behind the struggle for women to-- the struggle to achieve women's suffrage. In July of 19-- 1848, hundreds of women and men gathered together at the Seneca Falls Convention and the women-- and the first women's rights convention in the United States to discuss the social, civil, and religious condition and rights of women. The convention produced a declaration of sentiments that declared that all men and women were created equal and called for actions to equalize women's status in the United States, including the right to vote. The convention began with a speech from Elizabeth Cady Stanton, one of the meeting's organizers, to enshrine the convention's purpose. I would like to read you a short excerpt from that speech: We are assembled to protest against a form of government existing without the consent of governed to declare our right to be as free as men is free, to be represented in the government which we are tasked to support, to have such disgraceful laws as give man the power to chastise and imprison his wife, to take the wages which she earns, the property which she inherits; and in case of separation the children of her love. Seventy-two years later, their work finally came to fruition in 1920 when Tennessee became the 36th and final state needed to ratify the amendment. The convention was attended by a diverse group of activists, not unlike the hardworking women we have up in the balcony and on the floor today, who helped shape the future of our nation for the betterment of every citizen, including Elizabeth Cady Stanton, Lucretia Mott, Frederick Douglass, Mary McClintock, Martha Coffin Wright, and Jane Hunt. These individuals not only fought for the rights of women but for all individuals working together to fight for abolition. After the ratification of the Nineteenth Amendment, the Nebraska Women Suffrage Association, recognized as the Nebraska League of Women Voters, to unite all parties on certain issues and establish a reputation for power as an organization. I think it's fair to say that we have come far from where we were at. More women serve in the U.S. Congress than ever in American history. One hundred and two women now serve in the U.S. House of Representatives and twenty-five in the U.S. Senate. Even right here in Nebraska, we have more women in the Legislature than ever before. The only shame is that the majority of those men and women were not able to live long enough to see the fruits of their endeavors. In that spirit, we should not let our achievements placate us but use them as fuel to fight even harder. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Walz. Speaker Scheer, you're recognized.

SCHEER: Thank you, Mr. President. It is Thursday, not Friday, but we do have a long weekend, so I did want to mention just a couple things and more in relationship to your priority designations. You should be thinking about that very strongly. If you have a bill that you are seriously considering to prioritize, I would suggest that you contact the Chairman of the committee that that bill's in to let he or she know that that is your intent. This is not an

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opportunity for you to take five bills and decide that you're going to go talk to five different Chairs and say you're thinking about prioritizing each one of those bills. You have one, be specific. The Chairs do talk to each other so they will know if you've started out with four or five priority bills. You also will want to know, work with that committee Chair to make sure that that bill hopefully will get out by prioritization day. And if not, you'll want to have at least talked to committee members in relationship to your bill if it is going to be heard after that date to make sure that they have an understanding of your bill and that there's a high likelihood that it will come out of the committee. I would hate to see any of you waste your senate priority bill and have it stuck in a committee and have another bill that would have equally worked as well. So as we move into next week, we will still be working on General File items. We'll be doing some Select, and I would also encourage the committee Chairs to Exec to try to get bills out. We are at somewhat of a slower pace right now, and not that it's not good to have a vibrant discussion on the floor, but there are some bills probably still in committee that would entertain less discussion that might be able to move along at this period in time. So if you have one of those bills in your committee, as Chairs, please address that. If you could do some "execing" in relationship to those bills. So we really have not, if you will look, we I believe only have two bills that are prioritized right now, two or three, and all those are still within the committee structure. So I have no priority-- priority bills to work with this-- at this time. But please, start thinking about your priority bill and start working with those committee Chairmen to make sure that they're aware of it. If it has a late hearing date, they may or may not be able to rework that to give it an earlier time element to get that bill out. But you certainly should be thinking very strongly about what that bill might be. As always, my staff is available for any questions and myself. So enjoy your long weekend. A happy Valentine's Day to all, and especially my wife, who's probably not even listening this morning because she's back home. So enjoy the break. We all need one. Thank you very much.

WILLIAMS: Thank you, Speaker Scheer. Returning to debate on LB16, Senator Brewer, you're recognized.

BREWER: Thank you, Mr. President. My committee passed this bill out, LB16, so I need to take responsibility. With that said, I find myself struggling because we're talking about public power, which as some of you may know we have not always been that friendly, we're talking about lawyers of which for the most part I detest. So let's back up a little bit here and-- and run through some questions. And this has nothing to do with my detesting of lawyers, but I'd like to ask Senator Hilgers a question.

WILLIAMS: Senator Hilgers, would you yield?

HILGERS: Absolutely.

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BREWER: All right. Actually, it'll-- it will be a series of questions here. Now if I was to ask you the name of the individual who's in charge of the nuclear reactor at Cooper, would you be able to tell me that?

HILGERS: I would not.

BREWER: If I ask you who was in charge of issuing the secret badges to get in and out of Cooper, could you tell me that one?

HILGERS: At the moment, no, I could not.

BREWER: All right, that's all I got for you. All right, the point being, we don't need to know this stuff, shouldn't need to know this. In a previous life, it was shocking how much on the battlefield that we would find in the way of information that would come back, not just to the United States but to Nebraska. A lot of people don't understand that Nebraska is a hub for a number of reasons, not just because U.S. STRATCOM is here but also telecommunications, and some of the cyber hubs are Nebraska specific in much of where they're located and what they can do. And the effects of what you could do to them could affect the entire nation. So I think there are-- there is information out there that needs protected. Now with that said, I-- I have to swallow a little bit of pride because, again, this morning it's been discussed by a number of lawyers, and, Senator Briese, I'm going to put you in the category of a lawyer. I'm not-- Senator Chambers, he may have went to school, but he made the strategic, tactical decision not to become one, and I respect him for that. But I think there are certain things that are critical, not just to Nebraska but to our nation, to protect. The comments made, I do think the modifier or tweaking of this slightly is probably in line. But I think there are things that we have to consider that are more important than what we're seeing on the surface here. And without getting into that category of things I can't talk about because of the level of secrecy, just trust me that it is in our best interest to protect some of this information. With that said, thank you, Mr. President.

WILLIAMS: Thank you, Senator Brewer. Senator Briese, you're recognized.

BRIESE: Thank you, Mr. President. Appreciate the com-- excuse me, the comments and discussion on this. The reference to 18 CFR 388.113, yeah, I'd be willing to pull that part out because a couple lines later we're actually quoting from that regulation. We're citing that regulation and then we're quoting from that regulation. So we don't really need to cite it because of the concerns that Senator Lathrop and Senator Chambers were talking about there, that probably there's possibly a good alteration to this. And then there was some other questions about the identities. And, yes, I'm willing to work on some language to tighten up the personnel language in there. But, you know, when we're talking about identities and was a be-- as we begin

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to tighten up that language, it begs the question, you know, what is the public interest-- what public interest is served by disclosing these identities? If someone asks about these individuals, they're still going to have to provide a detailed job description, other things about that in-- those individuals but just not the identities. And I think there is no real compelling public interest in needing the identities of those individuals. And it's been represented to me by the power industry that we might be talking about 10 percent of the employees in NPPD; 3 percent, maybe 6 percent at LES; 2 to 3 percent at OPPD. We're not talking about a whole lot of folks here. And if-- if those identities are wrongly withheld, there's a mechanism under Nebraska statute where an aggrieved party can petition the Attorney General for a review of the withholding of that information. Attorney General must expedite any review of that, must determine within 15 days. And essentially that aggrieved individual can require the AG to bring suit if the public utility does not disclose those items. And I think there's a provision in statute to require the court to expedite the process. And so, obviously, if this is abused, there's a statutory process in place whereby aggrieved individuals can seek-- can seek these-- this information, these identities by accessing the Attorney General's Office. Anyway, though-- thank you for now, Mr. President.

WILLIAMS: Thank you, Senator Briese. Senator Chambers, you're recognized.

CHAMBERS: Thank you. Mr. President, members of the Legislature, I took Senator Briese through what I did because it's obvious that a white lawyer did this. White people have white privilege. They get away with being stupid and they get paid. If I wanted to kill this bill, I could have just been quiet. The severability clause says in effect that if anything in this legislation is unconstitutional, then strike it and let the rest stay there. That might work, unless the part that is unconstitutional was relied upon by the Legislature when they enacted the law. Since so much in this is dependent on what this federal regulation says, nobody could indicate that that was not an important consideration. The Legislature-- I said I'm teaching. You all don't respect me, so I'm saying it for the record. The Legislature is the only body under the Nebraska Constitution with the authority to legislate. If it inappropriately should transfer that authority to some entity, individual, that is unconstitutional. To merely make a reference to a federal rule or regulation and nothing more is an unconstitutional delegation of the Legislature's authority, because whenever Congress changes that rule, it in effect would amend the existing Nebraska statute, which is not allowable. If I didn't like this bill, I'd just left it alone and then I would have challenged it and it would have been struck down. I'm one black man on this floor, not the only one, but I'm one. When it comes to the interest of black people, I don't see a lot of concern by white people on this floor. There are ways I could get even with you all if I chose to do it. If I were like you and did to you all what you have done to us for generations, I would fix you through your own rules, because you don't pay attention. You don't read. You don't understand. And you'll accept something that a white man brings to you and that white man assumes that another white man who laid it out got it right 'cause white people are always right. I should have left it alone. But I didn't. But there's a lesson and a message in that too. I know things about your bill that you don't

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know. So just mess with me, get on the wrong side of me. And you let that man, and I use the term advisedly, in the Secretary of State's Office persuade somebody to bring some voter suppression legislation to this floor and you watch what I do with the rest of the session once something like that comes on this floor. And I know how to do it or I wouldn't say it. And I've done it in the past and I can show you the record to prove it. And eventually the Legislature knuckles under. You know why? Because there are lobbyists and other special interest groups that want legislation and they will pull your chain and tell you: give Chambers what he wants. We need what we've paid-- what we're paid, the lobbyists would say, what we're paid to get done and the interests we're working for want that. Give him what he wants. And that's what it's been down through the years because I know white people. I ought to, I've been around you all, all my life.

WILLIAMS: One minute.

CHAMBERS: So if you don't want to strike that reference, just put this particular reference you've got as it appeared or as of such a date. And then you have simply adopted what exists then and if Congress changes it, it will not affect what's in the statute because you froze the instant in time when you're quoting from that particular provision. You all are not gonna pay attention, but somebody who knows is gonna tell you that I'm right and what you need to do. Is this my third time, Mr. President? Oh, thank you. I'll stop then.

WILLIAMS: Thank you, Senator Chambers. Senator Groene, you're recognized.

GROENE: Thank you, Mr. President. I want to thank Senator Briese for bringing the bill and then especially Senator Hilgers for bringing this forward. As you all know, I'm a huge supporter of transparency. In my past, as a public citizen, I was involved in civic groups where we did a lot of FOIAs, and I still do them as a state senator when I get resistance from public employees. As I tell most public employees, if I call you a public employee it's not a compliment; if I call you a public servant, it is. But sadly, we do have public employees who do try to keep information from the public. You take ownership of the entity they work for. It's not theirs. They just work there. So anytime I see an attempt to try to take that transparency away from the owners of public power, which is the public, or from a county or from a school district or from an NRD, I will be the first one to rise and say, no, I own that. I am a citizen. All information, unless it can be harmful to an-- someone else, should be available to me, the owner. So I appreciate Senator Briese working with Senator Hilgers and correcting overreach in LB16. Thank you.

WILLIAMS: Thank you, Senator Groene. Senator Chambers, you're recognized and this is your third time.

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CHAMBERS: Thank you, Mr. President. My salary breaks down to \$5.74 or 76 cents an hour. That's if I just come when we're supposed to be here. But based on the number of hours that I spend here year-round, I'm contributing something to the state. I take this job very seriously. I wish others did. You all will have a knee-jerk, negative reaction to things I bring because you don't like me. I'm smarter than all of you. I didn't say more intelligent, but that's probably the case, too, if we'd examine it. You know why I say smarter? Smartness comes from studying and paying attention. Any of you can do that, but you're not going to put forth the effort and spend the time, so I'll always be ahead of you. You won't take instruction, advice, or counsel from somebody you don't like. You don't realize what a wealth of information I have locked up in my mental Rolodex. But I can beat you at every turn every day if I want to. You all don't know that. But I can show that. And if you cross me in the wrong way, I'm going to do it and you won't be able to stop me. There are some things that are better left alone instead of letting it get into motion and you try then to stop it. And what has set me off? There are things that are said at some of our committee hearings by white people. I don't like the idea of my sitting on a committee and because it's my bill it's-- they rather I not ask questions. I'm the one who knows the bill. I'm the one who not only knows the questions that ought to be asked, but I will ask them. Nobody cares about my legislation like I do. But I'm going to have a discussion with the Chairpersons of the committees on which I sit. And if they adopt as the modus operandi that a person whose bill is being heard will not ask questions, I'll accept that. And if the questions that need to be asked are not asked, I'll take a long time on my closing and talk and talk and talk because some things need to be in the record of the hearing. And since I would not be able to ask questions and have it gotten into the record in that fashion, I will have to do it during my closing, and I could take an unlimited amount of time on my opening, and that's how I can whip the committee. There are so many ways, when you're an adult and you're dealing with children, and you can be offended if you want to, but your conduct, your work product demonstrates, and I'm just giving you a clear, simple, easy to understand example here of how this bill could have been brought down if I'd just kept my mouth closed. There would have been an unconstitutional delegation of legislative authority--

WILLIAMS: One minute.

CHAMBERS: --and the Supreme Court would look at it and it would strike the legislation down. I had misrepresented death by referring to death as the Grim Reaper. But I've been around so long I forget that things change, even on the farm. They don't use the scythe. They have harvesting equipment. So the Grim Reaper is not appropriate. He is now the International Harvester. And that, if I'm thinking, is what I will refer to that personage as being. The "Bible" talks about four horses in the Book of Revelation and it talks about the rider on a pale horse--

WILLIAMS: Time, Senator.

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CHAMBERS: And he that sat on him, his name is death. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Chambers. Seeing no one in the queue, Senator Briese, you're recognized to close on the advancement of LB16.

BRIESE: Thank you, Mr. President. Just a few comments first: The concern that Senator Chambers raised, rather than arguing constitutional doctrine with Senator Chambers, I-- it's easily fixed. We can eliminate the reference to the regulation or we can insert, as Senate-- Senator Chambers suggested, the regulation as it existed on the effective date of the act or as of a certain date. Someone suggested that the disclosure of the identities is overreach, and I don't see that it is myself. You know, it's a matter of opinion, but I don't see it as overreach. But with that said, I think this is good policy, makes a lot of sense. It's a proactive approach to reduce the risk of a bad event happening. And I would ask for your support and your green light on this bill, and we'll work on it before Select File to address some of those concerns. Thank you, Mr. President.

WILLIAMS: Thank you, Senator Briese. The question is the advancement of LB16 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk.

CLERK: 38 ayes, 0 nays on the advancement of LB--

WILLIAMS: The bill advances. Moving to General File.

CLERK: Mr. President, LB430, offered by Senator Groene. (Read title.) The bill was introduced on January 18, referred to the Education Committee, advanced to General File. I have no amendments to the bill at this time, Mr. President.

WILLIAMS: Thank you, Mr. Clerk. Senator Groene, you're recognized to open on LB430.

GROENE: Thank you, Mr. President. LB430 was advanced from the Education Committee by an 8-0 vote. LB430 is a bill we-- is the type we do, this body does, about every two years at budget time. It's basically an administrative maneuver. What it does is delay the statutory requirements of state aid certification date, the budget authority, and the allowable reserve percentage date respective under the Tax Equity and Educational Opportunity Support Act, known as TEEOSA. It moves the date from March 1 to June 10, 2019, which is the last day of the legislative session. This procedure is required so that we do not reach that required deadline before-- of March 1 before this body has adopted a strategy for addressing the current fiscal situation and identifying what role state aid will play in helping us to resolve the-- that to balance

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the budget. The action taken under LB430 is not a new-- is not new, as I said early. In fact, it has been used to provide the Legislature the necessary time to discuss potential changes to TEEOSA at least 16 times since 1990, when TEEOSA was created, and was the case in 2017 with LB119, my first year as Chair; in 2013 with LB408 with Senator Sullivan; and in 2011, LB18, with Senator Adams when he was Chair. This change is-- in certification date is only being made for 2019 and will change back to the regular certification date on March 1 for 2020 and beyond. I realize that whenever the certification dates are pushed back, it creates a degree of uncertainty for school boards as they negotiate employment contracts with teachers for the following year. But we need to ensure that we have the time necessary to complete the process of identifying how much revenue is available to state aid and TEEOSA as such items will go a long way to helping us address our current fiscal deficit. I'd like to note that the Forecasting Board has its next meeting on Thursday, February 28. That's one day prior to the present March 1 certification date. The final report we will receive to finish up the budget won't be until April 1-- April, excuse me, until April. I should note that schools are statutorily required to notify teachers of any reduction in force by April 15 of each year, and this legislation does not change that date as historically that is something we have not done. Thank you for your time and I ask for the advancement of LB430. It, of course, will have to have an E clause on it. We have to have a re-- passed before March 1 so the State Department-- Department of Education doesn't have to do a bunch of extra work, redundant work. This, in fact, was brought to us by the Department of Education. Again, it reminded me we must do it to match dates with budgets. Thank you, and I ask for a green on LB430.

WILLIAMS: Thank you, Senator Groene. Debate is now open on LB430. Seeing no one in the queue, Senator Groene, you are recognized to close. Senator Groene waives closing. The question is the advancement of LB430 to E&R Initial. All those in favor vote aye; those opposed vote nay. Have all voted? Record, Mr. Clerk.

CLERK: 36 ayes, 0 nays, Mr. President, on the advancement of LB430.

WILLIAMS: The bill advances. Mr. Clerk, we'll turn to Select File.

CLERK: Mr. President, with respect to Select File, LB146 is first; no E&Rs. Senator Matt Hansen would move to amend with AM279.

WILLIAMS: Senator Hansen, you are recognized to open on AM279.

M. HANSEN: Thank you, Mr. President; and good morning, colleagues. AM279 to LB146 is a white copy amendment that replaces the bill. As we discussed during General File debate on LB146, we were working on a compromise between the Nebraska Bankers Association and the

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Nebraska State Bar Association. AM279 incorporates the compromise worked out between the two organizations. As a result of the compromise, the amendment adjusts the bill to clarify that damages will still be available for parties seeking to require acceptance of a lawfully executed power of attorney. The amendment would provide that an action to require acceptance, an attorney would stand in the shoes of the principal and have all rights of recovery the principal would otherwise have. The bill would further provide a specific reference to economic damages in instances where the reluctance to accept a lawful power of attorney results in damages on a securities account or when a stock trade is delayed. Again, both the Bankers Association and Bar Association support this amendment, and I appreciate members of those organizations working on this compromise. I'd like to thank Senator Williams and Senator Clements and others who spoke on this in General File and supported this bill with-- with this intended compromise. With that, I would ask the body to advance AM146 [SIC], after we amend it with AM279. Thank you, Mr. President.

WILLIAMS: Debate is open on AM279. Seeing no one wanting to speak, Senator Matt Hansen waives closing. The question before the body is the advancement of AM279. All those in favor say, excuse me, vote aye; all those opposed vote nay. Have all voted? Record, Mr. Clerk.

CLERK: 37 ayes, 0 nays on adoption of Senator Hansen's amendment.

WILLIAMS: The amendment is adopted.

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

WILLIAMS: Senator Slama.

SLAMA: Mr. President, I move that LB146 be advanced E&R for engrossing.

WILLIAMS: You have heard the motion. All those in favor say aye. Opposed say nay. LB146 is advanced. Mr. Clerk.

CLERK: Mr. President, Senator Slama, I have LB154. I have no amendments to the bill, Senator.

WILLIAMS: Senator Slama.

SLAMA: Mr. President, I move that LB154 be advanced to E&R for engrossing.

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WILLIAMS: You have heard the motion. All those in favor say aye. Those opposed say nay. LB154 is advanced. Mr. Clerk.

CLERK: Mr. President, LB264. Senator, I do have Enrollment and Review amendments pending.

WILLIAMS: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB264 be adopted.

WILLIAMS: Members, you have heard the motion. All those in favor say aye. Those opposed say nay. LB264 is advanced [SIC]. Mr. Clerk. Senator Slama.

SLAMA: Mr. President, I move that LB264 be advanced to E&R for engrossing.

WILLIAMS: Members, you have heard the motion. All those in favor say aye. Those opposed say nay. Now LB264 is advanced. Mr. Clerk.

CLERK: Mr. President, LB7. Senator, I have no-- I'm sorry. I have Enrollment and Review amendments pending.

WILLIAMS: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB7 be adopted.

WILLIAMS: Members, you have heard the motion. All those in favor say aye. Those opposed say nay. The E&R amendments are advanced.

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

WILLIAMS: Senator Slama.

SLAMA: Mr. President, I move that LB7 be advanced to E&R for engrossing.

WILLIAMS: You have heard the motion. All those in favor say aye. Those opposed say nay. LB7 is advanced. Mr. Clerk.

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CLERK: Mr. President, LB55. I have Enrollment and Review amendments, Senator.

WILLIAMS: Senator Slama.

SLAMA: Mr. President, I move that the E&R amendments to LB55 be adopted.

WILLIAMS: Members, you have heard the motion. All those in favor say aye. Those opposed say nay. The amendments are advanced. Senator Slama.

SLAMA: Mr. President, I move that LB55 be advanced to E&R for engrossing.

WILLIAMS: Members, you have heard the motion. All those in favor say aye. Opposed say nay. LB55 is advanced. Mr. Clerk.

CLERK: Mr. President, items: a hearing notice from the Natural Resources Committee and from the Appropriations Committee, those signed by the respective Chairs. Senator Halloran would like to print an amendment to LB693. A series of name adds: Senator Geist to LB445; Hunt, LB657; Bostelman, 1-- LR1CA; Geist, LR1CA.

Mr. President, Senator McDonnell would move to adjourn the body until Tuesday morning, February 19, at 9:00 a.m.

WILLIAMS: Members, you have heard the motion to adjourn. All those in favor say aye. Opposed say nay. We are adjourned.